

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0097-20\_\_\_\_\_

SPONSOR: Edmund Yazzie

**TITLE: An Action Relating to an Emergency for the Navajo Nation; Requesting the Governor of the State of New Mexico enforce the Public Health Order of April 6, 2020, requiring the closure of stores selling alcoholic beverages in towns that border the Navajo Nation**

*Date posted: April 17, 2020 at 3:49m*

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Written comments may be mailed to:

**Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7590**

**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.**

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0097-20

DATE: April 17, 2020

**TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; REQUESTING THE GOVERNOR OF THE STATE OF NEW MEXICO ENFORCE THE PUBLIC HEALTH ORDER OF APRIL 6, 2020, REQUIRING THE CLOSURE OF STORES SELLING ALCOHOLIC BEVERAGES IN TOWNS THAT BORDER THE NAVAJO NATION**

**PURPOSE:** The purpose of this resolution is to request the Governor of the New Mexico enforce the closure of stores selling alcoholic beverages near towns that border the Navajo Nation.

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 STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

\_\_\_\_\_  
(Prime Sponsor)



TRACKING NO. 0097-20

AN ACTION

RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; REQUESTING THE GOVERNOR OF THE STATE OF NEW MEXICO ENFORCE THE PUBLIC HEALTH ORDER OF APRIL 6, 2020, REQUIRING THE CLOSURE OF STORES SELLING ALCOHOLIC BEVERAGES IN TOWNS THAT BORDER THE NAVAJO NATION

WHEREAS:

- A. Pursuant to 2 N.N.C. §164 (A)(16) “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.”
- B. The Navajo Nation offers this resolution as an emergency in order to preserve the health and safety of its member and residents during the global pandemic of the novel coronavirus. Ensuring the health and safety of all residents and employees within the Navajo Nation is an inherent attribute of sovereignty.

- 1 C. The novel coronavirus (“COVID-19”) has caused a global pandemic and has severely  
2 impacted the Navajo Nation. As of April 17, 2020, the Navajo Nation has reported 1,042  
3 cases of COVID-19 and 41 confirmed virus related deaths.
- 4 D. The Navajo Nation Commission on Emergency Management, with the concurrence of  
5 the President and Vice President of the Navajo Nation, approved Resolution CEM-  
6 20-03-11, “Declaring a Public Health State of Emergency for the Navajo Nation due  
7 to the Confirmation of the Coronavirus Disease (“COVID-19”) in Regional Areas  
8 Surrounding the Navajo Nation,” dated March 11, 2020, attached as **Exhibit A**.
- 9 E. In an effort to reduce the spread of COVID-19 the President of the Navajo Nation  
10 extended the previously declared State of Emergency on the Navajo Nation and  
11 required government offices remain closed through April 26, 2020 in Executive Order  
12 002-20, attached as **Exhibit B**.
- 13 F. The Navajo Nation Department of Health has issued a Public Health Emergency  
14 Order (2020-003) requiring Navajo Nation residents stay at home to mitigate the risk  
15 of spreading COVID-19 and to preserve the health and safety of all individuals  
16 residing on the Navajo Nation, attached as **Exhibit C**.
- 17 G. The Navajo Nation Department of Health also issued a Public Health Emergency  
18 Order (2020-004) extending the Stay at Home Order and implementing a curfew from  
19 8:00 p.m. through 5:00 a.m. for Navajo Nation residents, attached as **Exhibit D**.
- 20 H. The Navajo Nation Department of Health extended a previously imposed weekend  
21 curfew through April 27, 2020 pursuant to Public Health Emergency Order No. 2020-  
22 006, attached as **Exhibit E**.
- 23 I. Navajo Nation residents are not abiding by the curfew imposed by the Navajo Nation  
24 in order to travel to stores selling alcoholic beverages.
- 25 J. The New Mexico Department of Health issued Public Health Order dated April 6,  
26 2020, in which stores selling alcoholic beverages are not essential businesses.
- 27 K. The Navajo Nation urges the Governor of the State of New Mexico to assist the  
28 Navajo Nation by enforcing closures of stores selling alcoholic beverages in towns  
29 bordering the Navajo Nation.  
30



1 NOW THEREFORE BE IT RESOLVED:

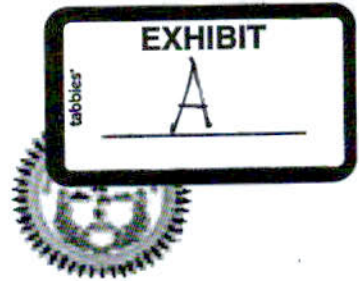
2 The Navajo Nation hereby requests the Governor of the State of New Mexico  
3 enforce the New Mexico Department of Health Public Health Order, dated April 6,  
4 2020 closing stores selling alcoholic beverages, in towns that border the Navajo  
5 Nation.

