

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 2, 2020

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CAP-24-20, *An Action Relating to an Emergency for the Navajo Nation; Establishing the Navajo Nation COVID-19 response donation fund to house financial donations made to the Navajo Nation to assist in the fight against COVID-19 on the Navajo Nation; Replenishing the CMA-06-20 supplemental appropriation to the COVID-19 emergency funds program; Waiving Navajo Nation Code set-aside provisions*

Dear Speaker Damon,


Pursuant to the authority vested in the Navajo Nation President, I veto CAP-24-20.

We support a COVID-19 Response Donation Fund but have concerns with the provision in the Resolution that dictates replenishing the Nation's General Fund with the donations. We are fortunate to have many of our own People, our Enterprises, and our friends and supporters from across the country willing to step up to help us during this crisis. Our Navajo People are working to sew masks, others gathering donations of food, water, and medical supplies, and our neighbors, tribal and non-tribal, offering funds to support our fight against this virus. We are truly blessed as a Nation.

We would be far behind in our battle against COVID-19 without the support we have received. Much of that support is given with the express purpose of using the funds for masks and gloves for our frontline workers, health providers, and law enforcement. We cannot and should not divert these dollars to replenish our General Fund; this is not the purpose of the charitable donations. We must respect the giving and respect the condition of its purpose otherwise we will run contrary to standard rules and regulations on charitable giving. We cannot afford liability at this time.

We are open to working with the Navajo Nation Council to introduce new legislation that is proper and reflects the nature of charities. We have a COVID-19 account set up, thanks to the foresight of the Council's previous appropriation, and offer that as a starting point for the donation fund.

Sincerely,


Jonathan Nez, President
THE NAVAJO NATION


Myron Lizer, Vice President
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - SECOND YEAR, 2020

AN ACTION

RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; ESTABLISHING THE NAVAJO NATION COVID-19 RESPONSE DONATION FUND TO HOUSE FINANCIAL DONATIONS MADE TO THE NAVAJO NATION TO ASSIST IN THE FIGHT AGAINST COVID-19 ON THE NAVAJO NATION; REPLENISHING THE CMA-06-20 SUPPLEMENTAL APPROPRIATION TO THE COVID-19 EMERGENCY FUNDS PROGRAM; WAIVING NAVAJO NATION CODE SET-ASIDE PROVISIONS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the enumerated power to "[t]o the extent permitted by federal or Navajo Nation laws and regulations, the Committee shall appropriate, allocate, cancel, re-appropriate and review the use of the Navajo Nation funds received including but not limited to all grants, contracts, gifts and other funds from all sources." 2 N.N.C. § 301 (B) (3).
- C. The Budget and Finance Committee also has the enumerated power "[t]o approve Fund Management Plans pursuant to the recommendations of the appropriate oversight committee and affected Division or Branch." 2 N.N.C. § 301 (B) (14).
- D. The Navajo Nation Appropriations Act states that "[f]unds received in excess of the initial or current revenue projection shall be deposited into the General Fund unless otherwise designated by the Navajo Nation Council." 12 N.N.C. § 820 (K).
- E. Pursuant to 2 N.N.C. §164 (A)(16): "Matters constituting an emergency shall be limited to the cessation of law enforcement services, disaster relief services, fire protection services or other direct services required as an entitlement under the Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s)

and must be a matter requiring final action by the Council." 2 N.N.C. §164 (A) (16).

- F. Ensuring the health and safety of all residents and employees within the Navajo Nation is an inherent attribute of sovereignty.

SECTION TWO. FINDINGS

- A. COVID-19 is a dangerous and extremely contagious respiratory virus. The virus is pandemic and has reached the Navajo Nation. COVID-19 is spreading at an alarming rate within the Navajo Nation; as of April 9, 2020, the Navajo Nation has reported 488 cases of COVID-19 and 20 related deaths.
- B. The World Health Organization declared a Public Health Emergency of International Concern on January 30, 2020; the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and the World Health Organization officially declared a pandemic due to COVID-19 on March 11, 2020.
- C. The Navajo Nation Commission on Emergency Management, with the concurrence of the President and Vice President of the Navajo Nation, on March 11, 2020 declared a Public Health State of Emergency due to the outbreak of COVID-19 in areas surrounding the Navajo Nation. Acknowledging the establishment of the Health Command Center by the Navajo Nation Department of Health, the Commission stated, "Locally, it is acknowledged and understood that the threat of COVID-19 needs to be mitigated to reduce risk of exposure to the Navajo People and the resultant consequential public health impacts." CEM-20-03-11, attached as **Exhibit A**.
- D. On March 18, 2020, the Navajo Office of Environmental Health and Protection Program within the Navajo Nation Department of Health issued a Public Health Order declaring the outbreak of COVID-19 within the Navajo Nation; the order limited mass gatherings. See **Exhibit B**.
- E. On March 20, 2020, Public Health Emergency Order No. 2020-003 was issued, ordering all individuals living on the Navajo Nation to stay home (Shelter in Place). See **Exhibit C**. The same order prohibits visitors to the Navajo Nation, and requires the closure of all businesses on the Navajo Nation except "essential businesses."

- F. On March 29, 2020, Public Health Emergency Order No. 2020-004 was issued implementing a curfew from 8:00 p.m. to 5:00 a.m. on all Navajo Nation residents. The Shelter in Place order of March 20, 2020 was also indefinitely extended. **Exhibit D.**
- G. On March 6, 2020, the Governor of the State of Utah declared a State of Emergency due to the outbreak of coronavirus (COVID 19). **Exhibit E.**
- H. On March 11, 2020, the Governor of the State of Arizona issued a Declaration of Emergency due to the outbreak of coronavirus (COVID 19). **Exhibit F.**
- I. On March 11, 2020, the Governor of the State of New Mexico declared a state of Public Health Emergency due to the outbreak of coronavirus (COVID 19); the Public Health Emergency was renewed and expanded on April 6, 2020. **Exhibit G.**
- J. On March 20, 2020, the Navajo Nation Council approved Resolution No. CMA-06-20, attached as **Exhibit H**, awarding the Department of Health four million dollars (\$4,000,000) from the Undesignated Unreserved Fund Balance to respond to the COVID-19 pandemic on the Navajo Nation. The President signed CMA-06-20 into law on the same day.
- K. After the Public Health State of Emergency was declared on the Navajo Nation, the Health Command Center started receiving financial and property donations from individuals, businesses, non-profits, agencies, and enterprises to support the Nation's COVID-19 response efforts.
- L. To ensure that the Navajo Nation could promptly apply the donated funds and property to the COVID-19 response efforts, on March 20, 2020, the Navajo Nation Council approved Resolution No. CMA-08-20, attached as **Exhibit I**, minimizing the procedures for accepting donations during the COVID-19 emergency declaration. The President signed CMA-08-20 into law on March 26, 2020.
- M. When the Nation accepts a donation, it also accepts the obligation to expend or use the donation for the purposes for which it was donated. The Navajo Nation Office of the Attorney General was recently designated to lead the "Donations Branch" within the Navajo Nation Health Command Operations Center and charged with maintaining the integrity of the COVID-19 response donation process.

- N. To ensure that all financial donations received for the COVID-19 response efforts are expended only for COVID-19 response related efforts and can be accounted for and audited, the Navajo Nation finds it in the best interests of the Navajo Nation to establish the COVID-19 Response Donation Fund within the Navajo Department of Health.

SECTION THREE. ESTABLISHING THE COVID-19 RESPONSE DONATION FUND

- A. The Navajo Nation hereby establishes the COVID-19 Response Donation Fund within the Navajo Nation Department of Health.
- B. The Navajo Nation Council hereby designates that all financial donations, from any source and in any amount, received by the Nation for its COVID-19 relief efforts shall be deposited in the COVID-19 Response Donation Fund.
- C. The COVID-19 Response Donation Fund shall only be expended for COVID-19 relief efforts, including, but not limited to preparedness, emergency response, and recovery, that mitigate the harmful effects of the pandemic virus as prioritized by the Navajo Department of Health and the replenishment of supplemental appropriation funding to the COVID-19 Emergency Funds Program.
- D. Provisions of the Budget Instruction Manual that impede the expeditious expenditure of funds for their intended purpose, i.e., COVID-19 relief efforts, shall not apply to the COVID-19 Response Donation Fund.
- E. COVID-19 Response Donation Fund funds shall not lapse pursuant to 12 N.N.C. § 820 (N).
- F. The COVID-19 Response Donation Fund shall expire when all donations have been expended.

SECTION FOUR. WAIVING NAVAJO NATION CODE SET-ASIDE PROVISIONS

The Navajo Nation waives any and all provisions of the Navajo Nation Code that would extract a set-aside from financial donations made to the Nation for its COVID-19 relief efforts, including but not limited to the provisions in the Navajo Nation Permanent Fund, 12 N.N.C. §§901 et seq.; Navajo Nation Veterans Trust Fund, 12 N.N.C. §§ 1171 et seq.; Capital Outlay Match Funding Special Revenue Fund, 12 N.N.C. §§2001 et seq.; Navajo Nation Water Rights Claim Fund, 12 N.N.C. §§ 2101 et seq.; Diné Higher Education Grant Fund, 12 N.N.C. §§2301 et seq.; and Land Acquisition Fund, 16 N.N.C. §§201 et seq..

SECTION FIVE. ADMINISTRATION AND MANAGEMENT OF THE COVID-19 RESPONSE DONATION FUND

- A. The COVID-19 Donation Fund shall be managed and administered pursuant to a Fund Management Plan (FMP) developed by the Navajo Department of Health, with the assistance of the Office of the Controller, and recommended by the Health Education and Human Services Committee and approved by the Budget and Finance Committee.
- B. The COVID-19 Donation Fund FMP shall, at a minimum, include the following provisions:
1. The first four million dollars (\$4,000,000) of donations shall be used to replenish the \$4,000,000 supplemental appropriation made from the Undesignated Unreserved Fund Balance pursuant to CMA-06-20.
 2. After the \$4,000,000 is returned to the Undesignated Unreserved Fund Balance, expenditures shall only be for COVID-19 relief efforts, including, but not limited to preparedness, emergency response, and recovery, that mitigate the harmful effects of the pandemic virus as prioritized by the Navajo Department of Health; such expenditures shall be made through an Executive Branch budgeting and approval process.
 3. The Office of the Attorney General and Office of the Controller shall report donations received to the Naabik'iyáti' Committee at the end of each Fiscal Year Quarter; and shall report any individual financial donation exceeding one hundred thousand dollars (\$100,000) to the Speaker of the Navajo Nation within ten (10) days of receiving the donation.
 4. The Office of the Controller shall provide the Naabik'iyáti' Committee notice when the Undesignated Unreserved Fund Balance has been replenished for the CMA-06-20 \$4,000,000 supplemental appropriation.
 5. The Department of Health shall report all COVID-19 Response Donation Fund expenditures to the Naabik'iyáti' Committee at the end of each Fiscal Year Quarter.

