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Billings Division

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ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAWRENCE JACE KILLSBACK,

Defendant.

CR 19-77-BLG-SPW

INFORMATION

WIRE FRAUD

(Count I)

Title 18 U.S.C. § 1343

(Penalty: 20 years imprisonment, \$250,000
fine, and three years supervised release)

FALSE CLAIMS ACT CONSPIRACY

(Count II)

Title 18 U.S.C. § 286

(Penalty: Ten years imprisonment,
\$250,000 fine, and three years of
supervised release)

FORFEITURE

Title 18 U.S.C. § 981(a)(1)(C) and
Title 28 U.S.C. § 2461(c)

THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTION

At all times relevant to this Information:

1. The Northern Cheyenne Tribe is a federally recognized tribe located in south-eastern Montana, whose affairs are governed by the Northern Cheyenne Tribal Council and Executive Branch of the Northern Cheyenne Tribe and whose government is located at Lama Deer, Montana.

2. The President of the Northern Cheyenne Tribe is the highest position within the Executive Branch.

3. From 2014 to 2016, the defendant, Lawrence Jace Killsback served as the Northern Cheyenne Tribe's Health Director. From 2016 until September 2017, and again from January 2018 until October 2018, Killsback served as President of the Northern Cheyenne Tribe.

4. The United States Department of Health and Human Services, as well as the United States Department of Interior, through various programs and entities, provides funding for the Northern Cheyenne Tribe. The National Institutes of Health and Center for Disease Control, and Indian Health Service are agencies of the Department of Health and Human Services.

COUNT I

THE SCHEME AND ARTIFICE TO DEFRAUD

That between, in, or about 2014, and continuing thereafter until between, in, or about 2017, at Lame Deer and Billings, within Rosebud and Yellowstone Counties, respectively, in the State and District of Montana, and elsewhere, the defendant, LAWRENCE JACE KILLSBACK, executed a material scheme and artifice to defraud, and for obtaining money by means of material false and fraudulent pretenses, representations, and promises, in that he requested reimbursement for official travel from multiple entities, including the Northern Cheyenne Tribe, and agencies of the United States government, thereby receiving multiple payments for the same trip, as well as providing false and fraudulent invoices to multiple entities for official travel that either did not occur or only occurred in part, thereby receiving inappropriate or excessive travel reimbursement based on the fraudulent and falsified documents.

WIRE FRAUD

During the period of the information, the defendant, LAWRENCE JACE KILLSBACK, for the purpose of executing the aforementioned material scheme and artifice to defraud, and for obtaining money by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted

by means of wire communication affecting interstate commerce and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, including wire communications between financial institutions, which represented improper payments made to the defendant, and wire communications submitting duplicate and false and fraudulent invoices for the defendant, all in violation of 18 U.S.C. § 1343.

COUNT II

That between, in, or about 2014, and continuing thereafter until between, in, or about 2017, at Lame Deer and Billings, within Rosebud and Yellowstone Counties, respectively, in the State and District of Montana, and elsewhere, the defendant, LAWRENCE JACE KILLSBACK, along with other persons, both known and unknown, knowingly and intentionally agreed and conspired to defraud the United States, and any department and agency thereof, by obtaining and aiding to obtain the payment and allowance of any false, fictitious, and fraudulent claim, in violation of 18 U.S.C. § 286.

CRIMINAL FORFEITURE ALLEGATION

The allegations set forth in count I of the information are re-alleged as though fully set forth herein and incorporated by reference for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

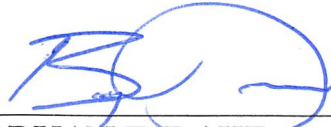
Upon conviction of count I, the defendant, LAWRENCE JACE KILLSBACK, shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to the offense, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c). The property subject to forfeiture includes:

- a. A personal money judgment.

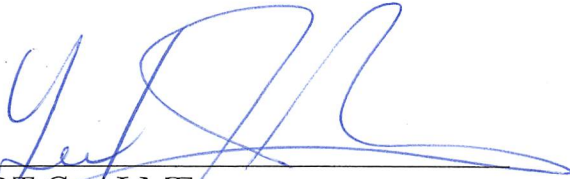
The defendant shall forfeit to the United States any other property of the defendant, up to the value of the property described above, pursuant to 21 U.S.C. § 853(p), if any of the property described above as being subject to forfeiture, as a result of any action or omission of the defendant:

- b. Cannot be located upon the exercise of due diligence;
- c. Has been transferred or sold to, or deposited with, a third party;
- d. Has been placed beyond the jurisdiction of the Court;
- e. Has been substantially diminished in value; and,
- f. Has been commingled with other property that cannot be divided without difficulty.

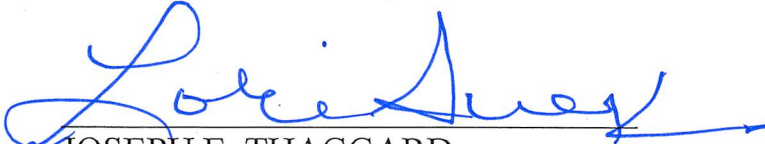
DATED this 17th day of June, 2019.



BRYAN T. DAKE
Assistant U.S. Attorney



KURT G. ALME
United States Attorney



JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney