



FOR IMMEDIATE RELEASE
January 30, 2014

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Navajo Nation Council enacts the Healthy Diné Nation Act of 2013

WINDOW ROCK – On the final day of the Winter Session the Council voted 12-7 to enact the Healthy Diné Nation Act of 2013, which imposes a two-percent sales tax, in addition to the Navajo Nation’s current five-percent sales tax, on “junk food” sold within the Navajo Nation.

In his opening address to Council, legislation sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) said the sales tax increase is part of an overall effort to promote healthy living and to bring awareness to the diabetes epidemic that is affecting a growing number of Navajo People.

“Each one of us here has a relative that’s diabetic and we face that fact every single day,” said Delegate Simpson.

According to the legislation, “junk food” is defined as sweetened beverages and pre-packaged and non-prepackaged snacks low in essential nutrients and high in salt, fat, and sugar including snack chips, candy, cookies, and pastries, excluding nuts, nut butters, and seeds.

The legislation also states that all of the revenue collected from the two-percent sales tax will be deposited into a Community Wellness Development Projects Fund to be administered by the Navajo Nation Division of Community Development, following the development of a fund management plan.

The revenue will be used by chapters to develop wellness centers, community parks, basketball courts, walking, running and bike trails, swimming pools, community gardens, family picnic grounds, and health education classes.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) expressed skepticism, saying the sales tax increase would potentially drive consumers to purchase “junk food” off the Navajo Nation to avoid paying the tax and might end up benefitting businesses in border towns.

Despite the uncertainties expressed by Delegate Tsosie, he voted in favor of the legislation largely due to a sunset clause which was added as an amendment to the bill by the Naabik’iyátí’ Committee on November 7.

The sunset clause states that the two-percent sales tax will expire at the end of calendar year 2018, unless extended by the Navajo Nation Council.

Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) said he supports the efforts to promote healthy living and deterring the diabetes epidemic, however, he also stated that imposing the sales tax increase is a decision that should be left to Navajo People in the form of a referendum.

Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch' izhi) expressed appreciation to members of the grassroots organization known as the "Diné Community Advocacy Alliance" who worked with Delegate Simpson for two years to develop the legislation at the urging of community members.

"You have really opened the eyes of the people. You've truly opened my eyes and you've truly opened the delegates' eyes and it's starting to reach the chapters as well," Delegate BeGaye said. "You've done a good job. We need to figure out how we can all continue to work together to continue lowering the diabetes rate."

Also speaking in support of the bill, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts'ah Bii Kin) said that public awareness needs to continue even after passage of the bill.

"People out there are talking about this and it's even international and national news," said Delegate Nez. "I see this as a step toward self-sufficiency and an exercise of our sovereignty and if we move this forward I think it will show that we are the leader of American Indian nations."

Following the passage of the Healthy Diné Nation Act, Council members also passed Legislation No. 0290-13, a separate bill also sponsored by Delegate Simpson that eliminates the current five-percent sales tax on fresh fruits and fresh vegetables.

President Shelly will have 10 calendar days to consider the bills once they are sent to the Office of the President and Vice President.

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Council votes down legislation to refer a Title II referendum measure

WINDOW ROCK – On the third day of the Winter Session, Council voted down Legislation No. 0369-12, which sought to refer a referendum measure that would have amended Title II of the Navajo Nation Code if the measure was voted on and approved by a majority of eligible registered voters who cast a vote.

In his opening remarks to Council, legislation sponsor Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) said that the proposed changes to Title II were intended to empower Navajo People and to restore their trust and confidence in the government.

The proposed referendum measure was one of three measures approved by the Commission on Navajo Government Development through a resolution passed on June 23, 2012.

One proposed change stated that the Navajo people delegate to the Navajo Nation Council the authority, subject to certain limitations, to legislate on behalf of the Navajo Nation. Another proposed change asserted that the power and authority to govern the Navajo Nation originates from the Navajo People.

“Some have asked if [the legislation] means we as delegates don’t need to be here to vote and if everything should be voted on by the people. No, this is to say it’s through the people we are given that authority,” explained Delegate Nez.

Council Delegate Russell Begaye (Shiprock) argued that the legislation would not truly empower Navajo People and suggested that a more comprehensive proposal be developed to allow the people to choose their form of government through a referendum.

“I agree with the wordings, but they should’ve brought the entire package together,” said Delegate Begaye. “To me it’s just good words, just rhetoric. We’re not really giving the power to the people.”

Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) said the legislation needs further development to provide future leadership with more guidance.

“It needs a little more work and it needs direction and the Commission on Navajo Government Development failed in its thought process by putting a fraction of language in,” said Delegate Begaye. “The way this is set up, there’s very minimal guidance.”

At the conclusion of the lengthy discussion, Council voted down the legislation with a vote of 8-9.

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Vice President Jim delivers State of the Navajo Nation Shares information on The Five Pillars of Nation Building



Navajo Nation Vice President Rex Lee Jim opened the 22nd Navajo Nation Council 2014 Winter Session with the State of the Navajo Nation address. Vice President Jim shared data from the five pillars of nation building during his presentation. (Photo by Rick Abasta)

On Jan. 27, 2014, Navajo Nation Vice President Rex Lee Jim delivered the State of the Navajo Nation address to the 22nd Navajo Nation Council for the start of the 2014 Winter Session.

Flanked by Navajo Nation Chief of Staff Arbin Mitchell and Division of Economic Development Director Albert Damon, Vice President Jim reported on “The Five Pillars of Nation Building: Providing Stability and Accountability for the Future of the Navajo Nation.”

Beginning with an overview of the Navajo Nation’s finances when the Shelly-Jim administration took office in Jan. 2011, the vice president said much progress has been made on behalf of the Navajo people.

“The Navajo Nation was in the red and we rolled up our sleeves and took ownership of the daunting task of bringing economic solvency back to the Nation,” he said. “Today, we are happy to report that the Nation is in the black and the Undesignated Unreserved Fund Balance now has over \$8 million in its coffers to provide resources for any unforeseen emergencies.”

Vice President Jim explained that the fund balance was the result of exercising the line item veto authority to keep the Nation’s fiscal house in order. He said although the measures

were unpopular, the Shelly-Jim administration took a hardline approach to the dark clouds of federal sequestration and decreasing royalties looming over the Nation.

“We must think outside the box and find progress in the oldest of Navajo philosophies: T’áá hwó ájít éego,” he said.

Vice president said through self-sufficiency, the Shelly-Jim administration found success in the five pillars of infrastructure development; economic prosperity and job creation; healthy lives; open and accountable government; and educational opportunities. He noted these were collaborative efforts with the 22nd Navajo Nation Council.

Infrastructure Development

Under the first pillar of infrastructure development, he said Navajo Division of Transportation (NDOT) remained committed to paving a solid infrastructure for the Nation’s 14,733 miles of road. Seventy-six percent, or 11,352 miles, are unpaved.

The reality of paving these roads is an expensive task, he said, and that NDOT entered into partnerships with counties in Arizona, New Mexico and Utah to address these priorities.

In Nov. 2013, NDOT’s partnership with Sandoval County for the Torreon Road rehabilitation effort was the only TIGER grant project selected for the state of N.M.

Vice President Jim said, “This \$3.3 million project has improved over seven miles of road, which was previously potholed and dangerous for travelers, especially school children riding on the bus.”

He also highlighted the Division of Health’s (DOH) infrastructure development efforts for health care facilities in Bodaway-Gap, Dilkon, Gallup, Kayenta and Pueblo Pintado. All five projects are on the Indian Health Service national priority listing.

The Kayenta Health Center is under construction and received \$96.6 million in federal funding, \$18.6 million of which was received in the past quarter. At a completion rate of 65 percent, the project has stimulated the local economy and job market, with an 80 to 90 percent Navajo workforce, including many in top positions.

Economic Prosperity and Job Creation

For the second pillar of economic prosperity and job creation, the vice president said Division of Economic Development (DED) played a major role in the past quarter, especially the Smith Electric licensed

manufacturing effort.

The United Kingdom-based electric car manufacturing company is seeking international expansion for licensed manufacturers and the Nation stands poised as a licensee under the holding company Dine' Development Corporation, he said.

Another division made significant progress in the first quarter of 2014.

Efforts from DOH, through the Office of Uranium Workers, assisted Navajo uranium miners, millers ore transporters, downwinders and their survivors with benefits from the Radiation Exposure Compensation Act (RECA). The RECA claims for a collective of 10 individuals resulted in \$1,045,000 in compensation over the past quarter.

On Oct. 24, 2013, the division also signed a memorandum of agreement with the Nation, City of Gallup, and McKinley County for the Gallup Detoxification Center. The agreement provided the foundation for the Department of Behavioral Health Services to operate the center and continue services to individuals suffering from alcohol and substance abuse disorders.

Healthy Lives

From Oct. 20 to 26, 2013, Vice President Jim spearheaded "Running for a Stronger and Healthier Nation" at various chapters across the Navajo Nation. The event had 200 runners, 1,500 walkers and over 2,000 community members receiving health education.

"I ran a majority of the route to promote wellness among Navajo people," he said.

Through gang and drug interdiction efforts, the Division of Public Safety also contributed toward the Nation's health and welfare over the past quarter. The Drug and Gang Unit conducted 40 drug and alcohol distribution operations across the Nation and seized five cannabis plants, 600 grams of processed marijuana, 45-ounces of methamphetamines, oxycodone pills, and arrested 27 individuals under federal distribution and possession charges. The street value of the seized contraband was \$10,000.

The Department of Fish and Wildlife was another major player in the health of the Nation through disposal of 3,913 animals, investigation of 118 animal bite cases, investigation of 87 incidents of livestock damage, 321 rabies vaccinations, and an animal sweep at NHA Ojo Amarillo housing resulting in 57 animal impoundments and 13 animal control citations for failure to restrain animals.

Open and Accountable Government

Division of Community Development's (DCD) efforts to decentralize the Local Governance Support Centers (LGSC) was at the head of the table over the past quarter for the pillar of open and accountable government.

The Budget and Finance Committee issued a directive on July 5, 2013 to decentralize the LGSC offices and was memorialized through Navajo Nation Council Resolution No. CS-47-13. DCD was allocated \$3 million for the formation of a task group and planning for the decentralization endeavor.

"The plan is to decentralize the five LGSC offices into 16 Administrative Service Centers that will provide chapters with legal services, financial accounting, capacity building for Local



Delegate Dwight Witherspoon said he supported the Local Governance Support Center decentralization effort. He brought up concerns with legal assistance at the chapters, water, roads, taxation and support for establishing the Navajo Department of Health. (Photo by Rick Abasta)



Another delegate, Nelson BeGaye, had said the \$8 million surplus in the Undesignated Unreserved Fund Balance needs to be spent and not just sit in the account for unforeseen emergencies. (Photo by Rick Abasta)



The gallery of the council chamber fluctuated throughout the day, with many waiting impatiently for council legislation that required two-thirds majority vote of the membership. (Photo by Rick Abasta)

Governance Act certification, and assistance with planning, completion, operation and maintenance of chapter projects,” Vice President Jim reported.

The Navajo Nation General Leasing Act was another major step toward open and accountable government, allowing the Nation true self-determination in exercising leasing authority over home sites, grazing, business sites and more. This legislation is currently under review by the Secretary of the Interior and upon approval, will streamline the bureaucratic processes of the Bureau of Indian Affairs.

Vice president said the Navajo Land Title Data System works hand-in-hand with the Act and is another effort from the Navajo Land Department. The new database streamlines tribal processes through technology.

Educational Opportunities

The Division of Dine’ Education took the lead role for this pillar and provided outreach to all five agencies of the nation through after school programs, tutoring services and field trips focused on physical activities.

“We encourage Dine’ bizaad and incorporating our language and culture into the education of our children. This is important because it provides our kids with self-identity through Ke’ and our parents and grand parents must be proactive in this effort,” Vice President Jim said. “The future of our Navajo Nation depends on it.”

Another major initiative was the delivery of books from the Reader-to-Reader Organization to the Navajo Nation Library in Oct. 2013. The library in turn distributed 2,000 books to the Office of the First Lady, 6,501 books to St. Michaels Indian School, 120 books to Hopi Junior and Senior High School, 621 books to Jeddito School, 122 books to St. Bonaventure Mission School, 100 books to Navajo Pine High School, 175 books to Thoreau Community Center and 2,000 books to Chinle Head Start. The library added 7,888 books to their shelves.