SECTION SIX. AUDIT REQUIREMENTS

In addition to audit by the Nation's independent auditors as part of the annual audit, the COVID-19 Response Donation Fund shall be audited each year by the Office of the Auditor General.

SECTION SEVEN. EFFECTIVE DATE

This Action shall become effective in accord with 2 N.N.C. § 221(B).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 22 in Favor, and 00 Opposed, on this 17th day of April 2020.



Honorable Jamie Henio, Speaker Pro Tem
24th Navajo Nation Council

4/22/20
DATE

Motion: Honorable Eugene Tso

Second: Honorable Eugenia Charles-Newton



Speaker Pro Tem Jamie Henio not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this _____ day of _____, 2020.

Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this 02 day of May, 2020 for the reason(s) expressed in the attached letter to the Speaker.

 
Jonathan Nez, President
Navajo Nation



The Navajo Nation
Office of the President and Vice President

CONTACTS:

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FOR IMMEDIATE RELEASE

March 11, 2020

**Navajo Nation declares Public Health
State of Emergency for COVID-19 coronavirus**

WINDOW ROCK, Ariz. – On Wednesday, Navajo Nation President Jonathan Nez and Vice President Myron Lizer declared a Public Health State of Emergency for the Navajo Nation in response to the growing spread of the COVID-19 coronavirus, also known as “Diko Ntsaaígíí-Náhást’éíts’áadah” in the Navajo language. There are no confirmed cases of the COVID-19 coronavirus on the Navajo Nation, however the declaration is a proactive measure to help ensure the Navajo Nation’s preparedness and the health and well-being of the Navajo people.

At the request of President Nez and Vice President Lizer, the Navajo Nation Commission on Emergency Management held a meeting on Wednesday to consider the growing concerns related to the COVID-19 coronavirus. The commission voted 4-0 in support of the declaration.

President Nez and Vice President Lizer also issued travel restrictions on Wednesday for all Executive Branch employees, which requires all divisions, departments, and programs to restrict all off-Nation work-related travel until further notice. They also directed employees who recently traveled to “hot spots,” or areas known to have confirmed cases of the virus, to self-quarantine for approximately 14 days. All Executive Branch offices are either canceling or postponing conferences, summits, and events that draw large numbers of people from off the Navajo Nation.

“For several weeks, we’ve been planning and preparing while we monitor the growing spread of the virus. We have a large population of Navajo people that reside in many states including Utah, Arizona, New Mexico, and Colorado, which now have confirmed cases, so it’s very important that we remain proactive and continue to provide outreach and information to the public. We don’t want to create a sense of panic, but we want our Navajo people to plan and prepare in the event that the virus reaches our communities,” said President Nez.

On Feb. 27, President Nez and Vice President Lizer established the Navajo Nation COVID-19 Preparedness Team to monitor, plan, prepare, and coordinate precautionary efforts to address the COVID-19 coronavirus. A Health Command Operations Center is also established within the Department of Health, which is made up of five function areas including Command, Operations, Planning, Logistics, and Finance/Administration.

"Our Navajo people are strong and resilient. In times like this, we need to remember the challenges that our elders overcame. We will continue to pray for the safety and well-being for all people as we continue to be proactive. We will persevere through this," added President Nez.

A list of established hotlines for the public to call with questions or concerns includes:

- Navajo Nation Health Command Operations Center: (928) 871-7014
- Chinle Comprehensive Health Care Service Unit: 1 (800) 242-9271
- Gallup Indian Medical Center Service Unit: (505) 726-5888
- Tséhootsooí Medical Center: 1 (800) 232-4342
- Winslow Indian Health Care Center: (928) 289-8143
- Sage Memorial Hospital: (928) 755-4500
- Tuba City Regional Health Care: (928) 283-2501

The Navajo Nation COVID-19 Preparedness Team will hold its third radio forum on Thursday, March 12th beginning at 6:00 p.m. on KTNB 660AM and 101.5FM to provide information and receive questions. The Navajo Nation Department of Health is offering to provide presentations to communities and other groups. Please send requests by email to coronavirus.info@nndoh.org or visit their website for additional information: <http://www.ndoh.navajo-nsn.gov/COVID-19>.

The Navajo Nation COVID-19 Preparedness Team will continue to coordinate with the county, state, and federal officials to monitor the evolving impacts of the coronavirus and continue to encourage the public to take precautions.

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For the latest news from the Office of the President and Vice President, please visit <http://www.opvp.navajo-nsn.gov/> or find us on Facebook, Twitter, and Instagram.

9. The Navajo Department of Emergency Management (NDEM) Emergency Operation Center (EOC) shall be activated to support the Navajo Department of Health Command Center.
10. Locally, it is acknowledged and understood that the threat of transmission of COVID-19 needs to be mitigated to reduce risk of exposure to the Navajo People and the resultant consequential public health impacts.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Navajo Nation Commission on Emergency Management hereby declares a Public Health State of Emergency for the Navajo Nation due to the confirmation of the Coronavirus Disease ("COVID-19") in regional areas surrounding the Navajo Nation.
2. To address increased concerns of potential public health impacts due to risk and exposure to the COVID-19, especially to our older population, the Navajo Nation must encourage independent responsibility and action by the Navajo People in practicing recommended preemptive measures to minimize, prevent and reduce risk of exposure to and from the COVID-19.
3. The Navajo Nation population receives timely, consistent and correct information needed on the COVID-19 on preventive measures against contracting and spread of the virus, signs, symptoms and contacting local hospitals and clinics for reporting.
4. In declaring the Public Health State of Emergency, all Navajo Nation Branches, programs, departments will comply with and adhere to directives, instructions, and/or policies forthcoming from the Navajo Department of Health as related to addressing COVID-19.
5. The needs of the Navajo Nation are to be addressed in a manner so as to provide the necessary resources required to address said Declared Public Health State of Emergency. This includes, but not limited to, resources of personnel, medical supplies and equipment, monetary funding, and other resources as may be required to protect the health, safety and welfare of citizens of the Navajo Nation.


CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Commission on Emergency Management at a duly called meeting at Window Rock, Navajo Nation, Arizona, at which a quorum was present and that same passed by a vote of 4 approved, 0 opposed, and 0 abstained this 11th day of March 2020.


Herman Shorty, Chairperson
Commission on Emergency Management

Motion by: Dicky Bain
Second by: Ben Bennett

CONCURRENCE:


Jonathan Nez, President
THE NAVAJO NATION


Myron Lizer, Vice President
THE NAVAJO NATION

**PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIRONMENTAL HEALTH & PROTECTION PROGRAM**

March 19, 2020

Public Health Emergency Order No. 2020-002

Public Health Emergency Order Requiring Closure of the Chilchinbeto Community for Quarantine and Isolation (Shelter in Place) Purposes to Limit the Spread of COVID -19

On March 11, 2020 the Commission on Emergency Management declared a Public Health State of Emergency due to the coronavirus disease (COVID-19) in areas surrounding the Navajo Nation, CEM 20-03-11, stating: *"Locally, it is acknowledged and understood that the threat of transmission of COVID-19 needs to be mitigated to reduce risk of exposure to the Navajo People and the resultant consequential public health impacts."*

On March 18, 2020, the Navajo Office of Environmental Health and Protection Program, Navajo Department of Health, designated herein as the Regulatory Authority, in accordance with its enabling legislation CO-50-14, declared the current outbreak of COVID-19 a condition of public health importance as a threat on an individual or community level and that can reasonably be expected to lead to adverse health effects in the community and which poses an imminent threat of substantial harm to the Navajo Nation population. (Public Health Order, *Public Health Emergency Order to Limit Mass Gatherings and Gatherings Due to COVID-19*).

On March 19, 2020, the Regulatory Authority deemed the Community of Chilchinbeto, Arizona as a "Hot Spot" due to the presence of seven (7) confirmed positive cases of COVID-19. Prior to hospitalization of these individuals, the degree of contact and subsequent degree of exposure is unknown in said community and suspected person-to-person spread within or outside said community thereby poses a substantial Public Health risk.

To mitigate the risk, the Community of Chilchinbeto, Arizona must be and is hereby closed to the public and to visitors. The purpose of the closure is to allow the community as a whole to isolate and quarantine. Isolation and quarantine help protect the public by preventing exposure to people who have or may have the contagious COVID-19 virus. Isolation separates people who may be sick with COVID-19 from people who are not sick. Quarantine separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick.

The intent of this Order is to ensure the maximum number of people in the Community of Chilchinbeto self-quarantine (showing no symptoms of sickness) or self-isolate (showing symptoms of sickness) in their places of residence to the maximum extent feasible, while addressing the critically essential needs of the community and its members in order to minimize the spread of COVID-19 to the maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent. Failure to comply



with any of the provisions of this Order constitutes an imminent threat and creates an immediate menace to public health.

THEREFORE NOTICE IS GIVEN that pursuant the power and authority set forth in the Navajo Department of Health enabling legislation CO-50-14 and in conjunction with Navajo Nation declared Public Health State of Emergency CEM-20-03-11:

A. All individuals residing within the Chilchinbeto Community ("Community") shall limit their movement within and outside of the community, as well as limit their contact with other individuals who are not immediate family or household members. Navajo Nation Police Department will monitor ingress and egress in the Community. Individuals may leave their residence only to perform any of the following "Essential Activities":

- i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their immediate family or household members (including, but not limited to, livestock and pets), such as, obtaining critical medical supplies or medication, or visiting a health care professional for an imminent health need.
- ii. To obtain necessary services or supplies such as canned food, dry goods, produce, pet supplies, meat, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residential living. The Commission on Emergency Management shall assist in coordinating emergency and disaster relief services directly to the Community in conjunction with the Navajo Department of Emergency Management and the Health Command Center.
- iii. To engage in daytime outdoor activity such as walking, hiking, or running, provided the individuals comply with Social Distancing Requirements, defined as limiting contact of people within 6 feet from each other.

B. Visitors to the Chilchinbeto Community are directed to return home immediately upon the issuance of this Order by the fastest and safest available means.

C. All businesses within the Community, except Essential Businesses as defined herein, are required to cease all activities. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements. "Essential Businesses" include: Healthcare Operations, Essential Governmental Functions and Essential Infrastructure (e.g. courts of law, medical providers for urgent care, public utilities, and critical school operations such as nutrition programs).

D. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions. Essential Government Functions means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements, to the extent possible.

NOTICE IS FURTHER GIVEN that this Order declaring restrictions based upon the existence of a condition of public health importance shall not abrogate any disease-reporting requirements.

