

2022

HON. SETH DAMON
SPEAKER'S REPORT
SUMMER SESSION

YATISHJÁÁSTSOH
24TH NAVAJO NATION COUNCIL





Seth Damon, Speaker

LAW AND ORDER COMMITTEE



RESOURCES AND DEVELOPMENT COMMITTEE



BUDGET AND FINANCE COMMITTEE



HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE





OFFICE OF THE SPEAKER

Sherylene Yazzie

Chief of Staff

Donovan Hanley

Legislative Staff Assistant

Tommy Tsosie

Legislative Staff Assistant

Nicketa Kirk

Legislative Staff Assistant

Alray Nelson

Communications Director

Kyron Hardy

Public Information Officer

Kolton Nephew

Legislative Staff Writer

SaraAnne Shirley

Legislative Staff Assistant

Karen J. Thompson

Executive Assistant

Lonette Lee

Legislative Finance Manager

Davina Begaye

Legislative AMS

Regina Shorty

Legislative AMS

Jacquelyn Morgan

Senior Office Specialist

Emerson Notah

Computer Operations Manager

Eugene Jarvison

Network Manager

Ernie Silversmith

Maintenance Technician

THE GOVERNING BODY OF THE PEOPLE

Yá'át'ééh, shik'éeí dóó shidine'ée. It is with great esteem I welcome all who have traveled between Mother Earth and Father Sky to the 2022 Navajo Nation Council Summer Session. On behalf of the 24th Navajo Nation Council, our appreciation for your continued interest and support is tremendous.

I am delighted to welcome my colleagues of the 24th Navajo Nation Council, President Jonathan Nez, Vice President Myron Lizer, Chief Justice JoAnn Jayne, chapter officials, federal, state, county officials, Navajo Nation employees, visiting dignitaries, and our Diné citizens.

As we enter into another phase of the COVID-19 pandemic, there is much uncertainty that hovers above our future, yet, it is the continued vigilance and patience as a Nation that we can keep our loved ones and communities safe. I extend my deepest gratitude to our first responders, front-line workers, and essential personnel for their tireless work to keep our Nation safe.

While we travel in from the four directions to lawfully exercise the power granted to us, we must be diligent in the changes we are making for the betterment of our people.

From the beginning of this year's melting of snow to the clashing of lightning bolting down, the 24th Navajo Nation Council has made great strides in effectively developing the economic revitalization of the Navajo Nation. Last month, the Council approved the appropriation of over \$1 billion in funding from the American Rescue Plan Act (ARPA) for the construction of new infrastructure projects.

The effort of our leaders meeting with federal, state, county, and tribal leadership to advocate and lobby for funding have sprouted the opportunity to provide solutions to address the social ills that impact our communities.

With the sprinkling of rain falling from clouds inlaid with white shells and encrusted with silver ornaments, blossoms the season of change. May this year's Summer Session sow the seeds of a better future for our people and the coming generations.

On behalf of the 24th Navajo Nation Council, we thank the Executive Branch, the Judicial Branch, our local chapters, and the Navajo People for helping make this session a success, and may we all continue to walk in beauty.

Ahe'hee'

Seth Damon, Speaker
24th Navajo Nation Council

AMERICAN RESCUE PLAN ACT FUNDING APPROVED

Members of the 24th Navajo Nation Council, President Jonathan Nez, Vice President Myron Lizer, and Speaker Seth Damon, along with Executive and Legislative Branch staff attend the ARPA Resolution signing ceremony in Crownpoint, NM.



This historic action by my colleagues of the Navajo Nation Council addresses the urgent needs of the communities we represent. Many of our families do not have the luxury of waiting for thousands of infrastructure projects to begin. This is the Navajo people's money, and they deserve our immediate support during this pandemic.

- Hon. Mark Freeland

After numerous work sessions and meetings, we came together to take historic action by appropriating \$1,070,298,867 in American Rescue Plan Act (ARPA) funding for the construction of new water and electric lines, broadband internet connections, COVID-19 mitigation, E911/public safety, and housing infrastructure projects for the Navajo people. Sponsored by our colleague Honorable Mark Freeland, the resolution was signed into law by the President last Friday at the Crownpoint Chapter.

I also extend our appreciation for the leadership of Honorable Carl Slater who sponsored legislation to allocate over \$400 million to immediately fund defunded CARES Act programs for water, electricity, broadband, small business assistance, and Judicial Branch funding. Following this action, Madam Chair Amber Kanazbah Crotty pushed forward the bill appropriating \$557,000,000 to distribute hardship assistance checks to the Navajo people across the country.

The Navajo Nation is grateful to our Congressional leaders and the Biden Administration for sending us over \$2.1 billion to respond to the negative impacts of the COVID-19 pandemic.

LEGISLATION NO. 0086-22 WILL ALLOCATE THE FOLLOWING PRIORITIES:

- \$241.9 million for housing construction, veteran housing, and electric connections
- \$225 million for water lines and wastewater projects
- \$211.2 million for chapter and regional projects
- \$150 million for bathroom additions
- \$120 million for the new hardship assistance applications
- \$109.8 million for internet broadband connections
- \$40 million for public safety, rural addressing, and cyber security upgrades
- \$19.2 million for transitional housing and detox centers

Members of Diné
Saani Silaoltsooi
post colors for the
2022 Spring Council
Session.



NAVAJO

WARRIORS

Navajo veterans have provided invaluable service and allegiance to the United States of America through the Navajo Code Talkers using our language in World War II to the Navajo veterans serving in the U.S. Armed Forces during every war or conflict since World War II.

Currently there are 8,286 Veteran's, surviving spouses and Gold Star mothers registered with the Navajo Nation Veteran's Organization, this same population is transitioning into the increasing elderly population across the Navajo Nation. Currently, there is only one nursing facility within the boundaries of the Navajo Nation that houses 80 beds. Navajo families are subjected to relocating their elderly relatives to off-reservation facilities, some as far as 150 to 200 miles from their homeland.

Legislation No. 0048-22: An Action Relating to the Resources and Development, Health, Education, and Human Services, Budget and Finance, and Naabik'iyati' Committees, and the Navajo Nation Council; allocating \$29,216,453 in Sihasin Funds to the Navajoland Nursing Home, Inc. for the construction and operation of a Veterans Nursing Home; approving the "Navajo Warriors Home Expenditure Plan" pursuant to 12 N.N.C. subsection 2501 through subsection 2508, was introduced by Honorable Vice-Chair Carl Slater on March 9, 2022. This legislation was presented to RDC, HEHSC, and B&F committee with the recommendation that it "Do Pass without Amendment" and referred to the Naabik'iyati' Committee. The legislation was passed by the Naabik'iyati' Committee and referred to the Navajo Nation Council on April 14,

2022. Thereafter, the legislation passed on April 20, 2022 and sent to the Office of the President and Vice President who signed resolution CAP-20-22 into law on May 9th, 2022.

This resolution approved the allocation of Sihasin Funds for construction and first year operations of a 60 bed veterans nursing home, called the Navajo Warriors Home, to be located in Chinle on Navajoland Nursing Home, Inc. property.

Approval of this legislation is the first of many efforts to ensure that our Veteran population are acknowledged and cared for, while there are still many other unfulfilled needs of our Veteran's, I anticipate this is the first of many steps to achieve their unmet needs. It is one step closer and one step in the right direction.



Hon. Kee Allen Begay, Jr. advocates for veterans during the Memorial Day Remembrance Ceremony (Above).

New Mexico Department of Veterans Services refold a United States flag during the Memorial Day Remembrance Ceremony (Below).





Chair Daniel Tso and Hon. Thomas Walker, Jr. with members of the Arizonans Concerned About Smoking.

AIR IS LIFE

On May 24, 2022, Chair Daniel Tso and Honorable Thomas Walker, Jr. received the 2022 Health Leadership Award on behalf of the Navajo Nation, for the Nation's efforts in promoting public awareness regarding the hazards of tobacco use during the annual U.S. Public Health Service Symposium in Glendale, AZ.



Chair Daniel Tso gives speech after accepting award at the U.S. Public Health Service Symposium.

