



THE NAVAJO NATION

Yideeskaꞗdi Nitsáhákees | *Thinking for the Future*





STATE OF THE NAVAJO NATION ADDRESS

PRESIDENT BUU NYGREN

Presented to the

25th NAVAJO NATION COUNCIL

JULY 17, 2023

Madam Speaker, Madam Vice President, Madam Chief Justice, Navajo Nation Council Delegates, relatives and honored guests and my Navajo People. *Yá'át'ééh shik'éí' dóó shidiné'é'.*

It was 100 years ago on July 7, 1923, that the first council of 24 *naat'áanii* gathered in *Tó Háálí*, New Mexico, as the first Navajo Business Council. Chee Dodge was the first chairman of the Council and he became the first leader of the modern Navajo Tribe.

Our council-based government came into existence with the intention of making decisions in the best interest and highest good of all *Diné*.

The council was created to make decisions about natural resources, much as we do today. It has changed and matured through periods of peace and turmoil, and often in struggle and disagreement with the federal government. It has evolved into what is the largest and most highly-developed three-branch tribal government in Indian Country.

This morning we commemorated how those early councilmen rode to their first meetings on horseback and in wagons. Our leaders of that time rode across our great Navajo land, visiting constituents in their hogans along the way. We appreciate and thank today's riders for reminding us of our government's beginning.

When I testified in Washington last week, I told our Congressional representatives that with the Interior's Chaco Canyon decision, I felt we did not receive meaningful consultation. That decision negatively affects our allottees without any alternative for relief. A true government-to-government relationship must be based on mutual respect.

When I testified, I knew I had the support of this Council's Speaker, Delegates, and the support of our local communities, and for that I'm grateful to this body. The Navajo Nation is strong and our pride is self-evident when we stand united.

Today, in this Centennial year of the Council, we celebrate a government whose leadership is shared by many strong women leaders. Our government is distinguished to have its legislative body led by our first woman Speaker Curley with the largest number of women delegates in its 100-year history. Our judicial branch is headed by Chief Justice JoAnn Jayne, Associate Justice Eleanor Shirley and are joined by six women district court judges. Our Department of Justice is led by Attorney General Ethel Branch and Deputy Attorney General Heather Clah. And the Navajo people elected their first woman Vice President Richelle Montoya.

Since taking office 188 days ago, my administration has focused our Executive Branch divisions and departments to find ways to spend the \$2.1 billion we received in American Rescue Plan Act money in 2021.

Through teamwork, we created 201 new business units. We set up budgets in the amount of \$632 million. We expended \$85 million, and encumbered \$171 million. That brought us to a total of \$888 million either obligated or spent under my leadership.

I have reported to both this Council and the Navajo people that with this unprecedented funding opportunity, the Nation wants to see homes built, water and power flowing, our students connected to the world of knowledge and our businesspeople connected to the world of commerce through broadband.

We are removing the barriers to our most important ARPA priority – infrastructure. It is the responsibility of all of us here to get this done. I'm more confident than ever that we will.

When it comes to water, last month the U.S. Supreme Court ruled against us in *Arizona v. Navajo Nation*. Many feel that this 5-to-4 ruling was a loss for us. It was not. Although it was a limited decision, we continue to move forward to secure our Arizona water rights. Our LCR adjudication began in April, and we assembled an Arizona Water Rights Negotiation Team that same month.

The Supreme Court ruling found that the United States has no "affirmative duty" to the Navajo Nation to secure water under our Treaty of 1868. It found the federal government is not obligated to quantify our water.

In our view, this opinion upheld the 1908 Winters Doctrine and confirmed that it remains valid and is the law. Both the majority and dissenting opinions noted correctly that the Navajo Nation has a claim to water rights in the mainstream Colorado River. Justice Gorsuch pointed out that the Navajo Nation has a right to intervene and push our claim to Colorado River water.

I want the Navajo people to know that we will continue to pursue our claim to our water rights. The settling of our Arizona water rights is a priority. Negotiations have begun in earnest to firm our water rights through a settlement.

In another June decision, we were glad to see that the U.S. Supreme Court ruled in favor of not just the Navajo Nation but all tribes regarding the Indian Child Welfare Act. Its decision affirmed the sovereign rights of tribes to protect their children and to allow them to maintain their family and cultural connection to their tribes. What could be more basic to one's Indigenous identity?

Since its passage by Congress in 1978, ICWA has been vital to protect our children in state court proceedings. Now, with this opinion, our Navajo children and their families will continue to be protected. In this case, we applaud the Supreme Court's opinion that ICWA is consistent with the United States' trust responsibility.

