



# OFFICE OF THE GOVERNOR

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## AMENDMENT No. 01

### Executive Order No. TA-2020-01 October 9, 2020

In accordance with EXECUTIVE ORDER NO. TA-2020-01 issued on April 10, 2020, I, Governor Brian D. Vallo, hereby issue Amendment No. 1, to be implemented within the boundaries of Acoma lands, as authorized by the Executive Order, and in response to the current Novel Coronavirus Disease (COVID-19) Public Health Emergency. The intent and purpose of Amendment No. 1 is to re-issue previous provisions set forth in the April 10, 2020 Executive Order, including modified measures intended to further ensure a continued, effective response to the COVID-19 pandemic while reinstating specific operations of the Pueblo of Acoma Tribal Government Operations and tribal corporation, Acoma Business Enterprises.

The rapid spread of COVID-19 has impacted cities, towns, and Native American reservations across New Mexico and remains a threat to the public health of the Pueblo of Acoma. According to the Centers for Disease Control and Prevention (CDC), **“COVID-19 cases and deaths have been reported in all 50 states, and the situation is constantly changing. Because travel increases your chances of getting infected and spreading COVID-19, staying home is the best way to protect yourself and others from getting sick.”** Furthermore, the CDC urges **“limiting face-to-face contact with others is the best way to reduce the spread of COVID-19”** and **“the more closely you interact with others and the longer that interaction, the higher the risk of COVID-19 spread.”**

**Therefore, Notice Is Given**, that pursuant to Executive Order TA-2020-01 and in conjunction with the Pueblo of Acoma Public Health Emergency Declaration of March 13, 2020, all individuals on the Pueblo of Acoma shall comply with the following modified provisions:

- 1. Stay at Home Order for All Pueblo Residents with Rules for COVID-19 Safe Practices**
- 2. Modified Closure of Acoma Tribal Government Operations and Acoma Business Enterprises**
- 3. Tribal Curfew**
- 4. Guidelines for Death of a Pueblo Member (Attachment A)**
- 5. Cultural and Religious Activities**
- 6. Checkpoints and Road Closures**
- 7. General COVID-19 Safe Practices**

# **1. STAY AT HOME ORDER FOR ALL PUEBLO RESIDENTS WITH RULES FOR COVID-19 SAFE PRACTICES**

This amended order shall take effect on October 9, 2020 and remain in effect until official notice is given by the Governor's Office. The following mandates shall serve as a guide for individuals and each head of household who must comply with and enforce this order. Acoma Police Department (APD), in cooperation with the Pueblo of Acoma Health Command Center (HCC) will monitor activity throughout the duration of this mandate.

- A. A head of household or other designated family member is authorized to travel from the home for essential activities as defined below:
  - i. Activities or tasks essential to the health and safety of one's household (including livestock and pets), such as obtaining critical medical supplies or medication, visiting a health care professional for an imminent health need.
  - ii. Obtaining necessary services or supplies such as food, livestock/pet supplies, and household consumer products, and supplies necessary to maintain the safety, sanitation, and essential operation of the residence.
  - iii. Attend court proceedings.
  - iv. Pre-arranged (by a social service organization) court-ordered child visitation.
  - v. Engaging in daytime outdoor activity such as walking, running, hiking on tribal lands ONLY.
  - vi. Voting.
  - vii. Cultivate food (i.e. tending to fields and livestock).
  - viii. Working for an essential business or government organization.
- B. Elders and children may leave the Pueblo for essential purposes including medical/mental health appointments and educational purposes ONLY.
- C. Public gatherings shall not exceed more than 5 individuals at one time. Curbside or drive-thru gatherings are permissible during non-curfew hours.
- D. Acoma Police Department, Fire and EMS services are limited to emergency responses ONLY. Requests for social purposes (i.e. birthdays, weddings, baby showers) are NOT PERMITTED.
- E. A designated individual within the boundaries of Acoma can travel to another household to check on the welfare of elders and other family members, while always practicing the rules for COVID-19 safe practices as defined below.
- F. Designated household members can travel to the mountains on Acoma lands to harvest wood. If you do not have a current permit, you must call the Public Safety Department to inform them of the date, time and general location of your harvest destination. ABSOLUTELY NO LITTERING, please keep Acoma lands clean by gathering trash and disposing of it properly upon return to your residence.
- G. **ABSOLUTELY NO HUNTING IS PERMITTED** unless authorized by the Pueblo of Acoma Game and Fish Department. Traditional small game hunts organized by cultural leaders is permitted.
- H. Harvesting piñon nuts by household members residing within the Acoma boundaries is permitted throughout the month of October 2020 ONLY. Multiple households shall not congregate and/or organize multi-household excursions. ABSOLUTELY NO LITTERING, please keep Acoma lands clean by gathering trash and disposing of it properly upon return to your residence.

