



2024 SPRING COUNCIL SESSION SPEAKER'S REPORT

CRYSTALYNE CURLEY, SPEAKER
25TH NAVAJO NATION COUNCIL





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Message from Speaker Crystalyne Curley

Yá'át'ééh and welcome my colleagues of the 25th Navajo Nation Council, President Dr. Buu Nygren, Madam Vice President Richelle Montoya, Madam Chief Justice JoAnn B. Jayne, chapter officials, federal, state, and county officials, legislative staff, and most importantly, to our Diné People. Thank you for joining us as we welcome you to the 2024 Spring Council Session.

First, I want to recognize and thank all of my Council colleagues, advocates, and the victims and survivors who participated in this morning's Sexual Assault Awareness Walk to the Council Chamber. As the Navajo Nation recognizes Sexual Assault Awareness Month in April, we continue to pray for everyone who has been impacted by sexual assault, abuse, and violence. The 25th Navajo Nation Council is committed to supporting our people and helping to bring resolve to these issues. It is important to also note that each member of the Council, since taking office in 2023, has been provided the opportunity to participate in sexual harassment prevention training, and we will continue to offer this support for the Council and Legislative Branch staff members on an annual basis.

In addition, the Office of the Speaker has taken a lead role with the Diné Action Plan (DAP) with the Navajo Division of Social Services. The DAP Advisory Group was established to address the ongoing needs of social service and public safety programs across the Navajo Nation with a focus on modern day monsters impacting our families: suicide, family violence, substance abuse, and missing & murdered Diné relatives. The Missing & Murdered Diné Relatives Task Force has been active in meeting with Navajo Nation partners and programs with support from the Office of the Speaker.

I also want to take this opportunity to express my appreciation to all of the hardworking staff members within the Navajo Nation Legislative Branch. On April 24th, we recognize Administrative Professionals Day across the country. There is much work that often goes unnoticed and great sacrifices that are made by the administrative professionals on the Navajo Nation. On behalf of the 25th Navajo Nation Council, I thank you for your service and I also thank your families and loved ones for everything they do to support you.



Crystalyne Curley, 25th Navajo Nation Council Speaker

On behalf of the 25th Navajo Nation Council, I also recognize and congratulate all of our Diné students who participated in the annual spelling bee, hosted by the Navajo Times and Office of Diné Youth. We honor and celebrate their remarkable courage and achievements, and we pay special recognition to Tsaile Public School sixth grader, Shynelle Joe, who won this year's competition and will move on to the National Spelling Bee competition in Washington, D.C.

I also want to take a moment to recognize all of our Diné student athletes who represented their schools and the Navajo Nation in the recent state high school basketball finals. We had many outstanding athletes who demonstrated great sportsmanship and several who won state championships. On behalf of the 25th Navajo Nation Council, I thank you, your parents, teachers, coaches, and fans for supporting one another and working hard in the classroom and on the basketball court.

Last but not least, I also take this opportunity to congratulate newly-elected Council Delegate Lester Charles Yazzie, who was sworn-in to represent the communities of Bááhááí, Chichiltah, Manuelito,



At the ribbon cutting ceremony for N71 in Birdsprings Chapter, Speaker Crystalayne Curley told the chapter officials that road improvements remain one of her top priorities.

Water Rights Settlements

For the Navajo People, water is central to the Diné way of life and essential to our livelihood. It's invaluable because without water, there is no life. For decades, the Navajo People and our past leaders have sought to secure this precious resource to help sustain our livelihood now, and for future generations.

Despite being the largest tribe in the United States, the Navajo Nation has historically been marginalized in discussions surrounding water rights, leading to disparities in access and infrastructure.

Our Nation continues to face systemic challenges in accessing and managing this precious resource. Over one-third of homes on the Navajo Nation lack indoor plumbing. The COVID-19 pandemic highlighted this circumstance, and deepened disparities that exist on the Nation.

The pursuit to secure water rights in Arizona is complex with competition and pressure from other stakeholders who seek to protect the rapid growth of western cities even while surface and ground water levels decline and environmental needs intensify.

As groundwater levels decrease across the southwest, the Navajo Nation must contemplate its over-reliance on groundwater usage and secure surface water to sustain future generations. Currently, 80% of Navajo Nation water comes from ground water.

The Navajo Nation currently stands at a critical juncture in its pursuit of a water rights settlement. Over the past several months, the Navajo Nation has been engaged with tribal, municipal, state, federal, and other principal parties to negotiate a settlement that will settle all the Navajo Nation's water rights claims in Arizona. This includes claims to water in the Upper and Lower Basins of the Colorado River, the Little Colorado River Basin, Groundwater, and the Gila River Basin.

The significance of securing a fair and comprehensive Arizona water rights settlement for the Navajo Nation cannot be overstated. Such an agreement would lay the foundation for sustainable economic development,

Tsé Lichíí', Rock Springs, and Tsayatoh as a member of the 25th Navajo Nation Council. He fills the seat vacated by former Delegate and Speaker Seth Damon. I congratulate you and thank you and your family for taking on the challenge of serving our Navajo people and I pray for continued success as you serve in this capacity.

As we begin the spring session, I would like to reiterate that I encourage everyone to take time to reflect on the teachings of our elders in relation to the recent change in the seasons. Spring is a time of planting new seeds and embracing new growth that will provide us nourishment and see us through the coming seasons. The seeds that we plant during this session, with the words we speak as we deliberate over legislative actions, will have lasting impacts on our people into the future. As our grandparents always taught us, Ni'hi'saad ayoo bi'dzil, our spoken words have power to create change that improves the livelihood of our people, but we have to work together and move forward on a positive path.

As the 25th Navajo Nation Council convenes for the spring session, I am confident that we will continue to make progress and plan for the future of our Nation. On behalf of the 25th Navajo Nation Council, I again thank our Diné Citizens for your guidance and support as we move forward.



Speaker Curley said the Navajo people must have access to the water resources they need to thrive.

cultural preservation, and environmental stewardship – not only for the Navajo Nation but also for other tribal nations.

Together, we are fighting for a settlement that will justify federal funding to provide potable water to our unserved communities who deserve the same opportunity as other Americans to live with 21st century amenities, like those provided immediately outside of our sovereign territory.

I extend my greatest appreciation to my colleagues of the 25th Navajo Nation Council, President Nygren, the Navajo Nation Water Rights Commission, the Department of Justice, Department of Water Resources, and many others who have spent countless hours meeting and negotiating this settlement. We are near the point of presenting a proposed settlement before the Navajo People. As of today, we plan to introduce legislation by the end of the month for the Council's consideration.

The Water Rights Commission and the Department have hosted nearly 40 public education sessions in various Navajo communities in Arizona, to offer information and listen to input regarding the framework for a

settlement and the terms of the proposed Arizona water rights settlement. As the settlement moves forward in the form of Navajo Nation Council legislation, the 25th Navajo Nation Council will solicit public comments on the settlement to hear the voices of our people on this critical agreement.

In the state of New Mexico, the proposed Rio San Jose Water Rights Settlement Agreement between the Navajo Nation and Tóhajiilee Band, Pueblo of Laguna, Pueblo of Acoma, United States, New Mexico, City of Grants, Village of Milan, and nine individual acequias and community ditches seeks to fairly settle our rights in the general stream adjudication of the Rio San Jose Stream System.

The basic framework for this proposed settlement includes 2,444 acre feet per year (AFY) of groundwater for the two basins, 417 AFY for livestock use, 493 AFY additional storage right of for stock ponds for the Rio San Jose Basin, and livestock water rights for the Rio Puerco Basin to be determined later. This settlement would not impact allottee water rights. The Water Rights Commission and the Department have hosted eight public education sessions in various Navajo communities in New Mexico. This proposed settlement



Since December, the 25th Navajo Nation Council has met with the Office of the President and Vice President and Executive Branch officials, on a weekly basis, to provide support and direction to ensure that funds are obligated or expended as soon as possible

will also come before the Council for consideration.

Across the Nation, we recognize how the lack of access to water resources and infrastructure has led to the displacement of Navajo community members who were forced to move in order to access water resources. We see how it stifles economic development on multiple levels and remains a permanent obstacle to investments in infrastructure projects that are vital to growth, health and prosperity on our Nation, including roads, housing, education, and healthcare.

