

SPEAKER'S REPORT

24TH Navajo Nation Council

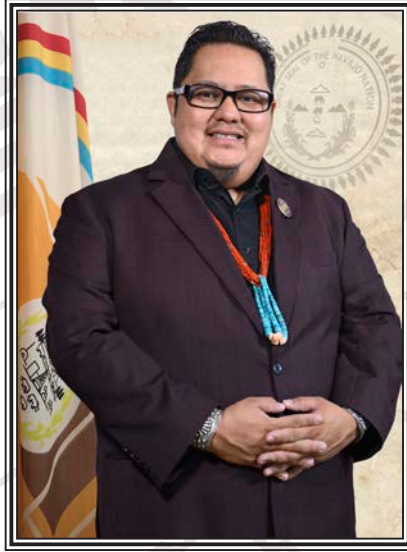
Seth Damon, *Speaker*

20^{APRIL}
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T'Á'Á'CHIL

24TH NAVAJO NATION COUNCIL



Seth Damon, Speaker



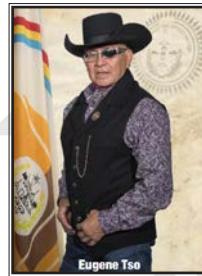
Eugenia Charles-Newton



Otto Tso



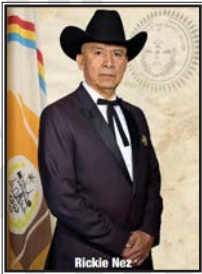
Vince R. James



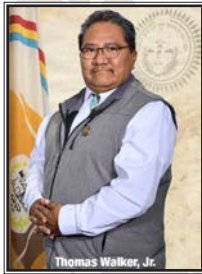
Eugene Tso



Edmund Yazzie



Rickie Nez



Thomas Walker, Jr.



Kee Allen Begay, Jr.



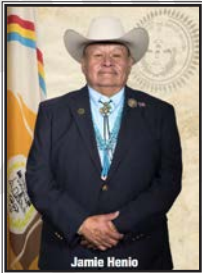
Herman M. Daniels



Mark Freeland



Wilson C. Stewart, Jr.



Jamie Henio



Raymond Smith, Jr.



Elmer P. Begay



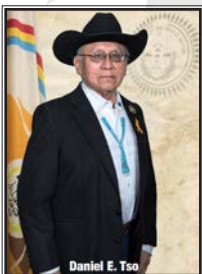
Nathaniel Brown



Angler Kanazbah Crotty



Gray Yellowhair



Daniel E. Tso



Carl R. Slater



Paul Begay



Pernell Halona



Charlene Tso



Wilson J. Wauneka



WELCOME

The Governing Body of the People

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Yáát'ééh shikéi dóó shidinéé. We welcome you our family and relatives to the 2022 Spring Session of the 24th Navajo Nation Council in beautiful Window Rock, Arizona. Within these sacred Council Chambers, legislative decisions are made that impact the lives of over 400,000 Navajo people and it is a responsibility we honor each day. On behalf of my colleagues, the largest Sovereign Nation in the United States welcomes you.

We extend our gratitude to Navajo Nation President Jonathan Nez, Vice President Myron Lizer, Chief Justice JoAnn Jayne, our chapter leaders, state and federal officials, visiting dignitaries, and our Navajo citizens for virtually joining us this week.

Nihímá Nahasdzáán is transitioning into warmer months known as T'áqchil when the plants begin to grow, nourished by the moisture from winter snow. Many of our people will soon be headed out to make their fields ready for the planting of corn, squash, watermelons, and more. This time of year is one of renewal and rejuvenation as our great Nation recovers from the impact of the COVID-19 pandemic.

Since the Winter Session, we have listened to the people and effectively advocated for them at the state and federal level for our voting rights, appropriating CARES Act funding efficiently, and protecting Navajo sovereignty. It is clear we are all feeling the economic impact of inflation and rising gas prices this pandemic and a foreign war have caused.

The economic recovery of the Navajo Nation is a shared responsibility between the three branches of government. We only thrive when the other does too, and that is a reminder to our leadership to finally allocate over \$1 billion in American Rescue Plan Act funding for hundreds of new water, electric, and broadband projects. The Executive Branch must work with us through K'é and compromise. This is the reason why the Navajo Nation Council approved new hardship assistance checks to directly help our communities recover.

The teachings of our elders guide us with Hozhó as we move forward as one Navajo family. Let us remember the last two years that mark the beginning of the first COVID-19 case in the Navajo Nation and reflect on the protection blessings bestowed to us by Diyin Dineé. We will overcome the challenges ahead and more resilient than before.

On behalf of the 24th Navajo Nation Council, thank you for working with us to rebuild our 110 communities while holding us accountable for the work we do. May we all walk in beauty into the T'áqchil season. Ahéhee.

Ahe'hee,

Seth Damon, Speaker
24TH Navajo Nation Council

Navajo Nation Council urges Executive Branch to compromise, \$1 Billion in ARPA infrastructure funding ready to be allocated

Earlier this year, the Navajo Nation received approximately \$2.1 billion in American Rescue Plan Act (ARPA) funds from the Biden Administration to respond to the negative impacts of the COVID-19 pandemic.

Last month, the 24th Navajo Nation Council met in a special session to advance Legislation No. 0257-21 with an amendment creating a comprehensive spending plan to appropriate \$1.07 billion in ARPA funding for the construction of new water and electric lines, broadband internet connections, and housing infrastructure projects for the Navajo people. The main motion failed to reach the sixteen votes required to pass the bill.

Madam Chair Amber Kanazbah Crotty proposed an amendment to the legislation to divide \$910.6 million equally for a total of \$41.4 million per delegate region. Vice Chairman Carl Slater modified the amendment to allocate between \$31 to \$41 million to each delegate region for infrastructure projects after UUFB and other reimbursements are allocated.

Although a majority of our colleagues were disappointed in the final vote tally, we are prepared to draft new legislation that will allocate ARPA funding in another comprehensive spending plan that puts the power back to the Navajo people and their chapters.

The Executive Branch proposed an imbalance project list in which ARPA-eligible water, broadband, and electric projects were not included by President Jonathan Nez. Legislation No. 0257-21 included an amendment that would equally distribute funds to 24 delegate regions.

The Navajo Nation Fiscal Recovery Fund Office created a website to share all ARPA updates and information with the Navajo people: www.NavajoNationARPA.org

Members of the 24th Navajo Nation Council gather to discuss ARPA funding at Twin Arrows Navajo Casino Resort in Leupp, Arizona.

Premium Pay proposed for all Navajo Nation Employees

This pandemic has shown us the resilience and strength of the Navajo people - especially our frontline workers, emergency medical personnel, and our tribal employees. The Navajo Nation Council recognizes their sacrifice and for risking their personal safety to keep the government in operation during this time. For this reason, our colleague Council Delegate Mark Freeland has proposed to give \$1,500 to each employee as premium pay for their service to the Navajo people during the pandemic.

Working with the Department of Personnel Management and the Division of Human Resources, it was determined that premium pay would accommodate over 4,000 employees, regular and temporary. If approved, Legislation No. 0076-22 would allocate \$9,910,040 million from the Unreserved, Undesignated Fund Balance (UUFB) for distribution this year. This premium would include all branches of the Navajo government as well as chapter staff and PEP workers.

We commend the leadership of Council Delegate Mark Freeland for advocating for all our staff and those serving on the frontlines to defeat COVID-19. Together, will move the Navajo Nation forward with the strength and determination of thousands of Navajo employees.

Navajo Nation Civil Rights for Individuals with Disabilities Act of 2018

Our elders and relatives with disabilities are a priority for the Navajo Nation Council and since the beginning of our term, Council Delegate Eugene Tso has been an outspoken advocate. Through his leadership, the Americans with Disabilities Act (ADA) was strengthened through tribal law and policies that now require Navajo Nation government buildings, offices, and programs to be ADA accessible.

Since 2015, the Facilities Management Program has requested over \$11 million in funding for 168 projects for restroom renovations, sidewalk replacements, hardware upgrades, ramps, and stair replacements. Council Delegate Eugene Tso has been working diligently in collaboration with the Facilities Maintenance Department (FMD) for the last six months regarding a cost estimate shortfall of unmet needs to address the deficiencies of our tribal buildings. This would ensure we comply with policies of the Navajo Nation Civil Rights of Individuals with Disabilities Act of 2018. The annual budgetary allocations for the FMD are limited to routine maintenance and repairs, and funds are not available to address all the ADA deficiencies seen.

