



MEXICAN WATER CHAPTER



Red Mesa TP#1019, HC 61 Box 38 • Teec Nos Pos, AZ 86514 • (928) 429-0986

Mexican Water Chapter

MWCMAR26-072

RESOLUTION OF MEXICAN WATER CHAPTER

OBJECTING TO THE OFFICE OF NAVAJO GOVERNMENT DEVELOPMENT'S (ONGD) EXPEDITED REFORM PROPOSAL; DEMANDING LEGALLY SUFFICIENT REVIEW & NON-CONFLICTED INDEPENDENT LEGAL COUNSEL

WHEREAS:

1. Pursuant to CAP-34-98, the Navajo Nation Council enacted the Navajo Nation Local Governance Act (LGA) codified in Title 26 of the Navajo Nation Code; and
2. Pursuant to Mexican Water Chapter resolution MWCJUL11-105, the Mexican Water Chapter has approved its Five Management System Policies and Procedures Manuals; and
3. Pursuant to the legislative action of the Resources and Development Committee, the Mexican Water Chapter is certified having met the requirements under 26 NNC 102 (A) on February 07, 2012; and
4. Pursuant to 26 NNC § 103 the Mexican Water Chapter is an established local government entity of the Navajo Nation vested with the authority to review all matters affecting the Chapter and submit appropriate recommendations to the Navajo Nation Government or other local agencies by resolution; and
5. Pursuant to 26 NNC § 1, the Navajo Nation Council delegates to Chapter governmental authority with respect to local matters consistent with Navajo law, including custom and tradition; and
6. The Mexican Water Chapter has the power and authority to approve and amend resolution enacted by legislation through its membership, as a duly certified chapter of the Navajo Nation, pursuant to 2 Navajo Nation Code, Section 4002; and
7. On December 23, 2020, the plan of operations of the Commission on Navajo Government Development (CNGD) and Office of Navajo Government Development (ONGD) was amended to emphasize its duty to accomplish the "People's" project of recommending and proposing reforms that "promote, enhance, honor and comply with the Foundation of the Diné, Diné law and Diné Government (Diné Fundamental Laws –Diné Bi Beenahaz'áanii Bitsé Siléi) 1 N.N.C. § 201-206" for "consideration by the Navajo Nation Council and the Navajo People." CD-92-20, Exh 1 §§ 970, 971(C), and 973(B)(1); and
8. Accordingly Mexican Water Chapter has been awaiting reform proposals that may fulfill the local autonomy and home rule exercising Naachidi Nahat'a' hoped for by the 1995 proposal of the Local Empowerment Initiative, which was delayed while the Local Governance Act (LGA) was enacted in its place in 1998 due to the Navajo Nation Department of Justice (DOJ) strongly objecting to decentralization of Navajo Nation revenue, and control over natural resources and land use authorizations, and

9. 26 N.N.C. § 1(E) provides that amendments to the LGA are subject “approval of a majority of all chapters of the Navajo Nation; or this Act may be amended by referendum vote of a majority of all chapters”; and
10. We are now told that ONGD intends to bypass our 26 N.N.C. § 1(E) authority in order to place a 100+ page reform document directly on the ballot as a referendum question in November; that the intent is for ONGD’s document to be the “supreme law” that will “supersede” the LGA; that there is a March 31, 2026 deadline for public input; and that the DOJ Chapter Unit—our designated “principal legal advisor”—has known about this since at least November, 2025 when ONGD’s “chapter restructure” was discussed at a Resource and Development Committee (RDC) worksession, yet has never informed us; and
11. ONGD calls its proposal *Diyin Nohookaa Dine’e Bi Beehaz’áanii Bitsé Siléí -the Collective Will* but other than this phrase, the document contains no mention of Navajo traditional decentralized governance; no findings about community needs, and no recognition of the Navajo Way of Life that emphasizes local governance of land and regard for generational endurance and stewardship of the Navajo people and Mother Earth. It is as if the phrase is used deceptively by ONGD to supplant its obligation to follow our ancient laws, *Diné Bi Beenahaz’áanii Bitsé Siléí*, as set forth in its plan of operations; and
12. The 100+ page document was not even fully available until late February, 2026, and is so dense and complex that even academics and lawyers have a hard time understanding it as a whole; and
13. There is no cause for a document of such length purporting to be a new Navajo collective will, which the people have had no hand developing, which lacks any findings; and which shows a lack of even basic understanding of how we Diné view our identity, language, land, and governance as a single whole; and
14. The DOJ Chapter Unit has an inherent structural conflict of interest in legally advising chapters towards true decentralized autonomy, due to its primary role of reporting to the central government and having to defend and provide amendments in keeping with central government initiatives; and
15. We have so many questions—how can we comprehend and respond to a 100+ page documents that even academics and lawyers have difficulty; how can a March 31 public input deadline before a document of that size is placed on referendum, bypassing statutory chapter approval, even be acceptable under Diné law; and why the race toward referendum of a document we are told emphasizes business and investors, addresses Dine’ Nihi Keyah as a “commodity,” and permanently denies local control over Navajo Nation property, resources, and land management?; and
16. We believe that Navajo Election Board’s Resolution BOESS-070-14, which requires each referendum question be single subjects and not multiple subjects that would confuse voters, ought to prevent certification of largely unknown and unexamined content to be raced to ballot as a single referendum question.

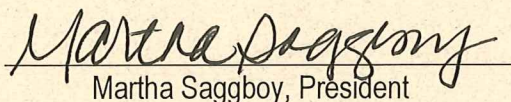
NOW, THEREFORE BE IT RESOLVED THAT:

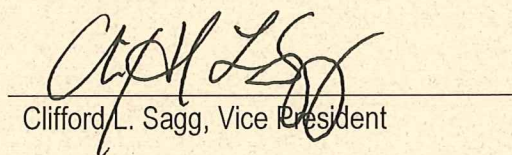
- A. The Mexican Water Chapter strongly object to the use of Diné phrasing in the documents, including the use of the title *Diyin Nohookaa Dine’e Bi Beehaz’áanii Bitsé Siléí - the Collective Will*.
- B. We demand that the ONGD proposal must be considered by the Navajo Nation Council and subjected to a formal, legally sufficient legislative review process pursuant to 26 N.N.C. § 1(E).


- C. The DOJ Chapter Unit is conflicted and unable to properly safeguard the local governance interests of Chapter, due to its inherent structural conflict and as shown by its failure to disclose the ONGD's strategy to supersede the LGA.
- D. We demand that the Navajo Nation Council immediately appropriate emergency funds, or allow use of other funds, for the 110 Chapters to retain Independent Special Counsel to review the amendments proposed by the DOJ Chapter Unit and the ONGD proposal, and to further advise chapters on routes by which decentralized local governance can be achieved.
- E. We formally petition the Navajo Election Board to review the ONGD reform proposal for compliance with Resolution BOESS-070-14.
- F. The Chapter membership recommends that any proposed reform undergo a full, transparent, and legally sound review. This process should include evaluation by independent, non-conflicted legal counsel to assess potential impacts, along with broad consultation involving Chapters, traditional leaders, legal scholars, and community members. The overarching goal is to ensure that any governance changes uphold Chapter authority, respect Diné Fundamental Law, and maintain existing statutory structures, while thoughtfully considering opportunities for modernization.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered at a duly called meeting at Mexican Water Chapter, (Navajo Nation), Utah at which a quorum was present and that same was passed by a vote of 16 in favor and 00 opposed, 06 abstained on the 8th day of March 2026.


Martha Saggboy, President


Clifford L. Sagg, Vice President


Cassandra A. Beletso, Secretary/Treasurer