EXECUTIVE ORDER NO. 002-21

**EXTENDING THE
EXECUTIVE ORDER
RELATED TO THE DECLARATION OF A STATE OF EMERGENCY
DUE TO THE CORONAVIRUS ON THE NAVAJO NATION;
AND
DUE TO THE CONTINUED RISE IN COVID-19 CASES,
LIMITING SERVICES OF THE NAVAJO NATION GOVERNMENT
AND RELATED ENTITIES,
EFFECTIVE JANUARY 11, 2021 TO JANUARY 24, 2021**

**NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT
JANUARY 7, 2021**

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and program matters. 2.N.N.C. §1005 (A);

2. The President shall have the power to issue an executive order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. 2.N.N.C. §1005 (C)(14);

3. With the concurrence of the President of the Navajo Nation, the Emergency Management Commission shall have the power to declare a state of emergency affecting the Navajo Nation and to obtain, coordinate and oversee assistance, whether in the form of goods, services, equipment, motor vehicles, or personnel, from all Divisions, Departments and Enterprises of the Navajo Nation for use in addressing the requirements of the People in any declared emergency. 2 N.N.C. § 884(B)(1)(3);

4. The Emergency Management Commission declared an emergency due to the confirmation of the coronavirus disease (COVID-19) in regional areas surrounding the Navajo Nation. 2 N.N.C. § 884(B)(1), *See* Emergency Management Commission resolutions CEM 20-03-11;

5. The Navajo Department of Health, Navajo Epidemiology Center, along with federal partners, provide data on COVID-19 impact on the Navajo Nation which indicates a

continued rise in positive cases in areas surrounding the Navajo Nation with hospitals and health care systems drastically impacted; these factors threaten the Navajo People's health and well-being and have the potential to overwhelm the Navajo Nation health care system;

6. An Executive Order shall have the force of law upon the recipient. 2 N.N.C. § 1005(C)(14).

THEREFORE:

I, Jonathan Nez, President of the Navajo Nation and I, Myron Lizer, Vice President of the Navajo Nation, by the authority vested in us, hereby issue the following order:

1. The public health state of emergency, due to rise of COVID-19 cases in and surrounding the Navajo Nation that creates a tremendous strain on our health care system, is extended beginning January 11, 2021 to January 24, 2021;

2. The Navajo Nation shall continue to follow the orders set in the Declaration of a State of Emergency by the Emergency Management Commission, CEM 20-03-11, and Public Health Emergency Order No. 2021-01 (*see* www.ndoh.navajo-nsn.gov/COVID-19), and as such:

   a. The Navajo Nation Health Command Operations Center shall continue to be staffed throughout the emergency condition with support from the Navajo Department of Health and the Unified Command Group that includes the Navajo Department of Health, Navajo Area Indian Health Service, Bureau of Indian Affairs – Navajo Region, and the Tribal Health Organizations; and,

   b. The Navajo Department of Emergency Management Emergency Operation Center and the Unified Command Group shall continue to support the Navajo Health Command Operations Center; and,

   c. All Navajo Nation Branches, Divisions, Departments, programs, offices, non-governance certified Chapters, Enterprises, and Navajo casinos shall comply with and adhere to directives, instructions, and/or policies coming from the Navajo Health Command Operations Center as related to addressing COVID-19;

3. The coronavirus continues its rapid rise on the Navajo Nation and surrounding States at an alarming rate. The actions of the Navajo Nation – masks required in public, shelter-in-place orders, lockdowns, restricting gatherings and closure of government offices and Navajo enterprises – did have an effect on the spread of COVID-19. But the Navajo Nation and surrounding States continue to show a rise in positive COVID cases that affect the Navajo People's health and well-being, and as such:

   a. All Navajo Nation government offices and enterprises shall continue limited services to the Navajo citizens and business partners with efforts to minimize the spread of the coronavirus disease. The limited services shall be from **January 11,**

2021 to **January 24, 2021**. Employees who are necessary to continue the government's limited services, as determined by respective Division Directors or enterprise management, shall be required to work, either at their respective worksites or through telecommuting, as appropriate. Division Directors are directed to maintain a minimal, necessary work site staff during this time. All Division Directors and Essential (Necessary) Employees shall remain on or within close proximity to the Navajo Nation.

Essential (Necessary) Employees are employees who are needed to maintain basic, direct government services either working in their office or telecommuting or directly working on CARES fund projects. Essential (Necessary) Employees also includes enterprise employees needed to maintain facilities in working order, to provide basic services to the public, or outdoor work related to the enterprises' purpose. Division Directors and enterprise management shall arrange daily work schedules for Essential (Necessary) Employees that ensure a safe work environment and shall arrange work schedules and reporting requirements for telecommuting employees.

Essential (Necessary) Employees shall include those employees from, but not limited to, Navajo Public Safety, Navajo Fire Department, Navajo Emergency Medical Services, Department of Emergency Management, Navajo Division of Finance, Navajo Division of Social Services, Navajo Division of Community Development, Office of Management and Budget, Navajo Department of Justice, Navajo Department of Health, Navajo Division of General Services, Navajo Division of Transportation, Navajo Division of Economic Development, Navajo Division of Natural Resources, Navajo Division of Human Services, Navajo Environmental Protection Agency, Navajo Veterans Administration and Agency Offices, Department of Diné Education, Navajo Nation Washington Office, Office of the Navajo Tax Commission, Office of Miss Navajo, Navajo Gaming Regulatory, Office of Telecommunications & Regulatory Commission, Office of Hearings and Appeals, Office of the Public Defender, Navajo Enterprises, Employees assigned to CARES Act expenditures, and those determined by the Branch Chiefs; and,

b. All Non-Essential Navajo Nation government employees, as determined by the Division Directors, affected by this Executive Order shall be granted Administrative Leave for the duration of the closure and are ordered to refrain from events, gatherings, or other areas where they may contract COVID-19, and to observe and follow all Public Health Emergency Orders, including curfews, stay-at-home, shelter-in-place, and lockdown orders; and,

c. Due to the continued rise in COVID-19 cases on and surrounding the Navajo Nation, the Navajo Nation "no-off-reservation-travel" directive continues. Additionally, all Navajo Nation employees shall limit travel to their respective offices located within the Navajo Nation.

d. The closure of Navajo Nation government offices may be extended beyond **January 24, 2021**;

4. All Navajo Nation Divisions, Departments, Programs, Offices, non-governance certified Chapters, Enterprises, and Navajo casinos shall follow the direction of the Public Health Emergency Orders requiring all Navajo citizens to remain on the Navajo Nation and limit their movement which means staying at home and leaving for Essential Activities only; and comply with the curfew hours by staying home and complying with weekend or other curfew hours.

The Navajo Nation Divisions, Departments, Programs, Offices, non-governance certified Chapters, Enterprises, and Navajo casinos are responsible for implementing and ensuring compliance with this order.

The provisions of this order shall be implemented consistent with the laws of the Navajo Nation and in a manner that advances the highest welfare of the People.

EXECUTED this 7th day of January 2021.

Jonathan Nez, *President*
THE NAVAJO NATION

Myron Lizer, *Vice-President*
THE NAVAJO NATION

ATTEST: Doreen N. McPaul
Doreen N. McPaul, *Attorney General*
Navajo Nation Department of Justice