NOTICE IS FURTHER GIVEN that it is greatly advised that the public take the following preventive precautions:

1. Navajo Nation citizens are strongly advised to stay home and undertake only those outings absolutely necessary for their health, safety, or welfare.

2. Avoid close contact with people who are sick.

3. Wash your hands often with soap and water for at least 20 seconds, especially after blowing your nose, coughing, or sneezing, or having been in a public place. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol.

4. To the extent possible, avoid touching high-touch surfaces in public places – elevator buttons, door handles, handrails, handshaking with people, etc. Use a tissue or your sleeve to cover your hands or finger if you must touch something.

5. Avoid touching your face, nose, eyes, etc.

6. Clean and disinfect your home to remove germs: practice routine cleaning of frequently touched surfaces (for example: tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, and cell phones).

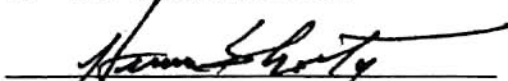
7. Avoid crowds, especially in poorly ventilated spaces. Your risk of exposure to respiratory viruses like COVID-19 may increase in crowded, closed-in settings with little air circulation if there are people in the crowd who are sick.


8. Avoid all non-essential travel including plane trips and cruise ships.

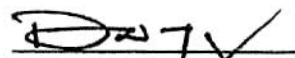
NOTICE IS FURTHER GIVEN that this Order shall take immediately and shall remain in effect until otherwise rescinded by the Regulatory Authority and or the Health Command Center.

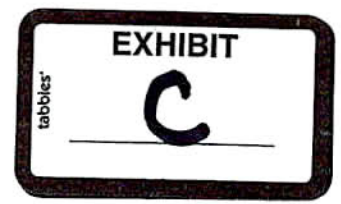
For the purposes of this Order, the point of contact is David Nez, Incident Commander and questions or concerns from the Community can be addressed to the Navajo Nation COVID-19 hotline at (928) 871-6271.

ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 19TH DAY OF MARCH 2020.


Herman Shorty, Program Supervisor III
Navajo Office of Environmental Health & Protection Program
Navajo Department of Health


Dr. Jill Jim, Executive Director
Navajo Department of Health


David Nez, Incident Manager
Dikos Nstaaígíí – 19
Health Command Center
Navajo Department of Health



**PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIRONMENTAL HEALTH & PROTECTION PROGRAM**

March 20, 2020

Public Health Emergency Order No. 2020-003

Public Health Emergency Stay at Home (Shelter in Place) Order for All Residents of the Navajo Nation for Quarantine and Isolation Purposes to Limit the Spread of COVID -19

On March 11, 2020 the Commission on Emergency Management declared a Public Health State of Emergency due to the coronavirus disease (COVID-19) in areas surrounding the Navajo Nation, CEM 20-03-11, stating: *"Locally, it is acknowledged and understood that the threat of transmission of COVID-19 needs to be mitigated to reduce risk of exposure to the Navajo People and the resultant consequential public health impacts."*

On March 18, 2020, the Navajo Office of Environmental Health and Protection Program, Navajo Department of Health, designated herein as the Regulatory Authority, in accordance with its enabling legislation CO-50-14, declared the current outbreak of COVID-19 a condition of public health importance as a threat on an individual or community level and that can reasonably be expected to lead to adverse health effects in the community and which poses an imminent threat of substantial harm to the Navajo Nation population. (Public Health Order, *Public Health Emergency Order to Limit Mass Gatherings and Gatherings Due to COVID-19*).

In a short period of time, COVID-19 has arrived on the Navajo Nation and the number of cases are increasing at a high rate across the Nation. The degree of contact of contagious individuals and the subsequent degree of exposure is unknown and continued person-to-person spread throughout the Navajo Nation thereby poses an extensive and substantial Public Health risk.

To mitigate the risk and to preserve the public health and safety, all individuals living on the Navajo Nation must stay home or at their place of residence, except essential workers needed to maintain continuity of operations of the critical infrastructure sectors. (See <https://www.cisa.gov/critical-infrastructure-sectors>).

The purpose of the closure is to allow the Navajo Nation as a whole to isolate and quarantine. Isolation and quarantine help protect our Nation by preventing exposure to people who have or may have the contagious COVID-19 virus. Isolation separates people who may be sick with COVID-19 from people who are not sick. Quarantine separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick.

The intent of this Order is to ensure the maximum number of people on the Navajo Nation self-quarantine (showing no symptoms of sickness) or self-isolate (showing symptoms of sickness) in their places of residence to the maximum extent feasible, while addressing the critically essential

needs of the Navajo Nation in order to minimize the spread of COVID-19 to the maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this Order constitutes an imminent threat and creates an immediate menace to public health.

The supply chain must continue, and residents of the Navajo Nation must have access to necessities such as food and healthcare. The Commission on Emergency Management shall continue to assist in coordinating such emergency and disaster relief services in conjunction with the Navajo Department of Emergency Management and the Health Command Center.

THEREFORE NOTICE IS GIVEN that pursuant the power and authority set forth in the Navajo Department of Health enabling legislation CO-50-14 and in conjunction with Navajo Nation declared Public Health State of Emergency CEM-20-03-11:

A. All individuals residing on the Navajo Nation shall limit their movement within and outside of their immediate communities, as well as limit their contact with individuals who are not immediate family or household members. Individuals may leave their residences only to perform any of the following **"Essential Activities"**:

- i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their immediate family or household members (including, but not limited to, livestock and pets), such as, obtaining critical medical supplies or medication, or visiting a health care professional for an imminent health need.
- ii. To obtain necessary services or supplies such as canned food, dry goods, produce, pet supplies, meat, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residential living. When people need to leave home to obtain such necessities, they should do so in limited numbers and should at all times adhere to **Social Distancing Standards** (such as: not shaking hands, standing several feet away from other people, avoiding crowds, etc.).
- iii. To engage in daytime outdoor activity such as walking, hiking, or running, provided the individuals practice social distancing.

B. Visitors to the Navajo Nation are directed to return home immediately upon the issuance of this Order by the fastest and safest available means.

C. All businesses within the Navajo Nation, except Essential Businesses as defined herein, are required to cease all activities. Restaurants and food service establishments are limited to providing dine-out options only. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements. **"Essential Businesses"** include: Healthcare Operations, Essential Governmental Functions and Essential Infrastructure (e.g. courts of law, medical providers for urgent care, public utilities, and critical school operations such as nutrition programs).

- i. Grocery stores, food banks, convenience stores, hardware stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and

vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, wholesale and products necessary to maintaining the safety, sanitation, and essential operation of residences.

- ii. Food cultivation, including farming, livestock, and fishing;
- iii. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- iv. Gas stations and auto-supply, auto-repair, and related facilities.
- v. Banks and related financial institutions.
- vi. Plumbers, electricians, exterminators, internet or broadband providers and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences.
- vii. Businesses providing mailing and shipping services.
- viii. Educational institutions - for purposes of facilitating distance learning or performing essential functions, provided that Social Distancing is maintained to the greatest extent possible.
- ix. Laundromats.
- x. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site.
- xi. Businesses that ship or deliver groceries, food, goods or services directly to residences or other businesses.
- xii. Home-based care for seniors, adults, or children.
- xiii. Residential facilities and shelters for seniors, adults, and children.
- xiv. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.

D. For purposes of this Order, individuals may leave their residence to work for or obtain services at any "**Healthcare Operations**" including hospitals, clinics, dentists (for emergency care only), pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms and similar facilities.

E. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, public works construction, construction of housing, water, sewer, gas, electrical, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements, to the extent possible.

F. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate structure.

G. All short term lodging, including but not limited to hotels, motels, short term rentals (30 days or less), bed and breakfast establishments, lodges and retreats shall cease operations, unless otherwise authorized in writing by the Public Health Director for emergency or quarantine purposes, or to provide lodging for essential personnel. Specifically excluded from this Order are circumstances in which it is not safe or impossible for a guest to depart. However, there shall be no new bookings or reservations during the pendency of this Order. Furthermore, current reservations for the timeframe anticipated in this Order shall be cancelled.

H. Residential and commercial construction sites may otherwise continue to operate so long as in compliance with this Order in reference to Social Distancing Requirements and limiting persons on site to no more than 10 people at any given time.

I. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions. Essential Government Functions means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements, to the extent possible.

NOTICE IS FURTHER GIVEN that this Order declaring restrictions based upon the existence of a condition of public health importance shall not abrogate any disease-reporting requirements.

NOTICE IS FURTHER GIVEN that it is greatly advised that the public take the following preventive precautions:

1. Navajo Nation citizens are required to stay home and undertake only those outings absolutely necessary for their health, safety, or welfare as described herein.

2. Avoid close contact with people who are sick.

3. Wash your hands often with soap and water for at least 20 seconds, especially after blowing your nose, coughing, or sneezing, or having been in a public place. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol.

4. To the extent possible, avoid touching high-touch surfaces in public places – elevator buttons, door handles, handrails, handshaking with people, etc. Use a tissue or your sleeve to cover your hands or finger if you must touch something.

5. Avoid touching your face, nose, eyes, etc.

6. Clean and disinfect your home to remove germs: practice routine cleaning of frequently touched surfaces (for example: tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, and cell phones).

7. Avoid crowds.

8. Avoid all non-essential travel.

NOTICE IS FURTHER GIVEN that this Order shall take immediately and shall remain in effect through April 4, 2020 unless otherwise extended by the Regulatory Authority and or the Health Command Center.

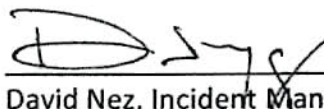
ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 20TH DAY OF MARCH 2020.



