




EXECUTIVE ORDER NO. 7

Date: May 10, 2022
To: Pueblo of Laguna Residents, Members, and All Others
From: Governor Martin Kowemy, Jr. 
Re: **PUBLIC HEALTH ORDER**

Since COVID-19 struck more than 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.**

Executive Order No. 7 initiates another 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 early treatment, and freely available surveillance testing necessary to protect against COVID-19. **It is time for individuals to take primary responsibility to protect our community. 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. We may need to re-impose mandatory measures if infections and hospitalizations increase dangerously. For now, however, it is time to move from mandates to strong encouragement to stay boosted, use masks when inside with non-household members, and participate in regular surveillance testing.

This Executive Order No. 7 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 strongly encouraged to follow these COVID-19 Safe Practices:

- a. **Monitor symptoms daily.** Please check yourself and household members daily for COVID-19 symptoms every day. COVID-19 symptoms include loss of taste or smell, cough, shortness of breath, sore throat, headache, muscle pain, chills). **Anyone having any of these symptoms, even if not serious, should immediately isolate themselves from other people until they obtain a COVID-19 PCR test (the swab tests regularly provided by EOC) and consult the EOC or a medical professional.** "Home" tests are not sufficient to prove that someone is not infected nor is temperature monitoring an accurate indicator of possible infection.
- b. **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
- c. **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 (surgical 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.
- d. **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.
- e. **Test regularly.**
 - i. Everyone is encouraged to obtain a COVID-19 PCR test (the swab tests regularly provided by EOC) at least monthly 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. All are encouraged to follow COVID-19 Safe Practices both inside and outside the Pueblo, including wearing masks when with non-household members indoors or in crowded outside spaces and maintaining physical distance from non-household members.
2. Non-Residents.
- a. Non-residents visiting the Pueblo, including staying overnight, are strongly encouraged to be fully-vaccinated and up-to-date in their boosters.
 - b. Non-residents who have been away from the Pueblo for an extended time or who are traveling from out-of-state are strongly encouraged to be fully-vaccinated and up-to-date in their boosters and to obtain a negative PCR test before visiting Pueblo households.
 - c. Non-residents who want to move to the Pueblo are strongly encouraged to be fully up-to-date with vaccinations and boosters and must continue to present information to village officials as requested.
 - d. Village officials, with the support of the village's Staff Officer, continue to have authority to request proof of vaccination and booster status and to restrict access for COVID-19 purposes beyond these recommendations.
3. COVID-19 Testing and Isolation Requirements. Any person violating this section shall be subject to enforcement of public health orders as provided in the attached Appendix. Violation of such orders or this section may be subject to civil and criminal prosecution under the Pueblo Code.
- 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 if directed to do so. Home rapid test results cannot be substituted for PCR test results for anyone who has had contact with a COVID-positive person.
4. Schools. Consistent with previous Public Health Emergency executive orders, school staff are not permitted within the Pueblo unless fully vaccinated and up-to-date in their EOC-recommended boosters. School staff will be allowed up to 45 days from the date of this order to become "up-to-date" with recommended boosters.

5. Out of State Travel. Pueblo residents traveling out of the State of New Mexico are strongly encouraged to follow all COVID-19 Safe Practices, monitor symptoms carefully, and obtain a PCR test upon returning.
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 and up-to-date in their boosters 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 who are up-to-date in their boosters 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. 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 and booster requirements remain in effect. Accordingly, 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.
 - b. Employee Masking. Employees shall be strongly encouraged to use a N95/KN95 or surgical face mask properly-worn and covering their nose and mouth when working indoors in the physical presence of others.
 - 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 strongly encouraged 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 to inform their employer 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.
9. 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 and up-to-date boosters when applying for or renewing permission to vend, in addition to normal permits or licenses to sell within the Pueblo. Vendors are strongly encouraged to use surgical or N95/KN95 face mask, properly-worn and covering their nose and mouth, when working indoors in the physical presence of others.
10. Visitors to Pueblo Government Facilities. Pueblo government buildings and facilities shall be open according to rules instituted by each department. People are encouraged to call ahead to determine any COVID-19 requirements for visiting.
11. Gatherings. Whenever possible, the Pueblo encourages gatherings to be held outdoors. If gathering indoors, it is strongly recommended that all attending follow COVID-19 Safe Practices, including using properly worn masks (ideally surgical or N95/KN95) and implementing careful symptom monitoring for all present. When gathering indoors, people should avoid small spaces and rooms with poor ventilation. For purposes of social distancing, food preparation especially is strongly encouraged to be done in individual households and delivered rather than prepared at the gathering. Anyone developing symptoms after a gathering is especially encouraged to get a PCR test as soon as possible. Masks are always available from the EOC.
12. Village Meetings and Activities. In addition to other Village officials' requirements, all those attending village meetings and activities are strongly encouraged to adhere to recommendations for COVID-19 Safe Practices, masking, physical distancing, and symptom-monitoring. For purposes of physical distancing, it is recommended that if food is to be offered at village meetings or activities, it be prepared in individual households and delivered rather than prepared on-site in order to reduce sustained close contact. Officials are invited to contact EOC for recommendations of specific COVID-19 Safe Practices.
13. 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.

14. Passing of Membership. Subject to village officials' requirements, all those attending Wakes and Burials are strongly encouraged to adhere to recommendations for COVID-19 Safe Practices, masking, physical distancing, and symptom-monitoring and asked to carry proof of vaccination. Contact EOC for recommendations for specific COVID-Safe Practices.
15. Houses of Worship. All those attending activities at Houses of Worship are strongly encouraged to follow COVID-19 Safe Practices. Leaders of such institutions have authority to impose additional COVID-19 conditions as they see fit. For physical distancing, it is recommended that if food is to be offered at meetings, it be prepared in individual households and delivered rather than prepared on-site in order to reduce sustained close contact. Leaders are welcome to contact the EOC for recommendations of specific COVID-19 Safe Practices.
16. 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. 7
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.