

# GILA RIVER INDIAN COMMUNITY

EXECUTIVE OFFICE OF THE GOVERNOR & LIEUTENANT GOVERNOR

“GILA RIVER STRONG”

STEPHEN ROE LEWIS  
GOVERNOR



MONICA LYNN ANTONE  
LIEUTENANT GOVERNOR

## COMPREHENSIVE EXECUTIVE ORDER NO. 11 REGARDING CORONAVIRUS PANDEMIC

**WHEREAS**, from March 13, 2020 through October 2, 2020, I issued eight separate Executive Orders addressing various aspects of the coronavirus pandemic, ranging from a declaration of a public emergency to a requirement that all persons wear a mask while on the Gila River Indian Community Reservation; and

**WHEREAS**, I amended these separate Executive Orders on numerous occasions to extend and clarify them as necessary; and

**WHEREAS**, on October 2, 2020, I issued a new comprehensive Executive Order No. 9 that combined these prior Executive Orders into one single order, setting forth the numerous elements of our governmental response to the pandemic; and

**WHEREAS**, I amended Executive Order No. 9 on two occasions to both address necessary clarifications, and also to extend its effect until April 12, 2021, in order to provide necessary time to consider important possible modifications to the pandemic restrictions contained therein; and

**WHEREAS**, on April 9, 2021, I issued Comprehensive Executive Order No. 10, which made various changes including approval of the Tribal Government Return to Work Plan and easing certain restrictions for fully vaccinated individuals; and

**WHEREAS**, I amended Executive Order No. 10 on two occasions to both address necessary clarifications, and also to extend its effect until June 30, 2021; and

**WHEREAS**, COVID-19 infection rates have subsided substantially, including within the exterior boundaries of the Reservation, and other jurisdictions, including the federal government, have begun relaxing public health restrictions and

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safety measures in response to this positive development; and

**WHEREAS**, I have had the opportunity to consult with the Community Council, the Tribal Health Department, the Tribal Education Department, the Unified Command of the Community's COVID-19 Task Force, and many other interested parties and entities on the Community's approach as we enter a new, more hopeful phase of our pandemic response; and

**WHEREAS**, as part of our pandemic response, the Community has emphasized the importance of COVID-19 vaccines and made them available to all members of the Community over the age of twelve, all employees of the Community and its enterprises and all residents of their households, all residents of any household in which a Community member resides, and all teachers who teach at a school located within the Reservation; and,

**WHEREAS**, it is the policy of the Community under this Executive Order to encourage all those eligible to receive a vaccine take their vaccine at the earliest opportunity because future relaxation of pandemic restrictions will rely upon a high level of vaccine protection for the Community and its members; and

**WHEREAS**, the Community Vaccination Rate, as of the date of this Executive Order No. 11 is 39%; and

**WHEREAS**, due to the rise of new variants of the coronavirus, despite the improvement in pandemic conditions, the Community must continue to be diligent in its efforts to address the coronavirus pandemic and take aggressive measures to continue to protect our Members and the public at large from this disease and the dangerous variants of it that are now afflicting our State and our Community; and

**WHEREAS**, as part of the Community's continued diligence, while this Executive Order relaxes certain of the previously imposed public health restrictions, I am directing our Tribal Health Department to closely monitor infection rates amongst our members and to provide recommendations to Executive should conditions warrant re-imposition of any or all of the public health restrictions that are being relaxed pursuant to this Executive Order.

**NOW THEREFORE, I**, Stephen Roe Lewis, Governor of the Gila River Indian Community, through the authority granted to me in the Constitution and Bylaws of the Gila River Indian Community and Title 1 of the Gila River Indian Community Code, hereby order as follows:

**First**, I hereby rescind Executive Orders 1 through 10, and all amendments to such orders, effective immediately, and replace those orders with this new Executive Order No. 11, which includes all requirements and measures that are to remain in effect from this date until the date ascribed herein for expiration, or until this Executive Order is otherwise amended or rescinded by a subsequent amendment or Executive Order.

