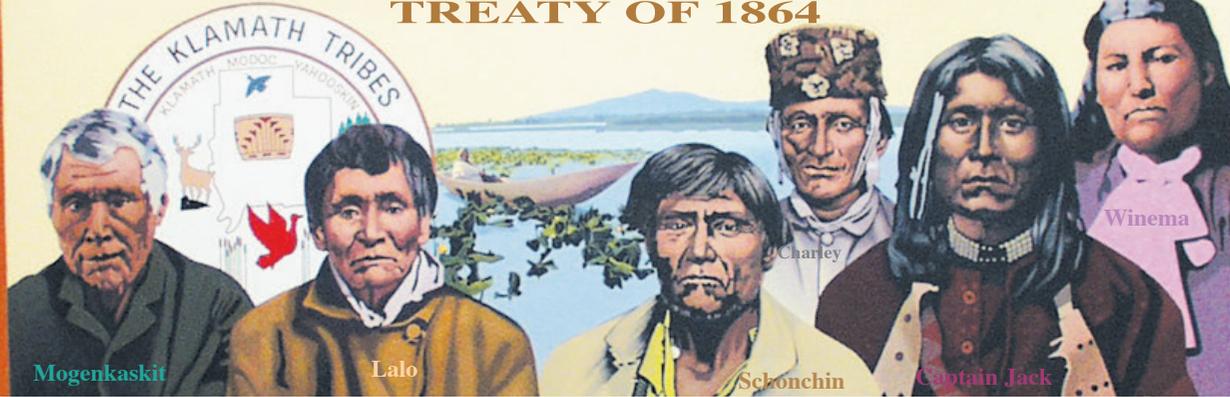


KLAMATH NEWS

THE OFFICIAL PUBLICATION OF THE KLAMATH TRIBES:

KLAMATH, MODOC, AND YAHOOSKIN

TREATY OF 1864



Mogenkaskit

Lalo

Schonchin

Captain Jack

Winema

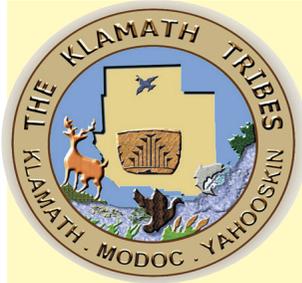
Volume 36, Issue 2

The Klamath Tribes, P.O. Box 436, Chiloquin, OR 97624

1-800-524-9787 or (541) 783-2219 Website: www.klamathtribes.org

2ND QTR. ISSUE 2020

APRIL-JUNE



KLAMATH TRIBES OF OREGON

NEWS RELEASE, June 24, 2020

For more information contact:

Klamath Tribes Emergency Manager,
Zak Jackson 541-783-2219 ext. 184

*Masks and sanitizer are available through Mr. Jackson

or
Klamath Tribal Health Acting Incident Commander-Covid-19

LCDR Nikowa N. Mendez, MHA, BSN, RN

541-882-1487

Klamath Falls, OR.- The Klamath Tribes
Confirmed on June 24, 2020 COVID-19 Cases.

The Klamath Tribal Health & Family Services (KTHFS) Incident Management Team (IMT) was made aware of two tribal health employees who tested positive for COVID-19. As a precaution, the Youth & Family Guidance Center and Klamath Tribal Health & Family Services Administration Buildings, in Klamath Falls, was closed to thoroughly sanitize. Both facilities were re-opened the following day, June 25, 2020.

KTHFS staff and the Incident Management Team are working in coordination with Klamath County Public health to conduct case investigation and follow up with close contacts (contact tracing) of the individuals to provide them with safety precautions and other services.

Any Klamath Tribal Member or Klamath Tribal Employee that has COVID-19 like symptoms or is concerned about exposure to COVID-19, you may be tested at the Klamath Tribes Wellness Center in Chiloquin, Oregon.

*Please call the clinic to access the drive up testing at 541-882-1487.

Testing hours are 8AM-11AM and 1 PM-3 PM Monday through Friday.

Reminder: Always, and especially when in locations where others aren't heeding the danger, please remember our COVID-19 Safety Protocols: Wear a face covering or mask, practice physical distancing, use good hand hygiene, and stay home if you are sick (see documents inside this newsletter for what to look for and how to protect yourself on pg. 2-3). More COVID-19 positive cases are to be anticipated. Note: By the end of business on June 24th, KTHFS was notified of 6 new cases.

A Message to our people... Please be safe. Protect yourself & your family.
Your health and safety is our priority.

Mo ben dic hoslutemlek - (To be in good health again)

FOR IMMEDIATE RELEASE

Contacts: Sue Noe, NARF Staff Attorney, suenoe@narf.org

(303) 447-8760 x117;

Chairman Don Gentry, Klamath Tribes,

don.gentry@klamathtribes.com (541) 892-1433

Supreme Court Will Not Review Decision on Klamath Basin Tribes' Senior Water Rights

Washington, DC- On June 22, 2020

The United States Supreme Court declined to hear the Klamath Project irrigators' Fifth Amendment water rights takings case *Baley v. United States*.

This is a tremendous victory for the Klamath Tribes (represented by the Native American Rights Fund) as well as for the other Klamath Basin tribes, the United States, and environmental groups. (See more on Pages 3-4.)

Attention All Klamath Tribal Members! Coronavirus Emergency Assistance Program/ \$ Funding Available

On June 5, 2020, the Klamath Tribal Council approved an Emergency Assistance Program to assist Tribal members in meeting the needs of their households brought about by the COVID-19 Pandemic, as they are aware that Klamath Tribal Members, wherever they reside, have been negatively impacted as a result of the health and economic impacts of the virus. Tribal Council wants to stress that all Tribal member households, no matter income level or where you reside, are eligible for the program. See Update Notice and Funding

*Applications/Information available online at: www.klamathtribes.org (See more on page 5...)

Or call 1-800-524-9787 or 541-783-2219 - Ask for help with the Covid-19 Assistance Program



The Klamath Tribes
P.O. Box 436
Chiloquin, OR 97624

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How to protect yourself and others from COVID-19

The *Klamath News* is a Tribal Government Publication of the Klamath Tribes, (the Klamath, Modoc, and Yahooskin Band of Snake Indians).

*** Distribution:**

Publications are distributed quarterly or as funding allows.

*** Deadline:**

Information submitted for publication must be received by the 15th of the month- (for the next quarterly publication).