The program has reported that it has completed 50 of the 168 projects which include the installment of handicap ramps, double doors, ADA signage, and safe park-



ing for our people. Through the continued advocacy of our colleague, Council Delegate Eugene Tso, the FMD submitted the necessary documents which include planning and proposed five-year projects to be completed by the department. We commend his advocacy for shining a light on the issues most affecting our elders and disabled family members. Their safety and equal access to the Navajo government are a top priority.

Navajo Nation opposes withdrawal for development at the Chaco Culture National Historical Park

The Navajo Nation Council reaffirms its opposition to the Biden Administration's proposal of a 20-year ban on oil and gas drilling within a 10-mile radius of the Chaco Culture Heritage Withdrawal Area in north-western New Mexico. This was announced in November by President Joe Biden during the first day of the White House Tribal Nations Summit.

In January 2020, the Naabik'iyáti' Committee passed Resolution No. NABI-JA-05-20 opposing H.R. 2181 and S. 1079 - "The Chaco Heritage Area Protection Act of 2019" - until a buffer zone surrounding the Chaco Canyon region was reduced to 5 miles.

According to the Interior Department, the segregation and potential withdrawal would not affect existing valid leases or rights and would not apply to minerals owned by private, State, or Tribal entities. However, the rule would have a devastating impact because the indirect effects would make the allottee land worthless for energy extraction.

The Navajo people have lived in the Southwest since time immemorial. Our clans and oral ceremonial history are tied directly to the Chaco Canyon landscape. The Navajo people are concerned about the preservation of ceremonial areas, plant gathering areas, offering places, historic burial sites, as well as archaeological sites throughout the region which are all still in use today.

In January, the Bureau of Land Management published a notice in the Federal Register that will commence the two-year segregation while an environmental analy-

sis and public comments on the proposed administrative withdrawal are provided. The proposal will withdraw 351,479.97 acres of federal lands from development for the 20-year term.

It is clear that Secretary Deb Haaland did not consult with the Navajo Nation before taking this federal action. According to the Interior Department, this major decision was based on the cultural resources investigation studies that tribes were awarded to conduct within Chaco Canyon. These ethnographic studies have yet to be completed today.

Working with President Jonathan Nez, we sent a joint letter to the Biden Administration detailing our concerns regarding development in the Eastern Agency. As of today, we have not gotten a response from the federal government. Let me remind everyone that the greater Chacoan landscape is within the sovereign boundary of the Navajo Nation and on land owned by individual allottees.

Most importantly we ask the Department of Interior, the BLM, the BIA, and the Biden Administration to respect the Navajo cultural connection to the Chaco Canyon area. Meaningful government-to-government consultation must occur now.

The Navajo Nation Council extends an invitation to the House Natural Resources Committee to participate in a Congressional field hearing to directly listen to the Navajo people. We thank the leadership of Chairman Rickie Nez and the Resources and Development Committee for protecting the water, air, land, cultural resources, and minerals of the Navajo Nation.

Proposed Oil and Gas Operating Agreements for Tohachee Wash, Beautiful Mountain, and Porcupine Dome

The Navajo Nation Oil and Gas Company (NNOG) was created to ensure the proper management and reverse the decline in oil and gas production in the Navajo Nation by creating new investment opportunities and growing a successful business that the Navajo people own. The exploration and production of our helium resources would be on the table with the potential to bring millions back to these communities.

We continue to host one-on-one discussions that are transparent and streamline the process for the agreements being proposed for Tohachee Wash, Beautiful Mountain, and Porcupine Dome. The Speaker's Office continues to schedule conversations with local chapter officials, community leaders, and the Navajo Department of Justice to address all questions pertaining to royalty payments, administrative costs, and operations. Through these operating agreements, we are taking on a new economic outlook that makes key investments in helium production and allows the Navajo Nation to be a national clean energy leader.

Speaker Seth Damon and Council Delegate Raymond Smith, Jr. welcomes Utah Lt. Governor Deidre Henderson to the Navajo Nation.



Resources and Development Committee and the Forestry Department complete Six Carbon Offsets Public Hearings with Navajo Nation Chapters

The Navajo Nation Forestry Department in collaboration with our colleague, Chairman Rick Nez, completed six public hearings in regards to Legislation No. 0208-21 for Navajo carbon credits. The bill would like to register and sell offset credits for carbon sequestration under the California cap and trade program, which is administered by the California Air Resources Board.

It also provides the California courts subject matter and equitable jurisdiction over the Navajo Nation's obligations with respect to its participation in its cap and trade program. We have a tremendous opportunity for carbon development and marketing through this agreement that will bring in additional revenue. We commend Chairman Nez and the Resources and Development Committee for their advocacy and leadership.

Little Colorado Community Development Corporation

Our colleagues, Council Delegate Jimmy Yellowhair and Council Delegate Elmer Begay continue to ensure that the Little Colorado Community Development Corporation (LCCDC) continues to receive the resources they need. The organization assists families who were forcefully removed from their homes and communities to urban areas like the town of Winslow, Arizona.

The LCCDC was created to represent the interests of Winslow Diné residents impacted by the Navajo Hopi Settlement Act of 1974 and to seek potential economic development opportunities. In 2017, the Navajo Nation Council approved Sihasin Funds for a master plan of a 231-acre survey plot to develop housing in the amount of \$1.8 million. Working together, they are now working on another plan that will request an additional allocation of \$20 million to construct a cultural center and hotel.

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Assistant Secretary of the Interior Bryan Newland visits Navajo Nation

Last month, Speaker Damon and the 24th Navajo Nation Council hosted a roundtable meeting with Indian Affairs Assistant Secretary Bryan Newland from the United States Interior Department and Gregory Mehojah, Navajo Regional Director for the Bureau of Indian Affairs (BIA) at the Council Chambers.

Assistant Secretary Newland visited New Mexico and Arizona over four days for meetings and listening sessions with tribal leaders from the Hopi Tribe, Gila River Indian Community, Ak-Chin Indian Community, Havasupai Tribe, Hualapai Tribe, the All Pueblo Council of Governors, and the Navajo Nation. Immediate challenges related to climate change, infrastructure degradation, American Rescue Act Plan (ARPA) project funding, and the ongoing water crisis in the southwest were topics highlighted.

In November, the \$1.2 trillion Infrastructure Investment and Jobs Act delivered \$13 billion to tribes across the United States, including:

- **\$3.5 billion for the Indian Health Service (IHS) for sanitation facilities construction**
- **\$3 billion for the tribal transportation programs**
- **\$2.5 billion to address Indian water rights settlements**
- **\$55 billion to provide clean and safe drinking water to tribal communities**
- **\$2 billion for tribal broadband connectivity programs to expand internet access**
- **\$11.2 billion for abandoned coal mine land and water reclamation projects**

Last month, the Health, Education, and Human Services Committee (HEHSC) traveled to Washington, D.C. to meet with federal agencies and congressional representatives to share the top priorities of the Navajo Nation.

Assistant Secretary Newland is a citizen of the Bay Mills Indian Community (Ojibwe), where he recently served as president and chief judge. From 2009 to 2012, he was a counselor and policy advisor to former Indian Affairs Assistant Secretary Larry Echo Hawk during the Obama Administration.

The Navajo Nation supports Hydrogen Development

In November, President Joe Biden signed the \$1.2 trillion Infrastructure Investment and Jobs Act allocating \$8 billion for the establishment of four national clean hydrogen hubs in the United States by 2026. Since 2019, we have been working with the Navajo Nation Oil and Gas Company (NNOG) to seek new revenue-generating projects and the development of Navajo hydrogen sources.

It is clear that the 27,000 square miles of the Navajo Nation sit at the intersection of hydrogen development for New Mexico and Arizona, where both states share an interest in making the southwest region a clean energy hub.

In February, Chairman Rickie Nez and the Resources and Development Committee hosted meetings in Washington D.C. with the U.S. Department of Energy to engage in proper tribal consultation with the Navajo Nation on future hydrogen hubs.

We also send letters of support for the Hydrogen Hub Development Act to New Mexico lawmakers from Navajo leadership expressing our support to designate the Four Corners region as part of the new U.S. hydrogen economy.

Azee Be Nagaahi of the Diné Nation works with the Navajo Nation Council to mediate National Peyote Decriminalization Initiatives with the United States Congress

In 1967, the Navajo Tribal Council legalized peyote as the first amendment to the Navajo Nation Bill of Rights titled: *Declaring the Freedom of Religion as a Basic Human Right and legalizing Peyote as a Sacrament*. Azee Be Nagaahi of the Diné Nation (ABNDN) was then registered as a domestic corporation under the Navajo Nation Corporation Act and is a 501(c)3 non-profit organization incorporated to advocate for its members who participate in the cultural use of Azeé (peyote) for bonafide ceremo-

nial purposes.

