

NISQUALLY TRIBAL COUNCIL
Resolution No. 44-2021

A Resolution for Mask-Wearing of Unvaccinated Individuals on the Nisqually Indian Reservation

WHEREAS, the Nisqually Indian Tribe is the successor descendent entity of the Nisqually Nation signatory to the Treaty of Medicine Creek of 1854 (10 Stat. 1132), and unto this day has retained and maintained its Tribal identity, its governing body, and its sovereign powers; AND

WHEREAS, the Nisqually Indian Tribe is a federally recognized American Indian Tribe organized under its governing Constitution and Bylaws approved by the U.S. Secretary of the Interior on September 9, 1946, pursuant to Section 16 of the Indian Reorganization Act, 25 U.S.C. 476; AND

WHEREAS, the Nisqually General Council is the duly constituted governing body of the Nisqually tribe, and the Nisqually Tribal Council the duly elected representative body of the Nisqually General Council by the authority of the Tribe's Constitution and Bylaws, as amended; AND

WHEREAS, the Nisqually Tribal Council passed Res. 49-2020; it is the PHO's recommendation to modify mask wearing recommendations based on the latest CDC guidelines; AND

WHEREAS, the Nisqually Indian Tribe entered a State of Emergency on the Nisqually Indian Reservation on February 29, 2020; AND

WHEREAS, pursuant to the approved Medical Countermeasures Plan and Back to Work Protocol developed in coordination between the Public Health Officer, Tribal Leadership, and local public health experts; AND

WHEREAS, individuals can be infected and contagious before or even without developing symptoms (pre-symptomatic and asymptomatic), and the evidence suggests a significant number of infections may be transmitted in this manner; AND

WHEREAS, one key transmission method for COVID-19 is aerosolization and respiratory droplets that individuals expel when they breathe, talk, cough or sneeze; AND

WHEREAS, the CDC recommends that unvaccinated individuals should cover their noses and mouths with a cloth face covering to prevent inadvertently spreading COVID-19 while interacting with others outside their homes in public settings where other social distancing measures are difficult to maintain, especially in Tribal communities and areas with significant community-based transmission; AND

WHEREAS, workers of certain essential businesses and other frontline employees must be protected because they face greater exposure and risk of contracting COVID-19 due to their frequent in person contact with members of the public and inability to work from home and widespread mask use may decrease the risk of spread from someone with unrecognized infection;


NOW LET IT BE RESOLVED, that the Tribal Council of the Nisqually Indian Tribe approves the amended Face Covering Directive, below, as it serves to protect our community and our staff; AND

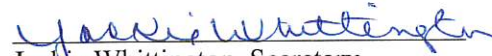
BE IT FURTHER RESOLVED that the Tribal Council does hereby find that directing the unvaccinated population on the Nisqually Reservation to wear face coverings in certain public places until otherwise directed by the Public Health Officer is reasonable and conducive to maintain health and to the control and prevention of COVID-19, a contagious and infectious disease throughout the Nisqually Reservation.

CERTIFICATION

We certify that the foregoing resolution was adopted at a regular meeting of the Nisqually Tribal Council held on may 20th, 2021, that a quorum was present, and that the resolution was adopted by a vote of 4 FOR, 0 AGAINST, and 0 ABSTAINING.

ATTEST


William Frank III, Chairman
NISQUALLY INDIAN TRIBE


Jackie Whittington, Secretary
NISQUALLY INDIAN TRIBE

AMENDED FACE COVERING DIRECTIVE

All commercial establishments and buildings on the Nisqually Indian Reservation are directed to post signage requiring unvaccinated individuals to wear face coverings on the premises.

All unvaccinated individuals must wear face coverings over their noses and mouths when they will be at (1) indoor public settings, or (2) outdoor public locations and cannot maintain distancing of approximately six feet from another individual who does not share their household. Cloth face masks must be worn properly in order to avoid contaminating the hands or face of the user. Before putting on a mask and after removing a mask, an individual should clean their hands with alcohol-based hand rub or soap and water and change masks when moist and wash after use. While in use, avoid touching the mask. Worn masks may be contaminated with infectious agents.

This Directive applies to any indoor public setting or outdoor public location where an unvaccinated person will be in within six feet of another individual, who does not share the same household, and includes, but is not limited to the following sectors:

Nothing in this Directive reduces or eliminates the requirements imposed by Directives and Orders from the Local Health Officer, Governor, or other regulatory local, state, or federal agency including employer specific directives from the Washington State Department of Labor and Industries.

Face covering use does not replace the need to stay home when ill and practice physical distancing, frequent handwashing, and avoiding touching of the face;

Violation of this Directive does not create grounds for residents or law enforcement to stop, detain, issue a citation, arrest, intimidate, or harass individuals who do not comply with it. This Directive may and should be used to educate, encourage, and persuade individuals to wear face coverings.

The following individuals do not need to comply with this Directive:

Any child aged two years or less;

Any child aged 12 years or less unless parents and caregivers supervise the use of face coverings by children to avoid misuse;

Any individual who has a physical disability that prevents easily wearing or removing a face covering;

Any individual who is deaf and uses facial and mouth movements as part of communication;

Any individual who has been advised by a medical professional that wearing a face covering may pose a risk to that individual health related reasons;

Any individual who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.