*** Submissions:**

All submissions must be in electronic format.

Submissions should be emailed and not exceed 500 words. Submissions must include the author's name, address and phone number. Submissions are used as fillers and publication is strictly dependent upon space availability. We cannot guarantee publication of any article or submission.

*** Order of Priority for Newsletter:**

- #1- Tribal Government/ESSP Information
- #2- Tribal Program Information
- #3- Associated Tribal Information
- #4- Fillers (when space is available).

Letters to the Editor: Letters are viewed as Associated Tribal Information. However, they must be less than 500 words. Any and All articles may be edited for clarity and length. Letters are subject to review. Letters/articles that may contain libelous, slanderous, or personal attacks will not be printed.

*** Photographs** should be vivid and clear or 300jpg/ppi

*All internal photos by: Taylor Tupper -K-News, unless otherwise noted. ©All photos property of Tribes News dept.

*** Returns:** For any information to be "returned", please include a "self" addressed stamped" envelope.

*Electronic submissions will not be returned.

*** Klamath News Rights:**

The *Klamath News* cannot guarantee publication upon submission. The *Klamath News* reserves the right to edit all articles for clarity and length, or refuse publication of any material that may contain libelous statements or personal attacks. The *Klamath News* may not be used as a personal forum for any individual(s). All articles are subject to review/approval by the Klamath Tribes Tribal Council. Published information does not necessarily reflect the opinion of the *Klamath News*, tribal employees, or the Klamath Tribes.

*** Change of Address:**

Send address changes (for the Newsletter Only) to the following address. *Please include your old mailing label if possible.



*** Public Information/News Dept:**

***Ms. Taylor R. Tupper**
Public Information/News Manager
News Editor/Publisher
Member of Native American
Journalist Assoc. (NAJA).

taylor.tupper@klamathtribes.com

For More Information Contact:

The Klamath Tribes
Klamath News/Public Information Dept.
P.O. Box 436
Chiloquin, OR 97624
Phone: (541) 783-2219 ext. 147

or for Current Website News visit:

"What's Happening" at:

www.klamathtribes.org

How it spreads

- The virus spreads from person to person mainly through respiratory droplets an infected person makes when they cough, sneeze or talk.
 - » Droplets can land in mouths or noses of people who are nearby – within about six feet.
 - » COVID-19 may spread from people who do not show symptoms.
- The virus **may** also spread by touching surfaces or objects that have the virus on them.
- It does **not** spread easily between animals and people.

Everyone should take these prevention steps

- **Wash hands** often for at least 20 seconds with soap and warm water. If you cannot use soap and warm water, use hand sanitizer (60-95% alcohol content).
- **Cover coughs and sneezes** with elbow or tissue. If you use a tissue, throw the tissue away and wash your hands right away.
- **Do not touch your face.**
- **Stay at least six feet away** from people who you do not live with.
- **Wear a cloth, paper or disposable face covering** when you go out. A face covering may help stop the spread of the virus as more people are out and about.



• Clean and disinfect surfaces that you often touch.

Do so daily. These surfaces include:

<p>Tables</p>	<p>Doorknobs</p>	<p>Light switches</p>
<p>Desks</p>	<p>Keyboards</p>	<p>Phones</p>
<p>Sinks</p>	<p>Toilets</p>	<p>Countertops</p>
<p>Faucets</p>	<p>Handles</p>	

Continued on page

Other important steps

- **Stay close to home.** Avoid overnight trips. Minimize non-essential travel, including recreational day trips to places outside the community where you live. Travel the shortest distance that you need to for essential services. Plan to run essential errands during hours when fewer people will be there.
- **If you are sick,** stay home, call your health care provider and follow their guidance.
- **If you are at risk for severe complications** (older than age 65 or have medical conditions) you should stay home, even if you feel well.
- **If you are in public and start to have symptoms below** contact your health care provider. Otherwise, go home and self-isolate.



Fever



Chills



Cough



Shortness of breath or difficulty breathing



Fatigue



Muscle or body aches



Headache



New loss of taste or smell



Sore throat



Congestion or runny nose



Nausea or vomiting



Diarrhea

KLAMATH TRIBES' SENIOR WATER RIGHT -

A tremendous victory for the Klamath Tribes

(Continued from page 1)...

In this case the Klamath Tribes' treaty water rights were confirmed once again as the most senior water rights in the Basin; rights which are critical to protect the Tribes' fisheries and traditional way of life for future generations.

Klamath Project irrigators sought nearly \$30 million in compensation from the United States government for the Bureau of Reclamation's curtailment of water deliveries during a severe drought in 2001. The water restrictions were made to meet Endangered Species Act requirements and fulfill tribal trust responsibilities. Although the decision hinged on recognition of the senior tribal water rights, the case technically was between the irrigators and the United States. The Klamath Tribes participated as *amicus curiae* (friends of the court) to assure that the courts did not ignore the role of tribal water rights.

In 2017, the US Court of Claims confirmed that the Klamath Tribes and downriver Klamath Basin tribes have senior water rights that take priority over those of the Project irrigators. Thus, the irrigators were not entitled to receive any Project water in 2001 under the western water law system of "first in time, first in right." In 2019, the US Court of Appeals affirmed that decision and went on to declare that the Klamath Tribes' water rights include Upper Klamath Lake waters and that, in 2001, the Klamath Basin tribes were entitled to—at the least—the amount of water required to meet Endangered Species Act requirements. With the Supreme Court's refusal to review the lower court's decision, the case is closed, and the decisions from the lower courts stand.

Klamath Tribes Chairman Don Gentry stated, "We're pleased to have this case put to rest and the seniority of the Klamath Tribes' water rights recognized and reinforced. The courts in this case were correct about our treaty rights, which include protecting and sustaining the endangered C'wam and Koptu in Klamath Lake. We look forward to healing and restoring our tribal fisheries."

(NARF comments continued on page 4)...

Klamath Tribes Youth Council encourages you to:

- Wear face coverings in public spaces
- Follow social distancing guidelines
- Practice good sanitation
- Stay home when possible

Keep our children & elders safe!

