



FOR IMMEDIATE RELEASE
November 30, 2012

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Law and Order Committee approves 3-year grant awarded to Navajo peacemaking program for asset building in rural communities

WINDOW ROCK – Legislation to approve and accept a three-year grant that will assist the Navajo Nation Peacemaking Program in expanding the breadth of its services for rural Navajo communities was passed by the Law and Order Committee on Monday.

The committee voted 2-0 in favor of approving Legislation No. 0478-12, which was sponsored by Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichíí, Steamboat). The legislation will move forward for consideration by the Budget and Finance Committee, which has final authority.

“Approval of this grant enables the Navajo Peacemaking Program to continue building upon its valuable efforts in rural communities to promote strong and healthy cultural identities in Navajo children,” said Delegate Shepherd, as it relates to court proceedings in areas such as child welfare and adoption.

The grant will specifically allow the Peacemaking Program to hire a community development specialist who will “prepare resource lists and public awareness documents to complement the core traditional teachings and travel to communities querying their needs,” according to the Navajo Nation Judicial Branch.

In addition, part of the grant funds will be used to increase the involvement of community elders who will serve as traditional teachers and receive training to become peacemakers in accordance with the Peacemaking Program’s traditional curriculum.

Gloria Benally, program coordinator, said the grant accommodates the section of the program’s plan of operations called the “Life Values Engagements,” which supports the provision of cultural and traditional education at the community level for children, adults, and elders.

Benally also informed the committee that the project will be implemented throughout the Navajo Nation’s eleven judicial districts, after Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K'ai Bii'Tó, LeChee, Tonalea/Red Lake) inquired for more information as to which communities would be benefitting from the program’s activities.

Soon after the program receives all the necessary approvals from the assigned standing committees, Benally said it will move forward with advertising for and hiring a community development specialist.

The grant period extends from Oct. 1, 2012 through Sept. 20, 2015, and was awarded by the Administration for Children and Families under the U.S. Department of Health and Human Services.

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Naa'bik'iyati' Committee responds to Secretary Salazar's Core Positions, Nation maintains position

WINDOW ROCK – Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood), on behalf of the Water Rights Task Force, presented a report to the Naa'bik'iyati' Committee on Nov. 28 in the form of letter responding to the Department of Interiors' Core Positions for a Near Term Settlement.

The letter responds to DOI's Core Positions for a Near Term Settlement, which resulted from the position statement the Nation presented to DOI during a Nov. 14 meeting organized by the Department.

The Naa'bik'iyati' Committee approved the "Position Statement of the Navajo Nation on Comprehensive Water Rights Settlements" (resolution NABIN-87-12) on Nov. 9 in response to Secretary Salazar's Sept. 18 invitation for Navajo leadership to visit Washington to discuss a potential settlement of the Little Colorado River.

On Nov. 28 the Naa'bik'iyati' Committee approved the letter responding to DOI's Core Positions for a Near Term Settlement with a vote of fourteen supporting and zero opposing – the committee will continue to maintain its position outlined in resolution NABIN-87-12.

"The Navajo Nation appreciates your efforts to move a settlement of the claims of the Nation and the Hopi Tribe in the Little Colorado River basin," Speaker Naize stated in his letter to Secretary Salazar.

"Following our meeting with you and other Interior officials in Washington two weeks ago, and with further clarification of the Federal proposal provided by Deputy Hayes and others in telephone conference held on November 26, the Nation has determined that it is in the best interest of the Nation to stand on the Position Statement adopted by the Naa'bik'iyati' Committee of the Navajo Nation Council as it concerns a settlement of the Little Colorado River basin claims."

Speaker Naize also expressed appreciation to the department for supporting the following terms:

- 1) Delivery of 6,411 AFY of CAP to eastern Arizona Navajo communities through the Navajo-Gallup Water Supply Project without conditions, and specifically deleting requirements for: a) the extension of the Navajo Generating Station plant site lease and other related agreements, and b) that the Nation lease additional coal to Peabody. The Nation also

seeks the support of the Department for acquiring a water supply that is not subject to shortages.

- 2) Allow for the delivery of the 6,411 AFY of CAP water to the Navajo Nation upon the effective date of this LCR settlement.
- 3) Contain provisions reserving CAP water for a future Lower Colorado River settlement (22,598 AFY for Navajo).
- 4) Retain the Secretary's authority to take land into trust.
- 5) Eliminate provisions requiring Navajo Nation to waive claims for injury to water quality.
- 6) Contain the following provisions relating to springs supplied by non-N-aquifer water:
 - a. The United States, through USGS, will expand its spring monitoring program described in Section 6.2 of the settlement to include Hopi springs whose water supplies derive from sources other than the N-Aquifer;
 - b. The new bill would contain a provision requiring discussions among the Tribes and the United States regarding protections, to the extent feasible, for springs supplied by water outside the N-Aquifer in a future Lower Colorado River water settlement.
- 7) The Department will consult with the Navajo Nation and the Hopi Tribe on sacred sites.

Seven additional positions advocated for by the Nation were not accepted by the DOI – to which Speaker Naize asked the United States to “schedule a meeting with the Arizona parties to advocate for a settlement of the Tribes’ Little Colorado River claims that could be moved during the lame duck session.”

The Nation also asked to be a part of discussions on the following issues not accepted by DOI: a numerical quantification of the Navajo Nation’s water rights to the mainstream of the LCR, including instream flow rights; the ability to make priority calls; federal funding for watershed restoration, conservation, and water project for washes and tributaries; the ability of the Navajo Nation to market its water rights outside of the Navajo Reservation; mandatory funding so that funds are available upon enactment; construction of water delivery projects to begin upon the appropriation of funds; and limiting the Navajo Nation’s waivers of claims to the claims of the Navajo Nation and not the claims of members of the Nation.

“Despite the Department’s belief that these issues cannot be resolved quickly, the Nation would like the opportunity to meet with the Arizona negotiating parties to hear directly from them on each of the Nation’s positions,” Speaker Naize said in his letter.

“The Nation seeks the support of the United States as the Nation’s trustee in any such negotiations for the positions outline above. If a settlement cannot be reached in the near term, the Navajo Nation will reassess its settlement position.”

Speaker Naize expressed his appreciation on behalf of the Nation for the DOI’s senior officials’ involvement and for their commitment to reach a settlement of the LCR basin on fair and equitable terms.

The Naa'bi'iyati' Water Rights Task Force is comprised of Speaker Johnny Naize and Council Delegates Katherine Benally, Elmer Begay, Joshua Lavar Butler, LoRenzo Bates, Jonathan Nez, Walter Phelps, Alton Joe Shepherd, and Dwight Witherspoon.

The advisory group to the Naa'bi'iyati' Water Rights Task Force, as stated in the enacting resolution of the task force, consists of Rita Gilmore, Nicole Horseherder, Ann Marie Chischilly, Byron Huskon, Jack Utter, and Thomas Walker.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org

Navajo Nation and State of New Mexico finalize land exchange



Navajo Nation President Ben Shelly and Commissioner Ray Powell of the New Mexico State Land Office both said the land exchange was a win-win situation for all parties involved. The Navajo Nation received land near Tse Bonito, N.M. for the Navajo Division of Transportation's new complex and the State of New Mexico received land in Silver City, N.M. for economic development opportunities. (Photo by Rick Abasta)

SANTA FE-The Navajo Nation and State of New Mexico have successfully completed a land exchange benefitting both sovereign governments in the spirit of economic development, employment and mutual collaboration.

The Indian Affairs Committee of the New Mexico Legislature convened on Nov. 27, at the State Capitol for a signing ceremony between the Navajo Nation and the New Mexico State Land Office.

The signing marked the end of a long process to acquire land for the Navajo Transportation Complex. It also signaled the continuation of government-to-

government relations between the Navajo Nation and the State of New Mexico.

Plans for the land exchange began in earnest on March 2, 2011, when Navajo Division of Transportation Director Paulson Chaco and NMSLO Commissioner Ray Powell met to discuss the matter.

Eventually, Senator John Pinto sponsored Senate Memorial 45, requesting the Commissioner of Public Lands and the NMSLO to study the benefits of a land exchange with the Navajo Nation.

Under terms of the agreement, the Navajo Nation received 85.6 acres of land in

McKinley County, near Tse Bonito, the Arizona-New Mexico border and the boundary of the Navajo Nation. These lands are in the process of being taken into trust by the U.S. on behalf of the Navajo Nation.

The State of New Mexico received 3.6 acres of land in Silver City, which was purchased by the Navajo Nation on Nov. 19, 2012 for exchange with the NMSLO. The land is located within Silver City and is expected to yield high commercial development.

