

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0208-22_

SPONSOR: Otto Tso

TITLE: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Placing the Speaker of the 24th Navajo Nation Council on Administrative Leave Without Pay; Establishing Speaker(s) Pro Tem for the 24th Navajo Nation Council

Date posted: October 28, 2022 at 8:27PM

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.*

LEGISLATIVE SUMMARY SHEET

Tracking No. 0208-22

DATE: October 28, 2022

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; PLACING THE SPEAKER OF THE 24TH NAVAJO NATION COUNCIL ON ADMINISTRATIVE LEAVE WITHOUT PAY; ESTABLISHING SPEAKER(S) PRO TEM FOR THE 24TH NAVAJO NATION COUNCIL

PURPOSE: The purpose of this legislation is to place the Speaker of the Navajo Nation Council on Administrative Leave without pay until rescinded by the Naabik'íyáti' Committee; and to select Speaker(s) *Pro Tem* to lead the Council while the Speaker is on Administrative Leave.

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 – Fourth Year, 2022

INTRODUCED BY



 OTTO TSO
 (Prime Sponsor)

TRACKING NO. 0208-22

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION
 COUNCIL; PLACING THE SPEAKER OF THE 24TH NAVAJO NATION
 COUNCIL ON ADMINISTRATIVE LEAVE WITHOUT PAY; ESTABLISHING
 SPEAKER(S) *PRO TEM* FOR THE 24TH NAVAJO NATION COUNCIL

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 has all powers to discipline and/or regulate the conduct of its members. 2 N.N.C. § 102(D).
- C. The Speaker of the Navajo Nation Council is selected by and serves at the pleasure of the Navajo Nation Council. *See* 2 N.N.C. §§ 282 (A) and (C).
- D. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with responsibility to recommend resolutions to the Navajo Nation Council. 2 N.N.C. §§ 700 (A) and 701 (A)(3).

1 **SECTION TWO. FINDINGS**

- 2 A. When the members of the Navajo Nation Council select and confirm their Speaker,
3 they do so with the expectation that the selected Speaker can be trusted to be their
4 Natahnii’ and lead the Council by example with honor, integrity, veracity and reliability
5 at all times; they do not expect their leader, the Speaker, to violate their trust and bring
6 disrepute on the Council.
- 7 B. The Speaker of the 24th Navajo Nation Council, Seth Damon, has informed the
8 members of the Navajo Nation Council that he brought disrepute to the body by
9 appearing in public while intoxicated during a personal vacation with his family. *See*
10 **Exhibit A.**
- 11 C. While Speaker Damon complied with the Diné Navajo fundamental law or principle of
12 Bee K’éndzísdliji’ and accepted personal responsibility by reporting his actions to the
13 Navajo Nation Council, as well as issuing a public apology to the Navajo People,
14 Speaker Damon must still face the consequences and repercussions of his conduct.
- 15 D. Speaker Damon has committed to the Navajo Nation Council that he will work with
16 his traditional and spiritual healers and behavioral health advisors to heal himself, his
17 family, and his communities from the burdens of his alcohol use.
- 18 E. After much deliberation and discussion with Speaker Damon, the Navajo Nation
19 Council has determined that placing Speaker Damon on Administrative Leave without
20 pay for an indeterminate time is the appropriate path to restore Hózhó within the Navajo
21 Nation Council and with the Navajo People.
- 22 F. The Navajo Nation Council recognizes that alcohol abuse is a disease affecting all too
23 many Diné, but it is a disease that can be treated with long-term recovery being a proven
24 possibility. The Council supports Speaker Damon to take all actions necessary to begin
25 the recovery and healing process while on Administrative Leave.
- 26 G. K’é imposes a duty on all Diné to instruct and guide one another through times of
27 healing and the restoration of harmony.

28
29 **SECTION THREE. PLACING THE SPEAKER OF THE 24TH NAVAJO NATION**
30 **COUNCIL ON ADMINISTRATIVE LEAVE**

- 1 A. The 24th Navajo Nation Council hereby places Speaker Seth Damon on Administrative
2 Leave without pay beginning November 5, 2022, at 8:00 a.m. and extending until
3 rescinded by the Naabik'iyáti' Committee.
- 4 B. During the Administrative Leave period, Speaker Damon shall forfeit and not receive
5 the additional salary he receives as Speaker pursuant to 2 N.N.C. § 284.
- 6 C. The Administrative Leave shall not apply to nor effect his position or authorities as an
7 elected Council Delegate, including the compensation he receives pursuant to 2 N.N.C.
8 § 106.
- 9 F. The terms of the Administrative Leave may be amended by the Naabik'iyáti'
10 Committee through resolution.

11
12 **SECTION FOUR. APPOINTMENT OF SPEAKER(S) *PRO TEM***

- 13 A. During the period that Speaker Damon is on Administrative Leave, the Speaker *Pro*
14 *Tem* shall rotate in fifteen (15) days increments in the following order:
- 15 1. Chairperson of the Health Education and Human Services Committee;
 - 16 2. Chairperson of the Budget and Finance Committee;
 - 17 3. Chairperson of the Resources and Development Committee; and
 - 18 4. Chairperson of the Law and Order Committee.
- 19 B. Each of the standing committees listed above may designate a committee member other
20 than the Chairperson to act as Speaker *Pro Tem* during the time period assigned to the
21 committee.
- 22 C. Each Speaker *Pro Tem* shall be deemed appointed pursuant to 2 N.N.C. §§ 287 (C) and
23 (D).
- 24 D. Each Speaker *Pro Tem* shall exercise all authorities and responsibilities of the Speaker
25 of the Navajo Nation Council, except that a Speaker *Pro Tem* shall not hire nor dismiss
26 any Office of the Speaker staff.

27
28 **SECTION FIVE. EFFECTIVE DATE**

29 This Action shall be effective pursuant to 2 N.N.C. § 221 (A).
30