

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0219-22

**DATE:** November 8, 2022

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE NAVAJO NATION COUNCIL; SELECTING AND CONFIRMING THE SPEAKER OF THE 24<sup>TH</sup> NAVAJO NATION COUNCIL FOR THE REMAINDER OF THE TERM

**PURPOSE:** The purpose of this legislation is to select and confirm a new Speaker of the 24<sup>th</sup> Navajo Nation Council to serve until the 25<sup>th</sup> Navajo Nation Council is installed.

**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: Johnson  
Website Posting Time/Date: 5:11pm; 11-08-22  
Posting End Date: 11-13-22  
Eligible for Action: 11-14-22

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL – Fourth Year, 2022  
3  
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5  
6 Prime Sponsor Daniel L. Do  
7

8 TRACKING NO. 0219-22  
9

10 AN ACTION  
11 RELATING TO THE NAVAJO NATION COUNCIL; SELECTING AND  
12 CONFIRMING THE SPEAKER OF THE 24<sup>TH</sup> NAVAJO NATION COUNCIL  
13 FOR THE REMAINDER OF THE TERM  
14

15 BE IT ENACTED:

16  
17 SECTION ONE. AUTHORITY

- 18 A. The Navajo Nation Council is the governing body of the Navajo Nation and shall  
19 consist of 24 delegates. 2 N.N.C. §102 (A).  
20 B. The Speaker of the Navajo Nation Council is selected by and serves at the pleasure of  
21 the Navajo Nation Council. See 2 N.N.C. §§ 282 (A) and (C).  
22 C. The Navajo Nation Council shall select and confirm a Speaker of the Navajo Nation  
23 Council as the first order of business at the Council session scheduled for the fourth  
24 Monday in January of any odd numbered year. 2 N.N.C. § 282 (C).  
25 D. If a vacancy should occur in the Office of the Speaker, the Navajo Nation Council  
26 shall select and confirm from among its members a successor for the remainder of the  
27 term. 2 N.N.C. § 286 (B).  
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29 SECTION TWO. FINDINGS  
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- 1 A. There is established the Office of the Speaker of the Navajo Nation Council. 2 N.N.C.  
2 § 281 (A).
- 3 B. The Speaker of the Navajo Nation Council shall be a member of the Navajo Nation  
4 Council in good standing. 2 N.N.C. § 281 (B).
- 5 C. The Speaker of the Navajo Nation Council shall serve at the pleasure of the Navajo  
6 Nation Council and shall serve for a term of two (2) years. 2 N.N.C. § 282 (A) and  
7 (B).
- 8 D. On January 25, 2021, Council Delegate Seth Damon was selected and confirmed as  
9 Speaker of the 24<sup>th</sup> Navajo Nation Council for a term of two (2) years ending upon  
10 installation of the 25<sup>th</sup> Navajo Nation Council in January of 2023. CJA-02-21,  
11 attached herein as **Exhibit 1**.
- 12 E. After numerous lengthy discussions and caucuses with the Delegates of the 24<sup>th</sup>  
13 Navajo Nation Council, it was agreed that Speaker Damon would resign as Speaker  
14 of the 24<sup>th</sup> Navajo Nation Council in order to treat and heal personal challenges and  
15 that his resignation would not take effect until a new Speaker of the 24<sup>th</sup> Navajo  
16 Nation Council was confirmed pursuant to 2 N.N.C. § 286 (B). **Exhibit 2**.
- 17 F. The 24<sup>th</sup> Navajo Nation Council further agreed that the new Speaker will not dismiss  
18 any of the current Office of the Speaker staff prior to the installation of the 25<sup>th</sup>  
19 Navajo Nation Council and that Speaker Damon will retain his Employee Housing  
20 residence until the installation of the 25<sup>th</sup> Navajo Nation Council.
- 21 G. Pursuant to Navajo Nation Council Resolution CJA-03-11, each Council shall be  
22 authorized to select a Speaker pursuant to its own process and procedures. Under  
23 CJA-02-21, **Exhibit 1**, the 24<sup>th</sup> Navajo Nation Council affirmed its use of the process  
24 and procedures set forth in CJA-03-11, attached herein as **Exhibit 3**.

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26 **SECTION THREE. SELECTION AND CONFIRMATION**

- 27 A. The Navajo Nation Council hereby selects the Honorable  
28 \_\_\_\_\_ as Speaker of the 24<sup>th</sup> Navajo Nation Council.  
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1 B. The Navajo Nation Council hereby confirms the Honorable  
2 \_\_\_\_\_ to serve as Speaker of the 24<sup>th</sup> Navajo Nation  
3 Council with all powers and duties delegated by Navajo Nation law.

