

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0227-25

SPONSOR: Amber Kanazbah Crotty

TITLE: An Act Relating to Law and Order and Naabik'iyáti' Committees, and the Navajo Nation Council; Amending Title 2 of the Navajo Nation Code to Codify Virtual Attendance by Council Delegates at Standing Committee Meetings and Navajo Nation Council Sessions; Amending the Navajo Nation Council Rules of Order and Standing Committee Rules of Order to Allow for Virtual Attendance by Council Delegates

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0227-25

DATE: September 30, 2025

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING TITLE 2 OF THE NAVAJO NATION CODE TO CODIFY VIRTUAL ATTENDANCE BY COUNCIL DELEGATES AT STANDING COMMITTEE MEETINGS AND NAVAJO NATION COUNCIL SESSIONS; AMENDING THE NAVAJO NATION COUNCIL RULES OF ORDER AND STANDING COMMITTEE RULES OF ORDER TO ALLOW FOR VIRTUAL ATTENDANCE BY COUNCIL DELEGATES

PURPOSE: This purpose of this proposed resolution is to amend certain sections of Title 2 of the Navajo Nation Code, along with the Navajo Nation Council's Rules of Order and Standing Committee Rules, to allow Navajo Nation Council delegates to conduct and attend Council sessions, standing committee meetings, and subcommittee meetings using telecommunication methods, such as teleconference calls and video conferencing.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: 2/3 vote

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.

5-DAY BILL HOLD PERIOD: Al Mito
Website Posting Time/Date: _____
Posting End Date: 10/06/25
Eligible for Action: 10/07/25

Law & Order Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL - Third Year, 2025

Introduced by:

(Prime Sponsor)

Tracking No. 0227-25

AN ACT

RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES, AND
THE NAVAJO NATION COUNCIL; AMENDING TITLE 2 OF THE NAVAJO
NATION CODE TO CODIFY VIRTUAL ATTENDANCE BY COUNCIL
DELEGATES AT STANDING COMMITTEE MEETINGS AND NAVAJO NATION
COUNCIL SESSIONS; AMENDING THE NAVAJO NATION COUNCIL RULES OF
ORDER AND STANDING COMMITTEE RULES OF ORDER TO ALLOW FOR
VIRTUAL ATTENDANCE BY COUNCIL DELEGATES

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is a Standing Committee of the Navajo Nation Council with the responsibility to review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments to the Navajo Nation Code. 2 N.N.C. §§ 600(A) and 601(B)(14).
- B. The Naabik'iyáti' Committee is a Standing Committee of the Navajo Nation Council with the responsibility to review legislation requiring final action by the Navajo Nation Council. 2 N.N.C. §§164(A)(9) and 701(A)(3).
- C. The Navajo Nation Council is the governing body of the Navajo Nation with the

1 authority to review and approve amendments to Navajo Nation laws. 2 N.N.C. §§
2 102(A) and 164(A).

3
4 **SECTION TWO. FINDINGS**

- 5 A. In the 2020, the Navajo Nation was forced to quickly enact emergency measures to
6 mitigate the deadly spread of the Coronavirus pandemic which has caused 84,206
7 positive COVID-19 cases and 2,162 COVID-19 related deaths, to date, on the Navajo
8 Nation. These emergency measures included the enactment of the March 11, 2020
9 Public Health State of Emergency for the Navajo Nation and underlying Public Health
10 Orders including, but not limited to, employees working from home, the shutting down
11 of government offices and non-essential business, public gathering limits, mask
12 mandates, closing borders to visitors and enacting curfews.
- 13 B. To ensure that the Navajo Nation's governing body could continue to operate and
14 respond to the Coronavirus pandemic without violating Public Health Orders,
15 including stay-at-home orders and public gathering limits, the Navajo Nation Council
16 enacted CMA-04-20, which temporarily allowed Council Delegates to conduct and
17 attend Council sessions, standing committee meetings, and subcommittee meetings
18 using telecommunication methods, such as teleconference calls and video
19 conferencing.
- 20 C. The Navajo Nation Council enacted CMY-45-20, which extended the temporary
21 deadline of CMA-04-20 and allowed Council delegates to participate in conduct and
22 attend Council sessions, standing committee meetings, and subcommittee meetings
23 using telecommunication methods, such as teleconference calls and video
24 conferencing, until the Navajo Nation Commission on Emergency Management
25 rescinds its March 11, 2020 declaration of the Public Health State of Emergency
26 concerning COVID-19, unless otherwise determined through resolution of the
27 Naabik'iyáti' Committee.
- 28 D. In 2021 and 2022, the Navajo Nation slowly began to open up government offices.
29 Meeting and conducting the business of the Nation was done in person with certain
30 limitations and safeguards in place, especially after the COVID-19 vaccine became

1 available. The Council, standing committees, and subcommittees moved to hybrid-
2 style meetings, allowing virtual attendance by delegates, presenters, government
3 officials and the public.

