



The 24TH NAVAJO NATION COUNCIL  
Office of the Speaker



# Speaker's Report

## April 19, 2021

**HONORABLE SETH DAMON, SPEAKER OF THE NAVAJO NATION**

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# Contents

Chapter Heavy Equipment: Recognizing contributions to Resolution No. CJA-01-21	5
Health Command Operations Center: Daily Updates and Vaccinations	5
Agriculture Infrastructure Funds: Legislation No. 0021-21	6
White House COVID-19 update	6
Transportation	6
Radiation Exposure Compensation Act (RECA)	7
Office of Miss Navajo Nation	7
PTF 5 Year Plan: Shiprock Hotel	8
Fort Defiance Water Commission Selection	9
American Rescue Plan Act (ARPA) Planning	9
Tourism	10
Chaco Canyon National Historic Park and allottee concerns	10
Gaming	11
Arcadian Infracom Project Resolution	11
Diné Development Corporation	11
Communications Section	12
Office of Legislative Services	13
Office of the Auditor General	13
Human Rights Commission	14
Navajo Government Development	15
Navajo Election Administration	17
Eastern Navajo Land Commission	18
Ethics and Rules	18
Labor Commission	19
Navajo Utah Commission	20

# Speaker's Message

To my Honorable Colleagues of the 24th Navajo Nation Council,

In observance of the life of our dear friend and colleague of the 24th Navajo Nation Council, former Council Delegate Nelson S. BeGaye, I wish to open this report with my deepest expressions of gratitude and regard for his long-standing devotion to this body, to the Navajo People, to his family, and to his faith.

During this time of pandemic, the work of the Navajo Nation has, despite many obstacles, continued. And it is worth remembering the words spoken by Honorable BeGaye in his last address to this body almost two years ago.

“Let’s journey together.”

The impact of those words is more understood in view of not only the onset of the coronavirus pandemic, but also the immediate and longer-term future of our Nation.

The Spring Session of the 24th Navajo Nation Council marks a special time of the year, and I know many of us feel a special connection to the changing of seasons that is taking place. This is true across the Nation, and I share that at this time because we are all here, together.

Since January, the Nation’s position has grown stronger as a result of collaboration and working together among all parts of our government. Among these changes, chapter communities have a new cohort of elected officials that have taken up a commitment to lead in the face of unprecedented challenges—all sworn-in via remote teleconferencing.

As many of my colleagues know, I take the guidance of our local leaders to heart. On this next part of our journey together, the Speaker’s Office will continue to support the inclusion of their voices and ideas in the governing process.

With the coming funding opportunities created through the American Rescue Plan

Act, we have initiated a period of discussion and reflection on the outstanding needs and priorities of our Navajo communities. This work will continue over the next quarter so that better policy approaches and stronger legislation can come about.

We thank the Executive Branch, the Judicial Branch, our local chapters, and the Navajo People for joining us on this journey.

And we are also mindful of those who have gone on or those who are currently going through a period of difficulty.

We look forward, together, so that the important work of healing and recovery continues.

Finally, we recognize and honor the first responders, front-line workers, and our essential personnel for doing the work of keeping our communities safe.

Ahéhee’.

Sincerely,



Seth Damon, *Speaker*  
24TH NAVAJO NATION COUNCIL

## **Chapter Heavy Equipment: Recognizing contributions to Resolution No. CJA-01-21**

Without the support and advocacy of the members of the 24th Navajo Nation Council, chapter heavy equipment requests submitted under the CARES Act would not have been possible. The Speaker's Office recognizes the efforts of Council delegates for taking the lead in revisiting heavy equipment requests and pushing for equity among all chapters. Beyond the Council, the community leadership and the experienced staff of the Division of Community Development are also to be commended for their willingness to come together to make it happen.

Chapter heavy equipment purchases are now making their way into our Navajo communities and the investment in the resiliency and capacity of our local chapter communities is, once again, beginning to produce positive results.

We thank the legislative district assistants, heavy equipment vendors, community voices, and each of the advocates that came together across countless phone calls and meetings to establish an extensive list of needs for the community.

## **Health Command Operations Center: Daily Updates and Vaccinations**

Over the second quarter, the Speaker's Office has been mindful of the Navajo Nation's public health orders, and have slowly begun the reopening of our branch programs and departments. COVID-19 and its variants are being tracked daily and that information continues to be shared by staff. Currently, all programs are faced with identifying necessary

measures to return to a fully operational Navajo Nation government.

The Speaker's Office continues to share our sincere appreciation to the Health Command Operations Center team for their daily COVID-19 updates, Dr. Jill Jim and the Navajo Department of Health, Mrs. Roselyn Tso and the regional Indian Health Service team members, our 638 facilities' teams and our front line workers, public health nurses, safety officers, public safety staff, for all their advisement, evaluations and guidance. We send our gratitude to the Navajo Epidemiology team, who have been integral in the Navajo Nation's response to the pandemic. They have all been continuously on-call since the beginning of the pandemic. Our continued thoughts and prayers are with our Navajo People who have lost loved ones over the past year.

The first rounds of the COVID-19 vaccination efforts have been a tremendous blessing to our Navajo Nation. This ongoing effort began by taking care of our elders and high-risk populations that have been essential to our community support efforts. In the next tier, essential workers returning to offices and off-nation employment sites were provided opportunities to receive the vaccine.

