

LEGISLATIVE SUMMARY SHEET

Tracking No. 0024-21

DATE: December 1, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI'
COMMITTEE; APPROVING AND ADOPTING THE 2021 FEDERAL LEGISLATIVE
PRIORITIES OF THE NAVAJO NATION

PURPOSE: This resolution, if approved, will adopt the Navajo Nation's 2021 Federal Legislative Priorities.

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

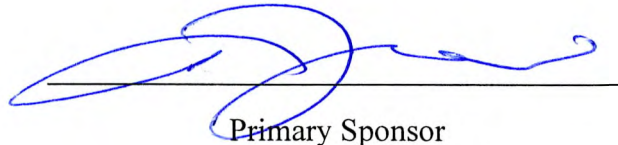
Website Posting Time/Date: 02-23-2021 3:22pm

Posting End Date: 02-28-2021

Eligible for Action: 03-01-2021

PROPOSED STANDING COMMITTEE RESOLUTION
24TH NAVAJO NATION COUNCIL— Third Year, 2021

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0024-21

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; APPROVING AND
ADOPTING THE 2021 FEDERAL LEGISLATIVE PRIORITIES OF THE
NAVAJO NATION

WHEREAS:

- A. Statements of policy, enactment of positive law, intergovernmental agreements, budget resolutions, and reallocations, must be reviewed and approved by resolution by the appropriate standing committee(s) and the Navajo Nation Council except as otherwise provided herein. 2 N.N.C. § 164 (A).
- B. Statements of policy are written statements submitted to federal, state or local governments by a Navajo Nation official stating the official position of the Navajo Nation on proposed legislation or other action by that government. 2 N.N.C. § 110 (W).
- C. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'íyáti' Committee to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 700 (A) and 701(A)(6).
- D. Each of the Standing Committees of the Navajo Nation Council recommended 2021 Federal Legislative Priorities for their respective area(s) of oversight to the Naabik'íyáti'

1 Committee's State Task Force Subcommittee; after review and discussion, the State Task
2 Force compiled the Standing Committee recommendations into the 2021 Federal
3 Legislative Priorities attached and incorporated herein as **Exhibit A**.

4 E. The Navajo Nation Naabik'iyáti' Committee's State Task Force Subcommittee
5 recommends the Naabik'iyáti' Committee approve the 2021 Federal Legislative
6 Priorities attached as **Exhibit A**.

7
8 **NOW THEREFORE, BE IT RESOLVED:**

9 The Navajo Nation hereby approves the Navajo Nation's 2021 Federal Legislative Priorities,
10 attached as **Exhibit A**, as determined by the 24th Navajo Nation Council and authorizes the
11 Navajo Nation President, the Navajo Nation Speaker, and their designees, and the
12 Naabik'iyáti' Committee, to advocate the position of the Navajo Nation with the President and
13 Vice-President of the United States and their staff, members of the United States Senate and
14 House of Representatives and their staff, and federal agencies at levels for the preservation of
15 funding and policies in the Navajo Nation's priority areas.
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NAVAJO NATION 2021 FEDERAL PRIORITIES

- 1) NAVAJO SOVEREIGNTY
 - a) Assert U.S. Government's obligations under the Treaty of 1868 with the Navajo People
 - b) True tribal consultation with the Navajo Nation begins with the Navajo Nation Council
- 2) COVID-19 RELIEF
 - a) Support additional COVID-19 Relief Packages from Congress
 - b) Extend December 30, 2021 CARES Act Coronavirus Relief Fund deadline
 - c) Additional funding for COVID-19 vaccines and distribution to Navajo Nation Citizens
- 3) SPECIAL TABULATION
 - a) Establish Census Bureau funding to complete a new special tabulation of Eastern Navajo Nation Agency to accurately reflect Navajo population in allotted lands.
- 4) FARMING AND AGRICULTURE
 - a) Increase federal allocations to USDA-NRCS and Farm Services Administration
 - b) Reduce strict policies for eligible Native American farmers and ranchers
 - c) Increase outreach to Native Americans for FSA and USDA's EQIP funding
 - d) Increase Operation and Maintenance appropriation for Navajo Indian Irrigation Projects/contracts
 - e) Farm Bill funding should be available to assist people on trust lands.
 - f) Farm Bill funding should include Navajo irrigation canals repairs and replacements
 - g) Farm Bill should further support Native American industrial hemp production
 - h) 2018 Farm Bill should include funding for livestock and agricultural water structures rehabilitation and range management education
- 5) NAVAJO AREA INDIAN HEALTH SERVICE
 - a) Increase appropriation for the Navajo Area Indian Health Service to provide expanded primary care
 - b) Establish federal appropriations for local EMS substations and emergency response centers
 - c) Increase allocation of SNAP and WIC federal assistance program support for Navajo families
 - d) Create federal grants for additional Community Health Representatives
 - e) Resolve conflict between IHS and PL 93-638 funding issues in annual/biannual budget
 - f) Increase funding for behavioral and mental health services for the Navajo Area IHS
 - g) Create allocation for the first cancer center on the Navajo Nation at the Tuba City Regional Health Care Corporation
 - h) Address underfunding of IHS intensive care unit (ICU) beds
 - i) Expand appropriations specifically for telehealth for Navajo elders, including an emphasis on improving accessibility and process
- 6) NAVAJO EXCHANGE LEGISLATIVE INITIATIVE (NELI)
 - a) Reintroduce original NELI federal bill in the 117th Congress and support its passage and enactment
- 7) ECONOMIC DEVELOPMENT
 - a) Create federal allocations to support Navajo tourism and Navajo small businesses in the wake of the closure of the Navajo Generating Station

