



BUREAU OF INDIAN AFFAIRS NAVAJO REGION

Report to the 24th NAVAJO NATION COUNCIL



In celebration of Spring 2021, the BIA Branch of Natural Resources Western Navajo Agency (WNA) continues to restore Tsegi Canyon located on the Navajo Reservation. WNA staff are planting willow to prevent stream bank erosion. In turn, it helps the Navajo agriculture producers who depend on the water and the land for production

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April 19, 2021

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Acting NAVAJO REGIONAL DIRECTOR COMMENTS

In the past few months, within an unprecedented dark period in our history, the Bureau of Indian Affairs (BIA) Navajo Region (NR) remained steadfast as a vigilant and supportive partner to the Navajo Nation. As the COVID-19 pandemic storm engulfed the tribal communities across the United States, Navajo tribal members looked to the Navajo Nation and its partners in confronting what Navajo leaders have called a Modern Monster, the coronavirus.

The virus, invisible and silent, upended our basic foundations of how we thrive as a society. Our governmental processes and procedures were shut down or curtailed. Our core governmental functions were hamstrung. Our means of communication were severely transformed, from in-person to using technologically challenged tools that are not optimal. Our families were devastated by the passing of our loved ones, all too soon. Our young ones were uncomfortable with the drastic change because they no longer could see their friends. Our elders were mournful and shared historical stories describing such trauma. Yet amid this changed landscape, we have had many champions that rose to the challenge, did what was critical so we can succeed despite the epidemic.

As we provide this report, we honor our frontline workers, doctors and nurses giving all that they can; our law enforcement, those working tirelessly at all hours to secure, protect, and preserve our tribal communities. We honor our leaders, who were tasked to step up and make a difference for those in need who have little resources. We honor our tribal workers, who were working hard to complete routine work when the pandemic came upon them making work nearly impossible. We honor our Federal partners, those like Indian Health Service who attacked the contagion armed with fierce determination. We honor our BIA employees who completed important work during this trying time, upholding and fulfilling our trust responsibility.

As we emerge stronger from this dark period, we can build on our resilience to achieve more success. We have amazing employees who find creative ways to address the needs of our tribal communities.

This report is to highlight the numerous activities and achievements by our valuable BIA Navajo Regional team. We remain steadfast in supporting the Navajo Nation. Together we are emerging out of the pandemic with resolve and fortitude for our tribal family. If you have any questions on the report or a specific matter, please reach out at lester.tsosie@bia.gov or at (505) 713-9188. Thank you. Ahéhee'.

Best regards,


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Lester K. Tsosie
Acting Regional Director, Navajo

OFFICE OF TRIBAL GOVERNMENT SERVICES

The Office of Tribal Government Services (OTGS) continues to represent the Bureau of Indian Affairs at various governmental meetings including the Navajo Nation's Office of the President and Vice President, Navajo Nation Council meetings, Navajo Nation Council Delegate meetings, and Navajo Nation Council Committee meetings with Navajo Nation leadership as well as at specific Federal Agency project meetings such as BLM RMPA and IWMP EIS.

For the spring quarter, the BIA referred 111 requests to the Navajo Nation Office of Vital Records/Enrollment program regarding Certificate of Indian Blood (CIB) for prospective membership. The CIB requests range from individuals seeking scholarship and benefits to prison inmates seeking membership with the Navajo Nation.

In addition, the OTGS continues to provide updates to the Navajo Nation regarding national Tribal initiatives from the Office of the Assistant Secretary, Indian Affairs, including transmittal of 16 "Dear Tribal Leaders" letters to the Navajo Nation. Copies of the "Dear Tribal Leaders" letters and transmittals are attached under Appendix A.

The Tribal Operation's Specialist also serves as the Awarding Official Technical Representative (AOTR). The AOTR report for contractual P.L. 93-638; Higher Education, Tribal Enrollment and Tribal Courts program is on page 33 and 34 of the report.

FEDERAL INDIAN MINERALS OFFICE (FIMO)

Since March 2020, the Federal Indian Minerals Office (FIMO) has been very busy during the COVID-19 pandemic. We have been addressing many of the legacy projects. Working through these projects to completion has been rewarding. FIMO continues to work through the daily activities related to Oil & Gas production and royalty payments to the Indian Allottees. Prices are steadily increasing, and companies are beginning to start new work in the field. FIMO continues to stay busy with the multitude of calls from the allottees regarding issues and concerns related to US President Biden's directive related to oil & gas activity.

Ongoing Projects:

- Lease Sale – FIMO is close to having an Oil & Gas Competitive Lease Sale since 2000. Although we have encountered many obstacles, we are committed to finalize the sale. We will be offering up 40 Navajo Allotments covering approximately 6,400 acres and encompassing approximately 2,000 individual owners. The DRAFT environmental assessment is currently being completed and will be posted for 30-day public comment in April 2021. This work allows us to tentatively schedule a competitive lease sale in the May 2021 timeframe.
- Resource Management Plan Amendment/Environmental Impact Statement - The BLM/BIA co-lead project has been put on a pause status to allow for the NHPA Section 106 Consultation of the Programmatic Agreement an opportunity to be completed and implemented with

cooperating tribes. This is a result of the COVID-19 social distancing restriction. The projected final Record of the Decision is tentatively scheduled to for Fall 2022.

Accomplishments:

Due to the COVID-19 directives from both the Navajo Nation and Center for Disease Prevention and Control, FIMO has worked very hard to come up with innovative ways to continue to assist and support the Allottees. Through these creative ways, note the following:

- Outreach – FIMO tested an outreach session utilizing a telephone application. FIMO mailed out over 1,000 post cards giving detail information as to how to call into the outreach session. The main topic of discussion was related to Probate, as FIMO has been receiving many calls related to many decedents because of the COVID-19 virus. We will continue to evaluate and move forward to conduct outreach to the allottees. FIMO continues to provide services in assisting allottees with the various issues and concerns they may have. FIMO received and assisted with 214 calls/walk-ins for the second quarter. Most of the calls received were related to Oil & Gas distribution, probate questions and statement printout for revenue assistant from other agencies.
- Inspection & Enforcement - BLM Inspection and Enforcement (I&E) completed 395 well inspections on Navajo Indian Allotments for the Second Quarter FY 2021. There were 3 wells witnessed for oil sales; there were 38 written incident of noncompliance, and 140 record reviews were completed for this quarter.
- Environmental Surface Inspection – There were 25 surface inspections completed for this quarter. There were 159 wells site inspected and ready for final abandonment notice for closure.
- Leasing Assignments – FIMO approved/acknowledged 32 assignments for change of Operator and or Title transfer, because of leases sold to other companies for processing this quarter.
- Lease Termination/Cancellation - FIMO terminated 4 leases for this quarter. FIMO is currently working on an additional 87 leases to terminate.
- Application for permit to drill (APD) – There were no notice of staking for proposed well pad installation and 3 Application for Permit to Drill (APD) submitted for the second quarter. The 2 APDs were reviewed, cleared for all NEPA compliance and have been approved, both located within an existing unit.
- Audit/Compliance Reviews – FIMO auditor’s work plan for FY 2021 includes 24 new cases, carrying over 15 compliance reviews from FY 2020. Auditors continued to work and complete the 15 carry over for this quarter.
- Royalty Distribution – There were approximately \$4,902,335 royalties distributed to mineral owners for the second quarter, a slight decrease from the first quarter. Oil prices and production have stabilized recently. The prices are slightly increasing toward the end of this quarter.

As the 2nd quarter is closing, with prices slightly increasing for both oil and gas, FIMO continues to commit to services all allottees

ADMINISTRATIVE AND MANAGEMENT SUPPORT

BRANCH OF ACQUISITION OPERATIONS

For this quarter, Branch of Acquisitions completed the following work:

- Contract No. 140A0919F0063 was awarded to Barnhart-Taylor, Inc. in the amount of \$4,668,230.00 for the renovation of Government Quarters at Nazlini Community School. Construction has started and is ~50% complete. Material submittals are being sent in for review and approval.
- Contract No. A14PX02037 for the Helitak pad located at the Window Rock airport for the BIA Fire Management Office has been completed. A final inspection was held on February 11, 2021. Upon completion of the deficiencies, a certificate of occupancy was issued for the building on March 18, 2021.
- Contract No. 140A0919F0062 was awarded to Cherokee CRC in the amount of \$1,553,733.66 for the design and construction of a new sewer lagoon for Wide Ruins Community School. The design is 100% complete and construction has started. Excavation has started.
- Purchase Order No. 140A0920P0057 was awarded to Speedy Striping for striping of highways for various BIA routes within Chinle and Western Navajo Agency. Work has been completed for Western Navajo Agency and work has started for the Chinle Agency. Project is ~60% complete. The project will start up in April after the winter shutdown.
- Contracts for noxious weed projects have been awarded for Western Navajo Agency and Eastern Navajo Agency within the Navajo Region.
- Staff continues to monitor and administer on-going contracts that have been issued in previous fiscal years for construction and services.
- Staff has responded to data calls from Central Office regarding various acquisition requirements.
- A total of 90 purchase requests with a value of \$3,459,735.43 have been received for processing for Fiscal Year 2021.
- The work in progress for the school construction contracts is benefiting the members of the Navajo Nation by maintaining and upgrading the deteriorating BIE school conditions where many Navajo Nation students attend.
- BIA highways within the Navajo Reservation are being maintained and repaired for the safety of the traveling public which include members of the Navajo Nation and local bus routes for the safety of the students.

BRANCH OF PROPERTY

On January 11, 2021, Property staff initiated the Fiscal Year 2021 Annual Inventory of personal and real property. This annual work includes physical inventories and securing all supporting documentation for the Regional Property Officer for adjustments in Financial Business Management System (FBMS) by April 30, 2021. All adjustments must be no later than May 31,

2021. Due to the COVID-19 pandemic restrictions and employees teleworking, completing the inventory work was significantly impacted. In addition, staff continued to work on records clean-up, including electronic records within FBMS.

Property staff continue to update and enter the large BIE computer purchase into FBMS inventory system. The purchase was for remote and distance learning tools for tribal community students during the COVID-19 pandemic. All 5,180 computers assigned to the Navajo Region BIE schools have been received and tagged for accountability and inventory purposes.

Property's Realty Specialist assisted in the completion of a Permission to Cross Administrative Lands for a 4- and 6-inch gas line to Two Grey Hills High School. A Grant of Easement for Right-of-Way, No. AZ2020-32, was completed that authorizes the Navajo Tribal Utility Authority to construct, operate, and maintain a Fiber Optic distribution line to service the Tuba City Boarding School facilities and Tuba City Regional Health Care Corporation. The Fiber Optic distribution line is within the BIA Administrative Reserve Lands in Tuba City.

BRANCH OF BUDGET MANAGEMENT

FY 2021 - Below is a summary of FY 2021 funds provided to the Navajo Nation under P.L. 93-638 contracts, as of March 31, 2021. The funding provided totals \$59,635,377.00 with \$501,339.00 available for tribal drawdown and \$22,295,479.00 to be awarded.

NAVAJO NATION P.L. 93-638 FUND STATUS as of March 31, 2021						
Fund	FA Budget Program	Funds Available	To be Awarded	Not Drawn down	Distributed as of 03.31.2021	Available Funds
212A2100DD	A0H901010 : SOCIAL SERVICES-TPA	5,527,727.00	5,211,331.00	291,733.00	5,503,064.00	24,663.00
212A2100DD	A0H901040 : Domestic Violence	146,000.00	146,000.00		146,000.00	0.00
212A2100DD	A0H913030 : WELFARE ASSISTANCE-TPA	16,938,148.00	16,938,148.00		16,938,148.00	0.00
212A2100DD	A0H922020 : IND CHILD WELFARE ACT-TPA	1,239,861.00	0.00	0.00	1,239,861.00	0.00
21XA2100DD	A0H937070 : HOUSING IMPROV PRGRM-TPA	3,795.00				3,795.00
212A2100DD	A0J304545 : Conservation Law Enforcem	47,000.00	0.00	0.00	47,000.00	0.00
212A2100DD	A0J908080 : TRIBAL COURTS PROGRAMS-TPA	1,496,334.00	0.00	0.00	1,496,334.00	0.00
212A2100DD	A0N301010 : IRRIGATION, OPER & MAINT	5,500,000.00	0.00	0.00	5,500,000.00	0.00
212A2100DD	A0N6A3031 : FOREST MARKETING ASSIST	25,993.00	0.00	25,993.00	25,993.00	0.00
212A2100DD	A0N9A0505 : NATURAL RESOURCES -TPA	4,315.00				4,315.00
212A2100DD	A0N9B1010 : AGRICULTURE PRGRM-TPA	1,295,340.00	0.00	0.00	1,295,340.00	0.00
212A2100DD	A0N9C3030 : FORESTRY PROGRAM -TPA	750,153.00	0.00	0.00	750,153.00	0.00
212A2100DD	A0N9D4040 : WATER RES PROGRAM -TPA	718,077.00	0.00	183,533.00	718,077.00	0.00
212A2100DD	A0N9E5050 : WILDLIFE&PARKS PRGRM-TPA	514,389.00	0.00	0.00	514,389.00	0.00
212A2100DD	A0R9D4040 : ENVRMNTL QLTY PRGRM-TPA	115,385.00	0.00	0.00	115,385.00	0.00
212A2100DD	A0T902020 : OTHER AID-TRBL GOV -TPA	982,315.00	0.00	0.00	982,315.00	0.00
212A2240DD	A3T937070 : CSC CONTRACT SUPPORT TPA	6,990,753.00				6,990,753.00
212A2100DD	AEE904040 : JHNSN O'MALL A GR TPA BIA	3,844,395.00	0.00	80.00	3,844,395.00	0.00
212A2100DD	AEE931010 : TRIBAL SCHOLARSHI TPA BIA	13,495,397.00	0.00	0.00	13,495,397.00	0.00
FY-2021 TOTALS		59,635,377.00	22,295,479.00	501,339.00	52,611,851.00	7,023,526.00

FY 2023 Budget Formulation

For the FY 2023 Budget formulation process, to ensure that tribes can provide meaningful input into the Indian Affairs (IA) budget request, IA intends to use a tribal Preferred Program Ranking tool. This ranking tool allows the IA, Office of Budget, and Performance Management (OBPM) to reach out to tribes for their input into the Budget Formulation Process.

This tool asks tribes to outline their top funding preferences within eight (8) different strategic funding categories.

- 1) Strengthening Tribal Communities.
- 2) Trust Natural Resources Management.
- 3) Trust Land & Water Rights Management.
- 4) Public Safety and Justice.
- 5) Economic Development.
- 6) Education.
- 7) Construction; and
- 8) Resource Management Construction.

Within each strategic category, there are budget lines outlined that support the overall accomplishment of that strategy. Each budget line also includes a brief description of the activities/projects/work supported by the funding provided on that budget line.

A virtual meeting on the FY 2023 Indian Affairs Budget Formulation was held on November 5, 2020 with representatives of NN OMB, NN President's Office and BIE. Information provided at this meeting included guidance on the FY-2023 Budget Formulation and NN Previous FY-2022 Preferred Program Rankings.

The Navajo Nation 2023 budget formulation package was due to Navajo Region BIA by February 1, 2021. The submission includes: Tribal Preferred Program Ranking Tool with Narratives & Success Stories.

In March – April 2021, the Tribal Interior Budget Council (TIBC) National Budget Meetings was held with Central Office Programs, Tribal representatives, and TIBC subcommittee members to participate in budget negotiations with the Assistant Secretary-Indian Affairs.

TRUST SERVICES

BRANCH OF NATURAL RESOURCES

Navajo Regional Office

The Agency Natural Resource Managers attended and participated in the weekly meeting with Navajo Region Supervisory Natural Resource Specialist. The weekly meeting is held to update participants on Navajo Region policies, activities, and Regional Branch of Natural Resources Agency updates. The meetings keep the Branch of Natural Resource up to date on current guidance and activities surrounding the Navajo Region's response to the Indian Affairs COVID-19 Adaptive Operations Recovery Plan and employee safety measures for Navajo Regional offices. The Natural Resource Manager did a quick update report on Agency activities, and specific updates on the Noxious Weed and Range project proposals for the annual Central Office funding.

The Branch of Natural Resource staff attended the weekly work sessions, via MS Teams, regarding the Navajo Nation Integrated Weed Management Plan (IWMP) and the pending National

Environmental Policy Act (NEPA) compliance document preparation. The Navajo Regional Office is preparing a Programmatic Environmental Impact Statement (PEIS) in compliance with NEPA to determine the most effective and appropriate methods to treat noxious and invasive weeds on the Navajo Nation. This document will evaluate the impacts of noxious weed treatments in the Proposed Action and alternatives. The evaluated treatments will provide the BIA, Navajo Nation, and Cooperating Agencies with the tools to implement an integrated approach to treating weeds on the Navajo Nation.

A meeting was held on February 9, 2021 with the Navajo Nation Department of Agriculture and Navajo Nation Parks and Recreation to discuss their program's weed concerns and related projects and efforts concerning the proposed Agricultural Resource Management Plan and issues related to free ranging livestock and revegetation guidelines the two programs have.

Fort Defiance Agency

50 Non-Compliance Letters:

Fort Defiance Agency Branch of Natural Resources staff mailed out letters to individuals who are in non-compliance. The non-compliance letters include individuals with overstock livestock, expired state brands, grazing within the wrong district/unit, and using a deceased individual grazing permit. Non-compliance letters were also mailed to individuals who do not have a grazing permit but allowed their livestock to graze. Non-permit holders were advised that they must confine their animals 24/7.

Conservation Plans:

The Branch of Natural Resource staff continued working on conservation plans for District 7, 14, 17 and 18 permit holders. The conservation plans were written for each grazing permit that are transferred or probated.

Utilization:

Utilization studies started for each district within the Fort Defiance Agency. The utilization study determines the vegetation grazed by the livestock. The utilization studies will help in the evaluation of grazing management on the Navajo Nation.

District 14, District 17, and District 18 Utilization Results:

- Slight (0-20%): Range shows no evidence of use by livestock, or range has the appearance of very light grazing. The key forage plants may be topped or slightly used. Current seed stalks and young plants of key species are minimally impacted.
- Light (21-40%): Range may be topped; skimmed, or grazed in patches, low value plants un-grazed; 60 to 80 percent of the number of current seed stalks of key plants remain intact. Most young plants are undamaged.
- Moderate (41-60%): Range appears entirely covered as uniformly as natural features and facilities will allow. 15 to 25 percent of the number of current seed stalks of key species

remain intact. No more than 10 percent of the number of low value forage plants utilized (Moderate use does not imply proper use).

- Heavy (61-80%): Range has appearance of complete search. Key species almost completely utilized with less than 10 percent of the current seed stalks remaining. Preferred shrubs hedged, shrub clumps may be slightly broken, shoots of rhizomatous grasses are missing. More than 10 percent of the number of low value forage plants utilized.
- Severe (81-100%): Range has mown appearance. Indications of repeated coverage. No evidence of reproduction or current seed stalks of key species. Key forage species completely utilized. Remaining stubble of preferred grasses grazed to soil surface. Shrub clumps hedge or broken. Preferred shrubs hedged, shrub clumps may be slightly broken, shoots of rhizomatous grasses are missing.

Feral Horses:

Range Technicians assisting Navajo Nation Department of Agriculture with horse rescue operation. Fort Defiance Agency hauled 74 horses from NAPI, 93 from Cornfield Chapter, and 56 horses from Bird Springs Chapter.

Chinle Agency

Noxious Weed Inventory & Mapping Project:

The Chinle Agency submitted to the Navajo Region Contracting Office for solicitation for the noxious weed inventory & mapping of the rights of way (ROW) for N-59 & Indian Route-12. Chinle Navajo Agency is using FY 2020 carry over funds for this year's project. Both roads are within Chinle Agency and never been sprayed for noxious weed before. The project will inventory & map the noxious weeds within the ROW to determine weed species and size of weed infestation.

Land Management District 10/Land Management District (LMD) 9 Boundary Fencing Project:

This project is an ongoing coordination between the Chinle & Shiprock Agencies and respective chapters along the proposed LMD Boundary. Public meetings were held prior to the start of construction. The District Grazing Committee from both respective agencies supported by Resolution & endorsed this project which establishes rangeland stocking rates & carrying capacities. The project started at the onset of the pandemic in March of 2020. The District Grazing Committee, Chapter Volunteers and Navajo Nation Department of Agriculture Conservation Corps installed the 7.1-mile fence. The project is 99% complete. The installation of the cattle guards & concrete sills on BIA N8066 is the final phase.

Navajo Partitioned Lands

Status of Livestock Grazing Permits Reissuance:

Reissuance of grazing permits is BIA's priority. Reissuance of permits is divided into three phases. These phases were created by the Navajo Partitioned Lands (NPL) District Grazing Committee,

Navajo Department of Agriculture and BIA Branch of Natural Resources. Phase 1 has been completed. Phase 2 and Phase 3 is now currently ongoing.

As of March 2021, twelve (12) grazing permits were reissued to those listed in the Phase 1 for individuals that met the eligibility requirement. These grazing permits were reissued in the following Chapters: Whitecone (issued 5 grazing permits), Teesto (issued 3 grazing permits), Forest Lake (issued 1 grazing permit), Black Mesa (issued 1 grazing permit), and Low Mountain (issued 2 grazing permits); and these permittees are in compliance with 10 Sheep Unit Year Long (SUYL).

Twenty-nine (29) eligible individuals in Phase 1 have not been issued a grazing permit since these individuals are not in compliance with the ten sheep units. The 10 Sheep Unit has received the concurrence of the NPL District Grazing Committee, the Resources and Development Committee (RDC), RDCMA-27-18, of the 24th Navajo Nation Council and supported by former President Russell Begaye.

The ten sheep units is based on lack of forage caused by the prolong drought, feral horses, and grazing of unauthorized or unpermitted livestock. NPL Office will continue to assist the Navajo Department of Agriculture and the Grazing Officials in issuing grazing permits.

NPL District Grazing Committee Meetings:

Supervisor, Rangeland Management Specialist, and Range Technicians have been attending the District 4, District 7, and the Joint NPL DGC meetings via teleconference with brief reports provided on NPL project activities; (1) Status of permit re-issuance, (2) request for livestock tally counts, (3) status of windmill assessments, (4) completion of Precinct 2 Archeological survey Scope of Work (SOW) on the proposed range unit boundary, (5) development of public education materials, (6) weed treatment project for N6 Highway ROW within the Whitecone Chapter, (7) earth dam rehabilitation, and (8) review/update the Range Management Plans and conduct vegetation utilization studies.

Earth Dams:

In 2020 the NPL office is completing repairs of 21 earthen dams at a cost of \$230,000 with funding from the BIA Navajo Region. This year the BIA Navajo Region provided additional funding in the amount of \$150,000 to repair seventeen (17) earth dams. The project will be undertaken within the next three months and the goal of the project is removal of slit, back fill and compaction of banks and berms, and installation of an emergency spillway. Repairs to be made are to existing earth dams. The location of the proposed earth dams to be repaired are shown in the following table.

NPL Earthen Dam Rehabilitation Locations

No.	Chapters	Range Units	No.	Chapter	Range Unit
1	Shonto	103	11	Hardrock	303
2	Shonto	109	12	Forest Lake	302

No.	Chapters	Range Units	No.	Chapter	Range Unit
3	Shonto	110	13	Forest Lake	302
4	Shonto	110	14	Pinon	401
5	Shonto	109	15	Low Mountain	409
6	Shonto	103	16	Black Mesa	311
7	Hardrock	304	17	Black Mesa	311
8	Hardrock	303	-		
9	Hardrock	305	-		
10	Hardrock	304	-		

Shiprock Agency

District 12 Weed Inventory Project:

The Shiprock Agency Branch of Natural Resources completed a request to complete a noxious weed inventory for the Shiprock Agency District 12 portion of the Navajo Reservation. The project will inventory noxious weeds within the washes and drainages that flow into the San Juan River in Grazing District 12. The Agency is currently requesting funding from central office to complete the weed inventory using BIA's non-based weed funding.

San Juan River Invasive Weed Species meeting:

The meeting was held in conjunction with BIA Noxious Weed coordinator, Shiprock Chapter President Chili Yazzie, Dine Land Grant Office, and Capacity Builders. Supporting resolutions were obtained from District 12 Grazing Committee, District 13 Grazing Committee, San Juan Irrigation Farm Board, and the Northern Navajo Agency Grazing Committee. The group made recommendations that they create a watershed plan within the San Juan River Basin in the future.

McCracken Mesa Range Inventory:

The Shiprock Agency Branch of Natural Resources is in the process of funding a Range Inventory study for the McCracken Mesa portion of Aneth Chapter in grazing District 12. Currently, a Statement of Work and Purchase requisition have been generated for the project. The project will utilize carryover funds from FY 2020. The data will be used to issue grazing permits in the region.