As of April 9, the Navajo Nation's medical system has distributed 246,465 vaccine doses and 91,278 people have been vaccinated. The results of this effort is reflected in the graph of confirmed cases since March 2020.

Continue to be vigilant and cautious of surroundings and interactions. New variants of the virus require us to remain committed to prevention practices. The Speaker's Office will continue to meet with the HCOC to ensure all of the Navajo Nation is being taken care of.

- General HCOC Hotline: (928) 871-7014 or NNHCOCPlans@navajo-nsn.gov
- National Suicide Lifeline 1(800)273-TALK
- HCOC Operation Hours: M-F (8am to 5pm); Sat (8am-12pm); Sun (standby)
- COVID-19 Interactive Dashboard <https://www.ndoh.navajo-nsn.gov/COVID-19/Data>

## **Agriculture Infrastructure Funds: Legislation No. 0021-21**

The Resources and Development Committee approved hay grain and feed assistance to Navajo Nation ranchers and livestock owners across all cheaper communities.

[Speaker’s Office support]

The legislation sponsored by my colleagues Delegate Wilson Stewart Jr. and co-sponsored by Delegate Mark Freeland. The legislation was intended to provide assistance to our livestock owners whether or not they have a grazing permit.

This assistance was intended to provide a direct benefit to our livestock owners through the indemnity payments derived from the Navajo Nation’s participation in the USDA’s Pasture, Rangeland, Forage pilot insurance program (also called “drought insurance”). The assistance program has been given to the Division of Community Development to further coordinate with all 110 chapters on resolutions that define the criteria and distribution processes that will ultimately get the hay and livestock feed into the hands of our Navajo people.

The appropriation by agency is as follows:

- Eastern Agency: \$1,047,763.20
- Fort Defiance Agency: \$980,074.38
- Northern Agency: \$763,644.11
- Western Agency: \$683,896.39
- Chinle Agency: \$524,621.92
- Total: \$4,000,000

## **White House COVID-19 update**

The Speaker’s Office has also been actively listening to the White House COVID-19 updates for Tribal Nations. In the latest guidance, the Administration shared the following:

1. FEMA burial assistance of up to \$7,000 per family member is now available to the public.
2. National leaders are undertaking a public education campaign to promote enthusiasm about being vaccinated and to trust the vaccine science.
3. The COVID Community Corps was established to recruit close family in the effort to share the latest information and education (<https://wecandothis.hhs.gov/covidcommunitycorps>).
4. The Administration acknowledged “vaccine hesitancy,” which is fueled, in part, by the potential for infection even after vaccination. The vaccine greatly reduces the severity of those types of infections.
5. Eventually, a home testing kit that will be available without a prescription for Indian Health Service patients will be released. Results are planned to be viewable with a smart phone.
6. For those who are vaccinated and wish to travel, they can visit the FEMA or CDC websites for pertinent information.

## **Transportation**

It is apparent that the Navajo Nation’s transportation roads infrastructure is a critical

component in public health efforts aimed at containing the spread of COVID-19. First responders report challenges in connecting with cases across the Navajo Nation. Our ability to access our elders and high risk populations should not be a hurdle.

The Speaker's Office began work on the Transportation Bonding Program before the arrival of the pandemic. It has evolved a few times over the past year and what started out to be a bonding program quickly became an earthen roads-only initiative. Then, planning activities came to a halt due to restrictions on CARES Act funds.

Now, with new movement and infrastructure support funding through the American Rescue Plan Act, the focus shifts back to the initial transportation plan. That includes:

1. 10 bridge replacements.
2. 378 miles of pavement preservation.
3. 121 earth road improvements.
4. 12 Tribal Transportation Plan projects.

Recently, the Speaker's Office and the Navajo Department of Transportation found an overall roads projects funding need of \$320 million. Additionally, it was determined these projects can be completed by the end of 2021.

These new sources of federal funds relating to the COVID-19 pandemic have been some of the largest fiscal infusions the Navajo Nation has ever received. Now, more than ever, opportunities to address the Navajo Nation's transportation infrastructure are key in a comprehensive public health approach to protecting against current and non-current pandemics.

The 24th Navajo Nation Council, working hand-in-hand with the Navajo Division of Transportation, continue to build and adapt this transportation plan under new opportunities. We hope to present this plan

to the federal government later this year, followed by the start of project construction.

## **Radiation Exposure Compensation Act (RECA)**

Now that the new Congress and Administration is seated, the Speaker's Office is assisting members of the 24th Navajo Nation Council in coordinating Radiation Exposure Compensation Act advocacy in Washington. The Act, which provides financial restitution to many Navajo people and others affected by the US Government's support of uranium development in this country's history.

This coordination currently includes the EPA, DOH, NNEPA, uranium workers, families and downwinders, the Navajo Nation Washington Office and the Office of the President and Vice President.

Additionally, the Navajo Nation's Congressional delegation has indicated support of new legislation to amend RECA, which is currently set to expire in December 2022.

## **Office of Miss Navajo Nation**

On February 18, the HEHSC facilitated a public forum to hear from former Miss Navajo Nation title holders. This forum was held to receive comments and recommendations from the previous title holders as it pertains to the Office of Miss Navajo Nation's plan of operation. On March 30, the HEHSC conducted a work session led by Chairman Daniel Tso to integrate the comments and recommendations that were given at the public forum.

