

FALL COUNCIL SESSION GHAĀJI'



24TH NAVAJO NATION COUNCIL

HON. SETH DAMON
SPEAKER'S REPORT – OCT. 2022



Seth Damon, Speaker

LAW AND ORDER COMMITTEE



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Otto Tso



Vince R. James



Eugene Tso

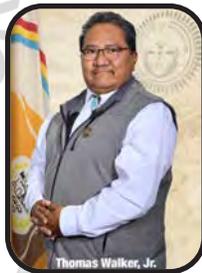


Edmund Yazzie

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Thomas Walker, Jr.



Kee Allen Begay, Jr.



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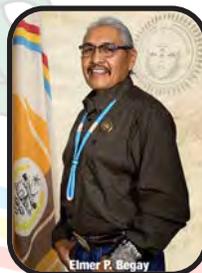
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Raymond Smith, Jr.



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Nathaniel Brown



Angler Kanazbah Crotty



Gary Yellowhair

HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE



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YÁ'ÁT'ÉÉH

Yá'át'ééh Gháájí, shik'éí dóó shidine'é. It is with great honor to welcome all who have traveled through Dinétah to the 24th Navajo Nation Council 2022 Fall Session. The 24th Navajo Nation Council extends their appreciation for your continued interest and tremendous support.

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, and county officials, visiting dignitaries, and our Diné citizens.

As we enter into the Navajo New Year, may we cultivate the richness of our harvest during this year's Fall Session before Mother Earth blankets herself across the land to renew, reflect, and pray.

Within the past few months, many familiar festivities have reappeared and allowed us time to be with loved ones, which could have not been possible without the tireless work and selflessness of our first responders, front-line workers, and essential personnel for keeping our communities safe from COVID-19.

As the summer progressed since the last quarter, the voices of our constituents have been a key factor in allocating funds for the Navajo Nation Fiscal Year 2023 Comprehensive Budget. By staying committed to investing in our communities, this budget will provide vital services to be fully funded and directed to our Navajo families, elders, and veterans.

From generation to generation, the respect of our warriors and veterans has been a source of pride for our Nation for their strength, honor, and devotion. Paying tribute for their service has been a top priority for leadership and through attentive listening, communication, and understanding; our veterans and organizations can receive essential services.

Sprinkled across the buckskin skyline glimmers Yikáisdáhá (Milky Way), awaiting the dawn before signifying the start of another winter and the end of summer. Gleaming over the night sky lays forth the Pollen Path, restoring Hozhó throughout our Nation for generations to come.

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. May this New Year be filled with blessings, health, prosperity, and may we all continue to walk in beauty.

Ahe'hee'

Seth Damon, Speaker
24th Navajo Nation Council



NAVAJO NATION COMPREHENSIVE BUDGET

After weeks of lengthy budget hearings, the Budget and Finance Committee of the 24th Navajo Nation Council completed the Fiscal Year 2023 Comprehensive Budget on September 8, 2022. A day before the committee had expected the hearings to last, there was a decision to pause on the prospective amendments to this year's budget.

Following the Navajo Nation Division of Community Development's report on shortfall infrastructure projects, various Council Delegates caucused in two separate meetings to come to the decision to take a step back and allow the comprehensive budget to be approved before processing amendments on projects in need of completion.

From time to time, it is at the discretion of Council Delegates to come together in a caucus to discuss topics that factor greatly into legislation. It was proposed to meet together before hearing multiple amendments from Delegates on the comprehensive budget. What was going to total approximately \$32,000,000.00 in amendments was agreed to pause until after the comprehensive budget was finalized and approved.

As elected leaders, we are committed to serving our people in which I am greatly appreciative of the cooperation among the Legislative, Executive, and Judicial Branches of the Navajo Nation. With this budget, vital services will be fully funded and directed to our Navajo families, elders, veterans, and communities. I want to thank Navajo Nation President Jonathan Nez, Vice President Myron Lizer, Chief Justice JoAnn Jayne, the Office of the Controller, the Budget & Finance Committee, as well as the rest of my colleagues of the 24th Navajo Nation Council for their endless dedication to the betterment of our Nation.

The Nation anticipates the reconciliation process to be complete by mid-October, and new project allocations can resume. We want to also thank our local leadership and communities for their understanding and patience as our government moves through its processes. A Nation of our grandeur requires unison movement from multiple faucets, and for this, we thank you for working with us.

LAND SURRENDER OF NAVAJO MINE

On September 1st, the Resources & Development Committee held a Leadership Meeting with the several shareholders to discuss the land surrender area of the Navajo Mine located 16 miles Southwest of Fruitland, NM and near Nenahnezad Chapter. Other shareholders in attendance were Navajo Transitional Energy Company (NTEC), the Natural Resources Unit for the Navajo Nation Department of Justice, Navajo Nation Division of Natural Resources, Navajo Land Department, Navajo Nation Department of Minerals, Navajo Nation Environmental Protection Agency, Navajo Nation Office of the President & Vice-President, and U.S. Department of the Interior Bureau of Indian Affairs.

60 years after its establishment, Navajo Coal Mine has become one of the largest surface mining operations in the United States during its years of operation. During the meeting, NTEC presented their findings on the 432 drill hole sites on the land surrender area of the Navajo Mine to test for ash dumps and sinkholes. Each drill hole test measured between four (4) to five (5) inches in diameter around the perimeter of the mine and it was reported that no sinkholes or ash dump in the area. Rowena Cheromiah, Minerals Dept. Manager stated that the Navajo Nation Environmental Protection Agency would need to provide more information and findings in order to proceed with the Land Surrender Application.

Recently, the U.S. Environmental Protection Agency (EPA) has given clearance on the parcel of land to be developed. However, the Navajo Nation has requested warranties to be placed on the parcel to ensure its safety for homesite leases and future economic projects. Working in conjunction, the Office of the Speaker and the Resources & Development Committee has requested for the U.S. EPA and U.S. Department of the Interior Bureau of Indian Affairs Division of Land Titles and Records to attend future meetings to discuss the future of the land surrender area.

Currently, The Office of the Speaker is continuing to assist the Nenahnezad Chapter in obtaining the land surrender area of Navajo Mine.

Hon. Eugene Tso speaks during the ADA Accessibility Press Conference in Window Rock, AZ.



Hon. Pernell Halona, Jamie Henio, Vice President Myron Lizer, Mark Freeland, Jimmy Yellowhair, Raymond Smith, and Rick Nez tour the Wolf Springs Ranch near Westcliffe, CO.



WOLF SPRINGS RANCH VIABILITY

At the beginning of August, the Resources & Development Committee, along with the Navajo Nation Department of Fish and Wildlife, and the Navajo Nation Division of Natural Resources conducted a work session at the Wolf Springs Ranch and the Boyer Ranch in Westcliffe, CO. Meeting the attending officials was Ranch General Manager for the Colorado Ranch Enterprise, Samuel Diswood and Manager for the Dept. of Fish and Wildlife, Gloria Tom who provided a tour to share the current operations at the enterprise. This included bison and cattle herds, ranch developments, and the ranches' ecological health.

Through the support from the Navajo Nation Department of Agriculture (NND), the Tribal Ranches Program, Navajo Beef Program, and Bull Lease Program has seen an increase in herd size. This past year, the bison herd nearly consisted of 900 head of buffalo including approximately 290 newly born calves. Describing the need for a herd reduction to maintain the overall livestock's health, Mr. Diswood explained that Wolf Springs Ranch would either auction off or slaughter excess livestock. It was reported that roughly 350 heads of cattle are of the Angus Diamond Peak breed. Wolf Springs Ranch auctioned 94 steers to the Superior Livestock Auction, a satellite video cattle marketing network while excess bison will be processed into a variety of meat products through a partnership with Westcliffe Meats, LLC. Currently, Wolf Springs Ranch sells organic, grassfed, and Navajo-owned bison meat for consumption but are looking to offer buffalo jerky, steaks, and hamburgers with this partnership.