District 9 Range Inventory:

The Shiprock Agency Branch of Natural Resources proposed a Range Inventory study for District 9 portion of the Shiprock Agency. Currently, a Statement of Work and proposal have been submitted to the Navajo Region. The project will be ranked, and possible funding sources will be identified.

District 13 Weed Inventory:

The Shiprock Agency completed a request to complete a noxious weed inventory for the District 13 portion of the Navajo Reservation. The project will inventory noxious weeds within the washes and drainages that flow into the San Juan River in Grazing District 13.

The project has been funded and will commence in March 2021. The Agency is currently scheduling prework meeting with the contractor.

Feral Horses:

The Shiprock Agency Branch of Natural Resources continues to assist the Navajo Nation Department of Agriculture and the Navajo Nation Department of Resource Enforcement with feral horse roundups, seizures, right of way removals and the equine rewards program. A total of 80 horses were removed this quarter which is the equivalent to a total of 400 sheep units. The horses were transported off the Navajo Nation.

Other Activities:

The Shiprock Agency Bureau of Natural Resources staff continues to serve the Navajo people by attending the Districts 9, 12 & 13 Grazing committee meetings and attending the Northern Navajo Farm board meetings. The Shiprock Branch of Natural Resources staff also provides guidance on conservation plans and information on topics like conservation practice recommendations.

Western Navajo Agency**The Former Bennett Freeze Area Integrated Resource Management Plan:**

The draft Integrated Resource Management Plan (IRMP) for the Former Bennett Freeze Area (FBFA) has been completed and available at <https://www.bia.gov/regional-offices/navajo/western-navajo-agency/environmental-assessment>. The Navajo Nation 24th Council Resources & Development Committee formally accepted the IRMP by resolution. The BIA and its contractor are in the process of completing the Programmatic Environmental Assessment (PEA) for the FBFA IRMP. The Draft PEA will be reviewed by the Interdisciplinary Team during the month of April 2021. The public review of the PEA for the FBFA IRMP is scheduled for April 28, 2021 to June 18, 2021 (38 days). Due to the ongoing COVID-19 pandemic, the Interdisciplinary Team has been meeting via teleconferencing. The BIA is working hard to ensure public participation in the development of the PEA and to make sure to achieve maximum public participation in the PEA process under the current difficult circumstances caused by the ongoing COVID-19 pandemic.

FBFA Livestock Water Project:

The Western Navajo Agency (WNA) Branch of Natural Resources (BNR) continues to work with the Navajo Nation Department of Water Resources (NNDWR) and the BIA Navajo Regional Office staff prepared development plans of a livestock water standpipe for individuals who haul water for livestock and farming. Based upon the certified land survey and assessments, the Cameron Chapter can initiate a land withdrawal process identified in the Navajo Nation's General Leasing Act. The BIA has developed a statement of work for the design and installation of the pipeline and the standpipe. The BIA will be bidding out the work Spring of 2021.

Land Management District (LMD) 3 and LMD 5 boundary fence reconstruction and LMD 1 and LMD 3 Boundary Fence Project:

The Southwest Conservation Corps (SCC) fencing crew is tasked to remove the old LMD fence and rebuild the fence with new material. These projects were scheduled to start this past spring, but due to COVID-19 Public Health Emergency orders, the projects were delayed. The projects involve the 22-mile LMD 3/5 fence line and the 37-mile LMD 1/3 fence. The Southwest Conservation Corp's Ancestral Lands Conservation Corps and the Arizona Conservation Corps are currently working on the LMD 3 and LMD 5 boundary fence.

LMD 1 and LMD 3 Range Management Plans:

These projects were on hold, pending the completion of the FBFA Integrated Resource Management Plan and this work has now resumed. The LMD 3 covers over 1.4 million acres, of mostly of FBFA, and effects 661 Grazing Permits (40,601 Sheep Units Year Long) and the LMD 1 covers 833,625 acres and effects 535 grazing Permits (26,716 Sheep Units Year Long).

Cropland Management Plan (CMP) for Land Management District (LMD) 3:

The CMP is to provide documentation for the management of croplands for about 1,030 acres. The documentation will assess environmental impacts on the physical environment. This project was also on hold while the FBFA IRMP PEA is ongoing, but work has resumed on this project.

Other Projects:

The implementation of the Tsegi Canyon portion of the "Grazing Management and Stream Restoration Plans for Tsegi and Nitsin Canyons" is in progress and the activities for the Dowozhiebito Canyon fencing and stream restoration have been completed. Currently monitoring of the improvements is ongoing. The BIA continues to monitor Navajo Nation Department of Water Resources' Technical Construction Operations Branch as they repair earthen tanks and windmills in the FBFA.

BRANCH OF WILDLAND FIRE MANAGEMENT

The BIA Navajo Region Trust Services Branch of Wildland Fire and Aviation Management (BWFAM) oversees the Wildland Fire Management Program. The Branch is responsible for providing Wildland Fire coordination, management, planning, oversight, and monitoring for all activities related to Wildland Fire protection of Navajo Trust Lands.

In the 2nd Quarter during the winter season and the beginning of spring, there is typically low temperatures and humidity conditions to minimize the risk of fire danger. This has been an unseasonable cooler period and experiencing average snow and rain accumulation. There has been a slight increase in fire activity to report for the second quarter of 2021.

Fire activity has been predominantly concentrated in the Shiprock Agency, along the San Juan River and adjacent farmlands, because of farmers in the area are clearing fields for Spring planting; they tend to use fire to clear fields and irrigation ditches. The process has proven to be efficient, however, it poses a risk for escaped fires. Resources employed and assigned to the

Shiprock field office have been responding to at least three (3) fires a week. The biggest fire was sized-up at 20 acres in this area.

Finally, medical examinations and annual required trainings have been re-implemented following last year's waivers, which were a result of COVID-19 mitigation efforts. Supervisors and managers have been actively engaged with assisting and developing training programs for the local staff. The annual trainings are mandatory and risk to exposure for COVID-19 have been considered. Trainings are limited to small sections with no more than 8 persons attending, in person. BWFAM anticipates having all resources available by the end of April or beginning of May 2021.

The Navajo Hotshot crew will still maintain the date of end of April of "rostering" as a Type I Interagency hotshot crew. The hiring and onboarding will allow BWFAM to expedite the status of the crew, making them available for local and geographically mobilization.

The Navajo Helitack crew will still maintain the date of May 1, 2021 to start the exclusive use helicopter contract. The hiring and onboarding will allow BWFAM to expedite the status of the crew, making them available to fight fire. BWFAM has been issued a new Exclusive Use Helicopter contractor (110 days contract) with Air Resources Helicopter, Inc. out of Murrieta, California.

The Navajo Engine section is currently available to respond to initial activity on the Navajo reservation, although on a small scale. Most engine personnel are on standby and will be activated if wildland fire activity increases.

The Fuels Management Program completed approximately 75 acres of Hazardous Fuels Reduction Treatments that include thinning, piling, and machine piling with the Ganado Wash, Black Creek Wash, and Puerco River Projects. The treatments reduced fuel loadings within Salt Cedar and Russian Olive invasive species. The next step will be to conduct prescribed fire activities of the piled material under the direction of the Programmatic Pile Burn Plan.

The Prevention program remains busy with the investigation of wildland fire starts in determining the cause. In addition, staff have been working with the Navajo Nation Environmental Protection Agency/ Air Quality Control and Operating Permit Programs Office in providing fire registrations (Table 1).

Agricultural Field Burning	Cultural Traditional	Complaints
46	5	2

Table 1. Total burn registrations separated by types. Total 53.

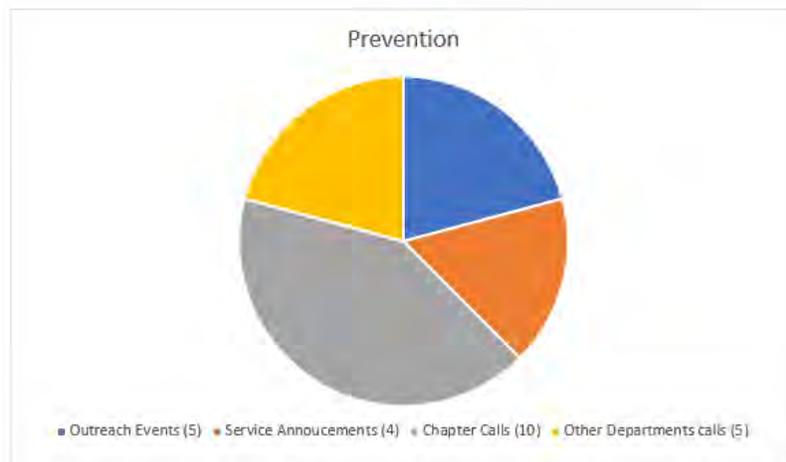


Figure 1. Fire Prevention Activities from October to December 2020

BWFAM continues the recruitment and certification of the Administratively Determined Emergency Wildland Firefighters (Scouts); these individuals will fill positions as the Type II Initial Crews that will be deployed throughout the contiguous United States to assist with the suppression of wildland fire incidents. Currently, there are ninety-three (93) individuals being processed for the 2021 Fire Season. The primary goal is to maintain a rapid response to wildland fire incidents with the objective of keeping our firefighters in a safe environment.

BRANCH OF FORESTRY

The Branch of Forestry continues to process multiple timber cutting permits that are received from the Navajo Forestry Department. These permits are for infrastructure projects done by the Navajo Tribal Utility Authority and primarily consists of the installation of fiber optic cables for individual service line agreements. During this quarter, different requests to review permits were received from the Navajo Forestry Department. A total of eleven permits were processed and approved. Upon getting approval, the permits were forwarded to the Navajo Forestry Department so that they could issue the permit to the permittee. As of time of report, a total of 57 permits have been processed and approved for the current fiscal year.

In memo dated January 7, 2021 from the Director, Bureau of Indian Affairs, all regions were notified that regional forestry staff are to be available to the Indian Forest Management Assessment Team (IFMAT) to conduct an independent assessment of Indian forest lands and Indian forest land management practices. The IFMAT is an independent team of forestry professionals that gather information for their report, which occurs every 10 years, and the analysis is measured against findings in previous years. The next report is due in FY 2023. The Navajo Forestry Department was notified by the Bureau of Indian Affairs via letter dated January 19, 2021, as the Navajo Nation has contracted most of the Forestry Program under a P.L. 93-638 contract.

In a letter dated November 5, 2020, from the Apache County Board of Supervisors, District 2, the status of a BIA Timber Cutting Permit (Permit) for the Asaayi Lake Fire Burn, Unit E was requested. This request letter was received on December 30, 2020 by the Navajo Region Branch of Forestry. A similar request was received in Calendar Year (CY) 2019 by the same entity and technical assistance was provided to the Navajo Nation's Forestry Management Program (NNFMP) to create permit FY20200001. However, the final Permit FY20200001 was not returned to the BIA for final approval. The NNFMP was advised through formal correspondence via letter dated January 14, 2021 that if they would like to issue a new Permit to Apache County District 2 to continue harvesting the Asaayi Lake Fire Burn, Unit E, the BIA Branch of Forestry recommended that the NNFMP:

- 1) Revise the draft Permit FY20200001 provided to the NNFMP on November 20, 2019 via Email (new permit number, new expiration date),
- 2) Revise the Special Provisions to reflect the new Permit,
- 3) Transfer the performance bond from Permit FY20200001 to the newly drafted Permit, and
- 4) Proceed with obtaining signatures.

The letter also included a draft Permit, Special Provisions, and a copy of a letter from the NNFMP on the transfer of the performance bond from the old Permit (FY20180004) to the draft Permit that was not finalized (FY20200001). The BIA, Navajo Region, Branch of Forestry processed and approved the Timber Cutting Permit for the Asaayi Lake Fire Burn, Unit E, on February 5, 2021. The permit was forwarded to the NNFMP to be issued to the Apache County Board of Supervisors, District 2 (permittee).

Notification was provided to the Navajo Forestry Department of a Virtual seminar being sponsored by the Southwest Ecological Restoration Institute, Wood Utilization Team. This event was scheduled for 2 virtual sessions (March 2 – 3, 2021). During the free two-day seminar, attendees had the opportunity to hear from distinguished researchers and practitioners throughout the US West about innovative forest operations and forest products opportunities; learn from economic development professionals about opportunities available for forest business enterprises, including product branding and business loan funds; view success stories of forest businesses throughout the southwestern and western US; take a virtual field trip of forest operations and processing facilities.

The Northwest Regional Office hosted a virtual timber sales workshop during the weeks of March 15 and March 22, 2021. An invitation to participate was sent to the Navajo Forestry Department and a list of 8 trainees was received. This list was provided to the workshop coordinator along with the names of Navajo Region staff that are wanting to participate. The purpose of the workshop was to provide a better understanding to Bureau and tribal staff that are responsible for the preparation and administration of timber sale contracts and permits.

BRANCH OF ENGINEERING

Water Resources

The Branch of Engineering Branch Chief (BOE-BC) continues to attend the Navajo Nation (NN) COVID-19 meetings. The COVID-19 Water Access Coordination Group (WACG) conference call meeting is held monthly on Tuesday. A total of fifty-nine (59) Transitional Water Points (TWP) opened to the public across the Navajo Nation, established on or near NN Chapter House Facilities. A total of eight (8) TWP was categorized as not needed or cannot be located at NN Chapter House sites. The WACG is working on modifications to water loading stations at three-chapter houses and is ramping up the communication between the WACG and all chapter houses for future assistance. During the latest meeting, an update was reported for the Water Access Program Water Use and Distribution Report, as well as an update on technical assistance invoicing support for New Mexico Rural Water. Overall, the meeting is now held monthly due to the decline in active COVID-19 cases. But the WACG continues to work with all stakeholders to ensure potable water is available to all tribal members across the NN reservation.

San Juan River Navajo Irrigation Rehabilitation Projects

Most of the Navajo Nation Shiprock Irrigation Office staff were on Admin Leave due to the COVID-19 pandemic since March 2020. In August 2020, the NN re-opened and most NN Shiprock Irrigation Office staff reported back to duty and projects began to move forward with some progress. But in November 2020, the NN shutdown again due the rising cases of COVID-19. Both Fruitland-Cambridge and Hogback-Cudei Irrigation Canals shut down on October 30, 2020.

Fruitland-Cambridge Irrigation Project

Under the PL 111-11, the cost indices funding associated with the Fruitland-Cambridge Irrigation was appropriated to the NN. The NN elected to utilize this funding for the completion of the projects due to the rise of inflation from 2008 where the cost increased for each project. However, this funding is pending an internal NN Indirect Cost policy review where it impacts the projects full funding availability to complete the projects. Below is the updated summary for each project under Fruitland-Cambridge Irrigation:

1. Fruitland Diversion, a project that includes the replacement of the canal headworks, construction of a new diversion dam, and the fish weir. Currently, the construction schedule is to begin in Fall 2021 and the NN is implementing their procurement process to acquire a contractor to begin the construction.
2. Bitsui Siphon, a design-build project to include demolition of existing pipeline and replace with a HDPE pipe and installation of a new trash rack. This project is 95% complete with the scheduling of the final inspection and completing the solar installation for the trash rack.

3. Yellowman Siphon, a project replacing the existing steel pipe and install an automated trash screen. Procurement of pipe is pending selection of the contractor and the construction schedule is being reviewed based on the irrigation season.
4. Fruitland Canal Seepage, a design project to stabilize the collapsed canal embankment slope of the Fruitland Canal, is 98% complete. The NN is working on the final report to be submitted for acceptance.

Hogback-Cudei Irrigation Project

The cost index calculation of \$11.1M, in accordance to the PL 111-11, for the Hogback-Cudei Irrigation index was accepted by the NN. In addition, the NN requested the remaining statutory funds to meet the PL 111-11's appropriation amount of \$15.4M. BIA NRO is working toward releasing the funds immediately and has requested from the NN an expenditure report to allocate the Cost Index fund.

The Hogback-Cudei Irrigation consists of the following five (5) projects.

1. Helium Lateral Siphon, a project to replace an existing 40-ft steel pipeline with HDPE. This project is 90% complete with only the valve placement pending and the final inspection to be scheduled with contractor, the NN and BIA NRO.
2. Hogback Canal Steel Siphons, a project to replace the old elevated steel siphons and flume along the Hogback Canal and Helium Lateral. The NN advertised for construction to start in the Fall 2021.
3. Eagle Nest Siphon Cleaning and Inlet Safety, a project that cleans Eagle Nest Siphon and installs safety features on both the inlet and outlet of the siphon. In November 2020, the NN conducted a bid solicitation but no bids were received. The NN will re-advertise to have construction start in the Fall 2021.
4. Canal Lining Rehabilitation – Baker Wash Phase is a project to rehabilitate 7,200 ft. of Hogback Canal within the Baker Wash Siphon area. The NN asked to revise the project to lift the restriction to areas pass the Baker Wash to reduce water seepage within the Hogback canal irrigation system.
5. Lateral Conversion is a project to purchase pipe material as a cost-shared project with the United States Bureau of Reclamation (Reclamation) to complete the Colorado River Salinity Program Habitat Replacement (CRSPHR) Project. This project is 98% complete for the BIA cost-share portion of the project and the NN will submit final report to BIA NRO. Due to the partnership of the CRSPHR, the US Fish and Wildlife Service (USFWS) notified BIA NRO on August 2020 of unauthorized damming of the secondary channel and a temporary diversion structure that was being used for illegal use by the hemp farm located downstream of the Shiprock Bridge. NN and BIA NRO have worked together to resolve the issue. The illegal hemp farm has been shut down and the irrigation system has been removed from the channel.

Conjunctive Groundwater Use Wells Project (CGWUWP)

In accordance to the PL 111-11, the appropriation for the Conjunctive Groundwater Use Wells Project was funded \$30M. The NN elected to utilize the NGWSP Settlement funding through a PL 93-638 contract for planning, design, and construction to rehabilitate water infrastructures such as water wells, waterline interties to main stem lines, and rehabilitate water tanks to assist Navajo communities. Projects have been funded and completed under two types of contract, monitoring and construction. The following are the status of the current projects:

1. AMI Meter Phase I, 90% complete where NN is working with NTUA to complete the final reports with supporting documentation to submit to BIA NRO for close-out processing.
2. Sanostee Well Replacement, 85% complete. This project will provide sufficient potable water supply that will serve 763 homes within the Sanostee community. The COVID-19 impacted the scheduling of the construction.
3. Tse Bonito WL Extension, COVID-19 delayed scheduling and the NN is working with I.H.S to continue forward.
4. Chichiltah-Vanderwagon Design, the 60% Design Review is in process.
5. Cutter Lateral Blending Study, 100% complete. NN is working to submit the final close-out documentation to submit to BIA for acceptance.
6. Sheep Spring Connection – Phase I Project is in the process of planning and design.

This quarter, the NN and BIA worked together to bring PL 93-638 contracts into compliance for contracts that expired in 2020. The NN requested extensions for the CGWUWP and Hogback settlement contracts and were granted the request. NN's request for \$7.8M to complete the projects for Hogback-Cudei Irrigation Projects was granted and the bid processing can start for construction this Fall 2021 and Spring 2022.

The Nation's PL 93-638 contracts are up-to-date and the request for \$7.8M will assist in completing the projects for Hogback-Cudei Irrigation Projects by the PL 111-11 deadline.

BIA Safety of Dams (SOD) program

The Tohajiilee & Charley Day Dams construction contract extensions were completed to March 2022. On March 11, 2021, the Safety of Dams Central Office (SOD-Central Office) and Navajo Regional Office (NRO-SOD) finalized the draft Purchase Requisition for the Tohajiilee and Charley Day Springs Dams construction projects to initiate advertising. The project advertising for contractors is scheduled to be done by the end of May 2021.

The SOD-Central Office engineering consultant and NRO-SOD discussed in January 2021 finalizing the scheduling of dam groups for Emergency Action Exercises later in 2021. The schedule was provided to the Navajo Nation Safety of Dams (NNSOD) for their review. The BIA-SOD consultant completed the dams Emergency Action Plans (EAP) update procedures for all

regions to utilize. A copy was provided to the NNSOD and to submit comments by March 22, 2021 and none was received. The plans to update NN-EAP in 2021 is still in progress.

NRO-SOD and SOD-Central Office, Navajo Nation Department of Transportation (NNDOT) and its consultant discussed on March 17, 2021 the NNDOT N12 road project which includes widening the crest of Wheatfields Dam. NRO-SOD items will be addressed in design and specifications.

The NN-SOD Early Warning System (EWS) upgrade work by BIA and contractor is postponed due to NN restrictions on COVID 19 emergency health orders. Phase 1 completion was projected for the end of December 2020 and Phase 2 was to start in February or March 2021 depending on weather.

The BIA, NR received approval to proceed with construction for Charley Day Spring Dam in Tuba City, AZ and Tohajiilee Dam near Albuquerque, NM.

NAVAJO INDIAN IRRIGATION PROJECT (NIIP)

The Operations and Maintenance program uses the irrigation off-season (non-irrigating part of the year) performing repair and rehabilitation of NIIP facilities. Following are two examples of projects completed by NAPI O&M department:



Figure 1 – Gallegos Pumping Plant Discharge Line

A 2019 inspection of the Gallegos Pumping Plant Discharge Line revealed some minor rusting of a 20-foot steel pipe section due to blistering of the coal tar epoxy coating. The steel section of the Discharge Line is located at the discharge manifold just downstream of the Gallegos Pumping Plant. NAPI O&M recoated the steel pipe section in January.



Figure 2 – Preparation of the Kutz Siphon section for repair.



Figure 3 – Application of Carbon Fiber Reinforced Polymer and epoxy.

NAPI O&M made repairs to two 17-foot diameter West Kutz Siphon Sections in January 2021. Previous condition assessments of the Main Canal Siphon revealed deterioration of several Prestressed Concrete Cylinder Pipe sections in need of replacement/rehabilitation. NAPI O&M has rehabilitated five sections of pipe from 2020.

NAPI opened the head gate at Navajo Dam on Monday, February 15, 2021 starting the 2021 irrigation season.

Successful outcome: NIIP O&M, ATRL, and On-Farm Development services were completed by NAPI. The NIIP supports Navajo Nation's economy with crop revenues, sustained jobs, commercial contracting, and added business ventures/opportunities.

BRANCH OF REAL ESTATE SERVICES (RES)

Mineral Leasing:

Staff completed the following activities:

- Letter written to Navajo Nation Oil & Gas Company regarding the Operating Agreement No. N0-G-1008-1773. The primary term expired as of August 18, 2020. The company is not released from any liabilities on the lease until all reclamation is complete and approved by both Navajo Nation and Bureau of Indian Affairs.
- Processed the 37½ State of Utah, payments for the month of December 2020; January 2021 and February 2021, the Navajo Nation submitted payments to the State of Utah.
- Application of Permit to Drill for Tacitus, LLC., was received from the Bureau of Land Management (BLM), on January 8, 2021. Tacitus, LLC proposed to drill for Helium on Well No. Navajo Tribal N 1A; this is pending on the Navajo Nation submission of the Exhibit documents.
- On March 3, 2021 - Onsite inspection was done on 10 wells with Navajo Nation Oil & Gas Company, and the Navajo Nation, for plugging and abandon wells on the Operating

Agreement Lease No. NOG-1008-1773. This lease primary term for 10 years has expired; locations are on NAPI field lands.

- Processed the Water Usage payments from July 2020 thru December 2020 from Chevron.

SOLID MINERALS:

- 1/12/2021 - Approved Sand and Gravel lease for Navajo Engineering Construction Authority (NECA) for Wheatfield, Arizona
- 3/3/2021 letter to Chevron on the Termination of lease for 14-20-0603-8669, Chevron continues to perform reclamation work.

Surface Leasing:

Staff completed the following activities:

Real Estate Services (RES) provided an aerial map of the BIA-BIE Chinle Administration building. Mr. Marco Faber, BIE, Facilities Manager, requested a detailed map to get price quotes to erect fencing and lighting for security purposes at the Chinle Facility.

- One FOIA request was made on an Assignment, Block J, Lot 2, for Jack and Eloise Johnson. Files were searched in Trust Assets and Accounting Management System (TAAMS), no records found.
- RES compiled and completed a summary of Window Rock Administrative Reserve along with attached documents and maps within five (5) booklets. The summary provides a chronology of activities in the Window Rock Administrative Reserve from 1943 to present.

MORTGAGE:

Staff completed the following activities:

- One (1) new mortgage approved and recorded. On-going submission of Mortgages, Release of Mortgages, Deeds, Assignments, etc. submitted to Southwest Land Titles and Records Office for recording.
- Fort Defiance Abandoned Homes Project: Research is ongoing of abandoned homes located within subdivisions leased by Fort Defiance Housing Corporation. To date, 12 Title Status Reports (TSRs) have been received.
- 1 resubmitted leasehold mortgage and pending for recording.