[Speaker's Office support]

The work session lasted throughout the day, as the committee thoroughly reviewed and made the necessary changes. The committee committed to further finalize the Office

of Miss Navajo Nation plan of operation updates by holding a special meeting on May 3 to approve the amendments and refer the legislation back to the Naabik'iyáti' Committee.

### **PTF 5 Year Plan: Shiprock Hotel**

In response to ongoing Permanent Trust Fund 5 Year Plan project follow-up, the Speaker's Office began research into the status of the Shiprock hotel allocation. Two letters were sent to the Navajo Nation Executive Branch from the Bureau of Indian Affairs dated September 20, 2019 and February 28, 2020. The letters affirmed the 7 acres of land within the BIA's complex is, and always has been, Navajo Nation Tribal Trust Lands.

A land withdrawal request needs to be submitted to the Navajo Nation Land Department for review and approval. The following project components are key to the completion of the construction and development process.

Survey for the site footprint area: If and when a new survey is needed, the Division of Economic Development may provide support to complete the survey. If the existing BIA survey is sufficient, a site verification can be performed after the Navajo Nation Gaming Enterprise has received a Right of Entry. If an amended survey is needed, a site verification would likely take place in May or after a new certified survey has been delivered to NNGE.

The Land Department indicated an authorization letter for the NNGE to enter the land for purposes of study may be provided if, first, there is a request letter. That document was expected to be submitted to the Land Department at the end of March.

As part of the Land Withdrawal Designation Application, several documents needed to be updated or reissued.

#### A. Final legal survey.

1. A final legal survey of 7.3 acres conducted by the BIA in 2019 would be shared with NNGE.

2. NNGE will compare its 2017 requested survey boundary with the 2019 BIA survey to determine any discrepancies. Those discrepancies will be addressed through a new survey by NNGE.

3. If the BIA survey is reviewed and is sufficient, then the final legal survey requirement is satisfied. If not, NNGE will be responsible for completing an amended survey.

#### B. Environmental Clearances.

1. In 2019, the BIA also obtained environmental clearances, the documentation for which was provided to the Office of the President and Vice President in February 2020. In 2017, the NNGE was informed the BIA documentation would be sufficient.

2. Because these studies are expensive with months required for completion, no party wishes to duplicate this work. The NLD received a copy of the BIA documentation for the environmental clearances and said they can be provided for this purpose. The Navajo Nation Environmental Protection Agency will need to review the clearances and, if sufficient, they will become part of the application. If accepted by the Navajo Nation, NNGE planned to request a letter from the Land Department stating such.

#### C. Chapter Resolution.

1. A Shiprock Chapter resolution must be provided confirming the location and land use of the tract for commercial purposes. That part of this process is expected to be completed in September when the Shiprock Vision Master

Plan is completed and accepted. The hotel project will be included as part of that plan, which is under development with IDS+A, Inc.

The NNGE committed to work collaboratively with the Land Department and the Division of Economic Development's Shiprock Regional Business Development Office for the next steps.

## **Fort Defiance Water Commission Selection**

On March 17, the Resources and Development Committee confirmed Bidtah Becker to the Navajo Nation Water Commission for a term of 4 years.

In the fall of 2020 the Office of the Speaker advertised the vacant position and received four applicants, of which Mrs. Becker was selected.

Her background in water management includes her previous experience as a water rights attorney and a division director of the Division of Natural Resources. We are confident she will be an invaluable asset to the Water Commission's goals and objectives of advocating for the Navajo Nation's water rights.

This legislation was proudly sponsored by Delegate Wilson Stewart Jr., who is ecstatic to see that Mrs. Becker now serves as the Water Commissioner appointed from the Fort Defiance Agency. The commissionership had been vacant for years.

## **American Rescue Plan Act (ARPA) Planning**

### **Northern Agency Priorities**

In preparation for the impending distribution of American Rescue Plan Act funding to Tribal Nations, the Speaker's Office is working with members of the 24th Navajo Nation

Council and chapters to establish priorities for potential local projects.

Also in anticipation of U.S. Treasury guidelines for ARPA distributions, these project lists for each chapter may be included in the overall needs assessment the Nation submits in its ARPA requests. In keeping with the clear need to build out a comprehensive approach to allocating new funds, the Speaker's Office is preparing this information as part of a commitment to improve through "lessons learned" under the CARES Act.

These agency calls will extend across all agencies and will continue through the implementation of ARPA projects.

### **Western Navajo Agency priorities**

The Speaker's Office was able to facilitate an initial caucus of Western Agency for priorities for forthcoming American Rescue Plan Act recovery funds. Four broad areas were identified, including infrastructure, public safety, economic development and telecommunications. This initial look into potential allocations and the overall ARPA process is further broken down into areas of focus.

1. Infrastructure.
  - A. Waterline extension to residents of the Western Navajo Agency; windmill additions and maintenance; earthen dams to accommodate residents and agriculture; Lastly, bathroom additions.
  2. Public safety.
    - A. Public safety sub-stations in Kaibeto, Lechee and Antelope Canyon. Need to consider future economic development endeavors, for instance, future gaming sites and the mandated location of public safety sub-stations in accordance with the national gaming requirements.
    - B. Building to house Prosecutor's office and courtroom in Kayenta.
    - C. Fire stations and sub-stations across Western Navajo Agency to include maintenance of existing facilities.
  3. Economic

development. A. Tourism, concerning the future of Navajo tourism affected by the pandemic. 4. Telecommunications. A. Broadband accessibility; the pandemic has presented the need for broadband and internet service for the residents, employees and students of the Western Navajo Agency. B. Cellular phone coverage and cellular towers to reduce “dark areas” throughout the Western Navajo Agency.

