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Window Rock, Ariz. — The 25th Navajo Nation Council approved Legislation No. 0077-23, opposing the confirmation of James R. Mountain to serve as the Secretary of the New Mexico Indian Affairs Department April 21, based on previous allegations involving sexual assault and violence. Charges were filed against Mountain in 2007 and dismissed in 2010. The legislation was sponsored by Council Delegate Amber Kanazbah Crotty and presented to the Navajo Nation Council by Council Delegate Danny Simpson.

In February, New Mexico Gov. Michelle Lujan Grisham announced the appointment of Mountain. During the most recent state legislative session, his confirmation was not considered by the state senate due to mounting concerns and objections raised by tribes, advocates, and state legislators.

As the head of the Indian Affairs Department, the Secretary Designee is responsible for advocating for tribal interests at state and federal levels through policy and legislative work, including the Department's Missing and Murdered Indigenous Women and Relatives program and Task Force. In this capacity, Mountain is responsible for overseeing the program that works closely with victims of sexual assault.

The legislation states that despite the dismissal of charges against Mountain, his appointment is counter to the mission of New Mexico's Missing and Murdered Indigenous Women and Relatives Task Force. The task force desires to create a safe space where representatives from

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tribal nations, legislators, community partners, sexual assault survivors, and affected families can come together to address the crisis of violence toward tribal people.

“The crisis of our Missing and Murdered relatives is a trauma-informed/survivor-centered movement which requires consent, trust, and accountability. As leaders, we no longer tolerate being silent when consent is not given, trust is broken and accountability ignored,” Crotty, who sponsored legislation to establish the Navajo Nation’s Missing and Murdered Diné Relatives Task Force, said in a press release published April 25.

Curley also sent a letter Lujan Grisham requesting that her administration reconsider the nomination of Mountain to serve in this critical role based on concerns brought forth by the Council, sexual assault victims and survivors, MMIW advocacy groups, and other tribal nations.

“I thank Delegates Crotty and Simpson for bringing forth this legislation and my Council colleagues for supporting it unanimously. I understand that taking this position to oppose Secretary Designee Mountain’s confirmation may jeopardize funding from the state to the Navajo Nation, but we cannot place a price tag on the safety and well-being of our Native women, men, LGBTQ community, and children,” Curley said. “We have a duty to ensure that the voices and concerns of victims and survivors are heard.”

The Eastern Navajo Agency Council, which is comprised of New Mexico communities and chapters, passed a resolution in March requesting the New Mexico Governor to withdraw Mountain’s nomination. The Navajo Nation requests the governor to withdraw the nomination and requests the New Mexico Senate Rules Committee and Senate to vote down the appointment of Secretary Designee Mountain to serve as the Secretary of Indian Affairs for New Mexico.

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