Herman Shorty, Program Supervisor III
Navajo Office of Environmental Health &
Protection Program
Navajo Department of Health



Dr. Jill Jim, Executive Director
Navajo Department of Health



David Nez, Incident Manager
Dikos Nstaaigíí – 19
Health Command Center
Navajo Department of Health



**PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIRONMENTAL HEALTH & PROTECTION PROGRAM**

March 29, 2020

Public Health Emergency Order No. 2020-004

Public Health Emergency Order Implementing a Curfew, Extending the March 20, 2020 Stay at Home (Shelter in Place) Order No. 2020-003, and Implementing Other Major Public Health Disaster Responses Due to the Community Spread of COVID -19

- I. The Navajo Nation Council established the Commission on Emergency Management (CEM), authorizing it to assess, verify, recommend and declare states of emergency with the concurrence of the President of the Navajo Nation. 2 N.N.C. § 881. Pursuant to this authority, on March 11, 2020 the Commission on Emergency Management, with the concurrence of President Nez and Vice President Lizer, declared a Public Health State of Emergency due to the coronavirus disease (COVID-19) in areas surrounding the Navajo Nation. (CEM 20-03-11). CEM Resolution 20-03-11 states: *"Locally, it is acknowledged and understood that the threat of transmission of COVID-19 needs to be mitigated to reduce risk of exposure to the Navajo People and the resultant consequential public health impacts."*
- II. The Commission on Emergency Management is empowered to coordinate immediate emergency and disaster relief services. 2 N.N.C. § 881. CEM Resolution No. 20-03-11 acknowledges the Navajo Department of Health (NDOH) Health Command Center established to address the spread of the COVID-19 virus on the Navajo Nation. CEM Resolution No. 20-03-11 further recognizes the need to support and adhere to the directives of the NDOH Health Command Center.
- III. On March 18, 2020, the Navajo Office of Environmental Health and Protection Program within NDOH, designated herein as the Regulatory Authority, in accordance with its enabling legislation CO-50-14, declared the current outbreak of COVID-19 a condition of public health importance as a threat on an individual or community level and that can lead to adverse health effects in the community and which poses an imminent threat of substantial harm to the Navajo Nation population. (March 18, 2020 Public Health Emergency Order, *Public Health Emergency Order to Limit Mass Gatherings and Gatherings Due to COVID-19*).
- IV. On March 20, 2020, the Regulatory Authority by Public Health Emergency Order No. 2020-003, ordered all individuals living on the Nation to stay home (shelter in place). The purpose of the Order is to ensure the maximum number of people on the Nation self-quarantine and self-isolate to minimize the spread of COVID-19. The Order: (1) limits individuals on the Nation to "Essential Activities" primarily related to health, safety, and

welfare; (2) requires visitors to the Nation to return home; and (3) requires all business on the Nation to close, except "Essential Businesses." The Order is effective through April 4, 2020 unless otherwise extended.

- V. In a short and rapid period of time, COVID-19 has arrived on the Navajo Nation and the number of cases continues to increase at an alarming rate. Contact with contagious individuals and the subsequent high degree of exposure is evident by cluster and community spread throughout the Navajo Nation constituting a major public health disaster.
- VI. The Navajo Nation is beyond containment and mitigation of risk, and therefore must take extraordinary measures to address the current emergency Medical, Public Health, and Community needs.
- VII. Every individual has a responsibility to themselves, to their families and relatives, and to their communities to act in accordance with this Public Health Emergency Order No. 2020-004. This is an unprecedented public health disaster that requires centralized coordination and full cooperation to avoid duplication of efforts, waste of resources, and to minimize any increased risk of exposure to COVID-19 (which includes the potential loss of life). Accordingly, all COVID-19 plans, efforts, and relief must be coordinated through the Command Center.
- VIII. The intent and purpose of this Public Health Emergency Order No. 2020-004 is to elevate the response to the current public health disaster by addressing the dire strain on medical response capabilities as well as further restricting the movement of individuals on the Nation. All provisions of this Order are to be interpreted to effectuate this intent. Failure to comply with any of provision of this Order constitutes an imminent threat and menace to public health.
- IX. The Navajo Police Department (NPD) Emergency Operations Center (EOC) shall continue to be activated to support and coordinate with the Health Command Center with COVID-19 emergency operations and to enforce the requirements of Public Health Emergency Orders.

THEREFORE, NOTICE IS GIVEN that pursuant the power and authority set forth in the NDOH enabling legislation (NNC Resolution No. CO-50-14) and in conjunction with the Navajo Nation Public Health State of Emergency Declaration (CEM Resolution No. 20-03-11):

- A. The healthcare system, including Indian Health Service and Tribal Health Organizations, are reaching and are projected to exceed surge capacity due to the community spread of COVID-19. The healthcare system is also rapidly exhausting available resources, including supplies and personnel.

1. This requires a coordinated response to provide immediate support to the Navajo comprehensive health services, including medical stations and mobile medical facilities.
2. Outreach and partnerships with state, federal, other outside agencies, including the private sector, is a priority for the Health Command Center.
3. To support these efforts, the Health Command Center will be coordinating with all partners regarding facilities and infrastructure and, if necessary, to commandeer all resources necessary to support expanded medical services, including facilities for quarantine and isolation (i.e. community centers, gymnasiums, hotels, schools, etc.).

B. Public Health Emergency Order No. 2020-003 (March 20, 2020) is hereby extended and shall remain in effect until rescinded. All individuals on the Navajo Nation shall strictly limit their movement within and outside of their immediate communities, as well as limit public contact with others. Individuals may leave their place of residence only to perform "**Essential Activities**", defined herein, which primarily include activities and tasks essential to health, safety, and welfare.

Additionally, individuals on the Nation shall comply with the following:

1. **Curfew:** 8:00 P.M. to 5 A.M. curfew across the Nation, applicable to all individuals, seven days a week. All individuals shall be at home during curfew hours except in the event of an emergency. This curfew does not apply to Essential Employees reporting to or from duty, with official identification and/or a letter of designation from their Essential Business employer on official letterhead which includes a contact for verification.
2. All indoor and outdoor public gatherings are limited to no more than 5 people, except for outdoor funeral services that cannot be postponed, which shall be limited to no more than 10 people.
3. For curb side and drive-thru essential activities, remain in your vehicle.

C. "**Essential Businesses**", defined herein, shall comply with Social Distancing Requirements. Except for Healthcare Operations, Essential Governmental Functions, and Essential Infrastructure Activities, all other Essential Businesses are required to:

1. To the greatest extent possible, limit operations before 6:00 A.M. and after 7:00 P.M. to permit customers to obey the 8:00 P.M. to 5 A.M. curfew. This does not apply to Essential Businesses that do not directly serve customers.
2. Operate on a curb-side or drive-thru basis, unless otherwise provided herein.
 - i. Restaurants and other businesses serving prepared food must provide an outdoor order station and/or a means for people to call ahead to place an order and enable individuals to remain in their vehicles for pick-up.

- ii. Gas stations must either provide a fueling attendant to pump gas, enabling individuals to remain in their vehicles, or provide disinfectant wipes or spray for self-service customer use.
- iii. Banks and financial institutions must provide drive-thru services only. Banker services can be provided to customers through technology-based means (i.e. telephone, web-based meeting, etc). ATM services may be provided so long as disinfectant wipes or spray is made available for customer use.
- iv. Grocery stores, food banks, convenience stores, hardware stores and the like are required to limit the number of customers in the store to no more than 10 customers at a time. These businesses shall ensure that customers waiting to enter or pay maintain the required 6-feet Social Distancing.
- v. Post Offices, including rural mail delivery locations, are not required to provide curbside or drive-thru delivery requirements, however disinfectant wipes or spray should be made available for customer use.
- vi. Laundry facilities shall limit customer occupancy to 2 people per household and no more than 10 persons at any given time, and shall make available disinfectant wipes or spray for customer use.
- vii. All other Essential Businesses not specifically addressed in this section shall post a notice at their place of business with a contact number for customers to receive service during business hours, and also provide contact information for services on their company website, if any. The purpose of this requirement is to limit in-person customer contact to the greatest extent possible, while still allowing customers to receive services.

D. Mandatory Coordination with the Health Command Center.

- 1. All Navajo Nation governmental entities, including all branches of government and all Governance-Certified Chapters, shall coordinate all COVID-19 public health efforts, plans, and relief through the Health Command Center to avoid duplication of effort or waste of resources, which has the potential to increase risk of exposure to COVID-19 (including the potential loss of life).
 - i. Public Employee Program (PEP) temporary personnel and any approved volunteers and volunteer groups must coordinate efforts, plans, and relief through the Health Command Center.
 - a. Approved volunteers shall complete required training and sign a liability release form prior to conducting any approved activities.
 - b. Approved volunteers shall otherwise comply with the requirements of the March 25, 2020 Emergency Navajo Nation Chapter Plan (Chapter Drive Up, Pick Up & Delivery of Essential Services).

- ii. All volunteers must be in good health, without flu-like symptoms, and cannot have any known pre-existing Underlying Health Conditions, as defined herein.
2. State, federal, county or other outside agencies and private entities should continue to coordinate with the Health Command Center to avoid duplication of effort and waste of resources.

NOTICE IS FURTHER GIVEN that this Order shall not abrogate any disease-reporting requirements (consistent with HIPAA privacy standards).

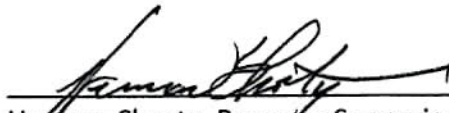
NOTICE IS FURTHER GIVEN that it is greatly advised that the public take the following preventive precautions:

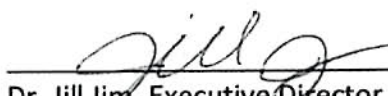
1. All persons on the Navajo Nation are required to stay home and leave home only when absolutely necessary for their health, safety, or welfare as described herein.


2. Avoid close contact with people who are sick.
3. Wash your hands often with soap and water for at least 20 seconds, especially after blowing your nose, coughing, or sneezing, or having been in a public place. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol.
4. To the extent possible, avoid touching high-touch surfaces in public places – elevator buttons, door handles, handrails, handshaking with people, etc. Use a tissue or your sleeve to cover your hands or finger if you must touch something.
5. Avoid touching your face, nose, eyes, etc.
6. Clean and disinfect your home to remove germs: practice routine cleaning of frequently touched surfaces (for example: tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, and cell phones).
7. Avoid all public gatherings (no more than 5 people).
8. Avoid all non-essential travel.

NOTICE IS FURTHER GIVEN that this Order shall take effect Monday, March 30, 2020 and shall remain in effect until rescinded by the Regulatory Authority and/or the Health Command Center.

ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO
ORDERED THIS 29TH DAY OF MARCH 2020.


Herman Shorty, Program Supervisor III
Navajo Office of Environmental Health &
Protection Program
Navajo Department of Health


Dr. Jill Jim, Executive Director
Navajo Department of Health


David Nez, Incident Manager
Dikos Ntsaaígíí – 19
Health Command Center
Navajo Department of Health

Definitions

Essential Activities includes: (1) activities or tasks essential to the health and safety of one's household (including livestock and pets), such as obtaining critical medical supplies or medication, or visiting a health care professional for an imminent health need; (2) obtaining necessary services or supplies (such as canned food, dry goods, produce, pet supplies, meat, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of a residence); and (3) engaging in daytime outdoor activity such as walking, hiking, or running; provided that Essential Activities are performed in limited numbers at all times adhering to Social Distancing Standards. (From Public Health Emergency Order No. 2020-003, March 20, 2020).

