



24th NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

I, Thomas Walker, Jr., Primary
Sponsor of proposed legislation hereby withdraw my
sponsorship of the proposed legislation. The legislation
tracking number is 0103-21.

If there are any co-sponsors, they may re-sponsor the same
bill by beginning a new legislation.

SPONSOR SIGNATURE:

Thomas Walker Jr

DATE:

7/12/21

LEGISLATIVE SUMMARY SHEET

Tracking No. 0103-21

DATE: June 22, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'IYATI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; RESCINDING CMA-09-20 AND CAP-19-20 NOT WITHSTANDING THE CURRENT PUBLIC HEALTH EMERGENCY ORDERS AND SUPPORTING THE CONTINUED USE OF TELEPHONIC CHAPTER MEETINGS AND THE CHAPTER RETURN TO OPERATIONS PLAN

PURPOSE: This resolution, if approved, will rescind N.N.C. Resolutions CMA-09-20 and CAP-19-20 to allow Chapter chapters to return to almost normal Chapter meetings and quorum requirements, but still allow Chapter members to use telecommunication attendance methods.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 4:50pm 06-24-21
Website Posting Time/Date: 06-29-21
Posting End Date: 06-30-21
Eligible for Action:

Health Education & Human Services Committee
Thence
Resources & Development Committee
Thence
Naabik'iyati' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0103-21

AN ACTION

RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES,
RESOURCES AND DEVELOPMENT, AND NAABIK'IYATI'
COMMITTEES, AND THE NAVAJO NATION COUNCIL; RESCINDING
CMA-09-20 AND CAP-19-20 NOT WITHSTANDING THE CURRENT
PUBLIC HEALTH EMERGENCY ORDERS AND SUPPORTING THE
CONTINUED USE OF TELEPHONIC CHAPTER MEETINGS AND THE
CHAPTER RETURN TO OPERATIONS PLAN

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services is a standing committee of the Navajo Nation Council. 2 N.N.C. §400(A). The Committee reviews legislations relating to health and environmental health. 2 N.N.C. §401(B)(6)(a).
- B. The Resources and Development Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. §500(A). The Committee has oversight over chapter activities. 2 N.N.C. §500(C).
- C. The Naabik'iyati' Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. §700(A). The Committee, among other responsibilities, has authority over

1 proposed resolutions requiring “final action by the Navajo Nation Council.” 2
2 N.N.C. §164(A)(9).

3 D. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C.
4 § 102(A).

6 **SECTION TWO. FINDINGS**

7 A. On March 11, 2020, the Navajo Nation Commission on Emergency Management, with
8 concurrence of Navajo Nation President Jonathan Nez, declared a Public Health State
9 of Emergency for the Navajo Nation in response to the COVID-19 Pandemic. CEM-
10 20-03-11.

11 B. On March 13, 2020, Navajo Nation President Jonathan issued Executive Order 001-
12 20 which closed governmental offices including Chapter buildings.

13 C. On March 18, 2020, the Navajo Department of Health issued the first Public Health
14 Emergency Order which, amongst other things, limited gatherings to ten persons.

15 D. Under 26 N.N.C. § 1003(B), the minimum quorum requirement for Chapter meetings
16 is twenty-five registered chapter members. Under Resources and Development
17 Committee Resolution No. RDCD-127-12, some Chapters have been authorized to
18 lower their quorum requirement but the lowest authorized quorum is fifteen registered
19 chapter members.

20 E. In response to Executive Orders and Pubic Health Emergency Orders, the Navajo
21 Nation Council passed CMA-09-20 which authorized the Chapters to reduce quorum
22 requirements to three individuals so long as chapters limited action items to budget
23 matters, emergency matters, and COVID-19-related matters.

24 F. The Navajo Nation Council also passed CAP-19-20 (CMA-36-20 overrode the veto to
25 make CAP-19-20 effective on May 15, 2020) which had a series of temporary law
26 suspensions and authorizations such as allowing Chapters to meet telephonically and
27 to empower the Division of Community Development to make reasonable temporary
28 changes to the standard Five Management System to help Chapters function during
29 the COVID-19 Pandemic. Under CJY-64-20, CAP-19-20 was extended indefinitely.

