

NISQUALLY TRIBAL COUNCIL
Resolution No. 127 - 2020

A Resolution for Mandatory Mask-Wearing 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 Indian Tribe entered a State of Emergency on the Nisqually Indian Reservation on February 29, 2020 and executed a Shelter in Place Order effective since March 25th 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 respiratory droplets that individuals expel when they breathe, talk, cough or sneeze; AND

WHEREAS, the CDC recommended that members of the public 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 and community members on the Nisqually Reservation must be protected and widespread mask use may decrease the risk of spread from someone with unrecognized infection; AND

WHEREAS, this mask resolution provides that mask wearing will be enforceable and signs will be placed at the entry of all buildings to remind anyone upon entry that they must wear a mask. Without a mask, entry may not be allowed. In any space with more than one person, a mask must be worn in order to protect those around; AND

WHEREAS, those who do not abide this resolution for the protection of this community will be disciplined based on the procedures outlined in Section XI. of the approved Nisqually Employee Manual; AND

NOW LET IT THEREFORE BE RESOLVED that the Tribal Council of the Nisqually Indian Tribe has approved the mask-wearing guidelines in accordance with the Phased Reopening of the Nisqually Indian Tribe as it serves only to protect our community and our staff; AND

BE IT FURTHER RESOLVED that the Tribal Council does hereby find that directing the population on the Nisqually Reservation to wear face coverings inside all buildings on the Reservation until otherwise directed by

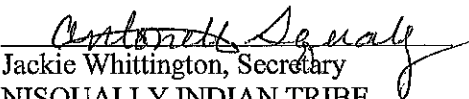
the Public Health Officer is reasonable and conducive to maintain health and to the control and prevention of COVID-19, a contagious and infectious disease throughout the Nisqually Reservation.

CERTIFICATION

We certify that the foregoing resolution was adopted at a regular meeting of the Nisqually Tribal Council held on November 18, 2020, that a quorum was present, and that the resolution was adopted by a vote of _____
3 FOR, 0 AGAINST, and 0 ABSTAINING.

ATTEST


Ellery Kenneth Choke, Chairman
NISQUALLY INDIAN TRIBE


Jackie Whittington, Secretary
NISQUALLY INDIAN TRIBE

FACE COVERING DIRECTIVE

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

All 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. Individuals should use N95, K95, loop masks, fabric coverings, such as cloth face masks, scarves and bandana coverings or other material as recommended by CDC. 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 a person will be in within six feet of another individual who does not share the same household.

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 practice physical distancing (staying away from ill people, staying home and avoiding all non-essential activities and contact with others), 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.