

THE NAVAJO NATION EXECUTIVE BRANCH



DR. JOE SHIRLEY, JR., PRESIDENT
BEN SHELLY, VICE PRESIDENT

FY 2010 - 3RD QUARTERLY REPORT



EXECUTIVE BRANCH DIVISIONS & OFFICES

- * DEPARTMENT OF DINE EDUCATION
- * DEPARTMENT OF JUSTICE
- * DIVISION OF COMMUNITY DEVELOPMENT
- * DIVISION OF ECONOMIC DEVELOPMENT
- * DIVISION OF GENERAL SERVICES
- * DIVISION OF HEALTH
- * DIVISION OF HUMAN RESOURCES
- * DIVISION OF NATURAL RESOURCES
- * DIVISION OF PUBLIC SAFETY
- * DIVISION OF SOCIAL SERVICES
- * NAVAJO DIVISION OF TRANSPORTATION
- * NAVAJO ENVIRONMENTAL PROTECTION AGENCY
- * NAVAJO GAMING REGULATORY COMMISSION
- * NAVAJO HOPI LAND COMMISSION
- * NAVAJO NATION TELECOMMUNICATION REGULATORY COMMISSION
- * NAVAJO NATION WASHINGTON OFFICE
- * OFFICE OF THE CONTROLLER
- * OFFICE OF THE FIRST LADY
- * OFFICE OF MANAGEMENT & BUDGET
- * OFFICE OF MISS NAVAJO NATION
- * OFFICE OF NAVAJO TAX COMMISSION

DEPARTMENT OF DINE EDUCATION



ANDREW M. TAH
SUPERINTENDENT

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DEPARTMENT OF DINE EDUCATION
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

PROGRAM INFORMATION

Superintendent: Andrew Tah
 Assistant Superintendent: Timothy Benally
 Telephone No.: 928-871-7475
 Facsimile No: 928-871-7474

Departments:

Navajo Head Start	Spencer Willie, Department Manager III
Johnson O'Malley Program	Eleanor G. Thomas, Acting Program Manager I
Monitoring, Evaluation, & Technical Assistance	Lorena Zah-Bahe, Education Program Manager
Office of Dine Culture & Language	Sylvia A. Jackson, Acting Program Supervisor II
Dine, Science, Math & Technology/RSI	Dr. Kalvin White, Education Administrator
Office of Youth Development	Paulene T. Thomas, Interim Department Manager
Office of Navajo Nation Library	Irving Nelson, Program Supervisor I
North Central Association	Delores McKerry, Education Program Manager
Office of Educational Research & Statistics	Duane Reeder, Statistician/Demographer
Scholarship & Financial Assistance	Rose Graham, Department Manager III
Special Education & Rehabilitation Services	Treva Roanhorse, Education Program Manager

Dept. of Diné Education Administration (DoDE)

Budget Performance Information: Funding and Expenditures

Program	Funding Source	# of Personnel	# of Veh.	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
Admin.	Gen. Funds	10	1	\$696,513	63%	432,018*	26%

Notes: *Includes IDC increase.

Accomplishments

- DoDE attended the “roll out” of BIE’s School Improvement Plan. Tier 1 (bottom 5%) and Tier III (bottom 20%) Schools were identified and will be eligible for \$20 million BIE grant.
- Met with ASU sub-committee members to review role of sub-committees. The following subcommittees were established: Development of Diné Education, Early Childhood Education, High School Completion and College Preparatory, and Leadership and Professional Development. Several i3 grant opportunities were shared with the group and ASU solicited school participation.
- Superintendent met with Teach for America Gallup Regional Office regarding school improvement initiatives through professional development.
- Superintendent and Education Committee (EC) attended the Arizona Legislative Caucus regarding impact of the proposed 8% budget cut that would also affect Diné College.
- BOE and DoDE met with President Shirley, updating him on NCLB/ESEA reauthorization lobbying efforts.
- Superintendent traveled with several Diné Bi Olta School Board Association (DBOSBA) Executive Board members to Washington DC to lobby for funding in the 2011 Federal appropriation. Superintendent supported DBOSBA’s top four priorities for funding: Administrative Cost Grant, transportation, facility management and operations, and ISEP. NNWO conducted a Federal Budget Appropriation workshop encouraging departments

to submit FY 2013 budgets. Supt. met with Senate staff, Appropriations Committee, and Rep. Ann Kirkpatrick. Rep. Kirkpatrick stated she will support the NN needs though it will be hard to get additional funding.

- Superintendent met with OYD, Crownpoint Juvenile Detention Center, and Big Sisters and Big Brothers of Gallup to discuss the Juvenile Detention grant.
- The AZ Indian Education Committee (IEC) meeting addressed budgets cuts and the impact to Navajo area schools. The AZ IEC encouraged voters to vote yes on Proposition 100.
- The Dept. of Diné Education hosted a Regional Tribal Leaders Consultation with the U.S. Dept. of Education. The Navajo Nation, Hopi Nation, some Apache tribes, and representatives from other tribal education programs provided verbal and written testimony to Charles Rose, General Counsel. The Superintendent provided the Navajo Nation’s position: to implement Title X by establishing the Department like an SEA (State Education Agency). Facility construction, teacher housing, Impact Aid, Administrative Cost Grants, and other topics were also addressed.
- In June, BOE, EC, and DoDE Administration and Program Managers held a two-day work session to discuss the Department’s ongoing efforts to become a state-like department of education, restructuring of the department, and to address the roles and responsibilities of the BOE and EC. Facilitator Asa Begay’s report will include a summary of action items, timelines, etc.
- On June 10, 2010 Asa Begay, Consultant, and DoDE held a Public Hearing, giving Leupp Schools, Inc., the Leupp Chapter, local school board members, and community members an opportunity to voice concerns over the school’s recent reauthorization efforts. Council Delegate Leonard Chee, Chapter President Thomas L. Cody, Board President Calvin Johnson, Leupp Schools, Inc. officials—Executive Director, Renee White-Alcott and Principal, Lolita Paddock—voiced concerns and heard from parents, former teachers, current and non-renewed employees, parent organization leaders, and members of communities from Tolani Lake and Bird Springs. Community members called for the removal or resignation of the existing school leadership and board members, while others supported keeping the same leaders. The school was reauthorized for three years by the Education Committee the week following.
- Board members, DoDE Superintendent, NN DOJ and community representatives met with DoDE on the Shiprock Nataani Nez Elementary closure. Gregg Epperson, Superintendent of CCSD, and two CCSD board members met with DoDE. The school was recommended for closure by the CCSD Board based on declining enrollment and renovation costs. Epperson explained that the district’s other three elementary schools have enough room to accommodate teachers and students from Nataani Nez. Epperson also acknowledged CCSD's lease with the Navajo Nation and before making further comment said CCSD will take a closer look at the lease agreement.
- DoDE is seeking to partner with GMCS (i.e., Tohatchi High School) in a grant from NM Public Education Department. ODMST and DLCCS would be instrumental in assisting GMCS/Tohatchi High School with fulfilling aims of their grant.
- In an email dated July 1, Jeffery Hamley and Dave Talayumtewa of the BIE indicated to the Supt. that the BIE is submitting the Scope of Work and budget for a \$1.5 million Section 6111 grant to the Navajo Nation.

DODE/Navajo Nation Board of Education (BOE)

Budget/Performance Information: Funding and Expenditure

Funding Sources	# of Board	# of Personnel	# of Vehicle(s)	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
General	9	1	0	\$21,830	76.62%	\$118,746	67.32%
Total	9	1	0	\$21,830	76.62%	\$118,746	67.32%

Accomplishments

- On April 8 & 9, 2010, BOE met with 21 Grant/Contract schools and residential programs up for reauthorization. BOE recommended 13 schools for 1 year with conditions; 7 schools for 3 years with no conditions; and 1 residential program for retrocession with conditions.
- On May 21st, BOE directed Supt. to hold the public hearing with Leupp School, Inc.
- BOE met with Diné College students regarding their concerns.

- On June 7th, BOE recommended a letter be written to President Shirley recommending expeditious appointment of more members to the Dinè College Board of Regents.
- BOE approved a resolution regarding the BIE Settlement Agreement.
- BOE approved a resolution requesting the BIE and the Asst. Secretary of Indian Affairs to provide a status report on the proposed \$500,000 grant.
- BOE approved a resolution supporting chapters, parents, and community members impacted by the closure and proposed demolition of the Nataani Nez Elementary School and urging the Navajo Nation President, Education Committee of the Navajo Nation Council, Attorney General, and appropriate State and Federal Officials to take immediate and appropriate action to prevent the closure and proposed demolition of the school.
- June 22 & 23, 2010, BOE attended a Joint Work Session with DoDE staff and the EC to discuss the DoDE Strategic Plan, BOE and EC Roles and Responsibilities, DoDE Organization Structure, SEA functions, budget priorities, and set short- and long-term goals.
- June 30, 2010, BOE attended the U.S. DOE Regional Tribal Leaders Consultation Meeting regarding the reauthorization of the No Child Left Behind/ESEA.

Status of on-going Projects and Initiative

- Revising the Grant Reauthorization Handbook in collaboration with OMETA.
- Establishing procedures and criteria for licensing administrators of BIE funded schools.
- Negotiating Intergovernmental Agreements with stakeholders.
- Establishing criteria for endorsing Navajo language and cultural knowledge programs.
- Finalizing amendments to existing Navajo Nation school attendance law.

Problems/Recommendations:

- The Navajo Nation President needs to appoint a Teacher Representative and Navajo Traditional Culture Representative to the Board.

Navajo Head Start (NHS)

Budget/Performance Information

	Account No.	Budget	Expenditure	Open Commitment	Available	Expended
	K100538	\$964,072.00	435,249.88	1,274.00	\$509,548.12	47.0%
Chinle Admin	K100539	\$491,754.00	248,569.83	902.59	\$242,281.58	50.5%
Crownpoint Admin	K100540	\$532,551.00	222,482.74	12,462.00	\$297,606.26	41.8%
Ft. Defiance Admin	K100541	\$529,501.00	250,308.92		\$279,192.08	47.3%
Shiprock Admin	K100542	\$532,908.00	258,594.67	3,316.86	\$270,996.47	48.5%
Tuba City Admin	K100543	\$603,756.00	259,386.68	19,569.20	\$324,800.12	43.0%
Chinle Direct Serv.	K100544	\$4,473,654.00	2,538,833.72	39,273.87	\$1,895,546.41	56.8%
Crownpoint Direct Serv.	K100545	\$4,861,780.00	2,305,862.25	51,890.84	\$2,504,026.91	47.4%
Ft. Defiance Direct Serv.	K100546	\$5,120,455.00	2,664,914.32	21,646.11	\$2,433,894.57	52.0%
Shiprock Direct Serv.	K100547	\$3,979,395.00	1,942,874.79	1,560.18	\$2,034,960.03	48.8%
Tuba City Direct Serv.	K100548	\$3,897,415.00	2,317,003.04	66,396.97	\$1,514,014.99	59.4%
Head Start Central Direct	K100549	\$527,030.00	263,655.64	1,775.81	\$261,598.55	50.0%
Head Start Disabilities	K100550	\$1,287,832.00	675,292.54	58,942.24	\$553,597.22	52.4%
Head Start Parent Cost	K100551	\$75,950.00	29,925.06	356.68	\$45,668.26	39.4%
Head Start T/TA	K100552	\$580,944.00	75,705.63	7.5	\$505,230.87	13.0%
Early Head Start	K100553	\$584,705.00	313,668.57	1,347.02	\$269,689.41	53.6%

Early Head Start Admin	K100554	\$25,429.00	14,064.69		\$11,364.31	55.3%
TOTAL		\$29,069,131.00	14,834,392.97	280,712.87	\$13,954,016.16	51.0%
ARRA Navajo Head Start	K100587	\$2,057,668.00	402,331.74	207,213.08	\$1,448,123.18	19.6%
TOTAL		\$2,057,668.00	402,331.74	207,213.08	\$1,448,123.18	19.6%
Navajo Language Full Immersion	109007	\$382,873.11	230,474.97		\$152,398.14	60.2%
General Funds (Match Only)	109019	\$715,340.00	131,494.52		\$583,845.48	
TOTAL		\$1,098,213.11	361,969.49		\$736,243.62	33.0%
Chinle USDA/CACFP	K100108	\$180,000.00	75,327.64	104,672.36		41.8%
Crownpoint USDA/CACFP	K100111	\$182,000.00	121,588.25	60,410.98	0.77	66.8%
Ft. Defiance USDA/CACFP	K100109	\$140,000.00	83,705.66	56,294.34		59.8%
Shiprock USDA/CACFP	K100110	124,992.00	84,041.76	110,958.24		43.1%
Tuba City USDA/CACFP	K100107	\$821,992.00	64,618.89	60,373.11		51.7%
TOTAL			429,282.20	392,709.03	0.77	52.2%

Accomplishments

- From April 6 to April 9 2010, a team of reviewers pre-planned the NHS triennial review. From April 12 to April 23, 2010, the full team of federal reviewers visited all NHS agencies and central office pursuant to the Office of Head Start Monitoring Protocol. Report will contain areas that are functioning well, areas of correction, areas corrected, program strengths, and class observations.
- This quarter, the Parent Policy Council met to discuss a resolution regarding a 1.84% COLA made available through ARRA funding; the possibility of a “delegate agency” with the Tohajiilee Head Start Center.
- In May, the ERSEA task force met to discuss the community assessment, enrollment, and recruitment activities.
- In May, NHS met with the Division of Public Safety (DPS) regarding the warehouse and bus barn located in Tuba City. DPS intends to construct a new facility on the property and would like for Navajo Head Start to relocate its warehouse and bus barn.
- In May, NHS participated in a joint meeting between the Education Committee and the Human Service Committee regarding human resources issues affecting Navajo Head Start. NHS will research developing its own HR function.
- NHS held a budget planning session to discuss operating costs in preparation for its grant application due in August 2010.
- In May, NHS participated in the semi-annual Risk Management Meeting via teleconference with the Office of Head Start regarding program operations including enrollment, facilities, and staff qualifications.
- In May, NHS held a follow up meeting from the March strategic planning session to update staff on the progress of each task force.
- Playgrounds were installed at various Navajo Head Start centers.
- The NHS school year calendar includes a five-day school week and 160 school days. This increases school contact days from 128 to 160. This changed has yet to be approved by the Parent Policy Council.
- NHS met with First Things First to discuss possible ways it could assist NHS and other Navajo Nation programs working in early education.

Outstanding Program Issues

- NHS held a series of meetings with the DPM to coordinate activities and clarify policies and procedures regarding qualifications, hiring, and duties. To expedite the tribal criminal background check, DPM will hire staff at Toyei to process background checks for NHS.

- The annual federal review was completed in April. NHS is awaiting the final report from the Office of Head Start in July or August.

Problems/Recommendations

- The Office of the Auditor General conducted an exit interview in June regarding a 2007 performance audit. The final report was presented to B&F Committee whereupon they recommended development of a Program Improvement Plan.
- The Department of Health and Human Services (DHHS) has not yet published the 2010 Federal Poverty Guidelines. NHS will continue to use the 2009 Selection Criteria Form until new guidelines are published.

Conditions of Appropriation

The Department of Dine' Education Navajo Nation Head Start (Business Unit No. 109019/109007) shall resolve the audit findings set forth in the Navajo Nation Fiscal Year 2008 single audit report by the end of the 2nd Quarter of Fiscal Year 2010. If the audit findings are not resolved by the end of the second quarter of Fiscal Year 2010, the program managers of these Business Units shall not be permitted to participate in business travel outside the Navajo Nation and shall not be compensated for any such travel, until such time as the audit findings are resolved.

Finding 08-17. Travel Expenditures:

Status: Completed per Corrective Action Plan.

Finding 08-18. Matching, Earmarking and Level of Effort:

Status: The union payment identified for use as matching cannot be used. However there have been facility construction projects that may contribute to meeting the match requirement. Navajo Head Start has also requested a waiver of the match requirement to 10% and this request is in process with the Office of Head Start.

Finding 08-19. Enrollment Levels:

Status: Completed per Corrective Action Plan.

Finding 08-20. Procurement, Suspension and Debarment:

Status: The issue is currently being reviewed with the National External Audit Review Center and the Navajo Office of Management and Budget. A meeting was held July 7 to discuss the nature of the questioned cost and what needs to be discussed between the Administration for Children and Families and Navajo Head Start.

Finding 08-21. Sub-recipient Monitoring:

Status: Completed per Corrective Action Plan.

Office of Youth Development (OYD)

Budget Performance Information: Funding and Expenditures

Office	Funding Source	# Of Personnel	# Of Vehicle	FY2010 Personnel	% Used	FY2010 Youth Employment	% Used	FY2010 Operating	% Used
Admin. WR	General	02	0	\$190,468	55%	0	0	\$34,033	56%
Chinle	General	04	01	\$191,633	68%	\$315,516	34%	\$132,971	41%
Crownpoint	General	04	02	\$201,115	64%	\$357,397	37%	\$125,689	67%
Ft. Defiance	General	05	01	\$272,555	63%	\$327,682	35%	\$101,571	60%
Shiprock	General	03	01	\$194,863	58%	\$323,185	20%	\$133,959	69%
Tuba City	General	05	0	\$219,102	56%	\$349,060	34%	\$158,296	41%
						High School Scholarship	% Used		
H.S. Prep/Enrichment	Trust Funds	0	0	0	0	\$163,000	54%	0	0
Federal Fund FY from 1-1-10 thru 3-31-10: Boys & Girls Clubs of the Diné Nation									
NAHASDA	NHA Funds	14	0	\$1,531,890	55%	N/A	N/A	\$468,110.00	49%

GRAND TOTAL	37	5	\$ 2,801,626		\$1,835,840		\$1,154,629	
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Accomplishments

- From April to June OYD served 7,911 youth.
- The Boys and Girls Clubs of the Diné Nation (BGCDN) provided after school programs and crime prevention activities at seven clubs, serving 5,889 members.
- In the Educational Component, BGCDN provided reading programs, afterschool homework assistance during POWER Hour in the areas of math, science and English; a total of 1,816 members participated.
- The BGCDN Mentoring Program involves 80 mentors and 298 students being mentored.
- The BGCDN provided prevention activities at each agency in association with program partners.
- OYD Program Manager conducted site visits to all five agencies to discuss: Institutional Support and Commitment, Staffing, Internal Management, Performance Reporting, Program Evaluations, Budget Records and Accounting Systems, Program Objectives, Student Documentation, Impact Assessments, BGCDN Curricula, etc.
- Chester Brown resigned on April 30, 2010. Virginia Nelson, Crownpoint Agency Program Supervisor has since been appointed the Acting Program Manager.
- During this quarter, High School Educational Financial Assistance scholarships were awarded to 8 students for summer.
- The Acting Program Supervisor for Crownpoint Agency continues to be involved in the community suicide prevention meetings held in Thoreau, New Mexico. The Acting Program Supervisor has also provided and assisted in various recreational activities at the Thoreau Chapter.
- OYD continues to collaborate with the Navajo Nation Judicial Branch in its *Nábináhaazłáago* Initiative.
- All BGCDN offices have planned their summer youth programs, which includes an array of educational, recreational and cultural programs and activities, field trips, parent orientations, etc.
- All OYD agencies have completed their selection of participants for the Navajo Nation Devil Pups Program 2010 scheduled for July 15-24, 2010 in Camp Pendleton, CA.
- BGCDN personnel have been involved in developing curricula in five priority areas: Increase Academic Success, Improve Character & Citizenship and Career, Increase Healthy Lifestyles, Diné Culture and Language, and Parent Involvement.
- Many high school and college youth continue to visit the agency OYD offices inquiring about employment opportunities for the summer. The OYD youth employment budget for this fiscal year will not meet the demand of applicants seeking employment.
- The Pinon BGCDN advertised three positions: Programs and Projects Specialist, Prevention Specialist, and Recreation Coordinator. Interviews were held; Albert Wartz was selected as Projects Specialist; Alondo Tso as Recreation Coordinator. The Prevention Specialist position will be re-advertised.

Status of on-going Projects, Initiatives and COA's

- All OYD agencies are involved with the Department of Diné Education's restructuring and State Education Agency effort.
- All OYD agencies continue to deplete contract, grant, and general funds: TRAILS, National Native American Mentoring Program, NAHASDA, Spirit of Sovereignty and Pacific Western Technologies, LTD funds.
- The OYD/Fort Defiance Agency continues monitoring construction of the new Fort Defiance Youth Center.
- The OYD/Crownpoint Agency has submitted proposals to the State of New Mexico and the Navajo Nation AML Program for funding the addition of a gym to the Youth Center.
- The OYD/BGCDN continues to implement program goals and objectives: to work with local resources to better serve the youth, to recruit, to be a leader in the development and growth of OYD/BGCDN, to encourage staff to strive for quality, and to seek more grant opportunities.

- Collaboration, networking and partnerships with other service providers such as Health Promotion/Disease Prevention, Program for Self-Reliance, Social Services, schools and local businesses play a major role in the way OYD provides services. Each Agency is unique and their collaboration with other programs is often at their discretion.

Status of Action Plan

- The Pinon BGCDN Grand Opening is being planned and will also serve as a springboard for recruitment to fulfill the minimum membership requirement of 100.
- Provide more training opportunities for personnel. Staff will earn a Certificate of Completion from the BGC Leadership University.

Outstanding Program Issues

- Tuba City OYD staff continues to be housed in the Teen Center. The lack of a facility in Tuba City is a concern but partnership with local resources enables staff to meet monthly goals. It’s a challenge for staff to plan and implement activities without a facility.
- The LeChee BGCDN has staff but youth participation has been low or none at all. Nevertheless, they have provided Prevention Activities, Healthy Living for Diné Youth and SMART Moves. Attempts have been made to recruit participants but this has been unsuccessful. Programs and Projects Specialist and Recreational Coordinator positions continue to be advertised.
- In June, Crownpoint OYD was vandalized again. Equipment was stolen. A police report was filed. Repairs were made and the Youth Center was reopened.
- Processing documents through Financial Services is time consuming; it is difficult getting payments and reimbursements done in a timely manner. Although the Wells Fargo Purchasing Card is helpful, paperwork for the card moves at a slow pace.

Problems/Recommendations

- OYD recommends that an OYD supervisor be part of the interview panel for the Department Manager III position. The input provided from an OYD supervisor can be vital and informative for the selection process.
- Because of low participation at the LeChee BGCDN, OYD recommends that LeChee Chapter complete a community assessment to determine if a BGC unit is in fact deemed necessary. LeChee Chapter also needs to play more of a role in recruiting youth. If not, the LeChee BGC unit will lose funding and may be shut down. In addition, NAHASDA funding is coming to an end and Tuba City OYD has recommended not filling the vacant positions at the LeChee BGCDN Unit. OYD recommends reallocating these funds to other needed areas.

Office of Diné Culture, Language and Community Services (DCLCS)

Budget Performance Information: Funding and Expenditures

Office	Funding Source	# of Personnel	# of Vehicle(s)	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
ODCL&CS	General	6	2	\$376,232	65.00%	\$74,505	70.00%
NMPED	External	n/a	n/a	n/a	n/a	\$60,000	74%
	Total	6	2	\$376,232	65.00%	\$134,505	70.00%
Navajo Traditional Apprenticeship Project	Fiduciary	0	0	0	0	\$126,975	80.00%
	Total	0	0	0	0	\$126,975	80.00%

Accomplishments

- Provided technical assistance, training/workshop to enhance the Navajo language and culture program at the following schools: Kayenta Monument, Black Mesa School, Natsaan Navajo Mt., Washington Ele. Sch., Diné BiOlt’a Ft. Defiance, Dilcon School, NaNeelzhin School, Shonto Preparatory School, and Naatis’aan School.

- Monitored the Diné Language program in the content areas of: culture, history, government and character building at the following schools: Chooshgaii Com. Sch, Dilcon Com. School, Kayenta Public Sch., Jeedeezha Academy, Shonto Prep. School, Hanaadli Com School, and Richfield Residential.
- DLCLCS observed all Navajo culture and language classes in the 34 grant/contract schools using the DSIOP method to help teachers develop effective teaching skills, methods, and classroom management skills in the area of Navajo culture-language, history, government and character building.
- Implemented the Diné (Navajo) Oral Language Instrument at the following schools: Navajo Mt. School, Wide Ruins Com School, Bread Springs School, Little Singer Com Sch, Navajo Prep School
- Naashchiiti School, Cove Day School, Chinle Brdg. School, Pueblo Pintado School, Rough Rock Com School, Pinehill/Ramah, Hanaadli Kindergarten, Crystal School, and NaNeelzhin Community School.
- Within this quarter, 35 Navajo Culture and Language Teachers from Arizona Grant or Contract schools participated in workshops and training to administer the Diné Oral Language Assessment Instrument during the FY 2010-2011 school year. The next training is on July 16, 2010 at the Window Rock Education Center. Trainers are members of the DOLA Advisory Committee.
- Developed the Diné Language Standards Curriculum and Assessment in the following content areas: Navajo culture, history, government, economic, and character building. Meetings held at: NN Museum (04/15/10), Fort Defiance Chapter House (04/29/10), NN Museum (05/11-12/10 and 05/25-26/10, and NN Department of Diné Ed. Ct. (06/07-18/10).
- Administered the Oral Navajo Language and Culture exam and recommend licensure to New Mexico Indian Education Department and/or to Arizona Licensure Office for instructors at the following schools: NaNeelzhin School, Gallup McKinley, Chinle Community School, and Ramah/Pinehill.
- Provided technical assistance to parents using the Parent & School for Educational Leadership Manual at the following schools/events: Kayenta Public School, Shiprock Head Start Parent Conference, and San Juan School Dist.
- Monitored the Navajo Traditional/Apprenticeship Project: 9 practitioners and 14 apprentices.
- Provided technical assistance to low performing Grant and Contract schools as member of School Improvement Team. The following schools were visited: Kindahlichii Community School, Dibe Yazhie Habitin School, Jeehdeeza Academy, Black Mesa Community School, Greasewood Community School, NaNeelzhin Community School, Nazlini Community School, Chilchinbeto Community School, Wide Ruins Community School, Alamo Community School, Shonto Prep School, Rough Rock Community School, To'Hajjileeh Community School, TseNitsaaDeez'a Dine Ba Olt'a, and Ramah Pine Hill School.

Short and Long Term Plans

Dates	Event
July 16, 2010	Training of 25-30 Navajo Culture and Language teachers of Grant/Contract schools to administer Diné Oral Language Assessment beginning FY 2010-2011.
October 20-21, 2010	Fourth World Gathering in collaboration with San Juan School District.
July 07, 2011	Begin SAS Process for NMPED Addendum grant FY 2010 for Navajo Writing and Reading (to be added to the Diné Oral Language Assessment)
July to August	Seek additional grant monies for staff development for Grant-Contract schools teachers and Parental Education
July to August	Produce draft Handbook for Youth Peacemaking Program for training youth to become peacemakers; a joint effort between ODCLCS and Judicial Branch.

Outstanding Program Issues/Problems, Recommendations

- One of DCLCS's most urgent needs is funding to complete the Diné Language-Based Standards, which will be included with the Diné Culture-based social studies and character building curricula. This process includes assisting schools in developing local curriculum and assessments.

Legislative Concern

The Department of Diné Education Office of Dine Culture, Language and Community Services (Business Unit No. 109005/N01170) shall visit each Navajo BIE-funded Grant/Contract schools throughout the school year to provide technical assistance in developing Navajo language curriculum with documentation of such visits when each school(s) are seeking Reauthorization.

STATUS: The ODCLCS will continue to assist the schools in development of Culture Based Curriculum and Creating Culturally Relevant schools. Currently, The 34 Grant/Contract Schools are requested to send a School Profile Survey regarding implementation of Diné Language and Culture into the classroom/overall school curriculum from each school, and how a culture-based curriculum was created with or without the assistance of the Office of Diné Culture, Language and Community Services. The due date to submit the information is by or before August 27, 2010.

Office of Diné Science, Math and Technology (ODSMT)

Budget Performance Information: Funding and Expenditures

Fund Type	FY '10	1Q	2Q	3Q	4Q	% Bal.
GENERAL	\$723,351.00	\$122,124.22	\$130,225.59	\$212,764.75		35.70%
EXTERNAL	\$250,000.00	\$202,972.69	\$213,747.74	\$213,747.74		15%

Accomplishments

- ODSMT assisted BOE and EC with reauthorization of 21 BIE grant schools and residential dorms. Presentations were made on academic history and UDP (Using Data Process) status of each school.
- ODSMT is working with 17 BIE grant schools on implementing UDP. UDP is a school improvement initiative that assists schools with professional development planning for teachers. UDP requires the schools to establish data teams comprised of teachers and administrators. The data team is responsible analyzing school data to improve the quality of instruction. UDP is a three-year process intended to help schools meet the 10% academic gain stipulated by BOE and EC.
- ODSMT assisted DODE school improvement team with visits to Wide Ruins Community School, Greasewood Community School, and Kin Dah Lichee Community School. Each visit focused on the BOE and EC stipulations.
- ODSMT continues to work with EC, BOE and DODE on the Accountability Workbook.
- ODSMT is assisting DODE with its restructuring/reorganization efforts to become an SEA.

Navajo Education Information System (NEIS) Technology

- Working with Frontier communication to identify “Metro Ethernet” connectivity to Head Start Programs and DoDE field Agency sites.
- Working with consultant SCS to conduct assessments for Hub high speed internet for DoDE and to secure an internet pipe locally and remotely.
- Working with Frontier on upgrading internet at Museum/DoDE Computer Lab.
- Reported to NEIS User Group and Program Managers on vulnerabilities.
- Developed and updated ODSMT/OERS website to include web survey updates.
- Developed DoDE Administration website including training on web management. Launched www.nndode.org on June 2.
- Continue development and configuration of DoDE Web Portal including training.
- Upgraded Operating Systems Software for DoDE programs.
- Continued development of NEIS networking closets at main building to house network servers and peripherals.
- Continue to identify cabling and wireless infrastructure upgrades at DoDE.
- Partnering with Division of Community Development, DIT, and Regulatory Commission in the submission of a Public Communications Center (PCC) Grant.

Field Work

- ODSMT provided 15 workshops and training sessions for 334 teachers, 62 school administrators, 60 parents, and 28 teacher aids in 3Q. ODSMT served a total number 42 schools this quarter (35 BIE and 7 Public Schools).

Office of Educational Research and Statistics (OERS)

Budget Performance Information: Funding and Expenditures

Program	Fund Type	FY 2010	3 rd QTR	No. of Staff	No. of Veh.	% Bal.
OERS	GENERAL	\$287,754	\$164,303.84	4	0	43.90%

Accomplishments

First: (Partnerships)

- OERS is currently working with the GIS Department to update the Navajo Nation School Map. The 2000 map lacks pertinent information often used by DODE to make informed decisions. The new map will feature 280+ schools (public, BIE, BIE Grant, BIE Contract, mission, parochial, and private) found on/near the Navajo reservation and their current enrollment figures.
- OERS assisted with implementation of the Using Data Process (UDP) project as a school improvement tool for BIE Grant schools located on the Navajo Nation. Activities included:
 - Item-level analysis with *Na Neelzhiin Ji Olta*.
 - UDP Work session to prepare for Summer Leadership Institute.
- OERS has been working with RealTime Sites to update and on-line School/Parent/School Administrator Surveys. OERS received training on security issues.
- OERS Education Specialist will be attending training on the Arizona Navajo Central Guided Language Acquisition Device (G.L.A.D.). The first component of G.L.A.D: the “what” of the language acquisition model: integration of listening, speaking, reading and writing into all content areas and the interrelating of science, social studies including using Reading Mastery Signature in making student engagement meaningful. The second component is the “how” of the staff training: training in theory and research with a practical classroom implications
- OERS is compiling the 2009-10 School Enrollment figures for New Mexico, Arizona, Utah Public Schools.
- OERS has worked with BIE to obtain copies of 60 Bureau of Indian Education Accountability Reports for SY 2008-09. The accountability reports contain AYP Status, School Improvement Status, Attendance Percentage, Graduation Percentage, Math and Reading Proficiencies by Grade, 2-3 Year Aggregate Data, and Safe Harbor Data.
- Statistical Analyst provided 2 hours of Technical Assistance to Chilchinbeto Community School on Pivot Tables and using school CRT test results from SY2007-09.
- OERS provided information for Promise Neighborhood Planning grants which intends to improve the educational and developmental outcomes of children in distressed communities; KinDahLichi Olta was selected.
- OERS attended BIE meeting with New Mexico Public Education Department regarding state graduation requirements. The Carve Your Path model was a useful one and could be utilized by BIE. Participation will be up to each school in consultation with tribal departments. Schools agreed that the NM graduation requirements and tribal requirements should be a minimum for BIE schools. BIE decided schools will not use the NM method. The basic calculation will remain the same as the NGA formula. It seems all schools use the NM exit exam as a criterion for graduation. At the next meeting, run-through on AYP calculations will be done.

Second: (School Support)

- OERS provided technical assistance to 11 Grant schools identified as Pilot Schools.
- Throughout the school year the DODE Grant Schools Technical Assistance Team worked with schools in the following areas: advisement on curriculum and programs which schools have adopted as validation that their schools are practicing “Data Decision-Making,” and the development of Navajo Content Standards for all grade levels.

- Schools that received technical assistance were Wide Ruins Community School, Greasewood Springs Community School, Kin Da Lichii Olta,
- Sr. Education Specialist provided Using Data Process (UDP) work sessions at the following schools: Northwest High School, Dzil' NaODilthe Community School, Rough Rock Community School, Jeehdeeza, Black Mesa Community School, Rock Point High School and Na Neelzhiin Ji Olta. The meetings provided information on how teachers can better implement their school improvement plan.

