

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0125-20\_\_

SPONSOR: Seth Damon

**TITLE: An Action Relating to an Emergency; Amending CMA-04-20 to extend the authorization for Navajo Nation Council and Standing Committees to conduct meetings and worksessions through telecommunication methods and for Council Delegates to attend Navajo Nation Council and Standing Committees meetings, Subcommittee meetings and worksessions through teleconferencing**

***Date posted: May 27, 2020 at 3:05PM***

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**Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0125-20

**DATE:** May 27, 2020

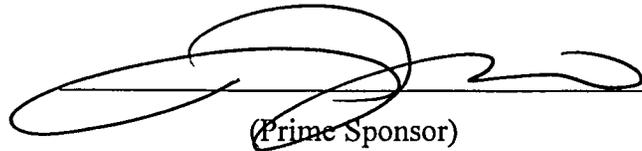
**TITLE OF RESOLUTION:** AN ACTION RELATING TO AN EMERGENCY;  
AMENDING CMA-04-20 TO EXTEND THE AUTHORIZATION FOR NAVAJO  
NATION COUNCIL AND STANDING COMMITTEES TO CONDUCT MEETINGS AND  
WORKSESSIONS THROUGH TELECOMMUNICATION METHODS AND FOR  
COUNCIL DELEGATES TO ATTEND NAVAJO NATION COUNCIL AND STANDING  
COMMITTEES MEETINGS, SUBCOMMITTEE MEETINGS AND WORKSESSIONS  
THROUGH TELECONFERENCING

**PURPOSE:** This resolution, if approved, will extend the expiration date of CMA-04-20.

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0125-20

AN ACTION

RELATING TO AN EMERGENCY; AMENDING CMA-04-20 TO EXTEND THE  
AUTHORIZATION FOR NAVAJO NATION COUNCIL AND STANDING  
COMMITTEES TO CONDUCT MEETINGS AND WORKSESSIONS THROUGH  
TELECOMMUNICATION METHODS AND FOR COUNCIL DELEGATES TO  
ATTEND NAVAJO NATION COUNCIL AND STANDING COMMITTEES  
MEETINGS, SUBCOMMITTEE MEETINGS AND WORKSESSIONS  
THROUGH TELECONFERENCING

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Navajo Nation Council shall have all powers to regulate the conduct of its members and have the authority to promulgate rules, regulations and procedures for the conduct of its meetings and that of its committees. 2 N.N.C. §§ 102 (D) and (E).
- C. 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

1 Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation.  
2 Such an emergency matter must arise due to the pressing public need for such  
3 resolution(s) and must be a matter requiring final action by the Council.”

- 4 D. It is vital to the sovereignty of the Navajo Nation that its governing body be able to  
5 meet during the COVID-19 pandemic to protect the continuation of direct services to  
6 the Navajo people.

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8 **SECTION TWO. FINDINGS**

- 9 A. COVID-19 is a dangerous and extremely contagious respiratory virus. The virus is  
10 pandemic and has reached the Navajo Nation. COVID-19 is spreading at an alarming  
11 rate within the Navajo Nation; as of May 25, 2020, the Navajo Nation has reported  
12 4,794 cases of COVID-19 and 157 related deaths.
- 13 B. The World Health Organization declared a Public Health Emergency of International  
14 Concern on January 30, 2020; the United States Department of Health and Human  
15 Services declared a Public Health Emergency related to the COVID-19 outbreak on  
16 January 31, 2020; and the World Health Organization officially declared a pandemic  
17 due to COVID-19 on March 11, 2020.
- 18 C. On March 11, 2020, the Navajo Nation Commission on Emergency Management, with  
19 the concurrence of the Navajo Nation President and Vice President, declared a Public  
20 Health State of Emergency on the Navajo Nation due to the presence of COVID-19 in  
21 areas surrounding the Navajo Nation. Resolution No. CEM 20-03-11 is attached as  
22 **Exhibit 1**. The President and Commission have issued other Public Health Emergency  
23 Orders: including: Order No. 2020-001 dated March 18, 2020 (declaring the outbreak  
24 of COVID-19 and limiting mass gatherings); Order No. 2020-002 dated March 19,  
25 2020 (quarantining the Chilchinbeto Community); Order No. 2020-003 dated March  
26 20, 2020 (ordering individuals living on the Navajo Nation to stay home and shelter in  
27 place except for essential activities, prohibiting visitors to the Navajo Nation, and  
28 closing all businesses on the Navajo Nation except essential businesses); Order No.  
29 2020-004 dated March 29, 2020 (implementing a daily curfew from 8:00 p.m. to 5:00  
30 a.m. for all Navajo Nation residents, extending the shelter in place order, and further