We need to secure our investments to address these immediate basic human needs on our Nation, and we need to build resilience in the face of climate change. We also need to ensure the long-term sustainability of Navajo communities.

For many of us, living without running water has become a part of our lives. Growing up without running water, I understand that many homes are not able to turn on a faucet for a drink of water, to cook, bathe, or shower. Our weeks begin and end with the hauling of water from wells and watering stations, to ensure the livelihood of our families and our livestock.

Now is the time for decisive action and meaningful dialogue to ensure that the Navajo people have access to the resources we need to thrive. This is our time to claim what is ours.

American Rescue Plan Act (ARPA) Funding

The American Rescue Plan Act (ARPA) deadlines are quickly approaching and our Navajo people are expecting our leaders to take decisive measures to prevent sending any of the funds back to the federal government. Since December, the 25th Navajo Nation Council has met with the Office of the President and Vice President (OPVP) and Executive Branch officials, on a weekly basis, to provide support and direction to ensure that funds are obligated or expended as soon as possible.

All Council Delegates have introduced legislations to allocate the \$8.8 million per delegate region, and the majority have been enacted and are in progress of being encumbered. The encumbrance and expenditure of ARPA funds is a challenging task that requires a great amount of coordination and communication with the Executive Branch. As we continue to meet, we are considering several options that will come before the



Council in the form of legislation once a path is decided upon.

As the Speaker of the Council, I fully understand the urgency to expend ARPA funds, especially for infrastructure projects that will deliver water, housing, and other needs for communities and residents. As we move forward, we will do our best to inform our Navajo people and ensure that the funds are expended for the benefit of our people and communities.

Protection of Dook'ooosłííd

In early February, the Office of the Speaker and the Navajo Nation Humans Rights Commission and Office, along with Council Delegate Carl Slater, met with the Arizona Governor's Office to share concerns and recommendations regarding a proposed Memorandum of Agreement (MOA) related to the Arizona Snowbowl Ski Resort at Dook'ooosłííd, also known as the San Francisco Peaks. A previous MOA was signed in 2005, however, tribes were not parties to the MOA.

Through Resolution NABIS-58-11 passed by the 22nd Navajo Nation Council's Naabik'iyati' Committee, the President of the Navajo Nation, Speaker of the Navajo Nation Council and their designees, and the Navajo Nation Human Rights Commission are directed to do all things necessary to protect the San Francisco Peaks as a Sacred Mountain for the Navajo people.

For many years, our elders and medicine people have objected to the use of reclaimed waste water for artificial snow making and the desecration of Dook'ooosłííd, one of our Four Sacred Mountains. Prior to the meeting with the Arizona Governor's Office, the Office of the Speaker helped to coordinate a meeting with President Nygren, the Commission, and several medicine people to discuss the importance of protecting Dook'ooosłííd.

In January, the Navajo Nation Human Rights Commission passed a resolution opposing the proposed MOA between the U.S. Forest Service, the Arizona Council on Historic Preservation, and the Arizona State Historic Preservation Officer. The resolution also calls for certain conditions to be met. Among several conditions, the resolution affirms that tribal nations/governments be official parties to the MOA and that



Speaker Curley provides an overview of ARPA expenditures and deadlines during a Naabik'iyati' Committee worksession.

meaningful consultation occur with tribes. Currently, tribal governments are only "invited signatories" with no defined authorities or roles.

The Commission is also requesting that monitoring of the ecological and cultural impacts of the artificial snowmaking with reclaimed water be a requirement within the MOA. The data obtained from the monitoring activities will help to guide and identify ways to minimize the adverse effects of the reclaimed water and hopefully provide more protection for Dook'ooosłííd.

As this issue moves forward, we will continue to work with the Governor's Office and urge the current MOA parties to conduct meaningful consultation, to include scientific monitoring and data requirements in the MOA, to make tribal governments part of the official MOA, and to continue addressing other concerns brought forth by the Navajo Nation.

Uranium Ore Transportation

The Navajo Nation Environmental Protection Agency provided an update to the Council regarding the ongoing mining of uranium ore, by the company Energy Fuels Resources, at the Pinyon Plain Mine located south of the Grand Canyon. In January, I also met with President Nygren, Coconino County Supervisor Lena Fowler, and Kaibab National Forest Supervisor Nichole Branton to



Left to right: Council Delegate Dr. Andy Nez, Council Delegate Vince James, Council Delegate Helena Nez Begay, Arizona Governor Katie Hobbs, Speaker Crystalayne Curley, Council Delegate Carl Slater, Council Delegate Lomardo Aseret, and Council Delegate Cheryl Yazzie.

share our concerns related to the company's plan to begin transporting the uranium ore through state roads located within the Navajo Nation, to an ore milling site in Blanding, Utah.

The Vehicles, Persons and Materials Transportation Act of 2012, enacted through Navajo Nation Council Resolution No. CF-18-12, makes it illegal to haul or transport radioactive and related substances, including uranium, within the Navajo Nation. However, the Navajo Nation does not have jurisdiction over the routes that would be used to transport the radioactive material – Arizona State Route 89 and Highway 160.

In addition, the Diné Natural Resources Protection Act of 2005, enacted through Navajo Nation Council Resolution No. CAP-18-05, prohibits uranium mining and processing on Navajo lands, reflecting the Navajo Nation's commitment to safeguarding its people, land, water, and culture from additional harms posed by the mining of uranium.

Based on these Navajo Nation laws, President Nygren and I sent a letter to President Biden in March, urgently requesting the support of the White House to explore all executive authorities to halt the transportation of

uranium through our lands. We also implored President Biden to publicly support a legislative solution that would reinforce the sovereignty of tribal nations, enabling us to enforce our laws and protect our people. The 25th Navajo Nation Council will soon consider legislation to oppose the transportation of uranium ore from the Pinyon Plain Mine through our lands and we will continue to urge President Biden to offer his support.

In New Mexico, the Red Water Pond Community and residents are faced with similar circumstances. In March, I had the opportunity to engage with many of our Navajo people who are directly impacted by abandoned uranium mines at the Uranium Film Festival at the Navajo Nation Museum. I listened to their testimonies about the impacts of uranium on the physical and mental health of their families and community members.

As the 25th Navajo Nation Council moves forward, we will continue meeting with impacted individuals and groups and continue to fight for relief at the federal level. Abandoned uranium mines have created overwhelming injustices and devastation for many of our people and the federal government is responsible for righting those wrongs.



Speaker Curley joined Arizona State Senator Theresa Hatathlie to support her bill, S.B. 1655, which sought major reforms to fraudulent sober living homes.

Sober Living Homes

Over the past several months, my colleagues of the 25th Navajo Nation Council and I have met with Arizona state legislators, Arizona Governor Katie Hobbs, and Arizona Attorney General Kris Mayes to provide testimony in support of measures to address fraudulent sober living homes that have victimized many of our Navajo people as well as indigenous people from various parts of the country.

This is also an issue that impacts our people in many border towns and cities off the Navajo Nation. We have met with grieving families who have lost their loved ones due to illegal activities with these fraudulent sober living homes. Together, we joined Arizona State Senator Theresa Hatathlie in support of her bill, S.B. 1655, which sought major reforms to hold perpetrators accountable, to provide for accountability among state agencies who license such facilities, and to provide a measure of justice to victims and their families.

As the Speaker of the Council, I had the honor of standing shoulder to shoulder with Senator Hatathlie to speak in support of her bill and when it was passed unanimously by the State Senate. Unfortunately, the companion bill did not make it to the full House for a vote, but we will continue to advocate for the impacted families and work with our state partners to address the current laws that hinder progress and accountability.

On April 8th, Arizona Governor Katie Hobbs signed a separate bill into law that is helpful to the overall cause, but we recognize that more needs to be done to help tribal members and communities. On behalf of the 25th Navajo Nation Council, I thank Senator Hatathlie for her dedication and commitment to helping all Arizona tribes and for being a strong voice for our people at the State Legislature. I also thank my Council colleagues for their efforts and continued support for these critical issues.