Third: (Data Collection and Analysis)

- OERS is working with consultant Dr. Pat Galvin updating NEIS with school demographic data.
- OERS compiled demographic and academic achievement data for the 21 schools up for reauthorization.
- OERS compiled graduation rates, drop-out rates, and attendance rates for all schools.
- Student achievement scores were collected and data entered for: Leupp School, Inc., Dzilh-Na-O-Dith-Hle, Rough Rock, Rock Point, Little Singer, Wide Ruins, Shonto Prep, and Greyhills Academy.

Fourth: (EC and NNBOE)

- OERS provided BOE with academic achievement reports for the 21 Grant schools up for reauthorization.
- OERS provided information to EC on academic achievement for the following 2009-2010 Reauthorized Schools: Richfield Residential Hall, Little Singer Community School, Alamo, Ramah, Dzilh NaODilthehe, Na'neelzhiin Ji Olta, Shonto, Pinon, Rough Rock, Jeehdeeza, Nazlini, Rock Point, Wide Ruins, Chilchinbeto, and Kinlani Dormitory.

Fifth (Presentations)

- On April 1-2 and April 30-May1, OERS provided various Using Data Process (UDP) workshops to all Grant schools. Topics included Curriculum, Instruction and Assessment addressing cause and effect, and teaching strategies and planning.
- OERS presented demographics (academic profiles, AYP status, and dropout rates) of Navajo Nation Schools ASU officials.
- OERS provided report on Co-hort Graduation Rate, Co-hort Dropout Rate, Single Year Dropout Rate, Graduation/Dropout Rate Calculation by State, and Nationwide Graduation/Dropout Rate for Native Americans at the Annual Dine' Bi' Olta School Board Association Conference.

Research

- As requested by consultant Dr. Pat Galvin, OERS is including the following data in the NEIS database: English Language Learners, Student ID, Free/Reduced Lunch, Special Education, AZ Learns, Achievement in Math/Reading, Corrective Action Status, Strand Data–Line Item Analysis, BIE Accountability Reports, Teacher Information, 10% Gain, and Navajo Nation School Survey.
- Researching 2006-2008 Graduation Rate Information (diploma counts, technical manuals, etc.) for New Mexico, Arizona and Utah. Researched EdWeek.org for recent articles published about Graduation Rates by each state. Downloaded Graduation Reports from NCLB and State reports.
- Researching and updating 2009 Public and BIE School AYP, Math, Reading achievement data.
- Reviewing the 2008-09 Indian Education Status Report published by New Mexico Public Education Department.

Field Work with Schools, Teachers, Administrators and Students

- OERS provided 21 presentations to 209 teachers, 103 school administrators, and 5 parents.

Office of Navajo Nation Library (ONNL)

Budget Performance Information: Funding and Expenditures

Funding Source	# of Personnel	# of Vehicle(s)	FY2008 Personnel	% Used	FY2008 Operating	% Used
General	9	1	\$ 115,555	70%	\$ 28,119	65%
Total	9	1	\$ 115,555	70%	\$28,119	65%

Accomplishments

- The Director was awarded the *2010 Librarian of the Year* by Reader to Reader Organization. Nelson was selected out of 500 librarians worldwide.
- Nelson traveled to Ontario to give a Keynote Address at the 2010 Ontario Library Service North Conference.
- Nelson attended the 8th Gathering of Arizona Tribal Libraries. He was part of panel presentation entitled “History of the Gathering of Arizona Tribal Libraries”.
- David Mazor, Founder and Executive Director of Reader to Reader Organization in Amherst, MA visited ONNL. Nelson presented Mazor with an Appreciation plaque.
- Navajo County Library District donated a 14’ X 70’ mobile home that will be used to house the Kayenta Community Library. A grand opening is slated in July.
- Nelson attended a meeting on the “Interdepartmental Cooperative Agreement establishing the Navajo Nation E-Rate Committee and E-Rate Program”.
- Nelson submitted the ONNL’s Plan of Operation amendments to DODE Administration.
- ONNL will travel to Utah to pick up books gathered by three Eagle Scout candidates. Trivani International will coordinate the pick-up. In addition, Trivani International met ONNL to discuss future book drives.
- Nelson received an email from another Eagle Scout candidate who has gathered over 2,000 books to be donated to ONNL.

Office of Monitoring, Evaluation & Technical Assistance (OMETA)

Budget Performance Information: Funding and Expenditures

Program	Funding Source	# of Staff	# of Vehicle
OMETA	General Fund	05 (2-vacant)	02
FY’09 Personnel	% Used	FY’2010 Operating	% Used
\$439,898.00	49%	\$73,097.00	50%

Accomplishments

- OMETA prepared reauthorization documents for five NM schools: Shiprock Associated Schools, Inc.; Na’Neelzhiin Ji’ Oltá; Dibé Yázhí Habitiin Ji’ Oltá; Alamo Navajo Schools; and Ramah Navajo School Board, Inc.
- OMETA provided technical assistance to the following school on their grant applications: Flagstaff Residential Hall, Leupp School, Chilchinbeto Community School, Little Singer Community School, and Greyhills Academy.
- Richfield Residential Hall completed their re-authorization application.

Background Investigations

- Compliance reviews were conducted throughout the school year. Many schools and governing boards are “non-compliant” year after year. It is recommended that staff and/or governing board members who have not obtained their background clearances (federal/state/tribal) should be suspended or released of their duties until they’ve done so.

DODE School Improvement Team

- School Improvement Team visits were conducted at Kin Dah Lichi’I Oltá’, Wide Ruins Community School, and Greasewood Springs Community School.

Board of Education and Education Committee

- Provided a follow-up report to the EC on Flagstaff Residential Hall. OMETA advised the residential hall to continue working with staff and governing board to address issues.
- Provided status reports on grant and contract schools seeking reauthorization.

Technical Support

- As a member of the National Native American Human Resource Association (NNAHRA), OMETA is planning a conference on “human resource staff.” NNAHRA is a non-profit organization comprised of HR professionals providing professional services to tribes.
- Assisted the Navajo Nation Background Clearance Office with fingerprinting 200 childcare service providers.
- Met with Dibé Yazhi Habitiin Ji’ Olta Board and Eastern Navajo Line Officer to discuss the why the school has not met AYP for the last 6 years.
- The BOE met in April to recommend the reauthorization of 21 contract/grant schools to the EC. The BOE made conditions or sanctions based on deficiencies reported by OMETA.
- The OMETA Director attended the National Negotiated Rulemaking Committee on School Facilities and Construction.
- OMETA and DODE Superintendent met with Ethics & Rules Committee and Election Administration to discuss the roles/responsibilities of local school board members.
- OMETA presented the Corrective Action Plan for Jeehdeez’a Academy to the local Low Mountain community at a Chapter meeting on May 12. OMETA followed up with JAI focusing on academics, finances, administration, governance, and school/community relations.
- Training was provided to the Ethics and Rules Committee on Navajo Nation and Federal laws.
- Ethics and Rules Committee took action on a school board member. E&RC removed the board member.

Status of On-Going Projects and Initiatives

- OMETA will continue to assist non compliant schools with their audit reports.
- OMETA will monitor schools ensuring background checks are completed for new staff.
- OMETA assisted the Agency Support Team and DoDE SIT team.
- Grant/contract schools are encouraged to participate in the DoDE School Improvement program, the FOCAL program, and Using Data Process (UDP) program.

Status of Action Plans

- OMETA needs to establish and fund a Special Education Monitoring Position. Many grant/contract schools do not have a special education teacher or coordinator. A Special Education Monitor can help schools advocate for children to ensure services provided are in accordance with established laws.

Legislative Concern

The Department of Diné Education Office of Monitoring, Evaluation and Technical Assistance (Business Unit No. 109023) shall follow the established guidelines for monitoring each BIE-funded Grant/ Contract school throughout the school year.

STATUS: OMETA has implemented the guidelines for monitoring each BIE-funded Grant/Contract school this past School Year 2009-2010.

Problems and Recommendations

- OMETA does not have any authority to correct problems when local school boards mismanage their schools. OMETA can only report these problems.

Office of Navajo Nation Scholarship and Financial Assistance (ONNSFA)

Budget/Performance Information: Funding and Expenditures

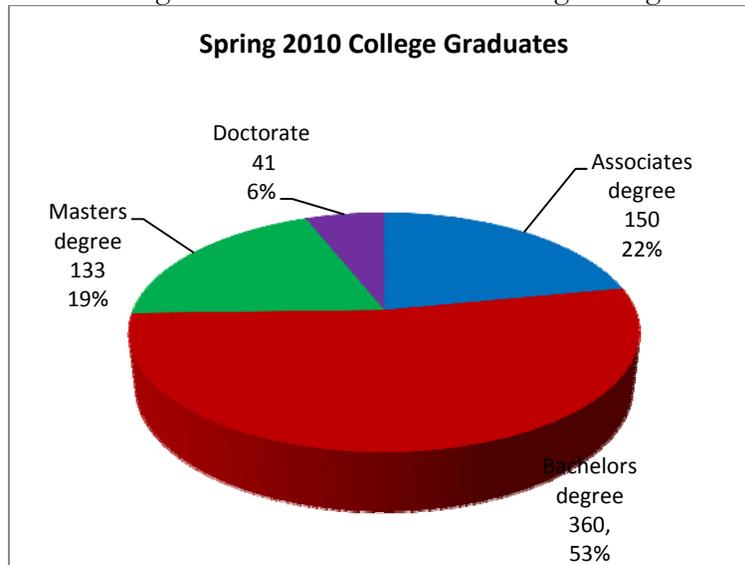
Program	Funding Source	Number of personnel	Number of vehicles	FY 2010 personnel	% Used	FY 2010 operating	% Used
ONNSFA	P.L. 93-638 contract	29	6	\$1,464,445	67%	\$351,950	70%

Performance Criteria Report

- Student numbers are low this quarter. Reviewing of student files and determining edibility will increase during the next quarter.

Significant Accomplishments

- The graph shows that 684 students graduated with a Bachelors or higher degree in Spring 2010.



- On June 10, 2010 President Shirley signed a Memorandum of Understanding between ONNSFA and the University of Utah making the university a member of the Navajo Nation Teacher Education Program.
- On May 6-7, ONNSFA conducted an audit of student files. The audits serve three purposes: 1) to ensure accountability in order to avoid preferential treatment; 2) to ensure consistency in compliance with policies; 3) and to ensure consistency in use of the EMPOWER database. EMPOWER allows students, regardless of Agency, to go to any ONNSFA Office and receive their information and services.
- ONNSFA is working with the University of New Mexico Gallup campus to address the need for more Tribal Court Advocates on the Navajo Nation. UNM-G has a program but many course credits will not transfer to other colleges including to the UNM Main campus. Coordination between UNM-G and the Navajo Bar Association is vital to improving the program.

Problems/Recommendations

- The most pressing issue facing ONNSFA is the lack of available office space in Chinle, Arizona. The Chinle Agency office is located on the Diné College campus in Tsaile, AZ. ONNSFA has been attempting to move to Chinle, AZ.

Office of Special Education and Rehabilitation Services (OSERS)

Budget/Performance Information: Funding and Expenditures

Office	FUNDING SOURCE	# of Personnel	# of Vehicle(s)	FY20010 Personnel	% Used	FY2010 Operating	% Used
OSERS	Federal US Dept. of Ed	22	14	22	64%	\$1,200,000.00	66%
Growing in Beauty	Federal P.L. 102-117 IDEA Part B	13	09	10	41%	\$5,059,000.00	68%
Growing in Beauty	Federal P.L. 102-177 IDEA Part C	13	---	12	62%	\$935,600.000	54%
Food Service	NN-General	01	---	01	68%	\$35,684.00	85%

Vending	(Salary)						
Tuba City Industrial Laundry	NN-General Funds	04	01	04	55%	\$130,961.00	46.85%
Tuba City Industrial Laundry	Proprietary Funds				45%	\$30,000.00	50%
Trust Fund for Handicapped Services	Trust Fund	02	----	01	90%	\$450,000.00	87%
DES/AzEIP Initial Planning	AZ Dept. of Security	03	0	03	29%	\$195,496.41	48%
	TOTAL	53	24	49		\$7,989,569.00	

Accomplishments

- OSERS provided vocational rehabilitation services to 613 persons; and Independent Living Program services to 101 persons. Services include: referrals, evaluation assessments, follow-up visits, home visits, training, employment, counseling, traditional healing, restoration services, transportation, home modifications, assistive devices, mentoring, room and board, job development/placement, and employment services.
- OSERS generated \$25,237.00 in comparable benefits and \$54,325.76 of VR funds for vocational rehabilitation. \$550.00 in comparable benefits for independent living to supplement direct services. \$91,873.53 was expended from the Trust Fund II.
- Independent Living completed 25 home modifications and 4 for assistive technology.
- OSERS five year grant application with US Department of Education Rehabilitation Services Administration is due in August. This will require a ten percent match by the NN.
- OSERS, in collaboration with the Navajo Nation Advisory Council on Disabilities (NNACOD), Division of Social Services, Division of Public Safety, Native American Disability Law Center, Prosecutors Office, Judicial branch, San Juan Center for Independent Living Center, and Navajo Aging held two work sessions on the Adult Protection Act discussing amendment as requested by the Navajo Nation Council. The NNACOD will conduct a final review of the document ensuring the original intent of the Act remains intact.
- OMB closed the accounts from FY 2006-2009 allowing OSERS to determine carryover amounts that will supplement its 2010 federal allocation.
- OSERS attended the Arizona and Utah State Rehabilitation Councils third quarterly meeting to address disability issues and needs for Navajos.
- The OSERS Director was appointed to the New Mexico Commission to the Blind and also to the New Mexico Indian Education Advisory Council; she attended both council's quarterly meetings.
- OSERS met with the New Mexico State on Deaf and Hard of Hearing Council on the transition of deaf and hard of hearing Native American students who attend off reservation high schools. There is a gap of services—a majority of students return home and do not pursue post secondary education or employment.
- OSERS is processing 14 pieces of legislation through the 164 process for early intervention, vocational rehabilitation, early intervention for office rental, coordination of services with the State, NAU, and other outside service providers.
- OSERS participated in the CANAR 2010 midyear conference in May. The conference addressed issues facing tribal VR programs and services provided to disabled AI/AN's.
- RSA, a funding agency with the U.S. Department of Education, announced a five-year grant for training and technical assistance to tribal VR programs. CANAR applied for the grant. It will collaborate with the 10 Technical Assistance and Continuing Education programs across the country and with various universities and other capacity building programs. It will utilize tribal VR directors as trainers and will identify an advisory council for the tribal TA center.
- OSERS participated in the Department of Diné Education two day work session.
- President Shirley appointed two new members to the NNACOD: Stephanie Benally, Client Assistance program, will represent service providers; and Roger Johnson from Pinedale, NM will represent the disabled elderly.

- As part of its objectives, the NNACOD surveyed two tribal buildings to ensure facilities are accessible and meeting standards. The two buildings were the Navajo Education Center and the NNC Chambers. The surveys were submitted to Division of General Services.
- OSERS co-sponsored the Rays of Hope: Family and Survivor Conference (Traumatic Brain Injury TBI Conference) in conjunction with the Arizona Brain Injury Association. The event was held on April 10, 2010 and offers information to brain injury survivors and their families. American Indians have the highest TBI death rates in Arizona (30.5 per 100,000). TBI is a public health program that impacts the lives of thousands of Arizona residents each year.

Early Intervention Program “Growing In Beauty”

- EIP provides services to Navajo children with special needs from birth to five years of age that live in New Mexico, Arizona, and portions of Utah. Services included early identification, screening intake, evaluations, transitions, Native Healing Services, parent trainings, home visits, obtaining related services and keeping records confidential.
- EIP was funded at \$907,160 for Part C of IDEA and \$4,997,460 for Part B of IDEA. A Fund Distribution document has been received and a budget and scope of work is being processed through the SAS 164 Review Process.
- A 6-month renewal of the DES/AzEIP Intergovernmental Agreement has been negotiated beginning July 1, 2010. A 5-year IGA is also being processed through the SAS 164 process for approval by Education Committee and IGRC of NNC.
- Arizona EIP staff has been meeting with DES/AzEIP on the team-based model. File reviews are also being conducted to assure compliance with federal and state requirements. A community meeting regarding the team-based approach is being planned for August, 2010.
- OSERS has implemented direct services in McKinley County based on an agreement with the State of New Mexico/Family Infant Toddler Program. Two new staff has been hired to implement service coordination.
- OSERS is renewing contracts for services for San Juan Schools, UNM/Center for Development and Disability, NAU/Institute for Human Development.
- OSERS is planning the Annual Parent Conference on August 25, 2010 to be held at the Navajo Nation Museum. 200 participants are expected to participate. The focus of the conference will be Autism Spectrum Disorders.

Tuba City Industrial Laundry & Dry Cleaning and Food Service Vending

- Tuba City Industrial Laundry 3Q revenues are \$4,850.23.
- Two consumers are in a work adjustment training program. Upon completion, they will be employed.
- Tuba City Industrial Laundry processed and delivered 13,121 pounds of linen.
- Food Service Program generated \$9,755.00 in revenues this quarter.

Status of on-going Projects, Initiatives and COA's

- Working on the five year grant application for vocational rehabilitation.
- Working on Adult Protection Act with NNACOD.
- Processing SAS/164's for approval by the appropriate oversight committees.
- Working on FY 2011 Navajo Nation budgets.
- Working on the amendments for the Rehabilitation Act Reauthorization with Health, Education, Labor and Pension Committee.

Outstanding Program Issues

- Delays with processing position reclassifications at DPM. DPM referrals are not appropriate for OSERS positions.

- The Tuba City Industrial Laundry had setbacks: break down of the dry cleaning and laundry machines, resignation and retirement of staff. DPM is working with Tuba City OSERS office to fill vacancy. Two people applied for Supervisor position, which should be filled in 4Q.

North Central Association/AdvancED (NCA)

Budget Performance Information: Funding and Expenditures

Program	Funding Source	# of Staff	# of Vehicle
FY10 Personnel	% Used	FY 10 Operation	% Used
NCA/AdvancED	General Funds	04 (0 Vacant)	02
97,324 – 65%	\$209,430 – 65%	\$40,700.27	6,378.26

Accomplishments

- Quality Assurance Review Visits for 15 schools have been completed for SY 2009-10.
- NCA staff is preparing schools for the upcoming 2010-2011 Quality Assurance Review (QAR) visit by assigning QAR volunteers, Field Consultant and Team Chair to schools.

Total Accredited, Candidate, and Applicant Schools

- Navajo Nation has 89 accredited and candidate schools (SY 2008-2009) comprised of 60 elementary schools; 5 middle schools; 14 high schools; 2 special purpose schools; 0 adult/vocational schools; 8 unit schools; 0 college preparatory schools; and postsecondary schools.

Current Projects April 2010

- Navajo Nation NCA/AdvancED Office has planned and conducted workshops on the Quality Assurance Review Process in preparations for the 2010-2011 Quality Assurance Review External Visits.

Workshop Topics	Date
Preparing for the Quality Assurance Review Visit	4/6/2010
Quality Assurance Review Training (Modules 1, 2, 3, 4) Presenter: Dr. David Hurst; NCA/AdvancED; Tempe, Az.	4/8-9/10

The NCA office staff served on the DoDE's School Improvement Team. Team members provided technical assistance at the following schools:

Schools	Date
Canyon De Chelly Elementary School	April 10, 2010 - Loretta Draper
Beclabito Day School	April 30, 2010 - Dee McKerry
ToHajiiilee Community School	May 12, 2010 - Dee McKerry
Dilcon Community School	May 26, 2010 - Evelyn Bahe
Greasewood Springs Community School	June 4, 2010 - Evelyn Bahe

Current Projects

- The Navajo Nation NCA /AdvancED staff attended the NCA staff meeting on April 16-17, 2010. The conference theme this year is "Educating Beyond the Horizon".
- On April 30, 2010, the following schools submitted the Accreditation Progress Report to the NCA office: Bread Springs Day School; Kaibeto Boarding School; Tuba City Jr. High; Chinle HS; Tuba City Primary School
- Greasewood Community School requested NCA to give an overview of the NCA Accreditation process.
- The NCA Fall Conference Committee met to plan the upcoming conference on October 3-5, 2010 at the NAU DuBois Center, Flagstaff, Arizona.
- Native American Leadership Institute and Native American Teacher Education Summer Conference were held on June 9 – 13, 2010.
- The Native American Leadership Institute presented 6 Modules (Leadership Style & Vision, Decision Making, Recruitment & Staffing, Supervision & Evaluation, Culture & Climate, and Using Data) for School Leaders as a Professional Development.

- The NCA State Director and Associate Directors attended the 2010 Arizona School Administrators Conference on June 14-15, 2010.

Workshops/Meetings and Technical Assistance

- A planning session was conducted with To'hajilee Community School on May 12, 2010 in preparation for their upcoming Quality Assurance Review. In addition, a meeting was held with Dr. Susanna Murphy, Professor at University of New Mexico on the new SEA structure as proposed by DoDE.
- DoDE's School Improvement Team conducted a planning session with the administrative staff, school board and summer school staff at Jee'deez'a Academy on May 25, 2010.
- Provided parent workshop at Dilcon Community School on May 26, 2010 on the Quality Assurance Review process.
- The NCA State Council Meeting was held at the Navajo Nation Museum on May 11, 2010, to review and approve recommended accreditation status for six (6) schools that were visited after January 2010.
- Dr. Kenneth F. Gose Scholarship Awards were presented to three high school graduates from Monument Valley High School, Tuba City High School and Navajo Preparatory School.

Challenges

- Providing TA to schools on the web-based reporting system (completing Quality Assurance Review and the Self Assessment Report reports online) is an on-going challenge for NCA staff.
- Staff is planning and organizing the 2010 Fall North Central Association (NCA) conference.

Johnson-O'Malley Program (JOM)

Budget Performance Information: Funding and Expenditures

Office	Funding Source	# of Personnel	# of GSA vehicles	FY 2010 Personnel	FY 2010 Operation	% used
JOM Central Office *	External PL 93-638	6 full-time 2 temp	2	6 full-time 2 temp	\$3.5 Million*	50%
30 Subcontractors	SY FY 2008-09 Unexpended funds.	Approx. 100 staff	2 at Central C.S.D.	Approx. 100 staff	Less than	99%
30 Subcontractors*	SY FY 2009-2010 base funding	Approx. 100 staff	2 at Central C.S.D.	Approx. 100 staff	Approx. \$3.5 million*	60%

Notes:

1. *The SY FY 2008-2009: All subcontractors except three (3) closed out the SY FY 2008 base funding. Approximately \$16,000 is unexpended for SY FY 2008. The JOM Program will continue to work with the Navajo Nation Finance to reconcile.
2. Subcontracts SY FY 2009-10 began on July 1, 2009 and the ending date is June 30, 2010. The Navajo Nation Finance allowed extension of the SY FY 2009-10 subcontracts ending date to December 31, 2010. This funding overlaps the previously mentioned unexpended funds and any previous school year fiscal year funding not spent to date.
3. Subcontracts SY FY 2010-11 begins on July 1, 2010 and the ending date is June 30, 2011. This is considered the SY FY 2010-11 base funding for the subcontractors. The Navajo Nation Division of Finance continues to use First In First Out (FIFO) accounting method to reimburse subcontractors and closeout the base funding and the unexpended funds. The JOM central office has been utilizing the FY 2008, FY 2009 and FY 2010 base funding under the FIFO method of accounting.
4. The JOM Central Office is on calendar year/fiscal year January 1, 2010–December 31, 2010.
5. The 30 subcontractors are on a school year/fiscal year July 1, 2010–June 30, 2010.

Accomplishments

- Monthly National JOM teleconferences were conducted to strategize, collaborate and network with tribes. Eleanor G. Thomas (Region One Representative) and Evonne Roanhorse are on the NJOMA Board.
- Interim JOM Program Manager continues to manage the daily operation of JOM. A JOM Program Manager was hired in June but declined the position. DODE advised JOM to re-advertise the position.
- The JOM staff completed on-site monitoring visits and is finalizing its reports.
- All subcontractors (except 3) closed out their SY FY 2008-09 budgets. The three subcontractors' unexpended funds will be put back into their budgets. JOM will attempt to pool the unexpended funds and redistribute them to subcontractors.

- JOM staff negotiated successfully with 31 subcontractors. Their contracts are awaiting approval by the President.
- JOM staff attended various end of the school year activities at Navajo Preparatory School, Joseph City USD, Gallup McKinley County USD and Window Rock USD.
- One JOM staff attended the 2010 Educational Leadership Conference: “Partnership for Policy Change—Increase Student Achievement.”
- Five JOM staff attended and participated in the NN State Education Agency Work Session.
- Two JOM staff attended the NN Fiscal Year 2011 Budget Preparation Orientation.
- JOM visited the Isleta Casino & Resort to finalize the contract to host the NN JOM Regional Conference.

Outstanding Program Issues

- JOM made efforts to pool its 2007-08 unexpended funds but NN Financial Services advised that Subcontractors continue with their funding on a “continuous stream of funding” method utilizing First in First Out (FIFO). As a result, keeping track of prior years’ unexpended funds is difficult because NN Financial Services will not close out budgets from prior years.
- JOM is concerned with a June 8 OMB memo regarding the FY 2012 Budget. The memo provides instructions to department heads and agencies. In the memo, President Obama “has requested that each non-security agency submit a budget request five percent below the discretionary total provided for that agency for FY 2012 in the FY 2011 budget.” OMB has directed federal agencies to identify low-priority programs that do not contribute to “agency missions.” Federal agencies are required to “include at least five significant terminations, reductions, and administrative savings initiatives that reduce costs below FY 2011 Budget levels.”
- In the BIA FY 2011 Budget, JOM will be placed on continuing resolution starting October 31, 2010.

Recommendations

- JOM must be allowed to close out and redistribute unexpended funds from prior years. Closing unexpended funds from prior years will improve JOM’s management of allocated funds.
- JOM seeks support of OP/VP as it faces proposed budget cuts in FY 2012.

DEPARTMENT OF JUSTICE



LOUIS DENETSOSIE
ATTORNEY GENERAL

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DEPARTMENT OF JUSTICE
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. PROGRAM INFORMATION

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 Human Services/Government Unit Paul Spruhan, Assistant Attorney General
 Water Rights Unit Stanley M. Pollack, Water Rights Counsel

II. BUDGET/PERFORMANCE INFORMATION

A. Funding and Expenditure.

TABLE A							
Program	Funding Sources	# of Personnel	# of Vehicles	FY2010 Personnel	% Used	FY2010 Operating	% Used
Attorney General	GF/CO	37	5	1,182,096.12	66.34%	581,655.39	58%
Prosecutor	GF	29	0	806,781.90	52%	-13,424.05	N/A
Juvenile Justice	GF	13	4	292,647.60	63%	10,403.98	78%
Navajo-Hopi Legal Services Program	GF/CO	5	0	255,458.00	58%	141,336.29	95%
(*)Fixed Cost Litigation	GF/CO	0	0	0	0	242,454.86	99%
(**)Water Rights Litigation	Special Revenue	7	1	391,210.21	8%	712,152.86	3%
(***)Historical Trust Asset Mismanagement Litigation	Special Revenue	0	0	0	0	122,095.08	63%
Total		91	10	2,928,193.83	247.34 %	1,786,674.41	3.9608%

(*)Fixed Cost Litigation. This is a continuing account since 1993 to present.

(**)Water Rights Budget. Pursuant to Resolution CMY-47-02 dated May 20, 2002. This is a continuing account since Fiscal Year 2003.

(***)Historical Trust Asset Mismanagement, Resolution CN-57-06. This is continuing account.

(****)Indirect Cost Recovery Allocation in the amount of \$1,071,648.00 (Legislation No. 0336-10).

B. Budget/Performance Information (attached).

C. Statistical Information.

1. Office of the Attorney General/Service Delivery.

TABLE B			
Attorney General	Requests for Services	Services Completed	
	Executive Branch	538	432
	Legislative Branch	08	06
	Judicial Branch	01	01
	Tribal Entities	12	10
	Non-Tribal Entities	03	01
Total		562	450

To provide legal services to the Navajo Nation Three Branch Government, including the Council, Divisions, Chapters and Entities.

Please Note: The formal Request for Services (RFS) does not include work completed by attorneys and advocates where time is spent in meetings, court appearances, negotiations, preparation for litigation, business calls, correspondence and internal departmental administrative/management issues.

2. Prosecution Cases.

TABLE C				
District	Cases Received	Cases Filed	Cases Closed	Cases Pending
Alamo	121	106	7	213

Aneth	16	4	20	19
Tohajiilee	184	127	93	505
Chinle	530	508	212	588
Crownpoint	268	268	0	980
Dilkon	166	108	16	150
Kayenta	909	662	566	519
Ramah	145	148	22	10
Shiprock	914	600	1,092	2,343
Tuba City	557	11	191	5,366
WCCU	7	0	0	43
Window Rock	1,171	1,095	280	695
Total	4,988	3,637	2,499	11,431

To provide criminal and civil case litigation and to represent the Navajo Nation in exclusionary proceedings before the Nation Courts.

3. Juvenile Justice Cases.

District	TABLE D			
	Cases Received	Cases Filed	Cases Closed	Cases Pending
Alamo	13	13	0	35
Aneth	5	5	8	9
Tohajiilee	15	10	57	70
Chinle	47	47	6	63
Crownpoint	69	34	1	68
Dilkon	12	1	9	3
Kayenta	62	14	46	5
Ramah	6	4	6	0
Shiprock	112	39	58	530
Tuba City	87	3	42	1,240
Window Rock	209	171	240	107
Total	637	341	473	2,130

To provide legal service for juvenile delinquency, children-in-need-of supervision, and abused or neglected children within the Navajo Nation jurisdiction.

4. Navajo-Hopi Legal Services Program (Tuba City, Arizona).

Opened Cases	TABLE E	
	Closed Cases	New Open Cases
285	15	6

To provide legal services to Navajo (and potential Hopi) individuals affected by the Navajo-Hopi Settlement Act of 1974, including legal matters related to: 1)ONHIR construction of relocation housing; 2)problems arising with homesite leases; 3)livestock impoundment activities of the BIA and the Hopi Tribe; 4)Hopi harassment of Navajo residents of the HPL; 5)complaints of relocatees now living at New Lands; 6)assisting residents of the HPL who have signed Accommodation Agreements with the Hopi Tribe; and 7) assisting applicants who have been denied relocation benefits by ONHIR.

III. SIGNIFICANT ACTIVITIES

On March 12, 2010 the Water Rights Unit of NNDOJ completed the negotiation of a water rights settlement between the Navajo Nation and the State of Arizona that provides for the financing and construction of a Western Navajo Pipeline from Lake Powell to Tuba City and Cameron. The Agreement is with the State of Arizona, affected water users in Arizona including the Central Arizona Water Conservation District, Salt River Project, Arizona Public Service, Little Colorado River Water Users, and the Hopi Tribe. WRU and the Navajo Nation Water Rights Commission will engage in a process of informing the Navajo public and Navajo Nation Council standing committees about this settlement before presenting the document for approval by the Navajo Nation Council. A more comprehensive report is given below by the WRU.

The Investment Committee approved Term Sheets to complete casinos and bingo halls at Upper Fruitland, Tse Da Kaan, Chinle and Pinta Road on March 26, 2010. Department of Justice attorneys assisted in advising and drafting these documents.

The United States Department of Justice, with the support of the Obama administration and leadership from the U.S. Attorney General's office, have agreed in principle to discuss the possibility of negotiating the claims for financial mismanagement of the funds that were the subject of the Arthur Anderson audit of the 1990s. If these talks go forward, this will be the first phase of three part discussions among the parties.

On December 28, 2009 the Attorney General filed a petition with the Special Division of the Window Rock District requesting the appointment of a special prosecutor to investigate and prosecute criminal and ethical violations, and bring civil actions, related to the OnSat and BCDS matters. In addition, the Attorney General asked that the special prosecutor be authorized to investigate and prosecute violations of federal and tribal laws in connection with discretionary fund abuses that were reported in the Navajo Times beginning in September 2009. The Special Division approved a contract with Special Prosecutor Alan Balaran and Mr. Balaran has now undertaken his duties. On June 25, 2010, the Attorney General requested the Special Division to enlarge the jurisdiction of the Special Prosecutor to include the discretionary fund expenditures by the Office of the President/Vice President, as well as the management of the Tribal Ranch Program.

A summary of major cases handled by the Department follows, along with the significant accomplishments.

Office of Attorney General

1. *Navajo Nation v. United States*, U.S. Court of Federal Claims No. 06-945L. This case is referred to as the “Trust Asset Mismanagement Case”. The Nation filed its Complaint against the U.S. in the U.S. Court of Federal Claims on December 29, 2006 claiming various violations of fiduciary trust duties owed to Navajo Nation by the U.S. resulting in monetary losses and seeking indemnification from the U.S. because of it. The period of time covered by the Complaint is August 14, 1946 to the present.

Pursuant to requests to the Court filed on behalf of the Navajo Nation, the Court entered a Confidentiality and Protective Order (CAPO) on May 11, 2007 and a Record Retention Order (RRO) on September 10, 2007 (modified by the Order of November 30, 2007 and amended on July 11, 2008).

By agreement of the parties, the case was referred to Senior Judge Eric G. Bruggink to conduct Alternative Dispute Resolution (ADR) proceedings (Order entered October 10, 2007) and the parties negotiated an ADR CAPO (entered February 5, 2008) and an Agreement Governing ADR Proceedings (ADR Agreement) (effective March 18, 2008) to govern the conduct and production of records within the ADR proceedings.

As a result of these Orders and the ADR Agreement, and pursuant to the requirements of Rule 26 of the Court’s Rules of Procedure, the parties have been involved in the identification and review of records relevant to the issues in the case. During this informal discovery process, and as required by the Court’s Rules, the Navajo Nation attorneys have compiled and provided the U.S. with an inventory of Navajo Nation repositories containing relevant records.

Contemporaneously, the U.S. has provided indices and inventories of active and inactive relevant records to the Nation’s attorneys for Agency records from the BIA Navajo Regional Office, the BIA Navajo Regional Realty Office at Window Rock, AZ, and the BIA Fort Defiance Agency, among other Agency offices.