The vice president reiterated the success of the five pillars for the Nation.

“These five pillars have provided stability to the Nation and we will continue to build upon this foundation for the years to come. We will continue to work with the Navajo Nation Council to bring these important projects to reality,” he said.

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Vice President Jim said the Executive and Legislative Branches must work together in order to achieve goals and objectives for the Navajo Nation. No one branch, division, department or program can do it alone, he said. “We must work together,” Vice President Jim said. (Photo by Rick Abasta)



Delegate Josh Butler said he did not understand the need for assessments in the former Bennet Freeze area. He said he supported the decentralization efforts in addition to the development of the Navajo Department of Health. (Photo by Rick Abasta)



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Navajo Nation Council takes action on several key legislations on second day of Winter Session

WINDOW ROCK – On Tuesday, the Navajo Nation Council acted on Legislation No. 0340-13, which attempted to override Navajo Nation President Ben Shelly’s veto of Council Resolution CO-57-13, the Navajo Housing Authority Reform Act of 2013.

The NHA Reform Act aimed to amend Title 6 of the Navajo Nation Code, relating to the selection and appointment of Commissioners to the NHA board. The act would have allowed the President to appoint Commissioners, who would then be confirmed by the Naabik’iyáti’ Committee.

Legislation sponsor Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) explained his concern regarding the President’s veto of the bill and his attempts to meet with President Shelly to clarify any discrepancies.

“I have tried to meet with the President, and each time I went to his office, he was not available to meet with me. In one instance, I followed him to Twin Arrows to meet with him briefly after a meeting, but he did not say whether he would say yes or no [to veto the legislation],” said Delegate Tsosie. “He could’ve called me to meet and discuss the intent of the legislation and any concerns he had.”

According to a memorandum dated Nov. 5, 2013, President Shelly said that the veto was due to unclear language regarding the number of Commissioners, the selection and confirmation of Commissioners when the President does not appoint Commissioners within 60 days, and concerns over the authority of the board to appoint Commissioners to national boards.

Immediately following Delegate Tsosie’s presentation, Council voted 10-10 to vote down Legislation No. 0340-13. The legislation required a two-thirds vote, or 16 supporting votes, to pass.

Council approved Legislation No. 0364-13, which amends Title II of the Navajo Nation Code to change the meeting dates for the Law and Order Committee.

Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat), who sponsored the legislation and serves as the vice chair of the LOC, stated that the change is due to conflicting schedules of LOC members, and has led to quorum issues.

The legislation says the LOC will meet three times a month—on the second, third, and fourth Mondays of each month.

Council voted 20-1 to pass Legislation No. 0364-13. The legislation required two-thirds approval from Council.

Lastly, Council voted down Legislation No. 0003-14, which sought to remove Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) from his position as Speaker of the Navajo Nation Council, due to recent bribery and conspiracy charges filed in the District Court of the Navajo Nation.

Legislation sponsor Delegate Shepherd stated that the Speaker “shall be in good standing” as a member of the Council, and that the charges hinder his responsibilities as Speaker and reflects negatively on Council.

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) voiced support for Speaker Naize, stating that he is innocent until proven guilty in the court of law, adding that Council should be reminded to leave any “personal vendettas” out of their decision and continue to support one another to work toward the betterment of the Navajo Nation.

Council voted down Legislation No. 0003-14 with a vote of 12-11. The legislation required two-thirds approval by Council to pass.

The Navajo Nation Council serves as final authority for each of the three legislations.

Council is scheduled to reconvene for day three of the Winter Session on Wednesday at 10 a.m. in the Council Chamber.

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Speaker Naize highlights Council accomplishments and outlines objectives

WINDOW ROCK – On the opening day of the Winter Council Session, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) provided a report that focused on the accomplishments of the 22nd Navajo Nation Council and also outlined goals and objectives for the last year of the current term.

Although Speaker Naize did not provide his report orally on Monday, the report was made available for the public.

Among Council's accomplishments, Speaker Naize recognized the efforts of the due diligence team, Navajo Nation Department of Justice, Office of the President and Vice President, and members of his own staff for completing the acquisition of the Navajo Mine from BHP Billiton.

"I believe that we have not only side-stepped a potentially disastrous situation in the near closing of the Navajo Mine but we have preserved over \$100 million dollars annually for our Nation, revenue that has put our Nation in a position to double their investment in the next four years," wrote Speaker Naize.

In the written report, Speaker Naize also addressed the need to begin looking into potential renewable energy resources using 10 percent of annual net income from NTEC.

When Council established the Navajo Transitional Energy Company, LLC on April 29, 2013 the Council also approved language within the legislation which specifically states that NTEC will invest 10 percent of its annual net income into the research and development of renewable and alternative sources of energy, storage, and transmission technologies and infrastructure, with an emphasis on solar technology and facilities.

The report also touched on H.R. 3822, the Fort Wingate Land Division Act of 2014 introduced on Jan. 8 by U.S. Reps. Ben Lujan (N.M.) and Steve Pearce (N.M.) which seeks to divide approximately 21,000 acres of parceled land known as the Fort Wingate Military Depot, located six-miles east of Gallup, N.M.

Speaker Naize mentioned that members of affected communities such as Churchrock and Iyanbito had expressed "discontent" and "concern" regarding the proposed land division and urged Rep. Lujan to meet with the affected community members to address their concerns.

"Delegate Edmund Yazzie wanted to ensure that his communities were heard as the negotiated land division is brought to conclusion through a congressional resolution," Speaker Naize wrote.

Speaker Naize also continued to advocate for the New Mexico State Legislature's approval of the Nation's proposed Gaming Compact which was discussed by the state's Committee on Compacts at an informational meeting held last Wednesday.

"Representatives from the Navajo Nation Gaming Enterprise, Navajo Nation Department of Justice, Office of the President, and outside consultants worked tirelessly to successfully negotiate a compact that is agreeable with the Governor's Office," Speaker Naize wrote. "I look forward to completing the compact by the end of the month."

A vote on the proposed Compact is expected to take place during the State Legislature's 30-day legislative session which began on Jan. 21.

In the written report, Speaker Naize also noted several ongoing issues that he feels need to be completed in the upcoming year including working toward a viable solution to the ongoing efforts to establish the Nation's "Department of Health", finalizing a compact for Navajo Technical University, creating a cooperative agreement for conducting the Land Buy-Back Program on the Navajo Nation, and developing a Veterans Act to benefit Navajo Veterans.

To view Speaker Naize's full report, please visit:

http://www.navajonationcouncil.org/pressReleases/2014/JAN/27JAN2014_Speaker_Naize_Report_2014_Winter_Session.pdf

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THE STATE OF THE NAVAJO NATION
President Ben Shelly and Vice President Rex Lee Jim



*The Five Pillars of Nation Building
Providing Stability and Accountability for the Future of the Navajo Nation*

Presented to the
22nd Navajo Nation Council
January 27, 2014



LEADING THE NAVAJO NATION TO STABILITY AND TRUE SELF-DETERMINATION

Navajo Nation President Ben Shelly

Navajo Nation Vice President Rex Lee Jim

January 27, 2014

When the Shelly-Jim Administration took office in 2011, the Navajo Nation was in the red and we rolled up our sleeves and took ownership of the daunting task of bringing economic solvency back to the Nation. Today, we are happy to report that the Nation is in the black and the Undesignated Unreserved Fund Balance now has over \$8 million in its coffers to provide resources for any unforeseen emergencies. This was the result of exercising the line item veto to keep our fiscal house in order.

Some of these measures were unpopular, but we had to maintain a hardline approach to the dark clouds of federal sequestration and decreasing royalties looming over the Nation. As leaders, we are charged with the responsibility providing for our people, similar to our Navajo ranchers overseeing their ranches. Ask any of our elders about the important responsibility and livelihood of raising livestock for a living. They will tell you this duty requires patience, love and above all, commitment. The Shelly-Jim Administration is committed to the Navajo people.

The Navajo Nation has always had to adapt and survive with less to provide direct services to our people. We have done this through partnerships and leveraging funds with tribal, state and federal agencies. We have done this through true self-determination. Job creation and economic development remain at the forefront of our efforts, especially since we must now face the harsh reality that the once steady stream of revenues pouring into the Navajo Nation General Fund from our mineral royalties are beginning to dry up. We must think outside the box and find progress in the oldest of Navajo philosophies: *T'áá hwó ájit' éego*.

There are five pillars of nation building we have focused on since we took office. We believe these pillars are the foundation for continuing to house our tribal government for the years to come. The platform of the Shelly-Jim Administration sits atop these pillars and although we have completed much work in collaboration with the 22nd Navajo Nation Council, there is still much more to be done as we look into the horizon.

PILLAR 1

Infrastructure Development

The Navajo Division of Transportation remains committed to paving a solid infrastructure for the Nation's 14,733 miles of roads. Seventy-six percent, or 11,352 miles, are unpaved. The reality of maintaining these roads is an expensive task and NDOT has entered into several partnerships with counties in Arizona, New Mexico and Utah to address this task.



2014 is the second year NDOT has executed the direct funding agreement with the Federal Highway Administration. Through this agreement, there are no external funding reversions or losses from unspent funds. Instead, every dollar of the \$10 million provided is utilized for transportation planning and road maintenance. Furthermore, the direct funding agreement provides true self-determination for the Nation in prioritizing our road projects for the future.

In Nov. 2013, the Torreon Road Project was completed and was the only TIGER grant project selected for the State of New Mexico. This \$3.3 million project has improved over seven miles of road, which was previously potholed and dangerous for travelers, especially school children riding on the bus. This was a partnership between NDOT, Sandoval County and the federal government to address deteriorating infrastructure in the heart of the northwestern N.M. community.

There's more to infrastructure development than just roads, however. Some of these efforts truly provide for the future of the Nation. Like the work performed by the Facilities Maintenance Department. Under the guidance of the Division of General Services, the department worked with Navajo Head Start to address facilities in need of major repairs at Navajo Mountain, Lupton, Pinon and Pinedale. The facilities must be safe and sanitary for the benefit of our Navajo school children beginning their education.

The Division of Health has also provided infrastructure development through health care facility construction. Five Navajo projects are on the Indian Health Service national health care facilities construction priority list, including health centers in Bodaway-Gap, Dilkon, Gallup, Kayenta and Pueblo Pintado. The Kayenta Health Center project is under construction and received a total of \$96.6 million in federal funding. \$18.6 million was received in the past quarter and the project is 65 percent complete. In addition to infrastructure development, this project has also created jobs and economic development, with an 80 to 90 percent Navajo workforce.

The Division of Economic Development has also stepped forward with infrastructure improvements, although the entirety of their contribution isn't based on new development. One such project was the cleanup of the former Navajo Forestry Products Industry site located in Navajo, N.M.

For decades, the vacant structures have withstood the forces of nature and slowly deteriorated with time. Not only were they an eyesore, but a safety liability. The old buildings at NFPI have been dismantled and shipped out to recycling centers in California. The concrete structures still remain and work continues with the crushing of remaining concrete for recycling as well.

Division of Economic Development is also moving forward with plans for construction of the Thoreau Industrial Park Railhead. A Navajo owned company, Blue Horse Energy, LLC has been selected to provide development, operations, financing and management of the operation, which



is slated to begin in June 2015. This will be a major victory for the Nation upon completion. Other infrastructure developments include the continuation of Public Facility Projects funded by Navajo Abandoned Mine Lands. Under the umbrella of the Division of Natural Resources, Navajo AML continues to provide infrastructure development for communities on the Nation that were impacted by mining. Previously, the funding ceiling amount from AML for PFP projects was \$300,000 but that figure has been increased to \$400,000. PFP funding proposals for FY 2014 have been reviewed and scored by the PFP Committee and these projects are scheduled for development.

The Mariano Lake Chapter waterline and water system improvement project is underway and currently going through the 164 Review process. Another PFP project, the FY 2010 Cudei Chapter Home for Women and Children, is in the construction phase. For FY 2011, the Round Rock Chapter completed a pre-construction meeting and is moving forward with their PFP project. In 2013, the Crystal Chapter Multipurpose Building was issued a conditional certificate of occupancy by Design and Engineering Services.

