

Coronavirus Relief Fund
Disbursements to Alaska Native Corporations
August 4, 2021

The Coronavirus Aid, Relief, and Economic Security Act (CARES) Act reserved \$8 billion from the Coronavirus Relief Fund (CRF) for payments to Tribal governments. On June 25, 2021, the Supreme Court held in *Yellen v. Confederated Tribes of the Chehalis Reservation*¹ that ANCs are eligible for payments from the CRF.

Treasury previously determined to allocate funds reserved for Tribal governments based on population, employment, and expenditure data, with a minimum payment of \$100,000 included as part of the population-based allocation. ANCs were included in the population-based allocation² and were eligible to provide employment and expenditure data by the June 6, 2020, deadline for use in calculating the employment and expenditure-based allocations.³

Treasury subsequently reallocated a portion of the remaining CRF funds pursuant to a new methodology to address the particular circumstances of certain federally-recognized Tribes.⁴ Notwithstanding this reallocation, \$14,014,430 from the CRF remains subject to preliminary injunctions in two cases pending in federal district court. The total amount of funds available for disbursement to ANCs at this time (i.e., not including the amount subject to the preliminary injunctions referenced above) is \$443,863,750.27. Amounts to be paid to ANCs will reflect a pro rata reduction of each ANC's initial CRF allocation in an amount sufficient to account for the reallocation and preliminary injunctions, provided that each ANC will still be provided at least \$100,000.

Treasury has requested that ANCs confirm or update the points of contact and bank account information they provided to Treasury last year.⁵ In addition, given that, at the time this information was collected, Treasury was enjoined from making payments to ANCs, Treasury will permit ANCs that did not provide this information last year an opportunity to do so at this time. All ANCs are eligible for their population-based payment. However, ANCs that did not submit employment and expenditure data prior to last year's deadline will not be eligible to receive payments from the employment and expenditure allocations. These calculations had to be completed in June 2020 for all Tribal government recipients, so introducing new data at this time would introduce inequities in the allocation.

Payments from the CRF are subject to the restrictions on the use of funds provided in section 601(d) of the Act (42 U.S.C. § 601(d)) and guidance issued by Treasury, and all recipients including ANCs are required to submit reports to Treasury with respect to the use of such funds.

¹ 141 S.Ct. 2434.

² See CRF Allocations to Tribal Governments (May 5, 2020) <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Tribal-Allocation-Methodology.pdf>

³ See CRF Allocations to Tribal Governments (June 17, 2020) <https://home.treasury.gov/system/files/136/Tribal-Allocation-Methodology-for-Second-Distribution.pdf>

⁴ See CRF Allocations to Tribal Governments (April 30, 2021) <https://home.treasury.gov/system/files/136/Allocations-to-Tribal-Governments-April-30-2021.pdf>

⁵ Upon confirmation of contact information, eligible ANCs will be provided a DocuSign link to complete submission of their banking information to receive distributions.

Treasury is hosting an Information Session for ANCs on August 5, 2021 from 3:30 to 5:00 pm EDT. The purpose of the Information Session will be to provide an overview of the CRF and eligible uses as well as reporting and compliance requirements. ANCs should become familiar with Treasury's website on the Coronavirus Relief Fund, including the program guidance and the recipient reporting and record retention requirements. ANC leadership and staff are invited to submit questions in advance of the session during the registration process. Register [here](#).

Questions on the Coronavirus Relief Fund can be sent to tribal.consult@treasury.gov.

Treasury's guidance regarding the use of funds is available here:
https://home.treasury.gov/system/files/136/CRF-Guidance-Federal-Register_2021-00827.pdf.

Information about reporting and recordkeeping requirements related to CRF payments is available here: <https://oig.treasury.gov/cares-act>.