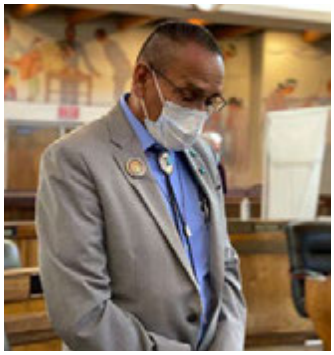
The 24TH NAVAJO NATION COUNCIL
Office of the Speaker



Speaker's Report
July 20, 2020

HONORABLE SETH DAMON, SPEAKER OF THE NAVAJO NATION

Contents

Speaker's Message 4
Navajo Nation CARES Fund 5
CMY-44-20: Naabik'íyáti' Committee work sessions 5
Diné Pride recognition for our LGBTQIA relatives 6
Three Branch Chiefs' agreement for FY2021 Comprehensive Budget 7
Social services advocacy and support 7
Livestreaming 8
University of Arizona partnership to address COVID-19 8
State Task Force Receive National Parks and Monuments Update 9
Radiation Exposure Compensation Act (RECA) 9
St. Mary's Food Bank and the Navajo Nation proposed agreements 9
Northern Agency and Central Agency Chapter Update Teleconferences 10
Council Advocates for Navajo Nation Quadrilateral Agreement Extension Request 10
Navajo Energy Summit 11
Transportation Bonding Program Development 11
Fort Defiance Agency COVID-19 weekly updates 12
Navajo Nation Health Command Operations Center 13
Saint Mary's Food Bank 14
Local, regional and national political connections 14
Shell Energy hand sanitizer donation 15
Veterans 15
Missing and Murdered Diné Relatives (MMDR) 15
Public safety support 16
Weekly Western Navajo Agency COVID-19 calls 17
Veterans legislation: Eligible for diploma 17
Dig Deep water coordination 18
Navajo Nation Masks 18
Integrated solid waste management plan for the Navajo Nation 18
Legislative Information Technology 19
Program Reports 20
Office of Legislative Counsel 20
Navajo Nation Human Rights Commission 21
Office of the Auditor General 22
Office of Navajo Government Development 25
Navajo Election Administration 26
Navajo Nation Ethics and Rules Office 27
Eastern Navajo Land Commission 27
Navajo Nation Labor Commission 28
Navajo Utah Commission 28

Speaker's Message

Before we move forward, colleagues, I wish to take this moment to express my own heartfelt condolences to the families and friends of those who are no longer with us.

It does not come easily—as leaders, we face the great challenge of pressing forward while sharing in the grief and sadness of losing beloved community members.

Please join me in carrying forward the memory of those who were lost to the coronavirus. Our hearts are with the families and relatives.

Now, three months into the greatest threat to public health in modern history, the 24th Navajo Nation Council looks back to learn from the decisions and thought processes that have guided this body. Our record of decision making reveals that we have always sought to act in good faith, so that the Navajo People might hope to see each other again openly and in safety.

We continue to adapt, as a body, in order to provide the leadership our communities and our Navajo People need. Certainly, the public record demonstrates that we are making all due diligence to properly establish a complete discussion. As legislators, we are entrusted with the sole power to introduce, amend, table, withdraw, and vote on bills and legislation that affect the Navajo People.

It is worth stating up-front—we face a great task and great obstacles in carrying out our duties as members of the 24th Navajo Nation Council. But we have gone to great lengths to ensure our local communities and our local voices are heard, even if we must mute one or two from our end every once in a while.

The 24 members, including myself, of the 24th Navajo Nation Council are better positioned to amend and approve more effective legislation. That is what our role is as the governing body of the Navajo Nation.

This is not a job that I have seen anyone of my colleagues take lightly.

So many of you have shed tears while contributing labor to moving mountains of food, water and essential supplies to the families that most need it. You have done so with humility and a willingness to extend to others from your own resources. Your work has not gone unnoticed.

I wish to assure each of you that our collective leadership will be understood and communicated effectively. There is power in discussion and in questions and in answers. There is power when we call out, together, in what is, and always has been, the true voice of the Navajo People.

Sincerely,

Seth Damon, *Speaker*
24TH NAVAJO NATION COUNCIL

Navajo Nation CARES Fund

The Navajo Nation Office of the Controller confirmed to the Office of the Speaker that deposits to the Navajo Nation from the U.S. Department of the Treasury totaled $714,189,631.47.

The funds are part of the federal Coronavirus Aid, Relief, and Economic Stimulus (CARES) Act payments to state, local and tribal governments approved on Apr. 27 by Congress and President Trump.

The federal CARES Act mandated the distribution of Coronavirus Relief Fund payments by the U.S. Treasury within 30 days of being enacted.

However, the U.S. Treasury missed the deadline for distributing $8 billion appropriated to federally recognized tribal nations. In early May, Navajo Nation leaders were notified that 60 percent, or $4.8 billion, would be released to tribal governments by May 6.

On that day, the Controller confirmed federal deposits in the amount of $600,559,530.10. That amount was the Navajo Nation's share, up to that point, based on a distribution formula adopted by the U.S. Treasury and the Department of the Interior.

The second round of deposits for the remaining 40 percent were initiated Jun. 15, nearly two months after the deadline set by Congress. The Navajo Nation received a deposit of $86,358,877.04 the same day.

However, a portion of was again withheld by the U.S. Treasury to cover payments to Alaska Native Corporations (ANCs).

U.S. District Court Judge Amit Mehta ruled that the U.S. Treasury did not have proper authority to continue withholding Coronavirus Relief Funds intended for tribal nations. Judge Mehta ordered that remaining amounts be released without further delay.

As a result, the Controller confirmed the Navajo Nation received an additional $27,271,224.33 from the U.S. Treasury on Jun. 18, bringing the total amount to $714,189,631.47.

The Controller also reported that all Coronavirus Relief Funds received by the Navajo Nation from the federal CARES Act were deposited into a separate account created specifically to ensure it did not co-mingle with Navajo Nation general funds.

CMY-44-20: Naabik'íyáti' Committee work sessions

Throughout the past few months, the Office of the Speaker was honored to host and coordinate, at the request and diligence of the Navajo Nation Council, the Naabik'íyáti' Committee work sessions on Resolution No. CMY-44-20, the Navajo Nation CARES Fund Act.

Work sessions were held on:

- Thursday, May 21: Overview of CARES Act with the Navajo Nation Department of Justice and work session with the three branches;
- Friday, May 22: Water infrastructure work session;
- Tuesday, May 26: Division of Economic Development and Dineh Chamber of

Commerce work session;

- Wednesday, May 27: Health care, COVID-19 and social services work sessions with the Navajo Department of Health and the Division of Social Services;
- Thursday, May 28: First responders, Judicial Branch, justice services and broadband work session;
- Friday, May 29: Work session on Navajo Nation veterans' issues;
- Tuesday, June 2: Agricultural infrastructure and water projects update;
- Wednesday, June 3: Internal and external barriers work session;
- Thursday, June 4: Division of Community Development work session;
- Wednesday, June 10: Navajo Housing Authority work session;
- Monday, June 15: CMY-44-20 & Legislation No. 0116-20 compromise work session.

The Office of the Speaker wishes to recognize all the Navajo Nation divisions, departments, programs, enterprises and other key stakeholders for their involvement in the discussions carried out by the Navajo Nation Council.

Through the work sessions, we were able to uncover many internal barriers to spending CARES Act funds quickly. As the Navajo Nation heads into

the fourth quarter of the fiscal year, we will need to prepare for the upcoming year of oversight duties with up to $714 million in added budgets to respond to COVID-19.

Additionally, we must recognize the work that is being done to get local chapters into shape before any reopening talks begin. Dr. Pearl Yellowman, executive director for the Division of Community Development, has reported previously that plans are forthcoming and involves the Administrative Service Centers.

