

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

DECLARATION OF ROBERT MIGUEL

I, Robert Miguel, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a member of the Tribal Council and Chairman of the Ak-Chin Indian Community (“Ak-Chin” or the “Community”).

2. The statements herein are based on my own personal knowledge obtained within the scope of my role as a Tribal Council member and Chairman, and I could testify competently to them if called upon to do so.

3. The Community’s reservation occupies approximately 21,840 acres of land in Pinal County, Arizona, approximately 23 miles south of Phoenix. The Community has 1,130 enrolled Community members, about 80% of whom live on our reservation.

4. The Community provides governmental services throughout our reservation including courts, police, education, elderly services, housing, surface water treatment, and water reclamation.

5. The Community has a number of diverse business enterprises and along with its tribal government, employs over 1,700 people, making it one of the largest employers in Pinal

County. Ak-Chin owns Ak-Chin Farms, Ak-Chin Casino and Hotel Resort, the UltraStar Multi-entertainment Center, Ak-Chin Southern Dunes Golf Course, as well as smaller enterprises, such as the Vekol Market, Quail Run Building Materials, Inc., Ak-Chin Regional Airport, and engages in property management activities associated with a local commerce center. The vast majority of the Community's government departments and enterprises have been closed in response to the COVID-19 pandemic.

6. The Community has taken emergency protective measures and incurred substantial additional expenses to address the COVID-19 crisis. The Community has procured additional personal protective equipment (PPE) for distribution to Community members and staff, on an as needed basis; procured and distributed food staple items such as beans, flour, and rice; as well disinfectant wipes, paper towels, and toilet paper to Community members; increased spending on cleaning and sanitation supplies, including washing stations; incurred additional IT and professional services-related expenses; and incurred additional security expenses to secure closed facilities. These emergency services are unbudgeted expenses.


7. In response to the COVID-19 crisis, the Community has declared a State of Emergency. It has placed all non-essential employees on administrative leave and closed nearly all commercial enterprises. The closure of these enterprises has eliminated the Community's sources of governmental revenue for essential governmental services and employee salaries.

8. Ak-Chin timely submitted the requisite certification and information to the Secretary as requested by the Secretary to effectuate the timely distribution of the CARES Act funds. As of May 1, 2020, the Secretary has not disbursed CARES Act funding to Ak-Chin.

9. If Ak-Chin does not receive the emergency relief funding from the CARES Act immediately, it will be forced curtail essential governmental services and lay off or furlough a

substantial number of employees, thereby negatively impacting the health and welfare of Ak-Chin and the surrounding communities.

Executed this 1st day of May, 2020.

A handwritten signature in black ink, appearing to read 'R. Miguel', written over a horizontal line.

Chairman Robert Miguel