



**RESOLUTION  
OF THE  
WIND RIVER INTER-TRIBAL COUNCIL**



**RESOLUTION NO. 2020-11357  
NABC RESOLUTION NO. NABC-2020-1257**

**A JOINT RESOLUTION TO ENACT THE RECOMMENDATIONS OF THE CHIEF  
MEDICAL OFFICER OF THE WIND RIVER FAMILY AND COMMUNITY  
HEALTH CLINIC FOR ON THE WIND RIVER RESERVATION**

**WHEREAS**, The Eastern Shoshone Tribe and the Northern Arapaho Tribe ("Tribes") are sovereign, federally recognized Indian Tribes with inherent authority to protect its members and residents within the Wind River Indian Reservation; and

**WHEREAS**, The Wind River Intertribal Council ("WRITC") is the duly elected governing body within the Wind River Indian Reservation who is authorized under the laws of the Tribes and federal law to manage affairs relating to laws on the Wind River Reservation; and

**WHEREAS**, the novel Coronavirus ("COVID-19") pandemic is a public health crisis that requires swift and broad action in order to slow down and contain the spread of the virus; and

**WHEREAS**, the Federal Government and State of Wyoming have declared states of emergency and the Centers for Disease Control and Prevention (CDC) have issued stringent stay at home guidelines for all Americans to follow in an effort to slow the spread of this disease, which has a proven high rate of mortality for elders and those with weakened immune systems; and

**WHEREAS**, WRITC must take significant measures to contain the spread of COVID-19 on the Wind River Reservation and protect the well-being of the Tribes; and

**WHEREAS**, the Director of the Eastern Shoshone Tribal Health and the Chief Medical Officer of the Wind River Family and Community Health Clinic has recommended that all residents stay home in order to slow down the spread of COVID-19 on the Wind River Reservation; and

**WHEREAS**, the Director of the Eastern Shoshone Tribal Health and the Chief Medical Officer of the Wind River Family and Community Health Clinic has presented, for execution by the WRITC, the attached public health order.

**NOW THEREFORE BE IT RESOLVED**, that the public health order below, presented for execution by the Director of the Eastern Shoshone Tribal Health and the Chief Medical Officer of the Wind River Family and Community Health Care System, shall hereby take effect on Wednesday, April 1, 2020 at 5:00 p.m.; and

**BE IT FURTHER RESOLVED**, that the WRITC hereby enacts a mandatory stay-at-home for residents of the Wind River Reservation, which shall also take effect on Wednesday, April 1, 2020 at 5:00 p.m.; and

**BE IT FURTHER RESOLVED**, that the public health order and the mandatory stay-at-home order shall remain in effect until further notice; and

**BE IT FURTHER RESOLVED**, that additional advisories and orders will follow as conditions warrant.

**BE IT FINALLY RESOLVED**, that the Chairman, or Vice-Chairman of the Shoshone Business Council and the Chairman or Co-Chairman of the Arapaho Business Council are directed and authorized to execute and sign any documents necessary to implement this resolution for the Wind River Indian Reservation.

**CERTIFICATION**

The undersigned, as the Chairman of the Eastern Shoshone Business Council hereby certifies that the Eastern Shoshone Business Council, consists of six (6) members, of whom five (5) members of the Eastern Shoshone Business Council constituting a quorum, were present at a meeting duly called, noticed, convened, and held this thirty-first (31st) day of March, 2020; that the foregoing resolution was adopted by an affirmative vote of four (4) members of the Eastern Shoshone Business Council, and that the said resolution has not been rescinded or amended in any way.

Done at Fort Washakie, Wyoming this 31<sup>st</sup> day of March, 2020.



Karen Snyder, Vice-Chairman  
Eastern Shoshone Business Council

Attest:



Carolyn Shoyo, WRIC Executive Secretary

The undersigned, as the Chairman of the Northern Arapaho Business Council hereby certifies that the Northern Arapaho Business Council, consists of six (6) members, of whom six (6) members of the Northern Arapaho Business Council, constituting a quorum, were present at a meeting duly called, noticed, convened, and held this first (1st) day of April, 2020; that the foregoing resolution was adopted by an affirmative vote of six (6) members of the Northern Arapaho Business Councils, and that the said resolution has not been rescinded or amended in any way.

Done at Ethete, Wyoming this 1st day of April, 2020.