- I. An adult member of the household must accompany children to a designated food delivery location(s) and must return to their home to consume the food. Food service for elders will continue with deliveries left in designated areas directly outside the residence.
- J. Respect the privacy of any individual or family residing within Acoma boundaries who is self-isolating or has self-quarantined as a personal choice or, has been exposed or had known direct contact with someone who has tested positive for COVID-19.
- K. The following Rules for COVID-19 Safe Practices are additions and replacements for previous subsections in this section, and in Executive Order Section 4.A, 4.B., 4.C. and 4.D.
  - i. Unless a healthcare provider instructs otherwise, **all individuals must wear a face mask or multi-layer cloth covering over his/her mouth and nose in public settings.**
  - ii. **Maintain a 6-foot distance from others while in a public setting, except** as allowed by other provisions of this Order.
  - iii. **No gatherings of more than five (5) individuals** except where there are more than five (5) individuals who reside in a single residence or as allowed by other provisions of this Order. This limitation does not apply to Pueblo Officials or essential employees in the course and scope of their employment.
  - iv. Any Pueblo of Acoma resident who has tested positive for **COVID-19, has any COVID-19 symptoms, or is awaiting test results if believed to be infected with COVID-19 must STAY HOME** (or be isolated from the community) at all times until cleared by the HCC. Non-Residents and Essential Employees are not allowed within the boundaries of Acoma until cleared of the COVID-19 virus or meet the CDC guidelines for safely returning to work.
  - v. Essential out-of-state travel by Acoma residents and Essential Employees for work related purposes and medical procedures/appointments/arranged mental health/substance abuse inpatient treatment will not be required to observe the 14-day quarantine period upon return. However, 3 days prior to the return, the traveler must inform the HCC and submit to a COVID-19 test upon return to the Pueblo with mandatory quarantine until documentation of a negative test result is provided to the HCC. Test results must be sent to [covid19@poamail.org](mailto:covid19@poamail.org)

## **2. MODIFIED CLOSURE OF THE PUEBLO AND BUSINESS OPERATION RESTRICTIONS**

The intent of this measure is to control access on and off all Acoma lands by all persons, with a focus on travelers and non-residents who may attempt to enter tribal lands via any of the five exits off Interstate Highway 40, NM State Road 24, and BIA Tribal Roads. The APD will monitor each of the exits and may request the support of other external agencies to assist the APD during this period of closure. Heads of households are encouraged to explain these provisions with family and friends to ensure compliance among ALL individuals.

The following are additions and replacements to this Section and previous Sections 1.E., 1.G., 1.I.:

- A. The Pueblo shall remain restricted to outside visitors and Non-residents. Visits are allowed for essential purposes ONLY, provided such persons request and obtain pre-authorization by Tribal Administration, adhere to Section 1-COVID-Safe Practice Rules, and shall be subject to the following conditions:

- i. The presence of a **Non-resident** (Pueblo member or non-member) in any Acoma Pueblo village or residential subdivision is **prohibited during curfew hours** (Section 3.A.), *except* for “Essential Activities” (Section 2.A.ii.).
  - ii. The following shall be regarded as **Essential Activities** as an *exception* to Section 3.A. (Curfew) and Section 2.A.i.:
    - a. Conduct or perform services for the Pueblo of Acoma Government operations.
    - b. Contract services to include child, family, or elder care assistance.
    - c. Emergency vehicle or home repair.
    - d. Court-ordered child visitation coordinated with the appropriate social services entity and/or tribal officials and for in-person court proceedings.
  - iii. Non-resident Pueblo members desiring to establish residency within the Pueblo must obtain permission and follow any testing and/or quarantine protocols of the HCC prior to return.
- B. **Tribal buildings** may be open to the public by appointment only. COVID-19 Safe Practices will be adhered to by all guests, including wearing a face covering and maintaining social distancing.
  - C. **Local Businesses** may open for modified operation during non-Curfew hours (Section 1.4), provided a COVID-19 Operations Plan is submitted to and approved by the HCC. All operations must be consistent with COVID-19 health and safety best practices and guidelines.
  - D. **Arts & crafts or food vending** is not allowed throughout the Pueblo.
  - E. **Sky City Casino & Hotel, Bingo, Snack Bar & Restaurant** will remain closed until such time regional and statewide COVID-19 data support a safe environment for reopening and when the Acoma Business Enterprises (ABE) determine preparedness to ensure patrons and employees are safe.
  - F. **Sky City Travel Center** shall operate at a 75% occupancy and the operation (including McDonalds) is not subject to curfew hours.
  - G. **Skyway Travel Center** shall operate at a 50% occupancy and is not subject to curfew hours.
  - H. **Sky City RV Park** shall remain closed, except for long-term residents and will continue providing RV space and service to essential workers and for the HCC use as congregate lodging.
  - I. All Pueblo of Acoma and ABE Human Resources and Payroll policies will remain in effect to include expanded Family Medical Leave (expires Dec. 30, 2020) provisions authorized by CARES Act funding.

