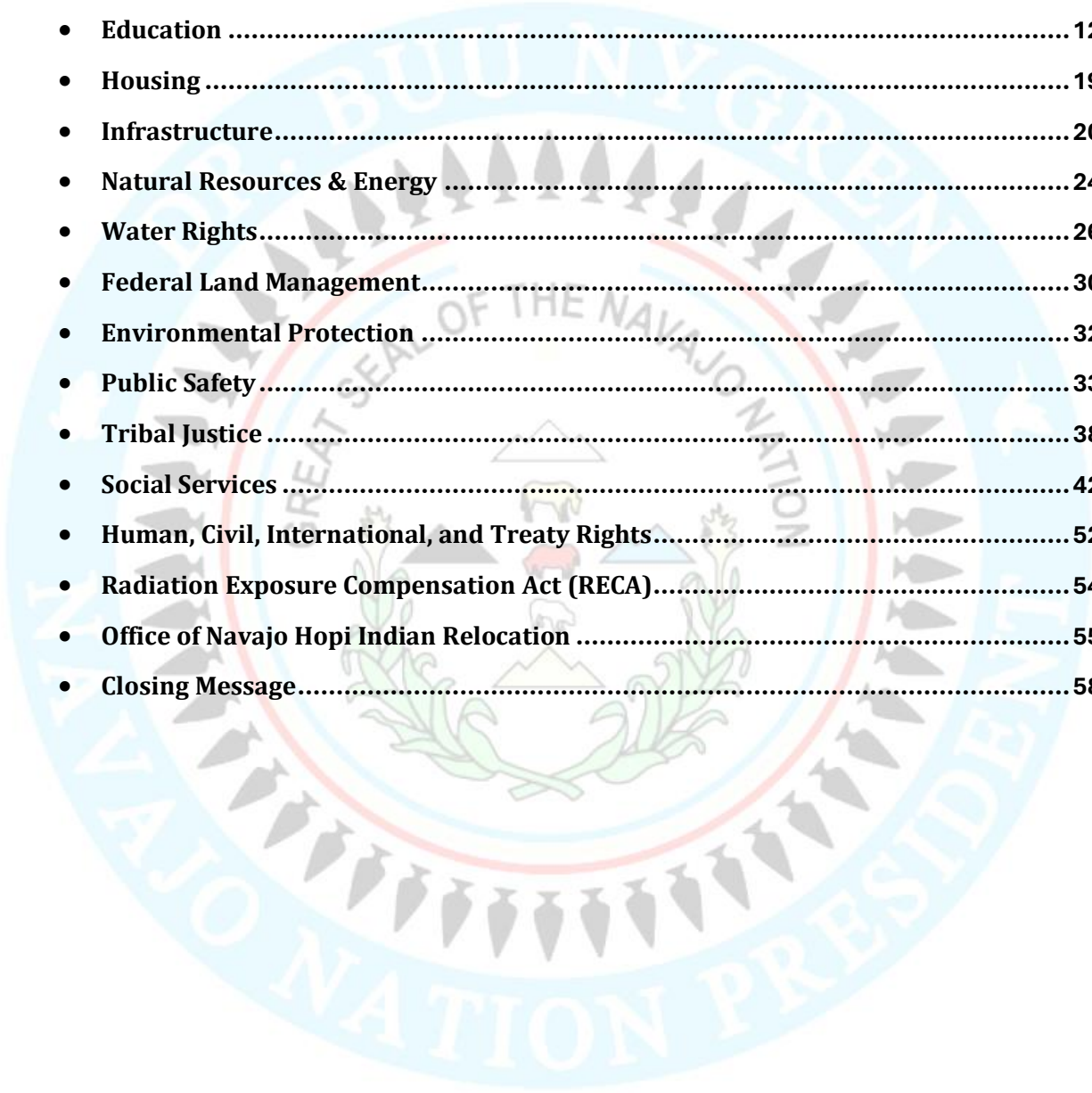




**THE NAVAJO NATION
NYGREN ADMINISTRATION
FEDERAL PRIORITIES**

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Executive Summary



The Navajo Nation proudly welcomes the Trump-Vance Administration and the 119th Congress, eager to build a robust partnership rooted in shared priorities and a mutual commitment to prosperity and security for all. As President of the Navajo Nation, I present this roadmap for collaboration to address critical challenges and seize opportunities that are essential to the future of our Nation and its people.

As the elected leader of the Navajo Nation, representing all 420,000 member, 110 chapters and the collective voice of the Navajo people, my priorities reflect the direction and vision of our Nation. These priorities are supported by the Navajo Nation Council, as expressed in Resolution NABIJA-02-25 (Attachment A).

The Navajo Nation Council plays a role in developing policies and providing legislative support for the Navajo Nation, but it has long been the position of our two governments to engage in meaningful, government-to-government dialogue between the chief executives.

As President of the Navajo Nation, I lead this dialogue on behalf of our people, setting the tone for our Nation's strategic direction and fostering collaboration with the federal government to address issues of mutual concern. This approach ensures that the priorities of the Navajo Nation, as developed through a unified effort, are effectively communicated and acted upon within the framework of our government-to-government relationship.

The Navajo Nation is committed to maintaining and strengthening the government-to-government relationship and ensuring that the federal government fulfills its trust and treaty responsibilities to the Navajo Nation. By working together, we can advance shared objectives that promote the welfare, sovereignty, and prosperity of the Navajo people.

At the heart of my administration agenda is economic revitalization. By investing in business development, tourism, and entrepreneurship, alongside critical infrastructure improvements in connectivity, roads, water, and wastewater systems, we seek to unlock the full potential of the Navajo Nation economy. These efforts are complemented by modernizing land-leasing policies, ensuring broadband is accessible across the Navajo Nation, and fostering sustainable energy initiatives that align with our cultural values while driving growth. Agriculture remains a cornerstone of our strategy, as we work to enhance local production and resilience in the face of changing economic conditions.

Water is a fundamental resource that sustains our communities and underpins all economies. Settling water rights is imperative practical solution that provides certainty for water users and ensures sustainable access to water for future generations to build an economy on.

Education is essential to building a brighter future for the Navajo Nation. The challenges laid bare by the COVID-19 pandemic have only strengthened our resolve to improve educational access and outcomes. We are leveraging technology to bridge gaps, expanding early childhood and special education programs, and

preserving the Navajo language and culture. These programs are part of our broader effort to empower our people through education and opportunity.

Public safety is paramount, and we are committed to ensuring the well-being of all Navajo citizens, especially women, children, veterans, and elders. The creation of a dedicated position in my office to address the Missing and Murdered Diné Relatives crisis exemplifies my administration's focus on justice and security. By strengthening our public safety infrastructure and working closely with federal partners, we are taking meaningful steps to protect our communities and uphold their rights.

We honor the sacrifices of our veterans and are dedicated to supporting them through streamlined access to benefits, housing, healthcare, and employment services. These efforts reflect our gratitude and our commitment to ensuring they receive the respect and resources they deserve.

The health and social well-being of our people are equally critical. Addressing substance abuse, mental health challenges, and domestic violence requires comprehensive solutions, including treatment and rehabilitation facilities. We are forging partnerships with religious and medical organizations to provide holistic support, while also prioritizing women's rights, homeless youth services, and improved healthcare access and funding.

Central to our vision is the unwavering belief in tribal sovereignty. The Navajo Nation urges the Trump-Vance Administration and Congress to honor this principle by returning authority to Tribal Nations to manage their own affairs. Empowering tribes to govern and oversee resources and programs not only strengthens self-determination but also enhances efficiency and outcomes for tribal communities.

In all these efforts, the Navajo Nation calls on the Trump-Vance Administration and the 119th Congress to join us in advancing these shared priorities. Federal collaboration is vital to achieving these goals, especially in resolving water rights and addressing infrastructure needs—areas where certainty and stability benefit all stakeholders. We invite our federal partners to work closely with the Navajo Nation Washington Office, led by Executive Director Justin C. Ahasteen, to strengthen the government-to-government relationship and create lasting progress for the Navajo Nation and the United States as a whole.



Dr. Buu V. Nygren, *President*
THE NAVAJO NATION

Priorities

Agriculture

Navajo Indian Irrigation Project (NIIP)

In 1962, Public Law 87-483 gave the Secretary of Interior the authority to "construct, operate, and maintain" the Navajo Indian Irrigation Project (NIIP). The NIIP was designed to deliver water to approximately 110,630 acres of Navajo Nation farmland, with an annual allowable diversion of 508,000 acre-feet of water. Much of this acreage is managed by the Navajo Agricultural Products Industry (NAPI), one of the largest agricultural enterprises in the United States. However, the federal government has yet to complete the project, leaving roughly 30,000 acres of authorized farmland underdeveloped, limiting its full potential for agricultural production and economic growth. Moreover, the federal government has ceased to provide the necessary annual allocations to cover the full cost of NIIP operations and maintenance (O&M), a shortfall that amounts to more than \$174 million in needed remediation costs as of 2017.

This issue was brought into focus during a 2021 meeting between NAPI, the principal NIIP beneficiary, and Assistant Secretary of Indian Affairs Bryan Newland. However, no solution was proposed for the reimbursement of O&M shortfalls. Instead, the suggestion was made for the Navajo Nation and NAPI to consider covering O&M costs through water user fees. This recommendation was met with unanimous opposition from the 24th Navajo Nation Council's Naabik'iyati' Committee in 2022, reaffirming the official position of the Navajo Nation. Their shared stance with NAPI reflects strong opposition to the imposition of O&M user fees, emphasizing the need to protect the Nation's agricultural resources and economic interests.

Given the importance of the NIIP to the Navajo Nation's agriculture and the significant financial burden associated with its incomplete state and maintenance, it is crucial for the U.S. Government to fulfill its obligations by completing the project, providing full funding for operations and maintenance, and ensuring the long-term viability of this infrastructure.

Recommendations for the 119th Congress:

- Congress must appropriate funds specifically to cover the ongoing O&M costs of the NIIP, to alleviate the financial pressure on the Navajo Nation.

Recommendations for the Trump-Vance Administration:

- The Administration should prioritize the completion of the NIIP construction to ensure the full extent of the project's benefits are realized. Moreover, it would be beneficial to establish a long-term, sustainable funding plan for the NIIP, to prevent future shortfalls and provide stability for the Navajo Nation's agricultural future.

Feral Horses

The Navajo Nation is grappling with an escalating ecological issue, primarily triggered by the unchecked growth of the feral horse population. In 2016, a survey estimated the population of these horses to be roughly 40,000. Given the typical growth rate of 10-20% per annum for feral horses, it is projected that the current population could range between 70,000 and 120,000. The Navajo Nation Department of Fish and Wildlife has identified feral horses as an acute ecological challenge, as they consume substantial water resources, devastate native vegetation, and exacerbate desertification. To manage the problem, it was estimated that approximately 8,000 horses needed to be removed annually when the population stood at 40,000.

This figure is likely higher now, given current population estimates. Despite ongoing efforts, fewer than 2,000 horses are removed each year on average through roundups and subsequent sales. The challenge lies in managing herds that are dispersed across rugged terrain and frequently drift in and out of the Navajo Nation's vast 27,000-square-mile territory. Progress on mitigating the feral horse population was significantly stunted in 2014 when Congress defunded USDA inspectors for horse slaughter facilities—facilities where many Navajo feral horses had previously been sold. Since then, remaining buyers have primarily exported horses to Mexico. While the exact number of horses entering slaughter facilities is unclear, it is not negligible. The proposed Save America's Forgotten Equines (SAFE) Act could further complicate this issue by prohibiting the export of horses with a reasonable expectation of slaughter, effectively eliminating most of the Navajo Nation's current buyers and leaving fewer management options.

Recommendations for the 119th Congress:

- Oppose the SAFE Act or similar bills. This legislation, while well-intentioned, would inadvertently exacerbate the ecological challenges faced by the Navajo Nation by restricting the sale of feral horses, a vital component of our current management strategy.
- Restore funding for USDA inspectors of horse slaughter facilities to reopen domestic markets, providing Tribes with more management options while ensuring humane treatment of animals.
- Introduce programs to rehabilitate and restore lands damaged by overgrazing and desertification caused by feral horse overpopulation, prioritizing areas most affected on Navajo lands.

Recommendations for the Trump-Vance Administration:

- Designate Tribal Feral Horse Management as a National Priority: Direct federal agencies, such as the Bureau of Indian Affairs (BIA) and Department of the Interior, to prioritize feral horse management on Tribal lands and provide technical and logistical support to affected Tribal Nations.
- Provide funding in the President's budget specifically for rounding up feral horses. To put into perspective, the Bureau of Land Management spends \$137 million to manage 58,000 feral horses on federal lands. A similar investment in the Navajo Nation could go a long way towards managing and mitigating the effects of this ecological issue.

Farm Bill Reauthorization

Programs like the Food Distribution Program on Indian Reservations (FDPIR) and Supplemental Nutrition Assistance Program (SNAP) sustain many Navajo families in remote food deserts, ensuring access to nutritious food. However, recent disruptions to FDPIR and the Commodity Supplemental Food Program (CSFP) have exposed the fragility of these systems, particularly for elders. The Navajo Agricultural Products Industry (NAPI), one of the largest U.S. agricultural enterprises, supports food sovereignty and economic development through its 110,000-acre farm, producing crops like alfalfa, corn, wheat, potatoes, and beans under the Navajo Pride brand. NAPI also benefits from Farm Bill provisions like crop insurance and supports local farmers.

The Farm Bill has bolstered the Navajo Nation's food sovereignty through initiatives such as community gardens, farmers' markets, and traditional food education. These programs empower Navajo communities to reconnect with traditional food teachings, preserve cultural identity, and reduce reliance on external food systems. Tribal Colleges and Universities (TCUs), like Navajo Technical University (NTU), have expanded their impact by addressing agricultural, social, and cultural challenges through research.

The Equity in Educational Land Grant Status Act of 1994 has supported TCU growth, but 1994 Institutions have now developed the capacity to conduct independent, world-class research. Removing the mandatory partnership requirement would allow these institutions to fully address agricultural and environmental issues aligned with the Navajo Nation's goals for food sovereignty and sustainability.

Recommendations for the 119th Congress:

- Immediately pass a new Farm Bill or extend the 2018 Farm Bill to prevent disruptions in Tribal food programs like FDPIR and CSFP. Include direct funding mechanisms to empower Tribes to manage USDA programs such as SNAP and rural development initiatives.
- Increase Tribal set-asides within grant programs for agricultural development, rural transportation, and warehouse infrastructure to strengthen Tribal food systems and sovereignty.
- Eliminate mandatory partnership requirements under the Equity in Educational Land Grant Status Act of 1994, allowing Tribal Colleges and Universities (TCUs) to conduct independent research aligned with Tribal goals.

Recommendations for the Trump-Vance Administration:

- Actively advocate to Congress for the swift passage of a Farm Bill that emphasizes Tribal food assistance and agricultural development programs.

Economic Development & Taxation

Historically, the Navajo Nation relied on subsistence farming, sheep herding, and trading as the primary means of sustenance. In the early 20th century, the discovery of valuable mineral resources—particularly coal, oil, and natural gas—presented new economic opportunities for the Navajo Nation. Operations, such as the Navajo Coal Mine and the Navajo Generating Station, provided good-paying jobs and consistent revenue for the tribe.

However, the Navajo Nation has faced economic challenges as well. The decline in coal production and the closure of the Navajo Generating Station in 2019 impacted the region's economy significantly, leading to a loss of over 1,000 jobs and the loss of revenue ranging from \$30 to \$50 million per year. Today, the Nation is working to diversify its economy by investing across multiple industries such as new energy sources, manufacturing, and retail, and supporting small businesses and entrepreneurship. Additionally, the Navajo Nation has emphasized the development of industries that align with its cultural values and traditions. This includes promoting traditional arts and crafts, cultural tourism, and community agriculture and food production.

Government initiatives and partnerships with private organizations and investors have been instrumental in supporting economic development on the Navajo Nation. The Navajo Nation government has established various programs, such as the Navajo Nation Division of Economic Development, to stimulate business growth, provide technical assistance and financial resources to communities and aspiring entrepreneurs, and promote economic self-sufficiency.

Recommendations for the 119th Congress:

- Allow a Navajo Nation declaration of support to be accepted in lieu of the 20% cash requirement for entrepreneurs to access the loan guarantee programs offered by Bureau of Indian Affairs, U.S Department of Agriculture and the Small Business Administration. Congress must work with BIA, USDA, and SBA to account for the additional obstacles faced by on-reservation businesses.

Recommendations for the Trump-Vance Administration:

- Allocate resources for educational programs that focus on skills training, job placement, and entrepreneurship. This includes partnerships with vocational schools, incubators, colleges, and universities to provide relevant training programs aligned with the needs of emerging industries. Empowering the Navajo workforce with the necessary skills will attract businesses and foster economic growth. Additionally, there is an opportunity to increase human capital is to investment into tribal higher education institutions, like Navajo Technical University and Dine College.
- Support initiatives that promote cultural tourism on the Navajo Nation. This includes funding for marketing campaigns, infrastructure improvements at tourist sites, community markets and programming, and cultural preservation programs. By highlighting the unique cultural heritage of the Navajo people, tourism can be a significant driver of economic development.
- Support legislation that allows the Navajo Nation to exercise greater control over its resources, land use, and economic development initiatives. Empowering tribal governance will enable the Navajo Nation to make informed decisions that align with their cultural values

and economic goals. Recognition of tribal sovereignty is the practice of inclusion. Tribal government, like states, should always have a seat and a voice in policy decisions that impact tribal communities now and in the future.