Speaker Crystalayne Curley said the Navajo Nation remains steadfast in its efforts to ensure that it receives the necessary support and resources to address the needs of the Navajo people.

Tribal Interior Budget Council

In March, members of the 25th Navajo Nation Council and President Nygren, advocated for federal funding and changes in the federal budget process at the quarterly Tribal Interior Budget Council (TIBC) meeting held in Washington, D.C. The Tribal Interior Budget Council

serves as a critical platform for tribal leaders to engage with federal representatives on matters related to budgetary allocations and funding priorities within the Bureau of Indian Affairs, Bureau of Indian Education, and other agencies.

Tribal nations are united in requesting Congress to change the status of funding for Indian Affairs programs to “mandatory funding,” with a form of automatic annual adjustment, to account for inflation and other changes. Until these funds are made mandatory, tribal leaders urge the U.S. Department of the Interior to request advance appropriations for the Bureau of Indian Affairs to avoid negative impacts in the event of federal government shutdowns or the impacts of continuing resolutions.

A large portion of the discussion also focused on the FY26 federal budget. Based on the TIBC meeting, the tribal budget submission includes a total funding request of over \$27 billion dollars, which reflects a 30-percent increase compared to President Biden’s FY25 budget for tribes. The request includes significant increases in funding for the construction of new BIE school facilities, public safety, natural resources, and other priorities for tribal communities.

In addition to these requests, the Navajo Nation’s TIBC representatives also presented a proposal to lower the age of hiring police officers from 21 to 18 to expand recruitment of Navajo Nation Police Officers. Regarding school safety, the Navajo Nation advocated for \$93 million for School Resource Officers to help protect students at BIE schools located on the Navajo Nation.

As the Speaker of the Council, I thank my colleagues of the 25th Navajo Nation Council for their commitment to the Tribal Interior Budget Council processes and for being the voice of our people and communities by demonstrating the need for new schools, increased public safety presence in our Nation, and many other initiatives.

Primary and General Elections

I extend my appreciation to my 25th Navajo Nation Council colleagues and President Nygren for approving legislation to fund the Navajo Election Administration (NEA) in March, to provide approximately \$965,000 to



Speaker Crystalyne Curley sponsored the legislation to appropriate emergency funding for expenses related to the 2024 Navajo Nation Elections.

prepare for the upcoming Navajo Nation primary and general elections. We understand that there are many concerns about the integrity of elections at all levels of government, and this funding will help to ensure that all elections within the Navajo Nation are carried out as efficiently as possible.

These funds will address critical needs such as keeping voting offices in safe, working order for voters and staff. Ideally, NEA needs 880 poll officials and this funding will go towards providing adequate staffing. Also, many voting offices need general office supplies, furniture, postage for absentee ballots, computers, and for polling places to be brought into ADA compliance.

The 25th Navajo Nation Council also approved legislation in March, which was signed into law by President Nygren, to change the Navajo Nation’s primary election date to July 30, which will only apply to the 2024 primary election and will not carry over to the following years. This action was taken to address Arizona House Bill 2785, which was signed into law and changed the state of Arizona’s primary election date to July 30th for 2024.

At all levels of government, it is critical that the 25th Navajo Nation Council supports and promotes the rights of all eligible Navajo citizens to vote and to make voting more accessible. In the coming months, we look to partner more with organizations and government entities to support voter registration and outreach to



ensure that Navajo voters have every opportunity to overcome barriers so that our voices are heard in the upcoming Navajo Nation, state, and federal elections.

Utah Medicaid Traditional Ceremony Reimbursement

On behalf of the 25th Navajo Nation Council, I thank the Navajo Utah Commission, Utah State Senate Minority Leader Luz Escamilla, Utah Navajo Health System, and many others who successfully advocated for SB 181, which was passed by the Utah State Legislature in its most recent session and signed into law.

This important measure allows Indian Health Service and tribal health facilities to receive reimbursement for qualified traditional medicine services provided for their Medicaid beneficiaries who reside in the state of Utah. This initiative has proven to be successful in the state of Arizona, which adopted a similar measure in 2016.

We understand that many Navajo people turn to traditional practices to assist with their health conditions and this is one way of supporting their path to healing. We appreciate the support of the Utah Legislature, our lobbyists, my Council colleagues, Utah Lt. Governor and Governor, and many others for pushing this bill through the legislature and signing it into law.

Radiation Exposure Compensation Act

The Radiation Exposure Compensation Act (RECA) extension and amendments remains one of the top priorities for the Office of the Speaker and the 25th Navajo Nation Council. In early February, Navajo Nation Washington Office Executive Director Justin Ahasteen and I had the honor of joining U.S. Senator Josh Hawley, of Missouri, on Capitol Hill to meet with supporters and to participate in a press conference to push for the passage of S. 3853, the "Radiation Exposure Compensation Reauthorization Act."

If the bill becomes law, it will extend RECA for six additional years and avoid the July 2024 expiration. It will also expand downwinder eligibility to include additional states and territories, include chronic lymphocytic leukemia as compensable condition, extend eligibility for uranium workers and include new worker categories, add chronic kidney illnesses for uranium

miners to the list of compensable conditions, create a grant program to study the epidemiological impacts of uranium mining, accept combined work histories and affidavits for claims, include specific communities affected by nuclear waste and contaminants, increase compensation amounts and allowance for past claimants to receive adjusted benefits, and commission a GOA study to assess unmet medical needs of downwinders and provide recommendations.

RECA, initially enacted in 1990 and subsequently amended in 2000, was established as a means to offer one-time compensation to the veterans of, and communities impacted by, the fallout of America's uranium industry and its nuclear development program. This was particularly significant for the Navajo Nation, where uranium mining had left an enduring health and environmental legacy.

In March, the U.S. Senate passed Senator Hawley's bill and the Navajo Nation continues to advocate for its passage in the U.S. House. Once again, I thank my colleagues of the 25th Navajo Nation Council, the Navajo Nation Washington Office, the Navajo Uranium Radiation Victims Committee, President Nygren, and many other advocates who continue to fight for our Navajo uranium mine workers, downwinders, and their families.

Closing Remarks

On behalf of the 25th Navajo Nation Council, I want to thank our Diné people for joining us during the 2024 Spring Council Session. As we move into the next quarter, the 25th Navajo Nation Council will continue to serve as the governing body of the Navajo Nation and work to improve the quality of life for our Navajo people. We appreciate your continued support and prayers as we move forward together.

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Crystalyne Curley, *Speaker*
25th Navajo Nation Council

Office of Government Development Fiscal Year 2024 – Second Quarter Report Summary



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The Commission on Navajo Government Development (CNGD) is a task specific entity created by the Navajo Nation Council with quasi-independent authority to accomplish the Navajo people's Government Reform Project. CNGD's purpose is to institute a government reform proposal to be approved by the Navajo people by a referendum vote to create an accountable and responsible government. The purpose of the Commission and Office is to review and evaluate all aspects of existing government structure of the Navajo Nation including laws, rules and regulations, practices, functions, goals and objectives of the central government; and to develop recommendations and proposals for alternative forms of government, including chapter governments for consideration and possible adoption by the Navajo People through a referendum or initiative vote.

The Office of Government Development (ONGD) was established for the purpose of assisting the Commission on Navajo Government Development with administrative tasks and by conducting research, analysis and making proposals for governmental changes that are necessary to ensure an accountable and responsible government to the Navajo People. The Office is tasked with assisting the CNGD draft the Government Reform Proposal and seek the Navajo people's involvement and input into the Government Reform Proposal with public informational meetings and direct communication. ONGD is also charged with developing proposals for alternative forms of local governance and empowerment.

Accomplishments from FY2024 Second Quarter

In addition to ongoing research and operation of ONGD, the following outlines the accomplishments for the Second Quarter of Fiscal Year 2023-2024:

A. Program Performance Criteria Goal Statements

1. Work on the Navajo Government Reform Project

Goal: 2 Actual: 3

1. Continuing to develop the Diyin Nohookaa Dine'e Bi Beehaz'áanii Bitsí Siléí as part of the Navajo Government Reform Project.
2. Presenting the history of Navajo Nation Government 1923 to Present, Traditional Navajo Governance, the history of CNGD & ONGD, and current governmental issues.
3. Comprehensive Government Reform Survey: In collaboration with former statistical research analyst Alex Zhao, the Office is generating a report on the findings of the survey and coordinating with Mr. Zhao on the Navajo Institutional Review Board's process for review.

