



2021
JULY



SPEAKER'S REPORT

Summer Council Session

Seth Damon, *Speaker*
24th Navajo Nation Council





Naabik'iyáti'

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- All Council Delegates -

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24TH NAVAJO NATION COUNCIL



Seth Damon, Speaker



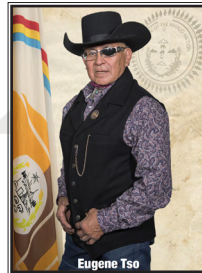
Eugenia Charles-Newton



Otto Tso



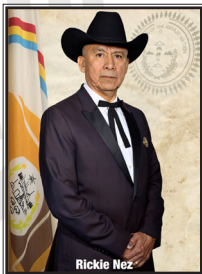
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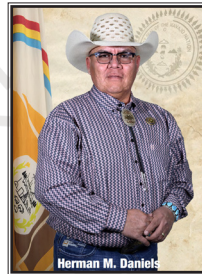
Rickie Nez



Thomas Walker, Jr.



Kee Allen Begay, Jr.



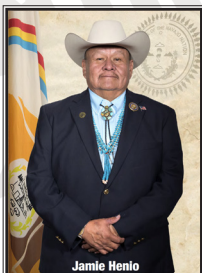
Herman M. Daniels



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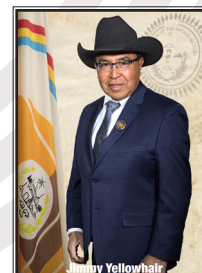
Elmer P. Begay



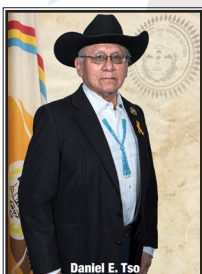
Nathaniel Brown



Amber Kanazbah Crotty



Jimmy Yellowhair



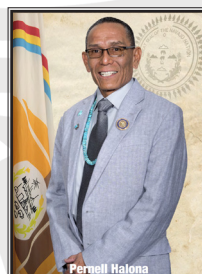
Daniel E. Tso



Carl R. Slater



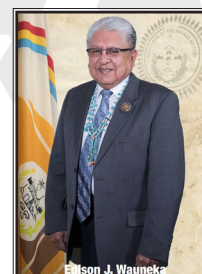
Paul Begay



Perrell Halona



Charlaime Tso



Edson J. Wauneka

SPEAKER'S MESSAGE

Yáát'ééh, shik'ei dóó shidine'é. Welcome all who come within the four sacred mountains and those beyond to the 24th Navajo Nation Council 2021 Summer Session. Thank you for your continued interest and support.

I extend a warm welcome to my colleagues of the 24th Navajo Nation Council, President Jonathan Nez, Vice President Myron Lizer, Chief Justice JoAnn Jayne, chapter officials, federal, state, and county officials, legislative staff, and our Diné citizens. Thank you for joining us for the 2021 Summer Council Session.

I first want to recognize and thank the first responders, front-line workers, and our essential personnel for the tireless work they have done to keep our Nation, people, and communities safe. Through holding a Naagé ceremony, I pray that as we slowly exit out of this pandemic, our people and nation will come out stronger through prayer.

Summer signifies the time where our people cultivate their planting process and as your elected leaders, we hope that this session will sow the seeds of our labor so that in the coming months, the Navajo Nation will sprout as a leader on the world stage.

As our leaders travel in from near and far to receive numerous reports and discuss the legislations at hand, we reflect on the past few months that have graced us with triumphant wins as well as teaching us valuable lessons for the betterment of our Nation.

Despite adversity, we – as a nation – have persevered through the toughest of times by collectively working towards building a bigger, better, and prosperous future that will advance the Navajo Nation's interest.

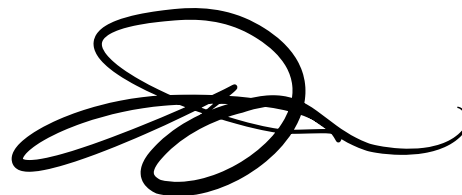
By listening to our People, the Council's primary area of focus, in meeting with federal, state, county, and tribal leadership, has been advocating and lobbying for additional funding that will address the lack of infrastructure, broadband, water access, waste management, etc.

Although we are still battling against the COVID-19 pandemic, we celebrate the identities of our people through legislation by reaffirming the third week of June as Diné Pride week. As well as promoting the economic growth of the Nation by reopening Navajo-owned and maintained roads and tribal parks.

Doing so, our People will be able to recover from the downsides of the pandemic to support their families and communities. The Council will continue to hear the voices of the Navajo People to improve the quality of life for them.

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

Ahe'hee'

A handwritten signature in black ink, consisting of several overlapping loops and a long, sweeping tail that curves upwards and to the right.

Seth Damon, *Speaker*
24TH Navajo Nation Council

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YAZZIE/MARTINEZ V. STATE OF NEW MEXICO

HEHSC requested an audit of headstarts expenditures from the Office of the Auditor General who presented a corrective action plan for one of the chapter's. Currently, this issue is still ongoing.

HEHSC also met with the Institute for American Indian Education, College of Education and Human Services, University of New Mexico; New Mexico Representative Derrick Lente and Anthony Allison; New Mexico Senator Benny Shendo and Shannon D. Pinto; Mr. Regis Pecos; and Navajo Nation Chief Legislative Counsel, Dana Boroff; Legislative Counsel, Ron Haven; Navajo Nation DOJ Attorney Alexandra Kinsella and Kenneth "Kipp" Bobroff, Attorney for the Pueblo of Laguna for an update discussion regarding the Yazzie/Martinez v. State of New Mexico a landmark education lawsuit.

In 2018 Judge Sarah Singleton, ruled that the state of New Mexico wasn't providing its' duty in providing sufficient education for student's throughout the state which included Native American students, English as a Second Language learner's, families from low income households, which comprises of 80% of total New Mexico student population. This issue was raised when it was found that a majority of students were not graduating from high school, student's who continued onto college required remediation and only met elementary level mathematics requirements upon acceptance. The state of New Mexico argued that they were un-

able to provide such support due to lack of funding and the state is required to comply as outlined by the law. The state then attempted to file a motion to have the case dismissed, however, due to the resilience of the Yazzie/Martinez plaintiffs, they showed how little the state had done to fulfill their constitutional duties and the state of New Mexico sided with them and denied the dismissal claim. This motion was opposed by tribes who came together in support of the plaintiffs. The one takeaway from this case is an overhaul of structural education system which requires more involvement from tribal entities. The COVID pandemic brought this to the forefront, with the lack of adequate tools required to ensure that all student's receive adequate education. It was determined that the Navajo Nation being the largest Native American tribe needs to assert their authority over schools by creating a cohesive vision amongst all departments, tribes and entities involved so that we have one voice to address the state education departments. Navajo Nation needs to be more directly involved in state legislation that involves our Navajo children and needs to be at the table to make these decisions, this has prompted some consideration of how to take advantage of the opportunity this lawsuit has helped create.

HEHSC, along with Chairman Daniel Tso, are continuing their support of Indian education by continually to be present at the table when such issues arise on and off the reservation and strongly supports a cohesive front to guide decisions in the best interest of the Navajo Nation.



RADIATION EXPOSURE COMPENSATION ACT COMMITTEE (RECA)

RECA has been making progress under the direction of Madame Chair Amber Kanazbah Crotty, 24th Navajo Nation Council delegate for Cove, Toadlena/Two Grey Hills, Red Valley Tse'alnaozt'i'i, Sheepsprings, Beclabito, and Gadiiahi/To'Koi communities, along with representatives from Navajo Nation (NN) Department of Justice, NN Department of Health, NN Environmental Protection Agency, NN Washington Office, Office of the President & Vice President, and UNM Metals Superfund Program Center. In-

cluding support from fellow 24 Navajo Nation Council members.

The committee has been aggressively advocating for an amendment of the Radiation Exposure Compensation Act which was enacted in 1990 and scheduled to expire on July 10th, 2022. RECA with the assistance of Navajo Nation Washington office and the Department of Justice office have also been collaborating to secure a Lobbyist to assist RECA and the Navajo Nation with legislation. A Request for Proposal (RFP) was opened shortly after 24th NNC Spring session which closed on 5/28/2021. Currently RFP's are being reviewed and selection

should be announced very soon.

