

**EXHIBIT F**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

CONFEDERATED TRIBES OF THE CHEHALIS )  
RESERVATION, ET. AL. )

*Plaintiffs,* )

v. )

No. 1:20-cv-01002

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

*Defendant.* )

**DECLARATION OF YVETTE ROUBIDEAUX**

I, Yvette Roubideaux, declare and state as follows:

1. I currently serve as the Vice President of Research for the National Congress of American Indians (“NCAI”) and the Director of the NCAI’s Policy Research Center (“PRC”) and have served in this role for 2 years.

2. The NCAI PRC is a renowned national tribal research center supported primarily through federal and foundation grants and contracts. The NCAI PRC’s mission is to provide tribal leaders with the best available knowledge to make strategic and proactive policy decisions that improve the future of American Indians and Alaska Natives.

**NCAI’s Online Survey to Capture Tribal Needs and Concerns with Respect to the  
Coronavirus Pandemic**

3. On March 11, 2020, NCAI sent an Action Alert to all tribes requesting input on any concerns or needs related to current efforts to reduce the impact of coronavirus (“COVID-19”) in their community by completing a short input form via a Survey Monkey link (“NCAI Online

Survey”). The purpose of this request was to use the input from tribal nations to formulate emergency action plans and to support advocacy efforts.

4. The questions included the following topics: biggest concerns; whether tribal governments were getting the information they needed from state, local, and federal authorities; type of information they needed to take action; and what types of resources, funding, or supplies their tribal governments needed. As of April 17, 2020, 26 responses were received from tribal governments to the NCAI Online Survey.

**NCAI’s Email and Phone Survey to Capture Tribal Needs and Concerns with Respect to the Coronavirus Pandemic**

5. On March 30, 2020, the NCAI PRC began a related effort to solicit additional input from tribal governments on the impact of the COVID-19 pandemic and developed a script of questions to ask during phone calls to tribal nation contacts in NCAI’s database (“NCAI Telephonic Survey”).

6. The questions focused on identifying challenges and needs facing tribal nations during the COVID-19 pandemic, and what strategies tribal governments were implementing to take action to respond.

7. Two NCAI employees (BH, ID) conducted the calls with the same script of questions for each call. Since many tribal offices were closed, an email was also sent to the tribal nation contact if there was no answer to the call. When contact was made with the tribal nation, the NCAI employees wrote down answers to each question on the script form and sent them to two NCAI PRC employees (GEL, SW or “NCAI PRC employees”) for coding and documentation into an excel spreadsheet.

8. The NCAI PRC employees coded the answers separately into major categories and subcategories under each of the three areas (challenges, needs, strategies). If it was unclear where an answer should be coded, the NCAI PRC employees met to gain consensus on the coding of the information into the agreed upon category and subcategory. I received a summary of the results at the end of each day and forwarded them to NCAI's Chief Executive Officer, Kevin Allis ("KA"), and NCAI's Chief of Staff, Jamie Gomez ("JG"), without any edits or alterations. As of April 17, 2020, 52 responses were received and results were forwarded to KA and JG.

#### **Summary of Survey Responses Received to Date**

9. I set forth below a summary based on the responses received to date on the needs and challenges presented to tribal communities as a result of the COVID-19 pandemic, first specifically for Alaska Native Tribal Governments and second for Tribes located in the other 11 Bureau of Indian Affairs Regions who responded to the survey. Consistent with our statement in the call script that we would not mention their tribal names without asking for permission, the names of the responding tribal nations are absent from the following responses. These summaries are separately set forth in a spreadsheet attached hereto.

#### **Alaska Specific Responses – Health and Disease Management Challenges & Needs**

10. One Alaska Native village responded that they are challenged with assisting their citizens with developing and instituting proper sanitation methods in dwellings that lack running water.

11. Multiple Alaska Native villages identified challenges accessing supplies needed for self-quarantine and proper physical distancing, such as: cots, toiletries, cleaning and

disinfectant supplies, and personal protective equipment (“PPE”) (e.g., masks, gloves, sanitizing agents).

12. One Alaska Native village identified access to food and supplies as an immediate challenge, stating that their village does not have grocery stores and must rely on groceries being flown in -- making day to day life more challenging.

13. Multiple Alaska Native villages identified the coordinating of medical care as a challenge, with some villages serving as health care hubs for other rural villages, but not having enough supplies and PPE to withstand an outbreak. In addition, some villages are 100 miles from the nearest health facility, and are in fly-in zones, which means if a tribal citizen is infected he/she would need to be flown to the nearest healthcare facility for treatment. Also, many tribal citizens have been unable to receive in-person medical care.