**Second**, for purposes of this Executive Order No. 11, the following terms shall have the definitions set forth below:

- a. "Community COVID-19 State of Emergency" means the public health State of Emergency in the Gila River Indian Community regarding the COVID-19 Pandemic declared in the Third Clause of this Executive Order No. 11.
- b. "Community Public Safety Departments" means the Gila River Police Department, the Gila River Fire Department, the Department of Rehabilitation & Supervision, the Tribal Health Department, and the Office of Emergency Management.
- c. "Community Vaccination Rate" means the percentage of Community members who are fully vaccinated who are (i) eligible to receive a vaccination and (ii) residing within the exterior boundaries of the Community's Reservation.
- d. "COVID-19 Pandemic" means the ongoing pandemic of coronavirus disease 2019 (COVID-19) caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).
- e. "First Responders" means any individual directed to respond to any call for health care, emergency or police call, or essential services, including, without limitation the following:
  - Employees of the Gila River Police Department
  - Employees of the Gila River Fire Department
  - Employees of Gila River EMS
  - Employees of Gila River Health Care Corporation
  - Utility workers who are conducting work within the Reservation, including employees of Gila River Indian Community Utility Authority and Gila River Telecommunications Inc.
  - Employees of the Tribal Health Department
  - Employees of Department of Community Housing who work in the field and interact with the public
  - Employees of the Community Services Department who work in the field and interact with the public
  - The Community Manager and all Department Directors
- f. "PHI" means protected health information.
- g. "Reservation" means the Gila River Indian Community Reservation.

**Third,** I hereby declare that there is a continued public health State of Emergency in the Gila River Indian Community regarding the COVID-19 pandemic, which shall continue until further notice.

**Fourth,** all employee travel that normally requires authorization under the Community's Travel Policy, adopted by Resolution GR-125-12, as amended, shall be subject to a separate directive issued by the Executive Office. Employees who have not been fully vaccinated in accordance with Centers for Disease Control and Prevention guidelines may be prohibited from or limited in business travel. Departments and programs are directed to continue seeking alternatives to travel, including teleconferences, online videoconferencing, livestream, or other alternatives for attending meetings, conferences or trainings. The Executive Office shall continue to consider all requests for necessary travel on a case-by-case basis.

**Fifth,** with the exception of meetings of elected and appointed officials, until the date on which the Community Vaccination Rate reaches 45.01%, all gatherings on the Community's Reservation of more than forty (40) persons are prohibited, unless specifically approved in writing in advance by the Executive Office. The Executive Office shall approve only those gatherings of more than forty (40) persons that are conducted in accordance with public health measures that are approved in writing by the Tribal Health Department.

- (1) *Community commercial enterprises.* This prohibition does not apply to Community commercial entities operating on the Community Reservation, provided those commercial enterprises are (i) undertaking efforts to prevent the transmission of COVID-19 among employees and customers, and (ii) making available appropriate personal protective equipment, including face masks, for employees and customers.
- (2) *Funerals.* This prohibition of gatherings of more than forty (40) persons does not apply to funeral preparations, services, wakes and cremations, provided that individuals responsible for a particular funeral, service, wake or cremation, or preparations for such events, agree to COVID-19 protection protocols set forth in the Community's Funeral Guidance, which shall be subject to oversight by each District.

**Sixth,** price gouging is unlawful on the Gila River Indian Reservation. GRIC Code Section 13.209 provides that "unconscionable and other unfair business practices" are grounds for the revocation of a business license. Individuals or businesses that engage in price gouging in the Community are subject to a revocation of their business licenses and non-members will be subject to exclusion from the Community under GRIC Code Section 8.101(C), which prohibits unfair business practices. I hereby direct law enforcement to fully and vigorously enforce these laws on the Gila River Indian Reservation to ensure that no business takes undue advantage of the COVID-19 Pandemic.

**Seventh,** , I hereby declare a continued moratorium on any new evictions being initiated by the Department of Community Housing (DCH) or the Department of Housing Development (DHD) until the expiration of the Community COVID-19 State of Emergency. This moratorium shall not apply to evictions based on criminal activity.

**Eighth,** I hereby designate and authorize the following departments, programs and entities to situationally receive PHI until the expiration of the Community COVID-19 State of Emergency:

- a. All First Responders;
- b. All Community Public Safety Departments;
- c. The Gila River Health Care Corporation;
- d. The GRICUA Administrator, but solely for utility workers who are conducting work within the Reservation;
- e. The GRTI Administrator, but solely for utility workers who are conducting work within the Reservation;
- f. The Community Services Department Director, Deputy Director, District Coordinators, and Assistant District Coordinators;
- g. The Department of Community Housing Director and Deputy Director;
- h. All field employees of CSD and DCH who are required to interact with the public;
- i. The Tribal Social Services Child & Family Welfare Administrator and Crime Victim Services Coordinator;
- j. The Tribal Health Department; and
- k. All Community department directors.

**Ninth,** departments, programs and entities identified in the Eighth Clause of this Executive Order No. 11 shall follow the guidelines contained in "COVID-19 and HIPAA: Disclosures to Law Enforcement, Paramedics and Other First Responders and Public Health Authorities," published by the United States Department of Health and Human Service, Office of Civil Rights.

