

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0263-25_

SPONSOR: Crystalynne Curley

TITLE: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Removal of Navajo Nation President Dr. Buu Van Nygren and Vice-President Richelle Montoya; Specifying the Grounds for Removal Pursuant to the Laws of the Navajo Nation

Date posted: November 21, 2025 at 7:50PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0263-25

DATE: November 21, 2025

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE REMOVAL OF NAVAJO NATION PRESIDENT DR. BUU VAN NYGREN AND VICE-PRESIDENT RICHELLE MONTOYA; AND SPECIFYING THE GROUNDS FOR REMOVAL PURSUANT TO THE LAWS OF THE NAVAJO NATION

PURPOSE: The purpose of this proposed resolution is to remove the President and Vice President of the Navajo Nation, Buu Nygren and Richelle Montoya for violations of Navajo Laws.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIREMENT: 2/3 majority vote

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 11-26-25
Eligible for Action: 11-27-25

Naabik'iyati' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL – Third Year, 2025

Introduced By



(Prime Sponsor)

Tracking No. 0263-25

AN ACTION

RELATING TO THE NAABIK'IYATI' COMMITTEE AND NAVAJO NATION
COUNCIL; APPROVING THE REMOVAL OF NAVAJO NATION PRESIDENT
DR. BUU VAN NYGREN AND VICE-PRESIDENT RICHELLE MONTOYA;
SPECIFYING THE GROUNDS FOR REMOVAL PURSUANT TO THE LAWS
OF THE NAVAJO NATION

BE IT ENACTED:

SECTION ONE. TITLE 2 AUTHORITY

- A. Pursuant to 2 N.N.C. §§ 700 (A) and 701 (A)(2)-(3), the Naabik'iyati' Committee is established as a Standing Committee of the Navajo Nation Council with the power to oversee the conduct and operations of the Office of the President and Vice-President and other entities of the Navajo Nation not otherwise under the oversight authority of other standing committees and to recommend resolutions to the Navajo Nation Council on matters within the Committee's jurisdiction.
- B. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- C. The Navajo Supreme Court has stated that "[i]t is central and foremost that the Council protects the rights of the tribe and its government. The duty to protect the government is essential, for it is through the government that the People exercise their inherent right of

1 self-government, including conducting the business of government with other governments
2 and regulating and approving the use or disposition of the People's communal property, the
3 land, and its resources.” *Thinn v. Navajo Generating Station*, 9 Nav. R. 140, 143 (Nav.
4 Sup. Ct. October 19, 2007).

6 SECTION TWO. TITLE 1 FUNDAMENTAL LAW AUTHORITY

- 7 A. The Navajo Nation Council through Resolution CN-69-02 recognized the Fundamental
8 Laws of the Diné.
- 9 B. The *Diné bi beenahaz'áanii* (Navajo Fundamental Law) embodies *Diyin bitsqqdęę*
10 *beenahaz'áanii* (Traditional Law), *Diyin Dine'é bitsqqdęę beenahaz'áanii* (Customary
11 Law), *Nahasdzáán dóó Yádlhił bitsqqdęę beenahaz'áanii* (Natural Law), and *Diyin*
12 *Nohookáá Diné bi beenahaz'áanii* (Common Law). These laws provide the foundation
13 of *Diné bi nahat'á* (providing leadership through developing and administering policies
14 and plans by utilizing these laws as guiding principles) and *Diné* sovereignty. *Diné bi*
15 *nahat'á* is the foundation of the *Diné bi naat'á* (government). 1 N.N.C. § 202.
- 16 C. The *Diné* People hold the right and freedom to have leaders of their choice; leaders who
17 will communicate with the People for guidance; **leaders who will use their experience**
18 **and wisdom to always act in the best interest of the People**; and leaders who will
19 ensure the rights and freedoms of generations yet to come. (Emphasis added). 1 N.N.C.
20 § 203(A).
- 21 D. All leaders are chosen by the *Diné* People to carry out their duties and responsibilities **in**
22 **a moral and legal manner** in representing the people and the government; the people's
23 trust and confidence in the leaders and the continued status as a leader are dependent
24 upon adherence to the values and principles of *Diné bi beenahaz'áanii*. (Emphasis added).
25 1 N.N.C. § 203(B).
- 26 E. A leader must always speak the truth and has a responsibility to communicate it to the
27 People, *Naat 'aanii ei t 'aa'aaniigo'o' yalti' doo t'o'o' aniida ei biniinaa ei bidine 'eyil*
28 *ahideelt 'i'go yich 'i, yalti' do'o' yil ahidiits'a'*. If words are said, they are meant. *Office*
29 *of the Navajo Nation President v. Navajo Nation Council*, 9 Nav. R. 325, 338 (Nav. Sup.
30 Ct. June 2, 2010).

