



FOR IMMEDIATE RELEASE
May 31, 2013

MEDIA CONTACTS
Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nlnb.communications@gmail.com

Resources and Development Committee hears report on proposed Utah national conservation area in San Juan County

WINDOW ROCK – The Resources and Development Committee received an update report on Tuesday from two advocacy groups that are leading local efforts to turn public lands in Utah into a national conservation area – the main purpose centered on the protection of land-based Navajo cultural and traditional interests in San Juan County.

Willie Greyeyes, a member of Diné Bikéyah, an interest advocacy group primarily comprised of Utah Navajos, stated to the RDC that for years Navajos in San Juan County have experienced opposition when gathering traditional herbs and visiting sacred sites, among other land-based Navajo lifeway practices, in the area.

Navajo people have long used the land for subsistence and cultural practices to maintain holistic health, Greyeyes said, and for those reasons Diné Bikéyah is working to ensure protection of traditional access and use through the establishment of a national conservation area.

The group has been working in unison with Round River Conservation Studies, a non-profit organization dedicated to conservation strategies that preserve and restore places of wilderness.

Greyeyes was joined by Round River Conservation Studies executive director Dennis Sizemore and Navajo Nation Division of Natural Resources director Fred White.

White said the national conservation area proposal had been introduced to the Navajo Nation nearly two years ago.

“Areas in San Juan County, Utah are managed by outside agencies. Utah Navajo communities wanted to make sure they have access so that they won’t be restricted. These lands have been used for centuries for hunting, grazing, traditional offerings, and herb collection,” said White, who added that many agencies require a permit to allow use of the land and Navajo families are concerned.

Round River Conservation Studies was selected to assist in the effort and to perform an assessment of the conservation area proposal, said White.

Under the direction of the Navajo Nation Office of the President and Vice-President, the Division of Natural Resources established a memorandum of agreement with Round River Conservation Studies to further explore the protection efforts.

“We have gone to Washington [D.C.], and have received favorable recognition on this proposal. They are encouraging us to work with those other interests out there,” said Greyeyes, referring to county, state, and federal governmental entities.

RDC chair Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) asked Greyeyes if his group and their partners were planning to develop a legislation requesting support for the establishment of a conservation area or land management area.

Greyeyes said legislation would be developed in the future, especially after the groups gained considerable encouragement from national leaders to pursue the effort.

White emphasized that the groups were working cooperatively with other stakeholders on the proposal.

“It will be a cooperative proposal that all stakeholders will be proposing. The drivers will be the San Juan [County] Commission and the Utah Navajo communities. The proposal will require support from Council in the future, but we’re still in the preliminary stages,” White said.

Greyeyes said the groups advocating to protect Navajo interests in San Juan County have proposed for 1.9 million acres of land to be protected as specially managed areas, while the county has counter-proposed 600,000 acres.

Council Delegate Leonard Pete (Chinle) requested a more defined map of the proposed area, in addition to telling photographs of the geographical layout of the area for future presentations of the proposal before the Council.

The Resources and Development Committee voted 4-0 in approval of the report.

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Window Rock Boulevard NDOT-BIA resurfacing project



NDOT and the BIA Force Account partnered to repair Window Rock Boulevard's 375-feet of potholed roadway in front of the Department of Justice building. The roadway was over 20 years old. (Photo by Rick Abasta)

To the delight of many tribal employees and officials alike, the resurfacing of Window Rock Boulevard is finally completed.

The project to improve the roadway was a partnership between Navajo Division of Transportation and Bureau of Indian Affairs. The BIA Force Account provided \$15,568 in manpower and NDOT paid for asphalt and rental equipment at a cost of \$3,171.

NDOT Director Paulson Chaco said the requests to improve the potholed roadway have been numerous.

"People have been calling for repairs on this road and we are happy to finally get it completed," Chaco said. "It was another opportunity to partner with the BIA to improve Navajo Nation roads."

Joe Peterman, construction manager for BIA Force Account, said the roadway was over 20 years old and present-

ed numerous challenges.

"We came, we saw, and we kicked butt," Peterman said.

The Force Account crew of nine milled two-inches of the existing asphalt and replaced it with two-inches of fresh asphalt.

The mill-and-inlay project repaired a total of 375-feet of roadway in front of the Navajo Nation Department of Justice building.

Peterman said the project took four days to complete and it was a great partnership between NDOT and the BIA. Construction occurred from May 13 to 16.

"NDOT provided the asphalt and rented equipment for me," he said. "We enjoyed the work and it was great to be out there and serve the public in that manner."

Window Rock Boulevard is listed in the BIA roads inventory as Navajo Route 100.

The BIA Force Account plays the role of a govern-

ment contractor and steps in to complete projects when hiring a private contractor is not feasible.

NDOT grant writer David Silversmith lauded the work completed by Navajo crew from the BIA Force Account.

"It is a good example of NDOT-BIA cooperation. Force Account supervisor Joe Peterman and his foreman Danny deserve a lot of credit," Silversmith said.

For years, the potholed area forced tribal leaders and employees to strategize a route to navigate the roadway as they traveled to their respective offices.

Today's smooth surface is an obvious contrast to the old roadway.

"There were real issues of public safety and vehicle damage," Silversmith said.

Tertiary considerations included aesthetic concerns, since the road was located in the heart of the Navajo Nation

Capitol area.

Requests to repair the road came into NDOT for over a year, especially as many cars got stuck in the winter season.

Because of the unique need for repairs on Window Rock Boulevard, NDOT and BIA partnered to address the issue in an expedited effort.

Road maintenance must be planned, he said.

"People should depend more on comprehensive planning and project construction readiness to justify projects and achieve results," Silversmith said of the high demand for road repairs across the Nation.

He encouraged chapters to be proactive with their road construction projects.

Information:
www.navajodot.org



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MEDIA CONTACTS
Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nnlb.communications@gmail.com

Speaker Naize expresses appreciation to past and present leadership at the grand opening of the Twin Arrows Navajo Casino Resort

LEUPP, Ariz. – Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) took part in a ribbon cutting ceremony last Friday, for the new Twin Arrows Navajo Casino Resort, located approximately 24-miles east of Flagstaff, Ariz.

Speaker Naize welcomed hundreds of guests and dignitaries at the casino’s grand opening event, alongside Navajo Nation President Ben Shelly and Navajo Nation Gaming Enterprise CEO Derrick Watchman.

“We welcome you all to this wonderful new facility, which also serves as a symbol of economic prosperity for our Navajo people,” said Speaker Naize during the brief ceremony which took place in the casino’s rotunda.

Located at the east entrance of the casino, the rotunda showcases a custom chandelier along with a colorful conceptual installation depicting the Navajo story of emergence and the Four Worlds.

Calling it “fabulous,” Speaker Naize praised the interior design of the casino and resort, which emphasizes Navajo artistic and cultural concepts throughout the 267,000 square-foot facility.

Also in attendance were members of the previous 21st Navajo Nation Council and members of the current 22nd Navajo Nation Council.

Speaker Naize thanked former and current delegates for their hard work and determination in completing the project, while giving special recognition to former Council Delegate Lawrence Platero who served as the chairperson of the Economic Development Committee in the previous 21st Navajo Nation Council.

“One day, he came to the Council and said ‘I want gaming, let’s build casinos,’” recalled Speaker Naize. “Without him, we would not be here today.”

Speaker Naize further expressed gratitude to all the individuals and entities involved in the development of the casino, including members of the 22nd Navajo Nation Council, Navajo Nation Gaming Enterprise, and staff from all four Navajo-owned casinos.

“This is a symbol of our Nation’s economic independence and sovereignty, which would not be possible without all of your planning and hard work,” Speaker Naize concluded.

Twin Arrows Navajo Casino Resort is the Nation’s first casino in the state of Arizona.



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Carmenlita Chief | 928.255.3428
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Naabik'íyátí Committee approves legislation to move the Nation a step closer to establishing the "Narbona Growth Fund, Inc."

Legislation moves on to the Navajo Nation Council for final consideration

WINDOW ROCK – Legislation No. 0447-12 sponsored by Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill), seeks to petition the U.S. Secretary of the Interior to issue a federal charter of incorporation that will enable the Navajo Nation to establish Narbona Growth Fund, Inc., a section 17 for-profit company under section 17 of the Indian Reorganization Act.

The legislation was approved by the Naabik'íyátí Committee on May 16.

Delegate Smith explained that the company's establishment would put the Nation on a path toward further economic independence and allow for a variety of opportunities for the Nation.