Essential Businesses: Healthcare Operation, Essential Governmental Functions and Essential Infrastructure (e.g., courts of law, medical providers for urgent care, public utilities, and critical school operations such as nutrition programs). (From Public Health Emergency Order No. 2020-002., March 19, 2020 and expanded through Public Health Emergency Order No. 2020-003, March 20, 2020 to include grocery stores, food banks, convenience stores, hardware stores and other establishments engaged in the retail sale of groceries, non-grocery products, wholesale and products necessary to maintaining the safety, sanitation and essential operation of residences, among other things.)

Essential Employees: Those employees identified by Essential Businesses deemed to be necessary to the continued operation of those Essential Businesses.

Essential Governmental Functions: means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. (From Public Health Emergency Order No. 2020-002, March 19, 2020).

Essential infrastructure: Public works construction, construction of housing, water, sewer, gas, electrical, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services). (From Public Health Emergency Order No. 2020-003, March 20, 2020).

Gathering: means any grouping together of individuals in a single connected location. (From Public Health Emergency Order dated March 18, 2020).

Social Distancing Requirements: Limiting contact of people within 6 feet from each other. (From Public Health Emergency Order No. 2020-002, March 19, 2020).

Social Distancing Standards: Not shaking hands, standing several feet away from other people, avoiding crowds, etc.) (From Public Health Emergency Order No. 2020-003, March 20, 2020).

Underlying Health Conditions: Chronic medical conditions including, but not limited to, diabetes, heart disease, obesity, cancer, kidney disease, lung disease asthma (moderate to severe), and immunocompromised conditions (including cancer treatments).



Gary Richard Herbert

Governor

EXECUTIVE ORDER

Declaring a State of Emergency Due to Infectious Disease COVID-19 Novel Coronavirus

WHEREAS, On January 21, 2020, the Utah Department of Health activated its Department Operations Center in response to the evolving the global outbreak of novel coronavirus;

WHEREAS, The Utah Department of Health recognizes COVID-19 as a threat to the health and safety of the residents of Utah;

WHEREAS, Although no confirmed cases have been diagnosed in the state, the Utah Department of Health, local health departments, and health and medical partners have activated response plans and protocols to prepare for the likely arrival of the virus in Utah;

WHEREAS, These partners have also worked to identify, contact, and test individuals in the State of Utah who have been potentially exposed to COVID-19 in coordination with the United States Centers for Disease Control and Prevention (CDC);

WHEREAS, Proactively implementing mitigation measures to slow the spread of the virus is in the best interests of the state of Utah and its people;

WHEREAS, COVID-19, a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person;

WHEREAS, The CDC identifies the potential public health threat posed by COVID-19 both globally and in the United States as "high," and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States;

WHEREAS, On January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020;

WHEREAS, As of March 6, 2020, the CDC indicates there are over 100,000 confirmed cases of COVID-19 worldwide, with over 200 of those cases in the United States;

WHEREAS, On February 28, 2020, the State Emergency Operations Center raised its activation level to Level 3 - Elevated Action and the Utah Division of Emergency Management and Department of Health activated a Joint Information System for public information;

WHEREAS, The Utah Department of Public Safety, Division of Emergency Management, State Emergency Operations Center, is coordinating resources across state government to support the Utah Department of Health and local officials in alleviating the impacts to people, property, and infrastructure, and is assessing the magnitude and long-term effects of the incident with the Utah Department of Health;

WHEREAS, The State of Utah has implemented the Utah COVID-19 Community Task Force to coordinate the response to the incident throughout the entire state and among all levels of government;

WHEREAS, the circumstances of this outbreak may exceed the capacity of the services, personnel, equipment, supplies and facilities of any single city, county, or city and county, and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS, these conditions do create a "State of Emergency" within the intent of the Disaster Response and Recovery Act found in Title 53, Chapter 2a of the Utah Code Annotated 1953, as amended:

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, declare a "State of Emergency" due to the aforesaid circumstances requiring aid, assistance, and relief available from State resources and hereby order:

The continued execution of the State Emergency Operations Plan;

Assistance from State government to political subdivisions as needed and coordinated by the Utah Department of Health, the Utah Department of Public Safety, and other state agencies as necessary;

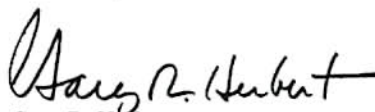
The continued dissemination of timely and accurate information by state agencies to the public that will slow the spread of COVID-19, prevent unnecessary confusion and alarm, and mitigate impacts to the economy;


The continued outreach and assistance to the populations most vulnerable to COVID-19; and

Coordination with local authorities and the private sector to maximize access to appropriate medical care while preserving critical services for those most in need.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 6th day of March, 2020.


Gary R. Herbert
Governor


Spencer J. Cox
Lieutenant Governor

ATTEST:

DECLARATION OF EMERGENCY

COVID-19

WHEREAS, the World Health Organization declared a Public Health Emergency of International Concern on January 30, 2020, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020, and the World Health Organization officially declared a pandemic due to COVID-19 on March 11, 2020; and

WHEREAS, globally there are 124,908 total confirmed cases and 4,591 total deaths to-date related to COVID-19, and the situation is rapidly evolving with person-to-person transmission and continued community transmission; and

WHEREAS, COVID-19 was first discovered in Wuhan, China, and is known to cause respiratory illness, which can result in severe disease complications and death; and

WHEREAS, Arizona is proactively leading on the COVID-19 response in the United States, as the third of 39 states that have confirmed cases of COVID-19; and

WHEREAS, the Arizona Department of Health Services and local public health departments have identified 9 cases of COVID-19, including cases spreading in the community, and have additional patients under investigation linked to the global outbreak; and

WHEREAS, COVID-19 poses a serious public health threat for infectious disease spread to Arizona residents and visitors if proper precautions recommended by public health are not followed; and

WHEREAS, the Arizona Department of Health Services in partnership with the Centers for Disease Control and Prevention (CDC) and local public health departments have implemented disease surveillance and testing for confirmed COVID-19 case(s) and patients under investigation; and

WHEREAS, in Arizona, public health and health care systems have identified precautions and interventions that can mitigate the spread of COVID-19; and

WHEREAS, the Arizona Department of Health Services requires a more robust and integrated response to successfully combat the COVID-19 outbreak; and

WHEREAS, the Governor and the Director of the Arizona Department of Health Services have reasonable cause to believe the spread of COVID-19 can lead to severe respiratory illness, disease complications, and death for Arizona residents, particularly those with underlying medical conditions or the elderly; and

WHEREAS, it is necessary and appropriate to take action to ensure the spread of COVID-19 is controlled and that the residents of Arizona remain safe and healthy; and

WHEREAS, the Governor is authorized to declare an emergency pursuant to A.R.S. § 26-303(D) and in accordance with A.R.S. § 26-301(15).

WHEREAS, pursuant to A.R.S. § 26-307(A), a state agency, when designated by the Governor, may make, amend and rescind orders, rules and regulations necessary for emergency functions;

WHEREAS, pursuant to A.R.S. § 36-787(A), during a state of emergency declared by the Governor as a result of an occurrence or imminent threat of illness or health condition caused by an epidemic that poses a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability, the Arizona Department of Health Services shall coordinate all matters pertaining to the public health emergency response of the State; and

WHEREAS, pursuant to A.R.S. § 36-787(B) and (C), during a state of emergency declared by the Governor, the Governor, in consultation with the Director of the Arizona Department of Health Services, may issue orders pertaining to the public health emergency response of the State; and

WHEREAS, pursuant A.R.S. §§ 36-788 and 36-789, during a state of emergency declared by the Governor, the Arizona Department of Health Services, to protect the public health, may establish and maintain places of isolation and quarantine and require the isolation or quarantine of any person who has contracted or been exposed to a highly contagious and fatal disease;

WHEREAS, the Legislature has authorized the expenditure of funds in an event of an emergency pursuant to A.R.S. § 35-192; and

WHEREAS, Executive Order 2017-06 establishes the Arizona Emergency Response and Recovery Plan to assist in responding to emergencies including public health emergencies; and

NOW, THEREFORE I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, do hereby determine that the *COVID-19* outbreak presents conditions in Arizona, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city or town, and which require the combined efforts of the State and the political subdivision, and thus justifies a declaration of a State of Emergency; accordingly, pursuant to A.R.S. §§ 26-303(D) and 36-787, I do hereby:

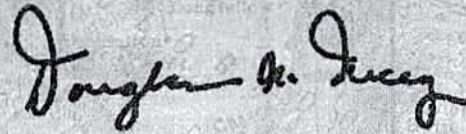
- a. Declare that a State of Emergency exists in Arizona due to the *COVID-19* outbreak, effective March 11, 2020; and
- b. Direct that the State of Arizona Emergency Response and Recovery Plan be used, and the Division of Emergency Management to be engaged, as necessary or requested, to assist the Arizona Department of Health Services' coordination of the public health emergency response and authorize the use of state assets as necessary; and

- c. Authorize the Director of the Arizona Department of Health Services to coordinate all matters pertaining to the public health emergency response of the State in accordance with A.R.S. Title 36, Chapter 6, Article 9;

This Emergency Declaration will be eligible for termination upon the resolution of the outbreak as determined by the Arizona Department of Health Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

ATTEST:



GOVERNOR



DONE at the Capitol in Phoenix on this 11th day of March in the Year Two Thousand Twenty and of the Independence of the United States of America the Year Two Hundred and Forty-Fourth.

ATTEST:



Secretary of State

GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

EXECUTIVE ORDER

Executive Order 2020-07

Proactive Measures to Protect Against COVID-19

WHEREAS, on January 31, 2020, Secretary Alex Azar of the United States Department of Health and Human Services, declared a public health emergency to address the 2019 novel coronavirus (COVID-19); and

WHEREAS, on March 11, 2020, I, as Governor of the State of Arizona, issued a declaration of Public Health Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19; and

WHEREAS, as of March 11, 2020, there have been 9 diagnosed cases of COVID-19 in Arizona including cases of community spread, and it is likely that there will continue to be additional cases diagnosed; and

WHEREAS, COVID-19 is contagious and can be fatal; and

WHEREAS, the elderly population and those with serious underlying health conditions are most at risk from COVID-19; and

WHEREAS, it is important to institute enhanced protections at facilities that treat and house populations most at risk if they contract COVID-19; and

WHEREAS, it is necessary that all Arizonans who need to be tested for COVID-19 have access to testing that is covered by their healthcare insurance and that both providers and consumers are not subject to price gouging as it relates to COVID-19 diagnosis and treatment related services; and

WHEREAS, visits by telemedicine can reduce the spread of disease by allowing potentially contagious patients to see a doctor without visiting an office, clinic, urgent care center or hospital where other individuals could be exposed.