1 F. The People place their trust and confidence in their leaders. That trust arises from *k'e*,
2 from acknowledgement and respect for one another. Through *k'e*, the *Diné* People
3 maintain balance in thoughts, behavior, and speech. When leaders speak without
4 balance, they disrupt harmony and divide the thinking of the People. It is the duty of a
5 *naat'aanii* to repair this harm and speak the healing language. *Id.*
6

7 **SECTION THREE. OATH OF OFFICE AND TITLE 11 AUTHORITY TO REMOVE**
8 **THE NAVAJO NATION PRESIDENT AND VICE-PRESIDENT FOR JUST CAUSE**

- 9 A. Pursuant to 11 N.N.C. § 8(A)(8), the Navajo Nation President and Vice-President must
10 have unswerving loyalty to the Navajo Nation and must be competent and capable of
11 upholding the oath of office.
- 12 B. Throughout Navajo history, Navajo leaders have been held accountable for their actions as
13 *naat'aanii* and, when they have failed in their duties as *naat'aanii*, have been removed. See
14 Resolution CJY-64-98 (Accepting and Approving Ethics Sanctions of the Ethics and Rules
15 Committee of the Navajo Nation Council as Imposed on Thomas Atcitty, Former Vice-President
16 of the Navajo Nation and Current President of the Navajo Nation); See also, *David E. Wilkins,*
17 *The Navajo Political Experience*, 92-95 (1999) (Removal of Chairman Peter MacDonald and
18 Albert Hale's resignation for ethical improprieties).
- 19 C. In recent history, the Navajo government was controlled by the Federal Government through the
20 Bureau of Indian Affairs, which had ultimate control and authority over the Navajo Chairman
21 and Tribal Council. See *David E. Wilkins, The Navajo Political Experience*, 82-84 (1999).
- 22 D. Eventually, the *Diné* People were able to displace the Federal Government and achieved full self-
23 governance through their own *naat'aanii* and the establishment of a three-branch government. *Id.*
24 at 84. The checks and balances of the three-branch government allow each branch to hold the
25 other branches accountable in order to, among other things, stop corruption and the abuse of
26 power. See generally, Resolution CD-68-89 (Amending Title Two (2) of the Navajo Tribal Code
27 and Related Actions; see also, Resolution CJY-64-98 (Accepting and Approving Ethics
28 Sanctions of the Ethics and Rules Committee of the Navajo Nation Council as Imposed on
29 Thomas Atcitty, Former Vice President of the Navajo Nation and Current President of the Navajo
30

1 Nation); *David E. Wilkins, The Navajo Political Experience*, 92-95 (1999)(Removal of Chairman
2 Peter MacDonald and Albert Hale's resignation for ethical improprieties) .

3 E. Pursuant to 2 N.N.C. § 3, on January 10, 2023, both Dr. Buu Van Nygren and Richelle
4 Montoya took the Oath of Office for the elected positions of the President and Vice-
5 President of the Navajo Nation and each solemnly swore that they would "uphold and
6 abide by the laws of the Navajo Nation and Treaty of 1868 between the Navajo Nation
7 and the United States of America and will faithfully execute the Office of President and
8 Vice-President representing the Navajo Nation, and **will to the best of my ability**
9 **preserve, protect and defend the laws and government of the Navajo Nation and**
10 **advance the interests of the Navajo people, having due regard for the ethical duties**
11 **and responsibilities of the office.** So, help me God." (Emphasis added). See also 11
12 N.N.C. § 8(A)(8). President Nygren and Vice-President Montoya's Oath of Office
13 attached hereto as **Exhibit A** and **B**, respectively.