**Tenth,** All Community departments and employees will continue to comply with the comprehensive "Tribal Government Return to Work Plan," and their department or program plans. All Community government services shall re-commence no later than June 30, 2021.

**Eleventh,** under the Communicable Disease Ordinance, GRIC Code Title 17, any individuals who (i) have tested positive for COVID-19, have been diagnosed with COVID-19, or have been advised to self-quarantine by a health care professional or the Tribal Health Department, and (ii) do not submit to a voluntary quarantine may be subject to a written quarantine directive by the Tribal Health Department and court-ordered quarantine by the Community Court, enforceable by the Gila River Police

Department. All Community Members and residents of the Reservation are strongly encouraged to follow the directions of their health care providers and the Tribal Health Department with respect to measures addressing the COVID-19 Pandemic.

**Twelfth**, the Gila River Police Department is authorized and directed to enforce the Eleventh Clause of this Executive Order No. 11 under the applicable provisions of the Gila River Indian Community Code.

**Thirteenth**, until further notice, all employees of the Community government who have not been fully vaccinated shall wear appropriate protective face masks at all times while at such employees' workplace when within 6 feet of other employees. Employees of the Community government are not required to wear face masks when alone inside their individual offices or work stations. All visitors to Community government buildings are required to wear appropriate protective face masks at all times during their visit to the Community government building. All First Responders shall wear an appropriate protective face mask at all times when visiting a residence or other building located within the exterior boundaries of the Reservation. Reservation-based businesses are strongly encouraged to adopt face-mask requirements for their employees and visitors similar to those set forth above for Community government employees and visitors. Further, all persons, especially those who are not fully vaccinated, who are over two (2) years of age are strongly encouraged to wear a protective face mask while in any building located within the Reservation. All Reservation-based employers and businesses shall make available personal protective equipment, including face masks, for all employees and visitors to their facilities on Reservation.

**Fourteenth**, I hereby direct that (i) all employees of the Community who have not been fully vaccinated, and (ii) any employees, including fully vaccinated employees, who have displayed symptoms of the COVID-19 virus, must be tested for COVID-19 as directed until further notice. Any Community government employee who displays symptoms of the COVID-19 virus must be tested immediately by their health care provider. We strongly recommend that any employee of any enterprise or business located on Reservation who displays symptoms of the COVID-19 virus be tested immediately by their health care provider. In addition, employees of the Community government may be required to undergo serology testing for COVID-19 antibodies or to be re-tested as appropriate. Employees of the Community government who refuse testing or fail to show up for testing as directed will be subject to disciplinary action. The results of any testing shall be kept confidential in accordance with applicable law and positive test results shall be reported as required by Community or federal law.

**Fifteenth**, I hereby direct that the Community shall also make COVID-19 testing available to the following groups of individuals on a regular basis or as directed until further notice,

- Fully vaccinated employees of the Community government
- Community Council and elected and appointed officials of the Community


- Employees and students of all schools located on the Reservation
- All Community Members, including Urban Members residing in the surrounding communities
- Employees of all wholly-owned Community entities or operated entities, with the consent of those entities
- Employees of Boys & Girls Clubs on Reservation
- Such other groups of individuals as may be designated by the Executive Office in writing

**Sixteenth,** I hereby direct that all schools located on the Gila River Indian Reservation shall begin preparations for the resumption of in-person student learning for the 2021-2022 school year. Prior to resuming in-person learning, any school located on the Reservation must prepare and provide a complete copy of its reopening plan to the Tribal Education Department, Tribal Health Department and Education Standing Committee for review and approval. Any reopening plan shall contain appropriate COVID-19 prevention measures to protect students, school staff and visitors. COVID-19 prevention strategies should follow the Centers for Disease Control and Prevention guidelines entitled, "Operational Strategy for K-12 Schools through Phased Prevention."

**Seventeenth,** all individuals who have not been fully vaccinated in accordance with guidelines from the Centers for Disease Control and Prevention residing within the Reservation are strongly encouraged to stay at home as much as possible. I emphasize that, for those not fully vaccinated, the safest place continues to be at home and that staying home is the best way to protect yourself and others from getting sick.

**Eighteenth,** I urge all Community members, employees, and all others eligible to receive a vaccine from the Community to take the COVID-19 vaccine at the earliest opportunity possible in order to help ensure the health and safety of our entire Community.

DONE THIS 16th DAY OF JUNE, 2021.

BY   
GOVERNOR STEPHEN ROE LEWIS