

Kyle T. Nayback
Special Prosecutor
Nayback Law, LLC
1608 Gulfstream Dr. SE
Albuquerque, NM 87123
(505) 485-4956
kyle@naybacklaw.com



Special Prosecutor

SUMMONS

**BEFORE THE NAVAJO NATION DISTRICT COURT
WINDOW ROCK, NAVAJO NATION, ARIZONA**

The Special Prosecutor)
Complainant,)
)
)
)
v.)
)
)
Buu Nygren)
P.O. Box 7440)
Window Rock, AZ 86515)
Respondent.)

No: *ML-CV-135-25*
JW ID # 25-19429

**ETHICS IN GOVERNMENT
LAW COMPLAINT**

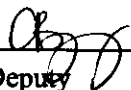
TO THE ABOVE-NAMED DEFENDANT: Take notice that

1. An Ethics Complaint has been filed against you. A copy of the Ethics Complaint is attached. The Court issued this Summons.
2. You must respond to this Complaint in writing. You must file your written response with the Court no later than twenty (20) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by § IV, Rule 1(B) Nav. R. Civ. P.)
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.

5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer.

Dated at Window Rock, Arizona, this 2nd day of February, 2026.

CLERK OF THE COURT

BY: 
Deputy

Counsel for Plaintiff:
Kyle T. Nayback
Special Prosecutor
Nayback Law, LLC
1608 Gulfstream Dr. SE
Albuquerque, NM 87123
(505) 485-4956
kyle@naybacklaw.com

Special Prosecutor

THIS SUMMONS IS ISSUED PURSUANT TO RULE 1-004 OF THE NAVAJO NATION RULES OF CIVIL PROCEDURE FOR DISTRICT COURTS.

RETURN

STATE OF NEW MEXICO
COUNTY OF _____

I, being duly sworn, on oath, state that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this summons in _____ county on the ____ day of _____, _____, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

to the defendant _____ (used when defendant accepts a copy of summons and complaint or refuses to accept the summons and complaint)

Signature of person making service _____

Title (if any) _____

Subscribed and sworn to before me this _____ day of _____, _____.

Judge, notary or other officer
authorized to administer oaths

Official title



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**BEFORE THE NAVAJO NATION DISTRICT COURT
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Respondent.)

No: WR-CV-135-25
JW ID# 25-19429

**SECOND AMENDED ETHICS IN
GOVERNMENT LAW COMPLAINT**

COMES NOW, the Navajo Nation, by and through Special Prosecutor Kyle T. Nayback authorized by 2 N.N.C. §§ 2022 and 3777, pursuant to the Navajo Nation Ethics in Government Law, 2 N.N.C. § 3741 *et. seq.*, alleges the following:

1. Pursuant to 7 N.N.C. §§ 1253(A)(2), the District Court has proper jurisdiction over the subject matter and parties named herein.
2. Pursuant to the Navajo Nation Ethics in Government Law, 2 N.N.C. § 3741 *et. seq.*, ethics cases are handled administratively through the Office of Hearings and Appeals.

3. Pursuant to the Plan of Operation for the Office of Hearings and Appeals, the hearing officer is hired through the Office of the President through the Department of Human Resources. The Hearing Officer is therefore an employee of the Executive branch of the Navajo Nation, and under the ultimate authority of the President of the Navajo Nation.
4. The Office of Hearings and Appeals is therefore conflicted from hearing any matters relating to the Office of the President.
5. The Special Prosecutor is aware of this matter through continuing investigation of governmental misconduct in the Navajo Nation. The Special Prosecutor has been lawfully appointed pursuant to 2 N.N.C. § 2021(E), and under 2 N.N.C. § 2023, the Special Prosecutor is empowered to file this action.
6. The Respondent is Buu Nygren, whose mailing address is P.O. Box 7440 Window Rock, AZ 86515.
7. Respondent is an elected official of the Navajo Nation (also referred to as the "Nation"), serving as its President. This Ethics Complaint alleges that the Respondent violated the Navajo Nation's *Ethics in Government Law* and certain *Standards of Conduct* applicable to all elected officials of the Navajo Nation.
8. The President of the Navajo Nation is a governing figure of the Navajo Nation. 2 N.N.C. § 1002. The President of the Navajo Nation serves as the Chief Executive Officer of the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and programs of the Navajo Nation. *Id.* § 1005. The President has a fiduciary responsibility for the proper and efficient operation of all Executive Branch offices. *Id.* It is the President's duty to faithfully execute and enforce the laws of the Navajo Nation. *Id.*