To ensure the best possible means of accountability are focused on non-responsive programs, we are developing dedicated positions to provide coverage for the work committees are doing in fulfillment of their oversight functions.

Office of the Speaker staff, in addition to the staff of the Offices of Legislative Services and Legislative Counsel, deserve much of the credit for ensuring our abrupt transition to new ways of communicating are relatively stable and reliable.

Diné Pride recognition for our LGBTQIA relatives

The proclamation of the 2020 Diné Pride Week, signed Jun. 22, establishes the first-ever action of its type by a Navajo Nation governmental entity and comes nearly 15 years after the Diné Marriage Act of 2005 became law.

The proclamation recognizes the ongoing efforts of equality proponents on the Navajo Nation, with a special focus on the mental well-being of young Navajo lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQIA) people during the coronavirus (COVID-19) pandemic.

The Office of the Speaker made a promise to help the members of the 24th Navajo Nation Council push through

the needed reforms to ensure years of stigmatization of LGBTQIA individuals and their partners under the law are afforded respect and support.

To that end, Diné Pride Week is one step towards the goal of eliminating the provisions within the Diné Marriage Act that restrict our LGBTQIA from formalizing their marriages.

At the end of the day, our determination to see this effort through stems from our shared goal of speaking up for those that have been historically stripped of their voices.

Three Branch Chiefs' agreement for FY2021 Comprehensive Budget

This year's budget season will be fast-paced. For perspective, the FY2020 comprehensive budget was approved by the 24th Navajo Nation Council on Sept. 3, 2019.

As the three branch chiefs of the Navajo Nation, President Jonathan Nez, Chief Justice JoAnn Jayne and myself agreed to a $167 million funding level for the 2021 fiscal year.

Throughout the past month, we have held discussions concerning the Indirect Cost Rate, the updated Budget Instructions Manual (BIM), CARES Act funding supplements and reimbursements, the anticipated needs for addressing any projected surpluses in revenues and more.

We have also begun direct coordination with the Budget and Finance Committee (BFC) to ensure all branches and committees are on the same page throughout this process.

Office of the Speaker staff are currently in the planning stages of creating a more streamlined internal tracking system that will also improve on our current teleconferencing system. This will greatly assist in reducing the complexity of discussing budgetary items via a phone system.

Ultimately, the exact outcome of these next few weeks and months, with respect to the FY2021 comprehensive budget, will depend on the available capacity of our key Office of the Controller and Office of Management and Budget staff.

Staff have been directed to prepare for extensive coverage of budgetary and financial discussions to help move discussions forward for both the CARES Act funds and the FY2021 comprehensive budget.

Social services advocacy and support

The Office of the Speaker has paid special attention to the specific needs of social service programs across the Navajo Nation.

The Health, Education, and Human Services Committee support staff worked to ensure the labor of the committee was covered through different media channels, including the press releases issued by OOS.

The public is now more aware and informed of some of the policy collisions that have occurred and resulted in hardships for domestic violence and family shelters in and around the Navajo Nation.

Many of these issues stem from the burdensome, but well-intentioned, 164 internal accountability process.

In early January, the Office of the Speaker became

aware of the issues at the Annie Wauneka Life Care Home through Hon. Edison Wauneka. Later, similar issues were reported at the Dr. Guy Gorman Senior Care Home.

Direct contact was made with the administering programs and the financial staff facilitating the contracting and granting process.

Office of the Speaker staff were deployed to coordinate discussions and coverage to ensure the complexity of the issues were presented to the public.

We have paid special attention to the ongoing discussions delivered through the HEHSC's oversight meetings, and we will continue to support the committee's coordination efforts.

Livestreaming

Office of the Speaker staff have successfully hosted a variety of teleconference meetings alongside livestreaming of Council and committee proceedings. This was an extension of our livestreaming function, which was an investment in equipment upgrades that were initiated last year and completed in early January.

Going forward, we hope to make greater investments in the underlying tools and in the technical staff that will drive our next transition to supporting the work of committees, commissions, boards and others working for the Legislative Branch.

We are currently looking to further update the Navajo Nation Council website to reflect modern design practices, prioritizing of what information is presented, and more history and context to anyone that visits the website and more.

We expect major progress to be made within the next three months by tying new services together with the new website. This will allow us to more easily integrate newer online tools between Legislative Branch programs that will help further not only transparency and accountability, but it will also reduce some complexity internally.

University of Arizona partnership to address COVID-19

The Office of the Speaker is beyond thankful to the partnership between the Navajo Nation and the University of Arizona.

The University of Arizona Health Sciences Biorepository began producing the COVID-19 testing kits at the end of March in response to a significant shortage of kits across the country and southwestern Arizona region. The team began receiving necessary materials at the university last week and started assembling each component in their lab facility.

Since converting their lab space into a manufacturing facility for hand sanitizer and COVID-19 testing kits, the UA has sought to support the Navajo Nation's response to COVID-19 as a truly outstanding partner.

With the assistance of Carlyle Begay, legislative government liaison, the Office of the Speaker accepted the donation of more than 1,000 testing kits from the UA for the Navajo Nation Department of Health.

To date, the Office of the

Speaker has continued to coordinate the delivery of testing kits and other donations by the UA community. These have been sent to the HCOC's supply processing location in Chinle and distributed to 638 facilities.

We commend the work the University of Arizona is doing to keep our Navajo People safe.

State Task Force Receives National Parks and Monuments Updates

The National Park Service (NPS) and the Bureau of Land Management (BLM) provided an update to the State Task Force Subcommittee on Friday, May 8, regarding closures and re-openings of national monuments and parks, including the Grand Canyon.

The re-opening of the surrounding national parks, especially popular ones like the Grand Canyon, Chaco Canyon, Mesa Verde, Navajo National Monument and Sunset Crater, prompted questions from the subcommittee on whether this would impact the public health orders establishing the Navajo Nation's curfews and closures. The information that was provided was invaluable to our Navajo leadership as many of the access routes and entering points are within the boundaries of the Navajo Nation.

Radiation Exposure Compensation Act (RECA)

Innovative Policy out of Grand Junction, Colorado was selected on behalf of the Office of the Speaker and the 24th Navajo Nation Council to assist in the Radiation Exposure Compensation Act and amendments in Washington D.C. Currently the team is working on connecting with Capitol Hill staffers and members about the importance of the RECA Amendments Act, sponsored by Congressman Ben Ray Luján and Senator Mike Crapo.

Innovative Policy has begun developing relationships with key Congressional figures and federal programs on behalf of the Navajo Nation and is helping educate members and staffers on the importance of expanding and reauthorizing the RECA program. Innovative Policy has met with a number of Congressional offices within the Four Corners area and the western United States to educate and provide support to staffers who want to learn more about the RECA legislation. Innovative Policy has also been working with stakeholder groups to rally support for RECA legislation.

St. Mary's Food Bank and the Navajo Nation proposed agreements

The Office of the Speaker is currently in the process of creating an agreement with the St. Mary's Food Bank, a non-profit organization with a location in Flagstaff, Arizona, to continue a partnership and collaboration on food deliveries and donations throughout the Arizona portion of Navajo Nation.

This new agreement will cover the area of the Navajo Nation in the state of New

Mexico. Until now, they were unable to cross state borders.

St. Mary's Food Bank Alliance currently distributes emergency food in partnership with and permission from the Navajo Nation, including Title 26 LGA-certified chapters. The Navajo Nation will utilize its sovereign status to allow the St. Mary's Food Bank Alliance delivery trucks to cross into Utah and New Mexico to transport food within the Navajo Nation. They will also have greater access to identifying adequate buildings that ensure food safety.

These changes are an expansion of the service area on behalf of St. Mary's and current deliveries to Arizona chapters is not expected to be negatively impacted.