- 1 G. On August 17, 2020, Navajo Nation President Jonathan Nez issued Executive Order
2 009-20 which reopened the Navajo Nation Governmental Offices and services to the
3 public. In preparation, the Navajo Nation Department of Justice issued a reopening
4 plan for Chapters titled “Chapter Return to Operations Plan”, attached as **Exhibit A**.
- 5 H. On November 13, 2020, Navajo Nation President Jonathan Nez issued Executive
6 Order 010-20 which, amongst other things, closed governmental offices again.
7 Subsequent Executive Orders were issued and the closures remained in place until
8 February 5, 2021 when Executive Order 004-2021 reopened the government.
- 9 I. On April 22, 2021, Public Health Emergency Order No. 2021-010 expanded
10 gatherings to fifteen or fewer persons. On May 21, 2021, Public Health Emergency
11 Order 2021-011 indicated that the “Navajo Nation is experiencing a plateau of low
12 cases, with a slowed infection rate and no sustained rebound.”
- 13 J. On June 18, 2021, Public Health Emergency Order No. 2021-012 expanded gatherings
14 to twenty-five or fewer persons.
- 15 K. The expanded gathering limit allows Chapters to meet with 25 persons and therefore
16 there is no longer a need for the three-person quorum reduction. Furthermore, as
17 Chapters adapt to the “new normal” of conducting Chapter meetings by teleconference
18 or other electronic means, any Chapter will be able to hold an in-person Chapter
19 meeting of up to twenty-five persons and allow additional attendees to attend the
20 meeting by telephone or other electronic means.
- 21 L. The current and future Public Health Emergency Orders and the Chapter Return to
22 Operations Plan provides adequate guidance for Chapters to conduct meetings and
23 services in a safe manner.
- 24 M. Accordingly, there is no longer a need for the temporary authorizations and
25 suspensions provided in CMA-09-20 and CAP-19-20.

26
27 **SECTION THREE. RESCINDING CMA-09-20 AND CAP-19-20 NOT**
28 **WITHSTANDING THE CURRENT PUBLIC HEALTH EMERGENCY ORDERS**
29 **AND SUPPORTING THE CONTINUED USE OF TELEPHONIC CHAPTER**
30 **MEETINGS AND THE CHAPTER RETURN TO OPERATIONS PLAN**

1 A. The Navajo Nation Council hereby rescinds CMA-09-20 and CAP-19-20 and
2 notwithstanding any Public Health Emergency orders, Chapter meeting quorum
3 requirements shall return to a minimum of twenty-five persons unless otherwise
4 authorized under TDCD-127-12.

5 B. The Chapters may continue to use telephonic or other electronic means as a
6 supplement to meet their normal quorum requirement.

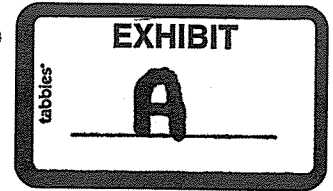
7 C. The Navajo Nation Council hereby supports the continued use of the “Chapter
8 Return to Operations Plan”, **Exhibit A**, to guide Chapters in providing services to
9 their communities in a safe manner.

10 11 **SECTION FOUR. EFFECTIVE DATE**

12 This Resolution is effective upon its approval pursuant to 2 N.N.C. § 221(B) and the
13 President’s budget line-item veto authority set forth in 2 N.N.C. § 164 (A)(17) pursuant
14 to Resolution No. CS-68-20 and CJY-62-20.

15 16 **SECTION FIVE. SAVING CLAUSE**

17 Should any provision of this legislation be determined invalid by the Navajo Nation
18 Supreme Court, or a District Court of the Navajo Nation without appeal to the Navajo
19 Nation Supreme Court, those portions of the legislation which are not determined invalid
20 shall remain the law of the Navajo Nation.



Chapter Return to Operations Plan

(version 3/19/2021)

I. Introduction

Last year in March 2020, the Covid-19 Pandemic caused a limited governmental closure wherein the government was only providing “essential governmental services.” In August 2020, there was a gradual reopening of the government whereby “non-essential governmental services” could resume. In November 2020, the government returned to a limited governmental closure status. In February 2021, the government “reopened” again. All the while, the Chapters have been providing essential governmental services to their communities.