4 C. The Honorable \_\_\_\_\_ term as Speaker shall expire upon the  
5 installation of the 25<sup>th</sup> Navajo Nation Council.

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7 **SECTION FOUR. EFFECTIVE DATE**

8 This Action and the selection and confirmation of the Speaker of the 24<sup>th</sup> Navajo Nation  
9 Council shall be effective pursuant to 2 N.N.C. § 221 (C).

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RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
24<sup>th</sup> NAVAJO NATION COUNCIL - THIRD YEAR, 2021



AN ACTION  
RELATING TO THE NAVAJO NATION COUNCIL; SELECTING AND CONFIRMING  
THE SPEAKER OF THE 24<sup>th</sup> NAVAJO NATION COUNCIL FOR A TWO-YEAR TERM

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. There is established the Legislative Branch of the Navajo Nation Government. The Legislative Branch shall consist of the Navajo Nation Council and any entity established under the Navajo Nation Council. 2 N.N.C. § 101(A)
- B. The Navajo Nation Council shall be the governing body of the Navajo Nation and shall consist of 24 delegates. 2 N.N.C. § 102 (A)

SECTION TWO. FINDINGS

- A. The Office of the Speaker of the Navajo Nation Council is established in 2 N.N.C. § 281 (A).
- B. The Speaker of the Navajo Nation Council shall serve at the pleasure of the Navajo Nation Council, and shall serve for a term of two (2) years. 2 N.N.C. § 282 (A) and (B).
- C. The Speaker of the Navajo Nation Council shall be selected and confirmed by the Navajo Nation Council as the first order of business at the Council session scheduled for the fourth Monday in January of any odd numbered year. 2 N.N.C. § 282 (C).
- D. Pursuant to Navajo Nation Council Resolution CJA-03-11, each Council shall be authorized to select a Speaker pursuant to its own process and procedures. The 24<sup>th</sup> Navajo Nation Council affirms its use of the process and procedures in Council Resolution CJA-03-11 attached as Exhibit A.

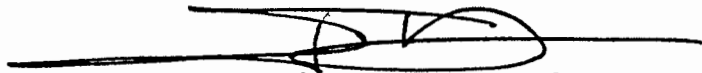
SECTION THREE. SELECTION AND CONFIRMATION

- A. The Navajo Nation Council, by its process and procedures including those voting remotely, selects Council Delegate Seth Damon to serve as Speaker of the 24<sup>th</sup> Navajo Nation Council.

- B. The Navajo Nation Council, pursuant to its authority under Navajo Nation law, confirms Council Delegate Seth Damon to serve as Speaker of the 24<sup>th</sup> Navajo Nation Council for a two-year term with all powers and duties delegated by Navajo Nation law.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 22 in Favor, and 00 Opposed, on this 25<sup>th</sup> day of January 2021.



Honorable Jamie Henio, Speaker Pro Tem  
24<sup>th</sup> Navajo Nation Council

01/25/2021  
DATE

Motion: Honorable Edmund Yazzie  
Second: Honorable Nathaniel Brown

Speaker Pro Tem Jamie Henio not voting



CJA-03-11

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

22nd NAVAJO NATION COUNCIL - First Year 2011

AN ACTION

RELATING TO THE NAVAJO NATION COUNCIL; RESCINDING CJA-1-93 AND CJA-02-99, RESOLUTIONS ADDRESSING THE PROCESS AND PROCEDURE FOR THE SELECTION AND CONFIRMATION OF THE SPEAKER OF THE NAVAJO NATION COUNCIL TO SELECT ITS SPEAKER AND ADOPT A PROCESS AND PROCEDURE ACCORDINGLY

BE IT ENACTED:

Section 1. Findings and Purpose

1. The number of delegates to the Navajo Nation Council was reduced from 88 to 24 members by vote of Diné voters.
2. Pursuant to Navajo Nation law, the Navajo Nation Council is authorized to select a speaker from among its membership. The selection of the speaker is an internal process of the Navajo Nation Council.
3. In January 1993, the Navajo Nation Council adopted rules in the selection of Speaker of the Navajo Nation Council. CJA-01-93. These rules were amended in special Session of the Navajo Nation Council in 1999. CJA-02-99 (Document No. 2026).
4. In accordance with Diné tradition, the rules in the selection of the Speaker must be inclusive and allow broader participation by all delegates to the Navajo Nation Council. The process involved in the selection of a Diné leader is done in a democratic manner, with utmost participation by every delegate of the Navajo Nation Council.
5. In order that the requirements of 2 N.N.C. § 282 (C) be met and that the selection and confirmation of the speaker of the Navajo Nation Council be the first order of business at the council session scheduled for the fourth Monday in January of 2011 and this selection be done in a manner consistent with Navajo tradition and the intent of the 22<sup>nd</sup> Navajo Nation Council.