14 F. Pursuant to the Navajo Election Code, Title 11 Section 240(A) the Navajo Nation
15 President and Vice-President are subject to removal for just cause.

16 G. Pursuant to 11 N.N.C. § 240(A)(2), the President and Vice-President can be removed by
17 at least two-thirds (2/3) vote of the Navajo Nation Council.

18 H. In the matter of *Shirley v. Morgan*, 9 Nav. R. 325, (Nav. Sup. Ct. June 2, 2010), while
19 the Navajo Supreme Court invalidated the use of 11 N.N.C. § 240(C) on non-Legislative
20 Branch elected officials, the Supreme Court did not overrule, invalidate, or supersede 11
21 N.N.C. § 240(A), nor did it declare null or void the use of 11 N.N.C. § 240(A).
22 Accordingly, the current state of Navajo Nation statutory law and case law allows for
23 removal of the President and Vice-President **for just cause** pursuant to 11 N.N.C. §
24 240(A). (Emphasis added).

25 I. 11 N.N.C. § 240(A)(1) states that just cause includes, but shall not necessarily be limited
26 to:

- 27 1. Insanity, when judicially or medically determined;
- 28 2. President or Vice-President absent for three consecutive months without permission
29 of the Navajo Nation Council;
- 30 3. Habitual indulgence in alcoholic beverages;

1 4. **Breach of fiduciary trust duties to the Navajo People;** and

2 5. **Malfeasance or misfeasance of office.** (emphasis added).

3 J. Elected Navajo officials hold fiduciary duties of trust to the public they serve. *See the*
4 *Navajo Nation Ethics in Government Law* at 2 N.N.C. §§ 3742, et seq. These duties are
5 legal and ethical obligations that require officials to act in the best interests of the People
6 rather than for personal, political, or private gain. In short, an elected official's fiduciary
7 trust duties mean they are stewards of the public interest, bound to serve the People and
8 not themselves. *See also, Restatement (Third) of Trusts* §§ 77-79 (Am. L. Inst.
9 2003); *Restatement (Third) of Fiduciary Law* §§ 1-6 (Am. L. Inst., Tentative Draft No. 2,
10 2022)

11 K. The Navajo Supreme Court has stated that “[g]overnmental fiduciary duties are already
12 set forth at 12 N.N.C. § 800, the [Appropriations] Act, and its regulations.” *Nelson v.*
13 *Initiative Committee to Reduce Navajo Nation Council*, 9 Nav. R. 453, 463 (Nav. Sup.
14 Ct. Jan. 4, 2011). “The Navajo Nation government has a fiduciary responsibility to
15 account for public funds, to manage finances wisely, and to plan for the adequate funding
16 of services desired by the Navajo People, . . .” 12 N.N.C. § 800.

17 L. The Navajo Supreme Court has not specifically defined what acts constitute malfeasance
18 or misfeasance by an elected official, but the general definitions are as follows:

19 1. “Malfeasance” is “a wrongful or unlawful act; esp., wrongdoing or misconduct by a
20 public official.” Black’s Law Dictionary, 11th ed. (2019).

21 2. “Misfeasance” is “a lawful act performed in a wrongful manner.” Black’s Law
22 Dictionary, 11th ed. (2019).

23
24 **SECTION FOUR. DUE PROCESS REQUIREMENT: NOTICE AND OPPORTUNITY**
25 **TO BE HEARD**

26 A. The concept of due process was not brought to the Navajo Nation by the Indian Civil
27 Rights Act, 25 U.S.C. § 1302(8), or the Navajo Nation Bill of Rights, 1 N.T.C. § 3. The
28 Navajo people have an established custom of notifying all parties involved in a
29 controversy and allowing them, and even other interested parties, an opportunity to
30 present and defend their positions. This custom is still followed today by the Navajo

1 people in the resolution of disputes. *Begay v. Navajo Nation*, 6 Nav. R. 20, 24 (Nav.
2 Sup. Ct. 1988).