The initial assessments gained through the caucus meetings will be complemented by the additional discussions undertaken with chapters and communities.

## **Tourism**

Under the leadership of the three chapters of Dennehotso, Chilchinbeto, Kayenta and Delegate Nathaniel Brown, the Speaker’s Office has continued its support of the ‘Tri-City Tourism group.’ The initiative, located in the Western Navajo Agency, aims to establish a destination plan that will incorporate economic development expansion and create opportunities for future entrepreneurial growth.

This initiative, which began before the COVID-19 pandemic, leverages the nearby visitor traffic to begin investigating a destination visitors will appreciate and that local communities will support. The Speaker’s Office has been honored to support this initiative of the local chapters and to help create fusion from Window Rock to each of the Tri-City Chapters.

With the onset of the global pandemic, our local Navajo businesses and entrepreneurs felt the burden of having to close their businesses and to sell off assets to keep afloat. This is particularly true of anything under the umbrella of Navajo tourism and visitor traffic. We continue to look ahead at the future of the

Navajo tourism sector in partnership with our communities. To that end, we have discussed legislation and carried out conversations with our divisions and programs in exploration of the opportunities to strengthen this sector.

With the Navajo Nation’s reopening status still in a restricted state, an opportunity has been created for new approaches to tourism in partnership with the Division of Economic Development and with American Rescue Plan Act fiscal support.

## **Congresswoman Teresa Leger Fernandez discussions on Chaco Canyon National Historic Park and allottee concerns**

The Speaker’s Office assisted in the coordination of Congresswoman Teresa Leger Fernandez’s discussion with members of the 24th Navajo Nation Council and the Resources and Development Committee. The conference call took place March 20 and allowed Congresswoman Leger Fernandez an opportunity to better understand the complexities of gas and oil development within the Navajo Nation Eastern Agency. Specifically, the concerns of Navajo allottees who have allotments in and around the Chaco Canyon National Historic Park were discussed. Leadership continued to stress the importance of tribal consultation and communication needs on issues, like the Chaco Canyon measures, and other areas that may be impacted.

The Navajo Heritage and Historic Preservation Department was also on the call to speak to the importance of Chaco Canyon in Navajo road and ceremonial history. The allottees concerns were based on the recent pauses of all development on federal lands within the Eastern Agency. Allottees

expressed that they do not wish to see their development capacity on land they control to be negatively impacted by the pause or by buffer zones established around Chaco Canyon.

The two-hour discussion provided all parties the opportunity to establish a working relationship within the Congressional district and the Eastern Agency.

## **Gaming**

### **Navajo Gaming Enterprise**

With the signing of the updated Arizona gaming compact by Governor Doug Ducey, the Speaker's Office recognizes the work of the Navajo Nation Gaming Enterprise and their legal counsel, Lewis Roca, for their contributions to the renegotiations. The Speaker's Office provided coordination and representation, when needed, to the Gaming Sub-Committee and to the inter-tribal gatherings hosted specifically for the compact. We look forward to continuing discussions with the Navajo Nation Gaming Enterprise as it begins implementing and rolling out the various changes and added gaming opportunities in the years to come.

### **Arcadian Infracom Project Resolution**

On August 28, 2020, the Resources and Development Committee authorized and approved a fiber optic partnership between the Navajo Nation and Arcadian Infracom for the granting of rights of way and construction and operation of a fiber optic network within and through the Navajo Nation.

The fiber project will provide bandwidth sufficient to support data-intensive applications, such as high-quality video transmission access to benefit K-12 public

education, higher education and life-long learning opportunities, telemedicine and remote working arrangements.

It was recognized as an opportunity to help mitigate the health, safety and economic effects of the COVID-19 pandemic.

This fiber project will stretch the global internet backbone through the Navajo Nation to:

1) create new jobs and job skills for Navajo members,

2) provide cash and services to the Navajo Nation by sharing Fiber Project revenues and services as compensation for use of Navajo Nation Rights-of-Way,

3) generate new tax revenues through the construction and operation of infrastructure built on the Navajo Nation, and

4) assist the Navajo Nation in providing high speed internet to Navajo communities.

This project will also open up opportunities for communities along US Highways 89 and 160, as well as Interstate 40. For many, it would be the opportunity to obtain direct high-speed access to the internet for the first time.

If the Navajo Nation fully authorizes the resolution, it would be for the construction, completion and operation of Arcadian Infracom's fiber network along the entirety of Interstate 40 and any other planned Arcadian fiber routes elsewhere within the states of Arizona, New Mexico, Colorado and Utah.

### **Diné Development Corporation**

The Speaker's Office helped establish a roadmap for the Diné Development Corporation to establish their headquarters in the southwest. Recently, DDC celebrated its opening of the new headquarters location in Scottsdale. The enterprise continues to administer significant federal contracts and

has begun exploring more opportunities to utilize its expertise to build capacity at home.