The exchange parcels were appraised at equivalent values.

In Mar. 2012, the Navajo Nation Division of Transportation

celebrated the grand opening of their new complex, an \$18 million investment in green energy construction and technology.

The energy efficiency and high environmental standards of the new facility have garnered the Navajo Nation Leadership in Energy and Environmental Design gold certification.

Navajo Nation President Ben Shelly praised the hard work and dedication of staff on both sides for completing the agreement.

"We are very happy to have concluded this exchange with the State Land Office," Shelly said. "This action furthers the ongoing commitment of the Navajo Nation and the State Land

Office to work together and resolve the issue of land consolidation.

“This is a good day for the Navajo Nation and the State of New Mexico in the area of partnership and I would like to see that continue,” he added.

The symbiotic nature of the trade was reiterated by Paulson Chaco, director of NNDOT.

“The land exchange between the Navajo Nation and the State of New Mexico has set a new precedent and fosters the opportunity to complete projects for the benefit of two sovereign governments,” Chaco said.

As echoed throughout the room, the trade was a win-win situation for the Navajo Nation and State of New Mexico, he added.

Commissioner Ray Powell of the NMSLO said that the revenue generated for the State from the exchange will benefit N.M. school children.

The land in Silver City is near a Wal-Mart and affords the state an opportunity to access highway frontage and develop commercial opportunities.

“This is a win-win situation for the State Land Office and the Navajo Nation,” Powell said. “This creative partnership with the Navajo Nation will benefit our public schools, create jobs for New Mexicans, and reduce the burden on our tax payers.”

“I sponsored this bill last session to get that land acreage to the Navajo Nation, where the (Navajo) Transportation Complex would be built,” Pinto said.

Sen. Lynda Lovejoy extended thanks and gratitude for the work from all parties involved.

She noted that the NNDOT serves to improve roads and bridges on the Navajo Nation, creating jobs and economic development in the process.

“It’s a win-win situation for everybody, not just Navajo,” Lovejoy said.

Representative Ray Begaye agreed the symbiotic relationship from the exchange will only improve chances for future collaborations.

“Thank you for participating in this really great partnership and moving forward,” Begaye said.

Representative Nick Salazar agreed with his colleagues and lauded the cooperation the committee received during the exchange process.

“It’s been a win-win situation for everybody and that’s what we want: government-to-government, working together and doing things for everybody,” Salazar said.

Representative Jane Powdrell-Culbert noted that transportation and its significance to the state were a somewhat contentious issue during the previous legislative session.

“Transportation is the one thing that makes or breaks a state. It’s the one thing that makes businesses succeed or fail,” Powdrell-Culbert said.

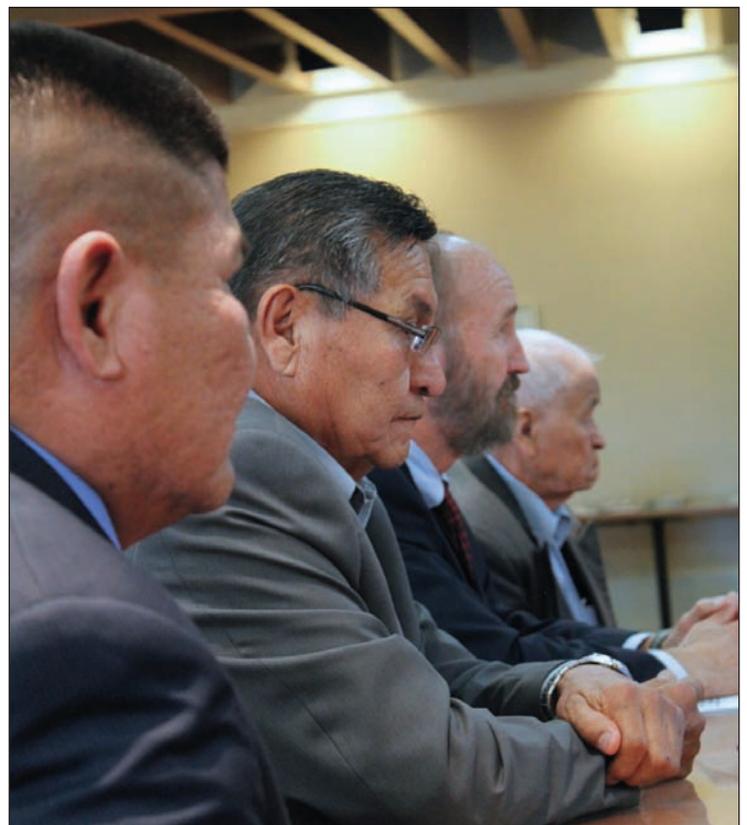
With the successful passage of SM 45 she said there was only one outcome: for the two sovereigns to benefit financially and develop jobs.

Before the signing and finalization of the exchange, the senator who got the ball rolling was given the floor to speak.

“This will help the Navajo Nation and the State of New Mexico by working together for the future of our children and grandchildren,” Pinto said. “I vote for this and I make the motion to approve it.”



Commissioner Ray Powell stands with NDOT Director Paulson Chaco during the signing ceremony. President Ben Shelly and Senator John Pinto were seated during the ceremony. (Photo by Rick Abasta)



Reporting to the Indian Affairs Committee of the New Mexico Legislature were NDOT Director Paulson Chaco, Navajo Nation President Ben Shelly, Commissioner Ray Powell and Senator John Pinto. The unique land exchange was praised as a win-win situation for all. (Photo by Rick Abasta)



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Navajo President Shelly Meets with N.M. Secretary Dominguez About U.S. Hwy 491

SANTA FE, N.M. – Navajo Nation President Ben Shelly stressed a continuation of state and Navajo Nation partnership during a meeting with New Mexico Department of Transportation Cabinet Secretary Alvin Dominguez on Tuesday.

“The partnership we have with the State of New Mexico in completing the project of U.S. 491 is essential. We need to keep at these partnerships for the benefit of the people,” President Shelly said during a meeting to receive a construction update of U.S. Highway 491, a major roadway from Interstate 40 to the Four Corners region.

The State of New Mexico recently allocated \$13 million for completion of a four-mile portion of the highway. Construction is slated to start along the corridor from milepost 41.8 to 46.0 beginning Dec. 2012 and is scheduled to be completed in May 2014.

“I know funding for infrastructure is becoming more difficult to attain, and costs for construction are rising. I thank New Mexico Governor Susana Martinez, Sec. Dominguez, NMDOT, and the State of New Mexico for funding another 4.2 miles of construction to extend the highway to Naschitti,” President Shelly stated.

Construction on U.S. Highway 491 began in Dec. 2009 and is a continuing project.

“The construction of highway employs Navajo workers. It creates jobs but most of all it is for the safety of the travelers. Extending to a four lane high way rather than two is much safer,” President Shelly said.

The hour-long meeting took place at the New Mexico Department of Transportation general office.

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(Left to Right: Patricia Seltzer-
MVHS Principal, LaTonna Atene –
ARTSCO, Inc, 2011 \$500 Grand Prize
Winner Crystal Abrigo- 11th Grade,
Rebecca Ortega – ARTSCO, Inc, Dorothy
Bigman MVHS Teacher. Photo taken
12/22/11 at Monument Valley High
School, UT.
Photo by Geri Hongeva)

**Monument Valley Hot Air Balloon to Feature
Art Contest for Young Navajo Artists**

WINDOW ROCK, AZ - Several talented young girls and boys on the Navajo Nation will be the recipient of \$500 in mid-December.

Kindergarten through six grade students are encouraged to enter their artwork that will help celebrate the Third Annual Monument Valley Hot Air Balloon on January 11-13, 2013 at Monument Valley Navajo Tribal Park. The theme for the third annual event is “Soar and Explore Monument Valley Sky.”

Artsco - the owner of The View Hotel in Monument Valley - will award \$500 for a poster contest winner, \$500 for a grand prize winner, and \$500 for another category called the Sponsor’s



Choice. Additionally, Artsco will also present \$100 for first place; \$50 for second place; and \$25 for third place winners in each grade level – Kindergarten through 12th grade.

More than 60 students from throughout the Navajo Nation entered the Second Annual Hot Air Balloon event when it was held earlier this year. Armanda Ortega, owner of Artsco, said due to its overwhelming success, they decided to sponsor another art contest in conjunction with the Third Annual Monument Valley Hot Air Balloon Event in January 2013.