"I wear a mask to protect my family"



KLAMATH TRIBES' SENIOR WATER RIGHT - A tremendous victory

(Continued from page 3)

NARF Executive Director John Echohawk praised the outcome, "We were proud to represent the Klamath Tribes throughout this 19-year-long litigation. The law is very clear about the Klamath Tribes' senior water rights in the region. The courts have been very clear as well. We are glad the courts reached the right outcome in this case and that tribal rights and sovereignty have been affirmed."

###

About Native American Rights Fund (NARF)

Since 1970, the Native American Rights Fund (NARF), has provided specialized legal assistance to Indian tribes, organizations, and individuals nationwide.

NARF has successfully asserted and defended the most important rights of Indians and tribes, in hundreds of major cases, and has achieved significant results in such critical areas as tribal sovereignty, treaty rights, natural resource protection, voting rights, and Indian education.

NARF is a non-profit 501c(3) organization that focuses on applying existing laws and treaties to guarantee that national and state governments live up to their legal obligations.

Like us on Facebook and follow us on Twitter @NDNRights to learn about the latest fights to promote justice and protect Native American rights.



Klamath Tribal Water Issues Update
Provided by Klamath Tribal Council June 2020

Klamath Basin Adjudication – Currently, the Klamath Basin Adjudication judicial review in Klamath County Circuit Court is in what is called Phase 3, Part 1. The Tribes' have been defending their senior water rights for over two decades and we are in the ending stages of this portion of that fight. Phase 3 has moved through the Group A claims (pre-1909 and federal, non-tribal reserved water right claims) and Group B claims (Walton rights) and the Group C claims (tribal water right claims) are currently being briefed. Group C reply briefs are due June 29 and oral argument is scheduled for August 25-27. In this current phase, opponents of the tribal water rights have re-argued all their legal challenges from the Administrative Law Judge seeking to have the tribal water rights recognized in the ACFOD (Amended and Corrected Findings of Fact and Order of Determination) denied or greatly diminished. Thus this is a critical phase of the Adjudication for the Tribes.

Baley vs US – After the 2001 drought leading up to the water shutoff to the Klamath Project, irrigators from the Project sued the Federal Government for almost \$30 Million in compensation for lost revenue. In 2017 the Court of Federal Claims ruled that the Klamath Tribes and other downriver Tribes have senior water rights over other uses within the Klamath Basin including the project irrigators and ruled against granting the claims. The Irrigators appealed the case to the U.S. Court of Appeals who on November 14, 2019 affirmed the Court of Claims ruling denying the irrigators demand for compensation. Despite being denied by the lower courts, the irrigators continued to appeal the rulings and requested that the Supreme Court hear the case. On June 22, 2020 the United States Supreme Court issued a denial of the Irrigators Writ of Certiorari which is basically a petition to the Supreme Court to order a lower court to send up the record of a case for them to review. *(Press Release on this action seen here on pages 1 thru 4 - Klamath Tribes' Senior Water Right).

Klamath Project 2020 Operations – The Klamath Tribes along with lower river Tribes have been meeting with BOR-USFWS-NOAA (Bureau of Reclamation, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration) to discuss project operations for the current season. There have been instances where each of the parties has felt they have not achieved all of their goals for their respective fisheries. BOR is also looking at how to fulfill irrigation requests and have raised the amount of irrigation available for the Klamath Project irrigators; although, with the current conditions that amount is less than what they have received in all but the driest years we have experienced previously.

Hyde vs OWRD PJR – The Hyde Family filed a Petition for Judicial Review in Marion County Court of OWRD's (Oregon Water Resources Department) enforcement of senior water rights. This is a separate case from the TPC/Hyde case that has been heard at the State Appeals Court level. We are still awaiting the ruling from the appeals court on the latter case. OWRD has granted a Substantial Public Harm Determination which denies the landowner's right to continue irrigation as the PJR case moves through the courts. The Klamath Tribe is filing a motion to intervene in the case which will allow us to file a motion to dismiss the case because the Tribe is an essential party to any decisions the court may make concerning this matter.

KID vs OWRD – KID (Klamath Irrigation District) vs OWRD (Oregon Water Resources Department). KID has sought to use this case to deny down river flows from UKL to the Klamath River. They are asking the court to direct OWRD to allow releases from the lake for irrigation purposes only and not allow releases for flushing flows for downriver species. The Klamath Tribes as well as the Hoopa Tribe have filed motions to dismiss this case which is in the Federal District Court in Medford.

For more information, please contact Tribal Government at 541-783-2219

Coronavirus Emergency Assistance Program: \$ Funding Available \$

We encourage all Enrolled Klamath Tribal members 18 years and older to apply for assistance through this Coronavirus Assistance Program.

The Tribal Council has approved the creation of an Emergency Assistance Program to assist Tribal members in meeting the needs of their households brought about by the COVID-19 Pandemic. We are aware that Klamath Tribal members, wherever they reside, have been negatively impacted as a result of the health and economic impacts of the virus. The Council has been working on implementing required policies and ordinances to provide a general financial assistance program for all members and has worked with staff to establish a program to meet immediate needs as quickly as possible.

On June 5, 2020 the Tribal Council approved the Coronavirus (COVID-19) Emergency Assistance Program Policy and Procedure. The policy prioritized lower income households for the first 10 days of the program, **but is now available to all members on a first come first serve basis.**

The Tribal Council wants to stress that all Tribal member households, no matter income level, are eligible for the program if they have been affected by the Coronavirus. For example, we all have seen an increase in our grocery bills that have been a result of either rising grocery costs or increased amount that we need to purchase due to the need to shelter in our homes to stop the spread of the disease. A lot of our children have had their schools close down due to the virus so that also added to increased grocery costs as well as heating/cooling and electrical costs associated with kids being stuck at home when they normally spent a large portion of their day at school.

Please indicate all the ways that you have been impacted by the virus on the application and provide additional information if what affected you isn't included in our list. When you provide this information it will help with future planning for additional services that may be implemented as well as allowing staff to assist you with obtaining assistance from existing programs that you may not be aware of.

We want to thank our members for their patience and understanding while we got this program up and running. We encourage all enrolled Klamath Tribal members 18 years and older to apply for assistance through the program. We know that the current situation has been stressful and we had many members who were experiencing emergency situations. We believe this program will provide you some needed assistance while we work through the rules and regulations to expand services to all Klamath Tribal members.