"The Nation has taken great strides in creating opportunities to make substantial decisions concerning our own resources," Delegate Smith said.

The proposed investment company is one component of the Navajo Nation Division of Economic Development's strategic plan, developed to address financing shortfalls that hinder economic development, explained Peter Deswood, senior economic specialist with the DED.

Deswood said in addition to being exempt from state taxes, section 17 of the Indian Reorganization Act would also allow Narbona Trust Fund, Inc. to be exempt from federal taxes, conduct business in any state or foreign country, and seek federal contracts.

Members of the Navajo Nation Council would serve as shareholders or common stock holders, and each enrolled member of the Navajo Nation would be a preferred stock holder, according to Deswood.

Shareholders would be represented by ten individuals, including two members from each of the four standing committees of the Navajo Nation Council, and two individuals appointed by the Navajo Nation President who would have the authority to approve the Board of Directors.

As a holding company, the Narbona Growth Fund, Inc. would be able to form subsidiaries, joint ventures and partnerships, and allow for investments in stocks and bonds, real estate, and commodities such as oil and gold, Deswood said.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) spoke in support of the legislation and urged colleagues to vote in favor.

“We as a Nation need to be involved and take advantage of financial tools to be able to place the Nation in the best situations possible to benefit from multiple sources of revenues, and multiple opportunities to help facilitate economic development,” Delegate Witherspoon said.

Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) expressed concern over ethical business practices, referencing previous large corporations throughout the U.S. that failed due to unethical business practices.

“I encourage this operation to be realistic in assessing its assets and to envision positive business practices,” Delegate Begay said.

Another concern raised by Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) and Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) centered on duplication of services.

Delegate Curley said the responsibilities of the proposed company may overlap with the responsibilities of the DED, the Navajo Nation Investment Committee, and other entities.

“Is this going to replace the current entities that we’ve already empowered to handle some of these responsibilities?” asked Delegate Curley.

In response to questions over the distribution of revenue, Deswood explained that Narbona Trust Fund, Inc. would allocate a portion of its revenue for a trust fund to help elderly and disabled Navajo people.

Legislation sponsor Delegate Smith acknowledged the concerns of his Council colleagues and continued to affirm that establishing the company would address the major lack of financing necessary to drive the Nation’s economy.

At the conclusion of discussion, Naabik’íyátí Committee members approved the legislation with a 9-3 vote.

Legislation No. 0447-12 now moves on to the Navajo Nation Council for final approval.

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Contact: Erny Zah
Director of Communications
Cell: (928) 380-0771
navajonationpress@navajo-nsn.gov

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Navajo President Shelly Releases Memorial Day Statement

FLAGSTAFF, Ariz. – Navajo Nation President Ben Shelly released the following statement to commemorate Memorial Day, May 27, 2013.

“Ya’at’eeh shikee doo shidine’e. The Holy Ones have blessed us with good day and we are rich with the knowledge our ancestors have taught us through the generations.

So this day, I want our people to remember our men and women who died protecting our people and our land so we could continue living practicing our Diné way of life. We have had many warriors such as Narbona to Staff Sgt. Jonathan Davis, who gave their lives to protect our people. Today let us be reminded of their deeds, but also remember their purposed for which they gave their lives.

Our society has changed in many ways. But having the freedom to live our lives is one of the basic ideas founded in freedom today. Our warriors fought to protect our future so that our grandchildren strength to live their lives founded in Diné principals.

Today my relatives, let us stand together and commemorate our warriors who gave their lives to ensure that we have the freedom to day to live our lives. No words can express the gratitude we have for our warriors who made the ultimate sacrifice and their families.

Let us remember our fallen warriors in prayers today. Without our warriors, we would not have the lives that are rich with culture and freedom. Let us pray for their families and their well being. Today relatives, let our hearts fill with gratitude for our fallen warriors of all generations, Navajo and non-Navajo. We will forever be indebted to our fallen warriors of all generations.”

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Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nnlb.communications@gmail.com

Delegate Hale shares horsemanship knowledge to help Girl Scout Troops



Photo: Council Delegate Jonathan Hale (right) and troop leader Amber Crotty (center) stands with Girl Scout Troops representing the Arizona Cactus-Pine Council.

OAK SPRINGS, Ariz. – Council Delegate Jonathan Hale (Oak Springs, St. Michaels) took time on Monday to teach a group of Girl Scout Troops about the various aspects of horsemanship and responsible caretaking, as part of the group’s pursuit of a Girl Scouts badge for horsemanship.

Delegate Hale, a lifelong owner and caretaker of horses, used several of his horses to teach the group about the anatomy of a horse. He also demonstrated the importance of maintaining the horse’s teeth and regular medication and vaccination, as well as other critical practices necessary to promote the healthy maintenance of a horse.

While caring for a horse can sometimes be time-consuming and challenging, Delegate Hale says it also provides opportunities for an individual to bond with their horse.

“It’s a form of therapy,” said Delegate Hale. “When you interact and bond with horses, you have a sense of want and a sense of need.”

Delegate Hale also addressed concerns from troop leader Amber Crotty, who also serves as a legislative district assistant for Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch' izhi).

Crotty expressed the need for more sponsorships for children who do not have the financial means to take part in certain aspects of the Girl Scouts.

The Girl Scouts plan to build upon their knowledge base of horses by visiting a veterinarian next to learn more of the scientific aspects of horses.

When asked why he wanted to share his knowledge of horses with the group, Hale explained that caring for horses has been a very positive part of his life.

Delegate Hale, who chairs the Health, Education, and Human Services Committee, said he wanted to encourage kids to become involved in a hobby or pursuit that they are not only passionate about, but that will also help them throughout their life, as caring for horses has done for his life.

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Director of Communications
Cell: (928) 380-0771
navajonationpress@navajo-nsn.gov

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Navajo President Shelly Speaks at Twin Arrows Navajo Casino Resort Reception

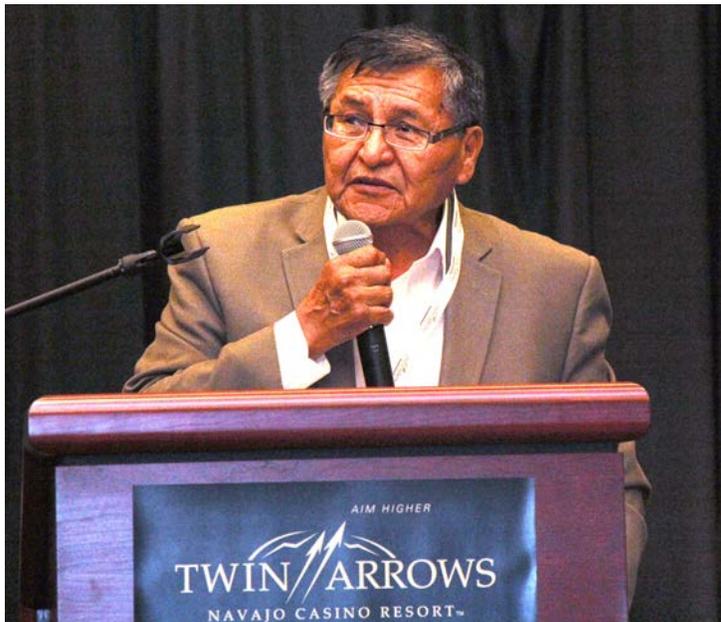
FLAGSTAFF, Ariz. – Navajo Nation President Ben Shelly said Twins Arrows Navajo Casino Resort is the start of a new endeavor for Navajo gaming.

“We are at the beginning of a new endeavor and a new frontier for Navajo gaming,” President Shelly said during the reception in which more than 200 people attended.

President Shelly welcomed the group of V.I.P.’s during a reception that included Navajo Nation Council Speaker Johnny Naize and other council delegates and former leaders. The reception was held at Twin Arrows Navajo Casino Resort on Wednesday.

Twins Arrows has boosted the Navajo economy with its construction and is expected to employ at least 800 people upon its opening.

“Twin Arrows is the newest and grandest Navajo Gaming operation. We have created more than 800 new jobs for our economy,” President Shelly added.



The Twin Arrows Navajo Casino Resort is located about 23 miles east of Flagstaff on Interstate 40 and will have nearly 1,089 slot machines, blackjack and poker tables and 90 hotel rooms.

The resort will have a number of places to eat like a steakhouse, an oyster bar, a 24-hour restaurant and a food court

President Shelly added that Twin Arrows Navajo Casino Resort could help bolster Navajo tourism.

