

Data tallies Native testing for virus

The Indian Health Service updated its coronavirus testing data for the U.S. Native population, as served by IHS.

According to the data, as of earlier this month: 20,920 tests had returned positive for Covid-19. That represents an increase of about 1.7 percent from the 20,579 cases previously reported.

Altogether, 303,158 tests had been administered through early July, the IHS data shows.

Overall, 6.9 percent of IHS coronavirus tests have returned positive, according to the data. However, the rate was far higher in the IHS Phoenix Area,

where 18.7 percent are positive.

Closely following is Navajo Area, which serves the largest reservation in the United States. But even with about 17.9 percent tests returning positive, the rate had become steady.

The Nashville Area, which covers a wide area of Indian Country, including the South and Northeastern parts of the U.S., also continued to show a high positive rate of 10.7 percent.

On the other end of the spectrum, aggressive efforts in the Alaska Area are turning up very few cases: Out of 53,403 tests administered in Alaska, only 0.29 have returned positive, the

data shows.

The Alaska Area also outnumbers nearly every other region—including Navajo—in terms of tests administered. Only the Oklahoma City Area has more tests.

The data, however, is incomplete: While 100 percent of facilities run directly by the IHS are reporting data, only 33 percent of tribally managed facilities and 44 percent of urban Indian organizations are doing the same.

The agency also provided the service population, as of the end of 2019, the most recent count: 2,562,290.

Based on that figure, 11.8 percent of American Indi-

ans and Alaska Natives had been tested for the coronavirus since the IHS began reporting data.

The IHS user population, on the other hand, is a much smaller number. As of the end of last year: 1,662,834 American Indians and Alaska Natives have lived within a service delivery area, and have received health care at an IHS or tribal facility during the previous three years.

Based on the user population, 18.2 percent of Native Americans have been tested for the coronavirus since the IHS began reporting data through the pandemic.

Around Indian Country

Ruling against DAPL

A federal judge last week ordered the Dakota Access pipeline to shut down pending additional environmental review, providing the Standing Rock Sioux tribe, and supporters, a victory in the long-running battle to protect the tribes' sacred land and clean water.

The judge ordered the controversial 1,772-mile-long pipeline shut down within 30 days.

Opponents of the Dakota Access pipeline have long argued that the pipeline's route underneath the Missouri River and the Lake Oahe reservoir constituted a major threat to the region's drinking water. The Standing Rock tribe also said the construction of the pipeline a threat to ancient burial grounds and cultural sites.

The court order ensures that the shutdown will remain in place pending completion of a full environmental review, which normally takes several years, and the issuance of new permits.

Energy Transfer, the Dallas-based company behind the DAPL, said the company would appeal the ruling.

The Native movement #NoDAPL praised the judge's decision.

At the Emergency Response Services

The Warm Springs Emergency Response center has been very busy during July, as the tribes have been contending with a boil water notice; and lack of water pressure at the hamlets at Kah-Nee-Ta,

in addition to the coronavirus. The Emergency Response center was offering shower facilities, drinking water and food, and other emergency services to the membership.



Hand sanitizing service at Emergency Response



Dave McMechan photos/Spilyay

Upper left, mobil shower facility at Emergency Response; and above and left, many gallons of water.

Resolutions of Tribal Council

(Note: The following are some of the resolutions the Tribal Council adopted in the springs of this year, before the organization lockdown.)

Tribal Housing

Whereas Tribal Council has directed staff and legal counsel to investigate the Federal Housing and Community Development Act of 1992 Section 184 Indian Housing Loan Guarantee program, and present to Tribal Council proposals for implementing the Section 184 program on the Warm Springs Reservation for tribal members; and

Whereas pursuant to that direction Tribal Council November 26, 2019, and on January 16, 2020, approved Tribal Council Resolution no. 12,639, and Tribal Council Resolution no. 12,639A, which adopted certain changes to Warm Springs Tribal Council Chapter 206 (Real Property Secured Transactions), and took other actions necessary to enable financing under the Section 184 program for housing on the Warm Springs Reservation; and

Whereas tribal staff and

legal counsel have been advised by federal agency staff administering the Section 184 program at the U.S. Department of Housing and Urban Development that the existing Warm Springs tribal home site lease form for housing on tribal trust land does not meet the requirements of a residential lease form for housing financed through the Section 184 program; and