The first Chapter Return to Operations Plan (also referred to as the “Chapter Reopening Plan”) was created in August 2020 to assist Chapters in providing “non-essential governmental services” to their communities. This updated Plan continues to be designed to protect every Chapter employee, official, clients, customers, partners, visitors, and the communities that the Chapters serve.

This Plan is also meant to be as flexible as possible in light of ever-changing laws, regulations, and policies that continue to address this COVID-19 virus and pandemic. In other words, this Plan should be interpreted and applied as new developments and guidance are issued by the Navajo Department of Health (NDOH) and/or the Navajo Nation Health Command Operations Center (HCOC). The NDOH webpage for Covid-19 is a great resource for the most updated information for the Navajo Nation: <https://www.ndoh.navajo-nsn.gov/COVID-19>

II. COVID-19 Guidelines

The COVID-19 virus is transmitted through respiratory droplets. One way to describe respiratory droplets is that it is anything liquid in a person’s body (i.e. spit, blood, tears, etc.). Whenever an infected person breathes, speaks, or coughs, droplets are released into the air and can land on another person or object. Personal Protective Equipment (PPE) and Social Distancing can reduce how far the virus can travel. No matter where the virus lands, personal hygiene, cleaning, and disinfection can kill the virus.

Most common symptoms of COVID-19 include fever, tiredness, dry cough, chills, aches and pains, headache, nasal congestion, runny nose, sore throat, loss of taste/smell, nausea/vomiting or diarrhea. By now we know that there are also “asymptomatic carriers” which is a person infected with the virus but is not showing any symptoms. Thus, a person can appear perfectly healthy but they could be carrying the

virus and can still infect others. Therefore, just because a person appears to be healthy, you cannot let your guard down.

The Covid-19 vaccines are extremely helpful but there are a lot of misconceptions. In particular, it is true that a person who is “fully vaccinated” can just as easily get infected with the Covid-19 virus as someone who is not vaccinated. However, the benefit of the vaccines are to help with symptoms. For example, a person receiving Pfizer is “fully vaccinated” when it has been two weeks (14 days) since receiving their second dose.¹ If he or she gets infected, there should be a 96% chance (efficacy rate²) that the person will not have any symptoms or will have mild symptoms. That also means that there is a 4% chance that the person could get very sick. Therefore, even if fully vaccinated, it is very important for Chapters and their communities to continue wearing masks, social distancing, maintaining personal hygiene, and cleaning/disinfecting areas.

A. Social Distancing

1. All persons shall remain six (6) feet apart from the next person. This may require reconfiguring work areas for Chapter staff. This may also include social distancing markers for the Public using tape and signs designating 6-feet of spacing.
2. Additional measures to consider:
 - a. Using Chapter Emergency Funds to install protective measures such as:
 - i. Plexiglas, clear plastic, half-doors, or other barriers providing a six feet distance.
 - ii. Improve the ventilation system of Chapter building(s).
 - b. Implement flexible work schedules for Chapter employees as mentioned in Section IV(D).
3. Social distancing also applies to all public gatherings which are currently limited to ten (10) persons. To be safe, Chapters shall ensure that all ten persons are fully vaccinated. Chapters shall not condone or encourage any other social activities to occur in any Chapter facility until the public gathering restrictions are lifted by the HCOC.

B. Personal Protective Equipment

1. Masks are required within all Chapter facilities. Studies have shown that without face coverings, the virus can easily travel beyond six feet. Therefore, masks are important. All masks should fit properly covering the nose and mouth. A loosely fitted mask, including one that only covers the mouth, will not be protective.

¹ Moderna is also a two dose vaccine and full vaccination is also two weeks from the second dose. The Johnson & Johnson vaccine is a single dose vaccine and fully vaccination is also two weeks from receiving their dose.

² Moderna's current efficacy rate is 94% and Johnson & Johnson's is 66%.