Resolution CO-58-21-An Action Relating to Health, Education and Human Services, Law and Order, Budget and Finance and Naabik'iyati Committees and the Navajo Nation Council; Enacting the Navajo Nation Nilch' \$7 Bee [7]1 – Air is Life Act of 2021 was signed into law on November 6, 2021. This legislation was introduced by Health, Education and Human (HEHSC) Chair Honorable Daniel Tso to the 24th Navajo Nation Council which passed with majority council support. This law prohibits the commercial use of any tobacco products within 25 feet of any enclosed area, public venue, or any workplace across the Navajo Nation.

This act does not prohibit the use of Natural Mountain Smoke nor the use of commercial tobacco products for ceremonial use, cultural settings, and purposes within the Navajo Nation. Currently, efforts continue with the Indian Health Services, Department of Health and Department of Justice for education, cessation of tobacco use, and compliance to the law.

SDS SEPTIC TANK FAILURE EMERGENCY DECLARATION

In a letter dated on November 29, 2021, Honorable Kee Allen Begay Jr., expressed concern regarding failed septic system within his legislative district which constitutes the communities of Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, and Low Mountain.


There were 169 inhabited homes that were identified within these communities that had deficient or failed septic systems, of these, 147 homes lacked funding for replacement and repairs. Thereafter, another letter was disseminated that identified stakeholders that included key Indian Health Service staff, Office of Environmental Health, Washington, DC Department of Health, Bureau of Indian Affairs, Navajo Nation Department of Health, Navajo Nation Environmental Health, Navajo Tribal Utility Authority and Navajo Engineering Construction Authority Administration on May 22, 2022, to bring this issue to the forefront.

Navajo Nation Environmental Protection Agency scheduled site visits to the affected areas on May 26, 2022 to assess the severity of the situation. 11 sites were visited in the communities of Nazlini, Manyfarms, Cottonwood and Blue Gap, 4 of these sites have serious issues, 1 site contains a drain field that buckled in the middle, the remaining sites required minor repairs. While the Navajo Nation Environmental Protection Agency reacted swiftly, they reminded stakeholders that they are only a regulatory agency and have their limitations.

Office of the Speaker facilitated meetings thereafter to discuss these issues and attempt to identify solutions to rectify the situation. Honorable Begay requested a Navajo Emergency Declaration at a Health, Education, and Human Services on June 15, 2022, which would be extremely helpful in releasing federal funds to address the septic tank failure crisis.

Currently, Office of the Speaker and staff are continuing their efforts to assist Honorable Kee Allen and stakeholders to declare a Navajo Emergency Declaration for the Navajo Nation. These ongoing efforts will include the 105 chapters outside of Honorable Begay's legislative district regarding septic system assessments, reporting and declaration of emergency.





Over the last 19 years since its construction, the Antelope Point Marina has been a business venture of the Navajo Nation Council to advance the economic interest of the Navajo people. Located north of Dá'deestł'in Hótsaa (Glen Canyon Dam), Jádí Tó is of particular concern to the Navajo Nation due to economic investments in the floating marina village and accompanying 370 miles of shoreline.

Encompassing over 600 acres of Navajo land, the marina is the largest Navajo employer on Lake Powell, with around 400 employees being employed annually.

In a 2021 report from the National Oceanic and Atmospheric Administration's Colorado Basin River Forecast Center, the amount of water at Lake Powell has dropped around 100 feet in the last three years because of severe drought conditions. As the depletion of water increases, the Glen Canyon Dam has lost about 16% of its capacity to generate power, potentially affecting 5.8 million homes and businesses across seven states.

The 1970 Quadrilateral Agreement and memorandum of understanding (MOU) between the Navajo Nation, the National Park Service, and the Bureau of Indian Affairs for use of the Glen Canyon National Recreation Area expired in September 2020. Since this time, our request for an extension to the expiration date was granted for one year from the NPS.

It was our intent to conduct a series of public meetings to include 13 nearby local chapter governments and communities on the renegotiation of the agreements and MOU. However, this pandemic caused us to postpone all meetings as our focus was on the immediate COVID-19 response effort and appropriating CARES Act funding.

Despite being a major source of employment and revenue for the Navajo Nation, the marina has seen an increase in infrastructure damages because of a de-

pleting water level. Such issues needing immediate attention include improvements to launch ramps, walkway ramps, and utility lines - posing a significant safety risk to marina guests.

In May, Council Delegate Paul Begay and the Legislative Branch shared our concerns about the lack of communication and tribal consultation by the National Park Service (NPS) regarding requested and needed infrastructure upgrades impacting the Antelope Point Marina. After delayed responses from the NPS, the Antelope Point Marina sent additional letters requesting approval for low-water main gangway access for visitors as the marina responded to decreasing water levels before this summer season.

Glen Canyon National Recreation Area Superintendent William Shott responded in April, denying all requests and notified all parties that the Army Corps of Engineers and the U.S. Coast Guard had been informed of possible unauthorized dock installations and any unapproved improvements would result in citations and fines. He also acknowledged lowering water levels affecting the marina but noted that "adding property or infrastructure to an uncertain and shrinking resource is not a logical option."

To address this growing issue, the Tó Níttoli Task Force and Naabik'íyáti' Committee held work sessions and site visits with local chapter officials and federal, state, and county officials to discuss potential solutions that would protect Navajo sovereignty and treaty rights.

Additionally, requests for a formal tribal consultation with Interior Secretary Debra Haaland and the Director of the National Park Service, Mr. Chuck Sams, have been made. A joint letter from the Navajo Nation government will also convey the situation to Congress and the White House as the Navajo Nation continues to advocate for its economic interests around the Lake Powell shoreline.

ANTELOPE POINT MARINA





Hon. Carl Slater receives Naat'aanii Award during Navajo Nation Pride Week.



NAVAJO NATION PRIDE

The Navajo Nation Office of the Speaker sponsored the 3rd annual Navajo Nation Pride event which began on Monday, June 20th, 2022 with an opening ceremony and virtual roundtable with Naat'aanii Leadership Honorees and Diné Pride Champions. This year's theme was "PROUD-Living Life in Sacredness". I, Speaker Seth Damon, attended the opening ceremony along with, Hon. Carl Slater, and Hon. Charlene Tso.

The week commenced with virtual roundtable discussions through Thursday beginning, continuing with Tuesday's discussion titled "Loud and

Proud" to discuss priorities and perspectives from Indigenous LGBTQ+ and Two Spirit leaders of today. Wednesday followed with the "Nááts'íilid Scholarship Ceremony" and ending with Thursday's discussion titled "Marriage and the Future-Creating Life Together", a conversation about marriage and strengthening our future, trends in Native LGBTQ+ advocacy, policy and Law.

On Friday, June 24, 2022, I, Speaker Seth Damon, signed the Proclamation reaffirming June 20 to 26, 2022, as "Navajo Nation Pride Week" throughout the Navajo Nation. I was accompanied by

Hon. Carl Slater, Hon. Charlene Tso and staff from Navajo Nation Pride. Thereafter, the evening continued with the Sovereign Sacredness Variety Show with 20 performers and the Council Chambers Rainbow Lighting ceremony.

The Navajo Nation Pride week ended on Saturday, June 25, 2022 with the Pride Parade at 10 AM from the Navajo Nation Museum to Navajo Nation Council Chambers. The One Nation Festival at the Navajo Nation Veteran's Park ended Pride Week with entertainment, guest speakers and booths.



Speaker Seth Damon signs proclamation reaffirming June 20-26, 2022 as Navajo Nation Pride Week.



Pride Crowd during the Sovereign Sacredness Variety Show during Navajo Nation Pride Week.

UTAH WATER SETTLEMENT SIGNED

On May 23rd, members of the 24th Navajo Nation Council welcomed US Secretary of the Interior, Deb Haaland, US Senator Mitt Romney (R-UT), Utah Governor Spencer Cox, Lt. Governor Deidre Henderson, and the Navajo Department of Water Resources for the signing of the Utah Waters Right Settlement in Monument Valley Navajo Tribal Park.

Through this monumental and historic signing ceremony, the Navajo Nation and the state of Utah can now begin to implement the Navajo Utah Water Rights Settlement Act of 2020 that will support any funding authorization for water development in the Utah portion of the Navajo Nation. In November of last year, U.S. President Joe Biden signed into law the Infrastructure Investment and Jobs Act that will allocate \$2.5 billion to address water rights settlements. The Navajo Nation will have the right to withdraw 81,500 acre-feet of water per year from the Colorado River Basin.