Whereas HUD staff has provided tribal staff and legal counsel with a form "Residential Lease of Tribal Owned Land" that has been approved by the Bureau of Indian Affairs, and is set out as attachment 6R to the Bureau of Indian Affairs "Procedural Handbook for Leasing and Permitting Chapter 3—Residential Leasing," dated March 6, 2006, and is attached to this resolution as exhibit A; and

Whereas Tribal Council believes that it is in the best interests of the tribes and its members that the attached exhibit A form "Residential Lease of Tribal Owned Land" should be approved for use on the Warm Springs Reservation to lease tribal land for housing that is financed in whole or in part through the Section 184 program; **now therefore**

Be it resolved by the Twenty-Eighth Tribal Council that the Secretary Treasurer-CEO of the Confederated Tribes is authorized to execute any further documents as may be needed to qualify the tribe and the Warm Springs Reservation for participation in the Section 184 program, including submitting Resolution no. 12,639 and Resolution no. 12,639A, and this resolution to the HUD staff for their review and certification of the tribe and the Warm Springs Reservation as eligible for participation in the Section 184 program. *Resolution no. 12,674.*

Cannabis board

Whereas the Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon has been federally acknowledged by the Secretary of the Interior of the United States on February 14, 1938; and

Whereas the Tribal Council is the governing body of the Confederated Tribes of Warm Springs Reservation of Oregon; and

Whereas the health, safety, welfare and education of the Indian people of the

Confederated Tribes of Warm Springs is the responsibility of the Tribal Council; and

Whereas the National Indian Gaming Association (NIGA) is a voluntary association composed of member tribes and associate members representing federally recognized tribal governments, gaming tribes, nations, Rancherias, Pueblos, bands and business engaged in gaming enterprises in Indian Country; and

Whereas the Tribal Council finds that the primary objectives and purpose of NIGA are:

1) To promote, protect and preserve the general welfare and interest of Indian gaming tribes through the development of sound policies and practices with respect to the conduct of gaming activities in Indian Country; and

2) To assist in the dissemination of information to the Indian gaming community, federal government and the general public on issues related to the conduct of gaming in Indian Country; and

3) To preserve and protect the integrity of gaming in Indian Country; and

4) To maintain, protect and advocate Indian tribal sovereignty and that such objectives and purposes are consistent with those of the Confederated Tribes of the Warm Springs Reservation

of Oregon; **Now, therefore**

Be it resolved by the Twenty-Eighth Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon authorizes the staff to pay the dues for NIGA membership of \$1,500; and

Be it further resolved that the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon hereby appoints Joseph Moses as the nation's representative to NIGA, with Raymond Tsumpti Sr. as the alternative; and

Be it further resolved that their appointments will remain in effect for the year 2020 and beyond until replaced by the Council; and

Be it further resolved that this resolution rescinds Resolution no. 12,485 adopted May 7, 2018. *Resolution no. 12,671.*

Gaming Association

Whereas pursuant to Tribal Council Resolution no. 12,163, the Tribal Council formed the Warm Springs Cannabis Project (CP) Enterprise under tribal law to implement the 2015 referendum and approved a tribal charter for CP Enterprise; and

Whereas pursuant to Tribal Council Resolution no. 12,214, the Tribal Council approved an amended and

restated tribal charter (the CP Enterprise Charter), which superseded and replaced any tribal charter previously approved for CP Enterprise; and

Whereas pursuant to the CP Enterprise charter, which requires the Tribal Council to appoint the board of directors of CP Enterprise, the Tribal Council has determined that the directors of Warm Springs Development Corporation, doing business as Warm Springs Ventures satisfy the qualification criteria of Article III, Section 4 of the CP Enterprise charter, and should be appointed to the board of directors of CP Enterprise; and

Whereas the Tribal Council believes that appointment of the CP Enterprise board of directors, as set out above, is in the best interests of the Confederated Tribes and its members; **now therefore**

Be it resolved by the Twenty-Eighth Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon, pursuant to Article V, Section 1(f), (o) and (u) of the Tribal Constitution and By-Laws and the CP Enterprise charter, that the Tribal Council hereby appoints the directors of Warm Springs Ventures to the board of directors of CP Enterprises. *Resolution no. 12,673.*