

Pyramid Lake Paiute Tribal Council

*Post Office Box 256
Nixon, Nevada 89424
Telephone: (775) 574-1000
Fax (775) 574-1054*

RESOLUTION NO.: PL 79-20

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs; and

WHEREAS, pursuant to the Pyramid Lake Paiute Tribe Constitution, Art. VI, Sec. 1(f), the Tribal Council has the authority to "administer any funds or property within the control of the tribe, to make expenditures from available funds for public purposes, including salaries or other remuneration of tribal officials or employees, such salaries or remuneration to be paid only for services actually authorized in a regular and legal manner and actually rendered"; and

WHEREAS, pursuant to the Pyramid Lake Paiute Tribe Constitution, Art. VI, Sec. 1(f) all such "expenditures shall be by resolution duly approved by a majority vote of the Tribal Council, and the amounts so expended shall be a matter of public record at all times"; and

WHEREAS, pursuant to the Pyramid Lake Paiute Tribe Constitution, Art. VI., Sec. 1(m) the Tribal Council has the authority to "adopt resolutions regulating the procedure of the Council itself and of other tribal agencies and tribal officials of the reservation"; and

WHEREAS, pursuant to the Pyramid Lake Paiute Tribe By-Laws, Art. VII, Sec. 1, the Tribal Council has the authority to determine just cause for aid and assistance to tribal members; and

WHEREAS, pursuant to the Pyramid Lake Paiute Tribe By-Laws, Art. VII, Sec. 2, the Tribal Council has the authority and responsibility to promote the education of the Tribe's children; and

WHEREAS, on December 19, 2019, a novel coronavirus now known as COVID-19 was first detected in China and has now spread globally; and

WHEREAS, on March 12, 2020, Governor Steve Sisolak by Executive Order issued a Declaration of Emergency for the State of Nevada; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency regarding the COVID-19 virus pursuant to Sec. 501(6) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 16, 2020, Chairman Anthony Sampson, pursuant to Tribal Council Resolution No. PL 37-16, declared a tribal emergency concerning the COVID-19 pandemic; and

WHEREAS, on March 16, 2020, Governor Sisolak ordered the closure of all kindergarten through Grade 12 schools, including the public schools on the Reservation, and since then County School Districts have undertaken emergency efforts to offer distance learning to their pupils, which is now the only method available to educate the Tribe's children during this time; and

WHEREAS, on or around March 17, 2020 Chancellor Thom Reilly issued a memorandum immediately shutting down all in-person instruction in all Nevada Schools of Higher Education; and

WHEREAS, in May 2020 Chancellor Reilly issued updated guidance for returning to in-person instruction, including certain lab courses, for the remainder of the year; and

WHEREAS, on March 27, 2020, President Trump signed into law the Coronavirus Aid, Relief, and Economic Security (CARES Act), which responded to the COVID-19 public health emergency and its impact on the economy, public health, state and local governments, individuals, and businesses; and

WHEREAS, Title V of the CARES Act authorized the Coronavirus Relief Fund (CRF) for payments to state, local, and tribal governments for increased expenditures and costs related to the COVID-19 public health emergency; and

WHEREAS, the CARES Act authorizes the Tribe to use CRF funds for "necessary expenditures" incurred between March 1, 2020 and December 30, 2020 that are directly related to the COVID-19 public health emergency and that are "not accounted for" in the Tribe's Fiscal Year 2020 approved budget; and

WHEREAS, on April 22, 2020 the Department of Treasury, which administers the CRF, issued guidance describing the types of "necessary expenditures" that governments might incur that could be funded from the CRF; and

WHEREAS, according to the Treasury Guidance, the CRF may be used to provide income support to individuals and families who are facing increased educational costs, including costs associated with remote learning, home care expenses, technology expenses, and to alleviate other education related financial hardships due to the COVID-19 public health emergency; and

WHEREAS, the Tribe has received a total distribution of \$17,481,090.69 from the CRF to cover "necessary expenditures" related to the COVID-19 public health emergency; and

WHEREAS, on May 15, 2020 through Resolution No. PL 058-20, the Tribal Council approved programs and budget to utilize the Tribe's CRF distribution to cover costs for the tribal government and tribal enterprises and economic impacts to tribal employees and tribal members, related to the COVID-19 public health emergency and consistent with the CARES Act and the Treasury Guidance; and

WHEREAS, the Tribal Council has developed the attached Coronavirus Relief Fund Higher Education Support Grant Program for Tribal Members, to promote the general welfare of the Tribe and its members by alleviating the financial hardships endured from additional educational and other costs incurred to respond to educational institutions public health measures, including remote learning, on-line instruction, reduced in-person instruction, increased internet and related technology costs, child support and home care costs, tutoring, and other unreimbursed reasonable and necessary personal, living, and family expenses incurred due to the COVID-19 disaster and public health emergency situation; and

WHEREAS, the Tribal Council finds it in the best interest of the Tribe and its members to approve the attached Coronavirus Relief Fund Higher Education Support Grant Program for eligible Tribal Members.


NOW THEREFORE BE IT RESOLVED that the Pyramid Lake Paiute Tribal Council approves the attached Coronavirus Relief Fund Higher Education Support Grant Program for eligible Tribal Members; and

BE IT FURTHER RESOLVED, that the Pyramid Lake Paiute Tribal Council reserves the authority to approve, by future resolution, any amendments to the CRF Higher Education Support Grant Program; and

BE IT FINALLY RESOLVED, that the Pyramid Lake Paiute Tribal Council authorizes the Chairman to sign all documents and take any necessary and proper action to carry out the intent of this Resolution.

CERTIFICATION

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom seven (7) constituting a quorum were present at a meeting duly held on the 7th day of August, 2020 was adopted by the affirmative vote of six (6) FOR and zero (0) AGAINST, with zero (0) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.


Brenda A. Henry, Tribal Council Secretary
Pyramid Lake Paiute Tribal Council