Ortega said, “We are strongly encouraging students from throughout the Navajo Nation to enter their artwork to help promote the hot air balloon event at Monument Valley Navajo Tribal Park. We know there are many talented young Navajo youth. We are honored to help support and promote Navajo youth because they are going to be our future leaders.”

Artwork can be sent to the attention of Lena Black at Monument Valley Navajo Tribal Park, P.O. Box 360289, Monument Valley, Utah 84536 or can be delivered in person to the park office in Monument Valley. For additional information about entry forms, artwork guidelines or other questions, contact Ms. Black at Monument Valley Navajo Tribal Park at (435) 727-5870 or 5878 - Fax number (435) 727-5875. The deadline for entries is December 14, 2012. Awards will be presented on December 19th at The View Hotel.

The art contest entry form and guidelines can also be obtained at www.navajonationparks.org

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Health, Education, and Human Services Committee passes legislation proposing amendments to Navajo Veterans Trust Fund for improved veterans' assistance

WINDOW ROCK – The Health, Education, and Human Services Committee on Tuesday voted 4-0 to approve a legislation aimed at amending the Navajo Nation Veterans Trust Fund found at 12 N.N.C. §1176 to allow for “better assistance for veterans at the local level,” according to sponsor Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichíí, Steamboat).

The purpose of Legislation No. 0470-12 is to amend the Navajo Nation Veterans Trust Fund to provide for an equal distribution of the fund market value between the Department of Navajo Veterans Affairs and the 110 Navajo Chapters for public assistance to veterans.

Currently, 4 percent of the average market value of the Veterans’ Trust Fund covering the past three fiscal years can be used as supplemental funding for programs and services to benefit veterans on an annual basis.

While the current code specifies that 95 percent of the trust funds are to be used for veterans programs and services and 5 percent for administrative purposes, it does not identify distribution to any specific veterans’ assistance entities.

“This legislation amends the code to identify where the four percent will go,” said Delegate Shepherd, who assured HEHSC members that the legislation will not change the set-aside amount that currently goes into the Veterans Trust Fund.

According to Shepherd’s proposed code amendment, the 95 percent portion of the Fund mentioned previously will be split in half. Fifty percent will be distributed to the 110 Navajo chapters and 50 percent will be allocated to the Department of Navajo Veterans Affairs.

The 5 percent Fund allocation covering administrative costs will remain the same.

The code changes are intended to speed up the process of getting much needed financial assistance to Navajo veterans who have expressed frustrations with hindrances due to the current distribution set-up, said Delegate Shepherd.

Council Delegate Joshua Lavar Butler (Tó Nanees Dizí) was initially concerned that the legislation exhibit did not have attached support resolutions from Navajo veterans’ agency organizations.

“This is something important, and I would be more comfortable in approving if there was proof of support,” said Delegate Butler. “I would like for them to be involved in this since this will be affecting their programs.”

Due to this concern, the committee voted 4-0 in favor of including a directive for Delegate Shepherd to include support resolutions with the legislation exhibit.

Legislation No. 0470-12 now moves onto the Budget and Finance Committee for consideration. Thereafter, it will move forward to the Law and Order Committee, the Naa'bi'iyati' Committee, and finally the Navajo Nation Council.

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FOR IMMEDIATE RELEASE:
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NNHRC Requests Navajo Peoples' Testimonies about Predatory Sales Tactics by Area Auto Dealers

SAINT MICHAELS, Navajo Nation—The Navajo Nation Human Rights Commission will maximize their upcoming regular monthly meeting in December to specifically receive Navajo peoples' testimonies about their experience of predatory sales tactics from area automotive dealers. The meeting will be held at the **Dilkon Chapter House** in Dilkon, Navajo Nation on **December 7, 2012** at **10 a.m.**

The Commissioners encourage those who feel they've been victimized specifically by area auto dealer's predatory sales tactics to attend and provide a testimony.

The regular meeting is open to public.

NNHRC advocates for the recognition of Navajo human rights and addresses discriminatory actions against the citizens of the Navajo Nation. For more information, call the NNHRC office at (928) 871-7436 or visit the NNHRC website at www.nnhrc.navajo-nsn.gov.

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Navajo Nation leadership meets with Secretary Salazar, presents statement reaffirming nation's position

WASHINGTON, D.C. – The Naa'bik'iyati' Water Rights Task Force of the Navajo Nation Council, led by Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood), met with U.S. Department of Interior Secretary Ken Salazar on Nov. 14 to present a position statement on the Navajo-Hopi Little Colorado River Water Rights Settlement.

The Naa'bik'iyati' Committee approved the "Position Statement of the Navajo Nation on Comprehensive Water Rights Settlements" (resolution NABIN-87-12) on Nov. 9.

The position statement stipulates critical positions for all parties of the settlement and Congress to consider—many of the positions resulted from the Nation's citizens' input when council considered the water rights settlement legislation last summer.

The need for the position statement arose during Secretary Salazar's visit to the Navajo Nation on Sept. 18 when he invited Navajo leadership to Washington to discuss the water rights settlement in more depth.

In discussions occurring after his visit to the Navajo Nation, Secretary Salazar expressed to the Nation and the Hopi Tribe his interest in finding a mutually agreeable Navajo-Hopi water rights settlement that could potentially be acted on by Congress during the lame duck session.

Speaker Naize presented the position statement outlining the Nation's interests and expectations of the Little Colorado River water rights settlement bill to Secretary Salazar.

"While we recognize the cards are stacked against us, in terms of time and certain political hurdles, we are pleased to be here today to give our position," Speaker Naize said. "We, the Navajo people, hold close to our hearts our responsibilities to the land and water from which we sustain our way of life."

We have a position statement that outlines the critical priorities of the Navajo Nation with respect to water rights, Speaker Naize stated.

As part of the Nation's position, Speaker Naize asserted that any and all of the Nation's water rights settlements should place no restrictions on taking tribally owned fee lands into trust; and the need to preserve and not waive claims for injury to water quality.

Speaker Naize also stated that the delivery of 6,411 AFY of Central Arizona Project water to eastern Arizona Navajo communities be without conditions; and to delete requirements for the

extension of the Navajo Generating Station plant site lease and other related agreements and that the Navajo Nation lease additional coal to Peabody Western Coal Company.

The Navajo Generating Station is currently negotiating with the Navajo Nation for a possible site lease extension and renewal of rights-of-ways for the plant, railroad, and transmission and water lines. The existing agreements begin to expire in 2019.

“Clearly the provisions found in S.2109 speaking to any lease extension to the Navajo Generating Station and matters relating to Peabody are unrelated and unnecessary to the LCR Water Settlement,” Speaker Naize said.

The Naa’bik’iyati’ Water Rights Task Force communicated to Secretary Salazar that the current form and content of S.2109 is unequivocally unacceptable.

Without substantial changes to the bill, pursuant to the Nation’s position statement or the introduction of a new bill honoring the Nation’s priorities, the Nation will not yield from its opposition to S.2109 as stated in Navajo Nation Council Legislation No. 0149-12.

“I want to assure the Navajo people that any settlement passed by Congress resulting from this meeting and others going forward, must ultimately be approved by the Navajo Nation Council,” Speaker Naize stated.

We shall see what the Department of Interior presents to our neighbors, the Hopi Tribe, and our Navajo people as a result of this discussion. Until then, the Navajo Nation stands ready to accept or respectfully walk away.”

Speaker Naize also implored Secretary Salazar to exercise all his authority to uphold the trust responsibility of the United States government and the historical promises to advocate in the best interest of Diné people.

“Now more than ever, I hold the Department of Interior accountable for advocating in our best interest—particularly as it relates to our priority to remove all the provisions seeking to prevent the Navajo Nation from taking its fee lands into trust,” Speaker Naize said.

The Naa’bik’iyati’ Water Rights Task Force is comprised of Speaker Johnny Naize and Council Delegates Katherine Benally, Elmer Begay, Joshua Lavar Butler, LoRenzo Bates, Jonathan Nez, Walter Phelps, Alton Joe Shepherd, and Dwight Witherspoon.

The advisory group to the Naa’bik’iyati’ Water Rights Task Force, as stated in the enacting resolution of the task force, consists of Rita Gilmore, Nicole Horseherder, Ann Marie Chischilly, Byron Huskon, Jack Utter, and Thomas Walker.

Also present at the meeting with Secretary Salazar was Hopi Tribe Chairman LeRoy Shingoitewa. The position statement presented by Speaker Naize is available on the homepage of Navajo Nation Council website.