#### **Alaska Specific Responses – Economic Challenges & Needs**

14. Multiple Alaska Native villages identified an immediate need for funds to assist tribal citizens with water and sewer accounts, and other utility costs.

15. Multiple Alaska Native villages responded that they have had to lay off workers and shut down tribal government offices.

16. One Alaska Native village identified as an immediate challenged, that there is uncertainty for how to pay government employees a full check when the grants they are funded under do not account for the requirement to work from home.

#### **Alaska Specific Responses – Education Challenges & Needs**

17. One Alaska Native village identified distance learning challenges, stating that teachers are having to develop and provide learning packets, which parents must physically pick up, and then physically drop off when complete, which creates learning hardships for youth.

18. One Alaska Native village identified the challenge of ensuring daily nutrition for Native youth since schools are shut down and the school lunch programs were essential for helping provide daily nutritious meals and also since the scarceness of food and supplies is more pronounced by limited deliveries to remote villages.

**Alaska Specific Responses - Tribal Governance Challenges & Needs**

19. Alaska Native villages identified as a challenge, the need to assert regulatory authority over seasonal fishermen, who will soon be coming into town, and ensuring that they adhere to proper physical distancing and self-quarantine guidelines as reflected in the Governor of Alaska's recent directive.

20. One Alaska Native village identified as a challenge that they realized that their government office is not equipped for telework, and, as a result, have required core staff to go into the office to keep operations afloat.

21. One tribal government identified the following challenges and needs: (1) The need for point-of-care testing for COVID-19 testing for tribal communities, particularly rural, remote villages that have high population density and multi-generation and often multifamily households, and that lack additional housing for social distancing much less quarantine; (2) The need for adequate food supplies for tribal communities that are accessed only by small plane or marine ferry, and which have no or limited access to food delivery services; (3) The absence of, or inadequate, broadband services for tribal communities when schools are closed and rely on online instruction; for employees that are asked to work from home; and for individuals asked to access services and benefits online; (4) The need for relief from high energy costs for shelter-in-place tribal communities; (5) The challenge of capped funding levels for tribal programs that are experiencing significant increases in need, such as TANF; (6) The challenges presented by the

failure of the federal government to engage in tribal consultation and to listen to tribal needs and interests, such as the Center for Disease Control, and the omission of Indian Country in Congress' legislation; and (7) The challenges presented by the 25% non-federal share required of tribes for Stafford Act emergency declarations, and lack of access to disaster declarations without significant administrative burdens on tribes.

**Alaska Specific Responses – Communication Challenges & Needs**

22. One Alaska Native village noted that the delivery flights into many rural villages have been cut down to 1 per week, limiting receipt of mail, groceries, and supplies.

23. One Alaska Native village identified the challenge that their hard lines were down recently, making it difficult to conduct conference calls and other business, and that the telecom infrastructure is very poor generally and does not allow for efficient telework, telemedicine, or distance learning.

**Tribes Located in the Lower 48 Specific Responses – Education Challenges & Needs**

24. One tribal government identified as a challenge that not all families have computers and internet services for the children to take their classes and families with multiple children may need multiple computers to keep up with classes. Another tribal government noted that by March the schools were closed and students were asked to stay home, and cited the challenges presented by this since many of their school-age children do not have access to internet, and have no iPads, laptops or desktop computers. Another tribal government responded that “there is no current k-12 classes being held by internet options such as zoom like our city counterparts.” One tribal government identified as a challenge that parents have been letting children use their iPhone as computers, if they have an iPhone available – which is not ideal for long-term distance learning during this pandemic.

25. One tribal government identified the need for funding assistance for internet costs, which would help parents pay for the internet while they get back on their feet financially.

26. One tribal government identified the need for education funding which would allow tribal governments to contribute revenues to schools and institutions to retain teachers and professors and allow for the continuation of quality education.

27. One tribal government identified school facility needs, specifically the lack of broadband. The tribal government respondent noted that the tribal center and the schools are shut down, which makes distant learning critical. However, the tribal government does not have any cell towers and does not want its children to be left behind.

**Tribes Located in the Lower 48 Specific Responses – Economic Development and  
Employment Challenges & Needs**

28. One tribal government identified the single greatest challenge it faces as uncertainty, noting they are uncertain when this pandemic will end and when the tribal government will be able to resume normal operations. The tribal respondent stated, “[w]e are working in an environment with very few concrete variables. Our ability to remain an effective and agile [tribal government] has certainly been challenged throughout this pandemic. We have many stakeholders; our tribal community, our team members and our guests. We are faced with an environment that is changing by the hour and we have to react and adapt just as quickly.”