Looking to diversify the Enterprise, other projects in the works are to develop a veterinary practicum program for potential learners to gain first-hand experience handling larger animals and livestock. Further projects would utilize the ranch's top-tier equestrian facilities to train horses and riders in the sport of cutting and other horse training techniques.

WESTWATER ELECTRICITY AND WATER

In a historic leap forward, residents of the Westwater Subdivision, located less than a quarter mile from Blanding, Utah, received electricity for the first time on September 1, 2022. Through a collaborative effort between local, state, federal, and tribal governments as well as religious organizations, power lines installed by the Navajo Tribal Utility Authority (NTUA) delivered electricity to homes via The City of Blanding's power as a "pass-through."

Working together was the Navajo Nation, The State of Utah, NTUA, The City of Blanding, The Resources & Development Committee, and The Church of Jesus Christ of Latter-day Saints to provide funding and infrastructure resources.

To celebrate this milestone, a Westwater Electrification Celebration was held at the Utah State University Blanding campus where community members and project stakeholders made remarks on their experiences as well as their gratitude.

Among those in attendance was Hon. Council Delegate Charlene Tso, Utah Lt. Governor Deidre Henderson, Navajo Nation Vice President Myron Lizer, Utah State Representative Phil Lyman, Blanding City Mayor Logan Monson, Utah Navajo Development Council CEO, Curtis Yanito; and General Authority for The Church of Jesus Christ of Latter-day Saints, Elder Dieter F. Uchtdorf.

In 1986, the Navajo Nation purchased 120 acres of land west of and adjacent to the City of Bland-

ing in order to promote a cooperative water project which would be known as the Westwater Subdivision. This land acquisition was divided into 28 two acre parcels which 21 of those parcels are currently used for housing. The Navajo tribal members who lived in this subdivision have had no access to basic necessities and infrastructure since its creation.

In July, a Memorandum of Understanding was made between key stakeholders to fund construction for new public drinking water facilities which will provide safe and reliable potable water as the community still lacks running water. Thus, the Westwater Water Project was established to install a new groundwater well to supply the public demand and an arsenic treatment facility to provide ad-

ditional water. To deliver potable water to the Westwater community, a new master meter and water supply lines will be connected to the City's public water system. The project's completion date is scheduled for 2024 in another step to provide adequate living conditions for Westwater community members.

TÓ NİLTÓLÍ TASK FORCE

Under the careful direction of Chairman Paul Begay, the Tó Niltólí Task Force is determined to have the Navajo Nation touch the water again at Antelope Point Marina now and for generations to come. Beginning with modification requests to the Glen Canyon National Recreation Area, specifically with Parcel B at the Antelope Point Marina.



Utah Lt. Governor Deidre Henderson and Hon. Charlene Tso celebrate the electrification of the Westwater Community in Blanding, Utah.



In July, the Naabik'iyáti' Committee directed the Tó Níitólí Task Force to begin two-way consultations with the United States Department of Interior and the Secretary of Interior. to communicate the position of the Navajo Nation acquiring Parcel B lands, which encompass 136 miles of shoreline. Based on Public Law 85-868, also known as the 1958 Navajo-U.S. Land Exchange Act, Glen Canyon land is to be withdrawn into two parcels and to compensate for the land exchange, the Navajo Nation was given lands in Utah's Aneth Strip. Parcel A mainly constitutes Jádí Tó and the townsite area for the Glen Canyon Dam while Parcel B set the northern boundary of the Navajo Nation to the contour line the elevation of which is 3,720 feet.

According to the 1958 Act, all lands above 3,720 feet could be developed by the U.S. Park Service with the Navajo Nation's approval.

However, the Tó Níitólí Task Force is posed with having the Navajo Nation boundaries set by the Act extended to the mid-channel of Tooh Bikooh, the Colorado River. With an extension, this would bring the lands below the 3,720 feet elevation line back to the shoreline — allowing the water to touch the Navajo Nation. Allowing economic development to begin and provide much needed revenue to both the Navajo Nation and Western Chapters.

It was recommended that the Tó Níitólí Task Force consult with the U.S. Dept. of Interior, White House counsel, and National Park Service Superintendent to request a tour of Parcel B in the Glen Canyon Area and discuss viable options at the LeChee Chapter on reverting Parcel B to the Navajo Nation. A new concession agreement that would be administered by the Navajo Nation was asked to be developed

in the case if Parcel B is returned in order to recognize the rights of the Nation to perform socio-economic developments in the parcel under its own laws and regulations. Additional tasks focused on pursuing active co-management with the U.S. Park Service during the pendency of the request and after the reversion for non-Parcel B area. Under the agreement, discussions between the Navajo Nation and the Navajo Nation Department of Justice regarding adjusting the mid-channel boundary would continue while pursuing solutions on a congressional level.

Currently, the Tó Níitólí Task Force will work closely with the Office of the Speaker to assist in declaring the modification of the Glen Canyon National Recreation Area back to the Navajo Nation to highlight the sovereignty and economic interest of the Nation.

REPORT FROM THE JUDICIAL BRANCH ON ARPA FUNDS, BACKLOG CASES, AND REOPENING

In a report dated July 5, 2022, Chief Justice Joann Jayne detailed the Judicial Branch's status on not receiving any funding from the American Rescue Plan Act (ARPA). Last quarter, Legislation No. 0086-22 was passed by the 24th Navajo Nation Council to allocate \$1,070,298,867 to numerous community projects. Various departments submitted their proposed budgets in which the Judicial Branch's budget was amended by the legislation. Their proposed budget would have covered 108 positions tasked with tackling the backlog of many areas of cases from 2019, before the pandemic up to the present. Prior to the Pandemic, the number of cases filed was 1500 per month and later increased to 2300 per month. As the Pandemic slowed, a sharp decline in filed cases reached 507 per month before decreasing to 200 per month. Despite not receiving any funding allocations and in the midst of a global pandemic, Judicial Branch employees continued to process cases through the courts such as peacemaking, probation, and parole. Additionally, employees maintained essential services such as identifying statutory-level court cases via telecommunications like the essential mode of services was online, telephonic communication with clients, and telephonic court hearings, while adhering to public health orders.

THE FEDERAL GOVERNMENT'S DELEGATION OF REGULATORY AUTHORITY OF SURFACE COAL MINING RECLAMATION TO THE NAVAJO NATION

The inherent sovereignty of the Navajo Nation that we as elected leaders work to protect when establishing business relations with outside entities. Thus, it is the primary goal of the Navajo Nation Office Of Surface Mining to receive approval to obtain primacy pursuant to the Surface Mining Control Reclamation Act (SMCRA) of 1977. In July, the Law & Order Committee held a Leadership Meeting to receive a presentation from the U.S. The Department of Interior and Office of Surface Mining Reclamation & Enforcement. The presentation covered the U.S. Federal Government's Delegation of Regulatory Authority of Surface Coal Mining Reclamation to the Navajo Nation.

Presenting were Rewena Cheromiah, Director, Minerals Dept.; Harrison Billy, Program Manager, SMP; William Skeet, Senior Environmental Engineer, SMP; Krishna Baskota, Senior Mining Engineer; Travis Begaye, Lead Reclamation Specialist; Ms. Laviana

Raja, Environmental Engineer; and Ms. Lavina Becenti, Reclamation Specialist. If granted approval under the Act, OSM would obtain regulatory responsibilities as they feel they have demonstrated the administrative, financial, and legal capabilities to carry out the provisions of the Act.

Such examples include maintaining the review of the permit application, monitoring the compliance for mine plants including abandoned mine lands (AML), coal mine operation cases, providing public outreach 30-thirty days at a time, investigating safety and health standards, issuing enforcement actions pursuant to the public rules and federal regulations including jurisdiction and other permit structure. The OSM received funding totaling \$1.45 million under a cooperative agreement that is 100% funded.