- Encourage collaboration between federal agencies, state governments, tribal governments, private sector organizations, and non-profit entities to support economic development efforts on the Navajo Nation. This includes fostering partnerships that promote job creation, investment, and resource sharing. Collaboration can leverage resources and expertise to maximize the impact of economic development initiatives.



State Small Business Credit Initiative (SSBCI)

The American Rescue Plan Act of 2021 provided \$10 billion for the State Small Business Credit Initiative (SSBCI) to fund state, territory, and tribal government small business credit support and investment programs. These funds allow participating entities to give out loans to small businesses to help them grow. The Navajo Nation was awarded over \$83 million.

The SSBCI represents a valuable opportunity to provide a significant boost to our small businesses and spur job growth in the Nation. The Navajo Nation Division of Economic Development (DED) has been working closely with the U.S. Treasury to develop a loan participation and loan guaranty program that targets small Navajo businesses. Under the loan participation program, the Nation will participate in small business loans made by participating lenders to Navajo small businesses meeting the criteria established by the Nation and the federal requirements of SSBCI. Under the loan guaranty program, the Nation will guarantee loans made by participating lenders to Navajo small businesses in exchange for a loan guarantee fee paid by each participating borrower.

After receiving the required legislative approval to submit the application and entering into the federal Allocation Agreement, DED has been working with Program Administrators through agreements that set forth terms and conditions upon which they will support the implementation of the Navajo SSBCI Loan Programs in order to make credit available directly to Navajo small businesses. Once the application is approved by Treasury and the funding is provided to the Nation, DED will ensure funds are promptly made available to Navajo-owned small businesses through local lenders.

After a successful implementation of phase I of the Navajo Nation Small Business Credit Initiative, DED plans to take steps to include other capital access programs within the program model, such as an additional loan participation program and a venture capital program.

Recommendations for the 119th Congress:

- Provide targeted funding through grants, subsidies, and tax incentives for tribal broadband projects.

Recommendations for the Trump-Vance Administration:

- Direct the U.S. Treasury to collaborate closely with the Navajo Nation Division of Economic Development (DED) to implement SSBCI programs efficiently, expedite application approvals, and address barriers to participation.
- Develop federal incentives for local lenders and promote public-private partnerships to enhance access to credit and investment opportunities for Navajo small businesses.
- Establish a task force to strengthen partnerships between federal agencies, tribal governments, and private entities, ensuring SSBCI programs are tailored to tribal needs and priorities, including new initiatives like pilot capital access programs.

Dual Taxation

Individuals and businesses operating in Indian Country are frequently faced with the burdens of dual taxation, where both the state and tribal governments have the power to impose taxes on tribal lands. This dual taxation inhibits the economic development of the Nation's lands, as businesses are discouraged from operating due to the threat of being double-taxed. This leaves the Nation with two unfavorable options: impose their own taxes and risk driving businesses away due to the resultant double taxation, or refrain from imposing taxes and lose out on essential revenue for infrastructure and services.

While the Nation maintains a tax code, the issue of dual taxation significantly limits its effectiveness, resulting in inadequate funding for critical infrastructure needs. Tax sharing agreements with states are an inadequate solution as they typically lead to a loss of tribal tax revenue and an administrative burden for the tribe. The poverty rate on tribal lands remains significantly higher than the national average, highlighting the urgent need for more effective economic development strategies and access to capital investment. One of the best ways to encourage capital investment is through competitive taxing structures as seen, but this option is unavailable to tribes who are trying to compete with the states that tax on their land.

The current taxation situation is fundamentally unfair to the Navajo Nation and undermines the promise of respect for tribal sovereignty. The Nation needs a solution where lawfully imposed tribal taxes on tribal land take precedence over state or local government taxes, and where tribal economies are not funneled into state and local government treasuries. This would allow the Nation to be more financially sustainable and to adequately provide for its citizens.

Recommendations for the 119th Congress:

- Amend federal law to clarify that tribes have the exclusive right to tax activities on their lands, superseding any competing state taxes. This can be achieved through the passage of a law that explicitly prevents states from taxing activities on tribal lands unless there is a specific agreement in place between the state and tribal governments.
- Pass legislation to establish specific exemptions for businesses operating on tribal lands from state taxes, as long as the tribal government levies its own equivalent tax.

Recommendations for the Trump-Vance Administration:

- Develop a policy framework that encourages and facilitates tax agreements between states and tribes, providing a clear process and guidelines for these agreements.
- Establish a process for reviewing state taxes that apply to activities on tribal lands, to ensure that these taxes do not infringe on tribal sovereignty or create an unfair burden on tribes or businesses operating on tribal lands.

Native CDFIs – Access to Capital

Native Community Development Financial Institutions (CDFIs) have a profound record of success at fostering economic growth and self-sufficiency in tribal communities. They provide crucial banking services to individual tribal citizens and offer financial opportunities to Native entrepreneurs through services such as microloans, financial education, and small business development support.

Native CDFIs address critical gaps in financial services for tribal citizens, many of whom live in areas underserved by traditional banking institutions. These organizations increase financial literacy among tribal citizens and provide access to affordable loans and credit, enabling families to purchase homes, start businesses, and invest in their futures. For Native entrepreneurs, microloans offered through CDFIs create opportunities to launch and expand small businesses, fostering economic development and job creation within tribal communities. These activities stimulate local economies and contribute to the broader goal of tribal economic sovereignty.

Data consistently demonstrates the effectiveness of Native CDFIs in leveraging federal investment to achieve measurable outcomes. For every federal dollar invested, Native CDFIs generate significant economic activity, providing a high return on investment for taxpayers. This efficiency makes investing in Native CDFIs a fiscally responsible way to increase economic development.

Recommendations for the 119th Congress & Trump-Vance Administration:

- Increase support for federal investments in Native Community Development Financial Institutions.

Education

Bureau of Indian Education (BIE) Operations

The issue at hand is the importance of quality education for the Navajo Nation, which is crucial for the community's progress and prosperity. While education is a cornerstone for advancement, it is equally important to maintain the cultural identity and language of the Navajo people during the learning process. However, the persistent problems of inadequate and delayed funding, lack of transparency in resource allocation, the moratorium on new educational programs, and the need for infrastructure improvement in schools are significant challenges that need to be urgently addressed. Furthermore, improvements in testing methodologies and the revision of the Education Ranking Tool are necessary for a more accurate and fair distribution of resources.

Recommendations for the 119th Congress:

- Congress must ensure timely and full funding of programs that support Navajo education, such as the BIE Higher Education Grant programs and the Johnson O'Malley funds. Delays are costly and often result in students dropping out of college due to unaffordability.

Recommendations for the Trump-Vance Administration:

- BIE must work with Congress to lift the 1995 moratorium on new educational programs funded by BIA, which currently prohibits the opening of new BIE-operated schools or the expansion of grade levels offered in existing BIE-operated schools. This would allow for the establishment of new schools and better address the unique educational needs of the Navajo communities.
- BIE must establish a working group dedicated to revising and improving the Education Ranking Tool for FY27, involving tribal leaders and education experts in the process.
- BIE must provide detailed funding distribution data between BIE Operated and Tribally Controlled Schools for all BIE line items. This transparency is essential for understanding resource distribution and ensuring equitable funding for both types of schools.
- BIE must provide benchmark data on higher education funding to assess progress and identify areas requiring further investment, supporting Navajo students in their academic and career aspirations.
- BIE must establish a working group to examine testing methodologies for students and teachers, particularly concerning ESSA/ESEA student assessments and teacher licensure tests. This would ensure assessments align with the educational values and goals of the Navajo Nation.

Great American Outdoors Act Reauthorization

The Great American Outdoors Act (GAOA), signed into law by President Trump in 2020, represents one of the most significant investments in public lands and infrastructure in decades. Among its provisions, the GAOA allocates billions of dollars over five years, concluding in fiscal year 2025, to address deferred maintenance backlogs on federal lands and for the repair and replacement of schools funded by the Bureau of Indian Education (BIE). This funding is critical for improving the safety, functionality, and quality of education in BIE-funded schools, many of which serve Tribal communities like the Navajo Nation and have long suffered from inadequate infrastructure and insufficient resources. However, the BIE's severe underreporting of the actual needs of its schools has become a significant issue. This underreporting has created a misleading picture of the true scale of infrastructure challenges. Many Navajo students attend BIE-funded schools that are in dire need of repair or replacement, with crumbling infrastructure that poses safety hazards and hinders educational outcomes. Losing access to GAOA resources would further delay critical upgrades and perpetuate the inequities faced by students in these schools.

Recommendations for the 119th Congress:

- Congress should prioritize reauthorizing the GAOA and ensure adequate funding remains in place to address the deferred maintenance backlog of BIE operated schools

Recommendations for the Trump-Vance Administration:

- The BIE should develop more comprehensive reporting practices to ensure that the full extent of infrastructure needs is accurately documented and communicated to federal policymakers.

Language Preservation Programs

Language is the foundation of culture, acting as a powerful vessel for shared history, values, and traditions. It not only facilitates communication but also shapes how individuals perceive and understand the world around them. Through language, stories are preserved, customs endure, and identities thrive.

While resources for English-language instruction and media are widely accessible, the same cannot always be said for our ancestral language. Recognizing this, the Navajo Nation took a monumental step last year by enacting legislation to make *Diné Bizaad* (Navajo) the official language of the Navajo Nation. This decision underscores the responsibility of today's leaders to ensure that future generations of Navajo children have the opportunity to learn and cherish the language of their grandparents and great-grandparents.

Federally funded grant programs, such as the Esther Martinez Act and the Johnson-O'Malley Program, play a vital role in advancing language preservation initiatives. These programs provide the resources needed to implement effective strategies for safeguarding the cultural heritage embedded in our language. By supporting these efforts, we honor the past and secure the legacy of our people for generations to come.

Recommendations for the 119th Congress:

- Provide advance appropriations for federally funded grant programs that can be used to implement successful language preservation initiatives.

Recommendations for the Trump-Vance Administration:

- Continue supporting these programs in the yearly budget proposal to Congress.

Health

Advance Appropriations & Mandatory Funding

Since its initial enactment in the FY 2023 appropriations bill, advance appropriations for the Indian Health Service (IHS) have been a critical development in addressing the chronic underfunding and financial instability of health care delivery in Indian Country. By securing funding one year in advance, this mechanism provides Tribal health programs with a greater degree of financial predictability and stability, reducing disruptions caused by government shutdowns or delays in the appropriations process. The inclusion of advance appropriations in every appropriations bill since its inception reflects its widespread bipartisan support and recognition of the pressing need to ensure uninterrupted health care services for Native communities.

This bipartisan backing is a testament to the importance of the initiative, as it transcends political divides and underscores a shared commitment to honoring federal trust and treaty responsibilities. For the Navajo Nation and other Tribes, advance appropriations represent a long-overdue step toward addressing the systemic inequities in health care funding that have plagued Indian Country for generations.

For the Navajo Nation, this issue remains a priority. Advance appropriations have not only provided stability but also demonstrated a pathway for addressing broader funding challenges within IHS. The ability to plan and execute health programs with confidence in available funding has been transformative, particularly in rural and remote communities where access to quality health care is often limited.

Recommendations for the 119th Congress:

- Congress must continue the practice of advance appropriations in future spending bills. This will provide the IHS with the funds needed to plan and implement long-term health initiatives.
- Congress must consider increasing the mandatory funding ceiling each year to ensure the issue of chronic underfunding in Indian Country is addressed bit by bit.
- Congress must authorize and deliver to IHS funds to modernize and expand the IHS's healthcare infrastructure. This will ensure that the facilities can deliver comprehensive and culturally appropriate care.

Recommendations for the Trump-Vance Administration:

- The Administration must equip the IHS with the necessary resources to enhance emergency preparedness, improve surveillance systems, and coordinate more effectively with other agencies during public health emergencies.
- The Administration must encourage IHS to continue holding Tribal Consultations regarding the matter of mandatory funding and advanced appropriations to understand the tribe's perspective in the matter

Mandatory Funding for CSC and Section 105(l) Leases

The Indian Health Care Improvement Act (IHCIA) mandates that the Indian Health Services (IHS) provide healthcare to federally recognized tribes. Building on this, the Indian Self-Determination and Education Assistance Act (ISDEAA) empowers tribes to take control of federal programs previously administered by the IHS, allowing them to manage these programs within their lands. This self-governance framework aligns with principles of tribal sovereignty and reduces federal bureaucracy by enabling tribes to design and implement solutions that meet the unique needs of their communities.

Under ISDEAA, tribes that assume control of federal programs are entitled to receive the same funding that the IHS would have allocated to operate these programs. Additionally, Contract Support Costs (CSC) are provided to cover the necessary administrative and operational expenses, such as overhead and compliance activities, that come with running these programs. Section 105(l) leases further allow tribes to be reimbursed for facilities used to deliver federally funded services. These mechanisms are vital for ensuring that tribes can exercise their right to self-determination while maintaining high-quality services.

However, despite legal obligations under ISDEAA, CSC and 105(l) lease funding are currently treated as discretionary appropriations. This approach subjects them to annual budgetary uncertainty, tying tribal self-determination to the shifting priorities of the appropriations process. More concerning, the rising costs of fulfilling these obligations often result in offsets—funding cuts to other critical Indian Country programs such as health care, education, and infrastructure. These cuts disproportionately harm tribal communities, impeding progress in addressing long-standing disparities.

On June 6, 2024, the Supreme Court ruled in *Becerra v. San Carlos Apache Tribe* and *Becerra v. Northern Arapaho Tribe* that IHS must pay third-party CSCs, reaffirming that these costs are essential to the principle of self-determination enshrined in ISDEAA. While this decision strengthens tribal sovereignty, it also highlights the financial strain on appropriators tasked with meeting these obligations under the current discretionary funding model. The need for a sustainable solution is urgent.

Recommendations for the 119th Congress:

- Congress must make CSC and section 105(l) leases' cost mandatory funding rather than discretionary funding to meet the federal government's treaty obligations with the tribes. Mandatory funding would streamline government operations, reduce bureaucratic inefficiencies, and provide tribes with the resources needed to exercise self-reliance and implement tailored solutions for their communities.

Recommendations for the Trump-Vance Administration:

- The federal government must offer further Tribal Consultations regarding CSC and section 105(l) leases and their costs in an effort to find an appropriate solution through collaboration with tribes.
- The Administration should recommend to Congress in the President's budget to fund CSC and 105(l) leases as mandatory.

Special Diabetes Program for Indians

Diabetes continues to devastate tribal communities across the United States, including the Navajo Nation, with prevalence rates among Native populations more than double the national average. The resulting health complications, such as kidney failure and heart disease, place significant strain on tribal healthcare systems and federal resources. However, the Special Diabetes Program for Indians (SDPI) has proven to be a highly effective solution, providing essential funding for the prevention, treatment, and management of diabetes in Native communities. The reauthorization of SDPI is critical to ensuring the continuation of this cost-effective, life-saving program.

Since its inception, SDPI has tailored its programs to meet the unique needs of tribal communities by incorporating culturally relevant education, dietary guidance, and fitness initiatives. These approaches align with the holistic health and wellness values held by many tribes, including the Navajo Nation. Programs funded by SDPI have shown measurable success in reducing diabetes-related complications and improving overall health outcomes, empowering communities to take charge of their health while reducing reliance on more costly, long-term treatments.

The program has also demonstrated significant cost savings to the broader healthcare system. By focusing on prevention and early intervention, SDPI-funded initiatives help reduce the burden of expensive diabetes-related complications, such as dialysis for kidney failure and treatments for advanced heart disease. These outcomes represent not only a victory for tribal health but also a fiscally responsible approach that aligns with the Trump administration's focus on reducing healthcare costs and improving efficiency.

Despite these successes, the need for continued support remains urgent. SDPI expired on December 31, 2024, putting the future of these critical programs at risk. Without reauthorization, tribes will face significant challenges in maintaining the progress achieved in diabetes prevention and treatment. Tribal healthcare systems, already under strain, will be forced to address rising diabetes rates without the dedicated resources provided by SDPI.

The SDPI is a clear example of a program that works—improving health outcomes, reducing long-term healthcare costs, and supporting tribal sovereignty in addressing health challenges. Reauthorizing SDPI is not just a matter of maintaining existing programs; it is an investment in the health, economic stability, and self-sufficiency of Native communities.

Recommendations for the 119th Congress:

- Congress reauthorize the SDPI.

Recommendations for the Trump-Vance Administration:

- The Administration should continue to support the SDPI in the President's budget to Congress. SDPI is estimated to save Medicare \$436 to \$520 million over a ten-year period.

Health Care Facilities Construction

The Health Care Facilities Construction line item within the Indian Health Service (IHS) budget is essential for addressing the chronic underinvestment in health infrastructure in Indian Country. This funding supports the renovation and construction of IHS and Tribal health facilities, providing the foundation for delivering high-quality healthcare services to Native communities. For the Navajo Nation, this account represents a critical opportunity to secure much-needed improvements, including the construction of a modernized Gallup Indian Medical Center—a facility that serves not only Navajo citizens but also neighboring Tribes and rural communities across the region.

Despite its importance, the Health Care Facilities Construction account faces significant challenges that hinder its ability to address the growing healthcare needs of Indian Country. For decades, this account has been plagued by a massive backlog of projects, with some Tribes waiting years or even decades for funding. For large-scale projects like the Gallup Indian Medical Center, these delays are even more severe, as limited funds are spread across countless critical needs nationwide. This has perpetuated a cycle of inadequate health infrastructure, leaving Tribal communities—many of which face some of the worst health disparities in the nation—without the facilities necessary to deliver timely and effective care.