Rights of Way (ROW):

Staff addressed the resubmittal of Amendment ROW application to NTUA ROW W.O. No. 87-080-0011, (Bitahochee, AZ). Scope of work consist a change in existing 114kV to 115kV with Fiber Optic and 30.00 feet total width to 100.00 feet total width.

- Application was return to applicant to correct survey plat, revise existing EA report and submit a security bond.

- ROW Amendment consist of two Indian allotments.

Resubmittal of ADOT As-Built Temporary Construction Easement (TCE) application, Laguna Creek Bridge, Kayenta, AZ. Original TCE ROW application was returned as incomplete. However, due to COVID-19, project could continue. Bridge serves as the community's main transportation route across wash.

Staff completed the following technical assistance activities:

- Provided NTUA Electrical staff assistance on several tracts of Indian Allotment lands situated between Bitahochee and Dilkon, AZ. NTUA is planning to upgrade existing voltage line with fiber optic.
- Provided assistance to Arcadian Infracom, they are proposing to construct 3 three separate large-scale long-haul fiber optic line across Navajo Nation and Indian Allotment lands, northeast Arizona, and northwest New Mexico.
- Provided assistance to ADOT, explaining ROW process, several of ADOT planning projects may require expansion of ROW widths.
- Provided support to agencies with technical/hard to understanding of various surveys and legal descriptions.

Staff updated Title Status Reports and Name & Address listings:

- Public Services of New Mexico for the ROW renewal of the 345 kV Transmission Line:
 - FW Line - 60 Indian Allotments including Tribal Trust Lands.
 - WW Line - 48 Indian Allotments including Tribal Trust Lands.
 - Tucson Electric Power for the ROW renewal of the 345kV Transmission Line; in addition, researched and reviewed 147 legal descriptions.

Staff completed the approval and recordation activities:

Seven (7) Navajo Nation ROW Project No. NA-17-U02-A Leupp to Dilkon Water Transmission Line:

- Allotment 311202 approved January 8, 2021
- Allotment 311208 approved January 8, 2021
- Allotment 311209 approved January 8, 2021
- Allotment 311372 approved January 8, 2021
- Allotment 311373 approved January 8, 2021
- Allotment 311374 approved January 8, 2021
- Tribal Trust Land approved January 8, 2021

Submitted for recording One (1) approved ROW document for Office of Navajo and Hopi Indian Relocation.

Staff addressed Rights of Way Training:

- Continue to receive requests from Private Enterprises, Tribal, State, and Federal agencies for Navajo Region to schedule and host a detailed ROW training. Majority of applicants have difficulty understanding the regulation and procedures that are required.
- When COVID-19 restrictions are lifted, Navajo Region will continue with scheduling training for the public.

SPECIAL PROJECT:

Navajo Nation Claim of Mineral Properties, Hogback-Waterflow New Mexico: Provided ongoing assistance to the Office of Solicitor, Southwest Region with research of mineral properties claimed by various parties in a litigation case along or adjacent to the San Juan River. Due to COVID-19, sources of information are limited and not readily available. Most offices were closed to public, therefore business is being conducted by telecommunication appointments only. Bulk of research was and is performed through web-based networks. Report of findings is to be completed by March 31, 2021.

Cadastral Survey & Unresolved Rights:

AZ/NM/UT-BLM Agreements & Modifications on Funding: Approved 3 modifications for a total of \$265,515.80 (AZ-\$70,000); (NM-\$98,293.12) & (UT-\$97,222.68), from carryover funds to continue with all on-going and new cadastral surveys on Navajo Tribal Trust & allotted lands.

- Cadastral Surveys: New Priority lists are still pending approval by Navajo Land Department, to continue with new field surveys, for FY20/21
- All field surveys are still on hold until June 2021 due to COVID-19 and conference calls will continue with all BLM State Offices prior to any surveying, along with assistance by BILS-NR
- DLTR for Recording Cadastral Surveys: Completed 16 of 25 townships and now pending at DLTR. Another new 28 townships still need to be reviewed & verified on land status for recording
- Continued with review on all approved cadastral surveys in AZ/NM/UT (AZ-388; 161-NM & 56-UT), 5 agencies), total of 605 townships. Review & verifications made recording with DLTR. If not, submittal will be made for recording
- Conference calls continued with all three State Offices – BLM, on cadastral surveys
- Conference will be schedule with Navajo Land Department on new priorities for FY21/22 and update funding information in April or May
- Working with DLTR on recording approved surveys dating back to 1987 to present

Assisted 12 landowners on maps & land status reports from TAAMS, on 15 allotments.

Unresolved Rights Projects:

Staff completed the following activities:

- **AZ Silica & Sand Company Cash Bonds:** Legal opinion is still pending with Solicitor's Office due to environmental & reclamation issues. Once review is completed next steps will be taken by our office for release of the bond to landowners or for reclamation.
- **Armand Ortega Potential Trespass:** Continue with review records & sorting on illegal billboard signs along I-40 near Lupton to Sanders, AZ. Letter to Solicitor's Office for advice & recommendation is in draft on the next steps to be take on allotted lands.

Reviewed of 148 letters on SOL & ICLA Project Files for rejections due to duplications.

Two new potential trespass cases received and now pending field inspections.

Gallup McKinley County Schools: School Impact Statements on Navajo Students Staff received project on 3/12/2021 for review.

- Request for Land status & verifications across 33 Navajo Chapters within McKinley County on 5,403 Navajo students.
- Navajo Students need to be living on Navajo Tribal Trust, Allotted or BIA Administrative Reserve Areas.
- Completed review of 1 of 33 Chapters.

Acquisition and Disposal:

Staff completed the following activities:

- **Fort Wingate Legislation:** Public Law 114-328: Return of Certain Lands at Fort Wingate, New Mexico, to Original Inhabitants. Legislative acquisition. Total acreage 1700.53 acres. Patent recorded: continued Administrative Field research to identify boundaries. Collaborating with Department of the Army. Final Administrative document received 09/2020. Field: parcel boundary location field assignment began in December 2020; boundaries now being identified. Subsequent Fieldwork in progress.
- **Rolling Mesa:** Fee to Trust; Pending application. Discretionary Acquisition – Off Reservation, Rolling Mesa property, San Juan County, near Farmington, New Mexico; approximately 67.39 acres. Our Regional Environmental Compliance Review Department is currently reviewing Environmental Assessment (EA) submitted by the Navajo Nation and is pending Environmental Compliance with National Environmental Policy Act (NEPA) of 1969.

AGENCY OFFICES

Realty staff at each agency completed various activities and transactions.

Chinle Agency

- Navajo Nation Approved Leases Submitted for Recording:
 - Homesite Leases Received: **21**; Homesite Leases Recorded: **21**
- Title Status Reports: **2**

Fort Defiance Agency

Rights of Way:

- Recorded: 4

Land Status/Title Status Report/Name & Address listing for proposed ROWs:

- Indian Health Service (IHS) Project NA-13-T29/NA-17-W15 Waterline Extensions - Whitecone, Arizona
- IHS SDS Project AZ09158-1803 Waterline Extensions - Whitecone, Arizona
- ADOT Teesto Bridge – confirm land status of proposed staging area and construction access – Navajo Tribal Trust
- Navajo Nation Approved Leases Submitted for Recording
 - Homesite Leases Received: 50 Homesite Leases Recorded: 38
- Title Status Reports (TSR):
 - Requested TSR on behalf of 1 lessee for mortgage purpose.

Special Projects:

- Reviewed IHS ROW application packages for Project No. NA-17-U02-A Leupp to Dilkon Water Distribution Line crossing Navajo Tribal Trust and Allotted lands.
- Collaborated with BIA Branch of Environmental Compliance Review Section and Southwest Region Solicitor's Office regarding NEPA documentation on Navajo Generating Station proposed ROW application and waiver of certain 25 CFR 169 regulations.
- Requested Appraisal review of proposed NTUA Bitahochee to Dilkon 115 kV Transmission line with fiber optic cable ROW project crossing Allotment Nos. 311456 and 311457. Review completed and certification of Appraisal received 02/12/2021.
- Requested an appraisal on behalf of the Navajo Nation Division of Economic Development Fort Defiance Agency Regional Business Development Office for a proposed lease located in Sawmill, Arizona.
- Prepared white paper in response to Navajo Nation General Leasing Development Department's request for assistance regarding IHS water and wastewater ROW projects submitted with the Navajo Nation as the applicant.

Shiprock Agency

Rights of Way: Approved

- Bureau of Reclamation Grant of ROW approved January 8, 2021 for Navajo Gallup Water Supply Project Reach 7 Pumping Plant 4 and Sheep Springs Turnout
- Bureau of Reclamation Grant of Temporary Construction Easement approved January 8, 2021 for Navajo Gallup Water Supply Project Reach 7 Staging Area
- Proposed
- Provided guidance to Paradox Midstream, LLC on proposed ROW renewal of Montezuma Creek North Project. Project crosses tribal trust lands and 1 allotment.
- Research Rocky Mountain Power (PacifiCorp/Utah Power & Light) 345kv ROW (Salt Lake City to Four Corners). Planned maintenance. Email forwarded to Regional Real Estate Service along with findings from TAAMS.
- Review of proposed Emery Telecommunication Tower Site located within Red Mesa Chapter south of river from Bluff, Utah. Sought guidance from NEPA staff regarding Army Corp of Engineers permits. Provided recommendation to Emery Telecommunications.
- Provided guidance to Navajo Tribal Utility Authority regarding service line agreements on allotted lands; service line agreements versus ROW dependent on whether the proposed action affects more than one land status.

NHA Housing

Pending TAAMS Imaging

- NM15-88/89 Sheep Springs (1) - Received corrected copy

Recorded with Title Plant

- NM15-58 Fruitland (2)
- NM15-65 Newcomb (2)
- NM15-72 Two Grey Hills (1)
- NM15-88/89 Sheep Springs (1)

Requires Master Lease Update before recording

- NM15-63 Shiprock (3)
- NM15-49/112(A) Shiprock (1)
- NM15-90/96/(962)/112(B) (2)
- AZ12-84B Teec Nos Pos (1)
- NM15- 122 Red Valley-Mitten Rock (1)

- NM15-35 Sheep Springs (1)
- UT05-04 Whiterock (2)

Termination of Collateral Assignment (3 received on 10/27/2020)

- 2 are pending Title Plant recording
- 1 error found and returned for correction.

Lease Compliance (2 cases)

Redd Lichee Corporation SR-99-155

- Due to the pandemic a second tribal consultation letter dated September 29, 2020 issued and tribe received it on October 08, 2020. The 30 business days for tribal response ended November 21, 2020. Cancellation letter currently pending solicitor's review. Recommendation to reach out to Navajo Nation OSHA to obtain update on health and safety issues. Awaiting response from Navajo Nation OSHA regarding this issue.
- K&V Enterprises - SR-01-168
 - November 09, 2020 a tribal consultation regarding lease cancellation was mailed and received by the tribe on December 11, 2020. The 30 business days for tribal response ends January 29, 2021. No response received from Navajo Nation. Cancellation letter submitted for review by Regional Field Solicitor

Title Status Report:

- Heather Anderson - Received TSR request on 3/8/2021, formal TSR request to Division of Land Titles and Records entered in system on 3/11/2021.
- Provided certified Title Status Report on Lot 94, Shiprock Northwest Subdivision to homeowner for proposed sale of home and leasehold.
- Provided uncertified TSR Allotment No. 792 633380 – Paradox Midstream, LLC proposed Montezuma Creek North Pipeline project.

Rights of Way

- Research Rocky Mountain Power (PacifiCorp/Utah Power & Light) 345kv ROW (Salt Lake City to Four Corners). Planned maintenance. Email forwarded to Regional Real Estate Service along with findings from TAAMS.
- Review of proposed Emery Telecommunication Tower Site located within Red Mesa Chapter south of river from Bluff, Utah. Sought guidance from NEPA staff regarding Army Corp of Engineers permits. Provided recommendation to Emery Telecommunications.

Special Projects:

- Reviewed source documents and certified Eligibility of Indian Lands for School Year 2022 for Central Consolidated School District 22 and Farmington Municipal Schools.
- Western Navajo Agency ROW – Data Quality review of the contracts entered in TAAMS for the following ROW projects; submitted notification to Division of Land Titles and Records for recording.
 - WO# 16-170-0006 Navajo Mountain
 - WO# 16-143-0002 Coppermine
 - WO# 16-143-0001 Coppermine
- Continued research on land status and encumbrances for proposed Navajo Solar Project located in Cameron, Arizona.
 - Reviewed Land Index Reports for 22 sections affected by project to confirm land status.
 - Generated Land History Reports for 22 sections affected by project to identify encumbrances that may affect project.
 - Researched encumbrances listed on Land History Reports in TAAMS Legal Documents to confirm located and determined whether encumbrances affect proposed project.
- Participated in conference call with Shiprock Council Delegate Charles-Newton and follow up conference call with Navajo Nation Office of the Speaker regarding 7.3-acre area located within the former Shiprock Administrative Reserve. The 7.3-acre site is proposed for hotel site.

Western Navajo Agency

Rights of Way: Two Applications

- Emery Telecommunication and Utah Navajo Health Services are obtaining required documents for the ROW applications. Navajo Nation Approved Leases Submitted for Recording
- Homesite Leases Received: 6
- Homesite Leases Recorded: 6
- BIA Homesite Lease Clean-up: 9
- Recorded: 9

Title Status Reports: 3 certified reports sent to Lessees; 1 pending with the Title Plant

Special Projects:

- Plot and research allotment(s) information: location verification for landowners. E. Tunney of Gap-Bodaway and C. Shultz of Leupp.
- Tribal Tract research: T29N, R9E, Section 28 (NE/4 & SE/4), G&SRM, Cameron, Coconino County, AZ. The Southwest Land Title and Records added to Tract T 6009.

BRANCH OF PROBATE

Trust property for deceased Navajo allotted landowners is probated by the Office of Hearings and Appeals (OHA), Albuquerque, New Mexico.

Navajo Region Division of Probate prepares cases by completing research for probable heirs of the decedent. Research is completed by contacting the family members of the decedent by means of home visits, searching internet, telephone interviews, writing letters and office visits. Division of Probate staff complete majority of the family research work at the Navajo Nation Enrollment Office. Probates that are completed are for Allotted Individual Trust lands. It helps the Navajo landowners in updating Trust ownership records.

A total of eighty-one (81) cases were transferred to OHA for hearing to be scheduled, as follows: **22** by Fort Defiance Agency, **15** by Shiprock Agency, **37** by Eastern Navajo Agency, and **7** by Western Navajo Agency. It is an on-going process dealing with the loss of life occurring every day. At present time, the following is Navajo Region's case load by Agencies:

Agencies	Case Loads
Eastern Navajo Agency	2,767
Fort Defiance Agency	1115
Shiprock Agency	626
Tuba City Agency	35
Total # Cases for Navajo Region:	4,543

INDIAN SERVICES

BRANCH OF INDIAN SELF DETERMINATION

The Bureau of Indian Affairs (BIA) Navajo Region (NR) Branch of Indian Self-Determination (ISD) continues to work with twenty-one (21) Public Law (PL) 93-638 and five Subpart J Construction contracts and five other tribal organizations. All contractors provide services or upgrades to communities and other contractual activities, in accordance with their Scope of Work (SOW) and budgets.

For Calendar Year (CY) 2021, the Navajo Nation (Nation) submitted their Annual Funding Agreements (AFA) or Successor AFA or Renewal proposals late, but ISD awarded each late submittal as expeditiously as possible, ahead of the 90-day due date after receipt of the proposals.

As requested by the Nation, Social Services/Welfare Assistance contract was split into three (3) separate contracts: 1) Navajo Family Assistance Services Program, \$4,878,325.00; 2) Department of Family Services Program, \$17,417,154.00, these contracts are pending with the Nation for bi-lateral signature approvals before awarding; and 3) The Navajo Treatment Center for Children and Their Families was awarded. BIA NR is requesting the Navajo Nation submit all proposals by October 1st to award each approved contract by January 2 annually.

The Housing Improvement Program proposal was declined, due to lack of appropriations to support CY 2021 contract. The Nation is currently submitting CY 2020 Annual Narrative Reports and the Federal Financial Reports to the BIA NR, which are due 90 days after December 31, annually. The BIA Awarding Official's Technical Representative are reviewing each report upon receipt to ensure each program is complying with the SOW, federal laws and regulations and performing in a satisfactory manner. ISD awards 100% of all federal appropriations, upon receipt of the allocations appropriated by Congress, which benefits the Nation. The following awards were distributed from January 2, 2021 to March 31, 2021 to the Nation and other tribal entities as follows:

The Navajo Nation		Funds Awarded
A17AV00096	Higher Education (Scholarship)	13,645,397.00
A17AV00252	Tribal Courts (Judicial)	1,496,334.00
A17AV00262	Archaeological Services/Non-Roads	443,674.44
A18AV00235	Corrections/Adult Detention	7,271,673.00
A18AV00236	Corrections/Juvenile Detention	2,633,322.00
A18AV00262	Forestry Management Program	776,146.00
A18AV00338	Water Development Program	373,506.00
A19AV00373	Tribal Enrollment/Census Program	790,445.00
A19AV00376	Indian Child Welfare Act (ICWA) Program	998,392.00
A19AV00490	Safety of Dams Program	622,400.00
A20AV00139	Water Resources – Water Monitoring & Inventory	524,305.00
A21AV00001	Natural Heritage Program	368,540.00
A21AV00002	Fish and Wildlife Program	268,187.00
A21AV00004	Johnson O'Malley	3,844,395.00
A21AV00140	Law Enforcement-Criminal Investigations	3,523,161.00
A21AV00186	Law Enforcement-Patrol Services	21,194,989.00
A21AV00383	Social Services-Navajo Treatment Center for Children & Their Families	291,733.00
Total		\$ 59,066,599.44

Other Tribal Programs

A18AV00841	Rock Point Community School	2,863,393.00
A19AV00739	Alamo Navajo School Board	42,000.00
A19AV00984	Dine Bi Olta School Board Association	25,920.00
A21AV00158	Navajo Agricultural Products Industry	5,444,531.00

Total	\$ 8,375,844.00
Grand Total	\$ 67,442,443.44

Awarding Official Technical Representative (AOTR) Activities:

Office of Tribal Government Services serves as the AOTR for the following three P.L. 93-638 contracts: Tribal Enrollment, Tribal Courts and Higher Education in coordination with the Awarding Official, Program Administrator and Navajo Nation; the following transactions were completed this quarter:

P.L. 93-638 Contractual Program, Tribal (Census) Enrollment program Contract, A16AV00285:

On February 4, 2021, AOTR completed the purchase request in the amount of \$80,736.00. These funds are made available pursuant to P.L. 116-260 consolidated appropriations Act 2021. Funds are available through their period of availability. (Dec. 27, 2020; 134 STAT 1490-1494).

On February 23, 2021, AOTR completed the purchase request in the amount of \$709,709.00. These funds are made available pursuant to P.L. 116-260 consolidated appropriations Act 2021. Funds are available through their period of availability. (Dec. 27, 2020; 134 STAT 1490-1494).

On January 14, 2021, the AOTR followed up with the NN Program Manager on monitoring site visit for Calendar Year 2020 and 2021. A virtual meeting is being coordinated during this COVID-19 pandemic. Further coordination is ongoing on the monitoring review date.

In March 2021, Indian Affairs Manager informed NN Program Manager that BIA Form 4432 will be renewed monthly until a permanent date has been established. The form is currently being reviewed for renewal by Indian Affairs.

On March 23, 2021, NN Program Manager submitted the signed Memorandum of Agreement with Department of Homeland Security (DHS) for the Nation's Tribal photo Identification cards to be used for international travel. The AOTR will review and submit to Awarding Official, BIA for comments and recommendations to the Nation.

On February 25, 2021, at the request of the AOTR, the NN Program Manager submitted the Navajo Nations updated tribal enrollment information. The data received includes the applications that were processed for the Navajo Nation Hardship Assistance Program. The coordination is ongoing with the Nation on updates.

P.L. 93-638 Contractual Program, Tribal Courts program, Contract A17AV00252:

On February 4, 2021, AOTR completed the purchase request in the amount of \$122,984.00. These funds are made available pursuant to P.L. 116-260 consolidated appropriations Act 2021. Funds are available through their period of availability. (Dec. 27, 2020; 134 STAT 1490-1494). This is a one-time distribution of fund.

On February 23, 2021, AOTR completed the purchase request in the amount of \$1,083,425.00. These funds are made available pursuant to P.L. 116-260 consolidated appropriations Act 2021. Funds are available through their period of availability. (Dec. 27, 2020; 134 STAT 1490-1494). This is a one-time distribution of fund.

On December 31, 2020, AOTR continues to follow up and coordinate with the Program Manager and Chief Justice on monitoring site visit for Calendar Year 2020/2021. A virtual meeting is being coordinated during this pandemic, COVID-19.

P.L. 93-638 Contractual Program, Higher Education, Contract A17AV00096:

On January 28, 2021, AOTR completed the purchase request in the amount of \$2,662,642.00. These funds are made available pursuant to P.L. 116-260 consolidated appropriations Act 2021. Funds are available through their period of availability. (Dec. 27, 2020; 134 STAT 1490-1494). This is a one-time distribution of fund.

On March 3, 2021, AOTR completed the purchase request in the amount of \$10,832,755.00. These funds are made available pursuant to P.L. 116-260 consolidated appropriations Act 2021. Funds are available through their period of availability. (Dec. 27, 2020; 134 STAT 1490-1494). This is a one-time distribution of fund.

On March 10, 2021, AOTR followed up with the Program Manager on monitoring site visit for Calendar Year 2020/2021. A virtual meeting is being coordinated during the COVID-19 pandemic. Further coordination is ongoing on monitoring review date.

On March 3, 2021, Program Manager inquired on the status of the funding for NN Higher Education program. AOTR advised funding is forthcoming in the amount of \$13,495,397.00 for CR 1 and Final Distribution. The AOTR has been diligently working with Acting Regional Director, Awarding Official, and Navajo Nation to award the Nation this quarter. This includes reviewing of the proposal received by the Nation and its approval process.

Human Services, Navajo Nation Social Services:**Government Performance Results Act (GPRA):**

The Navajo Nation Division of Social Services for Fiscal Year (FY) 2021, Second Quarter GPRA for Performance Measure 1811 was met at 69% or better for the quarter. This is good news as recipients are meeting their goals, they have set for themselves and are making positive progress.

This 1811 Measurement is the percentage of General Welfare Assistance recipients that have completed their goals identified in their Individual Self Sufficiency Plans (ISP).

The GPRA Modernization Act of 2010 was signed into law by President Obama on January 4, 2011. The GPRA Modernization Act updated some aspects of the GPRA of 1992 which established strategic planning, performance planning and performance reporting as ways for the federal agencies to communicate progress in achieving their mission.

Indian Child Welfare Act (ICWA):

The Navajo Regional Office processed 66 ICWA Notices received by the State(s) for second quarter. There were 41 out of the 66 ICWA Notices that were duplicate notices where the Navajo Nation was also notified. The remaining 25 were not duplicate ICWA notices and the Navajo Nation was not notified. All 66 ICWA Notices were responded to officially.

The Indian Child Welfare Act is a federal law, passed by the U.S. Congress in 1978, for the purposes of protecting the best interest of the Indian child; promoting stability and security of Indian tribes and families; compliance with federal minimum standards before removing an Indian child; and preference of placement of Indian children in foster and/or adoptive homes that reflect the unique values of Indian culture.

Other activities:

Even through this pandemic, the Branch of Human Services remains available for technical assistance upon request from the Navajo Nation. In addition, the office continues to reach out virtually to our local, state, county, federal and tribal service providers to coordinate resources benefiting tribal members and tribal communities.

April is also Child Abuse Prevention Month, a time for communities to come together virtually to build caring connections, supportive environments, and positive experiences for all children. We know child maltreatment is a preventable problem. So, please get involved.

Housing Services- Housing Improvement Program

The Contract A16AV00407 - FY 2016 – 2018 Housing Improvement Program (HIP): This contract follows contract and reporting requirements. During this quarter, Annual Narrative Reports for the period ended December 2020 were reviewed.

Contract No. A20AV00003 - FY2019 – FY 2021 - Due to the COVID-19 pandemic closures, the FY 2019 construction activity is behind schedule; a revised Construction Schedule is being developed by the Navajo Nation Housing Program (NNHIP). The Annual Financial and Narrative Reports for the period ended December 2020 are currently being reviewed.

FY2020 – Final applicant selection is being determined and the NEPA process began during this reporting cycle. Construction Schedule will be developed upon final applicant selection.

FY2021 – the FY2021 Work Plan was submitted to BIA Central Office with 696 eligible applicants. The Tier I contained nine applicants projected to receive replacement housing.

HIP Administration: Due to the COVID-19 pandemic, the BIA HIP Program Officer and Navajo Nation Housing Program Manager communicated via email and telephonically regarding FY2019, FY2020 and FY2021 funding and program matters.