Hon. Raymond Smith, Jr.

DINÉ ACTION PLAN (DAP) STRATEGIC SESSION/UPDATE

Committed to addressing the ongoing needs of social service and public safety across the Navajo Nation, the Diné Action Plan (DAP) Committee conducted its first work session in Flagstaff, Ariz., this past July. Attending the work session with DAP Advisory Members appointed from the 24th Navajo Nation Council including Hon. Council Delegate Carl R. Slater (Round Rock, Rock Point, Tséché'izí, Lukachukai, Tsaile-Wheatfields), Hon. Council Delegate Eugene Tso (Chinle), and Hon. Council Delegate Amber Kanazbah Crotty (Cove, Toadlena/Two Grey Hills, Red Valley, Tsé'atnáoozt'i'i, Sheep Springs, Beclabito, Gad'ii'áhi/Tó Kq'i).

During the work session, the Committee, advisory members, and 19-stakeholders from the Executive Branch, Legislative Branch, and Judicial Branch outlined the priorities, implementation roles, specific work plans, and resources set before DAP.

Guiding principles and work groups designed to establish the next steps will be discussed at the next DAP work session scheduled in November in Flagstaff, Ariz.

LAW & ORDER COMMITTEE SPECIAL MEETING

On August 01, the Law & Order Committee of the 24th Navajo Nation Council convened for a Special Meeting and passed Resolution No. LOCAU-05-22 approving and recommending the proposed Fiscal Year 2023 Budget for the Navajo Nation Division of Public Safety and related matters, to be included in the Navajo Nation Comprehensive Budget for Fiscal Year 2023.

Sponsored by Hon. Council Delegate Eugenia Charles-Newton (Shiprock) and co-sponsor Hon. Council Delegate Otto Tso (Tónaneesdizí), \$42,677,468.54 will fund four programs under the Navajo Division of Public Safety to ensure the programs continue the procurement process despite the challenges presented by the COVID-19 Pandemic. With this approval, the Navajo Nation Legislative and Executive branches will be able to unite in a joint mission to enhance public safety services for our People with guidance from the program managers. Thus, obligating the allocations through the enhanced programmatic processes. In their memorandums, programs stated that due to the COVID-19 Pandemic, much of the allocated funds from FY 2022 were unspent and requested the unspent funds be carried over to FY 2023.

- The Navajo Police Department Administration will receive \$546,590.30 from FY 2022 to FY 2023 in part of drug investigation efforts and supplies.
- The Navajo Police Department Window Rock District will receive \$72,677.78 to obtain the following: police equipment, uniform & duty belt accessories, police boots, and tactical vest; as well as equipment needed to supplement their tasers and firearms.
- The Navajo Department of Criminal Investigations will receive \$1,840,681 to purchase supplies and communication needs for the next year ahead and continue plans for building improvements.
- The Navajo Department of Corrections will receive \$217,519.46 for FY 2023 for a settlement received from Risk Management and personnel line items for Overtime Holiday Pay, related fringe, and benefits. In June, an insurance settlement on a vehicle involved in an accidental and deemed total loss by Fleet Management.

The Resolution will help the programs that have been affected by the onset and continuation of the COVID-19 Pandemic along with numerous other slowed processes and procurements.



Hon. Vince James, Chapter Officials and Community Members meet with Congressman Tom O'Halleran at Ganado Chapter in Ganado, AZ.

RECA

In the United States, thousands of workers have aided in the country's battles with other nations and progressed our world into the modern age. Despite being the backbone of the nation's nuclear weapon development, Navajo Nation uranium miners along with others across the country face healthcare struggles associated with their time in the mines. Seeking to resolve these issues, Navajo Nation leadership has prioritized representing the thousands of Navajo uranium miners affected by the U.S.'s uranium legacy on a congressional level.

To communicate updates and resources, the Radiation Exposure Compensation Act (RECA) Committee has collaborated with the Navajo Nation Office of the Speaker, the Navajo Nation Department of Health's Uranium Workers' Program, the Navajo Nation Washington Office (NNWO), the Navajo Nation Office of the President and Vice President, and U.S. Congressional leadership to host a public forum for Navajo constituents. Here, leadership informed former uranium miners of upcoming RECA amendments that will be proposed to federal leaders. The forum was held on Friday, August 26 at San Juan College's Connie Gotsch Theater where over 70 Navajo Nation constituents, former Uranium Miners, U.S. Congressional Leadership, and Post 71 Miners attended.

Among those in attendance was Hon. Council Delegate Amber Kanazbah Crotty (Cove, Toadlena/Two Grey Hills, Red Valley, Tsé'ahnáoozt'íí, Sheep Springs, Beclabito, Gad'íí'áhí/Tó Ko'í), Hon. Council Delegate Eugenia Charles-Newton (Shiprock), Hon. Council Delegate Paul Begay (Coppermine, K'ai'biit'ó, LeChee, Tonalea/Red Lake, Bodaway/Gap), and Navajo Nation President Jonathan Nez.

The purpose of the public forum was to communicate the Navajo Nation's efforts to discuss RECA reauthorization and the expansion of the Act including the following amendments. RECA was scheduled to sunset this year until a two-year extension was passed in June, however, the program is set to officially sunset on June 7, 2024, leaving many in need of long-term healthcare in limbo. In collaboration with all stakeholders, there is a concerted effort to garner support from additional bipartisan support from the U.S. Congressional leadership, Navajo Nation leadership, and other tribal governments that have been affected by uranium mining.

Currently, the RECA committee continues to gain greater bipartisan support, working directly with veterans' organizations, Navajo Nation Post 71 Miners, and their families to expand the current Act to provide them eligibility for compensation benefits. Furthermore, increased media coverage will be required to highlight such efforts. While the extension was only approved through June 2024, increased efficiency and performance will be required in order to maximize the 2-year timeline that has been afforded to the committee as we strive to expand RECA to benefit our Navajo People.

OLJATO SENIOR CITIZEN CENTER

As the days grow colder, I remind everyone to check in with their elders and grandparents to ensure their safety. Thus, Hon. Council Delegate Herman Daniels, Jr. (Ts'ah Bii' Kin, Navajo Mountain, Shonto, Oljato) successfully advocated for Oljato Chapter Senior Center to receive a new heating, ventilation, and air conditioning (HVAC) system. Since July 2021, the senior center's HVAC system has been failing, threatening elderly members' safety and comfort.

Seeking a solution, Ms. Bonnie Crank, Oljato Senior Center Supervisor, contacted Delegate Daniels to rectify the situation. Ms. Crank continued her efforts by contacting Senior Administration from the Division of Aging and Long-Term Care Support (DALTCS) and was informed no immediate funding was available to resolve this crisis. Despite the lack of adequate heating and cooling, the Oljato Senior Center staff continued providing services to the elderly residents of the community. Often providing meals in temperatures over 90 degrees inside the building with even hotter temperatures of over 100 degrees in the

kitchen area. Continuing into the summer, Ms. Crank contacted Delegate Daniels for further guidance due to the extremely uncomfortable and dangerous conditions for the elderly and staff. While awaiting further action, the Oljato Senior Citizen Center was nearly shut down more than twice.

With assistance from the Navajo Nation Office of the Speaker and the Navajo Nation Office of Legislative Counsel, Delegate Daniels was able to draft emergency Legislation No. 0165-22. In late September during a 24th Navajo Nation Council Special Session, Legislation No. 0165-22 was introduced and passed with 22 in favor, 0 opposed, and 0 abstentions. The legislation approved \$89,480 from the Unreserved, Undesignated Fund Balance (UUFB) for the installation of a new HVAC System for the Oljato Chapter Senior Center.

Currently, it is pending final approval from the Navajo Nation Office of the President and Vice President as the Executive Branch has final authority on signing budgets to programs managed by their departments.



