

RESOLUTION
COLORADO RIVER TRIBAL COUNCIL

A Resolution to Modify the Mandate to Wear Face Coverings to Slow the Spread of COVID-19

Be it resolved by the Tribal Council of the Colorado River Indian Tribes of the Colorado River Indian Reservation, in *special* meeting assembled on August 9, 2021.

WHEREAS, the Colorado River Indian Tribes (hereinafter "CRIT" or "Tribes") is a federally recognized Indian Tribe, duly organized with a tribal governing body known as the Tribal Council according to the provisions contained in the Indian Reorganization Act of June 18, 1934; and

WHEREAS, Article VI, Section 1(v) of the Constitution of the Colorado River Indian Tribes authorizes the Tribal Council to promulgate resolutions to provide for the administration of the health, education, and welfare of members of the Tribes; and

WHEREAS, CRIT declared an emergency on March 13, 2020 in response to the Coronavirus Disease 2019 (COVID-19) contagion outbreak; and

WHEREAS, the Tribal Council passed Resolution No. 98-20 that mandated the wearing of face coverings by all staff and individuals on the Colorado River Indian Reservation tribal lands; and

WHEREAS, with the increase in vaccinations and easing of restrictions across various states, Council modified the face mask requirement with Resolution No. 109-21; and

WHEREAS, the increase of spread of the Delta Variant of COVID-19 prompted the CDC, on July 27, 2021, to issue guidance requiring face masks indoors for locations that have a substantial or high transmission rate; and

The foregoing resolution was on August 9, 2021 duly approved by a vote of 6 for, 0 against and 0 abstaining, by the Tribal Council of the Colorado River Indian Tribes, pursuant to authority vested in it by Sections 1.v., Article VI of the Constitution and By laws of the Tribes, ratified by the Tribes on March 1, 1975 and approved by the Secretary of the Interior on May 29, 1975, pursuant to Section 16 of the Act of June 18, 1934, (46 Stat. 984). This resolution is effective as of the date of its adoption.

COLORADO RIVER TRIBAL COUNCIL

By



Chairwoman



Secretary

RESOLUTION NO. R-254-21

AUGUST 9, 2021

PAGE 2

WHEREAS, according to the CDC website noting locations with substantial or high rate of transmission, all of the counties where CRIT is located, as well as all of the counties bordering CRIT, are located in an area with a high rate of transmission; and

WHEREAS, CRIT's consulting physician Dr. Dwivedi supports requiring face masks be worn indoors by anyone regardless of vaccination status; and

WHEREAS, positive cases of COVID-19 continue to be reported within the Colorado River Indian Reservation and surrounding communities.

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Colorado River Indian Tribes to mandate the wearing of face coverings by all persons on the Colorado River Indian Reservation, whether or not fully vaccinated, in any indoor location outside of one's home; and

BE IT FURTHER RESOLVED businesses located within the Colorado River Indian Reservation tribal lands shall continue to ensure staff and customers use face coverings within their establishments, including the conspicuous posting of this requirement; and

BE IT FURTHER RESOLVED that for all persons regardless of vaccination status, face coverings are not required outdoors except when attending crowded outdoor events where physical distancing cannot be maintained, such as live performances, parades, fairs, festivals, sports events, or other similar settings; and

BE IT FURTHER RESOLVED that a face covering or mask must completely cover the nose and mouth; and

BE IT FURTHER RESOLVED that the following individuals are exempt from wearing face coverings at all times:

- 1) Persons two years old and younger; and
- 2) Persons with a medical condition, mental health condition, or disability that prevents them safely wearing a face covering including persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance; and
- 3) Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication; and
- 4) Persons for who wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.

BE IT FURTHER RESOLVED that the following specific settings are exempt from face covering requirements:

- 1) Persons in a car alone or solely with members of their own household;
- 2) Persons who are working alone in a closed office or room;
- 3) Persons who are obtaining medical, dental, or cosmetic services where removal of face covering is necessary to perform the service;
- 4) Persons who are incarcerated;
- 5) Workers who wear respiratory protections; and
- 6) Persons are not required to wear a mask indoors in public places while eating or drinking.

BE IT FURTHER RESOLVED that businesses that fail to take measures to implement this mandate could be subject to sanctions including enforcement under the penalties of Resolution No. 54-20 for intentional violations or enforcement through lease and business license requirements; and

BE IT FURTHER RESOLVED that this Resolution shall take effect August 9, 2021 and shall remain until Tribal Council, in consultation with public health officials, determines that the threat has decreased or increased and the mandate needs to be further modified; and

BE IT FURTHER AND FINALLY RESOLVED the Tribal Council Chairwoman and Secretary, or their designated representatives, are hereby authorized and directed to execute any and all documents necessary to implement this Resolution.