

**C E R T I F I C A T E**

The undersigned, N. Kathryn Brigham and Sally Kosey, hereby certify that they are the Chairman and Secretary, respectively, of the Board of Trustees of the Confederated Tribes of the Umatilla Indian Reservation, and on the 2<sup>nd</sup> day of March, 2020, a quorum of said Board was present and the following Resolution was polled and adopted by a vote of 7 for, 0 against, and 0 abstaining.

**R E S O L U T I O N**

- WHEREAS,** the Board of Trustees is the governing body of the Confederated Tribes of the Umatilla Indian Reservation (Confederated Tribes) by the authority of Article VI, Section 1 of the Constitution and Bylaws of the Confederated Tribes, adopted on November 4, 1949 and approved on December 7, 1949; as amended; **AND**
- WHEREAS,** pursuant to Article VI, Section 1(e) of the Constitution and Bylaws, the powers of the Board of Trustees include the authority “to exercise any rights and powers heretofore vested in the Confederated Tribes, but not expressly referred to in this Constitution, or any powers that may in the future be delegated by an agency of local, state or Federal government”; **AND**
- WHEREAS,** on March 2, 2020, the Oregon Health Authority identified a presumptive positive tested incidence of Novel Coronavirus (COVID-19) on the Umatilla Indian Reservation; **AND**
- WHEREAS,** in Board Resolution 18-006, the CTUIR (Confederated Tribes of the Umatilla Indian Reservation) approved a Public Health Emergency Mutual Aid Agreement with Umatilla County. That agreement designates Yellowhawk as the Public Health Officer and as lead for public health emergencies on the Umatilla Indian Reservation; **AND**
- WHEREAS,** the Board of Trustees expressed intends to protect the CTUIR member population, the residents of the Umatilla Indian Reservation, and employees and patrons of the CTUIR and its entities, including Nixyáawii Community School; **AND**
- WHEREAS,** the Board supports engagement of proactive and timely response protocols, including public health incident command and emergency response systems to further supplement CTUIR resources including all necessary tribal, state and federal resources; **AND**
- WHEREAS,** Sandy Recovery Improvement Act of 2013 (P.L. 113-2) (SRIA), provides for an option for the Chief Executive of a federally recognized Indian tribe to make a direct request to the President for a major disaster or emergency declaration; **AND**

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**WHEREAS**, the Public Health Officer, the Yellowhawk Chief Executive Officer has concluded that local resources can no longer handle the immediate impact of the COVID-19 public health event on the Umatilla Indian Reservation and that the severity and magnitude that effective response is beyond the capabilities of the CTUIR and that Federal assistance is necessary; **NOW, THEREFORE BE IT FINALLY**

**RESOLVED**, that the Board of Trustees declares a Public Health Emergency (PHE) exists within the Umatilla Indian Reservation and that CTUIR (Confederated Tribes of the Umatilla Indian Reservation) resources have been or will be exhausted in to the COVID-19 response, and the PHE declaration extends for 90 days; **AND BE IT FURTHER**

**RESOLVED**, the Board authorizes the CTUIR Public Health Officer to engage the U.S. Secretary of Health and Human Services as needed, to deploy the Public Health Emergency Fund and directly address the public health emergency for the Umatilla Indian Reservation, including but not limited to:

1. waiving or modifying certain Medicare, Medicaid, Children's Health Insurance Program, and Health Insurance Portability and Accountability Act requirements, also known as an "1135 waiver"; and
2. temporarily appointing federal personnel to respond to the public health emergency; and
3. under a General Services Administration policy, allowing state, local, tribal, and territorial "government grantees to use federal supply schedules to respond to public health emergencies; and
4. further, as amended by the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, upon CTUIR request, to authorize the temporary reassignment of health department or agency personnel funded in whole or in part through programs authorized under the Public Health Service Act for the purpose of immediately addressing a federally declared public health emergency; **AND BE IT FINALLY**


**AND**, that said Resolution has not been modified amended or repealed and is still in full force and effect.

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**DATED** this 2<sup>nd</sup> day of March, 2020.

  
 N. Kathryn Brigham, Chair  
 Board of Trustees

**A T E S T:**

  
 Sally Kosey, Secretary  
 Board of Trustees

NAME	YES	NO	ABSTAIN	LEAVE
N. Kathryn Brigham, BOT Chair				
Jeremy Wolf, BOT Vice Chair	X			
Sandra Sampson, BOT Treasurer	X			
Sally Kosey, BOT Secretary				Personal
Jill-Marie Gavin, BOT Member	X			
Armand Minthorn, BOT Member	X			
Boots Pond, BOT Member	X			
Corinne Sams, BOT Member	X			
Lindsey Watchman, General Council Chair	X			