For Application & Questions/Information:

Download Application at: www.klamathtribes.org

Information contact:

Missy Say 541-783-2219 ext. 201 (Handling A-M)
Shanti Treetop 541-783-2219 ext. 200 (Handling N-Z)

*Application also available at Tribal Offices

Coronavirus Emergency Assistance Program: \$ Funding Available \$

We encourage all Enrolled Klamath Tribal members 18 years and older to apply for assistance through this Coronavirus Assistance Program.

For Application/Questions & More Information:

You can Download Application at our website:

www.klamathtribes.org

or contact Intake Specialist:

Missy Say 541-783-2219 ext. 201 (Handling A-M)

missy.say@klamathtribes.com

or

Shanti Treetop 541-783-2219 ext. 200 (Handling N-Z)

shanti.treetop@klamathtribes.com

*Application also available at Tribal Offices



(See this Policy listed on Pages 5 thru 9)

**The Klamath Tribes Administration
Coronavirus Aid, Relief and Economic Security (CARES) P.L. 116-136
Title V - The Coronavirus Relief Funds
Coronavirus (COVID-19) Emergency Assistance Program
Policy and Procedures**

I. Background

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act; P.L. 116-136), signed into law on March 27, 2020, created the Coronavirus Relief Fund. The CARES Act stipulates \$8 billion is set aside for tribal governments. Reference Section 5001, Title V, of the CARES Act, P.L.116-136.

II. Purpose

The Klamath Tribes may use all or a portion of its CARES Allocation, to fund the Coronavirus (COVID-19) Emergency Assistance Program (herein referred to as Emergency Assistance Program or Program) to provide financial assistance to Klamath Tribal households worldwide for necessary expenditures with respect to the COVID-19 outbreak.

Per Section V.d.1-3, the CARES Act stipulates "Use of Funds" as follows: "A State, Tribal government, and unit of local government shall use the funds provided under a payment made under this section to cover only those costs of the State, Tribal government, or unit of local government that –

- 1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- 2) Were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and
- 3) Were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020."

III. Definitions and Explanations

- 1) **Adult** – A person at least 18 years of age.
- 2) **Applicant** – An individual who seeks an Assistance Payment by completing an application or who asks for and receives help from Klamath Tribes Emergency Program staff to fill out an application. The terms Applicant and Head of Household are used interchangeably.

- 3) **Assistance Payment** – Assistance payment paid directly to the Applicant to procure relief from unforeseen financial expenditures incurred to prevent, respond to, or mitigate for COVID-19 related hardship.
- 4) **Head of Household** –Head of Household is defined as the Applicant; terms Applicant and Head of Household are used interchangeably. Households may have more than one Head of Household.
- 5) **Homeless** – An individual, family, or household that lacks a fixed, regular residence or has a nighttime residence that is an emergency shelter or institution, and that is without the means to secure and/or maintain affordable, safe shelter.
- 6) **Household** – Households are family units. Residences that consist of roommates and/or have an additional family unit that share a common physical address or dwelling may be considered more than one household. For example, two families with two adult heads of household living under the same roof are two households. Similarly, a family unit that shares a residence with a roommate and separates expenses will be considered to be separate households, both of which are eligible applicants.
- 7) **Income** – Money received through earned and unearned means.
- 8) **Klamath Tribal Elder** – A person enrolled in The Klamath Tribes and is at least 60 years of age. Klamath Tribal Elder and Elder are used interchangeably.
- 9) **Klamath Tribal Member** – A person enrolled in The Klamath Tribes. Klamath Tribal Member and Tribal Member are used interchangeably.
- 10) **Covid-19-Positive Households** – Households with members that have tested positive for the virus, as well as households that reside within a residence where a member of another cohabitating household has tested positive for the virus, will be given first priority *regardless* of date of application receipt.
- 11) **Initial Low-Income Priority** – For the first ten days of Assistance Payment dispersals, low-income households (not greater than 60% of the Oregon Median Income Level by family unit) will be next in priority. After ten days from the date of the first Assistance Payment dispersals to low-income Applicants, applications will be prioritized by date of receipt: first received will be first processed.
- 12) **Necessary Expenditure** – Shall be defined as: rent/mortgage payments, hotel lodging fees, utility/heat costs, food, cleaning/sanitation supplies, household toiletries, personal protective equipment, hygiene products, costs for

medication, wear-and-tear to vehicle as a result of increased household transit, and “other emergency individual needs.”

IV. Program Staff

The Klamath Tribes Coronavirus (COVID-19) Emergency Assistance Program will be administered by The Klamath Tribes Administration. Processing staff will maintain strict confidentiality requirements.

V. Program Eligibility

To be eligible for assistance through The Klamath Tribes Coronavirus (COVID-19) Emergency Assistance Program the following criteria must be met:

- 1) Applicant must be: a Klamath Tribal member, or an Applicant with blood-related children who are Klamath Tribal members, or an Applicant with other household dependents who are enrolled members of the Klamath Tribes. Assistance payments are exclusively for enrolled members of the Klamath Tribes.
- 2) Households (family units) have a residence, or dwell within a residence kept by another family unit, or are considered homeless; *and*
- 3) Applicant stipulates that funds will be used for household’s/family unit’s Necessary Expenditure(s); *and*
- 4) Applicant demonstrates “as much as possible within the realm of what is administratively feasible” that Necessary Expenditure(s) are related to the COVID-19 outbreak, COVID-19 disease, or COVID-19 public health emergency; *and*
- 5) Expenses are or were incurred between March 1st and December 30th, 2020; *and*
- 6) Household has not exceeded the maximum assistance allowable on the date of enactment of this document by a vote of the Tribal Council or a different maximum amount specified by a future vote of Tribal Council.

