24th NAVAJO NATION COUNCIL
Action Report
Second Year 2020

The **Navajo Nation Council** to whom has been assigned:

NAVAJO NATION LEGISLATIVE BILL #0075-20

An Action Relating to an Emergency for the Navajo Nation; Waiving 11 N.N.C. §§ 3 (B) and (C), 6 (A) and 26 (A); for purposes of addressing COVID-19 health crisis, postponing the 2020 Navajo Nation Chapter Elections for one year and extending current terms of office for such time

SPONSOR: Honorable Eugene Tso

Has had it under consideration and reports the same **EXPIRED**

Respectfully Submitted,

Honorable Seth Damon, Speaker
24th NAVAJO NATION COUNCIL

9 JUNE 2020

On 10 April 2020, Legislation 0075-20 was Tabled. Tabling language was "to Table Legislation 0075020 for 60 Days and Within said 60 Days a Directive to the Navajo Nation Board of Elecdtion Supervisors to Address Postponing the Election Through Resolution." Per Navajo Nation Council Rule 19. H., "Any legislation not taken up from the table in the manner provided herein or at the time directed by the Council shall be deemed to have expired and shall be eliminated from the agenda of the Council." Legislation 0075-20 has not been acted upon by the Navajo Nation Council's 2020 within 60 Days (Tuesday, June 9, 2020) and is therefore "expired". Legislation 0075-20 will be closed out.

LEGISLATIVE SUMMARY SHEET

Tracking No. 0075-20

DATE: April 1, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; WAIVING 11 N.N.C. §§ 3(B) AND (C), 6(A) AND 26(A); FOR PURPOSES OF ADDRESSING COVID-19 HEALTH CRISIS, POSTPONING THE 2020 NAVAJO NATION CHAPTER ELECTIONS FOR ONE YEAR AND EXTENDING CURRENT TERMS OF OFFICE FOR SUCH TIME

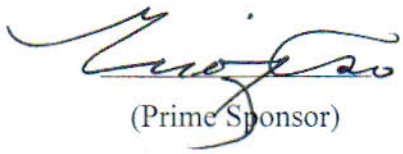
PURPOSE: This emergency bill will, for purposes of addressing the COVID-19 health crisis, postpone the 2020 Navajo Nation Chapter Elections for one year. Because of this postponement, terms of office for current officials (those holding positions subject to the chapter elections) will be extended for the same postponement period. These actions necessarily will require the waiving of certain provisions of the Election Code, including provisions at 11 N.N.C. §§ 3(B), 6(A) and 26.

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL -- Second Year, 2020

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0075-20

AN ACTION

RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; WAIVING 11 N.N.C. §§ 3(B) AND (C), 6(A) AND 26(A); FOR PURPOSES OF ADDRESSING COVID-19 HEALTH CRISIS, POSTPONING THE 2020 NAVAJO NATION CHAPTER ELECTIONS FOR ONE YEAR AND EXTENDING CURRENT TERMS OF OFFICE FOR SUCH TIME

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

2. 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).

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

SECTION TWO. FINDINGS

1. 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, with several deaths reported.

2. 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 Public Health State of Emergency due to the outbreak of coronavirus (COVID 19) in areas surrounding the Navajo Nation. Acknowledging the establishment of 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**.

3. 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**.

4. On March 19, 2020, in respect to the COVID-19 outbreak in the community of Chilchinbeto, the community was ordered closed and quarantined. A Shelter-in-Place order was immediately issued to residents. See **Exhibit C**.

5. 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 D**. The same order prohibits visitors to the Navajo Nation, and requires the closure of all businesses on the Navajo Nation except "essential businesses."

6. 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 E**

7. On March 31, 2020, Executive Order 002-20 was issued extending the closure of all Navajo Nation governmental offices. **Exhibit F**.

8. For purposes of protecting the health of the residents of the Navajo Nation, and to help prevent the further spread of COVID-19, it is in the best interest of the Navajo Nation that the 2020 Chapter General Elections be postponed.