This issue has been further compounded in recent years by significant reductions to the Health Care Facilities Construction account. These cuts are largely the result of Congress offsetting rising costs associated with legally required obligations such as Contract Support Costs (CSC) and section 105(l) leases. While these obligations are vital to supporting Tribal self-determination and healthcare operations, their growing share of the IHS budget has come at the expense of infrastructure investment. For the Navajo Nation, this trend jeopardizes the timeline for a modernized Gallup Indian Medical Center—a project that is critical to improving healthcare delivery for one of the largest populations served by IHS.

Investing in health infrastructure in Indian Country is a fiscally responsible approach to addressing long-standing disparities while reducing long-term costs associated with deferred maintenance and emergency repairs. Modernized facilities, like the proposed Gallup Indian Medical Center, are not only more cost-efficient to operate but also improve health outcomes, reduce patient travel times, and alleviate strain on regional healthcare systems. This aligns with the Trump administration's focus on infrastructure development, reducing government inefficiencies, and promoting economic growth in underserved areas.

Recommendations for the 119th Congress:

- Congress should prioritize increased and consistent funding for the Health Care Facilities Construction account.
- Congress must reclassify CSC and section 105(l) leases as mandatory spending, to free up discretionary resources for infrastructure needs.

Housing

Native American Housing Assistance and Self-Determination Act of 1996

The Navajo Nation faces a housing crisis that underscores the urgent need for targeted federal action. With an estimated 173,000 residents living on the reservation, nearly 36% live in poverty—more than double the national average of 11.5%, according to the U.S. Census Bureau's American Community Survey. Over 30% of homes lack access to basic utilities such as electricity, running water, and sewer systems, creating significant public health challenges. Furthermore, many Navajo homes are overcrowded often with multigenerational families living in small 1- to 2-bedroom units.

Compounding these challenges is the difficulty of financing homes on tribal trust or allotment lands, which constitute the vast majority of land within the Navajo Nation. The legal complexities of tribal land ownership often make it difficult to secure loans or mortgages, stifling private investment and homeownership opportunities. Housing insecurity on the Navajo Nation contributes to broader socioeconomic disparities, including lower educational attainment and poorer health outcomes.

The Native American Housing Assistance and Self-Determination Act (NAHASDA) was first enacted in 1996 to address the unique housing challenges faced by tribal communities. Through Indian Housing Block Grants (IHBG), NAHASDA has been a lifeline for tribes, providing flexible funding to develop housing solutions tailored to their needs. However, since its expiration in 2013, the program has faced funding instability, with real-dollar funding levels declining by 29% when adjusted for inflation. Currently, NAHASDA constitutes less than 2% of the HUD budget, despite tribal communities suffering some of the most severe housing conditions in the nation.

Recommendations for the 119th Congress:

- Reauthorize NAHASDA with updated funding levels reflecting inflation and increased housing demand.
- Amend federal housing laws to simplify loan and mortgage processes for homes on tribal trust and allotment lands, enabling greater access to private capital.

Recommendation for the Trump Administration:

- Prioritize tribal housing within the national infrastructure agenda and advocate for NAHASDA reauthorization.
- Direct HUD, Treasury, and federal agencies to develop policies that attract private investment and expand public-private partnerships for sustainable housing solutions.

Infrastructure

Broadband

The Navajo Nation faces significant challenges in securing reliable broadband access across its vast 270,000-square-mile territory, spanning Arizona, New Mexico, and Utah. This predominantly rural area with widely dispersed communities makes deploying broadband infrastructure both complex and costly. As a result, many government offices, businesses, and homes lack critical connectivity, placing the Navajo Nation at a significant disadvantage in healthcare, education, and economic development.

Despite these challenges, the Navajo Nation has made progress in expanding broadband infrastructure, driven by the efforts of the Navajo Nation Telecommunications Regulatory Commission (NNTRC) and the Navajo Tribal Utility Authority (NTUA). However, additional support is necessary to meet the increasing demand for reliable, high-speed internet. Limited competition among internet service providers (ISPs) exacerbates these issues, leaving residents with few options and creating a lack of incentives for ISPs to expand services in remote areas. Further, the Nation has limited access to spectrum resources, which are necessary to deploy wireless networks, especially in rural areas.

Reliable broadband is essential to supporting telemedicine, especially for the over 400,000 individuals eligible for Indian Health Services (IHS) and 15,000 veterans residing on the Navajo Nation. Without broadband, critical healthcare services are delayed, compounding disparities in health outcomes. Similarly, education suffers as students in rural areas struggle to access online resources, often resorting to sitting in parking lots or chapter houses for internet access. This digital divide limits opportunities for the next generation and widens existing inequities.

Broadband is vital for fostering entrepreneurship, modernizing industries such as agriculture, and enabling small businesses to thrive. For artisans and small business owners, inadequate internet access restricts the ability to engage in mobile payments, e-commerce, and other modern business practices, stifling economic independence and growth. Expanding broadband infrastructure and control over spectrum on tribal lands will empower the Navajo Nation to achieve greater self-determination and unlock its economic potential.

The Navajo Nation seeks innovative and cost-effective solutions to address its broadband challenges. By embracing emerging technologies such as satellite and wireless systems, the Nation can bypass some of the traditional infrastructure barriers and rapidly expand connectivity. Federal initiatives such as the FCC's Connect America Fund, Rural Digital Opportunity Fund, and the BEAD Program under the Infrastructure Investment and Jobs Act provide opportunities to incentivize broadband deployment on tribal lands.

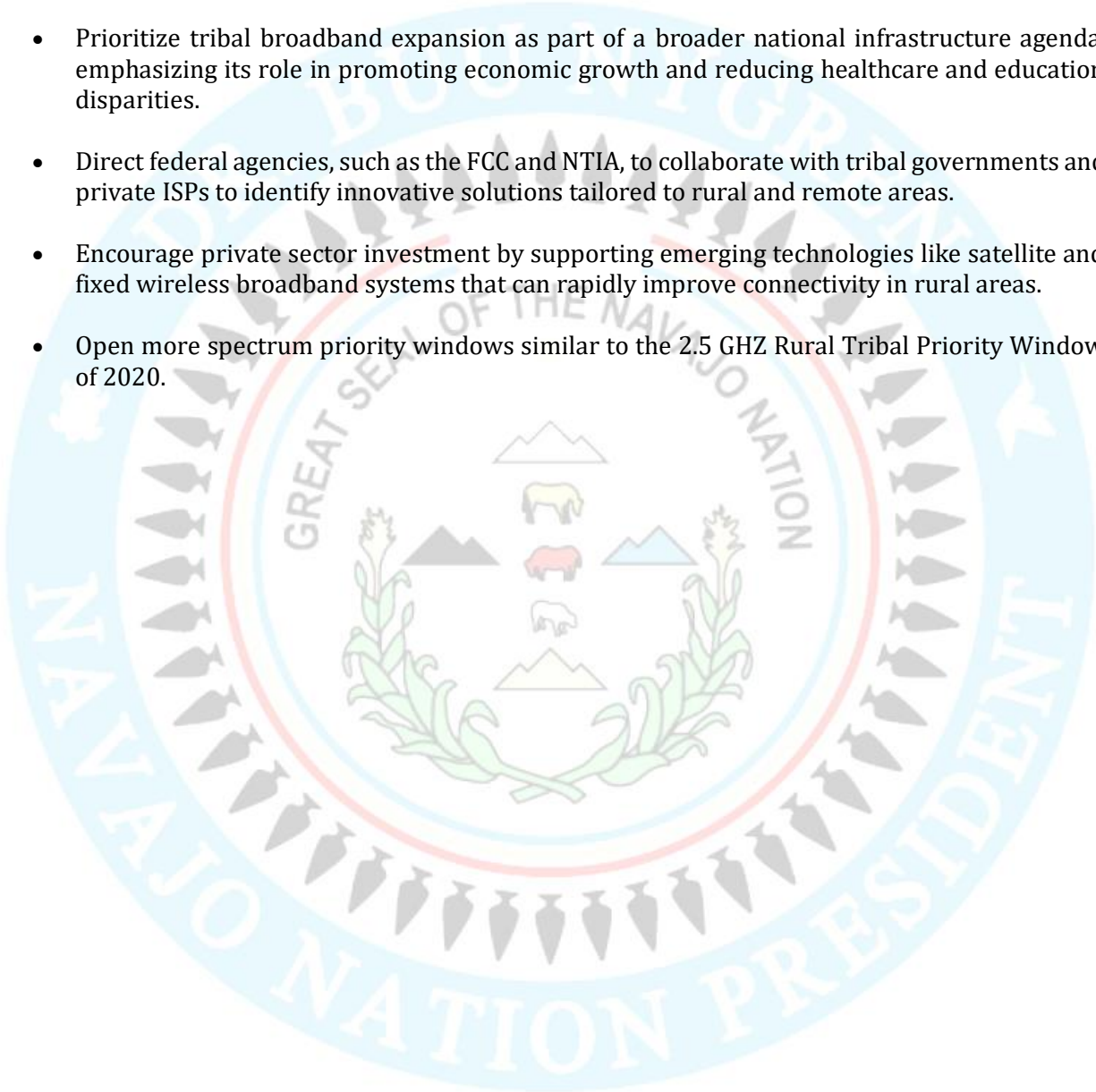
Recommendations for the 119th Congress

- Allocate targeted funding through federal broadband programs specifically for Tribal nations, ensuring equitable access to resources.
- Provide incentives for ISPs to expand broadband infrastructure in underserved tribal areas, such as tax credits, grants, or public-private partnerships.

- Simplify and streamline regulatory processes to reduce delays in broadband deployment on tribal lands.
- Allow for greater tribal access to spectrum resources on tribal lands.

Recommendations for the Trump-Vance Administration

- Prioritize tribal broadband expansion as part of a broader national infrastructure agenda, emphasizing its role in promoting economic growth and reducing healthcare and education disparities.
- Direct federal agencies, such as the FCC and NTIA, to collaborate with tribal governments and private ISPs to identify innovative solutions tailored to rural and remote areas.
- Encourage private sector investment by supporting emerging technologies like satellite and fixed wireless broadband systems that can rapidly improve connectivity in rural areas.
- Open more spectrum priority windows similar to the 2.5 GHz Rural Tribal Priority Window of 2020.



Tribal Transportation Program (TTP) Funding Formula

The Navajo Nation spans approximately 27,000 square miles of rugged terrain in the southwestern United States, facing significant transportation challenges that hinder access to essential services and economic opportunities. The road infrastructure is critically inadequate, with over 9,500 miles of unimproved dirt roads, which often become impassable due to heavy snowfall, flash flooding, or runoff damage. Public transportation is scarce, leaving many residents isolated, particularly in remote communities. This isolation impacts healthcare, education, and economic development. Emergency response times are delayed, students face long commutes or missed school days due to weather-damaged roads, and workers struggle to maintain employment due to inaccessible roads.

Funding shortfalls exacerbate these challenges. Since the adoption of SAFETEA-LU in 2002, the Navajo Nation's allocation from the Tribal Transportation Program (TTP) has decreased significantly, dropping from \$79.91 million annually to \$53 million—a level that has remained stagnant for over a decade despite rising costs and growing needs. The current TTP funding formula does not adequately account for the unique challenges faced by large, rural reservations like the Navajo Nation, leading to inequitable distribution of resources.

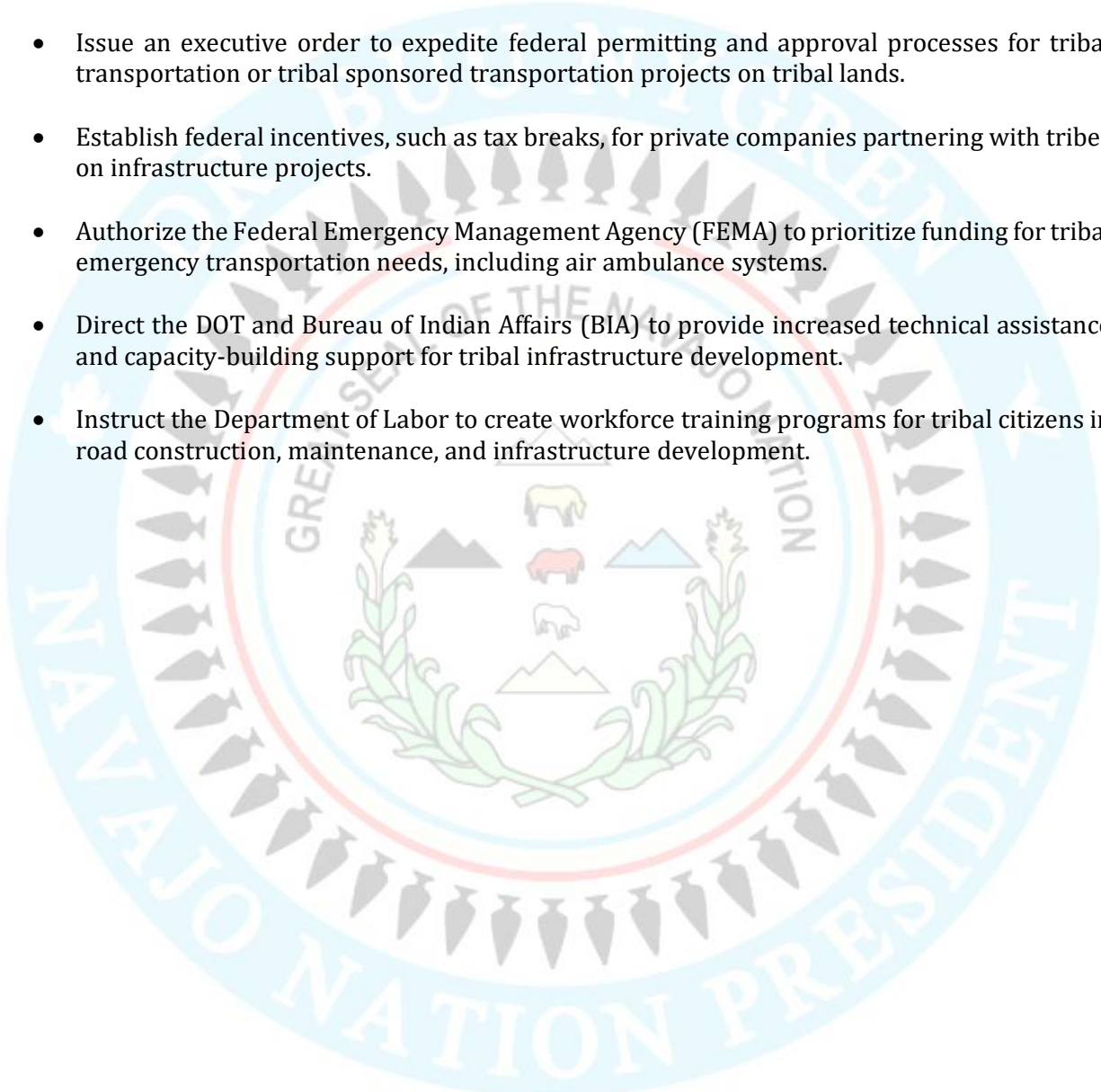
Recommendations for the 119th Congress:

- Amend Title 23, U.S. Code § 202 to revise the TTP funding formula, ensuring it accounts for tribal population size, geographical area, road miles, and transportation challenges unique to large reservations like the Navajo Nation. The current formula unfairly allocates funding based on factors like state roads and proposed roads, which disproportionately reduces funding for the Navajo Nation.
- Reauthorize and expand the TTP in the next surface transportation reauthorization bill, ensuring long-term funding stability. Allocate an additional \$500 million annually to the TTP, with priority funding for large tribes like the Navajo Nation. Increased funding will address the backlog of road maintenance, paving projects, and bridge repairs, including critical projects like the modernization of Navajo bridges and highways.
- Create a special appropriation under the Transportation, Housing and Urban Development (THUD) appropriations bill to allocate \$2 billion over 10 years for paving dirt roads and improving existing infrastructure in tribal communities.
- Amend 23 U.S.C. § 144 to allow TTP funds to be used for bridge inspections and establish a dedicated Tribal Bridge Improvement Fund within the TTP. Provide \$100 million annually for tribal bridge inspections and repairs.
- Expand Section 5311(c) of Title 49, U.S. Code, to increase funding for tribal public transportation. Increase the Tribal Transit Program budget to \$100 million annually for expanded bus routes and transportation services.
- Establish a Tribal Emergency Transportation Fund within the DOT to address urgent infrastructure needs due to severe weather or natural disasters. Provide \$250 million annually to repair flood-damaged roads or provide emergency air transportation.

- Establish a Tribal Transportation Workforce Program under the Department of Labor to fund job training and workforce development for road construction and maintenance.
- Amend 49 U.S.C. § 47114 to increase discretionary funding for tribal airport projects under the Airport Improvement Program (AIP).

Recommendations for the Trump-Vance Administration:

- Issue an executive order to expedite federal permitting and approval processes for tribal transportation or tribal sponsored transportation projects on tribal lands.
- Establish federal incentives, such as tax breaks, for private companies partnering with tribes on infrastructure projects.
- Authorize the Federal Emergency Management Agency (FEMA) to prioritize funding for tribal emergency transportation needs, including air ambulance systems.
- Direct the DOT and Bureau of Indian Affairs (BIA) to provide increased technical assistance and capacity-building support for tribal infrastructure development.
- Instruct the Department of Labor to create workforce training programs for tribal citizens in road construction, maintenance, and infrastructure development.