Hon. Pernell Halona and Hon. Edison Wauneka attend check presentation ceremony at the Navajo Nation Fairgrounds in Window Rock, AZ.

VETERANS' LEGISLATION PUBLIC HEARINGS

For generations, thousands of brave men and women have taken on the call to serve and protect our country, nation, and families. Honoring their sacrifice, the 24th Navajo Nation Council remains committed to providing support and resources to the many veterans and warriors across the Navajo Nation for their immeasurable service. Thus, this year, it has been Hon. Council Delegate Kee Allen Begay, Jr.'s mission is to ensure that the voices of our veterans and local veteran organizations are heard on a governmental level by introducing Legislation No. 0021-22 and Legislation No. 0024-22. Both legislations directly impact Navajo Nation veterans as well as the funding granted to local organizations.

Sponsored both by Delegate Begay, Legislation No. 0024-22 would amend the Navajo Nation Veterans Trust Fund statute to require the creation of separate business unit numbers whenever Navajo Nation funds are awarded to local veterans' organizations.

Legislation No. 0021-22 would amend the selection process of the Navajo Nation Veterans Administration Executive Director and amend the Navajo Nation Veterans Advisory Council (NNVAC) to become the Navajo Nation Veterans Board of Commissioners with additional authority.

In light of the recent outcry, the Navajo Nation Office of the Speaker and the Navajo Nation Office of Legislative Services hosted two public hearings to promote dialogue between the Council and Navajo Nation Eastern and Western Veterans' Organizations.

- The public hearing for Eastern Agency was held at the Navajo Technical University Wellness Center in Crownpoint, N.M., where Eastern Agency Veterans' Advisory Council, Navajo Nation Advisory Council (NVAC), and Eastern Chapter Veterans' Organizations (CVO) attended.
- The Western Agency public hearing was held at the Monument Valley High School Nash Auditorium in Kayenta, Ariz., where the Western Agency Veterans' Advisory Council, NVAC, and Western Chapter Veterans' Organizations (CVO) attended.

Both public hearings saw over 100+ Western and Eastern agency veterans and Blue and Gold Star Mothers attended to provide input of their thoughts on both legislations. Among those in attendance was Hon. Council Delegate Kee Allen Begay, Jr. (Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain), Hon. Council Delegate Paul Begay (Coppermine, K'ai'biit'ó, LeChee, Tonalea/Red Lake, Bodaway/Gap), Hon. Council Delegate Herman Daniels, Jr. (Ts'ah Bii' Kin, Navajo Mountain, Shonto, Oljato), Hon. Council Delegate Nathaniel Brown (Dennehotso, Kayenta, Chíí'chinbii'tó), Hon. Council Delegate Edison Wauneka (Oaksprings, St. Michaels), and Hon. Council Delegate Pernel Halona (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a').

Additionally, Navajo Nation Veterans Administration Executive Director, Mr. James Zwierlein attended to hear the public comments.

In late September, both legislations were reintroduced to a 24th Navajo Nation Council Special Session but legislation 0021-22 could not be heard due to a required amendment to Title 2 and was referred to a regular session for approval. Legislation 0024-22 was unanimously approved, thus amending the selection of the Navajo Nation Veterans Administration Executive Director and the advisory council to transition to the Navajo Nation Veterans Board of Commissioners with additional authority. It further clarifies the responsibility and authority of the Executive Director to the Commission and provides amendments to the structure and term limits of the Commissioners.

The Navajo Nation Office of the Speaker and Delegate Begay continue to advocate on behalf of Navajo Nation Veterans, veterans' spouses and families to ensure that they receive the best care and resources available for their service to the Navajo Nation and its people.



UNITED STATES POSTAL SERVICE

Across the Navajo Nation, households and families may be located miles away from the nearest paved road and with unreliable postal service, many are unable to conduct their respective business. As a federally recognized tribe, the U.S. Federal Government has an obligation to provide sustainable and reliable services to Native American and Alaskan Native communities. With continued meetings with his constituents, Hon. Council Delegate Kee Allen Begay, Jr. (Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain) has been a key factor in spreading awareness of the families impacted by the postal service in the Navajo Nation. Ultimately, affected communication, commerce, and health services due to rural addresses.

The United States Constitution Article 1, Section 8, Clause 7 addresses the establishment of Postal Offices and Post Roads, yet, as the largest Native American reservation, accessible and reliable mail delivery services continue to be an issue for Navajo residents. Currently, The Navajo Nation comprises 110 chapters of which there are 41 established zip codes and 25 established post offices across the nation.

With the lack of proper community Postal Offices and rural addressing being a detriment to mail-in ballot voting, parcel delivery, and pharmaceuticals, many seek alternate postal services. Including purchasing postal boxes in other neighboring com-

munities and/or border towns, which requires lengthy drives that can inhibit residents from retrieving their mail. Additional issues include discrepancies with voters' verification of residence due to addresses being located in different towns rather than their actual voter precincts. Furthermore, most Navajo communities are split between two or more state counties.

For over two years, Delegate Begay has spearheaded efforts to bring awareness of the unreliable and inaccessible postal service in the Navajo Nation. In November of 2021 during a Naabik'iyati' Committee, he successfully advocated for Legislation No. 0021-21 to pass which requested the USPS to provide an oral and written report to the Council regarding improvements to postal services for Navajo communities. Subsequently, Resolution NABIN-47-21 was enacted which saw a report regarding the planned improvements.

In the spring of 2022, a Navajo delegation visited Washington, DC to meet with Congressional Leadership to address this issue. Delegate Begay met with local, state, and federal leaders to garner more support to prioritize the unmet needs of the nation. Presently, Delegate Begay along with his colleagues and supporters continues to work with the United States Postal Service (USPS) where intermittent meetings with USPS Administration have proven to be unsuccessful.

NAVAJO NATION IS LOOKING FOR BUSINESS

Continuing their journey through the legislative process, Legislation No. 0003-22 and Legislation No. 0007-22 made their way back to the Navajo Nation Council for review. Legislation No. 0003-22 seeks approval in the requested amount of \$900,000.00 to fund the Division of Economic Development's Tourism Department's personnel and operative expenses for the remainder of the Fiscal Year 2022. Legislation No. 0007-22 requested to allocate \$900,000.00 out of the Hotel Occupancy Tax (HOT) to cover the remaining operating costs for FY 2022 and amend the hotel occupancy tax statute to allow all the tax revenue to be used by all Navajo Nation programs for tourism-related purposes.

In a lengthy debate earlier this year, the Council directed both legislations back to Naabik'iyáti Committee to seek further discussion and strategies. Our Council assures our communities that we are looking out for the entire interest of the Navajo Nation. With

inquiries arising about the tourism efforts of the Nation, the 24th Navajo Nation Council recommended that it's time our Nation gets on track with the opportunities the world is giving us. We welcome millions of visitors every year to our tribal parks and communities, and we have numerous individual families creating experiences and touring our visitors around Navajoland.

After being heard by the Naabik'iyáti Committee for the second time this past August, these legislations will be presented before Council for final authority. Hon. Council Delegate Nathaniel Brown (Dennehotso, Kayenta, Chííłchinbii'tó) is leading the Tri-City Tourism initiative in hopes to create a destination unlike no other in his respective communities to the Navajo Tourism Department. Ideas surrounding making Monument Valley the footstep of the Navajo Nation. Combating the effects of the coal mine closure a few years prior, Delegate Brown and local communities are seeking other possible revenue opportunities.

The Navajo Nation Council

realizes in this almost-post pandemic time, challenges impacting the Navajo People are currently being worked on while informing our constituents of any updates. Additional challenges include failed infrastructure that won't support the amount of business we are hoping for. Issues like roads, power, solid waste, broadband, and public safety are foundation pieces we have to get completed.