29. Multiple tribal governments identified as a challenges that they had to shut down businesses, and lay off tribal employees – causing a need for immediate financial relief. Multiple tribal governments specifically mentioned gaming facilities, while another specifically referenced fisheries that have been collapsing. One tribal government mentioned other tribally-owned businesses, specifically referencing an ambulance company which is losing money due to



the requirement to deep clean vehicles after transport and the associated overtime costs, as well as financial losses due to the general downturn of the economy.

30. Multiple tribal governments identified the need for resources that ensure that their citizens can stay home when necessary, and not worry about it. With respect to tribal employees, one tribal government identified the need for resources that allowed its government employees to work from home, such as computer and electronic equipment.

31. One tribal government identified the challenges presented by their loss of revenue, which will require the tribal government to begin using its savings account – which “includes monies set aside for future capital replacement”, and then eventually its credit line if relief is not granted. This tribal government identified its specific immediate need as increased costs primarily related to “payroll and benefit related costs for employees across the entire Tribal Enterprise.”

**Tribes Located in the Lower 48 Specific Responses – Health/Disease Management Challenges & Needs**

32. One tribal government identified as a challenge, an increase in anxiety with healthcare patients.

33. One tribal government identified the need for resources to assist in “maintaining chronic health maintenance for clinic patients”, stating that they are working on this with telehealth approaches.

34. Multiple tribal governments noted the need for PPE and other supplies, such as N95 medical masks and COVID-19 testing kits, hand sanitizer, infrared non-contact thermometers, toilet paper, disinfecting wipes, anti-viral surgical masks, gloves, booties, caps, face shields, goggles, hospital grade disinfectants, antibacterial soaps, and pharmaceuticals.

35. One tribal government identified the need for a “larger stock of basic necessities for our local markets.” Another tribal government noted that their challenge is addressing a shortage of food, stating that the food shortage is resulting in lack of adequate food for their elders.

36. One tribal government identified the need for employee payroll funding, specifically referencing the need for funding to “maintain essential services like law enforcement and social services.”

37. One tribal government responded that their greatest need is ensuring that their first responders, such as fire fighters, have the proper protective equipment and other resources needed during this pandemic.

**Tribes Located in the Lower 48 Specific Responses – Housing and Community Development Challenges & Needs**

38. One tribal government identified the need to continue the construction of housing units, but everything has come to a standstill. The tribal respondent state that the tribal government is just trying to keep everything going, while “working with a skeleton crew.”

39. One tribal government identified the “need to identify and establish a quarantine center.”

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

Dated: April 20, 2020

/s/ Yvette Roubideaux  
Yvette Roubideaux

<b>Needs</b>	
<i>Education</i>	Not all families have computers and internet services for the children to take their classes and families with multiple children may need multiple computers to keep up with classes. Parents have been letting children use their iPhone as computers, if they have an iPhone available.
	Funding assistance for internet costs could help parents pay for the internet while they get back on their feet financially.
	Education funding would also allow Tribes to contribute revenues to schools and institutions to maintain teachers and professors to allow for the continuation of quality education.
<b>Challenges</b>	
<i>Economic Development and Employment</i>	The single greatest challenge we are facing is uncertainty. We don't know when this pandemic will end and we will be able to resume normal operations. We are working in an environment with very few concrete variables. Our ability to remain an effective and agile organization has certainly been challenged throughout this pandemic. We have many stakeholders; our tribal community, our team members and our guests. We are faced with an environment that is changing by the hour and we have to react and adapt just as quickly.
	We've had to shut down businesses.
	Workers being laid off, especially in gaming for their tribe, for employees to have immediate financial relief.
	There are a lot of people out of work, and the community is already economically struggling as the fisheries have been collapsing. People need the resources to stay home when necessary, and not worry about
	Tribal Government- negative financial impact to the Tribe - closure of two casinos and negative economic impact with every tribally-owned company. For example, the Tribe owns an ambulance company and is losing money due to the requirement to deep clean vehicles after transport and associated overtime expense of workers. The overall downturn in the economy and ability to conduct business has negatively impacted tribal businesses.
	Tribal Members - loss of jobs (outside of the Tribe) or inability to work from home because of lack of computer and electronic equipment has negatively impacted tribal members.
	Our greatest financial challenge right now, is our loss of revenue. Our only significant source of funds is our gaming revenue and with that shutdown we are forced to use our savings. This includes monies set aside for future capital replacement. Once those run out of these funds, we will be forced to use our line of credit. Our increased costs right now are primarily payroll and benefit related costs for employees across the entire Tribal Enterprise.