UTAH STATE LEGISLATORS VISIT

Towards the end of May, Utah Lieutenant Governor Deidre Henderson visited Oljato Chapter to meet with Hon. Council Delegate Herman Daniels, chapter officials, and the Utah Department of Transportation on the prospective plans of a Utah highway connecting the communities of Navajo Mountain and Oljato both located in Utah. Joining the meetings were various Utah State Representatives and Senators for the outback site visit of the proposed site in southern Utah.

Currently, community members have continually voiced that the over 2-hour commute to any services in local communities is increasingly becoming unreliable. Students have expressed how exhausting and difficult it is to adopt alternative lifestyles that best serve their educational needs. Consequently, this issue must be resolved to improve the lives of community members.

Additionally, through this meeting new and exciting ideas, prospects, and interactions were exchanged that serve to showcase the potential the Navajo Nation has to offer. It has shown that plans of reviving the region with agriculture projects can vastly improve the local economy now and into the future. This monumental road project will advance the Southern Utah landscape while understanding how much more responsive we can be in our community.

During the visit, Hon. Delegate Daniels accompanied State Officials for several hours trekking over some of the most beautiful and harsh landscapes to showcase what Navajo Nation envisions. Both communities are a part of Hon. Delegate Daniel's district and while there is potential at hand, he takes great pride in leading the constituents he represents into a far greater future.



Monument Valley Tribal Park, Arizona.

HEALTH COMMAND OPERATIONS CENTER

General HCOC Hotline: (928) 871-7014
NNHCOCPlans@navajo-nsn.gov

National Suicide Lifeline: 1 (800) 273-TALK
HCOC Operation Hours: M-F (8am to 5pm)
Sat (8am-12pm)
Sun (standby)

Hon. Nathaniel Brown hosts Kayenta Energy Roundtable in Kayenta, AZ.



As the COVID-19 pandemic continues, there is much uncertainty about how our world will change, yet through the tireless work of the Navajo Department of Health, we can assure that our people's safety is the Navajo Nation's priority. Although our daily lives have changed, I want to express my appreciation to the Navajo people for their patience, understanding, and participation in keeping our communities safe. Each one of us has a shared responsibility to protect ourselves and those who we care for. In doing so, we must remember that our actions speak louder than our words, therefore, please continue to wear your mask and take all precautions necessary to safeguard our families and loved ones.

At the beginning of this third (3rd) quarter, the Nation was content with our progress in mitigating the spread of this virus that we returned to "Yellow Status." Particularly with the delivery of rapid at-home COVID test kits, which remains a huge asset to our programs and departments in alleviating the impacts of this pandemic. Currently, per Public Health Emergency Order No. 2022-004, all businesses on the Navajo Nation will

be open at 75% occupancy which has eased the reopening of restaurants, Navajo casinos, hotels, parks, museums, etc. Excitingly, with careful guidance from the Navajo Nation Health Command Operations Center (HCOC), flea markets and outdoor markets have been allowed to reopen.

As a reminder continue to report any exposures to the HCOC portal and notify the nearest local health facility before you begin any office or facility closures. Further guidance will be given before such closures are permitted, so your patience is greatly appreciated. The HCOC will continue to post daily social media posts on post-COVID information such as weekly COVID-19 vaccine and testing dates along with other related news.

Therefore, I am thankful for the endless work of The Navajo Nation Health Command Operations Center, Executive Director, Dr. Jill Jim, of the Navajo Department of Health and her staff; Mrs. Roselyn Tso and the regional IHS team, the Navajo Epidemiology team, our 638 partners, front line workers, public health nurses, safety officers, and first responders, for their continued strength and protection.

NAVAJO NATION OPEN FOR BUSINESS

- **Revise 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 business to the reservation**
- **Recognize business opportunities in tourism, commercial and real estate development, use of natural resources, and infrastructure improvements.**

Hon. Eugene Tso recognizes the Chinle Lady Wildcats during the 2022 Spring Session.



Currently, the Navajo Nation Hospitality is expected to remain on course with the initial construction set to start later this year. This project has been in the works for the last couple of years and has been a long overdue economic addition to the Northern Agency. The funding transition between the Navajo Nation Gaming Enterprise and Navajo Hospitality Enterprise has gone exceptionally well and we appreciate both tribal enterprises for working with the 24th Navajo Nation Council to make this transition as smooth as possible. With Shiprock being one of the larger Navajo communities on the Nation and with its population size only steadily increasing, more efforts are being put forward to create a destination where there are more economic opportunities and growth along the Highway 491 corridor. Recently, this regional section of highway is now stepping into the economic light, cementing its vitality and value. With all this progress happening, the 24th Navajo Nation Council is happy to see the change and growth Shiprock will experience once the project is completed.

As we approach the final steps in approving the Memorandum of Agreement (MOA) for the cooperation on the Shiprock Project between tribal entities, it has been noted that other departments have been increasing their efforts. For instance, the Navajo Nation Department of Tourism is looking into the idea of building a visitors center next to the new hotel in Shiprock. With the amount of traffic Highway 491 welcomes daily, this economic interest could potentially drive influence to other sites of interest in the area and chapters. With all this being presented, it is impossible not to see the greater picture at hand that would only benefit all communities from Route 66 to the Four Corners. Currently, this business venture is something the community of Shiprock is trying to improve and the more curb appeal this area has, there is great potential at hand. We thank Hon. Delegate Charles-Newton and the many tribal entities for their dedication to igniting this progress.

As mentioned before, the health and safety of our elders and children are a top priority and for this reason, the re-opening of the Navajo Nation has been a cautious process. As a nation, it is important to realize that our voices need to be heard by those who we welcome onto the Navajo Nation. Thus, we kindly remind all visitors to abide by the safety standards set forth by the Navajo Nation Department of Health. The 24th Navajo Nation Council is working closely with communities, tribal divisions, and pertinent stakeholders to enforce strong economic decisions to revive our Navajo economy.

The Navajo Nation Economic Development Department 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.

As our borders slowly begin to lift, please keep an active role in your communities and chapter involvement. For further information on how to submit interest or apply for any grants associated with the American Rescue Plan Act, please visit DED's website at: <https://navajoeconomy.org/american-rescue-plan-act/>

EASTERN NAVAJO CHAPTERS POLICE SUBSTATION

In April, Ojo Encino Chapter Officials and surrounding chapters provided a report regarding the police substation for Eastern Navajo Chapters concerning public safety. In the report, Ojo Encino Chapter Officials recommended that a police substation be built in the Ojo Encino community as the nearest police station in the region is located in Crownpoint, NM. Due to the distance, many law enforcement services are delayed up to an hour, which in turn, has allowed violence to increasingly spread in the Ojo Encino area. Such offenses include but are not limited to; bootlegging, drug dealing of methamphetamines, and alcohol and substance abuse. To immediately combat this issue, chapter officials are looking into the possibility of cross-deputizing local officers.



EXTENSION APPROVED

Senate Bill 2798 passed on April 28, 2022 unanimously and House Bill 5338 "The Radiation Exposure Compensation Act Amendments of 2021" also known as the "Expansion Bill" passed on May 11, 2022. This bill approved the extension of RECA allowing the opportunity for eligible claimants to apply for benefits. The previous bill was set to sunset on July of 2022, the passage of these bills extended the deadline date to July of 2024.

President Joe Biden signed the "Reauthorization of the Radiation Exposure Compensation Act" also known as the "RECA Extension Act of 2022" on June 7, 2022 and became Public Law 139 under the 117th Congress.

Efforts are ongoing for expansion which will extend this deadline date further out and increase eligibility for potential claimants to apply for compensation under the expansion act. This is a united effort from the Office of the Speaker, 24th Navajo Nation Council, Navajo Nation Washington Office, Office of the President and Vice President, the Union of Concerned Scientists, the Navajo Uranium Radiation Victims Committee, Navajo Nation Environmental Protection Agency, and lobbyists from Hobbs, Strauss, Dean and Walker.

Currently, the Navajo Nation Washington Office completed a sign on letter that will be sent out to various Tribal leaders and organizations to call on their support for the RECA expansion bill to stand in solidarity with our impacted miners and downwinders along with continued visits with Congressional Leaders from Navajo Leadership.