RECA has also been engaged with the UNM Metals Superfund program, which has been a partner in ensuring that the public is educated on the effects of Uranium exposure and its long legacy over the last 35 years across 3 generations, and now going into the 4th generation family members. Their research and advocacy justified amendments to RECA.

The committee meets biweekly on Thursdays between 2-3 PM, currently via teleconference and hoping to continue to make further progress in amending legislation that would benefit members of the Navajo Nation.

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NAVAJO-HOPI LAND COMMISSION (NHLC)

Navajo-Hopi Land Commission consists of nine commissioners, who are in support of the Biden Administration appointing a Commissioner in Washington, DC to assist them with their concerns related to Navajo Partition Land. Currently, NHLC is awaiting a response from U.S. President Joe Biden and the U.S. Secretary of the Interior Deb Haaland, of the appointment of a commissioner to assist in the oversight of the Office of Navajo and Hopi Indian Relocation (ONHIR) office.

At the May 20th, 2021 NHLC regular meeting, a report was presented to the commission by Susan Eastman, Principal Attorney/Director of the Navajo Hopi Legal Services program regarding a recent update on the Forgotten People versus the Navajo Nation case that was pending. This case originated in 2010, many of the original plaintiffs were dismissed in 2013 leaving only 3 remaining original plaintiffs. There hadn't been any activity within the past 5 years. Most recently the court reintroduced the case and set a hearing on the pending motions in March of 2021 and there was a hearing scheduled on May 18th, 2021. The plaintiffs and their attorney did receive notification of the hearing. The attorney representing the plaintiffs, Mr. James Zion notified Katherine Belzowski, acting Assistant Attorney General at the Navajo Nation Department of Justice and representing the land commission, to inform her that he did not think that he could attend

since he is no longer licensed in Navajo Nation courts, and no longer practices law and unable to contact his clients. On Tuesday, neither the attorney nor the plaintiffs appeared in court nor called in, given that the plaintiffs were absent, Susan Eastman asked Judge Malcolm Begay to deny plaintiffs motion that were filed back in 2016. Judge Malcolm Begay granted her request and the case was dismissed.

Mr. Robert Black, Jr., Executive Director of NHLC, stated the 10 NHLC chapter's attended a "President's Huddle" earlier this quarter to meet face to face at Northern Arizona University in Flagstaff. During which time he conveyed to them (the 10 chapters) that Navajo Saw initiative or implementation plan has support from the NHLC and the President.

At a recent meeting with Apache County Recorder Mr. Larry Noble regarding the Red Barn property in St. Johns, it was confirmed the properties and tracts of land owned by NHLC, may not be subject to property taxes and any previously paid taxes could be refunded. Mr. Black and his staff were attempting to clear up any pending invoices and ensure that all property taxes were up to date. Mr. Black stated that they will also reach out to Coconino and Navajo counties to see if this same rule applies to the NHLC properties within these counties and will report back at a subsequent meeting.

The NHLC continues to meet on a regular basis, every Thursday morning at 7 AM, unless otherwise indicated.



FY 2022 GENERAL FUND BUDGET

On June 29th, the Budget & Finance Committee of the 24th Navajo Nation Council accepted the Navajo Nation Fiscal Year (FY) 2022 General Fund Revenue Projections, which establishes the FY 2022 General Fund Budget and the Three Branch Planning Allocations to prepare for the FY 2022 Navajo Nation Comprehensive Budget.

"I am very thankful to the Office of the President and Vice President (OPVP) and the Judicial Branch for their collective agreement for approving the Three Branch Chiefs' Agreement, which kicks off the Fiscal Year 2022 Budget Session," said Speaker Seth Damon (Bááhaalí, Chichiltah, Manuelito, Red Rock, Rock Springs, Tséyatoh).

In the FY 2022 General Fund Revenue Projections, the Navajo Nation Controller showed a total gross recurring revenue of \$137,205,000, which is less the set-asides for projected revenue.

It follows as:

- \$22,479,000 will be allocated to the Navajo Nation Permanent Fund.
- \$3,746,000 will be allocated to the Navajo Nation Land Acquisition Trust Fund.
- \$12,400,000 will be allocated to the Diné Higher Education Grant Fund.
- \$2,000,000 will be allocated to the Capital Outlay Match Funding Special Revenue Fund.
- \$2,000,000 will be allocated to

the Navajo Nation Water Rights Claim Fund.

- \$7,493,000 will be allocated to the Navajo Veterans Trust Fund.

Additionally, the Navajo Nation Three Branch Chiefs met and agreed upon their recommendations for the FY2022 base planning amounts, funding sources, and other financial matters to be presented to the Budget & Finance Committee (BFC).

According to the agreement, the total projected revenue consisting of General Fund Revenues and interest income from the Permanent Trust Fund (PTF) that is available is \$177,205,000.

Out of that amount, \$137,205,000 will be allocated to the General Fund Projection and \$40,000,000 will be allocated to the PTF.

The Three Branch Chiefs also recommended to BFC their allocations, which is as follows:

- \$18,013,778, which makes up 10.17%, will be allocated to Fixed Costs.
- \$3,500,000, which makes up 1.98%, will be allocated to External Funds Cash Match.
- \$111,518,160, which makes up 62.92%, will be allocated to the Executive Branch.
- \$15,732,069, which makes up 8.88%, will be allocated to the Legislative Branch.
- \$15,765,782, which makes up 8.90%, will be allocated to the Judicial Branch.
- \$12,675,211, which makes up 7.15%, will be allocated to the Chapters (non-administrative)

Regarding the Personnel Lapse/Savings Fund, the Three Branch Chiefs recommended that \$3,019,319 be allocated to cover the FY2021 General Wage Adjustment for the three branches.

Additionally, that \$3,000,000 be allocated to the Navajo Nation Retirement Plan to cover increasing costs.

In regards to the Undesignated, Unreserved Fund Balance (UUFB), the Agreement recommends that \$20,000,000 be set aside for the FY2023 budget, which is consistent with the UUFB set-aside that was established in Resolution No. CN-88-20.

BFC has accepted the Three Branch Chiefs' recommendations on FY2022 and the Annual Budget calendar.

Now, BFC has adopted a comprehensive budget policy manual is adopted, Navajo Nation programs and entities shall be guided by the existing budget policies set forth in Navajo Nation statutes and resolutions.

Additionally, the Committee requests that the Office of Management and Budget monitor the scheduled timelines to ensure that all deadlines are met.



2021 NAVAJO NATION PRIDE

The 2nd annual Navajo Nation Pride began on Monday, June 14th, 2021 at 11 AM with a Pride Signing Ceremony in front of Navajo Nation Council Chambers reaffirming the third week of June as Diné Pride Week in support of the Navajo Nation gay, lesbian, bisexual, transgender, queer and two-spirit community. This year's theme was "Focused on Honoring all Indigenous Women who continue to uplift communities, lead our movement and are the changemakers for our Sovereign Nations." The signing was attended by honorable Speaker Seth Damon, honorable Nathaniel Brown and Alray Nelson, Executive Director for Diné Pride.

This year's event was sponsored by the Navajo Nation Office of the Speaker, Speaker Seth Damon and

Diné Development Corporation. The week continued with a virtual roundtable discussion on Thursday, June 17th, 2021 from 6-8 PM titled "Resilience & Uplifting Sovereign Nations"; followed by another virtual roundtable discussion titled "Our Lives & the Future." Saturday, June 18th, 2021 began with the Navajo Nation Pride Parade which started at the Navajo Nation Museum and ended in front of the Navajo Nation Council Chambers from 3:30 to 5 PM that evening. The parade consisted of over 20 plus supporters, a handful of walkers and one runner. Later on, the evening consisted of a Rainbow Lighting and Closing Ceremony where 2021 Rainbow Scholars, Devon Norberto and Earlson Manson were recognized, along with 2021 Náátaanii Leadership Honorees, President Joe Shirley, Jr., Dr Any Nez; Honorable Delegate Nathaniel Brown; and former Miss

Navajo Nation Radmilla Cody; and the Navajo Nation Pride 2021 Champion, Senator Jack Jackson, Jr. The night ended with a Variety Show entertainment of 15 performers.