**Section 2. Rescinding CJA-1-93 and CJA-02-99**

The Navajo Nation Council rescinds CJA-1-93 and CJA-02-99.

**Section 3. Rules in the Selection of the Speaker**

For the 22<sup>nd</sup> Navajo Nation Council, the Navajo Nation Council hereby adopts the following rules:

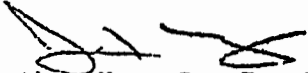
1. Each Council of the Navajo Nation shall be authorized to select a Speaker pursuant to its own process.
2. The Speaker shall be selected as the first order of business at the Winter Session of the Navajo Nation Council, January 2011. The Speaker shall be selected and confirmed by the Navajo Nation Council as the first item of business at the council session scheduled for the fourth Monday in January of any odd numbers year, 2 N.N.C. § 282 (C).
3. Read the powers and duties of the speaker, as written in 2 N.N.C. Section 285 into the record.
4. Any delegate may nominate another delegate to serve as Speaker with no second required. If the current Speaker is nominated and accepts the nomination, he/she shall point a Speaker pro tem pursuant to 2 N N.C. 285(b)(3).
5. The number of nominations shall be unlimited, except upon motion, second and majority vote on closing the nomination process.
6. Each nominee shall accept or reject a nomination upon being nominated.
7. Each nominee, in order of his or her draw, shall be allowed to make a 15-minute statement on his or her platform for Speaker.
8. Each nominee, in the order of his or her draw, shall be allowed to make a 15-minute statement on his or her platform for Speaker.
9. Questions shall not be allowed.



10. Upon presentations by nominees, each member of the Navajo Nation Council present shall cast one vote for a candidate by secret ballot. The Navajo Nation Election Administration shall assist in the balloting.
11. In the event there are more than two nominees, there shall be a run-off election between the two candidates receiving the most votes. At which time, the final two candidates will be allowed 5 minute statement before final vote, with no questions or comments. This run-off election procedure shall not apply in the event candidates and is hereby declared the winner.
12. In the event of a tie vote, selection shall be by random lot.
13. The Council shall by resolution confirm its new Speaker

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 21 in favor and 2 opposed, this 24th day of January 2011.

  
Jonathan Nez, Pro Tem Speaker  
Navajo Nation Council

01-24-11

Date

Motion: Charles Damon, II  
Second: Jonathan Hale

**NAVAJO NATION**

633

Navajo Nation Council 2021 Winter Session

1/25/2021  
01:51:55 PM

<b>Amd# to Amd#</b>	<b>Legislation 0007-21: Selecting</b>	<b>PASSED</b>
MOT Yazzie	and Confirming the Speaker of	
SEC Brown	the 24th Navajo Nation Council	
	for a Two-Year Term	

**Yeas : 22      Nays : 0      Excused : 0      Not Voting : 1**

**Yea : 22**

Begay, K	Daniels	Smith	Tso, E
Begay, P	Freeland, M	Stewart, W	Walker, T
Brown	Halona, P	Tso	Wauneka, E
Charles-Newton	James, V	Tso, C	Yazzie
Crotty	Nez, R	Tso, D	Yellowhair
Damon	Slater, C		

**Nay : 0**

**Excused : 0**

**Not Voting : 1**

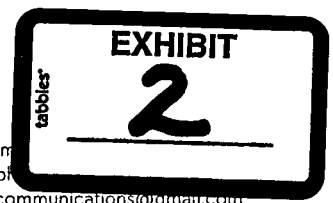
Begay, E

**Presiding Speaker: Henio, J**



The 24TH NAVAJO NATION COUNCIL  
Office of the Speaker

Kyron Hardy, Interim  
Kolton Nephtali, Interim  
E-mail: nnlb.communications@gmail.com



## Speaker Seth Damon will resign once a new Speaker is elected by the 24th Navajo Nation Council

**FOR IMMEDIATE RELEASE:** November 7, 2022

**WINDOW ROCK, Ariz.** — Last Friday, members of the 24th Navajo Nation Council convened in the Navajo Nation Council Chamber for a Special Session to place Speaker Seth Damon on administrative leave. Legislation No. 0208-22 was introduced by Hon. Otto Tso to place the Speaker of the 24th Navajo Nation Council on administrative leave without pay and to establish Speaker Pro Tems for the remainder of the term.