9. The Navajo Board of Election Supervisors supports and recommends the postponement of the 2020 Chapter Election.

SECTION THREE. POSTPONING THE 2020 CHAPTER ELECTIONS

The Navajo Nation hereby postpones the 2020 Navajo Nation Chapter Elections. Accordingly:

1. The 2020 Chapter Elections shall be postponed for one year.
2. The terms of Office for current Chapter Officials and other elected officials elected to four year terms in the 2016 Chapter Elections shall be extended for one year, consistent with this emergency action of the Navajo Nation.
3. The Navajo Nation Council, for purposes of this emergency action concerning the 2020 Chapter Election, waives all required time periods, including 11 N.N.C. § 3(B) and (C) (Chapter Elections, primary and general), 6(A) (terms of office) and 26 (A) (filing fees).
4. The Navajo Board of Election Supervisors shall waive any times frames within its existing rules and regulations intended for use in the 2020 Chapter Elections. Such rules and regulations may be applied to the elections rescheduled for 2021. The Board shall also issue a new schedule for the 2021 Chapter Election cycle, designating such matters as filing periods, registration time lines, election dates and all other necessary time periods.
5. Except as otherwise provided herein, all requirements of the Navajo Election Code shall continue to apply to the Chapter Elections to be conducted in 2021.
6. The Navajo Election Administration and the Navajo Board of Election Supervisors shall ensure that funds are adequate and available to conduct the Chapter Election now set for 2021.

7. The Navajo Board of Election Supervisors shall be delegated the authority to adopt rules and regulations for purposes of implementing the intent and purposes of this action of the Navajo Nation.

SECTION FOUR. SAVINGS CLAUSE

Should any part of these amendments be determined invalid by the Navajo Nation Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, portions not determined invalid shall remain the law of the Navajo Nation.

SECTION FIVE. EFFECTIVE DATE

These amendments shall become effective in accord with 2 N.N.C. § 221(B).



The Navajo Nation
Office of the President and Vice President

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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.

President Nez and Vice President Lizer sent letters to members of Congress and the White House to ensure that Indian Health Service facilities and other hospitals receive financial support and resources from the recent $8.3 billion appropriations by Congress and President Trump to fight the spread of the COVID-19 coronavirus. In late February, President Nez also sent a letter to Indian Health Service requesting a mandatory 45-day quarantine for IHS commissioned officers that are deployed to high-risk areas and return to the Navajo Nation. IHS notified President Nez that they are complying with President Nez's request to ensure the well-being of IHS commissioned officers before returning them to service on the Nation.

As another proactive measure, the Division of Human Resources is also tasked with finalizing an "alternative work schedule" and a "tele-work policy" for Navajo Nation employees. In addition, the Community Health Representatives program and the Health Education Program are going door-to-door to educate and inform Navajo individuals with underlying conditions, including heart, lung, kidney disease, diabetes, and conditions that suppress the immune system. They also provide information and presentations at chapters, schools, and various worksites.

"Our command center officials and health professionals are doing everything they can to inform the public and to provide as much education as possible, but it's also up to us as individuals to do our part to prevent the spread of the virus in our communities. Please continue to check on your elders to ensure their well-being and to take precautionary measures to reduce risks," said Vice President Lizer. "With many students on spring break, it's imperative that parents keep their children safe by practicing good hygiene to prevent exposure to the virus."

Symptoms of the COVID-19 coronavirus include mild to severe respiratory illness with fever, cough, and shortness of breath. It can take up to 14 days for the virus to become active after exposure. Currently, there is no vaccine available for the virus, according to the Centers for Disease Control and Prevention.

The public is encouraged to take the following precautionary actions to help prevent the spread of the virus:

- Washing your hands with warm water and soap often for at least 20 seconds
- Cover coughs and sneezes
- Avoid touching your eyes, nose, and mouth
- Staying home if you are sick
- Avoiding contact with people with sicknesses/symptoms
- Cleaning/sanitizing common areas and "high-touch" surfaces
- Avoiding large gatherings and crowds

The coronavirus has the potential to become severe. Severe cases can also lead to pneumonia, kidney failure, and in some cases, death. The most vulnerable are the elders, young children, and those with compromised immune systems. Health care officials also advise that if a person has shortness of breath or has difficulty breathing, to report to your local physician and/or emergency room hospital and to call ahead to allow the facility to prepare for your arrival.

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

CEM-20-03-11

RESOLUTION OF THE COMMISSION ON EMERGENCY MANAGEMENT

DECLARING 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.