2. Draft the government reform proposal (measure by articles, sections)

Goal: 3 Actual: 3

1. Drafted government reform proposals for leadership roles.
2. Local Governance Section is currently being analyzed and discussed by ONGD & CNGD.
3. Fielding the Essential Attributes of a Democracy presentation as further public engagement.

3. Empower the Navajo people by proposing amendments to Initiative procedures

Goal: 1 Actual: 1

1. The Office resubmitted the initiative legislative packet for consideration. The legislative packet was also provided to the Department of Justice as a courtesy copy.

4. Public Engagements regarding Navajo Government Reform Project proposal.

Goal: 3 Actual: 5

1. Native Promise: The Office was invited to participate in a discussion on February 1st, 2024; with Native Promise, a non-profit organization that coordinates and manages economic development projects for Navajo and native american communities. Director Tsosie and Policy Analyst Triston Black provided a historical overview of the Navajo Government Reform Project.
2. Tólikan (Sweetwater) Chapter House: Director Tsosie provided a community presentation about the Navajo government and the Navajo Government Reform Project. The chapter officials appreciated the presentation and input from the community members.
3. Diné Governance Virtual Presentation Series: ONGD & CNGD hosted virtual presentations for the general public.
4. March 13: Diné Traditional Governance
 - March 20: Diné Governance from 1923 to Present
 - March 27: Essential Attributes of a Democracy, and
 - April 3: Navajo Government Reform Project.
 - Each presentation was live streamed on the ONGD Facebook Page and recorded via zoom. To access the archives presentations, visit the ONGD YouTube Page: <https://www.youtube.com/@NavajoGovDev>
5. Navajo Agency Council Meeting
 - March 2nd 2024, the Eastern Agency Council meeting took place at Iyanbito Chapter house. Commissioner Anselm Morgan attended and provided a report.
 - March 16th 2024, the Northern Agency Council meeting took place at Shiprock Chapter house. Commissioner James Benally attended and provided a report.
 - March 16th 2024, the Western Agency Council meeting took place at Dennehotso Chapter house. The Office provided an electronic & written report to the Western Agency Council leadership.
 - March 26, 2024, the Eastern Navajo Agency Council held a Leadership Meeting at Gallup-McKinley Student Support Services Center where the ONGD presented their concept for future local governance.

5. Develop proposals for alternative forms of central and chapter government

Goal: 3 Actual: 3

1. ONGD & CNGD are working on the Navajo Government Reform Project and creating a proposal for reforming the central and chapter government. The proposal is in draft form and is protected by the Navajo Nation Privacy & Access to Information Act.
2. CNGD is exploring options to review, suggest, and provide recommendations to local governance & chapter amendments as an avenue for developing proposals for alternative forms of central & chapter governance.
3. Focus on the reserve rights of the people in chapter governance and collect information of the historical implications of Title 26: Local Governance Act and on-going efforts to address Title 26.

Other Meetings

A. Navajo Nation Council and Committee Meetings

- 01/02: Budget & Finance Committee Mtg. (listen via teleconference)
- 01/02: Resources & Development Committee Mtg. (listen via teleconference)
- 01/17: Resources & Development Committee Mtg. (listen via teleconference)
- 02/08: Naabik'iyáti' Committee Mtg. (listen via teleconference)
- 02/12: Law & Order Committee Mtg. (listen via teleconference)

- 02/15: Navajo-Hopi Land Commission Mtg. (listen via teleconference)
- 03/06: Resources & Development Committee Mtg. (listen via teleconference)
- 03/08: Navajo Nation Council Special Session (listen via teleconference)
- 03/11: Law & Order Committee Mtg. (listen via teleconference)
- 03/26: Navajo Nation Council Special Session (listen via teleconference)
- 03/28: Naabik'iyati' Committee Mtg. (listen via teleconference)

B. Administrative Meetings/Work Sessions/Trainings

- 01/08-14: University of Arizona - Native Nations Institute January in Tucson, 3 January term courses, Tribal Professional Cohort - Policy Analyst Damon Clark
- 01/23 - 02/08: Community Engagement & Participatory Design for Leaders program with Duke University - Executive Director Harrison Tsosie
- 02/13: ONGD Staff Strategic Session, Hilton Garden Inn, Gallup, NM - All Staff
- 03/14-15: CNGD Work Session, Hispano Chamber of Commerce, Albuquerque, NM - 7 Commissioners

Future Activities

1. Continue meeting FY 2024 Form 2 Performance Criteria Goals and engage the Navajo people regarding the Navajo Government Reform Project.
2. ONGD is proposing a community event in Kayenta, Arizona in April and responding to public requests for presentations about Diné government from various schools, organizations, and governmental entities.
3. The Commission on Navajo Government Development 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.
4. The Office of Navajo Government Development will continue to work with our partners as well as form new partnerships to pursue government reform initiatives to benefit the Navajo People.
5. The Office of Navajo Government Development is planning to rebrand the logo, website, social media, and public outreach material that reflects people.
6. The next regularly scheduled meetings of the Commission on Navajo Government Development: (may be subject to change)
 - April 12, 2024
 - May 17, 2024
 - June 21, 2024

**Office of the Auditor General
Fiscal Year 2024 – Second Quarter Report Summary**



The Office of the Auditor General conducts internal audits of Navajo Nation programs, departments, chapters, entities and vendors.

Contact:
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Accomplishments from FY2024 Second Quarter: 2 reports

LGA Certification Reviews - 1 report

- Crownpoint Chapter Revisit - Follow-up on prior LGA review

Corrective Action Plan Follow-up Reviews - I report

- Hardrock Chapter 2nd CAP follow-up review

Goals for FY2024 Third Quarter (planned/ongoing projects and activities)

- Navajo Rehabilitation Trust Fund Special Review
- Special Duty/Hazard Pay Special Review
- Office of the Speaker Special Review
- Parks and Recreation Department 2nd CAP follow-up review
- Whippoorwill Chapter Internal Audit
- Fort Defiance Chapter Internal Audit
- Bahastlah Chapter 2nd CAP follow-up review
- Ganado Chapter investigation (CONFIDENTIAL)
- Division of Economic Development investigation (CONFIDENTIAL)
- Outsource more chapter audits and performance audits of Navajo Nation depts/programs; will need to issue various request for proposals to utilize consulting budget.
- Continue ongoing efforts to update the OAG website; this initiative is long overdue but with support from the Office of Legislative Services and assistance from Realtime Solutions, we have a goal to have the new, enhanced website in place and available by the end of the thfrd quarter.

Issues/Recommendations

- Continue to recruit applicants to fill five (5) vacant positions including the Auditor General, three Associate Auditor positions and one Auditor position; these are key positions for completing audits; will continue to advertise and recruit as diligently as possible.
- Due to the vacancies, our office is challenged in completing the targeted number of projects with limited resources. In order to meet our performance goals, we will have to continue to outsource more audits but that also depends on our consulting budget.
- Efforts to amend our plan of operation and internal procedures manual are ongoing; both documents need revisions to ensure consistency and compliance with audit standards. The amendments will also make the corrective action plan approval process an administrative process requiring only the Auditor General approval of these plans. There is also plans to revisit the sanctions provisions by considering other alternatives.
- Continue to assist the Administrative Service Centers on chapter matters.
- Continue to work with the Wells Fargo Bank to address chapter banking issues such as the need for credit cards but there are no existing policies and procedures.