“We expect visitors from throughout the world to experience Navajo Gaming, as they visit other parts of the state like Monument Valley and the Grand Canyon,” President Shelly said.

In addition, President Shelly said he plans to sign an executive order mandating that all executive branch programs and office use Twin Arrows for their conferences and large meetings.

“My office will do all we can to build upon the successes we have in our other gaming establishments,” President Shelly said.

The public grand opening for Twin Arrows Navajo Casino Resort is scheduled for tomorrow.

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Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nlnb.communications@gmail.com

Resources and Development Committee presses Navajo Nation EPA public water systems program for accomplishments and drinking water data

Discussion arises while RDC considers acceptance of \$1.5 million U.S. EPA grant

WINDOW ROCK – Of the seven legislative bills the Resources and Development Committee took action on last week on May 14, one bill in particular requesting for the approval and acceptance of a \$1.5 million federal grant award for the Navajo Nation Public Water Systems Supervision Program generated heavy dialogue on the improvement of program performance reports and data maps depicting the status of water quality across the Navajo Nation.

Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) was the sponsor of Legislation No. 0129-13, the bill requesting a waiver of the indirect cost rate, in addition to the acceptance of the grant from the U.S. Environmental Protection Agency.

“Each year for the last decade, we’ve been receiving federal funds from U.S. EPA,” said Ronnie Ben, environmental department manager, noting that the program goes before the RDC every year for grant approval, and “continues to ensure that drinking water on the Navajo Nation is going to be safe” for Diné people.

Though the RDC eventually voted 4-0 to approve the grant acceptance legislation, it was Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) who peppered Ben and NNPWSS environmental program manager Yolanda Barney with questions about the program.

“We talked about this before where we need some type of performance report. What have you done with the money before? How many unsafe drinking water incidents occurred? How was your program carried out?” questioned Delegate Tsosie.

“We have programs that come before us and say, ‘Approve this for me,’ and off they go again, and we don’t know the performance behind the money. How did the money benefit the Navajo Nation?” Delegate Tsosie pressed further.

Barney explained that since the NPWSS program was granted primary enforcement authority, or primacy, by the U.S. EPA in 2000, staff have been responsible for adopting environmental regulations, updating regulations, and maintaining a program that ensures public water systems operators are certified.

Staff also participate in activities geared toward the infrastructural development of drinking water systems, and provide enforcement to ensure that water is safe to drink on the Navajo Nation, Barney said.

“We maintain an extensive database on the water quality across the Navajo Nation,” stated Barney, and available data suggests high concentrations of uranium in some areas, and high levels of arsenic in others.

“In those areas, the [Navajo Tribal Utility Authority], the [Bureau of Indian Affairs], or whoever is out there operating an official water system has to do treatment to bring those levels down to drinking water standards,” Barney explained.

“We want information on how these programs are performing,” responded Delegate Tsosie. “Why is it that we get reports from Cameron [Chapter] that the water quality is bad? Yet, you are telling us that it is safe.”

Before the legislation is presented before the Naabik’iyáti’ Committee – the body with final authority on the proposed action –Delegate Tsosie asked program managers to provide a short summary describing the accomplishments made with the previous year’s federal grant monies, along with a map depicting water quality in communities across the Nation.

“Even if the information is lacking, tell us,” said Delegate Tsosie. “Tell us, ‘The information is lacking, and that with these funds, we will dedicate some of these funds to obtain that information.”

Legislation No. 0129-13 now moves onto the Budget and Finance Committee, where it will be considered for action at the next scheduled meeting on May 21, beginning at 10:00 a.m.

It will then move forward to the Naabik’iyáti’ Committee where final authority on the legislation rests.

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Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nlnb.communications@gmail.com

Health, Education, and Human Services Committee listens to concerns from ‘638’ tribal health care entities on proposed legislation for a NN Dept. of Health
‘638’ entities advocate for a NN Dept. of Public Health but request for exemption from oversight



Photo: Members of the Health, Education, and Human Services Committee discuss Navajo health care topics at a regular meeting held at the Tuba City Regional Health Care Corporation administrative offices on May 8.

TUBA CITY, Ariz. – At a meeting held on May 8 at the Tuba City Regional Health Care Corporation office, the Health, Education, and Human Services Committee was presented with a resolution backed by a number of Navajo health care tribal organizations opposing a Mar. 21 draft enabling legislation that is proposing the establishment of a Navajo Nation Department of Health.

Ramah Navajo Chapter, Ramah Navajo School Board, Alamo Navajo Chapter, Winslow Indian Health Care Center, Inc. also submitted resolutions supporting the position to exclude Navajo tribal health care organizations, or ‘638’ contracted tribal entities, from a planned Department of Health for the Nation.

The main resolution, dated May 7, also bears mention to the introduction of an alternate legislation to establish and authorize a Navajo Nation Department of Public Health, while exempting the '638' tribal entities.

Additionally, the tribal organizations are requesting for existing contracting and compacting authorities to be preserved, and that the organizations be included in discussions surrounding the development of health codes, regulations, policies, and procedures.

Robert Salabye, board president for the Winslow Indian Health Care Corporation, who co-presented the resolution on behalf of the '638' health care providers along with Wilfred Jones, board president for the Utah Navajo Health Care, Inc., said the Mar. 21 draft enabling legislation would subject the '638' entities to the Navajo Nation's 164 review approval process, which he says would create a bottleneck because of its lengthy and "cumbersome" review time.

"It's going to be another level of bureaucracy. We just got out from under a bureaucracy of IHS review, IHS approval, and funding mechanisms through IHS," said Salabye, referencing a time when the Indian Health Service maintained more wide-spread control of area hospitals.

"We have a long history in the Navajo Nation doing self-determination, and it was with the help of this oversight committee and it was with the help of the Navajo Nation Council," continued Salabye. "Keep us under your oversight. Let's work together and keep our partnership going."

At the conclusion of the resolution presentation, Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) was the first HEHSC member to voice support for the resolution and the amendments proposed to the enabling legislation by the '638' entities.

"This is input from the entities that provide health care for our people," Delegate Butler said.

"I remember clearly that this committee made a directive to [Navajo Division of Health] to involve the '638' entities as well in creation of this legislation. I want to know if there has been any consultation with the '638' entities," said Delegate Butler, responding to the statement that the '638' health care entities have not been provided an opportunity to be directly involved in the development of the draft Mar. 21 draft enabling legislation.

According to NDOH chief medical officer Dr. Gayle Diné Chacon, who was in attendance, a meeting between NDOH and a number of '638' board members occurred in Flagstaff last December where "significant" pieces of the enabling legislation were addressed, and where "there were many comments from many of those here today," Dr. Chacon said.

Dr. Chacon stated that she has communicated with a number of '638' tribal health care leaders, and assured HEHSC members that NDOH officials were available to address many of the issues that discussed at the meeting that day.

"When we have one pertussis case or someone who has syphilis or [tuberculosis] in one part of the Navajo Nation and travels to another part of Navajo Nation, there's no way we can follow that or monitor that or evaluate it because no one is telling us, and we can't keep track of it. There should be some oversight for the whole population of the tribe, and that's what this legislation is about," Dr. Chacon explained.

HEHSC chair Council Delegate Jonathan Hale (St. Michaels, Oak Springs) noted to all in attendance that, at present, the proposed enabling legislation has not been reintroduced because of a HEHSC directive that was issued previously for the NDOH and '638' entities to meet and work on revising the legislative document together.

"I informed [NDOH executive director Larry Curley] that I would not be sponsoring this legislation if that was not accomplished," Delegate Hale said, adding that he has not heard of any other meetings that have taken place between the two entities besides the one he attended in St. Michaels, Ariz. last November.

After Delegate Hale reiterated that the directive was still in effect, the HEHSC voted 5-0 to accept the report.

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Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nlnb.communications@gmail.com

Title 17 Sentencing Provision Review Task Force holds public hearings to receive feedback concerning proposed changes to sentencing penalties

FORT DEFIANCE, Ariz. – As part of a week-long schedule of public hearings, the Title 17 Sentencing Provision Review Task Force held a public hearing on Wednesday at the Fort Defiance chapter house to receive input from the public and provide clarification on proposed changes to Navajo Nation sentencing penalties.

Earlier in the week, the task force had held public hearings in Tuba City and Chinle.

The task force was formed after Legislation No. 0236-12, sponsored by Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat), was approved by the Law and Order Committee last July.