## **Communications Section**

Over the course of the second quarter, the Communications section transitioned teleconferencing in-meeting functions to committee support staff. A three-phase training plan was initiated and nearly all support staff have become active in ensuring meetings proceed without major interruptions.

The Communications section expanded coverage of legislation across all social media platforms. Notably, regular posts were established for new legislation that improve advance awareness of Council and standing committee initiatives.

Meeting agenda items, as proposed, have also been incorporated into livestreams for ease of reference and convenience. This has resulted in overall positive improvements in the engagement of viewers and their discussions. Incremental changes to coverage will continue to be implemented in the coming quarter.

The Communications section also began the distribution of updated Council posters in the second quarter. Over the next quarter, distribution will continue with chapters as they begin preparations for a future re-opening.

As partial re-opening activities take place, the Communications section will similarly plan to gradually increase field-based coverage of Council initiatives. Recently, field coverage provided by the Speaker's Office has increased as travel became more feasible.

The Communications section is currently in the process of advertising and interviewing potential candidates to add to the team. This will help distribute workloads and improve coordination of the high frequency of coverage requests and opportunities.

# Programs

## Office of Legislative Services

### Accomplishments

OLS processed 63 Legislations this quarter.

OLS personnel participated in 104 council/standing meetings/ hearings during this quarter.

OLS Legislative Staff utilize telecommunication methods to conduct meetings with minimal support from the Office of the Speaker.

OLS internally reinforced Navajo Nation Policies and Procedures.

Expended 42% of FY2021 Budget for department.

Due to public health order, OLS reverted back to Phase I and II of the Reintegration Plan. Staff continue to telecommute and all meetings are held via teleconference. Office occupancy is at 50 % with support staff in the office at minimum 3 days a week.

### Goals

Implement Phase III of Reintegration plan for OLS to return to the office.

Increase training opportunities for staff.

Professional Development

Annual and Semi-annual training

Continue to effectively coordinate all meetings including sub-committee meetings who have met (i.e. Title II, NIIP, Dine Bizaad NABI Subcommittee).

Utilize Legislative Tracking - DiBB Meeting Request Module.

Implement Legislative Tracking - DIBB backup storage for personnel.

Implement DIBB Timekeeping Module-Establish, Trial phase and full implementation.

Begin planning stages of Legislative Tracking – Archive Project.

Fill Vacant Positions:

Executive Director

Legislative Advisor

Office Aide

### Opportunities

Issue: OLS is currently short staffed at the Legislative Advisor position.

Recommendation: Fill position immediately to ensure work and service provided is effective and efficient.

Issue: Inconsistent line of communication branch wide

Recommendation: Create a consensual standardized format of communication in accordance with policies and procedures.

### Point of Contact

Manuel Rico, Interim Executive Director  
(928) 871-7254

mrico@navajo-nsn.gov

## Office of the Auditor General

### Accomplishments

Program/Chapter audits/Investigations – 3 reports:

Tse' Lichii (Red Rock) Chapter Internal Audit

Tolani Lake Chapter Internal Audit

Torreon/Star Lake Chapter Internal Audit

Follow-up on Corrective Action Plan

Implementation – 3 reports:

Sawmill Chapter 4th Corrective Action Plan

Follow-up Review (Sanction Revisit)

Tohajiilee Chapter Corrective Action Plan

Follow-up Review

Navajo Housing Authority Corrective Action Plan Follow-up Review

Other – 2 reports:  
Available Chapter Fund Balances as of  
December 31, 2020  
Available Chapter Fund Balances as of  
September 30, 2020

## **Goals**

Navajo Head Start Performance Audit  
Department of Fish and Wildlife  
Performance Audit  
Department of Fleet Management Internal  
Audit  
Office of the Controller FMIS Address  
Book/Accounts Payable Duplicate Payment  
Follow-ups  
Internal Audits of Counselor and Red Lake  
Chapters  
Revisits of sanctioned chapters: Ramah  
Navajo Chapter  
Available Fund Balances for 110 Chapters as  
of March 31, 2021  
Outsource more chapter audits and  
performance audits of Navajo Nation depts/  
programs; will need to issue various request  
for proposals to utilize consulting budget

## **Opportunities**

Continue to recruit applicants to fill vacant  
positions (Associate Auditor positions (2) and  
Auditor General); four applicants have applied  
for Associate Auditor positions, likely fill the  
vacancies.  
Submission of MIP backups by some Navajo  
Nation Chapters are taking too long especially  
with the Navajo Nation government closure  
due the COVID-19 pandemic; some chapters  
have not consistently provided backups in the  
required format for several reporting periods.  
Continue to assist the Administrative  
Service Centers on chapter matters  
Working with challenges presented by the  
COVID-19 pandemic and the Navajo Nation's

priorities involving the CARES Act funds;  
most programs and chapters are part of these  
priorities and thus not always available for  
audit purposes.

Address the legislative concern from the  
FY2021 budget which directed our office to  
develop a plan on how to expand the number  
of audits of programs and chapters in our  
annual work plan.

## **Point of Contact**

Helen Brown, CFE, Delegated Auditor  
General  
(928) 871-6303  
helenbrown@navajo-nsn.gov

## **Human Rights Commission**

### **Accomplishments**

Reviewed Citizen Complaints: The  
Office of Navajo Nation Human Rights  
Commission ("Office") continues to receive  
new complaints during the second quarter.  
However, due to COVID-19 on the Navajo  
Nation, a majority of the intake meetings  
were conducted by teleconference and the  
complaints were staffed for investigation.

