

**ROSEBUD SIOUX TRIBE
RESOLUTION NO. 2020-316**

- WHEREAS,** the Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and all pertinent amendments thereof; and
- WHEREAS,** the Rosebud Sioux Tribe is acting under its authority pursuant to Article IV, Section 1 (f) of the Constitution and Bylaws of the Rosebud Sioux Tribe; and
- WHEREAS,** The Rosebud Sioux Tribal Council is authorized to promulgate and enforce ordinances for the maintenance of law and order, and to safeguard the peace and morals, and general welfare of the Tribe, pursuant to the Rosebud Sioux Tribe Constitution and By-Laws Article IV Sections 1 (k), and (m), and
- WHEREAS,** The Constitution of the Rosebud Sioux Tribe, Article IV, Section 1(t), authorizes the Rosebud Sioux Tribal Council to adopt resolutions regulating the procedure of the Council itself and of other tribal agencies and tribal officials; and
- WHEREAS,** The Rosebud Sioux Tribal Council enacted RST Resolution No. 2020-75, declaring a State of Emergency exists within the Rosebud Sioux Tribe as it relates to the novel Coronavirus (COVID-19), on March 13, 2020; and
- WHEREAS,** The United States Health and Human Services Agency has declared a nationwide public emergency due to the outbreak and spread of coronavirus COVID-19, a highly contagious disease that threatens to overwhelm the public health system; and
- WHEREAS,** The Rosebud Sioux Tribe Indian Reservation, Todd, Tripp, Mellette, Gregory, and Lyman, and Counties, South Dakota, has been declared a public health emergency area by the Rosebud Sioux Tribal Council due to the threat of spread and outbreak of COVID-19, a public emergency that is beyond the capability of the Indian Health Service, and any available tribal health resources; and
- WHEREAS,** The Rosebud Sioux Tribal Council finds that this disaster is of such severity and magnitude that funding for basic emergency and life threatening medical services is beyond the capability of the Rosebud Public Health Service Hospital, the only health facility serving approximately twenty five thousand (25,000) residents of the Rosebud Sioux Tribe Indian Reservation and including tribal members who reside off the reservation who are referred due to the health service offered here; and
- WHEREAS,** Due to inadequate, and sometimes non-existent quality health care services, members of the Rosebud Sioux Tribe suffer from higher rates of diabetes, heart disease, high-blood pressure, cancer, and complications from those conditions that make Tribal members more susceptible and suffer from higher rates of fatalities than the general population; and
- WHEREAS,** The Advisory Committee on Immunization Practices, has made recommendations to Dr. Robert R. Redford, Centers for Disease Control, (“CDC”), and are advising health care workers to be first in line for Coronavirus COVID-19 vaccinations, along with nursing homes and other long-term care facilities, but states won’t have

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to follow CDC recommendations in the rollout and distribution of available vaccine for COVID-19; and

WHEREAS, As recently as November 30, 2020, South Dakota Governor Kristi Noem has refused to accept the enormous threat of from Coronavirus COVID-19 to public health in general, encouraging state residents to go shopping, emphasizing the importance of small business over controlling spread of COVID-19 and continues to refuse to authorize a state wide mask mandate and has otherwise disputed science and calls to enact strict measures to contain the virus in the state; and

WHEREAS, The provision of quality health care to all members of the Rosebud Sioux Tribe is part of the ongoing federal trust responsibility; and

WHEREAS, The Rosebud Sioux Tribe, requests that the United States Department of Health and Human Services, the CDC, and Indian Health Services, accept this Resolution as a government-to government consultation, in accordance with federal trust responsibility, and honor the Tribe's recommendation for the priority of classifications for receiving vaccinations for Coronavirus COVID-19; and

THEREFORE BE IT RESOLVED, that the Rosebud Sioux Tribe hereby approves and adopts the recommendation of the President of the Rosebud Sioux Tribe that the United States Department of Health and Human Services, the CDC, and Indian Health Services, accept this Resolution as a government-to government consultation, in accordance with federal trust responsibility, and honor the Tribe's recommendation for the priority of classifications for receiving vaccinations for Coronavirus COVID-19, as follows:

1. Health care workers, nursing home residents, all other elderly (65 years and older), dialysis patients, fluent Lakota speakers, and high risk tribal members with pre-existing health conditions;
2. Law enforcement, first responders, dialysis and other health care delivery service employees, and all other staff designated as essential, including all essential employees currently reporting for duty in an everyday capacity, and all members of the Rosebud Sioux Tribal Council, Administration, and any others so designated as "essential" by the President of the Rosebud Sioux Tribe.
3. All other Tribal members, non-tribal enrolled members, and other permanent residents of the Rosebud Reservation not included in the classifications listed above; and

BE IT FURTHER RESOLVED, That HHS, IHS, and CDC, set aside up to 30,000 vaccination units intended for use specifically for citizens, non-enrolled members, permanent residents of the Rosebud Reservation, and members of the Rosebud Sioux Tribe; and

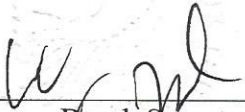
BE IT ALSO RESOLVED, that the President of the Rosebud Sioux Tribe or his authorized delegate is authorized and directed to transmit this Resolution of the Rosebud Sioux Tribe to the United States Department of Health and Human Services, the CDC, and Indian Health Service.


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CERTIFICATION

This is to certify that the above Resolution No. 2020-316 was duly passed by the Rosebud Sioux Tribal Council in session on December 23, 2020, 2020 by a vote of eleven (11) in favor, zero (0) opposed and one (1) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

ATTEST:



Wayne Boyd, Secretary
Rosebud Sioux Tribe

Rodney M. Bordeaux, President
Rosebud Sioux Tribe

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WHEREAS, the Rosebud Sioux Tribe is acting under its authority pursuant to Article IV, Section 1 (f) of the Constitution and Bylaws of the Rosebud Sioux Tribe; and

WHEREAS, The Rosebud Sioux Tribal Council is authorized to promulgate and enforce ordinances for the maintenance of law and order, and to safeguard the peace and morals, and general welfare of the Tribe, pursuant to the Rosebud Sioux Tribe Constitution and By-Laws Article IV Sections 1 (k), and (m), and

WHEREAS, The Constitution of the Rosebud Sioux Tribe, Article IV, Section 1(t), authorizes the Rosebud Sioux Tribal Council to adopt resolutions regulating the procedure of the Council itself and of other tribal agencies and tribal officials; and

WHEREAS, The Rosebud Sioux Tribal Council enacted RST Resolution No. 2020-75, declaring a State of Emergency exists within the Rosebud Sioux Tribe as it relates to the novel Coronavirus (COVID-19), on March 13, 2020; and

WHEREAS, The United States Health and Human Services Agency has declared a nationwide public emergency due to the outbreak and spread of coronavirus COVID-19, a highly contagious disease that threatens to overwhelm the public health system; and

WHEREAS, The Rosebud Sioux Tribe Indian Reservation, Todd, Tripp, Mellette, Gregory, and Lyman, and Counties, South Dakota, has been declared a public health emergency area by the Rosebud Sioux Tribal Council due to the threat of spread and outbreak of COVID-19, a public emergency that is beyond the capability of the Indian Health Service, and any available tribal health resources; and

WHEREAS, The Rosebud Sioux Tribal Council finds that this disaster is of such severity and magnitude that funding for basic emergency and life threatening medical services is beyond the capability of the Rosebud Public Health Service Hospital, the only health facility serving approximately twenty five thousand (25,000) residents of the Rosebud Sioux Tribe Indian Reservation and including tribal members who reside off the reservation who are referred due to the health service offered here; and

WHEREAS, Due to inadequate, and sometimes non-existent quality health care services, members of the Rosebud Sioux Tribe suffer from higher rates of diabetes, heart disease, high-blood pressure, cancer, and complications from those conditions that make Tribal members more susceptible and suffer from higher rates of fatalities than the general population; and