In addition to the foregoing, experts have been engaged to analyze relevant financial information and to construct a computerized litigation assessment and damage calculation program which will provide the foundation for proving federal liability to the Court of Federal Claims.

The United States Department of Justice, with the support of the Obama Administration and leadership from the U.S. Attorney General’s Office, has agreed in principle with the Nordhaus Law Firm to submit the portion of the Nation’s claim related to the Arthur Anderson report to mediation. It is the recommendation of the Attorney General that the Nation participate in this mediation. The Attorney General will work with the Controller and the Budget and Finance Committee to secure funding for the additional expenses and fees that will be incurred by participation in mediation.

2. *Navajo Nation v. United States*, U.S. Court of Federal Claims, Washington D.C. The Navajo Nation filed a breach of trust and inverse condemnation action against the United States for imposition of the Bennett Freeze by Commissioner Robert L. Bennett in 1966. The complaint alleges damages of \$50 million. This action was dormant until the Bennett Freeze was lifted by court order in December 2006. The parties have been engaged in discovery, and only recently the U.S. filed a motion for summary judgment arguing that the only damages that can be proven by the Nation are economic damages resulting from failure or refusal by the United States to approve projects submitted for approval in the former Bennett Freeze pursuant to the Navajo-Hopi Settlement Act. The U.S. bases its motion on grounds that the government has no money-mandating fiduciary duty to the Navajo Nation under the Navajo-Hopi Settlement Act, and that the Court lacks jurisdiction because the statute of limitations has run. Oral argument was heard by the Court of Federal Claims in Albuquerque, New Mexico on January 8, 2009. On February 27, 2009, the Judge granted summary judgment in favor of the United States on the Navajo Nation’s breach of trust claim, stating that he found no money mandating fiduciary duty on the part of the government and directed additional briefing on the question relating to the statute of limitations. After additional briefing, the Court ruled the statute of limitations issue adversely to the Navajo Nation and dismissed the case. In summary, the Court of Federal Claims ruled against the Navajo Nation on both the breach of trust and inverse condemnations. After extensive discussion with outside legal counsel, the Department determined it best to appeal only the decision on inverse condemnation, as the other case was severely weakened by the Navajo I and Navajo II decisions. Outside counsel for the Navajo Nation filed a notice of appeal on the inverse condemnation issue on September 12, 2009.

3. *Navajo Nation v. Peabody, et al.*, U.S. District Court for the District of Columbia, No. 99-469-EGS. This matter, referred to as the District of Columbia RICO case, involves several claims against Peabody, Southern California Edison, and Salt River

Project based on the Federal Racketeering Statute and interference with the Secretary's trust duty in connection with the 1987 Peabody Lease Amendments. Salt River Project has been dismissed but the Nation has yet to release Salt River Project from possible appeals of the order of dismissal. During August 2009 the parties entered into active discovery phase. Discovery with the exception of expert discovery and some Department of Interior depositions will conclude in February 2010. The Nation's contract attorneys, Ropes & Gray, have worked to conclude document discovery with defendants and responded to a series of third party subpoenas issued to law firms and businesses who worked for the Navajo Nation during relevant time periods. The attorneys are continuing their efforts to prepare for trial and have worked to identify trial witnesses, exhibits and to refine the theory of the case. The Navajo Nation must now designate a Rule 30(b)(1) witness, an expert who will speak authoritatively on the royalty and damage issues and whose testimony will bind the Navajo Nation. To simplify the case for the jury, lead counsel has amended the complaint, with the concurrence of OAG, to remove the RICO claim. The new law firm of lead counsel Sam Buffone is BuckleySandler LLP of Washington, D.C.

4. *Black Mesa Coal Lease Re-opener Negotiations.* Under the 1987 amendments to the Peabody coal leases, the Nation and Peabody agreed to re-open the royalty provisions every ten years. The last ten-year agreement expired on March 14, 2007. In September 2009, the Nation and Peabody negotiated new royalty terms of Lease 8580 (Navajo lease) and Lease 9910 (Former JUA Lease). The royalty adjustment is now complete and the final documents have been prepared for presentation and approval by the Resources Committee and the Navajo Nation Council. On December 22, 2009, the Navajo Nation Council voted not to recall the royalty adjustment approval legislation, which had been tabled, and directed that the legislation will be brought back again in the Spring Session, after a work session is held on the Peabody leases. OAG, DNR and Minerals Department provided a presentation on April 1, 2010 and recommended that the Navajo Nation Council approve the royalty adjustment.

5. *In the Matter of the Disposition of the Mohave Generating Station,* California Public Utility Commission (CPUC). The Navajo Nation intervened in this proceeding filed in January 2002 in which Southern California Edison (SCE) sought the approval of the CPUC to either decommission the MGS or to approve \$58 million for pre-engineering studies to install pollution control equipment and to retrofit the MGS. This case has not finally been disposed of by the CPUC although SCE has abandoned its efforts to reoperate MGS, after MGS closed on January 1, 2006. Intervenors in the CPUC proceeding include the Navajo Nation, Hopi Tribe, Peabody Coal Company, Salt River Tribe and a host of non-governmental entities or NGO's including the Sierra Club, Black Mesa Trust and other local environmental associations. Operations at the MGS and the Black Mesa Pipeline (slurry pipeline) ceased on December 31, 2005 after a failed negotiation by the interested parties to enter into new coal and water supply agreements. On June 10, 2009 SCE announced its decision to decommission the plant.

The Navajo Nation has submitted a claim to the CPUC for an award of sulfur dioxide credits to compensate the Nation for the harm to its land, resources and economy resulting from the operation and closure of the Mohave Generating Station.

In September 2009, the CPUC held a prehearing conference with the assigned Administrative Law Judge. Prior to that meeting, the parties, including the Navajo Nation, submitted written prehearing conference statements on September 10, 2009. The parties unanimously suggested that before proceeding to evidentiary hearings, the CPUC should address the legal issue of whether it will allocate any SO2 allowance proceeds to the Navajo Nation, the Hopi Tribe, SCE ratepayers, or other stakeholders. On September 22, 2009, the Administrative Law Judge issued a second amended scoping ruling adopting this suggestion and stating her intention to rule on the pending legal issues. The Administrative Law Judge also extended the deadline for concluding the proceeding eighteen months to March 2011. Although the deadline has passed, the Navajo Nation is still awaiting a ruling on these legal issues.

6. *Navajo-Hopi 1934 Land Dispute Issues.* Since the settlement of litigation between the Navajo Nation and the Hopi Tribe, the Department of Justice and outside counsel have been engaged in the following activities: (1) efforts to repeal 25 U.S.C. Section 10(f), the statutory freeze; (2) coordinating with the San Juan Southern Paiute Tribe's attorneys to have the Secretary of the Interior recommend the approval of the Navajo Nation-San Juan Southern Paiute Treaty to the United States Congress; and (3) coordinating the agreed-upon eagle study with the Hopi Tribe and the U.S. Forest Service. The Department of Justice and the Division of Natural Resources are also cooperatively addressing matters of enforcement and implementation of the Compact.

On May 8, 2009 President Obama signed into law an act of Congress repealing Section 10(f) of the Navajo-Hopi Settlement Act.

For any Indian reservation to be established in Arizona, an act of Congress is required. The Navajo-Paiute Treaty setting aside some 5,000 acres for a Paiute reservation was signed in 2000, but thereafter the parties negotiated an "Addendum" in 2004, which would support the Paiute Tribe's effort to take a parcel of land near Bellemont, Arizona into trust for gaming purposes.

Since that time, the Paiute Tribe has abandoned its hope of taking the Bellemont parcel into trust and the Addendum has become a nullity. Since the Paiute change of plan, the Navajo Nation and the Paiute Tribe submitted the Treaty to the Department of Interior for review and approval. The Secretary on review has indicated that he has no objection to the terms of the Treaty and settlement but will not approve the settlement until Congress has enacted legislation approving a reservation for the Paiutes. No bill to approve the Treaty and settlement has been introduced. The San Juan Southern Paiute Tribe at present is incapable of making governmental decisions due to internal disputes over which of three claimants is the rightful Chairperson of the Tribe.

In May 2010 the Paiute Tribe made another request to the Attorney General for a further extension of the stay on litigation of the Southern Paiute case in the Ninth Circuit Court of Appeals. The Attorney General agreed to an extension up to December 31, 2010. Further extensions of time are required to allow time for Congress to pass the legislation setting aside the Paiute reservation agreed to by the Nation in the Navajo Nation-Paiute Treaty.

Navajo Nation Fish & Wildlife, with DOJ, continues to work on the proposed eagle study with the U.S. Fish & Wildlife and the Hopi Tribe.

7. *Navajo-Hopi 1882 Land Dispute Issues.*

a. *Owelty.* On September 30, 2008, the U.S. District Court for the District of Arizona entered judgment on the owelty claim in favor of the Hopi Tribe in the amount of \$426,750.00 plus prejudgment interest from April 18, 1978, until paid. The Nation has requested reconsideration of this matter as the judgment is inconsistent with earlier rulings entered by the Court. It is expected that the payment to the Hopi Tribe could be as much as \$3.5 million.

b. *Post Partition Rent.* Pursuant to the Navajo-Hopi Settlement Act, the Navajo Nation is required to pay for uses of the Hopi Partitioned Lands by Navajos continuing to occupy these lands since the date of partition, April 29, 1979. These uses include grazing, homesite and farmsite uses, as well as livestock trespass. The Navajo Nation bears strict liability for these uses which are determined on an annual basis by the Bureau of Indian Affairs. On December 31, Judge Carroll of the United States District Court of Arizona entered an Order re 1990-95 Homesite, 1979-05 Grazing and 1986-95 Farmsite Rental determinations and pre and post-judgment interest, granting in part and denying in part the tribe's pending motions for entry of judgment and denied a United States motion for summary judgment. In essence, the Court order enforces and awards pre-judgment and post-judgment interest to the Hopi Tribe on certain Homesite and Farmsite Rental determinations through 1989 and grants in part and denies in part motions to enforce other Homesite, Farmsite and Grazing Rental determinations through 1995. The Department and outside counsel must make a decision quickly whether to appeal the judgments that are final or to pay the rents. A report on the Court's decision was given to the Navajo Hopi Land Commission on February 2, 2010.

Judge Carroll also entered a final judgment in favor of the Hopi Tribe against the Navajo Nation in the amount of \$279,311.53 for HPL farm rents for the period 1979 to 1985 and for 1979-1995 HPL homesite rents in the amount of \$1,069,389.24 on March 26, 2010. This judgment did not include the interests calculations. The bill will be presented to the Controller for payment of this amount from the Contingency Management Fund, as well as prepayment of other amounts. Prepayment will prevent interest from accruing. A present interest accrues at the rate of 6% compounded annually. The total judgment amount, including interest, is in excess of \$10 million through the spring of 2010.

The last BIA determination of rents for Navajo use of the HPL was in 2000. The Bureau of Indian Affairs is at present re-assessing all rents through 2000 and will be submitting further determinations to the Navajo Nation for payment. The Bureau is also beginning to make assessments for the post 2000 period. Notwithstanding the lack of determinations the Nation will remain strictly liable for the Navajo use of the HPL under the terms of the 1974 Settlement Act.

8. *Gaming Activities.*

a. *Gaming Enterprise.* The Navajo Nation Gaming Enterprise opened its Fire Rock Casino operations on November 17, 2008 in Churchrock, New Mexico. On November 19, 2009, the Fire Rock Casino celebrated its first year of operations which has been a successful year.

b. The Gaming Enterprise made its first payments pursuant to the Loan Agreement on loans received from the Navajo Nation Land Acquisition Fund. Due to the current banking crisis, it appears the Navajo Nation may have to fund any additional developments of Class III or Class II gaming facilities.

c. The Department of Justice is taking an active role to gain site control over the proposed Casino sites near Leupp and Upper Fruitland.

The Department of Justice is also providing legal assistance to the Investment Committee which will finance the Navajo Nation Gaming Enterprise casinos at five locations on the Navajo Reservation. The financing arrangements will provide competitive returns to investments managed by the Investment Committee.

d. New Mexico Gaming Compact. The Navajo Nation-New Mexico Gaming Compact is due to terminate at midnight on June 30, 2015. A negotiating team was formed to develop an outline of the Nation's position regarding the negotiation of a new compact with the state of New Mexico. After letters were exchanged between the parties to begin negotiations, Governor Richardson informed the Nation that he did not desire to renegotiate the Navajo Nation–New Mexico Gaming Compact during his remaining term.

e. The Office of the President and Vice-President has been successful in their quest to recruit a new director for the Gaming Regulatory Office. The successful candidate has been confirmed by the Navajo Nation Council to serve in this capacity.

9. *Desert Rock Energy Project*. On July 31, 2008, the U.S. Environmental Protection Agency, Region 9, issued a prevention of significant deterioration permit (Permit) to the Desert Rock Energy Project. The Permit authorizes Desert Rock to build a new 1500 megawatt coal-fired power plant near the existing BHP Navajo mine. After issuance of the Permit, various environmental groups and groups opposed to the project initiated an administrative challenge to the decision of the U.S. Environmental Protection Agency. The State of New Mexico is also participating in the challenge to the issuance of the draft air permit.

On September 24, 2009, U.S. Environmental Appeals Board (EAB) issued a Remand Order to the US Environmental Protection Agency (EPA). The Remand Order is based on two independent justifications. First, the EPA requested a voluntary remand during the proceedings and the EAB found no reason to deny this motion. The EAB reasoned that a remand to address issues which needed additional attention by the EPA would lead to administrative and judicial efficiency. Secondly, the EAB determined that the administrative record is inadequate to support the Region's decision not to consider the Integrated Gasification Combined Cycle in step one of the Best Available Control Technology analyses.

The proponents of the Desert Rock Project submitted an application to the federal government seeking funds to install Carbon Capture and Sequestration Technology on the proposed plant. This application was unsuccessful.

10. *OnSat Network Communications, Inc. v. Elizabeth Begay*, Case No. WR-CV-318-07. In July of 2007. *OnSat v. Navajo Nation*. The parties have conducted discovery going to the accuracy of the findings contained in the Special Review of Payments made by Onsat to the Navajo Nation. At present, the parties are engaged in negotiations over possible revisions to the Special Review.

11. *E-Rate*. As a result of the Special Review of the Nation's involvement with Onsat Native American Services conducted by the Auditor General in 2007, the Nation has been unable for the past three years to participate in the E-Rate Program, which heavily subsidizes internet connectivity in rural areas. The Nation has subsequently authorized two additional investigations of our E-Rate involvement, and has demonstrated to the Federal Communications Commission that we are committed to full compliance with E-Rate Policies and Regulations. In addition, the Attorney General on December 28, 2009 filed a petition requesting the Special Division of the Window Rock District Court to appoint a special prosecutor to investigate and prosecute any legal violations in this matter. Therefore, we are hopeful of partial reinstatement in 2010, and full reinstatement into the E-Rate Program in 2011.

Labor and Employment Unit

This Unit represents the Nation before the Office of Hearing and Appeals, the Labor Commission, and the District Courts in cases involving appeals of disciplinary actions against present and former employees, and the defense of unlawful workplace claims. The Unit also advises departments, programs and chapters concerning interpretation and enforcement of the Personnel Policies and the necessary foundation for supportable disciplinary actions. At any given time, the Unit represents the Nation in dozens of cases filed by employees or former employees against the Navajo Nation. Any judgments by the Office of Hearings and Appeals or the Labor Commission are paid out of the Contingency Management Fund.

Water Rights Unit

This part reflects the work of the Water Rights Unit; Stanley Pollack, Bidtah Becker, and Kate Hoover. This Unit provided numerous briefings on water rights matters including regular and monthly meetings of the Water Rights Commission, the

most recent of which occurred on June 14, 2010.

12. *Little Colorado River (LCR).*

a. Litigation (*In re the General Adjudication to Use Water from the Little Colorado River System and Source*, Civil Case No. 6417, Superior Court for Apache County.)

This general stream adjudication was filed in 1978. The Arizona Supreme Court has issued numerous decisions arising out of this case and the Gila River Adjudication, but the trial court has yet to adjudicate a single water right. The law firm of McElroy, Meyer, Walker, & Condon (Scott McElroy) is working with Bidtah Becker and taking the lead on the litigation.

i. Litigation has commenced on two “Hopi questions”, which are matters that are being litigated prior to litigating the substance of the Hopi Claim.

(1) The first issue is whether the Hopi Tribe and the United States, acting as trustee for the Hopi Tribe, are precluded from claiming a right to water from surface streams that are located within the Little Colorado River Basin but do not traverse any part of the Hopi Reservation. On March 2, 2009, the Court granted the Navajo Nation’s Motion for Summary Judgment precluding claims by the Hopi Tribe from water sources that were not on or adjacent to the Hopi reservation. The court did not rule that adjacency is a requirement of a water right, but it held that in this narrow case, the Hopi Tribe may not claim water off-reservation if the only access to such water would require intruding onto lands owned by the Navajo Nation. On August 26, 2009, the Hopi Tribe’s Motion for Reconsideration was denied. On November 20, 2009, the Hopi Tribe filed a petition with the Arizona Supreme Court requesting the Court consider the issue through an interlocutory appeal. The petition is pending.

(2) The second issue is whether the claims to water rights asserted by, or on behalf of, the Hopi Tribe in this adjudication have priority of “time immemorial” or are otherwise senior to the claims of all other claimants. In preparation for this issue, the Nation has retained the following experts: Dr. Klara Kelly to testify about Navajo origins in the Little Colorado River basin; Historical Research Associates, including a subcontract with Dr. Jennifer Nez Denetdale, to testify on the history of the creation of the Navajo and Hopi reservations and the federal government’s policy intentions to the Navajo Nation; Dr. Michael M. Brescia to testify about Spanish colonial law and the effect of the Treaty of Guadalupe Hidalgo; and Dennis Gilpin, PaleoWest, to serve as a rebuttal witness to the Hopi experts’. We are also retaining Navajo singers, Mr. Becenti, Mr. Roy Lester, and Ms. Sarah John, along with Tony Joe of the Historic Preservation Department to testify about Navajo beliefs regarding water and the Navajo creation stories. The discovery deadline is January 28, 2010. Depositions were taken of all the witnesses except those three experts who issued reports concerning the Treaty of Guadalupe Hidalgo issues. These three depositions were postponed because the Hopi Tribe’s expert withdrew and the Hopi Tribe needed to replace him. The Hopi Tribe retained Dr. Kessel. He issued a report on April 30, 2009. The Navajo Nation’s expert will issue a report by June 30, 2010.

After the filing of the Nation’s rebuttal report on the Treaty of Guadalupe Hidalgo issues, the rest of the schedule in the Hopi Priority Contested Case has been stayed to allow the parties to seek approval from their governing bodies of the Settlement Agreement concerning the two Tribes’ rights to the Little Colorado River Basin and Lower Colorado River Basin.

(3) A briefing schedule has been set to address Catalyst Paper’s issues concerning attributes of water uses related to the Hopi Tribal Industrial Parks. Motions for summary disposition on this issue shall be filed by August 19, 2010. Responses are to be filed by September 29, 2010 and Replies by October 29, 2010. A motion has been filed to moot this briefing schedule because the Hopi Tribe has withdrawn its aboriginal claims to the Industrial Parks.

ii. Meanwhile litigation has begun on the Hopi claim. The Arizona Department of Water Resources (ADWR) has filed a Preliminary Hydrographic Survey (PHSR) for the Hopi Reservation. We submitted comments on the PHSR, as did many of the other parties on June 30, 2009. On August 3, 2009, we submitted a Motion for Clarification on the process that will result in a Final Hydrographic Survey. The Hopi Tribe amended its claim on November 12, 2009. ADWR has indicated that it will issue a final HSR in the summer of 2011.

b. Settlement Negotiations. Because the Little Colorado River Basin is part of the Lower Colorado River Basin, whatever water rights the Navajo Nation would have in the LCR would be part of an overall Colorado River entitlement. Consequently, the settlement discussions concerning Colorado River have merged with discussions concerning LCR. These issues are addressed in the Colorado River discussion below.

13. *Colorado River.*

a. Litigation. (*Navajo Nation v. United States Department of the Interior*, CIV 03 0507 PCT PGR.) This lawsuit seeks declaratory and injunctive relief against the Department of the Interior for failing to adequately protect Navajo interests in the Lower Basin of the Colorado River. Various parties from the States of Arizona, California and Nevada intervened in this matter. The parties

have agreed to stay the litigation in order to pursue a negotiated resolution of the underlying claims of the Navajo Nation for water from the Colorado River within the Lower Colorado River Basin, including the Little Colorado River Basin. The federal court entered an order on October 13, 2009 extending the stay until April 13, 2010. We anticipate requesting another 6-month extension based on developments in the negotiations discussed below.

i. Negotiations. Discussions have been occurring between the Navajo Nation, the United States, the intervening state parties, and the parties to the LCR Adjudication, including the Hopi Tribe. As discussed above, these Navajo Nation's claims in the LCR Basin are integral to the Colorado River claims and the parties to the LCR discussions, including the Hopi Tribe, have participated in the discussions. On March 12 the attorneys completed a draft Settlement Agreement. There are additional pieces of the settlement that need to be completed that will be included as exhibits to the Settlement Agreement. Some significant documents that are in various stages of completion include draft state legislation designed to provide the same groundwater protections that are in the draft Settlement Agreement prior to ratification of the settlement by Congress, the water delivery contracts with the United States, and abstracts of existing water uses. Upon the direction of the Resources Committee, we are briefing each committee of the Council. Together with the Water Rights Commission we briefed the Resources Committee on April 29, the Human Services Committee on May 10, the Health and Social Services Committee on May 11, and the Ethics and Rules Committee on June 17. We are scheduled to brief the IGRC on June 21; the Judiciary Committee, the Government Services Committee and the Budget & Finance Committee on June 22; the Navajo-Hopi Land Commission on June 23; the Public Safety Committee on June 28; the Education Committee on July 7; and the Transportation Community Development Committee on July 20.

ii. The proposed settlement provides for the delivery of water from the Colorado River to the western area of the Navajo Indian Reservation and the construction of a Western Navajo Pipeline, as well as other water development and delivery projects that will serve Ganado, Dilcon, Leupp and Tolani Lake.

(1) Settlement Funding. Off-budget funding for the settlement would come from three sources:

(a) \$100 Million from the Reclamation Fund to be authorized in the Navajo San Juan River settlement legislation.

(b) Funding from the Lower Basin Development Fund authorized by the Arizona Water Rights Settlement Act of 2004.

(c) Funding from the President's Emergency Plan for AIDS Relief (PEPFAR). In August 2008, Senator Kyl inserted language into the PEPFAR bill for the authorization of \$1 billion to be used for water infrastructure projects in Indian Country that are included in Indian Water Rights Settlements (Title VI of PEPFAR, also referred to as the Emergency Fund for Indian Safety and Health ("EFISH")). Since that time Senator Kyl has urged the parties to expeditiously conclude their settlement discussions. Many other settlements are currently competing for the PEPFAR monies

iii. Settlement Agreement. Senator Kyl has yet to give his unconditional support for the proposed settlement due in large part to the high cost of the water projects proposed as part of the settlement and the lack of a clear funding source. The parties to the negotiations prepared a "White Paper" containing legal and technical information to assess the benefits of the proposed settlement and submitted it to Senator Kyl on March 26, 2009.

14. *Gila River*. Litigation (*In Re: The General Adjudication of All Rights to Use Water in the Gila River System and Source*, Superior Court, W-1 through W-4 (Consolidated), Maricopa County). The Navajo Nation has certain state-based water rights in the Gila River Adjudication by virtue of various water rights associated with the Big Boquillas Ranch. However, most of our attention to the Gila River Adjudication involves monitoring and participating in legal issues that can affect Navajo water rights elsewhere.

a. Subflow Proceedings, Contested Case No. W1-103. The Navajo Nation monitors this action but is not an active participant. Subflow proceedings relate primarily to state water rights to the use of off-reservation groundwater.

b. State Trust Lands, Contested Case No. W1-104. The Arizona Land Department has asserted federal reserved rights for the state trust lands. The Gila River and LCR courts are considering this matter as a consolidated contested case with Case No. 6417-100 in the LCR. The Navajo Nation is an active participant in this litigation. Briefs were filed by Scott McElroy and Alice Walker concerning the Special Master's Report, which was favorable to the Navajo Nation. McElroy and Walker also filed responses to objections filed by the State Land Department and other parties. A hearing on the objections is scheduled for September, 2010, but the Arizona Attorney General's Office has requested a change in that date.

c. *De Minimis* Water Uses, Contested Case No. W1-105. The Special Master is in the process of organizing a contested case to address the issue of whether certain small water used can be summarily adjudicated. Again, the Water Rights Unit will continue to monitor these proceedings to ensure that there is no adverse impact on Navajo water rights in the LCR.

d. Interlocutory Review, No. WC-07-0001-IR. On February 19, 2010, the Arizona Supreme Court affirmed the Superior Court's approval of the final decree for the Gila River Indian Community's water rights settlement. While the Navajo Nation did not initiate the appeal, it was a party to the appeal.

e. Settlement Discussions. The Navajo Nation's rights in the Gila River Basin (state appropriate rights associated with the Big Boquillas Ranch) will be abstracted and confirmed as part of a Lower Colorado River Basin settlement with Arizona.

15. *San Juan River*.

a. Litigation (*New Mexico v. United States*, No. 74-184, Dist. Ct., 11th Judicial District, San Juan County, New Mexico). The New Mexico Supreme Court has appointed Court of Appeals Judge Jim Wechsler to preside over the San Juan River Adjudication.

1. La Plata Irrigation Uses. Adjudication has commenced. The Navajo Nation has filed briefs in support of the positions taken by the State Engineer.

2. Ute Mountain Ute Claims. The Ute Mountain Ute Tribe filed its claim for 9,300 afy with a March 2, 1868 priority date, pre-dating the June 1, 1868 priority date for the Navajo Nation in the San Juan settlement. On August 4, 2009, the Court entered the Preliminary Scheduling Order for the Adjudication of the Water Rights of the Ute Mountain Ute Tribe. The adjudication of those claims must commence not later than March 30, 2020.

3. Navajo Nation Claims. The United States must file a Hydrographic Survey concerning uses on Navajo Lands by October 1, 2010. This work has been ongoing; however, the Court will likely require a Hydrographic Survey and a Statement of Claim on behalf of the Navajo Nation to be filed by December 31, 2010.

4. Approval of the Navajo Settlement. On September 2, 2009, the State of New Mexico, the Navajo Nation and the United States ("Settling Parties") filed Joint Motion for an Order Governing Initial Procedures for Entry of a Partial Final Judgment and Decree of the Water Rights of the Navajo Nation ("Joint Motion") to request a process for proceedings to approve the Navajo Settlement with the State of New Mexico. This matter was referred to the Special Master by Order of Reference, October 7, 2009. The Special Master held hearings on the Joint Motion on November 17, 2009 and March 8, 2010. The Special Master issued a Final Report and Proposed Order in April 2010. Judge Wechsler held a hearing on May 7, 2010 concerning this matter. Judge Wechsler has requested additional briefing which is due by July 2, 2010.

C. b. Settlement.

1. The Omnibus Public Land Management Act of 2009 was signed into law by President Obama on March 30, 2009. Title X.B. – the Northwestern Rural Water Projects Act authorizes the Secretary of the Interior to execute the Settlement Agreement with the Navajo Nation and the State of New Mexico.

2. The next phase to implement the settlement is to revise the Settlement Agreement and Settlement Contract so that they conform to the Settlement Legislation. A Federal Implementation Team has been designated and the Navajo Nation and the State of New Mexico are working with the Team to prepare the necessary documents, including the appropriate decrees, the settlement agreement, and the water delivery contract. The revised Settlement Agreement is currently being reviewed by the United States. A meeting was held June 18, 2010, to finalize the language of the Agreement.

3. We plan to have the revised Settlement Agreement ready for the Navajo Nation Council's consideration at a Special Session following consideration by the Resources Committee and any other Committees as designated by the Speaker.

4. Other. Numerous other activities affect Navajo interests on the San Juan River:

a) San Juan River Recovery Implementation Program. Stanley serves as the Navajo Nation's representative on the Coordination Committee. During the past quarter, the Coordination Committee revised the basic Program Document in an effort to address perceived conflict of interest issues by the researchers for the Program.

b) Navajo-Gallup Water Supply Project. The Secretary of the Interior issued a Record of Decision on October 1, 2009 approving the construction of the Project. President's FY 2011 includes funding to complete the preconstruction studies.

c) Animas-La Plata Project.

d) Farmington to Shiprock Pipeline. Construction has begun on this pipeline, and the pipeline is more than 25% complete.

e) Transfer of Operation and Maintenance from the U.S. Bureau of Reclamation to the Operating Entity. The Transfer of O&M Agreement was executed by the Association and BOR.

- f) The Association is actively meeting and addressing issues concerning state administration of the Project.
- g) Water Delivery Contract. The Navajo Nation and Reclamation have been negotiating the water delivery of the ALP water as part of the Settlement Contract for delivery of NGWSP water and NIIP water.
16. *Rio San Jose Adjudication*(*State of New Mexico, ex rel. Eluid L. Martinez, State Engineer v. Kerr-McGee, et al.*, Nos. CB-83-190-CV and CB-83-220-CV, Thirteenth Mexico).

a. Subproceeding regarding the past and present claims of the Acoma and Laguna Pueblos. Currently, the parties are adjudicating the historic uses of the Pueblos of Acoma and Laguna. The Navajo Nation, while an objector to the Pueblos' past and present claims, is not an "active participant" in this sub-proceeding.

b. Navajo Nation Claim. The United States is conducting the hydrographic survey of the Navajo Nation lands. The United States informs Water Management and the Unit when it is conducting its survey on Navajo lands. No survey work was conducted this past quarter.

17. *Zuni River Adjudication*. (*United States v. State of New Mexico, et al.* CIV 01 0072, U.S. District Court, New Mexico. Bidtah Becker is handling this adjudication.

a. Lead Case. The Court granted the United States' motion to limit the temporal aspect of this case.

b. Zuni Claim. The Nation has retained Hydrosphere, Inc., now AMEC, an engineering firm, as an expert. The first subproceeding concerns Zuni Past and Present Permanent Works. On July 30, the subproceeding parties exchanged Initial Rule 26 Disclosures. The United States, the Zuni Tribe, the State of New Mexico, and the Navajo Nation have all submitted expert reports. The State of New Mexico is asking for a two year stay.

c. Navajo Nation Claim.

i. On May 21, 2008, the Court issued a Scheduling Order regarding the Navajo Nation Subproceeding. In February 2011, the United States will file the Nation's claim. In April 2011, the Nation will file a supplemental claim. The first trial of the Navajo Nation subproceeding will be the domestic, commercial, municipal, and industrial claim. The expected date of trial is May 12, 2014. These dates are pushed back from the original schedule. We hope to take advantage of the delay to determine whether or not the Nation has actual groundwater conflicts with the Zuni Tribe. The purpose is to minimize conflict between the two tribes.

ii. The United States has nearly completed the Hydrographic Survey and claim for Navajo Nation lands. We were supposed to meet with the United States regarding the Navajo Nation claim at the end of May. Due to a personal crisis of the United States Attorney, the meeting was cancelled. We hope to meet soon.

18. *Utah Water Rights*. The settlement discussions have progressed to the point that we are currently drafting a settlement agreement. We met with representatives of Utah in Salt Lake City on April 21 and have held numerous meetings by teleconference, the most recent of which was on June 17. The basic framework of the settlement agreement is largely complete. There is still work that needs to be done to pursue funding for the water delivery projects that will be a part of the settlement. We continue to push for the designation of a federal team to participate in the negotiations. President Shirley and the Governor of Utah sent letters to Secretary Salazar renewing our previous requests for the appointment of a federal team. The Secretary has requested additional information, and we will respond to the Secretary's request.

19. *Permit Applications within the State of New Mexico*.

a. City of Gallup Groundwater. (*In the Matter of the Application by the City of Gallup for Permit to Appropriate Ground Water and for a Plan of Replacement within the Gallup Underground Water Basin of New Mexico*, Hearing No. 99-003, OSE File Nos. G-22-S-58, et al.).

The City of Gallup applied to the New Mexico State Engineer to develop groundwater from an area east of the City near the Continental Divide. The Navajo Nation is one of the Protesting parties to the application and we have reached a proposed settlement with the City. Pursuant to this authority, the Natural Resources Division Director and the Resources Committee has been consulted. The settlement has been executed and the Navajo Nation has withdrawn its protest pursuant to the Settlement Agreement

b. Augustin Plains Ranch, Application No. RG-89943. Augustin Plains filed an application with the New Mexico State

Engineer to appropriate 54,000 acre-feet of groundwater in Catron County for use in Catron and Socorro Counties. The Alamo Chapter is in Socorro County. We filed a Protest and filed a filing fee this past month to remain in the case.

c. San Juan Water Commission. The SJWC filed an application with the OSE seeking to appropriate additional water on the theory that the ALP, as a result of downsizing, has been de-authorized. We filed an objection with the OSE. The OSE denied the application and the SJWC has appealed that decision. We filed a motion with the District Court on the Nation's behalf, seeking leave to appear as amicus curiae. The motion was denied. We will not seek to intervene; rather we will help the State of New Mexico in its opposition.

d. Western Refining. Approximately 20 years ago, the precursor to Western Refining filed an application to appropriate groundwater for its then named Giant Refinery. The Navajo Nation objected. The case became active this quarter and after Water Management's review, we decided to withdraw our appeal. Nevertheless, we have sent Western some information in the hopes of developing a watering point at the gas station or refinery for use by citizens of the Navajo Nation.