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Emergency Rocky Mountain Spotted Fever response funding legislation passed during Navajo Nation Council Fall Session signed into law

WINDOW ROCK – Emergency legislation that the 22nd Navajo Nation Council passed during their Fall Council Session – approving the supplemental funding for the implementation of prompt public health measures against the spread of Rocky Mountain Spotted Fever – was signed by President Ben Shelly on Nov. 8.

With Legislation No. CO-51-12 signed into law, supplemental funding from the Unreserved, Undesignated Fund Balance account will be appropriated to the Navajo Veterinary and Livestock Program and the Navajo Department of Fish and Wildlife in the respective amounts of \$405,319 and \$220,109 to carry out emergency response and prevention measures against RMSF.

“Containing the spread of Rocky Mountain Spotted Fever is an urgent matter,” said Council Delegate Walter Phelps, “I’m pleased that President Shelly recognizes the emergency nature of addressing this disease and safeguarding the health and well-being of our Diné people, as we at the Navajo Nation Council have recognized.”

Delegate Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi Tó ii) was the prime sponsor of the emergency funding legislation, which went before the full Council on Oct. 18.

The Council fully supported the response and outreach initiatives outlined in the legislation with a vote of 18-0 in favor.

The emergency funds will enable the two programs to implement response efforts needed to help prevent future human cases of RMSF from occurring, as was recommended in an Oct. 4 report by the federal Centers for Disease Control Epi-Aid team.

With the approval of emergency supplemental funding, the NVLP and the Dept. of Fish and Wildlife now have the fiscal means to address the overpopulation of dogs on the Nation and implement effective animal control programs aimed at RMSF prevention, said Delegate Phelps.

Decreasing the dog overpopulation problem is crucial for RMSF prevention because dogs carry the ticks that can transmit the disease to humans.

In movement toward this effort, the Dept. of Fish and Wildlife will hire four temporary laborers to assist the Navajo Nation Animal Control Program with the capture and impoundment of stray dogs.

The NVLP will utilize the bulk of their supplemental funding to purchase a fully-outfitted mobile veterinary vehicle unit where staff will perform spay/neuter services at various chapters across the Nation.

In addition, funding will enable the NVLP to hire additional staff to assist with chapter veterinary services, animal surrender operations, animal adoptions, and outreach education – all geared toward efforts to control the dog population.

NVLP manager Glenda Davis commended Delegate Phelps and the Health, Education, and Human Services Committee for recognizing the importance of initiating RMSF prevention measures.

“The Health, Education, and Human Services Committee has been very supportive of our efforts to inform the public about this disease, and getting the message out there about the steps people can take to prevent the spread of Rocky Mountain Spotted Fever,” said Davis.

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Resources and Development Committee approves two legislations proposing storage tank delivery prohibition regulations and cleanup standards

WINDOW ROCK – Last week, the Resources and Development Committee unanimously passed two bodies of environmental legislation that, pending President Ben Shelly’s approval, will elevate the level of protection for Diné people and the environment with the promulgation of delivery prohibition regulations and soil and water clean-up standards when it comes to storage tanks on the Navajo Nation.

Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) sponsored Legislation No. 0426-12 and Legislation No. 0427-12 at a regular RDC meeting on Nov. 7 in the Navajo Nation Council Chambers.

Legislation No. 0426-12, which pertains to the approval of the Delivery Prohibition Regulations under the Navajo Nation Storage Tank Act, was passed by the committee with a vote of 5-0 in favor of the approval.

The delivery prohibition regulations prohibit anyone from depositing or receiving petroleum or any other hazardous substances into a storage tank on the Navajo Nation when the owner or operator of the tank is not in compliance with the NNSTA or NNSTA regulations.

According to the proposed regulations, red tags will be affixed to tanks of owners and/or operators that are not in compliance with the NNSTA, and can only be removed when the violation has been corrected.

The tags serve to alert the public that no deliveries may be made to such tanks. The red tag procedure is a common method of enforcing the prohibition, states the Navajo Nation Storage Tank Program.

The committee also passed Legislation 0427-12, approving the Navajo Nation Leaking Storage Tank Soil and Water Cleanup Standards with a vote of 5-0 in favor. Fuel dispensing sites across the Navajo Nation, which includes both operating and abandoned stations, will be addressed through the standards when there has been a release of product into the ground.

The Navajo Nation Environmental Protection Agency will use the standards to prescribe the level of cleanup required when contamination has been detected from leaking storage tanks.

The soil and groundwater cleanup standards are necessary to protect drinking water because 50 percent of abandoned, leaking, and operating storage tank sites pose a threat to shallow fresh groundwater sources on the Nation, said Henry Haven, a geologist with the NNEPA’s Leaking Underground Storage Tank Program.

Currently, the Navajo Nation does not have any soil and groundwater cleanup standards, which was why Delegate Smith pushed for the legislation’s passage in an effort to secure regulated protection of the Nation’s scare resource – water.

“With their passage of the proposed storage tank delivery prohibition regulations and contamination clean-up standards, the Resources and Development Committee acted to amplify protection of the environment and the precious resources upon which our Diné people are reliant upon for survival and cultural purposes,” said Delegate Smith.

The Navajo Nation Storage Tank Act was passed by the Navajo Nation Council in 1988, and was subsequently amended earlier this year in January to include aboveground storage tanks.

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FOR IMMEDIATE RELEASE:
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NNHRC presents the U.N. Declaration on the Rights of Indigenous Peoples to college students

SAINT MICHAELS, Navajo Nation—Navajo human rights officials presented an overview of the United Nations Declaration on the Rights of Indigenous Peoples to students of the History & Culture of Indian Meso America course at the University of New Mexico at Gallup on November 8, 2012.

The invitation to the Navajo Nation Human Rights Commission was the first from a Navajo college student to present the U.N. Declaration since President Obama formally announced the United States' support for the U.N. Declaration on December 16, 2010.

“I was glad to see how engaged the students were in talking about the U.N. Declaration,” said NNHRC Executive

Director Leonard Gorman. “I hope we can engage more college students on the Navajo Nation.”

Gorman shared the same presentation he presented to the Navajo Nation Sacred Sites Task Force on November 5, 2012 titled, “Diné Sacred Places.” He elaborated on NNHRC's international efforts to protect sacred sites using the U.N. Declaration.

Some of those efforts include: participating in the development of the Organization of American States draft declaration, providing testimony at the United Nations' Human Rights Council's Universal Periodic Review on the United States, adopting the U.N. Declaration on the Rights of Indigenous Peoples at NNHRC to utilize the U.N. Declaration, registering a complaint with the United Nations' Human Rights Council's Special Rapporteur on the Rights of Indigenous Peoples, registering a complaint with the Committee on the Elimination of Racial Discrimination, providing testimony to the United Nations' Human Rights Council's Special Rapporteur on the Rights of Indigenous Peoples during his official visit to the United States.



Following a presentation on the United Nations Declaration on the Rights of Indigenous Peoples, UNM-Gallup students of Thursday's upper level course, History & Culture of Indian Meso America, pose with a Navajo Nation Human Rights Commission sign to make the U.N. Declaration on the Rights of Indigenous Peoples the norm.

He explained in the early 1900s indigenous peoples complained to the League of Nations as to how the United States of America was violating their rights. In the 1960s, the United Nations finally pooled a group of experts including indigenous peoples to assess indigenous rights and developed a draft declaration on the rights of indigenous peoples.

The draft declaration was referred to a working group to examine it. Once the working group was established the Navajo Nation began their participation.

From 1992 to 2006, the working group met every year in Geneva to negotiate the text with indigenous peoples of the draft declaration. During that time, the Navajo Nation submitted specific recommendations and language changes to the draft declaration.

Gorman explained several deadlock issues: self-determination, lands, territories, and resources, which left four countries withholding its support for the U.N. Declaration on the Rights of Indigenous Peoples when the U.N. General Assembly adopted the U.N. Declaration on September 13, 2007. Nearly three years later, President Obama announced the United States support on December 16, 2010.

While the U.N. Declaration is non-binding, it's supported by long standing human rights standards that are a part of other legally binding international human rights laws explained Gorman.

In relation to sacred sites, Gorman told the students NNHRC stated that Article 25 of the U.N. Declaration is one of the articles that provides for the need to respect that the Navajo people hold San Francisco Peaks as a sacred place.

Article 25 states, "Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations."

Gorman continued with other international efforts NNHRC actively pursued and the text from the U.N. Declaration. He explained why he no longer uses the term "tribe," explained the use of the term "peoples," and how freedom of speech for Americans is different from a Navajo perspective of freedom of speech. Navajos are responsible for their words with others to build harmony.