4 E. Council Delegates were provided a unique opportunity to use virtual meetings, which
5 moved to hybrid in-person and virtual meetings, to continue the necessary and
6 important work of the Nation. The use of virtual meetings was not only effective, but
7 provided more opportunities for Delegates to advocate for their communities at
8 Council and Standing Committees, as well as to provide enhanced transparency to the
9 public.

10 F. On June 15, 2023, the Commission on Emergency Management issued CEM-23-06-15
11 deactivating the March 11, 2020 Public Health State of Emergency for the Navajo
12 Nation and returning government operations to pre-COVID-19 status.

13 G. In order for the Navajo Nation Council to effectively carry out its duties for the Navajo
14 Nation and the Diné People, Title 2 of the Navajo Nation Code is amended to allow
15 virtual attendance by Council Delegates at Council sessions, standing committee
16 meetings, and subcommittee meetings.

18 **SECTION THREE. AMENDING TITLE 2 OF THE NAVAJO NATION CODE**

19 The Navajo Nation hereby amends Title 2 of the Navajo Nation Code, as follows:

22 **TITLE 2. NAVAJO NATION GOVERNMENT**

23 **CHAPTER 3. LEGISLATIVE BRANCH**

25 **SUBCHAPTER 2. NAVAJO NATION COUNCIL MEETINGS**

26 * * * *

27 **§ 106. Compensation of Council Delegates**

28 A. Delegates shall be compensated by an annual salary of twenty-five thousand dollars
29 (\$25,000) per year. All Council Delegates shall be paid bi-weekly. A salary increase
30 may be approved by the Navajo Nation Council but shall not become effective unless

1 ratified by two-thirds (2/3) of all Navajo Nation Chapters within one hundred twenty
2 (120) days of approval by the Navajo Nation Council. The provisions of this Section
3 shall not apply to mileage payments, per diem payments, deferred compensation
4 benefits, or any other payments or benefits which are separate from the bi-weekly base
5 salary established in this Section.

6 B. Delegates attending a Navajo Nation Council meeting or their respective committee
7 meetings, either in person or virtually, may receive sixty dollars (\$60.00) per diem for
8 each day official business is conducted, ~~and mileage reimbursement for use of a~~
9 ~~private vehicle at the rate established in the Navajo Nation Travel Policy and~~
10 ~~Procedures Handbook, and amendments thereto.~~ Chairpersons of standing
11 ~~C~~committees may receive as compensation, for extra time spent by the Chairperson
12 beyond meetings to execute committee business, a payment of eighty dollars (\$80.00)
13 per diem for each committee meeting day.

14 C. For every week of a Regular sSession of the Navajo Nation Council and per day for
15 any Special Session, delegates attending in person shall be paid mileage equal to one
16 round trip to Window Rock from their residence ~~and return, according to the official~~
17 ~~mileage chart of the Controller~~ at the rate established in the Navajo Nation Travel
18 Policy and Procedures Handbook, as amended. Mileage shall not be paid for virtual
19 attendance.

20 D. For each complete committee meeting, delegates of the Navajo Nation Council, who
21 attend the meeting in person, shall be paid mileage equal to one round trip to Window
22 Rock, from their residence ~~and return, according to the official mileage chart of the~~
23 ~~Controller at the rate established in the Navajo Nation Travel Policy and Procedures~~
24 Handbook, as amended. Mileage shall not be paid for virtual attendance..

25 E. ~~Full p~~Per diem shall be paid only for in person or virtual attendance of at least three
26 hours of meeting or until all agenda items are concluded. Mileage shall be paid only
27 for in-person attendance of at least three hours of meeting or until all agenda items are
28 concluded.

29 F. Delegates, or their beneficiary in the event of death, are paid a deferred compensation
30 benefit when they leave office.

1 * * * *

2 **§ 110. Definitions**

3 * * * *

4 Y. **Virtual Attendance** means that a person is not physically present at a meeting, but is
5 still able to participate in the meeting, in a manner similar to those physically present,
6 by means of an audio and/or video conferencing platform.

7 Z. **Virtual** means remote access through an audio or video conferencing platform.

8 * * * *

9 **§167. Failure to attend**

10 All ~~Each~~ sitting delegates ~~to~~ of the Navajo Nation Council shall attend, either in person or
11 virtually, all ~~R~~regular and ~~S~~special meetings of the Navajo Nation Council or
12 Committees-, unless the delegate's participation is excused by the Speaker or Committee
13 Chairperson, respectively. If any delegate is absent from sixty percent (60%) ~~or more~~ of
14 the ~~meeting days~~ Council Sessions and/or standing committee meetings within a one-year
15 period, the Navajo Nation Council may consider a motion to censure said delegate. If
16 his/her absence continues ~~after such censure~~, the Navajo Nation Council shall have the
17 authority to declare the delegate's seat forfeited and vacant.