2. Face masks.

- a. Non-medical disposable masks *that fit well* are highly recommended.
- b. Properly made and properly fitted masks with a tightly woven fabric or cotton is also recommended. The more layers the better in order to capture the virus but the mask must also be breathable. Doubling up on masks is encouraged in light of the variant Covid-19 virus which is more contagious.
- c. Certain masks are not recommended for Chapter Officials/Staff such as single layer cloth masks; loose fabrics such as neck gaiters; bandanas; and masks with exhalation valves.
- d. Members of the Public are responsible for providing their own face masks. As such, Chapters cannot require the Public to wear the recommended masks. Thus, if a community member comes to the Chapter wearing a mask that is not recommended, Chapters should take extra safety measures when interacting with that person.
- e. When putting on or taking off masks, touch only the ear loops because the virus could be present on the fabric portion.
- f. Single use masks should only be used once. Reusable masks like cloth masks should be laundered after every use.
- g. Face shields shall not replace face masks. In other words, a Chapter Official/Staff wearing a face shield must also wear a recommended face mask.

3. Use of other Personal Protective Equipment (PPE) is discretionary.

C. Personal Hygiene

1. Frequent hand washing with soap and water for at least 20 seconds is required. If soap and water is unavailable, a hand sanitizer containing a minimum of sixty percent (60%) alcohol may be used.
2. Avoid touching your face, nose, eyes, and mouth after touching anything because infected droplets can enter your body through those areas.

D. Cleaning & Disinfection

1. Since droplets can land on surfaces, it is important to clean and disinfect any area that had a risk of exposure. Section VI(H) cites to a resource containing a list of EPA-approved cleaning products that Chapters can use for cleaning and disinfection. If EPA-approved cleaning products are unavailable, the Chapter can use the following concentration of water and bleach:
 - a. 4 teaspoons of bleach per quart of room temperature water; or
 - b. 5 tablespoons (1/3 cup) of bleach per gallon of room temperature water.
2. Avoid touching frequently touched surfaces or use a protective barrier such as a tissue when

touching those surfaces. Wash hands after touching such surfaces. Gloves can also transmit the virus and therefore gloves should also be for single use only. For leather work gloves, these can be washed with soap and water with the same technique as washing one's hands.

3. The person, employee, or official using any area of the Chapter building or Chapter vehicle/equipment shall be responsible for cleaning and disinfecting the area **before and after each use**. This includes tables, doorknobs, light switches, desks, handles, keyboards, computer mouse, toilets, faucets, sinks, steering wheel, door handles, gearshifts, and cell phones. This includes shared workstations which must be cleaned and disinfected between users. This is not meant to be a comprehensive list of items that needs to be cleaned and disinfected.
4. Develop a routine cleaning schedule. Certain areas such as those frequented by the Public (the Lobby), should have a more frequent cleaning schedule.
5. All nonessential amenities and communal areas that the Chapter cannot clean and disinfect on a frequent basis should remain closed to the public.
6. While there is a low risk of exposure for mail, the Chapter should disinfect mail.

III. Communication Guidelines

A. Notices at Chapters help to Communicate with the Community.

1. Chapters shall post signs that provides the contact information for the nearest healthcare facility.
2. A sign shall be posted informing visitors that anyone not wearing a mask will not be permitted to enter the Chapter facility.
3. A sign should also be posted to prohibit loitering, selling, and socializing.
4. It may help to have Chapter Staff keep copies of the latest Navajo Nation Emergency Public Health Order which can be found at: <https://www.ndoh.navajo-nsn.gov/covid-19>

B. Client/Customer Appointments

1. For Chapters and Clients with internet service:
 - a. Chapters should communicate updated information to their community and clients through the official Chapter website, email, or other forms of communication.
 - b. To the extent feasible, all meetings with staff, clients, and others should be conducted by Skype, Zoom, GoToMeeting, video, WebEx, telephone, or any other non-contact means.
 - c. As much as is possible, Chapters should take applications for assistance or services via on-line, e-mail, postal service, fax, or other non-contact means.
2. For Chapters or Clients without internet service:
 - a. Any in-person meeting must be held with all safety measures in place (i.e., personal protective

- equipment, social distancing, personal hygiene, cleaning, and disinfection).
- b. Chapters with long lines of clients should consider scheduling appointments. Drive-thru service is also an option.
- 3. Chapters should continue to utilize the safety measures described in:
 - a. Emergency Navajo Nation Chapter Plan for Chapter Drive-up, Pick-up, and Delivery of Essential Services (March 25, 2020); and the
 - b. Emergency Navajo Nation Chapter Plan for Guidance on Burials, Community Cemeteries, Family Plot Burials and Related Services (April 16, 2020).
- 4. Chapters should provide a drop-box or make other suitable non-contact or limited contact arrangements for clients who lack internet access in order to return any required documents.
- 5. Chapters should consider purchasing Point-of-Sale systems to limit or reduce the exchange of cash.
- 6. Maintain a daily log or sign-in sheet of every visitor, including staff and officials. This may aid with contact tracing.