Looking now at critical funding progress, I'm pleased to announce that the U.S Department of Transportation has awarded the Navajo Nation a \$20 million grant under the Rebuilding American Infrastructure with Sustainability and Equity program, otherwise known as the RAISE. The grant will let us reconstruct seven miles of Navajo Route 15 between Sunrise Springs and Cornfields, Arizona.

Route 15 is a critical road. This grant will widen the roadway and shoulders, elevate the road for safety, enhance drainage to better manage stormwater, and install livestock underpasses to reduce vehicle-animal collisions.

Additionally, 10 days ago I signed a Memorandum of Understanding with the Army Corps of Engineers that establishes the Albuquerque District as the lead district for the Nation from among the three districts that we span.

For the first time, we will be able to facilitate communication and coordination through a single point of contact. This is a significant development. Many future projects will be streamlined and we will be able to take advantage of a significant federal resource in our infrastructure development projects.

The goal over the next quarter is to develop a master plan so the Nation and the Army Corps of Engineers can identify projects where assistance is needed most, such as expanding water lines or reconstructing bridges.

Earlier this morning, the Council and I accepted a check for \$1 million from the Navajo Engineering and Construction Authority. We are very grateful to receive this money because it will be used for Navajo scholarships. NECA is an enterprise that is aggressively moving forward with projects to build roads, water lines, sewer lines and bathroom additions for the Navajo people.

Our enterprises were founded with the intention to become profitable, earn revenue for the Nation, employ Navajos, and provide needed services to our people. We continue to support our enterprises and, in return, seek support from them.

I recommend to Council that we ask our other enterprises to also step up to present their dividends to the Nation. Whether small or large, regular enterprise dividends will provide the Navajo Nation with a reliable source of operating funds.

At our Navajo Nation Economic Summit, I announced that we would grant business site lease payment relief for up to 36 months. Many of our small business owners suffered great financial loss through the pandemic. This is something within the government's power to help.

During the pandemic, the Nation completely shut down. We reopened very slowly. That allowed only a few businesses to open, followed by partial reopenings for others. Many businesses are still trying to catch up. This business site lease payment relief will enable these businesses to spend their dollars on needed repairs and improvements, new hires, and expansion.

I've asked the Division of Economic Development to work with lessees who have ongoing hardship from the pandemic. Lessees must show how their business is suffering, and how rent relief will be used to help recover or grow. We will do all we can to come back strong from the pandemic.

While the Navajo Nation needs entrepreneurs and business people, we also desperately need veterinarians. Last month, through the generosity of the University of Arizona College of Veterinary Medicine, we are one step closer to training Navajo veterinarians and bringing them home to help the Navajo people with their livestock and beloved pets.

In June, I signed a Memorandum of Agreement with U of A Associate Dean Teresa Graham Brett that offers a full scholarship to seven Navajo veterinary science students. The veterinary college will pay half of it and the Navajo Nation will pay the other half.

This scholarship is similar to one offered by U of A's medical school for Navajo students. We are at an unprecedented time in history when education is more accessible than ever to our brilliant and eager Navajo students who dream big, bold dreams. It is my honor to be President at a time like this. My greatest thanks to the University of Arizona for its generosity, understanding and willingness to encourage and help our Navajo students in these ways.

My administration is nearing the final steps of developing a long-awaited comprehensive salary study for all Navajo Nation positions. The study will look at each of the Nation's hundreds of jobs and will evaluate appropriate adjustments to reflect cost-of-living increases and other changing needs of our workforce.

Since April, the Division of Human Resources has completed hearing sessions at chapter locations in all agencies. It's time we make adjustments for our workforce and I will look to you for support when we are ready.

We are making strides to fill the many vacant positions in Navajo Nation government. When our administration arrived in January, we had 2,100 vacancies. We have dropped that number to 1,597 as of June 5. That's 503 jobs. Our goal is to aggressively recruit to fill vacancies so our government functions at the highest level.

On July 5, the Resources and Development Committee unanimously confirmed the appointment of Dr. Melissa Begay to the Navajo Agricultural Products Industry Board of Directors. Dr. Begay is *Kinyaa'áanii*, born for *Tsi'naajinii*. She is a physician and assistant professor at the University of New Mexico and a successful entrepreneur with businesses in Albuquerque and Farmington. I look forward to hearing from her on the NAPI board.

The Council has my recommendations for several other individuals to fill open seats on enterprise and commission boards. These boards do important work and need full representation, so I urge you to fill their vacant seats. I welcome a discussion if you have any concerns.

I'm pleased to report that Director Silversmith of the Navajo Division of Transportation was offered the position of General Manager of Navajo Engineering and Construction Authority. Garret has accepted the position.

