



Tohono O'odham Nation
Office of the
Chairman and Vice Chairwoman

Ned Norris Jr. Wavalene M. Saunders
Chairman Vice Chairwoman



Executive Order

No. 2020-08

WHEREAS, on March 13, 2020, the Chairman issued a Declaration of the Tohono O'odham Nation Proclaiming a State of Emergency in response to the nationwide spread of COVID-19, therein establishing the Unified Command to centralize all Nation's resources and efforts in response to the potential devastating effects of COVID-19 on the Nation; and

WHEREAS, on March 16, 2020, the Tohono O'odham Legislative Council passed Resolution No. 20-094 which, in part, authorizes the Chairman or Vice-Chairwoman to enforce quarantine orders, restrict the movement of people within the Nation, and prohibit gatherings of people in groups within the Nation and "require compliance with public health orders or directives issued by the State of Arizona or local governments that would not otherwise apply within the Nation"; and

WHEREAS, on June 17, 2020, Arizona Governor Doug Ducey issued the State of Arizona Executive Order #2020-40, *Containing the Spread of COVID-19, Continuing Arizona Mitigation Efforts*, which, in part, delegated authority to local governments to implement policies regarding face covering requirements in public spaces. Following the AZ Executive Order city mayors began implementing face covering requirements within each of their respective jurisdictions, including but not limited to the Arizona cities of Flagstaff, Phoenix, Scottsdale, Tucson, Tempe, and Tolleson; and

WHEREAS, between May 29, 2020 and June 23, 2020, the Chairman issued a series of Executive Orders (2020-05, 2020-06, and 2020-07) which collectively adopted Return to Work policies for the Executive Branch; adopted minimum standards for wakes and funerals held on the Nation; established a curfew for the Nation between the hours of 9pm and 6am; ordered social distancing and face mask requirements in public spaces; prohibited social gatherings; and ordered business operating within the exterior boundaries of Nation to adopt operational guidelines consistent with CDC Guidelines and face mask requirements to resume business; and

WHEREAS, in order to provide clarity and reduce confusion over existing Executive Orders, the Chairman and Vice Chairwoman recognize the importance to issue an executive order that sets forth all existing orders in one place; and

WHEREAS, COVID-19 cases continue to rise at an alarming rate in the state of Arizona and surrounding hospitals, which the Nation rely on, are reaching maximum capacity. The Nation is also seeing an increased number of cases linked to community spread, which has put the health and safety of Nation's members at heightened risk. Due to the increased threat to the health and safety of Nation's members the Chairman, in consultation with Tohono O'odham Health Care COVID-19 Medical Team, has determined that Stay at home orders must be reinstated.

NOW, THEREFORE BE IT RESOLVED, by the authority vested in the Chairman of the Nation, the Chairman restates the following orders, as amended:

1. The Human Resources *Return to Work – Standard Operating Procedures*, and any subsequent revisions, adopted by Executive Order No. 2020-05, remain in effect; all Executive Branch departments and programs must adhere to the minimum requirements set forth therein. Employees who fail to report to work when assigned are subject to disciplinary action under the Executive Branch Personnel Policies Manual; and
2. The Tohono O’odham Nation Unified Command *Guidelines: Wakes/Funerals*, and any subsequent revisions, adopted by Executive Order No. 2020-05, remain the minimum standards for all wakes and funeral held on the Nation until further notice. In addition:
 - a. Individuals in charge of/hosting wakes/funerals, or their designees, are responsible for ensuring all attendees comply with all social distancing and face covering requirements within this order, and as recommended by CDC.
 - b. All wakes and funerals held on the Nation shall be limited to one-day services only.
 - c. If necessary, district leadership is to implement additional standards; and
3. The Curfew for all Nation’s residents, reinstated by Executive Order No. 2020-06, remains in effect until further notice. During the Curfew hours (9pm and 6am) residents shall remain home unless one of the following exceptions applies:
 - a. Individuals working at a business in operation during the curfew hours, or traveling to or from work;
 - b. Individuals patronizing or operating a business;
 - c. Individuals seeking medical care, or traveling to or from those services;
 - d. Individuals traveling to provide necessary care for another who cannot care for themselves; or
 - e. Individuals seeking safe harbor from a dangerous situation.
4. All playgrounds and sports areas, such as football fields, basketball courts, etc., shall remain closed until further notice, as order by Executive Order No. 2020-06; and
5. The following social distancing requirements, as order by Executive Order No. 2020-07, shall remain in effect, as amended here:
 - a. When leaving the home, physically distance yourself from others who do not reside in your household by maintaining a 6ft distance from others, when possible.
 - b. With the exception of persons residing in the same household, all social gatherings are hereby *prohibited* until further notice. “Social gatherings” shall include all events and activities held for social and/or community purposes. Religious services and traditional ceremonies are not considered social gatherings, however, any activities held in association with a religious services or ceremony for social purposes (i.e. gathering before/after for eating, drinking, dancing, socializing, etc.) are prohibited.
 - c. Individuals are *required* to wear face coverings in all public spaces where physical distancing is not possible.