Northern Agency and Central Agency Chapter Update Teleconferences

The Office of the Speaker continues to facilitate agency chapter update calls throughout all five agencies of the Navajo Nation.

The Northern and Central Agency calls, in collaboration with all other agencies, involve discussion on the Health Command Operations Center COVID-19 daily situational updates and other community-level issues.

The agency calls provide one-on-one, in-depth conversations, and question and answer sessions from federal, state and Navajo

Nation programs and divisions. Our agency update teleconferences also include those on the front lines who are assisting our communities with deliveries of food, toiletries and other essential household items.

The update calls were initiated shortly after the March 17 Navajo Nation state of emergency declaration was issued.

The calls allow for dialogue between our communities and the leadership of the 24th Navajo Nation Council.

Council Advocates for Navajo Nation Quadrilateral Agreement Extension Request

The Quadrilateral Agreement was signed September 11, 1970, between The Navajo Nation, National Park Service (NPS), Bureau of Reclamation (BOR), and Bureau of Indian Affairs (BIA). The agencies and the Navajo Nation entered into memorandum of agreement (MOA) to develop the Glen Canyon Recreation Area. It included the area referred to as the Antelope Point Project Area for public use and recreational enjoyment.

The agreement term was for 50 years set to expire on September 11, 2020 subject to renewal for an additional 50 years.

Council has previously expressed a desire to seek an extension to renew the agreement with more favorable terms for the Navajo Nation.

A memorandum of understanding (MOU) was signed on September 16, 1994, in order to further the Quadrilateral Agreement terms and to implement the Development Concept Plan for Antelope Point.

The concept plan was approved in March 1986 by the Navajo Nation and NPS. The MOU outlines specific development and management

proposals of the joint NPS/ Navajo Nation planning team, including an environmental assessment.

The MOU is to remain in effect until September 10, 2020, and subject to renewal. In light of the upcoming expiration of the Agreement and MOU, the Navajo Nation would have to draft legislation requesting the extension of the agreement and MOU for the next 50 years.

Office of the Speaker staff will be engaging in coordination functions, as needed, as we approach the agreement expiration date.

Navajo Energy Summit

The Office of the Speaker was faced early-on with the decision to continue with or postpone the date of the 2020 Navajo Energy Summit in view of the COVID-19 pandemic.

Energy development on the Navajo Nation is more important than ever, and parts of what we were hoping to accomplish with the Resources and Development Committee have been brought to the focus of the Navajo Nation Council's discussions on the expenditure of CARES Act funding.

In the past three months, the Office of the Speaker staff have continued to coordinate discussions regarding power line projects and development. With partners, like NTUA, NECA, IHS, Continental Divide Electric Coop, Jemez Mountain Electrical Coop and others, the Navajo Nation Council has come to understand the scale of the needs across the Navajo Nation like never before.

The Office of the Speaker has also enlisted the services of Pilar Thomas as an energy consultant. As the Navajo Nation Council moves towards one of its primary goals – the development of power line infrastructure – Ms. Thomas will be providing valuable insights regarding the challenges and obstacles to creating effective energy policy.

As we have come to understand from our work sessions, the Navajo Nation's existing energy interests are closely tied to the opportunities our Navajo people want to develop going forward. To get there, we will need sound policy discussions around energy so that can see and understand opportunities decades out on the horizon. The advisor will help us set the building blocks in place to make that happen.

With the uncertainty the current coronavirus pandemic continues to impose on all conference and summit planning, we are looking at potential dates and venues in 2021 for the Navajo Nation Energy Summit.

Transportation Bonding Program Development

Before the economic fallout of the current coronavirus

pandemic began affecting the Navajo Nation's financial position, the Office of the Speaker was facilitating the development of a transportation bonding program that would raise more than $300 million in bond funding to improve the Navajo Nation's roads and transportation infrastructure.

The goals of the program included:

1. Improve and enhance the safety of roads and bridges within the Navajo Nation;
2. Encourage economic development;
3. An equitable distribution of funding across the five agencies;
4. Job creation and a stimulation of the Navajo Nation the economy.

Alongside development of the program, the Office of the Speaker also supported greater coordination with federal agencies to address long-standing funding shortfalls on the Navajo Nation.

The Office of the Speaker and the members of the Resources and Development Committee completed an advocacy trip at the Nation's capital at the beginning of 2020 that included a discussion with the U.S. Department of Transportation about advancing towards a greater degree of tribal self-governance with respect to federal transportation funding.

At the time, the final steps of the federal Tribal Transportation Self-Governance Program (TTSGP) were being finalized by USDOT. The federal government utilized the Negotiated Rulemaking Act to incorporate the recommendations of Native American tribal nations over an extended period beginning in 2016.

The final TTSGP rule was published this past June 1 in the federal register.

Together, with the leadership and technical staff of the Navajo Nation Department of Transportation, the Navajo Nation will continue to pursue every opportunity to maximize the value of federal transportation dollars.

The transportation bonding program continues to be a priority, especially with new opportunities to support long-range infrastructure deficiencies arise from the current pandemic. Draft legislation is on hold as the Navajo Nation Council carries out the extensive work of discussion and legislative action for spending the Navajo Nation CARES Fund.

Fort Defiance Agency COVID-19 weekly updates

The agency weekly update teleconferences with chapters bridge the gaps in communication across all levels of the Navajo Nation government. Specifically, the Office of the Speaker legislative staff assistant team facilitates a weekly update agenda on an assignment-basis. Each staffer is assigned to one agency as their local chapter leaders' point of contact at the Council support level.

This approach has allowed discussions to evolve quickly alongside the changing

conditions across the region.

Vital to these agency updates is daily informational meetings conducted by the HCOC incident command.

These weekly updates allow chapter officials get one-on-one information from the Navajo Nation Judicial Branch, IHS/638 medical facilities, Navajo Department of Health, Division of Community Development and Administrative Service Center representatives, Division of Public Safety, state and county officials, U.S. federal updates, St. Mary's food distribution events and much more.

Office of Speaker staff have been able to follow up on numerous concerns from the communities as a result of these weekly update meetings.

A fundamental component to the communication process was the early adoption and implementation of the ICS-213 general message form. The Office of the Speaker began adopting the ICS-213 internally on Mar. 23. Staff have completed and submitted countless documented requests ranging from urgent emergency needs to questions of local accountability and equity.

Agency callers have engaged directly with the Speaker of the Navajo Nation Council, which is the intention of the weekly updates.

We have continuously worked to inform and disseminate life-saving information to local Navajo communities. This includes information on preventive practices, funeral/burial assistance, epidemiology statistics and guidance on emergency funding for chapters, including the $25,000 chapter emergency line-item replenishment to help with PPE and other supplies and services to combat the coronavirus.

Navajo Nation Health Command Operations Center

Responding directly to the need for the Legislative Branch to kept apprised of the daily efforts of the Navajo Nation's Health Command Operations Center (HCOC), staff have been assigned to the role of receiving and communicating daily updates on combatting the coronavirus. This information, which is relayed back to council delegates and stakeholders, includes a variety of update information regarding the initiatives, donations and community outreach facilitated by the HCOC.

It is vital that leadership receive substantive information from the HCOC in order to coordinate local efforts and to ensure Navajo families are supported. Whether it's food, water, PPE requests, funeral/burial assistance, water access, windmill repairs, testing, case management follow-up, isolation kits, alternative care sites/isolation sites admittance, prescription medicine deliveries, or public safety assistance, the 24th Navajo Nation Council has been a consistent voice through which the Navajo People have elevated the issues and causes they care most about.

In coordination with the HCOC, the Office of the Speaker has provided these daily updates to council delegates, as well as the Chief Justice of the Navajo Nation JoAnn Jayne. This is information that is in addition to the regular updates on the total number of positive coronavirus cases, administered tests, negative tests, recovery cases, spikes and trends, and daily COVID-19-related mortalities associated with the coronavirus.

