

**ROSEBUD SIOUX TRIBE**  
**Resolution No. 2020-153**

**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 Sections1 (k), and (m), and

**WHEREAS**, An outbreak of the severe respiratory disease, COVID-19, which is caused by and is transmitted by the person-to-person spread of the novel coronavirus, started in late 2019 and has currently been detected in more than 100 countries, including the United States;

**WHEREAS**, on March 13, 2020, the President of the United States declared the COVID-19 pandemic to be a National Emergency effective March 1, 2020;

**WHEREAS**, on March 13, 2020, Governor Kristi Noem declared a state emergency in South Dakota concerning the COVID-19 Coronavirus Pandemic to treat, control, and stop the spread of the virus, and closed schools statewide;

**WHEREAS**, the CDC provided guidance to help slow and stop the community spread of the COVID-19 Coronavirus:

- Maintain social distance (about 6 feet); this is very important in preventing the spread of COVID-19;
- Wash your hands often with soap and water. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol;
- Routinely clean and disinfect frequently touched surfaces;
- Cover your mouth and nose with a mask when around others; and
- Avoid large gatherings of 10 or more people;

**WHEREAS**, according to the CDC, "Long-standing systemic health and social inequities have put some members of racial and ethnic minority groups at increased risk of getting COVID-19 or experiencing severe illness, regardless of age;"

**WHEREAS**, according to the CDC, American Indian or Alaska Native persons have the highest rate of hospitalization of any group--a rate approximately 5 times the rate of non-Hispanic white persons;

**WHEREAS**, according to the CDC, Health departments and healthcare facilities should be aware that people who are homeless are a particularly vulnerable group. Homeless services are often provided in congregate settings, which could facilitate the spread of infection. Because many people who are homeless are older adults or have underlying medical conditions, they may

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also be at higher risk for severe disease. If possible, identifying non-congregate settings where those at highest risk can stay may help protect them from COVID-19:

- WHEREAS,** the Rosebud Sioux Tribe acted responsibly as a government and closed schools, closed the tribal government, except for essential workers, and closed businesses;
- WHEREAS,** despite these precautions, the COVID-19 Coronavirus has been found on the Rosebud Sioux Reservation, with more than 70 positive cases; thankfully, 50 people have recovered from COVID-19 Coronavirus;
- WHEREAS,** it is vitally important to take precautions to prevent further community spread, so at the Rosebud Sioux Tribe tribal members should stay home, stay safe and shelter in place unless they must go out for essential business, and people who test positive must quarantine to protect the community from further spread;
- WHEREAS,** the Rosebud Sioux Tribe is one of the Federally Recognized Indian tribes of the Seven Council Fires of the Great Sioux Nation, the *Oceti Sakowin*, and a signatory to the 1851 and 1868 Treaties with the Sioux Nation;
- WHEREAS,** the Rosebud Sioux Tribe is in need of COVID-19 Coronavirus temporary quarantine housing and shelters for the homeless;
- WHEREAS,** the Rosebud Sioux Tribe is in need of COVID-19 Coronavirus temporary hospital and medical facilities;
- WHEREAS,** the Rosebud Sioux Tribe is in need of emergency road repairs to provide for safe transit, emergency vehicles to transport medical workers to communities and those who may be ill to medical treatment, water, sanitation, rental assistance and utility help so people can shelter in place;
- WHEREAS,** due to the shut-down of government agencies and Tribal Government policies to stay home and stay safe, Rosebud Sioux tribal members should have additional time to take care of essential business after the National Pandemic ends;
- WHEREAS,** Congress has proposed to extend the time for filing for Veteran's disability claims and 22 states and the District of Columbia have tolled the statute of limitations during the COVID-19 National Pandemic and Economic Crisis, the Supreme Court of the United States has extended the time limits for Supreme Court review;
- WHEREAS,** to speed the economic recovery, Congress should reform the Municipal Bond Buying Program to provide for the Federal Reserve Banks purchase of Tribal Government Bonds to ensure continuing liquidity and a fair opportunity for economic recovery, as the CARES Act originally intended.



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**NOW THEREFORE BE IT RESOLVED** that the Rosebud Sioux Tribe calls upon the Congress of the United States to enact the HEROES Act/CARES Act 4 legislation to provide additional State-Local-Tribal Coronavirus Relief Funding and supports the \$20 Billion allocated by the House of Representatives;

**BE IT FURTHER RESOLVED** that Tribal Government Coronavirus Relief Funds should be:

- allocated to Federally Recognized Indian Tribes per the Federally Recognized Tribe List Act, 25 U.S.C. secs. 5130—5131,
- in accordance with tribal population as determined by enrolled tribal membership;
- to assist in covering lost revenue;
- to slow, stop and treat the COVID-19 Coronavirus; and
- to alleviate the economic hardship and suffering caused by the National COVID-19 Pandemic and Economic Crisis;

