

RESOLUTION NO: 119-21
DATE ENACTED: November 18, 2021
SUBJECT MATTER: Health Order 09-21

RESOLUTION NO. 119-21 OF THE MAKAH TRIBAL COUNCIL

WHEREAS, the Makah Tribal Council is the governing body of the Makah Indian Tribe of the Makah Indian Reservation in Washington by the authority of the Constitution and By-Laws of the Makah Indian Tribe as approved on May 16, 1936 by the Secretary of the Interior; and

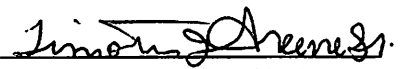
WHEREAS, under the Constitution and By-Laws the Makah Tribal Council is charged with the duty of protecting the health, security and general welfare of the Makah Tribe and all Reservation residents; and

WHEREAS, on March 13, 2020, the Makah Tribal Council proclaimed a state of emergency (Res. No. 2020-01) on the Makah Indian Reservation after the Governor of the State of Washington declared a state of emergency throughout the State of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak and confirmed person-to-person contact spread of COVID-19 in Washington state; and

WHEREAS, tools for preventing the spread of COVID-19, such as masking, physical distancing, and COVID vaccines, are known and widely available, and treatments to prevent severe disease and hospitalization from COVID-19 are also available, and

WHEREAS, the Makah Tribal Council still recognizes the presence of COVID-19 cases locally and in surrounding areas, as well as the continued burden on the regional healthcare systems, and that there remains an ongoing need to prevent the spread of COVID-19 to prevent the loss of life,

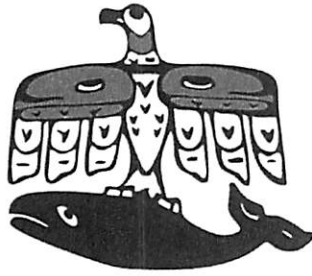
NOW, THEREFORE BE IT RESOLVED that the Makah Tribal Council hereby approves Health Order 09-21,


Timothy J. Greene, Chairman

CERTIFICATION

The forgoing resolution was adopted by a special meeting on ¹¹⁻¹⁸⁻²⁰²¹ at which time a quorum was present. The resolution was adopted by a vote of 4 FOR and 0 AGAINST, and 0 ABSTAINING, the Chairman or the Vice-Chairman in his absence being authorized to sign this Resolution.


Tribal Secretary



HEALTH ORDER 09-21 OF THE MAKAH TRIBAL COUNCIL Effective __November 19, 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, 09-20 on December 15, 2020, 01-21 on January 8, 2021, 02-21 on February 16, 2021, 03-21 on March 22, 2021, 04-21 on July 6, 2021, 05-21 on August 3, 2021, 06-21 on September 5, 2021, 07-21 on September 17, 2021, and 08-21 on October 15. As of November 17, 2021, there now exist over 759,266 confirmed and probable cases in Washington State, including 5,156 cases in Clallam County and 121 cases on the Makah Reservation, and at least 9,074 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.

For the purpose of this health order, people are considered fully vaccinated for COVID-19 >2 weeks after they have received the second dose of a 2-dose series vaccine (i.e. Moderna or Pfizer) or >2 weeks after they have received a single-dose vaccine (i.e. Johnson and Johnson)

II. Makah COVID-19 Public Health Protocols are no longer in effect. Individuals are required to follow Makah Law & Order Code Title 14: Communicable Disease Code, CDC and local health jurisdiction mandates, recommendations and guidelines.

III. Visitors to the Makah Indian Reservation

Personal Visitors to the Makah Indian Reservation are required to follow all approved safety protocols, health orders and laws as stated in section II above.

Enrolled Makahs, and their household members traveling with them, are allowed to visit the Makah Indian Reservation for the duration of this Health Order.

Business Visitors must complete the Business Visitor Attestation form online.

Personal Visitors – Non-Makah personal visitors will be allowed under the following conditions:

1. Personal visitors must be hosted by a Neah Bay resident
2. The hosting Neah Bay resident and household must be fully vaccinated (excluding ages not yet approved for vaccination)
3. All personal visitors must be fully vaccinated (excluding ages not yet approved for vaccination)
4. The Host must complete the Personal Visitor application online (attesting visitors are fully vaccinated)
5. Personal visitors will not be allowed until the application is approved and the applicant receives a written letter of approval
6. Upon arrival at Check Point, all personal visitors must provide:
 - a) Valid picture ID for adults 18 and older
 - b) Proof of being fully vaccinated (excluding ages not yet approved for vaccination)

Personal visitors are limited to 2 weeks maximum.

Personal visitors may not bring boats; the boat ramps will remain closed at this time.

Personal visitors are not tourists. The personal visitor must be a family member or close friend of the hosting household. All individuals eligible for essential services at STIHC and the COVID vaccine are allowed to access the reservation for the purpose of accessing those services only. These individuals may not visit homes on the Reservation and are only allowed to be on the Reservation for the date of those services.

COVID testing is not required prior to arrival.

IV. Enforcement

Pursuant to Makah Tribal Council Resolution No. 98-21 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 makah.org, (2) makah.com, (3) at the Village Market, (4) at Washburns General Store, (5) at the Mini Mart, and (6) at the Post Office. 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 119-21 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 08-21 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.