



AMENDED EXECUTIVE ORDER NO. 6

Date: March 1, 2022
To: Pueblo of Laguna Residents, Membership, and All Persons
From: Governor Martin Kowemy, Jr. 
Re: **PUBLIC HEALTH ORDER**

Since the COVID-19 pandemic struck almost two years ago, the Pueblo of Laguna has worked diligently to protect our community. Near universal vaccination, widespread testing, diligent contact tracing and supported quarantine and isolation have helped keep our children, elders, and families safe. We mourn those we have lost and empathize with the many who suffer. We maintain our commitment to limit the impact of this disease.

In recent weeks, following the sharp rise and steady fall of the Omicron variant, the pandemic appears to be entering a new phase. Guidance from the Centers for Disease Control and the best science available indicate that, with current variants, the pandemic's most infectious phase is ending. Now, we must begin the cautious transition to learning to live with the virus, taking science-backed measures to balance the risk of infection against living in relationship with our families and community.

The Amended Executive Order No. 6 initiates a new phase in our strategy. The Pueblo, with the steady leadership and implementation of the Emergency Operations Command, will continue to provide accurate information and communication, access to up-to-date vaccinations (including all boosters), and freely available surveillance testing necessary to allow early COVID-19 treatment. But now is time for the responsibility to protect our community to begin to return primarily to individuals. We are each responsible for taking steps to protect us all.

New variants of COVID-19 will continue to emerge, each presenting different health risks. It is possible that we will need to re-impose some mandatory measures. For now, however, it is time to move from mandates to strong encouragement to keep vaccinations updated, use masks when inside with non-family members, and participate in regular surveillance testing.

This Amended Executive Order No. 6 is promulgated by authority of the Governor, with support of the Pueblo Council, under the Declaration of Public Health Emergency issued by the Governor on March 20, 2020 with the unanimous consent and support of the Council. This Order supersedes all previous Executive Orders issued under the Declaration except where specifically stated. 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.

Definitions:¹

- A. Someone is "fully vaccinated" if two weeks have passed since they received all the initial doses (primary series) of a COVID-19 vaccine.
- B. Someone is "up to date" on their vaccinations if they have received all the recommended COVID-19 vaccinations, *including* booster doses when they are eligible.

1. COVID-19 Safe Practices. All individuals over the age of 2 years within the jurisdiction of the Pueblo of Laguna are asked to adhere to the following COVID-19 Safe Practices:

- a. **Vaccinate and boost.** Everyone who is eligible is ***strongly encouraged*** to stay up to date on their COVID-19 vaccines and maintain all recommended boosters.²
- b. **Wear a Face Mask. *Face masks are optional, but strongly encouraged when indoors or in enclosed areas.***
Everyone is urged to wear a properly-fitted face mask (preferably N94/KN94 or N95/KN95) covering their mouth and nose when indoors with non-household members, except when eating or drinking. Masks are available from the EOC upon request.
- c. **Keep your distance from non-household members.**
Everyone is strongly encouraged to maintain a 6-foot physical distance from others when with people who are not part of your household.
- d. **Monitor symptoms daily.** All are asked to check yourself and household members daily for COVID-19 symptoms (loss of taste or smell, cough, shortness of breath, sore throat, headache, muscle pain, chills) and consult a medical professional or the EOC when any such symptoms occur. Temperature monitoring is not an accurate indicator of possible COVID-19.
- e. **Test regularly.**
 - i. Everyone is encouraged to obtain a COVID-19 PCR (polymerase chain reaction) regularly (ideally every two weeks), for themselves and household members, *especially* for anyone experiencing symptoms or who has had close contact with someone who has COVID-19. The EOC will continue to offer regular free testing.
 - ii. People who have tested positive do not need to test again until 90 days after their most recent positive test.

¹ <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html>

² Vaccination recommendations do not apply to those who are ineligible for vaccination (presently including those under five years old) nor to anyone who has been advised by a medical professional not to be vaccinated.

- iii. Home rapid tests can be used *when experiencing symptoms* to confirm COVID-19, *but are not accurate for proving that someone is negative for the virus.*
- f. **Be careful when outside the Pueblo.** Most of those who have contracted COVID-19 have been infected while outside the Pueblo. It is critical that all people follow COVID-19 Safe Practices both inside and outside the Pueblo, including wearing masks when indoors or in crowded outside spaces and maintaining physical distance from non-household members.

2. Non-Residents.

- a. Non-residents who visit the Pueblo regularly may stay overnight on the Pueblo *if* they are fully-vaccinated, subject to denial of permission by village officials.
- b. Non-residents who have been away from the Pueblo more than six weeks or who are traveling from out-of-state may visit Pueblo households and stay overnight if they contact the EOC to:
 - i. provide proof of full vaccination, and
 - ii. obtain or provide results of a negative PCR test (not a home test) taken no more than five days before their visit.
 - iii. This requirement includes non-resident family members and is subject to denial of permission by village officials.
- c. Non-residents who want to move to the Pueblo must present proof of full vaccination plus recommended boosters and provide results of a negative PCR test (not a home test), taken no more than five days before their first arrival, to both the EOC and village officials.
- d. Un-vaccinated non-residents (including those who are partially but not fully vaccinated) are prohibited from visiting or staying overnight on the Pueblo without permission of the EOC, subject to requirements of village officials.
- e. The vaccination requirement does not apply to children not yet eligible to be vaccinated nor to those for whom a medical professional has determined vaccination is not recommended. However, the negative COVID-19 test requirement applies to any child.