18 * * * *

19 **§ 183. Meetings; quorum**

20 A. All Regular and Special meetings of the Navajo Nation Council standing committees,
21 subcommittees, and ~~or~~ commissions shall be held in Window Rock, Navajo Nation,
22 (Arizona). Such meetings may be held elsewhere within the Navajo Nation if
23 sufficient funds are available, and the meeting is approved, in writing, by the Speaker
24 of the Navajo Nation Council.

25 B. No standing committee, subcommittee, or commission meeting shall be held outside
26 the Navajo Nation unless the meeting is with a legislative body of another sovereign,
27 sufficient funds are available, and the meeting is approved, in writing, by the Speaker
28 of the Navajo Nation Council.

29 C. For a meeting to be deemed to have been held, each of the following acts shall occur:
30 (1) a quorum is present; (2) an agenda is adopted; (3) substantive actions ~~(approval,~~

1 ~~disapproval or table (voting or tabling)~~ are taken; and (4) per diem and roundtrip
2 mileage, as applicable, are paid to committee members or commissioners.

3 D. Meetings shall not mean work sessions, workshops, orientations, trainings, or
4 business meetings with Navajo or non-Navajo entities, therefore, and no meeting per
5 diem payment, as set forth in 2 N.N.C. § 106, for work sessions, workshops, etc. shall
6 be paid for participation in such gatherings. See 2 N.N.C. § 106. Meetings held
7 elsewhere within the Navajo Nation shall be with written permission of the Speaker of the
8 Navajo Nation Council, provided that funds are available. No Meetings shall be held
9 outside the Navajo Nation unless by written permission of the Speaker of the Navajo
10 Nation Council, provided that funds are available; and further provided that the
11 meeting is with a legislative body of another sovereign.

12 * * * *

15 **SECTION FOUR. AMENDING RULE 22 OF THE NAVAJO NATION COUNCIL**
16 **RULES OF ORDER**

17 The Navajo Nation Council hereby amends the Navajo Nation Council Rules of Order as
18 follows:

20 **Rule 22. Vote**

21 * * * *

22 D. For those delegates attending the Council Session in person, the recording of yeas
23 and nays votes on all motions shall be done electronically. For those delegates
24 attending the Council Session through a virtual method, the recording of yeas and nays
25 votes on all motions shall be done by the delegate's verbal statement during the
26 Session or via a dedicated text or email. All votes through virtual methods shall be
27 announced on the record.

28 * * * *

1 E. Voting by proxy ~~or by any method by or on behalf of any delegate who is not~~
2 ~~physically present in the Council Chambers shall not be valid or permitted~~ is
3 prohibited and any such vote shall be invalid.
4

5 **SECTION FIVE. AMENDING RULE 21 OF THE NAVAJO NATION COUNCIL**
6 **STANDING COMMITTEE RULES OF ORDER**

7 The Navajo Nation Council hereby amends the Standing Committee Rules of Order as
8 follows:
9

10 **Rule 21. Vote**

11 * * * *

12 B. The recording of votes for, opposed, and abstentions on all motions shall be done by a
13 showing of hands by all delegates attending in person except that. Votes of delegates
14 attending virtually shall be recorded by the delegate's verbal pronouncement or via a
15 dedicated text or email. All votes through virtual methods shall be announced on the
16 record. ~~a~~Abstention votes are not counted towards the votes for or opposed, but entered
17 for the record only.

18 * * * *

19 D. Voting by proxy ~~or by any method by or on behalf of any delegate who is not~~
20 ~~physically present in the meeting place shall not be valid or permitted~~ is prohibited and
21 any such vote shall be invalid.
22

23
24 **SECTION SIX. CODIFICATION**

25 The provisions of this resolution that amend or adopt new sections of the Navajo Nation Code
26 shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall
27 incorporate such amended provisions in the next codification of the Navajo Nation Code.
28

29 **SECTION SEVEN. SAVING CLAUSE**

30 If any portion of this Act is determined invalid by the Navajo Nation Supreme Court or by a

1 District Court of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, the
2 remainder of this Act shall remain the law of the Navajo Nation.

3
4 **SECTION EIGHT. EFFECTIVE DATE**

5 The provisions of this Act shall become effective according to 2 N.N.C. §221(B).
6

7 **SECTION NINE. DIRECTIVE**

8 The Naabik'íyáti' Committee Title Two Reform Subcommittee shall review the
9 implementation of virtual attendance by delegates at Council sessions and Committee
10 meetings as a priority; and report any recommended amendments to the Navajo Nation Code
11 or the Rules of Order to the Naabik'íyáti' Committee at least thirty (30) days before the start
12 of the Navajo Nation Council's 2026 Spring Session.
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