Natural Resources Unit

20. *Uranium Contamination – Rare Metals Related Sites.* Rare Metals UMTRCA Site. Like the other five UMTRCA sites on Navajo land, the Rare Metals UMTRCA site is unlined and could pose a risk of contamination of ground water in the N-Aquifer. Similarly, at Shiprock, there is evidence that the Many Devils Wash is contaminated with nitrates, sulfates and uranium directly attributable to the Shiprock UMTRCA site. There has been little progress in moving the federal government to accept that there are substantial environmental issues related with the five Navajo UMTRCA sites on Navajo land, therefore the Department of Justice is considering possible avenues of moving the United States to action. One possible avenue is litigation, which has commenced in the case of Rare Metals-related sites. Litigating against the U.S. will, of course, be expensive and protracted.

a. Litigation: EPNG in May 2007 filed suit in the United States District Court for the District of Columbia naming numerous federal agencies including the Department of Defense, the Department of Energy and the U.S. Environmental Protection Agency. Among other things EPNG alleged that the Departments of Defense and Energy had acted arbitrarily and capriciously in failing to identify the Highway 160 site and the Tuba City Open Dump sites as "vicinity" properties under UMTRCA. The Navajo Nation on January 27, 2009 sent out RCRA (Resource Conservation Recovery Act) Notice letters to various potentially responsible parts, including the federal government and El Paso Energy, indicating the Nation's intent to file suit against the named parties pursuant to RCRA. On May 26, 2009, the Navajo Nation filed a complaint in intervention in the District of Columbia lawsuit. In March 2010 the Judge in this lawsuit granted the Navajo Nation's motion for leave to intervene.

21. *Tuba City Open Dump.* On October 24, 2008 we received the Final Summary Report from Brown and Caldwell, the El Paso Natural Gas Company contractor who conducted the Water Sampling Program in the Tuba City area in accordance with the Cooperative Agreement between the Navajo Nation and EPNG negotiated by this office and entered into on June 25, 2007. The Report continues to show radio-active related contaminants above the U.S.EPA maximum contaminant levels (MCL's) at the two Herbert Chief wells and one of the springs (LeChee) located in the area. There appears to be an "expert" disagreement regarding the nature and extent of the threat posed by the documented groundwater contamination.

The Hopi and Navajo experts believe that the radioactive contamination in the groundwater is an imminent and substantial threat to human health and the environment because it is migrating toward a number of Hopi springs in the immediate vicinity. The Hopi and Navajo experts include Mark Miller, a hydrologist employed by Daniel B. Stephen & Associates out of Albuquerque. Daniel B. Stephens & Associates is the Hopi contractor. Mr. Miller has been doing work in this particular area on behalf of the Hopi Nation for over ten years. Dr. Bill Walker is the primary outside Navajo Nation consultant. He was instrumental in establishing the evidentiary link between the Highway 160 site and the Rare Metals processing facility. Additionally, we rely on Henry Haven who works for Navajo EPA, has a Masters degree in Geology and is working on a Ph.D. in that field from Northern Arizona University. All of these people believe 1) there is a connection between the Rare Metals processing facility and the radioactive groundwater contamination beneath the Tuba City Open Dump, and 2) the contamination beneath the Open Dump poses an imminent and substantial threat to human health and the environment. While the federal agency experts acknowledge the existence of the groundwater contamination beneath the Open Dump they are not convinced that the contamination represents an "imminent and substantial" threat to human health or the environment.

This stalemate, together with other related factors, led the Navajo Nation to decide to join, as a party, in the litigation initiated over a year ago by El Paso Natural Gas in the U.S. District Court for the District of Columbia naming numerous federal agencies as defendants.

22. *The Highway 160 Site.* The appropriation bill for Fiscal 2009 included five million dollars for remediation of the Highway 160

site, across the highway from the Rare Metals UMTRCA, which was apparently used by El Paso for dumping uranium tailings and other contaminated equipment and materials. The Navajo Nation Environmental Protection Agency will undertake the task to remediate the site as quickly as possible, using these funds. It is recommended that transfer of the funds be accomplished through an amendment to the Cooperative Agreement between the Navajo Nation and the Department of Energy to allow for the money to be passed through to NNEPA for purposes of remediating the site. DOJ and NNEPA met with the USDOE on April 3, 2009 to discuss this matter.

23. *Northeast Church Rock Site*. The National Remedy Review Board in San Francisco is considering the USEPA's proposed action to clean up the NECR site. Review by the Board is required for all remedies where the projected cost will exceed \$30 million dollars. The remediation alternatives are set forth for the NECR Engineering Evaluations/Cost Analysis (EE/CA) and these alternatives range from on-site capping to total offsite removal outside of Indian Country. It is anticipated that USEPA will sign the "Action Memorandum" on NECR environmental remediation sometime this summer. There will be Interim action taken this summer that will involve consolidation of off-site contaminated materials onto the NECR site itself and stabilization of the contaminated waste bluff located within a few hundred yards of Navajo residences.

24. *Tronox Bankruptcy Litigation*. On January 12, 2009, Tronox, Incorporated, and a number of related companies filed for bankruptcy under Chapter 11 of the Bankruptcy Code in the Southern District of New York. This is a significant matter to the Navajo Nation in that a number of years ago Kerr-McGee attempted to divest itself of potentially billions of dollars in environmental liabilities by transferring the liabilities to Tronox. Many of these environmental liabilities relate to former Kerr-McGee uranium mining and milling operations in Navajo Indian Country.

In early August 2009 both the Navajo Nation and the United States Environmental Protection Agency filed Proofs of Claim in the bankruptcy proceeding concerning former Kerr-McGee uranium mines in the Lukachukai and Eastern Agency areas. The Navajo Nation also filed a Proof of Claim regarding the former Kerr-McGee uranium mill at Shiprock. In a separate action filed in the bankruptcy court Tronox has sought recovery against its former parent company, Kerr-McGee, and against the company that later purchased Kerr-McGee, Anadarko, claiming, among other things, fraudulent misrepresentation in the transfer of these environmental liabilities to Tronox.

The Navajo Nation, through the Navajo Department of Justice, is now actively engaged in settlement discussions with the United States Department of Justice, numerous state environmental claimants and Tronox in hopes of reaching an agreement on the percentage liability share that each of the environmental claimants will have against Anadarko and Kerr-McGee, both of which are economically viable companies.

Human Services & Governmental Unit

25. *EEOC v. Peabody Coal Company*, (United States District Court of Arizona). The EEOC originally filed this case against Peabody Western in 2001, claiming that the Navajo preference in employment provisions in the 8580 and 9910 coal leases between the Navajo Nation and Peabody violate Title VII as discrimination based on national origin. Peabody defended on the grounds that the Navajo Nation was an indispensable Rule 19 party which could not be joined and that the issue was a non-justifiable political question. The district court, Judge Mary H. Murguia, agreed on both counts. The EEOC then successfully filed an appeal in the Ninth Circuit, which reversed Judge Murguia on both counts. See *EEOC v. Peabody Western Coal Co.*, 400 F. 3d 774 (9th Cir. 2005). Peabody filed a petition for certiorari with the U.S. Supreme Court, which was denied. Subsequent to the denial of cert, the EEOC joined the Navajo Nation as a Rule 19 defendant. Upon being joined as a defendant, the Navajo Nation filed a motion to dismiss on various grounds, including lack of subject matter jurisdiction, failure to state a claim, and failure to join the Nation and the Secretary of the Interior as indispensable Rule 19 parties. The Nation also raised an affirmative defense that Navajo preference was specifically allowed by federal law and that the Secretary of Interior included the provision in the Peabody leases for the benefit of Navajo. Oral argument was had on September 18, 2006. Judge Murguia issued an opinion in favor of the Navajo Nation on September 30, 2006, which included a ruling on the merits with respect to the Navajo affirmative defense. The EEOC then appealed this decision to the Ninth Circuit. The Ninth Circuit held oral argument on September 22, 2008.

Some 21 months after oral argument, the Ninth Circuit Court of Appeals issued its decision in the case entitled Equal Employment Opportunity Commission v. Peabody Western Coal Company, No. 06-17261 (June 23, 2010). On appeal, the EEOC continues to challenge Peabody's employment practices, because Peabody assertedly violates federal law by complying with its lease requirement of Navajo preference. That requirement is in not only the Peabody lease, but in all other 326 business site leases on the Navajo Reservation approved by the Department of the Interior. The EEOC contends that *Navajo* preference violates federal law, and that only a general *Indian* preference is permitted by federal law. The Navajo Nation was sued by the

EEOC after an earlier ruling of the Court of Appeals held that the Navajo Nation had significant interests in the matter and needed to be brought into the case so that all parties with an interest in the outcome would be before the District Court.

The Court of Appeals agreed with the Navajo Nation that federal law did not permit the EEOC to sue the Secretary of Interior, but stated that the case could proceed because *Peabody* had the ability to bring in the Secretary under Rule 14(a) of the Federal Rules of Civil Procedure, which deals with indemnities, joint tortfeasors, rights of contribution, and similar liability-shifting theories. Although the Court of Appeals emphasized that in no event could anyone hold the Navajo Nation liable for monetary relief or for injunctive relief, it also vacated the District Court's ruling that federal law authorized Navajo preference until such time as the Secretary of Interior can be heard on this issue. Moreover, the Court of Appeals stated that its decision sending the case to the District Court for a third time should not be interpreted as any view that Navajo preference does indeed violate any applicable law.

The case will be remanded back to the Federal District Court as a result of the Court of Appeals' procedural decision. Because Navajo sovereign immunity not only protects the Navajo Nation from judgments, but also from the cost and burden of pre-trial and trial proceedings, the Navajo Nation is considering seeking rehearing or rehearing en banc on the question of whether the case should be allowed to go forward at all, or whether it should simply be dismissed. If the case does go back to the District Court, the Navajo Nation will vigorously protect its sovereign prerogatives and the requirement of Navajo preference embodied in Navajo law and in the 327 leases approved by the Navajo Nation.

26. *EEOC v. Basha=s and Navajo Nation*, No. 2:05-CV-02382. *EEOC v. Basha's and Navajo Nation*, No. 2:05-CV-02382. This matter is being handled by the Frye law firm. This was filed on August 17, 2005. The Navajo Nation filed a motion to dismiss almost identical to that filed in *EEOC v. Peabody Western and Navajo Nation* on April 5, 2006. Prior to the EEOC's having filed a response to that motion and in response to its requests for discovery, we filed a motion to stay the *Basha's* proceedings pending resolution of the Peabody Western case. This motion was filed on June 6, 2006. On December 14, 2006, Judge McNamee issued a helpful opinion which stayed the case pending resolution of the *EEOC appeal in EEOC v. Peabody Western and Navajo Nation*. Thus, there is no current activity in this case.

27. *Salt River Project v. Lee*, U.S. District Court of Arizona, No. CV 8028-PCT. Plaintiff SRP has filed a complaint seeking to enjoin the Navajo Nation, during the term of the 1969 lease, from applying the NPEA or enforcing the Act against them or their contractors (Headwaters) at NGS or otherwise regulating, through tribal proceedings, the "operations" of NGS by SRP. Plaintiffs sought an injunction enforcing the same, and were granted their motion for an expedited briefing and hearing schedule, which was to be argued in an evidentiary hearing on March 31, 2008. The order scheduling this hearing has now been vacated. The basis for the Court's granting of an expedited briefing/hearing schedule was the Labor Commission's refusal to stay the underlying grievants' (Thinn and Gonnies) hearings. Due to conflicts, NDOJ secured the services of Phil Higdon, from Perkins, Coie, Brown and Bain to represent all the named Navajo government named defendants, the ONLR Director, the Labor Commissioners, and members of the Navajo Judiciary. The court set arguments on cross motions for summary judgment for January 5, 2009. On January 13, 2009, the Federal Court issued a decision dismissing the complaint on grounds that SRP had not sought a remedy with the Secretary of Interior as required under the lease documents. The Federal Court later denied SRP's motion to reconsider that decision. SRP has filed a notice of appeal to the Ninth Circuit Court of Appeals. After oral argument on February 10, 2010, the Ninth Circuit reversed and remanded the case for further proceedings in the District Court. The appeal mandate has been receiving and this matter is back in active litigation before the District Court.

Tax Unit

28. *In Re Krystal Energy Co. Inc.*, U. S. Bankruptcy Court for the District of Arizona, No. 01-00166 ECF-SSC(*Krystal Energy Co. Inc. v. The Navajo Nation*, Adversary No. 01-171.) This is a case in which Krystal Energy filed for bankruptcy and filed an adversary proceeding against the Navajo Nation challenging a tax assessment issued by the Office of the Navajo Tax Commission wherein the Bankruptcy Court dismissed the claim. Krystal appealed the Bankruptcy Court's decision to the Federal District Court. The District Court issued a decision affirming the Bankruptcy Court. This decision was then appealed by Krystal to the Ninth Circuit Court of Appeals.

In 2004, the Ninth Circuit Court of Appeals issued a decision reversing the lower courts. The Ninth Circuit Panel in reversing the Bankruptcy Court and the Federal District Court held that Congress waived the sovereign immunity of an Indian tribal government under the U.S. Bankruptcy Code

A petition for rehearing en banc was filed on March 5, 2004. The Ninth Circuit denied the petition for rehearing en banc on April 6, 2004. A petition for a writ of certiorari has been filed with the U.S. Supreme Court. The Supreme Court denied the

petition. This matter is now back in the Bankruptcy Court. Krystal filed an amended complaint on July 25, 2006. We filed an answer on August 28, 2006 to the amended complaint. In our answer, we raised a statute of limitations affirmative defense.

Krystal recently filed a motion to amend their complaint to add claims for breach of contract, violation of due process, unjust enrichment/estoppel, violation of automatic stay and injunctive relief. We filed our response to their motion to amend and application for preliminary injunction on January 5, 2007. A hearing was held where the Court allowed Krystal to amend their complaint. The Court denied Krystal's application for injunctive relief which sought the permission of the Court to allow Krystal to operate oil and gas leases on the Navajo Nation.

We filed a motion to dismiss Krystal's Second Amended complaint on grounds of sovereign immunity, failure to exhaust available administrative remedies, and failure to join a necessary and indispensable party. On May 23, 2007, the Court dismissed the claims for breach of contract, violation of due process, unjust enrichment/estoppel. We are currently in the discovery process. Krystal filed a motion for summary judgment seeking a determination for violation of the automatic stay for failing to turn over the equipment on the oil and gas leases. The Bankruptcy Court granted partial summary judgment to Krystal on the turnover of equipment located on two oil and gas leases. We provided an accounting of the property on February 15, 2008. We appealed the order on the turnover of property to the Federal District Court in Phoenix. The District Court affirmed the decision of the Bankruptcy Court on appeal. The case is continuing with discovery and valuation of the lease equipment.

Navajo-Hopi Legal Services Program

29. *Litigation/ Administrative Hearings*

a. Administrative Advocacy/Office of Navajo and Hopi Indian Relocation (ONHIR) Eligibility Determinations.

Nine applicants were certified this quarter; eight were former post-86 applicants, and one had applied under the *Noller Herbert* decision.

Pre-hearing conferences for self-represented clients began November 13, 2009, and are currently held every two weeks at ONHIR. The majority of the applicants appearing pro per are individuals with whom we have made contact but have declined to represent. These individuals are unlikely to be found eligible. The latest ONHIR statistics show 1,744 have submitted applications in the aftermath of the *Noller Herbert* decision and 1,043 remain to be examined.

Pre-hearing conferences with ONHIR and NHLSP began December 14, 2009 and are continuing once or twice a month. During this quarter, hearings were held April 9 and 23, May 7 and 21, and June 4 and 25. Thirteen hearings were held this quarter and five cases were dismissed.

ONHIR reports that 359 possible eligibles remain to be contacted. They have set August 31, 2010 as the final deadline for the receipt of new applications. ONHIR, NHLSP and NHLC are coordinating an outreach program to contact the final 359 individuals who have not yet applied. NHLSP is preparing to publish each of the 359 names in the *Navajo Times* and have them read on KTNN. The Navajo-Hopi Land Commission will work with council delegates to notify their respective chapter residents of the new deadline.

For anyone who believes he or she may qualify as a 1974 resident and head of household by HPL move-off, ONHIR will distribute a written application which must be completed and mailed back; the application is also available at www.onhir.gov. Individuals may schedule an appointment with ONHIR employee Joe Shelton for help in filling out the application; they can also walk-in.

Benefits remain \$127,000 for a family of four or more and \$119,000 for a family of three or less. In addition to these funds, each family receives several thousand dollars for infrastructure such as water, power, and septic. The benefit amounts are reviewed annually.

Late Applicants NHLSP's group of approximately 113 "post-86" or "late applicant" cases will now be evaluated under ONHIR's Policy Memorandum #14 criteria. As a result, both new applicants and those that applied in 2005 will be certified if they were legal residents of the HPL as of December 22, 1974 and heads of household by date of move-off.

New Applicants. NHLSP is representing 45 new applicants; 75 others have been contacted by letter, with a representation decision by NHLSP yet unmade.

Rejected Appeals and Waivers. Because of the large number of new applicants, NHLSP is reviewing its pool of 112 rejected appeal cases as we have time. We are searching for those cases showing both eligibility and “good cause” for late appeal. Factors which contribute to “good cause” include an applicant’s age and education; whether physical, mental, educational or linguistic limitations contributed to the applicant’s lack of understanding concerning appeal procedures; the length of the late appeal; and whether ONHIR gave the applicant incomplete, misleading or confusing information on how to appeal. We are targeting individuals who speak little or no English.

b. Accommodation Agreement. Since March 31, 2000, no HPL residents have been permitted to relinquish their Accommodation Agreements, although thirty or forty residents have approached either NHLSP or ONHIR in the last six years to do so. The draft agreement permitting additional relinquishments is currently in the hands of the Hopi Tribe, but no recent progress has been made.

c. Relocation Housing Construction and Repair. Post-Builder’s Warranty Claims NHLSP has 3 open housing repair cases. We continue to receive requests for assistance because of client’s concerns with the construction of their replacement homes. We are asserting the obligation of ONHIR to make repairs beyond the warranty period in cases where latent defects can be demonstrated.

d. Federal Court Litigation. We believe that the new Policy Memorandum #14 will eliminate the filing of many federal appeals on cases which have already been heard. No federal cases were filed this quarter and no appeals are pending.

VII. COMMITTEE/COMMISSION/BOARD ACTIVITIES

Pursuant to a resolution passed by the Navajo-Hopi Land Commission in February, we are researching the eligibility of 49 post-86 cases already heard but for which the statute of limitations has run. We have completed reviewing all of these cases for eligibility, and have found a total of 17 that should be referred to ONHIR; all that remains is finishing statute of limitations research when time permits. There is precedent for waiving the federal six-year statute under certain conditions.

IV. STATUS OF ONGOING PROJECTS, INITIATIVES AND COA’S.

A. Securing Financial Independence. The Office of Attorney General continues to support tribal departments and tribal enterprises and corporations in the ongoing effort to secure financial independence for the Navajo Nation. Most recently the Department assisted the Investment Committee with advice and legal services in finalizing Term Sheets to finance five new casinos and bingo halls to be constructed by the Navajo Nation Gaming Enterprise. Attorneys from the Department have been instrumental in helping in obtaining finance for the \$60 million Judicial/Public Safety building projects.

B. Promoting Mutually Respectful Partnerships. The Department continues its involvement in negotiations with the state, federal, tribal and surrounding local governments on a number of issues, including Intergovernmental and cross-commission agreement, dispute resolution, and water rights. The department reviews all Intergovernmental Agreements, Memorandum of Understandings and Memorandum of Agreements.

V. STATUS OF ACTION PLAN (A, B, AND C LISTS).

A. List. The Attorney General enjoys a close working relationship between DOJ, the Office of the President/Vice President (OP/VP) and the Navajo Nation Council. Deputy Attorney General Harrison Tsosie has been available to cover the Division Director meetings with OP/VP. The Attorney General personally schedules meetings with OP/VP on vital issues. DOJ readily assists and works with the Navajo Nation Washington Office. DOJ is monitoring legislation that affects the Navajo Nation with the assistance of NNWO.

B. List. The DOJ does assign particular attorneys within each of the Department Units to each of the Divisions. There have been increasing requests by the various executive departments to assign an attorney to work only with that department. The Chapters also submit numerous requests to DOJ for legal services and the requests are coming in at increasing pace, especially with regard to gaming and personnel matters. There has been a tremendous increase generally in Navajo preference in employment litigation before the Navajo Nation Labor Commission and the Department’s attorneys are devoting substantial time to defending these cases, at the expense of time that could be spent on program matters. DOJ has one attorney and one advocate assigned full time to address NPEA matters.

VI. OUTSTANDING PROGRAM ISSUES.

A. The proposed FY 2011 Navajo Nation budget does not include the pay raises given to attorneys of the Department of Justice in FY 2009. This was the situation for FY 2010 and the Department was fortunate to cover the 20% shortfall with the Indirect Cost Recovery funds. The attorneys will all continue to work in FY 2011 at 100% availability until the funds run out, on the assumption that the remaining 20% will be covered by a supplemental appropriation. Nonetheless it is anticipated that the Department will have to lay off two or three attorneys for FY 2011, resulting in diminished services to the programs.

B. To maintain their standing with the Navajo Nation Bar Association and the state bar associations, the attorneys and advocates within the Department have incurred personal expenses to travel to the NNBA Annual Conference and other conferences to comply with mandated continuing legal education standards. Under the FY 2011 budget, it is anticipated that attorneys will not have enough funds to cover their travel and conference fee expenses and will again have to incur them out-of-pocket. Any supplemental appropriation should also cover these costs.

C. Information technology. We have completed the IT network transition from workgroup computing with local PCs as file servers to a Windows Business Network. The WBN is a domain-controller based system that integrates our new server systems, networking, client PCs, services, printing, security, and users into a single integrated computing environment. We have standardized all systems using one operating system, moved all local PC file server data onto HP Proliant DL380 Business Computer Servers, initiated daily backup using an HP automated tape robot, and installed a new client security system where all users are required to use a secure logon and password. The units within the Department continue to optimize use of the local network by enhancing its capabilities to streamline completion of documents and establishment of a brief bank.

We programmed all client computers and laptops onto the Windows Server system (domain controller). We programmed Microsoft Outlook 07 to use Microsoft Exchange 2003 as an internal messaging system. We also set up user home folders that are backed up daily. We installed Symantec Endpoint Protection version 11 on all computer systems. SEP is our network protection package (antivirus) for local computers. We insulated the IT section windows in order to provide better cooling and cut power consumption costs. This also cut the amount of airborne dirt and dust coming into the section. We also have consolidated the last of the remaining legacy hardware. These items will be returned to NN Property stores for recycling. We have updated about 50 percent of our network documentation.

NNDOJ attorneys will begin keeping track of their time for FY 2010 in order to justify award of indirect costs to cover salaries and other expenses of the Department. The Department must keep records of time expended by attorneys working on federally funded programs and these hours will be used to form the basis for the indirect cost percentage. The Office of Attorney General has implemented a spreadsheet to be used by the attorneys to compile the information on a bi-weekly basis. Ultimately, it is hoped that time billing software will be utilized to carry out this new task.

VII. PROBLEMS/RECOMMENDATIONS.

A. Budget Concerns. The Department of Justice, including the Office of the Attorney General, the Office of the Chief Prosecutor, the Juvenile Justice Program and the Navajo Hopi Legal Services are all underfunded for FY 2010. As an example, the Attorneys and Advocates in the Office of the Attorney General were funded for only 1664 hours in 2010, so closure of our office was averted only by the fortuitous receipt of indirect costs. This same situation exists for FY 2011.

B. For the Office of the Prosecutor, the current allocation for FY 2011 only covers personnel salaries and benefits and minimal operating costs and expenses. If the budget deficiencies are not addressed, the Prosecutor's Office will have to close Aneth, Tohajiilee, Alamo, Ramah and Dilkon offices. The Juvenile Justice program has similar constraints in their appropriation for FY 2010. For FY 2011, these decisions are now being contemplated.

DIVISION OF
COMMUNITY DEVELOPMENT



ARBIN MITCHELL
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DIVISION OF COMMUNITY DEVELOPMENT
Third Quarterly Report—Fiscal Year 2010
(April – May – June 2010)

I. PROGRAM INFORMATION

Division Executive Director:	Arbin Mitchell
Division Deputy Director:	Stanley Yazzie
Telephone No.:	928-871-6810
Facsimile No:	928-871-7040
Web Address:	www.nndcd.org

Departments:

Capital Improvement Office	Casey Begay, Department Manager II
Community Housing & Infrastructure	Chavez John, Program Supervisor III
Design & Engineering Services	Vernon Clshin, Department Manager II
Rural Addressing	Claudeen Tallwood, Program & Projects Specialist
Solid Waste Management	James Benally, Senior Environmental Specialist
Local Governance Support Centers (5)	
Navajo Nation Chapters (110)	

II. ACCOMPLISHMENTS

A. ADMINISTRATION

1. Completed collection of Internet reports from chapters from second quarter of FY 10.
2. Completed approximately 88% of SteadyState hard drive updates for chapters.
3. Assisted with WIND training at three functions for chapters and DCD staff.
4. Helped NN Broadband Team to successfully submit ARRA application for Round 2 USDA/RUS BIP broadband stimulus funding to develop a broadband economic development plan to benefit small business and entrepreneurs.
5. Tech Services Office Specialist began using an e-mail tracking service to ensure that email services were being used for navajochapters.org email accounts.

B. CAPITAL IMPROVEMENT OFFICE

1. Department Manager, Acting Director for DES, orientated Mr. Clashin, newly hired Department Manager on the Navajo Nation government system.
2. Met with DCD, CHID, DOJ, and OCG on a periodic basis on the action plan for the NM Capital Outlay projects. Updates on the MIGA 1 and MIGA 2/Amendments; MIGA 3-Identify the projects to determine appropriation amount, 3rd party agreement amount and the expiration date; Administrative amendment fix; MIGA 4 develop for projects that are not on the MIGA 1 and 2 or SB 182 with justification to unfreeze the projects and identify the lead agency regarding outstanding open commitment of \$2,188,644.
3. Department Manager presented at the ARRA Grant Writing Opportunities to the Northern Navajo Agency Community Services Coordinators at Nenahnezad Chapter.
4. CIO Recon Meeting with OCG and DOJ regarding the New Mexico Capital Outlay Projects.
5. PPS from Northern Navajo Agency was reassigned to CIO Central to complete their assignments, the ICIP and Project Authorization, tabbing, scanning, etc., and executed into the WIND system, which should have been done by second quarter.
6. Department Manager attended the Monthly CSC Coordination Meeting at LGSC Office in Tuba City, AZ.
7. Department Manager and Principal Archaeologist met with RTS to review status of WIND/Budget Projects, work plan and payments
8. Staff received training on Indirect Cost Services (IDC), Tracking Policies and Procedures for tracking and documenting the allowable indirect cost incurred by the Nation and to start submitting them beginning April 10, 2010.

9. CIO staff meeting regarding assignments that were assigned since October, 2009 - ICIP, \$30 Millions, COAs, Open Commitments. PPS were reassigned to CIO Central until these assignments were completed.
10. Department Manager attended with RTS regarding the Budget and WIND.
11. Scanned the \$30 Million projects raw data at RealTime Site for Fort Defiance (16 folders) and Western Navajo Agency (7 folders). Downloaded the scanned data for the PPS to finalize it and to be inputted into the WIND system.
12. Recon meeting with IAD in Santa Fe, NM.
13. CIO staff met on a periodic basis on NM projects, Project Authorization, scanning, IDC reporting, MIGA 2/Amendments, MIGA 3, COAs, ARRA, Priority Listing, ICIP and \$30 million projects, open commitments, invoices, contracts, SAS updates, TIF projects, Scope of Work, expiration dates and sponsors.
14. Met with CHID eight (8) times regarding the status of the temporary employees employment documentations, temporary employees being sent home due to the late processing (assessments, budget revisions, etc.) of their personnel documents and NM bathroom addition projects that are expiring June 30, 2010.
15. CIO staff attended training on P-Card before they were give their cards.
16. Met with Contract Accounting regarding the approving and processing of PAFS for temporary employees and the purchase requisitions for material purchase for NM projects that are expiring June 30, 2010
17. Met with RTS regarding Capital budget format, ICIP, project authorization and project Administration.
18. May 13, 2010, the MIGA 2/Amendments and MIGA 3 were signed and approved.
19. Staff attended the 7th Annual Construction in Indian Country International Conference.
20. Update meeting with OOC regarding Transmittals, June, 2010 Expiration, Pending Contracts, PRs, Source Documents, and open commitments.
21. Interviewed four (4) applicants for the Archaeologist position. Hired an Archaeologist for Crownpoint, NM. Also, hired a temporary help through Work Force Department to assist CIO staff.
22. CIO staff attended two (2) days training on Project Authorization in Farmington, NM.
23. Met with OOC regarding payment issues on the NM projects, open commitments and projects expiring.
24. Staff attended the Annual NECA and I.H.S. meeting at Shiprock, NM
25. CIO staff meeting on payment issues and close outs regarding Mexican Springs, White Cone, Tohatchi Red Lake and Bowl Canyon projects.
26. CIO staff meeting on Project Authorization, ICIP, Testing, Tasking, Questions, Page 34 vs PPA, Upcoming Trainings, PPS, Timesheet, IDC and Weekly Reporting.
27. CIO and DES met on the merger of the two (2) departments.
28. CIO staff attended the Construction Management 101 (Qualification Based on Solicitation and Selection, Navigating the RFP Procurement Process) presented by M. Greenberg Construction, Inc.
29. CIO Staff attended the two (2) day meeting on Technology Initiatives at San Juan College, Farmington, NM
30. Staff attended the ARRA Grant Writing Training that were held throughout the agencies.
31. April, 2010, paid out \$1,594,171.18 for (30), mostly bathroom addition projects
32. May, 2010, paid out \$369,904.12 for (27), mostly bathroom addition projects.
33. June, 2010, submitted \$212,897.88 request for payments for (18), again bathroom addition projects

CHINLE AGENCY:

34. Conducted three (3) trainings on the ICIP/WIND system on April 21, 2010 at Low Mountain Chapter; May 19, 2010 at Tachee/Bluegap Chapter and May 25, 2010 at Chinle Chapter.
35. Attended three (3) monthly coordination meetings at Low Mountain, Tachee/Bluegap and Hardrock Chapters...provided update/request of activity re: ICIP,etc., conducted mini-training on ICIP/WIND systems practice.
36. Traveled/ascertain signatures sheets re: the blue book from Forest Lake, Pinon, Black Mesa, Whippoorwill, Rough Rock, Low Mountain, Chinle, Lukachukai, Tselini/Cottonwood & Tachee/Bluegap Chapter on April 8th & 9th, 2010.
37. Attended Coordination Meeting with DES staff, CSC and the President of Hardrock Chapter in Window Rock, re: SAS #23267 on April 16, 2010.
38. Conducted ICIP Coordination Meeting at the LGSC office for the Chinle Agency Chapters on May 24, 2010 re: Project Summary Update/Shovel Ready Projects.
39. Completed the assigned task via April 23, 2010 meeting re: ICIP; submitted training materials & sign-in sheets; tabbing of \$30million projects; projects data scanning.
40. Conducted Projects Coordination Meeting at the Chinle Chapter with, CSC, Project Manager and Council Delegate on June 11, 2010 re: Shovel Ready Projects.

FORT DEFIANCE AGENCY:

41. Attended the Red Lake Chapter Planning Committee meeting to provide updates New Mexico State funded projects. They were upset about losing all the funds for the Recreation Building, although they provided documents to DES.
42. Input raw data (for testing) on 12 Ft. Defiance Agency \$30 million projects.
43. Project Authorization and ICIP Input (cannot input Depts., there is no Entity number for them; CIO will meet with the Consultant to install the module for it)
44. We worked with project sponsors to submit their invoices for the projects; We also continued to assist DES in completing the contracts by obtaining required documents for the SAS.
45. For Fort Defiance Agency, there are twenty-four (24) projects that will expired on June 30, 2010.
46. Tohatchi Warehouse and Coyote Canyon Chapter House Renovation (TIF Projects) were extended to December 2010. We are working with the project sponsors to make sure the projects are completed and Vendors paid by then.
47. There are (44) projects pending for contracts and notice to proceed, in construction and/or non-active by the project sponsor. We are working with the Chapters and other project sponsors to use their funds that have been idling for several years.
48. C01353 - \$50,000.00: Crystal Senior Center Parking Lot - Awaiting budget transfer as of 6-15-2010 with OMB. SAS is still going through the process. Letter was written to NDOT regarding the Commitment Letter for the matching funds, which is not included in the SAS packet.
49. C01354 - \$200,000.00: Ft. Defiance Senior Center Parking Lot - Awaiting budget transfer as of 06-15-2010 with OMB. SAS is still going through the process.
50. C01359 - \$ 400,000.00: Oak Springs Chapter Renovation - Leon Shirley, Architect, Albuquerque, NM is near completion of several Schematic drawings, which the stakeholders will meet on to make a final selection.
51. C01364 - \$ 250,000.00: Twin Lakes Senior Center Parking Lot - NDOT is holding off on this project, because the new Office Complex needs to be constructed first. If the parking lot is paved now, portion of it have to be dismantled, and it will cost more to re-pave the parking lot.
52. C01376 - \$1,200,000.00: Teesto Senior Center - David Sloan, Architect, Albuquerque, NM; Modification was approved to extend time to one year, which will include SAS for A105 Contract, Bids, Negotiations, Admin. Contract and project close out.
53. C01378 - \$4,500,000.00: Whitecone Multipurpose Building - Loren Miller, Architect, Gallup, NM. General Contractor was selected on May 28, 2010, Arviso Construction was selected.
54. C01398 - \$2,800,000.00: Crystal Multipurpose Building - Leon Shirley, Architect, Albuquerque, NM. Construction will start in July, 2010.
55. C01296 - \$1,800,000.00: Dilkon Court Building - The facility is 100% completed. There is a balance of \$59,310.00, which DES is modifying.
56. C01400 - \$ 500,000.00: Ft. Defiance Youth Development Center - Dyron Murphy, Architect, Albuquerque, NM; Contract is in place with WESPAC and the Facility is under construction. There is a road behind the building which is being used as an "excess road or entry to the project site, which is in question. The project sponsor was in the process of obtaining a right-of-way for this road.
57. C01395 - \$ 350,000.00: Lupton Multipurpose Building - Loren Miller, Architect, Gallup, NM. Construction near completion. DES will conduct a pre-inspection.