- i. “Public Spaces” means any place that is accessible by the general public (indoor and outdoor), including but not limited to: all governmental facilities, grocery stores, gas stations, convenience stores, post offices, establishments serving food or beverages, establishments offering recreational activities or entertainment and places that offer medical or health services or transportation to the general public.
 - ii. “Face masks or coverings” means cloth, fabric or other soft material that covers the nose and mouth. Coverings may be homemade or factory-made, or may be improvised from ordinary materials such as a scarf or bandana.
 - iii. *Limited Exceptions*. Face coverings are not required for children under the age of two (2), in accordance with CDC guidelines; individuals who should not wear face coverings due to medical conditions, mental health conditions, or developmental disabilities; or first responders where face covering would interfere with their duties.
 - d. Individuals should wash hands and/or use hand sanitizer regularly, avoid touching their face, and disinfect frequently touched surfaces regularly.
 - e. Individuals are discouraged from unnecessary travel.
 - f. Individuals who become ill and demonstrate signs and symptoms related to COVID-19 should remain out of the public, however, are encouraged to seek treatment and testing.
6. Tribal enterprises and businesses, operating within the exterior boundaries of the Nation, are required to implement guidelines consistent with CDC Guidelines to protect the health and safety of employees and the general public, including requiring face coverings for employees and customers/visitors at all times in public spaces, (as amended by Executive Order No. 2020-06).

BE IT FURTHER RESOLVED, by the authority vested in the Chairman of the Nation, the Chairman hereby reinstates Stay At Home orders within the exterior boundaries of the Nation, effective immediately:

Individuals residing on the Nation:

1. All individuals who reside on the Nation are ordered to stay at home or at their place of residence, except as needed for employment, medical, health, safety, and food for themselves or their family members.
2. This section does not apply to employees or volunteers for essential services and businesses in operation that have been determined by the Nation, Districts, and entities on the Nation.

Entering the Tohono O’odham Nation:

1. Individuals and businesses are not allowed to enter the exterior boundaries of the Tohono O’odham Nation, except for:
 - a. Employees and volunteers of essential services on the Nation
 - b. Medical and healthcare providers
 - c. Deliveries of medicine, food, and other essential items
 - d. Public and private transportation services necessary for the health and safety needs of the individuals on the Nation
 - e. Mail services

- f. Financial services
 - g. To patronize a business in operation
 - h. Businesses that provide maintenance services that are necessary to maintain the health and safety of the households or buildings on the Nation
 - i. Other necessary professional services as needed
2. Businesses and others entering districts for the purpose of providing services or delivering supplies must provide notice to Districts before entering.

BE IT FINALLY RESOLVED, that the Chairman of the Nation strongly urge religious leaders of every denomination practicing within the exterior boundaries of the Nation to suspend in-person services, and instead find other ways to spread their messages in a safe manner during this health pandemic. Mask requirements remain applicable to all religious services, in accordance with order. Additionally, all CDC Guidelines should be adhered to, including by not limited to social distancing, hand washing or hand sanitizing stations readily available, frequent disinfecting of facilities/communal spaces, etc.

ORDERED this 2nd Day of July, 2020 in Sells, Arizona.



Chairman, Tohono O'odham Nation