For FY 2012, the Whitehorse Lake Chapter northeast waterline extension is under construction, as is the Supervisory Control and Data Acquisition project. FY 2013 PFP projects include Leupp parking lot and power line extension projects for Ganado, Steamboat, Tonalea, Tuba City and Wide Ruins. Other PFPs include the Cameron modular building infrastructure site development, Tachee-Blue Gap road improvement, Teec Nos Pos waterline extension, and the Mexican Water Senior Citizens Center. Six chapter projects for FY 2014 were recommended for Indian Wells, Red Lake, Smith Lake, Tiis' Tsoh' Siikaad, Tohajilee and Tselani-Cottonwood.

PILLAR 2

Economic Prosperity and Job Creation

The Division of Human Resources plays a vital role in stimulating the Navajo economy with the creation of jobs. The division stood at the forefront of legislation passed by the 22nd Navajo Nation Council to eliminate the equivalency standard for employment with the Nation and thereby opened the door for college educated Navajos for employment. Additionally, the Navajo Department of Workforce Development continues to provide employment and training for Navajo citizens. A total of 1,266 program participants were enrolled in the three Workforce Development programs this quarter.

The Division of Economic Development also has a major role for the pillar of Economic Prosperity and Job Creation. One exciting development is the Smith Electric licensed manufacturing effort. Smith Electric is an electric car manufacturing company from the United Kingdom. They are seeking international expansion for licensed manufacturers and the Navajo Nation has the opportunity to be a licensee in the U.S. The Dine' Development Corp., a wholly owned holding company of the Navajo Nation, is positioned to take the lead on this development.



The Division of Public Safety has also provided contributed to Economic Prosperity and Job Creation, in particular, their efforts with the U.S. Department of Justice for the drawdown of funds. Through efforts from the past two quarters, Division of Public Safety was able to drawdown \$52 million for USDOJ grants to reimburse the Nation for funding invested on the construction cost of new public safety buildings. The construction of those buildings created jobs in addition to new building infrastructure.

The Division of Health also provided opportunities for the Nation under this pillar. Specifically, the Office of Uranium Workers assisted Navajo uranium miners, millers, ore transporters, down-winders and their survivors through applications for Radiation Exposure Compensation Act benefits and required documentation for eligibility. The office successfully processed claims for 10 individuals that received \$1,045,000 collectively in compensation over the past quarter.

Additionally, the division's memorandum of agreement between the Navajo Nation, City of Gallup and McKinley County for the Gallup Detoxification Center was signed on Oct. 24, 2013. This provided the framework for the Department of Behavioral Health Services to assume operation of the center and continue providing direct services to individuals suffering from alcohol and substance abuse disorders. The department implemented an integrated approach to address behavioral and mental health issues.

According to Indian Health Service, Native Americans are significantly more likely to report past year alcohol and substance abuse disorders than any other race. Suicide rates for Native Americans are 1.7 times higher than all other races in the U.S. Additionally, domestic violence rates are alarming, with 39 percent of Native American women experiencing intimate partner violence, which is the highest rate in the U.S.

The Office of the Navajo Tax Commission is the primary revenue source for the Nation's success under this pillar. For FY 2014, the total tax revenue for the first quarter totaled \$35,812,548. From this amount, \$25,574,016 is earmarked for the Navajo Nation General Fund and equals 35 percent of the General Fund revenue projection.

PILLAR 3

Healthy Lives

The Navajo-Hopi Land Commission Office has advanced this effort through rehabilitation and recovery work in the Former Bennett Freeze Area. Specifically, they have worked with Navajo Housing Authority for a NAHASDA grant to conduct a housing assessment and development of a housing plan. Additionally, the office worked in the former Join Use Area to produce a new scope of work for the project of 48 homes in the Hopi Partitioned Land region.

It goes without saying the Division of Health takes the lead for this pillar of Healthy Lives. Through



their efforts, the Navajo Nation Health Survey ended data collection on Oct. 31, 2013 for the Central Agency. A total of 713 completed surveys and samples were collected. The survey had 199 questions on various health behavior indicators. Phase II of the data collection study is slated to begin in the Northern and Eastern Agencies in the summer of 2014.

The division is committed to protect the health, wellness and safety of Navajo individuals, their families and communities. The Kayenta Public Health nursing program provided direct services to 5,000 people in the surrounding communities, which included flu vaccinations, school health screenings and patient education. The Breast and Cervical Cancer Prevention Project provided services to 7,328 women with mammogram and cervical cancer screenings and education on breast, cervical, ovarian, colorectal and prostate cancers.

On Oct. 24, 2013, the Public Health Emergency Preparedness Program facilitated the Navajo Nation Prophylaxis Functional Exercise, a Navajo Nation-wide functional exercise. The objectives were to train and establish Point of Dispensation teams, build operational POD sites, and test communications at six sites. The Navajo Nation Public Health Command Center was operational from St. Michaels, Arizona and communicated with the six sites to dispense antibiotic pills during an anthrax exposure incident. Overall, the exercise was a success.

From Oct. 20-26, 2013, the Running for a Stronger and Healthier Navajo Nation was held at various chapters across the Navajo Nation. The event netted 200 runners, 1,500 walkers, and over 2,000 community members receiving health education. Navajo Nation Vice President Rex Lee Jim spearheaded this event and ran a majority of the route to promote wellness among Navajo people.

Division of Public Safety also contributed to the health of the Nation through efforts from the Drug and Gang Unit to seize illegal drugs. The unit conducted 40 drug and alcohol distribution operations throughout the Nation. The operations resulted in seizure of five marijuana plants, 600 grams of processed marijuana, 45-ounces of methamphetamines, two oxycodone pills, and arrests of 27 individuals under federal distribution and possession charges. The street value of the seized contraband was \$10,000.

Division of Natural Resources was another contributor to the Nation's health. The Department of Fish and Wildlife disposed of 3,913 animals, investigated 118 animal bite cases, investigated 87 incidents of livestock damage, and completed 321 rabies vaccinations. Additionally, the Animal Control Program conducted an animal sweep at Ojo Amarillo NHA housing and impounded 57 animals and issued 13 animal control citations for failure to restrain animals.

Additionally, the Department of Water Resources repaired 26 equipment items used for drilling construction, repair and maintenance purposes. They also inspected and repaired 106 windmills, rehabilitated five earthen dams for livestock and installed two 4,000-gallon water storage tanks



in Lake Valley and St. Michaels. Three troughs were also installed in Dilkon Chapter areas. The Department of Resource Enforcement assisted with the feral horse roundup in the Chinle Agency. Since July 29, 2013, a total of 1,778 horses have been seized in the horse roundups across the Nation and have either been returned to their rightful owners, put up for adoption, or sold.

PILLAR 4

Open and Accountable Government

We have worked hard in the area of providing transparency through maintaining an Open and Accountable Government. When the Shelly-Jim Administration first took office, we held numerous town hall meetings across the Nation for the development of our energy policy and to hear the concerns of our citizens on other issues. We continue progress in this area and the movement toward decentralization is an ongoing effort.

The Division of Community Development hosted Local Governance Support Center decentralization meetings in all five agencies over the past quarter. The decentralization effort was a directive from the Budget and Finance Committee on July 5, 2013 and is memorialized through Navajo Nation Council Resolution No. CS-47-13. \$3 million was allocated for DCD to form a task group and develop an action plan for decentralization.

The plan is to decentralize the five LGSC offices into 16 Administrative Service Centers that will provide chapters with legal services, financial accounting, build capacity for Local Governance Act certification, and assist with planning, completion, operation and maintenance of chapter projects. Presently, there are 34 LGA certified chapters and the decentralization effort will address this disparity.

The Administration Service Centers will be focused on four areas, the Five Management System, Project Management, Post LGA Certification and Professional Development. DCD utilized information from the Office of the Auditor General LGSC performance audit, Pacific Western Technology organizational study, Arizona State University land use planning study, and Harvard University LGA post certification study to develop the decentralization plan.

Focusing on Open and Accountable Government, the Navajo Division of Transportation hosted the NDOT Chapter Work Session in Nov. 2013 and provided transportation information from NDOT departments, Bureau of Indian Affairs and counties to provide data for direct services. The two-day work session included financial information from the Office of the Controller, Employee Benefits Program and Risk Management.

The Division of General Services provided Open and Accountable Government through efforts from the Fleet Management Department. Fleet Management held three meetings of the Motor Vehicle Review Board and issued 19 notices to appear and five second notices to appear for supervisors



that did not respond to vehicle abuse and misuse complaints. They are currently reviewing 64 such complaints.

The Division of Natural Resources and the Navajo Land Department have worked hard on the Navajo Nation General Leasing Act, which is currently under review by the Secretary of the Interior. The provisions in this Act will bring the Nation closer to true self-determination in exercising leasing authority over home sites, grazing, business sites and more. The General Leasing Act streamlines several bureaucratic processes the Bureau of Indian Affairs once had authority over.

In tandem with the Act is the implementation of the Navajo Land Title Data System by the Navajo Land Department. This new database again streamlines tribal processes related to land through technology. By making data available digitally, it also eliminates costs and waste associated with paperwork that is often lost or misfiled in some instances. The database is also a foundation and model for other tribal departments to begin automating their direct services.

The Office of the Controller completed the Sales Tax Form 600 for 2013 and submitted it to the Navajo Tax Commission on a quarterly basis. The Controller is also calculating carryover and encumbrance amounts for the Navajo Nation General Fund for the FY 2013 closeout. Additionally, they are conducting adjustments to Indirect Costs for all open business units based on the negotiated IDC cost adjustment for FY 2009-2013. For the current period the IDC rate of 16.95 percent is being utilized.

OOO also pursued the closing of the NTUA \$2.8 million loan, which is in the final stage of review before the drawdown of funds. A daily deposit total of \$18,546,599.53 was recorded for the quarter ending Dec. 31, 2013. A total of 12,912 cash receipts and 559 ACH receipts were recorded. The total revenue for the first quarter ending Dec. 31, 2013 was \$309,548,204.48 for the Nation.

PILLAR 5

Educational Opportunities

The Division of Dine' Education provided outreach to all five agencies of the Navajo Nation. These efforts included after school programs, tutoring services and field trips focused on physical activities, Toys For Tots distribution and academic achievement.

We encourage fostering Dine' bizaad and incorporating our language and culture into the education of our children. This is important because it provides our kids with self-identity through Ke' and our parents and grandparents must be proactive in this effort. The future of our Navajo Nation depends on it.

The State Tribal Education Partnership Grant provided an exchange of academic performance data between the Navajo Nation, two school districts and one state agency – Gallup McKinley



County Schools, Central Consolidated School District, NM Public Education Department – for data collection.

The foundation of Indian education is reading. To this end, the Office of the Navajo Nation Library received books from the Reader-to-Reader Organization in Oct. 2013 and distributed 7,888 books to the NNL, 2,000 books to the Office of the First Lady, 6,501 books to St. Michaels Indian School, 120 books to Hopi Junior and Senior High School, 621 books to Jeddito School, 122 books to St. Bonaventure Mission School, 100 books to Navajo Pine High School, 175 books to the Thoreau Community Center, and 2,000 books to Chinle Head Start.

The Dr. Kenneth F. Gose Scholarship Award was presented to Kathi Stanford, a teacher and librarian at Red Mesa High School. As 2013 Teacher of the Year, she presented a common vision for higher expectations among students, faculty and the education community; demonstrated a record of significant and distinguished contribution to the education profession; provided a lasting positive impact on student learning; and demonstrated a significant professional contribution.

We held several meetings and requested updates from administrators of Navajo Head Start, in order to bring the program into compliance with federal policies. Lingering issues from past audits need to be corrected and we firmly stand committed to addressing these deficiencies. The ultimate goal is to provide our young Navajo students with a safe and sanitary learning environment for their formidable years of learning. Media accounts of our oversight in these areas have been sensationalized and only increase the capacity for excuses in bringing the program into compliance.

These five pillars have given stability to the Navajo Nation for the first quarter of FY 2014. We will continue to build upon this foundation for continued success in the years to come. The Shelly-Jim Administration continues to work closely with our Navajo Nation divisions, departments and programs to streamline services through technology and maintain a strong foundation for our future.