Thank you to the U.S. Government for their funding assistance and we are hoping to have everything in order before bestowing it onto our younger generation. The Navajo Nation continues our progress in finding innovative options to bring more businesses to the Navajo Nation. This pandemic has highlighted opportunities in our economic development plans. What might have worked 10 years ago, may very well be a new shift to something out of the box for us. Our younger generation is educated and seeking solutions to old policies. We hear our community members and prospective entrepreneurs.

Speaker Seth Damon and Hon. Amber K. Crotty join Peter MacDonald for the Navajo Code Talker Museum Ground Breaking Ceremony in Tse Bonito, NM.





Office of the Speaker's float entry for the Navajo Nation Fair & Parade in Window Rock, AZ.

HONORING OUR FRONTLINE WORKERS

I extend my deepest gratitude to the Navajo Department of Health and those involved in keeping our Navajo Nation communities safe. The continued dedication of our first responders and front-line workers who assisted in the mitigation of COVID-19 ensured our families can be protected. As we inch forward day by day, we also want to acknowledge our Navajo people for your support and hard work in keeping our Nation safe. With your patience, understanding, and participation, we were able to keep our families our top priority.

The Navajo Nation is still under "Yellow Status" as we move into the fourth (4th) quarter and with the guidance of our health professionals, the Nation may possibly reach "Green Status" and fully open the Navajo Nation. Since the onset of the COVID-19 Pandemic, the past two years have taught lessons that have been insightful and in the midst of an uncertain future, many stepped up to protect our communities and the values gained will not be forgotten.

This quarter, Public Health Order No. 2022-08 reemphasizes the "safer at home" order and provides an update on the gathering limits. Additionally, it introduced school and business guidelines which resulted in declaring "medium risk" for the Navajo Nation.

More information on any current and future Public Health Orders and Flu & COVID-19 Vaccine events can be found at: <https://www.ndoh.navajo-nsn.gov/COVID-19>

Please continue to report exposures to the Health Command Operations Center (HCOC) portal at <https://www.ndoh.navajo-nsn.gov/COVID-19> and notify the nearest local health facility before begin-

ning any office/facility closures while awaiting further guidance. HCOC will continue its social media posts on post-COVID information to raise awareness and updates.

Recently, Monkeypox cases have been identified within the Navajo Nation, and in response to the spread of the viral disease, here are some steps to prevent infection:

- Avoid close skin-to-skin contact with people who may have a rash similar to that of Monkeypox.
- Avoid contact with objects and materials that a person with monkeypox has used, and wash your hands often.
- If you think you have been in contact, please call the Navajo Area Office Warmline at (928) 380-7772.

Our appreciation extends to Dr. Jill Jim, Executive Director for the Navajo Nation Department of Health, Mrs. Roselyn Tso, Director of the Indian Health Service (IHS), the Navajo Nation Health Command Operations Center, the Navajo Epidemiology team, our 638 partners, front line workers, Public Health Nurses, Safety Officers, and first responders for their continued strength and protection.

Additional resources can be found at:

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

OFFICE OF THE AUDITOR GENERAL

Hon. Jimmy Yellowhair hands out sheepherder specials to elders during the Western Navajo Fair & Parade in Tuba City, AZ.

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

Issues/Recommendations

- Continue to recruit applicants to fill three (3) vacant positions going into FY2023, with two 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 becomes challenged in completing the targeted number of projects with limited resources. 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.



Program/Chapter Audits/Investigations

- Rock Point Chapter Internal Audit
- Tsah Bii Kin Chapter Internal Audit
- Newcomb Chapter Internal Audit

Local Governance Act certification reviews

- Crownpoint Chapter

Goals for 1st Quarter

1. Navajo Rehabilitation Trust Fund Special Review
2. Kinlichee Chapter Special Review
3. Tselani/Cottonwood Chapter Internal Audit
4. Special Duty/Hazard Pay Special Review
5. Office of the Controller Performance Audit
6. Business Site Lease Process Performance Audit
7. Tribal Parks Corrective Action Plan Follow-up Reviews
8. Outsource more chapter audits and performance audits of Navajo Nation depts/programs; will need to issue various request for proposals to utilize consulting budget

Goals for 1st Quarter

1. Identify and prioritize legislative priorities for the 2023 Utah Legislature.
2. Submit funding application for a Utah chapter project for FY23 NRF appropriations.
3. Conduct work session with Navajo Water Rights Commission regarding the 2020 Navajo Utah Water Rights Settlement Act.
4. Assist Utah chapters in implementation of projects appropriated by ARPA.

Accomplishments

- The Navajo Utah Commission attended the 16th Annual Governor's Native American Summit and assisted Council Delegate Charlaine Tso in presentation of Legislative Priorities prepared by the Navajo Utah Commission Office, including Transportation, Education, Broadband, Indian Child Welfare Act (ICWA), Westwater, Drought Emergency, Health & Human Services, Election Laws, Public Lands, and Tribal Consultation.
- The Navajo Utah Commission prepared a funding application seeking \$350,000 from the State of Utah Department of Cultural & Community Engagement Capital Grants Program to address the budgetary shortfalls for the Naatsis'Aan Chapter Building Renovation Project.
- The Navajo Utah Commission and a strong network of partners have made substantial progress in protecting the voting rights of Navajo citizens in San Juan County by maintaining and increasing polling sites at Utah chapter locations, providing language assistance with voter information, and fielding qualified Navajo candidates for elective county offices.
- The Navajo Utah Commission and Utah tribes were successful in securing the initial support of the Utah Legislature to consider a state ICWA law during the 2023 Utah legislative session.

Issues/Recommendations

The Navajo Utah Commission and the Naatsis'Aan Chapter in particular are becoming increasingly concerned due to the long delay in the Navajo Nation's right-of-way acquisition process. The Universal Service Fund Administration under the FCC and the Utah Legislature are funding the broadband expansion project for schools and medical facilities on the Navajo Nation in San Juan County. The fiber optic expansion activities have been completed in Montezuma Creek and currently finishing up in Monument Valley. Continuation and expansion into Navajo Mountain requires another right-of-way permit. A cultural report completed by Emery Telcom and their associates have been awaiting review and approval at the Navajo Historic Preservation Office for some time. The participation of Navajo Historic Preservation is necessary to complete the right-of-way process for this important project. The project is currently facing timeline challenges stipulated by funding sources contributing to this project. The Navajo Utah Commission is recommending the Navajo Nation Council to consider streamlining the right-of-way process which often impedes urgently needed projects.



Hon. Herman Daniels , Jr.

NAPI Pumpkin Patch, Farmington, NM.

HUMAN RIGHTS COMMISSION

(928) 871-7436

leonardgorman@navajo-nsn.gov

Leonard Gorman, Executive Director

NEW MEXICO REDISTRICTING

The Gallup McKinley County School District adopted a redistricting plan that was not the recommended Navajo Nation Human Rights Commission Plan. The population in the school district is predominantly Native Americans, specifically Navajo. It is very clear from the 2020 census data that the five school election districts can easily become all majority Native American districts. However, one of the comments made by a current Navajo school board representative was that at least one district should be preserved for non-Native American population. While this position may be considered generous, however, when the school was a majority non-Native American this kind of position was never considered as an opportunity for Native Americans to gain input into the school board decision making process. Native Americans had to demand that the school board reflect the proportion of their population in the school board membership. NNHRC is assisting the Central Consolidated School District with map advisement and development and will be reviewing the San Juan College Board of Regents redistricting plan.

FUNERAL AND BURIAL STUDY

The Office set up a work session for the Commission that took place on August 24th, 2022 and followed up with a special commission meeting on August 25th. The purpose of these meetings was to have a discussion among the commissioners and staff on the proposed burial regulations enacted on by the Navajo Nation. During the third quarter, the Commission and office staff presented to an audience of grazing officials, council delegates and chapter official about Navajo cultural burial regulations. It was reported by the Office of Legislative Counsel and the Navajo Department of Justice that there are limited laws on the regulation of burial activities on the Navajo Nation. The current burial practice does not consider Navajo cultural laws but only emulates imported western forms of burial laws and practices. The Commission entertained a proposed resolution recommending to the Navajo government legislation that would account for Navajo cultural laws when enacting regulations and statutes of the Navajo Nation, including burial regulations. However, after further discussion the Commission resolution was tabled with the directive that further research and analysis is required prior to action on the proposed resolution.

