



AMENDED EXECUTIVE ORDER NO. 5

Date: August 6, 2021

To: Pueblo of Laguna Residents, Membership, and All Persons

From: Governor Martin Kowemy, Jr.

Re: **PUBLIC HEALTH ORDER**

When the COVID-19 pandemic began, the Pueblo of Laguna implemented a strategy of testing, contact tracing, and supported quarantine and isolation. As vaccines proved safe and effective, we aggressively pursued community-wide vaccination. Thankfully, 85-90% of eligible community members are fully vaccinated. Based on better scientific understanding of how the virus is transmitted, the emergence of a more contagious COVID (Delta) variant, and guidance from the Centers for Disease Control (CDC), it is prudent to modify precautions for community safety. Likewise, as COVID mutates and conditions warrant, we must be prepared to re-evaluate and, if necessary, impose additional public health measures to protect the community.

This Amended Executive Order No. 5 is made under authority of the Declaration of Public Health Emergency ("Declaration") issued by the Governor on March 20, 2020 with the unanimous consent and support of the Pueblo Council. This Order supersedes all previous Executive Orders issued under the Declaration except where specifically stated in this Order. This Order applies to any person present within the Pueblo's jurisdiction, but nothing in this Order modifies or has any effect upon the COVID-19 related orders or any other law of another state or tribal jurisdiction. Violation of this order shall subject the violator to criminal prosecution and civil liability.

1. All Individuals. All individuals over the age of 2 years present within the jurisdiction of the Pueblo of Laguna **shall** adhere to the following COVID Safe Practices Rules:
 - a. **Wear a properly-fitted face mask or multi-layer cloth covering their mouth and nose when outside their home and in any public setting**, *except* when eating or drinking, subject to medical instructions to the contrary.
 - b. **Maintain a 6-foot physical distance from other people when outside their home while wearing a face-covering or mask.**
 - c. **Screening of yourself and household members daily for COVID-19 symptoms (fever, cough, shortness of breath, sore throat, headache, muscle pain, loss of taste or smell, chills) and consult a medical professional when any such symptoms occur.**
2. Non-Resident Members. Non-resident members who want to visit or move to the Pueblo must be fully vaccinated, present to the EOC proof of such vaccination, and

present a negative COVID test taken within the previous 5 days. This vaccination requirement does not apply to children who are not yet eligible to be vaccinated nor to those for whom a medical professional has determined vaccination is not recommended. However, the negative COVID test requirement applies to any child.

3. COVID-19 Testing and Isolation Requirements. Any person, whether fully-vaccinated or not, experiencing one or more COVID-19 symptoms shall obtain a COVID-19 test. Any person having been notified of contact with a COVID-positive person shall obtain a COVID-19 test and comply with any quarantine and isolation restrictions required by EOC. Any person obtaining a positive COVID-19 test or returning from out-of-state travel shall consult with the EOC and comply with any quarantine and isolation restrictions required.
4. Schools. Children and parents shall follow all Laguna Department of Education and Grants Cibola County Schools policies and restrictions regarding school enrollment, attendance, and participation in school activities. School staff shall not be permitted within the Pueblo unless fully vaccinated.
5. Out of State Travel. Pueblo residents traveling out of the State of New Mexico must advise EOC of travel plans prior to such travel and abide by EOC's testing and isolation requirements upon return.
6. Health Care Facilities. Providers of medical and behavioral health services may see, examine, admit, treat, and provide services to all patients, regardless of vaccination status, subject to Rules in section 1 and any industry COVID Safe Practices to protect patients and staff.
7. Senior Care Facilities and Services. Laguna Rainbow Corporation (LRC) may conduct normal admissions, activities, and congregate meals in both its Senior Center and Elderly Care Center, provided that all participants and staff are fully vaccinated or have a documented medical exception. Drive-through meal and meal delivery services may be provided to all recipients as long as COVID Safe Practices are followed. Un-vaccinated residents may only be admitted to the Elderly Care Center with the approval of the EOC. Fully-vaccinated individuals may visit residents and participants, subject to LRC policies which shall include symptom monitoring for all upon entry and masks and social distancing. Un-Vaccinated Individuals, other than children ineligible for vaccination, may only visit if authorized by the EOC.
8. Employee Vaccination and Testing. Pursuant to Council Res. 16-21 and Council Res. 19-21, each person hired or employed by the Pueblo or any entity chartered by the Pueblo of Laguna shall be inoculated and provide proof of inoculation, with a COVID-19 vaccine series in accordance with Centers for Disease Control guidance, including any recommended booster, and shall submit to COVID-19 testing as directed by the Pueblo's EOC or the Governor as a condition of employment, unless the employee provides documentation from a medical professional that such inoculation or testing is medically not recommended.

