



# PUEBLO OF ISLETA

P.O. BOX 1270  
ISLETA, NM 87022

## PUEBLO OF ISLETA RESOLUTION NO. 2020-016

### EMERGENCY ADOPTION OF COMMUNICABLE DISEASE CODE AND APPOINTMENT OF TRIBAL HEALTH OFFICER

At a duly called emergency meeting of the Tribal Council of the Pueblo of Isleta, the following resolution was passed:

**WHEREAS**, the Pueblo of Isleta (the “Pueblo”) is a federally recognized Indian Tribe with a written Constitution adopted pursuant to the Indian Reorganization Act and with inherent powers of self-government;

**WHEREAS**, the Pueblo is governed by a Governor and Tribal Council made up of elected representatives who act in accordance with the Constitution of the Pueblo;

**WHEREAS**, Article V, Section 2 (c), of the Pueblo of Isleta Constitution authorizes the Tribal Council to “negotiate and enter into agreements”;

**WHEREAS**, Article V, Section 2 (e), of the Pueblo of Isleta Constitution authorizes the Tribal Council to “enact ordinances, to protect the peace, safety, property, health, and general welfare of the members of the Pueblo of Isleta”;

**WHEREAS**, Article V, Section 2 (l), of the Pueblo of Isleta Constitution authorizes the Tribal Council to “manage and control the lands and resources of the pueblo for the best interest of the pueblo”;

**WHEREAS**, the worldwide outbreak of COVID-19 and the effects of its extreme rate of person-to-person transmission throughout the United States significantly impacts the life and health of our people, as well as the economy of the Pueblo of Isleta, and is a public health emergency that affects life, health, property and the public peace;

**WHEREAS**, on March 13<sup>th</sup>, 2020, the Tribal Council e authorized an emergency declaration to respond to the public health emergency;

**WHEREAS**, the Tribal Council has identified the need for a Communicable Disease Code in order to respond to this public health emergency. This Tribal code provides processes and actions for the Pueblo to exercise its sovereign authority to prevent and control communicable diseases without unwanted encroachment of state and local authorities on Pueblo land;

**WHEREAS**, the Pueblo, in the protection of tribal sovereignty and to avoid the encroachment of unwanted state and local interference, has identified the need for a Tribal Public Health Officer to oversee the response to COVID-19 and to coordinate with local, state, and federal partners according to the sovereign powers of the Pueblo to respond to a public health emergency; and

**WHEREAS**, Tribal Council finds that due to the exigent circumstances it is necessary to adopt the Communicable Disease Code without following the process for public review and input on draft ordinances as outlined in Resolution 2015-076, "Enacting a Public Review and Input Process for Tribal Ordinances."

**NOW, THEREFORE BE IT RESOLVED**, that the Tribal Council adopts the attached Communicable Disease Code to be effective on May 11, 2020.

**BE IT FURTHER RESOLVED**, that the Pueblo appoints the Chief Medical Officer of the Isleta Health Clinic, or is designee, to serve as the Tribal Public Health Officer and grants authority to the Tribal Public Health Officer to (1) take necessary actions to protect the public health in accordance with the attached Tribal Communicable Disease Code; and (2) adopt and implement communicable disease emergency response plans, rules, policies and procedures.

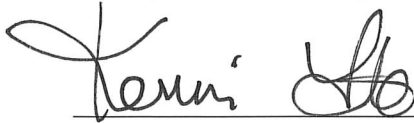
**BE IT FURTHER RESOLVED**, that the Tribal Council enacts criminal penalties as found in this Code.

**BE IT FURTHER RESOLVED**, that the Governor shall do all that is necessary to effect the intent of this Resolution.

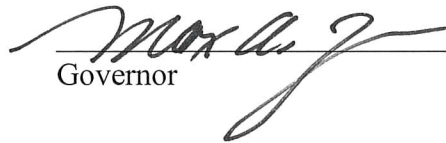
**BE IT FURTHER RESOLVED**, that to the extent this Resolution is inconsistent with any prior ordinances or resolutions of the Pueblo, this Resolution shall govern and apply, and any conflicting ordinances or resolutions are hereby superseded and repealed.

### CERTIFICATION

We, the undersigned officials of the Pueblo of Isleta, hereby certify that the foregoing Resolution was duly adopted by the Pueblo of Isleta Tribal Council at a regular meeting held on the 7<sup>th</sup> day of May, 2020, with a quorum present with 6 voting for, 0 opposing, and 0 abstaining.

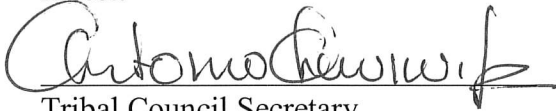


Tribal Council President



Governor

Attest:



Tribal Council Secretary