9. Respondent commenced his duties as President of the Navajo Nation in January of 2023.
10. Pursuant to Navajo Nation practice, Respondent was issued a Purchase card, or "P-Card"¹ to be used to pay for approved expenses incurred to further his official duties as President of the Navajo Nation.
11. Respondent was issued a P-Card for travel expenses he incurred while on official Navajo Nation business.
12. On March 9, 2020, the Office of the Controller for the Navajo Nation published revised policies regarding the use of P-Cards. The new policies state in part, "[T]he P-Card's efficiency and ease of use reduce [sic] administrative burdens on the Nation but also exposes the Nation to risk. *See Navajo Nation P-Card Policies and Procedures Manual*, at 3. Potential risks associated with the P-Card program include inappropriate card use, internal and external fraud, inappropriate general-ledger-coding allocation, non-compliance with IRS rules, and reputational damage to the Nation. This policy ensures that sufficient controls are in place to mitigate these risks." *Id.* Specifically, as it pertains to Travel P-Cards,² like the one used by Respondent, the policy is that all incurred expenses while on travel should be exclusively for the authorized cardholder. *Id.*, at 6. Purchases for family members are expressly prohibited. *Id.*
13. A cardholder only has lawful authority to use a P-Card consistent with Navajo Nation policy. Any use of a P-Card in violation of Navajo Nation policy or law is a conversion of the Nation's services or property. The Nation's services and property is entrusted to an authorized cardholder for the limited use dictated by policy, and any use of the P-Card in violation of internal policy is also in violation of Navajo Law 17 N.N.C. § 330(A)(2).

¹ A P-Card is a purchase card issued by the Navajo Nation to certain governmental officials. The P-Card is merely a means to effectuate payment and is not intended to bypass proper procurement and travel procedures.

² P-Cards may be issued for travel or operational expenses.

14. During Respondent's presidential term, from on or about January of 2023 to May of 2025, Respondent insisted that his family members accompany him regularly on business travel. During these trips, Respondent caused expenses incurred for the benefit of his family members to be paid via his Travel P-Card, despite the fact that said family members were not eligible employees of Navajo Nation. Respondent caused a P-Card to be used to pay for family members' lodging and food while accompanying him on travel. When it came time to reconcile Respondent's P-Card, Respondent knowingly directed at least one subordinate to falsely record the expenses as though they were for staff assistants. In an effort to avoid detection of this impropriety, Respondent directed at least one member of his staff to use white-out to conceal his family members' names, and instead falsely record their identities as Office of the President and Vice President (OPVP) staff. These directions to staff member to help him conceal this theft constitutes the criminal offense of Solicitation in violation 17 N.N.C. § 301 and Tampering with a Public Record in violation of 17 N.N.C. § 374.
15. From on or about January of 2023 to May of 2025, Respondent directed at least one staff member to supervise his child, make and account for payment on his personal bills, as well as cook and clean at his personal residence. These duties were outside the proper scope of duties for this staff member and were a personal benefit to Respondent.
16. In or between January of 2023 and September of 2023, Respondent improperly hired his father-in-law, John Blackwater Jr. (hereinafter referred to as Mr. Blackwater), to a political at-will³ position. Mr. Blackwater is a relative related to Respondent by affinity in the second-degree. Mr. Blackwater lacked the necessary qualifications to obtain this

³ An "at-will" position is an employment designation that serves at the leisure of the employer without any civil service protections.