Navajo Nation Pride month ended with a virtual event on June 30th, 2021 with a speech from Náátaanii Leadership Honoree Miss Radmilla Cody and a virtual Indigenous Art Show.

With continued support of the Office of the Speaker and sponsoring entities, the Navajo Nation Pride event will continue to flourish to become one of the largest Indigenous pride events in the nation. The Diné Pride committee and Office of the Speaker look forward to long lasting partnership that supports the Navajo Nation gay, lesbian, bisexual, transgender, queer and two-spirit community.

NAVAJO NATION ANIMAL CONTROL PROGRAM ON THE RECENT INCIDENT ON DOG BITES/VICIOUS DOGS

Jesse Delmar, Executive Director, NN Police Department – Mr. Delmar began to share statistics on vicious dog attacks v/s lack of animal control personnel on Navajo Nation. LOC requested Mr. Delmar to provide a budget.

Animal Control Program - A report was given by Kevin Gleason, Animal Control Manager, whom states there have been incidents in surrounding Navajo communities Dilkon and Ramah area involving children being attacked by dogs. Further stray dogs' issues have risen to 250,000 this year due to the pandemic. There are a total of six-(6) deaths involving dog packs, in some instances dog attack incidents in which some people lost limbs, ears, arms. However, there are fines for animal violation starting from \$50.00 to \$500.00 normally for the following violations:

- Vicious animals that perform dog bites
- Vicious animals that bite or injure livestock animals
- Vicious animals that are unlicensed
- Vicious animals that are not restraint

Mr. Gleason further states, "Our current situation on Navajo is we have 100-plus communities, but we have only five animal control officers to address the 100-plus issues," Gleason said. "This year,

they have 280 bite cases on Navajo. They've impounded over 5,000 cases involving 10,000 animals. The dog population is just too large for Navajo, and people are not being responsible for their pets," he said. "We don't have the staff to sufficiently be proactive with animal control. We are being reactive to what calls we are getting right now."

Brandon Bitsue, Acting Chief Prosecutor on White Collar Crime – Provided a statement, "I think something we should talk about is identifying the owners of the dog," further, "Under Navajo law, all dogs are supposed to be registered to a person. The reality, they are not. If they're feral dogs, there's probably not going to be charges pressed on anyone based upon lack of ownership." And identifying ownership is difficult, and if they do they have owners, there are no registration records, and there is no way to prove ownership legally.

ILLEGAL ACTIVITIES WITHIN THE COMMUNITY OF MANY FARMS AND SURROUNDING AREAS

A Public forum was organized on June 22, 2021 at the Chinle Police Department

Purpose of Public Forum: The purpose of the Public forum is to address illegal activities within the community of Many Farms and surrounding areas. Honorable Kee Allen Begay requested a public forum at the request of the Many farms chapter officials, to report and discuss, to the

Law & Order Committee, NNC the illegal activities of drugs, alcohol & substance abuse and what is doing to our people and our communities.

Guests/Invitees

- Legislative Advisor
- Legislative District Assistant
- Tamara, OPVP
- Many Farms Chapter Officials & Staff
- Chinle Police Department, NN
- Criminal Investigations, NN
- Robert Willie, NNOC
- Apache County Sheriff Joseph Dedman
- Office of the Speaker Legislative Staff Assistant

Report from Many Farms Chapter Officials: Madam Chair Katherine Arthur, Chapter President, Aljerino Tsedah, Chapter Vice President, Roland Tso, Grazing Official, Francine Harrison, Community Service Coordinator (CSC) – expressed forms of illegal activities occurring in the Many farms and Chinle area, currently the population is 3000.

The primary concern and issue are alcoholism, substance abuse; marijuana, methamphetamine users roaming around the community day and night. Substance abuse are available in the home, or offered by intimidation to the elderly around payday (1st of the month) by constant "drive by" at all hours of the day and night, and also to our school children, whom are targeted every day. Past raid efforts by law enforcement was focused on alcohol only, but now it's methamphetamine, pentanol, and marijuana being sold on highway 191. There are a lot of drug traffickers, when police

ACCOMPLISHMENTS

are set up visibly and consistent, the drug traffickers slow down and stay away. When the police leave or appear unaware the drug traffickers carry on their drug distribution. During the pandemic, drug users steal crops, livestock, hay & feed from local residents to purchase drugs. Drug users are dangerous and violent; physically & verbally, and have taken ownership of their elderly parents' relatives' home, and personal belongings that have value to use toward their drug addiction habits. Finally, the drug users openly display their drug distribution tactics by driving around the community searching for potential buyers, local gas stations are the "hand off" site for drug distribution, there are gun shots fired daily.

Response from the Navajo Nation Chinle Police District lieutenant and Captain, Criminal Investigations Department. – The Police district is overwhelmed by the reality of the drugs & alcohol abuse among our people is real, as they continue to be short staffed with limited resources. All across the Navajo Nation, substance abuse & alcohol activities are happening at increasing rate. Class 56 background check consisted of substance abuse resulted in a decrease from 200 applicants to 150 then from 24 to 15. The Navajo Nation Police department (PD) need 700 police officers to operate properly, and efficiently, currently PD has 120 police officers and are spread thin, and the current few staff are divided into (4) shifts.

PD continues to address tirelessly the on-going bootleggers, drug traffickers, homicide crimes on the

Navajo Nation. *"We arrest people, bring them to jail, but they are released the next day. The law enforcement work hard to get people arrested, even child molesters, rapists, etc. there is a revolving door, and it begins with the Judicial system, there is only so much we can do."* (Emmett Yazzie, Police Officer.) PD believes the problem is bigger than PD, social services and other influential services need to get involved. Subsequently, the Judicial system is not allowing harsher punishment at this time, and jail is not the correct mechanism. The community(ies) neighborhood is scary, especially when witness list goes to zero due to fear of retaliation.

The entire Navajo Nation needs to get involved. In example, the issue at Sawmill, Arizona, where a criminal has already done time in prison, was released, and when he came home, he abducted his daughter whom is mentally challenged, and our local police officers are still searching for them. PD is implementing current programs available such as canine program, drug & gang (PACE), etc. as alternatives to address these illegal and dangerous issues on Navajo.

On average day, there are (28) calls for substance abuse, which is repetitive, requiring specialty canine unit, traffic enforcement unit, as the situation becomes more violent, response time is between (3) officers.

As a result of excessive substance & alcohol abuse, the long-term users now require mental health treatment that is currently not available on Navajo nation. During pandemic, the violence by users increased;

- Sexual assaults in the home, toward women and children.
- Methamphetamine babies (increasing by young mothers)
- If methamphetamine is not available, there are other variety of drugs available.
- Methamphetamine addiction increases on the Navajo nation.

Response by Apache County Sheriff, Joseph Dedman – Sheriff states he is aware, and concerned of lack funds and manpower needed with the efforts of a union. Proposing to send NCC a supporting resolution. Sheriff shares statistics of 95 drug arrests this month involving meth, cocaine, marijuana, Pantanal (Mexico) = \$3.2 million total value. Sheriff recommends to aid assistance with canine tactic, experienced law enforcement officers, and will provide training, suggests to work together, and further states, *"Let's address and face the problems together, collaboration, in accordance with the inter-state agreements in place for our Navajo Nation."*



Legislation No. 0093-21: An Act relating to Law & Order, Health, Education and Human Services, Naabik'iyati Committees of the Navajo Nation Council; Amending Section 1703(E) of the Navajo Nation Child Support Enforcement Act, Title 9, Navajo Nation Code – Sponsor Honorable Daniel E. Tso

The Office of the Speaker and the 24th Navajo Nation Council in coordination with the Administration for Children & Families, Office of the Child Support Enforcement Washington, DC is working diligently to amend section 1703(E) of the Navajo Nation Child Support Enforcement Act, Title 9, Navajo Nation Code, in accordance with 45 CFR 30940(c), OCSE to make a final determination thus;

§1703. Definitions

For purpose of this Act:

E. “Child” means any person ~~under the age of 18~~ up to and including at least 18 years of age who is not emancipated according to the laws of the Navajo Nation who is alleged to be the natural or adopted child(ren) of an absent/non-custodial parent or custodial parent.

The change is necessary for purposes of federal grant requirements and other purposes.

This action shall become effective in accordance with 2.N.N.C § 221(B).

