



HEALTH ORDER 01-21 OF THE MAKAH TRIBAL COUNCIL January 8, 2021

Please read the following Order carefully. Any person or entity violating or failing to comply with this Order may be subject to civil fine of \$500. Persons or entities who commit multiple violations of this order may be subject to criminal prosecution and/or arrest.

Pursuant to the inherent and constitutional authority of the Makah Tribal Council, the Makah Tribal Council hereby **ISSUES THE FOLLOWING ORDER:**

I. Background and Definitions

The virus that causes Coronavirus Disease 2019 (“COVID-19”) is easily transmitted between individuals and can be transmitted even by persons who do not appear to have any symptoms of the disease. Group settings provide optimal conditions for transmittal.

The first Health Order in response to COVID-19 (Health Order 01-20) was issued on March 20, 2020 in light of the existence of over 1,376 confirmed cases of COVID-19 in the State of Washington, as well as at least 74 deaths due to the disease. The Makah Tribal Council has issued subsequent Health Orders 02-20 on June 8, 2020, 03-20 on July 8, 2020, 04-20 on September 24, 2020, 05-20 on October 14, 2020, 06-20 on November 16, 2020, 07-20 on November 18, 2020, 08-20 on December 4, 2020 and 09-20 on December 15, 2020. As of January 7, 2021, there now exist over 267,779 confirmed cases in Washington State, including 788 cases in Clallam County and 10 cases on the Makah Reservation, and at least 3,762 deaths in Washington State.

The Makah Tribal Council recognizes the need to preserve life and protect all members of the community on the Makah Reservation, especially our members most vulnerable to experiencing serious illness (i.e. seniors aged 60 and older and persons with underlying conditions). Because of the rapid spread of the virus, it is necessary to proactively enforce modifications in community and social behaviors to prevent unnecessary death.

II. Makah COVID-19 Public Health Protocols: Phase 3

Whereas there are no new cases of COVID-19 on the Makah Reservation since November 23, 2020 and there is no known community transmission;

Therefore, all individuals anywhere on the Makah Indian Reservation are ordered to follow the Makah COVID-19 Public Health Protocols under Phase 3.

Face masks remain required in all public spaces.

III. Household Groups

Household Groups may continue in accordance with the Makah COVID-19 Public Health Protocols with the exception that Household Units not located on the Reservation may not be considered a part of a Household Group for the duration of this order.

IV. Residents of Neah Bay and Traveling Protocols

Residents of Neah Bay must follow the Traveling Protocols under the Makah COVID-19 Public Health Protocols. If a Resident has Close Contact with someone in a High Risk Area or who they know to have possibly been exposed to COVID-19, that Resident means they must avoid Close Contact with anyone outside of their Household Group for 14 days.

V. Visitors to the Makah Indian Reservation

All non-Makah Personal Visitors are not allowed access to the Makah Indian Reservation for the duration of this Health Order. The only exception is non-Makah spouses and dependents of Makahs, who must also follow the testing requirements outlined below.

All Non-Residents visiting for personal reasons and Infrequent Work Visitors, ages 11 and older, must provide proof of a negative COVID-19 test result within the past 5 days prior to accessing the Reservation. Documented proof of the negative test result (i.e. a printout of the lab result or an electronic copy) will be required by the Checkpoint Personnel at the border of the Reservation. This is in addition to the Visiting and Traveling Protocols laid out in the Makah COVID-19 Public Health Protocols and the required approval necessary for specific categories of visitors. If a Non-Resident Makah lives in Clallam County and is accessing the Reservation regularly for essential services, a negative COVID-19 test is only required biweekly.

Exceptions to the above COVID testing requirement are as follows:

- Individuals accessing the reservation for a COVID Vaccine appointment
- Essential workers making deliveries or providing healthcare services

Testing is required prior to arrival. It is recommended that visitors utilize the National Test Site locator to identify testing locations near them. Makah Tribe staff are available to assist Makah Tribal Members in locating a testing site near them. If you are a Makah Tribal Member requesting this assistance, call the COVID-19 Question and Concern Line at 1-360-645-6273 and leave your name and phone number. A staff member will return your call within 1 business day.

Regular Non-Resident Workers (those accessing the Reservation on a daily or weekly basis) who work indoors will be required to provide proof of a negative COVID-19 test at least biweekly. Non-tribal organizations must identify testing resources for their own Non-Resident Workers. It is recommended that Non-Resident Workers utilize the National Test Site locator to identify testing locations near them.

Regular Non-Resident Workers who only work outdoors and have zero close-contact with residents on the Reservation do not have to provide proof of a negative COVID-19 test result but must follow all Health Orders and Workplace Safety Protocols.

COVID-19 test results shown at the Reservation border will be considered confidential and will not be shared with the public.

VI. Enforcement

Pursuant to Makah Tribal Council Resolution No. 01-21 the Makah Tribal Council directs the Chief of Police on the Reservation to enforce compliance of this Order. Any person or entity violating or failing to comply with this Order may be subject to civil fine of \$500. Multiple violations of this Order may be subject to criminal prosecution and/or arrest.

Final Statements

The Makah Tribal Council shall publish this Order: (1) by posting it on the Makah Portal, (2) makah.com, (3) at the Village Market, and (4) at be'is. In addition, the Makah Tribal Council must provide a copy of this Order to every business and facility operating within the Makah Reservation. The Makah Tribal Council shall maintain copies to provide to the public free of charge.

This Order shall remain in full force and effect upon the enactment of Resolution 01-21 of the Makah Tribal Council and continues in effect indefinitely unless it is extended, rescinded, superseded, or amended in writing by the Makah Tribal Council. This Health Order supersedes Health Order 09-20 and all previous Makah Health Orders. Makah Tribal Council may revise this Order as the situation evolves, and individuals and facilities must stay updated by checking the Neah Bay Fact Line (360-645-3228) and makah.com.

If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.