**BE IT FURTHER RESOLVED**, that the time frame for obligating and spending Tribal Government Coronavirus Relief Funds should be extended from December 30, 2020 until March 30, 2021, especially since the U.S. Department of Treasury was delayed by more than 60 days in the distribution of initial funds and obligating the funds should suffice to meet the deadline, so that funds are carefully allocated and effectively applied to resolve tribal community needs;

**BE IT FURTHER RESOLVED**, that Congress should appropriate additional funding for the continued operations of the Indian Health Services (\$2.1 Billion) and for continued operations of the BIA (\$900 Million);

**BE IT FURTHER RESOLVED**, that Congress should continue to provide emergency funding for Food and Nutrition Programs, Housing, Community Development Block Grants, Roads and Transportation, Water and Sanitation Programs;

**BE IT FURTHER RESOLVED**, that Congress should extend and replenish the SBA Paycheck Protection, should open the SBA EIDL Program to small gaming operations (without SBA standard operation procedures because this is an emergency), should provide rental and utility assistance, and should extend unemployment benefits because the National COVID-19 Public Health Emergency and Economic Crisis may last an additional 6 months or more;

**BE IT FURTHER RESOLVED**, that the Rosebud Sioux Tribe supports Congress's proposal to extend the time for Veterans to apply for disability, and the Rosebud Sioux Tribe calls upon the Congress toll the statute of limitations for other claims against the United States, including disability claims generally, Federal contract, tort, and environmental claims during the National COVID-19 Pandemic and Economic Crisis and calls upon the State of South Dakota to toll state statute of limitations during the same time period;

**BE IT FURTHER RESOLVED**, that the Rosebud Sioux Tribe pauses the statute of limitations for initiation of claims in tribal court for the period of the National COVID-19 Coronavirus Public Health Emergency and Economic Crisis;

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**BE IT FURTHER RESOLVED**, that Congress should continue USDA livestock support and other Agriculture relief programs through March 30, 2020; Congress should provide debt relief and re-financing to agriculture producers because negative impact on markets is a direct result of the National COVID-19 Pandemic;

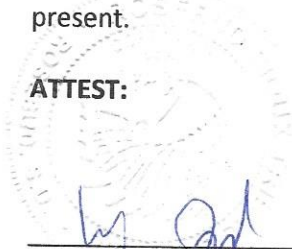
**BE IT FURTHER RESOLVED**, that Congress, the Department of the Treasury, and the Federal Reserve Bank should act to address the National Public Health Emergency and Economic Crisis by easing Tribal Government access to low-interest borrowing, including Municipal and Tribal Government Bonds at LIBOR +1%, or less if possible, and Tribal Governments that were current on Bank loans as of January 1, 2020 should be deemed to have a AAA Bond rating for such purposes;

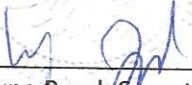
**BE IT FINALLY RESOLVED**, that Congress should include in the next legislation the Indian Treaty/Statutory Rule Of Construction: treaties and statutes must be construed for the benefit of Indian tribes, and any ambiguity should be resolved in favor of Indian tribes. *See* 25 U.S.C. sec. 139E note; Public Law 113-168 (2014). This rule should apply to all of the CARES Act legislation.


**CERTIFICATION**

This is to certify that the above Resolution No. 2020-153 was duly passed by the Rosebud Sioux Tribal Council in session on June 29, 2020, by a vote of eleven (11) in favor, zero (0) opposed and zero (0) 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 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 Sections1 (k), and (m), and
- WHEREAS**, An outbreak of the severe respiratory disease, COVID-19, which is caused by and is transmitted by the person-to-person spread of the novel coronavirus, started in late 2019 and has currently been detected in more than 100 countries, including the United States;
- WHEREAS**, on March 13, 2020, the President of the United States declared the COVID-19 pandemic to be a National Emergency effective March 1, 2020;
- WHEREAS**, on March 13, 2020, Governor Kristi Noem declared a state emergency in South Dakota concerning the COVID-19 Coronavirus Pandemic to treat, control, and stop the spread of the virus, and closed schools statewide;
- WHEREAS**, the CDC provided guidance to help slow and stop the community spread of the COVID-19 Coronavirus:
- Maintain social distance (about 6 feet); this is very important in preventing the spread of COVID-19;
  - Wash your hands often with soap and water. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol;
  - Routinely clean and disinfect frequently touched surfaces;
  - Cover your mouth and nose with a mask when around others; and
  - Avoid large gatherings of 10 or more people;
- WHEREAS**, according to the CDC, “Long-standing systemic health and social inequities have put some members of racial and ethnic minority groups at increased risk of getting COVID-19 or experiencing severe illness, regardless of age;”
- WHEREAS**, according to the CDC, American Indian or Alaska Native persons have the highest rate of hospitalization of any group—a rate approximately 5 times the rate of non-Hispanic white persons;
- WHEREAS**, according to the CDC, Health departments and healthcare facilities should be aware that people who are homeless are a particularly vulnerable group. Homeless services are often provided in congregate settings, which could facilitate the spread of infection. Because many people who are homeless are older adults or have underlying medical conditions, they may