The Nation's Housing Improvement Program (HIP) Contract No. A16AV00407, CY 2018, complies and reporting requirements are current.

The Nation's HIP Contract No. A20AV00003, CY 2019, 2020 and 2021, due to the COVID-19 pandemic closures, the CY 2019 construction activity is behind schedule; a revised Construction Schedule is being developed by the Navajo Nation Housing Program (NNHIP).

The Nation's CY 2020 HIP, the final applicant selection is being determined and the NEPA process began during this reporting cycle. Construction Schedule will be developed upon final applicant selection.

The Nation's CY 2021 HIP Work Plan was submitted to BIA Central Office with 696 eligible applicants. The Tier I contained nine applicants projected to receive replacement housing.

Both the BIA HIP Program Officer and Nation's Housing Program Manager communicated via email and telephonically regarding CY 2019, 2020 and 2021 funding and program matters due to the COVID-19 pandemic

Water Monitoring Contract

A Purchase Requisition was completed to release \$20,875 of Fiscal Year (FY) 2021 Tribal Priority Allocation (TPA) to the Navajo Nation Water Management Branch. This amount represented the second TPA to the NNWMB.

Another Purchase Requisition was completed to release \$183,533 of FY 2021 TPA to the NNWMB, this final amount represented the third TPA to the NNWMB.

The AOTR completed a Purchase Requisition to release \$70,897.68 of FY 2020 Water Management Planning and Pre-development N3420 End of Year funds to the Navajo Nation Water Management Branch to complete three projects.

The AOTR also completed a Purchase Requisition to release \$249,000 of FY 2020 Water Rights Negotiation Litigation R3120 End of Year funds to the Navajo Nation Water Management Branch to complete one project.

Water Development Contract

A Purchase Requisition was completed to release \$38,144 of FY 2021 TPA to the Navajo Nation Technical Construction Operations Branch (NNTCOB), this amount represented the second TPA to the NNTCOB

Another Purchase Requisition was completed to release \$335,362 of FY 2021 TPA to the NNTCOB, this final amount represented the third TPA to the NNTCOB.

Water Monitoring/Water Rights Negotiation & Litigation

The NNWMB is currently working on the CARES Act about providing assistance to the Navajo communities with waterlines to assist in the prevention of COVID-19. This assistance is a priority due to the increase of COVID-19 cases.

With the NN COVID-19 restrictions, direct activities with the NN were limited during this quarter. All other activities during the quarter are internal Federal activities and information and did not involve NN. The NN recently lifted the Executive Order in March 2021 to reopen the NN government.

Navajo Indian Irrigation Program

The BIA Navajo Indian Irrigation Project (BIANIIP) provided technical assistance to Navajo Agricultural Products Industry-Operations & Maintenance (NAPI O&M) staff in assessing canal conditions on Contract No. A21AV00158. The Division of Water and Power (DWP) of Central Office provided the canal inspection training for key Navajo Agricultural Products Industries (NAPI) Operations & Maintenance (O&M) staff. NAPI, BIA NIIP, and BIA DWP collaborated on routine inspection reporting, and facility condition assessment ratings.

BIA-NIIP provided a preliminary investigation of a drainage/runoff issue at Tunnel 550 of the Main Canal (Figure 1). Drainage is discharging into the Main Canal indicating the possibility of hydrostatic pressure behind the canal lining. BIA-NIIP had Keller-Bliesner Engineering of Logan, Utah investigated the drainage issue and provide recommendations to mitigate the situation.



Figure 1 – Southeast view of Tunnel 550 of the Main Canal (South Bloomfield, NM)

Site investigation revealed the drainage does not pose an immediate hazard to the NIIP infrastructure. After NAPI O&M department performs some recommended site maintenance during the summer, Keller-Bliesner Engineering will further evaluate the situation.

The BIA-NIIP provided a review of NAPI's draft specifications for procurement and delivery of a 34.5 kV power transformer on Contract No. A12AV01076. BIA-NIIP coordinated the review with the BIA San Carlos Irrigation Project Electrical Engineering staff. NAPI O&M invited BIA-NIIP to participate in the inspection of a recently completed recoating project. The 2019 inspection of the Gallegos Pumping Plant Discharge Line revealed some minor rusting of a 20-foot steel pipe section due to blistering of the coal tar epoxy coating. The steel section of the Discharge Line is located at the discharge manifold just downstream of the Gallegos Pumping Plant. NAPI O&M recoated the steel pipe section in January.

NAPI O&M invited BIA-NIIP to participate in the inspection of a recently completed pipe rehabilitation project on Contract No. A21AV00046. NAPI O&M made repairs to two 17-foot diameter West Kutz Siphon Sections in January using Carbon Fiber Reinforced Polymer. Previous condition assessments of the Main Canal Siphon revealed deterioration of several Prestressed Concrete Cylinder Pipes sections in need of replacement/ rehabilitation. NAPI O&M has rehabilitated five sections of pipe from 2020.

Environmental Services:

The BIA NRO Branch of Environmental completed Section 106 National Historic Preservation Act of 1966 for Compliance Reviews for 186 and 30 Categorical Exclusions (CATEXs) projects on the Navajo Nation. The high volume of projects increased by approximately 200% for reviews due to the CARES Act Funding for Navajo Nation projects.

Staff also facilitated the Section 106 meeting with Bureau Land Management on the BIA Resource Management Plan Amendment Section 106 Programmatic Agreement with the consulting parties and the Nation. The meeting updated project schedule on the overall Environmental Impact Statement and Section 106 consultation effort.

Other Section 106 activities involved field visits to assess the damages of two (2) archaeological sites bladed by Navajo Tribal Utility Authority (NTUA) construction crew in Houck, Arizona. Due to the incident Navajo Tribal Utility Authority (NTUA) re-design the powerline to avoid further damages to the archaeological sites. The BIA is working with Navajo Nation Heritage Historic Preservation Department (NNHHPD) and the BIA Western Region to assess the damages, costs and to issue an Archaeological Resource Protection Act (ARPA) violation to NTUA for damaged archeological sites.

The BIA NRO Branch of Environmental staff met with the Nation's Tribal Historic Preservation Officer (THPO) on Section 106 consultation roles with BIA and other Indian Tribes. The BIA NRO Branch of Environmental and NEPA program provided funds to the Navajo Nation Tribal Historic Preservation Department for a full-time position to assist with Section 106 consultation roles on three (3) major environmental projects. The Navajo Nation Tribal Historic Preservation Department full time position will be an asset to the BIA environmental projects for technical assistance and guidance.

The BIA NRO Branch of Environmental staff conducted an Archeological Resources Protection Act of 1979 (ARPA) violation settlement between the Navajo Nation and NTUA on the monitoring visit to Navajo Mountain, Arizona. NTUA complied with the stipulations by reseeding and install natural barriers on three (3) archaeological sites that NTUA construction crew bladed. BIA and NNTPO will continue to work with the NTUA staff on future projects.

The Navajo Nation is repatriating all cultural materials that were excavated during the Black Mesa Archaeological Project excavations conducted because of the Peabody Coal Mine leases. There are over hundred thousand (100,000) of artifacts that are being curated in Southern Illinois University-Carbondale. The Nation and the Hopi Tribe are working with BIA Central to agree to repatriate and rebury all the materials from Black Mesa, to comply with the Nation's Disposition of Cultural Material in Collection. The first phase was completed in 2019, where 300+ human remains were reburied on Black Mesa. The second phase will be completed in 2021, to repatriate all Navajo materials, research samples of floats and other items for reburial. The third phase is anticipated to be completed by 2022, where all cultural materials will be repatriated and treated, in accordance to the Nation's policy. Peabody, Hopi Tribe, BIA NRO, BIA Western, BIA Solicitor and BIA Central have been working on these projects.

Office of Justice Services:

The Office of Justice Services (OJS), District IV provided technical assistance to the Navajo Nation's Adult and Juvenile Detentions with BIA Division of Facility Management regarding the Window Rock Facility Replacement project that includes personnel quarters and closure of the Shiprock Adult Detention Facility.

The Nation's Department of Corrections request training for 200 staff members at various locations. OJS will respond to the request and will work with the United States Indian Police Academy for assistance as needed.

The OJS has provided technical assistance to the Law Enforcement-Patrol Services by offering Peer Support for two recent Officer Involved Shootings.

The OJS assisted the Nation's Law Enforcement-Criminal Investigations by providing technical assistance to the Criminal Jurisdiction in Indian Country Training to obtain their Special Law Enforcement Commissions (SLEC) and processed four Law Enforcement/Criminal Investigations SLEC applications this quarter.

The OJS provided Personal Protective Equipment to the Nation's Law Enforcements and Correction Programs.

Johnson O'Malley Program (JOM):

The Bureau of Indian Education's (BIE) AOTR and the Navajo Nation met with the subcontractor, Gallup McKinley County School, in response to education plans and the Scope of Work (SOW). The subcontractor's goals were not met due to the subcontract was approved until June 23, 2020 for the contract with the end period of June 30, 2020. The BIE's technical monitoring report was provided to Navajo Nation's JOM Program to request for a corrective action plan to support the SOW and JOM carryover funds.

On March 8, 2021, the BIE AOTR reviewed the Federal Financial Report, Standard Form-425 for JOM Contract No. A18AV00337 for period ending December 31, 2020, with large unobligated balances reported for FY2018: \$293,656.87; FY2019: \$2,392,786.81 and FY 2020: \$1,442,685.33, which total \$4,129,129.01. The unobligated funds are concerning as these are federal funds and is not utilized as provided in the SOW, the intended purpose of the contract. There may be current plans to expend these funds in the current contract period ending on December 31, 2021 for each fiscal year identified above.

Dine Bi Olta School Board Association, Inc., (DBOSBA) Contract No. A16AV00430:

BIE processed 28 Program Purchase Requests for payments for DBOSBA and obtained Membership Agreements from BIE operated schools participating under the DBOSBA contract.

Alamo Navajo School Board:

The BIA Eastern Navajo Agency had a teleconference call with Alamo Navajo School Board on February 23, 2021 to assist with CY 2021 proposed budget.

Rock Point Community School, Contract No. A18AV00841:

The Rock Point Community School successfully submitted their Annual Comprehensive school-wide budgets and uploaded to INDISTAR/NATIVE STAR, which was approved and accepted by the BIE, Education Program Administrator. Rock Point Community School received the following program funds: the Indian School Equalization Program (ISEP), Tribal Grant Support Cost Funds, 21st Century Children Learning Center, School Improvement 1003A Funds, Title IV Part A Student Support Funds, Title Part IA Funds, Title Part IIA Funds, Title VI Part B Rural Education Funds, Enhancement Funds, Transportation Funds, Special Education IDEA Part B Funds, Facilities Operations Funds, Facilities Maintenance Funds, ISEP Contingency Funds, Education Stabilization Funds (2021 Corona Virus Response and Relief Supplemental Appropriations Act (“CRRSA”). Future trainings will be provided to Rock Point Community School on the SF-425 and Federal Single Audit Report.

BRANCH OF ENVIRONMENTAL

Shiprock Administrative Reserve (SAR):

The Navajo Region Branch of Environmental Management (BEM) completed the Scope of Work to conduct the Phase 2 Environmental Site Assessment (ESA) to conduct the American Material Standard Testing (ASTM) to sample the remaining 41 SAR buildings and property. The Phase 2 ESA is used to identify the environmental hazards or potential contamination within the buildings and on the property before abatement and demolition occurs. The solicitation to select a contractor has been completed and sampling should begin in mid-April 2021. BIA has provided two (2) project updates to the Shiprock Agency Council Delegate.

Sanostee Chapter Request for Land transfer:

Before the BIA transfers the withdrawn governmental property a Phase 1 ESA (ASTM E1527-13) is required. The Phase 1 ESA is used to gather information to identify Recognized Environmental Conditions (REC) which may be associated with the property before transfer. The Chapter requested the withdrawn land be transferred back to the Navajo Nation for the community to develop a park. BIA requested a letter from the Navajo Nation for the land transfer before environmental assessment is conducted.

Black Springs Sheep Dip Vat (SDV) Naschitti Chapter:

The Black Springs SDV located in the Chuska Mountains was sampled and determined to have toxaphene contamination at the site. This site is within the Naschitti Chapter, Naschitti, New Mexico. The health and safety concerns were reported by the Twin Lakes Chapter Grazing Official to BEM. The next steps for BEM are to prepare a Scope of Work to conduct expanded site characterization to remove the contaminated soils and backfilled with clean soil. BEM is working the Navajo Nation Superfund Program staff on this project.

Safe Drinking Water Act (SDWA) Highlights:

The BEM continues to reviewed and reported all 2020 Safe Drinking Water analytical data to Navajo Nation Environmental Protection Agency, Public Water System Supervision Program (NNEPA-PWSSP) and United States Environmental Protection Agency (USEPA), Region IX, Drinking Water Division for BIA and Bureau of Indian Education (BIE) drinking water systems. The data varies from asbestos, nitrate/nitrite, inorganic compound, synthetic organic compounds, volatile organic compounds and radiochemical. The analytical data results are shown as not detected or below the maximum contamination level. BEM has submitted all required data analysis and reporting conducted this Quarter to the Navajo Environmental Protection Agency Public Water Systems Supervision Program (PWSSP) and U. S. Environmental Protection Agency (EPA) Region IX to maintain environmental compliance for BIA and BIE water systems.

National Pollutant Discharge Elimination System (NPDES) -Wastewater:

BEM staff maintains compliance with the National Pollutant Discharge Elimination System (NPDES), Discharge Monitoring Reports (DMRs) data in the USEPA-Region IX, Enforcement Division/Information Management Section database (NetDMR) for BIE schools. The work will continue by BEM staff in the coming quarter and there are no pending actions from the Navajo Nation.

Branch of Environmental Quality Act Compliance and Review (BEQACR) (NEPA)

Bureau of Land Management (BLM) Farmington Field Office Resource Management Plan Amendment (RMPA) & Environmental Impact Statement (EIS):

The Navajo Region will use the EIS under the National Environmental Policy Act (NEPA) to guide the management of oil and gas resources owned by the United States in trust for the Navajo Nation and Navajo Indian Allotments in San Juan County, New Mexico. The analysis of the EIS will

address impacts on both the surface and subsurface mineral estate in the planning area. The document continues to be refined to adhere to the Secretary's Order 3355 which was intended to improve the Department of Interior NEPA process. The BEQACR office continues to participate in the BLM RMPA teleconference calls monthly.

This quarter, the BIA conducted a meeting the Navajo Nation President on the RMPA project schedule and the Section 106 review process under the National Historic Preservation Program. BIA recently funded the Navajo Nation Heritage and Historic Preservation Program (NNHHPP) to assist the BIA with Section 106 process for the Farmington RMPA Mancos Gallup Amendment. This will assist the BIA Regional Archeologist on Section 106 activities for the project.

National Environmental Policy Act (NEPA) Compliance Activities:

In this quarter, the Branch of Environmental Quality Act Compliance Review staff, which conducts the NEPA reviews, completed thirty (30) Categorical Exclusions reviews that were submitted by the Navajo Nation. The reviews also include technical assistance on (3) Environmental Assessments (EAs) and issued three (3) Finding of No Significant Impact (FONSI).

BEQACR staff are working on the Emery Telcom fiber optic project which is in the final stages of completion of the EA pending the cultural and survey of the project area. Another project is the U47 Indian Health Service water line project where BIA NEPA is providing technical assistance to complete an EA.

National Historic Preservation Act, Section 106, Compliance Activities:

In this quarter, the BIA Regional Archeologist reviewed and completed 186 Cultural Resource Compliance (CRCF) which were approved. Other compliance activities include the BIA working with the Navajo Nation to repatriate all cultural materials during the Black Mesa Archaeological Project due to the Peabody Coal Mine leases. There were over hundred thousand (100,000) artifacts that are being curated in Southern Illinois University Carbondale from this excavation. The Navajo Nation with the Hopi Tribe is working with BIA Central Office to establish an agreement to repatriate and rebury all the cultural materials that came from Black Mesa in accordance to Navajo Nation Disposition of Cultural Material in Collection. The 1st Phase of the project was completed in 2019 where +300 human remains were reburied on Black Mesa and the 2nd Phase is going to be completed this year which is repatriate all Navajo Material and research samples of floats and other items and rebury them. The 3rd Phase is anticipated to be completed by 2022 where all cultural material will be repatriated and treated in accordance to Navajo Nation policy. Peabody, BIA Navajo Region, BIA Western Region, Hopi Tribe, BIA Solicitor, and BIA Central Office are working together on this project.

BRANCH OF SAFETY

The Branch of Safety is tasked to monitor health and safety of employees located at the five (5) agencies within the Navajo Region. The health and safety are conducted through the annual inspections of the twenty-nine (29) Bureau of Indian Affairs (BIA) buildings along with three (3) Public Safety and Judicial Centers. Majority of these annual inspections have been completed by the Agency Safety Officers within their respective agencies. During the annual inspections the Agency Safety noticed some of the Navajo Nation Programs resumed operations at bureau facilities. In response, the Agency Safety Officers conducted periodic walk throughs of the occupied building to ensure all employees follow the Centers for Disease Control & Prevention (CDC) guidelines and the Occupational Safety and Health Administration (OSHA) guidance for health and safety purposes. During the walk throughs, the Agency Safety Officers checked and reinforce the safety guidelines for fire alarms, building occupancy and handicapped accessibility for the employees at these locations.

The Branch of Safety is also coordinating with Navajo Nation programs that occupy these bureau owned buildings using the Navajo Region Adaptive Operations Recovery Plan Phase 1 that is required for all building occupants including bureau employees to follow the safety protocols during the COVID-19 pandemic. Currently, the Branch of Safety is working on re-opening plan to encourage all employees to continue the social distancing, disinfecting high-touch surfaces are wiped down regularly along with employee work areas, to continue to wearing their masks and washing their hands. The continuation of these practices provided in the CDC and OSHA guidelines helps employees not to get complacent or let their guard down although they may be vaccinated.

As part of minimizing risk exposure to COVID-19, the Agency Safety Offices noticed offices occupied by the Navajo Nation programs installed physical plexiglass barriers to minimize COVID-19 risk exposure. Signage were posted on bulletin boards; social distancing floor decals were placed, and the COVID-19 educational information were noted and still in effect.

The Branch of Safety will continue to work with both federal and Navajo Nation employees at the locations on health and safety awareness and provide information on COVID-19.

BRANCH OF FACILITY MANAGEMENT

Quarters Improvement and Repair (QI&R) Employee Housing

The Facility Management program refurbished two (2) Quarters, five (5) duplex apartments and one 5-unit apartment building at Nazlini Community School, Nazlini, Arizona. The installation of buried utility (sewer & water) in the housing area is 100% completed and roof replacement on each building is 90% completed. The new streets have been laid-out to reflect where new driveways, sidewalks and retention pond will be constructed. A limited Notice to Proceed on the project is issued to start the interior renovation and installation of plumbing and electrical wiring in each building. The contractor and his subcontractors are complying with the COVID-19 requirements by following CDC guidelines on the project site. The entire project is 42% completed

and the estimated completion date is August 31, 2021. Attached are photos of construction work at Nazlini project site. These renovations modernize the housing that will be occupied by school employees.

Minor Improvement and Repair (MI&R) School Locations:

Facility improvement projects are in progress for the following locations; Wide Ruins Community School, Wide Ruins, Arizona; Kinlichee Community School, Kinlichee, Arizona; Fort Defiance Agency Facility Management, Fort Defiance, Arizona; Flagstaff Dorm, Flagstaff, Arizona; Aneth Community School, Aneth, Utah and Kayenta Boarding School, Kayenta, Arizona.



Drywall removed for heating and cooling, Nazlini AZ



Energy-efficient renovations for Nazlini Apartment Duplex, Nazlini, AZ

BRANCH OF TRANSPORTATION

The Navajo Region Branch of Transportation (NRBOT) continues to fulfill its mission to manage the intermodal transportation facilities to maintain the existing infrastructure for dependability and safety for the traveling public on the Navajo Nation. NRBOT accomplishes this mission through technical assistance and support by working directly with Navajo Nation Division of Transportation (Navajo DOT) as they pursue self-sufficiency and discretion in the administration and operation of the Tribal Transportation Program (TTP).

Road Maintenance:

In this quarter, the NRBOT Road Maintenance program received \$1,649,631.00 of FY 2021 Tribal Priority Allocation (TPA) funds under the continuing resolution sub-allocated to each Agency Road Maintenance program for FY 2021; see table below.

Road Maintenance Agency	Sub-allocated Amount
Navajo Region	\$229,331.00
Shiprock	\$268,900.00
Western Navajo	\$310,100.00
Eastern Navajo	\$263,900.00
Chinle	\$265,600.00
Ft. Defiance	\$311,800.00
TOTAL:	\$1,649,631.00

The NRBOT Road Maintenance program continues to perform routine maintenance activities on BIA system roads, bridges, and transportation facilities on the Navajo Nation through direct service. Below are some of the road maintenance accomplishments, the NRBOT Road Maintenance program performed during this quarter.

Farmington Field Office (Formerly NIIP Roads):

The Farmington Road Maintenance field staff assisted Shiprock Agency with cattleguard cleanout on BIA Route N5010 and pipe installation on BIA Route N34.

The Farmington Road Maintenance field staff performed pavement surface patching on various routes which involved placing High Performance Permanent Patch in potholes and prairie dog holes. Approximately 200 bags of High-Performance Permanent Patch were utilized during this maintenance activity. Another maintenance activity that was also conducted for repairs and replacement of roadway delineators, signs, posts, and hardware on various routes.

Last year, concrete jersey barriers were placed on BIA Route N4078 to discourage drag racing

from Navajo Agriculture Products Industry (NAPI). The concrete jersey barriers were removed on March 23, 2021 and BIA Route N4078 was open to the traveling public.

New Lands Field Office (Nahata Dziil):

The New Lands Road Maintenance field office is assisting Western Agency with debris and silt removal from a channel and underneath a bridge.

The New Lands Road Maintenance field office primarily concentrate on repair and replacement of signs, posts and hardware on various BIA Routes located within the New Lands jurisdiction. A total of 180 signs, posts, and hardware were repaired and replaced during this quarter. Other maintenance activities conducted were vegetation removal, fence repair, blading, channel cleaning, roadway assessments and routine and preventative maintenance on various equipment. The photos below show some of the work that was accomplished by the Road Maintenance staff.



Sign replacement (Before) – N2025 – New Lands



Sign replacement (After) – N2025 – New Lands



Performing debris and silt removal in Channel and underneath bridge in Western Agency-N71-Birdsprings.

Shiprock Agency:

The Shiprock Agency Road maintenance conducted many of the maintenance activities on channel repair and culvert installation of 4 – 82” x 60” with end sections. The completion date has been extended into April 2021, due to the winter storms. Numerous snow and ice removal were performed during the month of January and February of 2021. See photos below of maintenance activities by staff.



Culvert Installation on N34 – Sanostee

Another major activity that Shiprock Road Maintenance started was pothole patching, however due to the winter storms, these potholes filled with snow or freezing water. Once weather conditions improved patching material in these potholes resumed when the snow and water dissipated.



Pothole patching – N5099 – Aneth Chapter

Western Navajo Agency:

The Western Navajo Agency Road maintenance performed shoulder (road) work, drainage repairs, snow removal, guardrail repairs, fence repairs, removing sand drifts, cattleguard repairs, sign replacement, channel maintenance and blading of earth roads on BIA Routes within the Western

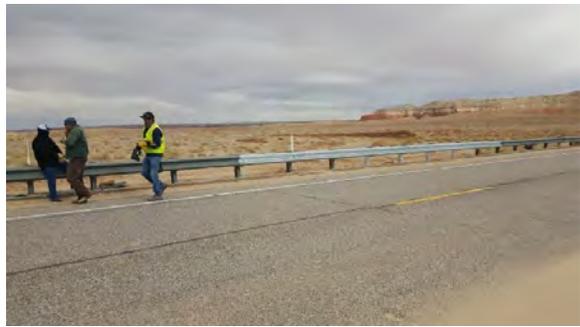
Navajo Agency. The photos below show the road maintenance work conducted by the Western Navajo Agency Road Maintenance staff.



Before (left) and After (right) Picture of Drainage repair work N42 Oljato, UT



Snow and Ice removal N16, Inscription House (left) and Navajo Mountain Chapters (right)



Guardrail repair N59 - Chilchibeto



Sand removal N59 - Chilchibeto



Before (left) and After (right) Cattleguard repair, N6720 near Sand Springs, AZ

Chinle Agency:

The Chinle Agency maintenance crew performed road assessments on several roads based on concerns from the public, Navajo Nation Chapters, NDOT and other entities to generate a monthly maintenance schedule. Road maintenance activities started crack sealing on N64; cattleguard and fence repairs on BIA Route N4 and N59; snow and ice removal on BIA Routes N64, N12 & N13. Other maintenance activities also included sign installations, fence repairs, blading and reshaping of earth roads, shoulder work, installation of roadway delineators and pothole patching. The photos below show the road maintenance conducted by Chinle Agency Road Maintenance staff.