RELEASE OF REPORT: PRELIMINARY ASSESSMENT ON THE TREATMENT OF NAVAJO AND NATIVE AMERICAN STUDENTS IN SCHOOLS ON AND OFF THE NAVAJO NATION

The Commission printed its preliminary report on the treatment of Indigenous students on and off the Navajo Nation. The commission received testimony on issues and concerns confronting school administrators, boards, staff, parents and in some instances, students. The impetus for this report was triggered by an incident at Cibola High School in October of 2018 where two Native American Indian students were verbal and physically assaulted by a white teacher. The report provides a historical account on Dine Education, summaries thirteen public hearings, cites findings from the hearings and research conducted by this office and highlights the MartinezYazzie litigation that could be very beneficial to school districts in New Mexico. It ends with a list of recommendations that require long term systemic change at local, state and federal levels of management. The report can be found on the website at www.nnhrc.navajo-nsn.gov

COMPLAINTS/INVESTIGATIONS

The investigative component of this Office received nine (9) new written complaints, closed four (4) cases and two cases did not move forward for further investigative work as race discrimination was not substantiated. Additionally, eighty-eight (88) follows with all open cases were conducted this reporting period. The investigator for this office also attended the Four Corners Indian Country Conference this reporting period. Of significance importance are the numerous complaints that concerns the auto repair shop owned by Mr. Lindsey of Flagstaff Arizona. Mr. Lindsey's has been under investigation by the Arizona Attorney General for withhold transmission repairs and other automobile repairs to several Navajo customers who paid substantial amounts of money toward the cost of the repairs and no work has been done to the vehicles. Thus Mr. Lindsey is ordered to comply with a civil investigation demand and after several months of delay has finally hired legal counsel. None of the complaining party's have received a reimbursement for payments made toward the repair work.

PROTECTING SACRED PLACES

Activities surrounding the protection of sacred sites is critical to the Navajo life-way. In this last reporting quarter of fiscal year 2022, work continue to promote, protect and perpetuate the sanity of the San Francisco Peaks. Meetings continue with the thirteen (13) indigenous nations, the Flagstaff Indigenous Circle, US Forestry Services, the intertribal coalition, Navajo Nation Historical Preservation, and the Navajo Nation President's office. In August of 2022, a meeting was held where substantial outcomes resulted among the attending nations and entities. Roles and responsibilities, desired outcomes, and the implementation of Free, Prior and Informed consent would serve as the dialogue model hence forth. Among other items, short, mid and longterm goals were identified. There is also a mechanism for indigenous nations to share concerns amongst themselves without the interference of federal oversight. Two significant goals with the Navajo Nation Historical Preservation Office and the United States Forestry Services continue to be addressed. Those goals are 1) the facilitation of the government to government relation to discuss Section 106 of the Memorandum of Agreement and 2) to work on the nomination to designate the San Francisco Peaks as a Traditional Cultural Property. The working group is also advocating for the passing of Legislation resolution 0175-22 titled, *Supporting United States Congressional Bill HR. 8108 Advancing Tribal Parity on Public Tribal Land Act*. This bill will protect indigenous sacred sites on public lands. And finally, the Commission also submitted a Shadow Report on the Review of the United States by the International Committee on Elimination of all forms of Racial Discrimination. The Commission requested the Committee take preventive measures aimed at preventing the continuing desecration of a sacred place by allowing the use of recycle wastewater to produce artificial snow for winter recreation on the peaks. The Commission also questioned the United States on its failure to address its previous recommendations by taking concrete measures to protect Native American sacred places through the international standard of free, prior and informed consent. The Commission further encouraged the United States to use the *United Nations Guiding Principles on Business and Human Rights* as a tool to protect, respect and remedy Native Americans human rights on business matters that directly affect Native Americans. And finally, the Commission encourages the committee to remind the United States of their international commitments to protect Native American's sacred places.

SAN JUAN COUNTY UTAH REDISTRICTING

The Commission entered a settlement agreement with San Juan County Utah in 2018, which expired at the end of December 2020. However, the settlement agreement was extended to the end of 2024. The Commission anticipates, as the parties work together pursuant to the agreement, the county will automatically provide for the Navajo language assistance, at the Navajo Nation polling locations and at early voting locations on the Navajo Nation after the expiration of the current agreement. The current agreement stipulates the county is required to hire trained Navajo language interpreters, Navajo speaking liaisons that attend chapter meetings, provide satellite offices where Navajo voters can be assisted with the Navajo language and polling places on or near the Navajo Nation. The Office assessed five chapters where Navajo Nation has its polling places for elections and found three of the five chapters will need to give attention for handicapped accessibility. Some examples that will accommodate voters are as follows: 1) ensuring the parking area is not soft or heavily gravelled but firm and compact, 2) the parking area have clearly delineated signage for handicap accessibility and 3) the exit for voters at the chapters houses also have ramps to accommodate a person in wheel chair or assisted with a walker. These deficiencies are minor and easily correctable.

MEDIA AND PUBLIC RELATIONS

For this reporting period, public information continued with KTNN via public service announcements, press release with the Navajo Times, NNHRC's official website, NNHRC social media websites and the Navajo Nation's official web site. The office also coordinated and hosted a number of Zoom meetings with various organizations that interface with the office, like, Navajo Utah Commission, San Juan County Commission, Utah, Federal Trade Commission, the Accessibility Working Group, and Commission meetings for both August and September, 2022. Since the inception of the Navajo Nation Human Rights Commission, the July 2022 Commission meeting was canceled due to COVID matters with the office. Tiffany Charley, PIO and the Executive Director worked with the Federal Trade Commission to edit a Navajo language recording that was utilized on the phone menu of the FTC. This recording assisted Navajo consumers with getting information on the status of their claim with

TATES. Navajo culture and language are the foundation from which Navajo human rights are born. Efforts are underway to develop Navajo cultural rights material for marketing purposes with businesses off the Navajo Nation. NNHRC will host a public forum at KTNN studio on Voting and ADA accommodations in late September, 2022. This radio forum is designed to address the Americans with Disability Act as it relates to voting in Navajo elections and county, State and Federal elections. Several meetings were held to plan a seminar on traditional Navajo burial and funerals with Commission Darden and staff. Public education pamphlets and web-based material will be developed and distributed when the seminars are confirmed.

SAN JUAN COUNTY NEW MEXICO REDISTRICTING LITIGATION

The Commission and its Office continues to work closely with the law firms litigating the case against San Juan County Commission of New Mexico. Currently, San Juan County has requested mediation discussions with the plaintiffs of the case. The meeting is set for mid-October whereby New Mexico Judge Joey Goldberg will serve as mediator. Additionally, this Office continues to address depository and discovery matters as outlined in the scheduling order. The composition of compiling all relevant documents is arduous and time consuming. The Office continues to maintain weekly contact with all firms involved in this litigation. Navajo plaintiffs are also updated every week on all proceedings pertaining to this case.

FEDERAL TRADE COMMISSION TATE'S AUTOMOTIVE

After eight (8) years of investigative work that concerned Tate's Automotive and Richard Berry, consumers are now receiving settlement proceedings. As of September 15th, 3,508 consumers were deemed eligible and are receiving checks. This payment is administered through JND Legal Administration who is the designated firm authorized to make payment to qualifying consumers. With the completion of this eight-year investigation, the commission will be closing cases related to the Tate's Automotive Dealer. However, consumer fraud and unfair business practices continue to percolate with other border town business that our office will continue to address these complaints.

