

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AGUA CALIENTE BAND OF)
CAHUILLA INDIANS, *et al*,)
))
))
Plaintiffs,)
))
v.)
))
STEVEN MNUCHIN, in his official)
Capacity as the Secretary of the United)
States Department of Treasury,)
))
))
Defendant.)

Case No. 1:20-cv-01136 (APM)

DECLARATION OF JOSEPH L. JAMES

Comes now Joseph L. James to state under penalty of perjury:

1. I am the duly-elected Chairman of the Yurok Tribe, a federally recognized Indian tribe.
2. The Yurok Tribe submitted data to the Department of the Treasury in order to receive distribution of funds under the CARES Act Title V for COVID-19 disaster relief.
3. The Yurok reservation comprises 55,890 acres of land located in Northern California and it is the largest tribe in California with 6,306 members.
4. The Tribe’s business enterprises on and near the Yurok Reservation include Redwood Holiday Inn Express, Abalone Bar and Grill, Redwood Casino, Riverside RV Park, Requa RV Par, Redwood RV Park, Bluff Creek Resort, Klamath River Jet Boat Tours, Yurok Country Visitor Center, Redwood Yurok Canoe Tours, Yurok Screen Print Shop, kEE-Ya Espresso, Village RV, Mad River Brewing, Two Snakes Hemp, Pey-Mey Fuel Mart, and Pek-Tah Fuel Mart.

5. The Yurok Tribe also relies on some governmental functions to generate discretionary income to support itself, including timber sales and carbon credit sales. These two revenue streams are expected to be much lower this year due to the COVID-19 emergency, or sales may even be cancelled altogether.

6. The Yurok Tribe has incurred substantial additional expenses to address the COVID-19 crisis. The Tribe has procured additional personal protective equipment, increased spending on cleaning and sanitation supplies, increased spending on equipment to enable essential staff to work from home where possible, increased overtime for law enforcement in order to patrol and maintain compliance with health and safety orders. In addition, the Yurok Tribe has provides critical governmental services to the community in the form of food and firewood for elders, and other vulnerable individuals, within the Tribe's service area and even to non-tribal residents of the Reservation. The Tribe is providing check-ins on its elders, transportation to medical appointments, and PPE and testing supplies to our local clinics. These emergency services are unbudgeted expenses, many of which have been taken on in reliance on Treasury's distribution of CARES Act Title V funding before April 26, 2020.

7. In response to the COVID-19 crisis, the Yurok Tribe declared a State of Emergency on March 13, 2020. It has placed all non-essential employees on administrative leave and closed all enterprises except the two fuel marts, Mad River Brewing, and Two Snakes Hemp, which remain open with limited services and hours and the Village RV Park that remains open for long-term residents only with April and May monthly rent waived. Rent has also been waived at housing provided by the Yurok Indian Housing Authority, resulting in significant losses to the Tribe's programs for low-income housing. The losses incurred from closed businesses and waived rent are overwhelming.

8. Together, the increased costs of responding to the COVID-19 emergency and the business and government program losses are threatening the Yurok Tribe's ability to function. If the Tribe does not receive CARES Act, Title V funding in the very near future, the Tribe will be forced to reduce and curtail essential emergency related government services putting the health

and safety of tribal and community members at risk. In addition, although the Yurok Tribe relies on many grants for government operations, without the Title V funding, even grant funding will not save the Tribe from having to lay off more employees who may seek jobs elsewhere and not be available to return to the Tribe.

9. As of April 30, 2020, the Tribe's emergency efforts to take care of its community have prevented any COVID-19 cases on the Reservation at a great and non-sustainable cost to the Tribe, although there are cases in nearby communities.

I declare under penalty of perjury under the laws of the Yurok Tribe and the State of California that the foregoing is true and correct to the best of my knowledge.

DATED: May 1, 2020



Joseph L. James