



Sokaogon Chippewa Community

3051 Sand Lake Road, Crandon, WI 54520

Phone: (715) 478-7500 * Fax: (715) 478-5275

www.sokaogonchippewa.com



To: SCC Tribal Member
From: SCC Tribal Council
Date: 06/15/2021

Re: SCC ARPA Economic Recovery Fund

Dear SCC Tribal Member,

The SCC Tribal Council by Resolution # 06-15A-2021 established the Sokaogon Chippewa Community ARPA Economic Recovery Fund to provide Household Assistance to Eligible (enrolled SCC) Tribal members suffering negative economic impacts due to the COVID-19 public health emergency. Applications are available immediately with payments beginning July 1, 2021. The amount is \$1,000.00, determined by the negative economic impact experienced by an Eligible (enrolled SCC) Tribal Member Applicant.

Eligibility Criteria:

1. Individual must be an enrolled SCC Tribal Member age 18 or older as of July 1, 2021.
2. Individual must demonstrate a negative economic impact directly related to the COVID-19 pandemic in at least the amount certified.
3. Individual must certify that COVID-19 related negative economic impact.
4. Eligible Tribal members may receive a one-time payment.

To receive payment through the SCC ARPA Economic Recovery Fund payment procedures, please complete the proper information and drop off, mail, email or fax:

Questions: (715) 219-5628

Drop off: Reception Desk at SCC Tribal Administration Building

Mail To : SCC Economic Recovery Fund

C/O Tribal Council

3051 Sand Lake Road

Crandon, WI 54520

EMAIL TO: Tabitha.renkas@scc-nsn.gov or to Secretary

Carmen.McGeshick@scc-nsn.gov

FAX TO: (715) 478-5275.



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APPLICATION SCC ARPA Economic Recovery Fund

Name & Tribal ID #: _____

(Copy of Tribal ID Must Accompany Application).

Residence Address: _____

Signature: _____

Certification of Negative Economic Impact: (check all that apply). Due to the to COVID-19 public health emergency I have:

(1) Suffered loss of my income or the income of the family member upon which I rely due to:

- _____ layoffs or furloughs, reduced hours, or salary reductions
- _____ the need to care for dependents as a result of school or daycare closures
- _____ the need to quarantine/isolate or take other measure in compliance with COVID-19 related public health measures including state and tribal emergency shelter at home orders.
- _____ Other reasons. Please explain. _____

(2) Experienced any of the following increased or unforeseen emergency financial costs:

- _____ medical costs or prescription drugs
- _____ food related costs
- _____ transportation costs
- _____ child, adult, or elder care costs
- _____ costs to facilitate remote work or distance learning
- _____ cost of personal protective equipment (PPE)
- _____ funeral or burial costs
- _____ costs of cleaning/disinfecting products or equipment
- _____ costs associated with social distancing and complying with federal, state, and tribal guidelines for mitigation of spread of COVID-19
- _____ experienced overdue or was unable to make mortgage, rent or other utility when due now or at some point during the pandemic
- _____ other costs to meet emergency individual or family needs (please explain).

(3) I have experienced a negative economic impact identified above in the amount of at least (check one):

_____ \$ 1,000

By signing this application, I certify that I understand the program guidelines and agree to the terms; and I certify that I have documentation supporting my certification of negative economic impact and will provide if requested; and I acknowledge this is a one-time assistance payment and not a reoccurring benefit; and I certify the above information is accurate and reflects the negative economic impact I experienced due to the COVID-19 public health emergency. I understand I am responsible for determining how the financial assistance impacts any governmental assistance I receive now or in the future.



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Sokaogon Chippewa Community ARPA ECONOMIC RECOVERY FUND