VI. Application Process

1) Application Access and Acknowledgement of Receipt

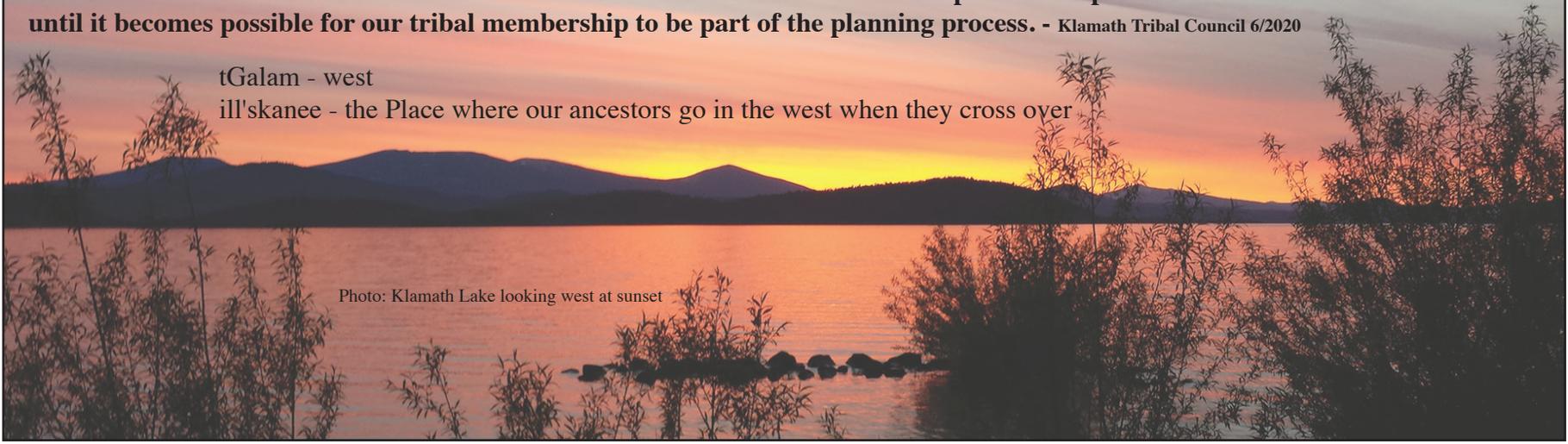
- a) Program Application will be mailed to all Klamath Tribal Members at least 18 years of age worldwide.
- b) Program Application will be available on The Klamath Tribes Administration Website.

Fourteen More Ancestors Coming Home

Tribal Council received written confirmation on May 7, 2020 that 14 more of our ancestors will soon be returned to the Klamath Tribes by the Phoebe Hearst Museum of Anthropology at UC Berkeley. This is a big accomplishment for our people! The Phoebe Hearst is notorious in Indian Country for defying the 1990 Native American Graves Protection and Repatriation Act. Despite being taken from our reservation and treaty ceded lands, these individuals were each listed as “Culturally Unidentifiable” by the museum. So, as with the first 21 who were returned in June of 2019, we need a General Council discussion of how to honor and care for these ancestors. Tribal Council has advised the museum that no final plans for repatriation and reburial can be made until it becomes possible for our tribal membership to be part of the planning process. - Klamath Tribal Council 6/2020

tGalam - west
ill'skanee - the Place where our ancestors go in the west when they cross over

Photo: Klamath Lake looking west at sunset



- c) Program Application will be available at all Tribal buildings, entities, and offices.
- d) Program Application will be sent out electronically from the Klamath Tribes Administration's Public News & Information Department.
- e) Program staff will provide requested applications per method requested by inquiring Adults (e.g., postal mail, email, or fax).
- f) All Emergency Relief Fund Program Applications received by Klamath Tribes program staff will be retained and date stamped.
- g) All received applications containing sufficient information to access emergency funds will be acknowledged in writing via U.S. mail.
- h) Applicants with applications lacking sufficient information to access emergency funds will be contacted by program staff via telephone.
- i) Assistance with obtaining and/or filling out applications, and answers to inquiries about the status of an application, will be available at: 541-783-2219 ext. 200.

VII. Remote Access for Exercising Tribal Citizenship & for Formal Education

Emergency Program staff will annotate/stamp and copy the applications of Tribal Members declaring a need for technology to allow participation in tribal government and to otherwise exercise their tribal citizenship and/or for completion of their formal education. These annotated/stamped copies of applications will be forwarded to the Klamath Tribes' Education and Employment Department for additional processing.

Technology purchases necessary to facilitate exercise of tribal citizenship and for completion of formal education, and made necessary by the Covid-19 Emergency, will be funded separately and in addition to the "Necessary Expenditures" described at Section III.12.

- a) **Eligible Individuals** – Individuals eligible for emergency created technology funds include:
 - i. Tribal Elders (These are citizens who are indispensable to the functioning of our government and other tribal institutions.)
 - ii. Higher Education and K-12 Students (To the extent reasonable, student status should be documented.)

- iii. Households lacking sufficient technology to participate in General Council Meetings, to access Tribal Council Meetings, or to participate remotely in other tribal institutions necessary for responsible exercise of tribal citizenship.

VIII. Benefit Determination

The Emergency Program staff will track Heads of Households and all members of households. Financial assistance will be provided to eligible households as defined below:

- 1) **Applicants who have contracted COVID-19 or who reside within a residence shared by someone who has contracted COVID-19** – will receive a payment of \$2,500. The Applicant must provide documentation confirming the positive test for the virus.
- 2) **Other eligible Applicants** – will receive a payment of \$1,500.
- 3) **Additional Tribal Members within a Household** – Households will receive an additional \$500 for dependent Tribal Members living within the Household. For example, an Applicant who is a Tribal Member and who has a spouse/partner and two children, each of whom are tribal members, will receive a payment of \$3,000. Similarly, if an Applicant is a non-tribal member who has dependent Tribal Members in his/her Household, the Applicant will receive \$1,500 for the first dependent and \$500 for each additional dependent Tribal Member.
- 4) **Benefits for technology**–will be determined separately.

IX. Benefit Payment(s)

Assistance will be provided in accordance with The Klamath Tribes standard practices and procedures and The Klamath Tribes Procurement Policy.

Assistance will be given to households via Direct Client Assistance Payment. The Applicant will receive a check made payable to them to address "Necessary Expenditure(s) to prevent, respond to, or mitigate for COVID-19." It is the responsibility of the Applicant to purchase, procure, or submit payment to appropriate entities.

- 1) The benefit must be made available to any Tribal Member who satisfies the program guidelines subject to budgetary constraints.
- 2) The distribution of benefits from the program does not discriminate in favor of members of the tribe's governing body.
- 3) The benefit is not compensation for services.

Swan Lake Pumped Storage Hydroelectric Project Mitigation

On November 23rd, 2019 General Council reluctantly but unanimously (49 for, 0 against, 6 abstentions) directed Tribal Council to pursue "mitigation" talks with Rye Development regarding their planned construction of a hydro power plant on Swan Lake Rim and Grizzly Butte. Despite years of effort, the Klamath Tribes are unable to stop the project from moving forward. General Council decided that it makes the most sense to try and use the limited power we have to obtain something of value to our people in return for destruction that will occur with or without our cooperation.