IV. Guidelines for Chapter Employees and Officials

- A. Every Chapter Employee and Official has a duty to protect themselves and the People whom they serve and therefore every person has a duty to implement these guidelines.
- B. COVID-19 Education and Information.
 - 1. There continues to be a great amount of misinformation and belief based on incorrect information.
 - 2. Chapter Officials and Chapter Employees owe a duty to their community to educate themselves and disseminate correct information about COVID-19 to their community based on reliable sources such as the NDOH, HCOC, or sources cited in Section VI herein.
 - 3. Facebook and other social media platforms are not reliable. Any information from these sources should be verified by reliable sources.
- C. Update contact information for all Chapter Staff and Officials (e.g., cell phone numbers, alternative phone numbers, mailing addresses, and email addresses). This information is necessary to communicate immediately for any important information. Be mindful of confidential information and as a reminder, all staff and officials are bound by the restrictions in the Navajo Nation Privacy and Access to Information Act, 2 N.N.C. §§81 *et. seq.*
- D. Telecommuting (Telework) and/or Flexible Work Schedules.
 - 1. Telecommuting is generally allowing staff to work from home or an alternative work site. This is nothing new as all personnel policies allow working from alternative work sites. However,

telecommuting may not be suitable for some Chapter positions and therefore Chapters are not obligated to create duties in order to allow their employees to telecommute. In fact, some Chapters and/or employees may suffer from infrastructure defects such as the lack of communication/internet services that may make telecommuting not an option.

2. The Chapter Manager/CSC should consult with the Chapter Officials in planning for telecommuting. Factors to consider:
 - a. Unless there is a closure or the Chapter implements an alternative schedule, telecommuting requires one of the following Chapter employees to be present at the Chapter from 8a-12p and 1p-5p, Monday-Friday.
 - i. Community Service Coordinator / Chapter Manager; or
 - ii. Account Maintenance Specialist / Administrative Assistant.
 - b. If Chapter office space is insufficient to allow staff to operate using the six feet distancing requirements and there is no other alternative, the Chapter should implement a combination of staggered work schedules and telecommuting to meet the social distancing requirements.
 - c. Plan for duties that can be done at an alternative work area. An alternative work area may include the employee's home, another office space, or another facility.
3. Telecommuting Policy and Procedures:
 - a. The Employee submits a request to their supervisor.
 - b. The Chapter Manager/CSC approves or denies the request.
 - c. If approved, the Chapter Manager/CSC shall:
 - i. Clearly define duties and define the duration of the telecommuting period;
 - ii. Complete an equipment checklist for any communication devices such as a cell phone, laptop, etc. However, the Chapter is not responsible for providing such equipment. The Chapter is also not responsible for any damage to any personal equipment used by the telecommuting employee.
 - d. If approved, the Telecommuting Employee shall:
 - i. Have the duty to communicate with their supervisor.
 - ii. Sign a Telecommuter's Agreement which may contain additional requirements.
 - e. Telecommuting does not need to be for the entire 40-hour work week. It can be used alongside a "flexible work schedule." In other words, a telecommuting employee may be required to come to the Chapter during certain parts of the work week.
 - f. Telecommuting is a privilege and is subject to termination at any time for any reason.

4. Flexible Work Schedules. Unless the Chapter has developed their own policy, Chapters may use: <http://www.dpm.navajo-nsn.gov/forms/Flexible%20Work%20Schedule.pdf>. Any alternative Chapter facility operation hours shall be clearly communicated to their community.