✓ Tribal Welfare Benefit Exclusion Program

§ 1 FINDINGS, PURPOSE AND AUTHORITY

FINDINGS AND PURPOSE

- (a) The purpose of this Program is to provide direct financial assistance to eligible Tribal Members designed to address the negative economic impacts due to the by the COVID-19 public health emergency on households and individuals. The benefits are limited to one per Tribal Member directly affected by negative economic impacts due to the COVID-19 public health emergency. The benefits are intended to meet the other criteria of section 602 and 603 of the Social Security Act outlined in the U.S. Treasury Coronavirus State and Local Fiscal Recovery Funds, Interim Final Rule, May 2021 (“Interim Final Rule”). This is a one-time welfare benefit grant for Tribal Members experiencing negative economic impacts due to the COVID-19 public health emergency.
- (b) This Program is designed to provide economic stabilization for Eligible Tribal Members due to the COVID-19 public health emergency and its associated negative economic impacts and is intended to promote the general welfare. It is the Tribe’s intent that the grant assistance provided pursuant to this Program will meet the criteria set forth in Revenue Procedure 2014-35 (including any subsequent Internal Revenue Service guidance) and the Tribal General Welfare Exclusion Act of 2014, for treatment as a tax exempt benefit.
- (c) This Program is designed to qualify as an assistance program that is reasonably proportional to the negative economic impacts experienced by Eligible Tribal Members. To that measure, the Interim Final Rule provides a presumption that households or populations that experienced unemployment or increased food or housing insecurity or is a low-or moderate income household, experienced negative economic impacts resulting from the pandemic.
- (d) **Federal Income Tax.** The Sokaogon Chippewa Community (“SCC”) Tribal Council has structured this Program with the intent that the financial assistance received by an Eligible Tribal Member is not subject to federal income tax. Specifically, the SCC intends for the financial assistance payments provided under this Program to the “Indian general welfare benefits” under Section 139E of the Internal Revenue Code that are not subject to federal income tax. A benefit is an “Indian general welfare benefit” if it provided under a Program that is (1) administered under specified guidelines that do not discriminate in favor of members of the governing body of the Tribe, and (2) the benefit provided is available to any tribal member who meets the required guidelines, is for the promotion of the general welfare, in not lavish or extravagant, and is not compensation for services.



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- (e) **Effect on Other Assistance.** A Tribal Member's receipt of financial assistance under the Program may affect that member's eligibility for other need-based assistance. While the Tribe has structured the Program to minimize members' individual tax burden and any effects on the receipt of other assistance, **IT IS THE SOLE RESPONSIBLY OF THE APPLICANT TO DETERMINE THE EFFECTS, IF ANY, THE HOUSEHOLD ASSISTANCE HAS ON OTHER ASSISTANCE BENEFITS.**

AUTHORITY

This Program, SCC ARPA Economic Recovery Fund, is an Assistance to Households American Rescue Plan (ARPA) fund program to provide financial assistance to eligible Tribal members facing negative economic impacts due the COVID-19 public health emergency. Household Assistance provided under this Program is NOT a per capita or stimulus payment available to all Tribal members. Rather, eligibility for assistance is limited to those who certify to negative economic impacts due to the COVID-19 public health emergency and is reasonably proportional to the negative economic impact experienced.

Guidance on the acceptable uses of ARPA fund provided by the United States Treasury's Coronavirus State and Local Fiscal Recovery Funds, FAQ's dated May 10, 2021 states:

Para. 10. May recipients use funds to respond to the public health emergency and its negative economic impacts by providing direct cash transfers to household?

Yes, provided the recipient considers whether, and the extent to which, the household experienced a negative economic impact from the pandemic. Additionally, cash transfers must be reasonably proportional to the negative economic impact they are intended to address. Cash transfers grossly in excess of the amount needed to address the negative economic impact identified by the recipient would not be considered to be a response to the COVID-19 public health emergency or its negative impacts. In particular, when considering appropriate size of permissible cash transfers made in response to the COVID-19 public health emergency, state, local, territorial, and Tribal governments may consider and take guidance from the per person amounts previously provide by the federal government in response to the COVID crisis.

Further this Program is established under the inherent sovereign authority of the Sokaogon Chippewa Community ("SCC") acting through its Tribal Council pursuant to powers vested in the Tribal Council under the Sokaogon Chippewa Community Constitution to enact programs for the general welfare of the Tribe, and pursuant to the Tribal General Welfare Exclusion Act of 2014, codified under Internal Revenue Code Section 139E, which excludes from gross income, for income tax purposes, the value of general welfare assistance that may be provided to Eligible Tribal Members. The Tribal Council determines such assistance is administratively feasible and such assistance is necessary economic support for Tribal members.



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§ 2 DEFINITIONS

- (a) **“Applicant”** means a Tribal Member seeking benefits under this Program who may submit an application to qualify as a Beneficiary of the Program.
- (b) **“Application”** means written forms completed by the Applicant, including all supporting documentation, submitted to the Tribe pursuant to Section 6 (a), in order to receive consideration for assistance under the Program.
- (c) **“Tribal Member”** means any enrolled member of the Tribe.
- (d) **“Beneficiary”** means the Tribal member determined to be eligible to receive Economic Recovery Fund payments pursuant to this Program. Beneficiary means the same as Eligible Tribal Member.
- (e) **“Program”** means this Sokaogon Chippewa Community Economic Recovery Fund. This is a **one-time grant** to address negative economic impacts incurred due to the COVID-19 public health emergency.
- (f) **“Sokaogon Chippewa Community Reservation”** means all land within the exterior boundaries of the Sokaogon Chippewa Community Reservation, and all lands that may be added from time to time to the Sokaogon Chippewa Community Reservation after the date of enactment of this Program.

