



# Torreón/Star Lake Chapter

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## TSL #03/2026-25

**OBJECTING TO THE OFFICE OF NAVAJO GOVERNMENT DEVELOPMENT'S (ONGD) EXPEDITED REFORM PROPOSAL; DECLARING A BREACH OF FIDUCIARY DUTY BY THE NAVAJO NATION DEPARTMENT OF JUSTICE; ASSERTING THE STATUTORY NECESSITY OF CHAPTER APPROVAL UNDER 2 N.N.C. § 1; AND DEMANDING COMPLIANCE WITH THE NAVAJO ELECTION BOARD'S SINGLE-ISSUE RULE.**

### WHEREAS:

1. Torreón/Star Lake Chapter is a Navajo Nation Chapter, as set forth in the Navajo Nation Local Governance Act (LGA), enacted by the Navajo Nation Council through Resolution CAP-34-98 in 1998, at Title 26 of the Navajo Nation Code, with delegated authority over local matters consistent with Navajo law, including custom and tradition so that local communities may flourish; and
2. All 110 Navajo Nation Chapters possess delegated authority under the LGA to govern local matters consistent with Navajo law and tradition; and while the exercise of certain expanded administrative powers under 26 N.N.C. § 103 is contingent upon certification, the fundamental right to local self-determination and the statutory pathway to full autonomy belong to all Chapters; and
3. The original 1995 draft of the LGA, which proposed broader and more immediate local autonomy, was not the version ultimately enacted due to the formal objections of the Navajo Nation Department of Justice (DOJ), which argued that the delegation of authority was "defective" and "premature" in the absence of a comprehensive fiscal impact study, centralized administrative infrastructure, and methods to gatekeep the exercise of local power in order to maintain central governmental controls, revenue and staffing; and
4. Since the LGA's enactment, the DOJ has been assigned as the mandatory legal advisor to the Chapters, which creates a "bottleneck" of governance, as Chapters are forced to rely on legal counsel that is simultaneously acting as the primary legal architect and defender of the very central-government regulations and certification hurdles that restrict the Chapters and is structurally incentivized to prioritize the preservation of the central government over the fulfillment of the LGA's original promise of local self-sufficiency; and
5. On February 5, 2026 our Chapter officials learned from a *Call to Chapters* issued by retired Chief Justice Herb Yazzie, former Delegate Daniel Tso, and Raymond Deal, that the Office of Navajo Government Development (ONGD) has been presenting a government reform proposal since July, 2025, and has set a March 6, 2026 deadline for public input, following which

ONGD has repeatedly stated its intent to place the proposal directly on the Nov 3 ballot as a referendum question.

6. 2 N.N.C. § 1 of the LGA requires that changes to the LGA are to be made either by the Navajo Nation Council subject to approval of a majority of all Chapters, or by chapter referendum vote, and normally a public comment period would begin only after legislation is sponsored and found legally sufficient in the 164 review process. Yet ONGD claims it has authority to bypass the review process in this extraordinary instance.

7. We also recently learned that during the recorded Special Worksession of the Resource and Development Committee (RDC) on November 14, 2025, DOJ Chapter Unit Assistant Attorney General Rodgerick Begay was present when the ONGD proposal was explicitly characterized as the "fastest route" to achieving amendments to the LGA desired by the DOJ and RDC; and

8. The ONGD reform proposal is a 108 page document that seeks to restructure all aspects of Navajo Nation government. Only 48 pages of the 108 page document is available for public examination. Article XVIII of the proposal (Local Rule and Governance Entities) purports to "supersede" the Local Governance Act in its entirety; and

9. No chapter hearings have been convened, and there has been no proper briefing of its full text despite poorly attended and uninformed presentations conducted by the ONGD since July, 2025, all unadvertised and unannounced as to its intent to speedily replace the LGA, the Navajo Bill of Rights, and Diné Fundamental Law, by circumventing legislative processes.

10. The DOJ Chapter Unit, as the assigned legal advisor to the 110 Chapters, has a clear fiduciary and professional duty to inform certified and non-certified Chapters of any pending legislation or strategies that would diminish or supersede our local authority under the LGA, and

11. Despite knowledge it has had since at least November, the DOJ Chapter Unit failed in its duty to provide formal notice or legal counsel to the Chapters regarding this "fastest route," choosing instead to allow Chapters to remain uninformed while the clock runs toward the March 6 deadline, which the ONGD has established as the final deadline for public recommendations, yet can be found only by navigating deep into sub-pages of the ONGD and not on its main website or on any recent announcement; and

12. This lack of clear, prominent notice, combined with a conflicted DOJ Chapter Unit, and the fact that over 60 pages of the 108-page document remain unavailable for examination, prevents the Chapters and the People from engaging in any meaningful response to safeguard our governance; and