These pillars for building our nation will foster partnerships, stimulate our economy and sustain employment for our Nation. We continue to work with the Council to bring these important projects to reality. A decade ago, nobody on the Nation or the country would have ventured a prediction that we would one day own a coal mine and secure the future of one of our most abundant natural resources. By working together, we have succeeded in this dream and other goals. Ahe'hee.



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**Health, Education, and Human Services Committee
update regarding the Thoreau Community Youth Center**

WINDOW ROCK - On Thursday, the Health, Education, and Human Services Committee met with Priscilla Manuelito, manager of the Thoreau Community Youth Center, to discuss the current status and issues concerning the youth center.

Manuelito said the youth center has implemented two suicide prevention and intervention programs to help children at the middle school level within their community.

“About five years ago, Thoreau had a serious issue of high amounts of suicides that happened in our area. The State of New Mexico and even at the national level, indicated that Thoreau had the highest level of suicides,” stated Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), who represents the community of Thoreau, located approximately 32-miles east of Gallup, N.M.

The creation of one program, called “Project K’é” is a mid-school curriculum that works in collaboration with other organizations such as Signs of Suicide, Natural Helpers, and National Indian Youth Leadership, which will be incorporating their programs into the middle schools to ensure the prevention of suicide in the Thoreau area.

“We have intervened as a community center. We found out from a youth one day that they were contemplating suicide and was seeking assistance from a caring adult and that’s where we stepped in,” explained Manuelito.

According to Manuelito, the youth center was on the verge of closing due to funding shortfalls, however, the center received financial support through grants.

Manuelito has also created a “post-vention” team that is designed to help the families of children that take their life, if needed. Taking careful precautionary initiatives for prevention and intervention and educating the community about suicide is the primary goal of Project K’é and the “post-vention” team, she added.

“I wanted to thank [Council Delegate Edmund Yazzie and Jonathan Hale] for being presenters during some of our youth conferences. They stepped in to help with that. Much of our

motivational speakers have really benefited our children. These are the type of programs we are trying to implement,” stated Manuelito.

Manuelito further explained that the community of Thoreau receives help from the county, state and Navajo police and hospitals.

“The assistance that we need from the Navajo Nation Council is to encourage the Department of Behavioral Health in our area and any other people that you might think who may benefit our program to continue to meet and form that collaboration with each other,” stated Manuelito.

EHSC member Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) advocated for continued partnership between all entities, and expressed appreciation for the program’s initiative by paying special attention to the needs of Navajo youth.

“This is valuable information. Attention needs to be brought to this. This is the type of information that the committee is always hearing about and we need this information to be disseminated,” stated Delegate Butler.

EHSC members accepted the report with a vote of 5-0.

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Law and Order Committee receives report from Alamo Resources Committee

ALAMO, N.M. – The Law and Order Committee on Wednesday, received a report from the Alamo Resources Committee regarding public safety concerns within the community.

Earl Apachito, vice president for the Alamo Chapter, said that his community had three main concerns that has made it difficult to ensure public safety in his community: cross-commissioning agreements/training with New Mexico law enforcement, lack of Navajo Nation police coverage in Alamo, and a detention facility to house offenders.

ARC is comprised of members from the Alamo School Board, Navajo Nation Police, Socorro County Sheriffs Office, social services, prevention programs, and community members. ARC aims to address matters in the Alamo community through the cooperation of school, law enforcement, health, and social service entities.

“The Alamo Resources Committee meets about twice a month, or when we find available time to discuss issues concerning our committee,” said Apachito. “Right now our biggest concern is public safety emergencies and the lack of law enforcement presence.”

In support of the ARC, Council Delegate George Apachito (Alamo, Ramah, Tohajiilee) explained to his LOC colleagues the frustration Alamo community members have expressed to him and the committee.

“As anyone can see, Alamo is in a very remote area where emergency response can take hours, and I believe it would be beneficial for this community to have a [Navajo] police substation,” said Delegate Apachito. “Right now, Crownpoint police is assigned to our community and they are hours away.”

Delegate Apachito said the lack of police coverage could also be resolved through the implementation of cross-commissioning agreements between the Navajo Nation, the State of New Mexico, and Socorro County. He also noted that currently, only one Navajo police officer patrols Alamo on an extremely limited basis, and response time can take 6-8 hours if they are dispatched to Alamo.

LOC chair Council Delegate Edmund Yazzie (Churckrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) informed the committee that cross-commissioning agreements between the Nation and New Mexico are in place, and it is only a matter of training Navajo, state, and county police officers.

Delegate Yazzie suggested stationing one police officer full-time in the Alamo community, and to provide rent-free housing to the officer.

“I have stated this challenge to all chapters before, and that is to set aside a salary in their budgets to hire a full-time police officer that would be dedicated to that specific area, so there is coverage in the community at all times,” said Delegate Yazzie. “I encourage all chapters to try and implement this.”

LOC member Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’bii’tó, LeChee, Tonalea/Red Lake) also suggested that the courthouse might be able to spare some office space for an officer to use.

“I would imagine the new courthouse in Alamo can provide a police sub-office until a justice center is built here, but in the meantime, the community needs to compromise soon to find a resolution for an officer,” said Delegate Tsinigine.

Delegate Tsinigine stated that Alamo is on the capital projects priority listing for a justice center, and the list can be amended in the future. Currently, Alamo is number nine on the list of ten proposed justice centers to be built on the Navajo Nation.

“If Alamo is able to show they are shovel-ready, the community can have the opportunity to move up on the list, but right now there are other communities that have approved land areas, designs, have obtained grants, and are ready to begin construction,” said Delegate Tsinigine.

At the end of the discussion, Delegate Yazzie encouraged the ARC to begin planning for their justice center, and requested to meet with them soon to discuss further cross-commissioning issues and obtaining additional law enforcement coverage for Alamo.

The LOC is scheduled to meet with the ARC on Feb. 24.

LOC members voted 2-0 to accept the report.

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President Shelly voices concerns from Navajo Nation

Featured guest speaker at 19th Annual Indian Nations and Tribes Legislative Day



Navajo Nation President Ben Shelly said Indian Country must heed the concept of T'áá hwó ájít' éego, the Navajo philosophy of self-reliance, especially in this age of federal sequestration and budget cuts. (Photo by Rick Abasta)

PHOENIX-Tribal nations across Arizona convened at the State Capitol for the 19th Annual Indian Nations and Tribes Legislative Day on Jan. 21, 2014.

Navajo Nation President Ben Shelly was the featured speaker for the legislative session, including Diane Enos, President of the Salt River Maricopa-Pima Indian Community and Terry Rambler, Chairman of the San Carlos Apache Tribe.

Prior to the session, President Shelly met with Sen. Carlyle Begay and students from Northern Arizona University. Delegate Walter Phelps of the 22nd Navajo Nation Council

was also in attendance.

The message from the Navajo leadership was clear and direct – obtain your education – with the encouragement to return home to improve the Nation.

President Shelly encouraged the students to be resilient and maintain focused on their goal of improving their lives. He spoke about the circle of life and said education is a large part of that process.

“Nobody can do it for you. You have to do for yourself,” President Shelly said. “You’re going to school and trying to make something of yourself. Don’t depend on somebody else.

The students also heard comments from Sen. Begay who told them, “Never forget who you are and where you come from. Never forget your heritage.”

Delegate Phelps said the Navajo Nation looks at the college students as the cream of the crop and that they will hit the ground running after they’re done with school.

“Maintain your values, your commitment and your focus. It’s your values that will keep you steady,” he said.

The Legislative Day festivities included an exhibitor fair on the Senate Lawn, where many tribal leaders and representatives from various interests mingled and conversed.

The Joint Protocol session took place in the House of Representatives and the gallery was packed with tribal members from across the state.

The Ira H. Hayes American Legion Post No. 84 posted the colors, while Miss Indian Arizona recited the pledge of allegiance.

Speaker of the House Andy Tobin and Senate President Andy Biggs provided the opening remarks before inviting President Shelly to the podium to speak.

His remarks to the body were focused on resilience and self-determination.

“The Navajo people live in the concept of T’áá hwó ájít’ éego, or self-reliance,” President Shelly said. “In this time of federal sequestration and budget cuts, this philosophy of T’áá hwó ájít’ éego is more important than ever.

“This doesn’t only apply to the Navajo Nation, but to all Indian tribes across the country,” he added.

During his address, President Shelly lauded the Navajo Nation Energy Policy of 2013 as a major accomplishment, providing the Nation with employment, economic development and continuing relations with Arizona.

“I’ve always said, what is good for Navajo is good for our neighbors,” he said.

President also reminded the legislators that the federal government has a trust responsibility to Native Americans and that they include vital revenue streams for areas such as health care and education.

He noted that North America once had 100 million Native Americans from hundreds of tribes who thrived and lived on these lands.

Where we stand today was once Indian land and I must give recognition to our host tribes of this area for allowing us into their territory – the Gila River Indian Nation, Salt River Maricopa-Pima Indian Community and the Ft. McDowell Yavapai Nation, he said.

Other featured speakers and legislators echoed this sentiment for the duration of the joint session, especially SRPMIC President Enos.

President Shelly touched on the Arizona Indian Education Act, data sharing and the promotion of STEM careers for students interested in Science, Technology, Engineering and Math.

He also spoke of the importance of supporting the Transaction Privilege Tax, which is up for discussion this legislative session.

Proposed amendments to the TPT legislation would send 25 percent of all state TPT funds generated on the Navajo Nation back to the Nation, Additionally, 75 percent of TPT funds would go back to counties serving the Nation for infrastructure development.

President said the TPT efforts were in step with Navajo Nation’s efforts to retain funding from the Fuel Excise Tax that currently funnels into the state budget at an average of \$4 million per year.

“We ask that these FET funds remain on the Navajo Nation and allow us to address the 14,733 miles of road that are on the Nation,” he said. “A total of 76 percent, or 11,352 miles, are unpaved and cost the Nation and counties a large amount of money to maintain.”

President Shelly also highlighted successful government-to-government relations with Arizona, in particular, the paving of Navajo Route 20 in August 2013.

He said the \$35 million project was a tremendous effort between Navajo Division of Transportation, Arizona Department of Transportation and the Federal Highway Administration to restore essential traffic from U.S. 89, which collapsed in Feb. 2013.

These partnerships are important because they foster intergovernmental relations and cooperation between the tribal, state and federal government for the benefit of all Americans,” President Shelly said. “We look forward to continuing positive relations with Arizona and the federal government.



President Shelly spoke with students from Northern Arizona University about the circle of life and the importance of education in the process. He said not to depend on anyone else, but to do for yourself. (Photo by Rick Abasta)



NAU students listen to advice from President Shelly, Sen. Carlyle Begay and Navajo Nation Council Delegate Walter Phelps before the start of the joint protocol session. (Photo by Rick Abasta)



The gallery of the House of Representatives was filled to capacity, as many natives from across Arizona listened in on the joint protocol session for the 19th Annual Indian Nations and Tribes Legislative Day at the State Capitol. (Photo by Rick Abasta)



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Budget and Finance Committee receives update on external funds reversions

WINDOW ROCK – On Tuesday, the Budget and Finance Committee received a report on federal and state external fund reversions, as of November 2013.

According to the Navajo Nation Office of the Controller accounting manager Laura Johnson, state and federal reversions have decreased from FY2008-2012.

“These reversions are a reflection of lost opportunities by the Navajo Nation, however state and federal reversions decreased substantially,” said Johnson.

According to Johnson’s report, state reversions were reduced from \$15.8 million to \$14.1 million, a decrease of \$1.7 million, and federal reversions were reduced from \$55.2 million to \$49.7 million, a decrease of \$5.5 million.

BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izhi) voiced concerns and inquired about the expenditures of external funds that are awarded to the Nation.

“Are we where we should be? Are we spending the money like we should be?” asked Delegate Begaye.

In response, Johnson stated that there is room for improvement to expend the money, and these are issues NNOOC plans to address in the near future to ensure that external funds are spent in a timely and efficient manner.

BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) raised another concern regarding divisions that receive external funding.

“Much of the road blocks are the divisions themselves because they are not being held accountable in spending these funds, and they report to the state and federal agencies regarding the awards,” said Delegate Nez. “That definitely needs to be addressed as well.”