WHEREAS:

1. Pursuant to 2 N.N.C., § 881 the Navajo Nation Council established the Commission on Emergency Management, authorizing it to assess, verify, recommend and declare states of emergency with the concurrence of the President of the Navajo Nation; and

2. Pursuant to 2 N.N.C., § 883 (A) and (C) the Commission is empowered to coordinate immediate emergency and disaster relief services with Navajo Nation and non-tribal entities in conjunction with the Department of Emergency Management to recommend and deploy appropriate resources regarding natural and man-made emergencies; and

3. Pursuant to 2 N.N.C., § 884 (B), (2) the Commission on Emergency Management may seek assistance from federal, state, other tribal governments, and local and private agencies to address emergency and disaster related situations; and

4. The nature of the Coronavirus Disease ("COVID-19") is such that it has spread and increased globally, as indicated by the Centers for Disease Control & Prevention ("CDC"), the World Health Organization ("WHO"), and other public health organizations within the U.S. and regionally; and

5. In the U.S. the number of positive and presumptive positive cases have grown, with the rise in COVID-19 confirmed cases in Arizona, New Mexico, Utah, Colorado; and

6. No confirmed COVID-19 cases have been verified on the Navajo Nation and area Public Health Services are closely monitoring the situation; and

7. The Navajo Nation, in collaboration with various entities such as the U.S. Public Health Services Area Offices (Albuquerque, Navajo, Phoenix), CDC, state departments of health, Navajo Nation 638 Tribal Health Organizations and various other multi-agency groups, have organized an incident command approach to mitigate COVID-19 transmission on the Navajo Nation; and

8. In partial response to addressing the spread of COVID-19 on the Navajo Nation, a Navajo Department of Health ("NDOH") Command Operations Center has been established with an infrastructure to maintain situational awareness, conduct daily communication briefings among NDOH and key collaborative partners and, disseminate information to the public; and

"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 KTNN 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 ENVIROMNENTAL HEALTH & PROTECTION PROGRAM

March 20, 2020

Public Health Emergency Order No. 2020-003

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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.

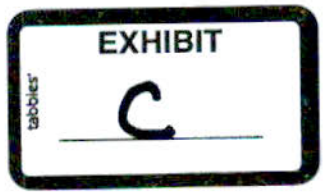
NOTICE IS FURTHER GIVEN that this Order shall take immediately and shall remain in effect through April 4, 2020 unless otherwise extended by the Regulatory Authority and or the Health Commend Center.

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 Nstaaígíí – 19
Health Command Center
Navajo Department of Health



PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIROMNENTAL HEALTH & PROTECTION PROGRAM

March 19, 2020

Public Health Emergency Order No. 2020-002

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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 crowed, 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 Commend 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

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PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIROMNENTAL 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 Commend 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 Nstaaígíí – 19
Health Command Center
Navajo Department of Health

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PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIROMNENTAL 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 curb-side 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).

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EXECUTIVE ORDER NO. 002-20

EXTENDING THE DECLARATION OF A STATE OF EMERGENCY DUE TO THE COVID-19 VIRUS ON THE NAVAJO NATION, EXTENDING THE CLOSURE OF NAVAJO NATION GOVERNMENT OFFICES AND RELATED ENTITIES

NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT
MARCH 31, 2020

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and program matters. 2.N.N.C. §1005 (A);

2. The President shall have the power to issue an executive order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. 2.N.N.C. §1005 (C)(14);

3. With the concurrence of the President of the Navajo Nation, the Emergency Management Commission shall have the power to declare a state of emergency affecting the Navajo Nation and to obtain, coordinate and oversee assistance, whether in the form of goods, services, equipment, motor vehicles, or personnel, from all Divisions, Departments and Enterprises of the Navajo Nation for use in addressing the requirements of the People in any declared emergency. 2 N.N.C. § 884(B)(1)(3);

4. The Emergency Management Commission declared an emergency due to the confirmation of the coronavirus disease (COVID-19) in regional areas surrounding the Navajo Nation. 2 N.N.C. § 884(B)(1), *See* Emergency Management Commission resolution CEM 20-03-11;

5. An Executive Order shall have the force of law upon the recipient. 2 N.N.C. § 1005(C)(14).

THEREFORE:

