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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 JAMES C. LANDLORD

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, James C. Landlord, declare the following on the basis of personal knowledge to which I am
8 competent to testify:

- 9 1. I am the First Chief of the Asa'carsarmiut Tribe, a federally recognized Indian tribal
10 government located along the Yukon River in Alaska in the Lower Yukon Delta. The
11 Tribe has 1,415 enrolled tribal members.
- 12 2. The governing body for the Tribe is the Asa'carsarmiut Tribal Council (ATC).
- 13 3. Asa'carsarmiut is located in southwestern Alaska, approximately 150 air miles northwest
14 of Bethel and 470 air miles northwest of Anchorage. The primary mode of transportation
15 includes skiffs during the summer months and snow machines during the winter months.
16 Entry into and out of the village, including essential deliveries and medical supplies is by
17 airline travel which until recently was exclusively provided by RavnAir Connect.
18 Depending upon the weather, air travel can be severely restricted for days or even
19 weeks. Ravn suspended service to more than 115 remote Alaska villages, and just
20 recently two other smaller airlines are stepping in to continue to provide essential
21 deliveries and medical supplies.
- 22 4. Asa'carsarmiut exercises sovereign powers of self-governance and jurisdiction over the
23 Asa'carsarmiut traditional territory encompassing lands and waters constituting Indian
24 country of the Asa'carsarmiut Tribe, as well as all fee lands and allotments within the
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1 traditional lands of Asa'carsarmiut, notwithstanding the issuance of any patent or
2 unrestricted fee title to any such lands.

- 3 5. As is true in general for American Indian and Alaska Native people pre-COVID-19, tribal
4 members experience the highest disparities in the country, including health, social,
5 economic, educational, and justice. COVID-19 further highlights these disparities.
- 6 6. On April 16, 2020, the Tribe passed a resolution declaring a public health disaster state of
7 emergency and shelter in place order.
- 8 7. ATC provides a variety of limited government services to its members, including but not
9 limited to housing, realty, child care, Indian Child Welfare Act, tribal court and law
10 enforcement, food bank, natural resources, and general assistance. However, these
11 services before COVID-19 were already inadequate to meet the needs of tribal members.
12 The Tribe does not have a community washeteria, which poses a serious threat to those
13 without water and sewer services.
- 14 8. Because of COVID-19, ATC purchased gas & oil, for men to help acquire firewood and
15 moose for elders and low income families. ATC also hired staff to assist with the Tribe's
16 COVID-19 response. In addition, the Tribe faces the serious threat of the loss of income
17 for many tribal members due to the possible cancellation of commercial fishing.
- 18 9. The nearest hospital is 150 miles southwest accessible by air travel only, and telehealth is
19 not adequate for the size of the village. As is true in general for American Indian and
20 Alaska Native people, many tribal members have underlying health conditions making
21 them vulnerable to even more serious illness with COVID-19, including cancer, heart
22 disease, substance abuse, diabetes, and infants with respiratory syncytial virus.
- 23 10. The Tribe has seen an increase in mental health issues and loneliness given the stay at
24 home orders. The Tribe feels the threat of their culture being lost given the following
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1 have all stopped with COVID-19 – church services, potlatches, elder lunch gatherings,
2 healing circles, well gatherings, youth sports and activities.

3 11. The local clinic does not have adequate personal protective equipment (PPE) and the
4 Tribe is not receiving help to secure PPE for its three police officers who were already
5 overworked before COVID-19, and even more overburdened since COVID-19.

6 12. The Tribe recently hired a third police officer because of an increase in crime, especially
7 domestic violence with the added challenge of children’s increased, sustained exposure
8 given everyone must stay at home. Inmates, including of violent crimes, have also been
9 released and more requests from inmates to be sent home.

10 13. The Tribe lacks housing for homeless tribal members, and many of approximate 190
11 households are overcrowded. Many households lack water and sewer services access or
12 can’t afford to pay for these services. Thus, the Tribe does not have building space to
13 quarantine individuals and families.

14 14. Like most other villages in Alaska, the Tribe lacks adequate Internet, so children, youth
15 and college students who are continuing their education at home because schools are
16 closed are unable to complete their schoolwork. Local employees are not able to
17 telework.

18 15. COVID-19 exacerbates all of these needs. The Tribe does not have the funding to meet
19 them. ATC has imposed social distancing requirements in our community, and we have
20 closed our small gaming office in response to COVID-19. The local store has been out of
21 sanitary and cleaning products, meat, diapers, and wipes. The Tribe simply does not have
22 the funds to keep our community safe. And we are no longer able to conduct our normal
23 fundraising activities in light of social distancing measures.

24 16. The Tribe does not have an emergency operations plan.
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1 17. We need CARES Act funds to provide the necessary, safe housing to provide shelter and
2 address overcrowding, as well as resources to properly sanitize our homes and offices.

3 18. Without receiving some financial relief, Asa'carsarmiut is at risk of not being able to
4 provide essential government services to its members and community as a result of
5 COVID-19.

6 19. Asa'carsarmiut has submitted the certification form through the Department of Treasury
7 web portal necessary to participate in the disbursement of CARES Act Title V funding,
8 so that it is eligible to receive a portion of the \$8 billion set aside for Tribal governments.

9
10 I declare under penalty of perjury that the foregoing is true and correct. Executed on April 17,
11 2020.

12 

13 _____
James C. Landlord, 1st Chief