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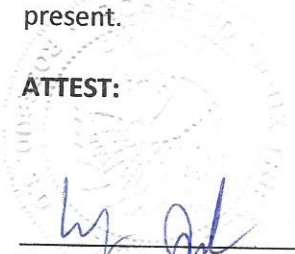
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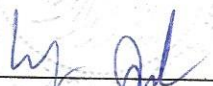
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Rosebud Sioux Tribe

  
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Rodney M. Bordeaux, Resident  
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

**JUL 07 2020**

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

Attention: Louis Wayne Boyd, RST Secretary

Dear President Bordeaux:

The following resolutions, received in this office on 07/06/2020 have been reviewed and re-routed to the appropriate branches.

**Resolution No. 2019-42**  
**Resolution No. 2020-45**  
**Resolution No. 2020-117**  
**Resolution No. 2020-123**  
**Resolution No. 2020-132 (Amended: 06/17/2020)**  
**Resolution No. 2020-133 (Amended: 06/07/2020)**  
**Resolution No. 2020-142**  
**Resolution No. 2020-143**  
**Resolution No. 2020-144**  
**Resolution No. 2020-145**

**Resolution No. 2020-146**  
**Resolution No. 2020-147**  
**Resolution No. 2020-148**  
**Resolution No. 2020-149**  
**Resolution No. 2020-150**  
**Resolution No. 2020-151**  
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Sincerely,

Ira Dean Wilson  
Superintendent

Enclosure

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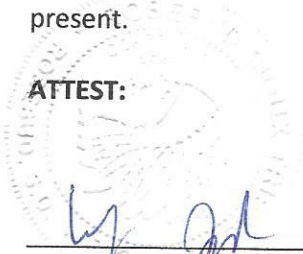
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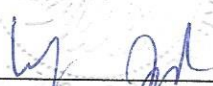
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  - Cover your mouth and nose with a mask when around others; and
  - Avoid large gatherings of 10 or more people;
- WHEREAS**, according to the CDC, “Long-standing systemic health and social inequities have put some members of racial and ethnic minority groups at increased risk of getting COVID-19 or experiencing severe illness, regardless of age;”
- WHEREAS**, according to the CDC, American Indian or Alaska Native persons have the highest rate of hospitalization of any group--a rate approximately 5 times the rate of non-Hispanic white persons;
- WHEREAS**, according to the CDC, Health departments and healthcare facilities should be aware that people who are homeless are a particularly vulnerable group. Homeless services are often provided in congregate settings, which could facilitate the spread of infection. Because many people who are homeless are older adults or have underlying medical conditions, they may



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also be at higher risk for severe disease. If possible, identifying non-congregate settings where those at highest risk can stay may help protect them from COVID-19:

- WHEREAS,** the Rosebud Sioux Tribe acted responsibly as a government and closed schools, closed the tribal government, except for essential workers, and closed businesses;
- WHEREAS,** despite these precautions, the COVID-19 Coronavirus has been found on the Rosebud Sioux Reservation, with more than 70 positive cases; thankfully, 50 people have recovered from COVID-19 Coronavirus;
- WHEREAS,** it is vitally important to take precautions to prevent further community spread, so at the Rosebud Sioux Tribe tribal members should stay home, stay safe and shelter in place unless they must go out for essential business, and people who test positive must quarantine to protect the community from further spread;
- WHEREAS,** the Rosebud Sioux Tribe is one of the Federally Recognized Indian tribes of the Seven Council Fires of the Great Sioux Nation, the *Oceti Sakowin*, and a signatory to the 1851 and 1868 Treaties with the Sioux Nation;
- WHEREAS,** the Rosebud Sioux Tribe is in need of COVID-19 Coronavirus temporary quarantine housing and shelters for the homeless;
- WHEREAS,** the Rosebud Sioux Tribe is in need of COVID-19 Coronavirus temporary hospital and medical facilities;
- WHEREAS,** the Rosebud Sioux Tribe is in need of emergency road repairs to provide for safe transit, emergency vehicles to transport medical workers to communities and those who may be ill to medical treatment, water, sanitation, rental assistance and utility help so people can shelter in place;
- WHEREAS,** due to the shut-down of government agencies and Tribal Government policies to stay home and stay safe, Rosebud Sioux tribal members should have additional time to take care of essential business after the National Pandemic ends;
- WHEREAS,** Congress has proposed to extend the time for filing for Veteran's disability claims and 22 states and the District of Columbia have tolled the statute of limitations during the COVID-19 National Pandemic and Economic Crisis, the Supreme Court of the United States has extended the time limits for Supreme Court review;
- WHEREAS,** to speed the economic recovery, Congress should reform the Municipal Bond Buying Program to provide for the Federal Reserve Banks purchase of Tribal Government Bonds to ensure continuing liquidity and a fair opportunity for economic recovery, as the CARES Act originally intended.