The Legislative Branch's presence at the HCOC strengthens the collaboration between the three branches

that is critical during this pandemic.

When HCOC leadership put out the call for support staff to perform essential functions as part of the incident command team, the Office of the Speaker sent our very own Byron Shorty to lead the Public Information Officer (PIO) section.

Then-senior policy advisor Asa Washines was also very instrumental in establishing a clear line of communication between Legislative Branch and Council leadership and the incident commander.

Donovan Hanley, legislative staff assistant, has taken over as the Legislative Branch liaison since mid-May.

The Office of the Speaker will continue to seek a deeper partnership with the HCOC to both process specific requests and to create a more collaborative communications and public information effort moving forward.

Saint Mary's Food Bank

St. Mary's Food Bank, a 501(c)(3) nonprofit and community-based organization, has partnered with the Navajo Nation to deliver essential items to local Navajo communities. This coordination is part of the larger effort to encourage Navajo people to reduce non-essential travel and to stay home.

With the drastic economic effects caused by the coronavirus pandemic, the Office of the Speaker was able to ensure our Arizona chapter families received direct support for food and water resources.

Due to the mandated closure of non-essential businesses on the Navajo Nation at the beginning of the 3rd quarter, acquiring necessary supplies in a timely and safe manner before curfews went into effect was challenging for many Navajo families.

Early on, only a few Navajo chapters had established partnerships with St. Mary's prior to the coronavirus pandemic. With the outreach by Office of the Speaker staff and St. Mary's coordinators, 48 additional locations on the Navajo Nation were added to their distribution schedule.

The Office of the Speaker thanks St. Mary's Food Bank and gives special recognition to our federal and state policy advisor Carlyle Begay for continuously pursuing the expansion of the Navajo Nation's partnership with St. Mary's.

Local, regional and national political connections

The Office of the Speaker has devoted a great deal of energy during the coronavirus pandemic towards building upon our connections at all levels of government.

Between U.S. Senators, Congressman, state representatives, private industries and Navajo leadership, staff have coordinated countless advocacy and informational teleconferences that relate to legislative and policy developments central to the Navajo Nation's ongoing response to the coronavirus pandemic.

Along with our network of lobbyists and policy advisors, Office of the Speaker staff have been able to keep track of our relationships with external offices so that we may keep them informed of Council's actions.

We continue to stress several key points to our federal partners, particularly:

- The Navajo Nation needs an extension on CARES Act expenditures;
- The Navajo Nation's public health crisis is systemic and suffers from chronic underfunding;
- The Navajo People are resilient.

Over the course of the next three months, we will continue to press our federal partners for reforms that will enable the Navajo Nation to move essential infrastructure projects forward.

Shell Energy hand sanitizer donation

A pallet stacked with isopropyl alcohol (IPA), a key disinfectant, was donated to the Navajo Nation by global energy company Shell Energy.

The large shipment of IPA is significant because it has become scarcer since the coronavirus pandemic began. The pallet was received on July 2 and will be utilized across Legislative Branch program offices and buildings to help reduce inadvertent transmission of the virus.

The Navajo Nation Office of the Speaker thanks Shell Energy for responding to the most immediate needs of the Navajo People during the coronavirus pandemic.

The acquisition of PPE is a continual concern of the Legislative Branch, and Speaker Damon is working to ensure employees have a safe environment to return to when the Navajo Nation begins its re-opening phases.

Veterans

Throughout the coronavirus pandemic, the Office of the Speaker has engaged with local veterans' organization commanders to help identify resources and assistance.

When a crisis occurs, veterans are often the first to lead relief efforts in their communities.

We thank Mr. David Webb and his organization, Veterans Services USA, for providing 40 hotel rooms in Holbrook, Arizona, for those who need to isolate due to the virus.

We are also grateful to Tom Eisinminger and Bob Dalpe of Fort Veteran organization for working with Central Agency commanders to help community members in need. The two have been flying supplies to local commanders in Chinle to distribute to those in need.

Lastly, we thank the Full Gospel Church of Tonalea for extending their support to those veterans leading response efforts.

Missing and Murdered Diné Relatives (MMDR)

I am honored to stand alongside Council Delegate Amber Kanazbah Crotty, Nathaniel Brown, Charlaine Tso, Eugenia Charles-Newton and others in support of elevating the importance of what the Missing and Murdered Dine Relatives

organization is doing.

The Office of the Speaker has been providing an additional platform for advocacy for the loved ones of those who are missing or have been murdered through this working group. Their tireless devotion to developing strategies that help and support communities and families of those missing or murdered.

Most recently, staff have coordinated partnership discussions with Dine College, the White House Task Force on missing and murdered indigenous persons, or Operation Lady Justice, the Council on Native American Affairs and other stakeholders.

is essential in identifying gaps in systems.

We will continue to support families who have missing and murdered loved ones by offering our advocacy and resources.

To find out more about the issue of missing and murdered Diné relatives, go to the website: https://www.navajommdr.com/.

Public safety support

Firstly, the Office of the Speaker wishes to express a deepfelt gratitude for our Navajo Police, emergency medical transport personnel, fire fighters, criminal investigators and all those who support our first responders.

The Office of the Speaker also supports the efforts of the Sexual Assault Prevention Subcommittee in reaching out to federal and state partners. Having all parties at the table

Adequate access to public safety services is vital to the balance Navajo communities strive to attain. The current coronavirus pandemic has shown a great spotlight on the entire public safety system and its capacity to not only enforce, but sometimes to sacrifice the peace and comfort of something as simple as staying home.

We are all asked to do our part to keep our families and loved ones safe from the coronavirus. And for the most part, many of us obey, not out of fear of punishment, but because we care about our protectors and rescuers.

The Office of the Speaker is honored by the dedication put forward by the Navajo Nation Division of Public Safety.

Staff continue to approach the work of all those involved with public safety with a sense of pride for the progress that is being cultivated.

The Law and Order Committee (LOC) is to be commended for their advocacy for strong and adequately funded programs.

The 24th Navajo Nation Council has demonstrated its wide support for the efforts of DPS leadership by approving emergency funding for the division for COVID-19 response.

The Council continues to support our public safety personnel by passing legislation to approve immediate payment for hazard pay and personal protection equipment to slow and prevent the spread of the coronavirus.

We have provided technical support to the LOC by facilitating discussions with

federal agencies to secure resources for a medical examiner and health care for inmates. During this pandemic our office has worked closely with the LOC to reach out to tribal programs for budgets and proposal for federal emergency funding.

Weekly Western Navajo Agency COVID-19 calls

Our office felt the urgency to give local communities the opportunity to voice concerns and needs for their communities during the COVID-19 pandemic.

Western Agency chapter officials have brought to the attention of our leadership and are working to help them identify the appropriate agencies and resources needed to address those concerns. These calls include various agencies and offices who provide information to address local matters during the pandemic.

Staff have also provided assistance to chapter officials and council delegates from Western Navajo by addressing local and regional concerns like open parks, water issues, testing sites, unsheltered relatives in border town, brought about and exacerbated by the pandemic. Beyond weekly calls, we are working to schedule additional meetings to resolve these issues

Veterans legislation: Eligible for diploma

The Office of the Speaker and the 24th Navajo Nation Council granted its support for New Mexico Senate Bill 99, which authorized public schools to grant diplomas to Vietnam War veterans. The Navajo Nation's position statement came by way of Resolution No. NAABJA-08-20 passed at a meeting of the Naabik'íyáti' Committee on January 23.

Senate Bill 99, sponsored by Senator George Munoz, passed unanimously in the New Mexico State Legislature and was signed off on March 6 by New Mexico Governor Michelle Lujan Grisham. Senate Bill 99 became effective on July 1.

On February 20, the state legislature considered SB99 as the last legislation of its regular session. The unanimous vote came in with 67 yeas and 0 nays. SB99 continued through to the Senate floor where it received a unanimous vote of 39 in favor and 0 opposed.

