UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION, et al.,

PLAINTIFFS,

v.

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

DEFENDANT.

Case No. 1:20-cv-1002 (APM)
Consolidated

DECLARATION OF COOK INLET REGION, INC. IN SUPPORT OF MOTION TO INTERVENE

I, Sophie Minich, am over age 18, am of sound mind, and hereby declare the following in support of the Motion to Intervene by Alaska Native Village Corporation Association ("ANVCA") and the ANCSA Regional Association ("ARA"). I have personal knowledge of the facts set forth in this declaration (or have been informed of these facts and believe them to be true). If called as a witness, I could and would competently testify thereto.

1. I am the President and Chief Executive Officer of Cook Inlet Region, Inc. ("CIRI"). I have served in that position since January 2013 and worked in other positions at CIRI since October 1993.

2. The Alaska Native Claims Settlement Act ("ANCSA"), passed in 1971, was the first settlement of its kind between Native Americans and the federal government. The opening words of ANCSA are "Congress finds and declares that there is an immediate need for a fair and just settlement of all claims by Natives and Native groups of Alaska, based on aboriginal land claims." The carefully crafted legislation settled the aboriginal land claims of Alaska Native people by mandating the formation of twelve for-profit corporations representing twelve

geographic regions of the state and more than 200 village corporations. ANCSA awarded Alaska Native people surface and subsurface rights to 44 million acres of land and provided seed capital as compensation for lands no longer available to them.

3. CIRI is the ANCSA regional corporation based in the Anchorage area. Today CIRI has 8,386 Alaska Native shareholders. CIRI's Alaska Native shareholders are of Athabascan, Tlingit, Haida, Tsimshian, Inupiat, Yup'ik, Alutiiq/Sugpiaq and Aleut/Unangax descent. Approximately 38% of CIRI's shareholders live in Anchorage and the Matanuska-Susitna Valley, 22% in other parts of Alaska, and 40% in the Lower 48 states and Hawaii.

4. To receive the initial benefits provided by ANCSA, Alaska Native individuals had to apply for enrollment. Enrollment was conducted by the U.S. Department of the Interior, Bureau of Indian Affairs ("BIA"), which reviewed the applications, determined whether applicants met the eligibility requirements and decided into which ANCSA corporation eligible individuals would be enrolled.

5. Pursuant to the BIA's determinations, approximately 83% of CIRI's original shareholders were not enrolled into a village corporation and were instead enrolled in CIRI as "at large" shareholders. Since the passage of ANCSA, CIRI has acted as the Indian tribe for these shareholders in accordance with federal law.

6. CIRI is responsible for enhancing the lives of Alaska Native people, both economically and socially. CIRI is defined in Section 4(e) of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, 25 U.S.C. § 5304(e), as a tribe for the purposes of receiving benefits and providing services under ISDEAA, including employment, education, health, and other social and cultural heritage programs, and is eligible to compact and/or contract with the federal government to provide those services in the Anchorage area. While there are a number of federally recognized tribes in the CIRI region, there is no single

federally recognized tribe that represents all Alaska Native and American Indian peoples in Anchorage or significant urban areas in the Matanuska-Susitna Valley, two of the most heavily populated areas in Alaska. It has long been established that, for the Alaska Native and American Indian peoples living in the Municipality of Anchorage and the Matanuska-Susitna Valley, CIRI acts as the Indian tribe providing services in those areas. CIRI designees compact and/or contract with local, state, and federal agencies to administer programs and activities of the tribal governing body in order to enhance the socio-economic well-being, education, health, and cultural heritage of Alaska Native and American Indian peoples living within the Cook Inlet Region.

7. For the almost 50 years since the enactment of ANCSA, CIRI has had affiliated non-profit organizations that provide critical services to close to 60,000 Alaska Native and American Indian residents in the Anchorage area and the Matanuska-Susitna Valley. CIRI has designated, appointed, and authorized Southcentral Foundation ("SCF") and Cook Inlet Tribal Council ("CITC") to compact BIA and Indian Health Service ("IHS") programs and activities pursuant to ISDEAA to deliver health and social services to Alaska Native and American Indian peoples living in the CIRI region.

8. CITC is one of the CIRI tribal organizations that operates as a 638 compactor under ISDEAA, pursuant to CIRI's designated tribal authority. As a 638 compactor for almost 40 years, CITC has been providing critical social services (including child and family services, educational and cultural programs, job placement and training, substance abuse services, and welfare assistance) to tens of thousands of Alaska Native and American Indian residents of Anchorage, without regard to the recipients' home region, tribe or village. The wraparound services provided by CITC's 400 employees include Tribal Temporary Assistance to Needy Families, Child Care subsidies, Tribal Vocational Rehabilitation, academic programs inside the

Anchorage School District, supervised visitation for families involved in the child welfare system, and other critical services to the Alaska Native and American Indian peoples in the Anchorage area. In addition, CITC administers an ISDEAA Compact and Funding Agreement with the IHS to provide thousands of individuals a comprehensive continuum of recovery and behavioral health services, including outpatient treatment and transitional and sober supportive living.

