



EXECUTIVE ORDER NO. 010-20

**EXECUTIVE ORDER
RELATED TO THE DECLARATION OF A STATE OF EMERGENCY
DUE TO THE COVID-19 VIRUS ON THE NAVAJO NATION;
AND DUE TO THE RISE IN COVID-19 CASES
CLOSING THE NAVAJO NATION GOVERNMENT OFFICES
AND RELATED ENTITIES**

**NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT
NOVEMBER 13, 2020**

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 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. We are rescinding Executive Order No. 009-20, *Executive Order Related to Navajo Nation State of Emergency Due to the Coronavirus; Resuming Services to the Navajo Nation Government Offices and Related Entities*.
2. The public health state of emergency, due to rise of COVID-19 cases in and surrounding the Navajo Nation, is in place beginning November 16, 2020 to December 6, 2020.
3. 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 Orders No. 2020-29 and No. 2020-30 ([see www.ndoh.navajo-nsn.gov/COVID-19](http://www.ndoh.navajo-nsn.gov/COVID-19)), 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.
4. The COVID-19 virus is on a rapid rise on the Navajo Nation and surrounding States at an alarming rate. The actions of the Navajo Nation - wearing masks 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 surrounding States show a rise in positive COVID cases that affect the Navajo People’s health and well-being, as such:

- a. All Navajo Nation government offices and enterprises shall close to minimize the spread of the coronavirus disease. This closure shall be from **November 16, 2020** to **December 6, 2020**; however, Essential Employees, as determined by respective Division Directors or enterprise management, shall report to their respective worksites. Division Directors are directed to maintain a minimal, essential work site staff during this time.

Essential Employees are employees that are necessary to maintain basic, direct government or enterprise services either working in their office or telecommuting or directly working on CARES fund projects. Division Directors and enterprise management shall arrange daily work schedules for Essential Employees that ensure a safe work environment and shall supply necessary office equipment for telecommuting employees.

Essential 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 Nation Washington Office, 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 Director, 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 rise in COVID-19 on and surrounding the Navajo Nation, the Navajo Nation offices shall restrict and cancel all off-reservation travel, directing all Navajo Nation employees to return from current off-reservation travel; additionally, all Navajo Nation employees shall restrict travel between offices located within the Navajo Nation.
 - d. The closure of Navajo Nation government offices may be extended beyond **December 6, 2020** on the recommendation of the Navajo Health Command Operations Center, the Navajo Department of Emergency Management Operation Center, and the Navajo Epidemiology Center.
5. 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 limit their movement which means staying at home and leaving for Essential Activities only; and comply

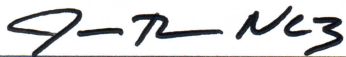
with the curfew hours by staying home between the hours of 9:00 P.M. and 5:00 A.M. MDT and complying with weekend or other curfew hours.

6. The Navajo Nation Board of Education previously declared an emergency affecting all schools on the Navajo Nation due to the spread of the coronavirus and recommended, among other measures, the closure of all schools and educational facilities on the Navajo Nation to protect our children, their parents, and care givers, NNBEMA-608-2020. At this crucial time it is necessary that:
 - a. Public Law 100-297 grant schools, Public Law 93-638 contract schools, and Bureau of Education operated schools be closed from November 16, 2020 to December 6, 2020; and,
 - b. Public schools, including state public schools, grant schools, private schools, higher education institutions, early childhood programs, including CCDF, Head Start, FACE programs, and all after school programs located on the Navajo Nation be closed from November 16, 2020 to December 6, 2020; and,
 - c. Off reservation residential halls and dormitories for Navajo students operating under the authority of the Navajo Nation will follow the process and procedure for this host school district; and,
 - d. The Navajo Board of Education is urged to immediately decide on the closing of the schools and educational facilities beyond December 6, 2020.

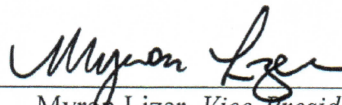
The Navajo Nation Divisions, Departments, Programs, Offices, non-governance certified Chapters, Enterprises, and Navajo casinos are responsible for implementing and ensuring compliance with this order.

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.

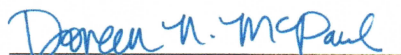
EXECUTED this 13th day of November 2020



Jonathan Nez, *President*
THE NAVAJO NATION



Myron Lizer, *Vice-President*
THE NAVAJO NATION

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