Public Hearing on Reassessing the  
Treatment of Navajo Citizens by Law  
Enforcement in the Border Towns: The Office  
will reassess the border town policing in light  
of the national concern on police reform. Due  
to COVID-19, the Office will be examining the  
best method to conduct the public hearing to  
ensure the safety of public.

Extension of the Settlement Agreement in  
the Matter of Navajo Nation Human Rights  
Commission, et al, vs. San Juan County  
Utah, et al: The Navajo Nation Human Rights  
Commission found it is in the best interest of  
all voters in San Juan County, Utah to extend

the settlement agreement in order to facilitate the much needed transition to future elections by ensuring polling places, satellite offices, and the Navajo language assistance program are in place. The agreement was extended twice now, the first on March 3, 2021 and now on April 2, 2021. The plaintiffs aim to seek the extension of the settlement agreement to 2024.

Arizona, New Mexico, and Utah Legislative Sessions: The Office has been tracking and analyzing proposed legislations in the states of Arizona, New Mexico, and Utah during their legislative sessions that would impact the Navajo Nation and Navajo citizens. These proposed legislations ranges from protecting voting rights to capping small loan annual percentage rates to 36% to creating a citizen redistricting commission. New Mexico's legislative session ended March 20, 2021. Arizona and Utah's legislative sessions are still currently in process.

## **Goals**

Continue to Receive Complaints: This Office will continue to assess and investigate filed complaint by Navajos on or about discrimination and human rights violations off the Navajo Nation.

Conduct Public Hearing on Law Enforcement: This Office will reassess the border town policing in light of the national concern on police reform. Due to COVID-19, the Office will be examining the best method to conduct the public hearing to ensure the safety of public.

COVID-19 Impacts: This Office will assess the financial impacts on border towns due to the pandemic lockdowns imposed by the Navajo Nation government. In addition, this Office will communicate and coordinate with

State, Federal and United Nation bodies on assessing racism post COVID-19.

## **Opportunities**

6B Rollout: With the move towards full implementation of the FIMS system, this Office has not met the requirements to begin submitting personnel and budgetary/fiscal expenses online. Currently, only one person in the Office has completed all the online trainings that are required to be 6B Rollout Certified. The remaining staff of the Office still has several more trainings to complete.

Vacant Commission Position: Currently, there is a vacant commission position with the Commission. Only four positions have been filled. The vacant position is the At-Large Commissioner, which needs to be filled as soon as possible.

## **Point of Contact**

Leonard Gorman, Executive Director  
(928) 871-7436  
leonardgorman@navajo-nsn.gov

## **Navajo Government Development**

### **Accomplishments**

The Commission passed Resolution No. CNGD-0101-21: An action to adopt the Office of Navajo Government Development's White Paper – A Case for Understanding Navajo Nation Sustainability Practices & Guidelines in 2021: COVID-19 Pandemic Presents Unique Opportunities.

The Commission passed Resolution No. CNGD-0102-21: An action to approve the adoption of the proposed Navajo Nation Sustainability Principles and Guidelines for the 24th Navajo Nation Council to establish objective targets for the safeguard of life-

supporting elements of life, air, light/fire, water, and earth/pollen in all their forms must be respected, honored and protected for they sustain life in accordance with 1 N.N.C. § 5 Nahasdzaan doo Yadihil Bits'aadee Beehaz'aani and the Diné Beehaz'aanii Bitsé Siléí.

The Commission considered and tabled Resolution No. CNGD-0201-21: An action to rescind Resolution No. CNGD-0803-20, an action to suspend efforts to enact government reform initiatives in commission resolution(s) CNGD-0102-20 and CNGD-0202-20 until the negative impacts of the COVID-19 pandemic subside to allow for normal Navajo Nation government operation. This resolution was tabled for 90-days for a work session, which was completed on March 25-26, 2021.

The Navajo Nation Council passed CD-92-20, An Action Relating to Naabik'iyáti' Committee and Navajo Nation Council; Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution CO-80-20; thus, the Commission on Navajo Government Development and the Office of Navajo Government Development's Plan of Operation has been amended, 2 N.N.C. §§ 970-978 (henceforth, referred to as "2020 Amendments").

Navajo Nation Council Legislation No. 0067-21: An Act Relating to Law and Order Committee; Amending the Commission on Navajo Government Development's Rules of Procedure. This will amend the Commission's Rules and Procedures.

## **Goals**

The Office and Commission will continue to directly work with the Navajo People to petition their invaluable input as part of the Office's Hybrid Work Session regarding Navajo Chapter Government reform

consideration and in light of the COVID-19 pandemic. Another work session is being planned.

The ONGD and Commission received a presentation on an all-inclusive and comprehensive central government reform proposal as opposed to a "piecemeal" approach; the commission expressed an interest to consider in re-directing its efforts down this path.

The ONGD and Commission are working closely with the Office of Legislative Counsel for legal review on two (2) Commission's resolutions regarding to 'government reform' recommendation.

The ONGD is proactively working with the Office of the Speaker, Budget and Finance Committee leadership, and NECA to follow through the Traditional Hogan project, funding and construction.

