



MESCALERO Apache TRIBE

P.O. Box 227
101 Central Avenue

Mescalero, New Mexico 88340

Office: (575) 464-4494
Fax: (575) 464-9191



MESCALERO APACHE TRIBE MESCALERO, NEW MEXICO

EXECUTIVE ORDER 20-12

KNOW ALL PERSONS BY THESE PRESENTS that pursuant to the power vested in me by the Revised Constitution of the Mescalero Apache Tribe and the Mescalero Apache Tribal Code, having declared a state of emergency on the Mescalero Apache Reservation at the request of the Mescalero Apache Tribal Council and in order to slow the spread of the coronavirus (COVID-19), do **HEREBY PROCLAIM** that the following restrictions are implemented effective today Monday, October 19th at 2:00 P.M., and expire Friday, October 30th at 6:00 P.M.:

A. WEEKDAY RESTRICTIONS

All persons shall refrain from unnecessary travel during weekdays [Monday (beginning at 6:00 A.M.), Tuesday, Wednesday, Thursday, and Friday (until 6:00 P.M.)], one person from each residence may leave his or her home when needed to purchase food and other necessities, attend medical appointments, travel to and from work, cut wood for personal use, and make other necessary travel; where that person is the legal guardian or parent of (a) minor child(ren) or the caretaker of a disabled adult and there is no other adult in the home to supervise or care for the minor child(ren) or disabled adult or the necessary travel involves the minor child(ren) or disabled adult, then that person may take his or her minor child(ren) or the disabled adult when he or she leaves the home for the reasons listed above.

B. WEEKEND LOCKDOWN

From Friday, October 23rd at 6:00 P.M. to Monday, October 26th at 6:00 A.M. all persons shall remain at home under this weekend lockdown except as provided below:

1. A person may leave his or her home in the event of an emergency (defined as a serious, unexpected, or dangerous situation requiring immediate action, including a medical condition that requires immediate treatment) if that person is directly involved or affected by the emergency.

2. A person may tend to their own yards, gardens, pets, and livestock provided that where the person must tend to his or her livestock on land outside of his or her residential assignment, then he or she must obtain prior approval from the President and the President may limit the hours and days such person may tend to his or her livestock.

3. A person does not have to remain indoors but must limit movement beyond the immediate area of his or her residence or residential assignment. This includes movement for exercise purposes.

4. One person from each residence may leave between 8:00 A.M. and 10:00 A.M. to dispose of trash at the nearest dumpster only.

5. This lockdown does not apply to an employee traveling to and from work or a contractor provided that such employee or contractor complies with Paragraph (C) below.

C. EMPLOYEES AND CONTRACTORS

1. Tribal employees, employees of Tribal enterprises, and employees of other entities whose principal place of business is located on the Reservation (collectively referred to as "Reservation employees") shall work remotely as much as possible. Some Reservation employees may be deemed essential and required to report to work as usual or as needed.

Essential Reservation employees must carry a tribally issued pass or letter from the President. This Paragraph does not apply to employees who work off-Reservation provided that such employees always keep a copy of his or her work schedule, initialed by his or her supervisor, with him or her.

2. The President may allow contractors to provide services on the Reservation where he determines that the risk to public health is not increased by allowing the same, the contractor agrees to follow all Tribal COVID-19 safety precautions, and the delay in the provision of services would be detrimental to public health or welfare.

D. NO ENTRY INTO RESIDENCE WHERE NON-RESIDENT

A person may not enter a residence if he or she is not a regular resident of that residence.

E. MASS GATHERINGS PROHIBITED

Mass gatherings are prohibited. "Mass gathering" means any public or private gathering that brings together five (5) or more persons but does not include the presence of five (5) or more persons where those persons: 1) are in the residence where they regularly reside or 2) live together in the same residence and must travel in a single motor vehicle.

F. INDOOR CHURCH SERVICES PROHIBITED

Indoor church services are prohibited. Church services may be conducted virtually/on-line or outside where all attendees remain in motor vehicles.

G. VENDORS PROHIBITED

Food stands/trucks/vendors are prohibited.

H. OUTSIDE VISITORS ALLOWED EXCEPT ON TRIBAL ROADS

1. Outside visitors to the Reservation are allowed on Highways 70 and 244 and Tribal Route 4 (from Highway 70 to the Reservation line at Carrizo Canyon Road).

2. All other Tribal roads (including BIA roads) are closed to outside visitors. The President may provide a limited exception for hunters participating in hunts offered by the Inn of the Mountain Gods.

3. "Outside visitor" means any person who does not reside on the Reservation *except* non-Resident Tribal members or affiliates, essential Reservation employees (while on duty only), contractors (provided that such contractors comply with Paragraph C above), Z-Trans employees (while on duty only), and U.S. Postal Service/Fed Ex/USPS workers (while delivering goods to residences on the Reservation only).

BE IT FURTHER DECLARED that any person who shall violate any of the above restrictions may be subject to criminal penalty, pursuant to Section 10-16-10 (D) of the Tribal Code, or removal from the Reservation, in the case of non-Tribal Members; and Tribal employees or employees of Tribal enterprises may be subject to disciplinary action including and up to termination.

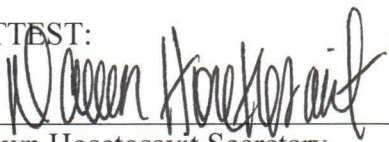
BE IT FINALLY DECLARED that all other non-contrary provisions listed in Executive Order 20-11 shall remain in full force and effect.

DONE at the Administrative Offices of the Mescalero Apache Tribe, Mescalero, New Mexico this 19th Day of October 2020 at 10:30 A.M.



Gabe Aguilar, President
Mescalero Apache Tribe

ATTEST:



Dawn Hosetosavit Secretary
Mescalero Apache Tribe