Working in collaboration with Council Delegate Thomas Walker Jr., the ABNDN has reached out for support from the Navajo Nation Council regarding a legislative bill that has been introduced by the State of California regarding the decriminalization of Peyote. Additionally, the organization has requested that Madam Chair Eugenia Charles-Newton and Delegate Walker assist in the legal process to address the decriminalization of peyote laws across the United States.

We will continue to work on opposing all efforts by the states and local governments to legalize, decriminalize, or otherwise authorize any or all uses of Azeé and its byproducts by all non-federally recognized tribal citizens because it endangers the religious, cultural, and ceremonial practices of the Navajo people. The use of sacred Azeé plants is only for bonafide ceremonial purposes conducted by tribal members only.

Discussion with Congressman Tom O'Halleran on infrastructure projects, Bennett Freeze, and abandoned uranium mines

Last month, we hosted a roundtable meeting with United States Representative Tom O'Halleran (D-AZ) in the Council Chambers. Topics of discussion focused on the federal clean-up of abandoned uranium mines, support for infrastructure projects in the former Bennett Freeze area, protection of voting rights, and requests for a Congressional field hearing for allottee families impacted in the Chaco Canyon area.

Last year, Council Delegate Kee Allen Begay Jr. sponsored Resolution No. CO-60-21 that requests for a United States congressional hearing to be conducted within the Navajo Nation on the long-term effects of uranium on the health of the Navajo people. For over 10 years, Delegate Walker has been advocating for the families affected by uranium exposure, passage of the Radiation Exposure Compensation Act (RECA), and for millions in new federal funds to be invested into the Bennett Freeze area.



Congressman O'Halleran represents the largest congressional district in Arizona located in the northern portion of the state since 2017. He is a member of the House Committee on Energy and Commerce and the Committee for Agriculture.

Vice Chair Carl Slater meets with one of his constituents near Round Rock, Arizona.

Navajo Elders and Hataali's meet with Council Delegate Nathaniel Brown to discuss World Affairs and the Ukrainian Conflict

We appreciate the wisdom and ongoing advocacy of our colleague, Council Delegate Nathaniel Brown, for working with our Heritage and Historic Preservation Department to bring together our great Diné Hataali's at the Council Chambers two weeks ago. This gathering was a discussion to hear directly from our cultural experts and traditionalists regarding current world affairs that are impacting the United States and the Navajo people.

President Joe Biden nominates Roselyn Tso as Director of the Indian Health Service

Earlier this month, we applauded President Joe Biden's nomination of Roselyn Tso to serve as Director of the Indian Health Service (IHS). She currently is the Director for the Navajo Area IHS and is an enrolled member of the Navajo Nation.

Once confirmed, Tso will lead a federal agency within the U.S. Department of Health and Human Services that delivers health services to approximately 2.6 million American Indians and Alaska Natives.

Since 1984, Tso has served with the Indian Health Service in various leadership roles. Currently, while overseeing the Navajo Area IHS, the agency delivers health services to over 244,000 people from the San Juan Southern Paiute Tribe, Zuni Pueblo, Hopi Tribe, and the Navajo Nation. Five Navajo IHS medical service units are located in Chinle, Crownpoint, Gallup, Kayenta, and Shiprock.

According to the White House, Tso was responsible for the implementation of the Indian Self-Determination and Education Act within her professional roles at the IHS and worked to provide quality direct services for tribes. Tso holds a Bachelor of Arts in interdisciplinary studies from Marylhurst University in Portland, Oregon, and a master's degree in organizational management from the University of Phoenix.

Dr. Patricia Nez-Henderson recognized for being elected President of the Society for Research on

The Navajo Nation sends our congratulations to Dr. Patricia Nez Henderson for her election as the first Indigenous President to lead the Society for Research on Nicotine and Tobacco (SRNT). Our colleagues, Chairman Daniel Tso, Vice Chairman Carl Slater, Council Delegate Pernell Halona, and Council Delegate Charlaime Tso joined Dr. Henderson as honored guests during the annual SRNT meeting in Baltimore, Maryland, last month.

The Society for Research on Nicotine and Tobacco (SRNT) is an association con-

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sisting of members from over 40 countries that are dedicated to supporting researchers, academics, treatment professionals, and government employees working in the field of nicotine and tobacco research.

Graduating in 1990 with a Bachelor of Science from the University of Arizona with a discipline in biochemistry, Dr. Henderson received her Master's in Public Health from Yale University in 1994. Driven with a determination to apply allopathic medicine, she became the first Indigenous woman to graduate from the School of Medicine at Yale University with a Doctorate in Medicine.

In October, the Navajo Nation Council enacted the *Nałch'ée Bee Líná* - Air is Life Act that prohibits the use of commercial tobacco products in enclosed, indoor workplaces or public places, and within 25 feet of any indoor area across the Navajo Nation. We commend the leadership of Chairman Daniel Tso and our co-sponsors, Honorable Carl Slater and Nathaniel Brown for serving as co-sponsors.

Radiation Exposure Compensation Act Amendments and Extension (RECA)

Since 1944, the United States government has used Navajo land for the mining of uranium ore to support the Manhattan Project within the U.S. military. This uranium was utilized to develop nuclear weapons against the Japanese Empire, which our Navajo Code Talkers fought bravely to end. Following World War II, uranium mining in the Navajo Nation increased because of the Cold War, and the United States Atomic Energy Commission was our main purchaser.

Over the last 42 years, the U.S. Environmental Protection Agency reports that 30 million tons of uranium ore were extracted during mining operations which brought health defects and death to many of our Navajo communities. Around 520+ uranium mines are left abandoned today and this must change.

The Radiation Exposure Compensation Act (RECA) provides compensation payments for uranium workers and downwinders harmed by atomic testing and uranium mining if certain eligibility conditions are met. RECA does not cover all the Navajo uranium workers who suffered harm. Further, RECA is set to expire on July 11, 2022, and any claims brought after that

date will be rejected.

Madam Chair Amber Kanazbah Crotty, Council Delegate Thomas Walker Jr., and many of our colleagues have been actively lobbying in Washington, DC. In March, Congresswoman Teresa Leger Fernandez and other Congressional representatives submitted a letter to Speaker Nancy Pelosi and Minority Leader Kevin McCarthy regarding this extension in the 2022 Omnibus bill. We are working to correct this by extending the deadline date.

We also commend our colleague Honorable Kee Allen Begay Jr. for sponsoring Resolution No. NABIN-45-21 that unanimously passed through the *Naabik'iyáti'* Committee officially supporting the passage of the "Radiation Exposure Compensation Act Amendments." The Council applauds the leadership of all involved in this effort to bring healing to our Navajo families most affected by radiation sickness and the lives we lost.

Dook'óostłíid - San Francisco Peaks and Arizona Snowbowl

We continue to meet with the Navajo Nation Human Rights Commission and the Navajo Historic Preservation Department (NHPD) to discuss the possible designation of our sacred mountain Dook'óostłíid - the San Francisco Peaks - as Traditional Cultural Property (TCP).

As preliminary talks are ongoing, this group is working with our colleague, Honorable Thomas Walker Jr., to create an Intertribal Coalition of 14 Tribal Nations that considers Dook'óostłíid a sacred site. Further discussions have led to the possibility of including all four mountains held sacred by our Navajo people in the TCP listing. Tribal consultation with Navajo chapters and other Sovereign Nations will move forward as we make sure our sacred sites are recognized and protected.

Dook'óostłíid continues to be vandalized as the Arizona Snowbowl expands. The use of reclaimed water to create snow for recreational purposes on our sacred site is unacceptable. In March, we also gathered with other Southwestern Tribes for a virtual summit to provide input regarding their sacred beliefs in the San Francisco Peaks. The recent expiration of the Memorandum of Understanding (MOU) with the U.S. Forest Service has afforded the Navajo Nation to state its position that our sacred sites will not be desecrated.

Members of the 24th Navajo Nation Council congratulate Roselyn Tso's nomination as Director of the Indian Health Service.



Navajo Nation Veteran's

Last month, members of the Health, Education, and Human Services Committee hosted meetings with federal agencies regarding the top priorities for veterans and veteran organizations across the Navajo Nation. This includes advocacy for direct veteran services, veteran housing development, long-term care, and additional healthcare services.