Continue to work with Navajo Nation Executive Branch (OPVP) to secure a nominee to fill their representative vacancy to the Commission, which has been vacant for 18 months.

## **Opportunities**

The Office has been short staffed for the past few months while making an honest effort in working with the Department of Personnel Management (DPM); however, the turnaround deliverables from DPM has been futile, particularly in the delay of the reclassified Research Assistant advertisement.

The Office is strongly considering a request for external legal support and services aside from the Office of Legislative Counsel by submitting another Request for Proposals (RFP) for Professional Legal Services (Consultant).

## Point of Contact

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## Navajo Election Administration

### Accomplishments

The Navajo Election Administration (NEA) returned to minimal operations level per the NEA Reintegration Plan from 25% to 50% within all 5 agency offices and the administrative office.

The NBOES conducted six meetings via telecommunication due to the COVID-19 pandemic and the Navajo Nation Health Orders.

There are 115,755 registered Navajo voters within the 5 agencies.

The NEA planned and oversaw Special Elections on March 16, 2021 for local government that had vacancies for the following Chapters: Pinon, Nazlini, Round Rock, Tse Chizhi, Whippoorwill, Nahodishgish, Pueblo Pintado, Chichiltah, Rock Springs, Smith Lake, Tsayatoh, Counselor, Indian Wells, Cornfields, Crystal, Tse Si Ani, Tooh Haltsooi, Rock Point, Lechee, K'ai' Bii' To, Tonalea, Bodaway Gap, Cameron, Birdsprings, Kayenta, and Kayenta Township.

The NEA also planned and over saw the inauguration for the 2020 Chapter Election on January 6 and the second inauguration on January 27. The Special Election Inauguration is being finalized for April 14 at 10am.

The NEA also hired (2) staff members; Office Assistant for the Fort Defiance Agency Office and Records Clerk for the Central Office. A Legislative Reporter was also selected, but the individual is in the process

of getting their background check done with Office of Background Investigations.

The NEA has also become 6B certified and has 8 staff members who became certified and 2 pending.

### Goals

The NEA and NBEOS will be looking to plan for possible special elections for Fall 2021.

The NEA and NBOES will be setting up work sessions to determine as to what voting platform, voter data base and code amendments starting in April 2021.

The NEA will need to secure a new lease agreement with the AES for the voter data base upgrade and also for the voting platform before the end of this quarter as the Navajo Nation needs ensure that voting platform and data base are viable any special elections in FY'2021 and for future elections.

The NEA will need to start reclassifying positions: Office Assistants to Office Specialist, Voter Machine Technician to Computer Technician as the current positions are required keep the NEA at optimum levels for operations.

The NEA needs to fill the positions of Executive Director, Assistant Department Manager, Senior Accountant and Tribal Court Advocate within the third quarter.

The NEA needs to establish a fund management plan for the revenue generated from open fling to have funds revert back to operations for the NEA within the annual budget.

### Opportunities

Continue with office equipment upgrades via supplemental funding from the Navajo Nation.

Set up NEA staff work session with OLC to review code, rules & regulations, policies and

procedures for the NEA for amendments and revisions.

### **Point of Contact**

Shayna Yazzie, Interim Executive Director  
928-871-6367  
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## **Eastern Navajo Land Commission**

### **Top priorities**

- 1) NELI Project
- 2) New ranch land purchase
- 3) Old Fort Wingate National Park and Master Planning
- 4) Navajo Land Buy-Back Program Results Report

### **Accomplishments**

The Navajo Land Buy-Back Program Round II Results Report- The statistical data by chapters is set up, thematic maps by chapters showing degree of allotment ownership sales are in final stages for printed report, the 2nd Edition upon the previous 2016 results.

The Commission received word from the Office of Senator Lujan to resume talks on the monumental NELI Project; work on new NELI proposal will be placed in federal legislation upon talks and educational meetings with NM congressional delegate and staffers.

The Commission plans on touring the old Stewart Indian School campus to learn how the place was modernized into a museum and cultural center; this will help the Commission understand what can be accomplished at the old Fort Wingate School compound as a redevelopment project and establishing a national monument.

The Commission passing a “protest” resolution opposing the Washington, DC

building purchase brought back attention to the purpose of the Navajo Tribal Land Acquisition Trust Fund and ranch purchase resolutions passed by the Commission in the last three years.

### **Goals**

Complete the results data into statistical chapter tables and produce maps for the 2nd Edition of the Navajo Nation Allotment Land Status Report.

Continue to work with Navajo Division of Natural Resources regarding the Commission-approved and proposed Ranch purchases.

Get the Old Fort Wingate for Historic Preservation/Shashbito Redevelopment Project to a proposal stage and pursue legislative support and funding.

### **Opportunities**

None.

### **Point of Contact**

Larry Rodgers, Executive Director  
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## **Ethics and Rules**

### **Accomplishments**

This quarter, three order to show causes were filed with the Office of Hearings and Appeals.

Two investigations were completed and reports finalized. Two complaints will be filed with the Office of Hearings and Appeals once the Respondents are given a chance to resolve the matter.

Efforts are still being made to contact individuals that have outstanding judgments with the Nation. A number of demand for

payment letters were sent out and some were successful in getting the Respondents to make payments.