3 B. The foundation of Navajo due process is *k'é*, which requires that an individual is fully
4 informed and provided an opportunity to speak. *See e.g., Atcitty v. The District Court for*
5 *the Judicial District of Window Rock*, 7 Nav. R. 227, 230 (Nav. Sup. Ct. 1996); *Fort*
6 *Defiance Hous. Corp. v. Lowe*, 8 Nav. R. 463, 475 (Nav. Sup. Ct. 2004). Although *k'é*,
7 which fosters fairness through mutual respect, requires that an individual is fully
8 informed and provided with an opportunity to speak, it is not unlimited. *Shirley v.*
9 *Morgan*, 9 Nav. R. 325, 342 (Nav. Sup. Ct. June 2, 2010).

10 C. In accordance with Navajo fundamental law, statutory law and caselaw, as described
11 above, *Diné* Due Process requires: (1) that notice be given to the President and Vice-
12 President concerning the grounds for removal; and (2) that the President and Vice-
13 President be allowed time to be heard concerning their proposed removal.

14 D. In accordance with 2 N.N.C. § 164(A)(5), the Office of Legislative Services will provide
15 notice to the Office of the President and Vice-President of this proposed resolution,
16 including the exhibits. The notice provided to the Office of the President and Vice-
17 President by the Office of Legislative Services is hereby incorporated by reference.

18 E. The Office of Legislative Services will also provide notice to the Office of the President
19 and Vice President of the day and time this proposed resolution is placed on the assigned
20 Navajo Nation Council Committee(s) and the Navajo Nation Council's agenda. The
21 additional notice provided to the Office of the President and Vice-President by the Office
22 of the Legislative Services is hereby incorporated by reference.

23 F. The Navajo Nation President and Vice-President shall both be provided time to speak
24 and be heard, in person, when this proposed resolution is placed on the assigned Navajo
25 Nation Council Committee(s) and the Navajo Nation Council agendas.

26 27 **SECTION FIVE. PROCEDURAL COMPLIANCE**

28 A. The procedural requirements are: (1) the Navajo Nation Council must act in a properly
29 convened session with a quorum; (2) the agenda must be properly adopted; (3) the
30 resolution must pass by a majority vote of the Navajo Nation Council present; and (4)

1 the resolution must not be a bill of attainder. See generally, *In re: Certified Questions II*,
2 6 Nav. R. 105, 119 (Nav. Sup. Ct. 1989).

3 B. Procedural requirements for the enactment of Navajo Nation legislation must be strictly
4 observed. *Shirley v. Morgan*, 9 Nav. R. 325, 345 (Nav. Sup. Ct. June 2, 2010)(citing *Judy*
5 *v. White*, 8 Nav. R. 510, 538 (Nav. Sup. Ct. 2004); and *Peabody W. Coal., Inc. v. Nez*, 8
6 Nav. R. 132, 139 (Nav. Sup. Ct. 2001).

7 C. The Navajo Nation Council and Committee legislative process and procedures for the
8 enactment of all resolutions is set forth at 2 N.N.C. § 164(A), including the requirement
9 that the proposed resolution (legislation) be posted on the Council's website five (5) days
10 prior to the Council or its Committees taking action on the legislation, 2 N.N.C. §
11 164(A)(6), so that Chapter governments, chapter officials, and the Navajo People can
12 submit written comments on the proposed resolution to the Office of Legislative
13 Services. 2 N.N.C. § 164(A)(7). Written comments received by the Office of Legislative
14 Services are to be affixed to the proposed resolution and posted on the Council website.
15 Id.

