

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL
OF THE OGLALA SIOUX TRIBE
(An Unincorporated Tribe)

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL OF THE OGLALA SIOUX TRIBE AFFIRMING THE OGLALA SIOUX TRIBAL PRESIDENT'S DECLARATION OF A STATE OF EMERGENCY FOR THE PINE RIDGE INDIAN RESERVATION DUE TO THE NOVEL CORONAVIRUS (COVID-19), REQUESTING ASSISTANCE, AND AUTHORIZING REPROGRAMMING OF TRIBAL FUNDS.

WHEREAS, the Oglala Sioux Tribe adopted its Constitution and By-Laws by referendum vote on December 14, 1935, in accordance with Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123), and under Article III of the Constitution, the Oglala Sioux Tribal Council is the governing body of the Oglala Sioux Tribe, and

WHEREAS, pursuant to the Constitution and By-laws of the Oglala Sioux Tribe, the Oglala Sioux Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances, and

WHEREAS, Article IV, Sections 1(f), 1(k), 1(m), and 1(w) empower the Tribal Council to manage the economic affairs of the Tribe, protect and preserve the property of the Tribe, adopt laws governing the conduct of persons on the Pine Ridge Indian Reservation, and adopt laws protecting and promoting the health and general welfare of the Oglala Sioux Tribe and its membership, and

WHEREAS, Article IV, Section 1(a) authorizes the Tribal Council to negotiate with Federal, State, and local governments, on behalf of the Tribe, and to advise and consult on behalf of the Tribe, and

WHEREAS, the Pine Ridge Indian Reservation in the State of South Dakota is the permanent home of the Oglala Sioux Tribe, pursuant to the Fort Laramie Treaty of 1868 and the Act of March 2, 1889, and

WHEREAS, there is an outbreak of a respiratory disease caused by a novel coronavirus that was first detected in China and is now detected in more than 100 locations internationally, including in the United States, named SARS-CoV-2 and the disease it causes has been named "coronavirus disease 2019" ("COVID-19"), and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization ("WHO") declared the outbreak a "public health emergency of international concern", and on March 11, 2020, WHO characterized COVID-19 as a pandemic, and

WHEREAS, cases have been detected and confirmed throughout the United States and Indian country, including within the state of South Dakota, and

WHEREAS, Indian country will be hit harder than any other area, and the Pine Ridge Indian Reservation and its people are extremely vulnerable, and

WHEREAS, this COVID-19 pandemic affects all people across the Great Plains region, and the Oglala Lakota Oyate and the entire Pine Ridge Indian Reservation are at risk, and

WHEREAS, on March 10, 2020, the President of the Oglala Sioux Tribe declared a State of Emergency for the Pine Ridge Indian Reservation, requested immediate assistance, resources, and supplies from the United States Department of Health and Human Services, demanded that COVID-19 test kits to be provided to the Pine Ridge Indian Health Service Unit, demanded protective measures for the Oglala Lakota Nursing Home and Cohen Home by restricting visitation, demanded schools to develop protocols for protective measures against COVID-19, demanded Parks and Recreation to develop imminent protective measures and cease off-reservation sales of buffalo, including buffalo at Pe Sla, demanded the ceasing of any stores attempting to price gouge, demanded churches and non-profits to develop and implement quarantine procedures for incoming donations and personnel, demanded District Executive Boards develop and implement quarantine procedures for incoming NAHA donations prior to distribution, demanded that all agencies and organizations report their protocols and procedures to the Executive Board, and demanded that the Emergency Declaration be supported to develop and implement protective measures against COVID-19 for the Pine Ridge Reservation, and

WHEREAS, the Financial Management Manual, Ordinance No. 17-27, defines an "emergency" as a "determination by the Tribal Council, that a threat to the Tribe, its members, its property or interests, its resources or rights, warrants the expeditious reprogramming of Tribal funds", and

WHEREAS, the Tribal Council has determined that it is in the best interest of the general health and welfare of the Oglala Sioux Tribe and the Oglala Lakota Oyate to adopt this resolution declaring a State of Emergency based on the COVID-19 pandemic and to permit the expeditious reprogramming of Tribal funds; now

THEREFORE BE IT RESOLVED, that the Oglala Sioux Tribal Council hereby declares the novel coronavirus named SARS-CoV-2 and the disease it causes, "coronavirus disease 2019" or "COVID-19" to be a public health emergency, and hereby supports and affirms the President of the Oglala Sioux Tribe's Declaration of a State of Emergency for the Pine Ridge Indian Reservation, and


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BE IT FURTHER RESOLVED, that the Oglala Sioux Tribal Council hereby requests immediate assistance, resources, and supplies from all departments and agencies of the United States, including but not limited to the Department of the Interior, Bureau of Indian Affairs, Department of Health and Human Services, Indian Health Services, Centers for Disease Control, and


BE IT FURTHER RESOLVED, that Oglala Sioux Tribe determines that this public health emergency to be an "emergency" as defined by the Financial Management Manual warranting the expeditious reprogramming of Tribal funds and hereby authorizes the reprogramming of Tribal funds to address this public health emergency.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, as the undersigned Secretary of the Oglala Sioux Tribal Council, of the Oglala Sioux Tribe hereby certify that this Resolution was adopted by a vote of: 16 For; 0 Against; 0 Abstain; and 0 Not Voting; during a SPECIAL SESSION held on the 13TH day of MARCH, 2020.


JENNIFER SPOTTED BEAR
Secretary
Oglala Sioux Tribe

A-T-T-E-S-T:


for JULIAN R. BEAR RUNNER
President
Oglala Sioux Tribe