<b>Challenges</b>	
<i>Health/Disease Management</i>	Noting an increase in anxiety with patients.
	We need funding for our employee payrolls We need funding to maintain essential services like law enforcement and social services. We need more medical masks and COVID-19 testing kits. We need to get a larger stock of basic necessities for our local market.
	Maintaining chronic health maintenance for clinic patients (working on this with telehealth).
	N95 masks, full PPE sets, hand sanitizer, infrared non-contact thermometers, toilet paper, disinfecting wipes, anti-viral surgical masks, glove, booties, caps, face shields, googles, hospital grade disinfectants, antibacterial soaps, and pharmaceuticals.
<i>Critical Services</i>	Another challenge has been... a shortage of food. The Tribe is noticing that the local stores have a shortage of food, which means not enough food for our tribal elders.
	By March the schools were closed and students were asked to stay home. Challenges with this situation is that many of our students do not have access to internet not iPads, laptops or desktop computers. There is no current k-12 classes being held by internet options such as zoom like our city counterparts.
	We have first responders, fire fighters and don't have the equipment for them Our greatest challenge has been getting the personal protective equipment; masks, gowns, proper protective equipment. We have first responders, fire fighters and don't have the equipment for them
<i>Housing Community and Development</i>	They were constructing housing units, everything has come to a standstill. They're just trying to keep everything going working with a skeleton crew.
	We need to identify and establish a quarantine center.
	(1) The need for point-of-care testing for COVID-19 testing for tribal communities, particularly rural, remote villages that have high population density and multi-generation and often multifamily households, and that lack additional housing for social distancing much less quarantine. (2) Adequate food supplies for tribal communities that are accessed only by small plane or marine ferry, and have no or limited access to food delivery services. (3) Absence of or inadequate broadband services for tribal communities when schools are closed and rely on online instruction, for employees that are asked to work from home, and for individuals asked to access services and benefits online. (4) Relief from high energy costs for shelter-in-place tribal communities. (5) Capped funding levels for tribal Indian programs that are experiencing significant increases in need, such as TANF. (6) Failure of federal government to engage in tribal consultation and to listen to tribal needs and interests, such as CDC, and significant omissions concerning Indian Country in Congress' legislation. (7) 25% non-federal share required of tribes for

	Stafford Act emergency declarations, and lack of access to disaster declarations without significant administrative burdens on tribes.
<i>K-12 Education</i>	Facility Needs – lack broadband. The Tribal center, schools are shut down which makes distant learning critical we don't have any towers and we don't want our children to be left behind.
	<b>Alaska Specific Needs</b>
<i>Health and Disease Management</i>	Assisting Alaska Natives without running water, which consists of a 2 basin method; and accessing supplies needed for self-quarantine and proper physical distancing, such as: cots, toiletries, cleaning and disinfectant supplies, and personal protective equipment (masks, gloves, sanitizer).
	Some villages do not have grocery stores and must rely on groceries being flown in -- making day to day life more challenging.
<i>Economic</i>	Needed funds for assisting tribal members with water and sewer accounts, and other utility costs.
	<b>Alaska Specific Challenges</b>
<i>Health and Disease Management</i>	Coordinating medical care is a challenge, with some villages serving as health care hubs for other rural villages, but not having enough supplies and PPE to withstand an outbreak. In addition, some villages are 100 miles from the nearest health facility, and are in fly-in zones, which means if a tribal citizen is infected he/she would need to be flown to the nearest healthcare facility for treatment. Also, many tribal citizens have been unable to receive in-person medical care.
<i>Economic</i>	Have had to lay off workers and shut down tribal government office.
	Uncertainty for how to pay government employees a full check where grants they are funded under do not account for the requirement to work from home.

<i>Tribal Governance</i>	Struggling with how to assert regulatory authority over seasonal fishermen, who will soon be coming into town, and ensuring that they adhere to proper physical distancing and self-quarantine guidelines as reflected in the Governor of Alaska's recent directive.
<i>Education</i>	Distance learning is not a reality and teachers are having to make learning packets available for parent pick up and then drop off, which creates learning hardships for youth. Also, school lunch programs were essential for helping provide daily nutrition for Native youth and sine the schools are shut down, that has presented challenges when coupled with the scarceness of food and supplies deliveries to remote villages.
<i>Tribal Governance</i>	Realizing that their government office is not equipped for telework, and they need to have core staff go into the office to keep operations afloat.
<i>Communication</i>	The flights to many rural villages have been cut down to 1 per week, limiting receipt of mail, groceries, and supplies. The hard lines were down recently making it difficult to conduct conference calls and other business, and the telecom infrastructure is very poor and does not allow for efficient telework, telemedicine, or distance learning.