position. However, Respondent ordered at least one of his subordinates to change Mr. Blackwater's application to falsely reflect that Mr. Blackwater had the necessary qualifications to fill the position. Respondent was informed by staff that he did not have the authority to hire Mr. Blackwater into a political at-will position, and that if he wanted to hire a family member, the family member would have to be supervised under his Chief of Staff's chain of command, not his own. Despite being informed of this, Respondent knowingly proceeded to install his unqualified family member to a political at-will position, under Respondent's and Respondent's wife's direct supervision, and insisted on personally signing all of Mr. Blackwater's Personnel Action Forms (PAFs)⁴. These actions constitute Solicitation in violation of 17 N.N.C. § 301, and Unsworn Falsification in violation of 17 N.N.C. § 376.

17. The President has a duty to submit a budget for his branch of government to the Budget and Finance Committee, and to advise Council on the annual budget. 2 N.N.C. §§ 285(B)(6), 1005(C)(6). In preparation for determining the budget for Fiscal Year 2026 (FY2026), the Budget and Finance Committee held meetings and public work sessions beginning in March of 2025. The Committee held a meeting with the Office of the President and Vice President (also referred to as the "OPVP") on April 14, 2025.
18. From March of 2025 to August of 2025, President Nygren and OPVP failed to offer any budget amendments, or provide any sort of planning for the budget of the OPVP. President Nygren declined multiple opportunities to discuss the Budget when invited, despite being properly notified of meetings held to make decisions about the budget.

⁴ A Personnel Action Form is a Navajo Nation employment document that is used to authorize and record any change in employment status, such as appointments, terminations, transfers, promotions, or salary changes.

19. In August of 2025, President Nygren requested a budget of \$6,906,860 for fiscal year 2026 (also referred to as "FY2026"). The Budget and Finance Committee determined this amount to be unfeasible. In support of their decision, they determined that the requested budget proposed a 40% increase to OPVP's budget. The proposed increase was not supported by data, and was not otherwise justified by the President. After this determination, President Nygren did not participate in further budget discussions.
20. On September 4, 2025, the 25th Navajo Nation Council passed the 2026 comprehensive budget. The budget for FY2026 appropriated \$5,529,245 for the OPVP. This amount represented a 12.3% increase from fiscal year 2025, and a 68% increase since President Nygren took office in 2023.
21. On or about September 15, 2025, President Nygren exercised his line-item veto⁵ authority, resulting in operating funding shortfalls. The line-item vetoes totaled \$8,144,457 in budget cuts targeted toward the Legislative Branch. Specifically, the vetoes eliminated all funding for the operating expenses of the Budget and Finance Committee, the Health, Education and Human Services Committee, the Resources and Development Committee, the Law and Order Committee, the Naabik'iyati Committee, all funding stipends and operating expenses of the Navajo Nation Council, all funding for the operating expenses of the Office of the Speaker, the Office of Legislative Counsel, the Office of Legislative Services, and all salaries and operating expenses of the Legislative District Assistants and the Navajo Youth Advisory Council.
22. In his September 15, 2025 memorandum to the Speaker, President Nygren justified the line-item vetoes by pointing out that five District Courts had no money in their general

⁵ A line-item veto is an executive rejection of a particular portion of legislation without rejecting the entirety of the legislation.

fund operating budgets for FY2026. He further stated that while the Legislative Branch had been adequately funded, the OPVP had not.

23. On September 25, 2025, the Navajo Nation Council passed Resolution CS-45-25, appropriating funding to remedy the prior inadvertently omitted funding of the Judicial Branch, and restoring Legislative branch funding eliminated by the President's September line-item vetoes.
24. After the Council meeting passing of CS-45-25, President Nygren spoke with some counsel delegates.
25. On September 26, 2025, at President Nygren's request, Delegate Casey Allen Johnson introduced Emergency Legislation No. 0224-25, which proposed to add an additional \$1,595,795 to the OPVP budget.
26. During the last days of September 2025, the Council made efforts to meet and seek consensus on the FY2026 budget. President Nygren stated that Council delegates "know what they need to do," and indicated that he wished for the council to pass his proposed Emergency Legislation No. 0224-25. Members of Council understood that President Nygren was instructing them to pass a budget allocation of \$6.9 million to OPVP. They further understood that President Nygren would not fund the Legislative Branch if they did not include the OPVP budget as he requested.
27. On September 30, 2025, with no budget resolution, the Navajo Nation Controller, Sean McCabe, issued a memorandum to the OPVP, the Navajo Nation Speaker's Office, and the Navajo Nation Chief Justice Office informing them that the Office of the Controller (also referred to as "OOC") would be deactivating the P-Cards for the business units⁶