Members of the task force are responsible for reviewing provisions under Title 17 of the Navajo Nation Code which outlines sentencing penalties for crimes committed on the Navajo Nation.

In 2000, the Navajo Nation Council eliminated jail terms and fines for a number of offenses, according to LOC members – in part because the Nation had limited resources to prosecute and jail criminal offenders.

Members of the task force include Office of the Public Defender director Kathleen Bowman, Navajo Nation chief prosecutor Bernadine Martin, Navajo Nation Department of Corrections director Delores Greyeyes, acting Navajo Nation chief of police Capt. Ivan Tsosie, Aneth Judicial District staff attorney Glen Renner, information management supervisor Orlando Bowman with the Navajo Nation Division of Public Safety, and Navajo Nation Ethics and Rules Office executive director Vernon Roanhorse.

Also in attendance was LOC member Council Delegate Russell Begaye (Shiprock) who encouraged the public to participate by attending the remaining public hearings, providing feedback electronically whenever it is available, and taking part in an upcoming radio call-in public forum.

“This is your opportunity, your chance to have input on this important topic and recommend changes to our laws,” Delegate Begaye said.

Task force member Kathleen Bowman said the task force conducted bi-weekly meetings since January to review penalties and propose changes.

One member of the audience drew from his personal experience of when he was convicted of a state charge. He pointed out that had he faced the same charge on the Navajo Nation, he would potentially face significantly less jail time and fines – even with the proposed changes.

In response, Bowman explained that the Nation’s sentencing penalties are limited by the Indian Civil Rights Act of 1968, which states that tribes within the U.S. cannot impose a jail sentence of more than 365 days or impose a fine of more than \$5,000.

Another member of the audience, a law enforcement officer, questioned why some proposed sentences are not stricter —specifically, for disorderly conduct.

Under proposed changes, those convicted of disorderly conduct could be sentenced to 40 hours of community service for a first offense and 80 hours of community service for a second offense.

Task force member Delores Greyeyes concluded the discussion, explaining that the Nation needs additional funding not only to provide more training for emergency first responders, but also to address the lack of services for people with mental health issues.

Task force members ensured the public that their comments and recommendations will be reviewed by the task force and the LOC, who will then draft legislation that will be considered by the Navajo Nation Council.

Task force members also encouraged the public to review a complete listing of offenses and proposed changes that will soon be made available on the Navajo Nation Council website.

A radio call-in public forum designed to gain more feedback from the public is scheduled to take place live on KTNN on May 30.

Additional public hearings are scheduled to take place at the Crownpoint chapter house on May 16 and at the Shiprock chapter house on May 17. The public hearings will begin at 10 a.m. each day.

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Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nnlb.communications@gmail.com

Law and Order Committee receives update regarding funding shortfalls for the Na’Nizhoozhi Center, Inc. in Gallup, NM

WINDOW ROCK – On Monday, members of the Law and Order Committee received a report from Jay Azua, acting director of the Na’Nizhoozhi Center, Inc. regarding ongoing funding shortfalls that could force the closure of NCI as soon as next month.

NCI is seeking short-term emergency funding in the amount of \$300,000 to fund the program through June 2013, and an additional amount of \$1.4 million to ensure operation through June 2014, according to Azua.

NCI was established in 1992 through an intergovernmental agreement between the city of Gallup, the Pueblo of Zuni, the Navajo Nation, and McKinley County to serve as a non-medical alcohol crisis intervention and treatment center for the city of Gallup and McKinley County.

LOC chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) expressed his appreciation for NCI’s services and encouraged fellow LOC colleagues to support forthcoming legislation to provide funding for NCI to continue its services.

On Dec. 24, the Office of the President and Vice President, Navajo Division of Health, and the Navajo Nation Department of Behavioral Health Services provided \$300,000 to NCI to continue operations through the winter season.

Azua attributes reduced funding for NCI to the poor economic conditions in recent years.

Delegate Yazzie pointed out that NCI is also seeking funding from the state of New Mexico and other sources, and also suggested that other entities should also contribute.

“The city of Gallup and McKinley County are making large profits from alcohol sales and we need to put pressure on them to contribute to NCI as well,” Delegate Yazzie said.

LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) expressed disappointment that NCI does not receive more funding from the McKinley County liquor excise tax, a five-percent tax on alcohol sales imposed on retailers.

According to Azua’s report, the McKinley County liquor excise tax provided \$27,000, or two-percent of NCI’s grant funding in 2012.

LOC member Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) also voiced dissatisfaction for the distribution of tax revenue from alcohol sales.

“I have my reserves for how border towns take advantage of Navajos or Native Americans in all aspects, including economics,” said Delegate Shepherd. “You see it in taxation as well, because we get very little tax dollars.”

Delegate Shepherd continued on to affirm that the roots of alcoholism need to be addressed.

“We’re going to be coming back every year, and every year statistics are going to show that we need more and more money to help our people,” said Delegate Shepherd. “We really need to address the root of the problem.”

At the conclusion of the discussion, Delegate Yazzie reminded the committee that legislation to secure funding for NCI is forthcoming.

LOC members voted 2-0 to accept the report from NCI.

NCI representatives are scheduled to present a report at the next Naabik’iyátí Committee meeting on May 16 at 10 a.m. in the Navajo Nation Council Chambers.

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



FOR IMMEDIATE RELEASE
May 14, 2013

MEDIA CONTACTS
Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nlnb.communications@gmail.com

Health, Education, and Human Services Committee discusses proposed changes to the Navajo Nation Department of Personnel policies

SCOTTSDALE – The Health, Education, and Human Services Committee met with representatives from the Navajo Nation Department of Personnel Management and the Navajo Nation Office of the President and Vice President last Thursday, to address three proposed legislations aiming to amend provisions within the personnel policies manual.

Major changes include the elimination of the equivalency clause in job descriptions, mandatory background checks for certain positions, and changes to the grievance process.

Legislation No. 0095-13 sponsored by Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill), proposes changes that would eliminate the equivalency clause from being used in job descriptions.

The equivalency clause is defined as an equivalent combination of education, training, and experience necessary to perform job duties.

Delegate Witherspoon explained that the majority of job openings require one to nine years of work experience which prevents recent college graduates from getting an interview.

“There’s a need to change what’s been acculturated into the Nation’s policies,” said Delegate Witherspoon. “It discriminates against educated Diné because they can’t even get in the interview pool.”

The legislation tabled by HEHSC on Apr. 3, would also allow for division directors and program managers to become trained in screening job applicants, selecting interviewees, and recommending a person for hire, explained Delegate Witherspoon.

Division directors and program managers would also have the ability to negotiate pay rates for prospective employees, Delegate Witherspoon said.

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) expressed support for the proposed change and asserted that program managers must take the time and effort to establish well-defined job descriptions and qualifications that truly meet the program’s needs.

Delegate Hale also explained that the proposed changes only affect the legislative and executive branches, and not the judicial branch.

In a memo to HEHSC members dated Apr. 3, President Ben Shelly said he agrees that changes to the Nation's personnel policies are needed, and insisted that the OPVP and the Department of Justice be consulted on such matters since it impacts the entire executive branch.

Legislation No. 0063-13, proposes to require background checks for individuals applying for positions that are identified as sensitive positions, according the Delegate Witherspoon.

He further explained that individuals currently serving in sensitive positions would also be required to pass a background check, although he also acknowledged that some current employees may have to be transferred to another position or terminated based on the findings.

"We have an obligation to protect the Nation's finances and resources," Delegate Witherspoon said.

On the issue of grievances, Delegate Witherspoon noted that forthcoming legislation will propose changes to ensure that employees adhere to the grievance process before taking the issue to the Navajo Nation Labor Commission.

When employees are terminated with good reason, Delegate Witherspoon observed that they often do not follow the established grievance procedures. Instead, they take their grievance(s) directly to the Navajo Nation Labor Commission, and often receive compensation.

"The Nation is paying significant amounts of money to people who, at times, get fired for good cause," said Delegate Witherspoon. "It is a big financial problem for the Nation."

At the conclusion of the two-hour discussion, HEHSC members said they will continue to work with DPM and the executive branch to improve personnel policies.

Legislation No. 0095-13 and Legislation No. 0063-13 will be considered by the Health, Education, and Human Services Committee at their next regular meeting scheduled for May 15 at 9 a.m. at the Leupp Chapter House in Leupp, Arizona.