16 D. The Supreme Court opined that, "the People have a right to participate in their
17 government processes, to challenge government action, to express their views, and to
18 have a meaningful voice in what form their government will take." *Shirley v. Morgan*, 9
19 Nav. R. 325, 349 (Nav. Sup. Ct. June 2, 2010).

20 E. In accordance with *Shirley v. Morgan*, the Office of the Speaker has compiled the Chapter
21 and Agency Council supporting resolutions received related to the removal,
22 administrative leave, and no confidence of the Navajo Nation President and Vice-
23 President and attached as **Exhibit C**. In (Nav. Sup. Ct. June 2, 2010) it states "The
24 Council has a duty to act on the People's recommendation" Recorder pg. 339.

25 F. This proposed resolution shall adhere to the five (5) day comment period providing
26 opportunity for the Navajo People to participate and submit their comments for or against
27 the proposed resolution, in accordance with 2 N.N.C. § 164 (A)(6) and (A)(7).
28
29
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1 **SECTION SIX. MALFEASANCE / MISFEASANCE OF OFFICE AND BREACH OF**
2 **FIDUCIARY TRUST DUTIES FINDINGS RELATED TO GROUNDS FOR REMOVAL**
3 **OF PRESIDENT DR. BUU VAN NYGREN**

4 A. President Dr. Buu Van Nygren failed numerous times to present his report in-person, as
5 a *naat'aanii*, to the Navajo People and the Navajo Nation Council on the State of the
6 Navajo Nation during Council Sessions statutorily scheduled to commence at 10 A.M.
7 on the fourth Monday of January, and the third Monday of April, July and October of
8 each year and held at the Navajo Nation Council Chamber located at Window Rock,
9 Arizona. 2 N.N.C. §§ 161(A), 162(A) and 2 N.N.C. § 1005(C)(5).

10 1. President Nygren failed to report to the Council on the State of the Navajo Nation on
11 July 15, 2024, October 21, 2024, April 21, 2025, and October 20, 2025.

12 2. In addition, President Nygren walked out in the middle of giving the State of the
13 Nation report on January 27, 2025, and July 21, 2025.

14 B. In violation of 2 N.N.C. §§ 3744 and 3755 and 17 N.N.C. §§ 301 and 376, President
15 Nygren committed nepotism and directed documents to be falsified to hire his father-in-
16 law John Blackwater as security detail and a babysitter for the First Lady and himself,
17 even though Mr. Blackwater is unqualified for the position he was hired to fill. See *Ethics*
18 *Complaint Filed by the Special Prosecutor on November 21, 2025*, attached as **Exhibit**
19 **D.**

20 C. Another incident of nepotism and falsifying of documents in violation of 2 N.N.C. §§
21 3744 and 3755 and 17 N.N.C. §§ 301 and 376, occurred when President Nygren allowed
22 his Chief of Staff, Patrick Sandoval, to hire Mr. Sandoval's daughter Sharen Sandoval as
23 the Program Manager Director of Emergency Management. Sharen Sandoval currently
24 serves as Deputy Chief of Staff for the Office of the President and Vice-President.

25 D. For his personal gain and in violation of 2 N.N.C. § 3752(C), President Nygren required
26 members of his Executive Staff to perform duties that are not for official purposes,
27 including providing housekeeping, cooking, childcare, and personal assistant duties. See
28 *Ethics Complaint Filed by the Special Prosecutor on November 21, 2025*, attached as
29 **Exhibit D.**
30