Hon. Delegates Rick Nez, Daniel Tso, Edison Wauneka, and Eugenia Charles-Newton celebrate 30th Anniversary of Navajo Preparatory School. (Photo Left)

Hon. Vince James attends ABNDN 2022 Summit at Twin Arrows Navajo Casino and Resort.

Hon. Edmund Yazzie discusses poor water quality across Eastern Agency.



Report from Board of Directors ABNDN regarding decriminalizing of Azee (Peyote)

Thousands of miles away from the Navajo Nation, the California State Senate introduced Senate Bill 519, which decriminalizes the possession and personal use of certain psychedelic drugs for non-commercial use in June of 2021. Although mescaline (peyote) was removed from the list, its potential legalization raised heavy concerns among tribal nations and organizations centered around the Native American Church. One such organization was the Azeé Bee Nahagha of Diné Nation, Inc. (ABNDN, Inc.) who brought forth their concerns in the form of an approved resolution recommending the 24th Navajo Nation Council and the Law & Order Committee to Oppose the National Decriminalization in April. They voiced that such a bill would pave the way for the recreational use of peyote in light of recent state legalizations of marijuana. Thus, threatening the sanctity of peyote along with tribal sovereignty under the American Indian Religious Freedom Act of 1978.

Navajo-Gallup Water Supply Project

It is my honor to announce that the U.S. Bureau of Reclamation has awarded \$76 million for the completion of the Navajo-Gallup Water Supply Project. Through the efforts made by the Navajo Code Talker Museum Board of Directors, led by former Navajo Chairman Peter MacDonald, a right-of-way agreement was signed with the Bureau of Reclamation (USBR) to complete the remaining 17+ mile long water pipeline on Highway 264. Once fully completed, the project will provide a sustainable water supply that will extend from the San Juan River to the eastern section of the Navajo Nation, the southwestern portion of the Jicarilla Apache Nation, and the city of Gallup, New Mexico via about 280 miles of pipeline, several pumping plants, and two water treatment plants. I applaud the endless work and attention paid to this project as not only our own Diné people but our neighbors, the Jicarilla Apache Nation, will have an adequate water supply now and for generations to come.

Diné Action Plan Advisory Group Nomination

Earlier this year, three (3) of our own Honorable Navajo Nation Council Delegates were nominated to participate in the Advisory Group for the Diné Action Plan (DAP). Per C5-51-21, which was unanimously passed in October of last year, approved the revitalization of DAP and established an advisory group to implement its goals and objectives. In April, Vice Chair Carl Slater of the Health, Education, and Human Services Committee along with Law & Order Committee Member Council Delegate Eugene Tso were nominated to the Advisory Group. In June, Naabiki'yati Committee member Council Delegate Amber Kanazbah Crotty was nominated for her effort toward addressing social ills on the Navajo Nation.

Americans with Disabilities Act Compliance

Last month, members of the Law & Order Committee received a report from the Navajo Nation Advisory Council on disabilities in which they provided an update on public building access on the Navajo Nation. According to the Native American Disability Law Center, only 160 homes under the Navajo Nation Housing Authority met the Americans with Disabilities Act (ADA) regulations along a multitude of public buildings lacking wheelchair ramps or parking spaces. It was also noted that Navajo students with hearing and sight imparities, developmental, and physical disabilities felt a lack of support. As elected officials, we must ensure that we can guarantee equal opportunity to those who live with a disability and their support system.

HONORABLE DELEGATE AMBER KANAZBAH CROTTY APPOINTED COMMISSIONER FOR THE NOT INVISIBLE ACT (2009)



Hon. Amber Kanazbah Crotty gives recognition to DALTCs during the 2022 Spring Council Session in Window Rock, AZ.

It gives me great pleasure to announce that in May, U.S. Secretary of the Interior, Honorable Deb Haaland, appointed Honorable Council Delegate Amber Kanazbah Crotty as a Commissioner to serve on the Not Invisible Act Joint Commission on Reducing Crimes Against Indians. In 2019, Congress enacted the Not Invisible Act of 2019, intended to increase intergovernmental coordination to identify and combat violent crime within Indian lands and of Indians. The Joint Commission will advise Attorney General Merrick Garland and Secretary Haaland through the development and completion of recommendations on best practices the Federal Government can take to combat the crisis of missing, murdered, trafficked, and other violent crimes against Native American and Alaskan Natives in the United States. Such responsibilities include administrative changes to respond effectively to crimes against Indians within Indian lands and guidance on addressing any gaps for services as well. The announcement of Delegate Amber Kanazbah Crotty appointment took place via a live virtual event on May 5th, the National Day of Awareness of Missing and Murdered Indigenous Peoples. I applaud Delegate Amber Kanazbah Crotty's continued dedication to raising awareness around these social ills that impact the Navajo Nation and Indian country.

Navajo-Hopi Land Commission

The Navajo-Hopi Land Commission convened on May 5, 2022 where they approved a resolution that would amend "NHLCJY-27-13: Approving the Distribution of Escrow Funds earmarked for Former Bennett Freeze Area (FBFA) Housing Directly to FBFA Chapters based on percentage of Chapter Population in the FBFA and Directing the Navajo-Hopi Land Commission Office and the Office of the Controller to Implement Direct Distribution."

Under this amendment, paragraph 9 would be removed, this authorized the Navajo-Hopi Land Commission to proceed to distribute the funds to the chapters through a Memorandum of Understanding. No MOU's had been executed with the nine FBFA chapters (Bodaway-Gap, Cameron, Coalmine Canyon, Coppermine, Kaibeto, Leupp, Tolani Lake, Tonalea, and Tuba City), nor had any of the Escrow Funds been distributed to the chapters prior to the amendment.

On November 3, 2006 a Navajo-Hopi Intergovernmental Compact was entered into which resolved on-going litigation between the Navajo Nation and the Hopi tribe. Under Article 7.2 of the compact, both tribes agreed to equally divide funds held in escrow since 1970 due to litigation.

On May 8, 2009 President Barrack Obama signed Public Law 93-531 (25 U.S.C. 64d)-9(f) which lifted the forty-year Bennet Freeze. Thereafter, the Navajo-Hopi Land Commission approved a FBFA Escrow Funds Use Plan, which included a three million, six hundred and six thousand, eight hundred and eight dollars (\$3,606,808) housing allocation to the nine FBFA chapter based on their chapter land ratio. Under this plan families are eligible to receive up to \$30,000 per family.

This amendment approved the distribution plan and authorized the Navajo-Hopi Land Commission Office and the Office of the Controller to immediately distribute the balance of the Escrow Funds allocated for housing purposes in the FBFA to the housing accounts of the FBFA chapters.

Yellowman Cyphon Dam

Honorable Rickie Nez addressed the damaged Yellowman Syphon Dam at the Nenahnezad community in Fruitland, New Mexico, which is the main water source for farming and planting for local residents in the vast community land of the San Juan Chapter and Nenahnezad Chapter.

Delegate Rick Nez called an emergency site visit to the Yellowman Syphon Dam; Chapter officials, Grazing officials, Farm Board, BIA Irrigation, Navajo Nation Water Resources, Office of the Speaker, and community members were in attendance to discuss and provide recommendations to repair the water leak due to eroded concrete walls, resulting in heavy water leakage, damaging the joints of the water pipes, thus pressuring the remaining connections to shut off the entire water source indefinitely.

Fortunately, the Chapters worked together to purchase cement waterproof sealant supplies, and re-attached the water pipe joints, recement the concrete walls, over the weekend, and resume water for farming and planting by early the following week.

Navajo Nation Water Resources and Navajo Nation Office of Management and Budget will strategize program budgets to proposed irrigation emergency funds and supplies for stable irrigation projects.

Delegate Rick Nez, expressed appreciation as the planting harvest season continues.

Hon. Rick Nez assesses damaged water pipe joints in the Nenahnezad community. (Right)



Hon. Jamie Henio opposes the closure of numerous community based outpatient veterans clinics across New Mexico. (Above)



TRIBAL INTERIOR BUDGET COUNCIL

For the last few years, members of the 24th Navajo Nation Council have had the honor of serving on the Tribal Interior Budget Council (TIBC) which was established in 1999 to facilitate tribal government participation in the planning of the Bureau of Indian Affairs (BIA) budget. President Nez and members of 24th Navajo Nation Council represented the Navajo Region out of the 12 BIA designated areas.

