



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

Ned Norris Jr. Wavalene M. Saunders
Chairman Vice Chairwoman



Executive Order

No. 2021-02

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; and

WHEREAS, on December 2, 2020, the Chairman issued Executive Order No. 2020-09 which sets forth all current executive orders related to COVID-19 mitigation and response, and incorporates by reference *Examples and Explanations* to provide additional information and examples and addresses frequently asked questions in connection with Executive Order No. 2020-09; and

WHEREAS, in order to support and enforce public health measures during the pandemic the Legislative Council enacted 4 Tohono O'odham Code Chapter 4 – *Violating a Public Health Measure*, effective December 14, 2020, thereby making specific provisions of the Chairman's Executive Orders enforceable by law and subject to civil penalties for violating those orders; and

WHEREAS, pursuant to 4 T.O.C. Chapter 4, Section 4103 (C), the Chairman may withdraw public health measures listed under Section 4104 by issuing and publishing an executive order to the general public; and

WHEREAS, the Chairman and Vice Chairwoman continue to coordinate with the Tohono O'odham Health Care COVID-19 Medical Team to closely monitor the effects and spread of COVID-19 on the Nation in order to make informed decisions; and

WHEREAS, the spread of COVID-19 on the Nation has continued to trend in the right direction and positive cases are on the decline; this is due to the determination of Nation's members and the collective efforts of Nation's leadership, Unified Command, and all front line workers who continue to serve the people during the pandemic; and

WHEREAS, the Chairman and Vice Chairwoman are aware that as we approach the summer and as the temperatures increase the Nation will face new challenges and it is the Chairman's intent to remove any barriers when it is safe to do so. It is important that we all remain vigilant.

NOW, THEREFORE BE IT RESOLVED, by the authority vested in the Chairman of the Nation, effective this day, April 20, 2021, the Chairman amends Executive Order No 2020-09 as follows:

Section 3. **Curfew**. This section shall be withdrawn in its entirety.

Pursuant to 4 T.O.C. Chapter 4, Section 4103, no person shall be cited for violating the Curfew provisions under Section 4104(C) and;

Section 6. **Wakes and Funerals.** Section 6(c) shall be amended to exclude “during daylight hours, between the hours of sunrise and sunset.” Section 6(c) shall read:

All wakes and funerals held on the Nation shall be limited to a combined six (6) hours, from beginning to end. Services must be completed in one (1) calendar day.

Pursuant to 4 T.O.C. Chapter 4, Section 4103, no person shall be cited under Section 4104(D)(3) for hosting funeral/wake services before sunrise or after sunset, so long as they are compliant with all other requirements of that section not withdrawn by this order.

BE IT FINALLY RESOLVED, all other provisions in Executive Order No. 2020-09, and provisions of 4 T.O.C. Chapter 4 – *Violating a Public Health Measure*, Section 4104, not inconsistent with this order shall remain in full force and effect.

ORDERED this 20th Day of April, 2021 in Sells, Arizona.



Chairman, Tohono O’odham Nation