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Kiowa Tribe Receives $19.5M of Relief Money from the US Treasury

The US Treasury began distributing the coronavirus relief funding under the CARES Act 2020 to the country’s 574 federally recognized tribes. The relief funding is earmarked to help tribes respond and recover from the coronavirus. Of the $2.2 trillion rescue package under the Act, approximately $8 billion was set aside for tribal governments. The Kiowa Tribe will receive $19.5 million of relief money that will go directly to unbudgeted costs experienced during the pandemic. The money is not part of the tribal budget that was previously passed.

The relief funds were scheduled to be released on April 26. This date was delayed because of pending litigation by tribes against the US Treasury for including Alaska Native Corporations (ANCs) as recipients of part of the funding destined to the federal-recognized tribes. The tribes were not consulted on this last-minute decision by the Treasury Department.

Tribes sued to prevent the funds from being allocated to these corporations since these entities do not meet the definition of a tribal government and are for-profit concerns in Alaska. Approximately 60% ($4.8 billion) of the funds were freed up and distributed to the tribes this week. The remaining 40% ($3.2 billion) is held up. The judge limited the disbursement until he decides on the eligibility status of the ANCs.

States, cities, and counties have already received their share of the relief funding. Tribal Chairman Matthew Komalty today confirms that the Kiowa Tribe has received approximately $19.5 million. “Whereas the money is considered a lifeline to help the Tribe to stabilize during this pandemic, it still is not enough because of the unmet needs that most tribes in Indian Country so desperately need. The money will help us to continue to respond to the pandemic and to help us recover from us shutting down our casinos that served as our primary moneymakers. We have been crippled economically after losing our primary business revenue.”

“The money we received today was based on our Kiowa population counts of 14,108 members. The Treasury Department will more than likely issue another distribution that is based on tribal employment and expenditure data,” says Komalty.

“I hope that the US Treasury resolves the pending litigation with our fellow tribes. Our concerns with the CARES Act funding allocation need to be heard. The money was set aside for the country’s 574 federally recognized tribes. Indian Country is suffering. Our people disproportionately have a higher incidence rate of preexisting medical conditions. Our health care system barely meets our health care needs. The action by the US Treasury to allocate some of the funding to Alaska Native Corporations is not acceptable,” states Madame Vice Chair Rhonda Aghtaitly.

Adds Chairman Komalty, “The US government needs to honor its treaty obligations to all federally recognized tribes. The exclusion of Alaska Native Corporations from the relief funding will go a long way to meeting those obligations. They need to resolve the question of Alaska Native Corporations’ eligibility plain and simple.”
The Executive Branch will administer the $19.5 million funding based on the rules and regulations provided by the US Treasury Department. The Chairman is optimistic the allocation of these resources will be maximized to the full benefit of the tribal population.

The Kiowa Tribe Executive Branch will ensure that the use of funds complies with the allowability rules and the period of performance specified in the bill:

- **To be allowable:**
  - These funds should be used for necessary expenditures incurred due to the public health emergency concerning COVID-19.
  - The expenditures are not already a part of the Kiowa tribal budget most recently approved as of March 27, 2020 (can’t replace already budgeted activity).
- **Period of performance:** Funds received under this act must cover costs incurred between March 1, 2020, and December 31, 2020.

The Kiowa Tribe will be required to repay any of these funds if they are used for any purpose that is not allowable. “Although there are no specific guidelines yet published, my staff will treat these funds as any other federally funded grant program. Since the Executive Branch of government is experienced with the auditing requirements associated with the use of federal funds, we will implement the proper internal control procedures to track the expenditures for future reporting/auditing purposes to ensure we remain in compliance with the allowability rules,” says Chairman Komalty.