

## PRESS CONTACT: Nicole E. Ducheneaux

nducheneaux@bigfirelaw.com (406) 493-4693

June 23, 2020 FOR IMMEDIATE RELEASE

## Tribe Fights Back Against Retaliation for Protecting People from COVID-19 Pandemic in Suit Against President and Federal Officials

OMAHA, June 23, 2020 - The Cheyenne River Sioux Tribe today filed suit against President Donald Trump, Chief of Staff Mark Meadows. Dr. Deborah Birx, and other federal officials for abusing federal authority to force the Tribe to dismantle health checkpoints the Tribe uses to screen people for COVID-19 coming onto their reservation in central South Dakota. The White House and the Bureau of Indian Affairs began a campaign against the health checkpoints after South Dakota Governor Kristi Noem appealed to Trump for help in her fight against the Indian tribe.

The Tribe's lawsuit, filed in U.S. District Court for the District of Columbia, describes repeated threats and appeals from high level officials Chief of Staff Meadows, Dr. Birx, and other White House and BIA officials, including Assistant Secretary of the Interior for Indian Affairs, Tara Katuk Mac Lean Sweeney. When the Tribe refused to capitulate to these threats, the Defendants pivoted to an unlawful attack on the Tribe's law enforcement funding and powers of self-government

The Cheyenne River Sioux Reservation encompasses the poorest county in the United States. Tribal members suffer heightened rates of the comorbidities that lead to COVID-19 death and inadequate access to health care. An outbreak of COVID-19 on the Reservation would devastate the Tribe. Under the Tribe's health safety plan, they have had only six cases, all of which were found by the Tribe's screening process

"The Tribe's health safety checkpoints are a lawful exercise of our sovereign authority and intended to protect our people from sickness and death. And it's working," said attorney for the Tribe, Nicole Ducheneaux, partner at Big Fire Law & Policy Group and a member of the Cheyenne River Sioux Tribe. "The Tribe filed this suit because the White House and the BIA are pursuing a political agenda that is not only threatening our lives during this pandemic, but it is a gross violation of the United States' solemn trust duty to the Tribe."

The lawsuit describes how government officials have colluded to both coerce and punish the Tribe for their checkpoints. "When the Tribe informed White House and agency officials that they were not going to end their health checkpoints, the Tribe's law enforcement funding was pulled in middle of the coronavirus pandemic leaving an already vulnerable population deal with yet another health and safety crisis," said Ducheneaux.

While increasing numbers of COVID-19 cases encircle the reservation and so long as the pandemic remains a viable threat to the nation, "The Tribe will exercise its sovereign authority to the fullest extent to protect its tribal citizens. We have faced pandemics and we have faced fights with the United States before. We know how to fight and we know to protect ourselves."

The Tribe is also represented by Big Fire Senior Attorneys Rose Weckenmann and Judy Shapiro.

## **About Big Fire Law & Policy Group**

Big Fire Law & Policy Group is a 100 percent Native-owned, majority Native woman owned law firm dedicated to providing tribal advocacy with integrity. Big Fire provides innovative solutions and culturally competent legal representation and policy advocacy for tribal governments, businesses, non-profits and communities.