**Navajo Nation Labor Commission
Fiscal Year 2024 – Second Quarter Report Summary**



Contact:

Anslem Bitsoi, Executive Director

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Section One: Accomplishments for Second Quarter of FY 2024:

- Efficient use of allocated funds, NNLC held (20) hearings by teleconference or Zoom or in person with counsels of record and parties.
- NNLC and program timely processed (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 (16) NPEA cases.
- NNLC and program timely closed and issued (18) continuance orders.
- NNLC & program timely issued and mailed (600) subpoenas and notice of hearings & NNLC Rules by certified mail, first class, facsimile and email to counsels of record or parties.
- NNLC will continue to adjudicate (71) pending NPEA cases.
- NNLC program made (07) audio copies at parties' request.
- Amended NNLC Rules of Procedure effective April 19, 2021
- NNLC staff continues to participate in 25th NNC and Committee leadership meetings

Section Two: Goals for Third Quarter of FY 2024:

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

**Office of Navajo Nation Human Rights Commission
Fiscal Year 2024 – Second Quarter Report Summary**



Contacts:

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SIGNIFICANT ACCOMPLISHMENTS IN THE SECOND QUARTER

The Navajo Nation Human Rights Commission addressed significant issues this reporting period. Monday morning weekly meetings remain intact this reporting period where a review of ongoing activities and new case and work activities were reviewed and discussed. One major accomplishment is the hiring of an investigator and the interviews of candidates for the Office Assistant position. These positions were vacant for the last two quarters of the fiscal year. A summary of the major activities conducted by this office are as follows.

- 1. New Mexico Redistricting Task Force:** As a member of the New Mexico Redistricting Task Force, the Office participated in several task force meetings in the first quarter of Fiscal Year 2024. In 2020, the office was appointed to be a member of the task force. During the same year the task force worked on proposing to the New Mexico

legislature legislation that would establish a citizen redistricting committee. The legislature passed legislation in 2021 creating the redistricting committee without the authority to give final approval to the redistricting maps – the legislature retained that authority. In 2023, the task force reassembled to work on new legislation to continue the effort to amend the New Mexico constitution to create an independent redistricting commission, similarly to Arizona’s Independent Redistricting Commission. In December 2023, the task force drafting committee submitted draft legislation to the New Mexico Legislative Services sponsored by Representative Natalie Figueroa. The draft legislation, if passed by the New Mexico legislature will allow for a referendum to be placed on the ballot in the November of 2024 for New Mexico voters to decide whether an Independent Redistricting commission is to be established.

- 2. United States Census:** At the end of FY 2023, the Office met with the United States Census Department along with the Navajo Nation Rural Addressing Authority. One of the basic issues that the Navajo Nation presented to the US Census Department is the recognition of the official Navajo Nation chapter boundaries; Navajo Nation Department of Justice has shared the information that chapter boundaries for the purpose of voting and census were put in place in the 1970’s by a Navajo court. It is reported to the Office that the Navajo Nation, through the Navajo Nation Land Department, submitted chapter boundary maps to the US Census Department. However, the Navajo Nation states the chapter boundaries were not appropriately incorporated into the US Census Department block lines. During the September meeting with the US Census Department, the discussion surrounded the chapter boundaries used by the Navajo Nation as litigated in the 1970’s. This situation is serious as the block lines the US Census office deploys before each decennial census count determines voting districts, which can negatively impact voter participation at all levels of state and federal elections. The Commission anticipates this initiative to be on-going with the goal of aligning county precinct boundaries with census blocks that are aligned with chapter boundaries in the 2030 redistricting cycle.
- 3. Interfacing with San Juan County Utah:** The Navajo Nation Human Rights Commission has a settlement agreement with San Juan County; this agreement ends in December of 2024. There was a 2023 municipal general election in Blanding and Bluff, Utah communities in November. While the county believed that it did not have to abide by the settlement agreement during the municipal elections, the Office insisted, along with the attorneys, that the county under Section 203 of the Voting Rights Act still has to provide language assistance during any election in the county. The County hesitantly provided the Section 203 language assistance to voters in the Bluff election – the Blanding election was canceled due to no need to have an election. The County, after six years, does not fully grasp its responsibilities to implement Section 203 requirements and the settlement agreement.
- 4. Interaction with State Attorney General’s offices:** The office sometimes refers Navajo citizen complaints to the New Mexico and Arizona attorney generals’ offices for assistance. In the cases of businesses off the Navajo Nation, the Office has been working with the Arizona AG’s office for several years investigating the mistreatment of Navajo consumers at an auto repair shop in Flagstaff, AZ. The most recent development is the new owner of the repair shop has taken on the initiative to remove vehicles on his business premise while Navajo consumers are left without any update or status of their vehicles by the previous owner; the new owner alleges Navajo customers abandoned their vehicles. In New Mexico, the Office continues to work with the AG’s office on various consumer issues that also relate to auto sales. The efforts to bring relief to Navajo consumers is an enduring effort as much of groundwork to elevate a consumer’s case to legal review by the AG’s office takes many hours of research and investigative review. This particular case load comprises of well over a hundred Navajo consumers to date.
- 5. United States Department of Justice:** The Commission continued to work with complaining parties on complaints regarding the Monument Valley High School at Oljato, Arizona and the Gallup McKinley County School District.
- 6. Sacred Sites and the San Francisco Peaks:** On October 26, 2023, the Commission met with the Navajo Nation Washington Office staff to provide information about the Commission’s activities with sacred sites specific to the San Francisco Peaks. Information included the incorporation of International human rights instruments that provide

protection for Indigenous lifeways. This included the United Nations Declaration of Rights of Indigenous Peoples, with an emphasis on Article 19 concerning Free, Prior and Informed Consent; Traditional Ecological Knowledge, Corporate Social Responsibility and aspects of SWOT, Strengths, Weakness, Opportunities and Training that related to sacred sites. The Commission also met with United States Forest Services in the Department of Agriculture where the statement was conveyed by the two agents representing the United States Forest Services that the Deputy Director of the Department of Agriculture is intended to rebuild trust between the Department and Indigenous Nations that are concerned with the San Francisco Peaks. With that statement, the commission raised concerns with the construction of the Memorandum of Agreement that concerns the San Francisco Peaks. The final meeting in Washington D.C. proceeded with Ms. Rose Petaskie, Director of Tribal Affairs, White House Intergovernmental Office. This meeting was an introductory meeting as Ms. Petaskie recently assumed this position from the former Director PaaWee Rivera. The Commission raised issues surrounding the San Francisco Peaks, the occupancy of the Snowbowl Resort and the Forest Services involvement as it relates to the recent draft development of the Memorandum of Agreement that is before indigenous nations of Arizona. The issue concerns the absence of any monitoring mechanism of the refurbished snow on the Peaks. Governmental agencies are reluctant to insert a provision into the MOA that will allow for the monitoring and testing of the water run-off from the snow that is artificially reproduced on the mountain. Additionally, the Commission learned that the White House introduced the Initiative 40, which encourages the principles of Tradition Ecological Knowledge to be intertwined with all aspects co-management agreements, co-stewardship agreements, self-determination agreements and the management of indigenous lands with indigenous peoples. The discussion points are relevant to the construction of the proposed MOA that is under review.

- 7. Memorandum of Agreements with border town municipalities:** The Office reached out to the Farmington Community Relations Committee (CRC) to reestablish ties with new members of the committee. The CRC handles citizen complaints regarding disparaged treatment from businesses, governmental agencies and law enforcement complaints that come from our office or complaints directly filed with their office. Since the establishment of several MOAs with border towns surrounding the Navajo Nation, the commission is revisiting this mechanism to ensure Navajo citizens are treated with dignity and fairly when in border communities. The Commission also met with the Flagstaff city officials, including the Mayor Daggett on December 4th, 2023, to reestablish ties and exchanged information on activities in Flagstaff that concern Navajo patrons.
- 8. Interaction with Native Civil Engagement Table:** The Office attended meetings hosted by New Mexico Representative Charlotte Little to examine Indigenous voting issues in New Mexico. This included a review of the recent passage of HB 4 which includes the Native American Voting Rights Act engrossed in HB 4 and signed by Governor Lujan Grisham on March 30, 2023. Members of the engagement table are looking at how to assist with the implementation of HB 4 on tribal lands and await the Navajo Nation's input on specific aspects of this bill. The Engagement table is composed of indigenous leaders from the Apache and Pueblo nations who are instrumental in supporting voting legislation in the state.
- 9. Complaints:** During this reporting period the office received 18 new complaints. Most of the new cases included vehicle purchases that had aspects of fraud that included such matters with inflated income and damaged vehicle not reported during purchasing. Nine complaints were closed. Four cases were referred to the U.S. Department of Justice for review. The Office had 59 active cases at the close of the first quarter report.
- 10. Public Information Activities:** The Commission held two regular meetings and one work session during this reporting quarter. The October meeting was cancelled due to a lack of quorum as one commissioner fell ill. PIO activities remain constant this reporting period with providing the public information via radio Public Service Announcements. One specific forum this reporting period dealt with current litigation against Ed Corley's Nissan of Gallup, NM where Navajo consumers encountered financial burdens and the inability to register vehicles purchased from this dealer. A substantial amount of work was dedicated to the planning and discussion with external organization on the 2024 Four Corners Indigenous Language conference. Additional duties were assigned to assist