WHEREAS, The Advisory Committee on Immunization Practices, has made recommendations to Dr. Robert R. Redford, Centers for Disease Control, ("CDC"), and are advising health care workers to be first in line for Coronavirus COVID-19 vaccinations, along with nursing homes and other long-term care facilities, but states won't have

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WHEREAS, The provision of quality health care to all members of the Rosebud Sioux Tribe is part of the ongoing federal trust responsibility; and

WHEREAS, The Rosebud Sioux Tribe, requests that the United States Department of Health and Human Services, the CDC, and Indian Health Services, accept this Resolution as a government-to government consultation, in accordance with federal trust responsibility, and honor the Tribe's recommendation for the priority of classifications for receiving vaccinations for Coronavirus COVID-19; and

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BE IT FURTHER RESOLVED, That HHS, IHS, and CDC, set aside up to 30,000 vaccination units intended for use specifically for citizens, non-enrolled members, permanent residents of the Rosebud Reservation, and members of the Rosebud Sioux Tribe; and

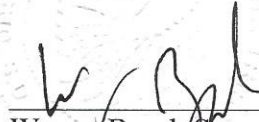
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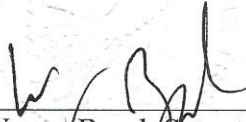
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ATTEST:





Wayne Boyd, Secretary
Rosebud Sioux Tribe



Rodney M. Bordeaux, President
Rosebud Sioux Tribe



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Rosebud Agency

Post Office Box 228

Mission, South Dakota 57555

IN REPLY REFER TO:
Office of the Superintendent

FEB 26 2021

Honorable Rodney Bordeaux
President, Rosebud Sioux Tribe
Post Office Box 430
Rosebud, South Dakota 57570

Attention: Louis Wayne Boyd, Rosebud Sioux Tribe Secretary

Dear President Bordeaux:

Our office is in receipt of the following Rosebud Sioux Tribal Resolutions: 2020-02, 2020-04, 2020-05, 2020-175, 2020-289, 2020-292, 2020-295, 2020-296, 2020-297, 2020-298, 2020-299, 2020-300, 2020-301, 2020-302, 2020-303, 2020-304, 2020-305 (Rescinded: 12/23/2020), 2020-306, 2020-307, 2020-308, 2020-309, 2020-311, 2020-312, 2020-313, 2020-314, 2020-315, 2020-316, 2020-317 and 2020-318.

All Tribal Resolutions have been reviewed by this office.

The Range Program has been provided with the following resolutions for further review and/or file retention: 2020-298 and 2020-299.

Real Estate Services has been provided with the following resolutions for further review and/or file retention: 2020-289, 2020-296, 2020-301, 2020-303, 2020-304 and 2020-314.

The Self-Determination Program has been provided with the following resolutions for further review and/or file retention: 2020-02, 2020-04, 2020-05, 2020-297, 2020-298, 2020-300, 2020-302, 2020-305, 2020-307, 2020-308, 2020-309, 2020-311, 2020-312, 2020-313, 2020-315, and 2020-316.

Sincerely,

Acting

Francine Fast Horse
Superintendent

cc: Range
Real Estate Services
Self-Determination

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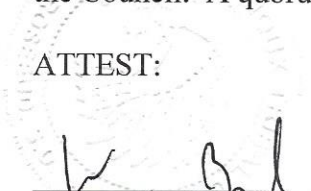
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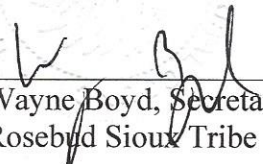
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ATTEST:





Wayne Boyd, Secretary
Rosebud Sioux Tribe



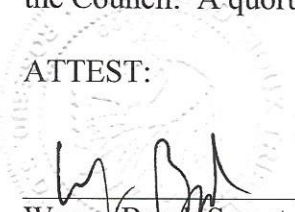
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