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# THE NAVAJO NATION

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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


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**

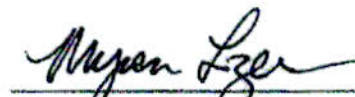
I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Commission on Emergency Management at a duly called meeting at Window Rock, Navajo Nation, Arizona, at which a quorum was present and that same passed by a vote of 4 approved, 0 opposed, and 0 abstained this 11<sup>th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

  
Herrain Shorty, Chairperson  
Commission on Emergency Management

Motion by: Dicky Bain  
Second by: Ben Bennett

**CONCURRENCE:**

  
Jonathan Nez, President  
THE NAVAJO NATION

  
Myron Lizer, Vice President  
THE NAVAJO NATION





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

March 19, 2020

Public Health Emergency Order No. 2020-002

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

2. Avoid close contact with people who are sick.

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

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

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

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

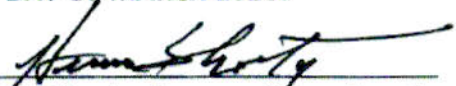
7. Avoid crowds, especially in poorly ventilated spaces. Your risk of exposure to respiratory viruses like COVID-19 may increase in crowded, closed-in settings with little air circulation if there are people in the crowd who are sick.

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

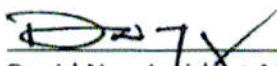
**NOTICE IS FURTHER GIVEN** that this Order shall take immediately and shall remain in effect until otherwise rescinded by the Regulatory Authority and or the Health Command Center.

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

**ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 19<sup>TH</sup> 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 Nstaaigí – 19  
Health Command Center  
Navajo Department of Health



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

March 20, 2020

**Public Health Emergency Order No. 2020-003**

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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



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

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

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

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

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

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

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

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

2. Avoid close contact with people who are sick.

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



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

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

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

7. Avoid crowds.

8. Avoid all non-essential travel.

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

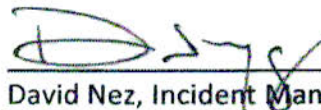
**ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 20<sup>TH</sup> DAY OF MARCH 2020.**



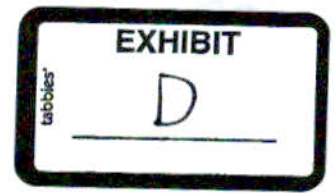
Herman Shorty, Program Supervisor III  
Navajo Office of Environmental Health &  
Protection Program  
Navajo Department of Health



Dr. Jill Jim, Executive Director  
Navajo Department of Health



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



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

March 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-foot Social Distancing.
- v. Post Offices, including rural mail delivery locations, are not required to provide curbside or drive-thru delivery requirements, however disinfectant wipes or spray should be made available for customer use.
- vi. Laundry facilities shall limit customer occupancy to 2 people per household and no more than 10 persons at any given time, and shall make available disinfectant wipes or spray for customer use.
- vii. All other Essential Businesses not specifically addressed in this section shall post a notice at their place of business with a contact number for customers to receive service during business hours, and also provide contact information for services on their company website, if any. The purpose of this requirement is to limit in-person customer contact to the greatest extent possible, while still allowing customers to receive services.

D. Mandatory Coordination with the Health Command Center.

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



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

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


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

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


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

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

ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 29<sup>TH</sup> 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 Ntsaaigíí – 19  
Health Command Center  
Navajo Department of Health



## Definitions

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

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

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

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

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

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

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

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

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



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

April 16, 2020

Public Health Emergency Order No. 2020-006

**Public Health Emergency Order Extending the 57-Hour Weekend Curfew for Two Additional Weekends in April and Closing Essential Businesses During Weekend Curfews Due to Community Spread of COVID-19**

- I. Paragraphs I – IX from Public Health Emergency Order No. 2020-004 are incorporated herein, addressing the various Navajo Nation (Nation) authorities related to the current COVID-19 Public Health Emergency as well as escalating incidents and community spread of COVID-19 on the Nation.
- II. The intent and purpose of this Public Health Emergency Order No. 2020-006 is to further restrict the movement of individuals on the Nation for a 57-hour period, and implement a full weekend curfew from April 17, 2020 to April 20, 2020 and April 24 to April 27 starting at 8:00 P.M. MDT on Friday and ending at 5:00 A.M. MDT on Monday.

**THEREFORE, NOTICE IS GIVEN** that, pursuant to 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. All individuals on the Nation shall comply with the **Weekend Curfews** across the Nation from 8:00 P.M. MDT on Friday, April 17, 2020 to 5:00 A.M. MDT on Monday, April 20, 2020 and from 8:00 P.M. MDT on Friday, April 24, 2020 to 5:00 A.M. MDT on Monday, April 27, 2020. All individuals shall remain at home during curfew hours except in the event of an emergency and as described below.
  1. This curfew does not apply to Essential Employees reporting to or from duty at an Essential Business that is exempted from closure below, provided that the employee must have official identification or a letter of designation from their employer on official letterhead which includes a contact name and number for verification.
  2. Individuals are still permitted to tend to livestock during Weekend Curfews. However, plan ahead to purchase hay and feed, if needed, as vendors will not be permitted operate to the public during the Weekend Curfew.
  3. Individuals are not required to remain indoors during Weekend Curfews, but must limit movement beyond the immediate area of a residence or home site.