with all complaints filed with this office. Prior to any dialogue with a complaining party, this added responsibility included ensuring the complaint forms were properly filled out, supporting documents were copied, stamped, dated, an explanation of the internal review and process the complaint undergoes and finally, a coded case number is given to each complaint to ensure accurate data calculations are captured. A total of eighteen new complaints were filed with this office this quarter. Daily interactions with public entities and persons were on-going as required of this position.

- 11. Close out meeting on San Juan County, New Mexico Litigation:** On October 16, 2023 the Commission, plaintiffs and attorneys representing the Navajo Nation in the county redistricting litigation against San Juan County Commission conducted a close out meeting at the residence of Bessie Werito of Chaco Canyon, New Mexico. Ray Williams the lead attorney for the Plaintiffs updated the group on the final agreement with county regarding the Native American Voting Age Populations in District 1 and 2. These districts are largely populated with Native American citizens who now will have ample representation in the Districts 1 (74 %) and 2 (69.77 %) to elect candidates of their choice. The Commission and plaintiffs expressed their appreciation to the attorneys that skillfully litigate this case to create the opportunity for Native Americans (Navajos) to share in the governance of San Juan County in the future. This is truly a milestone for political participation as it relates to Navajo assets and contributions to San Juan County from Navajo citizens that reside in San Juan County.

Navajo Nation Ethics and Rules Office Fiscal Year 2024 – Second Quarter Report Summary



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Activities/Accomplishments:

Lewnell B. Harrison, Ethics Investigator was appointed Interim Executive Director on October 15, 2021, to carry out the duties and responsibilities of the office so that services to the Navajo Nation would not be interrupted. The Ethics and Rules Office continues to contract with Mr. Joe W. Washington, Attorney for all our filings and to prosecute all who have violated the Navajo Nation Ethics in Government Law. 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. I am happy to report that we have received both unmarked vehicles and continue to investigate the intakes that are filed with this office. The Ethics and Rules Office was also able to contract a contractor to connect our conference room building and the Executive Director's office to our main building. The Ethics and Rules Office has filed eight (8) Order to Show Cause Hearings for Respondents who haven't paid their restitutions or those who have stopped paying. The Ethics and Rules Office filed five (5) new cases which are scheduled to be heard in May of 2024. The Ethics and Rules Office also we are finally ready to file our first Garnishment with the Navajo Nation District Court. Efforts are still being made to locate and contact individuals with outstanding restitution with the Navajo Nation. There has been some success in obtaining restitution from some respondents who have never made payments before. Intakes continue to be received and reviewed for possible investigation and prosecution. Each Investigator has several investigations they are working on. The office continues to answer questions regarding the ERO process by phone or email. I would also like to report

that we have collected \$24,605.70 of restitution this quarter. This is the most our office has collected in one quarter. Our office was also able to fill our office aide position.

PLANS FOR FY 2024 3rd QUARTER

- We interviewed one individual for the Presenting Officer position and the position was offered to the individual, but he decided to take another offer from another department. We will continue to look for qualified people to fill our vacant positions in this office.
- Continue to collect restitution owed to the Navajo Nation by filing on the Respondents that are not in compliance and work on other solutions to collect restitution owed to the Navajo Nation.
- Work towards establishing a more efficient office procedure regarding case management, including appropriate retention timelines.
- Establish procedures to identify fixed timelines for the filing of Orders to Show Cause and Garnishment proceedings to avoid missing the statute of limitations.
- Recommence working and collaborating with the Division of Community Development, Administrative Services Centers, Navajo Nation Prosecutor’s White-Collar Crime Unite, Navajo Nation Department of Justice, Navajo Elections Administration, and Office of Government Development in providing consultations for local governments (110 chapters).
- 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.
- 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 hold individuals accountable more effectively for violations of the Ethics in Government Law.
- Continue to take Ethics intakes on elected and appointed officials and employees of the Navajo Nation and complete Ethics Clearances for candidacies, business loans, veteran’s loans, and the Navajo Nation Office of Background Investigations.
- File Order to Show Causes and Eligible Cases for garnishment according to 2 N.N.C. § 3800 et seq. in the Window Rock District Court.
- Work with the Law-and-Order Committee to amend and update the Ethics and Rules Law and Standards of Conduct.

**Eastern Navajo Land Commission Office
Fiscal Year 2024 – Second Quarter Summary Report**



Contact:

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Commission

Council Delegate Danny Simpson, Chairperson
 Council Delegate Steven Arviso, Vice-Chairperson
 Council Delegate George Tolth, Member
 Council Delegate Norman Begay, Member
 Council Delegate Lester Yazzie, Member
 Loren Cooke, Member

Staff

Leonard Tsosie, Executive Director
 Lena Calamity, Administrative Assistant
 Milford Tahe, GIS Technician
 Frederick Morgan, Statistical Technician

Purpose of the Office

The purpose (simplified, otherwise see 2 NNC § 861 et seq.) of the Commission and its Office are the following: 1) Advocating and initiating land acquisition towards the Eastern Navajo land consolidation plan; 2) Providing technical support to Navajo Nation in securing administrative and regulatory jurisdiction; 3) Advocating rights of individual occupants on BLM and State lands; 4) Assisting in implementing NNC-enacted land acquisition and consolidation activities in Eastern Navajo; 5) Coordinating planning/mitigating impact of energy development in Eastern Navajo; 6) Coordinating Navajo Nation land-related work with Federal, State, local authorities; 7) Identifying certain lands, i.e., private, beneficial to Navajo Nation and engaging talks for acquisition; 8) Providing recommendations to the Navajo Nation Council concerning expenditures of the Navajo Land Acquisition Fund in respect to Eastern Navajo; 9) Planning and initiating legislative strategies beneficial to the Navajo Nation regarding Federal and New Mexico legislations working cooperatively with appropriate Navajo nation Council standing committees; 10) Taking steps in securing reservation boundary legislation inclusive of checkerboard area for recognition as Navajo Indian Reservation; and 11) Obtaining formal protection of Navajo cultural, religious or historic sites near the Eastern Navajo Agency.

Accomplishments for FY2024 Second Quarter:**A. Commission Meetings**

1. Special Meeting on February 16, 2024, at Casamero Lake Chapter
2. Various NNC Leadership meetings with OPVP on ARPA
3. Leadership meeting with BLM, BIA, et al., on March 5th and March 11, 2024
4. Worksession on telecommunication projects with NTUA on March 7, 2024
5. Worksession on March 11, 2024, with various Chapters and programs to get an update on road developments in Counselor, Pueblo Pintado, Ojo Encino and Nageezi Chapters.