NOW THEREFORE I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this state hereby order as follows:

1. The Department of Health Services shall issue emergency rules for skilled nursing facilities, intermediate care facilities and assisted living facilities to implement visitor policies designed to prevent the spread of COVID-19 including:
 - a. Instituting policies to require screening and triage before entry by staff, visitors, vendors, and contractors;
 - b. Establishing disinfectant schedules for frequently touched surfaces; and
 - c. Establishing policies of distancing patients who exhibit symptoms of COVID-19 from other patients in common areas.
2. The Department of Health Services in conjunction with the Department of Insurance shall require that all insurers regulated by the State cover COVID-19 diagnostic testing from all qualified laboratories without regard to whether the laboratory is in-network.
3. The Department of Health Services in conjunction with the Department of Insurance shall require that all insurers regulated by the State waive all cost-sharing requirements for consumers related to COVID-19 diagnostic testing.
4. The Department of Health Services in conjunction with the Department of Insurance shall require that all insurers regulated by the State cover telemedicine visits at a lower cost-sharing point for consumers than the same in-office service to encourage utilization of telemedicine for the duration of the state's public health emergency.
5. The Department of Health Services and all Arizona health regulatory boards shall prohibit, investigate, and take action against any licensed health professional or healthcare institution that engages in price gouging in relation to COVID-19 diagnosis and treatment-related services. In this context, price gouging is defined as the provider or institution charging a grossly higher price than that which was charged before the onset of the emergency.
6. The Attorney General shall investigate and vigorously prosecute complaints of consumer fraud in relation to COVID-19 diagnosis and treatment-related services under the consumer protection laws.
7. This executive order shall expire upon the termination of the Declaration of Public Health Emergency related to COVID-19 and dated March 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

ATTEST:

Douglas M. Ivey

GOVERNOR

DONE at the Capitol in Phoenix on this 11th day of March in the Year Two Thousand Twenty and of the Independence of the United States of America the Year Two Hundred and Forty-Fourth.

ATTEST:

[Signature]

Secretary of State





State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2020-022

**RENEWING THE STATE OF PUBLIC HEALTH EMERGENCY DECLARED IN
EXECUTIVE ORDER 2020-004, OTHER POWERS INVOKED IN THAT ORDER, AND
ALL OTHER ORDERS AND DIRECTIVES CONTAINED IN EXECUTIVE ORDERS
TIED TO THE PUBLIC HEALTH EMERGENCY**

On December 31, 2019, several cases of pneumonia with an unknown cause were detected in Wuhan City, Hubei Province, China, and reported to the World Health Organization ("WHO"). The underlying virus giving rise to those reported instances of respiratory illness was later identified as a novel coronavirus disease which has been referred to "COVID-19."

By the time the first COVID-19 cases had been confirmed in New Mexico, on March 11, 2020, COVID-19 had already spread globally and throughout the United States. At that time, more than 100,000 people had been infected globally and there were more than 1,000 cases in the United States, spread out over 39 states.

On March 11, 2020, I issued Executive Order 2020-004, which declared a state of public health emergency under the Public Health Emergency Response Act and invoked powers provided by the All Hazards Emergency Management Act and the Emergency Licensing Act. That public health emergency was declared for a period of 30 days.

Now, less than four weeks later, the world is reeling from staggering increases in cases of COVID-19 and deaths related to COVID-19. The WHO reports more than 1.2 million worldwide infections and at least 67,5994 related deaths. According to the United States Centers for Disease Control and Prevention ("CDC"), at least 330,891 people have been infected in the United States,

including confirmed cases in every state, with at least 8,910 related deaths. The numbers of cases and deaths are continuing to increase exponentially throughout many parts of the world and in many parts of the United States. That is why the President of the United States declared a national state of emergency for COVID-19 on March 13, 2020.

The numbers have also risen dramatically in our State since I declared a public health emergency. As of April 5, 2020, the New Mexico Department of Health reported at least 624 confirmed cases of COVID-19 in New Mexico and at least 12 related deaths. There are confirmed cases of COVID-19 in 23 of New Mexico's 33 counties. Despite proactive measures taken by the State and our citizens, these numbers are increasing at a dangerous rate and COVID-19 is expected to continue its spread in New Mexico.

Public health organization have implemented emergency measures intended to slow the spread of COVID-19. For example, on January 20, 2020, the CDC activated its Emergency Operations Center in response to the COVID-19 outbreak. The WHO similar declared a Public Health Emergency of International Concern shortly thereafter. Nearly all of our sister states have declared a state of emergency and implemented significant measures and deployed substantial resources to fight the spread of COVID-19.

New Mexico has taken aggressive measures to reduce the spread of COVID-19 and to mitigate its potentially devastating effects. I have been in frequent contact with federal and state agencies and officials who are coordinating their efforts and resources to fight COVID-19. Various state agencies have been at the forefront of our State's response to COVID-19, including the New Mexico Department of Health. All State agencies are undertaking efforts in response to this pandemic.

Due to the continued spread of the COVID-19, it is necessary for all branches of State government to continue taking actions to minimize the spread of COVID-19 and to reduce its attendant physical and economic harms.

Therefore, for the reasons above, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico, hereby ORDER and DIRECT:

1. In consultation with the New Mexico Department of Health, I have determined that the statewide public health emergency proclaimed in Executive Order 2020-004 is renewed and extended through April 30, 2020.
2. All other powers invoked, directives, and orders contained in Executive Order 2020-004 remain in effect.
3. All other Executive Orders with a duration that was tied to the COVID-19 public health emergency shall continue with the same effect. This includes Executive Orders 2020-006, -007, -008, -009, -010, -011, -013, -014, -015, -016, -017, -018, -019, -020.

This Order supersedes any previous orders, proclamations, or directives in conflict. This Executive Order shall take effect immediately and shall remain in effect until May 1, 2020 unless renewed or until the Governor rescinds it.

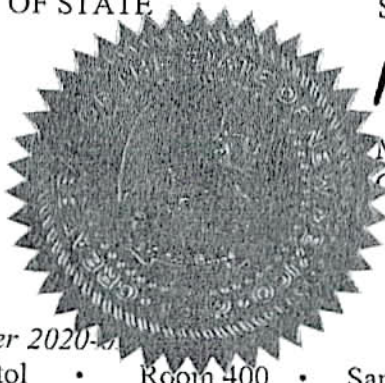
ATTEST:

Maggie Toulouse Oliver
MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 6TH DAY OF APRIL 2020

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO

Michelle Lujan Grisham
MICHELLE LUJAN GRISHAM
GOVERNOR





RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - SECOND YEAR, 2020

AN ACTION

RELATING TO AN EMERGENCY; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF FOUR MILLION DOLLARS (\$4,000,000) FOR EMERGENCY FUNDS TO THE NAVAJO DEPARTMENT OF HEALTH, COVID-19 EMERGENCY FUNDS, BUSINESS UNIT NEW

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. Pursuant to 2 N.N.C. §164 (A)(16) "[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council."
- C. The Navajo Nation Council has the authority to approve supplemental appropriations. 12 N.N.C. § 820(L). Pursuant to 12 N.N.C. § 820 (L), "[t]he Navajo Nation Council may adopt and approve supplemental appropriations to the Annual Comprehensive Budget during the fiscal year. Supplemental appropriations of General Funds within the current fiscal year are permitted, if and when additional sources of revenues above and beyond the initial or current revenue projections are projected and which are also in excess of the reserve amount set forth at § 820(J)."
- D. The Title 12 Finance Act Supplemental Appropriation requirements include:
1. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis. 12 N.N.C. § 820(M).
 2. When the Controller identifies additional sources of revenues above and beyond the initial or current revenue

projections, supplemental appropriations may be approved by the Navajo Nation Council. 12 N.N.C. § 820(L).

3. Supplemental Appropriations made from non-recurring revenues shall only be made for non-recurring operations or purposes, as set forth at § 820(F). The Controller of the Navajo Nation shall be responsible for designation recurring and non-recurring revenues. 12 N.N.C. § 820(L).
4. The Nation shall budget all recurring operating expenses, including capital maintenance, from recurring revenues. Long term debt shall not be used to finance recurring operating expenses. 12 N.N.C. §820(E).
5. The Navajo Nation Code provides, "[t]he Nation shall restrict non-recurring revenues to budget non-recurring expenditures. In addition, non-recurring revenues will be budgeted only after an examination by the Controller to determine whether or not the revenues are subsidizing an imbalance between recurring revenues and expenditures, and expenditures may be authorized only if a long-term (three-five year) forecast shows that the operating deficit will not continue. Otherwise, non-recurring revenues will be added to the Unreserved, Undesignated Fund balance. This provision may be amended or waived by a two-thirds vote of the full Navajo Nation Council." 12 N.N.C. § 820(F).

SECTION TWO. FINDINGS

- A. In light of the Navajo Nation's Emergency Declaration regarding the outbreak of the COVID-19 virus this supplemental funding request is made for the purpose of emergency financial stability to address all aspects of providing emergency services including, preparedness, mitigation, response, and recovery. The aim of the funding is to reduce the harmful health effects of the pandemic virus.
- B. The Navajo Department of Health has requested a supplemental appropriation for COVID-19 Emergency Funds, Business Unit New. The total amount requested is Four Million Dollars (\$4,000,000). The budget documents are attached as **Exhibit A**.
- C. Due to the emergency nature of the funding request, the budget impact analysis required by 12 N.N.C. 820(M) can be provided by the Office of Management and Budget when this matter is heard by Council either in person or telephonically.


- D. Due to the emergency nature of the funding request the Controller can satisfy the requirements provided in 12 N.N.C. § 820(L) when this matter is heard by Council either in person or telephonically.

SECTION THREE. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF FOUR MILLION DOLLARS (\$4,000,000) FOR EMERGENCY FUNDS TO THE NAVAJO DEPARTMENT OF HEALTH, COVID-19 EMERGENCY FUNDS, BUSINESS UNIT NEW

- A. This supplemental appropriation of \$4,000,000 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller and as indicated the documents in **Exhibit A**.
- B. The Navajo Nation hereby approves supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of \$4,000,000 for emergency funds as indicated in the documents in **Exhibit A**.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 22 in Favor, and 00 Opposed, on this 20th day of March 2020.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

3.20.2020

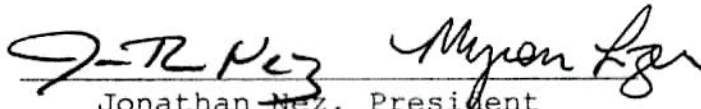
DATE

Motion: Honorable Raymond Smith, Jr.
Second: Honorable Pernell Halona

Speaker Seth Damon not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 20th day of March, 2020.


Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2020 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the 2010 Certified Initiative, over the supplemental appropriations approved herein by the Navajo Nation Council; on this _____ day of _____, 2020.

