

Justification of Non-Material Change
CARES Act Coronavirus Relief Fund for SLT
1505-0264

Treasury is submitting a request for non-material change in order to add the “Supplemental Request for Tribal Information” form, to OMB Control Number 1505-0264. The necessity and burden for this form was accounted for when the previous submission under 1505-0264 was made, however the form itself was not available for inclusion at the time, given the expedited timetable for implementation of other related provisions of the CARES Act. The addition of this supplemental form will result in no change to the burden, as the minimal time necessary to complete this form is reasonably accounted for within the total hours previously estimated in the supporting statement.

The form will collect supplemental information about the number of tribal employees and total government expenditures. The information will be used to determine the second distribution of Coronavirus Relief Fund to Tribal governments using the [Coronavirus Relief Fund Tribal Allocation Methodology](#) posted on Treasury’s website May 5, 2020.

The CARES Act reserves \$8 billion from the Coronavirus Relief Fund for payments to Tribal governments and provides that the allocation of payments to Tribal governments is to be determined by the Secretary of the Treasury in consultation with the Secretary of the Interior and Indian Tribes. The CARES Act provides that the Tribal allocation is to be “based on increased expenditures of each such

Tribal government (or a tribally-owned entity of such Tribal government) relative to aggregate expenditures in fiscal year 2019 by the Tribal government (or tribally-owned entity)” and “determined in such manner as the Secretary [of the Treasury] determines appropriate to ensure that all amounts” are distributed to Tribal governments. Based on a reasonable assessment of the reliability, verifiability, and relevance of available data and after consulting with the Department of the Interior and Indian Tribes, Treasury has determined that it is reasonable and appropriate to allocate payments based on a formula that takes into account population data, employment data, and expenditure data. This determination is also based on considerations of administrative feasibility—a particularly important factor in light of the need for prompt payment to Tribal governments to meet immediate needs.