The Vietnam War officially started on November 1, 1955 and ended on April 30, 1975. The military began drafting in 1964 through 1973, with a total of 1.8 million men and women drafted. Roughly 30% of the 1.8 million drafted died in combat, equating to 58,220.

After the Vietnam War ended, many veterans faced other challenges including mental health issues and substance abuse. Statistically, it was more difficult for Vietnam veterans to complete their high school education due to the lack of support services from the federal government to obtain benefits or to complete high school. For Navajo Vietnam veterans, support was even more sparse.

It was reported previously that there are more than 2,759

Navajo Vietnam veterans on the Navajo Nation.

Dig Deep water coordination

The Office of the Speaker continues to work with DigDeep, a nonprofit human rights organization, to deliver water to Navajo Nation chapters. DigDeep partnered with Nestle to deliver semi-full loads of fresh water to Navajo communities totaling more than 261,360 gallons of water to Navajo people.

The Office of the Speaker worked closely with DigDeep to coordinate water delivery with council delegates and their respective districts in a centralized location for chapters to pickup. The time and effort in coordination of a delivery system with semi-trucks leaving California and reaching the Nation fluctuated, making it a challenging with last-minute changes to the schedule. However, the act of giving and volunteering made it all worthwhile when water was delivered to those who truly needed it.

Navajo Nation Masks

The Office of the Speaker continues to partner with, #I'M SEWING FOR NAVAJO NATION Volunteers, a non-profit organization, to assist in coordination and communication of 47,031 masks made and delivered to all 110 Navajo Nation Chapters. Additionally, 29,936 masks have been made and sent to various hospitals and entities on the Navajo Nation.

In total, 76,967 masks have been made and sent to the Navajo Nation by seamstresses across the country, from as far as New York, Florida, Arkansas and California. These seamstresses have shown the true heroism of volunteering in an effort to save lives across the Navajo Nation.

Mrs. Amber Irwin expressed gratitude to the Office of the Speaker for assisting her in sending masks to local chapters. The goal of the non-profit is to send masks directly to the grassroots organizers in each of the Navajo communities, but, due to the shutdown of chapters, often times packages waited at the post office for a representative to retrieve.

Because of the involvement of staff, there has been an improvement in coordination, communication and delivery to the local chapter officials. This has helped in ensuring that masks reach community members.

On behalf of Speaker Damon and the 24th Navajo Nation Council, we are truly thankful for the kindness and regard put forward by volunteers.

Integrated solid waste management plan for the Navajo Nation

The March 11 public health order essentially brought the entire Navajo Nation to a near-complete stop. This includes Navajo chapters, the hub of local governance in all 110 communities.

Due to the public health orders, many chapters were unable to provide essential services to community constituents, including disposal of solid waste. Without an agile fleet of waste collectors, the

solid waste issue continues to grow across the Navajo Nation.

An integrated solid waste management plan for the Navajo Nation would help alleviate many structural deficiencies that generally discourage a sustainable solid waste program.

From a policy perspective, the Office of the Speaker has been providing coordination and support for an acceptable ISWMP.

Legislative Information Technology

The Legislative Branch computer network

The purpose and goal of the Information Technology (IT) Section is to increase the use of technology within the legislative branch and to help make the legislative process more efficient and effective for the Navajo Nation Council and the public.

The IT Section is responsible for technical support to the voting system used in the Navajo Nation Council Chamber. We have begun using the voting system for the five standing committees to record electronic votes and attendance, instead of recording those by voice. This will allow the committees to use the voting system at off-site meetings and work sessions.

The microphone system is used during Navajo Nation Council sessions, Naabik'íyáti' Committee meetings and other committee meetings held in the chamber. We also have a portable microphone system and a portable PA system that is used for off-site meetings.

This past quarter was the first significant period of time that the livestreaming of teleconference meetings was conducted in-house. Live streaming is now taking place on Vimeo, YouTube and Facebook.

Support to Navajo Nation Council, Naabik'íyáti' and Standing Committees

The IT staff is responsible for technical support to the Navajo Nation Council, Naabik'íyáti' Committee and the other committees. They also digitally record the Council and Naabik'íyáti' sessions for archival purposes and assist with the interpreting equipment for the meetings from Navajo to English.

The IT Section has been providing technical support for the Council, Naabik'íyáti' Committee and the committees during the COVID-19 crisis. This includes setting up teleconferencing and video conferencing meetings from various remote locations.

Legislative network maintenance and support

Other IT duties include day-to-day maintenance and support of our servers, various printers, wireless networks and access points, posting of meeting notices and agendas, press releases and legislation onto the Navajo Nation Council website and daily computer support for network users.

The IT Section also provides technical support to legislative staff, including the various programs within the legislative branch. They also assist in the retrieval of documents from former employees and the transfer of documents from old laptops to new laptops.

Assistance has been and continues to be provided for teleconference and video conference calls for various offices, committees, sub-committees and other meetings during the COVID-19 pandemic.

We have been replacing the laptops within the Office of the Speaker and the Office of Legislative Services (including the Administration, Legislative Tracking, Legislative Process, Quality Control/Research and the Council Delegates' Office). The new laptops have the Windows 10 operating system and Microsoft Office 2019 Professional Suite, as well as Symantec EndPoint Protection anti-virus software installed.

Training on cybersecurity will resume to Legislative Branch programs once the current Stay At Home order is lifted.

#

Program Reports

OFFICE OF LEGISLATIVE COUNSEL

The following provides a listing of statistics and some of the more significant legislative activities that the Office of Legislative Counsel has been involved with during the 3rd quarter of the Fiscal Year 2020 (April 1, 2020 - June 30, 2020).

Accomplishments from Q3

The primary statutory responsibilities for the Office of Legislative Counsel are to:

- Provide legal advice and legislative services to the Navajo Nation Council, standing committees, commissions, and boards of the Navajo Nation Council.
- Provide legal advice and representation to all Legislative Branch programs, including Office of the Speaker, Auditor General, Government Development, Human Rights Commission, Ethics and Rules Office and Office of Legislative Services.
- Litigate on behalf of the Navajo Nation Council and the Legislative Branch.
- Certify that all proposed legislations, including laws and rules and regulations attached to legislations, are legally sufficient.
- Periodically prepare and publish revised versions of the Navajo Nation Code/ ensure that the proposed resolution is drafted in a proper codified format.
- Coordinate with the Department of Justice to avoid duplication of work and conflicting legal advice and opinion.
- Perform all duties and responsibilities in accordance with the highest standards of legal ethics.

OLC is still functioning with 4 attorneys (including Chief Legislative Counsel) to provide services to Council, standing committees, subcommittees, commissions, boards and all Legislative Branch programs. These services include drafting legislations, researching legal issues and teleconference call for Council Sessions, standing committee meetings and work sessions. One OLC attorney is primarily responsible for the provision of legal advice and representation, and legislative assistance to the Navajo Nation Labor Commission.

Goals for Q4

1. Continue recruitment efforts for 2 vacant attorney positions. 1 referral on June 17, 2020. Recruitment efforts will also include new created positions.
2. Continue PCQ efforts to create new positions for productivity due to limited staff.
3. Continue efforts to assist clients in identifying and resolving inefficiencies that adversely affect OLC efforts to provide services.
4. Hiring of temporary employment for the summer for support effort and renew temporary help for the front office.
5. Installation of furnishings for the OLC staff offices. Return excess furniture to Property and Supply.
6. OLC led the way in working through the legal effects of the CARES Act funds and crafting the appropriate legislation. This has created an incredible increase in work load.
7. OLC staff attorneys continue to participate in all of the teleconference meetings.