Delegate Nez added that he hopes the divisions, under the Navajo Nation Office of the President and Vice President, address the external funds reversion issues to improve external funds spending.

BFC members voted 2-1 to accept the report.

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Council Delegates meet with Arizona House and Senate leaders



Photo: (left to right) Council Delegate Walter Phelps, Council Delegate Dwight Witherspoon, Arizona House Speaker Andy Tobin, Speaker Johnny Naize, and Michael Bielecki with Lewis Roca Rothgerber.

PHOENIX – On Tuesday, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) along with several other Council Delegates, attended the 19th Annual Indian Nations and Tribes Legislative Day at the Arizona State Capitol, to meet with state leaders to advocate for a variety of issues facing the Navajo Nation.

Among the issues discussed were the state’s budget allocations, revenue distribution from the state’s Transaction Privilege Taxes, the Arizona Corporation Commission, the proposed compact with Arizona to benefit Navajo Technical University, the Nation’s proposed 911 response system, and the AHCCCS program.

During a meeting with Arizona House Speaker Andy Tobin, Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) said the Navajo Nation should receive a fair distribution of the state’s Transaction Privilege Taxes to assist Diné College and Navajo Technical University with infrastructure development projects.

According to Delegate Witherspoon, the Nation currently receives only a small portion of the revenue from the TPT, adding that the Nation should receive an increased amount.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) urged Speaker Tobin to work collaboratively with Navajo leaders to fully establish and implement a 911 response system for the Navajo Nation.

Last October, Council members passed an enabling legislation to authorize the Navajo Nation Telecommunications Regulatory Commission to implement and manage a 911 emergency response system for the Navajo Nation.

Delegate Phelps, who sponsored the legislation in response to the needs and safety concerns expressed by Navajo people living in rural areas, said the Nation needs assistance from the state, particularly in working with the Federal Communications Commission.

Speaker Naize expressed his appreciation to Speaker Tobin for advancing the Nation's lobbying efforts which brought an end to the Arizona Corporation Commission's inquiry into the possible deregulation of Arizona's electric market, last September.

The outcome resulted in the Nation's successful acquisition of the former BHP Navajo Mine and also saved hundreds of direct jobs at the coal mine and at the Four Corners Power Plant, said Speaker Naize.

Following several meetings with state leaders, Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) called the Indian Nations and Tribes Legislative Day a "success."

"I was able to meet with several state leaders, both on the House and Senate, to talk about Medicare and Medicaid issues and to continue supporting [Gov. Jan Brewer's] initiative and support of it as well," said Delegate Butler.

Delegate Butler also thanked state leaders for taking time to discuss issues affecting Navajo people and said he looks forward to continuing working toward solutions that will benefit the Navajo Nation.

"I really appreciate Senator Carlyle Begay's open-door policy that he's established in the short time he's been in office," said Delegate Butler. "He is able to schedule meetings and bring in decision-makers, such as the [Arizona] Secretary of State and the [Arizona] Superintendent of Education and really begin that dialogue for our benefit and those in his district."

Several Council Delegates are scheduled to continue meeting with state leaders throughout the Arizona's 2014 Legislative Session, which commenced on Jan. 13 and is scheduled to convene through the end of April.

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Resources and Development Committee approves \$65,000 for Thoreau Senior Citizen Center Project

WINDOW ROCK – The Resources and Development Committee on Tuesday, approved Legislation No. 0372-13, a budget reallocation in the amount of \$65,000 for the Thoreau Senior Citizen Center Project under the Capital Improvement Office.

According to the legislation, in 2008 the Navajo Nation approved \$70,000 to renovate the Lake Valley Senior Citizen Center. However, other General Funds and External funds from the State of New Mexico were used to renovate and construct the facility, leaving the Nation’s funds unused.

The \$65,000 will be used to finish construction of the Thoreau Senior Citizen Center, located approximately 32 miles east of Gallup, N.M.

“This is important to our community and there is much need for this senior center. In the beginning there was a lot of misinterpretation on the construction team, which resulted in the shortfall. So, we have been working with the designing and engineering and the Capital Improvement Office,” stated legislation sponsor Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), who represents the community of Thoreau.

“I have attended many chapter meetings and the concern of the senior citizen center is being addressed by the elders and they ask ‘when is this going to happen?’” The building is there and it is a nice building but just needs approval. I don’t know how many times I can stress how important this is to us back in the Thoreau area,” stated Delegate Yazzie.

RDC Council Delegate Leonard Pete (Chinle), added that from the start of the project, federal policy acts were set into place and chapter house members began working on getting the senior citizen center up and running. It was through the Attorney General, that the legalization and opinion of how the transfer of funds, through the chapter, was going to be utilized.

The Attorney General said these things are provided for us, and I don’t think they really know how that opinion might affect or cost the Navajo Nation. It doesn’t provide a solution of how to deal with these problems that arise from that opinion and how the Navajo Nation ends up dealing with that. So, it really wasn’t a well thought through situation, stated Delegate Pete.

According to Delegate Yazzie, a minor electrical problem stalled the next phase of construction. Upon approval, the electrical problem will be fixed and Delegate Yazzie expects the facility to be in full-use within two weeks thereafter.

Currently, activities such as quilt making, game festivities and birthday celebrations are conducted regularly at two locations: Ramah Detention Center and the County's Senior Center.

According to the discussion, in some cases, other chapter houses do not have a senior citizen center and utilize their chapter facility as a senior citizen center.

"One example of a senior center that is not being used is in Churchrock. Churchrock is a strong chapter but they are advocating for a senior center and we are working on that project as well," stated Delegate Yazzie.

The RDC committee voted 4-0 to approve Legislation No. 0372-13. The RDC serves as the final authority for the legislation.

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**Law and Order Committee approves
the Navajo Adult Guardianship Act of 2014**

WINDOW ROCK – On Wednesday, the Law and Order Committee considered Legislation No. 0007-14, a bill that aims to approve and enact the Navajo Adult Guardianship Act of 2014 and amendments to Title 9 of the Navajo Nation Code.

According to legislation sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock), the proposed amendments create a statute that protects the rights of individuals facing guardianship issues based on perceived disabilities.

“This current code regarding adult guardianship was written in 1945, and has not been updated since,” said Delegate Simpson. “Even at that, the law itself is meager and has little guidance on how to handle guardianship issues, and it is time to change that.”

President of the Native American Disability Law Center Hoskie Benally, said that there is no current Navajo law that protects the right of decision-making in the daily lives of disabled individuals who are deemed competent enough to make judgments in their own best interest.

“When guardianship is awarded over another person [with disabilities], that person begins to lose freedom of decision-making, such as where they will attend school, where they shall live, or what type of medical care they require. The freedom of choice should be afforded to these individuals through Navajo law,” said Hoskie.

LOC member Council Delegate Russell Begaye (Shiprock) voiced his concerns regarding additional protections for financial assistance that disabled individuals may receive.

“We do not want disabled adults to be taken advantage of by family members or other institutions if the individual receives some sort of monetary assistance from Social Security or other programs,” said Delegate Begaye. “That money belongs to them and should not be exploited by anyone.”

In support of the legislation, LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) said there should also be protections against scams that

may take advantage of disabled persons that seek assistance from chapters or businesses, such as home repair, traditional healing services, etc.

“It is important to take care of our disabled people and I believe there should be protections to also protect from home repair, ceremony, vehicle repair scams,” said Delegate Begay, “and protecting them is all a part of K’é as Diné.”

At the conclusion of the meeting, LOC members expressed their encouragement of the legislation, saying that it is time to revise the Navajo guardianship laws and return the respect and decision-making to disabled persons, and ensure their liberties are protected under Navajo law.

LOC members voted 3-0 to approve Legislation No. 0007-14. The legislation now goes to the Health, Education, and Human Services Committee for consideration.

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FOR IMMEDIATE RELEASE
January 15, 2014

President Shelly signs Executive Order No. 09-2014

Also meets with FEMA Region VI Federal Coordinating Officer Nancy Casper



On Jan. 6, 2014, Navajo Nation President Ben Shelly signed Executive Order No. 09-2014, which provides policies and procedures to administer FEMA grants and projects. Navajo Nation Department of Emergency Management, FEMA and the Public Health Emergency Preparedness Program joined President Shelly for the signing ceremony in Window Rock. (Photo by Rick Abasta)

On Jan. 15, 2014, Nancy Casper, federal coordinating officer for FEMA Region VI and the New Mexico disaster and public assistance team met with Navajo Nation President Ben Shelly.

The FCO cadre is currently conducting site visits across the Nation for damages from the monsoon of 2013 and scheduling training for FEMA-sponsored classes.

The visit came a week after President Shelly signed Executive Order No. 09-2014 into law on Jan. 6. The executive order provides policies and procedures to administer grants and projects from FEMA.

President Shelly said, "This executive order will streamline the process for the Navajo Nation and FEMA to respond to emergencies quickly and efficiently."

The order mandates internal policies that will govern FEMA grants awarded to the Nation as the grantee. Additionally, the Navajo

Nation may also be designated as a sub-grantee of FEMA grants awarded to Arizona, New Mexico and Utah.

"These policies and procedures are not only instrumental for the Nation to administer FEMA grants, but they also strengthen our ability to work with the states during times of disasters," President Shelly said.

"The executive order assists with our rollout of new policies and procedures that will get the FEMA funds to chapters and programs a lot faster than previous years," said Rose Whitehair, director for the Navajo Nation Department of Emergency Management.

"For Indian Country, we need emergency managers and trained personnel in the worst way," she said.

FEMA personnel from the national level have been on the Navajo Nation for weeks now identifying New Mexico chapters that incurred damage from the summer monsoons.

The need for Navajo-speaking emergency coordinators is legitimate, especially at the chapter level for communication purposes. Beyond the obvious interaction considerations, trained tribal personnel are also needed to provide appropriate cultural sensitivity during emergency situations.

“This is an opportunity for us to do the right thing,” said George Kelly Casias, FEMA Tribal Liaison assigned to the Navajo Nation.

Casias has been on the Nation assisting Whitehair with project worksheet development for chapters walloped by the 2013 monsoon. The storms resulted in major flooding in 86 of the 110 chapters on the Navajo Nation.

He noted that the worksheets detailed the community, the county in which the incident occurred, extent of damages, and the number of families that were affected.

“We are trained to deal with disasters,” Whitehair said. “When bad things happen, they call us. It’s our passion to be here to help our people.”

She explained that every disaster occurrence is given a number by FEMA.

DR-4148 is for disaster flooding between July 23 to 28, 2013. DR-4152 reported on flooding from Sept. 9 to 22, which hit some communities three times.

The new executive order provides policies and procedures for payout of disaster funds for NNDEM, which was previously guided by the Mechanism of Instruction and through advice and counsel from Office of the Controller, Office of Management and Budget, Department of Justice and Office of the President and Vice President

Whitehair said the guidelines follow the framework of the MOI and allows pass-through funding of FEMA grants.

FEMA’s public assistance money is based on cost estimates from chapters, which the agency determines is qualified or not qualified for 75 percent reimbursement for costs incurred during the disaster emergency.

“Public assistance funding is for roads, buildings, playgrounds and other infrastructure the Navajo Nation is responsible for,” Whitehair said.

There were a lot of the problems with the old system, she said, such as overpayments to chapters, wrong account and project numbers, and improper reimbursements.

NNDEM had roughly \$11 million in funding, the majority of which passed through the department to chapters and programs on the Nation.

“We help all the agencies to turn in their proper documentation. We go out there (to the chapters), look at the site, document the site damages and write a cost estimate,” Whitehair said.

The cost estimates are detailed in a project worksheet, which specifies the disaster, description of damages, and the necessary scope of work to return the site to pre-disaster conditions.

Chapters are encouraged to take photos of the damage during the disaster and after conditions are restored to normal conditions.

“The policies and procedures are going to make this process a lot smoother and faster for the chapters and programs. We’re excited about this,” Whitehair said.