- b) Establish direct Commerce Department outreach to the Navajo Nation and support for Opportunity Zones development and education

8) ENERGY DEVELOPMENT

- a) Create federal allocation(s) for electrical powerline infrastructures and connectivity of homes on the Navajo Nation
- b) Reduce strict federal policy regarding powerline connectivity at 25 CFR Part 169
- c) Create energy development allocations for the Navajo Nation that support solar renewable energy sources and supporting the LA Transmission Project
- d) Finalize a major permit revision for the Kayenta Coal Mine with increased Office of Surface Mining Reclamation and Enforcement (OSMRE) and establish support for workers' transition funding through the USDOl
- e) Investigate gas development activities and related royalties affected by pipelines crossing through allottee lands/diluted land forage
- f) Create federal allocations to support Southwest Navajo Nation transmission lines and the new Dilcon medical facility
- g) Establish Resource Management Plan Amendment (RMPA) with Bureau of Land Management and Bureau of Indian Affairs
- h) Create federal support to investigate and mitigate methane gas effects in delaying learning and issues at child birth
- i) Create funding for green energy projects on the Navajo Nation in response to coal revenues declining

9) WATER INFRASTRUCTURE PRIORITIES

- a) Continue Congressional oversight of the implementation of the Navajo Utah Water Rights Settlement Act, as approved through the Consolidated Appropriations Act of 2021
- b) Create federal allocation to fund the current shortfall of the Navajo Gallup Water Supply Project in the amount of approximately \$250 million
- c) Support a proposed amendment to P.L. 111-11, Subsection 10603(c)(1)(A) relating to water for Navajo homes
- d) Increase direct federal funding to create domestic water service and to improve availability for each Navajo Nation community
- e) Create federal funding to research how to service the Leupp area and Southwest Navajo Nation communities
- f) Create allocation for waterline and waste waterline extension infrastructure to rural communities
- g) Investigate IHS septic tanks within Navajo Nation homesite leases with overflowing issues leading to further health disparities
- h) Increase federal funding for dam projects on the Navajo Nation and related infrastructure
- i) Improve federal involvement of Bureau of Indian Affairs, Water Department
- j) Establish federal funding for replacement of windmills on the Navajo Nation