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**NOW THEREFORE BE IT RESOLVED** that the Rosebud Sioux Tribe calls upon the Congress of the United States to enact the HEROES Act/CARES Act 4 legislation to provide additional State-Local-Tribal Coronavirus Relief Funding and supports the \$20 Billion allocated by the House of Representatives;

**BE IT FURTHER RESOLVED** that Tribal Government Coronavirus Relief Funds should be:

- allocated to Federally Recognized Indian Tribes per the Federally Recognized Tribe List Act, 25 U.S.C. secs. 5130—5131,
- in accordance with tribal population as determined by enrolled tribal membership;
- to assist in covering lost revenue;
- to slow, stop and treat the COVID-19 Coronavirus; and
- to alleviate the economic hardship and suffering caused by the National COVID-19 Pandemic and Economic Crisis;

**BE IT FURTHER RESOLVED**, that the time frame for obligating and spending Tribal Government Coronavirus Relief Funds should be extended from December 30, 2020 until March 30, 2021, especially since the U.S. Department of Treasury was delayed by more than 60 days in the distribution of initial funds and obligating the funds should suffice to meet the deadline, so that funds are carefully allocated and effectively applied to resolve tribal community needs;

**BE IT FURTHER RESOLVED**, that Congress should appropriate additional funding for the continued operations of the Indian Health Services (\$2.1 Billion) and for continued operations of the BIA (\$900 Million);

**BE IT FURTHER RESOLVED**, that Congress should continue to provide emergency funding for Food and Nutrition Programs, Housing, Community Development Block Grants, Roads and Transportation, Water and Sanitation Programs;

**BE IT FURTHER RESOLVED**, that Congress should extend and replenish the SBA Paycheck Protection, should open the SBA EIDL Program to small gaming operations (without SBA standard operation procedures because this is an emergency), should provide rental and utility assistance, and should extend unemployment benefits because the National COVID-19 Public Health Emergency and Economic Crisis may last an additional 6 months or more;

**BE IT FURTHER RESOLVED**, that the Rosebud Sioux Tribe supports Congress's proposal to extend the time for Veterans to apply for disability, and the Rosebud Sioux Tribe calls upon the Congress toll the statute of limitations for other claims against the United States, including disability claims generally, Federal contract, tort, and environmental claims during the National COVID-19 Pandemic and Economic Crisis and calls upon the State of South Dakota to toll state statute of limitations during the same time period;

**BE IT FURTHER RESOLVED**, that the Rosebud Sioux Tribe pauses the statute of limitations for initiation of claims in tribal court for the period of the National COVID-19 Coronavirus Public Health Emergency and Economic Crisis;

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**BE IT FURTHER RESOLVED**, that Congress should continue USDA livestock support and other Agriculture relief programs through March 30, 2020; Congress should provide debt relief and re-financing to agriculture producers because negative impact on markets is a direct result of the National COVID-19 Pandemic;

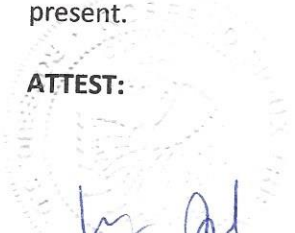
**BE IT FURTHER RESOLVED**, that Congress, the Department of the Treasury, and the Federal Reserve Bank should act to address the National Public Health Emergency and Economic Crisis by easing Tribal Government access to low-interest borrowing, including Municipal and Tribal Government Bonds at LIBOR +1%, or less if possible, and Tribal Governments that were current on Bank loans as of January 1, 2020 should be deemed to have a AAA Bond rating for such purposes;

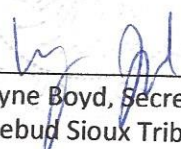
**BE IT FINALLY RESOLVED**, that Congress should include in the next legislation the Indian Treaty/Statutory Rule Of Construction: treaties and statutes must be construed for the benefit of Indian tribes, and any ambiguity should be resolved in favor of Indian tribes. *See* 25 U.S.C. sec. 139E note; Public Law 113-168 (2014). This rule should apply to all of the CARES Act legislation.

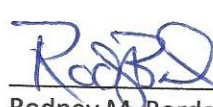
**CERTIFICATION**

This is to certify that the above Resolution No. 2020-153 was duly passed by the Rosebud Sioux Tribal Council in session on June 29, 2020, by a vote of eleven (11) in favor, zero (0) opposed and zero (0) 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