Issues and recommendations

The most detrimental issue facing OLC is its staffing shortage. Despite working diligently with Department of Personnel Management on all personnel matters such as to establish new positions with PCQ's for classification; to hire temporary staff for support and to bring outstanding projects current; advertising (JVA) for

new position; keeping track of the requests we have made to DPM for classification; reclassification of positions; and establishment of new positions.

The second most detrimental issue facing OLC has been the Legislative Branch closure. OLC staff does not have the appropriate equipment or network access to efficiently work from home.

Work session to Navajo Nation Council, its standing committees, legislative branch employees on the recent funding of the Navajo Nation CARES Act fund expenditures approved by the Navajo Nation Council.

The OLC have consulted with outside attorneys to provide legal services for the Legislative Branch.

The Office of Legislative Council attorneys have drafted numerous resolutions concerning Legislative administrative matters under the supervision and direction of the Speaker of the Navajo Nation Council

Attend Legislative strategy meeting with Office of the Speaker staff to provide legal advice and guidance relative to setting administrative objectives and legislative requirement.

The OLC will be developing recommendations for the implementation of the comprehensive budget to be considered during the 2020 Budget Session of the 24th Navajo Nation Council.

NAVAJO NATION HUMAN RIGHTS COMMISSION

Accomplishments from Q3

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, all intake meetings were conducted by teleconference and majority of the complaints were staffed for investigations.

Public Hearing on the Mistreatment of Navajo and Native American Students On the Navajo Nation: The Navajo Nation Human Rights Commission and Navajo Nation Department of Education ("DODE") held zero (0) public hearings to address the mistreatment of Navajo and Native American students on the Navajo Nation according to Naabik'íyáti' Committee Resolution NABI-87-18 due to COVID-19.

Hate Crimes Awareness Webinar: The Office, in partnership with Deschene Consulting, LLC, held a hate crimes awareness webinar in April to address the concerns on social media that target Navajos in Page, Arizona. Webinar panelist included attorneys, police officers, and elected officials.

Personal Protective Equipment: Due to COVID-19, the Office purchased personal protective equipment ("PPE") during the third quarter in preparation for the reopening of the Navajo Nation government. The PPE ordered are currently on back order. The Office anticipates the PPE should be ready for delivery/pick-up by August 2020.

Voting Rights Issues: The Office continues to work on voting rights issues in Utah's San Juan County and New Mexico. The Office continues to communicate with the County Clerk's Offices on the importance of protecting and advancing Navajo voting rights such as language assistance that is provided by law under Section 203 of the Voting Rights Act of 1964.

Goals for Q4

Continue to Receive Complaints: This Office will continue to assess and investigate filed complaints by Navajos on or about discrimination and human rights violations off the Navajo Nation.

Conduct Public Symposiums: The Office will develop public education materials to educate the Navajo people on the meaning of Free, Prior and Informed Consent ("FPIC") and treaties as it relates to Navajo human rights. The symposium will be held online due to COVID-19 and is tentatively scheduled for the fourth quarter of FY2020

Naabik'íyáti' Committee Directive: This Office and

DODE will continue to conduct public hearings on the Navajo Nation to assess the mistreatment of Navajo and other Native American students as directed by Naabik'íyáti' Committee Resolution NABI-87-18. The public hearing will be held on the online due to COVID-19. The Office will continue to accept, assess, and forward the complaints filed on education matters to DODE since DODE is statutory authorized to address education matters of Navajos.

Issues/Recommendations

6B Rollout: With the move towards full implementation of the FMIS 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 training modules that are required to be 6B Rollout Certified. The remaining staff of the Office still have several more training modules to complete.

OFFICE OF THE AUDITOR GENERAL

The purpose of the Office of the Auditor General is to examine and evaluate the adequacy of management and accounting systems, procedures, business practices and internal controls including but not limited to:

- Conducting financial related audits of Navajo Nation Chapters, entities and contractors in accordance with Government Auditing Standards;
- Conducting performance audits and reviews of Navajo Nation government programs, departments, and entities in accordance with Government Auditing Standards;
- Providing a wide variety of consulting services to the Navajo Nation; and
- Performing special reviews and investigations.

Audit concerns, findings and recommendations are individually presented in the audit reports and made available to the audited programs' management, oversight committees and the Budget and Finance Committee of the Navajo Nation Council for appropriate action. The Office of the Auditor General conducts post audit follow-up reviews to ensure that management has implemented corrective actions to address reported audit findings. Unless restricted by law or regulation, copies of audit reports are available for public inspection.

Accomplishments from Q3

Audits and Reviews of Programs/Navajo Nation Chapters

Our audit work in the program performance area includes full scope performance audits, limited scope performance audits, special reviews/investigations and corrective action plans (CAP) follow-up reviews.

Our audit work in the chapter area includes full scope and/or limited scope financial related audits, special investigations, CAP follow-up reviews, LGA certification reviews and continuous monitoring and continuous auditing of chapters' accounting systems and bank accounts.

Completed Audits/Reviews of Programs/Chapters

AUDITS: Audits of Indian Wells Chapter, Tohatchi Chapter, Navajo Head Start and the Department of Fish and Wildlife were 95% completed when the Navajo Nation government was shut down so these audits will still be reported as in progress since reports were not issued.

CAP Follow-Up Reviews: CAP follow up reviews of Teec Nos Pos Chapter, Whitecone Chapter, Hardrock Chapter, Department of Water Resources and Office of the Controller were 90% or more completed when the government shutdown; these will be reported as still in progress.

Accounting and Management Related Non-Audit Services

In addition to conducting audits, we provided non-audit services to the Navajo Nation Council committees, executive management, and chapters. During this quarter, the Office of the Auditor General staff participated in the following meetings and performed the following non-audit services:

Presented legislation on audited chapters and programs, provided reports on audit issues, chapter accounting data and bank account activities, and attended meetings of the following oversight committees: Budget and Finance Committee, Resources and Development Committee, and Health, Education & Human Services Committee;

Conducted several meetings with Executive Branch division directors to provide status reports on pending audits/ corrective actions plans, to share audit-related information, and to answer their questions;

Provided technical assistance to various programs and Chapters.

Upcoming initiatives

Planned and Ongoing Audits/ Investigations of Programs/ Chapters

AUDITS WITH STATUS: REPORT PENDING COMPLETION

- Navajo Head Start Performance Audit
- Department of Fish and Wildlife Performance Audit
- Tohatchi Chapter Special Review
- Indian Wells Chapter Special Review

CAP FOLLOW-UP REVIEW WITH STATUS: REPORT PENDING COMPLETION

- Office of the Controller/ FMIS Address Book CAP follow-up
- Office of the Controller/ Duplicate Payment CAP follow-up
- Department of Water Resources CAP follow-up
- Teec Nos Pos Chapter – Sanction revisit on CAP
- Whitecone Chapter – Sanction revisit on CAP
- Hardrock Chapter CAP follow-up

CAP FOLLOW-UP REVIEW WITH STATUS: PLANNING PHASE IN PROGRESS

- Ramah Navajo Chapter – Sanction revisit on CAP

INVESTIGATIONS/OTHER:

- Fraud examination of Facilities Maintenance Dept. – Report pending completion
- FY 2020 1st Quarter Chapter Available Funds Report – Report compilation in progress

PROPOSED CORRECTIVE ACTION PLANS UNDER REVIEW

- Baca Prewitt Chapter Special Review
- Round Rock Chapter Special Review
- Red Mesa Chapter Special Review
- Lukachugai Chapter Special Review
- Standing Rock Chapter Special Review
- Nahat'á Dziil Chapter Special Review
- Department of Family Services Special Review

Challenges

Since our performance measures are based on the number of reports issued, the Office of the Auditor General will significantly fall short of its 2nd and 3rd quarter goals as the audit reports we had anticipated to issue by March 31, 2020 could not be issued due to the Navajo Nation government shutdown in response to the COVID-19 public health emergency. When our office was directed to close effective March 19, 2020, we were in the process of receiving final audit client responses to several draft reports. Since all of our clients for these audits are within the Executive Branch (i.e., several Navajo Nation Chapters, departments and programs), the responses were put on hold when the Executive Branch closed its offices and staff were placed on administrative leave. For the Navajo Nation Chapters, we were informed by the Division of Community Development through its Administrative Service Centers that Chapters would only be open to address

the emergency crisis and all other chapter business including audit matters would be addressed until the government reopens.