Rye Development has sent a preliminary "General Council Presentation" to Tribal Council and we have responded, asking for increased detail and specificity that we know our members will want to see. There are considerable resources under discussion—including land acquisition. Again, we have informed the company that final approval of any mitigation package will require a vote of General Council.

Note: The Swan Lake Energy Storage Project is located 11 miles northeast of the city of Klamath Falls, (Klamath County), Oregon. Renewable electricity stored at the facility would be transmitted from the powerhouse along a 32.8-mile-long, 230-kilo-volt (kV) aboveground transmission line to interconnect with the Malin Substation.

For more information on either of these articles, (Ancestors or Swan Lake) contact Klamath Tribal Council Member, Clay Dumont at: email: cdumont.council@klamathtribes.com or (541) 887-9197.



4) The benefit is not lavish or extravagant under the facts and circumstances.

X. Applicant Accountability

The Emergency Program assumes the Applicant has provided true, accurate, and honest information within the Program Application. As documented through the Applicant's signature on the Program Application, the Applicant authorizes the terms of the "Release of Information / Disclaimer" section. The Klamath Tribes shall be held harmless for any misuse of funds if the Applicant provided false information.

XI. Applicant Files

Applicant files will be secured at all times in order to ensure Applicant and household confidentiality. Applicant information will be shared with appropriate staff in a professional capacity. Program staff are expected to adhere to all terms of The Klamath Tribes Certification of Confidentiality.

1) File Documentation

Applicant files will be maintained to auditable standards to verify eligibility for the program. Applicant files will be labeled according to the Applicant's last name, first name, and contain information for the Household. Applicant files will contain all materials and documents provided by the Applicant, Emergency Program staff, and when applicable appropriate staff from the Education and Employment Department. This may include but is not limited to:

- a) Application
- b) Evidence of Income, e.g., pay stubs, bank statements, benefit letters, etc.
- c) Proof of tribal enrollment, such as enrollment documents and Tribal ID
- d) Documentation of student-status, for example: class schedule, most recent grades, un/official transcripts, copy of current Student I.D., written correspondence from school/administration staff, etc.
- e) Written correspondence between Applicant and relevant staff.
- f) Records/Notes from oral conversations between Applicant and relevant staff.
- g) Record of Emergency Assistance Program Payment(s) and other fiscal tracking information

2) File Organization

To effectively track timely assistance to households, Applicant files are maintained in three filing methods.

a) **Pending** – Files that require additional information or documents to verify eligibility will hold "Pending" status. Files will be retained in a tickler file (necessary action and prioritization) method. Emergency Program staff will continuously attempt to update "Pending" files with information necessary to move them to the "Ready for Batch."

i. The Emergency Program Supervisor or designated staff will regularly review "Pending" status applications that have not been advanced to "Ready for Batch" and provide instruction designed to overcome the "Pending" status.

b) **Ready for Batch** – Files that have a recommendation for approval by the Emergency Program staff will be retained in a tickler file method. Program staff will certify recommendation by signing and dating their recommendation.

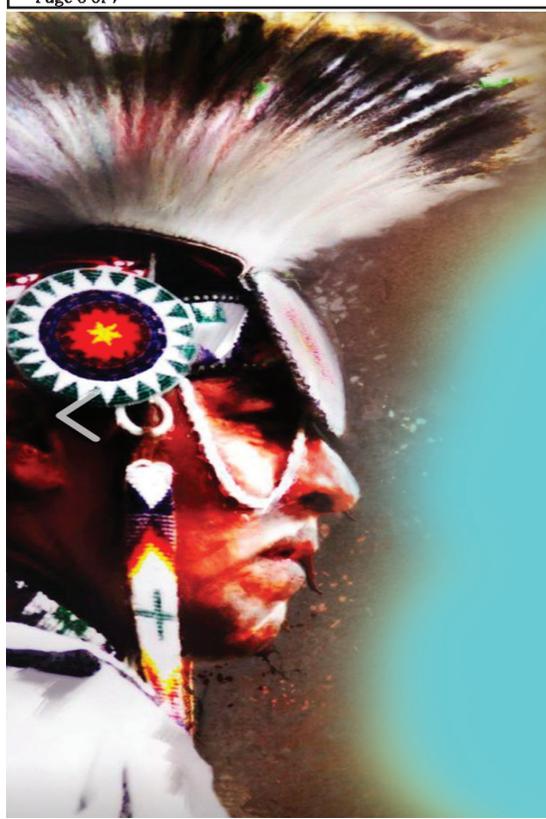
i. Prior to approving for payment, all files will be reviewed by Emergency Program Supervisor or other designated staff. Supervisor or designated staff will sign and date confirming Applicant eligibility or add notation explaining reason for re-routing file to "Pending" status.

ii. If approved, file is routed to Emergency Program clerk/fiscal staff to prepare payment and award letter. Program clerk/fiscal staff should record "batch" identification for tracking purposes.

c) **Complete, Eligible, and Payment Sent** – Client files which are awarded payment(s) will be retained in ascending order by client's last name, first name.

d) **Complete and Ineligible** – If an Application is deemed ineligible, the Emergency Fund Program Supervisor or designated staff will contact the Applicant by telephone to attempt to remedy reason for the ineligibility. If Applicant cannot be reached by telephone, staff will follow up via U.S. mail. If the Applicant disagrees with the assessment that his/her application is ineligible, s/he may appeal the decision in writing.

3) **Bi-Weekly Updates to Tribal Council** – Tribal Council will receive updates at each of their regularly scheduled meetings or upon request of the Chairman or Vice Chairman of the Klamath Tribes. Updates will include but not be limited to statistical presentations of: Applications Received; numbers of Applications with "Pending"; "Ready for Batch"; "Complete, Eligible, and Payment Sent"; and "Complete and Ineligible" statuses; detailed explanations of reasons for



CANCELLED - Culture Camp 2020

We regret to inform our members, due to Covid 19 Safety Restrictions, Tribal Culture Camp 2020, has been cancelled.

However, the Culture & Heritage Department is working on a 'drive-thru' activity for our tribal kids.

For more information, please call the Culture & Heritage Department at (541) 783-2764 ext. 101

determination of each "Complete and Ineligible" decision with Applicants' names and other identifying information redacted for privacy.