- 1 E. In violation of 2 N.N.C. §§ 102(F) and 1005(C)(3), President Nygren failed and refuses
2 to present numerous division director appointments for confirmation, “at the next Navajo
3 Nation Council session following the date the appointments are made.” Appointments of
4 Division directors or supervisory personnel may be subject to recommendation from the
5 appropriate oversight and subject to specific qualification requirements or applicable law.
6 See Resolution CJY-30-25, attached as **Exhibit E**.
- 7 F. President Nygren put the Nation’s legal matters at risk when he appointed Kris Beecher
8 as Acting Deputy Attorney General and then again as the Acting Attorney General. Mr.
9 Beecher does not meet the required qualifications to hold either office. See *Memorandum*
10 *from Acting Attorney General Heather Clah dated March 28, 2025*, attached as **Exhibit**
11 **F**.
- 12 G. Under President Nygren’s and Vice-President Richelle Montoya’s supervision, there are
13 reports of “hostile work environment,” due to bullying and intimidation, within the Office
14 of the President and Vice President resulting in the highest number of turnovers in recent
15 history within the Executive Branch. See *Holly James Resignation letter dated November*
16 *20, 2024*, attached as **Exhibit G**.
- 17 H. In violation of 12 N.N.C. § 202(B), President Nygren attempted to unlawfully and
18 unilaterally terminate the Navajo Nation Controller. See *Controller Termination Letter*,
19 attached as **Exhibit H**.
- 20 I. In violation of 12 N.N.C. § 202(B), President Nygren attempted to unlawfully and
21 unilaterally appoint an Interim/Acting Controller. See *Interim/Acting Appointment*
22 *Letter*, attached as **Exhibit I**.
- 23 J. President Nygren breached his fiduciary trust duties to the Navajo People and the Oath
24 of Office as detailed in the Application for Temporary Restraining Order and Preliminary
25 Injunction and the Verified Petition for Permanent Injunction (*Curley v. Nygren*, WR-
26 CV-112-25 and WR-CV-113-25), attached hereto as **Exhibit J**.
- 27 K. President Nygren unlawfully used the presidential line-item veto authority in an attempt
28 to extort and appropriate funds for the Office of the President and Vice President,
29 primarily for travel purposes. See **Exhibit J**.
- 30

- 1 L. President Nygren applied undue influence on enterprises of the Navajo Nation, such as
2 the Navajo Engineering and Construction Authority (NECA), resulting in audit findings
3 pertaining to the misuse of federal funds (ARPA). See *Controller's Report regarding*
4 *NECA Audit Concerns*, attached as **Exhibit K**.
- 5 M. President Nygren approved contracts totaling over \$24.9 million dollars to Indigenous
6 Design Studio + Architects without properly vetting the company and the subcontractor
7 ZenniHomes, resulting in unaccounted funds of \$24.9 million dollars with little to no
8 deliverables. See generally, *President Nygren's Press Release* (July 2025) ("the Nation
9 hired a Navajo woman-owned firm called Indigenous Design Studio + Architecture,
10 L.L.C. (IDSA) to build 160 homes for the Nation. In accordance with the contract, **the**
11 **Nation paid \$24.9 million, upfront to IDSA**. The Navajo Nation Department of Justice
12 (DOJ) and all other necessary departments and offices approved this contract in writing.
13 IDSA then subcontracted ZenniHomes to build those homes for our people"). (emphasis
14 added). This matter is currently under investigation and may result in additional court
15 filings.
- 16 N. President Nygren and his staff unlawfully leveraged the Navajo Nation's treasury to
17 obtain personal loans for their personal use and in some instances for their families. See
18 *Innovative Electric Invoices*, attached as **Exhibit L**.
- 19 O. President Nygren violated 2 N.N.C. §§ 3744 and 3745(B), 17 N.N.C. §§ 301 and 376,
20 and Purchase Card ("P-Card") policies through the misuse of his government credit card
21 by covering the expenses of family members who are not eligible Navajo Nation
22 employees at various times since being elected and by falsifying and directing executive
23 staff to falsify documents for such expenditures. See *Ethics and Rules Complaint filed*
24 *November 21, 2025*, attached as **Exhibit D**.
- 25 P. President Nygren's unlawful unilateral termination of Controller Sean McCabe put the
26 Navajo Nation's treasury and investments in substantial risk. The unlawful removal of
27 the Controller resulted in a delay in completion of the Navajo Nation's audit and the time
28 needed to address the audit findings. Resulting in increased financial audit and fraud risks
29 identified within the financial audit. See *Navajo Nation Office of the Controller Report*
30 *to Navajo Nation Council, November 11, 2025*, attached as **Exhibit M**.