I, Jonathan Nez, President of the Navajo Nation and I, Myron Lizer, Vice President of the Navajo Nation, by the authority vested in us, hereby issue the following order:

1. With the Declaration of a State of Emergency by the Emergency Management Commission, CEM-20-03-11, and Public Health Emergency Orders No. 2020-003 and

No. 2020-004, the public health state of emergency affecting the Navajo Nation citizens and residents due to confirmation of the spread of the COVID-19 virus in and surrounding the Navajo Nation is extended, as such:

a. The Navajo Nation Health Command Operations Center shall be staffed throughout the emergency condition under the direction of David Nez, Health Command Center Manager with support from Director, Dr. Jill Jim, Navajo Department of Health; and,

b. The Navajo Department of Emergency Management Emergency Operation Center shall be activated to support the Navajo Health Command Operations Center; and,

c. All Navajo Nation Branches, Divisions, Departments, programs, offices, non-certified Chapters, Enterprises, and Navajo casinos shall comply with and adhere to directives, instructions, and/or policies coming from the Navajo Health Command Operations Center as related to addressing COVID-19.

2. The Navajo Nation previously issued travel restrictions due to the COVID-19 virus which restricted or canceled all off-reservation travel and directed all Navajo Nation employees to return from current off-reservation travel; however, the COVID-19 virus continues to spread throughout the Navajo Nation. The action of the Navajo Nation and surrounding States, restricting large gatherings and closure of government offices, has had effect on the spread of the COVID-19, as such:

   a. All Navajo Nation government offices shall remain closed to minimize the spread of the COVID-19 virus. This closure shall extend from April 3, 2020 to April 26, 2020 and only Essential Personnel, as determined by the respective Division Director, shall report to their respective duty stations, including, but not limited to, Navajo Public Safety, Navajo Fire Department, Navajo Emergency Medical Services, Department of Emergency Management, Navajo Division of Natural Resources, Navajo Division of Finance, Navajo Division of Social Services, Navajo Division of Human Services, Department of Diné Education, and those determined by the Branch Chiefs; and,

   b. All Non-Essential Navajo Nation government employees, including non-governance certified Chapter employees, affected by this Executive Order shall be granted Administrative Leave for the duration of the closure and are expected to refrain from events, gatherings, or other areas where they may contract the COVID-19 virus, and to observe and follow all Public Health Emergency Orders; and,

   c. The closure of Navajo Nation government offices may be extended beyond April 26, 2020 on the recommendation of the Navajo Health Command Operations Center and the Navajo Department of Emergency Management Operation Center.

3. All Navajo Nation Divisions, Departments, Programs, Offices, non-governance certified Chapters, Enterprises, and Navajo casinos shall follow the direction of the

Public Health Emergency Orders requiring all Navajo citizens to limit their movement which means staying at home and leaving for Essential Activities only; and comply with the curfew hours by staying home between the hours of 8:00 P.M. and 5:00 A.M. MDST.

4. The Navajo Nation Board of Education declared an emergency affecting all schools on the Navajo Nation due to the spread of the COVID-19 virus and recommended, among other measures, the closure of all schools and educational facilities on the Navajo Nation to protect our children, their parents, and care givers, NNBEMA-608-2020; in addition, the States of Arizona (H.B. 2910), New Mexico (Executive Order 2020-12), and Utah issued statewide school closure for the remainder of the 2020 school year that affect the Navajo Nation, as such:

   We strongly recommend and urge the Navajo Board of Education to extend the closing of the schools and educational facilities for the remainder of this school year which shall include:

   a. Public Law 100-297 grant schools, Public Law 93-638 contract schools, and Bureau of Education operated schools be closed for the remainder of the 2020 school year; and,

   b. Public schools, including grant schools, private schools, higher education institutions, early childhood programs, including CCDF, Head Start, FACE programs, and all after school programs located on the Navajo Nation be closed for the remainder of the 2020 school year; and,

   c. Off reservation residential halls and dormitories for Navajo students operating under the authority of the Navajo Nation will follow the process and procedure for this host school district.

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

The provisions of this order shall be implemented consistent with the laws of the Navajo Nation and in a manner that advances the highest welfare of the People.

