

EXHIBIT A

NATIVE AMERICAN RIGHTS FUND
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**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE**

**ARCTIC VILLAGE COUNCIL,
LEAGUE OF WOMEN VOTERS OF
ALASKA, ELIZABETH L. JONES, and
BARBARA CLARK,**

Case No. 3AN-20- 078584

Plaintiffs,

v.

**KEVIN MEYER, in his official capacity
as the Lieutenant Governor of the State of
Alaska; GAIL FENUMIAI, in her official
capacity as the Director of the Alaska
Division of Elections; and ALASKA
DIVISION OF ELECTIONS,**

Defendants.

**AFFIDAVIT OF TIFFANY YATLIN IN SUPPORT OF PRELIMINARY
INJUNCTION**

1. My name is Tiffany Yatlin and I am the tribal administrator for Arctic Village Council.
2. I am over the age of 18 and competent to testify to the information herein if called to do so. I have personal knowledge of the information contained in this statement.
3. Arctic Village Council is a federally recognized Indian tribal government whose governing body is recognized by the Secretary of the U.S. Department of the Interior as Arctic Village. The Arctic Village Council exercises powers of self-governance and jurisdiction over its Neets'ajj Gwich'in tribal members living within Arctic Village. The Council is responsible for the health, safety, and welfare of its members.
4. Arctic Village is situated on the southern boundary of the Arctic National Wildlife Refuge, along the east fork of the Chandalar River and about 100 miles north of Fort Yukon, Alaska.

5. In response to the COVID-19 pandemic, the Arctic Village Council took immediate steps to protect the community from the spread of the virus. Arctic Village is accessible only by small, single engine airplanes and is located approximately 233 air miles from the nearest hospital facilities in Fairbanks, Alaska. Within Arctic Village, there is only one small clinic, staffed by one health aide to serve the entire community of about 150 people.

6. On or about March 13, 2020, the Arctic Village Council published policies establishing strict social distancing guidelines for village residents, closing all tribal facilities to the public, and ordering tribal staff to begin working from home. On or about April 1, 2020, the Arctic Village Council closed the village to all outside visitors and restricted all air carrier passenger service into the community. With limited air mail and freight being delivered to the village, the Arctic Village Council has relied on tribal members to provide food to the community through subsistence hunting and fishing.

7. While many communities in Alaska are lifting their travel restrictions, the Arctic Village Council continues to work directly with the small regional air carriers to limit the number of outside passengers coming into the community. All travelers arriving in the village must take a COVID-19 test and be quarantined for at least 7 days, even after a negative test result.

8. Despite our best efforts to keep COVID-19 out of our small community, there have at least three documented cases of the virus in Arctic Village. In response to these positive test results, the Arctic Village Council ordered a community-wide shelter in place order on or about May 16, 2020. This order restricted all residents from gathering with any person outside of their household, and prohibited residents from congregating at community facilities such as: the tribal office, the community hall, the village store, and the post office. The Arctic Village Council hired tribal members to work as a community safety patrol to ensure the shelter in place order was being adhered to.

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9. Due to positive cases of COVID-19 in our village, our in-person polling place was closed in the August primary. As such, no community member voted in person. As a result of the in-person polling places being closed voting by mail is the only option for our tribal members to vote.

10. However, we have severe limitations on our ability to use mail in voting in Arctic Village. The village only has one, small post office. Due to the village-wide lockdown, the post office has been closed to the public. The post office is also the only location in the community where tribal members may have something notarized by a notary public. We are having community members act as mail carriers to pick up and drop off mail at each resident's home.

11. There are at least 50 people in the community who do not live in a household with anyone else over 18 years of age. This means that in order to have their witness requirement fulfilled on their mail in ballots, a resident must break quarantine and leave their homes to have their ballots witnessed and notarized. Given all that is going on with this pandemic, having to comply with the witness requirement totally forecloses the ability of tribal members to vote by mail under these circumstances.

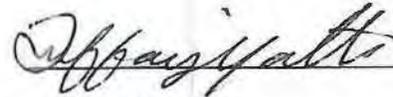
12. As such, the witness requirements on ballots pose a severe burden because tribal members are trying to isolate during lockdown. The Council has had to divert significant resources trying to educate people about how to vote now that they can't do so in person and trying to figure out what to tell people about vote by mail witness requirement.

13. The Council believes voting is a fundamental right and it is important for the people to vote because that's how they can exercise their right to participate in democracy and have the Tribe's voice and its Tribal members' voices heard. However, we are also trying to balance the health and safety of our community. COVID-19 has been especially hard hitting in Native communities, and even here in Arctic Village we have had community members have to be

medevacked by air ambulance because of complications related to COVID-19. The risk is not going away, and there is no way our people can fully participate in the upcoming general election with the current restrictions on mail in ballots in place.

14. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED THIS 3rd day of September 2020.



Tiffany Yatin

*Carla Wheeler 9-3-20
Postmaster*



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