9. Business and Pueblo Entity Operations. Customers and staff of businesses and Pueblo entities shall be subject to Rules under Section 1 and any additional conditions or restrictions imposed by the business or entity in question in accord with operating plans reached in consultation with EOC. Businesses and Pueblo entities may require proof of vaccination of customers.
10. Laguna Development Corporation. Customers and staff of Laguna Reservation operations shall be subject to Rules under Section 1. LDC management shall appear before the Pueblo Council prior to expanding LDC business operations beyond the level existing on the date of this Order.
11. Arts/crafts and food vendors. Arts, crafts and food vendors that are not managed by a Pueblo Entity shall continue to provide proof of vaccination when obtaining permission to vend in addition to normal permits or licenses to sell within the Pueblo and comply with Rules under Section 1 during any vending activities.
12. Pueblo Government Buildings. Pueblo government buildings and facilities shall be open according to rules instituted by each department, including, at a minimum, symptom-monitoring for all and compliance with rules under Section 1. Each department shall keep a record of visitor entries to its respective buildings (including employees from other buildings) and shall ask prior to entry whether the entrant is a Pueblo resident, has been fully vaccinated, has traveled out of state in the previous 14 days, and has experienced any of the following symptoms - headache (worse than usual), achiness, fatigue, congestion, or new digestive problems – in the previous 24 hours. Any having experienced symptoms will not be allowed entry.
13. Officials. Village officials and Pueblo officials shall have authority to limit attendance at their village meetings and other activities to people who have been fully-vaccinated and to request proof of vaccination and require compliance with Rules in Section 1 as conditions of participation. It is strongly recommended that no food be offered at indoor village meetings to reduce removal of masks. Contact EOC for recommendations of specific COVID-Safe Practices.
14. Enforcement of public health orders. Procedures from Executive Order No. 4 shall remain in effect to provide for public health orders to enforce EOC quarantine and isolation requirements (see attached Appendix). Duties of Village Officials under this Order are to observe, monitor, and report suspected non-compliance activity to the EOC or Laguna Law Enforcement for investigation or action.
15. Gatherings. It is recommended that gatherings expecting the attendance of non-household members be held as drive-through or outdoor only events. If an indoor gathering of non-household members is required, the resident planning such event should contact EOC for recommendations of specific COVID-Safe Practices.
16. Passing of Membership. Attendance at Wakes and Burials within the Pueblo will be limited to fully vaccinated individuals and others who have permission from religious and village officials. All participants are required to adhere to Rules under Section 1.

Contact EOC for recommendations of specific COVID-Safe Practices.

17. Traditional and Religious Activities and Notification. The Pueblo will rely on notification from traditional religious leaders and war captains to inform Pueblo and Village leadership regarding religious ceremonies and activities within the six Pueblo villages. It is encouraged that all precautions are considered, understood and implemented under this order to ensure the safety, protection, and well-being of ALL THE PEOPLE. Contact EOC for recommendations of specific COVID-Safe Practices for planned events.

18. Houses of Worship. Houses of Worship may hold services or other functions as long as Individuals comply with Rules in Section 1. Leaders of such institutions shall have the authority to require proof of vaccination and to impose additional conditions on the participation of individuals. It is strongly recommended that no food be offered at indoor meetings to reduce removal of masks. Contact EOC for recommendations of specific COVID-Safe Practices for gatherings.

For more information, visit:

- POL website COVID-19 link at www.lagunapueblo-nsn.gov or
- Facebook - <https://www.facebook.com/pol.covid19/>

For COVID-Safe Practice recommendations:

- Call EOC Hotline - 505-328-5682.

APPENDIX A
Amended Executive Order No. 5
Emergency Public Health Measures
To Protect Against COVID-19
Transmission

Authority

By the Public Health Emergency Declaration issued March 20, 2020, the Governor and Council authorized the Emergency Operations Center (EOC) to take measures to protect the community from the threat of an infectious, deadly disease, including when necessary, testing, quarantine, and isolation.

The EOC has authority to detain and isolate people within the Pueblo's jurisdiction believed to have been exposed to the virus that causes COVID-19 until they are shown to no longer be infectious or have remained in quarantine beyond the incubation period and no longer represent a public health threat in accordance with the following procedures.

Procedure

1. Upon receipt of information that someone may be infected with COVID-19 or may have been exposed to someone infected with COVID-19, EOC Contract Tracers shall request the individual to obtain a free medical test and remain in self-quarantine or isolated from other people until the results of the test are received and the EOC determines that the person is no longer a threat to public health. Pueblo staff will provide information and support until the individuals are no longer a potential threat to public health.
2. If someone refuses to obtain a medical test when requested by authorized contract tracers, a written application to the EOC Commander shall be made providing the basis for believing that the person may have been exposed to the COVID-19 virus and a description of efforts made to obtain voluntary testing.
3. If EOC staff receive information that an Unvaccinated Individual has violated the Executive Order currently in effect, they shall investigate and, upon determination of probable cause, the EOC Commander may issue an order directing the individual in question to comply or face appropriate civil or criminal liability as determined by the Pueblo Court.
4. Upon receiving information or a referral, the EOC will consider any additional information from Public Safety Department and the Community Health and Wellness Department (CHWD), and, if the EOC determines it necessary in order to protect the community against a public health threat, the EOC Commander may order the person(s) to quarantine or isolate in their home or other suitable facility where s/he or they will not be a potential public health threat until such threat no longer exists.
5. Any enforcement order issued by the EOC shall be provided in writing to the individual in question and shall include:
 - a. a reasonably specific explanation of the reason for the order;
 - b. instructions on how to challenge the EOC order in Pueblo Court.

Only the EOC can order isolation pending a requested coronavirus test. No one has authority to force testing or vaccination over the objections of an individual, except with regards to employees of the Pueblo or Pueblo-chartered enterprises for whom both testing and vaccination are conditions of employment. Officials should report any suspected exposures to the COVID-19 virus to the EOC for investigation.