

**Affidavit of Class Counsel Michael P. Gross  
In Support of Application for Attorney's Fees and Costs  
and Final Settlement Agreement**

**Exhibit C**

**A. Gay Kingman, Coalition of Large Tribes,  
e-mail to Michael P. Gross, July 31, 2015**

## EXHIBIT C: A. GAY KINGMAN, COALITION OF LARGE TRIBES, e-mail to Michael P. Gross, July 31, 2015

**Michael Gross**

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**From:** A Gay Kingman, Executive Director [kingmanwapato@rushmore.com]  
**Sent:** Friday, July 31, 2015 9:26 PM  
**To:** Michael Gross  
**Cc:** A. Gay Kingman  
**Subject:** Fw: 2015 Indirect Cost Rates Issued see attached. Going forward after the Lawsuit & Settlement How do we 'fix' the system so this won't happen again Gay Kingman  
**Attachments:** BIA Rates Issued 10\_2014 to 7\_30\_15.pdf; COLT Mtg Agenda.8.4.15.F.docx  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Michael, Please see the attached BIA Indirect Cost Rates. Note: the discrepancy among the Tribes. I wanted the Tribal Leaders to meet you as the Attorney who worked the Ramah Law Suit for 20 years and won. Now we have to 'Fix' the system and that is the concentration NOW> Also attached is the latest Agenda.

Next: I shall try to explain and this is brief...we are dealing with 3 things:

1. the law suit Settlement and the negotiations that are going on and we have no business on that because that is with those Tribes who are impacted. So we won't discuss this.
2. going forward we are working on the Tribal Budgets for 2017, this is our normal process and both HHS and DOI are involved. plus we are currently working with Congress & Appropriations on trying to hold the line on budgets and hopefully increase needed funds.

Tribes are greatly concerned that even with the Court ruling, that CSC (Indirect Costs) are still not being adequately paid to Tribes, especially here in the Great Plains with the poorest Tribes, we absolutely must have CSC and the Administration MUST NOT Take it from any Program Dollars. Tribes are saying don't take from our Programs to pay for Indirect Costs, take from Administration or ? Both HHS and DOI have put together CSC Advisory committees, but Tribes don't know what is going on and the process being put in place must be fair to all Tribes.

3. How do we "Fix"the system that hasn't been updated for years. We had several Auditors at our meetings and they say the CSC (Indirect Cost) system needs to be fixed with Treasury. Some Tribes have to wait 6 mos. or up to a year before they receive their Indirect Cost Rates. This causes a chain reaction in their Budgets. Some Tribes have Indirect Cost Rates of 20 % whereas, colleges & universities are way up 70 or 80 %. Finally, this seems to be pitting Direct Service Tribes against Self-Governance Tribes. See the attached Indirect Cost Rates.

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> It takes a specialized Auditor or Finance person to understand all of this and Tribes need help, many times we don't have the expertise. This is over and above the negotiation of the law suit. It is going forward with Govt.

Tribes have to be engaged with the CSC Committees.

A. Gay Kingman, Executive Director  
Great Plains Tribal Chairman's Association  
Coalition of Large Tribes  
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