Crack Sealing on N64



Replacement of wing brace and fence repair on N4



Snow & Ice removal performed on N13

Ft. Defiance Agency:

The Ft. Defiance Agency maintenance crew filled road potholes on various BIA routes. The placement of patching material was conducted in critical areas that showed new development of potholes and rutting. Many of the critical areas show signs of stress and deterioration, which will require constant pothole patching repair work. These roads require pavement rehabilitation such as an overlay of new hot asphalt, as this performance is beyond BIA's road maintenance current scope of work. Other road maintenance activities included guardrail repair on N12, snow and ice removal on various BIA routes within Fort Defiance Agency. The photos below show the stress on the roads, the pothole patching conducted, the guardrail repairs and the snow & ice removals.



Pothole patching on N602-Teesto, AZ



Pothole patching on N12 Navajo & N108 Tohachitti, NM



Guardrail repair on N12 – Navajo



Snow & Ice Removal – N9010 – Sawmill and N12 – Window Rock

EASTERN NAVAJO AGENCY (ENA)

Branch of Natural Resources (ENA BNR)

ENA BNR supports range management decisions for the best interest of the landowners, making it possible for landowners to receive income from the use of the land and natural resources which are managed properly.

BIA Eastern Navajo Agency Livestock Grazing Permit Environmental Assessment Finding of No Significant Impact (EA FONSI) Roll Out involves approving grazing permits for tribal members who meet the requirements and receive orientation on the regulations and mitigation measures necessary to protect sensitive areas and trust resources. The ENA BNR continues to inform permittees on EA FONSI and grazing permit requirements through the postal service, by telephone, and/or via email due to the COVID-19 pandemic. The ENA BNR oriented permittees from 18 range units; completed 21 conservation plans involving 27,793 acres and 1,235 sheep units; approved 20 conservation plans involving 30,823 acres and 1,281 sheep units, conducted 18 range unit compliance work involving record reviews and letters to permittees; completed 2 range unit field assessments involving 1,834 acres and 26 sheep units; and mailed 128 certified Notices of Violation to permittees delinquent on 2021 annual grazing rental payments. The ENA BNR Navajo Escrow Account has a balance of about \$931,273.

ENA BNR assisted the Office of the Superintendent with the Navajo Escrow Account presentation (presented to the Resources and Development Committee) on the history and plans to distribute the funds to the Navajo Nation; plans are to use these funds for ENA range improvement projects to mitigate the prolonged drought based on a set of criteria that includes an approved conservation plan and grazing permits. The ENA BNR collects annual grazing rental from permittees who are allocated a grazing permit in collaboration with the District Land Boards, after they meet the requirements according to tribal and federal grazing regulations.

For the Hunter's Point Road Wash Noxious Weed Management Activities and Stream Restoration Project, the ENA BNR assisted the Navajo Nation Heritage and Historic Preservation Department - Heritage Management Services in flagging the buffer area, marking routes for crews, and monitoring the Traditional Cultural Property site. The ENA BNR determined 8.5 acres of cut/stump treatment of salt cedar and Russian olives; and conducted about 1.5 miles inventory and assessment of salt cedar and Russian olives in Blanco Wash for future request for funding proposals and treatment.

The Land Management District 14/15/16 Boundary Fence Project is to protect, manage, and improve trust rangeland resources and prevent inter-district trespass. This project was delayed due to COVID 19 and was resumed on December 28, 2020. The ENA BNR provided 98 t-posts, 15 center braces with bolts/nuts, 10 support braces, 4 bundles of stays, 1 bag of clips, 4 rolls of barbed wire, and 3 rolls of smooth wire. The contract overall consisted of about 14 miles of fencing and was extended to the end of March 2022. The ENA BNR also assisted with 50 t-posts, 10 treated

wooden posts, and 80 fence stays to repair 4,300 feet of District 14/15 Boundary fence in Standing Rock Grazing Community near Salt Water Well.

ENA BNR assisted the Branch of Real Estate Services with a field assessment in the Chaco National Park Service area near Pueblo Pintado, and assisted with coordinating with the Park, Senator Heinrich's Office, and permittee to adjust the fence.

The ENA BNR continues to coordinate with the District Land Boards and Eastern Agency Joint Land Board via teleconference on grazing permit transfers, a request to investigate an existing fence designated as sire pastures for years, name addition, and 7 grazing dispute cases that require corrective actions along with an approved resolution to close out each case. The ENA BNR provided verbal reports on the "Memorandum of Understanding Among The Bureau of Indian Affairs, The Bureau of Land Management, and The Navajo Nation for the Grazing Administration of The Eastern Navajo Agency Administration Area"; the Navajo Escrow Account; and waiver of the bonding requirement and annual grazing rental payment.

Eastern Navajo Agency Branch of Transportation (ENA BOT):

For January, ENA BOT staff bladed N98 in the Dalton Pass area. Staff also loaded and hauled a backhoe to Whitehorse Lake for cattleguard cleaning. Staff also hauled the caterpillar to Alamo N55 phase I to reshape/re-blade and milled out the highway. Staff also conducted fence repair on N49/11 in the Pinedale community. BOT staff completed blading N104 and N7057 in the Standing Rock community. BOT staff also conducted snow/ice removal on the following routes from the snowstorm that hit northwestern New Mexico: N49/11 from Smith Lake to Pinedale communities, N9W from Crownpoint to Standing Rock communities, N9E from Crownpoint to Tinian communities, N104 all of the local streets in Crownpoint, N48N and N48S, the Littlewater community, and N7140 for the Lupton community. These activities support safe and reliable roads for the public, emergency vehicles, school buses, and commerce.

For February, BOT staff again conducted snow/ice removal on the following routes from the snow storm that hit northwestern New Mexico: N49/11 from Smith Lake to Pinedale communities, N9W from Crownpoint to Standing Rock communities, N9E from Crownpoint to Tinian communities, N104 all of the local streets in Crownpoint, N48N and N48S, Little Water community and N7140 for the Lupton community. BOT Staff completed fence repair on N9 East in the Whitehorse Lake community. Staff also assisted the IHS Crownpoint Health Care Facility with traffic control during their community-wide COVID-19 vaccination. Staff conducted pothole patching on N7062 in the Breadsprings community and N474 in the Ojo Encino community. Staff bladed N11 in the Mariano Lake community. Staff also conducted cattle guard repair on N52 in the Nahodishgish community. Staff completed pothole patching on all paved routes throughout the Eastern Navajo Agency. These activities support safe and reliable roads for the public, emergency vehicles, school buses, and commerce.

For March, ENA BOT staff conducted pothole patching on N9 West from State Highway 371 to Standing Rock (District Line), N7140 (Lupton area), N7062 (Breadsprings), and N9 East in the

Pueblo Pintado area. Staff also patched turnouts up to the cattleguards. Staff assisted IHS Crownpoint Health care facility with traffic control during their community wide COVID 19 vaccination. Staff also bladed N486 and N485 in the Casamero Lake community and N11 in the Mariano Lake community. BOT staff completed repairs on a guardrail on N11 near the Pinedale Chapter. Staff also bladed N7113 and N7111 in the Mariano Lake community. BOT staff repaired 3 damaged guard railings on following routes at the following locations:

1. N9E near mile post 81 just east of the Pueblo Pintado community.
2. N11 near mile post 15 east of the Mariano Lake Community School.
3. N474 near mile post 3 east of the Ojo Encino Community School.

Staff bladed N472, N473, N494 and N11 in the Mariano Lake community. Staff also hauled recycled gravel and milling to N7062 in the Breadsprings community to repair an erosion and improve a cattle guard turn out. Staff also did sign repairs on N9E and N9W. Additionally, staff conducted pothole patching on N9E. Lastly, staff conducted fence repair on N9E, N48S and N48N in the Littlewater and Borrego pass communities. These activities support safe and reliable roads for the public, emergency vehicles, school buses, and commerce.

The primary goal of the ENA BOT is to keep roads always open and safe to the traveling public within the Eastern portion of the Navajo Reservation in coordination with the Navajo Division of Transportation. ENA BOT crews must deal with emergencies that can block roads, washouts, and bridges. Our ENA BOT crew are on alert and, when necessary and possible, pretreat the roads in the Eastern Navajo Agency; this ensures safer travel for the public and emergency vehicles.

Branch of Real Estate Services (ENA BRES):

ENA BRES staff completed encoding and payment processing of a Negative Easement Agreement for three Navajo Allotments with only mineral interests. The surface is owned in fee title and the owners requested the Negative Easement Agreement so they can use the surface for a solar project without interference from any mineral mining activities for a period of 43 years. The agreement was completed and issued to the company. The Navajo Nation is an interest holder in two of the allotments and was very helpful in negotiating a higher amount of compensation for the allotment owners and themselves. The company has informed ENA BRES that they will be submitting a right-of-way application for the negative easement per a conservation easement. The application will be reviewed, and recommendations made to approve or deny the application. The Navajo Nation needs to be informed that there are other pending requests for this type of easement.

ENA BRES responded to several land status requests for pending rights-of-way projects, solar farm projects and the Federal Bureau of Investigations criminal incidents on trust lands. ENA BRES continues to receive complaints about non-trust land disputes involving harassment, physical and verbal altercations, and road blockage. The matters reported to the Navajo Police are not being investigated or resolved. The Navajo Nation and Bureau of Indian Affairs need to discuss and resolve the issue of jurisdiction and how different departments are interpreting the civil jurisdiction of the Navajo Nation for their programs. There should be a basic

understanding of Navajo Nation civil jurisdiction and what lands and tribal members it applies to. Some of the departments are stating their program have no jurisdiction due to land status within the Eastern Navajo Agency, which prevents legal proceedings with the Navajo Nation Court on civil issues.

ENA BRES completed the review of a Navajo-Gallup Water Supply Project (NGWSP) right-of-way for the City of Gallup and the easement was issued. The reason for the lengthy review was that the City of Gallup's application for right-of-way included multiple uses, so the grant must be developed to reflect the uses and the restrictions for each. This practice is practical for the applicants but takes the opportunity of negotiating for each use of the right-of-way corridor away from the landowners. This also requires a more complex explanation to ensure the landowners understand the purpose for the right-of-way corridor for multiple uses.

Burials of deceased individuals on allotted land is still an issue. Co-owners of allotments are complaining about individual burials on their allotments, but they are waiting until the day of the burial or after to provide their objections. There are no current federal regulations on burials on allotted land except by lease or permit regulations not for cemeteries or family plots. We currently refer to Navajo Nation Codes for a reference which requires burials at designated cemeteries or designated family plots. There needs to be a formal policy or set of regulations developed for future burials by BIA and the Navajo Nation so traditional values, cultural practices and land use issues can be addressed for current and future landowners.

Branch of Probate and Estate Services (ENA BPES):

During FY 2021, ENA BPES received 192 deaths reported to the agency; 43 cases have been submitted to and accepted by the Office of Hearings and Appeals (OHA), which consisted of approximately \$809,183.04 in Individual Indian Monies (IIM) accounts, 325 allotments, and 254 probable heirs. ENA BPES has completed the disbursement and close-out of 84 cases. Staff have also assisted approximately 546 clients either on the phone or through email. The staff has kept Indian allotment interest holders informed so they have a better understanding of their holdings. In addition, ENA BPES activities supported tribal self-determination, self-governance, and sovereignty by ensuring that the title to Indian allotments is kept accurate and updated. This allows timely disbursement of funds to heirs who are tribal members and to the Navajo Nation itself. As well, the Navajo Nation can determine what projects to build for tribal infrastructure.

Appendix A

Dear Tribal Leader Letter (DTLL) to Navajo Nation

January 2021

January 27, 2021 DTLL – Cancellation of Sessions: 1) Indian Preference in Hiring for BIA Office of Justice Services; and 2) BIE School Mascots.

February 2021

February 11, 2021 DTLL – DOI President Biden Memorandum – Reaffirming & Improving Meaningful Tribal Consultation with Tribes, Executive Order 13175.

February 11, 2021 DTLL – Postponement of Tribal Consultation – Transportation/ISEP

February 12, 2021 DTLL – BIE Listening Session on 1) CRRSA Funding; 2) 25 CFR Subchapter E Waivers.

February 17, 2021 DTLL – Bears Ears National Monuments, Grand Staircase-Escalante National Monument, Northeast Canyons and Seamounts Marine National Monuments.

February 19, 2021 DTLL – American Indian Labor Force Report.

March 2021

March 3, 2021 DTLL – U.S. FEMA Tribal Consultation for COVID-19 Funeral Assistance.

March 16, 2021 DTLL – Tribal Consultation, Postponing Indian Trader Regulations.

March 16, 2021 DTLL – Executive Order 14008, Tackling Climate Crisis at Home and Abroad.

March 16, 2021 DTLL – Indian Affairs, American Rescue Plan, BIA, and BIE.

March 16, 2021 DTLL – Tribal Consultation and Strengthening Nation-to-Nation Relationships, Office of National Drug Control Policy.

April 2021

April 1, 2021 DTLL – BIE Informal Comments from Tribes and Schools on Indian School Equalization Program.

April 5, 2021 DTLL – Indian Affairs FY 2021 Tribal Enrollment Data Collection Form.

April 7, 2021 DTLL – Tribal Colleges and Universities for Facility Needs.

April 8, 2021 DTLL – BIE's School Reopening Plans.

April 8, 2021 DTLL – Indian Affairs Tribal Consultation: 1) Draft Progress and Promotion Policy, and 2) Draft Certificate of Completion Policy.



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

January 27, 2021

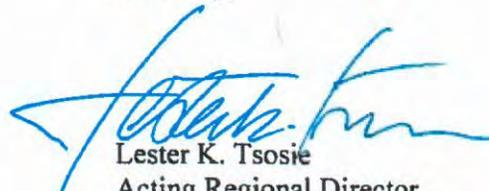
Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a letter from Bureau of Indian Affairs regarding cancellation of sessions that were scheduled in January and February 2021 on 1) Indian Preference in Hiring for BIA Office of Justice Services Positions, and 2) BIE School Mascots.

Please do not hesitate to reach out to our office directly and if we can be of assistance in facilitating information sharing. I can be reached at (505) 713-9188 (cell).

Sincerely,



Lester K. Tsosie
Acting Regional Director

Enclosure



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

January 26, 2021

Dear Tribal Leader:

Please note that the following sessions have been cancelled:

“Indian Preference in Hiring for BIA Office of Justice Services (OJS) Positions”
January 28, February 2, and February 4, 2021

“BIE School Mascots”
February 16 and 18, 2021

I or a newly appointed official will keep you updated on any additional developments as we complete the transition into the new Administration.

Sincerely,

Darryl LaCounte
Director, Bureau of Indian Affairs,
Exercising the delegated authority of the
Assistant Secretary – Indian Affairs



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

February 11, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed, is a Dear Tribal Leader letter from the Department of the Interior (DOI) on tribal consultation. President Biden issued a memorandum reaffirming prior commitments to engage in regular, meaningful, and robust consultation with Tribes including directing each Federal agency to develop plans for improvement.

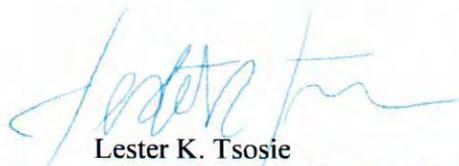
Please see the enclosed, President Biden's memorandum and the Department's policies and directives of Executive Order 13175, Consultation and Coordination with Indian Tribal Government (Nov. 6, 2000). The Department is offering the following consultation sessions and hopes you can join on March 10, 2021.

For Tribes in BIA Regions:	Date (2021)	Time (Eastern Standard Time (EST))	Call-In Number	Passcode
Great Plains, Midwest, Rocky Mountain	Monday, March 8	2 p.m. – 5 p.m.	(888) 843-9206	9530360
Eastern, Eastern Oklahoma, Southern Plains	Wednesday, March 10	10 a.m. – 1 p.m.	(877) 601-4492	3173996
Navajo, Southwest, Western	Wednesday, March 10	2 p.m. – 5 p.m.	(800) 857-9872	3906969
Alaska, Northwest, Pacific	Friday, March 12	2 p.m. – 5 p.m.	(877) 601-4492	3173996

The DOI appreciates your continued partnership and values your input. If you have any questions regarding this effort, please contact Elizabeth Appel, Director, Office of Regulatory Affairs & Collaborative Action, at elizabeth.appel@bia.gov or (202) 738-6065.

Please do not hesitate to reach out to our office directly and if we can be of assistance in facilitating information sharing. I can be reached at 505-713-9188 (cell).

Sincerely,

A handwritten signature in blue ink, appearing to read "Lester K. Tsosie".

Lester K. Tsosie
Acting Regional Director, Navajo

Enclosures

cc: Speaker Damon, Office of the Speaker, Navajo Nation
Chief of Staff, Office of the President, Vice President



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

FEB 11 2021

Dear Tribal Leader:

You have likely engaged in consultation with the Department of the Interior (Department) officials (or Department bureaus or office officials) at one time or another, if not regularly, and have made suggestions for improvement. The Department may also have taken actions that you thought you should have been, but were not, consulted about. We, at the Department, would like to begin a new chapter in our relationship: a chapter in which all of the Department consistently achieves that standard of “meaningful consultation” with you. In addition, there is significant interest across the entire United States Government in improving Tribal consultation. Other agencies may also listen to these Departmental consultation sessions, as well as conduct their own, as we all seek to identify additional best practices.

Upon taking office, President Biden issued a memorandum not merely reaffirming prior commitments to engage in regular, meaningful, and robust consultation with Tribes, but also directing each Federal agency to develop plans for improvement. Specifically, each Federal agency, including the Department, is to prepare a detailed plan of actions the agency will take to implement the policies and directives of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (Nov. 6, 2000). See Presidential Memorandum of January 26, 2021, Tribal Consultation and Strengthening Nation-to-Nation Relationships.

We are excited to take this opportunity to hear your suggestions for actions the Department, and each of its bureaus and offices, could take to improve consultation and fortify our relationship with you. To help facilitate our discussions, please find enclosed a framing paper, which includes questions for you to consider.

I hope that you are able to join me at one of the following consultation sessions to discuss. We have set aside sessions for you grouped by your Bureau of Indian Affairs (BIA) region and ask that you join the session for your region only, to help ensure that sufficient lines are available. We plan to prioritize input from Tribal leaders in those designated regions on those calls, but if you are unable to join the call for your region, please feel free to join for another instead:

For Tribes in BIA Regions:	Date (2021)	Time (Eastern Standard Time (EST))	Call-In Number	Passcode
Great Plains, Midwest, Rocky Mountain	Monday, March 8	2 p.m. – 5 p.m.	(888) 843-9206	9530360
Eastern, Eastern Oklahoma, Southern Plains	Wednesday, March 10	10 a.m. – 1 p.m.	(877) 601-4492	3173996
Navajo, Southwest, Western	Wednesday, March 10	2 p.m. – 5 p.m.	(800) 857-9872	3906969
Alaska, Northwest, Pacific	Friday, March 12	2 p.m. – 5 p.m.	(877) 601-4492	3173996

I appreciate that you have other extraordinary demands upon your time given the pandemic and its impacts, but our schedule for this consultation is necessarily aggressive to meet the deadlines established in the Presidential Memorandum. I sincerely hope that you will be able to join a session and/or provide your written input to consultation@bia.gov by midnight EST on March 19, 2021.

I look forward to speaking with you. If you have any questions regarding this effort, please feel free to contact Elizabeth Appel, Director, Office of Regulatory Affairs & Collaborative Action, at elizabeth.appel@bia.gov or (202) 738-6065.

Sincerely,

A handwritten signature in black ink, appearing to read 'AMBD', written in a cursive style.

Ann Marie Bledsoe Downes
Tribal Governance Officer
Acting Deputy Solicitor, Indian Affairs

Enclosure

Framing Paper
Improving Interior's Consultation with Tribes:
Development of the U.S. Department of the Interior's Plan for Improving Implementation of
EO 13175, *Consultation and Coordination with Indian Tribal Governments*

On January 26, 2021, President Biden issued a Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships, which reaffirms the Presidential Memorandum of November 5, 2009 (Tribal Consultation) and states:

It is a priority of my Administration to make respect for Tribal sovereignty and self-governance, commitment to fulfilling Federal trust and treaty responsibilities to Tribal Nations, and regular, meaningful, and robust consultation with Tribal Nations cornerstones of Federal Indian policy.

President Biden's memorandum directs each Federal agency to consult with Tribes before developing a **detailed plan of actions the agency will take to implement the policies and directives of Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*** (Nov. 6, 2000), and to submit the plan to the Office of Management and Budget (OMB) by April 26, 2021. Following President Biden's direction, the U.S. Department of the Interior, including its bureaus and offices (Interior) seeks Tribal input on how to best improve its implementation of E.O. 13175 to consistently achieve meaningful consultation.

To prepare for these upcoming consultations, Interior has reviewed the following materials:

- ✓ Input received during the consultation on the 2009 Presidential Memorandum on Tribal Consultation;¹
- ✓ Input received during the 2016 consultation on Tribal involvement in Federal infrastructure decisions, which resulted in the January 2017 Report *Improving Tribal Consultation and Tribal Involvement in Federal Infrastructure Decisions* (hereafter referred to as the "January 2017 Report");² and
- ✓ Interior's current policy on Tribal Consultation in the Departmental Manual (DM).³

As a starting point for discussions on what actions Interior should take to better implement the E.O. 13175, Interior poses the following questions to Tribes:

- Question 1: Does the input received in 2009 still reflect Tribal views about consultation today? Are there any additional comments or suggestions?
- Question 2: Should Interior include the actions recommended by the January 2017 Report in its plan to improve consultation?
- Question 3: Are there additional suggested steps Interior could take to improve Tribal consultation and make it more meaningful?
- Question 4: What actions to improve Tribal consultation should be made the top priorities in Interior's plan?

Context for each of these questions is provided on the following pages. Page 4 includes directions for submitting comments and a point of contact for further information.

¹ See "Executive Summary: Tribal Comments Received during U.S. Department of the Interior Consultations on the November 5, 2009 Presidential Memorandum"

² See "January 2017 Report: Improving Tribal Consultation and Tribal Involvement in Federal Infrastructure Decisions"

³ See 512 DM 4 and 5

**Question 1: Does the input received in 2009 still reflect Tribal views about consultation today?
Are there any additional comments or suggestions?**

The following is a high-level summary of 2009 Tribal input on what is necessary for consultation to be “meaningful.” Interior welcomes any input Tribes have on whether there are additional comments or suggestions for addressing each topic.

A. The Meaning of “Consultation.”

“Consultation” must be two-way dialogue and opportunity for joint decision-making on a nation-to-nation level, that is more than a procedural or “check the box” exercise.

B. The “Substantial Direct Effects” That Should Trigger Consultation.

Tribes should have the opportunity to say whether an action requires consultation and agencies should be aware that Tribes may be affected not just by on-reservation actions, but also by funding and personnel decisions related to Federal Indian programs and off-reservation actions.

C. When Consultation Should Be Initiated.

Consultation should be initiated as early as possible.

D. When Notices of Consultation Should be Given.

Notice should be sent sufficiently in advance of a consultation session to allow time for Tribes to review and develop recommendations.

E. What Notices of Consultation Should Contain.

Notice should include all the necessary background information on the topic to be consulted on and the consultation plan.

F. How Notices of Consultation Should Be Distributed.

The form of notice should include Tribal leader letters and several methods of distribution based on an up-to-date database of Tribal leaders.

G. Who Should Participate in Consultation.

Consultation should include both Federal and Tribal representatives with expertise in the matter to be discussed and representatives with the authority to make decisions.

H. What Form Consultation Should Take.

Agencies should increase accessibility to and affordability of consultations by holding in-person consultations in Indian Country and geographical regions accessible to Tribes, in conjunction with other events Tribes will attend, and offering other technological ways of participating.

I. How Interior Should Follow-Through on Consultations.

Agencies should create a feedback loop and accountability system to ensure Tribes’ concerns are addressed.

J. Coordinating Consultation Within and Across Interior.

Agencies should improve coordination and consistency in their approaches to consultation.

Question 2: Should Interior include the actions recommended by the January 2017 Report in its plan to improve consultation?

The following summarizes the recommendations for agency action in the January 2017 Report, but reframes them to address Interior specifically and, where possible, adapts them to apply not just to infrastructure decisions but to all Interior actions subject to E.O. 13175:

A. Ensuring Consistent Consultation Policies Across Interior.

Provide results of the following to the White House Council on Native American Affairs (WHCNA) and post online:

- a. The results of a thorough review of Tribal consultation policies and practices of all Interior's bureaus and offices to ensure that they reflect the **Key Principles** outlined in the January 2017 Report (see page 4 of this Framing Paper); and
- b. Updates to Interior bureaus' and offices' consultation policies and practices, staffing, and training practices as necessary to reflect the **Key Principles**.