The Investigators continue to work on their investigations but is complicated because they are unable to do fieldwork at this time.

Intakes continue to be received and reviewed for possible investigation.

A number of Ethics trainings were conducted this quarter, mostly by phone but there was one request for an in-person presentation.

The office continues to answer questions regarding the ERO process either by phone or email.

## **Goals**

Recruit and hire for vacant Presenting Officer position.

Will work on drafting office procedures in regards to timelines for investigations.

Continue to send letters demanding payment to Respondents.

Recommence working and collaborating with the Division of Community Development, Administrative Services Centers, Navajo Nation Department of Justice, Navajo Elections Administration, and Office of Government Development in providing consultations for local governments (110 chapters).

Continue providing the Ethics in Government Law/Standards of Conduct training for Chapters, School Boards, and other Navajo Nation Departments, including monthly training for newly hired employees with the Navajo Nation Staff Development and Training Center.

Work cooperatively with other Navajo Nation departments, the Public Integrity Task Force, FBI, Office of Inspector General and Internal Revenue Service on various

task forces and workgroups that concern the public trust to more effectively hold individuals accountable for violations of the Ethics in Government Law.

Continue to take Ethics intakes on elected and appointed officials and employees of the Navajo Nation and complete Ethics Clearances for candidacies, business loans, veteran's loans and the Navajo Nation Office of Background Investigations.

File ethics complaints, Order to Show Causes and eligible cases for garnishment pursuant to 2 N.N.C. § 3800 et seq. in the Window Rock District Court.

## **Opportunities**

None.

## **Point of Contact**

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## **Labor Commission**

### **Accomplishments**

Efficient use of allocated funds, NNLC held (19) hearings by teleconference with counsels of record and parties.

NNLC and program timely processed (03) appealed NNLC cases to Navajo Nation Supreme Court.

NNLC program timely processed (15) formally filed complaint by mail, fax and email.

NNLC timely adjudicated 1 settlement conferences (19) NPEA cases.

NNLC and program timely closed and issued (37) continuance orders by teleconference due to closure.

NNLC & program timely issued and mailed (200) subpoenas and notice of hearings

& NNLC Rules by certified mail, first class, facsimile and email to counsels of record or parties.

NNLC will continue to adjudicate seventy (106) pending NPEA cases.

NNLC program made (03) audio copies at parties' request.

Amended NNLC Rules of Procedure effective April 19, 2021.

## **Goals**

NN Presidential and HEHSC appointment of NNLC membership per CJY-42-16.

Continue to refer candidate(s) to appointing authority.

Efficient use of allocated funds and timely processed appealed NNLC case(s).

NNLC & program will timely adjudicate NPEA cases by teleconference.

NNLC & program will timely process formally filed NPEA complaint(s) and/or petition(s).

NNLC & program will timely issue and close out NPEA cases.

NNLC & program will continue review and amend NNLC Ruled of Procedure.

NNLC & program will continue to preserve substantial rights of all employees and employers in accordance to Navajo Law.

Closure of NNLC cases heard by current sitting NNLC members.

## **Opportunities**

NNLC lacks one (1) NNC Health. Education and Human Services Committee duly appointment and (1) Navajo Nation Presidential appointment. Vacancy been advertised.

Expedite office renovation and funding per COVID-19 guidance.

## **Point of Contact**

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## **Navajo Utah Commission**

### **Accomplishments**

The Navajo Utah Commission finalized Utah Navajo legislative priorities for the 2021 Utah Legislature, including distribution to legislative leaders, committees, Office of the Governor, and state agency representatives.

The Navajo Utah Commission, NN Human Rights Commission, and partners were successful in securing the approval of the San Juan County Commission in renewing and extending the Navajo Nation – San Juan County Voting Settlement Agreement to December 31, 2024.

The Navajo Utah Commission and Navajo leadership were successful in working with Utah Gov. Cox and securing \$500,000 in the state of Utah's 2022 general fund budget to finance a powerline project serving 27 Navajo homes in the Westwater Community near Blanding, Utah.

The Navajo Utah Commission worked with Sen. David Hinkins of District 27 in securing passage of S.B. 225 during the 2021 Utah Legislature reaffirming the state of Utah's commitment and contribution of \$8 million in the Navajo Utah Water Rights Settlement Act approved by Congress and signed into law by President Trump in 2020.

### **Goals**

Prepare position statement and resolution regarding Bears Ears National Monument for presentation to Interior Secretary Haaland.

Re-submit funding application to the Utah NRF board seeking \$90,000 for A&E Cost to Plan & Design new post office at Montezuma Creek.

Initiate and complete construction on two housing units at two chapters, including procurement of housing contractor at one chapter.

Work with Utah chapters in identifying current budget shortfalls for capital projects and seek new funding opportunities.

### **Opportunities**

The Navajo Utah Commission is currently encountering difficulties in payment of office leasing obligations and renewal of Tenant Lease Agreement. The delinquency status extends back to FY2020 and is creating legal issues for NUC. The Navajo Utah Commission has submitted several inquiries to the Division of Finance to limited avail. The Navajo Utah Commission is seeking the assistance of the Office of the Controller in resolving this matter.

### **Point of Contact**

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*PHOTO: Photographed by Milton Samuel "Jack" Snow, c. 1945.  
Courtesy of the Navajo Nation Museum in Window Rock, Arizona.*

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