“We hope that the U.N. Declaration will become the norm and people will aspire to understand like world citizens.”

In the finale, much to Gorman's surprise, the students applauded.

"That's the first time anyone has literally applauded for one of my presentations," said Gorman to the students.

Students mostly used their question and answer time to share their appreciation for NNHRC efforts.

"It's good to know that they have an idea of what NNHRC efforts were prior to the presentation," said Gorman. "The United Nations' Declaration on the Rights of Indigenous Peoples provides the legal standards that nation-states (countries) would achieve. We hope that the U.N. Declaration will become the norm and people will aspire to understand like world citizens."

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For Immediate Release
Nov. 10, 2012

Navajo President Shelly Releases Statement for Veterans Day

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly released the following statement for Veterans Day 2012.

“Our veterans are among the most cherished people among our Navajo people. For generations, our warriors have protected our way of life as Diné. From our notable warriors and chiefs like Narbona and Manuelito, to our distinguished Navajo Code Talkers of World War II, to our modern warriors serving in Afghanistan, we are forever indebted to you for protecting your people.

This Veterans Day, the First Lady, Vice President Rex Lee Jim and myself honor our veterans and I ask our Navajo people to join us in paying tribute to all our veterans who served in the armed forces and especially to our Navajo veterans who have continuously served to protect our country and our people.

Ahe’hee’ to each and every veteran for your service and sacrifice to protect us, which allows us to live with the freedom we have. We especially remember those who gave the ultimate sacrifice to serve their people, your duty to your people will be forever remembered and cherished each and every day.

All our service men and women have brought great pride to our Navajo people. Your deeds will never be forgotten and your legacy will continued to be remembered as our active duty service men and women return home.

To our mothers, fathers, wives, children and relatives of our service men and women, you too have made sacrifices and we thank you.

Let us honor all our veterans today and everyday. We have a great way of life and we owe our veterans great appreciation for ensuring our freedoms to live our lives according to the teachings of our grandparents. May the Gods continue to bless our veterans, their families and the Navajo Nation. Ahe’hee’ . “



FOR IMMEDIATE RELEASE
November 9, 2012

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Health, Education, and Human Services Committee recommends Navajo veterans fund reimbursement plan to B&F Committee for approval

Plan ensures reimbursement of program funds used for traditional ceremonies

FORT DEFIANCE, Ariz. – The Health, Education, and Human Services Committee on Wednesday voted unanimously 5-0 to approve and recommend to the Budget and Finance Committee a fund reimbursement plan developed by the Department of Navajo Veterans Affairs with assistance from the Office of the Controller and the Office of Management and Budget.

The plan ensures that reimbursement funds received from the Carl T. Hayden Veterans Administration Medical Center in Phoenix are properly allocated back into the business account of the proper DNVA agency that expended funds to pay for traditional ceremonies for Navajo veterans.

Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tsé ii'ahi, Whiterock), the sponsor of Legislation No. 0464-12, which establishes and approves the DNVA Fund Reimbursement Plan, said “the legislation’s purpose is to protect the money that comes back to the Nation for our veterans.”

Each of the five veterans’ agencies – Chinle, Eastern Navajo, Shiprock, Fort Defiance, and Western Agency – pay for traditional ceremonies, which is considered a form of alternative health care for Navajo veterans, and are reimbursed for the expenditures by the VAMC.

Currently, “any type of reimbursement that comes back from the VAMC goes back into General Funds,” said Delegate Simpson. “With this plan, all funds received from the VAMC shall be received and processed by the Office of the Controller, where it will then be distributed back to the DNVA point source account,” said Delegate Simpson.

DNVA manager David Nez explained that his department submits reimbursement request documents to the Carl T. Hayden VAMC where it verifies eligibility. Upon clearance, a VAMC-affiliated entity in Austin, Tex., cuts a reimbursement check and sends to the DNVA.

Nez said that this past year, reimbursement checks have frequently been sent directly to the Navajo Division of Finance instead of his department. When that occurs, money that should be reimbursed back into the proper DNVA agency business account to continue to pay for traditional ceremonies is reverted back into the Nation’s general funds account according to policy.

“We end up not doing any ceremonies because the funds have been depleted,” said Nez, on what happens near the end of the fiscal year budget cycle when funds that normally should be replenished by reimbursements are lost to the tribe’s General Fund.

After noting a comment the Controller’s Office offered through the SAS (signature authority sheet) administrative review process, Council Delegate Walter Phelps (Cameron, Coalmine Canyon,

Leupp, Tolani Lake, Tsidi Tó ii) asked if DNVA staff agreed that the reimbursement plan could be a policy document on the handling of the reimbursements for the veterans department.

Edsel Pete, DNVA administrative service officer, said the plan will eventually become a policy document that will be implemented into the department's policies and procedures of operation.

According to Delegate Simpson, if the plan garners the Budget and Finance Committee's approval, it will allow monies to stay within the respective business accounts of the five Navajo veterans' affairs agencies, which can then be carried over on an annual basis.

"If the Budget and Finance Committee approves the plan, there will be assurances as to where the money will be. It will go back to the veterans, and it will stay with the veterans," said Delegate Simpson.

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FOR IMMEDIATE RELEASE
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Resources and Development Committee confirms appointment of Anna Sullivan to the Black Mesa Review Board as Shonto Chapter rep

WINDOW ROCK – The Resources and Development Committee on Tuesday confirmed the appointment of Anna Sullivan to serve on the Black Mesa Review Board for a term of four years.

The committee voted 4-0 in favor of Legislation No. 0455-12, which confirms Sullivan’s appointment to the board pursuant to 2 N.N.C §903(A). Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts'ah Bii Kin) sponsored the legislation.

The Black Mesa Review Board is responsible for making recommendations to the Navajo Nation Council to improve the quality of life for Diné families living within the boundaries of Peabody Western Coal Company’s leased area for mining operations on Black Mesa.

“I am pleased with the Resources and Development Committee’s unanimous decision to support the confirmation of Ms. Anna Sullivan’s appointment to serve as Shonto Chapter’s representative on the Black Mesa Review Board,” said Delegate Nez.

“The board, as well as the communities it advocates on behalf of, will unequivocally benefit from Ms. Sullivan’s education and her vast experience in working with both on and off-reservation Navajo families as a champion for their social service needs.”

Sullivan graduated in 2006 with a Bachelors of Science degree in Family and Consumer Science with an emphasis in Early Childhood from Southern Utah University. She also holds an Associate of Arts degree in Elementary Education and Liberal Arts from Navajo Community College, now Diné College.

Over the course of her career, she has held various community liaison and advocate positions with the non-profit organization Big Brothers Big Sisters in Farmington, N.M., Rural Utah Child Development – a Head Start entity – in Wellington, Utah, and the Kayenta Community School in Kayenta, Ariz.

Sullivan also served as a volunteer court appointed child advocate for abused and neglected children in the state of New Mexico in 2009 and 2010.

The Shonto Chapter nominated Sullivan to fill the board position, said Delegate Nez, which had been previously vacated due to the resignation of former board representative, Brett Isaac.

Shonto Chapter stated through a Sept. 17 chapter resolution that filling the vacancy was not only an exercise of their authority, but also an effort to provide “continued representation” for residents within the Shonto Chapter boundaries – specifically those impacted by mining activities.

The Resources and Development Committee has final authority on the confirmation.

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NAVAJO DIVISION OF TRANSPORTATION

FOR IMMEDIATE RELEASE
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NDOT road construction continues in Pinon, N4 road work still halted



Pictured above is the desolate roadside of Navajo Route 4 near Pinon. In late October, Navajo Division of Transportation road maintenance crews encountered two vehicles passing by the worksite with rifles pointed out of their window. Because of safety concerns, construction on Navajo Route 4 was stopped. (Photo by Rick Abasta)

The Navajo Division of Transportation continues to work on roads near the community of Pinon, but the stoppage of construction on Navajo Route 4 remains in effect.

NDOT closed the project on Oct. 22, after road construction crew members were faced with community members driving by the worksite with rifles pointed out the window of their vehicle.

Sergeant Antonio Cook, acting commander for the Window Rock Police District, said for assault charges to be filed, evidence of premeditation must be provided.

“Otherwise, it’s considered criminal nuisance, or endangering other people’s safety,” Cook said.

The 28-year veteran of the Navajo Police said even if the people in the vehicle were hunting, it is illegal to do so from a moving vehicle.

“They aren’t supposed to be shooting from a vehicle to begin with,” Cook said.

Driving with a weapon pointed out the window is a serious offense, he said, regardless if the weapon is loaded or not.