LABOR COMMISSION

Goals for 1st 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 to 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 (21) hearings by teleconference or Zoom or in-person with counsels of record and parties.
- NNLC and program timely processed (03) appealed NNLC cases to Navajo Nation Supreme Court.
- NNLC program timely processed (16) formally filed complaint by mail, fax & email.
- NNLC timely adjudicated/ settlement conferences (15) NPEA cases.
- NNLC and program timely closed and issued (08) continuance orders by teleconference due to closure.
- NNLC & program timely issued and mailed (700) 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 (10) 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.

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

ETHICS AND RULES OFFICE

Accomplishments

The Ethics and Rules Office (ERO) 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 and we are optimistic it will happen this fiscal year. The Ethics and Rules Office has hired a new investigator, Mr. Albert Benally and are two positions from being fully staffed. On September 20, 2022 the ERO had eight (8) Order to Show Cause Hearings for Respondents who haven't paid their restitutions and one new complaint was heard with the Respondent being found to have violated the Ethics Law. There was two (2) new cases filed with the Office of Hearings and Appeals this quarter. There were nine (9) Ethics Orders to Show Cause complaints filed for this quarter hearings are scheduled for October 18th and November 30th. To date the Ethics and Rules Office has filed a total of **1,570,577.12** in total restitution and have collected **247,039.19**. 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.

ETHICS CLEARANCES	
JUL. 2022:	81
AUG. 2022:	94
SEPT. 2022:	220
TOTAL:	395

Goals for 1st Quarter

1. We have interviewed one individual for the Director's position hopefully we get him on board.
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.

EASTERN NAVAJO LAND COMMISSION

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

Staffing and Consultation

The Commission stand-by attorney continued their work efforts with the NELI Project, however the Commission has depleted funds to continue its contract with the Washington DC Attorney Firm POWERS. The Office submitted their upcoming annual budget and will continue to retain the legal services of the law firms into FY 2023.

In a special meeting in August, the Commission resolved to keep Mr. Jeremy DeGroat as Acting Director for the Office of Eastern Navajo Land Commission. The Acting Director position requires extensive knowledge in all matters pertaining to the Eastern Navajo Land Commission, therefore the commission acknowledges that Mr. DeGroat is the best person suited to meet the needs at this time. The Executive Director has continued to complete tasks that have been directives from the Commission, and also, the Executive Director has completed, with the assistance of the Administrative Assistant, in developing a budget for the upcoming Fiscal Year, 2023. Furthermore, the Executive Director has continued to work with NLD, BIA Crownpoint Agency Office, and other federal, and private entities pertaining to land issues for the Eastern Navajo Agency.

The Administrative Assistant has continued to attend meetings, and record the minutes for all five of our meetings in the third quarter. As of September 28, 2022, the Administrative Assistant has completed the FMIS training, and is now certified to operate and have access to the system in whole. The Administrative Assistant was instrumental in assisting in getting our FY 2023 budget in order, and ready to be approved for the upcoming Fiscal Year. Working closely with the Executive Director, the budget has been approved with the unmet needs our office was requesting. The Administrative Assistant also made it possible for the OENLC to obtain faster internet through the NTU Campus system, therefore making the ability to carry out objectives easier and faster for the staff. The Administrative Assistant will continue in the upcoming quarter to upgrade all computer systems hardware, and software to handle the workload in the near future.

26 FALL 2022

NELI PROJECT

In June, the Eastern Navajo Land Commission acted on a resolution re-affirming the support for the Eastern Navajo Agency Land Exchange and Archaeological Protection Act of 2022. At the time of this report, the Bill has not been officially introduced to the congressional floor, and the Executive Director will keep all parties informed when the bill is introduced. The legislation is drafted, and is in the office of Senator Ben Ray Lujan.

NAVAJO LAND BUY-BACK PROGRAM-II

Work has been completed on the statistical data and maps. All work has been submitted to the Printing Company "Southwest Printing Company" which is located in Cortez, Colorado. This company has generated previous booklets for the ENLC, and a total of 300 copies have been ordered. The booklets will be distributed to all interested parties as soon as the printing is complete, which the Executive Director is anticipating will be no later than October 23, 2022.

IGNACIO CHAVES RANCH

The Eastern Navajo Land Commission voted on a resolution of support to purchase the ranch, and the resolution was passed at the June 21, 2022 Special Meeting. The resolution was signed, and the Executive Director submitted the resolution to the Commissioners. A copy was also requested by Mr. Johnathan Begay from the Navajo Land Department and the Executive Director sent a signed copy of the resolution electronically. Mr. Begay informed the Executive Director, that the NLD is continuing with the process of purchasing the Ranch. When information is available, the Executive Director will inform the commission of any and all developments.

CHAVES RANCH/TOHAJILEE

The Eastern Navajo Land Commission, at their August 26, special meeting, discussed the urgency with which to act on the purchase of the "Chaves Ranch" which is located within the Tohajiilee Chapter Area, and adjacent to Interstate 40, in the Rio Puerco area. The Commission met with the Division of Natural Resources, as well as the Navajo Land Department, to discuss the purchase, and stressed the urgency to the departments to act on the matter. More details will follow in the coming first quarter of FY 2023.

NAVAJO ELECTION ADMINISTRATION

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

Goals for 1st Quarter

1. Begin to work on the discrepancies that were identified by the recount.
2. Continue planning for the 2022 Navajo Nation General Election.
3. Continue working with DPM to fill remaining vacant positions at the central and agency offices.
4. Continue to maintain voter registration database. Also conduct more voter registration drives and train more voter registrars.
5. Continue to provide relevant information to the public via chapters, radio announcements, social media, and agency meetings through agency representatives.
6. Continue to update NEA Rules and Regulations, Code amendments and codification in the Election Code.
7. Continue to work on obtaining new buildings for all agency election offices including the NEA building.

Chinle Agency	16,805
Eastern Agency	29,933
Ft. Defiance Agency	30,457
Northern Agency	24,626
Western Agency	21,999

TOTAL VOTERS 123,820

As of September 19, 2022

Accomplishments

- Navajo Election Administration (NEA) has conducted the 2022 Primary Election on August 2, 2022. The Navajo Board of Election Supervisors certified the results of the Primary Election on September 22, 2022, despite opposition from unsuccessful Navajo Presidential Candidates and members of the Navajo Public whom demanded a "revote." The opposition brought in a petition with names of 200 people which is only .42% of the total voters that participated in the Primary Election (47,962 voters).
- NEA completed voting machine and hand recount which was requested by unsuccessful Presidential Candidates. The recount occurred from August 20 through September 2, 2022. The recount did not find any significant errors; the top two candidates are still advancing to the General Election. The Candidates that came in 3rd and 4th place still retained their places. Overall, the results showed the NEA conducted an election with 99.1 % accuracy, which is well within the margin of error of +/- 5%.
- CJY-32-22 was approved by the Navajo Nation Council and President Nez signed it into law on August 8, 2022. NEA will begin utilizing the \$1,614,018 to improve election administration operations.
- Fifteen (15) resolutions were approved by the NBOES during their regular meetings in the fourth quarter of FY2022.
- As of September 19, 2022, there are 123,820 active registered voters within the five (5) election agencies.
- NEA is still trying to recruit personnel, Sr. Accountant, 2 Office Assistant positions, 1 Records Clerk and 1 Voter Machine Technician. A PCQ for Sr. Programmer Analyst and Admin Assistant is in process.
- The draft Fund Management Plan for NEA was not successful upon OOC's review. The OOC identified NEA did not have a Plan of Operation in place for the Fund Management Plan to move forward. Currently, we are working on a Plan of Operation.