⁶ A business unit, as referenced in Mr. McCabe's memorandum, appears to reference distinct departments of the Navajo Nation government.

which were not externally funded and had no operating budget. In his memorandum, Mr. McCabe noted that should a proper budget revision occur, or supplemental funding is received, OOC would reactivate any deactivated P-Card covered by such revision or supplemental funding. Mr. McCabe further advised that the Navajo Nation Budget and Finance Committee had amended the 2026 Budget Instruction Manual to restrict the transfer of funds between business units.

28. On October 3, 2025, Mr. McCabe received a text message from President Nygren asking for his P-Card to be activated. Mr. McCabe effectively responded that he could not activate the card without an operating budget. The text exchange read:

Nygren: GA. My p card is locked. Can you have your staff make the calls needed to unlock it. Thx U.

McCabe: Brother I can't with no operating budget I'm being watched closely in this. The council cards are off too.

Nygren: I have \$250k. Plus the \$33K. The only ones without an operating budget is council. Lets get these turned on within the hour.

McCabe: I understand but there needs to be a budget transfer for something other than the canine unit and the worker comp. I already told Kris this.

Nygren: All of councils card are shut off too right?

McCabe: Yes

Nygren: This is BS. You should have told me and dom could have made those moves today. You and I really need to talk.

McCabe: I told Kris.

Nygren: Well Kris didn't tell me. WTF.

McCabe: I'm in a zoom.

Nygren: Answer my call.

McCabe: I'll call you right back.

Nygren: Whoever the hell your on zoom with is not the president or your boss. This is shit is fucking pissing me off.

McCabe: Come on man.

Nygren: I just got off the phone with Kris. And he doesn't know what your talking about.

McCabe: It's in a memo.

Nygren: What fuckin memo.

McCabe: Addressed to you speaker and chief justice and it was sent to Kris and all division directors. The council is off mine is off judicial is off and programs with now operating.

Nygren: Whatever. Mann. Let me figure it out.
McCabe: Ok. Let me know if you need help.
Nygren: I don't think you and I are not on the same team anymore. I'm done.
McCabe: Well I'm sorry if you feel that way.
Nygren: Never thought you just roll over for those scum bags.
McCabe: I'm not man I'm Doing my job. There's are off too.
Nygren: Yea you should have told me directly. What I need to do. And I would have made budget transfers today.
McCabe: I did brother that memo is addressed to you.
Nygren: I had all of OMB⁷ in my office. Guess we live and die by memos so I can send a memo on Monday.
McCabe: Ok man. And don't say we aren't on the same team. You've been working against me for Months but I've still advocated for you, this is not my fault.
Nygren: Fuck. That. You're the one that is fucking me with council.
McCabe: Your wrong.
Nygren: With the whole budget bullshit. This would have never been like this if you didn't fuck up the budget. This is probably why you don't bring your best friend to come work with you. This is fucked up man!
McCabe: Don't text me man with that bullshitn
Nygren: And avoiding me for 9 weeks and that is even more fucked up.
McCabe: I didn't avoid anything you weee on tour and I was in window rock. I'm still working in you best interest despite this abuse.
Nygren: What abuse Mann! I let you do whatever you want.
McCabe: These texts.
Nygren: Yea because you avoid me. And I've asked to talk.
McCabe: I didn't fuck up this Bridget⁸... you did. I'm always open to talk.
Nygren: That was all you with some fucked up formal that left zero for judicial branch and other offices. I'm done! I don't get emotional. But since I've fuckin know you for ever. This is fucked up. Peace!
McCabe: Have a good one shinataanii.
Nygren: Yea you too controller! Have a good one! I'm glad I appointed you. Thanks for trying and it was good working with you. Maybe our paths will cross down the road and we can somehow make up for this nonsense!