“All weapons are loaded, so to speak. It’s at the discretion of the prosecutor’s office to press charges,” he said.

Law enforcement manager Kevin Gleason has worked for the Navajo Fish and Wildlife Department for over 20 years.

“Hunting from a vehicle is not allowed, you need a special permit,” Gleason said.

Such a permit would require proof of physical disability, he explained.

Violation of the law would result in confiscation of the rifle.

“We would essentially take the weapons. And if they didn’t have a small game permit, they would also be in violation of tribal law there,” Gleason said.

Violators of the law would be ineligible to hunt and would have to attend a hunter’s training course.

The decision to report the community members driving near the worksite with rifles pointed out the window was a serious matter for NDOT officials.

The safety of employees is the primary priority and will not be compromised, said Paulson Chaco, director of NDOT.

“We are currently continuing road construction in the Pinon area on Navajo Route 8027 this week, which will be re-graded,” Chaco said. “We will also be mobilizing to N8068, which will receive spot graveling.”

The spot graveling activities on N8068 may also include the replacement of damaged culverts. Work in Pinon does continue, despite safety and security concerns in the area.

A report on Pinon road construction activities from NDOT to the Resources and Development Committee last Tuesday was postponed due to a lack of quorum.

There was new information to report to the committee.

On Oct. 29, NDOT staff reported that unknown vandals had cut through the perimeter fence and damaged a one-ton, four-door Chevrolet in the yard.

The gas line on the truck was cut and fuel was drained, resulting in a large fuel spill in the process.

Acting safety officer Julius Tulley said the NDOT vehicle was towed to fleet management for repairs and that the investigation is ongoing.

Tulley said, “They cut through the chain link fence on the north side of the building to enter the yard. Then they crawled under the truck and cut the fuel line to drain the diesel fuel into a bucket.”

The large puddle of diesel fuel had to be covered and absorbed to prevent damage to the parking lot asphalt.

Aversion to road construction in the Pinon area has many NDOT officials curious.

Tulley recalled an incident two-years ago, when somebody from the community killed a coyote and hung the dead animal near the construction worksite.

“This (firearm incident) instantly created a hostile work environment for all that were in the vicinity,” Tulley said. “A weapon of any type is considered a threat to human life.”

-30-



Navajo Route 4 in Pinon is a heavily traveled road and a bus route for students in the area. The Red Dog graveling project has made improvements to the roads in the Pinon area by NDOT staff. Road crews are currently re-grading Navajo Route 8027 and mobilizing for Navajo Route 8068, which will begin receiving spot graveling next week. (Photo by Rick Abasta)



FOR IMMEDIATE RELEASE
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Speaker Naize opens emergency preparedness conference with prayer and gives tribal leader's message

PHOENIX – Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) delivered the opening prayer and tribal leader's message today at the Arizona Tribal Preparedness Conference hosted by the Arizona Department of Emergency Management and the Arizona Department of Health Services.

The conference—themed “Community Preparedness”—brings local, county, tribal, state, and federal partners together to discuss emergency preparedness activities throughout Arizona.

Speaker Naize emphasized the importance of prayer in maintaining balance and restoring the state of balance after disasters.

“I view prayer as a way of keeping the self in concert with the environment. This is an important view to remember when we have discussions on emergency management,” Speaker Naize stated. “Because at its most basic level, emergencies are situations of imbalance and our work should always be oriented toward a restoration of balance.”

Speaker Naize asserted the need for emergency management to account for the specific culture, histories, languages, and experiences of each tribe; expressing that such a reorientation would shift the discussion on topics of emergency management to maximize understanding and cooperation.

The purpose of tribal specific discussions is to ensure all tribal nations and communities are prepared for situations of imbalance when they arise, Speaker Naize said.

Speaker Naize expressed his appreciation to ADEM for their diligent work to include tribal communities in the discussion on emergency management.

He also thanked ADEM for placing a tribal liaison within the agency because it demonstrated a “genuine desire to listen to tribal nations on matters of emergency management.”

Speaker Naize applauded the efforts of Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichíí', Steamboat) and the Law and Order Committee for engaging in discussions with ADEM on the possibility of the nation signing onto the Arizona Mutual Aid Compact.

“Overall, I feel that Emergency Preparedness is an essential function to our ways of life,” Speaker Naize stated in his concluding remarks. “Preparing on a regional scale with our partners will give the Navajo Nation a better way of reaching all geographic areas, members, and communities.”

The conference was also attended by Council Delegate Russell Begaye (Shiprock). Senator Jack Jackson, Jr. and Hopi Tribe Chairman Leroy Shingoitewa provided remarks.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org



FOR IMMEDIATE RELEASE
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Law and Order Committee pass two legislations each proposing amendments to Navajo Nation Election Code

WINDOW ROCK, Ariz. – The Law and Order Committee on Monday passed two pieces of legislations, both sponsored by Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichíí', Steamboat), proposing amendments to the Navajo Nation Election Code.

Legislation No. 0462-12, which amends the Election Code by clarifying provisions specifying the qualification requirements for officials in elected positions, passed with vote of 2-1.

The legislation also amends the code to impose procedural steps for removing elected officials who fail to maintain the qualifications of office throughout their term.

“What we have brought forth, in my opinion, is something that has been long overdue. We are bringing the Election Code up to today’s standard,” said Delegate Shepherd, noting that though the current code mentions maintenance of qualification requirements while in elected office, it does not outline procedures for the removal of officials who fail to maintain those qualifications.

“Where the law is silent, you are allowing the courts to interpret” what happens once an elected official violates one or more qualification requirements or is convicted of felonies and certain misdemeanors while in office, Delegate Shepherd explained.

The inclusion of removal procedures into the Election Code also provides for due process in that an elected official will be provided written notice by the Navajo Election Administration stating that he or she has failed to maintain the qualifications of office and his or her position will be declared vacant.

Once the official receives notice, he or she may file a statement of grievance with the Office of Hearing and Appeals.

At the tail end of discussion on the legislation, Council Delegate Russell Begaye (Shiprock) motioned for an amendment to insert language specifying that the term “officials” includes “chapter officials, school board members, Navajo Board of Elections supervisors, and all others elected under Navajo Nation law” as those who will be subject to removal if failure to maintain qualification requirements occurs.

The amendment passed unanimously with a vote of 3-0.

The committee also voted 2-1 in favor of Legislation No. 0463-12, a bill that amends the Election Code by requiring that all ethics judgments against an individual seeking an elected position be satisfied prior to candidacy for elective office.

The impetus for this legislation stemmed from a report provided by the Ethics and Rules Office at a regular LOC meeting on Aug. 27, in which committee members learned that because of loophole in the

Election Code, individuals could be certified to run for elective office despite owing money to the Nation in the form of restitution.

Navajo Nation officials and employees found in violation of the Ethics in Government law can have sanctions and penalties imposed on them including removal from office, administrative fees, civil damages, orders of restitution and criminal punishment.

A disqualification period of 5-years may be placed on individuals removed from office in which they cannot seek candidacy for elective office. Once this period ends, it is legally unclear whether an individual continues to be ineligible for office if he or she still has a restitution balance with the Nation, or has not complied fully with other sanctions that were originally imposed.

“We’re trying to close the loopholes in the Elections Code,” said Delegate Shepherd. “If you are applying as a candidate, you need to satisfy your judgments. And if you owe restitution, you’re going to have to pay it.”

Simply stated, Delegate Shepherd said that the proposed amendments to Title 2, the Navajo Ethics in Government Law, will require individuals to pay all restitution owed to the Nation in full before being certified for election candidacy.

The two legislations will now move onto the Naa’bik’iyati’ Committee for consideration. The full Navajo Nation Council will have final authority on the legislations.

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New senior citizens center unites young and old in Tsaile/Wheatfields



The new senior citizens center for Tsaile/Wheatfields Chapter brought in a large number of Navajo elders for the opening celebration on October 24, 2012. The Navajo elders were treated to live entertainment courtesy of Dine' Bi Olta students in Ft. Defiance and free lunch. (Photo by Rick Abasta)

The wind howled and dust swirled as the Tsaile/Wheatfields Chapter celebrated the grand opening of their new senior citizens center on Oct. 24, 2012.

Elders from the community filled the white tent pitched outside the facility, along with tribal officials, county officials and members of the media.

Navajo Division of Transportation Director Paulson Chaco said the project was a good example of tribal programs working together for the benefit of the Navajo people.

"NDOT used Fuel Excise Tax funding to construct the parking lot, including the electrical infrastructure for the lot," Chaco said.