The Navajo Nation Council also shared our objection to recommendations provided by the U.S. Department of Veterans Affairs (VA) to the Asset and Infrastructure Review (AIR) Commission that could impact the delivery of health care services for veterans at community-based outpatient clinics (CBOCs) located in Gallup, Las Vegas, Española, and Raton, NM.

According to the New Mexico Veterans Services Department, the state has the 9th largest percentage of veterans by population that is not concentrated in an urban area. Nearly half of New Mexico veterans are over the age of 65 and often find it dif-

ficult to travel long distances for medical care due to service-related disabilities or illness.

In August of 2021, Resolution No. NABIAU-25-21 passed by the Naabik'iyati' Committee reaffirming previous requests to Congress and the Biden-Harris Administration to establish direct services for veterans in the Navajo Nation.

Navajo-Hopi Land Commission

The Navajo-Hopi Land Commission (NHLC) continues to support the appointment of a new Office of Navajo and Hopi Indian Relocation (ONHIR) Commissioner where the position has remained absent for almost 30 years. In April 2021, a letter was submitted to officially recommend Chief Executive Officer Gerald Clark, Native Americans for Community Action, for the position.

Furthermore, the NHLC supports the enactment of the Navajo Relocation Tech-

nical Amendments, which is needed to clarify, improve, and better implement the Relocation Act. This would allow us to provide assurance of relocation community facilities, rehabilitate former Bennet Freeze areas, and correct land selection authority or survey issues. Since the enactment of Public Law 93-531 in 1974, the federal government is responsible for the community infrastructure, economic development, and support service needs of relocated families.

The Land Commission is working to secure a Congressional hearing to elevate the concerns of all parties, and then advance the Navajo Technical Amendments within the next few months. It is the trust responsibility of the federal government to fulfill its legal obligation to our relocated Navajo relatives, many of whom were moved into homes that were poorly constructed. Our people who were removed from where they grew up should have a safe place to grow and live in. Many of our Navajo families now reside in condemned housing that is unsuitable. This must change now.



Members of the 24th Navajo Nation Council gather to discuss Navajo Nation Arizona Priorities with U.S. Senator Kyrsten Sinema at Twin Arrows Navajo Casino Resort in Leupp, Arizona.

Sexual Awareness Prevention Subcommittee & Operation Lady Justice

The Sexual Assault Prevention Subcommittee chaired by Madam Amber K. Crotty continues to meet weekly to discuss ongoing various topics of Sexual Awareness issues on the Navajo Nation. In coordination with the Missing Murdered Indigenous Relatives Task Force this subcommittee provides updates and progress on Operation Lady Justice.

On November 26, 2019, Executive Order 13898 was signed, forming the United States Presidential Task Force on Missing and Murdered American Indians and Alaska Natives. The Federal Task Force, designed

Operation Lady Justice, which aims to enhance the operation of the criminal justice system and address the concerns of American Indian and Alaska Native communities regarding missing and murdered people—particularly missing and murdered women and girls. In parallel, many Tribes and states have established task forces or other efforts with similar goals and objectives.

Operation Lady Justice published a guide, *"When a Loved One Goes Missing: Resources for Families of Missing American Indian and Alaska Native Adults"* PUBLISHED NOVEMBER 2021 Washington, DC

This guide was published by the United States Presidential Task Force on Missing and Murdered American Indians and Alaska Natives. Operation Lady Justice,

a Presidential Executive Order includes members from the U.S. Department of Justice, the U.S. Department of the Interior and the U.S. Department of Health and Human Service.

Since the implementation of Operation Lady Justice, there have been numerous listening sessions across the Navajo Nation from key stakeholders from various programs, agencies, and entities, who have provided updates on the ongoing initiatives for sexual assault prevention and victims' services on behalf of the committee. The sub-committee collaborating through Operation Lady Justice ultimately advocates for additional resources to assist victims and Navajo Nation public safety programs create victims and survival shelters, and adequate transportation for medical services for our Navajo people.

Division of Public Safety Sex Offender and Registration Act (SORNA)

The Crownpoint Police Department continues to advocate for their active involvement in adhering to the SORNA Act, in which Navajo Nation adopted the Title 1 Adam Walsh Act. This act is geared to protect children from sexual exploitation and violent crime, prevent child abuse and child pornography, promote internet safety, and honor the memory of Adam Walsh and other child crime victims. The law promotes awareness and safety to the general public.

In coordination with the Navajo Nation Department of Corrections, Parole and Probation, Office of Prosecutor, and the (6) SORNA officers, the process to provide notification and awareness of registered convicted sex offenders in the Navajo Nation is being done utilizing the Tribal and Territory Sex Offenders Registration System (TTSORS).

It is vital for all entities noted to continue to work together to effectively and adequately address the issues experienced by our Navajo families and to keep our children safe.

Establishing Criminal Penalties for Vicious Dogs and Animal Attacks

In January, proposed legislation was introduced by our colleague, Honorable Eugene Tso, to amend Title 17 of the Navajo Nation Code to specify a criminal nuisance offense and establish criminal penalties for vicious dogs and other dangerous animal attacks that may cause injury or death. This bill uplifts the Navajo Nation Animal Control Program to enforce our animal control laws by way of complaints, investigations and issuing citations for violations.

A joint work session with the Resources and Development Committee and the Law and Order Committee was held at Twin Arrows Navajo Casino on the final actions and amendments to this legislation. Proposed recommendations were the need for harsher punishments for violators which could include, but are not limited to fines up to \$5,000 dollars or jail time for up to one year. It was also suggested four animals per household be reduced to only two animals per household.

The committees also recommended court action for all dog owners to pay a certain amount of restitution and financial contribution to victims harmed or killed as a result of dog attack(s). The need for outreach and education to the public is something that was emphasized when it comes to animal ownership and the violation of Navajo law.

There is general agreement that the Navajo Department of Agriculture, Fish and Wildlife Department, and Animal Control Program needed support since there is a lack of personnel or capacity to carry out these functions and the enforcement of new regulations for animal control.

Law Enforcement and LeChee Chapter

LeChee Chapter officials provided a report on the current status of the Mutual Aid Agreement (MAA) with the Page Police Department, which expired in October 2016. This agreement allowed for immediate police assistance should high crimes arise in the LeChee area.

The Navajo Police Department continues to actively recruit and assign officers in areas of urgent need across the Navajo Nation. There are twenty-three police officers within the Page Police Department, who rotate at the rate of two officers a shift. Reestablishing the MAA ensures issues are properly investigated that may arise on tribal land.

Our colleagues of the Law and Order Committee continue to work with LeChee chapter officials and the City of Page on the creation of a new agreement that works best for all law enforcement agencies.

State of New Mexico Signing Ceremony for MMWIR Senate Bills

In February, Madam Chair Amber Kanazbah Crotty was joined by families across the Four Corners region alongside Governor Michelle Lujan Grisham to enact legislation to address and prevent cases of missing and murdered Indigenous people across New Mexico. The governor signed Senate Bill 12 and 13 into law at the Indian Pueblo Cultural Center in Albuquerque, N.M.

Chairwoman Crotty stood with Attorney General Hector Balderas, Indian Affairs Secretary Lynn Trujillo, Senator Shannon

Pinto (D-Dist. 3), Senator Linda Lopez (D-Dist. 11), Representative Pamela Hendon (D-Dist. 28), and members of the New Mexico Missing and Murdered Indigenous Women and Relatives Task Force for the signing ceremony.

Senate Bill 13 creates an annual event to support New Mexican families with missing relatives by bringing together federal, state, and tribal law enforcement to one location to assist families with filing and updating missing person reports, submitting DNA records to the National Missing and Unidentified Persons System, and opportunities to meet with investigators to discuss cases.

As the sponsor of Senate Bill 12, New Mexico will create a Missing Persons Specialist position in the Office of the Attorney General. The bill also ensures effective case management with specialists trained in cultural competency, law enforcement reporting, and missing person casework.

The Navajo Nation Council supports the establishment of the Missing and Murdered Diné Relatives (MMDR) Task Force that is developing a framework for a proposed MMDR data institute and the development of a missing persons community action toolkit to empower communities. We appreciate Honorable Amber Kanazbah Crotty for being a champion for Indigenous women, the elderly, young people, and the LGBTQ+ community.

State Task Force – State Legislative Sessions

Following the New Mexico, Arizona, and Utah Legislative Sessions, our Chairman Mark Freeland and the Naabik'iyáti State Task Force members continue to advocate for Navajo priorities with state leaders. This includes their advocacy of a Navajo Nation plan for infrastructure development, broadband expansion, public safety, and the protection of our water rights.