B. Other Meetings

1. Teleconference meeting on Chaco Canyon attended by Commission and Director
2. RDC discussion on uranium issues with RDC leadership
3. Attended the ENA Land Board conference on January 30 to February 1, 2024, at Firerock Casino
4. Director's weekly meetings with Navajo Nation Uranium Leadership group as sponsored by Diné Uranium Remediation Advisory Commission (DURAC)
5. Director's meeting with Iyanbito Chapter's CLUPC by zoom call
6. Director and some members of the ENLC attended the meeting with Eastern Navajo Agency Council on March 2, 2024
7. Director's meeting with Whitehorse Lake Chapter on March 13, 2024, to give a report on fee-to-trust and other issues
8. Director's meeting with USEPA and Red Water Pond Association in Churchrock on March 14, 2024
9. Director's meeting with USEPA and other Navajo Nation programs at Grand Canyon (near Pinyon uranium site) on March 19, 2024
10. Director attended Uranium 101 session at Thoreau Chapter on March 21, 2024

11. Director and Commissioner Arviso attended a March 23rd meeting at UNM-Gallup where USEPA did its EE/CA commendation
12. Teleconference meeting with consultant re federal updates on November 13th
13. Director and Commission members attended ENAC leadership meeting in Gallup on March 26th

C. Navajo Exchange Legislative Initiative (NELI)

As reported before, a work plan has been implemented to restart the NELI legislation for use by Senator Lujan’s office. All maps have been added and completed. Presentation were done for Navajo Nation Council and the Office of the President and Vice President. Letters have been written to Senator Lujan to meeting and discuss NELI legislation with his office. It is the hope of ENLC to see introduction of the NELI legislation by Senator Lujan in the near future. ENLC is discussion the best approach for the NELI legislation.

D. Chaco Buffer Zone

U.S. Department of Interior Secretary Debra Haaland withdrew certain lands from development in or near Chaco Canyon over Navajo Nation’s objections. The Commission and Office worked with consultants to address the Chaco Canyon Land Withdrawal through a congressional bill. The bill is still awaiting further action in the U.S. House of Representatives. Other further actions, including legal remedies, are planned. ENLC has been monitoring Navajo Nation Department of Justice’s work. The work has been slowly moving to the dismay of ENLC. The Chaco Buffer Zone is beginning to negatively affect oil and gas developments on Navajo Indian Allotments.

E. Uranium Mining Waste Clean-up and USEPA

U.S. Environmental Protection Agency (USEPA), is charged with the clean-up of uranium mining waste located on Navajoland through a 10-year plan to clean up over 500 sites. It has started working on a few. Currently, USEPA has been working by means of an EE/CA process. In addition to previous meetings at Pinedale, Baca, and Thoreau by USEPA, additional meetings were held at Gallup and Window Rock. USEPA released its recommendation at the Gallup meeting to use Thoreau Redrock landfill site as a repository for uranium mining waste from Churchrock and Casamero Lake sites, despite the opposition. ENLC is planning to visit Pinyon Uranium Mine near Grand Canyon to see how a uranium mine operates.

A majority of the Navajo public are against transfer of uranium mining waste from one site to another. Commission, by Resolution ENLCD-04-23, recommended a Position Statement for adoption by Navajo Nation Council addressing clean-up. Commission also provided comments on EE/CA process to USEPA by Resolution ENLC-01-24. Commission will be recommending inclusions, by Resolution ENLC-02-24, into Senator Mark Kelly’s proposed legislation which has been introduced. ENLC will be monitoring Senator Kelly’s bill. ENLC Office has been invited to participate in the Uranium leadership meetings. The Office also attended the Uranium Legacy meeting sponsored by U.S. Department of Energy (DOE).

F. BLM’s Resource Management Plan Amendment (RMPA)

U.S. Bureau of Land Management (BLM) started its amendment process to amend the Resource Management Plan (RMP) of 2003. During the amending process, BLM invited other entities to have comments on Navajo land use. The Commission had a meeting with BLM (Farmington Field Office) and voiced its objection. On November 15, 2023, BLM announced that it will terminate the RMPA and programmatic agreement. ENLC joined Resources and Development Committee (RDC) at its worksession to discuss BIA’s plan to start up discussions on Programmatic Agreement (PA) ENLCO will continue to monitor BIA and BLM’s processing of the PA.

G. BLM's Divided and Undivided Oil & Gas Leasing Tracts

Navajo allottees approached ENLC for assistance to address U.S. Bureau of Land Management's changed policy on how it classifies oil & gas leasing tracts in the norther part of Eastern Navajo Agency (ENA). BLM used to classify the tracts as undivided tracts. This allowed allottees to receive royalty compensation if their Allotment is within the leasing tract. BLM is transitioning to divided tracts leasing, meaning that the actual oil & gas development has to be on an allotment for allottees to receive royalties. ENLC has been addressing the Carson Lease area and made an undivided tract. None of the allottees are receiving royalties. BLM has moved it leasing decision from Farmington Field Office (FFO) to New Mexico State BLM office. ENLC has met with the State BLM office two times and is still seeking a solution. More meetings are anticipated.

H. Eastern Navajo Land Conference

ENLC Office and Commission are planning a land conference on April 29-30, 2024. The theme is: "Eastern Navajo Lands: A Historical Perspective". The conference will invite speakers to talk about the history of Eastern Navajo Agency lands and its developments. Land Board, RDC, ENA Chapters, Council Delegates and some public members will be invited to the conference at UNM-Gallup campus on April 29-30, 2024.

I. Navajo Nation Water Rights Settlement

Navajo Nation, through Navajo Nation Justice Department (NDOJ) and Water Rights Commission, is attempting to settle water rights in the State of Arizona, Rio San Jose basin and Zuni basin. ENLC Office and Commission have been monitoring the settlement discussions. Rio San Jose basin covers some ENA Chapter areas. NDOJ made a presentation to the ENLC.

J. Cooperative Work with Navajo Nation Water Rights Settlement

Navajo Nation, through Navajo Nation Justice Department (NDOJ) and Water Rights Commission, is attempting to settle water rights in the State of Arizona, Rio San Jose basin and Zuni basin. ENLC Office and Commission have been monitoring the settlement discussions. Rio San Jose basin covers some ENA Chapter areas. NDOJ made a presentation to the ENLC.

K. Assistance to Counselor, Pueblo Pintado and Nageezi Chapters with Road Development

Pueblo Pintado, Counselor and Nageezi Chapters requested assistance from ENLC Office to help them get updates on three road developments: NR474 (from north Ojo Encino to US Highway 550), N46 (from Pueblo Pintado to US Highway 550 near Counselor) and County Road 7900 (from Pueblo Pintado to US Highway 550 near Nageezi). A comprehensive meeting was held at Nageezi Chapter where much of the information was shared with the Chapters. ENLC Office, in cooperation with BLM, developed a map showing all of the roads and land statuses and a shortcut. ENLC and Office will continue to assist the Chapters because these roads become impassable during inclement weather and due to the deterioration of the current roads. A request has been made to NDOT and BIA to help secure funding for the road projects.

L. Cooperative Work with ENA Council re I-40 Corridor Study

ENLC Office worked in cooperation with ENA Council to pass a Resolution in support of a corridor study to study the possibility of adding a third lane to I-40 Interstate Highway. I-40 Highway is used by many Navajo programs, persons and families. When there is a traffic back-up, it becomes a safety issue. New Mexico Department of Transportation (NMDOT) decided to do a study of the problem. The Resolution and a letter was submitted to NMDOT in support of the study.

M. Other Accomplishments

1. Fixed Cost funding was used to fully satisfy the rent due to Navajo Technical College
2. Staff created road maps for the northern ENA Chapters
3. GIS Technician hired on November 6, 2023, has become a permanent employee. His mapping skill has benefitted the office.
4. Viewed NNC Sessions and Committee meetings on the internet
5. Except for one, installation of new computers at office by Legislative Branch IT has been completed
6. Finish payment of invoices to consultants
7. Procurement of ArcGIS software and renewal of subscription
8. Preparation of maps showing all Navajo Land Buyback (LBB) and non-LBB Indian Allotments. These maps are expected to be handed out to the Chapters at the Eastern Navajo Land Conference.
9. Continue communication with NM BLM State Director regarding federal lease units in Nageezi.
10. Staff created and improved upon the topo maps using AutoCAD Software for the Carson Unit 615H-Initial Well area in Huerfano Chapter.

Corrective Action Plan Follow-up Reviews

There are no corrective actions assessment against the Office or Commission.