The senior citizens of the Tsaile/Wheatfields Chapter now have a facility to gather in the community for kinship, relaxation and celebration, he added.

The FET provides funding to projects across the Navajo Nation, in all five agencies, via the Navajo Nation Road Fund.

Applicants can apply for NNRFF to receive assistance in the areas of pothole repairs, blading/graveling of dirt roads, culvert replacement, drainage and maintenance, traffic signal/streetlights, chip sealing, other maintenance, feasibility studies, surveys, environmental assessments, archaeological assessments, planning, engineering, design, access roads, parking lots, school bus route improve-

ments, and matching funds projects.

The Navajo Nation Council enacted the FET to defray necessary governmental expenses incurred in providing for the public welfare. Currently, there is a tax of 18 cents on every gallon of gasoline sold on the Navajo Nation.

The parking lot was funded by the FET for FY 2004 and clearly illustrates that NDOT was an early supporter of the new senior citizens center.

The new building is 4,957 square feet and features a dining area with a fireplace, kitchen, three office spaces, activity area, crafts area, two -bathrooms (with showers), file room, laundry room, and three storage rooms.

Completion of the facility was made possible with funding and services from NDOT, Navajo Abandoned Mine Lands, Design and Engineering Services, Capital Improvement Office, LAM Corporation, Navajo Tribal Utility Authority, and the chapter.

The stakeholders in the facility were NDOT, which provided \$316,448 for the parking lot construction; Navajo AML with a contribution of \$300,000 for the facility; NTUA contributed \$75,000 for underground utilities, and the Navajo Nation, which contributed \$1,307,218.24 for construction.

Zane James, president of Tsaile/Wheatfields Chapter, said the vision for the 7.8-acre land tract is nearly complete.

“The senior center is the focal point and our chapter’s goal is language and cultural retention. The center is located next to the Head Start, so the elders can have interaction with the children,” James said.

Also slated for development are a hogan, multi-purpose building and daycare center.

In progress for over a decade, seed money for the senior citizens center was originally planted by the 21st Navajo Nation Council, which appropriated \$1,250,000 for planning, designing and construction of the facility.

James said the chapter built the Head Start center first, which had cost savings of \$195,346.41 that was carried

Another stakeholder said multiple funding sources brought the project to fruition.

George Hubbard, project manager with DES agreed the project held special significance because of its benefit to the Navajo elders in the community.

“We worked through the winter and only stopped twice,” Hubbard said.

The power line to the building was the only challenge, he said, because community members did not want to see a tangled mess of power lines crisscrossing through the area.

The issue was resolved with the decision to bury the lines underground.

“If we all work together, we

“It was good to see grandma and grandpa benefit.”

over to construction costs of the senior citizens center.

All told, a little over \$2 million was used to construct the senior citizens center, which tackled funding through various stakeholders.

One such investor said the benefit to Navajo senior citizens only added to the value of the project.

Marrietta Jensen, program and project specialist for Navajo AML said funding for the senior center was part of the FY 2011 funding cycle.

In 2011, Navajo AML funded seven projects under their Public Facilities Projects for a total of \$2.4 million for construction in areas of reservation impacted by mining.

“We’re just trying to assist with infrastructure across the Navajo Nation to communities most directly impacted by mining,” Jensen said. “It was good to see grandma and grandpa benefit.”

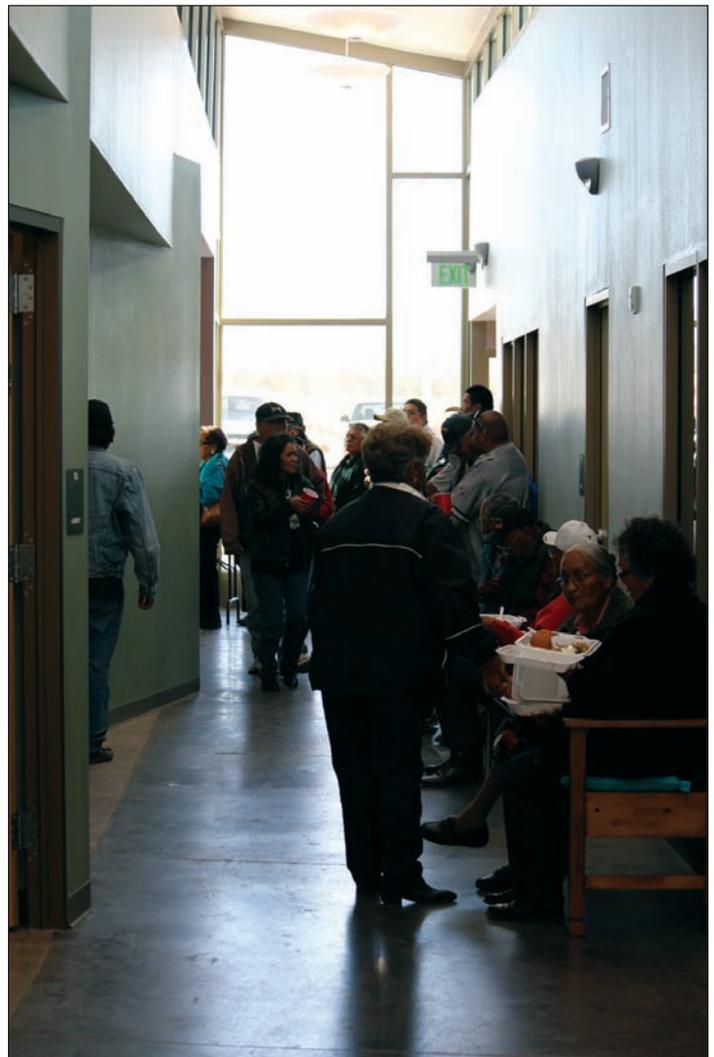
can produce and accomplish a lot on the reservation for the communities,” Hubbard said.

That kind of cooperative synergy is needed throughout the Navajo Nation, James said, so projects like the new senior citizens center can be brought to completion.

“We want to retain our language and culture in the Tsaile/Wheatfields Chapter. We wanted to give our elders a unique building with natural ties to the community,” he said.

The high vaulted ceilings of the new building reflect the aesthetics of Canyon de Chelly, while the eastern side of the building speaks to Tse Ziin Bi To’, or Black Rock Pinnacle.

“During the blessing, the sun rose directly behind Black Rock Pinnacle and sunlight shone directly into the hallway,” James said. “Everything fell into place, like it was all meant to be.”



The high vaulted ceilings of the senior citizen center highway was an aesthetic design mimicing the edifice of Canyon de Chelly. Senior citizens from the community had input on the design of the facility. (Photo by Rick Abasta)



The \$2 million senior citizen facility in Tsaile has been in development for over a decade. Navajo elders proudly toured the facility and ate lunch next to the fireplace. The celebration was a chance to visit old friends and catch up on news in the community. (Photo by Rick Abasta)



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Navajo President Shelly Signs Law to Increase Funding for Scholarships and Economic Development

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed into law legislation that would bring as much as \$8 million to Navajo scholarships and Navajo economic development.

President Shelly signed the law last Wednesday, Oct. 31.

President Shelly signed the Navajo Nation Sales Tax Distribution Reform Act of 2012, which increases the Navajo Sales Tax by one percent and redistributes the taxes to include the Office of the Navajo Nation Scholarship and Financial Assistance and the economic development fund.

“If we are going to have a better future, we must invest in our children’s education. I know this won’t help every student that is in need, but we must keep finding way to serve our students while being less dependent on the federal government. This act is a step in the right direction,” President Shelly said.

“The passage of this act took teamwork from both executive and legislative sides. Together we did this for our children,” President Shelly added.

Council Delegate Dwight Witherspoon sponsored the legislation.

“I can attend graduations and know we can support more of our students seeking post secondary education to improve the quality of life for them individually, their family and extended family,” Council Delegate Witherspoon said.

The revenue generated by the one percent sales tax increase will be split between the Navajo scholarship office and an economic development fund, which could be as much as \$4 million each.

Funding for Navajo general fund, judicial and public safety facilities will remain intact. In the legislation, percentage cuts for revenue generated from the sales tax will change but only to accommodate the scholarships and the economic development fund.

The economic fund will have mandates in place that will ensure proper plans are developed before money can be taken from the fund.

“We have to make sure that the projects we invest in are solid and will help the Navajo Nation,” President Shelly said.

When the legislation was first introduced, President Shelly, Delegate Witherspoon, the scholarship office, and other staff traveled to different chapters and universities to advocate support for the legislation.