Council Delegate Charlaime Tso is a champion for Utah Navajos and welcomed Utah Lieutenant Governor Deidre Henderson and Congressman John Curtis to her communities. Both leaders met with chapter officials to discuss critical issues areas like education access, higher education facilities, public safety, transportation, and the Navajo Utah Water Rights Settlement. Delegate Tso is working to bring Governor Spencer Cox to the Navajo Nation this year.

Human Trafficking Awareness Walk highlights search for Diné Relatives

In the cold month of January, around 40 people joined our colleagues, Madam Chair Amber Kanazbah Crotty, Madam Chair Eugenia Charles-Newton, Council Delegate Charlaïne Tso, and Council Delegate Nathaniel Brown for a two-mile march from the Navajo Nation Museum to the Council Chambers. This Human Trafficking Awareness Walk brought awareness to the growing problem of human trafficking and the search for missing or murdered Diné people across the United States.

According to research conducted by the National Congress of American Indians (NCAI), most individuals of trafficking are victims of child abuse and neglect, sexual assault, substance abuse, are runaways, homeless, or live in extreme poverty. Most sex traffickers often target vulnerable populations subject to social discrimination such as the Indigenous lesbian, gay, bisexual, transgender, and two-spirit (LGBTQ2S+) community.

The United States Justice Department shared that Indigenous women are murdered at a rate 10 times higher than the national average while more than 4 out of 5 Indigenous women have experienced violence. Most concerning is an average of 40 percent of women involved in sex trafficking identified as Native American from the United States or Canada. This growing epidemic must end so victims are reunited with their families.

Last year, the National Crime Information Center reported nearly 5,300 records were filed for missing Indigenous women, a large majority of that number made up of children and teenagers.

Health Command Operations Center – Defeating COVID-19

The continued efforts of our Navajo people and chapters are being seen in the current low COVID-19 cases across the Navajo Nation. This past quarter we stressed the importance of self-care to our Navajo communities and frontline workers. Our government has been operating virtually

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and in hybrid mode since the start of the pandemic. We want to send a special appreciation to all our tribal employees who have been making the sacrifice and effort to keep our government moving forward. In all departments, we thank you for sticking with us. It has not been easy.

The take-home self-testing kits have been a huge assistance to our programs and departments, mitigating the COVID-19 pandemic. Public Health Emergency Orders are still in effect and cautiously guiding our Navajo people to the designated “Yellow Status” since last week.

At the end of the second quarter, around 44.4% of the Navajo people have completed a primary series of Pfizer or Moderna, or who have completed the primary series of the vaccine and received their booster shot.

The Navajo Nation Department of Health continues its “Safer at Home” Order and addresses travel recommendations. The department also modified the public health order for schools to be in the “Yellow Status.” All schools can operate at 75% capacity and mask-wearing is still required. The order states all individuals two (2) years of age and older shall wear masks while in public.

Please report any exposures to the HCOC portal, (<https://www.ndoh.navajo-nsn.gov/COVID-19>) and notify the nearest local health facility. Await further guidance before closing any offices or places of business. The Health Command Operations Center will continue to post via social media with COVID information daily.

The Navajo Nation Council thanks the Health Command Operations Center, Dr. Jill Jim and the Navajo Department of Health, Mrs. Roselyn Tso and the regional Indian Health Service team, the Navajo epidemiology team, our 638 partners, doctors, nurses, first responders, and our frontline workers for their strength and protection again this virus.

More information can be found on these Public Health Orders at <https://www.ndoh.navajo-nsn.gov/COVID-19>

Expanding Broadband Development Initiatives

I want to thank Honorable Kee Allen Begay Jr. for being at the forefront of the Nation's broadband efforts. We don't need to mention what a struggle it was for our students to be taken out of the classroom and to sit on top of a hill searching for a decent cel-

lular reception to submit daily homework or tests. Meeting this challenge has been a priority of the Navajo Nation Council. In the past quarter alone there have been multiple meetings with county supervisors and commissioners from all four states to bring attention to the growing need for high-speed internet.

Last month, we hosted a meeting at the Arizona Commerce Office with state officials on future broadband infrastructure projects. Delegate Begay continues to gather support for a Smart Highway in the Navajo Nation. Arizona has begun the construction of the latest smart highway, on Interstate-40 west of Flagstaff to Kingman, Arizona. It is our goal to see something similar to this service for our Navajo communities and travelers that visit our land.

It is clear that non-Navajo surrounding communities are intrigued with what the Navajo Nation will decide to do with their percentage of ARPA funding for broadband. Because most of our challenges on Navajo are interlinked with one another, rural addressing was an issue we identified. The Council is determined to work with our state partners and upgrade our broadband projects.

Access to the internet is our priority and we know this will make a vast difference for our students and teachers, our public safety workers, and for medical services provided to the Navajo people.

Protecting the Navajo Tourism Industry

As the Navajo Nation becomes more of a year-round destination, we must offer all our guests an experience that highlights our culture and the diverse landscape we all love. We have a long and storied history to share with the world and tourism will allow us to share more. The Navajo Nation Council has been working to reach new markets to bring international tourism back home. Our convenience stores, restaurants, food stands, and artisans along the tourist roadway must remain open as we overcome this pandemic together.

Our appreciation goes to my colleagues who have made proactive steps this past quarter in showcasing their districts as travel destinations. Whether it was an article in a national magazine highlighting the top tourism activities to media coverage in an international television program, we thank you for re-igniting the tourism fire in other parts of the world.

The drive-market continues to increase in the Nation, as neighboring States fully reopen and National Parks welcome more travelers this year. We cherish our partnerships outside the Navajo Nation and look forward to many more collaborations in the Southwest. Marketing doesn't happen overnight, nor does our Navajo story, however, we have been proactively cultivating new ideas to reach new markets for the Navajo Nation. We hope our Navajo businesses will flourish in the coming seasons.

Council Delegate Nathaniel Brown has been a true tourism champion in his energy to revive the destination plan he has with his three western agency communities. Recently the communities of Kayenta, Dennehotso, and Chilchinbeto have gathered again to lay plans of community tourism development and strategic planning for generations to come. With the Utah Water Settlement, the Tri-City destination is now looking ahead at a diverse offering of services and products to the new visitors or residents of the Southwest region. In a recent meeting with tourism leaders, Delegate Brown begins to pick up momentum on putting his communities on track.

Kayenta and Monument Valley were heavily visited by international guests around this time of year, but due to COVID-19, the large community is thinking

outside the box to see what other opportunities for existing marketing coming to Navajo. As mentioned before, we look to our growing surrounding states and the new residents they attract. The domestic market has always been a huge part of our revenue stream. From convenient stores, gifts shops, and our artisans along the tourist pathway, we have begun driving the market back to the Navajo Nation. Media coverage is priceless, whether print or digital, we are highlighting what Navajo has to offer. Council is also happy to see more of our community members taking charge of their entrepreneurial ideas, and creating new businesses.

Navajo Nation is Open for Business

The economic recovery of the Navajo Nation is shared between all our branches of government. As the world marketplace moved online, the struggle for many of our local Navajo businesses to regain the momentum they were making has slowed or halted. This includes our full support to safely reopen the Nation for regular business.

The Navajo Nation promotes the Buy Local, Buy Navajo initiative, and supports

our local businesses in their pursuit to regain their pre-pandemic momentum. Business won't necessarily be like what it once was before, however we are witnessing a shift in our market trends. Buying Navajo products and services from our local entities will be a priority this year.

Our Economic Development Division is committed to providing new business opportunities and partnerships with individuals, small business owners, and large commercial/industrial and tourism establishments. In their mission to become more efficient and accessible, they are working to upgrade and implement programs such as:

- **Revise the Business Site Lease regulations**
- **Implement the Local Governance Act**
- **Develop land use planning measures**
- **Finance small business development**
- **Create job opportunities**
- **Expand new and private businesses to the reservation**
- **Recognize business opportunities in tourism, commercial and real estate development, use of natural resources, and infrastructure improvements.**



Members of the 24th Navajo Nation Council welcome Assistant Secretary of the Interior Bryan Newland to the Navajo Nation.