WESTERN NAVAJO AGENCY:

58. Conducted the Navajo Utah Commission and CIO monthly project coordination meetings.
59. April, 2010, attended training on project authorization and scanned most of the \$30 million shortfall projects to be inserted in the Wind System under project authorization program.
60. Birdsprings Senior Center; Randy Ewers, Inc., there is a delay to the project due the fire hydrants within the chapter tract and the project is in a shortfall, and need additional funds of at least 180,000.00 to start up the project, the chapter is willing to match these funds in order to keep the project moving.
61. Within the last two (2) months, Navajo Mountain Chapter has been updating their priority projects. These proposed projects have been placed in the ICIP Wind system with the requesting resolution to reaffirm by the local community. Now they are working on getting an electrician to start working on the 30 homes house wiring. After the project is completed solar project will be considered, dollars would be requested to CIO general funds.
62. Leupp Chapter House Addition, a sum of dollars is left from the previous construction, an additional piece work is requested to complete the project, the project manager is working with DES (contract analysis) to submit a request to contract Lam Construction, the contract is to be extended to July 30th, 2010 for mobilization purpose.
63. Cameron Senior Center, the \$90,000 from AZ-DES has been exhausted. The short fall funds from the NN general funds was advertised and selected for contract. The contractor withdrew to the contract to start on

the interior of the building for re-model of certain citation issued by IHS/ OEH and DES is in the process of re-advertising for contract, 120,000.00 is part of the \$5 million shortfall projects.

64. Tuba City Veterans Parking Lot was completed in November. DES and CIO are waiting for the final report from contractor to close-out the project.

65. Oljato Chapter, the Utah Navajo Royalty Holdings Funds are starting on the (4) bathroom/kitchenette addition projects. Additional materials is ordered for a client's home site near Mexican Hat , Utah.

66. Tonalea Chapter, Yah ee Tiin Power Line Extension is project ready. The chapter hired an electrician to do corrections on failed inspection site, the right of way funds have been paid to NTUA and cost estimation for (40) homes.

67. ARCHEOLOGY DEPARTMENT:

	Programs	Service	Number of Services
APR	NNCIO	Training	(2) NNICIP Training for Northern Navajo, Utah Chapters and (1) staff-new computer training.
		Cultural Resource Inventory	(1) Thoreau Chapter Tract
		Cultural Resource Inventory	(1) Thoreau Chapter Tract
	NNDCD	WIND Meeting	(1) GoToMeeting on WIND
	CHID/Housing Services	Cultural Resource Inventory	(3) Tuba City HS, Chilchinbeto HS, Kaibeto HS
		Cultural Resource Reports	(2) Pinon HS
CRID Request for Compliance		(1) Hard Rock HS	
NTUA	Cultural Resource Inventory	(2) Klagetoh P/L, Oak Springs P/L, Kaibeto P/L, Oljato P/L (2) Klagetoh P/L, Oaksprings P.L	
Chapter Requests	Cultural Resource Inventory	(9) Red Valley HS, Red Valley Cemetery, Red Valley Maint Yard (first site), Red Rock HS	
	Cultural Resource Reports	(2) Red Valley Headstart, Red Valley Cemetery	
MAY	NNCIO	Training	(2) 1 Wind/NNICIP Work session for Eastern, Northern Navajo. Conducted interview for Archaeologist position, CIO meeting in Farmington (2 days).
	NNDCD	WIND Meeting	(3) Wind Meetings
	NTUA	Cultural Resource Inventory	(3) Ganado P/L
	NDL	Cultural Resource Inventory	(1) Naschitti HS
		Cultural Resource Reports	(1) Naschitti HS
	Chapter Request	Cultural Resource Inventory	(1) Red Valley Maint. Yard (2nd site), Red Rock HS
Individual Request	Cultural Resource Inventory	(1) Tsaile HS	
	Cultural Resource Reports	(1) Tsaile HS	
JUNE	NNCIO	Administrative	(3) 3 staff attended Construction Management 101, 1 staff assisted with project authorization (2days), 1 staff, new computer training
		WIND Meeting	(1) Wind Meeting
	CHID/Housing Services	Training	(1) Tech meeting (TDR software, WIND sys, ICIP)
		Cultural Resource Inventory	(1) Navajo Mountain HS
		Cultural Resource Reports	(8) Tuba City HS, Chilchinbeto HS, Kaibeto HS, Whippoorwill HS, Pinon HS, Hardrock HS
		CRID Letter of Compliance	(3) Counselor HS and Whippoorwill HS, Chinle HS
	Monitor Cultural Resources	(1) Flagged 2 archaeological sites on Torreon P/L	
Chapter Requests	Cultural Resource Reports	(5) Red Rock HS	
	Letter to Chapter	(1) Letter to chapter on Red Valley Maint. Yard (2nd site) area has 2 TCPs in area.	

NLD	CRID Letter of Compliance	(2) Sheep Springs HS
NTUA	Cultural Resource Reports	(4) Kaibeto P/L, Oljato P/L, Tuba City P/L
Individual Requests	Cultural Resource Inventory	(3) Thoreau HS, Whitehorse Lake HS, Gadii Ahi HS, Lukachukai HS, Tohatchi HS
	Cultural Resource Reports	(1) Mariano Lake HS

C. COMMUNITY HOUSING & INFRASTRUCTURE DEPARTMENT

1. Administration

- a. Attended (5) Department Managers meeting to exchange information and to provide program updates, status of projects and issues and concerns.
- b. Conducted (17) Program staff (CDBG & CHID) and field staff meetings to discuss project management, program issues/concerns, recommendation for improvements, staff development, application process, close out timelines, and to provide additional information on the operation of the Division.
- c. Attended (1) Transportation & Community Development Committee; (0) Intergovernmental Relations Committee; (0) TCDC Housing Subcommittee and (0) Navajo Nation Council meetings.
- d. Staff attended the following Orientations, Workshops, Conferences and Trainings during this quarter:
 - 1) Attended the CHID Strategic Planning Session on March 24-26, 2010 in Flagstaff, AZ.
 - 2) Attended the DNR Conference on April 14-15, 2010 in Santa Fe, NM.
 - 3) Attended the CHID Strategic Planning Session on April 28-29, 2010 in Albuquerque, NM.
 - 4) Attended the Proposal Evaluation Session on May 04-05, 2010 in Farmington, NM.
 - 5) Attended the NNDOT/ESRI GIS Summit Seminar on April 12-13, 2010 in Albuquerque, NM.
 - 6) Attended the Environmental Information Association Seminary on June 18, 2010 in Window Rock, AZ.
 - 7) Attended the FY'2013 BIA Budget Formulation Training on April 01, 2010.
 - 8) Attended the Construction in Indian Country on May 18-19, 2010 in Scottsdale, AZ.
 - 9) Attended the CIO Project Management and Authorization Training on June 21, 2010 in Window Rock, AZ.
 - 10) Attended the CHID Technology Initiative Session on June 22-23, 2010 in Farmington, NM.
- e. Attended (2) meeting with PWT, Real Times and the Core Team to discuss the Project Management System, Web Application & Integration of the Project Management System and the Restructuring Task.
- f. Attended (46) Coordination meetings with DHUD, ARRA, NM/IAD, NTUA, I.H.S., BIA, Chapters, CIO, NHA, Agency Councils, NN Departments and other entities.
- g. Met with NHA (3) times to review and discuss issues on audits, project delivery and eminent issues.

2. Community Housing & Infrastructure Dept. (CIO Projects):

CHID has taken over the responsibility of processing MOA's for all CIO powerline extension, bathroom addition and housewiring projects:

- a. Bathroom Additions project locations are at Becenti, Manuelito, Ft. Defiance, Crownpoint, Beclabito, White Rock, Baca/Prewitt, Iyanbito, Breadsprings, Littlewater, Lake Valley and Red Rock.
- b. Pre-Construction meetings were conducted on the NM/CIO Bathroom Addition projects at the following project sites: Littlewater, White Rock, Becenti and Pinedale.
- c. Powerline Extension project locations were at Sanostee, Tohatchi, Hogback, Cornfields, Red Valley, Shiprock, Thoreau, Breadsprings, Chichiltah, Church Rock, Ramah, White Rock, Standing Rock, Tsayatoh, Naschitti, Blue Gap, Oljato and Two Grey Hills.
- d. There were (5) final inspections for Bathroom Addition conducted on CIO project at the following locations: Torreon, Littlewater, Crownpoint, Becenti and Beclabito. There were (0) final inspection for Powerline Extensions conducted on CIO projects.
- e. No projects were closed during this quarter. Fourteen (14) CIO/NMIAD powerline extension projects that CHID is currently overseeing were paid out.
- f. Home Assessments were conducted on the Bathroom Addition projects at: Pinedale and Jeddito.
- g. Various meetings were held with NM/IAD and NN/CIO regarding NM-CIO bathroom addition and powerline extension projects. The bathroom addition projects were saved and powerline extension projects were extended. The legislation is completed and accepted by the Navajo Nation and New Mexico Indian Affairs Department.

- h. Continue the outreach services to Chapters and NN Programs whom have been requesting for program information or presentations at their convenience and locations including weekends.
- 3. Community Development Block Grant:**
- a. There was (1) final inspection conducted on the CDBG project at the following location: Inscription House P/L. There were no final inspections conducted on NAHASDA bathroom addition projects.
 - b. There were (5) pre-construction meetings conducted for the following project sites: Torreon, Mexican Water/Red Mesa, Kinlichee & Indian Wells P/L and Littlewater W/L.
 - c. The CDBG Field staff conducted project monitoring for CDBG and NAHASDA projects at the following sites: Torreon, Dennehotso, Mexican Water/Red Mesa, Chinle, Cornfields & Tolani Lake/Leupp P/L and Littlewater & Ramah W/L.
 - d. Project assessments were conducted during this quarter at the following project sites: B-09 Rock Point and Chinle; B-08 Dennehotso, Oljato, Rock Point & Tsaile/Wheatfields for Powerline Extension projects and Mariano Lake, Coyote Canyon, Sanostee & Littlewater for NAHASDA Bathroom Addition projects.
 - e. A total of (34) proposals were received for the FY'2010 ICDBG funding cycle. Evaluations of the proposals were conducted on May 04-05, 2010 and (9) are currently recommended for funding but subject to change.
 - f. Researched, compiled and completed the environmental review record process for the B-09 Kinlichee; B-08 Rock Point & Shonto P/L projects. The concurrent notice was published in the local newspaper to request for release of funds from HUD. Form HUD-7015.15 (Request for Release of Funds) was prepared and sent to DHUD for HUD-7015.16 (Authority to Use Grant Funds).
- 4. Housing Improvement Program:**
- a. HIP is currently operating on FY'2008 unexpended funds to continue with the operations for all administrative and construction activities. All staff, permanent and temporary, has been extended to August 31, 2010.
 - b. The environmental assessments and clearance for the ARRA's twenty-two (22) applicants were completed. Reports for the "Categorical Exclusion, Biological Compliance" were submitted to BIA Navajo Region Office for NEPA requirements approval.
 - c. The "Categorical Exclusion, Biological Compliance" reports were submitted to NN Fish & Wildlife for NEPA requirement clearance for the FY'2009 projects.
 - d. GEOMAT contract to conduct compaction soil testing was approved for the FY'2009 ARRA projects and (18) soil compaction soil testing is completed. Four (4) clients are still pending lab testing.
 - e. Conducted the FY'2009 ARRA construction pre-conference meeting with BIA on April 01, 2010.
 - f. The FY'2008 projects are on-going at 49% to 98% completion. The Electrician and Plumber started the plumbing and electrical rough-in and trim-out work (see Project Status).
 - g. HIP application enrollment drive continues to be coordinated by the HIP Central Office staff with the (5) agency offices for FY'2011. The (5) Agency offices are encouraged to continue to visit Chapter Houses to provide application assistance to individual(s) and families needing housing assistance. The application enrollment began on January 01, 2010 and will end on August 31, 2010.
 - h. HIP continues to meet with IHS and NTUA to coordinate the new housing units infrastructure (powerline, waterline and sewer/septic) systems connection.
 - i. HIP and LSA, L.L.C. (Leon Shirley, Architect) had monthly construction coordination meetings to provide construction activities update reports.
 - j. Bureau of Indian Affairs, Navajo Regional Office released the FY'2009 budget allocation in the amount of \$1,072,806 and was received at Contract & Grants Office on September 15, 2009, to construct ten (10) projects.
 - k. HIP management staff will continue to make home assessment visits to all FY'2009 regular and FY'2010 selected applicants. Each client will be informed about the "demolition" requirement of existing homes and relocation when construction begins.
 - l. HIP management staff conducted the recruitment process for Planner/Estimator and Accounting Technician permanent positions on June 02 & 04, 2010 and June 07 & 08, 2010. Selection has been made and PAF will be submitted to Department of Personnel Management for final hiring approval.
 - m. The Program Manager conducted staff meetings with key Central Office staff every Monday and field staff on a bi-weekly basis on Wednesdays of each month.
- 5. Weatherization Assistance Program:**

- a. Met several times with Department Manager and ARRA Program Manager regarding the Weatherization's projects; program issues; concerns; upcoming grants; ARRA funding; accounting section; energy audits-assessments; equipment; personnel; training; data sharing; partnership, etc.
- b. NWAP Program Supervisor attended the Operation Snowfall 2010 emergency meeting and worked with the Emergency Operation Center, Logistic Section at the NN Training Center.
- c. NWAP Senior Carpenters completed (11) out of (11) Arizona Public Services projects within the Tuba City area under the FY'2008 APS projects.
- d. Prepared NWAP-Department of Energy Grants Application in the amount of \$242,391 which completed the 164 review process. This was passed by the Transportation and Community Development Committee on March 11, 2010 and Intergovernmental Relations Committee on March 15, 2010.
- e. Conference call was held on February 05, 2010 between Department Manager, ARRA Program Manager & NWAP Program Supervisor and representatives from Department of Energy regarding the ARRA Grant Application and Comprehensive Plan.

6. Weatherization Assistance Program - ARRA:

- a. The NN-WAP Application (DE-FOA-0000220) was completed by DOE on March 03, 2010 with several areas of deficiencies that needed correcting and resubmitted. Correction and additions were made to the application and resubmitted to DOE on March 19, 2010.
- b. The final budget revision were made and resubmitted to OMB for FMIS entries. The entries are pending the approval of the DOE Comprehensive Plan. Therefore, the \$906,815.00 (10%) of the \$9,068,150 is currently utilized for program set and operation.
- c. Family/Home Assessments:
 - 1) ENA: 297 Applications, 88 Screened, 31 Qualified & 5 Homes Assessed
 - 2) CAN: 371 Applications, 37 Screened, 22 Qualified & 15 Homes Assessed
 - 3) FDA: 659 Applications, 295 Screened, 205 Qualified & 40 Homes Assessed
 - 4) SRA: 278 Applications, 37 Screened, 11 Qualified & 3 Homes Assessed
 - 5) TCA: 381 Applications, 15 Screened, 0 Qualified & 1 Homes Assessed
 - 6) Total: 1,986 Applications received

D. DESIGN AND ENGINEERING SERVICES

1. Planning:
 - a. Kayenta Headstart: Headstart Program to handle project.
 - b. Shiprock Chapter House Addition: RJN Construction is the Design/Builder.
 - c. Round Rock Chapter Renovation: Scope of work changed to major renovation in kitchen, need new assessment. DES to proceed updating building assessment and Scope of Work then advertise for construction.
2. Design
 - a. Shonto Multi-Purpose Building: Contract awarded to SPS+ Architects.
 - b. Hardrock Chapter House: Notice to Proceed issued. Architect to begin work.
 - c. Breadsprings Senior Citizen Center: Design/Build Contract with LAM Corporation, S.A.S. in final draft.
 - d. Pinon Public Safety/Judicial: VCBO Architects (Design) selected, Arviso/Oakland, JV selected as CMAR.
 - e. Teesto Senior Citizen Center: S.A.S. #23711, D. Sloan Architected selected for design contract. Contract Modification for time extension of one year in process.
 - f. Cudei Senior Citizen Center: Jim Kreis, RME Engineering, completed the scope of work.
 - g. Iyanbito Modular Headstart: Currently in negotiation phase.
 - h. Mexican Springs Food Distribution: Contract with D. Sloan Architects, Notice to Proceed issued March 2010, design in progress.
 - i. Pinedale Headstart: S.A.S. #23298 in process, currently at DOJ, RME/Santa Fe selected as the Engineer for this project.
 - j. Sanostee Senior Citizen: Sole-source for CE and Structural engineering firm for design services. Contract is currently being reviewed.
 - k. Shiprock Youth Development: Contract awarded to Dyron Murphy Architects, S.A.S. is currently being prepared.
 - l. Tuba City Chapter Renovation: Procurement required for Civil Engineering Design services.
 - m. Whitehorse Lake Headstart: Project is in contract development phase for renovation to modular building and site development.

- n. Oaksprings Chapter House Addition/Renovation: Contract award to Leon Shirley, LLC (Architect). Contract Modification being processed for time extension, design in progress.
 - o. Lupton Multi-Purpose Building: D. Sloan Architects selected, S.A.S. package currently at DOJ.
 - p. Thoreau Senior Citizen Center
3. Construction
- a. Gaadiiahi Senior Citizen Center: Contract in S.A.S. Development
 - b. Mexican Springs Chapter/Modular: Chapter is soliciting for bids from prospective contractors.
 - c. Alamo Court Parking Lot: S.A.S. #23542 in process, Coe Van Loo/Red Road Construction, Design/Builder.
 - d. Black Mesa Headstart: Contract Number C01349, LAM Corporation.
 - e. Breadsprings Chapter Parking Lot: Contract Number C06902
 - f. Cameron Senior Citizen Center: DES to re-bid for construction services in July 2010.
 - g. Chinle Senior Citizen Center Parking Lot: S.A.S. Number 23543 currently at DOJ.
 - h. Crystal Senior Citizen Center: S.A.S. Number 23134 currently in process.
 - i. Fort Defiance Senior Citizen Center Parking Lot: S.A.S. #23542 in process, Coe Van Loe/Red Road Construction, Contractor.
 - j. Nahodishgish Senior Citizen Center Parking Lot: Awarded to Coe Van Loo/Red Road Construction, JV, S.A.S. #23542 in process.
 - k. Birdsprings Senior Citizen Center: Project currently in the process of selecting a contractor.
 - l. Whitecone Multi-Purpose Building: Proposal reviews being being conducted. LAM Corporation award contract.
 - m. Coppermine Chapter Renovation: Project award to LAM Corporation, awaiting finalized contract to begin S.A.S. process.
 - n. Crystal Multi-Purpose Building: Leon Shirley, A/E firm. Project is scheduled to begin construction in July 2010.
 - o. Kayenta Public Safety: Kayenta Township is the LEAD agency.
 - p. Tuba City/Crownpoint Public Safety: Project Manager contract awarded to Arcadis. A/E services contract awarded to Dyron Murphy Architects. CMAR services contract awarded to Arviso/Oakland, JV. Engineering contract WHPacific for surveying and mapping. Project schedule being updated with project team for design/construction.
 - q. Tohajiilee Court Addition: Notice to Proceed issued to LAM Corporation. Groundbreaking ceremony took place on June 7, 2010.
 - r. Leupp Chapter Addition/Renovation: Notice to Proceed issued to LAM Corporation on June 11, 2010.
 - s. Leupp Senior Citizen Addition/Renovation: Project awarded to LAM Corporation, Notice to Proceed issued in March 2010.
 - t. Fort Defiance Youth Development Center: Construction contract awarded to WesPac, C07992. Dyron Murphy Architects, A/E Firm.
 - u. Tsaille/Wheatfields Headstart: Contract awarded to Arviso Construction. Notice to Proceed issued October 12, 2009. LAM Corporation reviewing additional scope of work submitted by Arviso Construction.
 - v. Alamo Senior Citizen Center
 - w. Tuba City Veterans Parking Lot
 - x. Dilkon Court Building
 - y. Tsaille/Wheatfields Headstart
 - z. Chichiltah Chapter House Renovation
 - aa. Beclabito Senior Citizen – Design Development
 - bb. Teesto Senior Citizen – Design Development
4. Close-out
- a. Casamero Lake Chapter Renovation
 - b. San Juan Multi-Purpose Facility
 - c. Thoreau Senior Citizen Center
 - d. Crownpoint Veterans Addition
 - e. Monument Valley Tribal Park
 - f. Lake Valley Senior Citizen Center
 - g. Mariano Lake School
5. FEDERAL SECTION 93-838 PROJECTS AND OTHER SPECIAL ASSIGNMENTS:
SEE ATTACHED REPORT

E. LOCAL GOVERNANCE SUPPORT CENTER CHINLE AGENCY

1. During the 3rd Quarter our focus was on introducing the FMS “Fast Track” Action Plan to the Chinle Agency Chapters. LGSC SPPS develop an Action Plan to address how chapters can quickly get governance certified. Therefore, in response to the Condition of Appropriation #12 that requires the Local Governance Support Centers to submit Letters of Assurances to the Office of Auditor General, the Chinle Agency Local Governance Support Center set up a schedule to introduce the Action Plan to the Chapter Officials and Chapter Administration Staff. The following Chapter received an orientation where the FMS Fast Track Action Plan was introduced, dates are:
 - Whippoorwill Chapter on March 3, 2010
 - Chinle Chapter on March 8, 2010
 - Tselani/Cottonwood Chapter on March 22, 2010
 - Blue Gap Chapter on March 28, 2010
 - Rough Rock Chapter on April 17, 2010
 - Pinon Chapter on April 27, 2010
 - Many Farms Chapter on May 10, 2010
 - Low Mountain Chapter on May 27, 2010
 - Black Mesa Chapter on June 7, 2010
 - Round Rock Chapter on June 10, 2010
 - Forest Lake Chapter on June 14, 2010
 - Nazlini Chapter on June 15, 2010
 - Hardrock Chapter on June 18, 2010
 - Lukachukai Chapter on June 16, 2010

NOTE: Rock Point Chapter and Tsaile/Wheatfields Chapter – TBA
2. Chinle Agency Local Governance Support Center conducted Quarterly Form 2 Reviews (Performance Reviews) on March 31-April 1, 2010. Four Chapters continue to have problems meeting timelines with Quarterly Financial Reports, therefore are issued non-compliance Memo. They are: Hardrock Chapter, Forest Lake Chapter, Whippoorwill Chapter and Low Mountain Chapter. These Chapters manage to get their Financial Reports with the help of the Agency Accounting Staff to get back into compliance with the reporting requirements.
3. During the 3rd Quarter, Federal FEMA representatives made on site visits to chapters to assess damages and determine eligible reimbursements.
4. Chinle Agency Council held their Agency Council Meeting on Saturday, April 3, 2010 at Chinle Chapter. Along with the regular Agency Council Reports from various organizations, there were campaign speeches at this Agency Council Meeting.
5. The Monthly SPPS Meeting were held on April 14, May 11 and June 8, 2010 and the main topics of discussion during this quarter was: CSC PCQ submittal to DPM to determine class specification and supervision; CIO PPS Worksite Agreement; LGSC Audit – Correction Action Plan; WIND System development to unveil the Project Authorization and Project Management; FMS Fast Track Action Plan; DOJ FMS Model Manual, Chapter Mishandling Chapter Funds and LGA Amendments.
6. On March 24-25, 2010, the Office of Rural Addressing conducted an orientation to Chinle Agency and Western Agency Chapters in Flagstaff, Arizona. Orientation entailed identifying roads, naming roads and streets, plotting information on map and developing a list of names and addresses of residents to compile a Master Street Addressing Guide. The group toured a Public Safety Answering Point at the Coconino County Communication Center.
7. This Quarter, Monthly CSC/OS Meetings were:
 - April 21, 2010 at Low Mountain Chapter – Topic: Contracting using Professional Services Agreement and Procurement requirements
 - May 19, 2010 at Blue Gap Chapter – Topic: ICIP and data entering Project Information.
 - June 30, 2010 at Hardrock Chapter – FY 2010 Close-out Procedures, FY 2011 Budget, Condition of Appropriation #12-FMS Fast Track Action Plan.
8. The Council of Governance Certified Chapter met June 22-23, 2010 to bring their concerns and issues before the Transportation and Community Development Committee. The outcome was an Action Plan to address five issues. Establish Technical Assistance Office under Government Development Office; Develop Post Certification Transition Plan; State Funds-Direct Funding to Chapters and Funding Issues.
9. Chapter Office Specialist completed Position Classification Questionnaire (PCQ). An Audit preformed on the LGSC recommended that Accounting must be the core skill at the Chapter level, therefore, instructions

were given Chapter Office Specialists to complete PCQs to be submitted to Department of Personnel Management.

10. Status of Personnel this Quarter:

- a. Blue Gap/Tachee Chapter - Community Services Coordinator position is vacant. One applicant was referred, applicant was interviewed, there was no selection, Chapter Officials requested re-advertisement to attract more applicants. Vacancy is being advertised.
- b. Black Mesa Chapter – Office Specialist position remains vacant. Four (4) applicants were referred, applicants were interviewed, there was no selection, Chapter Officials requested re-advertisement. Vacancy is being advertised.
- c. Chinle Chapter – Both Community Services Coordinator and Office Specialist positions remain vacant. A CSC was hired but resigned due to accepting employment at another chapter, therefore creating job vacancy. Notified chapter that they can hire temporarily while positions are being advertised.
- d. Hardrock Chapter – Office Specialist position is vacant. There are three applicants vying for the position to be considered for temporary hire.
- e. Nazlini Chapter – Community Services Coordinator position is vacant. A temporary is occupying the CSC position while position is being advertised.
- f. Rough Rock Chapter - CSC position remains vacant. This has become an ONLR Case. Assisting Chapter in compiling a response to ONLR.
- g. Chinle Agency Local Governance Support Center – Senior Planner and Community Involvement Specialist remain vacant. Referrals have been received for the Senior Planner position, interviews will be set up.

F. LOCAL GOVERNANCE SUPPORT CENTER FORT DEFIANCE AGENCY

1. There are 20-students currently enrolled in the Governmental Accounting and Computer Applications course as a COHORT program for spring semester 2010. These classes was initiated to enhance skills for employees (Community Service Coordinators/Office Specialists) and elected officials at the chapter level, to be able to understanding the financial processing and reporting; and have the knowledge to operator computers and its software which is basic skills and part of their daily function at the chapter. In fall 2009, we had the 25-students who have accomplish with success and understanding of the two courses that were offered, and graduated and earned six (06) credit hours. The course will continue to be offered to those interested to chapter staff and officials.
2. Cash basis accounting work session for four chapters that has not converted to automation accounting system. The work session in detail of recording all transaction of revenues to expenditures, chapter writing with attached documentation to making deposits. Posting in ledgers, journals, and reconciliation to financial statements. The work session on May 04-05, 2010 the chapters were given an understanding of accounting and preparation for conversion to accounting software by LGSC Senior Accounting.
3. Prepared (11) chapters to comprehend using an accounting software and making debit and credit entries. The training on setting up budget, enter disbursements, journal vouchers, cash receipts, payroll, taxes, reconciliation, and financial statements for new staff by LGSC Senior Accounting on May 11-13, 2010.
4. One chapter submitted for LGA certification, and our office completed on-site review with the chapter and had only minor deficiencies corrected during the on-site visit. As of today, a field review with Office of Auditor General is being conducted this week of June 21 – June 25, 2010; tentatively scheduled for LGA Certification on July 13, 2010 before Transportation Community Development Committee. We are also expecting six more chapters to submit a letter requesting for LGA certification by the end of 3rd quarter. Our office scheduled on-site field review with chapter mentioned, and provided feed back to the chapter as to what deficiencies were cited and chapter will addressing the deficiencies with the established timeline.
5. Chapter Fast Track LGA Certification preparation was held on June 25, 2010 at Rocksprings Chapter and June 26, 2010 at Ganado Chapter, to have chapter to adopt the Five Management System manual revised by Department of Justice and Office of Auditor General to minimize the certification process, to assure all applicable laws are mention, and for future legal representation by NN Department of Justice in any area of the policies. Reviewed the standard model by DOJ, electronic comparison and received all pertinent information and responsibility and date FMS needs o be submitted to LGSC by end of week on June 25, 2010. It part of the Fast Track process to LGA Certification.
6. OMB Performance Criteria FORM-02 assessments and evaluation of all twenty-nine (29) chapters was conducted by the Acting Sr. Program Project Specialist and Sr. Planner during the week of June 14, 18, 21, 22, 24 and 25, 2010 at designated site with the chapter staff and Chapter Officials. The objective was to make a determination whether or not the chapter administration implemented the goal statements and performance

measures as approved by the chapter membership. After compiling all of the assessments, each chapter was rated according to: (1) not met; (2) met, and (3) exceeded. Based on our findings, most chapters did not meet or met their goals; and some were not able to meet the standards they set for their chapters. The performance criteria FORM-2 was sent to Office of Management and Budget along with the rating of each chapter. It is the responsibility of the chapter administration to share this information with their elected officials; and gives Chapter Officials especially the immediate supervisor to develop teamwork and enhance on monitoring the chapter and CSC performance on a one-on-one meeting with all.

7. We encouraged all Fort Defiance Agency Community Services Coordinator's and elected officials to registered for the FREE Grant Writing training on June 23, 2010 sponsor by Grant Writing and Evaluation Services resource Associates to assist the Navajo Nation to obtaining funding from National ARRA funds. We had (22) chapters enrolled in the training, and found to be very interesting and ideas of bettering their writing according to the email received from chapters as feedbacks.
8. On May 18 – 19, 2010, we held a Chapter Officials Re-orientation for the chapter officials and CSC, we have covered FMS Policies and Procedures (DOJ); LGA Certification process; Proposed Accounting, Coordination, and Monitoring Policy; WIND system website on budgeting; Commercial Electronic Banking/Public Funds; Financial Reporting by Chapter Secretary/Treasurers; Supervisor Responsibilities and Process of Disciplinary Action; Monitoring of Chapter Administration by Chapter Officials; Recordkeeping by Chapter Administration and Insurance – Risk Management and Workers' Compensation. Lots of questions were made and answers were provided. We got positive feedback, and were recommended to do re-orientation at least two times out of a year to better understanding and carry out according to the elected officials in attendance.

G. LOCAL GOVERNANCE SUPPORT CENTER NORTHERN NAVAJO AGENCY

1. 19 Chapters under Northern Agency Local Governance Support Center has been certified by the Navajo Nation Transportation and Community Development Committee of the Navajo Nation Council. All Chapters has housing and economic plans under the guidance and technical services of the Agency Planner.
2. LGSC Program conducted random audits of chapters to ensure that Chapters are in compliance with existing policies and regulations on financial management. (5) Chapters were audited.
3. Based upon the Chapter Audits from the Office of Auditor General with (5) Five Chapters, LGSC Senior Accountant and Community Involvement Specialist visited the consult with the Chapters and produce a corrective action plans with them to resolve their discrepancies noted in the findings.
4. Chapter Officials must understand the budget process and all chapter accounts to handle and understand the use of non-restricted and restricted funds. This training promotes accountability and the ability to make proper decisions during planning and regular Chapter meetings.
5. Senior Planner and CIO Project Specialist has worked together to exchange information and coordinate training together with all Community Services Coordinators and Chapter Managers to update and ensure that all Chapters are using the ICIP to organize their project management. They invite the State of New Mexico Capital Outlay Committee, Utah Commissioners/Administration and Arizona Chapters to learn from one another. Northern Agency LGSC Office has established a project meeting every quarter to update and exchange information with all funding agencies related to community projects.
6. Senior Planner has conducted three (3) monthly meetings in this quarter and one final quarterly meeting to address all planning issues related to land use plans. Senior Planner is focusing on post certification process regarding identifying chapter ordinances and zoning ordinances with the chapters. We have not sponsored the Annual Community Land Use Planning Conference yet.
7. Sheep Springs Chapters has acquired certification of their Alternative Government and has conducted three meetings so far using this new government form.
8. San Juan and Tse Daa Kaan Chapters has been working on their Alternative Government forms and has conducted public hearings on this proposal with the community membership. Chapters are expected to pursue certification of AFOG the end of the fiscal year 2010.
9. LGSC Program has already pursued the Strategic Plans time frame and conducted several individualize training sessions with the Chapter Administration and Chapter Officials. We now have (11) Strategic Plans with Chapter Resolutions to affirm this establishment for four years.
10. We have completed the implementation of PCQ for all requested positions and now at Personnel Department. One of the audits was the changing Chapter Office Specialist position to Chapter Accounting Technician.