4. Additional Weekend Curfews may follow.

- B. **Essential Businesses**, including restaurants and drive-through food establishments shall be closed. Hay and other roadside vendors must cease operations for the duration of the Curfew Weekend. This closure and cease operations requirement does not apply to Healthcare Operations, Essential Governmental Functions, or Essential Infrastructure Activities (as those terms are defined below). This closure requirement does not apply to gas stations and grocery stores, provided they comply with the following requirements:
1. Gas stations may operate on a limited basis to meet the needs of essential employees reporting to or from duty and people traveling for emergencies only.
    - i. Operating hours may only be between 7:00 A.M. MDT and 5:00 P.M. MDT only during curfew weekends.
    - ii. No more than 5 customers at a time may be in any retail area, and no more than one (1) person per family with exception of one accompanying caregiver for an elderly or disabled shopper.
  2. Grocery stores may operate on a limited basis for essential employees reporting to or from duty and for people with emergency needs only.
    - i. Operating hours shall be between 7:00 A.M. MDT and 3:00 P.M. MDT only during curfew weekends.
    - ii. No more than 10 customers at a time may be in a grocery store, and no more than one (1) person per family with exception of an accompanying caregiver as described above.
  3. Gas stations and grocery stores shall:
    - i. Monitor customer entry to maintain occupancy limits.
    - ii. Maintain Social Distancing Requirements.
    - iii. Regularly disinfect all high-touch surfaces and thoroughly clean retail store areas and employee work areas.

**NOTICE IS FURTHER GIVEN** that the March 20, 2020 Public Health Emergency Order No. 2020-003 Stay at Home (Shelter In Place) Order is still in full effect.

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

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

1. **All persons on the Navajo Nation are required to stay home during the curfew and leave their residence or home site areas only in the event of an emergency or to work as an essential employee.**

2. Plan and act ahead: buy or get supplies you might need, including medical supplies, food, water, animal feed, firewood or coal, and fuel for your vehicles, during the week when there is not a curfew.

3. Socially distance yourselves. Avoid close contact with people who are sick. Keep at least six feet from others in public.

4. 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.

5. To the extent possible, avoid touching high-touch surfaces in public places – elevator buttons, door handles, handrails, etc. Use a barrier such as a tissue or your sleeve to cover your hands or fingers if you must touch something.

6. Avoid touching your face, nose, eyes, mouth. Cover your mouth and nose with the best-available protective material, including masks, when in public.


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

8. Avoid all public gatherings.

9. Avoid all non-emergency travel.

**NOTICE IS FURTHER GIVEN** that this Order shall take effect Friday, April 17, 2020 at 8:00 P.M. MDT and shall remain in effect until Monday, April 27, 2020 at 5:00 A.M. MDT

**ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 16<sup>TH</sup> DAY OF APRIL, 2020.**

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

  
Dr. Jill Jim, Executive Director  
Navajo Department of Health

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



## Definitions

**Emergency:** a serious, unexpected, or dangerous situation requiring immediate action, including a medical condition that requires immediate treatment.

**Essential Activities:** (1) activities or tasks essential to health and safety such as obtaining critical medical supplies or medication, or visiting a health care professional for an imminent health need (including the needs of pets and livestock); (2) obtaining necessary services or supplies such as canned food, dry goods, produce, pet supplies, meat, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residential living, provided that when people need to leave their home to obtain such necessities, they should do so in limited numbers and should at all times adhere to Social Distancing Standards; and (3) engaging in daytime outdoor activity such as walking, hiking, or running, provided individuals adhere to social distancing requirements. (From Public Health Emergency Order No. 2020-003, March 20, 2020).

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

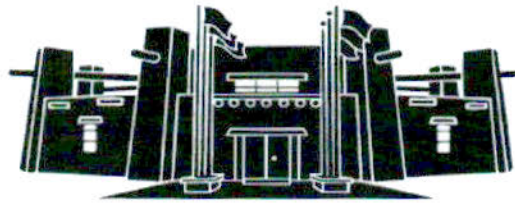
**Essential Employees:** Those employees identified by Essential Businesses deemed to be necessary to the continued operation of those Essential Businesses.

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

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

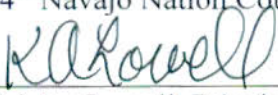
**Social Distancing Requirements:** Limiting contact of people within 6 feet from each other. (From Public Health Emergency Order No. 2020-002, March 19, 2020).

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



## MEMORANDUM

TO: Honorable Edmund Yazzie  
24<sup>th</sup> Navajo Nation Council, Speaker

FROM:   
Kristen Lowell, Principal Attorney  
Office of Legislative Counsel

DATE: April 17, 2020

**SUBJECT: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; REQUESTING THE GOVERNOR OF THE STATE OF NEW MEXICO ENFORCE THE PUBLIC HEALTH ORDER OF APRIL 6, 2020, REQUIRING THE CLOSURE OF STORES SELLING ALCOHOLIC BEVERAGES IN TOWNS THAT BORDER THE NAVAJO NATION**

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 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.

**Please ensure that this 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 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).

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.