EXECUTED this 31st day of March 2020

Jonathan Nez, *President*
THE NAVAJO NATION

Myron Lizer, *Vice-President*
THE NAVAJO NATION

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

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

To : Hon. Eugene Tso, Council Delegate
Navajo Nation Council

From : Ron Haven, Attorney
Office of Legislative Counsel

Date : April 1, 2020

Re : AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; WAIVING 11 N.N.C. §§ 3(B) AND (C), 6(A) AND 26(A); FOR PURPOSES OF ADDRESSING COVID-19 HEALTH CRISIS, POSTPONING THE 2020 NAVAJO NATION CHAPTER ELECTIONS FOR ONE YEAR AND EXTENDING CURRENT TERMS OF OFFICE FOR SUCH TIME

As requested, 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 drafted is legally sufficient. However, as with all legislation, it can be subject to review by the courts in the event of proper challenge. Also, understand that the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title. You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 20-123-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0075-20__ **SPONSOR:** Eugene Tso

TITLE: An Action Relating To An Emergency For The Navajo Nation; Waiving 11 N.N.C. §§ 3(B) And (C), 6(A) And 26(A); For Purposes Of Addressing COVID-19 Health Crisis, Postponing The 2020 Navajo Nation Chapter Elections For One Year And Extending Current Terms Of Office For Such Time

***Date posted*: April 08, 2020 at 9:18 AM**

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.: 0075-20

SPONSOR: Honorable Eugene Tso

TITLE: An Action Relating to an Emergency for the Navajo Nation; Waiving 11 N.N.C. §§ 3(B) and (C), 6(A) and 26(A); for purposes of addressing COVID-19 health crisis, postponing the 2020 Navajo Nation Chapter Elections for one year and extending current terms of office for such time

Posted: April 08, 2020 at 9:18 AM

5 DAY Comment Period Ended: Not Subject to 5 Day Comment Period

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Inconclusive Comments	*None*

Legislative Tracking Secretary
Office of Legislative Services

04/09/20 8:45Am

Date/Time

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0075-20

SPONSOR: Honorable Eugene Tso

TITLE: An Action Relating to an Emergency for the Navajo Nation; Waiving 11 N.N.C. §§ 3(B) and (C), 6(A) and 26(A); for purposes of addressing COVID-19 health crisis, postponing the 2020 Navajo Nation Chapter Elections for one year and extending current terms of office for such time

Posted: April 08, 2020 at 9:18 AM

5 DAY Comment Period Ended: Not Subject to 5 Day Comment Period

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	**1) John Chavez, To'hajiilee School Board**
Inconclusive Comments	*None*

Legislative Tracking Secretary
Office of Legislative Services

04/09/20 4:12 pm

Date/Time

0075-20

John Chavez <cjhnn122@gmail.com>

Thu 4/9/2020 4:09 PM

To:comments <comments@navajo-nsn.gov>;

I'm against postponing Chapter Election for a year.

John Chavez
To'Hajiilee School Board Member, 2016-2020.
P.O.Box 3367
To'Hajiilee, NM 87026

WARNING: External email. Please verify sender before opening attachments or clicking on links.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0075-20

SPONSOR: Honorable Eugene Tso

TITLE: An Action Relating to an Emergency for the Navajo Nation; Waiving 11 N.N.C. §§ 3(B) and (C), 6(A) and 26(A); for purposes of addressing COVID-19 health crisis, postponing the 2020 Navajo Nation Chapter Elections for one year and extending current terms of office for such time

Posted: April 08, 2020 at 9:18 AM

5 DAY Comment Period Ended: Not Subject to 5 Day Comment Period

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	1) Jeff Gorman 2) Percy Deal
Inconclusive Comments	*None*

Legislative Tracking Secretary
Office of Legislative Services

04/13/20 10:10 AM

Date/Time

From: jeffgorman93@yahoo.com
Subject: Legislation 0075-20
Date: 04/10/20 07:55
State: Released
View Message History

It's easy to postpone an election for another year; however, it takes leadership to try every chance to continue with our democratic system of four year electoral process. If a different timeline can be achieved, moving it a couple of months back or a different method of process would be better than just giving up our representation and credibility of our electoral process. It is evident Honorable Tso is new to these difficult times, but other delegates should provide the needed leadership. I strongly recommend that our elective representatives rethink and provide us the leadership that is much needed during these difficult times. Thank you for allowing me to voice my concerns. JGorman.