We also wanted to be fair to our clients to ensure they received ample opportunity to respond to our audit results. Lastly, our plan of operation requires our office to issue initial audit reports with client responses and since our clients are currently unable to address the draft audit reports, we essentially could not proceed with issuing final reports. The public health emergency was an unexpected challenge this quarter and will likely continue to impact our operations going into the next quarter. With that said, our office should not be penalized for circumstances that were beyond our control.

Other ongoing challenges have been: a) entry-level auditors hired last year continue to gain auditing experience and although some are excelling, others still need continual hands-on training and close supervision; b) the lack of a permanent Auditor General is requiring the Delegated Auditor General to continue to split duties between completing/supervising program audits and overseeing operations of the department, and c) replacement of dated desktops and laptops has started with assistance from the Legislative Branch IT section but progress has been slow which has impacted our ability to compile the Chapter available funds quarterly report in an efficient manner.

Issues and recommendations

The Budget and Finance Committee Resolution BFJA-05-12 directed all chapters to grant the Office of the Auditor General read-only or view-only access to their financial accounting systems and related bank accounts. The view-only access will facilitate the continuous monitoring and auditing of the chapters' financial resources. Continuous monitoring and auditing will better enable the Office of the Auditor General to prevent and mitigate fraud, waste and abuse of the Navajo Nation financial resources.

To implement the Budget and Finance Committee resolution, the chapters were directed to submit the back-up of their accounting data on or by the 15th of the month following the end of the quarter. However, several chapters are consistently late in submitting their accounting data. To address the untimely submission, we recommend two options:

All chapters to use the private cloud service for their financial accounting systems. The cloud service will better safeguard the chapters accounting system and facilitate the timely access of the chapters accounting data. However, the cloud service is contingent upon sufficient internet connectivity at the chapter houses, but due to poor information technology infrastructure, this would be a long-term solution;

Remote access connection between the Office of the Auditor General and the Navajo Nation chapters via their MIP accounting systems. The connection would require establishing a process for the accessing the remote systems, an agreement between the Auditor General and chapters to permit the remote access, sufficient internet connectivity, and availability of the remote systems to be accessed at the scheduled times.

In addition, the preparation of the quarterly reports of the 110 chapters available fund balances is a tedious and time-consuming process that currently involves three auditors. The numbers of hours spent on compiling these reports makes up one-fourth of the total annual budgeted hours for the assigned auditors; in other words, these hours are not spent directly on conducting audits. We offer the following recommendations to facilitate more efficient reporting:

As of this report, we understand all 110 chapters will eventually be using the MIP accounting system. If so, we recommend that all 110 chapters be required to use a standard chart of accounts for their accounting systems. By standardizing the

chart of accounts, our office would be more efficient in compiling the Chapter fund balances for our quarterly reporting. Currently, there are several chapters that use different charts and as a result, we have to manually convert their financial data to make it consistent with the other chapters. This conversion is tedious but necessary in order to provide reliable reports;

In addition, with all 110 Navajo Nation chapters using the MIP accounting system, we recommend that the Division of Community Development invest resources in creating Subject Matter Experts on the MIP accounting software within the Administrative Service Centers in order to provide technical assistance to the chapters. This would alleviate the need for chapters to seek assistance from outside consultants which can become costly.

Lastly, our office is working with Wells Fargo Bank to address our chapter bank account access credentials; they have not been restored after the cyber-attack on our computer network in November 2019. Wells Fargo Bank manages the bank accounts for a majority of the Navajo Nation Chapters.

OFFICE OF NAVAJO GOVERNMENT DEVELOPMENT

Accomplishments from Q3

The Commission passed Resolution No. CNGD-0602-20: An action to recommend to the 24th Navajo Nation Council and the Navajo Board of Election supervisors to approve and authorize a referendum question on the 2020 Navajo Nation general election ballot to amend the Navajo Nation president's line-item veto authority.

The Commission passed Resolution No. CNGD-0603-20: An action to direct the office of Navajo Government Development to thoroughly research and develop possible methods to override exercises of the Navajo Nation president's line-item veto authority in accordance with 2 N.N.C. § 203 and other applicable Navajo Nation laws.

The Commission passed Resolution No. CNGD-0604-20: An action to recommend to the 24th Navajo Nation Council to allow for Navajo Nation Chapters' subcommittees, community land use planning committees, and to include agency, districts, and regional councils to telephonically conduct meetings for the purpose of planning for the CARES Act funding projects as long as CMA-09-20 is in effect.

The Commission passed Resolution No. CNGD-0605-20: An action to recommend to the 24th Navajo Nation Council to strongly oppose the liquor license application filed by Family Dollar store in Saint Michaels, Arizona, located on fee land and surrounded by the territorial jurisdiction of the Navajo Nation.

Goals for Q4

The Office of Government Development (ONGD) is actively working with both the Executive and Judicial Branch of the Navajo Nation government to secure respective representatives to the Commission on Navajo Government Development: A new legislation is imminent for the Executive Branch nominee to the Commission and the Judicial Branch informs ONGD that they are currently vetting three applicants and a nominee will soon be recommended for confirmation consideration.

The Commission intends to offer support to the following legislation: An action to direct the Office of Navajo government Development staff to assist in an action relating to an emergency for the Navajo Nation Council; establishing the Naabik'íyáti' Committee as the Committee of One; except for Naabik'íyáti' Committee authorizes, waiving standing committee authorities in the Navajo Nation Code, including committee authorities at 2 N.N.C. §§ 102, 106, 164, 167, 169, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 222, 285,(b)(6), 300 – 302, 400 –

403, 505-503, 600 – 603

ONGD will give a report to the 24th Navajo Nation Council Naabik'íyáti and Resource Development Committee regarding the Commission's recommended "government reform" referendum measures.

ONGD will monitor the Commission and Office of Navajo Government Development Plan of Operation, 2 N.N.C., § 970–978, proposed amendments that has been submitted but not yet introduced.

ONGD will work closely with the Office of Legislative Counsel in the careful submission of the Commission on Navajo Government Development's proposed recommended "government reform" referendum measures to the 24th Navajo Nation Council and the Navajo Board of Election Supervisors for legislation considerations.

ONGD staff are working remotely due to COVID-19 emergency orders and legislative branch closure.

Issues and recommendations

The Office and Commission is very much dependent on the outcome of Legislation No. 0152-20, the Navajo Nation President's Veto of Navajo Nation Council Resolution CJN-49-20 to determine if Navajo Nation General Election will be held.

The Commission on Navajo Government Development regular meetings (teleconference) are held on the third Friday of every month at 1:00 PM.

NAVAJO ELECTION ADMINISTRATION

Accomplishments from Q3

The Navajo Election Administration (NEA) continued to operate with minimal staffing since April 19, 2020 when Mr. Rodriquez Morris, Legislative Staff Assistant/Interim Executive Director was temporarily assigned to the NEA from the Navajo Nation Office of the Speaker.

Election Board members conducted five (5) regular telephonic meetings

There are 108,968 registered Navajo voters within the five (5) Navajo Nation Agencies.

The NEA has commenced deploying the NEA Internal Reintegration Plan which was developed as a part of the Legislative Reintegration Plan and the Employee Exposure Plan. The NEA will be ready to commence Phase I of the reintegration plan as of July 22, 2020.

The NEA has initiated upgrading the computer system to accommodate plans to upgrade the Voter Registration Data Base in the 4th Quarter of FY2020 and the 1st Quarter of FY2021.