We have been working in organization with tribal leaders across the country to advocate for budgets that reflect the true needs of our tribes, nations and pueblos. Our advocacy has proved we continue to protect our self-determination, self-governance, and our treaty rights for the Navajo Nation. Of our many priorities, the investment in our Navajo children for their education is at the forefront. It is our duty to advocate strongly for our future generation and our leaders of tomorrow. It is with that momentum, the Navajo Nation Council requested to the Tribal Interior Budget Council a resolution for forward funding of federal Indian education programs to allow funding for college scholarship dollars to be received immediately.

The Tribal Interior Budget Council unanimously adopted and passed the Navajo Nation Council resolution that was introduced to ensure forward funding be allowed for the Office of Navajo Nation Scholarships and Financial Assistance (ONNSFA). The 24th Navajo Nation Council truly appreciates the Department of Diné Education and ONNSFA Director, Ms. Rose Graham and her team for their leadership in getting this completed.

Additionally, the Office of the Speaker with the 24th Navajo Nation Council sent a letter to the Interior Department recommending

legislative language on forward funding from the Bureau of Indian Education (BIE) Higher Education Program to be included in the BIE's Fiscal Year 2022 Budget green book. This action allows for college scholarship money and financial assistance disbursements to be distributed to tribal nations immediately with no disruptions.

The Navajo Nation continues to work with Congress and the Biden Administration to make necessary amendments to the "Snyder Act" to authorize forward funding of federal tribal higher education programs funding.

NAVAJO NATION TIBC MEMBERS INCLUDE THE FOLLOWING:

- Delegate Jamie Henio sits on the Budget Sub-Committee of TIBC
- Delegate Paul Begay sits on the Education Sub-Committee of TIBC
- Delegate Kee Allen Begay sits on the Transportation Sub-Committee of TIBC
- Delegate Eugenia Charles Newton is the Chair of the Public Safety and Justice Sub-Committee of TIBC
- Delegate Pernell Halona is on the Data Management Sub-Committee of TIBC
- Delegate Raymond Smith is on the Land and Water Sub-Committee of TIBC

Hon. Paul Begay congratulates Richfield and South Sevier High School students in Richfield, Utah. (Lower Left)

Speaker Seth Damon and former Chairman Peter MacDonald finalize planning for construction of the Code Talker Museum and Veterans Center. (Upper Right)

NAVAJO CODE TALKERS MUSEUM

It has been 76 years since the end of World War II and within that time, we have had the honor of welcoming back our brave warriors who served as Code Talkers under the U.S. Marine Corps. Yet, in that same time, out of the 400 Navajo citizens that were recruited, only four (4) are still alive. As one of the last Code Talkers and later former Chairman of the Navajo Nation, Peter MacDonald has made it his life's work to let this part in our Nation's history be remembered for generations to come. With that being said, the Office of the Speaker had the privilege to meet with Mr. MacDonald to discuss the proposed plans to build a Navajo Code Talker Museum and Veterans Center in Tse Bonito, New Mexico.



The idea of building a museum sprouted when the late Senator John Pinto, a Code Talker himself, was voted into the New Mexico State Senate in 1977 where he was able to establish a fund to design and build a new Code Talker Museum on the 400-acre site. Mr. Pinto was able to secure over 1 million dollars in funding, which is being held by the Navajo Nation, for the development of the project.

In July of last year, the “Navajo Code Talker Association” was established then later became a non-profit incorporated in the state of Arizona before being renamed in May of 2022 to the “Navajo Code Talker Museum.” On August 14th, also known as National Code Talkers Day, a celebration commemorating the beginning of construction on the museum will take place.

Mr. MacDonald spoke on how this has been in the works for about 20 years due to continuous lobbying to get the project off the ground. To begin construction, architects from Arizona State University were recruited to study the surrounding lands to help identify an exact location.

It has always been a fundamental duty for our people to defend and preserve our way of life and through the sacrifices and valor of our Navajo Code Talkers, both who have passed on and those still with us, we can enjoy the freedom granted to us.

The principal attorneys for the Navajo Nation Department of Justice and the Navajo Nation Division of Natural Resources are ensuring the Navajo Code Talker Museum will remain the property of the Navajo Nation.



OFFICE OF THE AUDITOR GENERAL

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 fourth 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.
- Ongoing efforts to amend plan of operation but this also required revisions to our internal procedures manual which has not been updated since 2013; both documents need revisions to ensure consistency and compliance with audit standards. The revisions are important to ensure the manual reflects current processes, and the issues of sanctions for failure to address CAPs and the lengthy CAP approval process are addressed.
- A handful of chapters continue to ignore our requests for their MIP backups each quarter due to various reasons; although we no longer generate the quarterly chapter available funds reports (unless requested), 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.

Hon. Paul Begay, Sen. Kelly Staff Coral Evans, Coconino County Supervisor Lena Fowler, Sen. Kelly Staff Luther Lee, Speaker Seth Damon and Hon. Otto Tso attend leadership meeting at Navajo Antelope Point Marina in Page, AZ.



Program/Chapter Audits/Investigations

- Navajo Nation Veterans Administration Performance Audit
- Gadiiahi/Tokoi Chapter Internal Audit
- Greasewood Springs Chapter Internal Audit
- Tse Daa Kaan Chapter Internal Audit
- Chapter Debit/Credit Card Use Special Review

Goals for 4th Quarter

1. Navajo Rehabilitation Trust Fund Special Review
2. Rock Point Chapter Internal Audit
3. Inscription House Chapter Internal Audit
4. Newcomb Chapter Internal Audit
5. Tselani/Cottonwood Chapter Internal Audit
6. Special Duty/Hazard Pay Special Review
7. Office of the Controller Performance Audit
8. Office of the Speaker/Legislative Services Special Review
9. Tribal Parks Corrective Action Plan Follow-up Reviews
10. Outsource more chapter audits and performance audits of Navajo Nation depts/programs; will need to issue various request for proposals to utilize consulting budget

NAVAJO ELECTION ADMINISTRATION

Rosita A. Kelly, *Executive Director*
 (928) 871-7263
 rositakelly@navajo-nsn.gov

Goals for 4th Quarter

- Plan for the 2022 Navajo Nation Council and Presidential Primary Elections.
- Work with DPM to fill remaining vacant positions at the central and agency offices.
- Maintain voter registration database.
- Provide relevant information to the public via chapters, radio announcements, social media, and agency meetings through agency representatives.
- Update NEA Rules and Regulations, Code amendments and codification in the Election Code.
- Work on obtaining new buildings for all agency election offices including the NEA building.
- Work on upgrades of office equipment.
- Strive for more funding to meet NEA's needs.

Chinle Agency	16,633
Eastern Agency	29,623
Ft. Defiance Agency	30,185
Northern Agency	24,377
Western Agency	21,815

TOTAL VOTERS 122,633

As of June 23, 2022

Accomplishments

- The election administration worked on updating forms for the upcoming 2022 elections; opened candidate filing on April 21, 2022 through May 4, 2022; certifications of qualification letters were sent out on May 6, 2022. NEA received one grievance from Presidential candidate. 3 candidates withdrew from candidacy. We are getting ballots printed for the 2022 Primary elections and will be ready for distribution to the agencies for early and absentee voting which opens on July 4, 2022.
- The NBOES conducted six (6) regular meetings via hybrid, i.e. some board members attended meetings via zoom and teleconference due to ongoing COVID-19 pandemic and in compliance with Navajo Nation Health Orders. And one special meeting for Presidential Candidate ballot seating. NBOES and NEA Staff attended the Navajo Voters Coalition as presenters on June 17, 2022. On June 21, NBOES and NEA conducted a joint work session with the Office of Navajo Government Development and their Commission members.
- Eighteen (18) resolutions were approved by the NBOES during their regular meetings in the third quarter of FY2022.
- As of June 23, 2022, there are 122,633 active registered voters within the five (5) election agencies. This is an increase of 4,233 registered voters since March 2022. The last day to register for the primary election is June 24, 2022. NEA has conducted voter registration drives as well as voter registrar training.
- The NEA planned and oversaw four (4) special elections for local governments that had vacancies. There are two (2) on-going recall process. There are four (4) elective positions still vacant. And four (4) elected officials took their Oath of Office.
- NEA is recruiting for two (2) Office Assistants, one (1) Voter Machine Technician, and one (1) Senior Accountant. The agency offices have requested for two (2) temporary employees to assist them during elections



HUMAN RIGHTS COMMISSION

(928) 871-7436

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

New Mexico Redistricting Task Force

The Office was recruited to continue its membership to the New Mexico Redistricting Task Force ("Task Force"). The Task Force met several times in the third quarter. The topics discussed involve the proposed bill that was introduced to establish a redistricting commission that is independent of the legislature. There were several kinds of surveys conducted by the Task Force. Some results of the survey indicate that the legislature be removed from any involvement in drawing redistricting maps. The Task Force is now in the middle of discussing the size and composition of the redistricting commission. At the moment, the group is looking at eleven-member commission. Although the survey results indicate that no legislator should be a member of the commission, the realistic proposal will have to allow for a limited number of legislators to be on the commission because the legislature has to approve this measure.