Sent from Mail for Windows 10

--
This email has been checked for viruses by Avast antivirus software.
https://www.avast.com/antivirus

Legislation 0075-20, Chapter Election

Percy Deal <deal.percy@gmail.com>

Sun 4/12/2020 2:28 PM

To:comments <comments@navajo-nsn.gov>;

The Honorable Speaker and Members of the Navajo Nation Council:
Please accept my comments on Emergency Legislation 0075-20 postponing the chapter officials' election to 2021 due to the current coronavirus. I oppose the legislation due to the following:

- I strongly request this issue be left to the Navajo Board of Elections Supervisors, its their responsibility. I did not see any attachment from the Election Board requesting the Council to intervene and delay the chapter election to 2021.
- This legislation if approved will only delay the chapter election while the county, state and federal elections will go on.
- The county, state and federal elections uses chapter houses through out the reservation as polling place, those polling places will be open.
- If approved, will the terms for those candidates elected in 2021 be three years? If not, the next chapter election will be in 2025 which will have uprooted the entire elections thereafter.
- The Navajo Nation is known for their heavy and strong voting power, this legislation will destroy our voting strength.
- There are candidates running for county, state and federal offices that we want elected especially in Congress, US Senate and the Office of the President. This legislation will definitely interfere with our opportunity to elect those candidates.
- This election (2020) we want more than ever to elect a new US Senate and President, we all have seen the last four years we want change. This legislation will take that opportunity away.
- This legislation will confuse Dine' voters, one election is delayed while all others are going on. Public service announcement will one minute say the election is postponed, the next minute it'll urge voters to vote.
- This legislation will infringe on our voting rights.
- Leave the question to the Election Board, they have the responsibility if the COVID-19 persist prior to and on election day. They can and have work with the county and state election offices on safe ways to hold the election. Example: Making available early voting ballots, early mail-in ballots, absentee ballots, 6' between voters at the polling place these and other ways can be worked out. Just don't weaken our voting block.
- Thank you for your time. Percy Deal, Big Mountain.

24th NAVAJO NATION COUNCIL
ACTION REPORT
Second Year 2020

The **NAVAJO NATION COUNCIL** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0075-20

An Action Relating to an Emergency for the Navajo Nation; Waiving 11 N.N.C. §§ 3(B) and (C), 6(A) and 26(A); for purposes of addressing COVID-19 health crisis, postponing the 2020 Navajo Nation Chapter Elections for one year and extending current terms of office for such time

Sponsored by: Honorable Eugene Tso

Has had it under consideration and reports the same that the legislation **WAS TABLED**.

Respectfully Submitted,

Honorable Seth Damon, Speaker
24th NAVAJO NATION COUNCIL

10 APRIL 2020

TABLING MOTION
Motion to Table Legislation 0075-20 for 60 Days and Within said 60 Days a Directive to the Navajo Nation Board of Election Supervisors to Address Postponing the Election Through Resolution.
Motioned by: Honorable Jamie Henio
Seconded by: Honorable Pernell Halona
Vote: 15 in Favor, 08 Opposed (Speaker Damon Not Voting)

MAIN MOTION
Motioned by: Honorable Eugenia Charles-Newton
Seconded by: Honorable Pernell Halona
Vote: VOTE PENDING

NAVAJO NATION

267

4/10/2020

Navajo Nation Council Special Session

02:10:15 PM

Amd# to Amd# Table Legislation 0075-20

PASSED

MOT Henio, J for 60 days

SEC Halona, P

Yeas : 15 **Nays : 8** **Excused : 0** **Not Voting : 0**

Yea : 15

Begay, E	Halona, P	Tso	Wauneka, E
Begay, K	Henio, J	Tso, C	Yazzie
Begay, P	James, V	Tso, D	Yellowhair
Daniels	Smith	Walker, T	

Nay : 8

Brown	Crotty	Nez, R	Stewart, W
Charles-Newton	Freeland, M	Slater, C	Tso, E

Excused : 0

Not Voting : 0

Presiding Speaker: Damon