The NEA will submit for Supplemental Election Budget for the 2020 Election and will also seek out emergency Supplemental Funding via the COVID-19 Emergency Funds.

The NEA will proceed with the 2020 Election.

Goals for Q4

- Will see that 2020 Election proceed and completed.
- Will amend Election Code to accommodate the 2020 Election.
- The NEA will implement Plan 6 of the School Board Reapportionment as passed by HEHSC.
- The NEA will collaborate with the States of New Mexico, Arizona and Utah for the 2020 Election to ensure that polling sites are available for Navajo voters, and that Navajo Tribal Members have access to voter registration sites.
- Assist the Department of Dine Education (DODE) to amend the Election Code for School Board Background Checks.

Issues and recommendations

Upgrade all computer system and launch new voter registration data base by 2nd Quarter FY2021.

Fill all open vacant positions by the end of 4th Quarter FY2020.

NAVAJO NATION ETHICS AND RULES OFFICE

Accomplishments from Q3

Reclassified the vacant Investigator and Presenting Officer positions. This was something that previous Executive Directors wanted to do but was never done. Reclassification was necessary to be able to hire and retain qualified individuals. With reclassification of the Investigator position, current Investigators can be reassessed to address disparate compensation compared to similar positions within the Navajo Nation government.

Vacant positions, Investigator and Presenting Officer, were advertised. No one hired yet but hopefully this can be done soon.

After assessing current office procedures, established new internal procedures to address the acceptance of Intake forms; and timelines for the filing of certain matters, orders to show cause and garnishment proceedings.

Initiated and completed the contract for outside legal counsel, which will address matters that the Executive Director may not be able to oversee. This was important because there were some pending matters that needed final resolution and the Executive Director had conflicts with those matters.

Goals for Q4

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.

Continue Ethics in Government Law/Standards of Conduct training for Chapters, School Boards, and other NN Departments, when able.

When able, file Orders to Show Cause and eligible cases for garnishment pursuant to 2 N.N.C. § 3800 et seq. in the Window Rock District Court.

Continue working on establishing more efficient office procedures.

Issues and recommendations

Currently having issues with being able to make contact with individuals concerning investigations and for restitution payments due to the pandemic. Fieldwork is not allowed right now, and it's been difficult to make contact with people by phone and email. Will continue to use available resources.

Continuing to work remotely will require the purchasing of additional equipment for staff. The office will review the budget to identify sufficient funds for the purchases.

EASTERN NAVAJO LAND COMMISSION

Commission's top priorities

1. Re-start the Navajo Exchange Legislative Initiative (NELI) Project;
2. New ranch land purchase;
3. Old Fort Wingate National Park and Master Planning.

Accomplishments from Q3

The Navajo Land Buy-Back Program Round II Results Report, Data was received, however, the start-up work was short-cut by the work from home environment.

The Commission passed the new NELI resolution in the prior quarter and the Navajo Nation Council legislation approved its resolution on May 19, 2020. The proposal will now need to be worked through to the New Mexico congressional delegation for congressional action perhaps in the new congress starting in 2021.

No new work has been done towards the Old Fort Wingate Historic Preservation National Park Project.

The Commission passed a resolution on June 19th to address the issues of Rights-of-Way matter the checker-boarded Eastern Navajo Agency with the various land statuses, especially with Navajo allotment, federal, and state lands.

Goals for Q4

Begin analyzing the new LBBP Round II results data and

produce the 2nd Edition of the Navajo Nation Allotment Land Status Report.

Pursue some initial talks with NM Congressional staffers regarding the NELI Project. The Office will produce a report for information distribution as soon as in-person work is allowed.

Continue to work with Navajo Division of Natural Resources regarding the Commission-approved and proposed purchase of the Chaves Ranch situated between Tohajiilee Chapter area and Interstate 40. The area is prime land for future economic development opportunities.

Commission to pursue implementing the Old Fort Wingate for Historic Perseveration; with Plan of Operation and one-time funding for a taskforce to produce a master plan.

Issues and recommendations

None.

NAVAJO NATION LABOR COMMISSION

Accomplishments from Q3

- Efficient use of allocated funds, NNLC held (00) evidentiary hearings.
- NNLC and program timely processed three (00) appealed NNLC cases to Navajo Nation Supreme Court.
- NNLC program timely processed twelve (02) formally filed complaint.
- NNLC timely adjudicated (00) NPEA cases.
- NNLC and program timely closed and issued (30) continuance orders.
- NNLC & program timely issued and mailed five hundred (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 seventy (103) pending NPEA cases
- NNLC program made three (00) audio copies at parties' request

Goals for Q4

- NN Presidential and HEHSC appointment of NNLC membership per CJY-42-16. Continue to refer candidate(s) to appointing authority.
- Efficient use of allocated funds and timely processed appealed NNLC case(s)
- NNLC & program will timely adjudicate NPEA cases
- NNLC & program will timely process formally filed NPEA complaint(s) and/or petition(s)
- NNLC & program will timely issue and close out NPEA cases
- NNLC & program will continue review and amend NNLC Rules of Procedure
- NNLC & 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 and recommendations

- NNLC lacks one (1) Health, Education, and Human Services Committee appointee and one (1) Navajo Nation Presidential appointment. Vacancy advertised.
- NNLC will continue to expedite office renovation & funding
- Lack of sanitation supplies re: COVID-19 issues
- Closure of NN due COVID-19

NAVAJO UTAH COMMISSION

Accomplishments from Q3

Navajo Utah Commission, NN Human Rights Commission, and Utah ACLU were successful in keeping polling sites open on the

reservation in San Juan County for the 2020 primary and general election despite Utah's conversion to a vote by mail system during the COVID-19 pandemic.

Utah Navajo leaders working with the Utah Farm Bureau Federation distributed 500 heads of sheep and 16,000 lbs. of processed lamb meat to the 7 Utah chapters in May and June as part of the Farmers Feeding Utah initiative and COVID-19 Relief efforts.

The Navajo Utah Commission Office obtained purchase orders for two housing projects in Oljato and Naatsis'aan (Navajo Mountain) chapters and arranged construction labor agreement with the Utah Navajo Trust Fund utilizing external grants.

The Navajo Utah Commission, Utah Navajo Trust Fund, and Nasbah Technologies assisted the Naatsis'aan Chapter in completing the Architectural & Engineering requirements and preparation of construction bid solicitation for a major renovation and upgrade of the Naatsis'aan Chapter facility.

Goals for Q4

Prepare and submit FY2021 NUC Budget.

Monitor housing projects in Oljato and Naatsis'aan chapters, and initiate procurement process for two additional housing projects in Aneth and Dennehotso.

Prepare funding applications for new appropriations made available by the Utah Navajo Revitalization Fund.

Assist Utah chapters in seeking funding opportunities from the CARES Act allocation and implementation of appropriated projects.

Issues and recommendations

The Utah Legislature conducted funding cuts of 5% in June for state agencies due to budgetary shortfalls caused by the COVID-19 pandemic, including recoupment of new funding appropriated by the 2020 Utah Legislature. The Governor's appropriation of $500,000 for the Westwater Navajo Community Powerline Extension Project was one of those casualties. Approximately 27 Navajo families live in Westwater, on the outskirts of the Blanding City limits, in homes without electricity or running water. Total project cost is $1.3 million with the Utah Navajo Trust Fund and the LDS Church as potential funding partners. The Navajo Utah Commission is recommending consideration of the Westwater Navajo Community as a recipient of Navajo Nation CARES Act appropriation for proposed utility expansion. The land is fee land owned by the Navajo Nation and probably less restrictive regarding right-of-way access.

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PHOTO: Photographed by Milton Samuel "Jack" Snow, c. 1945.
Courtesy of the Navajo Nation Museum in Window Rock, Arizona.

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