- k) Establish federal funding for rehabilitation and maintenance of earthen dams on the Navajo Nation
 - l) Address the need for water storage tanks and windmills to improve water availability for Navajo citizens
- 10) HOUSING
- a) Establish federal funding for full implementation of the Helping Expedite and Advance Responsible Tribal Home Ownership Act (the HEARTH Act) by the Navajo Nation
 - b) Increase funding for Tribally Designated Housing Entities (TDHE) and Indian Housing Block Grants (IHBG) for renovation of vacant housing units
 - c) Eliminate strict TDHE policies relating to eligibility for housing
 - d) Increase Native American Housing Assistance and Self-Determination Act (NAHASDA) funding levels for the Navajo Nation
 - e) Increase Community Development Block Grant (CDBG) funding/IHBG for housing at local Navajo Nation chapter levels
 - f) Reauthorize the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) through 2024, note current expiration in 2013
- 11) OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION (ONHIR)
- a) Reassign \$15 million annual appropriation to the Navajo Nation for authorized implementation costs and approved purchases
 - b) Continue funding for the purposes intended through the establishment of the Office of Navajo-Hopi Indian Relocation and reassign funding directly to the Navajo Nation
 - c) Create additional assistance for Navajo Partitioned Lands (NPL) with emphasis on Jeddito, Whitecone and Teesto
- 12) QUADRILATERAL AGREEMENT
- a) Require the National Parks Service, the Bureau of Reclamation and the Bureau of Indian Affairs to renegotiate the 50-year-old Quadrilateral Agreement with the Navajo Nation for co-management of the Glen Canyon National Recreation Area, which expired in 2020
- 13) CHACO CANYON – RESOURCE MANAGEMENT PLANS
- a) Require expanded Tribal consultation by Federal agencies that include in-person community-based meetings with Navajo stakeholders
- 14) TRANSPORTATION
- a) Increase Navajo Nation road infrastructure funding for bridges, road improvements and maintenance
 - b) Secure funding for the US Highway 191 project, in partnership with the State of Arizona
 - c) Improve support for USDOT Rural Opportunities to Use Transportation for Economic Success (ROUTES) Council to better support Indian Country
 - d) Increase BIA Transportation road inventory resources and revisit the inventory requirements to better support operation and maintenance
- 15) BROADBAND AND TELECOMMUNICATIONS
- a) Invite Tribal participation in all the National Telecommunications and Information Administration (NTIA) calls and webinars
 - b) Continue Federal Communications Commission (FCC) Tribal access programs and support increased sovereign exercise of wireless spectrum

- c) Establish Congressional support and appropriations for broadband development and initiatives aimed at addressing the unique needs of Tribal communities
- d) Establish Congressional support and appropriations to provide grants to Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), and Hispanic-Serving Institutions (HSIs) to quickly expand access to broadband and digital opportunity in their underserved communities
- e) Improve broadband access by Tribal nations through the Schools and Libraries Universal Service Support program (E-rate) of the Federal Communications Commission
- f) Improve the deployment of broadband in Indian Country by establishing and strengthening broadband activities at the Federal Communications Commission (FCC) and the United States Department of Agriculture (USDA) to better address Tribal needs
- g) Allow Tribal permitting authority to encourage expansion of broadband service
- h) Establish direct federal appropriations to plan, prepare, and deploy a Navajo Nation broadband program to coordinate all related broadband initiatives
- i) Establish Congressional support and appropriations for Navajo Nation telecommunications improvements and cell towers for Navajo Nation educational institutions, Navajo Head Start and local Chapter governments
- j) Create direct appropriations for implementing a Wireless Emergency Alerts (WEA) system and authorize FCC funding for Lifeline Users on the Navajo Nation

16) VETERANS AFFAIRS

- a) Expand federal appropriations for direct services on the Navajo Nation through Community Based Outpatient Clinics (CBOCs)
- b) Advocate greater emphasis at the Veterans Administration for Navajo Nation veterans' direct service and benefit needs
- c) Review and assess the feasibility of a Navajo Nation National Guard Facility, including current policy regarding required 50-year land control for eligibility under MILCON
- d) Establish a certified Veterans Service Organization on the Navajo Nation, including resources and funding for a veterans' wellness court pilot

17) PUBLIC SAFETY

- a) Secure federal funding for Shiprock and Ft. Defiance public safety replacement facilities with attendant Congressional budget justification
- b) Establish Congressional support for Operation Lady Justice efforts and related Missing and Murdered Indigenous Peoples initiatives
- c) Secure continued funding for the seven cold case offices established through Operation Lady Justice
- d) Increase funding for Navajo Nation P.L. 93-638 public safety contracts and adult and juvenile detention centers
- e) Establish funding for forensic medical examiners on the Navajo Nation
- f) Secure federal funding for improved telecommunication infrastructure related to public safety services
- g) Increase funding for jail construction, facility replacement, and operation and maintenance costs

- h) Fully fund P.L. 93-638 contracts and address the BIA funding formula that results in chronic underfunding of the police department, criminal investigations, and department of corrections programs
- i) Investigate federal case declination data and address lack of standardized protocols and data when dealing with tribal criminal cases
- j) Increase federal funding for Tribal public safety personnel recruitment, training and staffing
- k) Elevate Navajo facilities on federal operations/maintenance facility priority list
- l) Inquire about the lack of urgency of the Bureau of Indian Affairs in justice matters relating to an inadequate federal budget
- m) Direct Federal Bureau of Investigation to share evidence/reports with Navajo prosecutors
- n) Address healthcare coordination and resource needs to properly support inmates in Navajo jails
- o) Support through appropriation and agency directive online safety awareness/training to address dangerous websites and high rate of child sex abuse/exploitation
- p) Strengthen human trafficking laws that allow the Navajo Nation greater ability to prosecute non-Indian offenders
- q) Increase program resources and federal funding for MMIW/MMDR through USDOJ and USDHHS

