

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AGUA CALIENTE BAND OF)
CAHUILLA INDIANS, *et al*,)

Plaintiffs,)

v.)

Case No. 1:20-cv-01136

STEVEN MNUCHIN, in his official)
Capacity as the Secretary of the United)
States Department of Treasury,)

Defendant.)

DECLARATION OF RYAN ORTIZ

Comes now Ryan Ortiz to state under penalty of perjury:

1. I am the duly appointed Chief Financial Officer of the Arapaho Tribe of the Wind River Reservation, also commonly known as the Northern Arapaho Tribe (“Tribe”), a federally recognized Indian tribe.

2. The statements herein are based on my own personal knowledge obtained within the scope of my role as Chief Financial Officer for the Tribe, and I could testify competently to them if called upon to do so.

3. As of April 29, 2020, the Tribe has conducted over 2,900 Covid-19 tests and have confirmed 74 positive cases on the Reservation, and we have lost four (4) of our precious tribal citizens.

4. The Tribe timely 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. As of today, the Tribe has not received any distribution of the CARES Act funds.

5. The Wind River Reservation (“Reservation”) comprises 1,723,496.12 acres of land located within the exterior boundaries of Wyoming with 10,529 tribal citizens.

6. The Tribe provides governmental services throughout the Reservation including healthcare, vital statistics, general welfare services, child and adult protective services, Temporary Assistance for Needy Families (“TANF”), Community Services Block Grant and Low Incoming Home Energy Assistance Program assistance, and traditional resources to name a few.

7. Due to the exposure of our entire child protective services staff to an infected individual, the whole office has been ordered into quarantine and we have been forced to activate one retired case worker and seek back up assistance from the State to ensure child protective services can continue.

8. The Tribe’s business enterprises on the Reservation include refined fuel service, laundry, retail clothing, grocery service, gaming, hospitality, hunting and ranching, to name a few. The Tribe engages in extensive commercial leasing on the Reservation, including oil and natural gas production.

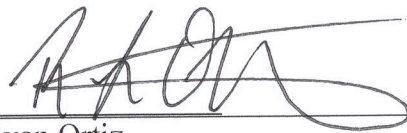
9. The Tribe has incurred substantial additional expenses to address the COVID-19 crisis. The Tribe has procured additional personal protective equipment, increased spending on cleaning and sanitation supplies, services for its tribal elders and food distribution programs, and short-term housing for the Tribe’s homeless population. These emergency services are unbudgeted expenses which have been taken on largely in reliance on Treasury’s distribution of CARES Act Title V funding before April 26, 2020.

10. In response to the COVID-19 crisis, the Tribe has declared a State of Emergency and issued stay-at-home orders. We have placed all non-essential employees on administrative leave and closed all enterprises except for our refined fuel services. The closure of these enterprises has eliminated the Tribe’s sources of governmental revenue for essential governmental services and employee salaries.

11. The combination of increased costs of responding to the COVID-19 emergency and the business and program losses are threatening the Tribe with potential shut down of departments and lay off of additional employees who may seek jobs elsewhere and not be available to return to the Tribe. If the Tribe does not receive CARES Act, Title V funding immediately we will not be able to plan for future services, layoffs and purchases to protect against the spread of Covid-19. Furthermore, without prompt receipt of the funding, the Tribe will be forced to reduce and curtail essential government services putting the health and safety of tribal members at substantial risk.

I declare under penalty of perjury under the laws of the Arapaho Tribe of the Wind River Reservation and the State of Wyoming that the foregoing is true and correct to the best of my knowledge.

DATED: May 1, 2020



Ryan Ortiz
Chief Financial Officer
Arapaho Tribe of the Wind River Reservation