Helen Brown, CFE, Delegated Auditor General
(928) 871-6303

helenbrown@navajo-nsn.gov

ISSUES/RECOMMENDATIONS

- Continue to recruit applicants to fill six (6) vacant positions going into the third quarter, with five of the positions for our entry-level position as Associate Auditors; will implement a recruitment plan to work with surrounding colleges/universities to advertise for our entry-level positions.
- Due to the vacancies, our office has limited auditors which limits how many projects can be completed this fiscal year. In order to meet our performance goals, we will have to outsource more audits but that also depends on our consulting budget.
- Resume efforts to amend plan of operation and incorporate plan developed to address FY2021 legislative concern. These amendments are important to address the issue of sanctions upon chapters and programs for failure to address CAPs and the lengthy legislative process to approve CAPs.
- Submission of MIP backups by some Navajo Nation Chapters are taking too long and some chapters are utilizing different software vendors that is impacting our ability to restore their financial data; although we are no longer generating the quarterly chapter available funds reports, we continue to maintain a repository of chapter financial data via the backups.
- Continue to assist the Administrative Service Centers on chapter matters.
- Continue to work with the Wells Fargo Bank to address the chapter bank account fees and to reestablish access for the OAG; this remains an ongoing process.

ACCOMPLISHMENTS

Program/Chapter Audits/Investigations

- Klagnetoh Chapter Internal Audit

Follow-up on Corrective Action Plan (CAP) Implementation

1. Mariano Lake Chapter 2nd CAP follow-up review; sanction revisit

GOALS FOR 3RD QUARTER

- Navajo Rehabilitation Trust Fund Special Review
- Tse Daa Kaan (Hogback) Chapter Internal Audit
- Greasewood Springs Chapter Internal Audit
- Gadiiahi/Tokoi Chapter Internal Audit
- Rock Point Chapter Internal Audit
- Chapter Debit/Credit Card Special Review
- CARES Act Special Duty/Hazard Pay Special Review
- Performance Audits of Navajo Nation Veterans Administration and Office of the Controller
- Outsource more chapter audits and performance audits of Navajo Nation depts/programs; will need to issue various request for proposals to utilize consulting budget

Council Delegate Edmund Yazzie attends Thoreau High School's activity bus reveal



NAVAJO ELECTION ADMINISTRATION

Rosita A. Kelly, *Executive Director*

(928) 871-7263

rositakelly@navajo-nsn.gov

ACCOMPLISHMENTS

All Navajo Election Administration (NEA) staff will be onsite at all agency offices for the upcoming 2022 elections.

The Navajo Board of Election Supervisors (NBOES) conducted six (6) meetings via telecommunicaions due to the ongoing COVID-19 pandemic and Navajo Nation Health Orders.

Fifteen (15) resolutions were approved by the NBOES during their regular meetings.

The Navajo Election Administration (NEA) planned and oversaw three (3) special elections for local governments that had vacancies.

There are seven (7) vacant elective positions within NEA.

Nine (9) elected officials took their Oath of Office.

3 Office Assistant positions and 1 Voter Machine Technician position still vacant.

Fund Management Plan drafted for revenue generated from candidate filing fees.

Conducted voter registration drives and voter registrar training.

Navajo Nation Council amended voter registration timeline by reducing voter registration by 10 days.

NEA secured funds to advertise in radio and print media regarding voter registration and the 2022 election timelines.

Sole source contract with Automated Elections Systems (AES) has been completed in preparation for the upcoming 2022 elections.

Two applications submitted for ARPA Funds:

1. Capital Outlay
2. Computers, furniture, and new database

Chinle Agency 16,253

Eastern Agency 29,349

Ft. Defiance Agency 28,944

Northern Agency 23,997

Western Agency 21,375

TOTAL VOTERS 119,918

As of March 22, 2022

GOALS FOR 3RD QUARTER

Continue to plan for a possible special election for school board and the 2022 Navajo Nation Council and Presidential Primary Elections.

Continue working with DPM to fill remaining vacant positions at the central and agency offices.

Continue to maintain voter registration database. Also conduct more voter registration drives and train more voter registrars.

Continue to provide relevant information to the public via chapters, radio announcements, social media, and agency meetings through agency representatives.

Continue to update NEA Rules and Regulations, Code amendments and codification in the Election Code.

Continue to work on obtaining new buildings for all agency election offices including the NEA building.

Continue to work on upgrades of office equipment.

Strive for more funding to meet NEA's needs. Afterall, NEA should be the most fundamental program because the Dine People have a fundamental right to vote and we have to do everything we can to keep.

Continue with office equipment upgrades (computers and new database) via supplemental funding from the Navajo Nation.

Issues/Recommendations

Continue with office equipment upgrades (computers and new database) via supplemental funding from the Navajo Nation.

We continue to inhabit condemned buildings in Eastern Agency.

Several buildings are not ADA compliant.

NEA has been underfunded by \$1.5 million dollars from 2014 to 2020 which jeopardizes the Navajo Nation's voting rights.

NEA is currently seeking new office/building space for all agency office locations.

Voting equipment is stored off reservation at Automated Election Services in Rio Rancho, New Mexico.

Eastern Agency Office building has been condemned by NOSHA more than 10 years ago due to the presence of mold and asbestos.

HUMAN RIGHTS

NEW MEXICO REDISTRICTING

After the Commission submitted the San Juan County redistricting plan, the county commission adopted a plan that was developed by their consultant a week or two before this plan was adopted. The county redistricting plan packed Native American Voting Age Population (“NAVAP”) in District 1, which resulted in denying Navajo voters in District 2 to elect a candidate of their choice. Based on the decision of the county, the Commission consulted with DLA Piper law office to assess the possible litigation against San Juan County. In turn, DLA Piper engaged the Lawyers Committee on Civil Rights Under Law and the American Civil Liberties Union of New Mexico to assist in their review of the county’s action. In addition, the group of lawyers engaged the University of California at Los Angeles to become the entity that would assess the county’s practices under the 1965 Voting Rights Act Section 2 analysis. In January 2021, the Commission filed a complaint against San Juan County in the New Mexico federal district court.

ARIZONA REDISTRICTING

While the state level congressional and legislative redistricting were completed in December 2021, the county and local redistricting were underway in the second quarter of FY22. The Commission met with the Navajo county redistricting advisory committee several times to design the county’s redistricting plans. There are three election districts out of five that need to be protected. In 2011, the Commission designed District 5 election district and the result was a Native American has been elected in District 5 the past decade. In the history of the county, this was the first time three Native Americans have become members of the county supervisors when for a significant period of time only two Native Americans would become county supervisors. The Commission has been adamant that Districts 1, 2 and 5 must be protected under the standards of the 1965 Voting Rights Act.

UTAH REDISTRICTING

The Commission learned the San Juan County manager and the District 1 County Commissioner convinced the two Navajo commissioners to amend the Commission’s school board plan that was adopted in December 2021. However, instead of amending part of the school board, the county withdrew the Commission’s plan by replacing it with a plan that packed two school board election districts. The Commission raised strong concerns about how the county officials switched out the entire plan instead of amending a portion of the Commission’s plan. The Commission worked with the county manager to withdraw the new plan that was inserted by amending the December 2021 school board election districts.

PROTECTION OF SACRED SITES

The protection of the San Francisco Peaks and other sacred sites continues to be at the forefront of this office’s mission. Several meetings were conducted Navajo Nation leadership within the Legislative and Executive branches, with Indigenous Nations and organizations that find the Peaks sacred and significant to their ceremonial life-ways. Several meetings were conducted during this reporting period that is leading up to the formalization of a coalition of indigenous nations and organizations to address the expansion of activities with Snowbowl.

COMMISSION

(928) 871-7436

NAVAJO VOTING RIGHTS

leonardgorman@navajo-nsn.gov
Leonard Gorman, *Executive Director*

Voting rights concerns across the United States were highlighted in the media in January 2022 when the Arizona Senator did not vote for the national voting rights bill in congress. The Commission has supported the congressional bills that would unwind the efforts undertaken the past 10-15 years to dismantle the 1965 Voting Rights Act. The Commission utilized the Section 5 preclearance review when it was engaged in the 2011 redistricting activities; the Section 5 standards were declared outdated by the U.S. Supreme Court in June 2013. In 2021, only Section 2 of the VRA was the cornerstone to protect minority voting rights for redistricting. In Arizona, the legislature has entertained bills that intend to make it harder for Navajo voters to cast a ballot in future elections. The Commission supported the initiative to repair the VRA in Arizona; this initiative is intended to be on the November 2022 general election ballot. At the moment, the state of minority voting rights on the national level is in a bleak situation.

COMPLAINTS/INVESTIGATIONS

The Office continues to receive complaints and opens investigations on complaints that satisfy the standard of racial discrimination, unfair treatment or deliberate indifference toward Navajo citizens. Five new complaints were received this reporting period. All of these cases were addressed appropriately and three cases were opened for further investigation. Nine complaints were closed this reporting period. The Office has a total of forty-nine open cases under investigation for this quarter. The office also examined two referrals concerning U.S. Postal Services in Many Farms, Arizona and the policy of masks use by students attending schools in the Blanding Unified School District in southeastern Utah.