3. COVID-19 Testing and Isolation Requirements.

- a. Any person experiencing one or more COVID-19 symptoms shall consult with a medical professional or the EOC when such symptoms occur and obtain a COVID-19 test in accordance with their advice.
- b. Any person who tests positive for COVID-19 from either a PCR or a home rapid test must contact the EOC and comply with all quarantine and isolation requirements.
- c. Any person who is notified of contact with a COVID-positive person shall obtain a COVID-19 PCR test in consultation with the EOC. Home rapid test results cannot be substituted for PCR test results if you have had contact with a COVID-positive person.

4. Schools. Provisions of all Amended Executive Order No. 5 and all unrevoked and unamended Public Health Emergency Orders applicable to schools located on the Pueblo remain in effect, pending further order. School staff are not 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 EOC guidance and any other applicable regulations and industry COVID-19 Safe Practices.
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. 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 verification of vaccination status, symptom monitoring for all upon entry, masks, and physical distancing when possible. 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 fully-vaccinated, with a COVID-19 vaccine series in accordance with Centers for Disease Control guidance, including any recommended booster, and shall submit to on-going COVID-19 testing as directed by the Pueblo's EOC as conditions of employment, unless the employee provides documentation from a medical professional that such inoculation or testing is medically not recommended. The EOC is authorized to allow hiring of employees once they have initiated required vaccinations.
9. Business and Pueblo Entity Operations. Businesses and Pueblo-chartered enterprises located or operating within Pueblo boundaries shall remain subject to conditions or restrictions in accord with operating plans established in consultation with the EOC.
 - a. Employee Vaccinations. Previous vaccination requirements remain in effect.
 - b. Employee Masking. Employees shall use a N94/KN94, N95/KN95, or surgical face mask properly-worn and covering their nose and mouth

when working indoors in the physical presence of others, *except* when eating or drinking, subject to medical instructions to the contrary.

- c. Customer Masking. Customers of such entities are *strongly encouraged, but not required to use properly-worn masks when in indoors*.
- d. Operating Hours and Capacity. Each such entity shall exercise its best judgment in determining operating hours and capacity, in consultation with the EOC, keeping in mind the importance of protecting customers, employees, and the community.
- e. Symptom Screening. All employees of such entities are required to screen themselves and household members daily for COVID-19 symptoms (loss of taste or smell, chills, cough, shortness of breath, sore throat, headache, or muscle pain,) and consult the EOC or a medical professional when any such symptoms occur.
- f. Clarifications. Businesses and Pueblo-chartered enterprises may seek clarification from EOC for specific interpretations of this Order.

10. Arts/crafts and food vendors. Arts, crafts and food vendors that are not managed by a Pueblo Entity shall continue to provide proof of full vaccination when obtaining permission to vend in addition to normal permits or licenses to sell within the Pueblo. Vendors shall use a N94/KN94, N95/KN95 face mask, properly-worn and covering their nose and mouth, when working indoors in the physical presence of others, *except* when eating or drinking, subject to medical instructions to the contrary.

11. Visitors to Pueblo Government Facilities. Pueblo government buildings and facilities shall be open according to rules instituted by each department, including at least:

- a. Symptom-monitoring. Symptom-monitoring is required for all visitors.
- b. Face Masks. Properly-worn N94/KN94, N95/KN95, or surgical face masks covering nose and mouth are strongly encouraged indoors in the physical presence of others, *except* when eating or drinking, subject to medical instructions to the contrary.
- c. Entry Screening. 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, or has experienced any of the COVID-19 symptoms (loss of taste or smell, chills, cough, shortness of breath, sore throat, headache, or muscle pain) in the previous 24 hours. Anyone having experienced symptoms will not be allowed entry and will be referred to the EOC for direction.

12. Gatherings. It is recommended that gatherings including non-household members continue to be held as drive-through or outdoor-only events. If an indoor gathering of non-household members is decided upon, the planner of the

event is asked to contact the EOC for recommendations of specific COVID-19 Safe Practices.

13. Officials. Village officials and Pueblo officials shall have authority to limit attendance at their village meetings and other indoor activities to people who have been fully-vaccinated and to request proof of vaccination and require compliance with masking, physical distancing, and symptom-monitoring. It is strongly recommended that no food be offered at indoor village meetings to reduce removal of masks. Officials are invited to contact EOC for recommendations of specific COVID-19 Safe Practices.
14. Traditional and Religious Activities and Notification. Decisions regarding ceremonies and traditional activities are the responsibility of traditional or religious leaders and war captains within each of the six villages. The Pueblo will rely on those leaders to inform Pueblo and Village leadership regarding ceremonies and traditional activities within the six Pueblo villages. It is encouraged that all precautions be considered, understood and implemented under this order to ensure the safety, protection, and well-being of ALL THE PEOPLE. Upon request, the EOC is available to offer recommendations for specific COVID-19 Safe Practices for planned events.
15. 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 strongly encouraged to adhere to requirements for masking, physical distancing, and symptom-monitoring and asked to carry proof of vaccination. Contact EOC for recommendations of specific COVID-Safe Practices.
16. Houses of Worship. Houses of Worship may hold services and other functions as long as participants are strongly encouraged to wear face masks, maintain appropriate physical distancing, and monitor symptoms of individuals and family members before attending. Leaders of such institutions shall have authority to require proof of vaccination and to impose additional conditions on the participation of individuals. It is recommended that no food be offered at indoor meetings to reduce removal of masks. Leaders are asked to contact the EOC for recommendations of specific COVID-19 Safe Practices including capacity for worship and gathering.
17. Enforcement of public health orders. Procedures 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. Violation of mandatory

provisions of this order are subject to civil and criminal prosecution under the Pueblo Code.

For more information, visit:

POL website COVID-19 Info link at www.lagunapueblo-nsn.gov or

Facebook - <https://www.facebook.com/pol.covid19/>

For COVID-19 Safe Practice recommendations:

Call EOC Hotline – (505) 328-5682 or

Email covidinfo@pol-nsn.gov

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.