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



FOR IMMEDIATE RELEASE
May 9, 2013

MEDIA CONTACTS
Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nnlb.communications@gmail.com

Law and Order Committee receives report from HEHSC chair on concerns regarding father parental rights in Navajo court case rulings

WINDOW ROCK – The Law and Order Committee received a report on Monday from Health, Education, and Human Services Committee Chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) who asked the LOC to consider developing a policy to ensure that the parental rights of a father are being equally protected along with those of a mother in family court rulings involving children.

Delegate Hale brought the issue to the LOC’s attention after a young Navajo father approached him, telling Delegate Hale about a personal circumstance in which the young man felt his parental rights were unfairly diminished when the court decided to give his children’s mother full custody, even though the young father stated that he had always been the primary caretaker of his children.

“There needs to be a policy developed that will consider giving full custody to the father,” Delegate Hale stated, adding that there are currently no Navajo policies that speak to equal parenting, and in most cases, the mother gets to determine when a father gets to see his children.

In some situations, Delegate Hale said it may be that the father is the caretaker and the mother is adversarial.

“In custody situations, somebody needs to be checking with the mother, and making sure that the kids are seeing their father,” said Delegate Hale, who advocated for the implementation of requirements to ensure that either parent is being allowed to see their children per court rulings.

Concluding his report, Delegate Hale posed the question: In this day and age, when does a father get to be a major parental figure, too?

Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichíí’, Steamboat) noted that the concerns Delegate Hale raised were important discussion items and suggested that they be addressed at an upcoming work session between the LOC and the Navajo Nation Judicial Branch on May 26 and 27 in Flagstaff.

“There is needed guidance from the courts when something is adjudicated or determined by the judge on these matters. We need a healthy resolve in these family-type situations,” stated Delegate Shepherd, who serves as LOC vice chair.

Delegate Shepherd said was not sure if policy changes could be handled administratively, but requested for the committee to advance toward discussions on the topic with Navajo Nation Supreme Court Justice Herb Yazzie, Navajo district court administrators, and judges.

On a related note, Council Delegate Russell Begaye (Shiprock) took issue with the amount of child support cases that are said to be backlogged at Navajo offices, which he says is a concern that continues to be raised, mostly by Navajo mothers who are requesting enforcement of child support payment.

“A lot of moms feel that they have been abandoned...the process is too long,” said Delegate Begay, who felt that the committee also needs to coordinate with the appropriate program administrators to identify the reason for the high backlog of cases and address it.

In response to Delegate Begaye’s comment, Delegate Shepherd said the LOC shares oversight responsibilities with the Health, Education, and Human Services Committee in the area of child enforcement, and welcomed recommendations from HEHSC on how the two committees could jointly address the issues.

“Again, if changes need to be legislated, then we can do that. That is within our realm as lawmakers, but we always ask the respective entities to see what they can do within their program,” said Delegate Shepherd. “If they can fix the problem there, that’s good - but if it has to be policed or legislated, then we can explore that avenue as well.”

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FOR IMMEDIATE RELEASE
May 9, 2013

MEDIA CONTACTS
Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nlnb.communications@gmail.com

Budget and Finance Committee approves legislation to temporarily exempt NN Oil & Gas Company from the Navajo Nation excise fuel taxes
Legislation would allow for development near Twin Arrows Navajo Casino

WINDOW ROCK – The Budget and Finance Committee approved Legislation No. 0108-13, a bill which seeks to exempt the Navajo Oil and Gas Company from being subject to Navajo Nation fuel excise taxes so the entity can finance infrastructure development near the Twin Arrows Navajo Casino - specifically a gas station and a convenience store.

If approved by the Navajo Nation Council, the NNOGC would be exempt from fuel excise taxes until either the estimated \$2.5 million infrastructure costs are reimbursed to NNOGC or after a seven-year period from when the convenience store begins operation, whichever occurs first.

The Navajo Nation fuel excise tax, which was established in 1999, imposes an 18-cent per gallon tax on gasoline distributors or retailers on the Navajo Nation.

Legislation co-sponsor Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said the project would promote economic development and provide employment for Navajo people.

“It’s something that benefits the whole Navajo Nation,” said Delegate Tsosie. “It will be good for our people, and for the casino.”

The proposed development is part of NNOGC’s “Rural Development Initiative” to construct convenience stores in the communities of Chilchinbeto, Navajo Mountain, Nazlini, Round Rock, Montezuma Creek, Indian Wells, Shonto, Dennehotso, Crownpoint, and Twin Arrows.

BFC member Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) opposed the legislation, expressing dissatisfaction with the overall financing of the proposed development.

“We’re taking away from the fuel excise tax revenue,” said Delegate Curley. “That’s a lot of money we won’t be collecting.”

BFC vice-chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) voiced support for the project and advocated for rural communities to benefit from such financing opportunities.

“There are other projects that are going to be built throughout Navajo, and I’m wondering if this creative way of financing could be implemented on those projects,” Delegate Nez said. “They should be able to take advantage of this financing opportunity as well.”

Although BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’ izhi) expressed skepticism over the exemption of taxes during a time of uncertainty regarding the Nation’s budget, he ultimately voted in favor of the legislation.

Delegate Tsosie expressed appreciation for the BFC’s support of the legislation and asserted that the project will move the Nation toward greater economic independence and self-sufficiency.

At the conclusion of the discussion, BFC members approved the legislation with a 2-1 vote.

The legislation now moves on to the Naabik’íyátí Committee and then the Navajo Nation Council for final consideration.

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



Contact: Karen Francis, *Government Relations Officer*
Office of the Chief Justice

JUDICIAL BRANCH OF THE NAVAJO NATION

Office: 928-871-6920

Facsimile: 928-871-6761

E-mail: karenfrancis@navajo-nsn.gov

<http://www.navajocourts.org>

FOR IMMEDIATE RELEASE

DATE: Tuesday, May 7, 2013

GARNISHMENT ACT RULES RELEASED FOR PUBLIC COMMENT

Proposed rules for garnishment proceedings pursuant to the Navajo Nation Ethics in Government Law Garnishment Act of 2005 have been completed. The proposed rules are required under the Navajo Nation Ethics in Government Law Garnishment Act of 2005, which is codified at 2 N.N.C. §§ 3800-3810. The law provides for the remedy of garnishment only for judgments of the Ethics and Rules Committee involving public elected officials and Navajo Nation employees.

The proposed rules are called the Navajo Garnishment Act Rules of Procedure, or N.G.A.R.P. and can be found at <http://www.navajocourts.org/Rules/NGARP.htm> or through a link on the website of the Judicial Branch main page. The proposed rules and forms shall be applicable once permanent rules are adopted by Order of the Supreme Court. The period for consultation as required under 7 N.N.C. § 601 and also for public comment prior to adoption now begins. Forms required under the proposed rules are also being developed.

Public comment and consultation is being sought through May 21, 2013. Please direct all input to Karen Francis, Government Relations Officer, at karenfrancis@navajo-nsn.gov by that date.

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DIVISION OF NATURAL RESOURCES

“Land, Water, Power and Quality of Life”

P.O. Box 9000

Window Rock, Arizona

86515

Tel (928)871-6592

IMMEDIATE RELEASE
May 6, 2013

Contact: Geri Hongeva
Media Representative
geri@navajonationparks.org

Animal Lovers Celebrate the 6th Annual Navajo Nation Zoo Fest



Kayla Notah, age 7 from Ft. Defiance and Nicole Pappastamou, age 7 from Sawmill, Az enjoy the company of Eddie the Eagle, Smokey the Bear and Woodsy Owl, May 4, 2013. Navajo Nation Zoo. (Photo by Geri Hongeva)

WINDOW ROCK, AZ. – Navajo Nation Department of Fish & Wildlife celebrated its 6th Annual Navajo Nation Zoo Fest on Saturday, May 4, 2013.

The Navajo Nation Zoo and Botanical Park is the only tribally owned zoo in the country. The zoo is home to over fifty species of southwestern animals, raptors

and reptiles. Nearly all of the animals at this zoo have been orphaned or injured, it is not only a sanctuary to the animals but includes native plants on Navajo country.

The zoo is considered a non-profit organization and operates on limited tribal funds, donations and private sponsors. Currently, the zoo does not have an admission fee. It is a sanctuary for everyone to enjoy.

David Mikesic, the Navajo Nation Zoologist, stated, “We just want people, especially kids, to have fun and take part in all our free activities and entertainment. We want everyone to enjoy the day and take pride in the Navajo Nation Zoo.”