Rose Graham, director of Navajo scholarship office, said the revenue generated from the sales tax is welcomed because funding for scholarships from outside sources has been declining for the past few years.

“It is my hope that we will continue to work closely together to find solutions so that we don’t have to turn away thousands when they apply for scholarships,” Graham said.

The new tax is scheduled to begin in January 2013.

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For Immediate Release
Nov. 5, 2012

Navajo President Shelly Urges Navajo People to Vote and Grants Leave for Executive Branch Workers

WINDOW ROCK, Ariz.—Navajo Nation President Ben Shelly granted eight hours of administrative leave on Election Day, Nov. 6, to Navajo Nation executive branch employees to vote in local, county, state and national elections.

In accordance with the Navajo Personnel Policies Manual, Administrative Leave and Time Off for Voting, grants two hours of administrative leave. President Shelly added an additional six hours off to vote.

“This is an important election for our Navajo people. From the federal, state, county and chapter level, we will vote for people who will directly have influence on the future of lives and that of our children. So, the Navajo Nation needs every Navajo vote to count. I am granting leave to make it possible for Navajo workers to exercise their freedom to vote as well assist your community with locating polling sites and transportation to polling sites. It is our civic duty as citizens of the Navajo Nation and the United States to exercise that freedom of voting,” President Shelly said.

The Navajo Nation relies on external funds for direct services through education, healthcare, public safety, transportation, infrastructure and social services. Direct service funding will be impacted by the State and Federal elections over the next several years.

“We need a large voter turn out on the Navajo Nation. We need to assure our voice is heard, not only at the local level but at the national level as well.” President Shelly stated.

The Navajo Nation Washington Office website hosts a congressional voter guide which can be accessed at www.nnwo.org. Other Navajo Nation Election information can be found at <http://www.navajoelections.navajo-nsn.gov>.

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FOR IMMEDIATE RELEASE:

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NNHRC addresses area concerns with Farmington Community Relations Commission

FARMINGTON, New Mexico—The Navajo Nation Human Rights Commission presented three critical race related issues to address with Farmington commissioners but not before stating the impasse that derailed efforts to hold a joint conference about the issues raised in 2011 and again today.

NNHRC held their regular commissioner meeting for November today at the Navajo Agricultural Products Industry conference room to accommodate a request by the City of Farmington's Community Relations Commission to discuss another attempt at a hosting conference.

"Last year we expended an enormous amount of time and resources for the conference about issues you have before you today of which you didn't want to address," said Leonard Gorman for NNHRC. "We were at an unfortunate impasse about the conference."

In 2011, NNHRC wanted to publically address third party reports which pertained to law enforcement.

Today, law enforcement was the third critical item on the NNHRC's meeting agenda, which was titled, "Increase Awareness of Law Enforcement Services in City of Farmington." Two Farmington commissioners remained for this topic while others had prior commitments passed the noon hour and left.

The two critical topics the full Farmington Commission participated in included "Abusive Consumer Relations in Border Towns," and "Navajo Inebriates and Need to Provide Appropriate Shelter: Navajo Nation should provide appropriate funding to address pressing inebriate and shelter issues."

"We were at an unfortunate impasse about the conference. ... about issues before you today of which you didn't want to address."

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In addressing abusive consumer relations against Navajo consumers, DNA Peoples Legal Services Senior Attorney Nicholas H. Mattison presented. He was invited by NNHRC.

Mattison explained that though he's not opposed to commerce because nobody wants people impoverished he also elaborated on Navajo people being fraudulently induced to enter car dealership loans. He continued to explain how abuse against Navajo consumers often time creates a cycle of poverty.

"We do have a number of cases at our office addressing dealership abuse and other goods and services," said Mattison.

During Mattison presentation, he mentioned his office's contact with the U.S. Consumer Financial Protection Bureau. With that lead in, NNHRC staff members took the opportunity to hand out the U.S. CFPB's Office for Older Americans' brochure stating, "... [w]e are here to empower seniors to ask questions and to give older Americans the information they need to make informed choices about their money." NNHRC is also building a rapport with the U.S. Consumer Financial Protection Bureau.

Following Mattison presentation, Gorman explained that often times these predatory practices requiring complicated financial decisions are aimed at older Navajos.

The last topic the full commission from Farmington heard from the NNHRC addressed publically intoxicated individuals on the street, street inebriates.

Because the Navajo Nation's sovereign position as a "dry" jurisdiction where only casinos serve alcohol, Navajos go to towns selling alcohol to buy it.

Albert Long, senior program and project specialist for the Navajo Nation Department of Behavioral Health Services said the same question is asked. "What Should Navajo Nation Do?"

Gorman explained that Navajo people have purchasing power. He questioned where the money spent on alcohol is funneled. That money could be used as a resource he explained.

Gorman shared strategies with NNHRC commissioners and Farmington Commissioners to appropriately address the reduction of inebriates in border towns.

"We need to identify where that money goes to channel the funds to Navajo services," said Gorman.

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November 2, 2012

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Speaker Naize and 22nd Navajo Nation Council express condolences over the passing of Navajo Code Talker George Smith

WINDOW ROCK, Ariz. – Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) and members of the 22nd Navajo Nation Council send their heartfelt condolences to the family of the late George Smith, a Navajo Code Talker, who died on Oct. 30 at the age of 90 in Gallup, N.M.

“It is never easy for us, as Diné citizens and as a Nation, to accept the news that one of our most highly respected and distinguished warriors, a Navajo Code Talker, has made his departure from this world,” said Speaker Naize.

At the young age of 17, noble Navajo Code Talker George Smith bravely answered the call to enlist as a Marine. His honorable legacy as a protector and defender of freedom is held in great esteem. Our thoughts and prayers are with his family as we all mourn the loss of a dedicated warrior.”

Code Talker Smith was born in Mariano Lake, N.M. on June 15, 1922. From 1943-1946, he served in the United States Marine Corps with the 2nd Marine Division during World War II. His duties as a Navajo Code Talker led him to battles in Saipan, Tinian, Okinawa, the Ryukyu Islands, Eniwetok Atoll, and the Marianas Islands.

Remembering Smith as a “great warrior” from one of his represented communities, Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) wished to express his sincere condolences to the late Code Talker’s family.

“My sincerest sympathies go out to the family of Code Talker George Smith, an honorable warrior whose selfless duties did not go unappreciated,” Delegate Yazzie said.

We are truly grateful for his service to this country, the United States of America, but more importantly, we cherish the heroism he exhibited in his actions to protect our people and the great Navajo Nation.”

At the announcement of Code Talker Smith’s passing, President Ben Shelly had ordered the Navajo Nation flag to be flown at half-staff from Oct. 31 through sundown Nov. 4.

Funeral services will be held at 10:00 a.m. on Saturday, Nov. 3 at Rollie Mortuary in Gallup, N.M. Internment will occur at the Rehobeth Mission Cemetary in Rehobeth, N.M.

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FOR IMMEDIATE RELEASE

DATE: Thursday, November 01, 2012

**NAVAJO NATION SUPREME COURT ISSUES OPINION IN *JAMES V. WINDOW*
*ROCK FAMILY COURT***

The Navajo Nation Supreme Court has issued a writ of mandamus in *James v. Window Rock Family Court*, No. SC-CV-06-12, compelling the district court to timely process and track cases within statutory and rule-based timeframes. The writ was requested of the Supreme Court because the adoption filing by James was not acted on by the family court for several months.

In its opinion, the Court stated that all district courts must act expeditiously and see that mandated timeframes are followed. The Court set forth the duties of the court administrator in ensuring that complaints are processed and hearings are held.

The Court also clarified the family court's interpretation of the adoption law. The family court had interpreted it as requiring a petition for termination of parent rights to also be filed when an adoption is sought and that "if there is no termination of parental rights, then there can be no adoption." The Court found this interpretation to be erroneous, with potential for harmful and unnecessary terminations of parental rights. Clarifying that the Navajo Nation favors formal adoptions with TPRs only in specific cases such as where a child has been abused, neglected or abandoned, the Court stated that the recent Alchíní bi Beehaz'áanii Act emphasizes that "customary adoptions" must be considered before all other options, including TPR as a last resort.

As the Act does not define customary adoptions, the Court provided the following definition in this opinion: "a traditional tribal practice recognized by the community which gives a child a permanent parent-child relationship with someone other than the child's birth parent, without termination of parental rights." The Court further stated that essentially, "the child gains parent(s) in a customary adoption, and does not lose the parents he or she already has, nor does the child lose his or her clan and clan relatives. This is the philosophy embodied in our laws."

The Court's opinion is available on the www.navajocourts.org website.

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