§ 3 TRIBAL MEMBER ASSISTANCE ELIGIBILITY.

To be an Eligible for assistance pursuant to this Program, a person must be a Tribal Member who is 18 years or older on June 1, 2021. The Tribal Member must certify their negative economic impact due to the coronavirus public health emergency. The Tribal Member must certify the amount of negative economic impact experienced.

§ 4 TRIBAL MEMBER ASSISTANCE LIMITS.

- (a) All grant assistance provided pursuant to this Program is limited to One Thousand (\$1,000) Dollars per Eligible Tribal Member.
- (b) **Disbursements.** Disbursements under this Program will be made only upon approval of an Application from an Eligible Tribal Member.
- (c) **Non-Discrimination.** The assistance provided under this Program shall not discriminate in favor of the governing body of the Tribe.

§ 5 ELIGIBLE PROGRAM ASSISTANCE



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All enrolled adult Tribal members who were 18 years of age or older as of July 1, 2021 (the date the Program was established) are eligible to apply for financial assistance under the Program.

§ 6 APPLICATION PROCESS

(a) Tribal Member Applicant Responsibility.

(1) **Application Requirement.** An Applicant must submit a written Application in accordance with the requirements established by the Tribal Council pursuant to this Program. All Applications must be signed and dated by the Applicant. Applicants must also certify that they qualify for the financial assistance and have experienced negative economic impact due to the COVID-19 public health emergency. Completed Applications will be accepted in person, by mail, by email or by facsimile.

(2) **Tribal Council Requests.** If required by the Tribal Council, the Applicant shall timely submit any other documents or information deemed necessary by the Tribal Council.

(b) Tribal Responsibility.

(1) **Eligibility Determination.** Tribal Administration shall confirm the eligibility of each Beneficiary who receives assistance under this Program through enrollment records or other pertinent records of the Tribe. If an Application is required pursuant to Section 6 of this Program, the Tribe shall date stamp the Application upon receipt and notify the Applicant, in writing within five (5) business days, of his/her determination of eligibility for assistance benefits.

(2) **Applications.** Completed Applications shall be reviewed, and determination made as to eligibility, within forty-eight (48) hours of receipt by the Tribe.

§ 7 PROGRAM FUNDS DISBURSEMENT PROCESS

(a) Subject to Section 5, a Beneficiary is eligible to receive up to the maximum assistance limit as determined.

§ 8 GENERAL ADMINISTRATIVE PROCEDURES

(a) **Record Maintenance.** The Tribe shall maintain the following files:

(1) For each Beneficiary, documentation establishing eligibility, including all information and documentation supplied in connection with their Application, if required, and all proof of disbursement of Program funds.

(2) For each Beneficiary determined to be ineligible, including all information provided by the Applicant and documentation of the decision making process to disapprove eligibility.



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- (3) For Applications which are incomplete and pending determination of eligibility. Applicants submitting incomplete Applications will be notified in writing and given an opportunity to submit the missing information within a reasonable period of time.
- (4) A ledger recording each and every form of Program assistance provided to a Beneficiary. All ledgers shall be retained for a period of no less than seven (7) years.
- (5) For the Program, record of all due diligence research conducted to support the assistance.

(b) Audit.

- (1) Beneficiaries are required to use Program assistance exclusively for the purposes stated herein. In the event that Program assistance payments are used or pledged for a purpose inconsistent with the purposes set forth in this Program or the Beneficiary's Application, the Tribal Council shall require the immediate repayment of the assistance payment.
- (2) **Appeal Procedure.** Should the Tribal Council disapprove any Application, the Applicant may appeal the decision by filing a written notice with the Tribal Council within fourteen (14) working days following the certified mailing of notice of disapproval. The Applicant shall be entitled to be present at a meeting of the Tribal Council and shall have the right to present oral or written communication with regard to the reconsideration. The decision of the Tribal Council shall be considered final.

§ 9 MISCELLANEOUS

- (a) **Severability.** If any provision of this Program, or the application thereof to any person or circumstance, shall be held unconstitutional or invalid by the Tribal Council, only the invalid provision shall be severed and the remaining provision and language of this Program shall remain in full force and effect.
- (b) **No Waiver of Immunity.** All inherent sovereign rights of the Tribe as a federally recognized Indian tribe with respect to provisions authorized in this Program and are hereby expressly reserved, including sovereign immunity from unconsented suit. Nothing in this Program shall be deemed or construed to be a waiver of the Tribe's sovereign immunity from unconsented suit.
- (c) **Adoption.** This Program shall become effective upon its approval by majority vote of the Tribal Council at a duly noticed meeting.

Adopted by the Tribal Council on June 15, 2021 by *Resolution # 06-15A-2021*