The legislation noted the chairs of the four standing committees would rotate in increments of 15 days in the following order:

1. Chairman Daniel Tso - Health, Education, and Human Services Committee
2. Chairman Jamie Henio - Budget and Finance Committee
3. Chairman Rickie Nez - Resources and Development Committee
4. Chairwoman Eugenia Charles-Newton - Law and Order Committee

According to the legislation, each chairperson would be able to designate another committee member to act as Speaker Pro Tem for the period assigned to the committee.

During the Special Session, Hon. Wilson C. Stewart, Jr. proposed an amendment to strike a majority of the language in the legislation to completely remove Speaker Seth Damon as Speaker of the 24th Navajo Nation Council.

In response, Hon. Otto Tso stated the proposed amendment by Hon. Stewart would require a new legislation to be drafted and would need to be discussed at a later date. Delegates also stated it was imperative to address the issue at hand as quickly as possible to ensure the Navajo Nation has a leader of the Legislative Branch.

After much debate on the proposed legislation and the amendment, Chairman Daniel Tso motioned for a caucus to discuss the details in depth to find a solution in order to move the Nation forward.

As a result, Seth Damon, Speaker of the 24th Navajo Nation Council, decided to step down for the remainder of the term and appointed Chairman Daniel Tso Speaker Pro Tem for 5 days beginning Monday, November 7, 2022. Hon. Seth Damon will appoint a Speaker Pro Tem for every week until a new Speaker of the 24th Navajo Nation Council is elected.

“In order to begin the healing process, my resignation as Speaker will ensure the 24th Navajo Nation Council will continue to be united on behalf of our Navajo people,” said Speaker Seth Damon. “Over the course of the next two months, through prayer and blessings, it is my hope that harmony will be restored throughout our communities.”

Hon. Seth Damon is currently running unopposed and will represent the chapters of Bááhaali, Chichiltah, Manuelito, Red Rock, Rock Springs, and Tséyatoh on the 25th Navajo Nation Council.

###



CJA-03-11

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

22nd NAVAJO NATION COUNCIL - First Year 2011

AN ACTION

RELATING TO THE NAVAJO NATION COUNCIL; RESCINDING CJA-1-93 AND CJA-02-99, RESOLUTIONS ADDRESSING THE PROCESS AND PROCEDURE FOR THE SELECTION AND CONFIRMATION OF THE SPEAKER OF THE NAVAJO NATION COUNCIL TO SELECT ITS SPEAKER AND ADOPT A PROCESS AND PROCEDURE ACCORDINGLY

BE IT ENACTED:

Section 1. Findings and Purpose

1. The number of delegates to the Navajo Nation Council was reduced from 88 to 24 members by vote of Diné voters.

2. Pursuant to Navajo Nation law, the Navajo Nation Council is authorized to select a speaker from among its membership. The selection of the speaker is an internal process of the Navajo Nation Council.

3. In January 1993, the Navajo Nation Council adopted rules in the selection of Speaker of the Navajo Nation Council. CJA-01-93. These rules were amended in special Session of the Navajo Nation Council in 1999. CJA-02-99 (Document No. 2026).

4. In accordance with Diné tradition, the rules in the selection of the Speaker must be inclusive and allow broader participation by all delegates to the Navajo Nation Council. The process involved in the selection of a Diné leader is done in a democratic manner, with utmost participation by every delegate of the Navajo Nation Council.

5. In order that the requirements of 2 N.N.C. § 282 (C) be met and that the selection and confirmation of the speaker of the Navajo Nation Council be the first order of business at the council session scheduled for the fourth Monday in January of 2011 and this selection be done in a manner consistent with Navajo tradition and the intent of the 22<sup>nd</sup> Navajo Nation Council.

**Section 2. Rescinding CJA-1-93 and CJA-02-99**

The Navajo Nation Council rescinds CJA-1-93 and CJA-02-99.

