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UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CONFEDERATED TRIBES OF THE CHEHALIS
RESERVATION
420 Howanut Road
P.O. Box 536
Oakville, WA 98568

TULALIP TRIBES
6406 Marine Drive
Tulalip, WA 98271

HOULTON BAND OF MALISEET INDIANS
88 Bell Road
Littleton, ME 04730

AKIAK NATIVE COMMUNITY
P.O. Box 52127
Akiak, AK 99552

ASA'CARSA MIUT TRIBE
P.O. Box 32249
Mountain Village, AK 99632

ALEUT COMMUNITY OF ST. PAUL ISLAND
2050 Venia Minor Road
P.O. Box 86
St. Paul Island, AK 99660

Plaintiffs,

Case No.: 1:20-cv-01002

DECLARATION OF CLARISSA SABATTIS

1 v.

2 STEVEN MNUCHIN, SECRETARY, UNITED
3 STATES DEPARTMENT OF THE TREASURY
4 1500 Pennsylvania Ave., N.W.
Washington, D.C. 20220

5 Defendant.

6
7 I, Clarissa Sabattis, declare the following on the basis of personal knowledge to which I am
8 competent to testify:

9 1. I am the Chief of the Houlton Band of Maliseet Indians (“Houlton Band” or
10 “HBMI”), a federally recognized Indian tribal government.

11 2. The Houlton Band is governed by the Chief and a 6-member Tribal Council
12 elected by the tribal membership for four-year staggered terms. The Houlton Band has 1,835
13 tribal citizens and 1,444 acres of trust lands located in Aroostook County in northwestern Maine.

14 3. The Houlton Band provides a variety of government services, such as a wellness
15 center; medical services; a diabetes program; substance abuse counseling; behavioral health
16 counseling; a tribal court; tribal infrastructure maintenance, including maintenance of roads;
17 natural resources management and protection; vocational rehabilitation; Head Start; a youth
18 program; an elder program, which feeds elders and provides social activities twice a week; tribal
19 housing; social services, including child care and transportation assistance; and a domestic and
20 sexual violence advocacy center.

21 4. The Houlton Band does not have any large businesses and no gaming enterprise
22 to produce substantial revenue. The Houlton Band owns a number of small businesses that
23 recently had begun to make a profit, including a campground and roller skating rink. For
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1 instance, we upgraded the campground and doubled our revenue last year. Both of these
2 businesses frequently host parties and weddings.

3 5. On March 16, 2020, I declared a Public Health Emergency on behalf of the
4 Houlton Band of Maliseet Indians, which included a work-from-home order. Since that time, the
5 Houlton Band has been working to build its staff's capacity to effectively and efficiently work
6 from home. We are still in the process of procuring laptops, printers, and internet service for
7 many of our employees. We are considering whether we will need to furlough some tribal
8 employees, particularly those who cannot do their jobs remotely. Meanwhile, the Band has
9 incurred overtime costs for essential staff, including at the Emergency Operations Center that the
10 Band created.

11 6. Because we had to shut down our elder program in response to the Public Health
12 Emergency, we issued \$100 checks for the first week of closure to 125 elders who are on fixed
13 incomes in our service area in order to defray the costs of their lost meals while we worked to set
14 up an emergency food pantry and food deliveries to elders. This may not sound like a lot of
15 money, but an unbudgeted \$12,500 is a major financial hit to the Houlton Band. We have also
16 been operating an emergency food pantry out of the tribal gymnasium in order to meet the
17 nutritional needs of our membership, but we are looking for alternative space because we need to
18 transition the gymnasium into a quarantine facility for tribal members who are exposed to
19 COVID-19.

20 7. On March 16, 2020, the Houlton Band also closed its roller skating rink and
21 partially closed its campground. The campground has some long-term rentals, which requires us
22 to keep it staffed and provide deep cleaning services. At the same time, we have had to cancel
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1 reservations (including upcoming bookings for large events involving the entire campground),
2 and we are not accepting any further reservations, including for the busy summer season, at this
3 time. We anticipate having to return deposits if we cannot reopen soon. Since the closures, we
4 have continued to pay our employees at the campground and roller rink, but we do not have the
5 funds to continue to do this.

6 8. The Houlton Band operates a health center, which normally produces some third
7 party revenue that supports two healthcare providers and two staff members, utilities, heat,
8 phone, medical supplies, and office supplies. The health center is normally limited to routine
9 visits and management of chronic health conditions, but we have had to transform the health
10 center to cover acute, urgent care in response to the COVID-19 emergency. Other than COVID-
11 19 testing, no patients are coming in, so we have lost the revenue that supports the health center
12 and its staff. This is distressing not only because of our severe financial constraints, but the
13 Houlton Band is located in a rural area with limited access to healthcare. Like many Native
14 Americans, our membership suffers significant health disparities, including nearly double the
15 incidence of diabetes of Maine's population and much higher rates of heart disease. Not only
16 does this make our membership more susceptible to severe COVID-19 cases because the virus
17 more acutely affects immunocompromised individuals, but they are staying home and not getting
18 the care they need to manage their chronic conditions. While we are offering telephone triage
19 services, I am concerned that some of our members will suffer substantial health setbacks as a
20 direct result of not getting the in-person healthcare they need.

22 9. The Houlton Band is attempting to secure additional services and supplies to meet
23 the unprecedented needs of our membership during the COVID-19 crisis. We do not have
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1 existing governmental funds for this, so we need federal help through the CARES Act. In the
2 meantime, I personally have been calling on connections in the community and nonprofit world
3 to secure donations of personal protective equipment (PPE). So far, we only have enough PPE
4 for our elders. We still need to procure additional PPE for our health center, the gymnasium (for
5 the quarantine space we are creating), and staff members, as well as hand sanitizer, masks, and
6 cleaning disinfectants for Houlton Band members. Likewise, our emergency food pantry was
7 stocked initially with donations, but we have already gone through a one-time emergency
8 shipment from Good Shephard Food Bank and need to purchase more supplies to support our
9 community. We are exploring how we can expand our food bank and distribution efforts to
10 include healthy fresh food. We have begun delivering hot meals to elders a couple of days a
11 week and are helping the schools deliver meals to school age children, but we need resources to
12 expand that effort. We are also exploring how to provide meals to children who do not have
13 access through their schools.

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15 10. We have focused our efforts on the most immediate needs of our membership in
16 close proximity to the tribal government offices thus far, but Houlton Band members who live
17 further away are beginning to call us in search of help with rent and food in the face of layoffs
18 resulting from the COVID-19 crisis. We have been able to provide gift cards to grocery stores to
19 a limited extent, but we need much more substantial resources to meet the growing need. We are
20 also beginning to plan for longer term needs, such as continuing to provide internet connections
21 (as well as laptops), so that our school age children can continue with their education remotely
22 after the two-months of free service provided by Spectrum expire.