Jonathan Nez, President
Navajo Nation

FY 2020

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 8
BUDGET FORM 1

PART I. Business Unit No.: NEW Program Title: COVID-19 EMERGENCY FUNDS Division/Branch: Health/Executive
Prepared By: Christine M. Chavez Phone No.: 928-871-6612 Email Address: christine.chavez@nndoh.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
Supplemental Funds	10/01/19-9/30/20	4,000,000	100%					
				2001 Personnel Expenses	1	0	0	0
				3000 Travel Expenses	1	0	0	0
				3500 Meeting Expenses	1	0	0	0
				4000 Supplies	1	0	2,547,000	2,547,000
				5000 Lease and Rental	1	0	400,000	400,000
				5500 Communications and Utilities	1	0	110,000	110,000
				6000 Repairs and Maintenance	1	0	436,000	436,000
				6500 Contractual Services	1	0	75,000	75,000
				7000 Special Transactions	1	0	352,000	352,000
				8000 Public Assistance	1	0	0	0
				9000 Capital Outlay	1	0	80,000	80,000
				9500 Matching Funds	1	0	0	0
				9500 Indirect Cost	1	0	0	0
				TOTAL		\$0.00	4,000,000	4,000,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
TOTAL:		\$4,000,000	100%					

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.


Dr. Jill Jim, Executive Director

SUBMITTED BY: Program Manager's Printed Name

SUBMITTED BY:  3/18/20
Program Manager's Signature and Date

Paulson Chaco, Chief of Staff

APPROVED BY: Division Director/Branch Chief's Printed Name

APPROVED BY: 
Division Director/Branch Chief's Signature and Date

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title:

Navajo Nation Department of Health

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

HEHSCJA-01-18 Resolution of the Health, Education and Human Services Committee, 23rd Navajo Nation Council – 4th Year 2018. Relating to Health, Education and Human Services Committee; Amending and Approving the Navajo Department of Health Master Plan of Operation.

PART III. PROGRAM PERFORMANCE CRITERIA:**1. Goal Statement:**

Stop the person-to-person transmission of COVID-19

Program Performance Measure:

Provide preventive messaging using COVID-19 materials (oral/video) approved by CDC Guidance

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

500		500		500		500	
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2. Goal Statement:

Develop preventive materials to educate the public and communities on COVID-19 transmission.

Program Performance Measure:

Use strike teams and single source and task-force to inform public on COVID-19 person-person transmission and prevention.

500		500		500		500	
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3. Goal Statement:

Conduct home-to-home visits to check on and assist families suspected of COVID-19 infection.

Program Performance Measure:

Physically visit families to monitor for any signs/symptoms and conduct welfare checks. If needed, request for ambulance specifically design to transport infected person to nearest hospital

20		20		20		20	
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4. Goal Statement:

Provide staff development to enhance capabilities to address public health emergencies.

Program Performance Measure:

Offer NIMS-ICS training courses and exercises, drills and practice of roles and responsibility in ICS setting.

10		10		10		10	
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5. Goal Statement:

Proper use of Personal Protective Equipment (PPE) to assist with COVID-19 Persons Under Investigation (PUI) and if needed assist with isolation/quarantine facilities and at homes.

Program Performance Measure:

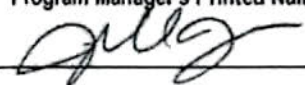
Ensure Just-In-Time Training for team members for health safety to limit risk of infection.

5		5		5		5	
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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

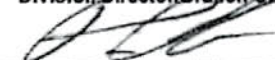
Dr. Jill Jim, NDOH Executive Director

Program Manager's Printed Name



Paulson Chaco, Chief of Staff

Division Director/Branch Chief's Printed Name



FY 2020

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 3 of 8
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>FY20 COVID-19 EMERGENCY FUNDS</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	4000 SUPPLIES		2,547,000.00
4120	Office Supplies Desktop supplies, folders, envelopes, pens, pencils, xerox paper, printer toner, file folders, etc. 4130 General Office Supplies -To purchase standard consumable office supplies for daily office operations <div style="text-align: right;">\$15,000.00</div>	15,000.00	
4200	Non Capital Assets 4230 Non-Cap Computer Equipment Purchase laptops \$6,000.00 Portable hard drives 1 terabyte \$1,600.00 Satellite Two-Way Radios & Phones \$8,400.00 <div style="text-align: right;">\$16,000.00</div>	\$16,000.00	
4410	Operating Supplies - General Operating Supplies All expendable supplies/materials expenditures (including PPE's) utilized in the daily program operations supporting community resources against COVID-19. (disinfectant/cleaning supplies, meals, medical supplies) for frontline personnel 4420 General Operating Supplies: \$50,000.00 4460 Food Supplies: Senior Centers Meals \$550,000.00 4490 Custodial Supplies \$538,000.00 4500 Medical Supplies \$1,193,000.00 4530 Printing/Binding/Photocopying: Copying/printing at NN Record Management \$150,000.00 <div style="text-align: right;">\$2,481,000.00</div>	\$2,481,000.00	
4610	Supplies 4620: Parts & Supplies \$5,000.00 4630: Tires & Tubes \$4,000.00 4640: Lubricants \$1,000.00 <div style="text-align: right;">\$10,000.00</div>	\$10,000.00	
4700	Fuel - for Generators 4710: Gasoline \$25,000.00	\$25,000.00	
TOTAL		2,547,000	2,547,000

FY 2020

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 4 of 8
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>FY20 COVID-19 EMERGENCY FUNDS</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	5000 LEASE & RENTAL		400,000.00
	Cover the rental cost for office space for the mobile command centers and meeting rooms to accommodate staff meetings. Also included are expenses for storage space rental for storing necessary supplies.		
5110	Building	100,000.00	
	5120 Office Space at site locations for deployment		
	Rental of buildings for isolation <u>\$100,000.00</u>		
5310	Building/Space	200,000.00	
	5320 Meeting Space \$50,000.00		
	5330 Storage Space \$1,500.00		
	5350 Other Space Rental <u>\$148,500.00</u>		
	<u>\$200,000.00</u>		
5360	Equipment/Supplies		
	5370 Equipment Rental	100,000.00	
	Equipment rental for staff meetings: projectors, white boards, etc.		
	zoom, microphone, speakers, LCD screens <u>\$100,000.00</u>		
	5500 COMMUNICATIONS & UTILITIES		110,000.00
	To communicate with service providers by utilizing the NN phone system for fax, internet, and email. The account will include communication equipment cost.		
5520	Telephone	20,000.00	
	5540 Long Distance: Office phones at off site locations <u>\$20,000.00</u>		
5570	Internet	20,000.00	
	Internet/T-1 services: <u>\$20,000.00</u>		
TOTAL		440,000	510,000

FY 2020

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 5 of 8
BUDGET FORM 4

PART I. PROGRAM INFORMATION:					
Program Name/Title: <u>FY20 COVID-19 EMERGENCY FUNDS</u>		Business Unit No.: <u>NEW</u>			
PART II. DETAILED BUDGET:					
(A)	(B)	(C)	(D)		
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)		
5610	Wireless 5620: Program cell phones for strike leaders \$6,000.00 5640: Satellite phones for remote area usage \$19,000.00 <u>\$25,000.00</u>	\$25,000.00	\$436,000.00		
5710	Energy 5720: Electric \$8,000.00 5730: Natural Gas \$8,000.00 5740: Propane \$9,000.00 <u>\$25,000.00</u>	\$25,000.00			
5750	Services 5760: Water \$15,000.00 5770: Sewage \$5,000.00 <u>\$20,000.00</u>	\$20,000.00			
6000 Repairs & Maintenance					
6020	Supplies 6030: Building R&M Supplies (rehabilitation for old buildings to be used for isolation) \$150,000.00 <u>\$150,000.00</u>	\$150,000.00			
6040	Services 6050: Building R&M Services \$200,000.00 Contractors: (Rehabilitation for old buildings to be used for isolation) <u>\$200,000.00</u>	\$200,000.00			
TOTAL		420,000			
					436,000

FY 2020

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

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BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>FY20 COVID-19 EMERGENCY FUNDS</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6110	Supplies	10,000.00	
	6120 - Furn & Equipment R& M Supplies	<u>\$10,000.00</u>	
	Supplies to repair and service office equipment, outdoor equipment, etc.		
6130	Services	10,000.00	
	6140: Furn & Equipment Services	<u>\$10,000.00</u>	
	Vendors: Service to repair and service office, and outdoor equipment		
6200	External Contractors	46,000.00	
	6210: Plumbing	\$3,000.00	
	6220: Electrical	\$3,000.00	
	6250: Waste Disposal for ICS Centers and mobile command post	\$20,000.00	
	6260: Custodial Services for ICS Centers and mobile command post	<u>\$20,000.00</u>	
		<u>\$46,000.00</u>	
6300	Technology	5,000.00	
	6310: Computer Hardware	\$ 3,000.00	
	6320: Software Support	\$ 2,000.00	
		<u>\$ 5,000.00</u>	
6410	Vehicle R&M - External	\$15,000.00	
	6420: Automobiles - GSA Vehicles	<u>\$15,000.00</u>	
TOTAL		86,000	-

FY 2020

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

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BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>FY'20 COVID-19 EMERGENCY FUNDS</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	6500 CONTRACTUAL SERVICES		75,000
6910	Other Contractual Services	75,000	
	6921: Other Services HAZMAT Disposal		
	HAZMAT Training Health Command and local ICS teams	<u>\$75,000.00</u>	
	7000 SPECIAL TRANSACTIONS		352,000
	Pay for cost of program activities cost, media cost, training		
	Programs	77,000	
	7180 Catering meals for ICS command and mobile unit	\$7,000.00	
	7190 Refreshments for EOC deployment	<u>\$70,000.00</u>	
	<u>\$77,000.00</u>		
7410	Media	275,000	
	7440 Print Advertising: Newspapers	\$75,000.00	
	7450 Radio Advertising: Radio spots (air time)	\$100,000.00	
	7470 Display Advertising (Bill boards)	<u>\$100,000.00</u>	
	<u>\$275,000.00</u>		
	9000 CAPITAL OUTLAY		80,000
9110	Furniture & Fixtures	15,000.00	
	9112 Furniture	<u>\$15,000.00</u>	
	Partitions for ICS Mobile Command Centers		
9140	Equipment	65,000.00	
	9142 Equipment	\$65,000.00	
	Purchase ATV-Side by Side Units for mobile command unit. Used for home to home contact based on weather conditions. Purchase would also cover tent/shelters for mobile diagnostic sites or mobile clinics.		
TOTAL		507,000	507,000