Planning and coordination begins six to eight weeks prior to May 4th, it involves over twenty volunteers and additional help from Navajo Fish & Wildlife staff on the day of the event. Volunteers included; National Indian Youth Leadership Project, St. Michaels School, Dine College and Lions Club.

Approximately 4,900 animal lovers joined in the festivities at the Zoo Fest this year. Entertainers included flute player Dan Scaduto, the Amazing Bodinni magician, basketball entertainer Jerrickson Hosteen, bead art by Lisa Richards and a raptor exhibit provided by Hawks Aloft.



A new addition to the zoo, a rustic structure displayed as a Hogon greenhouse captured curious visitors by its appearance. Made out of metal, wood and tamarisk, it provides a cool environment for various plants with a drip irrigation system. The Hogon greenhouse was designed and donated by Will Wilson in September 2012, as part of the Harmony in the Making Project. It is designed to nurture indigenous food plants to maintain growth on Navajo land.

Dine College students in Margaret Mayer's class took a special interest in assembling the Hogon greenhouse and began cultivating Golden Currant, Three Leaf Sumac, Bristlecone Pine, Lodgepole Pine and Buffalo Berry. The greenhouse shelters the plants until they are strong enough to be planted around the Navajo Nation Zoo.

Elizabeth Shonnie, Dine College student, explained, "we are facebook friends of the 'NavajoZoo Arizona' and one day we asked David Mikesic if we could volunteer." The zoo had the Hogon greenhouse but it needed to be assembled. Five students from Dine College met every Tuesday and Thursday to make this possible, stated Shonnie.

Mikesic and his staff are busy bees, all year long. The Zoo Fest has become a popular event, as well as the Zoo Boo festivities in October. The Navajo Nation Zoo seeks creative avenues to continue to nurture the animals and plants at the zoo. Coming soon are four blends of coffee with the Navajo Zoo logo on it. Fifty percent of all net proceeds will go directly to the Navajo Zoo to help this unique sanctuary with operating costs. Mikesic plans to have a press conference to officially unveil the new Navajo Zoo Coffee.

For more information about Navajo Nation Zoo, please visit www.navajozoo.org or call 928-871-6573.

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Contact: Erny Zah
Director of Communications
Cell: (928) 380-0771
navajonationpress@navajo-nsn.gov

For Immediate Release
May 6, 2013

President Shelly Approves \$8.6 Million for Water Projects and Studies

WINDOW ROCK, Ariz.- Navajo Nation President Ben Shelly approved an \$8.6 million measure that plans to bring water development projects and plans to several Navajo Nation communities.

The funding would come from the Navajo Nation's Undesignated Unreserved Fund Balance.

"Water infrastructure is very important to my administration. Though I am concerned about maintaining money in our Undesignated Unreserved Fund Balance, these projects will bring water to our Navajo people and plan for future water projects. Navajo communities need water to be healthy physically and economically," President Shelly said.

The legislation, passed by the Navajo Nation Council last week, outlines projects and plans for communities throughout the Navajo Nation.

Projects funded by the \$8.6 million appropriation include:

1. Design and construction of a new Rough Rock water well.
2. Construction of a waterline east of Dennehotso, Ariz. that will serve 62 homes.
3. A fund, placed under the Navajo Nation Water Management Branch, that will be utilized to develop preliminary engineering reports and environmental reports that will assist in leveraging funds from available federal programs such as USDA-Rural Development.
4. Leupp-Dilkon and Kayenta regional water supply development projects. Cost share required by the U.S. Bureau of Reclamation for feasibility studies.
5. Water studies to evaluate existing and future water supply and water distribution system needs and development of plans for existing and future improvements and water resource development for the following regions:

Sweetwater to Tsaile-Wheatfields, Tuba City, Many Farms to Nazlini, Coyote Canyon to Lake Valley, and Shonto to Black Mesa.

6. Natural resources conservation plan for the Puerco Valley to manage, implement, monitor, and evaluate farmland, water, and related natural resources.

“The studies are needed so we can ask for different types of funding from different sources. Many entities, like the U.S. Department of Agriculture need studies to justify the need. Our studies will do that. Also, they will help Navajo Tribal Utility Authority and Indian Health Service to composed long term plans for water needs and usage,” President Shelly said.

As vice president of the Navajo Nation, President Shelly spearheaded lobbying of the New Mexico legislature to spend over \$30 million dollars on water development for Navajo communities.

Most of the \$8.6 million will fund water wells, waterlines and studies in the Arizona portion of the Navajo Nation. There is one project in New Mexico, which will funds a plan for a waterline from Coyote Canyon to Lake Valley and would complement the Navajo Gallup Water Supply project, a \$1 billion water project, which Congress approved as part of the Navajo San Juan River Water rights settlement in New Mexico.

“I want the Navajo Nation Council, the States and Washington to know that Navajos are serious about water development. It is a basic requirement to develop our Nation,” said President Shelly.

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FOR IMMEDIATE RELEASE
May 3, 2013

MEDIA CONTACTS
Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nlnb.communications@gmail.com

Law and Order Committee receives requested financial update report on Navajo casino funds for law enforcement services

WINDOW ROCK – The Law and Order Committee on Apr. 30 received a financial update report it had requested three weeks prior from the Navajo Nation Office of the Controller regarding the status of funds for casino police services.

The financial report was requested by LOC member Council Delegate Russell Begaye (Shiprock) on Apr. 8 after the LOC then received a status report on the Shiprock police district from acting Navajo chief of police Capt. Ivan Tsosie at a regular committee meeting held in Shiprock.

Capt. Tsosie informed the LOC that the police district had been unable to utilize compensation funds set aside by the Navajo Nation Gaming Enterprise for law enforcement services at Navajo casinos, as provided in a Memorandum of Agreement established a year ago between the NNGE and the Navajo Division of Public Safety.

“Capt. Tsosie said in his report at Shiprock that [the NDPS] knows the money is sitting there [in an account],” said Delegate Begaye, but the NDPS has been unable to use the funds which are needed to purchase essential equipment and supplies.

Under the scope of agreement, NDPS is to provide law enforcement presence at casino facilities operated by the Navajo gaming enterprise, which currently cites the Fire Rock Navajo Casino, Flowing Water Navajo Casino, and the Northern Edge Navajo Casino.

Further, the NNGE is to compensate NDPS for providing law enforcement presence pursuant to a Navajo Nation fund management plan by depositing monthly installments of \$18,000 for Fire Rock Navajo Casino and \$18,000 for both the Flow Water and Northern Edge Navajo Casinos.

Robert Willie, general accounting supervisor under the Office of the Controller, reported that as of Apr. 26, the gaming enterprise has deposited \$486,000 into a miscellaneous deposit account for NDPS.

Since March 2012, the gaming enterprise has deposited \$36,000 a month into that account.

“The reason why it is sitting in that account is because there is no account given, and there is no fund management plan in place to have expenses for these monies that are being deposited,” Willie said.

Once a fund management plan is in place and an account is identified, the accumulated funds will be transferred over to that account, Willie added.

Delegate Begaye said the Budget and Finance Committee would soon be considering the approval of a fund management plan, as it is currently going through the assigned committees for review as a part of the legislative process.

“As soon as Budget and Finance entertains it, the fund management plan will be in place, and an account will be set up,” Delegate Begaye said.

LOC vice chair Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichíí, Steamboat) recalled a recommendation being made in which NDPS was asked to seek a proprietary account.

“Would this [account] fall into that category?” Delegate Shepherd inquired.

According to Willie, an entity would need to make at least \$250,000 a year to be designated a proprietary account.

Additionally, the entity would have to be able to sustain itself financially, and all expenses such as personnel costs would need to be covered by revenue the entity collects.

“As long as the casinos are there, they’ll keep on having these agreements,” explained Willie. “So, it would meet the threshold as far as amount, but as far as covering all their own expenses, everything that they perform...all their expenses, would need to need to be in relation to supplementing those casinos.”

The Law and Order Committee voted to accept the report with a vote of three supporting and zero opposing (3-0).

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FOR IMMEDIATE RELEASE
May 3, 2013

MEDIA CONTACTS
Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nrlb.communications@gmail.com

Health, Education, and Human Services Committee receives update from the Navajo Nation Department of Behavioral Health Services

WINDOW ROCK – The Health, Education, and Human Services Committee received an update from the Navajo Nation Department of Behavioral Health Services on Wednesday, regarding a Condition of Authority issued by the HEHSC. The action requires the completion of a comprehensive plan to address adolescent treatment centers throughout the Navajo Nation.