Discussion on preliminary interest in the 105(1) Lease Program for the Navajo Nation Public Safety facilities with the Department of Interior Office of Deputy Assistant Secretary for Management (DASM)

On Friday May 14, 2021 the Navajo Nation Law and Order Committee requested additional information on 105(1) lease requirements. And again, on July 2, 2021 an email was executed by Madam Chair, Eugenia Charles-Newton specifically on DOI/BIA priorities the Navajo Nation would like to get addressed. A bulleted list included;

- Public Safety Facility Replacement(s) on Navajo Nation.
- The facilities that are on the Operations & Maintenance listing and procedures needed for getting on that list.
- Increase funding for Law enforcement for Personnel (manpower).
 - There are roughly 180 patrol officers and roughly 27 Criminal Investigator (CI) covering a land base of 27,000 square miles. This is not enough officers and CI to address the public safety concerns of the Navajo people.

3RD QUARTER LEGISLATIONS

April 2021

CAP-19-21 Legislation No. 0064-21 Close Out – April 15, 2021

An Action Relating to the Resources and Development and Naabik'iyáti' Committees and the Navajo Nation Council; Approving and Adopting the Navajo Nation – State of Arizona Amended and Restated Gaming Compact (“2021 Arizona Compact Amendments”), Related Appendices, Transfer Pool Agreements, and Memorandums of Understanding with Other Tribal Governments

CAP-20-21 Legislation No. 0042-21 Close Out – May 4, 2021

An Act Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Two Million Dollars (\$2,000,000) for the Navajo Nation Department of Justice Water Rights Litigation Unit to Continue Litigation on Behalf of the Navajo Nation and to Protect the Navajo Nation's Water Rights; Waiving 12 N.N.C. §§ 820 (E), (F), and (N)

CAP-21-21 Legislation No. 0055-21 Close Out – May 6, 2021

An Act Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and the Navajo Nation Council; Allocating \$833,333.00 in Síhasin Funds to the Navajo Division of Transportation for the Route 8070 Road Improvement Project; Approving and Adopting the Route 8070 Road Improvement Project Expenditure Plan Pursuant to 12 N.N.C §§ 2501 – 2508

CAP-22-21 Legislation No. 0058-21 Close Out – May 7, 2021

An Act Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and the Navajo Nation Council; Allocating \$833,333.00 in Síhasin Funds to the Navajo Division of Transportation for the Route 8070 Road Improvement Project; Approving and Adopting the Route 8070 Road Improvement Project Expenditure Plan Pursuant to 12 N.N.C §§ 2501 - 2508

CAP-23-21 Legislation No. 0270-19 Close Out – May 7, 2021

An Act Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$1,244,913.00 for the Navajo Department of Criminal Investigations to Continue Providing Effective Services for the Navajo Nation; Waiving 12 N.N.C §§ 820 (E), (F), and (J)

CAP-24-21 Legislation No. 0011-21 Close Out – May 7, 2021

An Act Relating to Budget and Finance Committee, Law and Order Committee and Naabik'iyáti' Committee and Navajo Nation Council; Establishing the Navajo Nation Hashkééji Nahat'á Béeso Bá Hooghan by Amending Title Twelve of the Navajo Nation Code; Directing that the Award Received Through Navajo Nation V. Department of Interior, No. 14-cv-1909 (TSC), Be Deposited in the Hashkééji Nahat'á Béeso Bá Hooghan After Reimbursement of Litigations Costs; Directing that the Proceeds from Future Litigations Related to the Judicial Branch's P.L. 93-638 Contracts or Annual Funding Agreements Be Deposited in the Hashkééji Nahat'á Béeso Bá Hooghan; Establishing that the Fixed Cost Litigation Account Shall Be Reimbursed for Litigation Costs

CAP-25-21 Legislation No. 0031-21 Close Out – April 27, 2021

An Action Relating to Health, Education and Human Services, Naabik'iyáti' and Navajo Nation Council; Approving the Reinstatement of Louise Rae Pavinyama as a Member of the Navajo Nation

CAP-26-21 Legislation No. 0059-21 Close Out – April 27, 2021

An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Confirming the Appointment of Ms. Natasha Goldtooth to the Commission on Navajo Government Development for a Term of Two (2) Years as the Dine' College Student Representative

CAP-27-21 Legislation No. 0063-21 Close Out – May 7, 2021

An Action Relating to Health, Education and Human Services, Budget and Finance, and Naabik'iyáti' Committees, and Navajo Nation Council; Amending Council Resolution CN-88-20, the Navajo Nation Fiscal Year 2021 Comprehensive Budget; Approving the Navajo Nation Veterans Administration and Veterans Trust Fund Budget for Fiscal Year 2021

CAP-28-21 Legislation No. 0070-21 Close Out – April 27, 2021

An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Confirming the Appointment of Mrs. Loretta T. Sewingyawma to the Commission on Navajo Government Development, for a Term of Four Years, as the Western Navajo Agency Council Representative

CAP-29-21 Legislation No. 0072-21 Close Out – April 27, 2021

An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Confirming the Appointment of Mr. James Benally to the Commission on Navajo Government Development, for a Term of Four Years, as the Northern Navajo Agency Council Representative

CAP-30-21 Legislation No. 0045-21 Close Out – May 7, 2021

An Action Relating to Budget and Finance and Naabik'iyáti' Committees, and Navajo Nation Council; Approving the Navajo Nation Permanent Fund Income Five-Year Expenditure Plan for Fiscal Years 2022-2026; Waiving 12 N.N.C. § 1162 (B) for a Limited Time Period

May 2021

CMY-31-21 Legislation No. 0083-21 Close Out – May 19, 2021

An Action Relating to an Emergency and the Navajo Nation Council; Removing Pearline Kirk as Controller of the Navajo Nation

CMY-32-21 Legislation No. 0081-21 Close Out – May 26, 2021

An Action Relating to an Emergency and the Navajo Nation Council; Removing Pearline Kirk as Controller of the Navajo Nation

June 2021

CJN-33-21 Legislation No. 0076-21 Close Out – June 18, 2021

An Action Relating to Health, Education and Human Services, Resources and Development, Naabik'iyáti' Committees, and the Navajo Nation Council; Approving the Reopening of the Lake Powell Navajo Tribal Park, Monument Valley Navajo Tribal Park, Monument Valley Welcome Center, Little Colorado River Navajo Tribal Park, Four Corners Monument and Tséyi' Diné Heritage Area at Orange Status Notwithstanding Public Health Emergency Order No. 2021-005; and Supporting Implementation of the Division of Economic Development's Business Reopening Plan for Businesses Operating Within the Above-Mentioned Navajo Nation Parks and Recreation Sites at Orange Status Notwithstanding Public Health Emergency Order No. 2021-005

CJN-34-21 Legislation No. 0088-21 Close Out – June 18, 2021

An Action Relating to an Emergency for the Navajo Nation Council; Amending Title 17 of the Navajo Nation Code to Address Dogs Running at Large and to Establish Criminal Penalties for Vicious Dog Attacks

CJN-35-21 Legislation No. 0094-21 Close Out – July 2, 2021

An Action Relating to Health Education and Human Services, Budget and Finance, and Naabik'iyáti' Committees and the Navajo Nation Council; Enacting the Navajo Nation Cares Fund Phase II Hardship Assistance Expenditure Plan; Allocating Navajo Nation Cares Fund Investment Earnings Thereto

CJN-36-21 Legislation No. 0104-21 Close Out – July 6, 2021

An Action Relating to an Emergency for the Navajo Nation Council; Repealing Resolutions Related to or Responding to Emergency or Extraordinary Enactments Pertaining to COVID-19 Mitigation and COVID-19 Pandemic Operational and Preparedness Procedures; Authorizing the Opening of Navajo-Owned Businesses to Navajo Citizens and Non-Navajo Tourists and Visitors; Authorizing In-Person Instruction at Schools Operating Within the Navajo Nation

CJN-37-21 Legislation No. 0102-21 Close Out – PENDING

An Action Relating to an Emergency for the Navajo Nation; Requesting the Governors of the States of Arizona, New Mexico and Utah to Declare States of Emergency for the Drought Occurring Across the Southwest

FAILED Legislation No. 0078-21 June 25, 2021

An Action Relating to Naabik'iyáti' Committee and the Navajo Nation Council; Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution CMA-18-21



NAVAJO NATION ZOO ANIMAL ADOPTION

Through the Adopt an Animal program of the Fish and Wildlife Department, The Office of the Speaker has re-adopted two foxes “Roxy Brown” and “Ally” for a second year. The program offers sponsorships for animals at \$150.00 per year. The Navajo Nation Zoo utilizes the funds from the sponsorships to help offset the cost of feed and animal care. Sponsorship includes a certificate, framed picture of the animal(s) and a name plaque that is displayed at the animal’s enclosure. To find an animal to adopt, please visit navajozoo.org for more information and listing of animals ready for adoption. The Office of the Speaker is pleased to know that Roxy Brown and Ally will be taken care of for the upcoming sponsorship for 2021.