On Jan. 15, 2014, FEMA Federal Coordinating Officer for Region VI, Nancy Casper and the New Mexico disaster and public assistance team met with President Shelly. The FCO cadre discussed site visits and training across the Navajo Nation. (Photo by Rick Abasta)



President Shelly speaks to officials from the Federal Emergency Management Agency for Region VI about disaster emergencies on the Navajo Nation.. (Photo by Rick Abasta)



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Naabik'iyáti' Committee approves amending the term sheet for the proposed Gaming Compact with the State of New Mexico

WINDOW ROCK – During a special meeting held on Monday, Naabik'iyáti' Committee members voted 16-0 to approve Legislation No. 0002-14, to amend Resolution No. NABIMA-14-13, a term sheet for an amendment to the proposed Gaming Compact between the Navajo Nation and the State of New Mexico.

The Naabik'iyáti' Committee initially approved the term sheet on March 8, 2013 which was later approved by the New Mexico State Legislative Committee on Compacts. However, the Compact was not introduced to the Senate floor for a vote during last year's state legislative session.

Chair of the Naabik'iyáti' Committee's Gaming Task Force Subcommittee Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse'Daa'Kaan, Upper Fruitland), said that a result of concerns brought forth by various New Mexico gaming tribes and by the U.S. Department of the Interior, Naabik'iyáti' Committee members determined that it was necessary to reopen negotiations to amend the proposed Gaming Compact.

Among the concerns addressed were revenue sharing as it relates to "free play" in casinos, the removal of all references to Class II gaming within the Compact, the removal of internet gaming provisions, contributions to problem gambling programs, and the number of gaming facilities the Nation is allowed to operate within the State of New Mexico, according to Delegate Bates.

One of the subcommittee's top priorities when negotiating the Compact, said Delegate Bates, was to secure five Class III gaming facilities for the Navajo Nation. Currently, the Nation operates two Class III facilities, which include Fire Rock Navajo Casino and Northern Edge Navajo Casino.

"The state—throughout negotiating from the very beginning—up until the eleventh hour, wanted the Nation to reduce its [gaming] facilities all the way down to three," stated Delegate Bates. "The gaming task force team stayed firm from day one, all the way up to where we are today."

According to the term sheet, the Nation will be able to establish a third Class III gaming facility after 5 years from the date of execution of the Compact, a fourth after 10 years, and a fifth after 15 years. In addition, the Nation is required to have 15,000 enrolled members residing in New Mexico for each additional facility.

Delegate Bates also explained that the Nation was able to lower the percentage of revenue sharing from 10.25% to 10% from years 2015-2030, as a result of recent negotiations. Beginning in 2030, the percentage would increase to 10.75% until the expiration of the Compact in 2037.

Delegate Bates reaffirmed the Nation's position that the negotiated Compact is fair to both the State of New Mexico and the Navajo Nation.

The current Compact, which the Nation signed onto in 2003, is scheduled to expire in June 2015. Along with the Navajo Nation, four other tribes in New Mexico are also a party to the 2001 Compact.

Upon approval by the Committee on Compacts, the proposed Compact will be forwarded to the New Mexico State Legislature for consideration. The legislature, however, cannot offer any further amendments to the Compact.

If approved, the Compact will then be submitted to the U.S. Department of the Interior for final approval, as required by the Indian Gaming Regulatory Act.

Near the conclusion of the meeting, Naabik'iyátí' Committee members voted to enter executive session to discuss Legislation No. 0003-14, sponsored by Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat), which seeks the removal of Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) from his position as Speaker of the Council.

The item was added to the committee's agenda at the start of the meeting, however, several delegates questioned whether or not the legislation had completed the five-day comment period, as mandated by Navajo Nation law.

The item failed to receive a motion to bring forth the legislation for discussion.

Following the three-hour executive session, Speaker Naize said he remains optimistic, adding that he admires the perseverance and collectiveness displayed by the Council members during this time of adversity.

"When our Diné people were forced into captivity in Fort Sumner, our leaders stood united and remained strong throughout," stated Speaker Naize. "It is that same type of dignity and resilience within our current leaders that will maintain unity and prosperity amongst Council and will continue to move this Nation forward in a positive direction."

The Naabik'iyátí' Committee has yet to take official action on Legislation No. 0003-14. The Navajo Nation Council serves as the final authority for the legislation.

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Council Delegate Jonathan Hale encourages enrolled Navajos to apply for health coverage to avoid paying tax penalties under the Affordable Care Act

WINDOW ROCK – In accordance with the Affordable Care Act, beginning in 2014, individuals are required to have health coverage or pay a tax penalty, also known as the “individual shared responsibility payment,” unless they qualify for an exemption.

Enrolled members of the Navajo Nation may apply for an exemption from this requirement and are urged to apply prior to filing their 2014 taxes in 2015.

“The importance of the ACA is to recognize the strain on the economy of the health care industry and how that relates to personal health at home. Congress realized that it's a subsidy to allow people to live as they please but if they don't tend to their health, it's an inherited unhealthy lifestyle which eventually affects family, social factors, and appropriation factors in Congress and states,” stated Council Delegate Jonathan Hale (Oak Springs, St. Michaels), who also chairs the Health, Education, and Human Services Committee.

On March 23, 2010, President Obama signed the Affordable Care Act in an effort to establish comprehensive health insurance improvements to help make health insurance coverage more affordable and accessible for millions of Americans.

For Native Americans and Alaska Natives, the law is intended to address inequities and increase access to quality, affordable health coverage, to invest in prevention and wellness, and to give Native American individuals and families more control over their care.

“The ACA is an opportunity to understand the health disparities we face as Navajo and how that affects our children. By learning this, we gain knowledge of good eating, healthy living and exercise. We must also understand how outside hospitals provide patient care and how we can emulate that with our 638 entities and request of them to provide that education and prevention through clinics. This is also for the 638 programs the Navajo Nation has under its responsibility to adjust to changes and capitalize on prevention,” said Delegate Hale.

According to the U.S. Department of Health and Human Services website, the Affordable Care Act will provide 579,000 uninsured American Indians and Alaska Natives an opportunity to get affordable health insurance coverage.

The Tribal Exemption form can be accessed at the website below:

<http://marketplace.cms.gov/getofficialresources/publications-and-articles/tribal-exemption.pdf>

In-person assistance is available for those that need help with the application form. Please visit the following site to locate a local application assistant: <https://localhelp.healthcare.gov/>.

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Council Delegate Katherine Benally advocates for acceptance of modular buildings for Navajo Head Start

WINDOW ROCK – Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) met with Navajo Head Start administrators last Wednesday to discuss concerns regarding the Navajo Nation’s pending acceptance of used modular buildings donated by Gallup-McKinley County Schools, authorized by superintendent Frank Chiapetti.

Delegate Benally explained that the acceptance of the modular buildings could only be made official through the approval of Navajo Nation President Ben Shelly.

According to Delegate Benally, she began advocating for the initiative when it was known that GMCS superintendent Chiapetti approached NHS assistant superintendent Sharon Singer, and offered the Nation approximately 90 modular buildings for the NHS program in September 2013.

“We are imploring the President to accept these modular buildings, and if he does not approve them, he is doing a disservice to the Navajo people and children. Otherwise, I will gladly draft legislation to approve the building donations,” said Delegate Benally. “We have over 200 students on a waiting list in Kayenta, waiting to begin head start—this is unacceptable.”

Kayenta Chapter President Stanley Clitso, added that the Kayenta Unified School District has already set aside land areas for future head start infrastructures. Currently, Kayenta’s head start program is housed in two mobile homes that house a maximum of 30 students per building.

In a statement received from the Office of the President and Vice President, President Shelly stated that he is aware of the situation and would like to ensure that the buildings are safe and sufficient for children and staff. He said his chief concern is the current state of most Navajo Head Start buildings, in which he said were “outdated and dilapidated.”

President Shelly said he is looking forward to signing the agreement to accept the modular buildings as soon as the Navajo Nation Division of Diné Education Board and Policy Council approve resolutions to support the efforts of the initiative.

“This is a wonderful opportunity for the Nation to take advantage of,” said Delegate Benally. “Our focus should be on the education and safety of Navajo children, and I believe the acceptance of the modular buildings accomplishes that.”

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FOR IMMEDIATE RELEASE
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Law and Order Committee receives report from Navajo County officials

WINDOW ROCK – On Monday, the Law and Order Committee received a report from Navajo County officials, regarding public safety, public works, health, and an upcoming emergency management summit, from Navajo County Supervisor Jonathan Nez and Navajo County Sheriff Kelly Clark.

Supervisor Nez, who also serves as a Council Delegate, stated that the relationship between the Navajo Nation Division of Public Safety and Navajo County Sheriff’s Office is very positive, particularly as it relates to cross commissioning of Navajo Nation and Navajo County law enforcement agencies.

“I think it is important to state that the cross commissioning agreements between the Nation and Navajo County are working,” said Supervisor Nez. “And we hope that this can serve as a model to other counties that lie within the Navajo Nation boundaries.”

In appreciation of the relationship between the Navajo Nation and Navajo County, LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) expressed his gratitude for the continued work between both governmental entities and requested for a thorough report regarding public safety relations in the future.

“It is important for the Navajo Nation and Navajo County to meet and report regularly to update us on the status of the cross commissioning initiative,” said Delegate Begay. “I commend the relationship between both public safety agencies because the communities I represent lie within Navajo County.”

Sheriff Clark said that Navajo County has worked with the Navajo Nation on other public safety issues such as aiding in serving federal arrest warrants, K-9 drug searches in reservation schools, community checks, and community outreach programs.

Supervisor Nez added that Navajo County also aided the Navajo Nation in other areas, such as improving and maintaining roads due to natural disasters, recertifying BIA officials to climb and repair windmill towers, teen pregnancy programs, drug prevention in schools, physical fitness and wellness programs, and a tri-county emergency management summit held in November 2013.

“Navajo County, Coconino County, and Apache County met with Navajo Nation officials to discuss how we can all collaboratively respond to emergencies and natural disasters,” said supervisor Nez.

Supervisor Nez said that another summit would take place soon to inform all Navajo chapters of the partnership between the three counties and the Navajo Nation, adding that they hope to include the Hopi Tribe in the summit and begin discussion with their leaders.

At the conclusion of the meeting, LOC members voiced their support for the cross commissioning initiative, as well as the strengthened relationship between the Navajo Nation and Navajo County, and said they hope this will serve as a model to other tribal/county governmental entities.

LOC members voted 3-0 to accept the report.

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FOR IMMEDIATE RELEASE

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PROMOTING VIABLE
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THROUGH NAVAJO
VALUES

January 13, 2014

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Division of Community Development to host Summit on the Local Government Support Centers (LGSC) Decentralization plan in Chinle, AZ

Window Rock, AZ - The Division of Community Development (NNDCCD) will host the LGSC Decentralization Summit at the Chinle High School Gymnasium, in Chinle AZ on Thursday, January 16, 2014.

NNDCCD developed a proposed plan to transition the five agency Local Governance Service Centers (LGSC) into regional Administrative Service Centers. The LGSC office currently provides administrative and technical services to all 110 chapters.

There are currently 16 proposed centers under consideration, and each service center will have an accountant and senior planner and legal services from regional attorneys.

These proposed positions would provide immediate administrative and technical support to chapters, to increase chapter projects, planning and direct services to the people.

This proposed plan is a result of Budget and Finance Committee (BFC) directive issued to NNDCCD on July 05, 2013, to develop a comprehensive decentralization plan to transition the LGSC into regional Administrative Support Centers.

The Navajo Nation Council allocated funds in the amount of 3.0 million dollars to establish the regional service centers by fiscal year 2014.

Under the NNDCCD decentralization plan, some of the authority of the central administration is re-delegated to lower levels of management to minimize the lengthy bureaucratic process and increase direct services to chapters.

The Summit will begin at 1 P.M. in the afternoon. The Decentralization Task Group presentation will be followed by public discussion and comment.

For additional information, please contact Ms. Shirlene Jim, Legislative Associate with the Division of Community Development at (505) 371-8468.



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FOR IMMEDIATE RELEASE

January 9, 2014

**Health, Education, and Human Services
Committee receives report from the Navajo Utah Commission**

MONTEZUMA CREEK, Utah – On Wednesday, the Health, Education, and Human Services Committee received a report from the Navajo Utah Commission, regarding a plan of operation and various issues and concerns including funding shortfalls, educational deficiencies and safety issues.

Clarence Rockwell, executive director of the Navajo Utah Commission, stated that currently, the Commission has a small operation budget which allows for three staff members to meet ten times a year. Under such conditions, Rockwell noted that it has been difficult for the Navajo Utah Commission to communicate effectively with state legislators.