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) emphasized the need for increased adolescent treatment to prevent the continuation of behavioral problems such as alcohol abuse and drug addiction.

“Often, our youth learn such behavior from their parents and it continues when they become parents, so it’s important to address the problem when they are still young,” Delegate Hale said.

Theresa Galvan with the Navajo Division of Health said she, along with clinical directors, had identified a list of priorities and future plans for the DBHS.

“The need for licensure and certified staff is among the top priorities,” said Galvan. “It is important to have adequate staff that is able to be effective in treating our clientele.”

DBHS has recently dedicated treatment centers in Newlands and Tuba City, while development is underway for centers in K’ai’Bii’To, Crownpoint, and Ojo Encino, Galvan said.

A crisis response plan is also being developed. The plan will include the establishment of a crisis phone number in response to an increased number of suicides during spring break and graduation season in recent years, according to Galvan.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) applauded the efforts to establish a crisis phone number, and suggested for HEHSC to possibly incorporate the initiative in a legislation being developed to enhance the 911 emergency system on the Navajo Nation.

Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) commended the DBHS for moving forward with initiatives, despite uncertainty surrounding sequester budget cuts, while also addressing the need to mobilize their services across the Nation, including areas surrounding the new Twin Arrows Navajo Casino.

“I’m an advocate for casinos, but we also have to acknowledge the other side of it,” said Delegate Butler. “We will see an increase in neglect, addiction, violence, and other social ills, and we need to address those issues.”

In response to Delegate Butler’s statement, Galvan explained that the DBHS currently has two mobile units they plan to deploy so as to establish a stable presence in more communities.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) recommended that the DBHS establish a presence within schools in an effort to combat social and behavioral issues affecting students.

Delegate Witherspoon who represents the community of Pinon, explained that in one year, nearly 100 students from Pinon Unified School were disciplined for drug use, mainly marijuana.

“We need to get into the schools and make changes before these problems progress,” Delegate Witherspoon said.

Near the conclusion of the discussion, HEHSC members discussed the possibility of collaborating with the Law and Order Committee, Navajo Nation Department of Public Safety, Navajo Division of Health, and other entities to develop a 5-year plan to address and combat social issues.

HEHSC members also acknowledged the need to update the Navajo Nation’s behavioral health code and policies to comply with the Indian Healthcare Improvement Act.

HEHSC members accepted the report from the Navajo Nation Department of Behavioral Health Services with a 4-0 vote.

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

Press Release - May 3, 2013 – Window Rock, Navajo Nation (Arizona)

The Navajo Nation Office of Background Investigations announces the launching of its new website. The professional technical specialists of the Navajo Nation Department of Information Technology led the collaborative effort in creating the Office of Background Investigation website.

The Office of Background Investigations is established and organized to be responsible for the background investigations and adjudication of all employees who are regular status, seasonal or temporary, applicants, volunteers, interns, and to employees who are assigned (i.e., transfer, promotion or position reclassification) to a sensitive position under the Executive and Legislative Branch of the Navajo Nation government.

The mission of the Navajo Nation Office of Background Investigations is to provide professional background investigation and adjudication services that will protect the resources and integrity of the services provided to the Navajo Nation. It is aligned directly under the Division of Human Resources as a separate and independent department to eliminate any potential political influences and manipulations of sensitive background investigation matter and material.

The Office of Background Investigations office is located at:

Tse Bonito Business Park
Suite 1575B, Highway 264
Tse Bonito, New Mexico 87301
Telephone : (505) 371-5124
Fax : (505) 371-5125

The Office of Background Investigations specializes in digital fingerprinting services, and comprehensive background investigations and adjudication services for sensitive designated positions to comply with federal, state, tribal, and local requirements, and in accordance with the Navajo Nation Personnel Policies mandates.

The new website features an online step-by-step printable Checklist, which is accompanied with downloadable required documents and instructions for program supervisors, employees, applicants and volunteers to complete their required background checks. In addition, features include Frequently Asked Questions; printable Flowchart for the background check process; printable Program brochure; downloadable online Customer Satisfaction Survey; and, Contact information and Links to appropriate external websites.

Visit the new Office of Background Investigations website at [www.obิ.navajo-nsn.gov](http://www.obి.navajo-nsn.gov) or from the hyperlink on the Navajo Nation homepage for additional information, or call (505) 371-5124 to speak with an office staff member. The website is handled through the Navajo Nation Department of Information Technology in Window Rock, Arizona.



Contact: Karen Francis, *Government Relations Officer*
Office of the Chief Justice

JUDICIAL BRANCH OF THE NAVAJO NATION

Office: 928-871-6920

Facsimile: 928-871-6761

E-mail: karenfrancis@navajo-nsn.gov

<http://www.navajocourts.org>

FOR IMMEDIATE RELEASE

DATE: Thursday May 2, 2013

**REVISIONS TO ÁLCHÍNÍ BI BEEHAZ'ÁANNII ACT RULES OF PROCEDURE
RELEASED FOR PUBLIC COMMENT**

Revisions to the Rules of Procedure for the Álchíní Bi Beehaz'áannii Act have been released for public comment. The revisions are available on the www.navajocourts.org website on the Judicial District Courts webpage under "ABBA Rules of Procedure April 28, 2013."

When the Navajo Nation Council repealed the Children's Code at 9 N.N.C. §§ 1001-1307 and enacted the Álchíní Bi Beehaz'áannii Act of 2011, effective January 2, 2012 at 9 N.N.C. §§ 1001-1504, the Children's Code Rules of Procedure, originally adopted by Order of the Navajo Nation Supreme Court (No. SC-SP-01-95) on October 4, 1995, became urgently in need of complete revision. On December 4, 2012, the Chief Justice issued Administrative Order 48-2012 *In the Matter of Conforming Rules to New Laws* which required court rules on the Judicial Branch website to be updated on a provisional basis to reflect new statutory changes pending permanent changes to the rules.

The revisions to the Children's Code Rules of Procedure were completed on April 28, 2013. Changes are reflected via strike-through for deletions and dark blue text instead of underlines for additions for ease of practitioner use. As required by Admin Order 48-2012, each change is accompanied by a footnote showing the current statutory provision or case law derived from.

Until permanent rules are adopted by Order of the Supreme Court, these rules are immediately applicable. They reflect the Álchíní Bi Beehaz'áannii Act, relevant case law, and other applicable laws. The rules will continue to be refined until July 31, 2013. Please direct all public input to Karen Francis, Government Relations Officer, at karenfrancis@navajo-nsn.gov.

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FOR IMMEDIATE RELEASE
May 1, 2013

MEDIA CONTACTS
Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nlnb.communications@gmail.com

Navajo Nation Council approves Navajo Generating Station lease extension

WINDOW ROCK – At a special session on Monday, the Navajo Nation Council voted 20-1 to approve Legislation No. 0042-13, extending the Navajo Generating Station’s lease for an additional 25 years beginning in 2019.

The Council approved a total of ten amendments to the legislation during the six-hour discussion.

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) offered the first amendment in which the Navajo Nation declared that the federal U.S. government’s contractual interest in NGS, held by the Salt River Project for the Bureau of Reclamation, is in direct conflict with the federal government’s trust responsibilities and duties to the Navajo Nation.

“[Through the] Bureau of Reclamation, the U.S. government is essentially an owner of NGS in absolutely every single way possible except for a few words on a piece of paper,” said Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) who voiced support for Delegate Benally’s amendment.

Delegate Witherspoon argued that the potential to obtain water rights that were waived by the Nation in the original lease agreement outweighs the financial benefits the Nation would receive from the amended lease extension.

“That water will be absolutely more important to the Nation, and that’s why I can’t in good conscience, participate in a legislation that would take away our future for our children, our grandchildren, and great-grandchildren,” Delegate Witherspoon said. “That water is critical for life.”

Council voted in support of the amendment with a vote of 21-0.

Council then quickly approved a second amendment with a 19-1 vote, requiring lessees to cover ash disposal with 12-inches of earth.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) motioned to amend language to give Navajos employment preference to the extent allowed by law, provide Navajo preference in all training opportunities, and ensure that Navajos are prepared to assume positions at all levels.

Further language stated that if federal law prohibits employment preference based on tribal affiliation, lessees will follow Indian preference.

The language also stated that in certain circumstances the need for critical or specialized skills at NGS will require selecting the most qualified person whether or not they are Navajo.

The proposed amendment was met with opposition from numerous delegates, including Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake).