Lee Spoonhunter, Chairman  
Northern Arapaho Business Council

Attest:



Debbie Antelope, NABC Executive Assistant

## **WIND RIVER INDIAN RESERVATION PUBLIC HEALTH ORDER**

In an effort to stop the spread of the Coronavirus (COVID-19), the Wyoming Department of Health finds it necessary to protect the health of the public by implementing emergency measures to close all restaurants, bars, theaters, gymnasiums, child care facilities, K-12 schools, colleges, universities, and trade schools, in the State of Wyoming, with certain exceptions. This Order is effective immediately, and shall remain in effect until further notice.

### **FINDINGS**

1. COVID-19 was first detected in Wuhan, China in 2019, and since then has spread to over 60 countries including the United States. There are 18 confirmed cases of COVID-19 in Wyoming as of March 18, 2020, as well as the presence of community spread. It is expected that more cases will be diagnosed.
2. COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic two to fourteen days after exposure. The symptoms of COVID-19 include fever, cough, and shortness of breath. In some cases, COVID-19 can result in severe disease including hospitalization, admission to an intensive care unit, and death, especially among older adults and persons with serious underlying health conditions.
3. The World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020.
4. On March 13, 2020, the President of the United States declared a national emergency concerning the coronavirus, specifically stating that, in "December 2019 a novel coronavirus known as SARS-CoV-2 was first detected in Wuhan, Hubei Province, People's Republic of China, causing outbreaks of the coronavirus disease (COVID-19) that has now spread globally [... ] The spread of COVID-19 within our Nation's communities threatens to strain our Nation's healthcare systems. [... ] Additional measures [... ] are needed to successfully contain and combat the virus in the United States."

On March 11<sup>th</sup>, 2020 the Northern Arapaho Tribe Declared a State of Emergency Over Coronavirus Disease (COVID-19); and on March 13, 2020 the Eastern Shoshone Tribe declared a State of Emergency; on March 21, 2020, an individual within the Wind River Indian

Reservation tested presumptive positive for COVID-19, and the Wind River Indian Reservation is experiencing a public health emergency in response to the evolving COVID-19 outbreak.

5. The Northern Arapaho Business Council has directed the Wind River Family and Community Health Care System, its public health authority, pursuant to the recently-enacted Declaration of a State of Emergency Over Coronavirus Disease (COVID-19), to take all appropriate and necessary actions, and in the judgment of the authorized Medical Officer for the Wind River Family and Community Health Care System and the Chief Executive Officer of the Wind River Family and Community Health Care System, to take any actions necessary that should be taken to provide aid to those locations where there is a threat or danger to public health, safety, and welfare.
6. The Eastern Shoshone Business Council hereby requests that their public health provider, the Wind River Service Unit, Indian Health Services to coordinate its public health efforts on behalf of Eastern Shoshone Tribe pursuant to its Declaration of a State of Emergency with those of Wind River Family and Community Health Care System, the public health authority for the Northern Arapaho Tribe, and that its authorized Medical Officer, Wind River Service Unit, Indian Health Service, coordinate with the authorized Medical Officer and Chief Executive Officer of the Wind River Family and Community Health Care System to take any actions necessary and that should be taken to provide aid to those locations where there is a threat or danger to public health, safety, and welfare. Medical Officers will coordinate with federal, state and local officials to ensure the Northern Arapaho Tribe and the Eastern Shoshone Tribe receives resources to effectively combat Coronavirus.
7. The guidelines issued from the White House on March 16, 2020, specify that with evidence of community transmission within a state, bars, restaurants, food courts, gyms, and other indoor and outdoor venues where groups of people congregate should be closed.
8. A significant number of citizens of the Wind River Indian Reservation are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID- 19 do not become seriously ill, people with mild symptoms, and even asymptomatic persons with COVID-19, place other vulnerable members of the public at significant risk.
9. The Northern Arapaho Business Council and the Eastern Shoshone Business Council have decided to follow the guidance of the Centers for Disease Control and Prevention (CDC) as expressed in White House and Public Health Service guidelines, as the best manner of protecting the health of the citizens of the Wind River Indian Reservation and that to do so requires a consistent order spanning the entire reservation.

10. A large number of persons with serious infections has the ability to compromise the ability of healthcare systems in on the Wind River Indian Reservation and in Wyoming to deliver the necessary healthcare to the public.
11. Closure of public facilities and other public places, and forbid public gatherings when necessary to protect the public health are actions within the rights and powers of public health authorities and within the powers of sovereign tribal nations acting on behalf of their citizens to protect the public health.
12. In addition to the above findings, stopping the spread of COVID-19 includes washing hands often, practicing social distancing by avoiding close contact with others, staying at least six feet away from someone who is ill or showing signs of illness, avoiding touching your face, eyes, nose and mouth, and covering your cough or sneeze into your elbow or by using a tissue.