29. In the late evening of October 5, 2025, or the early morning hours of October 6, 2025, the last day for President Nygren to sign or veto CS 45-25, President Nygren exercised additional line-item vetoes.

⁷ "OMB" is the acronym for the Office of Management and Budget.

⁸ The texts are transcribed as they appear, and have some spelling and grammar mistakes. It is believed that in this text, McCabe meant to type "budget" and the phone autocorrected to "Bridget."

30. On October 6, 2025, Mr. McCabe saw that there had been a transfer of funds from contract services committed to the Missing and Murdered Indigenous Women (also referred to as "MMIW") allocation to the OPVP operational budget. The transfer totaled approximately \$230,000. Mr. McCabe, in his experience as Controller, found this transfer to be facially improper because the MMIW funds are internal special revenue funds⁹ committed to a specific purpose (i.e. MMIW). Reallocating such funds would require oversight approval, and cannot be reallocated by a simple budget revision. Mr. McCabe contacted Dominic Beyal with OMB to inquire about the transfer.
31. On October 6, 2025, the President's Chief of Staff, Kris Beecher, sent a memorandum to "All Concerned" requesting to reactivate the OPVP P-Cards. In his request, Mr. Beecher stated that the OPVP had a "temporary operating budget, which will allow continued performance of essential administrative and travel functions." Mr. Beecher included a copy of the budget revision request with the memorandum.
32. Later, on October 6, 2025, Mr. Beecher requested Assistant Controller Robert Willie to reactivate the P-Cards.
33. On October 7, 2025, Mr. McCabe received a termination notice from President Nygren. Contemporaneously, Mr. Beecher sent an email to Rachel Williams in the OOC and, without executing a proper Personnel Action Form (PAF) or authorization from the Navajo Nation Council, directed her to turn off Mr. McCabe's email account and any other accounts "as soon as possible." The email further directed her to Robert Willie who Mr. Beecher claimed "is now Interim Controller," to answer any questions. Later that

⁹ A "special revenue fund" is used to account for the proceeds of specific revenue sources (other than expendable trusts or major capital projects) that are legally restricted to expenditures for the specified purposes. This fund includes externally restricted funds which are defined as funds received by the Navajo Nation from sources other than the Navajo Nation for a specific purpose. 12 N.N.C §810(S)(1)(b).

night, Assistant Controller Robert Willie was submitted to the President's Office to be named "Interim Controller," however, Mr. Willie declined the appointment.

34. On October 8, 2025, President Nygren appointed Alva Tom as "Interim Controller" of the Navajo Nation, and Ms. Tom accepted the appointment. That same day, Ms. Tom instructed the OOC staff to reactivate the OPVP Operational and Travel P-Cards. Ms. Tom also approved the transfer of approximately \$230,000 from the MMIW to the OPVP operating budget, which was previously questioned by Mr. McCabe as described in paragraph 30, above.
35. On October 8, 2025, approximately ten OOC employees reported to the Budget and Finance Committee that they felt threatened and unsafe if they did not comply with directives from Ms. Tom, the "Interim Controller." In response to these concerns, Mr. McCabe granted administrative leave to all employees who felt threatened, anxious, or unsafe for the period of October 8, 2025, to October 9, 2025.¹⁰
36. On October 9, 2025, Mr. Beecher sent a memo to OOC staff ordering them to take all directions from Ms. Tom. Mr. Beecher also informed OOC staff that administrative leave previously granted to them by Mr. McCabe would be rescinded.
37. On October 10, 2025, Colin Bradley, the Acting Attorney General for the Navajo Nation, issued a memorandum stating that Mr. McCabe was no longer the Navajo Nation Controller, but that President Nygren needed to appoint a Controller or Acting Controller (as opposed to an "Interim" Controller).
38. On October 11, 2025, and apparently in response to the Attorney General's memorandum, President Nygren appointed Ms. Tom as Acting Controller.