18) EDUCATION

- a) Secure increased allocations for Bureau of Indian Education (BIE) reopening costs as COVID-19 continues to impact the Navajo Nation
- b) Increase federal allocations to tribal colleges and overall BIE funding
- c) Increase funding for Navajo Nation school repair/replacement for dilapidated facilities
- d) Increase funding for O&M for schools

19) BEARS EARS NATIONAL MONUMENT

- a) Reverse President Donald Trump's decision to significantly reduce the boundaries of the Bears Ears Monument in southeast Utah
- b) Requesting President Biden to swiftly restore the monument to its original size when it was designated by President Barack Obama in 2016

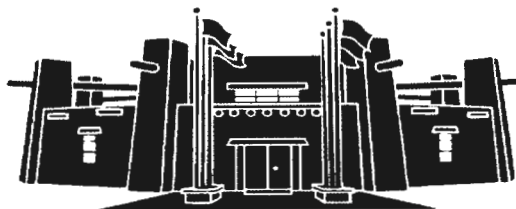
20) UNITED STATES POSTAL SERVICE (USPS)

- a) The United States Constitution at Article I, Section 8, Clause 7 addresses the establishment of Post Offices and post Roads. With no official "Street" addresses on the Navajo Nation, our Navajo people rely upon the Postal Service to receive their mail. Many of the 110 chapters do not have Post Office facilities and there is a need for expanded Post Offices on the Navajo Nation.

21) ABANDONED URANIUM MINES

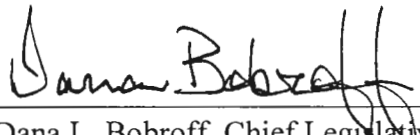
- a) Address USEPA's expired Abandoned Uranium Mine (AUM) 5-years plans for the Navajo Nation
- b) Continue consultation with the Navajo Nation Council on the proposed USEPA 10-year 2020-2030 plan, which intends to build on the work and accomplishments of the previous two plans

- c) Continue Congressional oversight of the lack of progress on AUM remediation and cleanup on the Navajo Nation by USEPA and other Federal partners
- d) Direct USEPA Region 9 to meet directly with the Navajo Nation Council
- e) Establish inquiry into the lack of consultation by the USEPA with the Navajo Nation Council and the lack of accountability in USEPA contracts to private firms, i.e., the \$85 million award to Tetra Tech Inc.
- f) Direct USEPA to allow potentially responsible parties (PRPs) to comment on the proposed 10-year plan
- g) Explore cooperative agreements with USEPA directly, instead of USEPA awarding multi-million-dollar contracts to non-Navajo firms who have demonstrated no accountability to the Navajo Nation
- h) Investigate cooperative agreements to build NNEPA and AML capacity, instead of funding non-Navajo private contracts
- i) Establish review of the Federal Actions to Address Impacts of Uranium Contamination on the Navajo Nation (Ten-Year Plan) for 2020-2030 by Congressional oversight committees
- j) Evaluate and solicit tribal consultation on 25 CFR 169 regarding Rights-of-Way Over Indian Land
- k) Evaluate and solicit tribal consultation on 25 CFR 162 regarding Leases and Permits
- l) Investigate impacts to Mac and Black Jack Mines and the engineering evaluation and cost analysis (EE/CA) process
- m) Establish directive for latest "Status of Land Reporting" to have a clear map of current land statuses of possible remedial decisions



MEMORANDUM

TO: Honorable Seth Damon, Speaker
Navajo Nation Council

FROM: 
Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: December 1, 2020

SUBJECT: **AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE;
APPROVING AND ADOPTING THE 2021 FEDERAL LEGISLATIVE
PRIORITIES OF THE NAVAJO NATION**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0024-21__

SPONSOR: Seth Damon

TITLE: An Action Relating to Naabik'íyáti' Committee; Approving and Adopting the 2021 Federal Legislative Priorities of the Navajo Nation

Date posted: February 23, 2021 at 3:22PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

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