9. Without CITC's services, Alaska Native and American Indian peoples in the Anchorage area will not have access to critical resources needed to address the COVID-19 pandemic. This vulnerable population is suffering disproportionately from the negative impacts of the pandemic. CITC typically serves over 12,000 Alaska Native and American Indian peoples annually. CITC expects those numbers to rise dramatically in the wake of the pandemic. Indeed, although April numbers are not yet available, the data for January through March 2020 indicate that CITC has provided critical services in response to the pandemic, including employment assistance, to over 1,000 individuals, employment and training services to over 1,500 individuals, on-site crisis intervention for 342 individuals, and financial support to efforts to feed underserved communities in Anchorage.

10. SCF is another CIRI tribal organization and is designated, appointed and authorized by CIRI to compact IHS programs and activities pursuant to ISDEAA. As a 638 compactor for more than 35 years, SCF delivers health services to Alaska Native and American Indian peoples living in the CIRI region.

11. Under SCF's ISDEAA Compact and Funding Agreement with the Secretary of Health and Human Services, SCF agrees to administer, provide, and be responsible for the programs, services, functions, and activities (PSFAs) described in its Funding Agreement. In FY 2019, SCF received $146,172,345 to provide such PSFAs to Alaska Native and American Indian

peoples living in the Municipality of Anchorage (excluding services provided by the Native Village of Eklutna), the Matanuska-Susitna Valley (excluding services provided by Chickaloon Native Village and Knik Tribal Council), and some other locations in Alaska.

12. The PSFAs delivered by SCF include primary care services; emergency services; pediatric, obstetric and gynecological services; optometry services; audiology services; chiropractic services; laboratory services; imaging services; pharmacy services; physical, occupational, and speech therapy services; wellness, exercise, and health promotion services; dental, orthodontic, endodontic, prosthodontic, and oral surgery services; residential and outpatient behavioral health and substance use treatment services; domestic violence prevention and educational services; and co-management of the Alaska Native Medical Center, a 168-bed community and tertiary care hospital in Anchorage. SCF's Active Native Users residing in Anchorage and the Matanuska-Susitna Valley total 59,221 persons, as reported by IHS in its FY 2019 Official Active User Population Report. SCF has more than 2,500 employees and owns or operates 40 health clinics and facilities in Alaska.

13. Cook Inlet Housing Authority ("CIHA") is another CIRI tribal organization designated and authorized by CIRI, pursuant to CIRI's designated tribal authority, to participate in Federal programs to provide critical services to eligible Alaska Native and American Indian peoples residing in the CIRI region. The Native American Housing and Assistance and Self Determination Act of 1996, 25 U.S.C. 4101, et seq. ("NAHASDA") was enacted by Congress to establish a block grant funding program administered by the U.S. Department of Housing and Urban Development to provide Federal housing assistance to Alaska Native and American Indian peoples consistent with principles of Indian self-determination. NAHASDA defines "Indian tribe" for eligibility purposes using the same definition utilized in ISDEAA, including ANCSA regional and village corporations. 25 U.S.C. 4103(13)(B). Since the enactment of

NAHASDA, ANCSA Regional corporations, including CIRI, have been eligible recipients of NAHASDA block grant funding. For more than 20 years, CIHA has been appointed as CIRI's tribally designated housing entity for the administration of NAHASDA grant funds and has managed NAHASDA housing programs on behalf of eligible Alaska Native and American Indian peoples in the CIRI region. Although CIHA does not technically operate under a 638 contract, it does play a similar role in providing critical housing services to underserved Alaska Native and American Indian peoples, individuals who are facing even more critical housing needs in light of the COVID-19 pandemic. CIHA's various housing programs recorded 9,465 distinct client contacts in 2019.

14. In short, it is CIRI's entitlement to participate in Federal programs as an Indian tribe under ISDEAA and other Federal statutes that allows CIRI and its designated tribal organizations to provide these above-mentioned critical services to thousands of Alaska Native and American Indian residents in the Anchorage area, without regard to their home region or any tribal or village affiliation. The funding requirements for those critical services are in even greater demand today, when the underserved communities in our region are suffering the economic and health hardships brought on by the COVID-19 pandemic. The undeniable fact is that our Alaska Native and American Indian peoples will not receive these essential services from any other source.

15. CIRI has duly submitted information to Treasury and/or BIA pursuant to the tribal consultation guidelines issued by those agencies.

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

Dated this 2nd day of May, 2020.

DocuSigned by:
Sophie Minich
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Sophie Minich