D. Elective Leave.

1. These Elective Leave Guidelines apply only to Chapter employees with leave benefits.
2. If the Chapter is safe to reopen but the employee believes it is unsafe to return to work. The employee will use their annual leave before approved leave without pay is applied.
3. If the employee refuses to return based on an "underlying health condition," the employee will be required to produce a doctor's statement to their supervisor. Such leave will be applied in the following order: sick leave, annual leave, family medical leave (if applicable), then approved leave without pay.
4. If the employee cannot return to work due to lack of childcare arising from distance learning required by their children's schools (including distance learning option), employees shall provide a written statement to their supervisor. Leave for this reason will be exhausted in the following order: annual leave, then approved leave without pay.

E. COVID-19 Leave

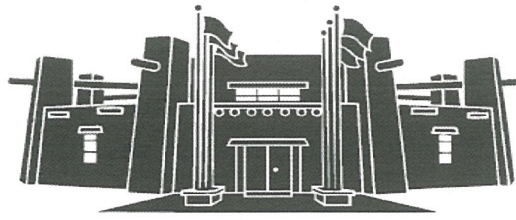
1. COVID-19 leave is only for Chapter employees who have been **deemed essential** by the Chapter Manager or by the Chapter CSC.
2. The Navajo Nation's COVID-19 leave policy applies to the Chapter CSC and AMS. These employees must follow the Navajo Nation's guidelines at: <http://www.dpm.navajo-nsn.gov/memos/Covid%20Leave%20Procedures%20and%20form%2008312020.pdf>
3. All other essential Chapter employees may request COVID-19 leave for:
 - a. Category A – When a family member has tested positive and requires assistance from the employee.
 - b. Category B – When the employee has tested positive for COVID-19.
 - c. Category C – When the employee has been exposed to COVID-19 or is experiencing symptoms of COVID-19.
4. Generally, requests must be submitted in writing except that if the employee is positive or having symptoms, their request shall be done via email.
 - a. For Category A, the employee must describe the assistance needed by the family member and why another person cannot provide that assistance;
 - b. For Categories A & B, the employee will need to submit official medical documentation or a

signed affidavit. Once submitted, the Supervisor must grant COVID-19 leave.

- c. For Category C, exposure means being within six feet of a positive person for more than 15 minutes. Please see Section II for "symptoms."
5. COVID-19 leave ends when the employee can show a negative test result. In any case, the maximum period for COVID-19 leave is 120 hours. Thereafter, the employee will need to use other leave benefits.
6. All documents relating to COVID-19 leave shall be kept confidential.

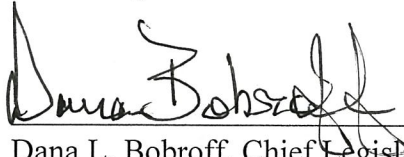
V. COVID-19 EXPOSURE AT THE CHAPTER

- A. If information is confirmed that a person has tested positive and he/she was within a Chapter facility, the following shall occur:
 1. Close off areas used by the person who is sick;
 2. Open outside doors and windows (use a fan to increase circulation);
 3. Close the facility if necessary;
 4. Wait twenty-four (24) hours before cleaning and disinfecting the closed off area;
 5. Areas not visited by the infected person only needs routine cleaning;
 6. Wear masks and disposable gloves to clean and disinfect;
 7. Vacuuming:
 - a. Do not vacuum while People are present (wait until the room/space is empty);
 - b. Use a vacuum equipped with a high-efficiency particular air (HEPA) filter or bag;
 - c. To clean "soft and porous" materials such as carpets, rugs, or drapes, use the approved list of recommended disinfectants referenced in Section VI(H)..
 - d. While vacuuming, temporarily turn off in-room, window-mounted, or on-wall recirculation HVAC units. However, do not deactivate the central HVAC system.
 8. Once the area has been disinfected, the area can be reopened.
 9. If the area has not been disinfected but it has been seven (7) days since the infected person was in that area, the area can be reopened after routine cleaning and disinfection.
 10. The Chapter may contact the Navajo Nation Facilities Maintenance Department but professional cleaning is generally not be required because the COVID-19 virus is airborne for only a limited time. Thus, it is generally safe for employees (who were not exposed) to return to the Chapter building after a twenty-four (24) hour period to begin cleaning and disinfecting the Chapter facility.