H. LOCAL GOVERNANCE SUPPORT CENTER WESTERN NAVAJO AGENCY

1. FMS Fast Track: LGSC has identified 7 Chapters who will be submitting their FMS fast track form and participating in the LGA certification for their Chapters. This process will allow LGSC to submit a Letter of Assurance for the following Chapters:
 - a. Group 1: identified as meeting June 30, 2010 deadline = Bodaway/Gap, Birdsprings, Chilchinbeto, Inscription House, Kaibeto, Kayenta, Leupp, and Navajo Mountain. This group has the most potential with completing all requirements, more importantly they are practicing good internal control measures. All are fully staffed except for Kayenta and Chilchinbeto, but Kayenta has a temporary CSC and he is ready for LGA certification. Chilchinbeto has a temporary OS and she is participating with the internal control measures and if they are audited, she can fulfill the OS portion.
 - b. Group 2: identified as meeting September 30, 2010 deadline = Coppermine, Dennehotso, LeChee, Tonalea. This group can do it, but they have some unforeseen problems; Tonalea is on Sanction status, that is their priority to get off CAP; LeChee and Dennehotso are short staffed, only one person at the Chapters is fulfilling all the duties and responsibilities, prior to OAG coming in to conduct a review, those positions will have to be filled either temporarily or permanently. Coppermine is ready and they consistently submit reports on time, but their struggle is the internal control, they are not on MIP, and they still do manual financials. This hinders their ability to be productive. But they are ready, and we are working with them to move them to Group 1.
 - c. Group 3: identified as meeting December 31, 2010 deadline = Coalmine, Oljato, Tolani Lake. This group has problems submitting Monthly Expenditure Reports, they are consistently late, and they need help. Coalmine CSC is experiencing problems with the community and the OS is vacant, they recently implemented MIP which will make reports much easier. Oljato has had a vacancy for several years now, and the OS completes all functions of the internal control process by herself, it is not recommended, if they are to be considered for LGA certification they need to get their reports in on time and hire a CSC. Tolani Lake is struggling with completing her Monthly Expenditure Reports; Durann Begay has been providing weekly assistance with setting up ledgers, etc. The problems with these Chapter OS's is they are not proficient in MS EXCEL, and that creates a barrier with teaching them the basics of computing; and some have little or no understanding of basic accounting, therefore, this causes delays in providing technical assistance, because we have to first overcome the barrier of learning the software and providing basic understandings of accounting principles and practices.
 - d. Group 4: identified as meeting March 31, 2011 deadline = Cameron. This Chapter will probably not be ready until the FBI investigation is complete. Most of the records and files are subject to investigation and there is no permanent staff at the Chapter House. Currently there is no financial activity, LGSC is managing all funds, and Chapter Official stipends are being paid out by Window Rock financial services. Positions are currently being advertised.
2. CLUPC Certification: On May 20, 2010 Chilchinbeto and Kayenta Chapter's were both Land Use certified by the TCDC committee at the Kayenta Chapter House, congratulations! Wilford Lane has set a plan to get two more Chapters certified in the last quarter of 2010 two more in the first quarter of 2011. Three remaining Chapters in the Western agency are also working to CLUPC certification. All Chapters should have their Land Use Plans certified in 2011. I encourage all Chapters who have not attained CLUPC Certification to help make this goal possible.
3. Grant Writing Training "Capacity Building Strategies for Navajo Nonprofits, Chapter Houses and Tribal Governments" - June 21, 2010: This was facilitated by DCD and Navajo Nation to train Chapters so that they can adequately obtain and request for proposals through ARRA funds and/or other resources. The vendor is independent and has been hired by the Navajo Nation to provide this training to all the Chapters. June 21, 2010 @ the Arboretum, Flagstaff, Az; June 22, 2010 @ the Chinle School District, Chinle, Az; June 23, 2010 @ the Best Western Inn & Suites, Gallup, NM; June 24, 2010 @ the Navajo Technical College, Crownpoint, NM; June 25, 2010 @ the Dine College, Shiprock, NM.
4. 2010 Operation Snowfall: Activities by the Emergency Operations Center - Tuba City Distribution site was operated by the ICC Team, LGSC was an integral part of the operations. Distribution to 10 Chapters (Tuba City, Bodaway/Gap, Cameron, Coalmine, Coppermine, Kaibeto, LeChee, Tonalea, Inscription House, and Navajo Mountain) included; 1,200 bales of Hay; 500 bags of Potatoes; 40 cords of wood; 517 food boxes; 1,132 bags of coal; 250 MRE's, 160 cases of water and 1 gallon water jugs; 250 blankets that were distributed to Chapters during the Operation Snowfall. The EOC - Tuba City Team came together by pooling resources including labor efforts to distribute supplies to Chapters and directly to homes. The DCD/LGSC hired five (5) local laborers to manage the Tuba City distribution sites and they received supplies and made distributions to Chapters. The EOC team met daily in the morning at 8 am for briefing and assignments; in the evening for check in and debriefing at 6pm. Daily briefing were necessary for the team to review plans, goals and assess

resource management. The challenges we faced were getting to people who lived in outlying areas, because of rough terrain, the snow was very deep, roads were inaccessible; individuals with challenging health conditions could not get out of their homes to get basic necessities like food, water, medicine; the water from FEMA was delivered in 5 gallon jugs and for people walked to the road they could not carry them home, for some it was a decision to either have water or food, many Navajo people had to watch their livestock die due to no access to hay. This was very tough to watch as Navajo people livestock is a "way of life" for most elderly and it is an essential part of daily living. For Western Navajo the Operation Snowfall ended in April, with the temporary laborers and the final reports that had to be submitted. After all this experience, Coconino County Supervisor Lena Fowler and LGSC has put together a NIMS training for all Chapters which is scheduled for June 28-30, 2010 at Flagstaff, where attendees will be certified.

5. Joint Powers Agreement (JPA) Meeting: LGSC, DCD, SWMP, Chapters (Tonalea, Bodaway/Gap, Cameron, Leupp, Tuba City, LeChee, Kaibeto) continued meetings this quarter with the Coconino County Solid Waste Department, Navajo Nation DCD, Solid Waste Management Office, to discuss the renewal of the JPA for next year. Navajo Nation Transfer Stations located in the Western Navajo Agency primarily operate year around, 3-5 days a week, and the Chapters provide part of the labor cost to help maintain the facilities. However the only facility that is fully functional and open 7 days a week is Tuba City, which is full services, equipped with recycling, accepts household, scrap, steel, tires and white goods. They now accept hazardous waste like oil. At the last meeting all the Chapters committee to paying a percent of the labor and/or supplies or equipment costs to help offset the 70% the Navajo Nation has to pay for. The Coconino County has a new contract with Navajo Sanitation for this year and this has affected the cost to the Navajo Nation as well, however, with Chapters pitching in to defray the total cost, this will allow more of the funds to go towards hauling which takes up most of the budget. The JPA is an ongoing matter with the County and there will be continuous meetings to assist all parties.
6. Chapter Official Training: There was a Secretary/Treasurer Training scheduled for April 2010 and only three Officials showed. The interest has diminished, although Officials need to be trained and properly oriented on their roles and responsibilities to provide adequate check and balances in the Chapter operations, they are not interested in learning what they need to know. It is concluded that most Chapter Officials do not have the time to attend training and/or information sessions provided by LGSC because they say they have commitments to their jobs. Most Chapter Officials have full time jobs and do Chapter business as a second job. Nevertheless, we will continue to schedule quarterly training sessions for Chapter Officials.
7. CSC Meetings, These are held monthly and most Chapters have been consistently attending these meetings. Pertinent information is shared with CSC/OS staff pertaining to the operations of the Chapters, like the budgets, WIND system, projects, travel documents, fiscal internal control process, and review of FORM 2, assistance with monthly expenditure reports.
8. SPPS Meeting: The SPPS has attended all three mandatory meetings this quarter, and reports were received and presented regarding LGSC/WNA operations. The priority has been the FMS fast track and the CLUPC certification of chapters.
9. LGSC Audit CAP:

Finding 1: The Local Governance Support Center does not have a standardize management system that is uniform across all five agencies.

- F1) LGSC/WNA has reported meeting this goal, as 15 Chapters were provided at least 8 hours/month of assistance this quarter. Some Chapters have been given more than others.
- F2) LGSC/WNA has used the onsite field review/check off list for Chapter visits.
- F3) Quarterly trainings are offered, but some Chapters choose not to attend, however Officials get the information they need by attending other trainings, that may or may not be offered through LGSC/DCD.
- F4) No survey conducted by DCD this quarter.
- F5) N/A.

Finding 2: The Local Governance Support Center does not have a system of assuring technical expertise and continuous improvements of Local Governance Support Center employees in the FMS.

- 1) LGSC has provided period reviews of the Chapters FMS this quarter.
- 2) LGSC assigned current staff to do this function.

Finding 3: The Local Governance Support Center are organized in a hierarchical model Window Rock has a supervisory role to the LGSC. Each office has SPPS with staff reporting to that level. Further, the LGSC interacts with the Chapters in a authoritative role.

- 1) In process.
- 2) Still an option.

Finding 4: Administrative staff at Local Governance Support Center report that they spend as much as one day every two weeks on timesheets administration. Technical advances have not been implemented.

- 1) eTimesheets initiative needs to continue, as there is a need to save on fuel, time and make better use of our limited resources locally, such as our equipment, time, and vehicles.

Finding 5: The interviews and surveys conducted during the audit raised accounting as a key process from which the other four elements of Five Management System would radiate from. Written comments received from Chapters indicated a need for greater help with book keeping, tax compliance and use of accounting software.

- 1) LGSC/WNA has completed PCQ's for all OS positions for Western Agency and now waiting on applications to update their credentials. These will all be submitted to DPM in July 2010.
- 2) 9 Chapters are on MIP, the rest do not have plans to implement MIP as they state it is too costly and maintenance costs are high. They continue to use EXCEL or Quick Books, this causes Accountants to spend more time providing manual assistance.

Finding 6: Dissatisfaction was express during the audit about; (1) the number of certified Chapters; (2) the number of Sanction Chapter; (3) and the state of CAP/Sanction Chapters.

- F1) Revision of the Plan of Operation is ongoing.
- F2) LGSC continues to meet Plan of Operation goals and objectives.
- F3) On going
- F4) Reclassification of OS to AMS is in process.

10. **LAND USE PLANS:** Refer to Attached CLUPC Chart

- Functions of the CLUPC have been taken over by Connie Adson, Community Involvement Specialist, who has been properly orientated by Wilford Lane prior to his resignation from LGSC. Ms. Adson is available to conduct presentation on CLUPC for respective Chapters and she attends meetings.
- February 24, 2010 - LeChee Chapter CLUP was very short, the Rural Addressing office did not attend either due to an emergency so they had to turn around at Kayenta and return to Window Rock. A meeting has been re-scheduled by M.C. Baldwin on March 24, 2010 at the Rural Addressing Work Session.
- March 17, 2010 - Tonalea CLUP Meeting/Work Session; new members of the CLUP committee request LGSC to introduce the CLUPC Fast Track model so they can use the model in getting their CLUP certified in a timely fashion. A training session has been scheduled for April 9, 2010 from 9:00 am to 5:00 pm at the Tonalea school library.

I. RURAL ADDRESSING PROGRAM

1. DCD/Division has assigned us and Office Assistant and has been very helpful with administrative assignments.
2. Frontier is working with Sacred Winds Communication to develop quote for the E 9-1-1 data base, once the quote is develop the Service Plan will be complete and submit for approval from Public Safety and DCD Division Director Mr. Cowboy and Mr. Mitchell.
3. SDR continues to work with me on the Rural Addressing initiative with no cost involved.
4. San Juan Utah County ***road maps*** are 100% completed by all (7) seven chapters. We are seeking funds for the road signage installation. I have travel to chapters in Utah to get resolution approval to utilize the Utah Navajo Revitalization Funds. All seven chapter approved the resolution.
5. Our office continues to assist walk in clients for letters of resident, which is now a requirement for driver's license. Average of walk in about 2 -3 per month.
6. Continue to work with Bio Terrorism and EPI department of Division of Health on additional resource's and funds. Bio Terrorism has assisted our office with one temporary staff her name is Beverly Nez and her last day will be July 30, 2010.
7. We have had several meetings/Training with Chapters regarding the rural addressing and will continue to work with them.
8. MOU'S :
 - o Cibola County MOU has been approved and sent to the county.
9. Rural Addressing/GIS:
 - NNAA/Rural Addressing Technicians have been doing field work with San Juan County gathering road names.
 - On going resident verification for clients request physical addressing for their driver licenses.

- Rural Addressing Technicians Carrie House and Clarence Begaye continue to provide assistant with chapters that request for assistant.
 - Continue meetings with San Juan County Chapters on relocating the boundary line for number assignments.
 - Will provide and MSAG updates once the RA Coordinator update the Data base with Bernalillo.
10. Public Safety:
- JVA has been submitted to NN Personnel as Communication Director/Management, Personnel will be advertising for the position, to date the position has not been announced.
11. NDOT:
- NNAA/Rule Addressing Coordinator M.C. Baldwin and myself have been meeting with NDOT Emerson Tracy which was not effective so Ermalinda Gene Program Project Specialist new employee has been assign to our office to work with.
 - Mrs. Gene will be working on seeking matching fund for Utah Navajo Revitalization Funds which the resolutions were approved by all 7 Utah chapters.
 - Continue to review the quotes and specifications on the road signs with Ms. Gene as well; she will be working on the Tohajülee Pilot Project.
 - Rural Address Technician will continue to participate and provide assistance as needed to NDOT.
12. RA technician is conducting field work in the Shiprock area to gather street names that San Juan County (SJC), NM. Rural Addressing Coordinator needs so that the centerline data can be configured for the NNAA staff; this information that the county is helping out with for only the Shiprock area is a one time arrangement so that NNAA staff can address inside the polygon that Shiprock Planning Commission has approved from Shiprock Chapter; maps & other information will be presented in Aztec, NM. at the June 30 meeting; other Chapters attending will be for those effected by the need for the four digit road system boundary in the 9000 to 9999 quadrant to be relocated; the 8000 to 8999 quadrants won't be effected; new dividing boundary will be N-13 & not N-64; technician has laptop with color DOQQs so he can view image data from the inside of tribby to catch all roads
13. RA Coordnator is still waiting for Shiprock Chapter's Planning Commission to submit a copy of the developed ordinance approved by the Chapter; NNAA will check to see if there are other street names that can be part of this file; technician translated Navajo street names to English & will be presented at the June 30 meeting
14. Tohajülee Structure and Road Signs Project is 99% completed:
- a. Tohajülee continue to have changes and our NNAA/RA staff will be scheduling themselves out to collect new addresses.
15. Contact One:
- a. Technicians went out to Utah Chapters the last part of last month and shapefiles generated was emailed to Coordinator; this information will be assessed & incorporated into the master file that was delivered by ContactOne; updated maps can be produced for Chapters to review; Coordinator should get to this task the first part of July 2010
16. LGSC meeting:
- Eliza-Beth Washburne will participate in assisting with a June 30 meeting in Aztec, NM. where the topic will focus on four digit road naming system; she received agenda that she can distribute to effected Chapters; she might participate as co-presenter at NDOT's Road Summit June 25 where Coordinator is presenting with a technician & coordinator for San Juan County, NM.
 - WIND System Team will have a two day meeting in San Juan College for technology initiative for CHID (DCD department); work session will cover WIND mapping plans that NNAA is having RTS (realtimesites) develop tools for; there will be other DCD departments who will present how the mapping tools can help with their tasks; also met with Jimmy Francis of CHID to plan for GPS training materials that will be part of the technology work session
 - Coordinator attended a WIND System Team in Gallup where Steve (owner of RTS) brought Scout to talk about various topics like hiring someone who will be the direct contact for DCD as we move forward with WIND; Arbin Mitchell was also there to report his expectations for the entire contract
 - Wilford Lane of Western Agency LGSC called to ask about maps for Kaibeto Chapter; Coordinator updated him about previous communication with that Chapter about raster map delivered to Chapter staff when they attended Flagstaff work session
 - Walter Hudson called to say he is setting up a Fort Defiance Agency Chapter CLUP work session for Rural Addressing Implementation; he wants to invite Tim Larsen & central dispatch

staff with NDOT & other presenters like NHA & possibly Chavez John from CHID; he is lining up presenters & will send agenda

J. SOLID WASTE MANAGEMENT PROGRAM

1. Program personnel provide public education on proper solid waste management and recycling practices to 13 chapters, 2 schools (4 classes), Navajo Nation Fair Parade Committee (4 presentations), as well as participations in other chapter related functions. Approximately 460 individuals attended these public education forums at the following chapters, organizations, and activities:

	<u>Chapter/Agency - Schools</u>	<u>Schools/Others</u>
1.	Forest Lake/Chinle	Hilltop Christian School (2)
2.	Pinon/Chinle	St Michaels School (2)
3.	Baahaali/Eastern	NN Fair Parade Committee
4.	Chichiltah/Eastern	Beclabito Chapter CLUPC
5.	Coyote Canyon/Ft Defiance	Red Valley CLUPC
6.	Ft Defiance/Ft Defiance	
7.	Greasewood Springs/Ft Defiance	
8.	Nahata Dzil/Ft Defiance	
9.	Rock Springs/Ft Defiance	
10.	Steamboat/Ft Defiance	
11.	Beclabito/Northern	
12.	Red Valley/Northern	
13.	Coalmine Canyon/Western	

The Program coordinated and conducted its annual Earth Day Spring Clean Up activities in the Ft Defiance, St Micheals, and Window Rock locales on May 9, 2010. A total of 16 tons of paper products, Styrofoam, plastics, aluminum, tin cans, glass containers, as well as other assortment of residential waste were collected and disposed of.

The Program has throughout the quarter, promoted proper solid waste management and recycling practices by disseminating brochures, flyers, and posters. These brochures, flyers, and posters were disseminated throughout the Nation to chapters/communities, schools, and other organizations.

2. Program personnel conducted workshops for two CLUP Committees on Siting a Convenience Center. Topics covered included the following: Public Support and Participation; Definition of a Solid Waste Convenience Center; Transfer Station verses Convenience Center; Landfill verses Illegal Dump Sites; Planning and Siting a Convenience Center; Siting Criteria; Convenience Center's Design and Operations; and Facility's Oversight.
3. The Program assessed Western Agency's seven established transfer stations for recycling opportunities this quarter. Four of the seven transfer stations have small scaled recycling activities currently being undertaken along with Coconino County. The four transfer stations are recycling metals and tires, as well to some extent, automobile fluids.
The Program will convene with the seven communities to provide them an opportunity to participate in a multi-year recycling pilot project within the next fiscal quarter as proposals are due the first part of next year. The Program proposes to implement, contingent on available funding, recycling opportunities for cardboard, aluminum and tin cans, plastic containers, and newspaper and office paper.
The Program also submitted a proposal to New Mexico Environment Department to initiate and implement an office paper recycling program for federal, state, and tribal offices in Window Rock. The Program's proposal was denied.
The Program will continue dialogue and interact with Norton Environmental Inc., and Coconino County, as well as with NMRC, San Juan, Cibola, and McKinley Counties, Waste Management of New Mexico, and Farmington, Gallup, Grants, and Milan municipalities to provide Navajo communities to participate in recycling activities to lower their transport and disposal fees of their generated solid waste materials as transportation and disposal fees continue to increase yearly.
4. The Program reviewed and identified several areas of concerns, omissions, and sections to be rework or deleted on the Nation's Solid Waste Management Plan. The Program will request the Nation to provide the Program the required funding needed to update and implement the SWM Plan within FY2011.

III. STATUS OF ON-GOING PROJECTS

A. ADMINISTRATION

1. Broadband Stimulus – Checking in with NTUA on a regular basis since they are busy doing site assessments, ROW, and any necessary re-engineering for the fiber and wireless build out. The Navajo Nation broadband team helped the Division of Economic Development submit a funding application for the technical assistance program of the USDA/RUS BIP Round 2 funding to develop a broadband economic development plan to benefit small businesses and entrepreneurs. Now in the due diligence phase for the DIT BTOP Round 2 PCC grant application, and helping DIT to submit responses to the due diligence questions.
2. Gates Foundation –Existing contract with Bear Data Systems was modified to change the source of funding from E-rate to broadband stimulus in concert with Round 2 broadband stimulus funding application for public computer centers at chapters, senior centers, and head starts.
3. Budget web application project – SAS is currently being processed for a contract mod to implement changes to the budget web application for the upcoming FY 2011 budget cycle.
4. WIND project – Currently RealTimeSites has substantially completed the development of the ICIP, Project Authorization, and mapping under the existing contract tasks. Still need some minor bug fixes to be done on the modules and additional data entry of Project Authorization documents in order to test functionality of Project Administration. Testing is currently being done and training activities for end users is being carried out with additional training tentatively being planned for the August timeframe.
5. Additional modules for the WIND system that are planned for development include the RealFile module and associated file management system, and the SAS tracking module to track SAS packets going through review. Currently, a SAS is being processed to begin the development work.
6. Videoconferencing with Chapters and Agency offices – Currently, DCD has installed some videoconferencing equipment but due to changes that DIT needs to make to their network infrastructure, it is not yet possible to have Chapters and Agencies connect to the videoconferencing equipment for videoconferencing sessions. DCD might need to use third-party videoconferencing hosting services to accomplish this, but the added cost would defeat the intent of cost savings.
7. Network firewall is in the process of being replaced.
8. COA #17: Direct deposit policy memo has been issued to chapters and DCD departments. The policy is currently in effect with checks being mailed out according to the new policies.
9. COA #18: Electronic submission of timesheet activities has been put on hold until a formal agreement with OOC is set in place. A draft agreement has been modified by DCD and OOC and is currently being reviewed by DOJ before it can be finalized.
10. Chapter Internet services reports –FY 2010 third quarter reports are beginning to come in.
11. Tech support activities – 40 computer tech support cases were opened. 51 computer tech support cases were closed.

B. CAPITAL IMPROVEMENT OFFICE

1. WESTERN NAVAJO AGENCY:
 - a. Western Agency, of (18) chapters and (51) projects under CIO. There is (26) projects that are still being constructed, pending, shortfalls or close to completion, and (25) projects are completed and ready for final close-out.
 - b. Dennehotso Multi-Purpose/Senior Center is at 99 % completed, should have be completed by of January 2010, but it's at a standstill, the building calls for a (3) phase power line which NTUA are now doing the construction.
 - c. The bathroom addition project at Greasewood Flats area is recruiting for a certified electrician and plumber to complete all task to meet the deadline of July 2010 for the IHS to start running waterline project from Baby Rocks Area.
 - d. Continue to provide technical assistance to Former Bennett Freeze Recovery and chapters with procedural steps in completing and closing out their project. Continue to assist in proposal submission, up-dating documents, and completing scope of work, legal notices, project site visit and monitoring their projects.

C. COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT

1. Continue monitoring CDBG, NAHASDA, BIA and other federally assisted projects
2. Project Status Report –
(See attached Project Status Reports)
 - a. CDBG Projects
 - b. BIA/HIP Projects
 - c. Weatherization Projects
 - d. NAHASDA Projects

D. DESIGN AND ENGINEERING SERVICES

1. USDA Project Cost Sharing: Contract issues, reluctant to transfer funds regarding their projects. No Indirect Cost application. Direct payments being made to contractors with no accountability or verification of construction progress. Addressed on September 2, 2008.
2. The success of the data management system depends on the combined efforts of all departments of Community Development. If the departments don't combine their knowledge and expertise, the data management system will be a disconnect service to everyone, mainly the chapters. Implement by directive to utilize the existing e-mail and webpage system for communication to provide program budgetary savings.
3. Department of DES is overloaded with projects and requires proper pre-planning requirements which are absent for authorization status and documentation.
4. Department Project Manager's are in continual training on WIND application for project record keeping, budgeting, project profiles, tracking, and project administration.
5. The American Economic Recovery and Reinvestment Act of 2009 in the amount of \$787.2 Billion have impacted priority projects through interjection of submittal deadlines and grant application preparations. Cost estimates, project verification and substantiation are critical for manpower assignments, often overlapping responsibilities.

E. LOCAL GOVERNANCE SUPPORT CENTER – FORT DEFIANCE AGENCY

- Conditions of Appropriation Status: EXHIBIT "B"
- OMB FORM 02 EXHIBIT "C"

F. LOCAL GOVERNANCE SUPPORT CENTER – NORTHERN NAVAJO AGENCY

1. Completed (11) Strategic Plans with the Chapters
2. We have conducted (3) Training on Fast Track Certification with the Chapters.
3. We have on final training session in Cortez., Colorado this weekend 6/24-2010 to 6/27/2010. (Three days of training to assemble packages)
4. See Form 2 for technical assistances
5. Quarterly meeting on community projects are done
6. Quarterly meeting on ICIP is completed this quarter.
7. Attended Agency Council Meeting and disseminated information on progress of chapter related activities and DCD update
8. Rural Addressing (see attached report)

G. LOCAL GOVERNANCE SUPPORT CENTER – WESTERN NAVAJO AGENCY

1. **Navajo Nation Enhanced 9-1-1:**
Chapters are working on identifying roads and naming them, this has been an ongoing process, see attached Chart.
2. **Former Bennett Freeze Recovery Plan - No activity**
There has been very little activity on this matter this quarter. LGSC office has not been involved in any meetings since May 2009 with the Relocation Office. 2 Chapters (Tolanie Lake and Tonalea) will use the WH Pacific report to get CLUPC certified.

H. SOLID WASTE MANAGEMENT PROGRAM

- A. Program personnel will continue to provide public education forums on proper solid waste management and recycling practices utilizing public presentations, brochures, flyers, posters, airwaves, workshops, and its website, promote viable operation and maintenance of solid waste disposal systems, assist chapters/communities with recommendations and technical support to plan, design, and implement solid waste develop community plans for their solid waste management programs. Additionally, Program personnel will continue to seek and request for external funding for its landfill and illegal dump site closures, as well as for viable alternative solid waste disposal options. The Program a submitted a proposal to the Tribal Solid Waste Interagency Workgroup to finish its clean closure activities for Cameron Chapter's remaining two illegal dump sites. The Program has not received any feedback on its proposal.
- B. Program personnel will continue to interact with the Bureau of Indian Affairs, Indian Health Service, Navajo EPA, and other concerned federal, state, county, and tribal entities to coordinate their respective activities in resolving solid waste issues and concerns/problems on the Navajo Nation and its neighboring communities.
- C. The Program's Cost Sharing Agreement was designed to promote local responsibility for chapters to develop and implement a Solid Waste Management Program for their general population to become familiar with

proper solid waste disposal and recycling activities. The Program provides presentations to clarify the protocols required to enter a Cost Sharing Agreement.

Accordingly, the Program along with McKinley County, have been providing technical assistance to Baahaali and Chichiltah Chapters to open their transfer station. All of the required tasks have been completed. The transfer station's grand opening is set for Wednesday, July 7, 2010. The Program will continue to seek and assist other chapters to develop and implement their own proper solid waste disposal and recycling activities.

IV. OUTSTANDING PROGRAM ISSUES

A. ADMINISTRATION

1. New networking equipment (network switches, UPS, wireless access point, etc) is badly needed at chapters.
2. Training is needed for Google apps, videoconferencing, and e-government apps

B. COMMUNITY HOUSING & INFRASTRUCTURE DEPARTMENT

1. For FY'2007 CDBG/NAHASDA Bathroom Additions projects, the delay in starting the construction is NHA-GMD requesting for 100 year Flood Plain Assessment under the environmental review. Once resolved, the construction can begin in the next quarter. Still no response to our request for time extension from NHA.
2. Conduct home assessments and re-survey certain home assessments for the NAHASDA/NHA and ICDBG projects
3. All NM Projects were placed on Freeze Status. Personnel were laid off as of October 30, 2009. Personnel were reinstated in May 2010 and for those expiring on June 30, 2010, all are laid off.
4. Processing payment on NM State funded projects without deliverables is an issue that needs to be address. This is contrary to payments based on progress.
5. Prepare justification for time extension on the FY'2007 NAHASDA Dennehotso Powerline Extension project and submit to NHA Grants Management for approval. The time extension was approved by NHA to March 2011. The current expiration date is June 30, 2010.
6. Need to develop a policy to address the subject of Successorship for houses that are constructed, renovated, weatherized, repairs, etc. to be used when the original homeowner ceases to be the principal homeowner. A revised policy is needed that is relevant to the Housing Program. A meeting needs to take place to address this.
7. Close out reports for NAHASDA FY'98 is pending; FY'99 is in draft form; and FY'00 is also pending. NHA will request to the Auditor's to conduct an audit on the FY'01/02/03 NAHASDA projects for close out. A meeting took place to accept the NN A-133 as the official audit for NHA. The NHA and CHID are working jointly to close out all grants.
8. HIP does not have the planning funds to do NEPA requirements for the regular FY'2009 and ARRA applicants.
9. NWAP-ARRA budget for \$8,161,335 needs to be developed as soon as possible.
10. NWAP daily activity logs are incomplete and staff needs to conduct follow-ups on program activities.

C. DESIGN AND ENGINEERING SERVICES

1. USDA Project Cost Sharing: Contract issues, reluctant to transfer funds regarding their projects. No Indirect Cost application. Direct payments being made to contractors with no accountability or verification of construction progress. Addressed on September 2, 2008.
2. The success of the data management system depends on the combined efforts of all departments of Community Development. If the departments don't combine their knowledge and expertise, the data management system will be a disconnect service to everyone, mainly the chapters. Implement by directive to utilize the existing e-mail and webpage system for communication to provide program budgetary savings.
3. Department of DES is overloaded with projects and requires proper pre-planning requirements which are absent for authorization status and documentation.
4. Department Project Manager's are in continual training on WIND application for project record keeping, budgeting, project profiles, tracking, and project administration.
5. The American Economic Recovery and Reinvestment Act of 2009 in the amount of \$787.2 Billion have impacted priority projects through interjection of submittal deadlines and grant application preparations. Cost estimates, project verification and substantiation are critical for manpower assignments, often overlapping responsibilities.

D. LOCAL GOVERNANCE SUPPORT CENTER CHINLE AGENCY

1. One Chinle Agency Chapter is awaiting CLUP Certification, that is Tsaille/Wheatfields Chapter.
2. Sixteen (16) Chinle Agency Chapter remain non-certified Chapters. Nazlini, Low Mountain and Blue Gap's FMS Manual has been submitted to the Office of the Auditor General for review. Tselani/Cottonwood, Many Farms, Pinon and Whippoorwill have completed their FMS Manual and have submitted to LGSC for final review before submitting to the Office of Auditor General's review.

E. LOCAL GOVERNANCE SUPPORT CENTER NORTHERN NAVAJO AGENCY

1. A final decision on the coordination and technical services and restructure with Office of Navajo Government Development and DCD must be made known to provide clarification to Certified Chapters.
2. LGSC Program Operations has been hindered by inadequate funding for the past five years. Each year, the funds for LGSC Operations and travel is reduced which affects travel to chapters to provide technical assistances.
3. Regional Planning needs to be introduced to Chapter Officials and Administrations to use this concept to be more effective and efficient in cost sharing ideas on community facilities, roads, emergency management, project funds, sharing experience personnel for specific type of projects or training in line with land use planning for infrastructure development in community settings.
4. Reimbursement at the LGSC Office at all Five Agencies would cut a lot of travel to Window rock and this decision will expedite reimbursements for LGSC Staff. The Chapters already has this option.
5. If LGSC Office Staff can be delegated or authorized to conduct immediate assessments of personnel from Chapters in the agency, will also expedite hiring of personnel at the chapter level to take care of immediate needs for the chapter governments. The present system is too cumbersome and lengthy to take care of immediate needs and replacements of Coordinators, Office Specialists or other personnel matters. It takes an average of two (2) and half months to hire someone at the chapter level which hinders chapter operations and services to community residents and membership.
6. A memorandum should be written to all the Chapter Staff, Officials and Community membership to comply with the Chain of Command and proper protocol regarding community issues and problems and should be referred back to the LGSC Office to avoid and prevent difficult working relationship through interferences from central government.

F. LOCAL GOVERNANCE SUPPORT CENTER WESTERN NAVAJO AGENCY

1. Fiscal Year 2011 Budget Shortfall: With the upcoming FY' 2011 Budget, LGSC/WNA will experience a drastic change in the operations due to the 5% decrease. Especially if we experience a 10% decrease, our program will not be able to meet the intended goals and objectives set forth in the LGA plan of operation and Title 26. As it is now, we are already unable to meet the intended goals, because of staff turn around both with Chapters and at LGSC. We are told to push to FMS fast track, but this process hinders Chapter operations when Chapter staff are not properly trained, or well qualified for their positions. Most staff have been grandfathered in and they inherit positions with very little knowledge, skills, and abilities to do the job yet they are expected to do the job. Additionally when they fail there is no recourse, or enforcement for not getting the job done, or worst embezzlement. The court system (Navajo Nation Council) has decriminalized theft, embezzlement, etc. to a petty fine therefore there is no deterrent to committing such crimes. This is frustrating as Executive employees and supervisors we are frustrated because we are inundated with writing reports and covering ourselves by justifying why we did not babysit these professionals. What is more appalling is that such staff can just resign and be rehired by another Navajo Nation department, because there are no deterrents in place and enforcements.
2. The goal to get all Chapters on MIP Accounting Software to promote consistency has proven to be more difficult because Chapters are unable to utilize their current funds to purchase the software. Additionally, we are expecting 5% less funds in the FY 2011 budget therefore this goal maybe impossible to accomplish due to Chapters having to make decisions of either paying the light bill or purchasing MIP. This puts Chapters in a precarious position as they are subject to making decision of what is best for the community.
3. Chapter Officials need to play a proactive role in their Chapter government locally. This can be done through internal monitoring without micro-managing. Orientation and training will continue to be provided by LGSC staff, if people show up for training. It has been difficult to implement LGSC audit finding of helping Chapters with TA and monitoring because Officials do not take their responsibilities seriously.

V. PROBLEMS/RECOMMENDATIONS

A. CAPITAL IMPROVEMENT OFFICE

1. CHINLE NAVAJO AGENCY:

- WIND/ICIP - Project Authorization. Data entry exhausted many man hours with result of incomplete status – system needs work.
- Chapters are frustrated with the WIND/ICIP application – data entry.

B. COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT

1. Navajo Office of the Controller (Contract Accounting) not responding to federal requirements on financial reporting, close outs, audits and other requests for U.S. Department of Housing and Urban Development. The Financial Status Report (Form 272) is due 15 days after quarter ending, but is always late.

Recommendation:

Develop a Quarterly meeting with Office of Controller to remind them of due dates and what needs to be addressed. (Completed)

2. Programs with obtaining consent for Rights of Ways on Indian Allotment. There are five projects within the Eastern Navajo Agency pending ROW. BIA Realty is mandating that appraisals be conducted and disclose the market value to the landowner for consideration.