Natural Resources & Energy

Gravel Pits

The Navajo Nation currently faces significant challenges related to the development and maintenance of paved roads across their territory due to regulatory obstacles in utilizing local sand and gravel resources for these projects. The federal regulations classify sand and gravel as minerals, making their extraction subject to an approval process by the Bureau of Indian Affairs (BIA) for mining leases, which includes comprehensive environmental and cultural assessments, and a Bureau of Land Management (BLM) approved mining and reclamation plan.

This process, often duplicated by the Navajo Nation's own due diligence, is highly time-consuming and often delays or outright prevents projects, directly impacting the basic needs and safety of Navajo families. Additionally, the development of the Navajo Nation's own mineral leasing regulations under the Indian Tribal Energy Development and Self-Determination Act Amendments of 2017 (Tribal Energy Act) has been impeded by concerns over resource allocation, particularly data and information resources.

When tribes pursue their own mineral leasing regulations, they are denied access to vital federal databases and online tools previously available through federal grants or cooperative agreements, creating potential issues around efficiency, data security, accuracy, accessibility, redundancy, and consistency of data between the federal government and tribal governments.

Recommendations for the 119th Congress:

- Amend the Indian Tribal Energy Development and Self-Determination Act (Tribal Energy Act) to ensure tribes developing their own mineral leasing regulations, including sand and gravel, have full and continued access to federal databases, compliance systems, and online tools.
- Modify the Surface Mining Control and Reclamation Act (SMCRA) and other applicable laws and regulations to exempt non-metallic resources like sand and gravel from cumbersome mining lease regulations when extracted for tribal infrastructure projects.
- Provide dedicated funding through the Tribal Transportation Program (TTP) for resource extraction and processing infrastructure, such as gravel pits and crushing equipment, to reduce reliance on external providers.

Recommendations for the Trump-Vance Administration:

- Direct the Bureau of Indian Affairs (BIA) and Bureau of Land Management (BLM) to develop a streamlined approval process for tribal sand and gravel extraction projects. This should include categorical exclusions for routine road-building materials and simplified mining and reclamation plans for non-metallic minerals.
- Issue an executive order requiring federal agencies to ensure tribes have full access to federal databases, compliance tools, and grant-funded systems when pursuing their own mineral leasing regulations.

- Direct the Department of the Interior to prioritize tribal self-determination by recognizing and deferring to tribal environmental and cultural reviews for projects involving sand and gravel.
- Establish a Tribal Resource Management Task Force within the Department of the Interior to improve communication and coordination between federal agencies and tribal governments, reducing duplication and aligning regulatory efforts with tribal capacities.
- Encourage public-private partnerships to develop infrastructure for processing and distributing sand and gravel, including tax incentives for private investment in tribal resource development.



Water Rights

Access to water is a fundamental necessity for economic development, public health, and the long-term sustainability of any community. Securing and utilizing water rights is essential to achieving self-reliance and economic growth. The Nation has made significant strides in water rights settlements, successfully negotiating agreements with Utah and New Mexico for the San Juan River Basin, which Congress has ratified. These settlements are now being actively implemented in partnership with the Department of the Interior and other stakeholders, demonstrating a model for federal-tribal collaboration. The Navajo Nation intends to reintroduce four water rights related bills in the 119th Congress. rights in Arizona, the Rio San Jose Basin, and the Zuni River Basin in New Mexico.

Navajo Gallup Water Supply Project

The Navajo-Gallup Water Supply Project (NGWSP), authorized under the Omnibus Public Land Management Act of 2009, exemplifies the transformative potential of federal infrastructure investments. This project, designed to serve 43 Navajo chapters, the City of Gallup, and the southern portion of the Jicarilla Apache Nation, is vital for expanding access to water and ensuring the sustainability of the region's water supply. However, the project faces significant challenges due to inflation-driven cost overruns and unforeseen delays. Current funding levels and the authorized project deadline are insufficient to ensure completion.

Legislation introduced in Congress proposes over \$1.3 billion in additional funding and an extension of the completion deadline to 2029. These measures are essential to address the escalating costs and delays. Without these legislative adjustments, the NGWSP will fall short of its goals, leaving many Navajo communities at risk of severe water shortages. Groundwater supplies in many areas are already diminishing and deteriorating in quality, with increasing reliance on brackish water that requires expensive treatment.

Northeastern Arizona Indian Water Rights Settlement Act

The Northeastern Arizona Indian Water Rights Settlement Act seeks to resolve decades-long water claims in Arizona, benefiting the Navajo Nation, the Hopi Tribe, and the San Juan Southern Paiute Tribe. Once enacted, the settlement will secure 44,700 acre-feet annually (AFY) of Upper Basin Colorado River water and 3,600 AFY of Fourth Priority Lower Basin water for the Navajo Nation, while also affirming its rights to additional surface and groundwater resources. By addressing these unresolved claims, the settlement offers a pathway for stability and cooperation, ensuring that the Navajo Nation and other stakeholders can meet their water needs without resorting to costly litigation.

Sponsored by Congressman Juan Ciscomani (R-AZ-6) and co-sponsored by Congressman David Schweikert (R-AZ-1), Eli Crane (R-AZ-2), the settlement aligns with Republican priorities by emphasizing market-based solutions, collaborative resource management, and investments in critical infrastructure to promote economic growth. Rather than engaging in protracted legal disputes, this approach avoids uncertainty and fosters stability for all stakeholders, including Arizona's water users, municipalities, and agricultural industries. Importantly, the settlement encourages economic self-reliance for the Navajo Nation by enabling it to utilize, lease, and manage

its water resources effectively while respecting the delicate balance established under the Colorado River Compact.

The legislation includes significant infrastructure investments, such as the *liná bá – paa tuwaqat’si* pipeline, which will deliver clean drinking water to numerous Navajo and Hopi communities. The \$1.715 billion project is funded through mandatory appropriations and is essential to addressing the chronic water access challenges faced by these communities. In addition to the pipeline, the settlement establishes the Navajo Nation Water Settlement Trust Fund, with \$2.7467 billion allocated to construct and maintain essential water infrastructure. This funding will support projects across the reservation, ranging from groundwater development to irrigation system upgrades, ensuring long-term sustainability.

The economic and public health benefits of the settlement are substantial. By reducing the reliance on costly water hauling and ensuring access to clean drinking water, the settlement directly improves the quality of life for Navajo families while reducing the financial burden on public health systems. According to the Indian Health Service, every dollar invested in water infrastructure yields \$1.18 in healthcare savings, as improved water access reduces the prevalence of waterborne diseases and infections. Moreover, the settlement empowers the Navajo Nation to lease unused water, generating revenue to further invest in infrastructure and economic development.

Navajo Nation Rio San Jose Stream System Water Rights Settlement Act

The Navajo Nation faces pressing challenges in securing sustainable water resources for its communities in the Rio San José and Rio Puerco Basins, areas that have suffered from water scarcity, depletion of aquifers, and overuse by non-Navajo entities for more than a century. The Navajo Nation Rio San Jose Stream System Water Rights Settlement Act presents a historic opportunity to resolve these issues by authorizing the Secretary of the Interior to execute a settlement agreement quantifying the Navajo Nation’s water rights in the Rio San José Basin, while also addressing water rights in the Rio Puerco Basin. This settlement follows decades of negotiation and litigation, culminating in an agreement that protects Navajo water resources while promoting cooperation with other stakeholders.

The Rio San José Basin, one of the driest regions in New Mexico, has been heavily impacted by non-Indian development over the past 150 years, resulting in significant depletion of surface and groundwater. Approximately 7,500 Navajo citizens live in the nine-chapter communities within the Rio San José Basin and the seven chapters in the Rio Puerco Basin. Many of these communities rely on expensive and often unreliable water hauling due to the lack of accessible potable water. These conditions not only hinder economic growth but also pose significant health risks for residents.

The Navajo Nation Rio San José Settlement Agreement resolves decades of litigation stemming from the 1983 *New Mexico v. Kerr-McGee Corp.* adjudication, which sought to determine water rights in the basin. The settlement quantifies Navajo water rights, guarantees protections for existing non-Indian water users, and establishes a path for the Navajo Nation to address its water supply challenges. It is closely aligned with the Pueblos of Acoma and Laguna’s Local Settlement Agreement, ensuring a collaborative and comprehensive approach to water resource management in the region.

The legislation authorizes the creation of a \$200.27 million Navajo Nation Rio San José Settlement Trust Fund to support water infrastructure development, resource management, and settlement implementation. These funds will enable the Nation to build water systems, acquire additional water resources, and address immediate water needs through projects like the Rio San José Regional Water

Supply Project and the Tóhajiilee Waterline. These initiatives will import water from the Navajo-Gallup Water Supply Project and the Middle Rio Grande Basin, alleviating pressure on overused local water sources and ensuring sustainable management for all users in the basins.

Additionally, the settlement includes \$23 million for an operations and maintenance fund, ensuring long-term functionality of the water infrastructure. The agreement allows the Navajo Nation to manage its water rights under its Navajo Nation Water Code, incorporating protections for other water users and offering avenues for collaboration and dispute resolution.

The legislation also offers a market-driven and cooperative solution to water resource challenges, aligning with values of efficient governance, economic development, and rural revitalization. By avoiding protracted litigation, the settlement saves significant resources for all parties, including the federal government. It also leverages existing investments in the Navajo-Gallup Water Supply Project, providing a cost-effective mechanism to expand water access.

Technical Corrections to the Northwestern New Mexico Rural Water Projects Act, Taos Pueblo Indian Water Rights Settlement Act, and Aamodt Litigation Settlement Act

The Northwestern New Mexico Rural Water Projects Act, the Taos Pueblo Indian Water Rights Settlement Act, and the Aamodt Litigation Settlement Act were all enacted to resolve long-standing disputes over water rights and provide certainty for both tribal nations and non-tribal water users. However, a technical flaw in the trust fund language of these settlements, all enacted during the 2009-2010 period, has deprived the affected tribes of critical funding that was intended to support the implementation of their water rights settlements. Addressing this issue is essential to fulfilling the commitments made by the federal government under these agreements.

The Navajo Nation's water rights settlement, authorized under Public Law 111-11, provided a framework for the Nation to secure its rightful access to water in the San Juan River Basin. As part of the settlement, Congress established the Navajo Nation Water Resources Development Trust Fund, a critical mechanism to finance water infrastructure and conservation projects necessary for the Nation to fully utilize its water rights. However, due to a provision in the original law, the trust fund was prohibited from being invested for ten years, until 2019. This restriction was not a standard provision in Indian water rights settlements and resulted in the Navajo Nation losing millions of dollars in interest that should have accrued to the trust fund over that period.

In the 118th Congress, S. 3406 was designed to correct this issue by authorizing a one-time appropriation of \$6.3 million to the Navajo Nation's trust fund—an amount equivalent to what should have been earned if the funds had been properly invested from the outset. The bill also provides the same necessary correction for the Taos Pueblo Indian Water Rights Settlement and the Aamodt Litigation Settlement, both of which suffered from similar technical errors that prevented trust fund investments from generating intended financial benefits. The Taos Pueblo settlement, authorized under Public Law 111-291, and the Aamodt settlement, covering the water rights of the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque, were meant to provide long-term stability for these communities. However, the same investment restriction has significantly impacted their ability to implement their settlements as originally intended.

Recommendations for the 119th Congress:

- Support and pass all of the Nations pending water rights settlements, amendments, and technical corrections.

Recommendations for the Trump-Vance Administration:

- Support the Nation's water rights settlements.
- Issue executive orders to prioritize tribal water projects in federal grant programs and eliminate unnecessary regulatory barriers that delay infrastructure development.



Federal Land Management

Bears Ears/Grand Staircase Escalante/Grand Canyon Monuments

The Bears Ears National Monument, the Grand Staircase-Escalante National Monument in southern Utah, and the *Baaj Nwaavjo I'tah Kukveni*—Ancestral Footprints of the Grand Canyon National Monument in northern Arizona, are both culturally and academically significant to the Navajo People. These locations and archeological sites are records that are actively used to connect the Navajo People to their ancestral homelands and are considered sacred for practicing traditions and maintaining cultural heritage. Moreover, these areas have sustained the Navajo people for countless generations, serving as vital sources of nourishment and well-being, while continuing to be active spaces for education and the sharing of traditional knowledge about sustenance. Thus, the Navajo Nation strongly supports all efforts to protect and preserve these monuments and earnestly calls for inclusion in any discussions or decisions related to these lands to ensure our voice, interests and inherent rights are represented. To exclude the Navajo Nation from decisions impacting these lands not only disregards our voice but constitutes a direct violation of our sovereign rights—a fundamental principle that must be respected and upheld in all actions concerning our lands and resources.

Our primary concern regarding such decisions centers on the potential expansion of uranium mining, which could significantly disrupt the biological systems and impact the health of individuals in the area. Having experienced one of the largest nuclear accidents in U.S. history at Church Rock, New Mexico, the Navajo Nation and surrounding communities are all too familiar with the severe environmental, health, and social consequences of uranium extraction. Uranium mining has not only posed a direct threat to individuals living near mining sites but has also caused significant environmental degradation, often leading to the contamination of groundwater, soil, and air. Tragically, these environmental impacts have been linked to higher rates of cancer, kidney disease, and birth defects among affected populations.

Recommendations for the 119th Congress:

- Congress must work alongside the Navajo Nation to secure more permanent protections and oversight of these monuments, safeguarding their designations from future administrative changes and potential legal challenges.
- Support for the allocation of dedicated funding for the Monument commission through direct appropriation or grant programs, ensuring resources to properly oversee the preservation, management and educational initiatives associated with these lands.

Recommendations for the Trump-Vance Administration:

- The Administration should work with the Navajo Nation to find opportunities for mutually beneficial co-management over these lands.

Chaco Canyon

The decision by the Secretary of the Interior (Public Land Order No. 7923) in the Biden Administration to implement a 20-year mineral withdrawal, banning new mineral leases within a 10-mile buffer zone around Chaco Canyon, has elicited profound concerns from the Navajo Nation. Despite the area's proximity to Navajo allotments surrounding Chaco Canyon, the Secretary of the Interior disregarded the Navajo Nation's well-known and widely communicated position opposing the withdrawal of federal lands from mineral development. This decision directly undermined the sovereignty and financial independence of Navajo allottees, who rely on royalties from oil and gas drilling on their lands. The withdrawal directly impedes development that often relies on horizontal drilling into adjacent federal lands near Chaco Canyon to achieve maximum efficiency.

This decision, which directly limits Navajo citizens' opportunities to fully utilize and benefit from their own resources, raises significant concerns about the Navajo Nation's sovereignty and its right to self-determination as guaranteed by the Treaty of 1868. These concerns are further amplified by the lack of appropriate consultation with the Navajo Nation, despite the immediate and direct economic impacts on Navajo allottees.

The Navajo Nation Council, as the governing body of the Navajo Nation, has formally opposed the decision through multiple resolutions rejecting the 10-mile buffer zone. The Navajo Nation, once again, calls on members of Congress to support efforts to reverse this exclusionary Secretarial order. The federal government must recognize the Navajo Nation's sovereignty and consult with its government on decisions that directly impact Navajo lands and citizens. The Navajo Nation's rights, economic interests, and cultural heritage must be respected and protected.

Recommendations for the 119th Congress:

- Support Representative Crane's bill H.R. 606 - To nullify Public Land Order No. 7923, withdrawing certain land in San Juan County, New Mexico, from mineral entry.
- In the absence of a full reversal of the secretarial order, we ask Congress to mitigate the economic and social impact of the withdrawal order on the Navajo Nation and affected communities within the withdrawal area.

Recommendations for the Trump-Vance Administration:

- Publicly support legislative reversal by endorsing representative Crane's bill H.R. 606.
- Direct the Department of the Interior to rescind the withdrawal with full consultation and collaboration with the Navajo Nation.
- If the withdrawal is not rescinded, mitigate economic and social impacts by developing federal programs to offset the economic and social impacts of the withdrawal order on the Navajo Nation and affected communities, including funding mechanisms to support impacted Navajo allottees.

Environmental Protection

Uranium Clean Up

The legacy of uranium mining from 1944 to 1986 on the Navajo Nation lands presents a critical and urgent issue that demands immediate attention and action. Over four decades, more than 1,000 sites were mined, yielding thirty million tons of uranium ore. Today, at least 524 unsealed uranium mines continue to contaminate the environment, posing severe risks to the health and livelihood of the Navajo people.

The unaddressed environmental impacts of these mines are far-reaching and severe. The soils near these mines are heavily contaminated, and the effects on surface water and groundwater sources are alarming. It is estimated that over 85% of Navajo homes are exposed to uranium contamination, with Navajo residents living near the mines bearing higher levels of uranium in their bones than 95% of the broader American population. These mines are perilously close to surface water sources, livestock and human water sources, residences, and other structures, some even as close as 200 feet.

Despite the federal acknowledgment of the issue, remediation efforts have been painfully slow and inadequate. The Bureau of Land Management (BLM) has not yet responded to EPA Region 9's request to provide land to dispose of contaminated waste. The lack of a prompt and adequate response to this environmental and public health crisis is exacerbating the suffering of the Navajo people and the ecological damage to their lands.

The issue concerns environmental safety, public health, and preserving the Navajo Nation's way of life. Immediate, comprehensive, and sustained actions are needed to remediate the contaminated sites, protect the health of the Navajo people, and restore the environmental integrity of Navajo Nation lands. This is not just an issue for the Navajo Nation - it is a national concern that reflects our collective responsibility to address the consequences of past actions and ensure a safe and sustainable future for all.