1 limiting public gatherings); Order No. 2020-005 dated April 5, 2020 (implementing a  
2 57-hour weekend curfew on April 10-13); Order No. 2020-006 dated April 16, 2020  
3 (extending the weekend curfew for April 17-20 and April 24-27, and closing Navajo  
4 Nation essential businesses during curfew hours); Order No. 2020-007 (requiring face  
5 masks in public); and Order No. 2020-008 dated April 29, 2020 (extending the weekend  
6 curfew to May 11 ). The Navajo Nation Office of the President and Vice President  
7 issued Executive Order 002-20 on March 31, 2020 (closing all Navajo Nation offices  
8 except essential personnel through April 21); and Executive Order 003-20 on April 21,  
9 2020 (extending the closure order to May 17, 2020).

10 D. On March 5, 2020, in an effort to mitigate the transmission of COVID-19, the Speaker  
11 of the Navajo Nation Council advised the Legislative Branch to consider attending  
12 meetings/events/training by using telecommunication methods such as teleconference  
13 calls and videoing instead of in-person attendance. **Exhibit 2.**

14 E. On March 12, 2020, the Speaker implemented travel restrictions on Legislative Branch  
15 employees and required Legislative Branch programs to develop Remote Work Plans  
16 for their departments. **Exhibit 3.**

17 F. On March 16, 2020, the Navajo Nation Council passed Resolution No. CMA-04-20,  
18 attached as **Exhibit 4**, authorizing the Navajo Nation Council Delegates to attend  
19 Council Sessions and Standing Committees, including subcommittee meetings,  
20 telephonically for sixty days.

21 G. On March 18, 2020, the Speaker issued a memorandum, attached as **Exhibit 5**, closed  
22 public access to Legislative Branch offices and initiated remote working procedures  
23 for all employees.

24 H. On May 13, 2020, the Speaker issued a memorandum, attached as **Exhibit 6**,  
25 continuing the closure of the Legislative Branch until further notice.

26 I. To prevent and reduce the transmission of COVID-19, the Navajo Nation Council finds  
27 that it is in the best interest of the Navajo public and Navajo Nation officials and  
28 employees to continue to temporarily allow Navajo Nation Council Delegates to  
29 conduct and attend Council and Standing Committee meetings and subcommittee  
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1 meetings using telecommunication methods, such as teleconference calls and video  
2 conferencing, in certain situations.  
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4 **SECTION THREE. AMENDING CMA-04-20**

5 The Navajo Nation Council hereby amends Section Five, Paragraph B, of CMA-04-20,  
6 **Exhibit 4**, as follows:

7 B. The provisions of the Act shall expire ~~sixty (60) days after Speaker's 2 N.N.C.~~  
8 ~~§ 221 (A) certification~~ when the Navajo Nation Commission on Emergency  
9 Management rescinds its March 11, 2020, declaration of the Public Health State  
10 of Emergency, unless otherwise determined through resolution of the  
11 Naabik'iyáti' Committee.  
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13 **SECTION FOUR. EFFECTIVE DATE**

14 The provisions of this Act shall become effective when certified by the Speaker of the  
15 Navajo Nation Council pursuant to 2 N.N.C. § 221 (A).  
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