13. This lack of notice regarding legislation of significant impact to Chapters, in which we have lacked warning, time, and legal assistance to respond, echoes a previous lack of fiduciary duty on December 29, 2022, on which the RDC enacted RDCD-43-22, which stripped Chapters

of project oversight and management powers and centralized them within the Division of Community Development (DCD)—a major "638" program—thereby treating the 110 Chapters as an "albatross" and a liability to its own federal audit standing, resulting in a system where Chapter officials are forced to spend days resolving immaterial discrepancies of mere pennies with no authority to self-assess "materiality" under the Single Audit Act; and

14. As of December 3, 2025, the DOJ Chapter Unit has weaponized these audits to maintain a centralized "veto" over local spending, causing capital projects to remain logjammed while awaiting signatures from Window Rock, and leaving local stewards in a state of passive despair and internal stagnation and chaos; and

15. The Navajo Election Board, in Resolution BOESS-070-14, described a "single-issue rule" requiring that any referendum question be limited to a single subject matter to ensure that voters can make clear, informed decisions without being forced to accept or reject a multifaceted "logrolled" package; and

16. The ONGD's 108-page reform proposal—which seeks to simultaneously restructure the Navajo Nation Council, the Executive Branch, the Navajo Bill of Rights, and the Local Governance Act—violates this fundamental rule of election integrity by combining dozens of distinct and monumental constitutional changes into a single, complex document.


**NOW THEREFORE BE IT RESOLVED THAT:**


- A. Torreon/Star Lake Chapter demands that the ONGD immediately suspend the March 6, 2026, deadline and halt all efforts to initiate a November referendum until the complete 108-page proposal is released to the public and subjected to a formal, legally sufficient legislative review process.
- B. We hereby find that the Navajo Nation Department of Justice (DOJ) Chapter Unit has breached its professional and fiduciary obligations to safeguard the local governance interests of Chapters by failing to inform them of the ONGD's substance and strategy to supersede our local authority under the LGA.
- C. We reaffirm that under 2 N.N.C. § 1, any action to supersede or fundamentally amend the LGA requires the majority approval of the 110 Chapters; therefore, any attempt by the ONGD to bypass the Chapters through an expedited referendum lacks legal authority, and is void.
- D. We declare that any attempt to force the People to vote on a 108-page "all-or-nothing" restructuring of the Diné government—especially when over 60 pages remain hidden from public view—constitutes a violation of the fundamental right to an informed and clear vote, as protected by the Navajo Bill of Rights and established Election Board precedent.

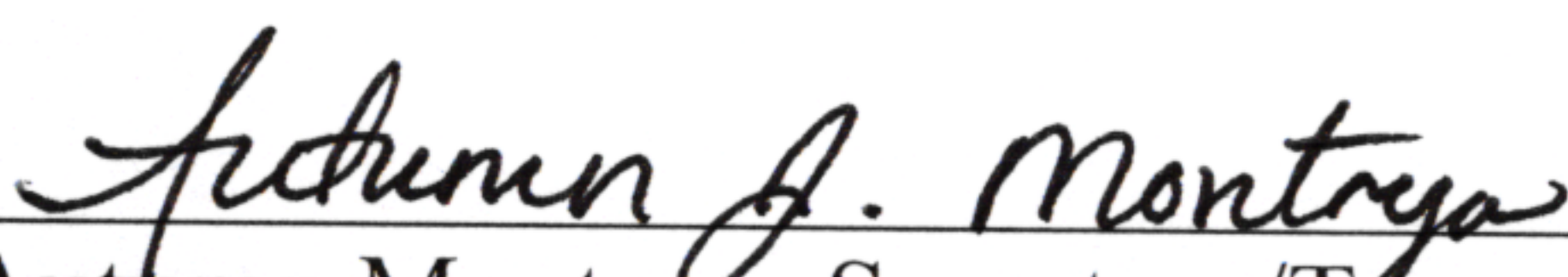
- E. We hereby petition the Navajo Nation President to provide alternative legal counsel who is not conflicted to represent the Chapter's interests in all matters related to the ONGD reform proposal and the protection of local governance under the LGA; one with the specialized legal knowledge required to navigate 638-contracting rigidity and the complexities of Diné Fundamental Law—expertise that is a rarity as it does not generate commercial income and is not currently provided by the conflicted DOJ Chapter Unit.
- F. We formally petition the Navajo Election Board to review the ONGD reform proposal for compliance with Resolution BOESS-070-14; and since the proposal attempts to "logroll" distinct and sweeping changes to the Navajo Bill of Rights, the Local Governance Act, and the structure of the three branches into a single referendum, the Chapter asserts that the proposal per se violates the "single-issue rule" and must be rejected as legally insufficient for the ballot.

### CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by Torreon/Star Lake Chapter and moved for approval by Wallace Toledo and seconded by Jacquelyn Trujillo at a duly called meeting at Torreon/Star Lake Chapter, Navajo Nation at which a quorum was present. That same was passed by a vote of 15 yay and 03 nay on this 15<sup>th</sup> day of March, 2026.

  
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 Kenneth Toledo, President

  
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 Sherry Begaye, Vice President

  
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 Autumn Montoya, Secretary/Treasurer