Recommendations to the 119th Congress:

- Congress should host a joint House and Senate hearing to review the health impacts of abandoned mines.
- Congress should provide funding for a comprehensive health study to assess the impact of radiation contamination on the Navajo people.
- Congress should codify the Office of Mountains, Deserts, and Plains at the EPA to formalize and improve coordination between the EPA and State Tribal authorities on uranium mining cleanup.

Recommendations to the Trump-Vance Administration:

- BLM must identify lands for contaminated waste disposal and work with the U.S. EPA to remediate and clean up the mines.

Public Safety

Law Enforcement Recruitment and Retention

The Navajo Police Department is facing an alarming personnel shortage that severely impacts its ability to maintain law and order across a vast jurisdiction of 27,000 square miles. With a current ratio of only 0.85 officers per 1,000 residents—far below the national average of 3.4 officers per 1,000 residents—the department is stretched beyond its capacity to provide adequate public safety services. This shortage poses significant risks to community safety, officer well-being, and the long-term effectiveness of law enforcement on the Navajo Nation.

The department receives over 40,000 calls for service annually, with response times ranging from 30 minutes to several hours due to the massive geographical area officers must cover. Such delays can escalate emergencies, jeopardizing the safety of victims, witnesses, and officers alike. In addition to slower response times, understaffing hampers the collection and reporting of crime data, which is essential for strategic planning and securing federal funding. Officers are increasingly overworked, leading to burnout and high turnover rates, as many leave for better-compensated and more stable positions in nearby county and state agencies. This perpetuates a cycle of understaffing, undermining the department's ability to address crime effectively and maintain public safety.

The Navajo Nation has taken proactive measures to address these challenges by developing its own police academy, allowing recruits as young as 18 years old to begin training. However, the Bureau of Indian Affairs (BIA) has informed the Nation that 638 Contract funds cannot be used to train officers under the age of 21, requiring the Nation to shoulder the full cost of training, equipping, and compensating these recruits until they reach the age of 21. Despite repeated requests, the BIA has not provided a specific regulation that mandates this age restriction, creating an unnecessary financial burden on the Navajo Nation.

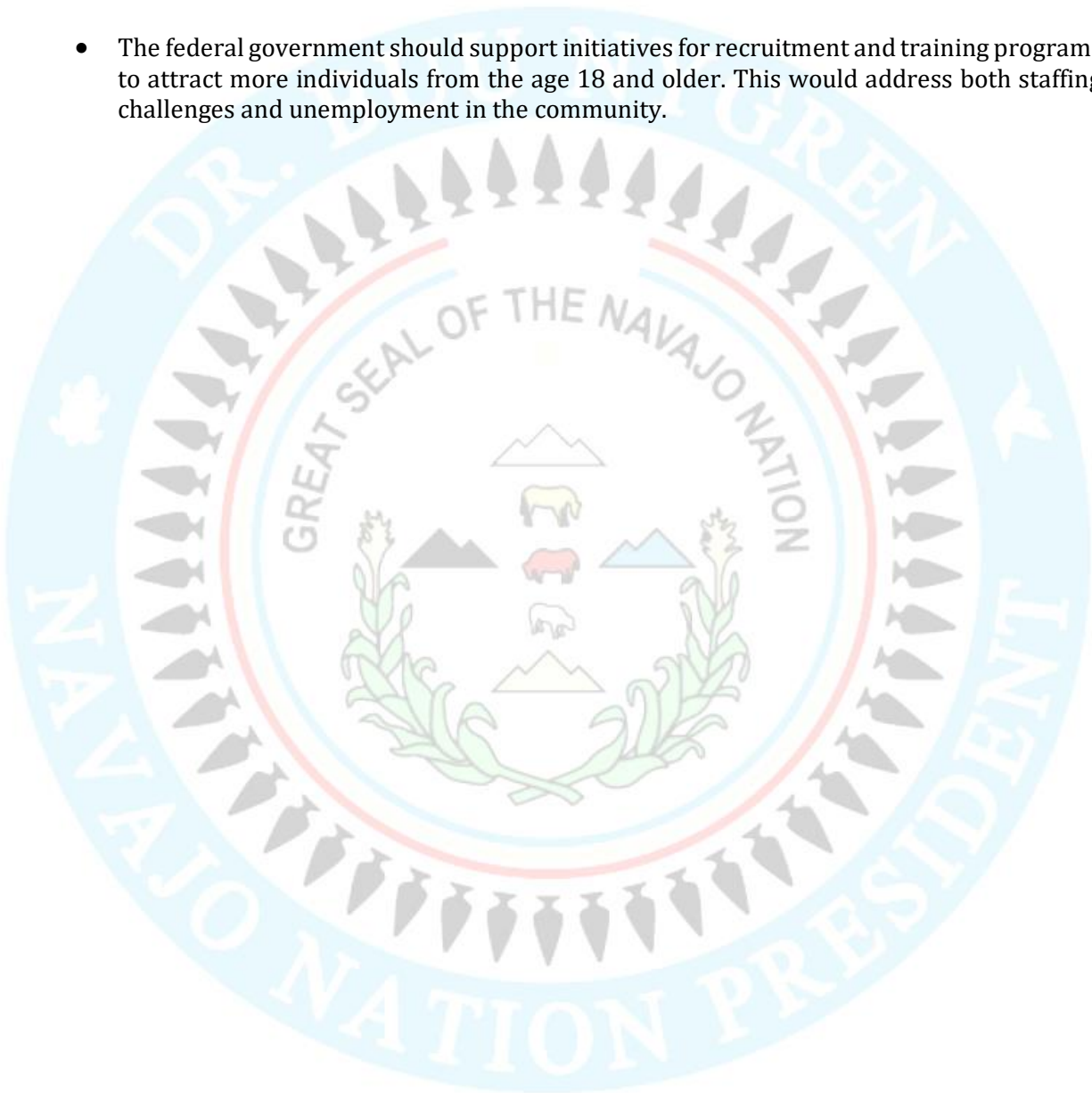
This situation calls for immediate action to bolster law enforcement capacity and ensure the safety of Navajo communities. Streamlining federal policies to allow the use of 638 Contract funds for recruits under 21 would alleviate financial strain and enable the Nation to expand its workforce. Additionally, investments in recruitment and retention programs, improved officer compensation, and access to modern law enforcement tools and technology are critical to reversing the cycle of understaffing and maintaining public safety.

Recommendations for 119th Congress:

- Congress must increase funding to block grants and Public Law 638 contracts. These instruments are designed specifically to address funding shortfalls and will enhance the capacity of the Navajo Police Department to recruit and retain more personnel.
- Legislation should be passed designating Tribal law enforcement operating under a 638 Contract from BIA to be eligible for federal law enforcement benefits and retirement.

Recommendations for the Trump-Vance Administration:

- The Trump Administration should direct the U.S. Department of Justice’s Bureau of Justice Statistics (BJS) to establish a robust reporting system that captures crime data. Accurate and comprehensive data collection can not only enhance the effectiveness of public safety services but also substantiate funding requests, basis the demonstrated needs.
- The federal government should support initiatives for recruitment and training programs to attract more individuals from the age 18 and older. This would address both staffing challenges and unemployment in the community.



Drug Trafficking

The majority of the Navajo Nation is located in the border states of Arizona and New Mexico, which have been struggling to combat drug trafficking flowing across the southern border. Cartels have recognized the chronic shortage of law enforcement plaguing Indian Country, as well as the complex jurisdictional frameworks that too-often hinder Tribal law enforcement, and they are using this to their advantage.

The Navajo Nation needs dedicated support from federal law enforcement to combat drug trafficking and drug usage on the Nation, particularly by non-Tribal members. Our officers and criminal investigators are understaffed and overworked under present conditions, which impedes the necessary response of intensive, relentless investigation and prosecution of these individuals.

Recommendations for the 119th Congress:

- Congress should convene field hearings, from both the Senate Judiciary and Homeland Security & Governmental Affairs Committees, and both House Judiciary and House Homeland Security Committees to fully understand the issue and announce to cartels that the government is aware of their actions and moving to quell their operations inside the United States.

Recommendations for the Trump-Vance Administration:

- The federal government must assemble regional task forces, including FBI, DEA, Tribal law enforcement, BIA, and other agencies to develop and implement strategies to stomp-out this invasion of Tribal lands.

Missing and Murdered Indigenous Women

For many decades, Native American and Alaska Native communities have been grappling with distressingly high rates of assault, abduction, and homicide perpetrated against women. This crisis, often overlooked or minimized by broader national discourse, represents a profound violation of human rights and a significant barrier to these communities' health, safety, and overall well-being. The roots of this issue are deeply embedded in the historical and ongoing systemic marginalization of these communities, characterized by harmful government policies such as forced relocation, land dispossession, the dissolution of Native families, and wide-ranging acts of brutality against Native peoples.

The resulting intergenerational trauma has not only fostered a cycle of violence but also instigated a range of detrimental social and psychological effects, including addiction, depression, and unresolved grief. According to data from the 2016/2017 National Intimate Partner and Sexual Violence Survey, an alarming 57 percent of American Indian and Alaska Native women have been victims of sexual violence. Moreover, these figures only represent what is reported or known, and the actual numbers could be significantly higher.

The victims of these heinous crimes are often ignored, inadequately represented in the justice system, or even unjustly blamed for the atrocities inflicted upon them. This not only exacerbates their trauma but also reinforces a culture of impunity and silence around these issues. The ongoing deaths and disappearances of Native American and Alaska Native women, which have been lamented by their communities for generations, underpin a grave and urgent crisis that necessitates immediate, comprehensive, and sustained action.

Recommendations for the 119th Congress:

- Both the House and Senate should hold hearings to review and amend current legal and policy frameworks to identify opportunities for improvement and hold perpetrators accountable.

Recommendations for the Trump-Vance Administration:

- Reinstigate *Operation Lady Justice* and continue to allocate increased federal funding to investigate and prosecute cases of violence against American Indian and Alaska Native victims.
- Address chronic deficiencies in the Department of Justice and Federal Bureau of Investigation to ensure they are upholding their mandate to the American public to investigate, address, and close cases of violence against American Indian and Alaskan Native victims.
- The federal government must extend victim support services to families of missing persons.

Emergency Medical Services (EMS)

The Navajo Nation Department of Emergency Medical Services (“**NNEMS**”) is a dedicated progressive service focused on providing quality and emergent care to residents and visitors. Expanded advanced life support capabilities and transport services are pre-eminent and NNEMS is dedicated to ensuring that members of the Navajo Nation and its visitors have access to such services. With more than 20,000 calls for service in 2024 and nearly 14,000 transport requests, NNEMS provides a crucial service that would otherwise go unmet.

Ambulance services on the Navajo reservation were non-existent until 1965 when the Navajo Nation Police Department assumed the responsibility, although they were met with significant challenges including limited resources, geographical barriers, and a lack of equipment. Over the last 22 years, NNEMS has evolved thanks to the joint efforts of the Navajo Tribe, IHS Navajo Area Office, and the Navajo Health Authority. In September of 1980, the Navajo Nation EMS program was created and received special appropriation from IHS – EMS systems. However, in 1982, the EMS program suffered a 17% decrease in funding resulting in crippled projects and a fleet reduction of 118 positions to 84 positions. Since then, the Navajo Nation EMS program has had difficulty meeting the needs of the nation due to staffing shortages, lack of equipment, and lack of funding.

Emergency medical services are an integral component of a rural community’s prehospital medical infrastructure. NNEMS provides direct services to an estimated population of 314,600. The estimated total EMS calls for 2021 was 31,500. A total of 9,100 claims were submitted to third party payers in 2021 but the revenue generated did not fully meet the budgetary needs to improve and expand EMS services and acquire additional qualified personnel. Support is needed from the Trump Administration, HHS, and the Indian Health Service to expand EMS services.

Recommendations for 119th Congress:

- Indian Health Services must increase funding for personnel and contract support costs and set aside \$4 million (\$3.5 for personnel and \$500,000 for contract support costs) to adequately address the unmet needs for Navajo.
- There is a need to establish a specific budget line-item authority/account for Tribal Emergency Medical Service Programs to meet the growing medical emergency needs of American Indians and Alaska Natives.

Recommendations for the Trump Administration:

- The Administration must work in partnership HHS to increase or establish funding to meet the growing emergency medical services in extremely rural areas.
- Inadequate funding has prevented upgrading and purchasing of new equipment, including the latest emergency medical technology and software programs to keep current with advancing technology. \$7.5 million is requested to be placed into the President’s budget request to Congress to update ambulances with up-to-date technology for the Navajo Nation.

Tribal Justice

Underfunding Tribal Justice

The chronic underfunding of the tribal justice system, encompassing law enforcement, judicial services, and prisons, poses a significant and escalating threat to the safety, justice, and overall well-being of the Navajo Nation. This issue directly violates the federal trust and treaty obligations to the Navajo Nation, resulting in severe consequences including increased fatalities, high rates of criminal victimization, and the perpetuation of unresolved trauma across generations.

In a report released in February of 2024 assessing the 2021 funding levels for the BIA's Office of Justice Services highlighted a disturbing financial deficit. The total estimated public safety and justice need for Indian Country was \$3.509 billion. BIA actually spent \$446.7 million. The unmet needs for public safety and justice in Indian Country were calculated at over \$3 billion, breaking down to \$1.47 billion for law enforcement, \$159.2 million was needed for existing detention and corrections operations, and Tribal courts needed \$1.44 billion.

The persistent underfunding of the tribal justice system undermines its ability to serve and protect the community effectively. It not only hampers the ability of law enforcement to investigate crimes and maintain public safety, but also impedes judicial services' ability to deliver justice and hold offenders accountable for their crimes. This situation also hinders the development and implementation of traditional victim

The Nation needs funding to address public safety shortfalls. The Nation currently has four (4) 638 contracts that underfunds manpower, operations and maintenance of public safety facility buildings, facility replacement, and equipment, just to name a few.

Law Enforcement historically receives about \$21,906,759 in 638 contract funds. However, the need is currently at \$39,609,031 for Law Enforcement and additionally funding is also needed for Criminal Investigations. As a result, the Nation supplements the shortfall using revenue generated through natural resources, taxes, and other ventures. The recent FY2023 Navajo Nation Comprehensive Budget shows law enforcement receiving \$10,771,843 in Navajo Nation revenue with an unmet need of \$17,702,272 to fulfill the duty of serving and protecting Navajo citizens.

Recommendations for the 119th Congress:

- Congress should conduct hearings from the House and Senate Judiciary Committees, the House Natural Resource Committee's Subcommittee on Indian and Insular Affairs, and the Senate Committee on Indian Affairs. These sessions should include field hearings to review the current state of court and police services within the Navajo Nation and Indian Country.
- Congress should undertake a thorough investigation into the allocation of funds within BIA to understand why the current appropriations fall so far short of the identified needs.
- Congress, in collaboration with tribes, must develop and implement an improved funding model that ensures the consistent and adequate financing of tribal justice systems, securing the resources necessary for these systems to function effectively and equitably.

Federal Declination of Cases

The Navajo Nation is concerned with the significant number of major crimes cases being declined for federal prosecution for crimes committed within our lands, as revealed in the Final Report on Federal Declinations for 2019-2022 conducted by the Navajo Nation Office of the Chief Prosecutor. The issue is prevalent across all three states covering the Navajo Reservation, with systemic failures in the United States Attorneys' Offices for the Districts of Arizona, New Mexico, and Utah. The data shows that the most common federally declined crimes involve child sexual assault and abuse allegations, followed by homicide and assault allegations.

This situation is concerning as it suggests major gaps in the enforcement of federal law, particularly in crimes that carry significant societal impact. The issue is further complicated by the fact that many declination letters lack sufficient information to determine the type of offense investigated and are not delivered in a timely manner. This issue extends beyond the major crimes mentioned, as the report does not account for unreported crimes, crimes closed administratively by the FBI without referral for federal prosecution, or those that were never investigated by federal law enforcement agencies.

Recommendations for the Trump-Vance Administration:

- Ensure that declination letters are delivered to the Navajo Nation Attorney General in a timely manner, and explicitly identify the alleged offense and whom the subject investigated was. This will enable Navajo Criminal Investigators to investigate and prosecute federally-declined cases.
- Increase federal resources dedicated to investigating major crimes within the Navajo Nation. This could involve bolstering the FBI's presence or creating special investigative units focusing on crimes that are most frequently declined for prosecution.
- Conduct a comprehensive review of the decision-making process for federal prosecutions in all three districts. This should include an examination of the criteria used to determine whether a case is pursued, with an emphasis on understanding why such a high number of cases, particularly those involving child sexual assault or abuse and homicides, are being declined.
- Review the recurring failures of the FBI and their field offices to adequately investigate crimes in geographically remote and rural areas. In these areas, local law enforcement and investigators not only have relationships with the communities, but they understand the land and geographic markers that can help locate crime scenes and victims' remains.
- Foster a closer working relationship with the Navajo Office of the Prosecutor and other local law enforcement agencies. This could involve joint trainings, case reviews, and shared investigative efforts to ensure major crimes do not go unpunished and criminals are being held accountable.

Victims of Crime Set Aside Funding

The Tribal Victim Services Set-Aside (TVSSA) Fund is a critical source of federal funding that supports Tribal governments in providing culturally relevant victim services to their communities. Administered by the Office for Victims of Crime (OVC), the TVSSA Fund ensures that Tribal nations have the resources needed to address violence, trauma, and victimization, while promoting healing and justice. However, the decreasing allocation to the Tribal set-aside in recent years has jeopardized the sustainability of these vital services. Without a comprehensive Farm Bill or increased funding in future budgets, Tribal communities risk losing access to these life-saving programs.

