

**RESOLUTION DECLARING A PUBLIC HEALTH EMERGENCY
ON OPIOID EPIDEMIC**

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 [NAME OF TRIBE] has experienced [INSERT NUMBER OF OVERDOSES AND FATAITIES OR USE LANGUAGE "A GROWING NUMBER OF OVERDOSES"] attributed to the use of opioids, including fentanyl, and has evidence that highly dangerous synthetic opioids have made their way into the [NAME OF TRIBE]'s reservation; and

WHEREAS, [INSERT ADDITIONAL STATISTICS, FACTS ABOUT AI/AN OPIOID OVERDOSE DEATHS AND/OR FACTS SPECIFIC TO THE TRIBE]; and

WHEREAS, loss of our people threatens [INSERT SPECIFIC IMPACTS SUCH AS WAY OF LIFE, CULTURE, COMMUNITY, FAMILIES, FUTURE GENERATIONS, EXISTENCE]; and

WHEREAS, as a result of the continued consequences of the opioid crisis affecting the United States, Xavier Becerra, Secretary of Health and Human Services, pursuant to section 319 of the Public Health Service Act, 42 U.S.C. § 247d, renewed, effective January 1, 2023, that an opioid public health emergency exists nationwide; and

WHEREAS, the severity and magnitude of this epidemic make it a condition of public health importance that is beyond the timely and effective response and recovery capability of day-to-day Tribal operations, and emergency action is required; and

WHEREAS, the [NAME OF TRIBAL COUNCIL] hereby finds that all members of the [NAME OF TRIBE] have a stake in solving the huge and complex public health problem presented by the use of illicit drugs and opioids, and

Commented [A1]: If your Tribal constitution does not have similar language, you may replace with alternative language such as "based on the inherent sovereignty of the tribe, the Tribal Council..."

Commented [A2]: Reference the nationwide crisis

WHEREAS, our [INSERT THE TRIBE'S STRENGTHS IN RESPONDING TO PUBLIC HEALTH EMERGENCIES SUCH AS RESILIENCY, SPIRIT, CULTURE, ELDERS, TOGETHERNESS OF THE COMMUNITY, EXPERIENCE IN RESPONDING TO EMERGENCIES SINCE TIME IMMEMORIAL] gives us knowledge and strength to respond to this epidemic in a way that is best for our community; and

Commented [A3]: Description of the community's stake in the epidemic and the Tribe's/community's strength

WHEREAS, the [NAME OF TRIBAL COUNCIL] finds that harm reduction/health promotion, defined as equipping individuals suffering with addiction with life-improving and life-saving tools and resources, is an important means for addressing the opioid crisis.

Commented [A4]: SAMHSA definition of "harm reduction," but Tribe may have their own definition

WHEREAS, the [NAME OF TRIBAL COUNCIL] finds that collaboration across Tribal departments and programs is key to the [NAME OF TRIBE] successfully combating the use of opioids and other illicit drugs and preserving the health and well-being of [NAME OF TRIBE] for generations to come; and

Commented [A5]: Include specific approaches/values that Tribe wants to use in combating crisis

NOW THEREFORE, BE IT RESOLVED, on this [DATE] day of [MONTH], [YEAR], under the authority granted by [INSERT APPLICABLE CODE OR LEAVE BLANK], the [NAME OF TRIBAL COUNCIL] hereby declares that a condition of public health disaster emergency exists throughout the [NAME OF TRIBE], and this condition is of sufficient severity and magnitude to warrant a public health disaster emergency declaration.

Commented [A6]: Declaration of Emergency

BE IT FURTHER RESOLVED, that the [NAME OF TRIBAL COUNCIL] hereby establishes a [NAME OF EMERGENCY TASKFORCE] whose members shall include the following:

- (1) General Manager/Tribal Administrator
- (2) Tribal Emergency Management
- (3) Chief of Tribal Law Enforcement
- (4) Tribal Behavioral Health
- (5) Tribal Public Health Officer
- (6) Tribal Clinic Director
- (7) Tribal Prosecutor
- (8) Tribal Court Judge
- (9) Director of Communications
- (10) Director of Child Welfare
- (11) Director of Human Services

BE IT FURTHER RESOLVED, that the [NAME OF TRIBAL COUNCIL] authorizes [NAME OF EMERGENCY TASKFORCE] to coordinate a response, including:

- (1) [INSERT RESPONSILITIES -SEE [TRIBAL EMERGENCY DECLARATION CHECKLIST](#) FOR EXAMPLES]
- (2) [INSERT RESPONSIBILITY]
- (3) [INSERT RESPONSIBILITY]

BE IT FURTHER RESOLVED, that the [NAME OF TRIBAL COUNCIL] hereby strongly urges all community members to participate in naloxone trainings available at the [INSERT AVAILABLE TRAININGS].

Commented [A7]: Action steps under the Declaration.
Examples:
1. Establish Taskforce (list members and responsibilities)
2. Naloxone training

BE IT FURTHER RESOLVED, that by exercising our public health powers as a sovereign tribal nation through this State of Emergency, the [NAME OF TRIBE] community will be able to continue to protect and preserve our way of life for generations to come.

Commented [A8]: Restatement of Tribal values/principles

BE IT FURTHER RESOLVED, that all directives, authorized actions, and provisions of the [INSERT DATE] Declaration of Emergency shall remain in full force and effect until [INSERT SUNSET DATE] unless earlier terminated or extended by the [NAME OF TRIBAL COUNCIL].

Commented [A9]: State how the Emergency will conclude

BE IT FINALLY RESOLVED, that this Declaration of Emergency shall take effect immediately.

CERTIFICATION

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 _____, 2023.

Chairperson

Attest:
Council Member