



Prairie Band Potawatomi Nation Press Release

For Immediate Release

June 8, 2020

PRAIRIE BAND POTAWATOMI SUES TREASURY SECRETARY TO DELAY DISTRIBUTION OF TRIBAL CARES FUNDING *Alleges Treasury harmed Tribes by ignoring Tribal enrollment data*

MAYETTA, KS - The Prairie Band Potawatomi Nation filed suit today in Federal District Court in Washington, D.C. to prevent Treasury Secretary Steven Mnuchin from distributing the remainder of \$8 billion in funding provided to Tribal governments under the CARES Act to address the effects of the Coronavirus on American Indian and Alaska Native nations and tribes.

To meet a thirty-day deadline set by Congress for distributing the funds, in April the Treasury Department and the Department of Interior solicited input from Tribal leaders on how best to distribute the funding. Tribes were later requested to provide certain data to help generate a distribution formula. A centerpiece of the data request was that each Tribe provide its total enrolled population, the best measure for determining a Tribal government's service obligation.

Despite this request, the Treasury Department ignored the Tribal enrollment data. Instead, it adopted a highly unreliable and controversial race-based formula used by the Department of Housing and Urban Development to distribute Indian housing funds. Without advance notice that it was using this formula, Treasury then distributed \$4.8 billion to Tribal governments. While the Prairie Band has over 4,500 members, the HUD formula that was adopted by Treasury undercounted the Nation's enrolled population by 80%. Many tribes had had their population listed as zero. As a result of this absurd decision, the Nation was denied nearly \$8 million in funding that it otherwise would have received.

The Nation filed the suit to have the Federal Court void the use of the Indian housing formula and to prevent distribution of the remaining \$3.2 billion for 21 days until such time as a more accurate funding formula consistent with the CARES Act can be developed.

Joseph Rupnick, Chairman of the Prairie Band said, *"The Tribal Council and I are appalled that the Treasury Department wrote off a significant portion of the Prairie Band Potawatomi Nation's membership when making the initial CARES Act distribution. This suit is intended to restore justice to our Tribe and other similarly situated tribes. We don't want to see Treasury distribute any more CARES money until it fixes the problem from Round 1 and we have a chance to see the formula that Treasury intends to use for Round 2."*

###

The Prairie Band Potawatomi Nation reservation is located near Mayetta, 18 miles North of Topeka, Kansas. Additional information about the Prairie Band Potawatomi Nation can be found at the Nation's website www.pbpindiantribe.com.