FUNERAL AND BURIAL STUDY

Though the guidance of Commissioner Steven Darden, NNHRC continues its work on examining Navajo traditional concept on life and the end of life. The Commission having received reports of deceptive practices with funeral and burial services triggered the examination of this topic four years ago. The current work underway examines traditional perspectives and practices for dealing with death and the subsequent burial practices used today.

RESOLUTIONS

- 1. NNHRCJAN-01-22:** Opposing the San Juan County Utah Commission Ordinance that Replaced the San Juan County School District's Redistricting Plan with the Substitute "Plan B Modified"
- 2. NNHRCFEB-02-22:** Recommending Essential Strategies for the Protection of Voting Rights for Navajo Voters
- 3. NNHRCFEB-03-22:** Supporting the Legal Matter Against San Juan County New Mexico

NAVAJO UTAH COMMISSION

GOALS FOR 3RD QUARTER

Conduct work session with the Navajo Nation Water Rights Commission for the seven Utah chapters regarding the Navajo Utah Water Rights Settlement Act and planning for related water infrastructure projects.

Work with Red Mesa Chapter to reactivate Red Mesa Chapter Administration Building Project.

Work with Navajo Nation Department of Justice and the State of Utah to update and strengthen the 2001 Cooperative Agreement between the Navajo Nation and the State of Utah regarding off-reservation hunting and fishing.

Complete the architectural and engineering requirements for the Montezuma Creek Post Office replacement project in collaboration with the US Postal Service, Utah Department of Construction Facilities Management, Curtis Miner, Utah Navajo Trust Fund, and the Aneth Chapter.

Issues/Recommendations

The Navajo Nation Office of the Speaker hired a lobbyist consultant on a temporary basis to provide lobbying support for the Navajo Nation during the 2022 Utah Legislature. Lobbying services for Utah chapters have been inconsistent, short in duration, and often involve turnover of lobbyist. The Navajo Utah Commission is recommending the Navajo Nation Council to hire a Utah Lobbyist consultant on a long term basis to ensure continuity and legislative achievement. The Utah legislative process generally begins with interim committee meetings in late spring and extends into early fall with finalization of priorities regarding legislations and appropriation. A longer term contract would enable the Utah lobbyist consultant to participate fully in the legislative process including introduction of Navajo priorities and advocacy necessary to advance issues in the legislative process. The Navajo Nation state lobbyist can also work on tribal federal issues with the state's congressional delegation.

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Clarence Rockwell,
Executive Director
(435) 651-3508

crockwell@navajo-nsn.gov

Accomplishments

The Navajo Utah commission prioritized Utah Navajo Legislative Priorities for the 2022 Utah Legislature and included Education, Higher Education Facilities, Transportation, Navajo Utah Water Rights Settlement Act, Voting Legislations, Utah ICWA Statute, Gentle Iron Hawk Funding Request, Other 2022 Utah Legislative Bills (SB 28, HB 30, & appropriations for Missing and Murdered Indigenous Women).

The Navajo Utah Commission coordinated efforts and collaboration with the Navajo Nation Utah Lobbyist Consultant to seek passage or opposition to certain bills and legislative funding for transportation, higher education, human services, and the Navajo Utah Water Rights Settlement Act.

The Utah chapters, with the support of tribal entities, maintain San Juan County redistricting favorable to Navajo voters for the next 10 years, and enable 5 Navajo candidates to run for county seats, including 2 county commissioner positions, 1 additional school board seat, clerk auditor position, and county sheriff.

The Aneth Chapter and Navajo Utah Commission completed construction of a long-standing multiple use building project that includes quarters for a community warehouse, bus bay, and incident command center at cost of \$1.1 million.



Council Delegate Nathaniel Brown presents Navajo Nation Priorities to U.S. Senator Kyrsten Sinema at Twin Arrows Navajo Casino Resort in Leupp, Arizona.

ETHICS AND RULES OFFICE

Lewnell B. Harrison,

Executive Director

(928) 871-7254

lewnellharrison@navajo-nsn.gov



Council Delegates Vince James and Edison J. Wauneka share their concerns with U.S. Senator Kyrsten Sinema regarding Navajo Nation Priorities.

ACCOMPLISHMENTS

On November 10, 2021, the ERO requested and was approved by the Motor Vehicle Review Board to replace our current high mileage vehicles with two newer vehicles. We have not received vehicles yet but are working with fleet management to get our vehicles replaced.

There were nine ethics Orders to Show Cause complaints filed for this quarter and hearings should be scheduled soon.

The Ethics and Rules also had one informal agreement with one elected official who agreed to step down from elected office and pay full restitution and forgo a hearing with OHA.

Ethics and Rules Office has filed a total of \$1,570,577.12 in total restitution and have collected \$232,389.19.

Efforts are still being made to locate and contact individuals that have outstanding restitution with the Nation. There has been some success in obtaining restitution from some respondents that have never made payment before.

Intakes continue to be received and reviewed for possible investigation. Each investigator has a number of investigations they are working on.

GOALS FOR 3RD QUARTER

1. Advertise and hire for vacant positions.
2. Continue to collect restitution owed to the Navajo Nation and work on solutions to collect from respondents who are not in compliance.
3. Work towards establishing a more efficient office procedure regarding case management, including appropriate retention timelines.
4. Establish procedures to identify fixed timelines for the filing of Orders to Show Cause and Garnishment proceedings to avoid missing the statute of limitations.
5. Recommend 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).
6. Continue Ethics in Government Law/Standards of Conduct training for Chapter, School Boards, and other NN Departments, including monthly training for newly hired employees with the NN Staff Development and Training Center.
7. Work cooperatively with other NN Departments, the Public Integrity Task Force, FBI, Office of Inspector General and IRS 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.
8. 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.
9. File Order to Show Causes and eligible cases for garnishment pursuant to 2 N.N.C. § 3800 et seq. in the Window Rock District Court.

ACCOMPLISHMENTS

Efficient use of allocated funds, Navajo Nation Labor Commission (NNLC) held (23) hearings by teleconference or Zoom or in person with counsels of record and parties.

NNLC and program timely processed (2) appealed NNLC cases to Navajo Nation Supreme Court.

NNLC program timely processed (16) formally filed complaint by mail, fax, and email.

NNLC timely adjudicated/settlement conferences (15) NPEA cases.

NNLC and program timely closed and issued (5) continuance orders by teleconference due to closure.

NNLC and program timely issued and mailed (400) subpoenas and notice of hearings and NNLC Rules by certified mail, first class, facsimile and email to counsels of record or parties.

NNLC will continue to adjudicate (110) pending NPEA cases.

NNLC program made (8) audio copies at parties' request.

Amended NNLC Rules of Procedure effective April 19, 2021.

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Council Delegate Charlaine Tso, Chairman Daniel Tso, and Council Delegate Pernell Halona congratulate Dr. Patricia Nez-Henderson as newly elected SRNT President in Baltimore, Maryland.

LABOR COMMISSION

GOALS FOR 3RD QUARTER

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 cases(s).

NNLC and program will timely adjudicate NPEA cases by teleconf and authorized in person hearing(s) from July 8, 2021.

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

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

NNLC and program will continue review and amend NNLC Rules of Procedure.

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

Anslem Bitsoi, Executive Director
(928) 871-6805
anslembitsoi@navajo-nsn.gov or
art_bitsoi@yahoo.com

ISSUES/RECOMMENDATIONS

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

NNLC will continue to expedite office renovation and funding per COVID-19 guidance.

Additional sanitation supplies re: COVID 19 issues will be necessary.

Continuing closure of NN due to COVID-19

NNLC and office updating NNLC Plan of Operation.

Confirmation on compliance with Federal American Disability Act during second quarter.

EASTERN NAVAJO LAND COMMISSION

Larry Rodgers, *Executive Director*
(505) 786-2430

larryrodgers@navajo-nsn.gov

ACCOMPLISHMENTS

- The Commission diverted its attention to the Chaco Canyon Protection Act and wanted to express its support of the Naabik'iyáti' 2019 Resolution preferring a five mile perimeter instead of the proposed 0-mile buffer zone, away from the NELI Project. The NELI legislation is in final draft form prepared by the legislative counsel for Senator Lujan's office. Only one more map needs to be added which should happen very early of the next quarter. Introduction by Senator Lujan will depend on his position on the Chaco bill which has huge support other than the Navajo Nation.
- The Navajo Land Buy-Back Program Rounds I & II Results Report – The statistical data showing allotment interests sales data, with interpretive thematic maps illustrating degree of allotment ownership by the Navajo Nation are in draft form. Related data sheets to 42 maps are in draft process; as NELI maps had taken precedence. The combined sales results from 2016 and 2019 will be reported in a booklet publication for wide distribution, especially to chapters having allotment lands.
- The Commission work with Eastern Navajo RBDO in defining suitable commercial lands in Thoreau is on-going; identified parcels will be proposed for NN purchase for potential business development. The Commission also expressed interest to explore land purchase in or near Socorro for affordable housing that could be provided for Alamo residents wanting to work in the city.
- The Commission is anticipating to meet with President Nez to review Ranch Land Purchases that have been proposed by the Commission in the last few years.