He skillfully led NDOT for more than seven years and was my choice for the job. I have no doubt Garret's leadership, competence and teamwork will lead NECA to a busy and profitable future.

We also had a change of leadership at our Navajo Department of Health. Our director, Rhonda Tuni, has stepped down. Thank you, Rhonda, for helping us achieve the first major milestone of our administration in lifting the mask mandate.

And, recently, the Commission on Emergency Management completed the reopening process by deactivating our State of Emergency. The Navajo Nation is now fully open for business, including at the chapter level.

Taking the leadership at the Department of Health and already on the job, we welcome Kim Russell as its new director. Kim is *Todíh'í'nií*, born for *Ta'neesahnii*. Kim comes to us from the Arizona Advisory Council on Indian Health Care where she served as its director.

In May, I was notified by Governor Katie Hobbs that Arizona would take action against fraudulent rehab facilities. Some of our people have been displaced as a result and were left on their own in the Valley.

We responded with Operation Rainbow Bridge. Its purpose was to give our relatives an option to return home or set them up with a trusted provider. We have recovered eight of our missing relatives in this process. Some of our relatives who wish to come home have asked for treatment here. We are working to provide those services.

Education is the most valuable gift in life. As I spoke to high school graduates all over the Navajo Nation this spring, I advised them to take advantage of a wonderful opportunity offered by New

Mexico, Arizona and Navajo colleges and universities – a tuition waiver for Navajo students. For the first time ever, thanks to both the New Mexico and Arizona legislatures, *Diné* College and Navajo Technical University, Navajo students can obtain their bachelor's degree or graduate degree without having to pay for tuition.

I offer my sincere appreciation to these state lawmakers and college boards for their foresight to make this investment in our Navajo students. There is no greater investment that will take you farther in the pursuit of your dreams than an education.

Like all of you, I support full use of the ARPA funds. However, under current Navajo Nation law, our divisions are set up for failure.

I will need your support to amend the Fiscal Recovery Fund legislation to allow needed flexibility. First, we need to clarify deadlines by which funds must be obligated. Second, more flexible use of administrative funds will let divisions purchase buildings and other urgently needed items so we can rebuild and recover from the pandemic. These amendments would comply with federal Treasury guidance. Chairwoman Jesus will sponsor legislation to amend CJY-41-21 to allow for these changes in emergency legislation. This will greatly help our divisions to fully spend our ARPA funds.

Last week, I informed the Council that talks to buy the Goulding's Monument Valley Lodge and Tours property near our beautiful Monument Valley Tribal Park were successful. I initially opposed this purchase. After weeks of negotiations, the Navajo Nation and our Hospitality Enterprise reached a profit-sharing agreement.

The projected profits and taxes of \$7.4 million from the enterprise will go to the Nation annually. This income will begin four years after the purchase. Goulding's will pay Navajo taxes for the first time. This purchase will provide our Nation with revenue and will keep our people employed.

To complete this deal, legislation is on your agenda and I encourage its approval.

The *Diné* Action Plan was approved by the Navajo Nation Council in September 2021 but has remained unfunded. The intent of this plan was to enhance public safety services, address domestic violence, substance abuse, suicide, and the missing and murdered *Diné* relatives crisis on the Navajo Nation.

Division of Social Services Executive Director Thomas Cody is my administration's lead in re-evaluating the *Diné* Action Plan. He has identified a need of \$500,000 to create the new Office of *Diné* Action. With Council's support, the *Diné* Action Plan will have a chance to succeed once it's funded.

Along with 110 chapters, the Navajo Nation has hundreds of buildings, offices, gyms, community centers, and playgrounds. All of these should be open to the public year-round.

However, our families and youth can't use them because of insurance requirements. I've asked our Insurance Services Department to come up with a solution to cover public facility use. Keeping these gathering places closed says we don't trust our Navajo people. That's not true and I reject that premise.

Members of the Council, like our communities, I want playground chains removed and sports center doors unlocked. If our people can't use these facilities, why build them? My executive order will open these facilities, and I need your support as that is rolled out.

Lastly, I would like to thank our student interns working this summer for the Navajo Nation government across the Nation in the Office of the President and Vice President, the Department of Justice, the Navajo Nation Washington Office, the Navajo Tax Commission, our Department of Health, the Office of the Speaker and many other offices.

We appreciate each and every one of you for what you're doing for the Navajo Nation and our people. We hope your time here is a highlight of your summer, and we hope you will return to work for us full-time when you graduate. You will have endless possibilities to positively impact the lives of our people working with my administration.

Ladies and gentlemen of the Council, thank you very much. Have a very successful summer session.

A handwritten signature in black ink, appearing to read "Jonathan Nez", with a stylized flourish at the end.

CONTACT THE ADMINISTRATION