B. Timing of Consultation.

Use mechanisms to involve Tribes early in project-planning whenever possible, including through:

- a. Procedures that avoid pre-decisional commitments from applicants for Federal action (e.g., permitting);
- b. Programmatic, landscape-level planning mechanisms that ensure thoughtful and meaningful consultation on infrastructure projects; and
- c. Procedures for consulting with and including Tribes as early as possible in National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) processes, including in pre-decisional scoping discussions.

C. Scope.

Interior's bureaus and offices should work with Tribes to ensure robust indirect and cumulative impacts analysis in the NEPA documents, recognizing that Tribal impacts are not necessarily limited to on-reservation activities and consider conducting regional analysis of their actions' potential impacts to Tribal interests, such as Tribal treaty rights or climate change impacts that may be associated with agency actions.

D. Stronger Federal-Tribal Relationships.

Work with Tribes to identify areas of concern on an ongoing, non-project specific basis (e.g., through a Statement of Relationship or Memorandum of Agreement), to allow local agency decision-makers to know in advance when their decisions will impact Tribal interests.

E. Education & Training.

Prioritize and make available robust training for all Interior bureau and office staff who may be involved in programs and decision-making that may impact Tribes to ensure staff have an appropriate understanding of basic Indian law and policy, treaty rights, and the Federal-Tribal relationship.

F. Integrate Tribal Input into Existing Federal Decision-Making Processes.

Review clearance processes of Interior bureaus and offices to ensure they take Tribal interests into account, and research resources and how methods could be established to make it easier for Interior offices and bureaus to determine which Tribal governments might be impacted by a particular Federal undertaking.

G. Resources & Tribal Capacity.

Research ways to help Tribes increase their capacity to participate in meaningful consultation through new funding streams, training and technical support to Tribes, structures for coordinating consultation across geographies or Interior bureaus and offices, or other options.

Question 3: Are there additional suggested steps Interior could take to improve Tribal consultation and make it more meaningful?

Interior welcomes any input Tribes have on additional or alternative suggestions that Interior should include in its plan to improve consultation. Additionally, Interior welcomes suggestions for ensuring that all Tribes have the opportunity to consult, without burdening Tribes with “too much” consultation, under challenging circumstances due to resource constraints or extenuating circumstances such as the current pandemic that may impede or prevent in-person consultation sessions. Interior also welcomes suggestions on what reasonable steps could be taken to demonstrate Interior sought to fully understand Tribal concerns.

Question 4: What actions to improve Tribal consultation should be made the top priorities in Interior’s plan?

Recognizing that Tribes have suggested many actions in the past for improvement of consultation, are there any items that Interior should make its top priorities?

Key Principles for Consultation (as stated in January 2017 Report)

1. Act consistently with the government-to-government and trust relationship and treaty rights, and understand the historical context for Tribal interests.
2. Establish staff-level and leadership-level relationships with Tribes. Relationships between Federal and Tribal officials can provide a foundation for effective communication and a meaningful understanding of a Tribe’s concerns.
3. Initiate consultation at the earliest point possible, and provide sufficient information in the invitation. Federal agencies should reach out to Tribes and initiate consultation as soon as they are contemplating a Federal policy or action that may impact Tribal interests.
4. Make good-faith efforts to obtain a response from the Tribe and be cognizant of the limits of Tribal resources.
5. Ensure Federal decision-makers actively participate.
6. Seek to fully understand Tribal concerns, reach a consensus where possible, and when necessary, explain clearly why Tribal concerns could not be addressed.
7. Exchange information.

Directions for Submitting Comments

Please submit any comments you have for Interior’s plan to improve Tribal consultation to: **consultation@bia.gov** by midnight Eastern Time on Friday, **March 19, 2021**.

This deadline will ensure that Interior has time to consider Tribes’ input in developing its plan for submission to the OMB by the April 26, 2021 deadline established by the Presidential Memorandum.



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

February 11, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

In December 2020, we notified you of the upcoming consultation on Transportation and ISEP Funding Formulas. Enclosed is a letter from the BIA, Director on the postponement of the consultation in March 2021.

Please do not hesitate to reach out to our office directly and if we can be of assistance in facilitating information sharing. I can be reached at 505-713-9188 (cell).

Sincerely,

Lester K. Tsosie
Acting Regional Director, Navajo

Digitally signed by

LESTER TSOSIE

Date: 2021.02.11

14:55:54 -07'00'

Enclosed



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

February 10, 2021

Dear Tribal Leader:

We are postponing the following scheduled sessions until a later to-be-determined date in order to allow more time for meaningful consultation on this topic:

“Transportation and Indian School Equalization Program (ISEP) Funding Formulas”
March 9, and 11, 2021

We will notify you as soon as the sessions are rescheduled.

Sincerely,

Darryl LaCounte
Director, Bureau of Indian Affairs,
Exercising the Delegated Authority of the
Assistant Secretary – Indian Affairs



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

February 12, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a letter from the Bureau of Indian Education Director regarding upcoming listening sessions on February 24 and 25, 2021. The attached gives the description and purpose of the listening sessions on 1) CRRSA Funding and 2) 25 CFR Subchapter E Waivers.

The following links are provided to register for the listening sessions.

- February 24: Register in advance for this meeting at:
<https://us02web.zoom.us/j/82157693441?pwd=Z3A3YVhpV085WDRobHZZcFFOLlZTZz09>
- February 25: Register in advance for this meeting at:
<https://us02web.zoom.us/meeting/register/tZEIcqqgTspGdCg30tBN08mNR-dxmcohevn>

Please do not hesitate to reach out to our office directly and if we can be of assistance in facilitating information sharing. I can be reached at 505-713-9188 (cell).

Sincerely,

Lester K. Tsosie

Acting Regional Director, Navajo

Enclosed

cc: Chief of Staff, Office of the President, Vice President



United States Department of the Interior

BUREAU OF INDIAN EDUCATION
Washington, D.C. 20240

Dear Tribal Leader:

The Bureau of Indian Education (BIE) welcomes Tribal leadership and stakeholders to attend planned listening sessions scheduled for 3:00 pm to 5:00 pm Eastern Standard Time (EST) on Wednesday February 24, and Thursday February 25, 2021.

The purpose of the listening sessions is to: 1) Provide an overview of the distribution and allowable uses of funds transferred from the U.S. Department of Education (ED) to BIE pursuant to the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA); 2) Receive input regarding funding considerations for BIE's CRRSA emergency and administrative costs 10 percent set-aside; and 3) Provide an overview of the U.S. Department of the Interior's (Department) issuance of a blanket waiver of certain 25 CFR subchapter E regulatory requirements to address COVID-19 related funding concerns and the general status of requests received from BIE schools¹ to waive additional 25 CFR subchapter E regulatory requirements.

CRRSA Funding

On December 27, 2020, the President signed into law P. L. 116-260, Consolidated Appropriations Act, 2021, providing CRRSA transfer funds to BIE in the amount of \$409.4 million from ED. The \$409.4 million transfer from ED to BIE is governed by an agreement between the two agencies. The agreement provides that BIE must disburse no less than 90 percent of the \$409.4 million to BIE-funded schools, as defined in 25 U.S.C. 202, and to Tribal Colleges and Universities (TCU). The funding to schools and TCUs will be distributed using existing formulas based upon K-12 school and TCU student counts to ensure parity to the extent practicable. BIE may use the remaining funds, up to 10 percent (10 percent set-aside), for emergency needs, as determined by BIE, to address issues responding to COVID-19. Additionally, from the 10 percent set-aside, BIE may reserve up to 0.5 percent for administrative cost. One focus of the listening sessions is to hear from Tribal leaders and stakeholders regarding funding considerations for the 10 percent set-aside targeting mental health services and trauma training, facility safety needs, communications outreach, distance learning investments, emergency planning and coordination activities, administrative needs, or other COVID-19 impact considerations.

25 CFR Subchapter E Waivers

The listening sessions will also provide an overview of: A) the issuance of a blanket waiver of certain 25 CFR subchapter E regulatory requirements to the extent necessary to ensure that BIE schools receive the level of Indian School Equalization Program (ISEP) and transportation funding for school year 2021-2022 that they would have received absent COVID-19 related

¹ Unless otherwise noted, for purposes of this letter, the terms "BIE schools" and "BIE-funded schools" include BIE-operated schools and dormitories, schools and dormitories operated pursuant to a grant under the Tribally Controlled Schools Act of 1988 (25 U.S.C. § 2501 et seq.), and schools and dormitories operated pursuant to a contract under the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 5301 et seq.).

school facility closures; and B) the general status of requests received to waive additional 25 CFR subchapter E regulatory requirements.

In a letter on June 25, 2020 (June letter), the Department established a process through which it would waive certain regulations otherwise applicable to BIE-funded schools in response to the pandemic. The waiver request process outlined in the June Letter reflected the Department's hope and expectation that to the greatest extent possible, BIE students would attend school in-person for the 2020-21 school year and that regulatory waivers would only be sparingly necessary.

While in-person instruction remains the Department's goal, the ongoing COVID-19 pandemic has necessitated ongoing closures of more than ninety-five percent of BIE school sites into 2020-21 in order to protect the safety of BIE students and their parents, as well as BIE faculty and staff. These site closures will result in significant decreases in ISEP and transportation funding levels for nearly all BIE schools pursuant to the BIE funding mechanisms established in Title 25 part 39 of the Code of Federal Regulations. These mechanisms base funding for the 2021-2022 school year on factors including instructional hours, student nights in residence, and school and commercial bus mileage during the current school year, all of which are severely impacted by the site closures. The resulting funding decreases would significantly affect the quality and availability of educational opportunities that BIE schools can offer its students during the 2021-2022 school year and potentially beyond.

The circumstances of the COVID-19 national emergency, and the potential consequences for BIE-funded schools and the students served at such schools in light of the ongoing school site closures extending into the 2020-2021 school year, have required the Department to reconsider the efficacy of the waiver request process established in the June Letter. It is particularly evident that a new approach is needed given that COVID-related school closures are so widespread that more than ninety-five percent remain closed. To ensure adequate ISEP and transportation funding for these schools in the 2021-22 school year, the Department issued a blanket waiver of the following regulatory requirements applicable to school year 2020-2021 for all BIE schools: 25 C.F.R. §§ 39.710-.711 (bus transportation), 39.702-.704 (commercial transportation), 39.216-.221 (residential), 39.214 (instructional hours).

To the extent that a BIE school has already submitted a waiver request, which includes a request to waive regulations outside of those referenced above, the Department will continue to review those requests, but will limit the review only to those additional provisions.

Efforts are well underway by Indian Affairs and the BIE to expedite the distribution of COVID-19 funds and provide your schools with the flexibility needed to support recovery and the reopening needs of each school for a safe and responsive return to operations.

Please use the following links to register for the listening sessions. After registering at the links below, you will receive a confirmation email.

- February 24: Register in advance for this meeting at:
<https://us02web.zoom.us/j/82157693441?pwd=Z3A3YVhpV085WDRobHZZcFFOLlZTZz09>
- February 25: Register in advance for this meeting at:
<https://us02web.zoom.us/meeting/register/tZEIcqqqTspGdCg30tBN08mNR-dxmcohevn>

We look forward to meeting with you and receiving your valuable input.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tony L. Dearman", with a long horizontal flourish extending to the right.

Tony L. Dearman
Director



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

February 17, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a letter from the Office of Regulatory Affairs & Collaborative Affairs regarding the upcoming consultation session on Bears Ears Nation Monument, Grand Staircase-Escalante National Monument, Northeast Canyons and Seamounts Marine National Monument. Specifically, President Biden directed the Department to determine whether restoration of the monument boundaries prior to the 2017 proclamations. We invite you to join the following consultation sessions which will be co-hosted by federal partners identified in Executive Order 13990, see link provided.

Date	Time (Eastern Time)	Call-In Number	Passcode
Friday, February 26, 2021	12 p.m. – 2 p.m.	(888) 982-4689	8247646
Monday, March 1, 2021	1 p.m. – 3 p.m.	(888) 455-9640	4844588

Please see the timeline of March 21, 2021 on tribal input and the expedited consultation based on E.O. requiring the department to submit a report to President Biden. We welcome written input via email to consultation@bia.gov no later than midnight, March 12, 2021. If you have any questions, please contact Ms. Elizabeth Appel, Director, Office of Regulatory Affairs & Collaborative Action at Elizabeth.appel@bia.gov or (202) 738-6065.

Please contact our office directly if we can be of assistance with facilitating information sharing. I can be reached at cell phone number (505) 713-9188.

Sincerely,

Lester K. Tsosie
Acting Regional Director

Digitally signed by
LESTER TSOSIE
Date: 2021.02.17
14:43:55 -07'00'

Enclosed

cc: Mr. Myron Lizer, Vice President, Office of the President, Navajo Nation
Mr. Paulson Chaco, Chief of Staff, Office of the President, Navajo Nation
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Navajo Nation
Mr. Chris Bahe, Office of the President, Navajo Nation
Ms. Santee Lewis, Washington Office, Navajo Nation
Mr. Levon Henry, Legal Counsel, Office of the President, Navajo Nation



United States Department of the Interior

OFFICE OF THE SECRETARY

RE: Review of National Monument Boundaries and Conditions Established in 2017

Dear Tribal Leader:

On January 20, 2021, President Biden issued an executive order (E.O.) directing the Secretary of the Interior (Interior), along with our federal partners, to review the 2017 proclamations that modified the boundaries of the Bears Ears National Monument, Grand Staircase-Escalante National Monument, and Northeast Canyons and Seamounts Marine National Monument.¹ Specifically, President Biden directed us to determine whether restoration of the monument boundaries prior to the 2017 proclamations would be appropriate. See E.O. 13990, [Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis](#).

I respectfully invite you to join one or both of the following consultation sessions co-hosted by our federal partners identified in the E.O.

Date	Time (Eastern Time)	Call-In Number	Passcode
Friday, February 26, 2021	12 p.m. – 2 p.m.	(888) 982-4689	8247646
Monday, March 1, 2021	1 p.m. – 3 p.m.	(888) 455-9640	4844588

We understand this is short notice, but we are seeking an expedited consultation because the E.O. requires Interior to submit a report to President Biden by March 21, 2021. We want to ensure that we fully discuss this issue with you prior to our preparation of any report to President Biden.

Likewise, if you would like to submit written input, please submit your comments by email to consultation@bia.gov at your earliest convenience but no later than midnight, Friday, March 12, 2021. If you have any questions regarding this effort in the meantime, please contact Ms. Elizabeth Appel, Director, Office of Regulatory Affairs & Collaborative Action at elizabeth.appel@bia.gov or (202) 738-6065.

Sincerely,

ANN BLEDSOE
DOWNES

Digitally signed by ANN
BLEDSOE DOWNES
Date: 2021.02.17
14:51:50 -05'00'

Ann Marie Bledsoe Downes
Tribal Governance Officer
Acting Deputy Solicitor, Indian Affairs

¹ See Proclamation 9681 of December 4, 2017 (Modifying the Bears Ears National Monument), Proclamation 9682 of December 4, 2017 (Modifying the Grand Staircase-Escalante National Monument), and Proclamation 10049 of June 5, 2020 (Modifying the Northeast Canyons and Seamounts Marine National Monument).

cc:

United States Department of Justice

United States Department of Agriculture

United States Department of Commerce

Council on Environmental Quality



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

February 19, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

The U.S. Department of Labor (DOL) has requested the Bureau of Indian Affairs to assist in disseminating this information regarding the upcoming “American Indian Labor Force Report” scheduled March 8 and 9, 2021. There will be two available two sessions offered and as shared via National Congress of American Indian’s network.

As you may know, back in 2017 Congress amended the Indian Employment, Training and Related Services Act of 1992, commonly known as Public Law 102-477. Section 15 of the amended law transferred the responsibility of publishing labor market information on the Indian Workforce from the Department of Interior to the Department of Labor. This law also requires that the Secretary of Labor consult with tribes in developing the report. Accordingly, the Department of Labor’s, Office of Policy Development and Research (OPDR) will be holding its first tribal consultation meeting on March 8, 2021 and March 9, 2021 (see tribal leader letter below). The consultation is intended for Tribal Chairmen and Chairwomen, Tribal Council members and other tribal officials and tribal labor force experts however we welcome and encourage all those interested. That said, we would greatly appreciate it if you could make your tribal leaders aware of this very important tribal consultation meeting. See details on the meeting below.

We are writing again to let you know about two tribal consultation meetings concerning the development of data and a report on “Labor Market Information on the Indian Workforce,” which we refer to as the “American Indian Labor Force Report” for short. The U.S. Department of Labor is required to produce this report biennially under the Indian Employment, Training and Related Services Consolidation Act of 2017, in consultation with tribes and the U.S. Department of the Interior. The upcoming consultation meetings provide an opportunity to hear from a broad array of tribes about their experiences, concerns, and ideas, in order to inform data collection processes and assure that the eventual reports will be as accurate and useful as possible.

The two consultation meetings will be held on successive days but at different times, to allow for the greatest possible participation, accommodating individuals’ schedules and different time zones. Participants can join either one – or both – meetings, or split their participation between the two, as the meetings will be identical in their agendas, issues, and break times (at about the half-way point). The meetings will be conducted via Webex and registration is required. Days and times of the meetings and their Webex registration links are as follows:

- March 8th: 3:30 – 7 pm EST/12:30 – 4 pm PST (for Mountain/Pacific/AK times). Register link:
<https://spra.webex.com/spra/onstage/g.php?MTID=e449988c6858047d7611003288c0cf40d>

- March 9, 2021: 2 – 5:30 pm EST/11am – 2:30 pm PST (for Eastern/Central times). Register link:
<https://spra.webex.com/spra/onstage/g.php?MTID=e93cf4ca9e7b076bf071448dc67556009>

To participate, please click the link above for the meeting(s) you wish to attend. After the page opens, click “Register” at the top of the page, fill out the form, and then hit “Submit.” You will then receive a confirmation email that contains a calendar invite, with the WebEx link and call-in information. The agenda and slides for the meetings will be available from the WebEx registration page after March 1, 2021.

Please note that if you wish to speak during the meeting, you can do so via computer or by phone (but you must allow the WebEx program to call you at the number you provided on the registration form). You can also call in to the meeting, using the phone number and passcode on the Webex page, to listen in only, and to participate through the written “chat” function on the computer.

We hope you will share this invitation with tribal data specialists and tribal administrators, as appropriate, as well as with interested tribal representatives, so that we can hear from a wide variety of individuals.

If you have any questions, please send them to our dedicated mailbox: ILFR@dol.gov.

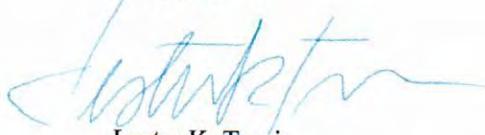
The DOL hopes to hear from you at one of the upcoming consultation meetings and thanks you for your response. You may contact Mr. Wayne Gordon and Athena Brown at the following:

Wayne Gordon
Director, Division of Research and Evaluation
Office of Policy Development and Research
Employment and Training Administration, U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Athena Brown
Director, Division of Native American Programs
Office of Workforce Investment
Employment and Training Administration, U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Please contact our office directly if we can assistance in facilitating information sharing. I am available at cell phone number (505) 713-9188.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lester K. Tsosie".

Lester K. Tsosie
Acting Regional Director

cc: Mr. Myron Lizer, Vice President, Office of the President, Navajo Nation
Mr. Paulson Chaco, Chief of Staff, Office of the President, Navajo Nation
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Navajo Nation
Mr. Chris Bahe, Office of the President, Navajo Nation
Ms. Santee Lewis, Washington Office, Navajo Nation
Mr. Levon Henry, Legal Counsel, Office of the President, Navajo Nation
Honorable Seth Damon, 24th Navajo Nation Council, Navajo Nation
Ms. Sherylene Yazzie, Chief of Staff, Office of the Speaker, Navajo Nation



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

March 3, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

The BIA, Deputy Director, Trust Services, Central Office has requested the BIA, Navajo Region to assist in disseminating this information from the U.S. FEMA officials regarding the tribal consultation for COVID-19 Funeral Assistance for Tribal Nations. While this may have been sent previously by the FEMA officials, we are sending on as additional notification for further coordination on tribal consultation.

The consultation session is scheduled to be held virtually on March 4, 2021, 2:00 – 4:00 p.m. EST. The tribal consultation session, Recovery Directorate staff will provide a brief overview of:

- FEMA funeral assistance,
- the key provisions of the proposed interim policy, and
- the simplified delivery processes and procedures being advocated to reduce the administrative burden on eligible applicants.

Any questions and written comments may be directed to the Individual Assistance Division through fema-ia-publiccomment@fema.dhs.gov or through FEMA Regional Tribal Liaisons until March 15, 2021. Contact information for FEMA Tribal Liaisons may be found at www.fema.gov/about/contact.

Please contact our office if we can be of assistance in facilitating information sharing. I am available at cell phone number: (505) 713-9188.

Sincerely,

Lester K. Tsosie
Acting Regional Director

Digitally signed by
LESTER TSOSIE
Date: 2021.03.03
10:34:14 -07'00'

cc: Mr. Myron Lizer, Vice President, Office of the President, Navajo Nation
Mr. Paulson Chaco, Chief of Staff, Office of the President, Navajo Nation
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Navajo Nation
Mr. Chris Bahe, Office of the President, Navajo Nation
Ms. Santee Lewis, Washington D.C. Office, Navajo Nation
Mr. Levon Henry, Legal Counsel, Office of the President, Navajo Nation
Honorable Seth Damon, 24th Navajo Nation Council, Navajo Nation
Ms. Sherylene Yazzie, Chief of Staff, Office of the Speaker, Navajo Nation



FEMA

February 26, 2021

Dear Tribal Leader:

In December 2020, Congress passed, and the President signed, the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 into law as part of the Consolidated Appropriations Act of 2021. This law provides FEMA with an unprecedented \$2 billion to reimburse individuals and households for COVID-19-related funeral expenses incurred between January 20, 2020 and December 31, 2020 at 100% federal cost-share. This is the largest amount of funeral assistance ever implemented by FEMA and for an unprecedented number of deaths caused by the COVID-19 pandemic. FEMA will provide this financial assistance under the Other Needs Assistance provision of the Individual Assistance, Individuals and Households Program to individuals and households with COVID-19-related funeral expenses.

FEMA would like to hear tribal comments on the process to support the delivery of funeral assistance, regardless of where tribal members physically live. Therefore, FEMA will host a virtual tribal consultation session on March 4, 2021, 2:00-4:00 P.M. ET to receive input from tribal nations on funeral assistance policies and procedures under development to deliver COVID-19-related funeral assistance. During the tribal consultation session, Recovery Directorate staff will provide a brief overview of:

- FEMA funeral assistance,
- the key provisions of the proposed interim policy, and
- the simplified delivery processes and procedures being advocated to reduce the administrative burden on eligible applicants.

Due to the hardship presented by the unprecedented number of deaths caused by COVID-19, FEMA will streamline the delivery of funeral assistance to make it easier for people who incurred those expenses to apply for and receive assistance. We understand that American Indians and Alaska Natives have suffered losses at an exceptionally high rate. We also understand that there are often challenges associated with the delivery of assistance directly to individuals and households, which must be addressed to ensure every American effected, regardless of their physical location, is able to access this assistance.

FEMA remains committed to its responsibility under Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, reaffirmed by President Biden's January 26, 2021 [Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships](#), to engage in consultation and collaboration with tribal officials. We look forward to receiving your valuable input.

Questions and any written comments may be directed to the Individual Assistance Division through fema-ia-publiccomment@fema.dhs.gov or through FEMA Regional Tribal Liaisons until March 15, 2021. Contact information for FEMA Tribal Liaisons may be found at www.fema.gov/about/contact.

On a personal note, I want to share with you my sympathies to the families and friends of the tribal leaders, tribal members, and other important members of your tribal communities who have succumbed to this disease.

Respectfully,

A handwritten signature in blue ink, appearing to read "Keith Turi".

Keith Turi
Assistant Administrator
Recovery Directorate
Office of Response and Recovery

cc: Tribal Emergency Managers

FEMA Holds Virtual Consultation on COVID-19 Funeral Assistance for Tribal Nations

In December 2020, Congress passed, and the President signed, the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 into law as part of the Consolidated Appropriations Act of 2021. The law provides FEMA with an unprecedented \$2 billion to reimburse individuals and households for COVID-19-related funeral expenses incurred between January 20, 2020 and December 31, 2020 at 100% federal cost-share.

FEMA would like to hear tribal concerns on the process to support the delivery of funeral assistance. Therefore, FEMA is hosting a virtual tribal consultation session to receive input from tribal nations on funeral assistance policies and procedures. This consultation session will take place virtually on March 4, 2021, 2:00-4:00 P.M. ET.

