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Fredericks Peebles & Patterson LLP Offers Resources and Guidance for Tribal Governments and Business Enterprises Facing Coronavirus Disruptions

Mar. 16, 2020 — The coronavirus disease, known as Covid-19, is one of the most significant global public health crises in the last century, and it is causing major disruptions to tribal government operations, tribal casinos, and other tribal economic development enterprises. Already, many tribal governments have temporarily closed their casino resorts, suspended tourism, and instituted policies to restrict visitors to their reservations.

Across the United States, tribal governments and tribal businesses are facing a variety of challenges and planning for an uncertain future. Business-critical impacts include employee absenteeism, changes in commerce patterns, and interrupted supply and delivery. In response, Indian tribes can take the following steps:

- (1) Implement travel restrictions, employee quarantines, and other employee relocation measures designed to protect the health and safety of the tribal workforce.
- (2) Implement internal communication strategies with tribal employees.
- (3) Project Covid-19's financial impact to tribal economic operations, and adjust operating budgets and expenditures to manage cash and other financial resources.
- (4) Adopt, revise, and implement the following tribal laws and policies:
 - a. Amendments to existing policies and procedures. Many Indian tribes should first consider whether amendments to current policies and procedures will provide the coverage or flexibility that employers and employees might need in the event of a significant outbreak. This could include simple revisions such as a personnel policy that encourages or even requires employees to stay home who have influenza-related symptoms;
 - b. Pandemic Preparedness Ordinance to establish a protocol for preparedness, prescribe a plan for responding to such emergencies or hazards, and require periodic evaluations and drills for employees;
 - c. Food Safety Ordinance to ensure the safety and security of the tribal food supply;
 - d. Memorandum of Agreements with local governments, state or federal government, or local nongovernmental organizations (such as health clinics or evacuation centers) to ensure a protocol is in place in the case of an emergency; and
 - e. Global Disaster Prevention and Response Ordinance/Protocol or Emergency Declaration Ordinance.

Fredericks Peebles & Patterson is advising clients on these urgent legal and tribal business critical issues. Should tribal leaders have any questions or require legal advice on any issues related to Covid-19, they are encouraged to call the firm's attorneys at its offices in Sacramento, California; Louisville, Colorado; Rapid City, South Dakota; and Washington, D.C. To learn more, visit www.ndnlaw.com.

Fredericks Peebles & Patterson LLP is dedicated to the representation of American Indian tribes and Native American organizations throughout the United States. Legal services include a wide spectrum of services related to Indian concerns in the areas of business transactions, litigation, and governmental affairs.

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