CHACO CANYON UPDATES

On May 20, 2021, a letter was drafted and sent to Senator Catherine Cortez-Masto and Senator Mike Lee whom are on the Energy and Natural Resources Committee Office in Washington D.C. The letter was a recommendation response to a teleconference held with members of the Resources and Development Committee who provided input on the matters of Chaco Canyon Natural Heritage Site located in Northeastern New Mexico on the Navajo Nation.

The letter entailed an invitation from the 24th Navajo Nation Council to meet in person to discuss continued partnership in regards to the Chaco

Cultural Heritage Area Protection Act of 2017, which was a congressional bill that identified potential impacts to our Navajo people in relation to the ongoing development of gas and oil within the Eastern Agency of the Navajo Nation. In regards to the letter sent on May 20, 2021, a response request was given to the Speakers Office by Senator Ben Ray Lujan to meet in person on July 1, 2021 with the allottees and stakeholders of the Chaco Canyon area. This meeting was held in Huerfano, New Mexico. In attendance were my colleagues of the 24th Navajo Nation Council, Chairman Daniel Tso, Delegate Mark Freeland, and Chairman Jamie Henio.

The discussion entailed hearing the concerns and comments from a few allottees of the area, as well as the Office of the President and Vice President. Continued partnership and collaboration in addressing all aspects of the Chaco Canyon National Heritage Site is ongoing as the council will continue to hear the concerns of our Navajo people and consider input in the re-drafting of the 2017 Chaco Cultural Heritage Area Protection Act by our federal leadership.

DIVISION OF COMMUNITY DEVELOPMENT’S PLAN OF OPERATION

The Office of the Speaker provided recommendations to a work session held on June 28, 2021 at Twin Arrows Casino and Resort, Arizona. The Division of Community Development outlined the administrative processes to the Resources and Develop-

ment Committee which included all aspects of infrastructure, residential and commercial building facilities for the Navajo Nation Chapters and subsequent entities. Recommended amendments were presented in reference to the Plan of Operations for the division. Most of the recommendations were within the administration of the division’s daily operations. Positions of carpentry, supervisory, and management oversight were included in the request.

The Office of the Speaker recommended also revising the processes for procurement, and possible amendments to the Business Opportunity Act. Within the procurement code, there are areas that can be amended. Specifically, within the areas of construction insurance processes, risk management and vendor ship who apply for sub-contracting and construction projects.

Under the Business Opportunity Act (CJA-07-05) the qualifications for small businesses and enterprises state the standards and applicability for jobs and work on the nation. These qualification standards can be updated and revised in accordance to 204(A)(1) and (2). The current processes of procurement and opportunity for small businesses can move forward in a smooth manner if these two areas can be revised to accommodate businesses and contractors who can apply to divisions like DCD to carry out projects.



WOLF SPRINGS RANCH TOUR

The Office of the Speaker participated in the Budget and Finance and Resources and Development Committee's two-day work session and meeting at Wolf Springs Ranch owned and operated by the Navajo Nation. The two-day sessions consisted of a tour of Wolf Springs Ranch and Boyer Ranch, with a subsequent follow up request from the Department of Fish and Wildlife Director Gloria Tom, in the amount of 1.7 million dollars for the continued operations for the two ranches which were impacted by COVID-19.

The operations costs for fiscal year 2020 and 2021 were utilized to provide hay and feed to the livestock and bison. The Wolf Springs, and Boyer Ranches are located in southern Colorado at the base of the Sangre de Cristo Mountains and north of Mount Blanca (Sisnaajini). The two ranches are located approximately 60 miles west of Pueblo, Colorado with a combined acreage of 28,855 acres. The Department

of Fish and Wildlife is currently working with Natural Resources Conservation Services (NRCS) to research efficient needs for forage recovery and land, under the Cover Crop Program (CCP). The United States Department of Agriculture (USDA) is also providing some assistance for electronic ID program from both bison and cattle to help with sales and revenue.

"I really support both ranch operations; it's about time we purchase new equipment's for the continuation of operations for both ranches; it is better to purchase new equipment rather than making repairs that we will be addressing again sooner than later. This includes vehicles-to take care of the ranch and employees to ensure the care for our ranches," stated Herman Daniels Jr.

The Fish and Wildlife staff reported they are also working on a drought management plan along with the ranch programs from the state of CO to assist in forage and livestock feed for the lost revenue and for future drought conditions that

might affect the ranches operations.

Delegate Jimmy Yellowhair stated, "We should not only take care of the ranches but advance the ranch operations to expand and incorporate possibilities for economic development/and infrastructure-we need to plan for the development and processes of timeline and how to get to those milestones."

I am certainly appreciative that my colleagues from both the Budget and Finance Committees and Resources and Development Committees were able to jointly work to ensure that our tribal ranches are taken care of and continue to provide revenue back to the nation. Budget and Finance Chairman Jamie Henio stated, "You really have to be here at Wolf Springs Ranch to appreciate all of what it has to offer. You really don't get an idea until you see it for yourself the magnificence of the pristineness and heritage it brings to our people."

HEALTH COMMAND OPERATIONS CENTER

The Legislative Branch continues to be mindful of the Navajo Nation Health Orders, and have slowly been reopening our branch programs and departments back up even more. COVID-19 and its variants are still among our region and nation; rest assure our Legislative staff's health remain a top concern.

We will continue to send our biggest gratitude to the Health Command Operations Center, Dr. Jill Jim and the Navajo Department of Health, Mrs. Roselyn Tso and the regional IHS team, The Navajo Epidemiology team, our 638 partners, front line workers, Public Health Nurses, Safety Officers, Policemen/women, for on all their advisements, evaluations, and guidance. Since the beginning of our Nation's shutdown, these brave COVID19 warriors have been fighting this pandemic for our people. Please find time to show your appreciation to these good women and men in your communities, on all their efforts and continued support.

Our thoughts and prayers are with our families who have lost loved ones over the past year and half.

At the beginning of this month; the Navajo Nation has fully vaccinated over 118,766 people. COVID-19 vaccinations have been a tremendous blessing to our Navajo Nation. Over the past quarter the trend of positive cases has been declining and a few days where there were no cases. However, we still continue to see people adhere to the CDC recommendations of mask,

social distancing and sanitizing commonly used areas. Please continue to remain cautious of your surroundings and interactions.

With the signing of Resolution CJN-36-21 on July 6, 2021, our Navajo Nation has implemented the Navajo Nation COVID-19 Safe Schools Framework and declared "yellow status" for "in-person instruction for schools operating within the Navajo Nation. All schools are required to create, submit and implement a School Reopening Plan and complete an accompanying Reopening Readiness Assessment Attestation form." (PHEO No. 2021-014) CJN-36-21 also reopened Nation's roads to Visitors and Tourists, "all Navajo Nation enterprises and Navajo businesses are open to Navajo citizens and non-Navajo tourists and visitors, in compliance with COVID-19 safety protocols and applicable Public Health Orders." (PHEO No. 2021-013) Under the Yellow Status; 50% of maximum occupancy is allowed for most businesses to be open. Our Tribal Parks have reopened and allowing our local tour operators a chance to capture what's left of this tourism high season. We thank our local business owners and entrepreneurs for their patience and endurance. We have an economic recovery to work on together, and I know we will persevere.

