



Navajo Nation Council to continue holding 2020 Spring Session

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WINDOW ROCK, Ariz. — Following a vote by the 24th Navajo Nation Council on Friday to cancel the 2020 Spring Session, President Nez vetoed the legislation Sunday afternoon. Navajo Nation Council Resolution No. CAP-27-20 was approved unanimously by consent schedule. The legislation allowed a temporary suspension of 2 N.N.C. §164(A) as a procedural step in issuing a cancellation of the regular session.

Due to the presidential veto, the 2020 Spring Session is slated to begin as regularly scheduled on Monday, Apr. 20, 2020 at 10:00 AM. The Navajo Nation Code requires all reports to be given on the Monday of the regular session unless otherwise directed by the Speaker or the Council.

On Friday, the Navajo Nation Council held a special session to approve emergency legislation relating to the ongoing COVID-19 pandemic. Friday's session was the fourth one-day special session since the Council's 2020 Winter Session in January.

"Let me first acknowledge the dedication of our Navajo Nation Legislative Branch staff, whether they are working remotely or undertaking their essential functions in the office," said Speaker Damon. "The decision to cancel the 2020 Spring Session came, first and foremost, out of the pressing need to protect the health and wellbeing of our Navajo Nation employees."

Speaker Damon noted that each member of the 24th Navajo Nation Council is taking on key roles in coordinating requests between the central government and local chapter governments and organizations. Additionally, many council delegates have been actively responding to calls for volunteer or donation support for COVID-19 relief efforts.

Council Delegate Amber Kanazbah Crotty has been working diligently to gather volunteers within her communities to assist with food and supply deliveries. She also has chapter Authorized Local Emergency Response Team (ALERT) members on standby awaiting training and assignments.

As early as Mar. 19, Council Delegate Mark Freeland was performing check-ins on Navajo families and elders with Crownpoint Community Health Representatives. Over the past two weeks, Delegate Freeland has also been actively sharing updates to New Mexico communities over local radio stations.

Both Delegate Freeland and Delegate Crotty have begun coordinating partnerships between the Na'Nizhoozhi Center, Inc. and the Gallup Indian Medical Center to address exposure to COVID-19 among unsheltered Navajo citizens. The two organizations have begun reviewing the likely spread of COVID-19 to interior areas of the Navajo Nation from border town communities with the goal of ensuring detox services continue in a safe manner.

Council Delegate Vince James has been actively involved in the coordination efforts of the Ganado region. Throughout the past month, Delegate James provided chapter guidance to help local governments move through the local emergency declaration process to access emergency funding. Delegate James, like most council delegates, have utilized their personal vehicles to perform a number of deliveries to their local chapters of food, water, hay, supplies and other materials.

Delegates continue to identify ways to support families and elders who have been self-isolating or are under self-quarantine. The high volume of food distributions to Navajo families is also a key area of concern for all members of the 24th Navajo Nation Council. To support a greater degree of inter-agency and inter-community coordination, the Office of the Speaker also facilitates weekly agency council teleconference meetings with delegates and chapter leaders.

To date, the 24th Navajo Nation Council acted on 23 legislative items related to the COVID-19 pandemic in the past 35 days. 8 of those legislative items were approved under consent schedules, including the supplemental funding request of \$4 million for the Navajo Department of Health COVID-19 response efforts.

President Nez vetoed the Council's resolution, CAP-27-20, on Sunday partly on the basis of the Council's previous special sessions, which were held via teleconferencing and online streaming methods.

"It stands to reason that, during a state of emergency, regular sessions cannot continue as normal. When we call in Navajo leaders, we fully expect them to be present throughout the entirety of the first day as a matter of accountability and practicality. Delivering reports in front of the Navajo Nation Council is not equal to holding a question and answer session over the phone, which is essentially what we've resorted to in order to receive the most up-to-date information from executive branch and partner programs during the COVID-19 pandemic," said Speaker Damon.

"We cannot condone the substitution of in-person regular session statutory reporting with teleconferencing. As leaders, our words bear importance and if we are to fully consider the depth of Diné bi Beehaz'áanii, the spoken word is a fundamental concept to the way Navajo leadership deliberates at regular sessions."

"When the Navajo Nation Council elects to create a consent schedule, as is the right of the Council, it does so by the full, prior and informed consent of the governing body of the Navajo Nation. It has been a recurring theme in recent discussions of the Council that legislative branch employees are being put at risk in order to continue providing the base functions that ultimately allow the Council to adapt policies and statutes in response to COVID-19," said Speaker Damon.

President Nez also stated the Navajo Nation Council was acting to create an information void under CAP-27-20. The resolution effectively works within the framework of established Navajo Nation case law to present the regular session cancellation question to the Council. President Nez argued that there was no genuine emergency to prompt the legislation. CAP-27-20 states that ensuring the health and security of all residents and employees of the Navajo Nation is an inherent attribute of sovereignty.

"In short, the Navajo Nation Council has never asked that any program director or agency representative withhold information from the Navajo public. The Navajo Nation Council is a deliberative body that fully supports a proper, fully qualified discussion that, despite all our advances, teleconference cameras and cell phones cannot deliver," said Speaker Damon.

"We do not argue that leadership is required, now, more than ever. The Navajo Nation Council has provided that leadership where executive program directors request it, which is becoming more and more frequent. In contrast, the Office of the Speaker has never received any formal request by the executive to assist, and has, in fact, been met with stonewalling and exclusion."

"The president of the Navajo Nation is elected by popular vote of the entire Navajo Nation, we acknowledge that. But for a single president to state, in his own words, that the 24 delegates of the Navajo Nation Council 'cower behind ill-conceived legislation' ultimately intended to protect the more than 30 legislative branch employees required to put on a regular session is genuinely surprising."

"The governing body of the Navajo Nation does not compete with anyone or anything outside of the

debate and discussion that takes place on the floor of the Navajo Nation Council Chamber,” said Speaker Damon.

The 2020 Spring Session of the 24th Navajo Nation Council will be conducted by Speaker Seth Damon at the Navajo Nation Council Chamber through teleconferencing methods with council delegates. The chamber will be closed to the public and a maximum of four legislative personnel will be allowed on the floor. For more information and the proposed agenda, please visit the Navajo Nation Council website at: <http://www.navajonationcouncil.org/>. The session may be streamed live online starting at 9:45 AM MDT through Vimeo (www.vimeo.com/navajonationcouncil), Youtube (www.youtube.com/navajonationcouncil) and Facebook (www.facebook.com/navajonationcouncil).

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