



Office of the Speaker issues 9 statements to inaccuracies in press release

FOR IMMEDIATE RELEASE: May 10, 2020

WINDOW ROCK, Ariz. — The Office of the Speaker issues the following statements in response to a press release titled [“Nez-Lizer present their vision for the CARES Act funding and call on Navajo Nation leaders to work together”](#) dated May 8, 2020 by the Navajo Nation Office of the President and Vice President:

1. “We need transparency and accountability every step of the way. ...”

The Navajo public has access to every non-emergency legislation, including the public comments submitted to the Office of Legislative Services, developed by the Navajo Nation Council that includes legislation that appropriates money to government programs and non-government organizations. This is found online at: <http://dibb.nnols.org>. (*Diné Bibeelah’áanii Binaaltsoos*).

2. “... The three branches of government need to come together and have a unified approach. This is not the time to play politics – it’s time to work together with all branches of government, not just one. ...”

The Office of the Speaker has reached out to the Office of the President and Vice President multiple times over the past three months through official letters and through text messages. The majority of these requests are still unanswered.

3. “... As President and Vice President we were elected by the vote of the entire Nation, not just a few chapters so we represent the voices of all communities. ...”

The 24-member Navajo Nation Council was elected by a total of 38,748 votes to represent local communities to the government in Window Rock. The two offices of the President and the Vice President were elected by a vote of 41,261, which is 20,630.5 each for both individuals. 20,751 people voted against the President and Vice President in the last election. The Navajo People elected 26 public servants to represent them in different capacities in Window Rock. The President and Vice President do not have absolute representation of all communities.

4. “... Prior to being elected by nearly two-thirds of the Navajo voters, we visited over 70 chapters and spent long-hours listening to the needs of the people so we are well-informed of the priorities in every region.”

Council delegates visited 110 chapters within the past month, with countless hours spent meeting one-on-one and through teleconferencing with chapter officials and local organizations for immediate needs, which are different from priorities heard by the candidates in 2018.

5. “President Nez added that the legislation introduced by the Legislative Branch on Thursday is “unworkable” because the language of the bill severely limits the use of the \$600 million and places nearly all of the authority to decide the use of the funds in the hands of the 24-members of the Council.”

The language of the bill is an exact copy of the federal restrictions on the CARES Act funding given to the Navajo Nation. As is the case in almost all three branch governments, the Navajo Nation Legislative Branch, through the 24-member Navajo Nation Council, holds the authority to decide the use of the funds through its power of appropriation. That is one of the key functions of a legislative branch, which is the governing body of a nation. This is a fundamental attribute of checks and balances and separation of power and ensures an executive branch does not gain the unchecked power to control the appropriation of the Navajo People's money. This is part of the reason the Navajo People decided to give the Navajo president line-item veto authority, so that the balance of powers is intact. We recognize that.

6. "The leaders also said any legislation regarding the use of the CARES Act funds is subject to the line-item veto authority granted to the President by the Navajo people through a referendum years ago."

The Navajo Nation Council supports the use of the president's line-item veto authority and encourages that executive authority as a measure entrusted to the president, and the president only, to deny funding, be it from the UUFB, SÍhásin Fund or from the proposed Navajo Nation CARES Fund. Like any authority, that line-item veto can be abused.

7. "... Yes, they've asked for public comments, but they rushed the introduction of the legislation while only allowing a day or two for public comments," added President Nez."

The legislation is undergoing a five-day statutory hold to allow for public comments until it is eligible for action by committees. The legislation is not final until approved by the full Navajo Nation Council, and public comment is accepted until the full Council considers the legislation on the floor. To date, more than 60 written comments have been submitted to the Office of Legislative Services. The Council continues to encourage the public to provide their written comments through the official legislative commenting system.

8. "They also called on the federal government to consider reviewing or waiving "red tape" that often stands in the way of development and progress, especially considering the CARES Act provision that calls for the funds to be used by the end of 2020."

The Navajo Nation Council has begun lobbying for extensions, as well. We have secured the assistance of United States Senator Martha McSally and others to amend the CARES Act provisions. The Council has proceeded, however, to act quickly on the possibility that no extension by the federal government will be approved.

9. "The Office of the President and Vice President, through its Navajo Economic Stimulus Team, will continue building a strong proposal that is inclusive of the Navajo people, chapters, enterprises, schools, health care workers, and many more."

Legislation No. 0115-20 makes it legal for any of the listed entities to develop the expenditure plan that will be accountable to the Navajo public. The expenditure plans allow proposals of all sizes and scopes to go through not only an expedited procurement process, but a sound legislative process with the weight of discussion underlying the intent of the proposals.

The Navajo public is invited to submit public comments on Legislation No. 0115-20 by visiting the Navajo Nation Council's legislation website: <http://www.navajonationcouncil.org/legislation.html>.

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