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

National Suicide Lifeline:
1(800)273-TALK

REOPENING NAVAJO TRIBAL PARKS

After a year and a half of the global pandemic it is certain the Navajo Nation's tourism industry is ready to get back on its feet. We are grateful for the challenges we received, because it's in those moments we grow at our best. COVID-19 had the Navajo Nation take a good look at the contributions our tourism industry has had and continues to have on Navajo land. From breakfast burritos sales to our tour operations at tribal parks, we will continue to make proactive steps in assisting our regions with their economic development plans. With that said, we thank the council delegates who have been tourism champions in getting Legislation 0104-21 passed and signed.

It was a great sight to see the support our business owners coming together and helping one another to prepare our attractions for visitors and tourists. Resolution CJN-36-21 reopens the Nation's roads to Visitors and Tourists, "all Navajo Nation enterprises and Navajo businesses are open to Navajo citizens and non-Navajo tourists and visitors, in compliance with COVID-19 safety protocols and applicable Public Health Orders." (PHEO No. 2021-013)

HCOC Operation Hours:
M-F (8am to 5pm);
Sat (8am-12pm); Sun (standby)

COVID-19 Interactive Dashboard:
<https://www.ndoh.navajo-nsn.gov/COVID-19/Data>

ACCOMPLISHMENTS

NAHATA' HOGAN AND LEADERSHIP BUILDING

In a letter to the 24th Navajo Nation Council, Chairwoman of the Commission on Navajo Government Development, Ms. JoAnn Dedman sincerely conveyed this:

"Honorable Members of the 24th Navajo Nation Council, I humbly offer my support of Legislation 0105-21 appropriating \$529,850.00 in Síhasín Funds to the Commission on Navajo Government Development for the Nahat'á Hogan and Leadership buildings. At almost every Navajo homestead, you will see a frame house or mobile home AND a Hogan facing east to greet the morning sun. The Navajo Nation Museum has a Hogan building for visitors to see. However, the Navajo Nation government does not have a Hogan for everyday use. The Commission on Navajo Government Development has been planning for years, envisioning a Hogan that will be used by all three branches of the Navajo Nation. Other organizations have taken notice of this plan and expressed a desire to use the proposed Hogan. A former commissioner eloquently spoke in Navajo that making decisions while sitting on the lap of mother earth, on a dirt Hogan floor as our forefathers have done is traditionally and culturally appropriate. Past leaders taught us reverence and respect of shared governance. I am influenced by these values and believe that decision making in a sacred Hogan setting will positively impact the Navajo Nation. It is my hope that you will support the significance

and need for a Hogan as a working building in Window Rock. Thank you for this opportunity to offer my support of (Legislation) 0105-21. - Sincerely, JoAnn Dedman"

This Hogan has been a long time coming and is going to be the first Hogan constructed by the Legislative Branch of the Navajo government. Our support is behind this traditional multi-purpose building. Its purpose and significance will become foundation on which our leaders will stand on moving our government forward and planning for the future generations.

Legislation 0105-21: "The Purpose of this Legislation is to Appropriate \$529,850.00 in Síhasín Funds to the Commission on Navajo Government Development for the Construction of their Planned Nahat'á Hogan and Leadership Building."

If approved the Hogan project will move forward with construction. This Legislation will be reviewed and approved from the Resources & Development Committee, the Budget & Finance Committee, the Naabik'iyáti Committee, and finally a two-thirds vote from the Navajo Nation Council Session.

TOURISM

Our local businesses and entrepreneurs felt the burden of having to close business and sell off assets to keep afloat. We continue to have discussions on how our local governments can become a solid foundation for our Navajo entrepreneurs in the tourism industry. With the American Rescue Plan Act oppor-

tunities, we hope to experience a more stable future of infrastructure and service for our communities and our global visitors. COVID-19 has uncovered our economic weaknesses, and we are in the process of helping mend those areas.

The Tri-City Tourism group in Western Agency (Dennehotso, Chilchinito and Kayenta) are picking up where they left off Pre-COVID. New Chapter leadership with the motivation to create an even more attractive Navajo Western Agency destination, work alongside Delegate Nathaniel Brown on planning out a destination plan for the region and surrounding communities. Pre-COVID19, Tri-City Tourism was headed in the right direction with Customer Service trainings and Chapter engagements that would enhance their story and experience to visitors.

In the midst of planning and recalibrating, Tri-City Tourism began to ask themselves, how can we better serve our community, who serves our guests? And with that came a load of new goals, and one being the amendments of our regulations. Sometimes our limitations are self-inflicting and with our 24th Navajo Nation Council leadership, like Delegate Brown, we are open to amending those regulations. We have to be willing to change, much like we have in the last year and a half, we have to change with our new economic climate.

The Office of the Speaker has been happy to support Tri-City Tourism's initiatives and help create fusion from Window Rock to each of the Tri-City Chapters.



Office of Navajo Government Development

Contact: Edward Dee, *Executive Director*
(928) 871-6378 – ekdee@navajo-nsn.gov

Accomplishments from 3rd Quarter

- **The Commission Passed Resolution No. CNGD-0301-21:** An Action to rescind resolution No. CNGD-0802-21: An action to recommend to the Navajo Nation Council and the Navajo Board of Election Supervisors to approve and authorize a referendum measure at the Navajo Nation General Election on whether the Navajo Chapter Government should be subject to reform.
- **The Commission Passed Resolution No. CNGD-0401-21:** An action to create a commission on Navajo Government Development Sub-committee on Navajo Comprehensive Government Reform to work in conjunction with the office of Navajo Government Development as part of a deep-dive analysis on an all-inclusive Navajo Government reform consideration.
- **The Commission Passed Resolution No. CNGD-0501-21:** An action requesting the 24th Navajo Nation Council Budget and Finance Committee to allocate \$498,800 in Sihasín Funds to the Commission on Navajo Government Development for the Design/Construction to Plan/Design and Construction of the Navajo Nation Nahata' Hogan and leadership building.

Goals for 4th Quarter in FY2021

- *The Commission intends to offer support to the following legislation that will be before sub-committee and Navajo Nation Council: An action relating to the Resources and Development, Budget and Finance, and Naabik'iyáti Committees, and to the Navajo Nation Council; Appropriating \$529,850.00 in Sihasin Funds to the Commission on Navajo Government Development for the Nahata' Hogan and Leadership Building; Approving the Nahata' Hogan and Leadership Building Expenditure Plan pursuant to 12.N.N.C. §2501 - §2508*
- The Office of Government Development will give a report to the 24th Navajo Nation Council's Resources and Development Committee and the Naabik'iyáti Committee regarding the Commission's recommended "government reform" referendum measures that resulted from the Navajo Community and Navajo College Students Outreach from July to the first week of September.
- ONGD is currently working with the Commission's sub-committee to produce a document that will be presented to the public and the public will have the opportunity to comment and make additional recommendations on for possible referendum vote by the Navajo People.
- ONGD will work very closely with the Office of Legislative Counsel in the careful submission of the Commission's proposed recommended "government reform" referendum measures to the 24th Navajo Nation Council and the Navajo Board of Election Supervisors for legislation considerations.
- ONGD is open back up to 75% and 1-2 staff are working remotely due to COVID-19 emergency orders by legislative branch guidelines and memos.
- ONGD will release a white paper - *A Case for Understanding Navajo Nation Sustainability Practices & Guidelines in 2021: COVID-19 Pandemic Presents Unique Opportunities*. This white paper will be presented to the Resources and Development Committee and the Naabik'iyáti Committee.



Issues/Recommendations

- The Office and Commission are working diligently to produce a document to present to Navajo Nation Council and the Navajo people in regards to government reform. ONGD will have a few office closures so our full staff can assist with the Community Outreach events scheduled for July, August and September.
- The ONGD intends to train both policy analysts in Robert's Rules of Order as a foremost Navajo Nation entity to assist boards, commissions, committees and other governmental bodies in parliamentary procedure.

PROGRAM SUMMARIES

Navajo Election Administration

Contact: Shayna Yazzie, *Interim Executive Director*
(928) 871-6367 – smyazzie@navajo-nsn.gov

Accomplishments from 3rd Quarter

- All Navajo Election Administration offices abided by the new reintegration plan that was implemented on June 01, 2021. Legislative Branch adjusted program personnel from 50% to 75% to resume working in the workplace.
- The NBOES conducted six meetings via telecommunication due to the ongoing COVID-19 pandemic and Navajo Nation Health Orders.
- Ten resolutions were approved by the NBOES during their regular meetings.
- There are 116,926 registered Navajo voters within the 5 agencies.
- The NEA planned and oversaw three special elections for local governments that had vacancies.
- The NEA also planned and over saw a Special Election Inauguration that was set for April 14, 2021 at 10am.
- Hired a new staff member for the Legislative Reporter position. The individual started on April 26, 2021.
- Required documents were given to Department of Personnel Management (DPM) for advertisement of vacant positions.
- Submitted documents to DPM for a possible in-house promotion for the Voter Registration Specialist position in Chinle Agency.
- Recall initiatives and inquires at the agency offices are being sought.
- Met with counties in New Mexico to go over upcoming elections for the Navajo Nation and the State.