Currently, the TVSSA Fund represents only 5% of the overall Crime Victims Fund (CVF), limiting the ability of many Tribal governments to address growing victim service needs. TVSSA funding plays an essential role in ensuring that the Navajo Nation can provide comprehensive victim services for those impacted by violence, trauma, and abuse. Without these funds, Tribal governments would be forced to scale back services, leaving some of the most vulnerable community members—such as elders, survivors of domestic violence, and victims of sexual assault—without adequate support.

The Navajo Nation spans over 17.5 million acres, encompassing remote areas that require culturally relevant, community-based services to ensure access for all residents. Through TVSSA grants, the Navajo Nation can offer direct victim support, such as emergency shelters, counseling, and legal assistance. Additionally, these funds help train advocates and build partnerships with community organizations to improve service delivery.

However, the annual reapplication process for TVSSA funds imposes an administrative burden on the Navajo Nation's victim service programs, diverting staff time away from direct services to comply with complex grant requirements. Simplifying this process and moving to longer project periods would promote more sustainable and consistent service delivery, giving the Nation the ability to focus on healing rather than paperwork.

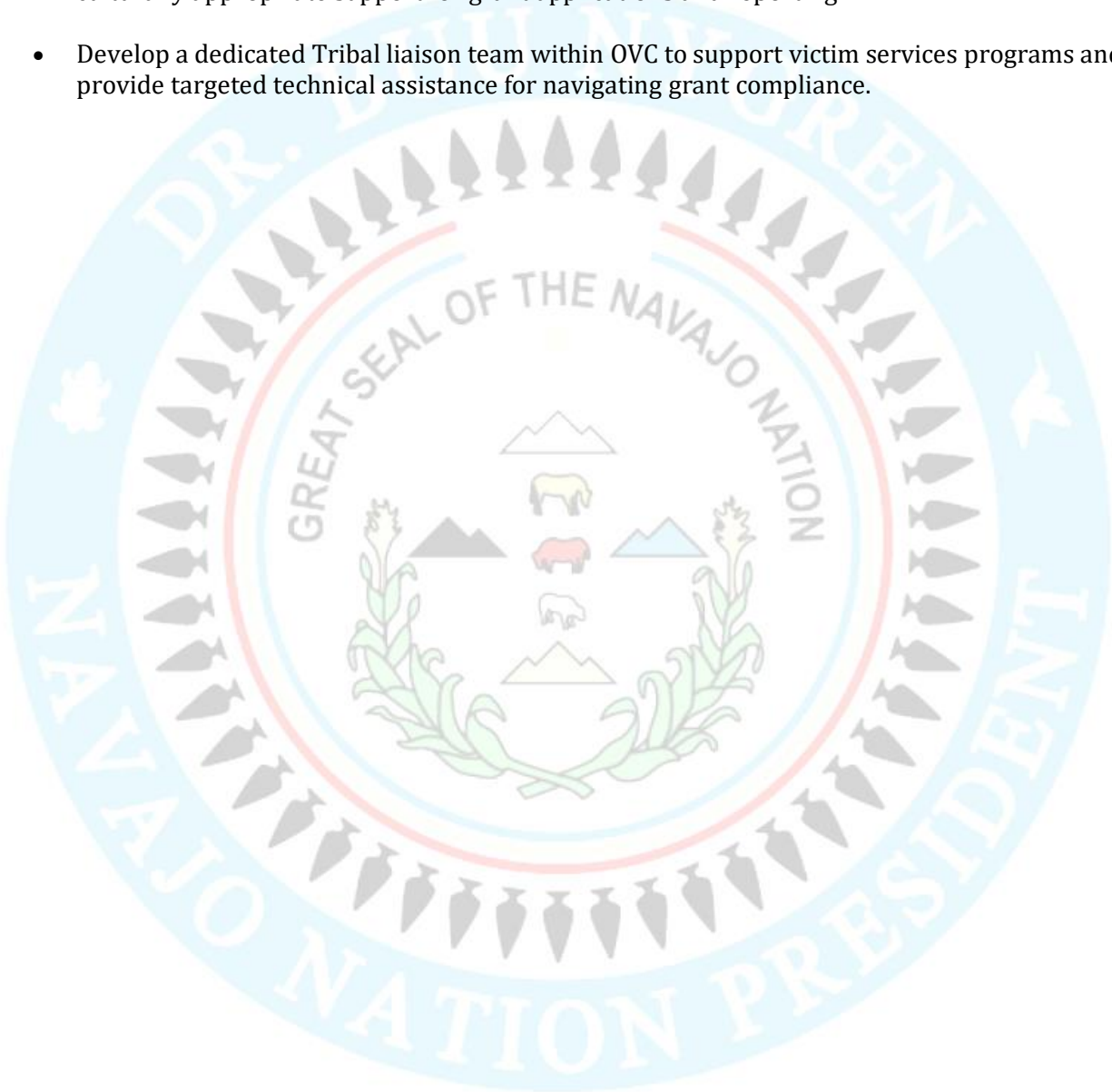
Recommendations for 119th Congress:

- Increase the Tribal Set-Aside allocation from 5% to 10% of the Crime Victims Fund to address the growing demand for victim services in Indian Country.
- Pass legislation that stabilizes and expands the TVSSA Fund, ensuring it remains fully funded regardless of fluctuations in federal budgets.
- Enact administrative reforms to extend project periods to 3-5 years to reduce the need for annual reapplications and allow Tribal programs to focus on service delivery.

Recommendations for the Trump-Vance Administration:

- Simplify grant applications by reducing the number of repetitive questions and requirements for justifying service needs, recognizing that the challenges faced by victims remain consistent over time.
- Allow Tribal nations to submit Letters of Intent instead of full applications in subsequent years of multi-year project periods to reduce administrative burden.

- Implement a five-year grant period for TVSSA funding with the option for annual or as-needed supplemental funding, providing greater flexibility to meet evolving service demands.
- Reduce the frequency of required reports while maintaining accountability, balancing oversight with the capacity of Tribal governments.
- Strengthen collaboration with Tribal Technical Assistance (TTA) providers to ensure culturally appropriate support for grant applications and reporting.
- Develop a dedicated Tribal liaison team within OVC to support victim services programs and provide targeted technical assistance for navigating grant compliance.



Social Services

Indian Child Welfare Act

The Indian Child Welfare Act (ICWA) remains a vital piece of legislation in protecting the welfare of Native children and upholding tribal sovereignty. Despite its significance, ICWA has faced increasing scrutiny and legal challenges, culminating in the U.S. Supreme Court's decision in *Brackeen v. Haaland* on June 15, 2023. In that case, the Court upheld ICWA, reaffirming its role as a critical safeguard for tribes and Native families. The Navajo Nation expresses gratitude to President Trump's Administration for defending ICWA during his last administration. The Navajo Nation hopes that the Administration will continue its strong commitment to upholding ICWA as a matter of legal and moral obligation.

However, even with the constitutional underpinnings of ICWA reaffirmed, significant challenges remain in its implementation. As of September 2023, over 640 Navajo-eligible children were involved in ICWA placement proceedings. These cases are fundamental to preserving Navajo cultural heritage and sovereignty, yet they are often hindered by insufficient communication and coordination between federal, state, and local governments. Moreover, some state governments have yet to enact state-level ICWA laws or refuse to cooperate fully with federal and tribal governments, further complicating the Act's effectiveness. Underfunding presents another critical barrier. Chronic resource shortages make it difficult for tribes, including the Navajo Nation, to adequately participate in legal battles and provide the necessary services to support families and children involved in ICWA proceedings. These financial constraints jeopardize the ability of tribes to uphold ICWA's protections, leaving Navajo children and families vulnerable to the systemic injustices ICWA was designed to address.

Recommendations for the 119th Congress:

- Pass a resolution urging states to enact their own Indian Child Welfare Act (ICWA) laws, reinforcing the federal standards and ensuring consistent protection for Native American children across all jurisdictions.
- Allocate additional resources to support tribal ICWA programs, addressing chronic underfunding and enabling tribes to effectively participate in child welfare proceedings, provide necessary services, and preserve the cultural heritage of Native children. Particularly, the Navajo Nation urges Congress to allocate 2.2 million dollars to the Navajo Indian Child Welfare Act Program in order to address the high number of cases yet to be processed.

Recommendations for the Trump-Vance Administration:

- Maintain the Department of Justice's commitment to defending the Indian Child Welfare Act against legal challenges, ensuring the Act's provisions remain intact to protect the rights of Native American children and families.
- Collaborate with states to promote the adoption and enforcement of state-level ICWA laws, providing guidance and assistance to ensure compliance with federal standards and the protection of tribal sovereignty.

- Facilitate improved communication between federal, state, and tribal governments regarding ICWA cases, ensuring that all parties work collaboratively to uphold the best interests of Native American children.



Older Americans Act

Title VI of the Older Americans Act (OAA) acknowledges the authority of Tribes to set our own age definition for the term “Elder” in order for an individual to be eligible for elder services. The Navajo Nation has set this age at 55 in order to combat the earlier loss of life that our members face as a result of State and Federal actions. The current federal funding formula, however, only provides funding to Tribal grantees based on the number of Elders aged 60 and over. This is an oversight of the Biden Administration, and we hope the Trump Administration will rectify and create an unfunded mandate for Tribal aging programs serving Elders aged 59 and under. Similar problems exist at the State level under the OAA, where the overall funding formula is based on State population totals, which count Tribal populations of Elders as those being aged 60 and older. As a result, Title VI grantees receive only 2% of aging program funding – the lowest of any population – despite our greater needs. The Navajo Nation and other Tribes are sovereign nations and therefore we ought to be able to honor and provide for our Elders as we—a sovereign nation—define them.

Recommendations for the 119th Congress:

- Congress should consider amending the OAA to include allowances for Tribes on the OAA’s enactment based on the lower life expectancy within the Native American community.

Recommendations for the Trump-Vance Administration:

- The Administration for Community Living must revisit and revise the funding formula and distribution process through consultation with Tribes.
- The funding formulas used throughout all Titles of the OAA must account for the Elder age set by Tribes.
- Tribes should receive their own Title III allocation so we can provide the needed funding and services to our Elders.
- The Trump-Vance Administration must encourage the federal government to continue holding Tribal Consultations regarding the OAA to understand the tribe’s perspective in the matter

Behavioral Health Funding

The history of addiction within indigenous groups dates to the period of European colonization and has created a legacy that it's felt to this day in Native American communities. The American Addiction Center recorded that in 2022 around 24% of American Indian and Alaskan Natives in the United States suffered from substance abuse disorder. A more detailed breakdown found in the 2018 National Survey on Drug Use and Health reports that at least 4% of Native Americans have an illicit drug use disorder, and 7.1% have an alcohol use disorder.

In recent years, the opioid and fentanyl crises have become a full-blown epidemic, impacting rural and urban areas indiscriminately and destroying the lives of thousands of Americans, including members of the Native community. The opioid and fentanyl crises are not confined to urban areas, and Native communities have been heavily impacted by the widespread availability of these drugs, which have contributed to rising rates of overdose deaths, addiction, and mental health challenges.

Those affected by the opioid and fentanyl epidemic are twice vulnerable: to the dangers of addiction, and to falling prey to scammers. This is particularly crucial, because it was only in 2023 that countless Native elders fell prey to a Medicare scam as they were lured to travel hundreds of miles towards residential and inpatient centers that did not exist. The Medicare scam promised unhoused, addicted Navajo citizens (mostly elders) placement in a residential treatment facility outside of the Nation in exchange of their Medicare information, only for the scammers to leave these Navajo citizens stranded in Phoenix, Arizona without means to make it back to their tribal lands. In response to this crisis, the Navajo Nation created Operation Rainbow Bridge, meant to bring those who have been displaced back home. The initial displacement, and Operation Rainbow Bridge, however, ended being extremely costly for all parties involved, a cost that could have been prevented if funding for behavioral health programs had been increased.

Now, more than ever, it's time to develop new streams of funding for behavioral health services meant to help those affected by this epidemic.

Recommendations for the 119th Congress:

- Congress must consider increasing IHS' budget in relation to behavioral health initiatives that focus on addiction recovery

Recommendations for the Trump-Vance Administration:

- The federal government should seek to increase funding for behavioral health resources focused on substance abuse and addiction recovery to address the rising concerns nationwide regarding the opioid and fentanyl epidemic.
- The Trump-Vance Administration must encourage the federal government to continue holding Tribal Consultations regarding the matter of behavioral health funding to understand the tribe's perspective in the matter.
- The federal government should work with the Navajo Nation on dual prosecution against the companies that kidnapped the Navajo elders and misappropriated government funds.

Veteran Affairs

Workforce Force Capacity & Veteran Unemployment

Native Americans serve five times the national average in the Armed Forces and have distinguished themselves in every major fight for over two centuries. Native people have the highest per-capita involvement of any population to serve in the U.S. military, given that the population of the United States is around 1.4 percent Native American, and the military is 1.7 percent Native (excluding those who did not disclose their identity). Native Americans also have a greater proportion of female military personnel than all other ethnicities. Nearly 20% of American Indian and Alaska Native servicemembers were female, compared to 15.6% of all other non-native servicemembers. The military is a very attractive option to Indian Country as a pathway off the reservation which often impacts tribal operations as there are more people joining the military or seeking to get off the nation than there are who return home. Additionally, it comes to no surprise that educational disparities often limit the opportunities available to Native Americans especially in the STEM field, even in the military. To qualify for “good jobs” that have transferrable skills outside of Infantry, applicants must have a specific score on the Armed Services Vocational Aptitude Battery Test (ASVAB). Granted there are waivers that can be provided, the DoD is only able to issue a small number of waivers every year.

Recommendations for the 119th Congress:

- Engage in a roundtable discussion with Tribal leaders to discuss possibilities or expanded opportunities for Native American Veterans.

Recommendations for the Trump-Vance Administration:

- Engage in a roundtable discussion between Tribes, Federal agencies, and the White House to discuss possibilities or expanded opportunities for Native American Veterans.
- Organize a meeting between Tribes and military recruiting commanders and Manpower Reserve Affairs to review recruiting and retention metrics and develop an understanding of the transitional phase once military service is complete.
- The VA Tribal Advisory Council should take this issue as an agenda item.
- BIE, boarder town schools, and tribally controlled school should meet to review curriculum and make recommendations to improve ASVAB scores.

Referred Care to the Tuba City Regional Health Care Corporation (TCRHCC)

The Tuba City Regional Health Care Corporation (TCRHCC) has long been a shining example of successful collaboration between Veterans Affairs (VA) and tribal healthcare systems, ensuring that Native veterans—especially those from the Navajo Nation—receive accessible, high-quality care close to home. For years, VA providers stationed at TCRHCC seamlessly referred patients to the facility's specialty services, creating an efficient, patient-centered care model. This arrangement reduced travel burdens, improved health outcomes, and demonstrated how partnerships between federal and tribal healthcare providers can serve veterans in rural and underserved areas effectively.

Unfortunately, this proven system has been disrupted due to the VA's refusal to refer patients to TCRHCC for specialty care, citing the lack of a Community Care Network (CCN) agreement. This enforcement of the rule is both unique and punitive, disproportionately impacting Navajo veterans who rely on TCRHCC for care. Instead of receiving treatment locally, veterans are now forced to travel hours to Flagstaff or other parts of Arizona for specialty services readily available in Tuba City. This policy undermines the efficiency of the established system, imposes unnecessary financial and physical hardships on veterans, and contradicts the VA's mission to provide timely and accessible care to those who served.

In 1868, the United States made a treaty with the Nation pledging to provide, among other things, healthcare to the Navajos and to promote the general welfare of the Navajo people indefinitely.

This issue is particularly concerning given the significant contributions of Navajo veterans to the United States military. From the heroic efforts of the Navajo Code Talkers during World War II to the high enlistment rates among Navajo service members today, the Navajo Nation has consistently demonstrated unparalleled patriotism and dedication to the nation. These veterans have earned the right to healthcare that is accessible, effective, and reflective of their sacrifices.

Recommendations for the Trump-Vance Administration:

- The Secretary of the VA should engage in consultation with the Navajo Nation and TCRHCC to address the stance taken by the VA's Northern Arizona Health Care System and to ensure that Navajo Veterans receive what they are obligated to receive under our Treaty and as Veterans of the United States military.

VA Housing Program & Veteran Affairs Tribal Direct Loan Program

The Native American Direct Loan (NADL) program makes home loans available to eligible Native American Veterans who wish to purchase, construct, or improve a home on Federal Trust land or to reduce the interest rate. Veterans who are not Native American, but who are married to a Native American non-Veteran, may be eligible for a direct loan under this program. The Navajo Nation currently has a Memorandum of Understanding with the VA and can participate in the program. The Department of Veterans Affairs (VA) has made relatively few loans under its NADL program. This program provides loans to eligible Native American veterans to purchase, construct, or improve homes on certain types of land. In October 2021, VA reorganized NADL operations and formed a NADL-dedicated team to strengthen the program. However, GAO identified weaknesses with the NADL program and opportunities for VA to improve management and operations, including data collection and performance measurement, planning, leveraging expertise. In response, the GAO issued 10 recommendations to address the program weaknesses.

Recommendations for the 119th Congress:

- Congress should continue to appropriate funding to support the NADL and the hiring of additional staff to effectively manage the program.

Recommendations for the Trump-Vance Administration:

- The VA should consult with the Navajo Nation to review recommendations provided by the GAO and provide recommendations to improve eligibility on tribal trust land.