San Juan County Litigation

The Office continues to work with the Navajo Department of Justice on the litigation against San Juan County New Mexico. The five Navajo plaintiffs are constantly updated on the status of this litigation. The case involves the redistricting of county commission election districts. The Office had several meetings with DLA Piper Law Firm, American Civil Liberties Union of New Mexico, University of California at Los Angeles and the Lawyers Committee on Civil Rights Under Law. These meetings involved the procedural issues in court and the plan to meet with the named plaintiffs on the Navajo Nation. The attorneys will meet with their clients on June 27 with a cultural outing on June 28th. Additionally, office staff assisted personnel from ACLU and the University of Utah with local meetings in the months of May and June. There is continued planning on the next steps for the discovery stage of the litigation.

Navajo Voting Rights

During the course of the third quarter, the Office learned that the Navajo Voters Coalition placed the Office's Executive Director on the agenda as the keynote speaker at its June 17th, annual meeting at Twin Arrows, Arizona. The Office is well aware of the various voting issues affecting the Navajo people on the Navajo Nation. This includes, but not limited to, Navajo voters not living on the Navajo Nation but registered to vote at polling places on the Navajo Nation, Navajo election boundaries that do not coincide with county voting districts, and the exodus of Navajo people from the Navajo Nation. The population decline of Navajo voters leaves the prospects of Navajo people losing a significant degree of the strong stance afforded the Navajo Nation under the 1965 Voting Rights Act. While many of the 405,497 Navajo enrollees live off the Navajo Nation, many of these Navajos do not participate in elections where they live. For instances the City of Gallup's population based on the 2020 census has 51% Native Americans living in the city. However, the city cannot elect a Native American to become the mayor or member of the city council.

Utah Settlement Agreement concerning Language Assistance and Voter Information

Office staff worked with the San Juan County Clerk/Auditor, Lyman Duncan on the development and review of voter and ballot information that is now being disseminated through local newspaper and radio announcements. Additionally, a

one-day training was conducted on May 31, 2022 by Ms. Peggy Scott, consultant for the county with potential Navajo translators for the primary elections scheduled for June 28th, 2022. A meeting with an overview of the settlement agreement was also conducted on May 18 to apprise Mr. Duncan and his staff on the contents and terms in the settlement agreement in preparation for the upcoming primary and general elections in 2022.

Protection of Sacred Sites

The protection of the San Francisco Peaks and other sacred places continues to be at the forefront of this office's mission. Several meetings were conducted with the Intertribal Coalition composed of Navajo Nation leadership, Arizona indigenous nations, U.S. Forestry Services, Navajo Nation Historical Preservation and the Indigenous Circle of Flagstaff on the San Francisco Peaks as well as the Navajo Nation Human Rights Commission. For the most part the meetings continue to be at an introductory level of which Arizona Indigenous Nations continue to express what their position is with Snowbowl, the significance of the Peaks and issues that need to be resolved with the United States Forestry Services position with the Snow Bowl development prior to meeting with any Snow Bowl official. One significant matter concerns the Environmental Impact Statement which is deemed outdated with regards to the Snow Bowl development. This is especially critical with the environmental changes that impact the ecology of the Peaks. The Intertribal coalition is urging the USFS to conduct a

new EIS with emphasis to verify the impact of global warming and the contamination of the watershed from the use of waste water for snowmaking. On an April 14, 2022 meeting Professor at the University of Colorado in Boulder and former Special Rapporteur James Anaya presented to members of the Intertribal Coalition on the significance of the Peaks and advised the approach to protect the peaks as taking an Environmental approach with the mechanism of FPIC, (Free, prior and Informed Consent). Another pending matter is that the meetings conducted thus far with USFS are not consultation meetings, which is a government format that often lead toward policy and decision making without consent. The intertribal coalition position is to resolve these matters prior to any meeting with Snowbowl officials. Finally, NNHRC Chair Jennifer Denetdale, was invited to present on the Peaks and sacred places specific to the Navajo Nation at a meeting hosted by the United Nations Special Rapporteur on Freedom of Religion or Belief on May 11, 2022. This office continues to build the record for future UN intervention as it relates to the Peaks and Indigenous sacred places.

Funerary and Burial Issues

The Office continued to work on setting aside dates to provide webinar sessions on Navajo traditional burial. On May 27, 2022, Office staff along with Commissioner Darden conducted a live webinar with interested Navajo citizens from across the Navajo Nation in attendance. The majority of the sessions and discussion was provided in the

Navajo language. The webinar session was well received by the audience. In addition, the Office along with Commissioner Darden presented at the Resources Development Committee work session on cemeteries and burials. Again, the presentation was predominantly in the Navajo language because the English language version would have not provided the effectiveness that the Navajo language offers. More importantly, the information shared with the audience would be protected. During the last quarter of FY22, the Office will conduct a work session with the Commission to go over the proposed resolution it tabled during the June 3, 2022 meeting.

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. Eleven new complaints were received this reporting period. All of these cases were addressed appropriately. Eighteen complaints were closed this reporting period which fell into the Federal Trade Commission settlement with Richard Berry, former manager of Tate's Auto Sales. Additionally, the office continues to monitor the case concerning AAMCO in Flagstaff, Arizona where a number of Navajo consumers were deceived and fraudulently taken advantage by the owner of this franchise. The Office has a total of forty-nine open cases under investigation for this quarter.

Law Enforcement and Community Policing

The Commission and staff also worked on finalizing specific topics and activities that will be conducted to address a pass performance measure that was disrupted by the onset of Covid-19. Efforts are underway to research information on mechanisms to bring to two border town communities where substantial Navajo citizens reside. The aspect of not calling police when confronted with a situation that can be resolved prior to its occurrence is the methodology that is now under review. Office staff has participated in training with the Navajo Nation Police Department and the New Mexico State Police on Cross Commission – Navajo Cultural Awareness and has also engaged the NM ACLU in this initiative.

Federal Trade Commission/ Tate's Automotive

In this quarter, office staff assisted the Federal Trade Commission ("FTC") with acquiring contact information from Navajo consumers who purchased vehicles from Tate's Automotive Dealer between January 1, 2013 and December 31, 2018. The office received over 900 names of consumers who may be eligible for monetary compensation from settlement funds that resulted from this litigation. Additionally, a number of calls were received regarding vehicle purchases that preceded the timeline imposed upon by the FTC. The complaints filed with NNHRC extend back to 2013, when several Navajo consumers filed complaints alleging unfair business practices exhibited by

Tate's sales personnel. It is anticipated that the distribution of this final settlement will be the last and final phase of this nine-year endeavor. Finally, NNHRC is also pursuing another class action case that involves an AAMCO dealer in Arizona where Navajo consumers are also alleging unfair business practices.

Media and Public Relations

Interactions continue with various media platforms this reporting period. The use of zoom, newspaper articles and ads were the primary platforms used. All media releases from this office was also loaded to the Commission's Facebook site. Press releases were generated concerning the Commission meetings, Tate's Auto Settlement, the webinar on Traditional Navajo Burial and Funeral Practices. The Public Information Officer ("PIO") is planning a public radio and zoom forum on traditional burial and funeral practices in the next quarter. This requires coordination with all public media venues, Commission schedules and staff's research and review prior to any formal publication. Public education information will be developed and published on consumer awareness on New Mexico House Bill 132, on the protection of San Francisco Peaks and the work conducted by the office and Commissioner Cora Phillips. NNHRC website will undergo new construction with information on the office new and ongoing initiatives.