### 3. **TRIBAL CURFEW**

- A. Travel within the boundaries of the Pueblo of Acoma shall remain restricted between the hours of 8:00 P.M. and 5:00 A.M. *except* for some “Essential Activities” defined in Section 1.A.i-viii and 2.A. ii. (Replacement for previous Sections 3.A., 3.B. and 3.C.)
- B. Certain cultural leaders, Tribal Sheriffs, and family members of Field Chiefs shall be exempt from the curfew and may travel between old Acoma and their permanent residence on Acoma lands during designated times and in accordance with the Executive Order TA-2020-01.

### 4. **GUIDELINES - DEATH OF A RESIDENT PUEBLO MEMBER, PUEBLO MEMBER RESIDING OFF ACOMA BOUNDARIES, A NON-MEMBER RESIDING ON ACOMA BOUNDARIES, AND COVID-19 RELATED DEATH**

In addition to Section 4.E of Executive Order TA-2020-01, “Guidelines: Death of a Family Member” (Attachment A, available upon request) shall remain in effect until such time the Executive Order is lifted.

In the event of a death caused by the Coronavirus, family elders, in consultation with immediate family members, Office of the Medical Investigator, and where appropriate, with Funeral Home representatives, shall determine the safest process for burial and other preparations.

## **5. TRADITIONAL AND RELIGIOUS ACTIVITIES**

- A. The Tribal Administration will rely on notification from traditional leaders relative to cultural observances at old Acoma. Should any observances be scheduled, it is encouraged that all safety precautions are considered, understood, and implemented to ensure the safety, protection and well-being of the entire Acoma community.
- B. **A House of Worship** shall NOT hold services or other functions until further consultation with Tribal Administration and the HCC.

## **6. CHECKPOINTS AND ROAD CLOSURES**

- A. The security checkpoint shall remain in operation and serve as the one point for access until otherwise modified by the Acoma tribal government.

## **7. GENERAL COVID-19 SAFE PRACTICES**

- A. In general, stay at home: avoid unnecessary travel and always stay at home when you are sick (*except* for medical emergencies).
- B. If you have been exposed to someone with the COVID-19 virus, obtain a COVID-19 test to determine your status and seek medical attention if you experience symptoms.
- C. Wear a face covering in all public places (both on and off Acoma lands), maintain 6-foot distance from other people, avoid crowds, and sanitize hands after touching any surface or other individuals.
- D. Wash your hands thoroughly and frequently or use hand sanitizer when soap and water are unavailable.
- E. Avoid touching your eyes, nose, and mouth with unwashed hands.
- F. Arrange for all meetings or visits to take place remotely/virtually whenever possible.
- G. Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- H. Clean and disinfect frequently touched objects and surfaces in your home and vehicles.

**NOTICE IS FURTHER GIVEN**, that provisions of this Amendment shall take effect on October 9, 2020 and shall remain in effect until rescinded or modified by a subsequent Amendment or Executive Order.

**NOTICE IS FURTHER GIVEN**, that any person who violates the provisions of this Executive Order will be subject to civil or criminal sanctions, contempt, fines and penalties under the laws of Acoma and other applicable law(s). Any person who refuses to obey directives by law enforcement, first responders and Division of Health and Human Services Officials appointed to enforce this Executive Order, is subject to criminal and/or civil sanctions under the laws of Acoma and other applicable law(s). Any person who believes that the directive is unwarranted must follow the directive until otherwise ordered and may file their objection with the Pueblo of Acoma Tribal Court.

**NOTICE IS FURTHER GIVEN**, that any employee or Tribal Council-appointed Board Member/Committee Member of the Pueblo of Acoma and Acoma Business Enterprises who is in violation of the Executive Order shall be subject to disciplinary action as authorized by each entity's Personnel Policy, By-Laws, or other guidelines.

**NOTICE IS FURTHER GIVEN**, that other preventive measures will be initiated and enforced in response to any additional public health threat to the Acoma community, and will be at the discretion of the Acoma tribal government and the Health Command Center.

**Signed into effect on this 9<sup>th</sup> day of October 2020:**



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Brian D. Vallo  
Governor