¹⁰ There appears to be a brief period of time where there was a discrepancy regarding who was in charge of the OOC.

39. After Ms. Tom was named Acting Controller, Ms. Tom and Mr. Beecher went to the OOC with Mr. Bradley's opinion in hand, and demanded that office members sign a Personnel Action Form (PAF) regarding Mr. McCabe's termination. The office members reported on October 20, 2025, that they did not want to sign the PAF, but were coerced and threatened by Mr. Beecher and Ms. Tom to sign the PAF. OOC members also expressed continued concern for their safety if they continued to refuse Mr. Beecher's directives.
40. These actions, while violative of ethics rules, are also in violation of Navajo Law 17 N.N.C. § 364, Abuse of Office.

Count 1: Violation of 2 N.N.C. §3755

41. By his actions on or between January of 2023 and May of 2025, as described in paragraph 16 of this complaint, the Respondent violated section 3755 of the NAVAJO NATION ETHICS IN GOVERNMENT LAW. This portion of the Regulations provides:

2 N.N.C. §3755. No public official or employee shall employ, appoint, or otherwise cause to be employed, nor nominate, nor otherwise influence the appointment or employment to any public office or position with the Navajo Nation or any governmental or political subdivision thereof, any person or persons related by consanguinity or affinity within the third degree, nor any member of the same household as said public official or public employee. Assignment of such persons to duties, positions, governmental offices or other entities shall in all instances be made in strict compliance with the current provisions of the Personnel Policies and Procedures of the Navajo Nation, as amended from time to time.

Respondent's conduct in employing, appointing, or otherwise causing to be employed, or nominating, or otherwise influencing the appointment or employment of his father-in-law to a public office or position within the Navajo Nation or any governmental or political subdivision thereof, was a violation of 2 N.N.C. section 3755. Not only did Respondent knowingly violate this section, but when informed that hiring his father-in-law would be

a violation, he showed no concern for following the law, and ordered his staff to falsify his father-in-law's work history to make him appear to be qualified for the position. This act is a misuse of power by the elected president of the Navajo Nation.

Count 2: Violation of 2 N.N.C. § 3744

42. By his actions on or between January of 2023 and May of 2025, as described in paragraphs 10 through 14 of this complaint, the Respondent violated section 3744 of the NAVAJO NATION ETHICS IN GOVERNMENT LAW. This portion of the Regulations provides:

2 N.N.C. § 3744. Public officials and employees shall at all times conduct themselves so as to reflect credit upon the Navajo People and government, and comply with all applicable laws of the Navajo Nation with respect to their conduct in the performance of the duties of their respective office or employment.

Respondent failed to conduct himself so as to reflect credit upon the Navajo People and violated applicable laws by using his P-Card contrary to its authorized use to pay for travel expenses for unauthorized family members. Specifically, Respondent failed to respect Navajo Nation property by paying for his family members' lodging and food against P-Card policy. Respondent ordered his staff to conceal the violation so it could be reconciled and go undetected by the approval process. These intentional acts eroded the trust of the People of the Navajo Nation.

Count 3: Violation of 2 N.N.C. § 3745(B)

43. By his actions on or between January of 2023 and May of 2025, as described in paragraph 10 through 14 of this complaint, the Respondent violated Section 3745(B) of the NAVAJO NATION ETHICS IN GOVERNMENT LAW. This portion of the Regulations provides:

2 N.N.C. § 3745(B). Public officials and employees of the Navajo Nation should avoid any action, whether or not specifically prohibited by the Standards of Conduct set out herein, which could result in, or create the appearance of using public office for private gain, giving preferential treatment to any special interest organization, impeding governmental efficiency or economy, losing or compromising complete independence or impartiality of action, making a government decision outside official channels, or adversely affecting the confidence of the people in the integrity of the government of the Navajo Nation.

Respondent used his P-Card to pay for unauthorized expenses benefitting his family members, resulting in the appearance of using his office for private gain, preferential treatment, impeding governmental economy, and adversely affecting the confidence of the people. As an indication of his consciousness of guilt, Respondent ordered concealment of the activities.