1 Q. During his tenure as the Navajo Nation President, funds have been misused within the
2 Executive Branch, such as but not limited to, unlawful reallocations, promotional items
3 for the President, allowing the use of federal funds for rodeo and event sponsorships,
4 utilizing executive branch funding for President Nygren's personal expenses. See
5 **Exhibit M.**
6

7 **SECTION SEVEN. MALFEASANCE / MISFEASANCE OF OFFICE AND BREACH OF**
8 **FIDUCIARY TRUST DUTIES FINDINGS RELATED TO GROUNDS FOR REMOVAL**
9 **OF VICE-PRESIDENT RICHELLE MONTOYA**

10 A. Vice-President Richelle Montoya made a statement concerning sexual harassment at the
11 Office of President & Vice-President on social media resulting in a Special Prosecutor
12 investigation being conducted. To date, Vice-President Montoya has not filed an Ethics
13 in Government, Criminal or other Civil complaint regarding any kind of allegations
14 against the President.

15 B. Vice-President Montoya took an oath to, "...faithfully execute the office of the Navajo
16 Nation Vice-President representing the Navajo Nation and ... preserve, protect and
17 defend the laws and government of the Navajo Nation and advance the interests to the
18 Navajo people, having due regard for the ethical duties and responsibilities of the office."
19 *See Vice-President Richelle Montoya's Oath of Office*, attached as **Exhibit B.**

20 C. Both the President and the Vice-President are elected together on one ballot and share
21 the responsibility to uphold their oaths of office together. As a result, the Vice-President
22 has a duty to report any known violations of Navajo Nation, state or federal laws through
23 the appropriate channels, such as the filing of a complaint with Ethics and Rules Office.

24 D. On or about October 11, 2025, Vice-President Montoya publicly announced that she
25 would be willing to be placed on leave or removed from office, "to protect communities
26 and restore accountability." See *Navajo Times Article dated October 16, 2025, "Montoya*
27 *says she is willing to step aside as Fort Defiance advances no confidence push,"* attached
28 as **Exhibit N.**
29

30 **SECTION EIGHT. APPROVING THE REMOVAL OF NAVAJO NATION PRESIDENT**

- 1 A. The Navajo Nation Council finds that Dr. Buu Van Nygren failed to uphold the Oath of
2 Office as the President of the Navajo Nation.
- 3 B. The Navajo Nation Council finds it in the best interest of the Navajo Nation to remove
4 Dr. Buu Van Nygren as the Navajo Nation President for cause, as detailed above.
- 5 C. The Navajo Nation Council approves and authorizes the removal of the Dr. Buu Van
6 Nygren as the President of the Navajo Nation.
- 7 D. The Navajo Nation Council hereby removes Dr. Buu Van Nygren from office as the
8 President of the Navajo Nation.
- 9

10 **SECTION NINE. APPROVING THE REMOVAL OF NAVAJO NATION VICE-**
11 **PRESIDENT**

- 12 A. The Navajo Nation Council finds that Richelle Montoya failed to uphold the Oath of
13 Office as the Vice-President of the Navajo Nation.
- 14 B. The Navajo Nation Council finds it in the best interest of the Navajo Nation to remove
15 Richelle Montoya as the Navajo Nation Vice-President for cause, as detailed above.
- 16 C. The Navajo Nation Council approves and authorizes the removal of the Richelle Montoya
17 as the Vice-President of the Navajo Nation.
- 18 D. The Navajo Nation Council hereby removes Richelle Montoya from office as the Vice-
19 President of the Navajo Nation.
- 20

21 **SECTION TEN. EFFECTIVE DATE**

22 This resolution shall become effective pursuant to 2 N.N.C. §§ 221(A) and (C).

23

24 **SECTION ELEVEN. AUTHORIZING SUCCESSION PURSUANT TO 2 N.N.C. § 1006**

25 Succession of the Navajo Nation Office of the President and Vice-President shall be executed in
26 accordance with 2 N.N.C. § 1006.

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