

UNITED STATES DISTRICT COURT
THE DISTRICT OF COLUMBIA

CHEYENNE RIVER SIOUX TRIBE,

Plaintiff,

v.

STEVEN MNUCHIN, SECRETARY,
UNITED STATES DEPARTMENT OF THE
TREASURY,

Defendant.

Case No. 1:20-cv-01059

DECLARATION OF DAVID D.
NELSON IN SUPPORT OF MOTION
FOR TEMPORARY RESTRAINING
ORDER AND
PRELIMINARY INJUNCTION

I, David D. Nelson, hereby declare:

1. My name David D. Nelson, and I am the Director of the Cheyenne River Sioux Tribe's ("CRST") COVID-19 Emergency Command Center.
2. I am normally the Director of the CRST Department of Environment and Natural Resources.
3. Our Command Center is the central organizing point for our essential tribal resources during times of crisis and is providing such services during the current pandemic. The Command Center also operates as a reservation-wide point of contact for the public and various entities during this crisis.
4. One of the mission critical tasks of the Command Center is to purchase and stockpile as much PPE as possible in order to be able to protect our essential employees throughout the Tribe. Another is to coordinate increased food distribution demand, and the Command Center has opened an emergency food bank in response to the increased need of Tribal members.
5. The Game, Fish, and Parks Department has been shut down, and we have turned that building into a Border Patrol Facility. Over 150 deputies have been hired to assist in ensuring all

traffic onto and off of the Reservation goes through one of our eight Health and Safety Checkpoints, which are in operation twenty-four hours a day, seven days a week, with at least two security personnel, who gather information from all occupants in order to curtail the spread of the virus within the Tribe. *See* Letter from Chairman Frazier to Secretary Mnuchin, Secretary Bernhardt, and Assistant Secretary Sweeney (April 8, 2020) at 5, attached hereto as **Exhibit A**.


6. On April 8, 2020, the Executive Committee passed two Emergency Executive Orders. The first Order, 02.2-2020-CR, made 14-day quarantines mandatory for people who are infected or are suspected to be infected. Failure to comply with the voluntary order can result in court-ordered isolation. *See* Emergency Executive Order #02.2-2020-CR at 2-7 (as published in the West River Eagle by Alaina Beautiful Bald Eagle on April 15, 2020), attached hereto as **Exhibit B**.

7. The second Order, #02.3-2020-CR, issued a Stay-at-Home Recommendation. It also banned gatherings of ten or more people, ordered closed all non-essential businesses, and restricted travel within, into, and out of the Reservation to only essential activities. Only essential government employees who are not vulnerable (high-risk) are still working. *See* Emergency Executive Order #02.3-2020-CR at 2-5 (as published in the West River Eagle by Alaina Beautiful Bald Eagle on April 15, 2020), attached hereto as **Exhibit C**.

8. The physical, mental, and emotional toll is clear for our overworked and understaffed essential personnel, but they are valiantly continuing the fight against the pandemic despite the shortages, long hours, and crippled road system that they face every day.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of April, 2020 in Eagle Butte, South Dakota,



David D. Nelson