NAVAJO GOVERNMENT DEVELOPMENT

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

2022 Proposed Government Reform Referendum Measures

The Commission took action to suspend reform initiatives on the formal adoption of three-branch government, and a proposed Navajo Nation Constitution. This decision was made in light of the ongoing COVID-19 pandemic which severely limits the ONGD's ability to carry-out major reform initiatives. The Commission has re-evaluated this reform initiative and has instead developed a proposal for comprehensive Navajo Government Reform Project to be voted upon by the Navajo people. This change in direction is a result of recent Navajo Supreme Court decisions regarding the Navajo Government Reform Project.

However, the commission continues to work diligently on a comprehensive Navajo Government Reform document that the commission hopes to introduce to the general public in the near future when grammatical and legal reviews are completed.

Goals for 1st Quarter

1. Continue meeting FY 2022 Form 2 Performance Criteria Goals and will revise for to focus on Government reform measures for the Navajo Nation in Fiscal Year 2023
2. The ONGD will be working with the Division of Community Development and Administrative Service Center to explore a more hand-on assistance to Navajo chapters while also exploring government reform initiatives at the local level.
3. CNGD and ONGD scheduled a Local Governance Seminar at Twin Arrows on Tuesday, October 25, 2022. DOJ Attorney Rodgerick Begay will present a history of the Local Governance Act and ONGD Executive Director will present on the Navajo Government Reform Project.
4. The CNGD will continue to develop recommendations for reform at all levels of government in order to develop a comprehensive system of government for the Navajo People.
5. The ONGD will continue to work with our partners as well as form new partnerships to pursue government reform initiatives to benefit the Navajo People.
6. The ONGD will continue to provide the support the Commission on Navajo Government Development and work to fulfill and maintain a full commission membership in order to ensure that the Commission continues to operate at full capacity.

Sustainability Government Initiatives for all levels of Navajo Nation Government

1. The Commission passed resolution CNGD-0301-20 and continues to promote Navajo Cultural Sustainability. The resolution specifically requests Navajo spiritual consideration and intervention in the wake of the COVID-19 pandemic.
2. Worked on the Diyin Nohookaa Dine'e Bi Beehaz' áanii Bitsí Siléí incorporating cultural and language integrity, a sustainable economic environment, independent local governance and accountability enhancements.

Government Reform Initiatives and Recommendations

1. Resolution CNGD-05-02-22 is recommend to the 24th Navajo Nation Council to amend Title 11 of the Navajo Nation Code in Section 404 of the initiative process. Currently, the signature petition threshold is so high, the initiative procedure is unusable by the Navajo people for law-making. The proposed Amendments will empower the Navajo People to participate in the law-making process.

Navajo Nation Chapter Technical Assistance and Empowerment

1. The ONGD provided Summer Youth Employment Workers at Cove Chapter with a training seminar on the History of the Navajo Nation Government and Sovereignty.
2. ONGD provided Red Lake Chapter with a requested Navajo Nation Government Brochure & is currently working on a report of local governance roles & responsibilities.
3. The ONGD met with DOJ staff to discuss their Four Models of Title 26 Amendment to cure ongoing actions which are inconsistent with Title 26. ONGD scheduled a Local Governance Seminar on October 25, 2022 at Twin Arrows to discuss the Local Governance Act with Chapter officials & administrators.

Public Education on Sustainability – Title 1, 2, and 26 Reform

1. Resource and Development Committee request on updates on Title 26 reform; will need to work with Rodgerick Begay, DOJ Attorney assigned to work with Chapters and Office of Legislative Counsel on Title 26 reform initiatives.
2. ONGD and CNGD took action to schedule a Navajo Nation Presidential debate in Kayenta, Arizona. ONGD contracted with Kayenta Unified School District for use of their auditorium and KTNN to broadcast the event to the general public. The Presidential debate had to be cancelled due to lack of confirmation & participation by one campaign.

Partnership with Educational, Governmental, and Community-Based Organizations, and NGOs

1. The ONGD has been working with Delegate Amber Crotty on the Diné Action Plan (DAP) by attending meetings and participating on policy work on MMIP of the Navajo Nation.
2. CNGD and ONGD assisted the University of California, Dr. Nanibaa' Garrison, Associate Professor (Institute for Society & Genetics at University of California, Los Angeles) in generating the Genetic Research Policy for the Navajo Nation. Commissioners Loretta Seweingyawma and James Benally sponsored and presented the policy for Agency Council Approval on September 17, 2022.

OFFICE OF LEGISLATIVE SERVICES

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



Hon. Nathaniel Brown
participates in the
Navajo Nation Parade in
Window Rock, AZ.

Goals for 1st Quarter

1. Increase Training Opportunities for Staff.
 - o Professional Development
 - o Budget Process Training
 - o Annual and Semi-annual training
 - o Navajo Translator Certification
2. Continue to effectively coordinate all meetings, including but not limited to, subcommittee meetings (i.e. Title II, NIIP, Diné Bizaad NABI Subcommittee).
3. Implement Legislative Tracking - DIBB backup storage for personnel.
4. Implement DiBB Timekeeping Module - Trial phase and full implementation.
5. Begin planning stages of Legislative Tracking - Archive Project.
6. Fill Vacant Positions:
 - o OLS Legislative Secretary II
 - o Legislative Assistant (2). Potential Applicant going through required background check.
7. Complete Position Classification Questionnaire (PCQ) for potential ARPA Personnel Assistants.

30 FALL 2022

Accomplishments

- OLS processed 75 Legislations this quarter as well as closing out 66 resolutions.
- OLS personnel participated in 89 council/standing meetings and work sessions during this quarter.
- OLS Expended approximately 85% of the FY 2022 Budget for department and 90% for the Legislative District Assistant's program.
- Within the Fourth Quarter, office occupancy continues at 100% with legislative staff in the office at 5 days a week. Legislative staff continued to work in the office with a majority, if not all, of the meetings held with a teleconference option; in-person meetings continue to increase.
- OLS assisted three (3) temporary employees with temporary employment during the 4th quarter.
- OLS continues to address Americans with Disabilities Act (ADA) building and campus improvements with the completion of the sidewalk and OLS Restroom projects.
- Completed LDA American Rescue Plan Act orientations.
- Added a Policy Analyst to the Legislative Tracking Section to assist with research.
- Hired Records Clerk to assist the Legislative Tracking Section with Resolution Closeout and Archiving.
- Completed initial planning for 25th Navajo Nation Council Orientations.

Issues

1. OLS is short on certified translators after the retirement of staff.

Recommendations

2. OLS researching Navajo translation certification programs as well as reaching out to local colleges and universities.

OFFICE OF LEGISLATIVE COUNSEL

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

OLC has over 125 legislation requests currently pending and will not be able to complete the majority of these requests by the end of the 24th Council. OLC is recommending that each delegate identify their top two legislation requests. OLC will prioritize completing the selected priority legislations for each delegate before the end of the term. In addition, OLC will prioritize legislation requests to approve FRF Delegate Region Plans.

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.
- The drafting and finalization of the FY 2023 Comprehensive Budget legislation, including comprehensive amendments and attorney coverage at all oversight committee hearings and sessions.
- Defended Navajo Board of Election Supervisors (NBOES), including brief drafting and argument, at Navajo Nation Supreme Court election appeals.
- Provided legal representation to NBOES during the nation-wide recount of presidential candidate primary votes.
- The drafting and finalization of over 125 legislation requests and contract reviews.
- Provided legal guidance and assistance at over 100 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



24th Navajo Nation Council
Annual Summer Session Trail Ride in
Window Rock, AZ.

Goals for 1st Quarter

1. Continue to advise and assist the NNC, Standing Committees and sub-committees attend all meetings, advising on all procedural and substantive questions.
2. Continue efforts to identify and resolve inefficiencies within OLC that constrain productivity due to the pandemic working environment. Continued efforts to assist clients in identifying and resolving inefficiencies that adversely affect OLC efforts to provide services. OLC prioritized the 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.
3. Continue 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.
4. Continue 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.



NAVAJO NATION
OFFICE OF THE SPEAKER

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