Accomplishments

- The Navajo Utah Commission, Navajo Nation Human Rights Commission Office, and San Juan County collaborated and coordinated three satellite election offices to serve Navajo voters during the month of June in preparation for the June 28th Utah Primary.
- The Navajo Utah Commission staff met with candidates for Utah's 2022 U.S. Senate race in separate meetings during April and presented a position paper regarding federal issues of importance and of priority to Utah Navajos.
- Prepared funding application and enacted resolution NUCMAY-880-22 during the third quarter seeking \$110,000 from the Utah NRF to address project shortfalls for the Naa'tsis'aan Chapter Building Renovation Project
- The continuous effort of the seven Utah chapters and the leadership of the Navajo Nation resulted in the signing of the Navajo Utah Water Rights Settlement Agreement, the Bears Ears National Monument management cooperative agreement, and implementation of the reauthorized Navajo Nation-San Juan County Voting Settlement Agreement during the third quarter.

Goals for 4th Quarter

- Prepare legislative issues and priorities for the annual Utah Tribal Summit.
- Prepare funding application for a feasible Utah chapter project seeking NRF appropriation.
- Assist Utah Chapters in implementing projects appropriated by the Navajo Nation ARPA allocations.
- Submit and support FY23 NUC Budget thru Navajo Nation budgetary process.

Issues/Recommendations

The Utah chapters are becoming increasingly concerned regarding the continuing departure of tribal programs from the Utah region of the Navajo Nation despite periodic recommendations to decentralize the central government. In recent years, the Utah chapters have seen the departure of various programs including, Navajo Nation Department of Self-Reliance, Northern Regional Business Development Office, Navajo Workforce Services, Navajo Transit System, Headstart, CHR, and senior center staffing at some Utah chapters. The Navajo Utah Commission is recommending the Navajo Nation government to re-establish decentralization as a priority. The concentration of programs and services in Window Rock are not beneficial for people requiring services at the local level. Currently, office facilities are available in Montezuma Creek and at some of the Utah chapters. The Navajo Utah Commission is recommending that these locations be considered in planning and placing service providers in outlying regions.

Hon. Herman Daniels, Jr. poses with the dedication plaque of his late father at Monument Valley Tribal Park Visitor Center.



Lewnell B. Harrison, *Executive Director*
lewneilharrison@navajo-nsn.gov
(928) 871-7254

ETHICS AND RULES OFFICE

Accomplishments

Lewnell B. Harrison, Ethics Investigator was appointed Interim Executive Director on October 15, 2021 to carry out the duties and responsibilities of the office so that services to the Navajo Nation would not be interrupted. The Ethics and Rules Office currently has a contract with Mr. Joe W. Washington, Attorney for all our filings and hearings. 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. On April 26, 2022 the ERO had nine (9) Order to Show Cause Hearings for Respondents who haven't paid their restitutions. On May 4, 2022 ERO set up at the Navajo Nation Museum with Elections office to do Ethics clearances for the last day to file for candidacy. There was one (1) new case filed with the Office of Hearings and Appeals this quarter. There were eighteen (18) Ethics Orders to Show Cause complaints filed for this quarter hearings are scheduled for June 27th and 28th. The Ethics and Rules Office also had another informal agreement with one elected official who agreed to step down from elected office and pay full restitution and forgo a hearing with OHA. To date the Ethics and Rules Office has filed a total of 1,570,577.12 in total restitution and have collected 239,759.19. 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 payments before. Intakes continue to be received and reviewed for possible investigation. Each Investigator has a number of investigations they are working on. The office continues to answer questions regarding the ERO process either by phone or email.

Goals for 4th 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. 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).
6. Continue Ethics in Government Law/Standards of Conduct training for Chapters, 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 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.
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.

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

LABOR COMMISSION

Goals for 4th Quarter

1. NN Presidential and HEHS appointment of NNLC membership per CJY-42-16. Continue to refer candidate(s) to appointing authority.
2. Efficient use of allocated funds and timely processed appealed NNLC case(s).
3. NNLC & program will timely adjudicate NPEA cases by teleconf., Zoom, and authorized in person hearing(s) from July 08, 2021.
4. NNLC & program will timely process formally filed NPEA complaint(s) and/or petition(s).
5. NNLC & program will timely issue and close out NPEA cases.
6. NNLC & program will continue review and amend NNLC Rules of Procedure.
7. NNLC to assist and complete proposed amendments to NNLC Plan of Operation
8. NNLC & program will continue to preserve substantial rights of all employees and employers in accordance to Navajo Law.
9. Closure of NNLC cases heard by current sitting NNLC members.

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 & funding per COVID- 19 guidance
- Additional sanitation supplies re: COVID-19 issues will be necessary
- Continuing Closure of NN due COVID-19
- Need equipment for audio Zoom NNLC hearings
- NNLC & office updating NNLC Plan of operation
- Confirmation on compliance with Federal American Disability Act during first quarter

Accomplishments

- Efficient use of allocated funds, NNLC held (20) hearings by teleconference or Zoom or in person with counsels of record and parties.
- NNLC and program timely processed (01) appealed NNLC cases to Navajo Nation Supreme Court.
- NNLC program timely processed (16) formally filed complaint by mail, fax&e-mail.
- NNLC timely adjudicated/settlement conferences (16) NPEA cases.
- NNLC and program timely closed and issued (05) continuance orders by teleconference due to closure.
- NNLC & program timely issued and mailed (600) 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 (115) pending NPEA cases.
- NNLC program made (08) audio copies at parties' request.
- Amended NNLC Rules of Procedure effective April 19, 2021
- NNLC staff, Commissioners, Raymond Etsitty, OLC attended by teleconference and Zoom, Budget & Finance Committee meeting on March 01, 2022 and Law & Order Committee of 24th NNC meeting on March 14, 2022, provided verbal and written reports.

EASTERN NAVAJO **LAND COMMISSION**

Jeremy DeGroat, Interim Executive Director
jeremydegroat@navajo-nsn.gov
(505) 786-2430

ArcGIS Map Request – Mapping Projects

For the Month of April, the GIS Technician completed all maps for the NELI Project. These maps included identifying lands throughout the Eastern Navajo Agency and situated within the designated NELI Boundary. A total of 8 final maps were submitted, and include maps identifying New Mexico State Lands, BLM/PLO 2198 Federal Lands, Navajo Tribal Fee Lands, Navajo Tribal Trust Lands, Designated Protection Areas, an overall general map identifying the NELI Boundary and showing land statuses of all lands within the boundary, a map identifying the land statuses within the Chacra Mesa Protected area in Utah, and a map identifying the Executive Order/Public Land Order Land Status' throughout the ENA. Also, for the month of April, Mr. Larry Rodgers Executive Director for ENLC retired, and therefore the GIS Technician was made Interim Executive Director for ENLC Office. The GIS Technician will continue to perform the GIS duties, as well as Executive Director duties in the coming months.

For the Month of May, the GIS Technician continued to generate maps, and work on the statistical data for the NLBBP-II. The GIS Technician completed a total of 30 maps, and will continue to work on mapping until all maps and data have been generated for the Arizona and Utah Allotments as well. Progress is slow, due to the fact that the GIS Technician is also performing Executive Director duties. The GIS Technician will continue to make progress, until the Maps and Data are completed.

For the month of June, the GIS Technician continued to work on maps and data for the NLBBP-II project. In total, the GIS Technician completed an additional 3 maps. As Interim Executive Director, a total of a regular meeting, as well as a special meeting were conducted with the Commission. These meetings pertained to a resolution for support for the NELI Legislation and Ignacio Chaves Ranch purchase. A vote was conduct-

ed by the commission and both resolutions were passed. The GIS Technician will continue to work on maps and data, and will have final results on the NLBBP-II Project.

NELI Project

As of last quarterly report, all maps and supporting documents have been completed and were shared with the attorneys, to finalize the related wording in the Federal Legislation. In May the Attorney submitted the Legislation to Senator Ben Ray Lujan's office, where it is under review. The Eastern Navajo Land Commission, in June, submitted a resolution affirming support for the Eastern Navajo Agency Land Exchange and Archaeological Protection Act of 2022.

Navajo Land Buy-Back (LBBP) Program-II

Work has continued on the statistical data and maps. The final product will be completed by the end of June, and will be ready for print in the coming weeks and months. A final report/booklet will be distributed to all chapters upon completion.