FY 2020THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage 8 of 8
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>FY20 COVID-19 EMERGENCY FUNDS</u>		Business Unit No.: <u>NEW</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	Major Object Code:		
	4000 \$2,547,000.00		
	5000 \$400,000.00		
	5500 \$110,000.00		
	6000 \$436,000.00		
	6500 \$75,000.00		
	7000 \$352,000.00		
	9000 \$80,000.00		
	<u>\$4,000,000.00</u>		
TOTAL		-	-

24th Navajo Nation Council

#05

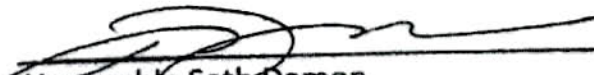
Special Session

Date: Friday, March 20, 2020Consent: Legislation 0062-20, 0064-20, 0065-20, 0060-20 + 0061-20Motion: Hon. Raymond Smith, Jr.Second: Hon. Pernell Halona

	Delegates	Yea	Nay	Excused
1	Elmer Begay	✓		
2	Kee Allen Begay, Jr.	✓		
3	Paul Begay, Jr.	✓		
4	Nathaniel Brown	✓-T		
5	Eugenia Charles-Newton	✓-T		
6	Herman Daniels	✓		
7	Seth Damon			
8	Amber Kanazbah Crotty	✓-T		
9	Mark Freeland	✓		
10	Pernell Halona	✓		
11	Jamie Henio			
12	Vince James	✓		
13	Rickie Nez	✓		
14	Carl Slater	✓		
15	Raymond Smith, Jr.	✓		
16	Wilson Stewart, Jr.	✓-T		
17	Charlaine Tso	✓		
18	Daniel Tso	✓		
19	Eugene Tso	✓		
20	Otto Tso	✓		
21	Thomas Walker, Jr.	✓		
22	Edison Wauneka	✓		
23	Edmund Yazzie	✓-T		
24	Jimmy Yellowhair	✓		
Total:		22	0	

T-Telephonic

CERTIFICATION:


Honorable Seth Damon
24th Navajo Nation Council Speaker

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



March 20, 2020

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CMA-06-20, *Approving Supplemental Funding From the Unreserved, Undesignated Fund Balance in the Amount of Four Million Dollars (\$4,000,000) for Emergency Funds to the Navajo Department of Health, COVID-19 Emergency Funds, Business Unit New*

Dear Speaker Damon,

Pursuant to the authority vested in the Navajo Nation President, I am signing CMA-06-20 into law.

I appreciate the action of the Navajo Nation Council to support the appropriation of emergency funds to the Navajo Department of Health, the lead entity in our fight against COVID-19, to address the pandemic that has hit the Navajo Nation. In the coming days our Nation will experience more confirmed cases of COVID-19 and we are working hard to slow down the spread of this virus among our People.

Well before we declared a Public Health State of Emergency on March 11, our Navajo Nation COVID-19 Preparedness Team has been working around the clock to monitor, plan, and prepare for the spread of COVID-19, issuing information to the public on how to prevent the spread of the disease, and working with federal and state partners to ensure our Navajo People have the supplies they need for themselves and their livestock. We also thank the Navajo enterprises that have stepped up to provide funding, resources, and assistance to protecting our communities.

With this funding approved by the Council, we will work to ensure that our frontline personnel have the resources to help the people most in need such as the elderly and high-risk residents. Working together, we can get through this trying time and we will ultimately overcome just as our ancestors did.

Thank you Speaker Damon and the 24th Navajo Nation Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Nez".

Jonathan Nez, President
THE NAVAJO NATION

A handwritten signature in black ink, appearing to read "Myron Lizer".

Myron Lizer, Vice President
THE NAVAJO NATION



RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - SECOND YEAR, 2020

AN ACTION
RELATING TO AN EMERGENCY; APPROVING MINIMIZED PROCEDURES FOR
ACCEPTING DONATIONS DURING THE COVID-19 EMERGENCY DECLARATION;
TEMPORARILY WAIVING CERTAIN PROVISIONS OF 2 N.N.C. § 1010

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Navajo Nation Council has the authority to direct where additional revenues are deposited. Pursuant to 12 N.N.C. § 820 (K), "[f]unds received in excess of the initial or current revenue projection shall be deposited into the General Fund Unreserved, Undesignated Fund balance unless otherwise designated by the Navajo Nation Council."
- C. The President of the Navajo Nation shall, for and on behalf of the Navajo Nation, accept or decline gifts of property, provided, that any such acceptance or refusal of a gift of an estimated value in excess of one thousand dollars (\$1,000) shall be with the concurrence of the Naabik'iyáti' Committee [formerly Government Services Committee]. 2 N.N.C. § 1010.
- D. Pursuant to 2 N.N.C. §164 (A)(16) "[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council."

SECTION TWO. FINDINGS

- A. In light of the Navajo Nation's Emergency Declaration, attached as **Exhibit A**, regarding the outbreak of the COVID-19 virus, as well as the emergency services required to mitigate its effects, there is a great need to expedite access to all available resources, financial and otherwise, to address the

health and safety of the Navajo people and their communities during the pandemic emergency.

- B. Under 2 N.N.C. § 1010, the Navajo Nation cannot spend donated funds or use donated property with an estimated value in excess of one thousand dollars (\$1,000) until the donation has been accepted by the President and concurred to by the Naabik'iyáti' Committee.
- C. Temporarily shortening the times and steps necessary for the Nation to accept a monetary or property donation is a reasonable approach to providing the Nation expedited access to resources, financial and otherwise, to address the health and safety of the Navajo people and their communities during the pandemic emergency.

SECTION THREE. TEMPORARILY WAIVING 2 N.N.C. § 1010

The Navajo Nation hereby temporarily replaces 2 N.N.C. § 1010's reference to the Naabik'iyáti' Committee with Speaker of the Navajo Nation Council and temporarily waives 2 N.N.C. § 1010's requirement that the Naabik'iyáti' Committee concur with the President's acceptance or refusal of a gift of an estimated value in excess of one thousand dollars (\$1,000)

SECTION FOUR. APPROVING TEMPORARY PROCEDURES TO ACCEPT DONATIONS

- A. The Navajo Nation Council hereby authorizes the Speaker to act alone, without resolution, on behalf of the Naabik'iyáti' Committee to concur with the President's acceptance or refusal of a gift to the Navajo Nation with an estimated value in excess of one thousand dollars (\$1,000) pursuant to 2 N.N.C. § 1010.
- B. The Controller is hereby required to notify the President and Speaker of any financial donation made by a donor who owes money to the Navajo Nation; if the donor is in arrears as to the money owed to the Nation, the Controller shall apply the donated funds to clear the arrears before depositing the donated funds into the General Fund Unreserved, Undesignated Fund balance pursuant to 12 N.N.C. § 820 (K).

SECTION FIVE. EFFECTIVE DATE

The provisions of this Action shall become effective in accord with 2 N.N.C. § 221 (B) and shall expire when the Declaration of Emergency is lifted.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 22 in Favor, and 00 Opposed, on this 20th day of March 2020.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

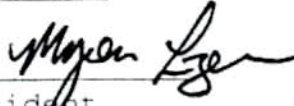
3.23.2020
DATE

Motion: Honorable Raymond Smith, Jr.
Second: Honorable Pernell Halona

Speaker Seth Damon not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 26th day of March, 2020.

J-N Nez 
Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2020 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

24th Navajo Nation Council

#05


Special Session

Date: Friday, March 20, 2020Consent: Legislation 0062-20, 0064-20, 0065-20, 0060-20 + 0061-20Motion: Hon. Raymond Smith, Jr.Second: Hon. Pernell Halona

	Delegates	Yea	Nay	Excused
1	Elmer Begay	✓		
2	Kee Allen Begay, Jr.	✓		
3	Paul Begay, Jr.	✓		
4	Nathaniel Brown	✓-T		
5	Eugenia Charles-Newton	✓-T		
6	Herman Daniels	✓		
7	Seth Damon			
8	Amber Kanazbah Crotty	✓-T		
9	Mark Freeland	✓		
10	Pernell Halona	✓		
11	Jamie Henio			
12	Vince James	✓		
13	Rickie Nez	✓		
14	Carl Slater	✓		
15	Raymond Smith, Jr.	✓		
16	Wilson Stewart, Jr.	✓-T		
17	Charlaine Tso	✓		
18	Daniel Tso	✓		
19	Eugene Tso	✓		
20	Otto Tso	✓		
21	Thomas Walker, Jr.	✓		
22	Edison Wauneka	✓		
23	Edmund Yazzie	✓-T		
24	Jimmy Yellowhair	✓		
Total:		22	0	

T-Telephonic

CERTIFICATION:


Honorable Seth Damon

24th Navajo Nation Council Speaker

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



March 26, 2020

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CMA-08-20, *An Action Relating to an Emergency; Approving Minimized Procedures for Accepting Donations During the COVID-19 Emergency Declaration; Temporarily Waiving Certain Provisions of 2 N.N.C. §1010*

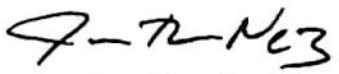
Dear Speaker Damon,


Pursuant to the authority vested in the Navajo Nation President, I am signing CMA-08-20 into law.

With the state of emergency for public health purposes it is a blessing that our Navajo Nation enterprises step up to help our people, their relatives, with a donation. We could anticipate more donations coming to the Navajo Nation to help those in need. To make sure these donations are timely accepted and put to good use I agree there should be steps taken at this time to address the process. This is an unprecedented time for the Navajo Nation and in normal circumstance I would be concerned about the waiver by the Navajo Nation Council of the authority of the Office of the President and Vice President; however, I must keep in mind the needs of our People. For this reason, I am signing CMA-08-20 into law with its limited application during this emergency period.

Thank you to Speaker Damon and the 24th Navajo Nation Council.

Sincerely,


Jonathan Nez, President
THE NAVAJO NATION


Myron Lizer, Vice President
THE NAVAJO NATION

NAVAJO NATION

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4/17/2020

Navajo Nation Council Special Session

02:30:13 PM

Amd# to Amd#	Legislation 0084-20: Establish-	PASSED
MOT Tso, E	ing the NN COVID-19 Response	
SEC Charles-Newton	Donation Fund to House Financial	
	Donations made to NN to assist..	

Yeas : 22

Nays : 0

Excused : 0

Not Voting : 1

Yea : 22

Begay, E	Damon	Slater, C	Tso, E
Begay, K	Daniels	Smith	Walker, T
Begay, P	Freeland, M	Stewart, W	Wauneka, E
Brown	Halona, P	Tso	Yazzie
Charles-Newton	James, V	Tso, D	Yellowhair
Crotty	Nez, R		

Nay : 0

Excused : 0

Not Voting : 1

Tso, C

Presiding Speaker: Henio, J