Goals for FY2024 Second Quarter (planned/ongoing projects and activities)

- Work with Senator Lujan to get NELI in the legislative hopper
- Finish telecommunication maps and other development maps for Chapters funding requests
- Monitor BLM termination of RMPA
- Monitor USEPA work on clean-up
- Monitor Chaco buffer zone developments
- Implement the Land Conference for April 2024
- Inventory and digitize all maps and documents at the Office
- Monitor on-going projects

Issues/Recommendations

- Procure map printer and digitizing equipment

**NAVAJO ELECTION ADMINISTRATION
FISCAL YEAR 2024 - 2ND QUARTER REPORT SUMMARY** + + + +

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A. Section One: Summary of Accomplishments during the 2nd Quarter in FY2024

The Navajo Election Administration (NEA) Team is in the beginning stage of the 2024 Election cycle. The following positions will be elected: chapter president, chapter vice president, chapter secretary/treasurer, commissioners (AFOG), councilors (AFOG), grazing committee members, land board members, farm board members, school board members, and the Navajo Board of Election Supervisors. The NEA Team reviewed and updated forms to be used for candidate

filing; updated election guide; prepared campaign expense limitations for each elective office; prepared informational notices and distributed to chapters, elected officials, and other Navajo Nation Offices. NEA assisted with the final version of the 2024 School Board Apportionment. The NEA has received approximately 330 absentee ballot requests for the 2024 Chapter Election. A meeting was held with Automated Election Services regarding ballot printing and data programming.

Vacancies/Appointments/Special Election/Oath of Offices:

The Navajo Election Administration declared vacancies for eight (8) elected positions. At the request of the chapters, the Navajo Election Administration assisted with five (5) nomination meetings utilizing the Optech III Voting Machine. Nine (9) Oath of Offices were administered by the Navajo Nation Courts to individuals who were appointed. Seven (7) special elections were conducted. The Navajo Board of Election Supervisors authorized five (5) Quorum Reduction Referendum Elections and certified election results for two (2) Referendum Elections.

Voter Registration Drives/Voter Registrars/Voter Registration:

Voter registration drives were conducted at Denver and Salt Lake City, approximately 339 individuals registered. Voter registration is ongoing at all six (6) Navajo Nation Election Offices. NEA collaborates with county recorder’s offices, certain Indian Center in metropolitan areas such as Phoenix, Tucson, Albuquerque, Salt Lake City, Denver, to assist with Navajo Nation voter registration. The Navajo Election is continuously recruiting individuals to serve as Navajo Nation Voter Registrars on and off the Navajo Nation. Five (5) Voter Registrar Trainings were conducted.

Navajo Nation Voter Registration Totals as of April 5, 2024 are as follows:

Chinle Agency	18,696
Eastern Agency	31,916
Ft. Defiance Agency	33,062
Northern Agency	26,489
<u>Western Agency</u>	<u>23,935</u>
Total Voters	134,098

UUFH Supplemental Request was approved by the Navajo Nation Council; sponsored by Honorable Crystalyne Curley, Speaker of the Navajo Nation Council.

Meeting was held with Automated Election Services regarding the Voter Registration Data Base, new voting machines (lease vs. purchase), and use E-poll books for absentee voting at agency offices, and pilot project to use on-demand ballot voting system at a special referendum election

B. Section Two: Goals for 2nd Quarter FY2024

- 2024 Chapter Election: conduct candidate filing, poll official trainings, absentee voting, Primary Election
- Implement Voter Registration Data Base.
- Continue with Election Code (11 N.N.C.) amendments and codification of Election Code.
- Continue working with Department of Personnel Management to fill vacant positions.
- Continue voter registration services at the NEA Offices and conduct voter registration drives.
- Continue to provide relevant election information to the public via chapters, radio announcements, social media, and agency meetings through agency representatives.
- Continue to work on obtaining new buildings for all agency election offices including the central NEA building.

- Continue recruiting and certifying Navajo Nation Voter Registrars on and off the Navajo Nation.
- Initiate process to change Office Assistant positions to Office Specialist through the Department of Personnel.
- Draft Fund Management Plan (filing fees)

During this reporting period, the following resolutions were considered and passed by the Navajo Board of Election Supervisors:

NAVAJO BOARD OF ELECTION SUPERVISORS RESOLUTION LISTING

January, February, March 2024

BOESJ-01-24

Extending Time Period for filling Vacant Position on the School Board for To’Neenees’Dizi” Schools I; a position representation To’Nanees’Dizi Local Government and Tonalea Chapter (January 11, 2023)

BOESJ-02-24

Extending Time for filling Vacant Position on the School Board of Ch’inli Navajo Schools; a position representing Chinle Chapter (January 11, 2024)

BOESJ-03-24

Authorizing a Referendum Election for Nazlini Chapter on the Question of Whether the Chapter Meeting Quorum Requirement should be Lowered from 25 to 15 Chapter Registered Voter (January 11, 2024)

BOESJ-04-24

Extending Time Period for filling Vacant Position Vice President for Lechee Chapter (January 25, 2024)

BOESJ-05-24

Amending General Instruction form for Absentee Ballot Application requests (January 25, 2024)

BOESJ-06-24

Canvassing and Certifying the Tse’ii’ahi Chapter Referendum Election Results; Declaring Passage of Referendum (February 8, 2024)

BOESF-07-24

Authorizing a Referendum Election for Crownpoint Chapter on the Question of Whether the Chapter Meeting Quorum Requirement should be Lowered from 25 to 17 Chapter Registered Voters. (February 8, 2024)

BOESF-08-24

Appointing Ms. Lula Neztosie as a Board Member of the Navajo Board of Election Supervisors for Western Navajo Agency (February 8, 2024)

BOESF-09-24

Appointing Mr. Dellard Curley as a Board Member of the Navajo Board of Education for Western Navajo Agency (February 8, 2024)

BOESF-10-24

Extending Time Period for filling Vacant Position on Farm Board for Rock Point Chapter (February 22, 2024)

BOESF-11-24

Recommending that the Navajo Nation Council, for Year 2024 only, waive 11 N.N.C §3(C) and Authorize and Direct that 2024 Navajo Nation Primary Election be held on July 30, 2024 (February 22, 2024)

BOESMA-12-24

Extending Time for filling Vacant Position on the School Board Ch’inli Navajo Schools; a position representing Chinle Chapter (March 14, 2024)

BOESMA-13-24

Canvassing and Certifying the Nazlini Chapter Referendum Election Results; Declaring Passage of Referendum (March 14, 2024)

BOESMA-14-24

Authorizing a Referendum Election for Becenti Chapter on the Question of Whether the Chapter Meeting Quorum Requirement should be Lowered from 25 to 15 Chapter Registered Voters (March 14, 2024)

BOEMA-15-24

Amending Candidate Application Forms for Use in 2024 Navajo Nation Chapter Election and thereafter (March 14, 2024)

BOEMA-16-24

Approving the 2024 Navajo Nation Chapter Primary Election Timeline, subject to approval of the Navajo Nation Council Legislation 0047-24 by the President of the Navajo Nation (March 14, 2024)



BOESMA-17-24

Approving the March 14, 2024 Voter Registration Totals as the Basis for the Limitation of Campaign Expenditures for the 2024 Chapter Elections (March 14, 2024)

BOESMA-18-24

Authorizing a Referendum Election for Sawmill Chapter on the Question of Whether the Chapter Meeting quorum Requirement should be lowered from 25 to 17 Chapter Registered Voters (March 28, 2024)

BOESMA-19-24

Authorizing a Referendum Election for Tse' Lichii Chapter on the Question of Whether the Chapter Meeting quorum Requirement should be lowered from 25 to 17 Chapter Registered Voters (March 28, 2024)

BOESMA-20-24

Approving Rules and Regulations implementing the Intent of Purposes of Navajo Nation Council Resolution CMA-13-24, AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION COUNCIL; WAIVING 11 N.N.C. §3(C). NAVAJO NATION PRIMARY ELECTION DATE; SETTING JULY 30, 2024 AS THE 2024 NAVAJO NATION PRIMARY ELECTION DATE FOR YEAR 2024 ONLY; Reaffirming Navajo Board of Election Supervisors resolution BOESMA-16-24. March 28, 2024

Conclusion

The Navajo Election Administration and the Navajo Board of Election Supervisors wishes to express their appreciation to the 25th Navajo Nation Council for their approval of the supplemental funding and the election code amendments and to Honorable Navajo Nation President.



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