



OSAGE NATION CONGRESS
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MEMBERS OF CONGRESS
ELI POTTS ~ BILLY KEENE ~ JOHN MAKER ~ JOE TILLMAN

Joint Statement- For Immediate Release
American Rescue Plan Funds
6/2/2021 10:45AM

The Osage Nation- We were encouraged to hear the Chief had signed ONCA 21-49 that was passed during the most recent special session of the Osage Nation Congress. We feel that this legislation properly restores the responsibility of appropriating federal funds to the legislative branch of government.

When asked about the legislation, Congressman Potts stated that he was “glad to see nine members of Congress change their minds from when I offered near identical legislation (ONCA 20-71) less than eight months ago and it was voted down. Nevertheless, I’m encouraged to see those nine members join Congressman Tillman, Congresswoman Stabler and myself, only wish we could have done it in September of last year”.

Chief Standing Bear presented his plan to spend ARPA funds on “approved and tentatively approved projects amounting to \$115 million dollars.” Chief Standing Bear previously stated in his opening remarks that “On Wednesday, May 19, [he] was informed Osage Nation received our share of the \$1 billion dollars and the 65%. This amounted to \$108,375,827.59.” Not only does it appear that the Standing Bear Administration has a spending problem, but that we indeed did have communication problem between the branches of government.

During the Special Session of Congress, other Tribal Nations began to disclose publicly how they intended to spend their respective shares of the American Rescue Plan funds. This included the Cherokee Nation detailing a plan to allocate a portion of the funds directly to the Cherokee people.

The Cherokee Nation legislative body took action to formally approve the direct payments to the Cherokee People on May 27th, 2021. Their legislative action cleared concerns that news of direct payments was “misinformation” as it was characterized by some and also proved to be a powerful exercise of sovereignty in that the Cherokee Nation made a strong statement in support of providing direct payments to their people.

We similarly join members of multiple nations in supporting direct payments to the Osage people.

Congressman Keene stated, “If all these other Tribes are making it a priority to deliver direct aid in the form of distribution checks to their people, it’s imperative the Osage Nation make that happen as well. It’s not time for us to be so risk-averse and wait, while other tribes, with consultants and lawyers too, already have the green light”.

CONGRESSMAN ELI POTTS	918.949.0354
CONGRESSMAN JOHN MAKER	918.740.5484
CONGRESSMAN BILLY KEENE	785.840.5140
CONGRESSMAN JOE TILLMAN	918.277.2538



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Congressman Maker stated “the Osage Nation needs to be doing everything we can to support our people. These are tough times, and I’m not going to pretend that these funds will eventually ‘trickle down’- we need to give it to the people and make our Nation stronger and our people more resilient”.

Congressman Tillman and Congressman Potts also expressed support for direct payments to all Osage people.

Congressman Potts said, “Chief Standing Bear said it in his opening remarks, ‘the remaining \$19 billion dollars is allocated to all Indian Nation based on membership enrollment and tribal employment... [and that] Osage Nation membership was submitted as 22,925 and our share of the \$12.35 billion dollars is based on that certified submission.’ The notion that only those in Osage county or that not ALL members of the Osage Nation should somehow benefit from these funds is misguided and simply wrong.”

Congressman Tillman expressed further support for specific individual payments to the Osage people. He stated “If we gave half of our allocation, instead of letting the Chief and the Osage bureaucracy tell them what we’re going to spend it on, that’s putting the needs of the Osage People first. That’s giving every Osage citizen \$2,300 dollars, and we’d still have more than the annual amount we get from gaming, and more than total amount the Nation received from the CARES Act. That’s a plan I could get behind.”

This proposal is also in line with revised FAQ’s from the United States Department of the Treasury. We have included the summary as presented by the Osage Nation Congressional Budget Analyst.

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The Department of the Treasury released an updated version of their Coronavirus State and Local Fiscal Recovery Funds frequently asked questions (FAQs) document on May 27, 2021.¹ Most of the information below is from that document and addresses issues that may be of interest to Congress.

Direct Cash Payments to Constituents

“May recipients use funds to respond to the public health emergency and its negative economic impacts by providing direct cash transfers to households?”

“Yes, provided the recipient considers whether, and the extent to which, the household has 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... In particular, when considering appropriate size of permissible cash transfers made in response to the COVID-19 public health emergency, state, local, and Tribal governments may consider and take guidance from the per person amounts previously provided by the federal government in response to the COVID crisis.”²

Assistance to Casinos

“How can recipients use funds to assist the travel, tourism, and hospitality industries?”

“Aid provided to tourism, travel, and hospitality industries should respond to the negative economic impacts of the pandemic. For example, a recipient may provide aid to support safe reopening of businesses in the tourism, travel and hospitality industries and to districts that were closed during the COVID-19 public health emergency, as well as aid a planned expansion or upgrade of tourism, travel and hospitality facilities delayed due to the pandemic [emphasis mine].

“Tribal development districts are considered the commercial centers for tribal hospitality, gaming, tourism, and entertainment industries.”³

Improving Vaccination Rates

“May recipients use funds to pay for vaccine incentive programs (e.g., cash or in-kind transfers, lottery programs, or other incentives for individuals who get vaccinated)?”

¹ <https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf>

² Coronavirus State and Local Fiscal Recovery Funds: Frequently Asked Questions, 2.6

³ Ibid., 2.9

“Yes. Under the Interim Final Rule, recipients may use Coronavirus State and Local Fiscal Recovery Funds to respond to the COVID-19 public health emergency, including expense related to COVID-19 vaccination programs... so long as such costs are reasonably proportional to the expected public health benefit.”⁴

Regarding the “expected public health benefit,” researchers at UCLA conducted a study on the effect of offering a cash award for taking the vaccine: “Roughly a third of the unvaccinated population said a cash payment would make them more likely to get a shot. The benefits were largest for those in the group getting \$100, which increased willingness (34 percent said they would get vaccinated) by six points over the \$25 group.”⁵ If the Nation were to provide a vaccine incentive using ARPA funds, research backs up \$100 per recipient as a solid incentive for significantly increasing vaccination rates.

Administrative Expenses

“Can recipients use funds for administrative purposes?”

“Recipients may use funds to cover the portion of payroll and benefits of employees corresponding to time spent on administrative work necessary due to the COVID-19 public health emergency and its negative economic impacts. This includes, but is not limited to, costs related to disbursing payment of Fiscal Recovery Funds and managing new grant programs established using Fiscal Recovery Funds.”⁶

Interest on ARPA Funds

“Are recipients required to remit interest earned on CSFRF/CLFRF payments made by Treasury?”

“No...”⁷

⁴ Ibid., 2.12

⁵ <https://www.nytimes.com/2021/05/04/upshot/vaccine-incentive-experiment.html>

⁶ Coronavirus State and Local Fiscal Recovery Funds: Frequently Asked Questions, 10.2

⁷ Ibid., 10.3