Dine Development Corporation's CEO, Austin Tsosie, presents annual dividend check to the Navajo Nation.

TOP PRIORITIES

1. NELI Project
2. Navajo Land Buy-Back Program Results
3. Thoreau Private Land Tracts
4. New ranch land purchase

GOALS FOR 3RD QUARTER

- Work with Congressional staff to have NELI federal legislation introduced.
- Complete draft of the Navajo LBBP-II Report for publication and distribute to interested parties.
- Determine Thoreau private land parcels collaboration with Eastern Navajo RBDO beneficial to NN. Identify potential land parcels in Socorro for future Alamo Navajo use.
- Continue to work with Navajo DNR and NLD regarding the Commission-approved proposed land purchases.

NAVAJO GOVERNMENT DEVELOPMENT

ACCOMPLISHMENTS

CNGD-0101-22

An action to appoint Harrison Tsosie to serve as the Executive Director of the Office of Navajo Government Development.

CNGD-0102-22

An action to approve the request of the Comprehensive Government Reform Sub-Committee of the Commission on Navajo Government Development for an extension to continue working on the working draft document, "*Diyin Nohokaa' Dine'e Bi Beehaz' Aanii' Bitsi Silei*" to February 18, 2022.

CNGD-0201-22

An action to amend Resolution CNGD-0101-22, "An action to appoint Harrison Tsosie to serve as the Executive Director of the Office of Navajo Government Development."

CNGD-0202-22

Document, "*Diyin Nohokaa' Dine'e Bibee Haz'aaanii Bitsisilei*" from the Comprehensive Government Reform Sub-Committee and acknowledging the assignment of the Sub-Committee as completed.

Harrison Tsosie, *Executive Director*
(928) 871-7176

harrison.tsosie@navajo-nsn.gov

GOALS FOR 3RD QUARTER

- ONGD is currently working with the Commission's sub-committee to produce a document that will be presented to the public and the public will have the opportunity to comment and make additional recommendations for possible referendum or initiative vote by the Navajo People.
- ONGD will work very closely with the Navajo Board of Election Supervisors in the careful submission of the Commission's proposed recommended "government reform" referendum or initiative measures to the 24th Navajo Nation Council and the Navajo Board of Election Supervisors for legislation considerations.
- ONGD is open back up to 100% and open to the commission for meetings (limited seating per legislative branch guidelines and memos). The office is open to the public, but will go through a screening before entering the building.
- ONGD will continue to work on the white paper - *A Case for Understanding Navajo Nation Sustainability Practices & Guidelines in 2021: COVID-19 Pandemic Presents Unique Opportunities*. This white paper will be presented to the Resources and Development Committee and the Naabik'iyati Committee.

ISSUES/RECOMMENDATIONS

The Office and Commission are working diligently to produce a document to present to Navajo Nation Council and the Navajo people in regards to government reform.

The ONGD intends to train both policy analysts in Robert's Rules of Order as a foremost Navajo Nation entity to assist boards, commissions, committees and other governmental bodies in parliamentary procedure.



Council Delegates Mark Freeland, Jamie Henio, and Daniel Tso meet with Governor Michelle Lujan Grisham at the Round House in Santa Fe, New Mexico.

OFFICE OF LEGISLATIVE SERVICES

Manuel Rico, *Executive Director*

(928) 871-7254

mrco@navajo-nsn.gov

ACCOMPLISHMENTS

- OLS processed 72 Legislations this quarter as well as closing out 60 resolutions.
- OLS personnel participated in 76 council/standing meetings and work sessions during this quarter.
- OLS Legislative Staff continue to utilize the hybrid meeting method that includes telecommunication and in-person meetings.
- OLS Expended approximately 40% of the FY2022 Budget for department and 38% for the Legislative District Assistant's Program.
- Within the second quarter, office occupancy is at 100% with legislative staff in the office at 5 days a week. Legislative staff continued to work in the office with a majority of the meetings held via teleconference; however, in-person meetings have increased.
- OLS assisted two (2) work force development employee with temporary employment during the 2nd quarter.
- OLS continues to address Americans with Disabilities Act (ADA) building and campus improvements.
- Completed OLS/LDA Work Session.

GOALS FOR 3RD QUARTER

- Increase training opportunities for staff.
 - Professional Development
 - Budget Process Training
 - Annual and Semi-annual training
 - Navajo Translator Certification
- Continue to effectively coordinate all meetings, including but not limited to, subcommittee meetings (i.e. Title II, NIIP, Dine Bizaad NABI Subcommittee).
- 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:
 - Director of Ethics and Rules Office. Position currently advertised.
 - OLS Legislative Secretary II
 - Office Aide
- Legislatively assist the Navajo Nation Council and the Office of the Speaker with the allocation of the fiscal recovery funds (FRF - ARPA)
- Begin discussions and planning for the 25th Navajo Nation Council transition.

Issues/Recommendations

- **Issues:** 1. OLS is currently short staffed within the Legislative Tracking Section. However, turn around time for document request continues as normal. 2. OLS is short on certified translators after the retirement of staff.
- **Recommendation:** 1. Fill Legislative Secretary position immediately to ensure work and service provided is effective and efficient. 2. OLS researching Navajo translation certification programs as well as reaching out to local colleges and universities.

Vice Chair Otto Tso expresses his concerns during the ARPA funding leadership meeting held with the Office of the President and Vice President.



OFFICE OF LEGISLATIVE COUNSEL

Dana Bobroff, *Chief Legislative Counsel*

(928) 871-7166

olc@navajo-nsn.gov

ACCOMPLISHMENTS

- The drafting and finalization of the Fiscal Recovery Fund (FRF) Hardship Assistance legislation and the FRF Water-Wastewater, Broadband, Home Electricity, Bathroom Additions, and Housing legislation and numerous comprehensive amendments.
- Continued to attend all of Office of Speaker's meeting to keep abreast of all pertinent information received to ensure that OLC is kept updated and proactive concerning legislative needs, projects, and priorities.
- Continued advocating for more attorney staff as the increase in meetings and legislation requests has drastically increased while OLC staffing declined due to the early retirement offering. The office must keep up the demands for services.

ISSUES/RECOMMENDATIONS

OLC had 3 staff members take early retirement and 1 staff member transferred to another department. To be fully staffed, OLC should have 10 attorneys, a paralegal, and 3 administrative staff. OLC legal staff is currently limited to 6 (CLC, a Principal Attorney, an Attorney, a Senior Tribal Advocate, and two administrative staff). OLC is actively pursuing additional legal staff, however, OLC is challenged with competing with DOJ for new staff. Until new staff is procured, OLC will not be attending the report section of committee meetings. OLC will, instead, devote that time to legislation drafting. Legislation drafting would also be expedited if legislation requests included all supporting documents.

Council Delegates Paul Begay and Daniel Tso join Page High School's Navajo Government Class outside the Navajo Nation Council Chambers during the 2022 Winter Session.





Naabik'iyáti'

Seth Damon - Chair
- All Council Delegates -

Law & Order

Eugenia Charles-Newton - Chair
Otto Tso - Vice Chair
Vince R. James
Eugene Tso
Edmund Yazzie

Resources & Development

Rickie Nez - Chair
Thomas Walker, Jr. - Vice Chair
Kee Allen Begay, Jr.
Herman M. Daniels
Mark Freeland
Wilson C. Stewart, Jr.

Budget & Finance

Jamie Henio - Chair
Raymond Smith, Jr. - Vice Chair
Elmer P. Begay
Nathaniel Brown
Amber Kanazbah Crotty
Jimmy Yellowhair

Health, Education, & Human Services

Daniel E. Tso - Chair
Carl Slater - Vice Chair
Paul Begay
Pernell Halona
Charlaine Tso
Edison J. Wauneka



**NAVAJO NATION
OFFICE OF THE SPEAKER**

P.O. Box 3390
Window Rock, AZ 86515
Phone: (928) 871-7160
Fax: (928) 871-7255