MEMORANDUM

TO: Honorable Thomas Walker
24th Navajo Nation Council

FROM: 
Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: June 22, 2021

SUBJECT: **AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'IYATI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; RESCINDING CMA-09-20 AND CAP-19-20 NOT WITHSTANDING THE CURRENT PUBLIC HEALTH EMERGENCY ORDERS AND SUPPORTING THE CONTINUED USE OF TELEPHONIC CHAPTER MEETINGS AND THE CHAPTER RETURN TO OPERATIONS PLAN**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0103-21__

SPONSOR: Thomas Walker, Jr.

TITLE: An Action Relating to the Health, Education and Human Services, Resources and Development, and Naabik'iyáti' Committees, and the Navajo Nation Council; Rescinding CMA-09-20 and CAP-19-20 Not Withstanding the Current Public Health Emergency Orders and Supporting the Continued Use of Telephonic Chapter Meetings and the Chapter Return to Operations Plan

Date posted: June 24, 2021 at 4:50PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0103-21

SPONSOR: Honorable Thomas Walker Jr.

TITLE: An Action Relating to the Health, Education and Human Services, Resources and Development, and Naabik'iyáti' Committees, and the Navajo Nation Council; Rescinding CMA-09-20 and CAP-19-20 Not Withstanding the Current Public Health Emergency Orders and Supporting the Continued Use of Telephonic Chapter Meetings and the Chapter Return to Operations Plan

Posted: June 24, 2021 at 4:50 PM

5 DAY Comment Period Ended: June 29, 2021

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	1.) Damien Augustine
Comments/Recommendations	<i>None</i>


 Legislative Tracking Secretary
 Office of Legislative Services
6/30/2021 8:27 AM
 Date/Time



The Navajo Nation, Counselor Chapter House, P.O. Box #93, Counselor, New Mexico 87018



Phone & Fax #: (575)568-4311
Email: counselor@navajochapters.org



Damien Augustine, Chapter President
Harry Domingo Sr., Vice President
Danny Augustine, Secretary/Treasurer
Daniel Augustine, Land Board Member

Daniel Tso, Council Delegate
Samuel Sage, Comm. Services Coordinator
Martha A. Aragon, Acct. Maint. Specialist
Marlene Thomas, Community Health Worker

24th Navajo Nation Council
Office of Speaker
The Navajo Nation
PO BOX 3390,
Windowrock, AZ 86515

June 25, 2021

**RE: WRITTEN COMMENTS FOR LEGISLATION NO. 0103-21: APPROVING
RESCINDING CMA-09-20 AND CAP-19-20 NOT WITHSTANDING THE CURRENT
PUBLIC HEALTH EMERGENCY ORDERS AND SUPPORTING THE CONTINUED USE
OF TELEPHONIC CHAPTER MEETINGS AND THE CHAPTER RETURN TO
OPERATIONS PLAN**

Dear Honorable Delegates and Committee Members,

This letter is in a response to "LEGISLATION NO. 0103-21" and to further state that rescinding the current orders on Chapter Meeting Quorums and Chapter Meetings back to normalcy at such a premature status is very alarming. As the elected representative for Counselor Chapter and the community, I am strongly opposing the Council's intentions to "rescind" CMA-09-20 and CAP-19-20 orders. With the Delta Variants on the rise and other possible variants stirring up, I don't believe we should be rushing back to normalcy.

Please consider our elders, our children, and most of all, our elected Officials. During the heart of the Pandemic, many of us went on the frontlines and using telephonic resources, working remotely from our homes have strengthened us and we will continue to help our people. Also, during these times, there was no vaccine for the virus, and we pushed ourselves to the frontlines. Please consider that we still have many people who are hesitant about coming back together and meeting. We would like to keep the quorum to 3 members and be able to invite our people back in phases.

Again, let us not rush back to normalcy at such a premature stage, with many new variants on the rise. Although many of our people are vaccinated, that doesn't mean the virus vanishes. We need to readjust our meeting requirements and further honor those that have lost their lives to the virus. Please consider lifting such orders until late fall using scientific data, and not just copying our neighbors.

Sincerely,

Damien Augustine, MA.
Chapter President