**Section 3. Rules in the Selection of the Speaker**

For the 22<sup>nd</sup> Navajo Nation Council, the Navajo Nation Council hereby adopts the following rules:

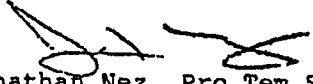
1. Each Council of the Navajo Nation shall be authorized to select a Speaker pursuant to its own process.
2. The Speaker shall be selected as the first order of business at the Winter Session of the Navajo Nation Council, January 2011. The Speaker shall be selected and confirmed by the Navajo Nation Council as the first item of business at the council session scheduled for the fourth Monday in January of any odd numbers year, 2 N.N.C. § 282 (C).
3. Read the powers and duties of the speaker, as written in 2 N.N.C. Section 285 into the record.
4. Any delegate may nominate another delegate to serve as Speaker with no second required. If the current Speaker is nominated and accepts the nomination, he/she shall point a Speaker pro tem pursuant to 2 N N.C. 285(b)(3).
5. The number of nominations shall be unlimited, except upon motion, second and majority vote on closing the nomination process.
6. Each nominee shall accept or reject a nomination upon being nominated.
7. Each nominee, in order of his or her draw, shall be allowed to make a 15-minute statement on his or her platform for Speaker.
8. Each nominee, in the order of his or her draw, shall be allowed to make a 15-minute statement on his or her platform for Speaker.
9. Questions shall not be allowed.

CJA-03-11

10. Upon presentations by nominees, each member of the Navajo Nation Council present shall cast one vote for a candidate by secret ballot. The Navajo Nation Election Administration shall assist in the balloting.
11. In the event there are more than two nominees, there shall be a run-off election between the two candidates receiving the most votes. At which time, the final two candidates will be allowed 5 minute statement before final vote, with no questions or comments. This run-off election procedure shall not apply in the event candidates and is hereby declared the winner.
12. In the event of a tie vote, selection shall be by random lot.
13. The Council shall by resolution confirm its new Speaker

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 21 in favor and 2 opposed, this 24th day of January 2011.

  
Jonathan Nez, Pro Tem Speaker  
Navajo Nation Council

01-24-11

Date

Motion: Charles Damon, II  
Second: Jonathan Hale

**NAVAJO NATION**

633

Navajo Nation Council 2021 Winter Session

1/25/2021  
01:51:55 PM

<b>Amd# to Amd#</b>	<b>Legislation 0007-21: Selecting</b>	<b>PASSED</b>
MOT Yazzie	and Confirming the Speaker of	
SEC Brown	the 24th Navajo Nation Council	
	for a Two-Year Term	

**Yeas : 22**

**Nays : 0**

**Excused : 0**

**Not Voting : 1**

**Yea : 22**

Begay, K	Daniels	Smith	Tso, E
Begay, P	Freeland, M	Stewart, W	Walker, T
Brown	Halona, P	Tso	Wauneka, E
Charles-Newton	James, V	Tso, C	Yazzie
Crotty	Nez, R	Tso, D	Yellowhair
Damon	Slater, C		

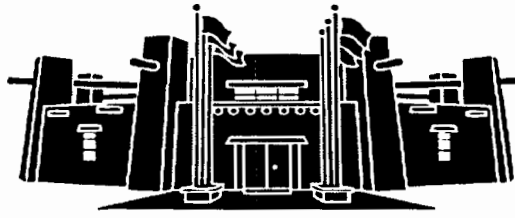
**Nay : 0**

**Excused : 0**

**Not Voting : 1**

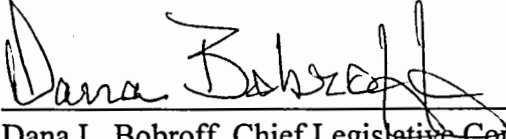
Begay, E

**Presiding Speaker: Henio, J**



**MEMORANDUM**

**TO:** Honorable Eugene Tso (Sponsor)  
Honorable Daniel Tso (Co-Sponsor)  
Honorable Seth Damon (Co-Sponsor)  
24<sup>th</sup> Navajo Nation Council

**FROM:**   
Dana L. Bobroff, Chief Legislative Counsel  
Office of Legislative Counsel

**DATE:** November 8, 2022

**SUBJECT: AN ACTION RELATING TO THE NAVAJO NATION COUNCIL;  
SELECTING AND CONFIRMING THE SPEAKER OF THE 24<sup>TH</sup> NAVAJO  
NATION COUNCIL FOR THE REMAINDER OF THE TERM**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.



THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0219-22\_

SPONSOR: Eugene Tso

TITLE An Action Relating to the Navajo Nation Council; Selecting and Confirming the Speaker of the 24th Navajo Nation Council for the Remainder of the Term

*Date posted:* November 08, 2022 at 5:11 PM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.*