**ORDER PROHIBITING GATHERINGS OF TEN (10) PEOPLE OR MORE**

1. Gatherings of ten (10) people or more are prohibited in order to help stop the spread of COVID-19 and protect the health of the public.
2. “Gatherings” are any planned or spontaneous event, public or private, bringing together, or likely bringing together, ten (10) people or more in a single room or a single confined space at the same time.
3. Gatherings at the following are exempted from this order:
  - a. Groups of workers being transported to a location for their jobs;
  - b. Government business, military and National Guard facilities, law enforcements, jails, and correctional facilities, including any facility operated by the Bureau of Indian Affairs, and any facility used to respond to natural disasters or public health emergencies;
  - c. Tribal government facilities, including government service centers deemed necessary for essential services.
  - d. Relief facilities, including food pantries and shelter facilities;
  - e. Residential buildings;
  - f. Grocery Stores, markets, convince stores, pharmacies, drug stores;
  - g. Truck stops, gas stations, and auto-repair facilities;
  - h. Retail or business establishments, where more than ten (10) people may be present but are generally not within six (6) feet of one another

- i. Healthcare facilities, including hospitals, medical facilities, home health agencies, personal care agencies, hospices, adult family homes, mental health centers, and pharmacies;
- j. Alcohol and drug treatment centers; and
- k. Long-term care and assisted living facilities, including nursing homes and assisted living facilities, as long as the facility complies with the guidance and directives from the CDC, the Wyoming Department of Health, and appropriate licensing and regulatory agencies.

**ORDER CLOSING RESTAURANTS, HALLS, GYMNASIUMS, CHILD CARE FACILITIES, EDUCATIONAL FACILITIES NON-ESSENTIAL TRIBAL PROGRAMS RESERVATION WIDE**

1. The following places of public accommodation are ordered closed to ingress, egress, use, and occupancy by members of the public:
  - a. Restaurants, food courts, cafes, coffeehouses, and other similar places of public accommodation offering food or beverage for on-premises consumption;
  - b. Gymnasiums; and
  - c. Community halls, and conference spaces
  - d. Hotels and casinos
  
2. The following conditions apply to places of public accommodation subject to this Order:
  - a. Places of public accommodation are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. Online and telephonic credit/debit card transactions are strongly encouraged.
  - b. Staff who handle cash or credit cards may not be involved in the preparation, handling, or delivery of food.
  - c. In offering food or beverage, a place of public accommodation may permit up to five members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as those individuals are at least six feet apart from one another while on premises.
  - d. For hotels called into duty as isolation sites, food items may only be delivered as room service or as described above.
  - e. Management shall ensure, on a daily basis, and that no employee who presents symptoms of illness will be permitted to work.
  
3. Any gatherings not covered by this Order should follow the public health recommendations of the Center for Disease Control and the Wyoming Department of Health, including washing your hands often with soap and water, practicing social distancing by avoiding close contact with

others including meetings over ten (10) people, avoiding touching your face, eyes, nose and mouth, and covering your cough or sneeze into your elbow or by using a tissue.

4. Additional exceptions to the prohibitions in this Order may be granted, and the discretion of the Director of the Eastern Shoshone Tribal Health and authorized Medical Officer under the direction and supervision of the Chief Executive Officer of the Wind River Family and Community Health Care System State Health Officer, if demonstrated, in writing, to the Director and Medical Officer that people at a gathering will maintain at least six (6) feet of space between one another, and that effective cleaning will be performed before and after the gathering. Examples of activities that may be considered includes funerals, traditional ceremonies and worship services.
5. For clarity, this Order of closure does not apply to any of the following:
  - a. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, retail stores that offer food, convenience stores, pharmacies, drug stores, and food pantries;
  - b. Room service in hotels;
  - c. Health care facilities, residential care facilities, congregate care facilities, and transitional care facilities;
  - d. Crisis shelters or similar institutions;
  - e. Any emergency facilities necessary for the response to the events surrounding the public health emergency and state of emergency caused by COVID-19.
6. All preschools, child care centers and home daycares are ordered closed, subject to the following:
  - a. Child care centers or home daycares that provide care for children of essential personnel may continue to operate to provide child care for children of essential personnel. Essential personnel includes:
    - i. Staff and providers of childcare and education services, including custodial and kitchen staff and other support staff, who do not do their work remotely;
    - ii. Providers of healthcare including, but not limited to, employees of clinics, hospitals, nursing homes, long-term care and post-acute care facilities, respite houses, designated agencies, emergency medical services, as well as necessary custodial, kitchen, administrative, and other support staff;
    - iii. Criminal justice personnel including those in law enforcement, courts, and correctional services;
    - iv. Public health employees;
    - v. Firefighters, Wyoming National Guard personnel called to duty for responding to COVID-19, and other first responders;

