



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

ETHEL BRANCH  
Attorney General

HEATHER L. CLAH  
Deputy Attorney General

To: 110 Navajo Chapter Officials and Chapter Staff

From:   
Rodgerick T. Begay, Assistant Attorney General  
Navajo Nation Department of Justice, Chapter Unit

Date: June 23, 2023

Re: End of Navajo Nation Council Resolution CJA-01-22

From May 2020 to present, certain laws and policies were temporarily suspended under Navajo Nation Council Resolutions, CMA-09-20, CAP-19-20, NABIJN-26-20, CMY-36-20, CJY-64-20, CJN-36-21, CS-50-21, and CJA-01-22. Collectively, these resolutions empowered Chapters to handle the COVID-19 Pandemic with temporary authorizations such as the three-quorum rule, temporary FMS policy modifications, contracting, donations, and so much more. One of the questions commonly asked is when will those temporary authorizations end? The answer is in section nine of CJA-01-22 which says that it will “expire when the State of Emergency declared by the Commission on Emergency Management in Resolution No. CEM-20-03-11 is lifted.”

On June 15, 2023, the Commission on Navajo Government Development passed Resolution CEM-23-06-15 which deactivated the State of Emergency declared in CEM-20-03-11. This means that CJA-01-22 has also expired. As a result, Chapters are no longer able to exercise any of the authorizations under CJA-01-22. To be clear, this means that there is no more three-quorum rule. All Chapters will need to establish chapter meeting quorums through in-person meetings. Non-LGA certified Chapters can no longer execute contracts under \$50,000.00. Basically, the Chapters will need to begin following the Local Governance Act, the Five Management System, and all relevant policies. Essentially, it is back to normal for all 110 Chapters which also means that all 110 Chapters will need to be fully reopened to the public.

For any questions regarding this memorandum, please contact the DOJ Chapter Unit at [rbegay@nndoj.org](mailto:rbegay@nndoj.org), [cfreeman@nndoj.org](mailto:cfreeman@nndoj.org), [lcurley@nndoj.org](mailto:lcurley@nndoj.org), or [lsmith@nndoj.org](mailto:lsmith@nndoj.org).



**RESOLUTION OF THE COMMISSION ON EMERGENCY MANAGEMENT**

**DECLARING THE DEACTIVATION OF THE MARCH 11, 2020 PUBLIC HEALTH STATE OF EMERGENCY FOR THE NAVAJO NATION (CEM-20-03-11) DUE TO SIGNIFICANT DECREASES IN TRENDS OF THE CORONAVIRUS DISEASE ("COVID-19") ON 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. On March 11, 2020, a public health state of emergency was declared for the Navajo Nation (CEM-20-03-11) due to extensive impacts and increase in laboratory test confirmed cases of SARS-CoV-2 (COVID-19) disease which had spread locally, regionally, and globally; and
5. Current COVID-19 trends, derived through disease surveillance and reporting by the Navajo Nation Department of Health (NNDOH) indicate the Navajo Nation is no longer in the critical, emergency pandemic stage compared to the height of the pandemic in 2020-2021, and with hospital bed occupancy and hospital admission rates now considered to be at low risk; and
6. On May 11, 2023, the federal Public Health Emergency for COVID-19, announced under Section 319 of the Public Health Service (PHS) Act, expired in response to significantly declining trends in COVID-19 cases; and
7. During March 2023, the States of New Mexico, Arizona, and Utah also terminated, or allowed to expire, their respective emergency declarations related to COVID-19, citing that COVID-19 was no longer of severity and magnitude to continue emergency declarations; and
8. The Navajo Nation Department of Health is positioned to continue monitoring COVID-19, and has established partnerships with organizations such as the CDC, NAIHS, states departments of health, tribal health organizations, John Hopkins Center for Indigenous Health, and other partners, including maintaining a COVID-19 Team, to implement measures such as prevention and control strategies as on-going public health priorities; and
9. It is acknowledged that while COVID-19 is still a public health priority, the Navajo Nation has mitigation and prevention strategies in place, and the Navajo Nation will also align with nation-wide efforts to transition away from emergency phase and continue to build capacity by strengthening partnerships in addressing future infectious disease outbreaks.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Navajo Nation Commission on Emergency Management hereby declares the deactivation of the March 11, 2020 Public Health Emergency for the Navajo Nation (CEM-20-03-11) due to significant decreases in trends of the COVID-19 disease on the Navajo Nation.
2. Continue monitoring and examining the on-going public health needs of the Navajo Nation by better understanding and addressing health-related impacts such as providing health care, disabilities due to long COVID, mental health, and working to mitigate the impacts.
3. All Navajo Nation Branches, departments, programs, will continue to comply with and adhere to directives, instructions, and/or policies forthcoming from the Navajo Nation Department of Health as related to continuing efforts in addressing COVID.
4. Continue to address the needs of the Navajo Nation in a manner to provide the necessary resources to protect the health, safety, and welfare of the citizens of the Navajo Nation through acquisition of additional personnel, medical supplies, equipment, monetary funding, and other sources.
5. Maintain the momentum achieved in pandemic preparedness planning, and continue to utilize public education outreach to maintain public knowledge of risk and exposure to COVID-19, particularly for the Navajo Nation's vulnerable population (elderly and immunocompromised), encourage independent responsibility and action in practicing mitigation measures.

**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 3 approved, 0 opposed, and 0 abstained this 15<sup>th</sup> day of June 2023.

  
Herman Shorty, Chairperson  
Commission on Emergency Management

Motion by: Ben Bennett  
Second by: Eugenia Quintana

**CONCURRENCE:**

  
Buu Nygren, President  
THE NAVAJO NATION

  
Richelle Montoya, Vice President  
THE NAVAJO NATION