Goals for 4th Quarter in FY2021

- Continue to plan for a possible special election in the fall or winter of 2021.
- Continue working with DPM to fill vacant positions at the central and agency offices.
- Hire a new Legislative Reporter as well, due to impromptu resignation in June 2021.
- Continue working with DPM to reclassify positions: Office Assistants to Office Specialists and possibly changing the Voter Machine Technician to an Information Systems Technician.
- The NEA needs to establish a fund management plan for the revenue generated from open fling to have funds revert back to operations for the NEA within the annual budget.

Issues/Recommendations

- Continue with office equipment upgrades (computers and new database) via supplemental funding from the Navajo Nation.
- Set up NEA staff work session with OLC to review code, rules & regulations, policies and procedures for the NEA for amendments and revisions.
- Office is currently short staffed as the central office is lacking the five staff members and one individual is going to retire. We will only have three staff members in the central office if we don't receive any referrals for the positions that will be advertised.

Office of the Auditor General

Contact: Helen Brown, *Delegated Auditor General*
(928) 871-6303 – helenbrown@navajo-nsn.gov

Accomplishments from 3rd Quarter

Program/Chapter Audits/Investigations – 5 reports

- Navajo Head Start Performance Audit
- Department of Fish and Wildlife Performance Audit
- Department of Fleet Management Performance Audit
- Counselor Chapter Internal Audit
- Red Lake Chapter Internal Audit

Follow-up on Corrective Action Plan Implementation – 2 reports

- Ramah Navajo Chapter 2nd CAP follow-up review
- Oljato Chapter CAP follow-up review

Other – 2 reports

- Available Chapter Fund Balances as of March 31, 2021
- Chapter Officials Sanctions Withholdings review

Goals for 4th Quarter in FY2021

- Navajo Rehabilitation Trust Fund Special Review
- Chichiltah Chapter Special Review
- Rough Rock Chapter Special Review
- Office of the Controller FMIS Address Book/Accounts Payable Duplicate Payment Follow-ups
- Internal Audits of Black Mesa, Nageezi and Upper Fruitland Chapters
- Corrective action plan follow-up reviews: Smith Lake Chapter and Navajo Board of Education
- Available Fund Balances for 110 Chapters as of June 30, 2021
- Outsource more chapter audits and performance audits of Navajo Nation depts/programs; will need to issue various request for proposals to utilize consulting budget

Issues/Recommendations

- Continue to recruit applicants to fill three (3) vacant positions
- Submission of MIP backups by some Navajo Nation Chapters are taking too long and some chapters are utilizing different software vendors that is impacting our ability to restore their financial data for reporting purposes.
- Continue to assist the Administrative Service Centers on chapter matters
- Working with challenges presented by the COVID-19 pandemic and the Navajo Nation's priorities involving the CARES Act funds; most programs and chapters are part of these priorities and thus not always available for audit purposes.
- Address the legislative concern from the FY2021 budget which directed our office to develop a plan on how to expand the number of audits of programs and chapters in our annual work plan.

PROGRAM SUMMARIES

Human Rights Commission

Contact: Leonard Gorman, *Executive Director*
(928) 871-7436 – leonardgorman@navajo-nsn.gov

Accomplishments from 3rd Quarter

- **Reviewed Citizen Complaints:** The Office of Navajo Nation Human Rights Commission (“Office”) continues to receive new complaints during the third quarter. However, due to COVID-19 on the Navajo Nation, the majority of the intake meetings were conducted by teleconference and the complaints were staffed for investigation.
- **Public Hearing on Reassessing the Treatment of Navajo Citizens by Law Enforcement in the Border Towns:** The Office will reassess the border town policing in light of the national concern on police reform. Due to COVID-19, the Office will be examining the best method to conduct the public hearing to ensure the safety of public and the standard to be utilized when assessing border town policing.
- **Arizona, New Mexico, and Utah Legislative Sessions:** The Office has been tracking and analyzing proposed legislations in the states of Arizona, New Mexico, and Utah during their legislative sessions that would impact the Navajo Nation and Navajo citizens. These proposed legislations ranges from protecting voting rights to capping small loan annual percentage rates to 36% to creating a citizen redistricting commission. New Mexico’s and Utah’s legislative session ended March 2021. Arizona’s legislative sessions ended June 30, 2021.
- **Redistricting Activities:** The Office started participating in preliminary redistricting activities for the states of Arizona, New Mexico, and Utah. The Office started meeting the county clerks, elected officials, county managers, nonprofit organizations, federal offices, and indigenous nations on redistricting activities to advance the interests of the Navajo people before the state legislatures, redistricting commissions, and elected county officials when redistricting maps will be drawn.

Goals for 4th Quarter in FY2021

- **Continue to Receive Complaints:** This Office will continue to assess and investigate filed complaint by Navajos on or about discrimination and human rights violations off the Navajo Nation.
- **Conduct Public Hearing on Law Enforcement:** This Office will reassess the border town policing in light of the national concern on police reform. Due to COVID-19, the Office will be examining the best method to conduct the public hearing to ensure the safety of public.
- **COVID-19 Impacts:** This Office will assess the financial impacts on border towns due to the pandemic lockdowns imposed by the Navajo Nation government. In addition, this Office will communicate and coordinate with State, Federal and United Nation bodies on assessing racism post COVID-19.
- **Redistricting Activities:** This Office will continue to advance the interests of the Navajo Nation and Navajo people before the state legislatures, redistricting commissions, and elected county officials when redistricting maps will be drawn to protect Navajo human and voting rights.



Issues/Recommendations

- **6B Rollout:** With the move towards full implementation of the FIMS system, this Office has not met the requirements to begin submitting personnel and budgetary/fiscal expenses online. Currently, only one person in the Office has completed all the online trainings that are required to be 6B Rollout Certified. The remaining staff of the Office still has several more trainings to complete.
- **Vacant Commission Position:** Currently, there is two vacant commission positions with the Commission. Only three positions have been filled. The vacant positions are the Law Enforcement and At-Large Commissioner, which needs to be filled as soon as possible.

PROGRAM SUMMARIES

Ethics and Rules Office

Contact: Kandis Martine, *Executive Director*
(928) 871-6369 – kandismartine@navajo-nsn.gov

Accomplishments from 3rd Quarter

- There were seven hearings before the Office of Hearings and Appeals this quarter. Two were new ethics complaints and five were for orders to show cause.
- Two ethics complaints, three motions for order to show cause and two motions for status hearing were filed with the Office of Hearings and Appeals and hearings should be scheduled soon.
- Three investigations were completed, which resulted in the issuance of written reprimands to the Respondents to address their behavior in the future.
- Efforts are still being made to locate and contact individuals that have outstanding restitution with the Nation. ERO conducted a case staffing on the restitution files to identify certain ones that may warrant the filing of a guardianship. There were five restitution files the Investigators were assigned to locate the Respondent and an update will be provided in thirty days.
- Intakes continue to be received and reviewed for possible investigation. Each Investigator has a number of investigations they are working on. ERO conducted a case staffing on the investigations to obtain the status of investigations.
- The office continues to answer questions regarding the ERO process either by phone or email.