Veteran Benefit Outreach Center

The Navajo Nation Veterans Administration is proposing the construction of a regional Veterans Administration Center / Veterans Benefits Administration Center, a one-of-a-kind Community Based Outreach Center of sorts, that is available to all veterans but focuses services on Native American veterans. The purpose of this facility is to provide much needed services in a geographical area that are not currently being delivered by the Department of Veterans Affairs. This facility would serve as a hub for a variety of services that include non-emergency / non-urgent care services typically found outside of a VAMC, such as physical or occupational therapy, mental health services, vocational training and education, temporary / transitional housing, and transportation services, as well as serving as an administrative facility for Navajo Nation, State, and federal VA staff to administer program services. Land withdrawal for development is one of the most challenging tasks to complete on the Navajo Nation.

The Navajo Nation has already chosen and withdrawn a location for this facility. It is situated on New Mexico's Highway 264, less than two miles from the Arizona state line, and adjacent to the Navajo Nation capital in Window Rock, Arizona. It is located adjacent to the future Navajo Code Talkers Museum site. This site has easy access to public roads with heavy traffic, as well as existing power, water, and sewer. It has been determined through surveys that the site is appropriate for the construction of a project of this magnitude. This facility is also consistent with the master plan for this area's development, which will boost the Navajo Nation's economic development efforts.

Recommendations for the 119th Congress:

- Congress must provide adequate funding for facility construction.

Recommendations for the Trump-Vance Administration:

- Signal support for this project and commit to sign any appropriations bill Congress passes into law which includes funding for the facility's construction.

VA Hospital on the Navajo Nation

The absence of a Veterans Affairs (VA) medical center within the Navajo Nation significantly undermines healthcare accessibility for Navajo veterans, many of whom have served the United States with honor and distinction. These veterans, who make up one of the highest per-capita populations of military service members in the country, have long exemplified patriotism and loyalty to the nation. Despite their sacrifices, they are left to navigate considerable barriers to accessing the healthcare benefits they earned through their service.

Currently, Navajo veterans must endure travel times often exceeding four hours to reach the nearest VA medical center. These extensive travel requirements impose significant logistical and financial burdens, especially on elderly veterans or those requiring frequent care for chronic conditions. Such challenges frequently delay or prevent timely access to critical medical services, exacerbating health disparities within this already underserved population.

Establishing a VA medical center in Chinle, Arizona, located within the Navajo Nation, would not only address these accessibility gaps but also serve as a strong demonstration of the nation's commitment to its veterans. This initiative aligns with core Republican values of honoring military service, upholding promises to those who served, and ensuring that rural communities are not left behind. By bringing healthcare closer to Navajo veterans, this effort would strengthen the bond between these communities and the federal government, reinforcing trust and gratitude for their service.

Furthermore, locating a VA medical center within the Navajo Nation would bring long-term economic and strategic benefits. It would create jobs for Navajo healthcare professionals, improve emergency medical response times for veterans, and reduce strain on existing regional VA facilities. By investing in this critical infrastructure, the administration can address an urgent need while cementing its legacy of support for veterans and rural communities.

In light of President Trump's commitment to strengthening the VA system and prioritizing the needs of America's veterans, this proposal offers a unique opportunity to bridge the gap in healthcare access for one of the most dedicated groups of service members in the nation. Establishing a VA medical center in Chinle would be a transformative step toward ensuring that Navajo veterans receive the quality care they deserve while honoring their enduring contributions to the United States.

Recommendations for the 119th Congress:

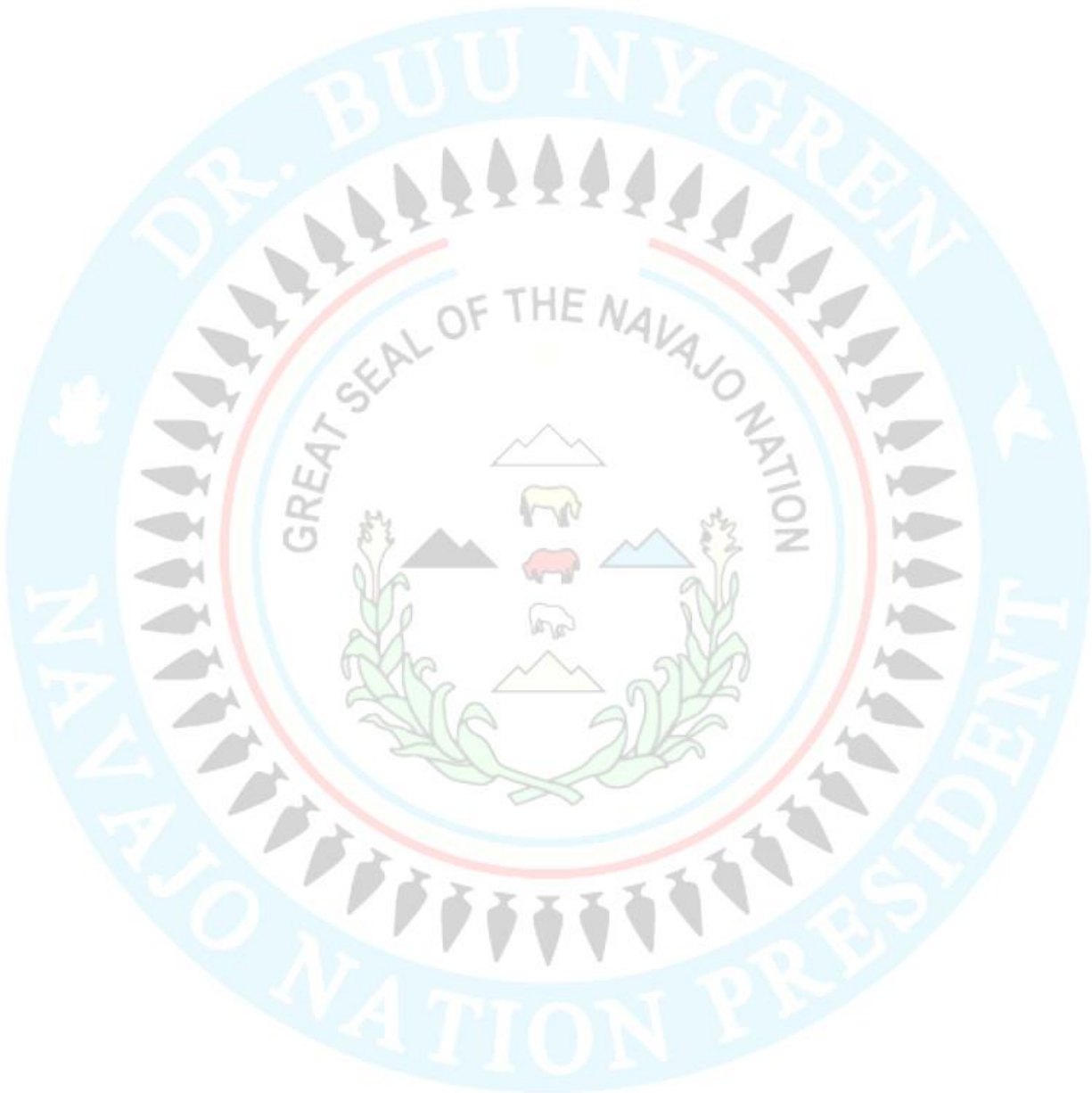
- Allocate \$5 million for a feasibility study for a VA medical center in Chinle, Arizona in partnership with the Indian Health Services.

Recommendations for the Trump-Vance Administration:

- The Department of Veterans Affairs must conduct a comprehensive needs analysis, incorporating key factors such as population demographics, healthcare consumption trends, and the incidence of specific health conditions among Navajo veterans. This data-driven approach will provide an accurate understanding of the healthcare needs of Navajo veterans and pave the way for targeted interventions.
- Actively engage and collaborate with Navajo Nation leaders and tribal health authorities to gain a nuanced understanding of the existing healthcare infrastructure, identify synergistic

partnership opportunities, and ensure the proposed VA medical center aligns with the cultural values and healthcare needs of Navajo veterans.

- Incorporate and expand telehealth services to provide remote healthcare access, especially for those veterans residing in distant areas where travel to a VA medical center is difficult. This digital platform can enhance healthcare accessibility while reducing travel-related barriers.



Human, Civil, International, and Treaty Rights

Tribal Consultation & Government-to-Government Relationships

The federal government has a long-standing and unique government-to-government relationship with Tribal Nations, grounded in the U.S. Constitution, treaties, statutes, and Supreme Court decisions. Executive Order 13175 affirms this relationship by directing all executive departments and agencies to engage in regular and meaningful consultation with Tribal governments in the development of federal policies that have Tribal implications. Ensuring that these consultations are substantive, timely, and productive is essential to upholding Tribal sovereignty and the United States' trust and treaty responsibilities.

While progress has been made in expanding consultation opportunities, there is still a need for greater consistency in how federal agencies engage with Tribes. Tribal consultation must not be treated as a procedural formality but rather as a meaningful dialogue that strengthens partnerships and leads to informed decision-making. Too often, Tribes are given short notice to participate in consultations, receive consultation materials late, or find that meetings are structured in a way that limits genuine discussion. This not only hinders the ability of Tribal Nations to engage fully but also diminishes the effectiveness of the consultation process itself.

For consultation to be meaningful, it must involve decision-makers who have the authority to engage in substantive discussions and respond to Tribal concerns. Tribal leaders should not be met with officials who lack the ability to provide clear answers or make commitments. Federal agencies must ensure that representatives with decision-making power are present, and that consultation is a two-way dialogue that results in real policy considerations and outcomes.

Additionally, consultation should be conducted at a level that reflects the government-to-government relationship. When Tribal leaders engage with federal agencies, responses should come from the equivalent level of leadership to ensure that discussions are taken seriously and result in actionable outcomes. Tribal governments deserve the same level of engagement and respect as state and local governments, consistent with the legal and political status of Tribes.

Tribal Nations are not a diversity, equity, and inclusion (DEI) initiative—they are sovereign governments with a unique legal and political status recognized by the United States. Consultation is not an optional exercise but a critical component of upholding the federal government's obligations to Tribes. We look forward to working with this Administration to strengthen Tribal consultation and ensure that it is a meaningful process that respects Tribal sovereignty and advances the interests of both Tribal Nations and the United States.

Recommendations for the 119th Congress

- Congress should consider legislative measures to hold agency leadership accountable for failures in tribal consultation processes. This could include a system for logging and investigating concerns from Tribal nations regarding consultation practices.
- Congress should request the White House to develop a centralized website that has all ongoing consultations with features that allow us to review the Dear Tribal Leader Letter,

Framing Questions, and an upload mechanism that provides a tracking tool that tells us our comments have been received and reviewed.

Recommendations for the Trump-Vance Administration:

- Federal agencies should proactively and regularly engage with Tribal leaders and advisory groups in the early stages of decision-making processes. This should go beyond the existing consultation mechanisms to include genuine partnerships and collaborative policy development.
- Agencies should provide Tribes with advance notice of consultations, along with complete materials and briefings to enable them to fully participate in the discussion and decision-making processes. Additionally, it is recommended that a quarterly consultation period be implemented. During this period, agencies present their consultations for the quarter, and tribes have until the following quarter to submit their comments. This cycle will provide tribes with adequate time to respond and will prevent last-minute scrambling.
- Federal officials attending consultations should have clear authority to respond to Tribal comments and concerns. If they lack such authority, the presence of decision-makers who possess the needed authority should be mandatory.
- Develop and implement standardized consultation protocols across all federal agencies to ensure consistency in the treatment of Tribes. These protocols should emphasize the importance of two-way communication and the need for a resolution that respects Tribal sovereignty and concerns.
- In situations where the interests of multiple Tribes are at stake, federal agencies should take extra care to ensure all Tribal interests are addressed. This might necessitate additional meetings and efforts to reach a consensus that minimizes harm to all involved Tribes.

Radiation Exposure Compensation Act (RECA)

The Radiation Exposure Compensation Act (RECA), enacted in 1990, was a significant step in addressing the harm caused by radiation exposure resulting from U.S. nuclear weapons production, testing, and uranium mining. The program provided compensation to uranium workers, civilians known as “downwinders,” and individuals involved in nuclear testing who developed severe health issues, such as cancer, due to radiation exposure. Since its inception, RECA has delivered over \$2.6 billion in restitution to more than 41,000 claimants. However, the program expired in July 2024, leaving thousands of potential claimants without access to compensation and health screenings.

Between 1945 and 1962, the U.S. conducted over 200 above-ground nuclear tests, spreading radiation across thousands of miles. At the same time, uranium mining expanded rapidly, exposing workers to dangerous radiation levels without adequate protections. Studies as early as the 1950s linked uranium exposure to deadly illnesses, but workers and nearby communities were not informed of the risks. Communities across the western United States, including the Navajo Nation, suffered long-term health and environmental impacts. Radiation-contaminated materials were unknowingly brought into homes, exposing families to harm. Many uranium workers, downwind communities, and nuclear test participants have faced elevated rates of cancer and other illnesses but were never fully compensated for their suffering. Reauthorizing and expanding RECA is essential to addressing these historical injustices and ensuring all affected individuals receive the support and medical benefits they need.

The current RECA framework limits eligibility to individuals exposed before December 31, 1971, despite continued uranium mining, environmental contamination, and nuclear activities into the 1980s. Additionally, many communities, including those impacted by the Trinity test site in New Mexico and nuclear sites in the Pacific, remain ineligible for compensation. Expanding RECA would extend coverage to post-1971 uranium workers, additional geographic areas, and illnesses previously excluded, ensuring the program aligns with the full scope of its intended purpose.

Recommendations for the 119th Congress:

- Add the bicameral solution by Senator Hawley to any legislative vehicle for FY25 to expand downwinder eligibility to include New Mexico, Guam, Colorado, Montana, Idaho, Missouri and other impacted areas and extend the uranium worker eligibility period beyond 1971 to reflect the continued impact of uranium production.
- Include additional compensable illnesses, such as kidney diseases and other radiation-related health conditions. Accept affidavits as valid documentation for employment, presence in downwind areas, and participation in nuclear activities to reflect historical and Tribal records.

Recommendations for the Trump-Vance Administration:

- Publicly support Senator Hawley’s bicameral solution to enhance the Radiation Exposure Reauthorization Act.

Office of Navajo Hopi Indian Relocation

Navajo-Hopi Settlement Act of 1974 Technical Amendments

In 1882, President Chester Arthur signed an executive order establishing a reservation “for the use and occupancy of Moqui [Hopi], and other such Indians [Navajo] as the Secretary of the Interior may see fit to settle thereon,” thereby creating conflicting land interests between our Tribes. In 1974, Congress enacted the Navajo-Hopi Settlement Act (Relocation Act), which partitioned the disputed land, known as the Joint Use Area, into “Navajo Partitioned Lands” and “Hopi Partitioned Lands” and mandated the relocation of members of each Tribe residing on land partitioned to the other Tribe. Over 16,000 Navajos were forced to relocate through the Act and approximately 100 Hopis. The forced relocation of Navajos was the largest forced relocation of American citizens since the internment of Japanese-Americans during World War II. The relocation was carried out in an inhumane and unjust manner and its harmful impacts are affecting not just the original relocatees but their children, grandchildren, and now great grandchildren.

In 1934, the Congress passed legislation to clarify the western boundary of the Navajo Nation, including by defining an area for the use of Navajo and “such other Indians as may already be located there[.]” The “other such Indians” were determined to be the Hopi and this legislation created additional conflicting land interests. In an attempt to resolve this conflict, the Federal government instituted a 1.5 million acres development freeze over the disputed area, which was known as the “Bennett Freeze.” The Bennett Freeze was in place from 1966 to 2009. Since lifting the Bennett Freeze, Congress has not provided any direct funding to the area to rehabilitate and repair the damages created to the families, the infrastructure, or the land.

The Technical Amendments are designed to be the first step in the final phase of bring closure and humanity to the Navajo Nation and its people by calling on the Federal government to fully take responsibility and honor its obligations to the Navajo people for the hardships created by the imposition of development freezes and the trauma created by the forced relocation.

Recommendation for the 119th Congress:

- Congress should pass the Technical Amendments and fully commit to working with the Navajo Nation to bring closure and humanity to this horrendous period in our history.
- The Technical Amendments must reflect the taking of responsibility by the Federal government for creating the land disputes and myriad of harmful actions it has taken in response to those disputes.
- Restore the Navajo Nation’s original authority under the Relocation Act to make land selections. Currently, this authority resides with the Office of Navajo and Hopi Indian Relocation, an independent Federal agency.
- Acknowledge the surveying error made by the Bureau of Land Management and authorize the Navajo Nation to select an additional 757 acres of land to compensate for that error.
- Expand the beneficiaries of land selected under the Act.

- Authorize the Navajo Nation to designate up to 150,000 acres of land selected under the Relocation Act as an economic empowerment zone or zones, which would allow the Nation to waive certain Federal laws, while keeping in place Navajo equivalents, in order to encourage development and spur economic growth.
- Authorize and mandate studies, plans, and reports on how the relocation and development freezes have impacted the Navajo Nation generally, the Navajo Partitioned Lands, the Former Bennett Freeze Area, and the descendants of Navajo Relocates.
- Authorize the voluntary relinquishments of Accommodation Agreements signed by Navajo families residing on Hopi Partitioned Lands in exchange for relocation benefits.



ONHIR Commissioner

Congress tasked the Office of Navajo and Hopi Indian Relocation (ONHIR) to oversee the forced relocation of Navajo and Hopi members under the Relocation Act. The Relocation Act mandates that the ONHIR Commissioner plan the relocation strategy, administer relocation lands, enter into negotiations between the Navajo and Hopi Tribes, report on the status of the relocation effort to Congress, and generally be responsible and accountable for all the duties in the Relocation Act. Because ONHIR has been left without a Commissioner for nearly 30 years, the position's duties have gone unfulfilled and ONHIR has operated without the necessary political clout, oversight, and—most importantly—accountability that it requires, and the results of have been disastrous.