Tribal Council may overturn a decision of ineligibility by majority vote, concur by majority vote with the decision that an application is ineligible, or give instruction to the Emergency Program Supervisor on how to overcome a decision of ineligibility

4) Storage & Retention

Files will be retained in accordance with The Klamath Tribes Records Retention Schedule.

XII. Certification

Klamath Tribes Coronavirus (COVID-19) Emergency Assistance Program Policy approved this 5th day of June, 2020 at a special Tribal Council Meeting. Vote: 7 For, 0 Opposed, 1 Abstained.

Donald C. Gentry, Chairman

Roberta K. Frost, Secretary

NOTE: You can also download this Cares Act Policy online at our website: www.klamathtribes.org

*On the Home page of the website click the: Cares Act Section



The Klamath Tribes Administration CARES P.L. 116-136, Sec. 5001, Title V Coronavirus (COVID-19) Emergency Assistance Page 8 of 7

The Klamath Tribes Youth Initiative

Virtual Wellness-Wednesday Challenge!



Quarantine got you down?

We are inviting all tribal youth to participate in weekly Wellness Challenges each Wednesday starting on July 1, 2020!

How to join:

Go to Facebook and "Like" the Klamath Tribes Youth Initiative page. Then, tune in every Wednesday at 3pm for our LIVE Wellness Challenge. Record yourself doing the challenge and submit the video to the Youth Initiative Program Coordinator Will Hess by emailing will.hess@klamathtribes.com & be entered into a drawing for FREE incentives every Monday starting July 6th!



Attention College Students:

Higher Education Applications for the Academic Year 2020-2021 are Due July 20, 2020.

For an application call the Education and Employment Department at 541-783-2219 ext. 133 for Coquise or ext. 115 for Linda.

Coquise Wilson, Eligibility Worker Education and Employment

Telephone (541)783-2219 x133 1-800-524-9787 Fax: (541)783-7802 coquise.wilson@klamathtribes.com

During this uncertain time, it can be normal to be anxious, worried, stressed out.

While we can't control the world around us, we can control how we respond to those emotions.

Helpful support is a phone call away

Klamath Tribal Health Youth & Family Guidance Center (541) 884-1841





Klamath Tribes New Fitness Center - Currently under construction
Photo by: Taylor R. Tupper – Klamath Tribes News Department June 11, 2020

Chiloquin, OR.- In case you're wondering what's happening next to the Klamath Tribes Wellness Center at 330 Chiloquin, Blvd., the Klamath Tribal Housing Department is building a new Fitness Center/Gym. With everything that's been happening through the Covid-19 closure and safety precautions, the contractor, Diversified Contractors (out of Klamath Falls, Oregon) is happy to announce the new approximate finish date of February 2021. This facility has taken years of planning and hard work, and is a much needed addition to the Klamath Tribe and Chiloquin community.

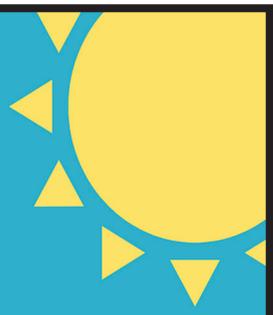
EMPLOYMENT OPPORTUNITIES:
Tribal members can still inquire about employment by contacting the Klamath Tribes Employment & Education Department – as everyone must be on the labor pool. Please contact Sally Brandt or Coquise Wilson at Tribal Administration Education & Employment Department (541) 783-2219, if you are interested in employment.

In addition, you will also see construction happening at the Tribal property off of hwy 62, (55 Acre Property) as Tribal Housing is also building 4 new homeownership homes, and a sod land project will start at the community center this week.

For more information contact:
The Klamath Tribes Housing Department Director,
Roberta Sexton, and for employment opportunities call
Education and Employment at 541-783-2219.



Revised
6/29/2020



Community Services Department

LIHEAP COOLING ASSISTANCE

\$250-\$550 towards Electric Bill
as per Benefit Matrix

ASSISTANCE AVAILABLE UNTIL SEPTEMBER 2020

Applications available via postal mail, email, Tribes website, and several Tribal offices. No in-person appointments. If there are questions, in-take staff will call you. Shut-off is not required. *Every eligible Tribal household will be assisted!*

The Program restarts October 2020, and eligible households may apply for assistance again.

Hello Everyone,

Above is the revised LIHEAP Cooling Flyer.
On June 29th, we provided assistance to 42 Tribal households.
We can assist up to 300 more!

Please share this information with Elders, clients, friends and family members.

If they have any questions, please contact Wanita Brown, Energy Assistance Coordinator – (541) 783-2219 ext. 186 or wanita.brown@klamathtribes.com.

These funds expire 9/30/2020 – anything we don't expend will go back to the Federal Government.

Thank you for sharing and if you have any questions please call us.

Sincerely,

Aryel Harrington, Community Services Director
The Klamath Tribes
PO Box 436, Chiloquin, OR 97624
Ph: (541) 783-2219
Fx: (541) 783-0994
aryel.harrington@klamathtribes.com



Waq'li'si - Hello Everyone - We Missed You!

The Klamath Tribes Community Services Department would like everyone to know that the Quail Trail Bus is once again operating our regular schedules. Bus Schedule can be obtained at the Tribal Offices or by going to the home page of the Klamath Tribes website: www.klamathtribes.org - {Quail Trail Bus Schedule}

Notice: COVID-19 State Transit regulations are in place and will be followed.

***Due to Covid, bus cancellations may happen without advanced notice.**

Please be patient with our driver's, as Covid regulations take extra time.

***Maximum capacity is 12 passengers.**

***Face masks are required and can be obtained from the bus drivers.**

Thank you for your patience, and for more information contact:

Community Services Department:

Rachel Miller 541-783-2219 ext. 174

Attention!

Tribal Households Residing Outside Klamath County, Oregon

Regarding: Energy Assistance Providers by County

The purpose of this article is to assist Tribal households living outside Klamath County to locate Energy Assistance providers within the county they reside.

The Klamath Tribes, Community Services Department receives a federal grant to operate our Low Income Home Energy Assistance Program (LIHEAP). Our service area is Klamath County, Oregon. However, LIHEAP is available throughout Oregon by various agencies.

The web link below, is the list of Energy Assistance agencies in Oregon by County.