- vi. Tribal employees determined to be essential for response to the COVID- 19 crisis;
  - vii. Active duty military staff; Pharmacy staff;
  - viii. Foster families with children through grade 8;
  - ix. 9-1-1 call center staff; critical infrastructure and utility workers, including electrical, plumbing, telecommunications, water, and wastewater operators, workers, and staff;
  - x. Tribal public works and sanitation crews;
  - xi. Grocery and food supply workers;
  - xii. Supply chain and delivery drivers and warehouse workers;
  - xiii. Manufacturers of medical devices, equipment, testing equipment, and supplies;
  - xiv. and fuel distribution workers.
- b. In circumstances where a child care center or home daycare remains open, the center or home is required to have fewer than 10 people in a room or together at any time, including for meals or recreation.
- c. Further, a child care center or home daycare that remains open is required to follow all health guidelines from the CDC and Wind River Family and Community Health Care System for limiting the risk of transmission of COVID-19, to the extent possible when caring for children.
- d. As childcare is a critical part of the infrastructure for the tribe allowing essential systems to function, in the event the authorized Medical Officer wants to close a childcare facility Medical Officer shall work with the Wind River Family and Community Health Care System and the Northern Arapaho Business Council and in coordination with Eastern Shoshone Health, the public health authority for the Eastern Shoshone Tribe, and with local childcare providers to encourage them to make available limited childcare services for essential personnel, as described above.
7. All Preschools, Head Start, operated by the Northern Arapaho or Eastern Shoshone Tribe located on the Wind River Indian Reservation shall dismiss students until further notice, and all K-12 schools to the extent any school in Wyoming or operated by the Bureau of Indian Education has not already done so. Administrative staff and teachers may continue to work in school buildings to facilitate distance learning or to complete administrative tasks. Food may still be prepared to be made available to those in need, as directed by school superintendents. Classes may still be offered online at the discretion of the school.



8. All colleges, universities, and trade schools shall not hold in person classes until further notice. Administrative staff and teachers may continue to work in facility buildings to facilitate distance learning or to complete administrative tasks. Food may still be prepared to be made available to those in need. Classes may still be offered online at the discretion of the college, university or trade school.
  
9. Exceptions to the public accommodation sections above (paragraphs 1-3) may be granted, at the discretion of both the Director of the Eastern Shoshone Tribal Health and the Medical Officer of the Wind River Family and Community Health Care System State Health Officer, under the direction and supervision of the Chief Executive Officer, if the business can demonstrate, in writing, to the Director and Medical Officer that they will limit customers within the business to no more than ten at any given time, that at least 6 feet of space will be maintained between customers at all times, and that effective cleaning will be performed between customers.

The Northern Arapaho Business Council and the Eastern Shoshone Business as advised by authorized Medical Officers specifically deem this order necessary to protect the public health. The Medical Officer will reassess the necessity of this order as appropriate according to accepted epidemiological and medical standards and report to the respective tribal business councils the need to continue all or parts of this Order, as deemed necessary, prior to the Order's designated expiration date or until further notice. Any person or legal entity that violates this Order shall be subject to any and all penalties afforded under tribal and/or federal laws pertaining to public health emergencies that can include administrative sanctions including but not limited to the loss of right to operate a business on the Wind River Indian Reservation or other penalties permitted by the Shoshone and Arapaho Law and Order Code, or codes duly enacted by the Northern Arapaho Tribe or Eastern Shoshone Tribe. Violation of quarantine or isolation directives or orders issued by the Medical Officer will result in petition for judicial order and persons may be subject to subject to tribal court order and penalties provided under SALOC section 1-4-1 that may include sentencing to imprisonment for a period of thirty (30) days with report to appropriate federal and state health authorities who may pursue criminal prosecution under applicable statutes.

This Order is presented for execution this 31<sup>st</sup> day of March, 2020 by Dr. Paul Ebbert, Chief Medical Officer authorized by the Wind River Family and Community Health Care System, the public health authority for the Northern Arapaho Tribe.

This Order is presented for execution this 31<sup>st</sup> day of March, 2020 by Director David Meyers authorized by the Eastern Shoshone Tribal Health, the public health authority for the Eastern Shoshone Tribe.