Goals for 4th Quarter in FY2021

- Recruit and hire for vacant Presenting Officer position.
- Redraft office procedures regarding timelines for investigations and review other procedures for possible amendments.
- Continue to enforce restitution judgments by sending letters demanding payment, filing motions for order to show cause and/or garnishment proceedings.
- Recommence working and collaborating with the Division of Community Development, Administrative Services Centers, Navajo Nation Department of Justice, Navajo Elections Administration, and Office of Government Development in providing consultations for local governments (110 chapters).
- Continue providing the Ethics in Government Law/Standards of Conduct training for Chapters, School Boards, and other Navajo Nation Departments, including monthly training for newly hired employees with the Navajo Nation Staff Development and Training Center.
- Work cooperatively with other Navajo Nation departments, the Public Integrity Task Force, FBI, Office of Inspector General and Internal Revenue Service on various task forces and workgroups that concern the public trust to more effectively hold individuals accountable for violations of the Ethics in Government Law.
- 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 ethics complaints, Orders to Show Cause and eligible cases for garnishment pursuant to 2 N.N.C. § 3800 et seq. in the Window Rock District Court.

Navajo Utah Commission

Contact: Clarence Rockwell, *Executive Director*
(435) 651-3508 – crockwell@navajo-nsn.gov

Accomplishments from 3rd Quarter

- The Navajo Utah Commission secured \$90,000 from the Utah Navajo Revitalization Fund Board on April 15, 2021 to conduct preliminary planning (A&E) for construction of a new post office facility in Montezuma Creek, UT.
- The Navajo Utah Commission have made transportation a priority for years in dialogue with state government and is beginning to see results with the Utah Department of Transportation recently announcing appropriations of \$72.92 million for reconstruction of S.R. 162, S.R. 262, and construction of a roundabout in Montezuma Creek, Utah.
- The Navajo Utah Commission prepared funding applications for the Oljato Chapter and Naatsis'Aan Chapter seeking supplemental appropriations from the Utah Navajo Revitalization Fund to address funding shortfalls for 2 housing projects.
- The Navajo Utah Commission expended 95% of a housing grant (\$292,600) appropriated by the Utah Olene Walker Housing Loan Fund to procure construction materials to construct 7 single-family housing units.

Goals for 4th Quarter in FY2021

- Complete construction of 3 housing units at Naatsis'Aan, Oljato, and Aneth Chapter.
- Finalize agreement with the Utah Division of Facilities Construction and Management to provide A&E services for the Montezuma Creek Post Office Project.
- Continue to assist 4 chapters with on-going capital projects, including the Aneth Warehouse Project, Red Mesa Chapter Administration Building Project, Naatsis'Aan Chapter Renovation Project, and New Oljato Chapter Project.
- Prepare Navajo Utah Commission priorities for presentation and discussion with Gov. Spencer Cox at the 15th Annual Utah Native American Summit at Utah Valley University in August.

Issues/Recommendations

- The Utah Legislature is predominately Republican with few minority representatives in both the House and the Senate. The 2022 Utah Legislature is scheduled to start their annual 45 days legislative session on January 18, 2022. Legislative priorities including appropriations are often determined ahead of time. The Navajo Utah Commission is urging the Navajo Nation Council to appropriate funding for lobbying services necessary to provide proper tribal representation at the Utah, Arizona, and New Mexico state legislative sessions.

PROGRAM SUMMARIES

Office of Legislative Services

Contact: Manuel Rico, *Executive Director*
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Accomplishments from 3rd Quarter

- OLS processed 42 Legislations this quarter as well as closing out 55 resolutions.
- OLS personnel participated in 119 council/standing meetings and work sessions during this quarter.
- OLS Legislative Staff begin utilizing a hybrid meeting method that included telecommunication and in-person meetings with minor technological assistance from the Office of the Speaker.
- OLS Expended 69% of the FY2021 Budget for department.
- Within the third quarter, due to public health orders, OLS continued to follow the Legislative Branch's Phase II of the Reintegration Plan. Staff continued to telecommute, as well as, work in the office and a majority of the meetings were held via teleconference. Office occupancy is at 75% with support staff in the office at minimum 4 days a week.
- Assist the Naabik'iyati' Gaming Subcommittee with the renewal the Arizona Gaming Compact.
- Filled the OLS Executive Director position: Promoting Mr. Manuel Rico, Jr.
- Filled vacant OLS Office Aide position.

Goals for 4th Quarter in FY2021

- OLS looks to bring employees back to the office 100% to increase customer service efficiency.
- Increase training opportunities for staff.
 - Professional Development
 - Annual and Semi-annual training
- Continue to effectively coordinate all meetings, including subcommittee meetings (i.e. Title II, NIIP, Dine Bizaad NABI Subcommittee).
- Utilize Legislative Tracking - DiBB Meeting Request Module.
- Implement Legislative Tracking - DIBB backup storage for personnel.
- Implement DIBB Timekeeping Module- Establish, Trial phase and full implementation.
- Begin planning stages of Legislative Tracking – Archive Project.
- Fill Vacant Positions:
 - Legislative Advisor
 - Administrative Assistant
 - Senior Program & Projects Specialist
- Assist and work with college students as they look to gain experience and knowledge of the Navajo Nation Government.
- Complete and submit an FY 2022 department budget that will allow the OLS to continue to provide effective and efficient services.



Issues/Recommendations

- **Issue:** OLS is currently short staffed at the Legislative Advisor position.
Recommendation: Fill position immediately to ensure work and service provided is effective and efficient.
- **Issue:** Inconsistent line of communication branch wide
Recommendation: Create a consensual standardized format of communication in accordance with policies and procedures.

PROGRAM SUMMARIES

Labor Commission

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

Accomplishments from 3rd Quarter

- Efficient use of allocated funds, NNLC held (20) hearings by teleconference with counsels of record and parties.
- NNLC and program timely processed (01) appealed NNLC cases to Navajo Nation Supreme Court.
- NNLC program timely processed (15) formally filed complaint by mail, fax & email.
- NNLC timely adjudicated / settlement conferences (20) NPEA cases.
- NNLC and program timely closed and issued (35) continuance orders by teleconference due to closure.
- NNLC & program timely issued and mailed (200) 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 (106) pending NPEA cases.
- NNLC program made (04) audio copies at parties' request.
- Amended NNLC Rules of Procedure effective April 19, 2021

Goals for 4th Quarter in FY2021

- NN Presidential and HEHS 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 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 Ruled of Procedure.
- NNLC & program will continue to preserve substantial rights of all employees and employers in accordance to Navajo Law.
- Closure of NNLC cases heard by current sitting NNLC members.

Issues/Recommendations

- NNLC lacks one (1) NNC Health, Education and Human Services Committee duly appointment and (1) Navajo Nation Presidential appointment. Vacancy been advertised.
- NNLC will continue to expedite office renovation & funding per COVID-19 guidance
- Additional sanitation supplies re: COVID-19 issues will be necessary
- Continuing Closure of NN due COVID -19

Eastern Navajo Land Commission

Contact: Larry Rodgers, *Executive Director*
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Top Priorities

1. NELLI Project
2. Navajo Land Buy-Back Program Results Report
3. Old Fort Wingate National Park and Master Planning
4. New ranch land purchase

Accomplishments from 3rd Quarter

- The Commission requested drafting of joint letter to Senator Lujan for the Speaker and Navajo President to show support of resuming work on the NELLI Project in April and has since held a telephone conference with Congressional staffers on the proposed federal legislation.
- The Navajo Land Buy-Back Program Round II Results Report – The statistical data by Navajo chapters with allotment lands is set up, with interpretive thematic maps showing degree of allotment ownership sales. The document preparation is in final stages for printing. The report will be the 2nd Edition, updating the previous 2016 publication.
- The Commission toured the old Stewart Indian School campus in Carson City, NV to learn a museum and cultural center was created using State funding; that the land was split between the State of Nevada and the Washoe Tribe; this visit provides some good background for the Commission to plan the redevelopment of the old Fort Wingate School compound and pursue establishing a national monument.
- The Commission has provided resolution of support for the Carson Trading Post properties. It passed a “protest” resolution again the Washington, DC NN Office Building to get attention back on the original purpose of the Navajo Land Acquisition Trust Fund to purchase lands with the ENA, as a result of this, the Chaves Ranch near Tohajilee and I-40 is now being appraised by a consultant hired by the NLD/DNR.

Goals for 4th Quarter in FY2021

- Complete preparation of the 2nd Edition of the Navajo Nation LBBP Report.
- Continue to work with Navajo Division of Natural Resources regarding the Commission-approved and proposed Ranch purchases.
- Arrange additional meetings with congressional staffers to have them understand the NELLI Project and get the proposed Federal Legislation “black and while”.

Issues/Recommendations

- NONE



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OFFICE OF THE SPEAKER**

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