During the event, FEMA staff will provide an overview of FEMA funeral assistance, the key provisions of the proposed interim policy, and the simplified delivery process and procedures being advocated to reduce the administrative burden on tribal governments and eligible applicants.

Registration:

Please register in advance for the session, via [Zoom](#). After registering, you will receive a confirmation email containing information about joining the session.

Written Comments:

Questions and written comments may be directed to the Individual Assistance Division by email at fema-ia-publiccomment@fema.dhs.gov or through FEMA Regional Tribal Liaisons until March 15, 2021. Contact information for FEMA Tribal Liaisons may be found at www.fema.gov/about/contact.

Contact Us

If you have any questions, please contact FEMA Office of External Affairs:

- Congressional Affairs at (202) 646-4500 or at FEMA-Congressional-Affairs@fema.dhs.gov
- Intergovernmental Affairs at (202) 646-3444 or at FEMA-IGA@fema.dhs.gov
- Tribal Affairs at (202) 646-3444 or at FEMA-Tribal@fema.dhs.gov
- Private Sector Engagement at (202) 646-3444 or at nbeoc@max.gov



FEMA

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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

March 16, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader letter from Senior Advisor to Assistant Secretary – Indian Affairs on postponing the Indian Trader Regulations that was scheduled March 16 and 18, 2021.

Sincerely,

Lester K. Tsosie
Acting Regional Director, Navajo

c: Mr. Myron Lizer, Vice President, Office of the President, Vice President
Mr. Paulson Chaco, Chief of Staff, Office of the President, Vice President
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Vice President
Mr. Chris Bahe, Navajo Nation, Office of the President
Ms. Santee Lewis, NNWO
Mr. Levon Henry, Legal Counsel, Office of the President, Vice President



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 15 2021

Dear Tribal Leader:

We are postponing the following scheduled sessions until a later to-be-determined date in order to allow more time for meaningful consultation on this topic:

“Indian Trader Regulations”
March 16 and 18, 2021

We will notify you at a later date of the opportunity for discussion on this topic.

Sincerely,

Bryan Newland
Senior Advisor to the Secretary of the Interior
Exercising the Delegated Authority of the
Assistant Secretary – Indian Affairs



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

March 16, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader letter from Principal Deputy Assistant Secretary for Land and Minerals Management and Senior Advisor to Assistant Secretary – Indian Affairs regarding Executive Order 14008, Tackling Climate Crisis at Home and Abroad. The Department is seeking your input on this important initiative.

Enclosed is information on the initiative with tribal consultation sessions that will be held by teleconference in April 2021, 1:00 – 3:00 p.m.

We will hold follow-up phone consultation meetings on:

Date	Time	Call-in Information
Tuesday, April 27, 2021	1:00 p.m. – 3:00 p.m.	800-857-5055, Passcode 6951606
Thursday, April 29, 2021	1:00 p.m. – 3:00 p.m.	800-857-5055, Passcode 6951606

Your participation is respectfully requested to improve the Department's support for Tribal views and recommendations. Foremost, formal written comments is requested on Section 207 of the EO 14008 at consultation@bia.gov by midnight ET on April 16, 2021.

Sincerely,

Lester K. Tsosie
Acting Regional Director, Navajo

cc: Mr. Myron Lizer, Vice President, Office of the President, Vice President
Mr. Paulson Chaco, Chief of Staff, Office of the President, Vice President
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Vice President
Mr. Chris Bahe, Navajo Nation, Office of the President
Ms. Santee Lewis, NNWO
Mr. Levon Henry, Legal Counsel, Office of the President, Vice President
Dr. Rudy Shebala, Division of Natural Resources, Navajo Nation



United States Department of the Interior

OFFICE OF THE SECRETARY

Dear Tribal Leader:

On January 27, 2021, President Biden issued Executive Order (E.O.) 14008, Tackling the Climate Crisis at Home and Abroad. He stated that, “[t]he United States and the world face a profound climate crisis. We have a narrow moment to pursue action at home and abroad in order to avoid the most catastrophic impacts of that crisis and to seize the opportunity to that tackling climate change presents.” See [E.O. 14008, Tackling the Climate Crisis at Home and Abroad](#).

Section 207 of the E.O. directs the Secretary of the Interior to “engage with Tribal authorities regarding the development and management of renewable and conventional energy resources on Tribal lands.”

Your input to this review is important. Tribal nations have sought to meaningfully address climate change, aware that climate change frequently disproportionately impacts Tribal communities and imperils irreplaceable natural and cultural resources and ways of life. Tribes have been at the forefront of important national conversations about responsible fossil fuel development and accelerating the promise of renewable energy on Tribal lands.

The Department is seeking information on the following:

1. How can the Department help Tribes access capital for development of renewable energy resources?
2. How can the Department improve processes and policies that affect tribal development of renewable energy resources, including facilitating greater communication and support among Federal agencies?
3. What steps can Federal agencies take to ensure that Tribes have greater control over the development of energy projects on tribal lands?
4. What additional barriers do Tribal governments face when attempting to develop resources within reservation lands?

We respectfully request your participation in consultation to receive your views and recommendations on ways to improve the Department’s support to developing Tribal renewable and conventional energy resources. We are asking that you first provide formal written input on Section 207 of E.O. 14008 at consultation@bia.gov by **midnight ET on April 16, 2021**.

We will hold follow-up phone consultation meetings on:

Date	Time	Call-in Information
Tuesday, April 27, 2021	1:00 p.m. – 3:00 p.m.	800-857-5055, Passcode 6951606
Thursday, April 29, 2021	1:00 p.m. – 3:00 p.m.	800-857-5055, Passcode 6951606

I look forward to receiving your written input on these important questions and discussing with you at the above consultation sessions.

Very Truly,

Laura Daniel-Davis
Digitally signed by Laura Daniel-Davis
Date: 2021.03.16 08:57:43 -04'00'

Laura Daniel-Davis
Principal Deputy Assistant Secretary for
Land and Minerals Management

BRYAN NEWLAND
Digitally signed by BRYAN NEWLAND
Date: 2021.03.15 17:23:43 -04'00'

Bryan Newland
Senior Advisor to the Secretary
Exercising the Delegated Authority of the
Assistant Secretary – Indian Affairs



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

March 16, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader letter from Senior Advisor to Assistant Secretary – Indian Affairs regarding the American Rescue Plan (ARP). The consultation sessions comes as short notice as the ARP has deadlines contained in ARP.

The enclosed provides thorough information on tribal input to determine how to best allocate funding for BIA and BIE through the ARP.

The consultation sessions is scheduled March 25 – 29, 2021. The Mountain time zone is scheduled on March 26, 2021 from 12:00 - 2:00 p.m.

The Department looks forward to your participation on this important topic.

Sincerely,

Lester K. Tsosie
Acting Regional Director, Navajo

c: Mr. Myron Lizer, Vice President, Office of the President, Vice President
Mr. Paulson Chaco, Chief of Staff, Office of the President, Vice President
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Vice President
Mr. Chris Bahe, Navajo Nation, Office of the President
Ms. Santee Lewis, NNWO
Mr. Levon Henry, Legal Counsel, Office of the President, Vice President



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 16 2021

Dear Tribal Leader:

I invite you to consult on the additional funding appropriated to Indian Affairs under the American Rescue Plan (ARP). We are seeking feedback from federally recognized Tribes and Tribal Colleges and Universities (TCU) on three general topics:

1. The Department of the Interior's collection of tribal enrollment information;
2. The Office of the Assistant Secretary – Indian Affairs and Bureau of Indian Affairs (BIA) process for distributing \$900 million in ARP funds to tribal governments; and,
3. The Bureau of Indian Education (BIE) process for distributing \$850 million in ARP funds to K-12 schools and TCUs.

The consultation sessions are scheduled by time-zone and will be held by telephone conference due to the ongoing COVID-19 pandemic. The short notice for these sessions is due to certain deadlines contained in the ARP. The schedule is as follows:

Date	Time	Topic	Teleconference Number
March 25, 2021	1:00 p.m. – 3:00 p.m. Eastern Time	Eastern & Central Time Zone Tribes American Rescue Plan Funding Implementation	Participant Call-in: 800-369-1122 Passcode: 5906233
March 26, 2021	2:00 p.m. – 4:00 p.m. Eastern Time 12:00 p.m. - 2:00 p.m. Mountain Time	Mountain Time Zone Tribes American Rescue Plan Funding Implementation	Participant Call-in: 800-369-1122 Passcode: 5906233
March 29, 2021	2:00 p.m. – 4:00 p.m. Eastern Time 11:00 a.m. - 1:00 p.m. Pacific Time	Pacific & Alaska Time Zone Tribes American Rescue Plan Funding Implementation	Participant Call-in: 800-369-1122 Passcode: 5906233

Bureau of Indian Affairs

Indian Affairs is looking for input to determine how to best allocate the \$900 million provided to BIA through the ARP. A key factor in Indian Affairs' ability to do so quickly is the availability of each tribe's total enrollment number. Enrollment data is needed to equitably and transparently allocate funding to tribes for Tribal Government services and is also an important source of information for supporting equitable distribution of resources by Indian Affairs and other Federal agencies. We have drafted for your review a certification form (see attached). Our intention in drafting this form was to ensure a safe, certified process for collecting enrollment information from tribes listed in the latest Federal Register notice¹ listing of Federally recognized tribes. We look forward to your input during the consultation on this certification form; the process for collection of enrollment data; procedures to ensure secure management of the data; and potential uses of the data.

Regarding the allocation of funds and distribution methodology, Indian Affairs is looking for feedback in the following areas.

The bill language includes \$772.5 million for tribal government services, public safety and justice, social services, Indian child welfare and related expenses. We would like your input on distribution of this funding and have three questions on this aspect of the funding we would like your feedback on:

1. If the majority of funding was provided to tribes through the tribal government funding line so tribes could then reprogram for other purposes, would this provide sufficient flexibility to tribes?
2. In order to equitably distribute funding, we are planning to base the methodology for the Tribal Government Services funding on the newly collected enrollment data. We are considering using a formula based on grouping by enrollment size, similar to the approach used for CARES Act funding. Are there other factors we should take into consideration?
3. Because public safety and justice (PSJ) funding is not considered a Tribal Priority Allocation and cannot be easily reprogrammed by Tribes, BIA is considering setting aside some of the \$772.5 million for PSJ programs. We are considering distributing these funds based on the existing allocation of base (recurring annual) funding level for OJS-funded, tribally operated, programs. Are there any additional factors we should take into consideration?

The ARP also includes \$20 million for delivery of potable water and \$100 million for housing improvement. To ensure each of these critical needs are met, BIA proposes to allocate funding or implement projects for potable water as the need is identified by tribal governments. For housing improvement, BIA is considering using a distribution method with two steps. The first step would be to ensure all tribes have a minimum level of funding which would expend roughly 30% of the \$100 million. The second step would be to distribute the remaining funding on a pro-rata basis based on enrollment data. We would like to know if you have any other or additional

¹ Federal Register, vol. 86, No.18, January 29, 2021, p 7554.

considerations or methodologies we should take into account for allocating housing improvement funding.

Bureau of Indian Education

To determine the most effective and efficient allocation of the \$850 million provided to BIE through the ARP, Indian Affairs is looking for feedback on the following issues:

1. What factors should BIE use to determine the fair and equitable distribution of the \$850 million among the 183 BIE-funded K-12 schools and 35 TCUs? Should BIE consider other areas in addition to student counts (Weighted Student Unit for Grades K-12 and Indian Student Count for TCUs) when determining funds distribution?
2. Indian Affairs has identified several investment areas that could be centrally administered to benefit BIE-funded schools, generally. These investment areas include the development and implementation of a Learning Management System (LMS) and related information technology investments for instructional continuity. Investments for facility-related improvements to ensure adequate ventilation and support for social distancing requirements could also be considered areas for investment. Are there other or additional BIE system-wide investments that would benefit from being centrally administered?

I look forward to your input on Indian Affairs implementation of this critical funding.

Sincerely,



Bryan Newland
Senior Advisor to the Secretary of the Interior
Exercising the Delegated Authority of the
Assistant Secretary – Indian Affairs

Enclosure



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

March 16, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

In January 2021, the Navajo Region, BIA helped to disseminate information on Tribal Consultation and Strengthening Nation-to-Nation Relationships, reaffirming Executive Order (EO) 13175. Accordingly, the Office of National Drug Control Policy (ONDCP) is a component of the EO.

Enclosed is information on the initiative with tribal communities and the tribal consultation sessions that will be held virtually on March 23 - 25, 2021, 2:00 – 4:30 p.m. EDT. The Southwest area is scheduled on March 24, 2021. See below the tribal consultation session schedule.

- **Tuesday, March 23, 2021** (2:00 p.m. – 4:30 p.m. EDT)
States: Alaska and Washington
<https://pitc.zoomgov.com/j/16099532172?pwd=dIQ4alJRS2tYRIJDdlp0V05DdkYvdz09>
Meeting ID: 160 9953 2172 Passcode: 610467
- **Wednesday, March 24, 2021** (2:00 p.m. – 4:30 p.m. EDT)
States: Arizona, Colorado, New Mexico, and Utah
<https://pitc.zoomgov.com/j/16099532172?pwd=dIQ4alJRS2tYRIJDdlp0V05DdkYvdz09>
Meeting ID: 160 9953 2172 Passcode: 610467
- **Thursday, March 25, 2021** (2:00 p.m. – 4:30 p.m. EDT)
States: Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin
<https://pitc.zoomgov.com/j/16099532172?pwd=dIQ4alJRS2tYRIJDdlp0V05DdkYvdz09>
Meeting ID: 160 9953 2172 Passcode: 610467

Your comments via email is also welcome to Tribal.Relations@ondcp.eop.gov through March 31, 2021. Any questions, please contact Ms. Betty-Ann Bryce, Special Advisor at Tribal.Relations@ondep.eop.gov.

Sincerely,

Lester K. Tsosje
Acting Regional Director, Navajo

cc: Mr. Myron Lizer, Vice President, Office of the President, Vice President
Mr. Paulson Chaco, Chief of Staff, Office of the President, Vice President
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Vice President
Mr. Chris Bahe, Navajo Nation, Office of the President
Ms. Santee Lewis, NNWO
Mr. Levon Henry, Legal Counsel, Office of the President, Vice President
Honorable Seth Damon, 24th Navajo Nation Council
Ms. Sherylene Yazzie, Chief of Staff, Office of the Speaker
Honorable Delegate Amber Crotty, 24th Navajo Nation Council



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503

Dear Tribal Leader and Urban Indian Organization Leader:

On January 26, 2021, President Biden issued a Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships, reaffirming Executive Order (EO) 13175, “Consultation and Coordination with Indian Tribal Governments” (65 FR 67249, November 9, 2000) and the policy announced in the Presidential Memorandum on Tribal Consultation of November 5, 2009 (November 9, 2009, 74 FR 57879). The Presidential Memorandum directs agencies to consult with Indian Tribes to develop a detailed plan of actions to implement EO 13175.

The Office of National Drug Control Policy (ONDCP) is a component of the Executive Office of the President. The mission of ONDCP is to reduce substance use disorder and its consequences by coordinating the nation’s drug control policy through the development and oversight of the *National Drug Control Strategy* and Budget. The rising number of substance use-related deaths is a nationwide public health crisis that disproportionately affects American Indian and Alaska Native individuals, families, and communities. ONDCP is committed to using its full expertise and resources to address the addiction and overdose epidemic in Indian Country.

In accordance with the Presidential Memorandum, we are honored to invite you to participate in the *Nation-to-Nation Addiction Epidemic and Other Substance Use Challenges Tribal* consultation. We are eager to use these discussions to better inform Federal drug policy priorities and ensure that they meet the needs of Indian Country. The Federal Government has multiple prevention, harm reduction, treatment, and recovery programs that respond to the consequences of substance use and substance use disorders, and the impact on public health and public safety. However, there is a need to better align, leverage, and coordinate federal efforts and resources at multiple levels within each department to effectuate comprehensive substance use services and programs for American Indian and Alaska Native individuals, families, and communities. If you would like to attend, please send an email to Tribal.Relations@ondcp.eop.gov. The consultation times, dates and links are below:

- **Tuesday, March 23, 2021** (2:00 p.m. – 4:30 p.m. EDT)
States: Alaska and Washington
<https://pitc.zoomgov.com/j/16099532172?pwd=dIQ4alJRS2tYRIJDdlp0V05DdkYydz09>
Meeting ID: 160 9953 2172 Passcode: 610467
- **Wednesday, March 24, 2021** (2:00 p.m. – 4:30 p.m. EDT)
States: Arizona, Colorado, New Mexico, and Utah
<https://pitc.zoomgov.com/j/16099532172?pwd=dIQ4alJRS2tYRIJDdlp0V05DdkYydz09>
Meeting ID: 160 9953 2172 Passcode: 610467
- **Thursday, March 25, 2021** (2:00 p.m. – 4:30 p.m. EDT)
States: Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin
<https://pitc.zoomgov.com/j/16099532172?pwd=dIQ4alJRS2tYRIJDdlp0V05DdkYydz09>
Meeting ID: 160 9953 2172 Passcode: 610467

The consultation sessions present an opportunity for Tribal leaders and members to share promising or cultural practices, bring attention to challenges and barriers, and discuss strategies

for intervention through federal funding and program opportunities. Specific topics on which we welcome your feedback, are listed below:

- Strengthen ONDCP engagement with Tribal Governments to assess the impact of ONDCP activities on Tribal communities; assure that Tribal interests are considered before the activities are undertaken; and ensure we are responsive and engaging with Indian Country in a meaningful way.
- Best ways to coordinate with tribes to determine the scope of substance use disorders and the impact of the pandemic on Tribal communities.
- How to decrease barriers to treatment, increase support for native community Medications for Opioid Use Disorder (MOUD) (MAT) advocates, and encourage the use of culturally-specific practices in recovery support services.
- Strengthen research for creating evidence-based, culturally-appropriate prevention curriculums and the expansion of prevention activities for Tribes to reduce the risk of substance use initiation.
- Ways to address the impact of historical, intergenerational, and current trauma in Tribal communities on behavioral health outcomes related to drug misuse, addiction and overdose.
- Ways to address law enforcement challenges such as containing the influx of illicit drugs in Tribal communities, ensuring timely response to overdose emergency calls, expanding naloxone trainings for police and first responders, and exploring partnerships between law enforcement and Tribal health entities.

We will consider your input as we develop our plan of actions. You may submit your comments via email to Tribal.Relations@ondcp.eop.gov. We will accept comments through **March 31, 2021**. If you have any questions about the Nation-to-Nation Addiction Epidemic and Other Substance Use Challenges Tribal consultation please contact Betty-Ann Bryce, Special Advisor for Rural Affairs Tribal.Relations@ondcp.eop.gov.

Sincerely,



Regina M. LaBelle
Acting Director



OFFICE OF NATIONAL DRUG CONTROL POLICY FACT SHEET

The Office of National Drug Control Policy (ONDCP) is a component of the Executive Office of the President created by the Anti-Drug Abuse Act of 1988. The mission of ONDCP is to reduce substance use disorder and its consequences by coordinating the nation's drug control policy through the development and oversight of the National Drug Control Strategy and Budget. ONDCP accomplishes this through:

- Developing and overseeing implementation of the National Drug Control Strategy. The Strategy uses the latest evidence and research to promote public health and public safety approaches that address substance use disorder, reduce its associated consequences, and help Americans recover from substance use disorder.
- Developing and overseeing implementation of the National Drug Control Budget. Through the budget, ONDCP aligns the funding resources for sixteen Federal government agencies and departments with the goals of the National Drug Control Strategy.
- Administering the High Intensity Drug Trafficking Areas (HIDTA) and Drug-Free Communities (DFC) grant programs. Through the HIDTA program, ONDCP supports collaborative federal, state, local, and tribal law enforcement and public health efforts to address overdoses and disrupt drug production and trafficking. Through the DFC program, ONDCP supports community-led efforts to reduce youth substance use across the nation.

ONDCP operates as a cross-functional agency that mixes the expertise of public health policymakers, intelligence officials, law enforcement officials, research and data staff, and more in order to develop cross-cutting approaches to reducing substance use disorders and save lives. The agency is currently structured in the following way:

- **The Director's Office** – The Director's Office leads policymaking across the agency and the Federal government, including by working across interagency partners to develop public health policies that emphasize evidence-based prevention, harm reduction, treatment, and recovery; and by engaging with law enforcement and foreign counterparts on reducing the availability of illicit substances in American communities.
- **National Opioids and Synthetics Coordination Group** - The National Opioids and Synthetics Coordination Group (NOSCG) supports Federal efforts to expand prevention, reduce barriers to treatment leading to recovery, and reduce the availability of all illegally trafficked opioids and synthetic drugs in the United States, as well as to measure the effectiveness of those actions at the Federal, State, Local, and Tribal levels.

- **National Cocaine Coordination Group** - The National Cocaine Coordination Group (NCCG) supports efforts to expand evidence-based prevention, harm reduction, screening, and early intervention, reduce barriers to treatment, expand support for recovery, and reduce the availability of cocaine in the United States and limit coca cultivation abroad, as well as to measure the effectiveness of those actions at the Federal, State, Local, and Tribal levels.
- **National High Intensity Drug Trafficking Areas (HIDTA)** -- The HIDTA Program Office is a partnership of federal, state, local and tribal law enforcement agencies that provides federal grant funds to areas determined to be critical drug trafficking regions in the United States. HIDTA is not a typical grant program, it funds strategies developed and implemented at the local level by a coalition of federal, state, local, tribal, and territorial partners.
- **Drug-Free Communities (DFC) Support Program** - The DFC Program is the nation's leading effort to mobilize communities to prevent youth substance use. Created in 1997, the DFC Program provides grants to community coalitions to strengthen the infrastructure among various sectors of a community to create and sustain a reduction in local youth substance use. The DFC Program is guided by the theory that *Local Problems, Require Local Solutions*.
- **Comprehensive Addiction and Recovery Act (CARA) Local Drug Crises Program** – The CARA program was established by Congress in 2016. The purpose of this program is aimed at current or former Drug-Free Communities Support Program grant recipients to prevent and reduce the use of opioids or methamphetamine and the misuse of prescription medications among youth ages 12-18 in communities throughout the United States.
- **U.S. Interdiction Coordinator** - The United States Interdiction Coordinator (USIC) coordinates the interdiction activities of the National Drug Control Program agencies to ensure consistency with the National Drug Control Strategy. The USIC also establishes the federal government's interdiction strategy and national plan and assesses the sufficiency of assets committed to illicit drug interdiction.

ONDCP also has the following offices:

- **Budget and Performance** - The Office of Performance and Budget (OPB) oversees the development of the ONDCP Budget and Performance Summary and Performance Reporting System report. The ONDCP Budget and Performance Summary details the drug control funding needed to support the National Drug Control Strategy.
- **External and Legislative Affairs** - The Office of External and Legislative Affairs communicates the agency's and the White House's drug policies and priorities to the media, Congress, and the public. This includes working closely with a number of stakeholders including national, state, local, and tribal leaders; public health and law enforcement officials; and substance use disorder advocates and organizations to provide strategic outreach on administration initiatives and objectives for the Nation's drug control efforts.
- **General Counsel** - The Office of General Counsel is responsible for providing legal advice to ONDCP and for performing substantive legal and policy work on a wide array of issues. Most of

the work performed by OGC is related to the general laws and rules that apply to most federal government agencies.

- **Intelligence** - ONDCP's Office of Intelligence provides intelligence support to decision makers in developing and executing the President's National Drug Control Strategy, the Strategy to Combat Transnational Organized Crime, and Executive Order 13773. The Office of Intelligence serves as the primary liaison between ONDCP and the Intelligence Community, including the Office of the Director of National Intelligence.
- **Management and Administration** - The Office of Management and Administration provides human capital, information technology, facilities and physical security, and administrative support to ONDCP.

Immediate efforts to curb overdose deaths include a focus on racial equity in drug policy and expanding access to medications used to treat opioid use disorder. The Agency [Policy Priorities include:](#)

- **The Workforce:** Advancing recovery-ready workplaces and expanding the addiction workforce.
- **Racial Equity:** Confronting racial equity issues related to drug policy.
- **Prevention:** Supporting evidence-based prevention efforts to reduce youth substance use.
- **Harm Reduction:** Enhancing evidence-based harm reduction efforts.
- **Treatment:** Expanding access to evidence-based treatment
- **Interdiction:** Reducing the supply of illicit substances.
- **Recovery:** Expand Access to Recovery Support Services



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

April 1, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader letter from Senior Advisor to Assistant Secretary – Indian Affairs regarding the Bureau of Indian Education (BIE) informal comments from Tribes and schools on Indian School Equalization Program (ISEP).

The enclosed provides information on the next virtual meeting Tribal listening session scheduled April 20 – 22, 2021 from 2 p.m. – 5 p.m., Eastern time. Please see the enclosure for registration details.

