

What is the Coronavirus Aid, Relief and Economic Security Act [CARES ACT]?

The CARES Act established the Coronavirus Relief Fund and appropriated the U.S. \$150 billion to the fund. Under the CARES Act, the fund is to be used to make payments for specified uses to state and certain local governments; the District of Columbia and U.S. Territories; and Tribal governments.

Why is there an application process rather than a “stimulus” payment?

The fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. The federal guidelines set forth for the fund (https://www.mcn-nsn.gov/wp-content/uploads/2020/06/Federally_Issued_Guidance.pdf) clearly state that monies must be dispersed for COVID-related expenditures and losses. For federal auditing purposes and to ensure no individual or tribal penalty incurs, documentation must be provided.

Must a State, local, or tribal government require applications to be submitted by businesses or individuals before providing assistance using payments from the Fund?

Governments have discretion to determine how to tailor assistance programs they establish in response to the COVID-19 public health emergency. However, such a program should be structured in such a manner as will ensure that such assistance is determined to be necessary in response to the COVID-19 public health emergency and otherwise satisfies the requirements of the CARES Act and other applicable law. For example, a per capita payment to residents of a particular jurisdiction without an assessment of individual need would not be an appropriate use of payments from the Fund.

Who decides where the funding goes to?

The Coronavirus Relief Fund (CRF) Deployment Team consisted of several individuals from MCN Principal Chief David Hill’s cabinet and MCN National Council Representatives. CRF collected and generated ideas throughout the Nation to decide where the funding will go to.

How will the funds be distributed to?

The money will be distributed through several different programs throughout the Muscogee (Creek) Nation. CRF has created several new COVID related programs as well as providing additional funding for other programs.

What if I own a business, will there be a program to help?

There is an MCN Economic Relief Program, which consist of two separate programs and are called the Muscogee (Creek) Nation-Owned Business Relief Program and the Muscogee (Creek) Nation Citizen-Owned Business Relief Program.

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Do governments have to return unspent funds to the U.S. Treasury?

Yes. Section 601 (f)(2) of the Social Security Act, as added by section 5001 (a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the fund that have not been used in a manner consistent with section 601 (d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.