<https://www.oregon.gov/ohcs/Pages/energy-assistance-agency-service-counties-regions.aspx>

I hope you find this information helpful.

Sincerely,
Aryel Harrington
Klamath Tribes Community Services Director
PO Box 436, Chiloquin, OR 97624
Ph: (541) 783-2219
Fx: (541) 783-0994
aryel.harrington@klamathtribes.com

The Klamath Tribes Declaration 2020 COVID-19 Virus Emergency

In March, 2020, the Klamath Tribes Incident Emergency Management Team and Klamath Tribal Council declared the Covid-19 Virus/Pandemic an Emergency. For over two months, several offices were closed to the public. We are currently re-opened (Phase I), but have several safety precautions in place, please call the tribal offices or Wellness Center when you need to make an appointment, as social distancing, masks, temperatures being taken, and limited visitors are part of the precautions. We will continue to evaluate the situation thru 2020.

During these difficult times of the Covid-19 Pandemic, we want you to know we're here for you.

541-882-1487 (KTHFS)

541-783-2219 (Tribal Administration)

541-884-1841 (Youth & Family Guidance)

Updates and notices are also provided via our Websites and Facebook at:

www.klamathtribalhealth.org

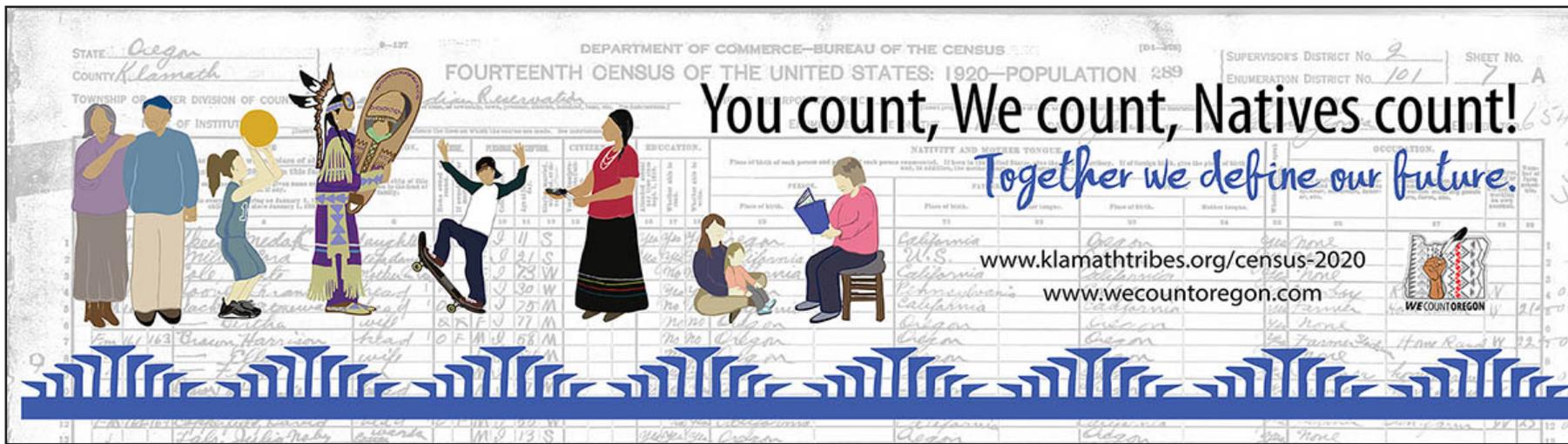
&

www.klamathtribes.org

**Facebook: Klamath Tribal Health or
The Official Klamath Tribes**

If you have a personal email and would like to be included in the Tribal Notice E-List, please email your name/information to: taylor.tupper@klamathtribes.com

The Klamath Tribal Council and our Emergency Management Team will continue to make safety and health a top priority for employees, Tribal Members and the Community. Please remember, prevention is key in slowing the spread of the virus through good hand hygiene, wearing a mask, staying informed, and keeping your distance from others. We thank everyone for your continued understanding. Sep'ketch'a - Thank you.



2020 Census Art by: Klamath Tribal Member, Asa Wright

The Klamath Tribes 2020 Tribal Census Team hopes you are safe and well!

**WE MOVE FORWARD AS A TRIBE & FAMILY WHEN WE PARTICIPATE IN THE CENSUS!
IT ONLY COMES AROUND EVERY 10 YEARS... MAKE SURE YOU'RE COUNTED!**

I Count! You Count! We Count!

In light of all that is happening, our team is encouraging everyone to take the 2020 Census On-line, by phone, or mail. *Then post a selfie on your personal social media to help spread the word! It will be interesting and fun to see where all our tribal members are posting from.

The US Census now runs thru October 31, 2020... **We encourage you to please take the Census on-line at: www.2020census.gov** *REMINDER: When filling out your Census it is important you put:

KLAMATH TRIBES in the section that asks for your tribal affiliation.

Did you know... Klamath Tribal Member, Asa Wright, designed the beautiful 2020 Census Artwork



Asa says, “My grandparents are Plummie and MaryAnn Wright, I’m the oldest child of Harold Wright Jr. and Theresa Remiro. I’ve lived in Portland, Oregon for the last 20 years, I moved to Portland for college and ended up staying for work and family. I have an amazing kid who inspires me every day and keeps me young. I blend my backgrounds in public health and art/design to work on cultural revitalization, decolonization and positive social change. It’s important to me to create work that can have impact. I work a lot with “Art for Action” or art that brings about awareness of social justice issues that motivate communities, people and organizations to mobilize for direct change. I’m grateful for the gifts I have, I was blessed to come from a family of artists and am grateful to be able to use my gifts to represent and/or support my people.

I’m really honored that I got to be part of this Census work. The Census really helps determine the federal funding we get as Tribes. Most of my work experience has been working with Tribes and Native folx and that’s important to me. A lot of the work that goes out in regional or national projects ends up being “pan-indian” even more specifically Plains. It’s important for us to hold on to our identities and represent our cultures as Pacific NW Natives. I’m proud to be a Klamath Tribal member and when I think about our strength I tend to think of our baskets, these beautiful, delicate materials woven together to be strong enough to feed, clothe, and carry our people through seasons and decades. I knew for this work I wanted representation to play a big role and I hope that our Oregon Tribes see that and feel like they truly count.”



Logo by: Asa Wright