The Department looks forward to your participation on this important topic.

Sincerely,

Digitally signed by LESTER
TSOSIE

Date: 2021.04.01 15:09:24
-06'00'

Lester K. Tsosie
Acting Regional Director

Enclosure

c: Mr. Myron Lizer, Vice President, Office of the President, Vice President
Mr. Paulson Chaco, Chief of Staff, Office of the President, Vice President
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Vice President
Mr. Chris Bahe, Navajo Nation, Office of the President
Ms. Santee Lewis, NNWO
Mr. Levon Henry, Legal Counsel, Office of the President, Vice President



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 31 2021

Dear Tribal Leader:

The Bureau of Indian Education (BIE) has received informal comments from Tribes and schools expressing the need to “update” the Indian School Equalization Program (ISEP) as well as the ISEP Student Transportation formulas and respective distribution methodologies. In response to your comments, the BIE will host virtual Tribal listening sessions on Tuesday, April 20, 2021, and Thursday, April 22, 2021. After the listening sessions, BIE will schedule formal Tribal consultation to discuss specific recommendations for updating the ISEP and transportation formulas and regulations.

The BIE also invites school boards, parents, Indian organizations, and other interested parties to participate in the listening sessions so that Tribes and BIE stakeholders may have the opportunity to discuss the need for updates not only with BIE representatives, but with other stakeholders.

The sessions will be held:

- Tuesday, April 20, 2021, 2 p.m. – 5 p.m., Eastern Time
- Thursday, April 22, 2021, 2 p.m. – 5 p.m. Eastern Time

Please register in advance using this link:

<https://www.zoomgov.com/meeting/register/vJlfcOCtrDssHoGT0RoUDpgQJstNrNZnhZM>

Once registered, you will receive a confirmation email containing information about joining the meeting.

Please submit written comments to consultation@bia.gov or to Ms. Emmalani Longenecker, 1011 Indian School Rd. NW, Building 2 - Suite 352 Albuquerque, NM 87104, no later than Wednesday, June 30, 2021 at 11:59 p.m. For information concerning the virtual listening sessions, please contact Ms. Emmalani Longenecker at emmalani.longenecker@bie.edu or (505) 563-5386.

The BIE is committed to working with Tribal leaders and stakeholders to meet the needs of our students and looks forward to your valuable input and participation.

Sincerely,

Bryan Newland
Principal Deputy Assistant Secretary – Indian Affairs



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

April 5, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader letter from Senior Advisor to Assistant Secretary – Indian Affairs regarding the Indian Affairs FY 2021 Tribal Enrollment Data Collection Form. The Department is requesting each tribe to fill in and certify the attached enrollment form and submit it to Navajo-Data@bia.gov by 9:00 p.m. on April 12, 2021 or sooner. It is imperative that Indian Affairs obtains this information as soon as possible for the timely, equitable, and accurate distribution of funds provided under the American Rescue Plan.

Please see the enclosed for more information. The Department looks forward to your timely response.

Sincerely,

Lester K. Tsosie
Acting Regional Director, Navajo

Digitally signed by
LESTER TSOSIE
Date: 2021.04.05 15:43:51
-06'00'

Enclosure

c: Mr. Myron Lizer, Vice President, Office of the President, Vice President
Mr. Paulson Chaco, Chief of Staff, Office of the President, Vice President
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Vice President
Mr. Chris Bahe, Navajo Nation, Office of the President
Mr. Seth Damon, Speaker, 24th Navajo Nation Council
Ms. Santee Lewis, NNWO
Mr. Levon Henry, Legal Counsel, Office of the President, Vice President
Dr. Perphelia Fowler, Division Director of Human Resources



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 05 2021

Dear Tribal Leader:

I am following up on the enrollment data collection discussed at the Tribal consultation sessions held March 25, 26, and 29 of this year regarding Indian Affairs' implementation of the American Rescue Plan. Indian Affairs identified, and Tribes expressed support for, collection of current Tribal enrollment data to inform American Rescue Plan funding allocations for Tribes. As a result, Indian Affairs is reaching out to all federally recognized Tribes to get updated, aggregate Tribal enrollment information.

Please fill in and certify the attached enrollment data collection form and submit it to the Regional contact listed on the instructions by 9:00 pm (ET) on April 12, 2021. It is imperative that Indian Affairs obtains this information as soon as possible to guarantee timely, equitable and accurate distribution of program funds provided under the American Rescue Plan. The form should have the signature of the authorized Tribal official vested with the authority to formally transmit this information to the Federal Government. If you cannot submit via email, please send a hardcopy of the completed form to the Regional Office address listed in the form instructions.

Once the Regions have received Tribal enrollment data, the data will be securely compiled into an aggregated report by the Central Office. The data can then be used to inform funding allocations of Indian Affairs, and potentially other Federal agencies. Based on our review of Freedom of Information Act (FOIA) requirements it is likely that neither Tribal enrollment data submissions nor aggregate Tribal enrollment data can be protected from FOIA requests or discovery, and may also be made publicly accessible per the Open Data Act.

If you have any questions regarding the form or submission, please reach out to your Regional Director or Regional contact named on the instruction sheet.

Sincerely,

Bryan Newland
Principal Deputy Assistant Secretary – Indian Affairs

Enclosure



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
FY 2021 Tribal Enrollment Collection Form



Welcome to the Indian Affairs FY 2021 Tribal Enrollment Data Collection Form

What This Form Is: This form is to collect current Tribal enrollment information for Federally recognized Tribes. Enrollment data is an important source of information which allows Indian Affairs and other Federal agencies to equitably distribute resources because it is a quantifiable representation of a Tribe's overall population.

The information to be collected is a count of the number of individuals enrolled with the Tribe. The collection does not ask for personal details of any member(s), nor does the collection ask for the data to be disaggregated in any way

Use of the Information: The BIA must collect this information immediately to ensure effective, accurate, and timely distribution of assistance to respond to the coronavirus pandemic in Indian Country as provided in the American Rescue Plan which was recently signed into law. Specifically, Tribal enrollment data will be a primary data source to inform Indian Affairs' allocation of assistance to Tribal nations, as well as funding to be distributed by the Department of the Treasury and other Federal agencies as needed.

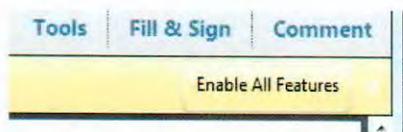
USER GUIDE

How to use this Form:

This Form is composed of a drop down box to select your Tribal entity, a standard input field for you to enter your total Tribal enrollment, a check box field for you to acknowledge the use of the information, and signature block for the authorized Tribal official's certification of the number provided.

Note: You must download the form from email on to your computer before opening it in Adobe Acrobat in order for the drop down box to work properly.

If you are having trouble gaining access to complete the tool in Adobe, look for the "Enable All Features" button in your upper left corner. If you have this line, you must click on the yellow "Enable All Features" button to access the Tool.



Submitting the Form:

Please submit only *one completed form* with all the required information for your Tribe. The final form should be certified by the authorized Tribal official and sent via email to your designated Regional Office Data Collection email address as outlined below. There are three options for you to transmit your Tribal information/file as outlined below.

Email – Email a copy of your completed form to the email address for your servicing Regional Office.

Printing & Mailing – If you do not have access to email, you may submit a printed copy of the form. Complete the information, certify the form and mail or fax it to the fax number below for your servicing Regional Office.

Please remember NOT to include any Privacy & Personally Identifiable Information (PII) in your responses. Some examples of PII include information which can be used to distinguish or trace an individual's identity, such as their name, social security number, date and place of birth, mother's maiden name, biometric records, etc.

Department of the Interior Privacy Notice:

The Department of the Interior (DOI), Bureau of Indian Affairs(BIA) is requesting this information for use in making equitable fund distributions. The information you have provided will only be used for this purpose. Please do not include any Personally Identifiable Information (PII) in your responses. The BIA will not share this information with third parties for promotional purposes.

Privacy Policy (<https://www.doi.gov/privacy>) Disclaimer (<https://www.doi.gov/disclaimer>) Notices (<https://www.doi.gov/notices>) Accessibility (<https://www.doi.gov/accessibility>) Copyright (<https://www.doi.gov/accessibility>)

For general assistance with this Collection, please contact your servicing Regional Office:

Region	Email	Address	Phone Number	Fax Number
Alaska	Alaska-Data@bia.gov	3601 C Street, Suite 1100 Anchorage, AK 99503	907-271-1734	907-271-1349
Eastern	Eastern-Data@bia.gov	545 Marriott Drive, Suite 700 Nashville, TN 37214	615-564-6500	615-564-6701
Eastern Oklahoma	EasternOklahoma-Data@bia.gov	3100 W. Peak Blvd. Muskogee, OK 74401	918-781-4608	918-781-4604
Great Plains	GreatPlains-Data@bia.gov	115 4th Avenue, SE, Suite 400 Aberdeen, SD 57401	605-226-7343	605-226-7446
Midwest	Midwest-Data@bia.gov	5600 W. American Blvd., Suite #500, Bloomington, MN 55437	612-725-4500	612-713-4401
Navajo	Navajo-Data@bia.gov	P.O. Box 1060 Gallup, NM 87305	505-863-8314	505-863-8324
Northwest	Northwest-Data@bia.gov	911 NE 11 Avenue Portland, OR 97232	503-231-6702	503-231-2201
Pacific	Pacific-Data@bia.gov	2800 Cottage Way Sacramento, CA 95825	916-978-6000	916-978-6099
Rocky Mountain	RockyMountain-Data@bia.gov	2021 Fourth Avenue North Billings, MT 59101	406-247-7943	406-247-7976
Southern Plains	SouthernPlains-Data@bia.gov	1 Mile North, Hwy 281, Riverside Drive Anadarko, OK 73005	405-247-6673	405-247-5611
Southwest	Southwest-Data@bia.gov	1001 Indian School Road, NW Albuquerque, NM 87104	505-563-3103	505-563-3101
Western	Western-Data@bia.gov	2600 N. Central Avenue Phoenix, AZ 85004	602-379-6600	602-379-4139



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

TRIBAL ENROLLMENT DATA COLLECTION

This is a request for updated Tribal enrollment information. This Tribal enrollment information will be consolidated at the headquarters offices in Washington, DC and used by Indian Affairs (IA) to support decisions regarding the allocation of funds and services to tribes. IA may also provide the information to other Federal agencies for their use in making fund distributions.

(Please insert requested information & sign below)

Tribe Name: -- Choose Tribe --

Tribal Enrollment Number: _____ as of February 1, 2021

(Please check box for concurrence)

I have read the above disclaimer and agree to the use of this information for these purposes. Further, I hereby certify I am authorized by the governing body of the Tribe named above to submit the information included with this form and that it is true and correct to the best of my knowledge. I further understand that anyone who knowingly and willfully makes a false statement to the United States Government may be subject to criminal prosecution under the False Statements Accountability Act of 1996, 18 U.S.C. 1001.

Signature

Date

Printed Name & Title of Tribal Leader

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The valid OMB control number for this collection is 1076-0197. The time to complete this information collection request is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. Responses to this collection of information are voluntary (25 U.S.C. § 2). If you have comments on the agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques, please send those comments to Indian Affairs Information Collection Clearance Officer at raca@bia.gov. Include the OMB control number in any correspondence. Do not send the completed form to this address; see the instructions accompanying this form for where to send your completed form.



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

April 7, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader letter from the Senior Advisor to Assistant Secretary – Indian Affairs regarding tribal consultation on critical funding for Tribal Colleges and Universities for facility needs. The Department invites you to the tribal consultation on Friday, May 7, 2021.

Date	Time (Eastern Time)	Call-In Number	Passcode
Friday, May 7, 2021	2 p.m. – 4 p.m.	(877) 917-3404	5959048

Please see the enclosed for more information. Written input is also being accepted by Friday, May 11, 2021. Please contact Mr. Michael Wischnewski, Deputy Director, Office of Facilities, Property and Management at (703) 390-6548 or Michael.wischnewski@bia.gov.

Sincerely,

Lester K. Tsosie
Acting Regional Director, Navajo

Digitally signed by
LESTER TSOSIE
Date: 2021.04.07
12:16:19 -06'00'

cc: Mr. Myron Lizer, Vice President, Office of the President, Vice President
Mr. Paulson Chaco, Chief of Staff, Office of the President, Vice President
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Vice President
Mr. Chris Bahe, Navajo Nation, Office of the President
Ms. Santee Lewis, NNWO
Mr. Levon Henry, Legal Counsel, Office of the President, Vice President
Ms. Patricia Gonnig, Department of Diné Education



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 05 2021

Dear Tribal Leader:

I invite you to participate in a consultation regarding a strategy to provide funding to Tribal Colleges and Universities for facility needs. The FY 2021 Omnibus and COVID Relief and Response Act appropriated \$15 million to address Operations and Maintenance (O&M) for Tribal Colleges & Universities (TCUs) and included the following direction in the accompanying joint explanatory statement:

The Committees recognize that many Tribal colleges and universities (TCUs) have significant unfunded needs and direct BIE and the Assistant Secretary, Indian Affairs (ASIA) to work with Tribal leaders and other stakeholders to develop a consistent methodology for determining TCU operating and maintenance needs to inform future budget requests. The Committees previously directed BIE to develop a methodology regarding TCU operating and facility needs. The Committees again direct BIE and ASIA to assess TCU facility needs and to develop a distribution methodology to address these needs.

The Assistant Secretary of Indian Affairs and the Bureau of Indian Education seek to:

- Develop an equitable methodology to distribute funding among the TCUs as called for in the joint explanatory statement; and
- Determine what data-driven criteria will be used to assess O&M needs at each of the TCU facilities.

Please join me at the following Tribal consultation session to discuss each of these items:

Date	Time (Eastern Time)	Call-In Number	Passcode
Friday, May 7, 2021	2 p.m. – 4 p.m.	(877) 917-3404	5959048

We are also accepting written input on this topic at consultation@bia.gov and ask that you provide any written input you may have by Friday, May 11, 2021.

If you would like additional information in the meantime, please contact Mr. Michael Wischnewski, Deputy Director, Office of Facilities, Property and Safety Management, at (703) 390-6548 or michael.wischnewski@bia.gov.

I look forward to your input on Indian Affairs' implementation of this critical funding.

Sincerely,

Bryan Newland
Principal Deputy Assistant Secretary – Indian Affairs



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

April 8, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader letter from the Senior Advisor to Assistant Secretary – Indian Affairs regarding the BIE’s school reopening plans and your input is requested. The Tribal consultation and stakeholder engagement is to ensure the BIE is meeting the needs of its students, schools, and Tribal communities during the COVID-19 Pandemic recovery. Please see the enclosed for additional information on the webinars and registration that will be provided by the BIE. Please contact Dr. Tamarah Pfeiffer, Chief Academic Officer, by email at Tamarah.Pfeiffer@bie.edu.

Sincerely,

Lester K. Tsosie
Acting Regional Director, Navajo

cc: Mr. Myron Lizer, Vice President, Office of the President, Vice President
Mr. Paulson Chaco, Chief of Staff, Office of the President, Vice President
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Vice President
Mr. Chris Bahe, Navajo Nation, Office of the President
Ms. Santee Lewis, NNWO
Mr. Levon Henry, Legal Counsel, Office of the President, Vice President
Ms. Patricia Gonnig, Department of Diné Education



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 07 2021

Dear Tribal Leader:

The Bureau of Indian Education (BIE) would like your input on its school reopening plans. The BIE will rely upon the latest U.S. Department of Education (ED) and the Centers for Disease Control and Prevention (CDC) guidance regarding reopening its K-12 schools, residential facilities, and post-secondary schools for safe delivery of in-person and hybrid instruction.

Further, BIE is considering additional items that are beyond ED and CDC guidance as it undertakes the plan updates. The items include:

- What is needed to ensure student safety when using commercial transportation services before students travel to a residential facility and when they travel home?
- Would you recommend that students be vaccinated before arriving on campus if vaccinations are available?
- What are your recommendations to serve students that plan to attend residential facilities and post-secondary institutions from communities with high rates of COVID-19?
- Are there any recommendations for grades K-12 and residential facilities not already addressed by ED and CDC reopening guidance that requires additional clarification or guidance by BIE?

The BIE-operated schools include three categories, each of which BIE will plan for separately:

1. Schools serving grades K-12;
2. BIE residential facilities;
3. Post-secondary institutions (specifically, Haskell Indian Nations University and Southwest Indian Polytechnic Institute (SIPI))

The intended purpose of the Tribal consultation and stakeholder engagement is to ensure that BIE is meeting the needs of its students, schools, and Tribal communities during the COVID-19 Pandemic recovery.

Webinar sessions are scheduled for:

K-12 and Residential Facilities

May 10, 2021

3 p.m. – 4 p.m. Eastern Time (ET)

Please register in advance for this meeting at:

https://www.zoomgov.com/meeting/register/vJItfuqorzguH3fGaQXG26Nbu4mFiy4IJ_Q

Post-Secondary Institutions

May 11, 2021

3 p.m. – 4 p.m. Eastern Time (ET)

Please register in advance for this meeting at:

<https://www.zoomgov.com/meeting/register/vJltcOCtpzgvHT5ZmlDobA8nzJlx9jJgEhw>

Once registered, you will receive a confirmation email containing information about joining the session. Each day of Tribal consultation session will be followed by a public session from 4 p.m. - 5 p.m. ET.

The BIE will accept both oral and written comments. Written comments may be emailed to consultation@bia.gov or by postal mail to Bureau of Indian Education, Ms. Juanita Mendoza, 1849 C Street NW MIB-3612, Washington, DC 20240. Comments must be received on or before 11:59 p.m. ET, Friday, May 14, 2021. Questions regarding the Tribal consultations may be directed to Dr. Tamarah Pfeiffer, Chief Academic Officer, Bureau of Indian Education; fax: (505) 563-3043 or email: Tamarah.Pfeiffer@bie.edu.

Sincerely,



Bryan Newland
Principal Deputy Assistant Secretary – Indian Affairs

Cc: Acting Chief Academic Officer
Associate Deputy Bureau Director, School Operations
Associate Deputy Director – Bureau Operated Schools
Acting Associate Deputy Director – Tribally Controlled Schools
Acting Associate Deputy Director – Navajo Schools



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

April 8, 2021

Honorable Jonathan Nez
100 Parkway
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

Enclosed is a Dear Tribal Leader letter from the Senior Advisor to Assistant Secretary – Indian Affairs regarding a tribal consultation held on March 2, 2021 on two draft BIE policies: 1) Draft Progress and Promotion Policy, and 2) Draft Certificate of Completion Policy. As a result, the BIE is now planning an additional Tribal consultation session and invites you to participate at the following times:

BIE Student Progress and Promotion Policy and BIE Certificate of Completion Policy:

Session Type	Date	Time	Call-In Number	Passcode
Tribal consultation	May 11, 2021	1:00 p.m.-2:00 p.m. ET	800-857-5055	6951606
Public	May 11, 2021	2:00 p.m.-3:00 p.m. ET	800-857-5055	6951606

Written input:

- Email (preferred): consultation@bia.gov
- Mail (if email not possible): Mr. Travis Clark, 1849 C Street, NW, MS 3609, Washington, DC 20240

Comment deadline: May 20, 2021

Please see the enclosed for more information. Please contact Mr. Travis Clark, BIE Chief Performance Officer should you have any questions at (571) 926-6998.

Sincerely,

Lester K. Tsosie
Acting Regional Director, Navajo

cc: Mr. Myron Lizer, Vice President, Office of the President, Vice President
Mr. Paulson Chaco, Chief of Staff, Office of the President, Vice President
Mr. Milton Bluehouse, Deputy Chief of Staff, Office of the President, Vice President
Mr. Chris Bahe, Navajo Nation, Office of the President
Ms. Santee Lewis, NNWO
Mr. Levon Henry, Legal Counsel, Office of the President, Vice President
Ms. Patricia Gonnig, Department of Diné Education



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

APR 07 2021

Dear Tribal Leader:

On March 2, 2021, the Bureau of Indian Education (BIE) hosted a Tribal consultation regarding two draft BIE policies: (1) Draft Progress and Promotion Policy, and (2) Draft Certificate of Completion Policy. The BIE is now planning an additional Tribal consultation session and would like to invite you to participate.

In an effort to ensure that students' progress through the levels of their elementary and secondary education with unbiased judgment and adequate transparency for both students and parents, the BIE has developed two draft policies regarding student progress, promotion, and certificates of completion. The purpose of these two policies is to make certain that student promotion is based on the meeting of minimum standards, with high school graduation marking the culmination of a student's K-12 education, in recognition of all the learning that occurred during that journey. The conferring of a diploma serves as a foundation for the next phase of a young person's life, further education and career.

Nevertheless, BIE understands that in some instances students with the most significant cognitive disabilities may not be able to meet the requirements of a standard high school diploma. In such instances, BIE desires to give students access to a certificate of completion. The BIE encourages schools/districts to support students with disabilities in seeking and obtaining a standard high school diploma whenever possible. However, BIE recognizes that for some students with the most significant cognitive disabilities a certificate of completion may be appropriate.

The draft policies are available for review at: <https://www.bie.edu/topic-page/special-education> under "Part 33 Draft Policy Certificate of Completion" and "Part 33 Draft Policy Student Progress/Promotion."

BIE Student Progress and Promotion Policy and BIE Certificate of Completion Policy:

Session Type	Date	Time	Call-In Number	Passcode
Tribal consultation	May 11, 2021	1:00 p.m.-2:00 p.m. ET	800-857-5055	6951606
Public	May 11, 2021	2:00 p.m.-3:00 p.m. ET	800-857-5055	6951606

Written input:

- Email (preferred): consultation@bia.gov
- Mail (if email not possible): Mr. Travis Clark, 1849 C Street, NW, MS 3609, Washington, DC 20240

Comment deadline: May 20, 2021

If you have any questions or need assistance, you may contact, Mr. Travis Clark, BIE Chief Performance Officer, by email at: travis.clark@bie.edu or by phone: (571) 926-6998.

Sincerely,

Bryan Newland
Principal Deputy Assistant Secretary – Indian Affairs

Appendix B

News Release & Announcement

<https://www.bia.gov/press-releases>

April 2021

ANNOUNCEMENT

American Rescue Plan Webpage Update: New Dear Tribal Leader Letter and Form Now Available

Following consultation, Indian Affairs is pleased to release a new Certification Form for tribes to use when submitting tribal enrollment numbers needed to equitably & transparently distribute American Rescue Plan funding. The form and other ARP info is online now!

Date: 04/05/2021 -6:00pm to 04/12/2021 -9:00pm

PRESS RELEASE

Secretary Haaland Creates New Missing & Murdered Unit to Pursue Justice for Missing or Murdered American Indians and Alaska Natives

New unit will coordinate interagency collaboration and strengthen existing law enforcement resources

Date: 04/01/2021 -4:45am to 04/01/2021 -4:45am

ANNOUNCEMENT

American Rescue Plan Webpage is Live

The ARP webpage is live. Tribal Consultations start today.

Date: 03/25/2021 -1:00am to 03/29/2021 -4:00am

March 2021

PRESS RELEASE

American Rescue Plan Provides Critical Support for Indian Affairs Programs

Relief package will benefit tribal government pandemic initiatives.

Date: 03/15/2021 -2:30pm to 03/15/2021 -2:30pm

March 2021 Cont.

PRESS RELEASE

Interior to Hold Tribal Consultation Session with Alaska, Northwest, and Pacific Tribes

March 12 consultation will seek to strengthen the U.S.-Tribal Nation-to-Nation Relationship in accordance with Biden January 26 Presidential Memorandum

Date: 03/11/2021 -10:15am to 03/11/2021 -10:15am

PRESS RELEASE

Interior to Hold Tribal Consultation Sessions with Eastern, Eastern Oklahoma, Navajo, Southern Plains, Southwest, and Western Tribes

March 10 consultations will seek to strengthen the U.S.-Tribal Nation-to-Nation Relationship in accordance with Biden January 26 Presidential Memorandum.

Date: 03/09/2021 -10:00am to 03/09/2021 -10:00am

PRESS RELEASE

Interior to Hold Tribal Consultation Session with Great Plains, Midwest, and Rocky Mountain Tribes

March 8 consultation will seek to strengthen the U.S.-Tribal Nation-to-Nation Relationship in accordance with Biden January 26 Presidential Memorandum.

Date: 03/05/2021 -10:00am

February 2021

PRESS RELEASE

Interior Announces Series of Tribal Consultations in Recognition of the Importance of Nation-to-Nation Relationship

WASHINGTON – The Department of the Interior announced today that it will host initial consultations with Tribal leaders next month. In addition to honoring and strengthening the nation-to-nation relationship, these steps will help ensure that future White House and Interior efforts at addressing the four converging crises of our time – COVID-19, economic security, racial justice and climate change – are inclusive of Tribal Nations' priorities and recommendations.

Date: 02/11/2021 -6:15am