“This is troublesome,” said Delegate Tsosie. “It’s like reading ‘lessees will give preference to other Indians, rather than to Navajos’. It’s dangerous language to add.”

Delegate Benally urged her colleagues to vote down the proposed amendment, and to uphold a similar amendment regarding the Navajo Employment Preference Act passed by Council on Apr. 17, during the spring session.

Delegate Phelps clarified that the proposed amendment would replace the previous amendment approved by Council during the spring session.

After lengthy debate, Council voted in support of the amendment with a vote of 12-9.

Council also approved an amendment to change language to reinstate a \$1 million signing bonus which expired on Feb. 28, by inserting a new date of Apr. 30.

Several delegates voiced opposition to an additional amendment that outlined provisions in the event that the Navajo Nation revokes its approval of the amended lease after the lessees have paid the signing bonus.

The amendment also stated that the lessees shall not be required to pay any accrued payments if the Navajo Nation revokes its approval of any 323 grants, and that the Navajo Nation shall refund all payments made by the lessees should the Nation revoke its approval of any 323 grants.

The 323 grants are the rights-of-way for lands leased to NGS from the Navajo Nation.

Delegate Benally opposed the amendment saying, “We are agreeing to penalize ourselves, yet there is no penalties for them. Please do not go along with this amendment.”

After nearly an hour of debate, Council voted 13-7 to approve the amendment.

Council also approved an amendment with a vote of 20-0, requiring NGS lessees to provide a 2-year written notice to the Navajo Nation if the lessees choose to permanently cease all NGS operations prior to the end of the 25-year lease extension, as opposed to the original 90-day notice.

Prior to the vote on the main motion, Council approved two amendments aimed at preventing NGS from opposing the Navajo Nation’s future pursuits of water rights, and to ensure that members of the Resources and Development Committee and the Division of Economic Development meet annually with NGS officials to discuss opportunities for NGS to conduct business with Navajo-owned businesses.

Delegate Benally voiced support for the legislation, and expressed appreciation to Council colleagues for approving amendments specifically intended to support Navajo employment preference.

“I was very concerned about Navajo preference because I want jobs for my people — and they belong to my people, first and foremost,” Delegate Benally said.

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) expressed support for the legislation and thanked his fellow colleagues for advocating for Navajo people.

“I was hesitant to move this forward because of the concerns that I had, but with the wisdom brought forth by my colleagues, this is one of those good legislations that I can support,” said Delegate Nez.

In reference to disagreements over the formation of President Ben Shelly’ assembled negotiating team for the NGS lease extension, Delegate Nez offered words of advice for future discussions.

“I ask the executive branch to include the Navajo Nation Council in future negotiations, and together we can do great things for the Navajo Nation,” Delegate Nez said.

Moments before Council members casted their deciding votes shortly after 11:00 p.m., Speaker Naize addressed the audience and also recognized the Council’s efforts in making critical decisions for the Nation and the Diné people.

“Those of you in the audience, you have watched your Council Delegates in action all day and there were some words that were exchanged, but as you see, we are now all united again,” said Speaker Naize.

Council approved Legislation No. 0042-13, with a 20-1 vote.

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Resources and Development approves ADOT easement

ALAMO, N.M.-The Resources and Development Committee unanimously approved the temporary construction easement for the Arizona Department of Transportation on April 30, 2013.

By a vote of 3-0, Legislation No. 0123-13 was approved, granting ADOT an easement to construct, operate and maintain road improvements on Navajo Route 20, located on Navajo Nation trust lands in the vicinity of Bodaway-Gap, Coppermine and LeChee Chapters.

ADOT will pave the existing alignment of N20 as an interim detour route until repairs are completed to the damaged roadway of U.S. 89.

The roadway will now be designated as U.S. 89T for a three-year period. The committee also waived the surface compensation amount because the roadway will benefit Navajo communities.

A portion of U.S. 89 was destroyed during dry slide that occurred near the Bitter Springs-Echo Cliffs area on Feb. 20. ADOT detoured traffic through an alternative route, taking travelers east on U.S. 160, then north on State Road 98 into Page.

However, the detour added 45 more miles and extra drive time.

Paving U.S. 89T would substantially reduce travel time for motorists heading to and from Page.

ADOT has selected FNF Construction, Incorporated as the contractor and the two parties are currently in negotiations for the construction costs associated with paving the roadway.

FNF Construction received

the 2011 Arizona Transportation Partnering Excellence Award for the U.S. 93 Hoover Dam project.

Efforts to pave the roadway have been spearheaded by ADOT, along with the Navajo Division of Transportation, Bureau of Indian Affairs and Federal Highway Administration.

Typically, the process for a construction easement can take months, sometimes even years to complete.

For the paving of U.S. 89T, the process was completed within a month's time, with the cooperation of all agencies involved to address the emergency.

The collaboration between all agencies was acknowledged by legislation sponsor Duane Tsinigine (Bodaway-Gap, Coppermine, Kaibeto, LeChee, Red Lake-Tonalea).

"This will lessen the frustration and stress of the people out there," Tsinigine said.

Darryl Bradley, principal civil engineer for NDOT, said the collaboration served

the needs of local chapters in terms of school bus routes, people traveling to work, medical services, and social programs.

Bradley said, "There's just been a lot of effort and partnership on getting this done in such a short timeframe."

Leonard Tsosie (Baca-Pre-witt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon,



RDC member Leonard Tsosie holds up an exhibit from the temporary easement package from ADOT, a letter from the BIA and lauds the partnership that got the easement completed in record time. (Photos by Rick Abasta.)

Whitehorse Lake) was appreciative of the work that was done.

"From my office to yours, I really want to thank you," Tsosie said. "But especially for Coppermine Chapter. They've been coming to this committee with tears in their eyes asking us to please fix the road."

Negotiations and compromise that led to the inclusion of fencing into the project added permanency to the road structure that will be built, he explained.

"I really appreciate the way all of you worked together to crank it out," he said.

Before voting on the legislation, the committee shared concerns on the archaeological components to the project, which was addressed by the Navajo Nation Historic Preservation Department.

In addition to Navajo Nation archaeologists monitoring the construction, ADOT and its contractor will also have an ar-

chaeological team on standby to address any issues that may arise.

Because N20 was surveyed at least twice already, NDOT and BIA staff have already identified the location of all archaeological sites, traditional cultural property and a gravesite found near the roadway.

Because the temporary detour construction is the result of an emergency, the regulations of the Advisory Council on Historic Preservation have streamlined the easement process with regard to the normal requirements of a cultural resource compliance form.

RDC Chairwoman Katherine Benally congratulated the efforts of the team.

"I want to take this time to thank ADOT for adding more money. Thank you," Benally said.

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MEDIA CONTACTS
Carmenlita Chief | 928.255.3428
Jared Touchin | 928.221.9253
nnlb.communications@gmail.com

22nd Navajo Nation Council honors the Navajo Code Talkers at the 30th Annual Gathering of Nations



Photo: Speaker Naize (center) addresses Gathering of Nations crowd on Apr. 26, alongside Navajo Code Talker Peter MacDonald (left).

ALBUQUERQUE – On behalf of the 22nd Navajo Nation Council, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) addressed thousands of spectators and participants at the 30th Annual Gathering of Nations last Friday evening at an event co-sponsored by his office to honor the Navajo Code Talkers.

“We are honored to be here with all of you tonight to pay tribute to our Navajo Code Talkers,” said Speaker Naize, who stood alongside former Navajo Nation Chairman Peter MacDonald on the floor of the University of New Mexico “Pit”.

MacDonald currently serves as president of the Navajo Code Talkers Association. During World War II, MacDonald served as a Navajo Code Talker.

Speaker Naize affirmed his support for the Navajo Code Talkers Foundation's effort to establish a museum designed to honor the history and significance of the Navajo Code Talker legacy.

"I want the whole world to know what we're trying to accomplish," Speaker Naize said. "We want to have a museum to share the story of our brave Navajo Code Talkers who served in World War II."

Concluding his brief address, Speaker Naize encouraged the public to support the Navajo Code Talkers Museum & Veterans Center Project by donating to the Navajo Code Talkers Foundation.

The 22nd Navajo Nation Council and the Navajo Nation Office of the Speaker co-sponsored the "Midnight Special: Men's Northern Traditional" dance competition on Friday evening.

Prior to the dance competition, an honor song was performed, paying tribute to all Navajo Code Talkers for their brave service in World War II.

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