Count 4: Violation of 2 N.N.C. § 3752(C)

44. By his actions on or between January of 2023 and May of 2025, as described in paragraph 15 and this complaint, the Respondent violated Section 3754 of the NAVAJO NATION ETHICS IN GOVERNMENT LAW. This portion of the Regulations provides:

2 N.N.C. § 3752(C). No public official or employee shall employ, with funds of the Navajo Nation, any unauthorized person(s) nor persons who do not perform duties commensurate with such compensation, and shall utilize authorized employees and staff only for the official purposes for which they are employed or otherwise retained.

Respondent required members of his executive staff to perform duties that were not for official purposes, but rather solely for his own personal benefit. Respondent required employees and staff to provide housekeeping, cooking, child supervision, and personal assistant duties. The nature of this mandated domestic servitude was not commensurate with the duties of the employees or staff.

Count 5: Violation of 2 N.N.C. § 3744

45. By his actions on or between October 1, 2025, and October 31, 2025, as described in paragraphs 17 through 39 of this complaint, the Respondent, Buu Nygren, violated section 3744 of the NAVAJO NATION ETHICS IN GOVERNMENT LAW. This portion of the Regulations provides:

2 N.N.C. § 3744. Public officials and employees shall at all times conduct themselves so as to reflect credit upon the Navajo People and government, and comply with all applicable laws of the Navajo Nation with respect to their conduct in the performance of the duties of their respective office or employment.

Respondent failed to conduct himself so as to reflect credit upon the Navajo People and violated applicable laws by pressuring Mr. McCabe to unlawfully transfer money into the OPVP operating account. More egregiously, when Mr. McCabe refused to implement the unlawful order, he was terminated and replaced with someone who immediately complied with the Respondent's unlawful request. These intentional acts eroded the trust of the People of the Navajo Nation.

Count 6: Violation of 2 N.N.C. § 3745(B)

46. By his actions on or between October 1, 2025, and October 31, 2025, as described in paragraphs 17 through 39 of this complaint, the Respondent, Buu Nygren, violated Section 3745(B) of the NAVAJO NATION ETHICS IN GOVERNMENT LAW. This portion of the Regulations provides:

2 N.N.C. § 3745(B). Public officials and employees of the Navajo Nation should avoid any action, whether or not specifically prohibited by the Standards of Conduct set out herein, which could result in, or create the appearance of using public office for private gain, giving preferential treatment to any special interest organization, impeding governmental efficiency or economy, losing or compromising complete independence or impartiality of action, making a government decision outside official channels, or adversely affecting the confidence of the people in the integrity of the government of the Navajo Nation.


Respondent demanded that Mr. McCabe transfer money into the OPVP operating budget from a source of money that was already designated for another specific purpose and constituted internal special review funds. Internal special review funds require the approval of the Navajo Nation Council prior to the re-designation of such funds. Rather than using official channels, Respondent chose to operate outside of the lawful procedures and attempted to coerce Mr. McCabe into unlawfully transferring said funding. This resulted in the appearance of using his office for private gain (as the funds were to be used, at least in part, to achieve the Respondent's own private purposes), preferential treatment, impeding governmental economy, and adversely affecting the confidence of the people.

47. Based on the foregoing facts and applicable laws and regulations, Complainant seeks the following remedies pursuant to 2 N.N.C. § 3780:

- a. Respondent shall be immediately removed from public office, and shall be disqualified from appointment or employment in any public office of the Navajo Nation for a period of five years;
- b. Respondent shall be required to forfeit all compensation and benefits received pursuant to his public office for a period of not less than thirty days nor more than one year;
- c. Respondent shall be issued a public reprimand which shall be entered into his permanent record;
- d. Respondent shall be required to pay restitution.

WHEREFORE, the Special Prosecutor requests a hearing be scheduled before the Navajo Nation District Court to hear the above ethics violations.

Respectfully submitted this 2nd day of February, 2026.

BY:  _____
Kyle T. Nayback
Special Prosecutor