“We want our voices to be heard in the tribal government that was the basis of forming this Commission. Sometimes, our issues aren’t really heard or recognized nor discussed. We are supposed to interact and work on our people’s behalf and improve services and resources,” stated Rockwell.

According to the report, the State of Utah recognizes the right of Native American tribes to self-government; therefore, the State of Utah continues to work with Native American tribes on a government-to-government basis. This includes issues addressing tribal self-government, trust resources, tribal treaties, and other rights.

“The issue of education is always a major issue because of the poor performing schools we have here on the reservation. We talked to the State’s Department of Education this fall, and they initiated a grading system all across the State of Utah, and unfortunately for us, the schools they were given failing grades. We talked with the school districts to improve the performance of our schools but it seemed like we are not making progress or advancing,” said Rockwell.

Recently, the Utah State Office of Education began a new grading system for schools that is designed to provide school accountability. Navajo Utah Commission proposes the Utah State Office of Education and San Juan District to work diligently with schools, parents, and community leaders in reaching academic success.

“All the schools within San Juan District that reside and operate near Navajo Nation are D’s and F’s. That’s bad. I think that we need to get more analyses on this or possibly work with the Department of Dine’ Education,” said Council Delegate Joshua Lavar Butler (Tó Nanees Dizi).

HEHSC members also discussed a recent incident that occurred at the Montezuma Creek Elementary School involving carbon monoxide poisoning due to the malfunction of a water heater, resulting in dozens of students needing medical help. As a result, the Navajo Utah Commission is urging the State to support the installation of monoxide detectors and emergency evacuation plans for schools state-wide.

“Carbon monoxide is a poisonous gas that you cannot see or smell. What if something like this happens again? Why can’t we have these carbon dioxide detectors? I think that this committee needs to somehow enforce a letter to get carbon monoxide detectors. There is only one [detector] in the chapter house,” said Council Delegate Kenneth Maryboy (Mexican Water, Ante, Teecnospos, Tólikan, Red Mesa).

At the conclusion of the meeting, the HEHSC members expressed their continued support in advocating for the issues affecting Navajo constituents living in the State of Utah.

HEHSC members voted 3-1 to accept the report.

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FOR IMMEDIATE RELEASE
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Budget and Finance Committee receives update on regionalization plan

WINDOW ROCK – On Tuesday, the Budget and Finance Committee received an update report regarding the regionalization/decentralization plan, an initiative currently headed by Navajo Nation Division of Community Development executive director Leonard Chee.

According to the report, Chee stated that the initiative has placed an emphasis on developing the staff positions that will operate the Agency Support Centers, as part of the decentralization plan.

“The Local Governance Service Centers will be phased out, so this is a decentralization transition,” said Chee. “The new positions will be created and current positions will transfer, however some positions require [college] degrees and a certain amount of experience.”

Chee said the regionalization plan is an attempt to decentralize the Navajo Nation government to provide direct services to chapters at the local level, to lessen the hurdles that agencies face when trying to obtain services that are generally available in Window Rock, where the central government functions.

BFC chair Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) expressed his concern regarding the implementation of the regionalization plan.

“How are you going to implement this plan? The reason I ask is I don’t think we all expect this to be a smooth transition all at once because the intent might go away,” said Delegate Bates. “You will need to work through those challenges that you will face when you implement this plan.”

Chee said that preparation for staff positions and the number of Administrative Service Centers are still being finalized, and that the next step is to decide where the ASC’s will be located and when they will begin to function after funding has been allocated for specific purposes.

The Navajo Nation Council approved \$3 million for FY2014 to be used for the regionalization of chapter agencies.

Although BFC members voiced their support for the regionalization/decentralization initiative, Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tse Si’ani, Wide Ruins) expressed

his concerns regarding the lack of timely implementation, while pointing out that Navajo Nation President Ben Shelly's current term concludes within the next year.

"I think we should cease and desist all of this [regionalization] activity until there is a newly elected administration that comes in, if they decide to, they can pick this [initiative] back up again," said Delegate Curley. "It is President Shelly who claims ownership over this [project]."

Despite Delegate Curley's concerns, BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts'ah Bii Kin) voiced his support and appreciation for the continuation of the regionalization initiative.

"I would like to thank Mr. Chee and his team for their hard work on this plan because a power line, water line, or road, does not end at the chapter boundary, so there is a need for regional planning and the opportunity for chapter communities to work together," said Delegate Nez.

At the conclusion of the discussion, Delegate Nez said the vision of the regionalization and decentralization plan is to provide direct services to the Navajo people, and that it is for the betterment of chapter communities.

BFC members voted 5-0 to accept the report.

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DIVISION OF SOCIAL SERVICES DEPARTMENT FOR SELF RELIANCE



FOR IMMEDIATE RELEASE

January 7, 2014

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Program Changes to a Department, Integrity and Mission Remain the Same.

WINDOW ROCK, Ariz. – The Navajo Nation Program for Self Reliance has evolved from a program into a department and will now be known as the Department for Self Reliance (DSR).

On January 2, 2014, the Low Income Home Energy Assistance Program (LIHEAP), General Assistance Program, Burial Assistance Program and Emergency Assistance Program transferred from the Division of Social Services' Department of Family Services to the Division of Social Services' Department for Self Reliance (DSR).

Mrs. Roxanne Gorman, NNDSR Department Manager III states, "the program focused on TANF, but with the incorporation of LIHEAP and GA it increases our role and as a result we are now a department. Funding has increased annually from thirty-one million to forty-eight million as well as serving twenty-five hundred (2500) TANF clients to include twelve hundred (1200) GA clients per month and eight to ten thousand (8,000-10,000) LIHEAP clients per year."

The department goals remain the same, to assist those in need and to empower those in need to become self-sufficient. For more information please visit your local DSR Office or call DSR Support Services toll free at (866) 347-2403 or direct at (928) 810-8553.

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FOR IMMEDIATE RELEASE
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Naabik'iyáti' Committee members discuss the proposed Navajo Department of Health Act of 2013

FLAGSTAFF – Last Friday, Naabik'iyáti' Committee members met with the Navajo Division of Health, Vice President Rex Lee Jim, and representatives from various health providers from across the Navajo Nation to discuss the proposed Navajo Department of Health Act of 2013, which aims to rename the Nation's current Division of Health and to consolidate certain responsibilities and authorities under the proposed department.

According to Legislation No. 0346-13, health care and public health programs and activities including monitoring, evaluation, regulatory, enforcement, and coordinating functions “should be placed within the Navajo Department of Health to appropriately meet the public health needs of the Navajo Nation and the Navajo people.”

On Monday, legislation sponsor Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) reiterated the need for the proposed Department of Health.

“The establishment of an entity to which will be given responsibilities to address health care across all of the Navajo Nation is very much needed, because no entity currently has the responsibility to monitor, evaluate, regulate and protect Diné citizens regarding quality and culturally appropriate health care,” stated Delegate Witherspoon in an email.

The legislation was previously voted down by the Law and Order Committee and the Health, Education, and Human Services Committee. On Dec. 5, the Naabik'iyáti' Committee voted 11-0 to table the legislation, which included a directive to conduct a work session to address the bill.

The majority of Friday's discussion centered on the potential impact on “638 programs” currently operating on or near the Navajo Nation, including the Navajo Utah Health System, Inc. which is a non-profit health care system that operates four health care facilities in Navajo Mountain, Monument Valley, Montezuma Creek, and Blanding, under a P.L. 93-638 Title V Self-Governance Compact with the federal government.

Navajo Utah Health System, Inc. CEO Donna Singer and board member Robert Whitehorse, expressed skepticism over certain parts of the legislation that they say, may cause delays in submitting grant proposals and may interfere with funding received through “638 contracts.”

“638 programs” are defined under Public Law 93-638, the Indian Self-Determination and Education Assistance Act of 1975, which authorizes the U.S. Secretaries of the Interior, Health, Education, and other government agencies to enter into contracts with federally recognized tribes to allow tribes to administer funds, giving them greater control over their welfare.

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts'ah Bii Kin) advocated for the "638 programs" saying such programs should be allowed to be "exempt" from the proposed law if they choose to do so.

"These local health care facilities throughout Navajo have the ability to run their own and be self-sufficient based on self-determination and we've supported that before," said Delegate Nez. "We supported regionalization/decentralization to bring services closer to the people, but this legislation before us is kind of going backwards now."

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) spoke in support of the legislation and said that "exemption" should not be an option for any health care entity.

"I support Navajo sovereignty and I think we should pass this, but with amendments," stated Delegate Tsosie, prior to offering numerous recommendations to amend the current bill.

Delegate Tsosie later suggested that Delegate Witherspoon withdraw the legislation, and that a task force be created to work with all sides to develop a more comprehensive legislation that could be brought forth to the Council for consideration, during its spring session.

On Monday, Delegate Witherspoon indicated that he would not withdraw the legislation immediately and would first seek to amend the current bill, adding that he is open to creating a task force if the task force focuses on amendments that improve the legislation.

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FOR IMMEDIATE RELEASE
January 6, 2014

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**Law and Order Committee receives report regarding
opposition of the Red Barn liquor sales license renewal**

WINDOW ROCK – The Law and Order Committee received a report on Monday, regarding the opposition of the Red Barn liquor store liquor license renewal by the local Navajo community residing in and around Sanders, AZ.

Char James, a consultant and leading advocate for the communities opposing the liquor license renewal, said that the initiative aims to prevent the renewal of Red Barn’s liquor license sought by owner Gary Allen McDonald, who was recently indicted on manufacturing and distributing methamphetamine drugs.

“I have statistics that show how this liquor establishment has affected the Sanders area and Navajo people,” said James. “It has caused homicides, suicides, accidents, and drug use.”

James referred to a pending court case in the Apache County Superior Court, in which McDonald is currently facing drug possession, sales of various drugs, and weapons charges.

Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tse Si’ani, Wide Ruins) spoke on behalf of the communities he represents that are affected by the Red Barn liquor sales in the Sanders area.

“We are asking for support from the Navajo Nation to aid us in revoking the liquor license of the owner because the communities have expressed their frustration that the establishment has had in their communities,” said Delegate Curley.

Delegate Curley requested the LOC aid in the initiative as far as seeking attorneys, resources, and legislation that would put pressure on Apache County to revoke the liquor license to decrease the negative effects on the surrounding Navajo communities.

“There are people dying and suffering, and I believe there is an alliance between the business and political entities in that area, and they continue to do nothing to help the people they sell to,” said Delegate Curley.

LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) expressed his support of the initiative and provided insight regarding the potential revocation of the liquor license issue.

“Currently, the Red Barn establishment is on private property and is not in the jurisdiction of the Navajo Nation, so this may pose a problem. However, I believe we need to reach out to the [Apache] County leaders that oversee liquor licenses, especially those who issue them,” said Delegate Shepherd.

In agreement, LOC chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) suggested the Navajo Nation Human Rights Commission be included in addressing these issues, in hopes they may aid James’ initiative to revoke Red Barn’s liquor license.

At the end of the discussion, LOC members unanimously expressed their support in regards to the initiative and said they hope it sets a precedent to strengthen future regulation of border town liquor businesses by the state.

LOC voted 4-0 to accept the report.

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Health, Education and Human Services Committee receives report on Contract Support Cost Claims

WINDOW ROCK – Last Wednesday, the Health, Education, and Human Services Committee received a report regarding Contract Support Cost Claims, based off a submitted claim from the Navajo Area Indian Health Service to President Ben Shelly for approximately \$17 million.

Under the Indian Self Determination Act, any tribe or tribal organization can apply with the United States to take over any federal program that provides services to Native Americans. In return, the government provides the contracts and funding for these federal programs.

Steven Boos, attorney for Maynes, Bradford, Shipp & Sheftel, LLP., said the problem with providing funding is that the BIA and IHS have never come to Congress to request for 100% of what tribes need to cover their administrative costs.

“Congress wanted to ensure that tribes didn’t have to take money from direct services out of the administrative functions. So, they added the 106A2 amount or contract support costs, which is an amount of money that is designed to ensure that when a tribal organization takes over a federal program it actually has enough money to pay for all the administrative costs associated with running that program,” said Boos.