According to a 2018 Government Accountability Office Report on ONHIR's activities the average time for ONHIR to relocate an eligible household is 8 years; the average time to relocate a household that must undergo administrative appeals is 13.5 years; the average cost for ONHIR to relocate a household is \$515,000, with approximately \$300,000 of that amount going towards ONHIR's administrative costs.

The appointment of an ONHIR Commissioner must be done by the President of the United States and does not require Senate approval.

Recommendations for the Trump-Vance Administration:

- The President must exercise his authority and appoint an ONHIR Commissioner tasked with working with the Navajo Nation to restore the integrity to the agency and fulfill its original mission that “takes into account the adverse social, economic, cultural and other impacts of relocation[.]”

Closing Message

As President of the Navajo Nation, I believe in the power of collaboration and unity to address the challenges and opportunities before us. Working with the Trump administration and the 119th Congress, we have a unique opportunity to advance shared priorities that can make the Navajo Nation stronger and more prosperous for future generations. Together, we can build solutions that empower economic growth, improve infrastructure, create jobs, and ensure that every Navajo family has access to the resources and services they need to thrive.

The Navajo Nation is not just the largest federally recognized tribe in the United States—it is a nation with deep roots, resilient people, and untapped potential. By working together, we can tackle issues like water access, law enforcement shortages, housing, and education, ensuring that the federal trust responsibility is upheld in ways that benefit not only the Navajo people but also neighboring communities and the nation as a whole. This collaboration reflects our shared values of self-reliance, economic opportunity, and strengthening rural America.

One of the most valuable tools we have in forging these partnerships is the Navajo Nation Washington Office (NNWO). Established in 1984, the NNWO has served as the voice of the Navajo Nation in Washington, D.C., advocating for policies, funding, and legislation that honor the federal trust responsibility while supporting the Nation's self-determination and sovereignty. Over the decades, NNWO has built strong relationships with both Republican and Democratic leaders, fostering bipartisan efforts to address critical issues facing the Navajo people and Indian Country at large.

The NNWO operates as the central point of contact for federal partners, bridging the gap between the Navajo Nation and policymakers in the nation's capital. From securing funding for infrastructure projects to protecting tribal sovereignty, the Washington Office ensures that the Navajo Nation's priorities are front and center in conversations about federal policy. NNWO also facilitates collaboration between tribal leaders and federal agencies, helping to align resources and strategies to maximize impact.

The office has a rich history of leadership and advocacy, representing the Navajo Nation's interests on landmark legislation like the Indian Health Care Improvement Act, the Radiation Exposure Compensation Act, and critical water rights settlements. Its efforts have shaped how the federal government fulfills its trust responsibilities and have provided a model for other tribal nations seeking to establish their own representation in Washington.

I invite members of the administration and Congress to visit the Navajo Nation and see firsthand the issues we face and the progress we're making. Likewise, I encourage you to engage directly with the Navajo Nation Washington Office. The NNWO stands ready to partner with the federal government to advance shared priorities, provide insights into the unique needs of the Navajo people, and identify areas where we can work together to achieve meaningful results.

Through continued collaboration, mutual respect, and shared commitment, we can create policies and programs that not only benefit the Navajo Nation but also strengthen the foundation of our great country. Together, we can build a brighter, stronger future for all. *Ahéhee'* (thank you).

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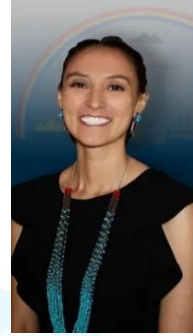
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RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE
25th NAVAJO NATION COUNCIL -- Third Year, 2025

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; APPROVING THE NAVAJO NATION'S OFFICIAL FEDERAL PRIORITIES FOR THE INCOMING ADMINISTRATION AND THE 119TH CONGRESS

WHEREAS:

- A. Navajo Nation 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). Navajo Nation statements of policy must be reviewed and approved by resolution of the appropriate standing committee(s) and the Navajo Nation Council. See 2 N.N.C. § 164(A).
- B. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and empowered the 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).
- C. The Navajo Nation, known as Diné Bikéyah, has existed for centuries, with a governance system rooted in traditional leadership structures that were later formalized through treaties and agreements with the United States Government.
- D. The Treaty of 1868 between the Navajo Nation and the United States is a foundational document establishing a government-to-government relationship, affirming Navajo sovereignty, and providing for the Nation's territorial boundaries and rights.
- E. Over the years, the Navajo Nation has engaged in numerous negotiations with the federal government to uphold its trust responsibilities, including securing resources for education, healthcare, and infrastructure development under the trust doctrine.
- F. The Navajo Nation has played a significant role in shaping national policies affecting Tribal Nations, advocating for legislation such as the Indian Self-Determination and Education Assistance Act of 1975 and the Native American Housing Assistance and Self-Determination Act of 1996.

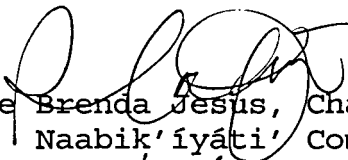
- G. The Nation's unique status as a sovereign government necessitates ongoing consultation and collaboration with the federal government to ensure the protection of treaty rights, natural resources, and the well-being of its citizens.
- H. The Navajo Nation continues to assert its inherent sovereignty and seeks to strengthen its government-to-government relationship with the United States through mutual respect, dialogue, and partnerships in addressing the needs of its people.
- I. The Navajo Nation is the largest land-base Tribe in the country, providing critical services to over 400,000 members, half of whom reside on the Reservation and make up one-third of the on-reservation Indian population in the United States.
- J. The Navajo Nation is committed to promoting tribal sovereignty and the well-being of its members through increased tribal control over federal programming, as well as through economic development such as energy development in the Southwest, gaming, and promoting entrepreneurialism, and in other critical areas.
- K. The 119th Congress will be sworn-in on January 3, 2025, President-Elect Donald J. Trump will be inaugurated as the United States President on January 20, 2025. It is imperative that the Navajo Nation's leadership have authorization to engage with the incoming Congress and President on issues important to the Navajo Nation's communities on day one and those issues are attached and incorporated herein as **Exhibit A**.

NOW THEREFORE, BE IT RESOLVED:

The Navajo Nation hereby approves the official federal priorities of the Navajo Nation, attached as **Exhibit A** and **Exhibit B**. The Navajo Nation requests that all levels of the United States Government accept, act upon and resolve through partnership and consultation with Navajo Nation leadership. The Navajo Nation Council authorizes the Navajo Nation President and the Navajo Nation Speaker or their designees to advocate for these priorities with the federal government.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 15 in Favor, and 00 Opposed, on this 9th day of January 2025.


Honorable Brenda Jesus, Chairwoman Pro Tem
Naabik'iyáti' Committee
01/13/2025
Date

Motion: Honorable Rickie Nez

Second: Honorable Amber Kanazbah Crotty

Chairwoman Pro Tem Brenda Jesus not voting

25th Navajo Nation Council

The Navajo Nation 2025 Federal Priorities for the United States

Presidential Administration and the 119th Congress

The Navajo Nation looks forward to partnering with the Donald J. Trump Administration and the 119th Congress to advance shared priorities that strengthen tribal sovereignty and restores greater autonomy to our Nation. By working together to reduce barriers that hinder development, empower tribes to manage their own resources, and streamline processes that promote self-reliance and economic growth, we can create opportunities that benefit not only the Navajo people but also the broader American community. The Nation remains committed to fostering a productive relationship built on mutual respect and shared goals for a stronger, more prosperous future. The following contains the federal priorities of the Navajo Nation:

- Respect for tribal sovereignty and government-to-government consultation
- Uphold and protect the Indian Child Welfare Act (ICWA)
- Maintain funding for tribes in the Inflation Reduction Act (IRA)
- Maintain all funding levels for tribes with the American Rescue Plan Act (ARPA)
- Remove regulatory barriers to streamline infrastructure approval processes on tribal lands
- Empower tribes to exercise more control over resources on tribal lands
- Support mandatory funding for Contract Support Costs and Section 105(1) Leases under the Indian Health Service and Bureau of Indian Affairs
- Support advanced appropriation for the Indian Health Service
- Reauthorize and amend the Radiation Exposure Compensation Act (RECA) to support Navajo patriots who have been adversely affected by the legacy of uranium mining
- Fund transportation programs to perform road construction and maintenance and remove regulatory red tape preventing the Navajo Nation from performing its own construction and maintenance
- Ensure there is Navajo representation within the Trump Administration and federal agencies
- Increased federal funding and services under the U.S. Department of Veterans Affairs
- Maintain the full funding for the Sanitation Deficiency System (SDS) provided through the Bipartisan Infrastructure Law (BIL) and make funding the SDS mandatory
- Repeal the Department of the Interior's land withdrawal at Chaco Canyon
- Reauthorization of the Native American Housing Assistance and Self Determination Act (NAHASDA)

- Protect and maintain the current designations for the Bears Ears National Monument and the Baaj Nwaavjo I'tah Kukveni-Ancestral Footprints of the Grand Canyon National Monument. Support the Record of Decision for the Resource Management Plan for the Bears Ears National Monument.
- Request the appointment of a member of the Navajo Nation for the IHS director position
- Support the reauthorization of the Special Diabetes Program for Indians
- Support increased funding through Medicare and Medicaid for tribes
- Ensure that Indian's Country's health care needs are met
- Increase funding for the Indian Health Service's construction of new facilities line item
- Increase funding for mental and behavioral services to address the use of fentanyl and opioid use
- Remove Environmental Protection Agency's (EPA) procedural red tape in order to expedite infrastructure development
- Support common-sense environmental measures to promote a healthy and safe environment
- Pass a long-term extension of the Farm Bill to provide funding for the Food Assistance Programs
- Appropriate federal funds to cover Operations and Maintenance costs of and for the completion of the Navajo Indian Irrigation Project (NIIP)
- Ensure that Navajos are able to participate fairly in the democratic processes in all elections
- Reauthorize the Great American Outdoors Act and ensure that the Bureau of Indian Education (BIE) continues to receive their allocation to address the deferred maintenance backlog and need to repair and replace schools funded by the BIE on the Navajo Nation
- Support sufficient funding for tribal law enforcement to bring parity with law enforcement funding in other jurisdictions
- Eliminate dual and triple taxation in Indian Country so that tribes can better leverage their tax codes to be friendlier to outside investment opportunities in Indian Country
- Authorize mandatory spending for the Department of Interior-Office of Justice Services, that will allow Congress to properly fund public safety and justice in Indian Country
- Increase funding to Office of Justice Services-Indian Affairs
- Increase funding to Office of Victims of Crimes and Office on Violence Against Women
- Increase funding for Grant School 100-297 for Tribal Support Cost, School Transportation and ISEP programs
- Increase funding for all Tribal Priority Allocation (TPA) for all programs under Bureau of Indian Affairs
- Support for funding for Tribal Education Departments

- Increasing and maintaining funding for Tribal Grant Support Costs (BIE-funded schools)
- Increase funding for Federal Impact Aid Funds
- Increase funding for facility replacements for Indian Health Services, Bureau of Indian Education and Public Safety facilities
- Increase funding for operation and maintenance for Indian Health Services, Bureau of Indian Education and Public Safety facilities
- Support the continuation of the Office of Navajo Hopi Relocation (OHNIR) for eligible Navajo households and others impacted by the Relocation Act.
- Authorize mandatory spending for the Department of Interior-Office of Justice Services which will allow Congress to properly fund public safety and justice in Indian Country.

The Navajo Nation recommends that Congress enact legislation to Forward Fund the Bureau of Indian Education Higher Education Grant Program.

The Bureau of Indian Education (BIE) Higher Education Grant consists of three budget line items: Scholarships and Adult Education, the Special Higher Education Scholarship, and the Post-Secondary Science Scholarship (collectively the "Grant"). Numerous Indian tribes administer the Scholarship and Adult Education Grant funds through either a P.L. 93-638 Self-Determination Contract or a P.L. 103-413 Self-Governance Compact. Indian tribes routinely do not receive the grant funds until December or January after the beginning of the fiscal year – well after the start of the standard college academic year. Continuing resolutions and government shutdowns further compound this delayed distribution process. In September 2018, the U.S. Government Accountability Office (GAO) reported: "(i)n all but 4 (sic) of the last 40 fiscal years – including the fiscal year 2018 – Congress enacted..." continuing resolutions. When the Federal Government operates under continuing resolutions, federal agency operations are adversely affected, especially those that deliver direct services or contract their program functions. Government shutdowns further compound these adverse effects. In its 2014 report on the 2013 government shutdown on selected agencies, the GAO concluded the "October 2013 government shutdown was disruptive for the selected departments' and components' operations and services." In a similar 2014 study, the Congressional Research Service examined funding issues related to state and local governments. The CRS also concluded that "(d)uring a federal government shutdown, delayed disbursement of federal funds may interrupt program activities." Tribal Higher Education offices have first-hand experience with continuing resolutions and government shutdowns that confirm these conclusions.

The solution to address the delayed distribution process and the effects of continuing federal resolutions and government shutdowns is to forward-fund the Grant program. Forward funding achieves four outcomes: it provides funding for two years in advance, makes funds available on July 1st of each year, ensures timely distribution of funds, shields the Grant from C.R.s and government shutdowns, and allows Indian Tribes to disburse Grants funds ahead of the academic year. Two actions must occur to achieve forward funding: 1) Congress must legislatively authorize forward funding of the Grant, and 2) Congress must make a one-time appropriation of double the current enacted fiscal year enacted appropriation. There is a Congressionally-enacted precedent for forward funding of Federal Indian education programs. Bureau of Indian Education-funded K-12 schools, including P.L. 93-638 and P.L. 100- 297 schools (collectively "BIE Schools") and Tribally Controlled Colleges and Universities (TCUs), are forward funded. In 1978, Congress authorized forward funding to BIA Schools. In 1983, Congress authorized forward funding for TCUs. Last, forward funding of the BIE Higher Education program ensures that it is funded on parity with other Indian education programs

The Navajo Nation recommends that Congress enact legislation to Forward Fund the Johnson O'Malley Program.

The purpose of the Johnson-O'Malley (JOM) program is to meet specialized and unique educational needs of Indian children attending public and some charter schools through supplemental education programs. Designed at the local level under the purview of a local Indian Education Committee where they provide academic support, dropout prevention; and the purchase of school supplies, and Native cultural and language enrichment, particularly for students who are not living near tribal land, may be the only way students can access tribal language and culture programs. Across Indian Country, Indian Tribes administered their JOM Program through P.L. 93-638 self-determination contracts, P.L.106-260 self-governance compacts, or P.L. 102-477 employment, training, and related services plans. While successful,

the administration of local JOM programs is routinely disrupted by Federal funding distribution timelines. In an April 2020 report, the Government Accountability Office found that the “disbursements of JOM funds...are routinely provided later than expected based on contractors’ past experience. For example, 27 school contractors did not receive a portion of their calendar year 2018 funding until September 2019... Further, some of these contractors did not receive any disbursement in the 2019 calendar year until August, months after funds are typically disbursed...(T)he delay in distribution of funds negatively affects the contractor’s ability to plan their JOM activities and provide timely services for their students.”¹ Further, the Federal government routinely operates under continuing resolutions and regular government shutdown. The solution to these issues is to Forward Fund the JOM program. Forward Funding would achieve several outcomes: (1) Provide funding for two years; (2) Make funds available on July 1st, aligning it with state public school education budget cycles²; (3) Allow Indian Tribes and other contractors to disburse Grants funds ahead of the academic year; *4) Shield the Grant from C.R.s and government shutdowns. There is precedent for forward funding of Federal Indian education programs, including Bureau of Indian Education-funded schools (including P.L. 93-638 and P.L. 100-297 schools (25 U.S.C.§2010), Tribally Controlled Colleges and Universities (25 U.S.C. 1810) are all forward funded.

Repeal the Equity in Educational Land Grant Status Act of 1994 University Research Partnership Requirement

Navajo Technical University (NTU) has focused its academic mission and research agenda to address the intersection of science, social, and cultural issues facing the Navajo Nation. Under the Equity in Educational Land Grant Status Act of 1994, Tribal Colleges and Universities (hereinafter “1994 Institutions”) are required to partner with other state Land Grant institutions, research institutions, or USDA facilities. Over the last 30 years, the 1994 Institutions have built their capacity and facilities necessary to conduct world class research. All have sponsored program and grant offices to oversee research grants, Institutional Review Boards, and qualified Principal Investigators. This requirement has served its purpose. NTU request Congress to repeal this requirement so the 1994 Institutions can exercise their judgment, and expertise in conducting research and work to solve tribal, regional, national, and global agriculture, land, and environmental challenges.

NAVAJO NATION

533

1/9/2025

Naa'bik'iyati' Committee Regular Meeting

01:27:22 PM

Amd# to Amd#

New Business: Item A. [MAIN]

PASSED

MOT Nez, R

#0271-24

SEC Crotty, A

(Modified)

Yeas : 15

Nays : 0

Excused : 5

Not Voting : 3

Yea : 15

Arviso, S

Crotty, A

Nez, A

Yanito, C

Begay, N

Daniels, H

Nez, R

Yazzie, C

Charles-Newton, E

James, V

Parrish, S

Yazzie, L

Claw, S

Mitchell, A

Tolth, G

Nay : 0

Excused : 5

Begay, H

Johnson, C

Slater, C

Tso, O

Curley, C

Not Voting : 3

Simonson, G

Simpson, D

Notah, N

Presiding Speaker: Jesus, B