Ignacio Chaves Ranch

The NLD received a Letter of Intent to sell to the Navajo Nation in June, 2022, from a member of the Court-Appointed Sales Committee. The 7th Judicial Court of Socorro County ordered the property be sold in its entirety with a Letter of Interest to be submitted to the courts before June 22, 2022. After June 22, the attorneys for the 5-person sale committee will work with a broker to sell on open market. The Navajo Nation is the preferred buyer and as such, the letter of intent was submitted to the NLD. The ranch consists of 3,032.08 deeded acres, and is located approximately 23 miles northwest of Magdalena, New Mexico in Socorro County. It is situated along the Eastern border of the Alamo Navajo Indian Reservation. The requirements to purchase are that the Land must conform to major purposes per 16 NNC § 2 or otherwise benefit Navajo Nation. Along with a resolution of support from Alamo Chapter, and from the Eastern Navajo Land Commission. A resolution was completed, and was voted on during a special ENLC meeting on June 21, 2022. Other requirements include insurable title, and a letter of interest which was submitted by the Division of Natural Resources.

NAVAJO GOVERNMENT DEVELOPMENT



Hon. Delegates Charlaine Tso, Raymond Smith, Jr., Mark Freeland, Herman Daniels, Jr. and Rick Nez attend Utah Water Settlement signing ceremony with Secretary Deb Haaland and members of Utah's State Legislature and Diné Hataalii Association.

Issues/Recommendations

- The Office and Commission are working diligently to produce a document to present to Navajo people in regards to the Navajo Government Reform Project.
- ONGD will consider additional training for staff which will compliment the work and needs of the Office of Navajo Government Development.
- ONGD is currently in the process of advertising, selecting qualified persons and interviewing for its one vacant position.
- ONGD has reviwed its vision, goals and objectives to develop its proposed 2023 Fiscal Year Budget and is prepared to submit the budget as necessary.



Harrison Tsosie, *Executive Director*
(928) 871-7176
harrison.tsosie@navajo-nsn.gov

Goals for 4th Quarter

1. ONGD is currently working with the Commission to produce a document that will be presented to the public and the public will have the opportunity to comment and make additional recommendations on for possible referendum or initiative vote by the Navajo People.
2. ONGD will soon seek public input and recommendations for a proposed Government Reform document after the document is finalized and, thereafter, will coordinate with the Navajo Board of Election Supervisors regarding a referendum measure or initiative petition for the people's conderations and vote on the document.
3. 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.
4. ONGD will continue to work with the Navajo Nation Chapter on technical assistance and Alternative form of government information. ONGD office will also provide rules of procedures for chapter meetings if needed.

Accomplishments

- **RESOLUTION NO. CNGD-05-01-22:** Rescinding and nullifying resolution NO. CNGD 0902-19, "An action to recommend to the Navajo Nation Council and the Navajo Board of Election Supervisors to approve and authorize a referendum measure on whether the Navajo Nation Council should be increase from 24 to 48 members as part of an effort to increase the council's efficiency, enhance democratic representation, improve parliamentary procedures and quorum and reduce the over Committee and Sub-committee assignments."
- **RESOLUTION NO. CNGD-05-02-22:** Recommending to the Navajo Nation Council to amend 11 N.N.C. §404 to empower the Navajo people to participate in the law-making process for the Navajo Nation.

OFFICE OF LEGISLATIVE SERVICES

Manuel Rico, Executive Director
(928) 871-7254
mrico@navajo-nsn.gov



Hon. Wilson Stewart, Jr.
speaks at Memorial Day
Remembrance Ceremony.

Accomplishments

- Processed 36 Legislations this quarter as well as closing out 54 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.
- Expended approximately 56% of the FY 2022 Budget for department and 56% for the Legislative District Assistant's program.
- Within the Third 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.
- Assisted three (3) interns and three (3) temporary employees with temporary employment during the 3rd quarter.
- Continuing to address Americans with Disabilities Act (ADA) building and campus improvements.
- Completed OLS/LDA Professional Development session.

Issues

1. Currently short staffed within the Legislative Tracking and Legislative Process Section. However, turn around time for document requests continues as normal.
2. OLS is short on certified translators after the retirement of staff.

Recommendations

1. Fill vacant positions 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.

Goals for 4th Quarter

1. Increase Training Opportunities for Staff.
 - Professional Development
 - Budget Process Training
 - Annual and Semi-annual training
 - Navajo Translator Certification
2. Continue to effectively coordinate all meetings, including but not limited to, subcommittee meetings (i.e. Title II, NIIP, Dine Bizaad NABI Subcommittee).
3. Implement Legislative Tracking - DIBB backup storage for personnel.
4. Implement DiBB Timekeeping Module- Establish, Trial phase and full implementation.
5. Begin planning stages of Legislative Tracking – Archive Project.
6. Fill Vacant Positions:
 - Director of Ethics and Rules Office. Position currently advertised.
 - OLS Legislative Secretary II
 - Legislative Assistant (2)
 - Records Clerk
7. Legislatively assist the Navajo Nation Council and the Office of the Speaker with the allocation of the fiscal recovery funds (FRF – ARPA).
8. Begin discussions and planning for the 25th Navajo Nation Council transition.

OFFICE OF LEGISLATIVE COUNSEL

Dana Bobroff, *Chief Legislative Counsel*
(928) 871-7166 | olc@navajo-nsn.gov

Accomplishments

- One hundred plus hours drafting amendments to legislation no. 0086-22 and supporting the Council's debate and adoption of the same.
- The drafting and finalization of the FY 2023 comprehensive budget allocation and Budget Instruction Manual (BIM) legislation and amendments to the same including major amendments to the BIM.
- The drafting of proposed legislations to delegate Resources and Development Committee authorities to approve ROWs and various, including overseeing the development of the necessary underlying regulations.
- Legal analysis of existing burial rules and regulations and the development of presentation materials on the same, including amendment options.
- Drafted a NN Supreme Court brief for Lester Begay v. Navajo Election Administration, the appeal of a presidential candidate disqualification; successfully argued the case in front of the Court.
- OLC's newest attorney passed the Navajo bar exam and was sworn into the Navajo Nation Bar Association; and another OLC attorney earned his LLM (Masters of Law) degree with a focus in Indigenous Peoples Law & Policy.
- The drafting and finalization of over 100 legislation requests and contract reviews.
- Provided legal guidance and assistance at over 75 Committee/Council meetings and work sessions, as well as over 50 subcommittee/Board/Commission meetings, word sessions and administrative hearings.
- The Chief Legislative Council recognizes the work and dedication of OLC staff who have continued to serve the public throughout the pandemic. Legal staff virtually attended teleconference committee and leadership meetings on a daily basis, including numerous meetings that ran long into the evening.
- OLC upholds its responsibilities to the public by maintaining mandatory training requirements for attorneys and advocates under their professional responsibility rules.

Goals for 4th Quarter

1. Continued to advise and assist the NNC, Standing Committees and sub-committees. Attend all meetings, advising on all procedural and substantive questions.
2. Continued efforts to identify and resolve inefficiencies within OLC that constrain productivity due to the pandemic working environment. Despite the challenges to us, our staff continue to provide essential services remotely through calls, telephonic/Zoom, fax or email.
3. Continued efforts to assist clients in identifying and resolving inefficiencies that adversely affect OLC efforts to provide services. OLC prioritized the Fiscal Recovery Funds and American Rescue Plan Act of 2021 and attended daily work sessions that were conducted to determine the priorities of the Navajo Nation and to streamline the expenditure process.
4. Continued to attend all 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.
5. 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.

Over the course of FY 2021, OLC has had 2 senior attorneys and its office management take early retirement and 1 senior tribal court advocate transfer to another department. To be fully staffed, OLC should have 10 attorneys, a paralegal, and 3 administrative staff. OLC staff is currently limited to 4 attorneys, a principal tribal court advocate and 2 administrative staff. OLC is actively pursuing additional legal staff, however, OLC is challenged with competing with DOJ for new staff. Until new legal staff is procured, OLC will struggle to meet the legal needs of the Legislative Branch.

Legislation drafting, including floor amendments, would be expedited if legislation and amendment requests included all supporting documents.



NAVAJO NATION
OFFICE OF THE SPEAKER
P.O. Box 3390
Window Rock, AZ 86515
Phone: (928) 871-7160
Fax: (928) 871-7255