



Mashpee Wampanoag Tribe
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2022-RES-024

**APPROVAL OF MASHPEE WAMPANOAG TRIBE
EMERGENCY CORONAVIRUS FISCAL RECOVERY
FUNDS**

WHEREAS, the Mashpee Wampanoag Tribe (the “Tribe”) is a federally-recognized Indian Tribe with a duly-enacted Constitution; and

WHEREAS, the Mashpee Wampanoag Tribal Council (the “Tribal Council”), the governing body of the Tribe, deems it essential, and is empowered, under Article VI, § 2.A. of the Mashpee Wampanoag Tribal Constitution to promote and protect the health and general welfare of the members of the Tribe; and

WHEREAS, Article VI, § 2.C of the Constitution empowers the Tribal Council to establish procedures for the conduct of all Tribal government business operations; and

WHEREAS, the Mashpee Wampanoag Tribe recognizes the importance of being well prepared for any emergency which may face the Tribe and for partnering with other tribal, local, county, state, and federal entities when circumstances require a coordinated response; and

WHEREAS, the Tribal Council recognizes the threat that the disease caused by the 2019 novel Coronavirus is a contagious, and at times fatal, respiratory disease;

WHEREAS, on January 30, 2020, the World Health Organization designated the 2019 novel Coronavirus outbreak as a Public Health Emergency of International Concern;

WHEREAS, on January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the entire United States to aid the nation’s healthcare community in responding to the 2019 novel Coronavirus (“COVID-19”);

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been detected in the Commonwealth and such transmission is expected to continue;

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and the Commonwealth significantly affect the life and health of our people, as well as the economy, and is a disaster that impacts the health, security, and safety of the public;

WHEREAS, on March, 13th 2020, President Trump declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”).

WHEREAS, on March 16, 2020, Tribal Council took additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the people of the Tribe by declaring a STATE OF EMERGENCY;

WHEREAS, the Tribe has received funds from the federal government for use in alleviating the negative economic impact of the COVID-19 Pandemic and desires to distribute non-taxable general welfare assistance / fiscal recovery funds to assist tribal members to ease their economic hardship impacted by the same; and

WHEREAS, as result of the COVID-19 pandemic, the Tribe has suspended certain Tribal government operations, programs and services and has curtailed the operations of its businesses, concurrent with state, federal, and Tribal government directives, orders and guidelines published by the Centers for Disease Control and prevention (“CDC”) (collectively “Directives”). These Directives are in response to the COVID-19 pandemic, and have resulted in unprecedented closure of businesses, high unemployment and economic hardships to our members and their families; and

WHEREAS, the Tribe has received federal AMERICAN RESCUE PLAN Act, Fiscal Recovery Funds and has determined that it is necessary and appropriate to allocate a portion of those funds to its members that certify their negative economic impact in compliance with the AMERICAN RESCUE PLAN Act permitted uses. The Tribe will comply with Sections 602(c)(1)(A) and 603(c)(1)(A) which describes several types of uses that would be eligible under this category, including assistance to households, small businesses, and nonprofits and aid to impacted industries such as tourism, travel, and hospitality; and

WHEREAS, the Tribe understands it will consider and take guidance from the per person amounts previously provided by the Federal government in response to the COVID-19 crisis. The Tribe recognizes the cash transfers that are grossly in excess of such amounts would be outside the scope of eligible uses under section 602(c)(1)(A) and 603(c)(1)(A) and could be subject to recoupment; and

WHEREAS, the Tribe will use payments from the Fiscal Recovery Funds to respond to the direct and immediate needs of the pandemic and its negative economic impacts and, in particular, the needs of households and businesses that were disproportionately and negatively impacted by the public health emergency; and

WHEREAS, the Tribe recognizes its community as a low-income and minority community that have faced more severe health and economic outcomes during the pandemic, with pre-existing social vulnerabilities like low-wage or insecure employment, concentrated neighborhoods with less economic opportunity, and pre-existing health disparities likely contributing to the magnified impact of the pandemic; and **WHEREAS**, the Tribal Council has determined that it would be appropriate and prudent to distribute the funds in the following ways:

- Resulting from the COVID-19 pandemic, the Tribe has determined it is necessary and imperative to provide Emergency Assistance to its members that have had a negative economic impact. The Tribe determined to make the provide the following two distributions of COVID-19 Emergency Assistance:

For the Tribal Members ages 18 and over

- Eligible Tribal member, \$1,750 each

For Tribal Members under the age of 18

- Eligible Tribal member, \$750 each

WHEREAS, the Operations office will be responsible for receiving applications from eligible tribal members who affirm their negative economic impact or harm due to the COVID-19 pandemic and for verifying applicant's tribal membership in conjunction with the COVID-19 GENERAL WELFARE PROGRAM; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Tribal Council of the Mashpee Wampanoag Tribe hereby authorizes and approves the distribution of financial relief by use of the available COVID-19 Fiscal Recovery Funds.


BE IT FURTHER RESOLVED, the Tribal Council hereby approves the COVID-19 General Welfare Welfare Program Plan and the application in the substantially the same form as attached hereto as Exhibit A.

BE IT FINALLY RESOLVED, the Tribal Council desires to approve and authorize the Chairman of the Tribal Council, or in his absence other Tribal Council Officer, to take all necessary action to ensure the implementation of the COVID-19 General Welfare Program/


All resolutions or parts of resolutions inconsistent with this resolution are repealed. This resolution is effective immediately and shall continue pursuant to the authority vested in the Tribal Council pursuant to Article VI, §§ 2.A. and D. of the Constitution.

CERTIFICATION

We, the undersigned Chairperson and Secretary of the Mashpee Wampanoag Tribal Council, do hereby certify that the Tribal Council is composed of 13 members of whom 10, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened, and held on the 13th day of April, 2022, and that the foregoing resolution was duly adopted by the affirmative vote of 8 members, with 1 opposing, and with 0 not voting.
DATED this 13th day of April, 2022.



Brian Weeden, Chairman
Mashpee Wampanoag Tribal Council

ATTEST:


Cassie Jackson, Secretary
Mashpee Wampanoag Tribal Council

EXHIBIT A
GENERAL WELFARE PROGRAM APPLICATION