



**MENOMINEE INDIAN TRIBE OF WISCONSIN  
RESOLUTION NO. 20-29  
REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS**

**WHEREAS**, we, the Menominee people, are indigenous to what is now known as the State of Wisconsin, our place of origin was at the mouth of the Menominee River where the five clans of the Menominee were created and include the Awāēhsaeh (Bear), Kenēw (Eagle), Mahwāēw (Wolf), Mōs (Moose), and Otāēqciāh (Crane), and we continue to live on our ancestral land that was granted by Māēc-Awāētōk (Great Spirit); and

**WHEREAS**, the Menominee Indian Tribe of Wisconsin (the "Tribe") is a federally recognized Indian Tribe as provided by the Menominee Restoration Act, Act Dec. 22, 1973, Pub. L. No. 93-197, 87 Stat. 770, which appears generally as 25 U.S.C. §§ 903 et seq.; and

**WHEREAS**, the Tribe, acting through its duly elected governing body, the Menominee Tribal Legislature (the "Legislature"), has powers to make and enforce laws, negotiate with Federal, State and Local governments and otherwise exercise its powers consistent with the limitations imposed by its Constitution and Bylaws; and

**WHEREAS**, it is well recognized that SARS-CoV-2, the virus that causes the disease COVID-19 presents a public health concern that requires extraordinary measures and vigilance; and

**WHEREAS**, COVID-19 has spread throughout the country, including on the Menominee Indian Reservation, confirming the localized person-to-person spread of COVID-19, creating a significant risk of exposure and infection and creates an extreme public health risk, particularly in Native communities where certain underlying health conditions may increase the severity of COVID-19 in individuals, and

**WHEREAS**, the number of cases is growing and if COVID-19 continues to spread on the Reservation, the number of persons needing medical facilities may exceed locally available resources, and

**WHEREAS**, the Centers for Disease Control and Prevention ("CDC") advise the use of face coverings when members of the public need to interact with others outside the home, and especially in indoor settings should cover the mouth and nose to prevent inadvertently spreading COVID-19, and

**WHEREAS**, taking measures to control outbreaks minimize the risk to the public, maintains the health and safety of the Menominee community, and limits the spread of infection in our communities and within the healthcare delivery system, and

**WHEREAS**, in order to protect, preserve and promote the general health, safety and welfare of the community, the Tribe is taking steps to protect the community from increased risk of exposure; and

**WHEREAS**, the wearing of a mask by community members, patrons and employees to the greatest extent possible may allow businesses and programs to remain open while protecting the health and safety of the public and employees and keeping the local economy strong and limiting the spread of disease during the COVID-19 pandemic; and

**WHEREAS**, the Tribal Legislature finds it is necessary for the immediate preservation of public health and safety that residents of and visitors to the Menominee Community should: 1) follow social distancing requirements and 2) wear face coverings that cover the nose and mouth to protect the community when social distancing is not possible.

**NOW, THEREFORE, BE IT RESOLVED** that by this Tribal Resolution, the Menominee Tribal Legislature resolves that all residents and visitors to the Menominee Indian Reservation, aged ten years old and above are required to wear a clean face covering any time they are, or will be in contact with other people who are not household members in public or private indoor spaces; and

**BE IT FURTHER RESOLVED** that any time an employee or staff person is required to wear a face covering, the employer shall make face masks available in sufficient quantity to assure each employee can wear a clean face covering at all times, and

**BE IT FURTHER RESOLVED** that all educational and governmental facilities and all places of business within the boundaries of the Menominee Indian Reservation shall provide face coverings to patrons, guests and visitors who do not have a mask, and


**BE IT FURTHER RESOLVED** a person may remove their face covering where otherwise required under the following circumstances:

1. While outdoors when able to maintain a distance of at least six feet from others;
2. While exercising outdoors;
3. When actively engaged in a sporting activity;
4. While at home and exclusively in the presence of members of their own household;
5. When in a vehicle and exclusively with members of their own household;
6. While eating or drinking only when inside or in the outside dining area of a restaurant or other establishment that offers food or beverage service, provided that person is able to maintain a distance of at least six feet from persons seated at other tables, and provided this distance restriction is enforced by the restaurant or other establishment;
7. When an individual has a medical condition, mental health condition or disability that prevents wearing a face covering;
8. When any party to a communication is deaf or hard of hearing and not wearing a face covering is essential to communication;
9. While obtaining a service that requires temporary removal of the face covering, such as a dental examination;
10. When necessary to confirm the individual's identity;
11. When federal, state or tribal law prohibits wearing a face covering or requires the removal of a face covering;
12. When requested by a law enforcement officer;
13. When requested by a medical provider, including emergency response personnel,
14. When in a business/commercial/office setting and not within six feet of any person, provided however, when moving from place to place in a business location a face covering shall be worn; or under such other circumstance identified in any subsequent order, policy, rule or regulation issued by the Tribe.

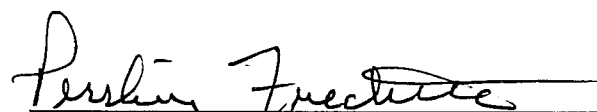
#### **CERTIFICATION**

We, the undersigned officers of the Menominee Tribal Legislature hereby certify that the foregoing resolution was duly ADOPTED at a meeting held on JULY 9, 2020 with a quorum present by a vote of 7 for, 0 opposed, 0 abstentions and 1 absent.

The undersigned further certify that the foregoing resolution has not been amended or rescinded in any way.

  
**JOAN DELABREAU, TRIBAL CHAIRMAN**  
**MENOMINEE TRIBAL LEGISLATURE**

**DATE: JULY 9, 2020**

  
**PERSHING BRECHETTE, TRIBAL SECRETARY**  
**MENOMINEE TRIBAL LEGISLATURE**