Recommendation:

- *Continue to meet with BIA Realty in addressing this manner. If this is not resolved by January 31, 2008, we will have no choice but to recapture the funds and use for other eligible activity. (Not Resolved)*
- *The CDBG Staff attended the BIA Realty Conference to get a better understanding of the process for Lease and Right-of-Way on Indian Allotments on March 06-07, 2006.*
- *Met with Larry Rogers to get an update on the issue. He will assist in expediting the ROW process for Torreon and Counselor Powerline Extension projects.*
- *CDBG met with Jemez Electric to get an update on the issue. They will assist in expediting the ROW process for Torreon and Counselor Powerline Extension projects.*
- *Met with Torreon Chapter, Counselor Chapter, CIO, BIA and Eastern Navajo Land Commission and developed an Action Schedule Plan to follow. Follow-up meetings will be scheduled on a monthly basis to monitor the progress. The two communities have completed the housewiring and currently conducting archeological survey.*
- *A meeting was conducted with Torreon Chapter, Counselor Chapter, CIO, BIA and Eastern Navajo Land Commission on May 21, 2008 to review the project's progress. Recommendation is to have one more meeting and if progress is not resolved regarding the right-of-way, funds will be reprogrammed for other eligible activities.*
- *The Counselor project was deleted and CDBG will only proceed with the Torreon project. The Subgrant Agreement was developed for approval but delayed due to New Mexico funds. As of March 26, 2010, DOJ is recommending that CHID use two different Agreements: One for CDBG federal funding and the other for NM-LAD funding. The cost of the project and client listing will have to be divided in two to accommodate the amount of funding available under each source. This will take some time and both funding sources are on a timeline.*
- *The Counselor Powerline Extension project was recommended to be funded under the ICDBG ARRA funds but was denied. Alternative funds are being considered by the CDBG staff.*

3. The CDBG Torreon powerline extension was funded under the NM State Funds and ICDBG. A contract was developed with Jemez Mountains Electric Cooperative, Inc.

4. The CDBG Counselor powerline extension project was reprogram to fund other potential projects.

C. DESIGN AND ENGINEERING SERVICES

1. Majority of the projects undertaken lack comprehensive Capital project funds to meet the chapter/program & sponsor needs. Navajo Nation Council on March 21, 2008, passed override veto of legislation which would have provided \$12.0 million for Capital project funding. Project shortfalls remain a continuous problem causing incompleteness of projects and delay. Projects lack pre-planning and/or proper prerequisites causing project implementation delays, i.e. some projects do not have land withdrawals or Utility Infrastructure prior to constructing the facilities. Local governance requires their participation.

2. Continue working within the restraints & confines of program funding requirements. Funding entities include States of New Mexico, Arizona; BIA, HUD, NAHASDA, Navajo Prep-School and Abandon Mine Lands, NAAA, USDA and ARRA.
3. The SAS 164- Administrative Review process is not adhered to in proper time review by departments according to Title II. SAS sponsors are breaking the law causing program burden & unwarranted demands. Contract awards and project set-backs are the end-result.
4. The department has an insufficient budget to meet the demands and needs for adequate project delivery services to chapters, programs, and overall projects due to additional project loads and being the only entity in plan of operation with authority. The Fiscal Year 2011 budget was decreased by 5% at the direction of the Division, the department will in effect lose one Project Manager's position.
5. Projects are experiencing untimely payments and delays in monthly progress payments to contractors causing a "sore-eye" to the Navajo Nation. Division of Finance requires a re-visit on how checks are processed and their understanding in due amounts in an orderly and timely manner and in accordance to new 9000 Capital Outlay Budget requirements.
6. The current Global and U.S. Market is affecting construction cost by escalating bid prices as high as 50% additional. The Navajo Nation also by geographical isolation is affected by additional costs contributing to project delays and shortfalls. The current economic downturn is positive in terms of competitive construction resource pool; however, this is hampered by Navajo Preference in Employment crippling participation. An exempt status should be considered for a short-duration time span to allow maximum bid proposals for cost comparisons.

D. LOCAL GOVERNANCE SUPPORT CENTER – FORT DEFIANCE AGENCY

- Department of Personnel Management-COA #12 FY'2009, we have not received response on their recommendation to the agency to this date on Community Services Coordinator position to Chapter Manager; and the desk audit was made in February/March 2010 with ten chapters per agency identified and completed and reported April 2010. No response received to-date.

E. LOCAL GOVERNANCE SUPPORT CENTER – WESTERN NAVAJO AGENCY

1. LGSC Office is short staff and everyone has to take on additional work, this has caused stress and work overload on existing. As a result time that should be devoted to assisting Chapters is provided at the office doing administrative work. As the SPPS I too am taking on additional assignments, while on 2 week leave, upon my return 2 more LGSC staff resigned, which has caused additional work load for current staff. Nevertheless, we are charged with meeting the FMS Fast Track goal and we are still committed to stay on track. We request the assistance of the DCD with local errands, help with signing off on documents, instead of having to send in LGSC/WNA staff to complete this task locally.
2. Please resolve the Payroll check disbursement issue and Timesheet matter. Let's go back to electronic filing, it was less stressful by traveling. LGSC office is still consuming a lot of time traveling; it takes 3 hours to travel to Window Rock, if a trip is made to Window Rock that is 6 hours out of a productive work day traveling. It takes roughly 2-3 hours to travel from one end of the Western Agency Chapters to the other end, and this time is not included as part of the productive work day. As a result staff within our agency has to endure longer work hours because of the distance to between Chapters and communities. This distance hardship is not experienced by any other agency just Western Navajo Agency.
3. Shultz Fire: Due to the fire in Flagstaff on June 20-25, 2010 staff who rides the transit bus had to miss work two days, due to road closures. Now staffs are suffering from smoke inhalants, and some experience health related problems. For those staff that had to miss work due to the road closures, Payroll Office is advising that they need to use leave hours, because the incident was not covered by a Navajo Nation President declaration state of emergency. Also the Navajo Transit bus will not run between Tuba City and Flagstaff until they hire a driver, this has affected over 30 bus commuters who are Navajo Nation employees.

F. RURAL ADDRESSING

1. Our Office continues to operate without an Office Specialist.
2. Our two Rural Addressing Tech have been multi tasking with all areas of addressing so I continue to request for additional staff

G. SOLID WASTE MANAGEMENT PROGRAM

1. The Program purchased its GPS unit and its accompanying software and a license for its GIS ArcView software a number years ago to import collected data from its GPS unit to produce individual and collective landfills and/or illegal dump sites for a given locality. The purchased and older versions of the GPS's

Pathfinder Office and GIS's ArcView software are not compatible with Windows' Vista or 7 operating systems, and are not updatable like other applications, and therefore the software needs to be replaced with software compatible with the Windows' Vista or 7 operating systems to enable the Program to download and produce maps depicting un-permitted landfills and illegal dump sites.

The Program recommends it purchases a new GPS unit and accompanying software

2. The Program's fiscal obligations to cover the operations and maintenance cost for the Joint Powers Agreement with Coconino County, AZ, and San Juan County, NM, continues to significantly impact the Program's ability to plan, design, and close landfills and illegal dump sites Navajo Nation wide.

The Navajo Nation's Solid Waste Regulations, Part IV – Standards for Solid Waste Landfill Facilities, Section 401 - Scope and Effective Date, Paragraph A. Scope and Effective Date mandates that landfills that received solid waste materials on or after October 9, 1993, must comply with these regulations, however, the regulations do not apply to landfills that have stopped receiving solid waste materials before October 9, 1991. The regulations also stipulates that landfills that received solid waste materials after October 9, 1991, but stopped receiving solid waste materials before October 9, 1993, are exempt from all the requirements of these regulations except the final cover requirements as specified in Section 406. The final cover requirements must have been installed within six months of the last receipt of solid waste materials and the cover must be maintained pursuant to the criteria existing at the time of closure. Otherwise, failure to complete cover installation within the six month period are subjective to all the requirements of these regulations, including closure, ground water monitoring, financial assurances and post closure care. Paragraph B. Delay of the Effective Date and Exemption for Small Solid Waste Existing Landfills also stipulates that the effective date of the regulations for small existing landfills and permit requirements have been extended until October 9, 2005.

Inasmuch, the Program has been successfully addressing landfills and illegal dump site closure projects with external funding, however, these funding sources are no longer viable to address these projects. Additionally, the Division's given fiscal yearly baseline budget amounts are insufficient to adequately address the combine amounts of the JPA and landfill and illegal dump site closure projects the Program is tasked to perform within the same fiscal year(s). With the effective date in FY05's 1st Quarter, and the Program's continued inadequate yearly fiscal funding and scarce external funds, the Program will continue to be unable to meet the regulations' compliance or mandated effective date.

To effectively address and comply with the Navajo Nation's SW Regulations, the Program needs to have its funding increased for its landfills and clean closure projects and create a no year budget account for the Program's 6500 Contractual Services sub-account as landfills and clean closure projects requires 1½ to 2 years to complete. To facilitate the increase funding for its landfills and clean closure projects, the Division and Program need to explore a different funding mechanism to fund the JPAs with Coconino County, AZ, and San Juan County, NM.

VI. BUDGET INFORMATION

Account	Program Name	Original Budget	Revised	Actuals	Encumbrances	Available	% Expend
108001	DCD Administration	1,175,584.00	1,419,593.63	742,828.29	833.25	675,932.09	52.39%
108002	Design & Engineering Svcs	1,241,578.00	1,553,869.36	639,755.78	110,251.97	803,861.61	48.27%
108003	Solid Waste Mgmt Prog	1,215,562.00	1,202,904.60	1,040,260.12	2,843.93	159,800.55	86.72%
108004	Com Hsg & Infrastructure Dept	567,857.00	547,480.17	238,296.61	4,047.28	305,136.28	44.27%
108006	Capital Improvement	780,822.00	1,007,996.50	510,770.32	-65,525.26	562,751.44	44.17%
108009	LGSC Eastern	356,691.00	356,691.00	254,010.16	0.00	102,680.84	71.21%
108010	LGSC Fort Defiance	329,170.00	329,170.00	211,683.74	0.00	117,486.26	64.31%
108011	LGSC Shiprock	293,780.00	291,422.65	190,952.20	3,750.00	96,720.45	66.81%
108012	LGSC Western	337,294.00	331,556.89	199,646.23	318.61	131,592.05	60.31%
108013	LGSC Chinle	287,828.00	279,697.86	137,465.83	0.00	142,232.03	49.15%
Grand Total:		\$6,586,166.00	\$7,320,382.66	\$4,165,669.28	\$56,519.78	\$3,098,193.60	57.68%

DIVISION OF
ECONOMIC DEVELOPMENT



ALLAN BEGAY
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DIVISION OF ECONOMIC DEVELOPMENT
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. PROGRAM INFORMATION

Division Executive Director: Allan Begay
 Telephone No.: 928-871-6544
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Departments:

Support Services	Raymond Nopah, Chief Financial Officer
Business Regulatory	Ernest Pahe, Department Director
Project Development	Anthony Perry, Department Manager
Real Estate	Henry Saltclah, Department Director
Tourism	Thomas Boyd, Department Manager
Small Business Development	Wilson Gilmore, Department Manager
Aneth RBDO	Margaret Dee, Program Manager I
Chinle RBDO	Arthur Hubbard, Program Manager II
Eastern RBDO	Albert Lee, Program Manager
Ft. Defiance RBDO	Libby Valteau, Program Manager II
Shiprock RBDO	Randolph L. Sells, Program Manager II
Western RBDO	Tincer T. Nez, Sr., Program Manager II
Whippoorwill RBDO	Anthony Little, Program Manager I

II. BUDGET/PERFORMANCE INFORMATION

Office	Funding Source	# of Personnel	# of Vehicle(s)	FY2009 Personnel	% Used	FY2009 Operating	%
							Used
Administration	General	4	1	250,485	70%	81,245	66%
Business Regulatory	General	9	1	494,129	62%	194,924	44%
Project Development	General	7	1	539,982	69%	225,573	72%
RBDO-Chinle	General	4	1	229,068	69%	77,340	50%
RBDO-Eastern	General	4	1	241,608	69%	24,895	67%
RBDO-Aneth	General	4	1	202,621	74%	99,386	45%
RBDO-Whippoorwill	General	4	1	213,451	72%	81,863	64%
RBDO-Shiprock	General	5	1	309,375	71%	129,980	46%
RBDO-Tuba City	General	5	1	361,812	57%	70,428	92%
RBDO-Ft. Defiance	General	5	1	290,600	62%	155,053	45%
Support Services	General	7	1	468,166	63%	128,106	74%
Small Business Development	General	2	1	126,219	68%	136,970	65%
Navajo Real Estate	General	9	2	461,614	70%	134,295	103%
Tourism Development	Fiduciary	5	1	476,949	51%	701,051	29%
	Total	74	15	4,666,079	66%	2,241,109	62%

A. Program Performance Results (Budget Form 2) – *SEE ATTACHMENT "A"*

III. ACCOMPLISHMENTS

ADMINISTRATION DEPARTMENT:

The greatest emphasis during this quarter is to advance the alternative project financing initiative to the next levels. The projects are included in the Division's Five Year Project Development Plan.

There are two segments to this initiative. One is a tax exempt bond for capital projects. The second is to facilitate mixed financing for at least five for-profit projects classified as non-capital on the five year project development plan. The financing mixture private equity, loan guarantees, and new market tax credits. Tribal Economic Development Bond is also available, although there has been only two allocations – one in 2009 and the second in 2010.

More specific information on Department activities follow.

SUPPORT SERVICES DEPARTMENT

- A. Investment: No Investment disbursed this quarter.
- B. Loan Disbursed: Commercial, Industrial and Tourism Development (CID) – None
Small Business Loan – None
Micro-Enterprise Loan – (2) - \$19,000
- C. Loans Reviewed: Commercial, Industrial and Tourism Development (CID) – (1) - \$346,000.
Small Business Loan – (0).
Micro-Enterprise Loan – (2): \$10,000, \$9,000
- D. Escrow: \$950,000 in escrow deposits for 04 projects.
- C. Generally: Provide programs with periodical financial status reports; expenditure authorized signature forms revised and approved; provided the BIDE quarterly financial statements for period ending June 30, 2010; provided quarterly HOT and sales tax information; advise program on various type of expenses; assist with budget justification and transfers.
- E. Reports:
 - 1. Financial
 - a. Quarterly BIDE Financial Status Report for Period ending June 30, 2010 – 3
 - b. Financial Status Report provided to DED Management – 180
 - c. Hotel Occupancy Tax information for Tourism Development – 1
 - d. Quarterly Sales Tax Return to Tax Commission – 0
 - e. As-requested FMIS reports for DED offices – 60
 - f. Review financial requisitions for fund availability – 36
 - g. Requisition processing assistance to central offices – 120
 - h. Various requisition follow-up on behalf of offices – 168
 - 2. Legislation:
 - a. Approved, “BIDE Corrective Action Plan and Audit Report,” BFJN-20-10, June 15, 2010.
 - b. 164 Review - ABC, Inc, “2010 Navajo Enterprise Report.”
 - 3. Reports
 - a. Five-Year Capital Development Plan, Presented to the Economic Development Committee, all of 2nd Quarter with the Committee.
 - b. Five-Year Capital Development Plan, Presented to the Budget and Finance Committee, May 27, 2010
 - 4. Training:
 - a. Common Foundation and Inquiry – FMIS, ten (10) division staff attended.
 - a. Dunn and Bradstreet web-based training, June 8, 2010
 - b. Microsoft Structured Query Language (SQL) Certification, May 23-25, 2010
 - c. Microsoft Performing Inquiries Using SQL Certification, June 7-11, 2010
 - 5. Presentation:
 - a. Micro Loan and Small Business Guidelines development meetings

- b. Five-Year Economic Development Plan, participant throughout the quarter
- c. Refinancing NACE loan, June 29, 2010
- d. New Small Business Loan Process – Yanabah Tea, LLC
- e. Loan Flowchart Processes – Micro, Small and Direct Loan

F. Information Technology:

Technical assistance to 14 DED offices (% difference over last quarter):

LAN	:	09 (-18%)
Wireless	:	08 (+13%)
Computer	:	35 (+25%)
Printers	:	<u>17 (+21%)</u>
		61 (+13%)

Division Network – Hardware, Software. Items purchased and currently pending installation. Will be working with Department of Information Technology (DIT) on utilizing their services for installation, service, testing and implementation. Upon installation, the division will have a central network/server system, e-mail system, more storage space and faster processing and internet accessing speed.

G. Quarterly Preventative Maintenance

1. Inspection: Replacement of air filters, water filters, V-belts, adjustments, alignment, leveling with the pulleys, soap test all gas component and connections, adding Anti-bacteria solutions, cleaning heating chambers and general check for proper operation of each units –electrical, drainage, canisters, reprogram settings of all surveillance cameras, check exterior main unit for Freon leaks, direct drive motor and check the proper operation of unit and room thermostat.

There are other components and fixtures that are monitor and inspected daily, such as: Water heater, circulating pump, faucets, drainages, valves, thermostat, and electrical components/connections and making sure they are operative condition.

HVAC Lennox Units – 9
 Libert Unit (IT Server Room) – 1
 Air Handling Unit – 1
 Elevator – 3
 Surveillance Cameras (23) – Daily
 Fire Extinguisher (25) – once a month

2. General Maintenance: Two temporary workers got hired to assist with some minor maintenance request, such as replacing burn out light bulbs, auger out drainage and unclogging commodes, repair some leaking faucets. They are also doing some grounds keeping duties for the summer, such as cutting, trimming, pruning, pulling weeds, grass, scrubs, trees, clean and maintain the parking areas and overall grounds. Generally assist DED staffs with whatever works they need assistance with and to make available for any other work that may arise. We inventory all maintenance and janitorial supplies and equipment inventories on janitorial, electrical, grounds maintenance and office supplies, restock Xerox papers, clean and shovel snow off sidewalks, walkways and parking lots.
3. Other Maintenance: There are several projects that are pending, which will be address as soon as there is sufficient budget and needed parts and supplies become available. Some lavatory faucets need to be ordered and replace in janitor closet, men and ladies restrooms. Some utility faucets starting to leak and we try to locate where the shut off valve were and couldn't find it and after reviewing the blueprint of the building and it indicate there were no shut off valves install for individual faucets in case it needs to be work on separately. Therefore, the main inlet water valve to the building needs to be shut down and drain before any work can be done. We are planning to install some individual shut-off valves for emergency purpose too.
4. Daily, Weekly & Monthly Inspections:

- a. Refuse Disposal: Navajo Sanitation comes bi-weekly to pickup out refuse, garbage, debris and trash and dispose of it at a proper location.
 - b. Fire Extinguisher: The fire extinguishers are inspected on a monthly base, which is scheduled on the last week of each month.
 - c. Elevator: The elevator is inspected monthly by ThyssenKrupp Elevator Company from Albuquerque, NM. They come and service the elevator by check, inspect the hydraulic pump, the controls, check all the safety features and clean out the hoist compartment underneath and on top of the elevator. However, we have encountered one malfunction due to power outage but it was corrected the same day. We do have a maintenance agreement in place with ThyssenKrupp Elevator Company, where we need to contact them for any emergency.
 - d. Surveillance Cameras: The surveillance cameras are being monitored on a daily base. We are considering installing additional cameras for some of the blind spots, such as maintenance shop, break room, conference rooms and hallways.
 - e. Pest Control: PDI Pest Control services are rendered from April thru September of each year to come and exterminate the interior, exterior and the trees, shrubs and other plants within the Karigan Building and grounds.
5. Annual Inspection and Services:
- a. Fire Extinguisher: Gallup Fire & Police Equipment came and took then the additional 13 Fire Extinguishers to perform Hydrostatic test, which needs to be done every 6 years according to NFPA Codes. They also took all 25 fire extinguishers to be serviced and inspected and brought 25 fire extinguishers in place of the other that needed services and inspected. The chemical from the extinguishers are usually emptied and refill back with newer chemical and they are re-tagged and brought back to Karigan Building
 - b. Fire Sprinkler System: The fire sprinkler system for Karigan Building was also inspected and re-tagged. They were in good operative condition and the PSI was sufficient in case it is needed in the future.
- Fire Smoke Alarms and Manual Pull Station: They were also and there were several that were in trouble mode, which was immediately corrected.
6. Other Maintenance
- a. Damper motors, Fire Alarm, Smoke Detectors and Fire Sprinkler Systems: Due to insufficient funds we have not replaced the 44 damper motors for the HVACs. However, we had SimplexGrinnell from Albuquerque come out to reset, inspect and rewire some smoke detectors that were in trouble mode, especially the one in the HVAC ducts. They came out to troubleshoot some smoke detectors that were continually going off and staying in trouble mode and not resetting accordingly. They had to rerun new wires from the HVAC units to the inline smoke detectors inside the HVAC ducts. They reset and reprogrammed the Fire Alarm.
 - b. Fire Sprinkler Systems is also inspected in conjunction with the Fire Extinguishers. It is tested by activating the fire alarm and flushing the systems out and re-tagged afterward. For FY2010, funding needs to be allocated into the budget to purchase all or half of the damper controls components. Damper motors are very sensitive and can malfunction due to power surges (power outages), wear and tear.

PROJECT DEVELOPMENT DEPARTMENT

- A. Procurement clearance issues with the Navajo Nation Accounts Receivable Department and the overall Division of Finance has become an area of concern for all leasing transactions. Without a zero balance from the affected company or corporation, no leasing transactions can be approved. Such is the case with Western Refining, Inc., the Department and some Regional Business Development Offices have been diligently working to address procurement issues in order for leasing transactions to be approved. However, there still remain issues of lack of communication with the Division of Finance Departments to promptly and effectively record applicable payments in a timely manner. In addition, Western Refining, Inc., has also internal accounting issues to address in order to work more efficiently

with the Navajo Nation. Overall, Western Refining has requested to meet with the Navajo Nation Office of Controller to address procurement issues that have been on-going for months. A meeting is scheduled in early July 2010 to discuss all concerns related to procurement.

- B. Department participated as a panel member to review and interview companies regarding construction bids received for the future development of White Cone Multipurpose Building, a \$4.0 million dollar project that is planned to start construction this year. The project will increase traffic to the existing convenience store. The chapter also requested to have an access road to the future project, the new road will encompass partial land from the existing convenience store business site lease. A proposal from the chapter to the company has been requested.
- C. The Department and Council Delegates Curley and Goodluck met with prospective grocery tenant. Prospect is interested in operating an 18,000 sf facility. The Department is exchanging information with the company regarding the NahataDziil Shopping Center Phase I and Ganado Shopping Center.
- D. The Navajo Nation Archaeological Department completed the inspection of the 3.66 acre site at New Lands Shopping Center and the final report is pending. The 3.66 acre site was mistakenly identified as an exception parcel due to an error in the survey by the BLM during the land transfer. The report delay is hindering completion of the infrastructure work. Upon the final Archaeological Survey, a determination by Historic Preservation is required. The review process timeline is one to two months.

Navajo Nation Environmental Protection Agency has conducted site visits and is requiring soil stabilization and clearance and completion of the drainage channel. The drainage channel completion is hindered by the 3.66 acre site and a design is necessary to detour around the parcel. The cost estimate for the alternates exceeds \$100K.

The contract modifications are pending for the Project Engineer and the Contractor to complete the work.

The prospect for the gas station, convenience store and fast food restaurant continues its interest in the site and is working on the financing.

- E. The Department attended a meeting with the NahataDziil Local Government and presented reports on the Shopping Center Project and the status of the Business Site Lease Plan for delegation of authority.
- F. The DED Review Team is meeting with the ToNaneesDizi Local Government, reviewing the Business Site Lease for delegation of authority. The team is being assisted by the Department of Justice. The review will be completed in June 2010.
- G. The NahataDziil Commission Governance has not submitted a revised Business Site Lease Plan as requested at the January 2010 meeting. The Chapter Manager was notified of the requirements for review.
- H. The land withdrawal for the Ganado Shopping Center is complete with 35 acres designated for the project. The Department is seeking funds for architectural and engineering services and for construction of the 3,000 square foot building.
- I. The Department received the final report on the Infrastructure Site Assessment on 6 communities from EHS, Ltd., that identifies NTUA water, wastewater and electric lines that are in proximity to various project sites. The six communities include Lupton, Leupp, Dennehotso, Naschitti, Ojo Amarillo and Ramah.
- J. The Department is assisting the Naschitti Chapter to withdraw 2 acres of land and designate the site as a Naschitti Commercial Site. The Department contracted the Navajo Nation Archaeological Department to provide an archaeological survey for the site.
- K. The Department prepared the SAS package including the AIA Construction documents for construction of the Manufacturing, Incubator and Training Center within Church Rock Industrial Park, Lot 15. The SAS package for construction contract within Okland/Arviso JV is currently under review by Contract Administration.

The Archaeology Survey was done for the driveway and survey is at Historic Preservation for a HPD Compliance Report.

The Department exhausted its appropriation from the State of New Mexico and prepared a final report to the New Mexico Indian Affairs Capital Outlay Section on the Capital Outlay Grant.

The Department provided assistance to Continental Divide Cooperative with the right-a-way permit application with the U.S. Army for the Church Rock Powerline Project.

- L. The Department negotiated Business Site Lease with Design Data Solutions for the industrial building in the Fort Defiance Industrial Park. The lease is currently in the Section 164 Review Process.

The Department assisted Navajo Transit Systems with reviewing proposals and interviewing construction contractors for the development of their facility with the Fort Defiance Industrial Park. This project was in association with Arizona Department of Transportation.

- M. The Department attended the Groundbreaking Ceremony for the Chinle NTUA District Office on June 18, 2010 at the Chinle Industrial Park. 150 Construction jobs are expected during the construction phase.

The Department negotiated a Business Site Lease with NTUA New Markets II for the Chinle NTUA District Office within the Chinle Industrial Park. A sublease was also drafted between the NTUA New Markets II and NTUA but still has not been finalized.

- N. The Department prepared Business Site Lease for lease negotiations with the Navajo Nation Gaming Enterprise for Class II Gaming facility in the Tse Daa K'aa Chapter.

- O. The Department assisted the Navajo Nation Fort Wingate Land Transfer Project Team with a training session on the NRDAR Process for the Natural Resource Injury Process. Organized a MOU Team Meeting on May 7, 2010. Organized a site visit to Parcel 10 for the MOU Team on May 25, 2010. Provided two (2) work plan reports for Fort Wingate MOU Team staff for the comments for the clean-up at the former Fort Wingate Army Depot.

- P. The Department administered the Development Agreement with Navajo Partnership for Housing (NPH) to design, construct and market an additional 25 housing units within the Karigan Estates subdivision.

- Q. The Department administered the Development Agreement with Navajo Housing Authority (NHA) to design, construct and market 23 town house units within the Karigan Estates subdivision.

- R. The Department assisted the Dennehotso Chapter in working with the Indian Health Service (IHS) to provide an adequate water supply for the proposed Desert Meadows and Yazzie Estate developments. EHS, Ltd., has provided a master plan and assessment to determine capacity and future needs of the developments.

- S. The Department continues to provide assistance to the Division, RBDO offices, Navajo Nation Chapters; and private individuals on planning and development activities and process. The Department continues to provide assistance to inquiries by phone, email and personal visits. Two (2) inquiries were made and assisted with information and answered questions and site visits. The companies were: Skia Pharmaceuticals, (New Lands Building, Sanders, AZ); and Sam Woods, Steet Trusses Distributions (Church Rock Industrial Park).

- T. The Department prepared and submitted a quarterly report to the EDA on the Public Work Grants on April 15, 2010. The Department received approval from EDA to contract the proposed contractor for the construction of the manufacturing and incubator facility.

- U. The Department is continuing to assist in the preparation of the DED Five Year Plan and bond financing.

- V. The Department is continuing to participate in the joint effort with Navajo Nation Oil & Gas Company, Inc., to pursue ARRA Funding in 10 sites. An application for \$500,000 was submitted to USDA and comments were received to add additional information and documentation.
- W. The Department is continuing to assist Tohajilee Economic Development, Inc., on their Creamery Project and Solar Project. The Department contracted services to undertake boundary survey, environmental assessment and archaeological survey of the 40 acres and 540 acres site.
- X. The Department participated in the Congressional Briefing with Representative Ben Lujan office to allow the Navajo Nation to grant 99 year lease rather than the 25 year lease as initial term. This will allow more investment and financial opportunities for businesses and corporation to locate on the Navajo Nation.

BUSINESS REGULATORY DEPARTMENT

- A. Business Regulatory Department will finalize and submit the Navajo Business Opportunity Act Rules & Regulations to the Economic Development Committee for approval. The Navajo Business Opportunity Act is going through the SAS process and will be presented to the Economic Development Committee during their regular meetings.
- B. Division of Economic Development and the Business Regulatory Department welcome BRD's new Department Manager, Victoria Lee. Ms. Lee joined the division and department on 6/21/2010 and will head the department in place of Frank D. Nez, Jr. BRD expresses thanks to the Interview Committee and the Division of Economic Development for selecting Business Regulatory Dept.'s Department Manager.
- C. NN Weights & Measures Program to conduct annual weigh bin, coal belt scale certification for APS Four Corners Power Plant, Fruitland, NM on 6/24/10. Scales were certified for commercial use and trade.
- D. NN Weights & Measures Inspectors obtained fuel samples from various gas stations on the Navajo Nation for laboratory testing for federal compliance. The results will be obtained and any deficiencies will be noted and corrected.
- E. Business Regulatory Dept. with the Navajo Nation Department of Justice will continue to amend the Navajo Corporation Code to reflect present day conditions and practices relative to the legalities and filing apparatus of the Navajo Nation. The Legislation included Limited Liabilities Companies, Limited Uniform Partnership Act and Limited Partnership Act.
- F. Business Regulatory Dept. is in the process of completing the forms for the LLC, LUPA and UPA Legislation. The process is still ongoing.
- G. **Statistical Information: April, May, June - 2010**
 - 1. No. of Bid Openings, Pre Bids, RFP, etc.: 74
 - 2. No. of Public Education Sessions on NBOA, etc.: 21
 - 3. No. of Certification/Re-certification: 68
 - 4. No. of SAS packets Reviewed/Cleared: 169/167
 - 5. Dollar Amt. of SAS Reviewed for 3rd Quarter Fy'10: \$33,865,584.92
 - 6. No. of UCC Recorded: 32
 - 7. No. of UCC Terminations: 07
 - 8. No. of UCC Assignments: 0
 - 9. No. of UCC Continuations: 22
 - 10. No. of UCC Amendments: 0
 - 11. No. of UCC Search Request: 01
 - 12. No. of NCC Annual Report Filed: 102
 - 13. No. of New Corporations: 28
 - 14. No. of NCC Searches: 02
 - 15. No. of Certificate of G.S.: 12

16. No. of Amendments to Articles: 07
17. No. of Change of R.A.: 07
18. No. of Voluntary to Dissolve: 0
19. No. of Technical Assistance: 252
20. No. of Meetings/Presentation/Workshop: 01
21. No. of Measuring Devices Inspected/Certified: 328
 - Small/Large Scales: 41 Conveyor Belt: 02
 - Livestock Scales: 0 Weigh Bin Scales: 02
 - Fuel Dispensers: 287 Platform Scales: 0
 - Out of Orders: 0 Truck Scales: 0
 - Rejected: 11 Follow up/Invest.: 01
 - Public Sessions/Presentations: 0
22. BRD deposited \$3,442.00 into the General Fund during this period.