There have been decades of litigation over the issue of how much money tribes are entitled to based off their contract support allocation through federal programs.

Boos also stated that there have been some settlements involving the Navajo Nation. However, the Navajo Nation has not participated in all litigations largely due to miscommunication within the Nation’s departments.

According to Boos, agencies are supposed to submit shortfall reports, which is an accurate representation in the difference in the amount of money that the tribe was projected to receive in accordance with their contract and what it actually received. Through these agencies, it is now known that these shortfall reports were only “estimates.”

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) questioned the time frame and process of retrieving documentation from the Navajo Nation through these shortfall reports.

“Is your goal basically to reach the estimated amounts or to get as much documentation as possible to get as close as possible to that estimated amount?” asked Delegate Phelps.

Boos stated that there are two separate documentations for IHS claims and BIA claims that they have been working on. In both cases, documentation began in 2006, which has enabled them to find some of the documents needed.

Audits will be conducted in the Navajo Nation to show how much is spent on administrative costs.

“Navajo was selected and they want to look at your documents for 2005 calendar year. Most the documents have been collected on how to calculate your contract claims,” stated Boos.

Chair of the Health, Education, and Human Services Committee Council Delegate Jonathan Hale (Oak Springs, St. Michaels) stated that a couple years ago that the Navajo Nation Department of Justice notified all division directors and branches that they needed to document all contract support costs within certain time periods.

“All the monies within the Navajo Nation come from various sources. Even this committee, we are dealing with approving some of these contracts that are coming back down from IHS. In the amount of time we spent talking about funding issues, that would somewhat be administrative support costs and needs to be noted for reimbursement purposes. This was one of the things that the Department of Justice wanted everybody to keep track of,” said Delegate Hale.

The HEHSC will vote whether to accept the report at their next scheduled meeting.

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Navajo Transitional Energy Company, LLC closes deal to acquire coal mine

WINDOW ROCK – On Dec. 30, ownership of Navajo Mine was officially transferred from BHP Billiton to the Navajo Transitional Energy Company, LLC following the Navajo Nation’s approval of Legislation No. 0367-13, a bill that grants a limited waiver of the Nation’s sovereign immunity to allow NTEC to obtain performance and reclamation bonds to acquire the coal mine.

Following the Council’s passage on Dec. 27, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) signed the bill which was then sent to President Ben Shelly’s office for his signature.

“We have to thank the Council and I know there are delegates who opposed it and they have every right to, but we respect their vote,” said Speaker Naize during the brief signing ceremony.

Speaker Naize also acknowledged and expressed appreciation to members of the Council including Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) who sponsored the legislation, the NTEC management committee, and others involved in bringing the acquisition to a close.

“I understand there were glitches that we’ve gone through and it was difficult, but in the end you all succeeded,” Speaker Naize stated.

The legislation was first brought forth to Council on Dec. 23 and following a lengthy discussion, Council members voted to table the bill.

In his remarks to Council on Dec. 23, Delegate Bates urged the approval of the mine acquisition to make the Nation a “player” in the energy industry and to end decades of “sitting on the sidelines.”

The finalization of the acquisition also allowed the owners of the Four Corners Power Plant and NTEC to finalize a coal supply agreement that will be in effect beginning in 2016 through 2031, following the expiration of the current coal supply agreement.

On Wednesday, the Four Corners Power Plant permanently closed Units 1, 2, and 3 of its power plant due to an agreement made in compliance with the U.S. Environmental Protection Agency’s final regional haze rule which required the closure by the end of 2013.

Units 4 and 5 of the FCPP will continue to operate using coal supplied from NTEC. Units 4 and 5 will also require selective catalytic reduction controls to be installed and operating by July 31, 2018, in compliance with the agreement with the EPA.

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President Shelly signs into law Resolution No. CD-60-13 Legislation passed by Navajo Nation Council, finalizes purchase of Navajo Mine



On Dec. 27, 2013, Navajo Nation President Ben Shelly signed into law Resolution No. CD-60-13 and finalized provisions for the Navajo Nation to obtain performance and reclamation bonds required for the purchase of Navajo Mine from BHP-Billiton. President Shelly said the purchase secured the economic future of the Navajo Nation and strengthened the energy policy. (Photo by Rick Abasta)

During the evening hours of Dec. 27, Navajo Nation President Ben Shelly signed into law Resolution No. CD-60-13.

“This legislation allows us to move forward with the purchase of Navajo Mine for the benefit of the Navajo Nation,” President Shelly said. “We have secured a vital revenue stream for the Nation with this purchase.

“The coal mine purchase secures our economic future, strengthens our Navajo Nation

Energy Policy and the portfolio of the Nation,” he added.

Martin Ashley, executive director for the Office of the Navajo Tax Commission, said the Navajo Nation receives between \$50 to 70 million annually in royalties, taxes and leases from both the power plant and the mine.

“There are people who want renewable energy to fund the Nation, but for the generation of electricity, solar and wind are more expensive than coal.

Coal is a cheaper way to produce electricity,” Ashley said.

The 22nd Navajo Nation Council approved the legislation by a vote of 17-5, which was applauded by a majority of the people in the gallery. Speaker Johnny Naize signed the legislation before it was sent across the street to President Shelly to sign into law.

The Council’s resolution outlined provisions for the Navajo Nation to obtain performance and reclamation

bonds required to finalize the purchase of the Navajo Mine from BHP-Billiton.

To complete the transaction, an approval of an alternative forum for enforcement of binding arbitration and ancillary proceedings pursuant to the Navajo Nation Sovereign Immunity Act was required.

The special session began after 3 p.m. on Dec. 27, after the day was spent debating the legislation during a work session requested earlier in the week.

Discussion on Legislation No. 0367-13 originally began on Dec. 23 and was debated by the Naabik'iyati' Committee during a special session.

On that date, delegate Lorenzo Bates (Nenahnezad, Newcomb, San Juan, T'iistoh Sikaad, Tse'Daa' Kaan, Newcomb, San Juan, Upper Fruitland) sponsored the legislation and underscored its importance to the Nation.

Bates said, "For 54 years, this Nation has sat on the field, on a bench, collected and had no say on a resource that we have 100 years of. We are here today, by virtue of your vote, to have a say, to be able to determine a future of that coal."

During the session, discussions were halted after an outburst from protestors opposing the legislation. Subsequently, the committee adjourned and forwarded the legislation for consideration by the full Council, which convened for another special session later the same afternoon.

Navajo Police were also called in to quell any further disturbances.

During that session, delegates reached an impasse from discussions regarding the voting requirements for the legislation.

Delegate Russell Begay (Shiprock) motioned for the legislation to be passed by a supermajority, or two-thirds vote of the Navajo Nation Council. Begay's motion sparked a flurry of opinions on the floor.

Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) eventually motioned for a work session to thoroughly discuss the legislation and the voting requirements. Subsequently, the legislation was tabled and a work session was scheduled for Dec. 27.

During the Dec. 27 work session, Navajo Nation Attorney General Harrison Tsosie spoke about the decision to purchase the mine after owners of Four Corners Power Plant and BHP-Billiton could not reach

agreement on the price of coal in July 2012.

Other considerations factored into the decision making process included the Arizona Public Service Company's power plant lease expiration in 2016, which if closed, would have a negative impact on the Navajo Nation's economy.

"The one thing that I want to reiterate that's important to this (decision) is the fragile economy of the Navajo Nation," Tsosie said. "What we're actually doing here today is in essence, preserving an economy that exists here on the Navajo Nation."

He explained that coal is extracted daily and is utilized to generate electricity, a product of the Navajo Nation that is sold to the outside world.

"This particular activity generates an income 24 hours a day, seven days a week. It's one of the few industries that exists on the Navajo Nation that generates that kind of income," Tsosie said.

Because the legislation passed, the purchase of BHP Navajo Coal Company was completed on Dec. 30, 2013 and ownership was transferred to NTEC. The same day, NTEC and Four Corners Power Plant executed a coal supply agreement from July 2016 through 2031.

Steve Gundersen, chairman of Navajo Transitional Energy Company Board, said the purchase of Navajo Mine saved over 800 direct jobs executed between the mine and the power plant. Additionally, it has maintained a large portion of the Navajo Nation's budget.

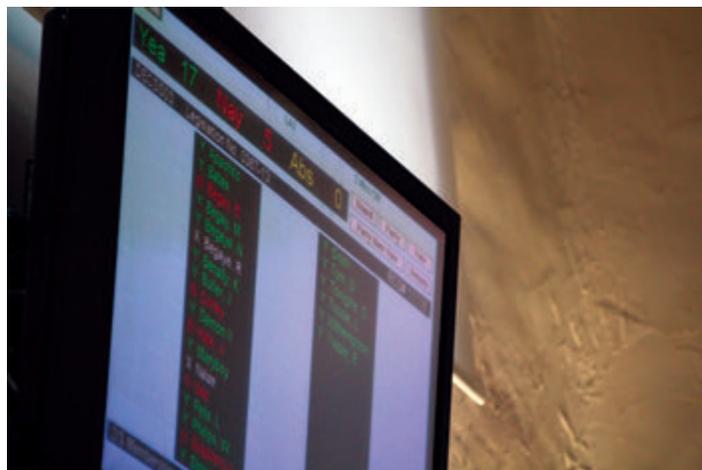
"I'd like to thank the leadership for their vision and commitment to building the Nation's economy, including the Nation's commitment to bring about a cleaner and more sustainable world," Gundersen said.



President Shelly was happy the legislation was finally passed and signed into law, especially since the future economic stability of the Navajo Nation hinged on its passage. (Photo by Rick Abasta)



Speaker Johnny Naize signed the legislation at his office before sending it across the street to President Shelly to be signed into law. Naize said it was a big step for the Navajo Nation. (Photo by Rick Abasta)



The 22nd Navajo Nation Council passed Legislation No. 0367-13 by a vote of 17-5. Notably absent from the work session and the special session was delegate Russell Begay, who made the motion for the supermajority vote. (Photo by Rick Abasta)



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Law and Order Committee approves grant from the U.S. Department of Justice for the Navajo Nation Integrated Justice Information Sharing Project

WINDOW ROCK – On Monday, the Law and Order Committee approved Legislation No. 0375-13, which seeks to approve a grant from the U.S. Department of Justice for approximately \$78,000. The Justice Assistance Grant program would fund the Navajo Nation Integrated Justice Information Sharing Project for the period of Oct. 2012 through Sept. 2016.

According to Judicial Branch grant administrator Raquel Chee, the NNIJISP allows the Nation’s courts and public safety divisions to share information through improving and expanding their case management system through utilization of the JAG program.

“We are hoping to purchase the web application JustWare, which is an Internet site that would enable access to approved case management information by the general public, courts, public safety, and any other entities that utilize the information,” said Chee.

LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) who sponsored the legislation, requested support from committee members in regards to the judicial branch’s effort in improving its information sharing capabilities.

“I am asking for the support of the committee to bring technology to the forefront in our justice system, so that we are not falling behind other agencies nationwide,” said Delegate Shepherd.

Delegate Shepherd added that the judicial branch applied for the grant prior to the Nation’s approval of its indirect cost rate of 16.95 percent for FY2013, however the grant caps indirect costs at 10 percent.

“Because the grant caps their IDC rate at 10 percent, we are also requesting to waive the difference of the IDC rate in the amount of 6.95 percent to meet the grant’s requirements,” said Delegate Shepherd.

The IDC rate for FY2013 was established by the Navajo Nation at 16.95 percent and has yet to be determined for FY2014. The Nation is entitled to collect IDC recovery costs from the federal government, which applies to federal grants, contracts, and agreements.

Near the conclusion of the meeting, LOC member Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K'ai'biit'ó, LeChee, Tonalea/Red Lake) expressed his support for the grant and the effect it will have on judicial and public safety personnel.

"I am so glad we are looking for additional funding to help the judicial branch and Navajo Nation Public Safety Division because these tools will help make their jobs much easier, and their work more efficient," said Delegate Tsinigine.

LOC voted 2-0 to approve Legislation No. 0375-13. The legislation now goes to the Budget and Finance Committee, who serves as the final authority on the legislation. The Naabík'íyátí' Committee serves as final authority in waiving the IDC rate for the U.S. DOJ grant.

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