**RESOLUTION**

**ADOPTION OF COMMUNICABLE DISEASE CODE AND APPOINTMENT OF TRIBAL HEALTH OFFICER**

RESOLUTION NO.

**THE**

**\_\_\_\_\_\_\_\_\_\_\_TRIBE**

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**WHEREAS**, the \_\_\_\_\_\_\_\_\_\_\_Tribe entered into the \_\_\_\_\_\_\_\_\_\_\_\_ with the United States of America on \_\_\_\_\_\_\_\_\_\_\_\_, reserving sovereign and aboriginal rights in perpetuity; and

**WHEREAS,** Article \_\_\_, § \_\_ of the Tribal Constitution provides the Tribal Council is empowered to promote and protect the health and welfare of the members of the Tribe; and

**WHEREAS,** the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and the \_\_\_\_\_\_\_\_\_Tribal Reservation significantly impacts the life and health of our people, as well as the economy of the \_\_\_\_\_\_\_\_\_Tribe, and is a public disaster that affects life, health, property and the public peace; and

**WHEREAS,** on March \_\_\_, 2020, the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[TRIBE] declared a public health emergency; and

**WHEREAS,** the Tribe has identified the need for a Tribal Communicable Disease Code in order to respond to this public health emergency. This model code provides the processes and actions for the \_\_\_\_\_\_\_\_\_\_\_[TRIBE] to exercise its sovereign authority to prevent and control communicable diseases without unwanted encroachment of state and local authorities on tribal land; and

**WHEREAS,** the Tribe, in the protection of tribal sovereignty and to avoid the encroachment of unwanted state and local interference, has identified the need for a Tribal Public Health Officer to oversee the response to COVID-19 and to coordinate with local, state, and federal partners according to the sovereign powers of the tribe to respond to a public health emergency.

**NOW, THEREFORE, BE IT RESOLVED,** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tribe, adopts the attached Communicable Disease Code. [TRIBE MAY INSERT LANGUAGE HERE ADOPTING THE CODE ON A TEMPORARY BASIS].

**BE IT FURTHER RESOLVED,** that the \_\_\_\_\_\_\_\_\_\_\_\_\_ Tribe appoints \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Job Title or Name] to serve as the Tribal Public Health Officer and grants authority to the Tribal Public Health Officer to (1) take necessary actions to protect the public health in accordance with the attached Tribal Communicable Disease Code; and (5) adopt and implement communicable disease emergency response plans.

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

WE HEREBY CERTIFY that on this date there was a regular meeting held of the \_\_\_\_\_\_\_\_\_\_\_ Tribal Council on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Reservation, at which time a quorum was present;

WE FURTHER CERTIFY, that the above numbered resolution, was at said meeting, introduced, evaluated, and was passed by a vote of FOR, AGAINST, ABSTAIN dated this\_\_\_day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020.

Chairperson Attest:

 Council Member

ATTACHMENTS:

*\_\_\_\_\_\_Tribe Communicable Disease Code*