NAVAJO TOURISM

- A. Antelope Point Resort and Marina Project – during the second quarter there were 258 employees, of which 140 Navajo employees performing marina and related operations, administrative and management positions. The Antelope Point Holdings, LLC (developer/operator) has invested over \$40 million for construction and marina operations.
- B. Construction of 13,200 sq. ft. (10 each, 24 ft. x 55 ft. units) steel dry boat storage facility is 20%. This is a \$1.8 million project. Expected completion date is the end of July 2010.
- C. Estimated Fiscal Year 2010 first quarterly payments due to the Navajo Nation:
 - Business Site Lease Rental Payment \$75,000.00
 - Navajo Nation Sales Tax 15,000.00
 - \$90,000.00
- D. There were 21,971 boaters/visitor registered at Entrance Fee Booth during the months of April, May, June, 2010.
- E. The construction of Sheep Springs Welcome Center project the building portion is 85% complete. Bureaucratic process stalled the arrangements for funding/budgets stalled the completion of the contract to implement the earthwork, paving of access road and parking areas, concrete curb and gutter, sidewalk, connection of water and sewer lines to existing system including bids to complete the remaining finish work.
- F. On May 14, 2010 the State of Utah transferred 20 acres of fee simple land as a trust through the Bureau of Indian Affairs to the Navajo Nation. The Division of Natural Resources/Navajo Parks & Recreation Department is assigned the responsibility for management and operation of the Monument Valley Welcome Center.
- G. A competitive bid opening is scheduled for July 8, 2010 for Sheep Springs Welcome Center street and parking lot paving project.
- H. The New Mexico Tourism Dept. reduced the **Indian Country, Region I** budget again to \$25,000. The Regional Board met to approve the new budget proposed by Rick Johnson Company of Albuquerque. New brochures have been delivered. Acoma has hired Jim Glover of The Idea Group to develop a regional grant application for the USDA RBOG that will address the (tourism) needs of each community/tribe in the region, including the Navajo Nation.
- I. On May 20, The Trail of the Ancients (TOTA) Steering Committee received word that of 14 applicants requested for federal funding, the NM State Transportation Commission has approved and forwarded six requests, with TOTA being one of the six. The request for \$50,000 will be forwarded to the Federal Highway Administration for their recommendation to the Sec. of the Dept. of Transportation for funding. In the meantime, current funding has allowed for the placement of scenic byway signs along the route and now a determination is being made as to whether

they must be state byway signs or TOTA byway signs. At the June 8th meeting in Farmington, Susan Thomas (Cortez) and Lynn Dyer (Mesa Verde) made a presentation regarding launching a Geotourism Mapguide project through National Geographic

- J. Five of seven travel writers participated in the **AZ Rocks** Spring FAM Tour. The Navajo Nation portion took place on April 13-15. The tour, partially funded through an AOT grant, operates on a co-op basis with Williams, Hopi & Page. Arranged all facets of tour on Navajo including itinerary and reservations and prepared media kits for presentation to writers.
- K. This quarter, reports from writers who participated in above and previous AZ Rocks tours show we benefitted from published stories,
- a. Women's Running Magazine, Circulation: 100,000 valued at \$50,000,
 - b. The New York Times Magazine, Circulation: 1,451,233 valued at \$182,050
 - c. Sedona Monthly, Circulation: 20,000 valued at \$2,766
 - d. Jim Foster's E-Blog: Travel-Arizona Rocks
- L. The Navajo Nation hosted a travel writer from the United Kingdom in October 2009, which resulted in two articles that included the Navajo Nation. The article is titled "Classic Rock" and was featured in the April 10, 2010 issue of The Scotsman. This publication has a circulation of more than 45,000 and the article has an equivalent advertising value of \$30,294. The article also appeared in an online version with a circulation of 623,000 and has an equivalent advertising value of \$15,147.
- M. Assisted two travel writers: Pascale Missoud and Dominique de la Tour with complimentary accommodations, tour and meals. They visited the Navajo Nation in April. An eight-page travel article was printed in a magazine called Tour Hebdo – the second largest travel trade magazine in France. The magazine has a circulation of more than 15,000 copies weekly. The estimated PR value for the article is \$256,512.
- N. Wrote and sent media release to Navajo Times regarding **Mural by the Masters**, the newest attraction in Window Rock, painted on the wall at NN Shopping Center in Window Rock by Irving Toddy, Baje Whitethorne, Sr., and Johnson Yazzie. The story was published in the June 10 edition.
- O. Provided several photos for the Arizona Scenic Byways brochure and two were selected to use for the publication, providing promotion for the Navajo Nation. Co-op marketing with Arizona Office of Tourism (AOT) EZ Marketing Grant: May, 2nd AOT Monthly E-Newsletter (wrote 1,000 word editorial on fishing & Navajo lakes w/photos, emailed to 300,000+ subscribers);
- P. Researched and added listing of all Navajo Fairs, including fairs from surrounding communities, tribes and states, with contact info, and added to website.
- Q. The following chart demonstrates the unique (first time) visitors to the Navajo Tourism website.
- | | Jan. | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|----|------------|------|--------|------|--------|------|--------|------|--------|--------|--------|--------|
| 1. | 20065391 | 5559 | 6637 | 6387 | 5858 | 5163 | 4967 | 5272 | 6004 | 6704 | 6284 | 4393 |
| 2. | 20075842 | 5976 | 6928 | 7393 | 7858 | 7566 | 6968 | 7566 | 8778 | 8975 | 9092 | 5675 |
| 3. | 20088100 | 7330 | 5388* | 7333 | 7289 | 7339 | 7765 | 7030 | 7931 | 7036 | 6618 | 5171 |
| 4. | 20096399 | 6806 | 7833 | 7648 | 9484 | 9909 | 9427 | 9315 | 11,377 | 15,920 | 12,670 | 10,242 |
| 5. | 201011,106 | | 10,519 | | 12,653 | | 11,237 | | 11,512 | | | |
- R. Designed and printed 2500 stick fans for promotional use to give away at trade shows and other events. Design is Navajo wedding basket featuring Discover Navajo website on rim.
- S. Created Navajo Vacation Values Coupons: Solicited discounts from Navajo businesses, designed their coupons (21) and created four pages of Value-Packed Destinations for consumers. Printed 500 sets for AZ Hwy's. Travel Show and to include in fulfillment mailings. Also put on Discover Navajo website. Website visitors can download any or all pages.

- T. Participated in a travel writer familiarization tour with some domestic travel writers on April 14-16th. Staff and travel writers visited Shonto Trading Post, Navajo National Monument, Monument Valley Navajo Tribal Park, The Shade House Museum in Kayenta, and the Explore Navajo Interactive Museum in Tuba City. The travel writers also visited Antelope Point Marina, Antelope Canyon and other communities in Arizona. The tour was arranged with our marketing partner Arizona Rocks.
- U. Assisted some travel media from Paris, France with technical information, complimentary accommodations, tours, and helped set up interviews with various individuals on the Navajo Nation. The individuals were Marie-Helene Fraise, writer/producer; Anne Depelchin, sound engineer; and Pierre de Vallombreuse, photographer. Ms. Fraise writes for Geo Magazine and also produces a weekly radio travel program. GEO Magazine is a leading travel consumer magazine in France that has a circulation of more than 308,000 and more than 4.6 million readers. She will write a 12-page article about the Navajo Nation that will be printed in the summer of 2010. They visited the Navajo Nation for more than a week in April.
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REAL ESTATE DEPARTMENT (RED)

A. Business Site Lease Transaction (15)

	Aneth	Chinle	Eastern	FD	SR	Western	Whippoorwill
New BSL					#37-Dinetahdoo	#34-TC K-IHS #35-NATIVE36 #36-Barney Entr	
Lease Modification		-CH8984 JDAVID		-NN GAS & OIL FD00196 -NN G&OIL FD06229	-SR W& Child-1 -SR W&Child-2 -AMMJ Inc SR-07-193	-Roy/Marlene Walters TC-04-221	
Revocable Use Permit	Stanton Gleave				-STalk & Roanhorse - Mark Winter		
Emergency Operating Agreement				-Patrick Keptner			
Termination							

Total: 15	1	1	0	3	6	4	0
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- B.
- C.
- D.

Accounting Section

1. Collected fee (5)

	Aneth	Chinle	Eastern	FD	SR	Western	Whippoorwill
New Lease Application Fee	-	-	-	-	-	-	-
Lease Modification	-	116.00	-	-	200.00	-	-
Revocable Use Permits	-	-	-	-	600.00	-	-
Emergency Operating Permit	-	-	-	-	-	-	-
Rental/Lease Payments	-	100.00	-	-	153.44	-	-
Insurance/Cash Bond	-	-	-	-	-	-	-
Sub Total	-	216.00	-	-	953.44	-	-
Grand Total:							1,169.44

E. **Archaeologist/Environmental Section**

1. Field work: None have been done due to the few requests for actually field work.
2. Project Development – To’hajilee Chapter Creamery. Attended a meeting on June 14, 2010, to discuss the finally portion of the project Right-of-way.
3. Conducted archaeological background checks and records checks.
4. Proposed Data Center (Design Data Solutions) located in Lots 8 and 9 Ft. Defiance Industrial Park, Ft. Defiance, Arizona.
5. Proposed NTUA Industrial Park (16 ac) located Chinle, Arizona.
6. Proposed Denny’s Restaurant located in Chinle, Arizona.
7. Kaibeto Market Lease Renewal located in Kaibeto, Arizona.

F. **Appraisal Section**

1. The Appraisal will begin calculating improvement costs on properties managed by RED. Calculations will cost \$20 per calculation. When RED begins to manage more than 57 leases, then it would then be cost efficient to purchase the software from Marshall & Swift
2. Six (6) appraisal reports reviewed. They are as follows:
 - a. Kathleen Klar, April 7, 2005, 1.47 AC, Chinle, \$4,400
 - b. Kathleen Klar, Sept. 26, 2008, 1.00 AC, Tuba City, \$9,100
 - c. Ajay Madhvani, Oct. 14, 2009, 3.50 AC, LeChee, \$3,800
 - d. Ajay Madhvani, Sept. 5, 2007, 2.00 AC, Lukachukai/Tsaile, \$8,200
 - e. Michael Flores, Dec. 5, 2003, 4.96 AC, Leupp, \$3,200
 - f. Ajay Madhvani, July 23, 2008, 4.00 AC, Bodaway/Bittersprings, \$6,500
3. Ten (10) comparable leases (MDR /market rent analysis) completed. They are as follows:
 - a. RED, April 28, 2010, 0.58 AC, Chinle, \$3,600
 - b. RED, April 30, 2010, 1.78 AC, Chinle, \$8,500
 - c. RED, May 18, 2010, 1.09 AC, Fort Defiance, \$5,552
 - d. RED, May 21, 2010, 6.89 AC, Church Rock, \$11,000
 - e. RED, June 4, 2010, 16.22 AC, Chinle
 - f. RED, May 19, 2010, 1.78 AC, Chinle, \$4,000 - \$5,000
 - g. RED, June 9, 2010, 3.50 AC, LeChee, \$3,000 - \$4,000
 - h. RED, June 9, 2010, 2.00 AC, Lukachukai/Tsaile, \$7,000 - \$8,200
 - i. RED, June 9, 2010, 4.90 AC, Leupp, \$3,000 - \$3,400
 - j. RED, June 21, 2010, 4.00 AC, Bodaway/Bittersprings, \$5,000 - \$5,600.

	Aneth	Chinle	Eastern	FD	SR	Western	Whippoorwill	Grand Total
Appraisal Reports		2				4		6
MDR Reports		5	1	1		3		10
Sub-Totals		7	1	1	0	7	0	16

G. Compliance

1. Compliance visits by Agency/Regional Office
- 2.

	Aneth	Chinle	Eastern	FD	SR	Western	Whippoorwill	Grand Total
New leases	1	5	2	4	8	0	1	21
Modifications								
R. U. Permits								
E. O. A.								
Terminations								
Other –W/D			1	1	3	5	4	14
Sub-Totals	1	5	3	4	11	5	5	35

2. On-site compliance (21) visits performed
 - a. Foutz Enterprises, Inc., Compliant: Obtained update of insurance cert., development completed (installed roof at cost of \$48,000.00).
 - b. Orville & Darlene Tsinnie, Non-compliant: Rentals are accumulating and no Certificate of Deposit or insurance. Follow up is necessary
 - c. Samuel Woods dba DeBe Niista, Non-compliant: No insurance & security; Lessee has not been contacted by compliance officers. Follow up is necessary.
 - d. James Perry & Dea Autry, Compliant: Officers need to contact lessee to determine when the development is going in.
 - e. CJR S/R Properties, LLC, Compliant: Only need liability insurance, improvements are going up in an orderly fashion. Land dispute questions?
 - f. Counselor TP, Compliant: Permittee is doing all they can to get a lease, they have submitted insurance documents. Waiting for the lease.
 - g. Aneth Com. Dev., Inc., Compliant: Lessee has completed their development and operators have moved in. Need to get copies of their insurance, etc.
 - h. Tom & Darlene Yazzie, Compliant: Lessee has complained about problems with a previous lessee who buried a family member illegally on the lease site. This is being checked out by HPD.
 - i. Davey Morris, A proposed lease, Non-compliance: A waste disposal business operator was recommended a lease on a parcel of land belonging to a grazing permittee however the business has not followed through to get a lease.
 - j. Sadie Talk & Sharlene Roanhorse, RUP-Non-compliant: This party has not been active to get a lease and the S/R RBDO started working to remove the two, but now they are actively working to finalize a lease. RBDO needs to follow up.
 - k. On- Sat, Non-compliant: Ft. Defiance RBDO was assigned to unilaterally terminate the lease and evict the tenant. Compliance Officers assisted with needed information and procedures on how to handle the matter. This will be an ongoing process but it could be over with soon.

- l. George Begay's Towing, Compliant: He is operating fully now that he has obtained his insurance documents; public safety officials are utilizing his services now.
 - m. Valerie Allen, Compliant: No improvements and development because she is still getting financing. We are getting insurance.
 - n. Beck's Traders, Compliant: Lessee still working on getting parking lot paved and additions are not done to improve the post office.
 - o. First American Credit Union, Compliant: We are still getting the full cost of their improvements and determine if they have satisfied the Nations requests.
 - p. Mexican Springs Community Inc., Compliant: Lessees wanted to develop their property but they lost their funding. They are now trying to get other means of financing. They would like to renegotiate the lease to allow for extra time for development and to meet requirements.
 - q. Tse Bitah Propane, Compliant: The lessees are operating and have submitted their insurance and now they would like to finish their development.
 - r. Dine Benally RV Park, Compliant: We were informed that the lessee was possibly having financial problems and the business was closed down so we dropped by to check on this. No one was around but we took pictures.
 - s. Sam Yazzie BSL, Noncompliant: Lessee has been trying to sell the property and the assignment has been in the works with no results. The Nation should be concerned with the improvements left on the site. Don't know the exact status. Pictures were taken.
 - t. Colleen J. Yazzie dba KFC & Taco Bell, Compliant: Lessee needs to submit insurance documents and security. No financing and no development.
 - u. White Cone Conoco Convenience Store, Non-Compliant: The operators have not obtained a lease but have been operating for close to two years.
3. Lease documents (14) reviewed for compliance and requirements.
- a. James Perry & Dea Autry: NNSR-09-0031
 - b. CJR S/R Properties, Inc. : NNSR-09-0032
 - c. Western Indian Ministries: NNTC-10-0033
 - d. Kayenta HIS Health Center: NNTC-10-0034
 - e. N.A.T.I.V.E: NNTC-10-0035
 - f. Pic-N-Run: NNTC-08-0004
 - g. Little Water Express, LCC: NNSR-09-0026
 - h. HIS Thoreau Clinic at Thoreau, NM: NNEN-08-0019
 - i. Dinnebito T.P. & General Store at Dinnebito, AZ
 - j. Dilkon T.P.-Video Store at Dilkon, AZ
 - k. Yellowhair's Sand & Gravel at Indian Wells, AZ
 - l. Black Mesa T.P. & Service Station at Black Mesa, AZ
 - m. Pete's Hay & Feed Sales at Ganado, AZ
 - n. White Cone Conoco Convenience Store at White Cone, AZ

H. GIS Section

- 1. Assisted Support Services with creating the DED Financial Loan Flow Chart.
- 2. Attend meeting with BIA and Project Development Department on NN Gaming Enterprise Business Site Lease regarding the survey discrepancy.
- 3. Created three forms in File Maker Pro Program for RED.
- 4. Review survey plats on the following business sites leases and return several plats for corrections.
 - a. Foutz Family Corporation Site
 - b. Dinetahdoo Business Tract Site
 - c. Pinon Car Wash Tract Description
 - d. Kayenta Health Center
 - e. Thatsburger/Kellogg

- f. Steamboat Commercial Tract
- g. Sawmill Commercial Site
- h. Quincy Natay Hardware Store Tract
- 5. Completed ten land mapping system database for this quarter.
 - a. Anna Kemner, TC
 - b. Chinle Alco Tract
 - c. Blue Sage Venture, CH
 - d. Kew L. Bennet Business, TC
 - e. Tsinnie's Gallery, SR
 - f. Dinetahdoo Business Tract Site, SR
 - g. Pinon Car Wash Tract Description, WH
 - h. Kayenta Health Center, FD
 - i. Jeddito Commercial Development, FD
 - j. Gap Trading Post, TC

	Aneth	Chinle	Eastern	FD	SR	Western	Whippoo will
SURVEY(s)		1		4	2		1
MAP(s)		2		2	2	3	1
Total: 18		3		6	4	3	2

SMALL BUSINESS DEVELOPMENT DEPARTMENT

- A. Reviewed and Surnamed Legislative Documents for the Regional Business Development Offices.
 - 1. BUSINESS SITE LEASES:
 - a. SAS No. 3774 (Chinle RBDO); Approving a Business Site Lease for Giant Four Corners, Inc., located in Rock Point, Navajo Nation (Arizona);
 - b. SAS No. 3808 (Eastern RBDO); Approving a Business Site Lease Agreement between the Navajo Nation and Arviso Construction Company, Incorporated, to lease 1.31 Acres of land for operation and management of an office building and warehouse at Iyanbito, New Mexico.
 - c. SAS No. 3828 (Shiprock RBDO); Approving the Business Site Lease between Rena Martin and Loretta Chavez, dba: Dinetahdoo Cultural Resources Management and the Navajo Nation for 1.94 +/- Acres within the Huerfano Chapter, Navajo Nation (New Mexico);
 - d. SAS No. 3857 (WESTERN RBDO); Approving a Business Site Lease for Michael Nelson Enterprises, Inc., located in Tuba City, Navajo Nation (Arizona);
 - e. SAS No. 3852 (CHINLE RBDO); Approving a Business Site Lease between the Navajo Nation and Quincy Natay, DBA: True Value Center, located in Chinle, Navajo Nation (Arizona);
 - 2. LEASE MODIFICATIONS:
 - a. SAS No. 3830 (Shiprock RBDO); Proposed to amend and modify BIA Lease No. SR-07-192 to be governed by Navajo Nation Leasing Regulations of 2005. The Lease, Home for Women and Children (a Navajo Nation Foreign Corporation) is on lands located in Shiprock, San Juan County, Navajo Nation (New Mexico);
 - b. SAS No. 3833 (SHIPROCK RBDO); Proposed Modification of Navajo Nation Lease No. SR-07-192 to amend Section E. Improvements and Section F. Completion of Development. The Lease, Home for Women and Children (A Navajo Nation Foreign Corporation) is located in Shiprock, San Juan County, Navajo Nation (New Mexico);
 - c. SAS No. 3839 (SHIPROCK RBDO); Propose to amend and modify BIA Lease No. SR-04-188 to be Governed by Navajo Nation Leasing Regulations of 2005. The Lease, AMMJ, Inc. (A Navajo Nation Foreign Corporation) is on lands located in Shiprock, San Juan County, Navajo Nation (New Mexico);
 - d. SAS 3840 (SHIPROCK RBDO); Propose to amend and modify BIA Lease No. SR-07-193 to be Governed by Navajo Nation Leasing Regulations of 2005. The Lease, AMMJ, Inc. (A Navajo

- Nation Foreign Corporation) is on lands located in Shiprock, San Juan County, Navajo Nation (New Mexico);
- e. SAS No. 3841 (SHIPROCK RBDO); Propose to amend and modify BIA Lease No. SR-86-104 to be Governed by Navajo Nation Leasing Regulations of 2005. The Lease, AMMJ, Inc. (A Navajo Nation Foreign Corporation) is on lands located in Shiprock, San Juan County, Navajo Nation (New Mexico);
 - f. SAS No. 3842 (WESTERN RBDO); Approving a Lease Modification for Roy Walters and Marlene Walters, Lease No. TC-04-221 located in Cameron, Navajo Nation (Arizona);
3. SUBLEASE MODIFICATIONS:
 - a. None
 4. LEASE TERMINATIONS:
 - a. SAS No. 3832 (Western RBDO); Approving the Termination of Business Site Lease No. TC-03-214 between the Navajo Nation (Lessee) and Gerald O. & Leslie J. Keetso (Lessor) for the purpose of operating a mobile home park located in Tuba City, Arizona on 8.178 acres of land;
 5. LAND WITHDRAWALS/RELINQUISHMENT:
 - a. SAS No. 3850 (WHIPPOORWILL RBDO); Approving a Land Withdrawal to be used for commercial development of 5.0 Acres located in Whippoorwill Springs, Navajo Nation (Arizona);
 - b. SAS o. 3856 (SHIPROCK RBDO); Approving the Relinquishment of Business Site Lease No. SR-98-149 from a Commercial land status, located in Shiprock, Navajo Nation (New Mexico), [replaced SAS No. 3848];
 - c. SAS No. 3853 (CHINLE RBDO); Approving land relinquishment to the Tselani/Cottonwood Chapter of the land formerly occupied by Business Site Lease No. CH-55-06, A.H. Lee, Lessee;
 6. MEMORANDUM OF AGREEMENT:
 - a. None
 7. PROFESSIONAL SERVICE CONTRACTS:
 - a. SAS No. 3798 (Eastern RBDO); Approving a Short Form of Agreement between Owner and for Professional Services between the Navajo Nation and Souder, Miller & Associates in the amount of \$42,182.37 to complete Civil Engineering Services for the Alamo Water Improvements Project at Alamo, New Mexico in the Eastern Navajo Agency, Utilizing New Mexico State General Funds, Account No. K-0930124-6520;
 - b. SAS No. 3843 (SHIPROCK RBDO); Approving the Professional Service Contract for \$13,520.00 between the Navajo Nation and Norman H. Chee to extend a Water Service Line 541.0 feet to the CJR Shiprock Properties Business Site in Shiprock, New Mexico;
 - c. SAS No. 3845 (WESTERN RBDO); Approving a Contract for Kathleen Klar, MAI, SR for three Appraisals in Tuba City and Kaibeto, Navajo Nation (Arizona). Contract amount of \$3m640 for Tuba City Giant, Tuba City Express (Super station) and Kaibeto Market;
 - d. SAS No. 3847 (WHIPPOORWILL RBDO); Approving the Professional Service Contract between the Navajo Nation and Iina Ba, Inc. for legal description/survey plat for Rocky Ridge General Store, located in Rocky Ridge, Navajo Nation (Arizona);
 8. CONTRACT MODIFICATIONS:
 - a. None
 9. LOAN COMMITTEE:
 - a. SAS No. 3811 (Ft. Defiance RBDO); Approving a Loan Application under the Business and Industrial Development Fund in the amount of \$75,000.00 for Warren and Verna Lyons, dba: Yahabah Tea, LLC., Window Rock, Navajo Nation (Arizona);
 10. GRANT APPLICATIONS/AWARDS:
 - a. SAS No. 3831 (Chinle RBDO); Approving a Solicitation/Offer/Award for Firm-Fixed Contract Postal Unit between the Navajo Nation and United States Postal Service.

CHINLE REGIONAL BUSINESS DEVELOPMENT OFFICE:

A.

Number of Loans reviewed and renegotiated payment agree-	Number of SAS (BSLs and Permits) submitted for	Number of SAS Small Professional Service Contracts submitted for approval:	Number of SAS Small Business Loans submitted for approval:	Number of Micro-Loans	Number of Jobs created:
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ment:	approval:			approved:	
Total: 1	Total: 1	Total: 1	Total: 1	Total: 0	Total: 3

B. Workshop/Training/Chapter Presentations:

1. Staff attended the following Chapter Meetings, Planning Meetings, CLUP Meetings, and Others:

- a. Tselani/Cottonwood Chapter Community Land Use Planning Committee meeting – Staff attended the meeting and topic was how does the Chapter have the former Salina Springs Trading Post business site returned back to the Chapter for their use. The Chapter was advised to submit a Chapter resolution to our office. They are taking the advice under advisement.
- b. Chinle Chapter Community Land Use Planning Committee meeting on April 9, 2010 – Program Manager and staff provided presentation on the Navajo Nation Business Site Leasing Management Plan. The CLUP was receptive to the Plan and have a better understanding of the Plan and how it works.
- c. Many Farms Chapter Planning and Zoning Committee meeting on April 22, 2010 – 1) Committee made presentation to Small Business Development Department Manager and Chinle RBDO Program Manager on Native Communities’ business proposal. The two officials requested additional information about of Native Communities so the Committee decided to have another meeting and have Native Communities present along with the two officials. 2) Staff of our office provided a presentation on the Navajo Nation Business Site Leasing Management Plan to the Committee.
- d. Rock Point Chapter Planning meeting on May 03, 2010 – Staff attended the meeting and provided update on the Lease for Giant Four Corners, dba: Rock Point Trading Post, i.e., relocation of fuel dispensing pumps, concrete island, and canopy, and relocating the sign.
- e. Chinle Chapter Community Land Use Planning Committee meeting on May 6, 2010 – Staff attended the meeting which one of their topics was the Central Navajo Fair Board working with Wayne Gorman on renting his rodeo area for their Central Navajo Fair.
- f. Nazlini Chapter Community Land Use Planning Committee meeting on June 9, 2010 – Staff gave a presentation on the functions of our office, division, and the new Navajo Nation Business Site Lease. Also, provided a recommendation on the former Nazlini Trading Post business site that is closed. It was recommended to find other business site with available infrastructure and access to paved road for business development.
- g. Bik’eh Hozho CDC – Our office is assisting the entity on promoting its twelve (12) sessions from 6:00 PM to 9:00 PM every Tuesday and Thursday evenings from July 27, 2010, to September 2, 2010. The sessions are free entrepreneurship development classes.
- h. March 5, 2010 – Meeting with Chinle Chapter officials, council delegates, and CLUPC members. Topic – what should the Chapter consider for future use, such as certified chapter, township, etc? How should proposals interface with present methods? We recommended township but they will take the recommendation under advisement.
- i. SBDD/RBDO Program Managers Meetings – Group had meetings on March 10th, at the Navajo Real Estate Department, on April 21st at the Eastern RBDO.
- j. DED Approving Committee – Chinle RBDO Program Manager attended Committee meeting on March 15, 2010, for the 3rd Quarter. On April 20th, the Committee met and acted upon two resolutions.
- k. March 19, 2010 – Staff of the Navajo Real Estate Department made a presentation to the Chinle RBDO staff on
- l. May 11 – 12, 2010 – Program Manager attended the 11th Native American Finance Conference at the Wild Horse Pass Hotel and Casino. The topics presented at the conference were very information. The Program Manager made contact with Gerald Zulli, Chief Executive Officer of the Discovery Financial Group LLC and with the assistance of the Northern Arizona University Center for American Indian Economic Development Mr. Zulli and his partner, Milfred Cosen, made a presentation at the Chinle RBDO on June 2nd. The Chief Financial Officer had the representatives make a presentation to the Economic Development Committee Subcommittee and staff of the Division of Economic Development on June 10th.

- m. May 13, 2010 – Program Manager met with Mark Engle, Center Director of the Small Business Development Center of the Maricopa Community College. He is the former Director for the Northland Pioneer College SBDC and explained what was happening with NPC SBDC.
 - n. May 13, 2010 – Program Manager met with Kristine Thomas, Executive Director of the Arizona Commission of Indian Affairs and Coordinator of the Governor’s Office of Equal Opportunity, and Levi Esquerra, Program Director of Center for American Indian Economic Development for NAU, on trying to assist the two (2) chapters within Chinle RBDO serving area. Explained was using the former Arizona Department of Commerce for technical assistance but they are no longer in existence. Both personnel agreed I should meet with the Indian Economic Development Technical group. They will advise when the meeting will take place.
 - o. June 4, 2010 – Program Manager participated in telephone conference call that was arranged by Kristine Thomas with Claude Nelson, Native Peoples Technical Assistance Office of Tucson, Levi Esquerra of NAU CAIED, and two personnel. The assistance recommended was to present to the nine (9) chapters in our serving area a Asset Inventory which would assist the chapters with their Community Land Use Planning. We will discuss the details later and present the Asset Inventory during the 4th quarter.
2. Our office sponsored the following workshops:
- a. On May 12, 2010, we co-sponsored a workshop with WESST at the Chinle BIA Education Conference Room. The topic was “Financial Management” whereby there were eleven (11) participants in attendance.
 - b. On June 2, 2010, we co-sponsored a workshop with NAU CAIED at our office. The presenter was Discovery Financial Group, L.L.C. who spoke on “Securing Tomorrow Today” which was about leveraging funding. In attendance were the Small Business Development Department staff and the Chief Financial Officer totaling eight (8) participants.
 - c. April 9, 2010 – Chinle RBDO hosted the Chinle Chapter CLUP Committee for presentation on Navajo Nation Business Site Leasing Management Plan. The committee members enjoyed the presentation for examples were provided on the different situations the way the Plan was written. The two (2) new committee members were pleased the presentation was provided for they know now the business site leasing requirements.
3. Technical assistance was provided by and for the following:
- a. Business plan preparations by Northland Pioneer College Small Business Development Center on March 8, 2010, with Julian Parrish, Sean Yazzie, and Michael Garrity.
 - b. Business plan preparation by WESST on May 27, 2010 with Michael Garrity and Jones Lee and on May 28, 2010, with Raymond Bia, George Begay, Judy Toadlena, Robert Ben, Darrell Yazzie, and Sean Yazzie.
- C. BSL/Permit/Certification Transactions:
- 1. Tselani/Cottonwood Chapter – Chapter requested the former Black Mountain Trading Post business site be returned to them. The request is being processed through the 164 Review Process for presentation to the Economic Development Committee of the Navajo Nation Council for approval.
 - 2. Valley Mills, Inc. – Lessee of Business Site Lease No. NNCH-08-0011 requested a Modification of the Lease provision, Rental. The proposed Modification is recommending approval for postponement of the rental for one year and is being processed through the 164 Review Process for presentation to the Economic Development Committee of the Navajo Nation Council for approval.
 - 3. Giant Four Corners, Inc. - Lessee requested for a new lease at Rock Point, Arizona, and proposed Lease is submitted through the 164 Review Process. The Department of Justice returned the package unsigned due to outstanding delinquencies by Giant Four Corners, Inc. for other stores on the Navajo Nation. When Western Refining resolves delinquencies than SAS package will resume.
 - 4. Blue Sage Ventures, Inc. – Applicant is applying for a business site lease but has not completed New Lease requirements.
 - 5. Navajo Communications, Inc., Chinle, Arizona – Applicant submitted a letter of intent for a new business site lease under the Navajo Nation Business Site Lease Administrative Management Plan. Consultant Gabriel Freeland, CEO, of Spektrum, Inc., is assisting Applicant with the New Lease requirements. The Applicant has a delinquent rental owed to the Navajo Nation that has to be resolved before continuation of process. In the meantime, the Holding Over provision is in effective.

6. Robert Moss dba Crossroads Convenience Store, Tsale, Arizona – Applicant is applying for a new business site lease for a two acres tract. The proposed Lease is being negotiated.
7. Western Refining, Giant Four Corners Inc., Many Farms, Az. – Lessee has submitted letter requesting Novation of Lease in Many Farms, Az. Novation documents are being prepared for SAS review and submission to the Economic Development Committee of the Navajo Nation Council for approval.
8. Western Refining, Giant Four Corners Inc., Many Farms, Az. – Lessee has submitted letter requesting modification of Lease on the Rental provision. Modification documents are being prepared for the SAS process and submission to the DED Approving Committee for approval.
9. Emmett Bia, Many Farms, Az. – Lessee has submitted letter requesting Novation of Lease. Novation documents are being prepared for SAS review and submission to the Economic Development Committee of the Navajo Nation Council for approval.
10. Fleming Begay, Chinle, Az. – Lessee has submitted letter requesting Novation of Lease. Novation documents are being prepared for SAS review and submission to the Economic Development Committee for approval.
11. Fleming Begay, Giant Four Corners Inc. Chinle, Az. – Lessee has submitted letter requesting Modification of Lease Rental provision. Modification documents are being prepared for Lessee and Sublessee for approval by the DED Approving Committee.
12. Emmett Bia, Chinle, Az. – Lessee has submitted letter requesting Novation of Lease. Novation documents are being prepared for SAS review and submission to the Economic Development Committee for approval.
13. Emmett Bia, Chinle, Az. – Lessee has submitted letter requesting Modification of Lease Rental provision. Modification documents are being prepared for Lessee and Sublessee for approval by the DED Approving Committee.
14. Navajoland Nursing Home Inc., Chinle, Az. – Lessee has submitted letter requesting Novation of Lease. Novation documents are being prepared for SAS review and submission to the Economic Development Committee for approval.
15. Navajoland Nursing Home Inc., Chinle, Az. – Lessee has submitted letter requesting Lease be modified under the Purpose provision. Modification documents are being prepared for Lessee and Sublessee for approval by the DED Approving Committee.
16. James Tsosie stopped by the office to pick up the recertification forms for his business, Tsosie Construction.
17. George Begay stopped by the office and received certification forms and information for his business, Dine' Towing
18. Deswood Yazzie picked up recertification forms and information on filing of documents to Business Regulatory Department for his tour guide business.
19. Blue Sage Ventures LLC – Larry Manuelito, Partner of Blue Sage LLC, met with Chinle RBDO Program Manager and Sr. E.D.S. Anslem Harvey on March 16th regarding Business Site Lease for Blue Sage Ventures LLC.

D. Business Proposals/Plans/Application for Compliance:

1. The following clients are working with Ed Thomas with WESST Corp. towards completing their business plan writing.
 - a) Robert Ben and Jamison Ben- Business plan for a General Construction Contracting business in Whippoorwill, AZ. They have completed the narrative part and working on the financial part.
 - b) Sean Yazzie - Client is working on the financial part of his business plan for the electrical business.
 - c) Michael Garrity- Business plan for a Gas, Propane, Coal, and Hay/Feed Store in Lukachukai, AZ. He is working on the financial part of the business plan.
2. Judy Toadlena- Started business plan for Family Dollar Store in Cottonwood, AZ.
3. Jones Lee- Business Plan for a Roofing Construction business in Rock Point, AZ. He is working on the financial part of the business plan.
4. Priscilla Bekay- Business plan for a hair salon business in Chinle, AZ.
5. Phil Begay- Business plan for a non-profit organization to operate a trash pickup service in the local communities across the Navajo Nation.

E. SBL & MELP loan Packages and Others:

1. May 4, 2010 – George Begay with Dine' Towing came into the office. Staff assisted him in completing and faxing his loan application for a purchase of a used tow truck for his business. He is applying for a loan with Bik'eh Hozho CDC, Tuba City, Arizona.

F. Temporary/Permanent Jobs:

1. Leo R. Begay – 3 employees hired to remove debris and trash from Chinle RBDO to a trash dump; and general labor to move office furniture, equipments and supplies within the Chinle RBDO Office.

G. Other Responsibilities:

1. Five Year Plan – Program Manager attended meeting with EDC Subcommittee at South conference room at the Navajo Nation Council on March 16th regarding Five Year Plan. Objective is to determine where funding for the Five Year Plan will come from, such as, Federal funds, private sector funds, or Tribal funds. Additional meetings will be required to complete Five Year Plan. On March 19th another meeting with the Division Director and Controller was postponed for Controller could not make meeting by 3:30 PM. On March 23rd a meeting with the DED staff was held at the Navajo Nation Shopping Center conference room with Controller Mark Grant. The Controller provided recommendations on possible funding of the Plan and would check with the Investment Committee's consultant for recommendations. On March 31st a meeting was held with the EDC Subcommittee to define and update listing of projects.
Developed a Five Year Plan for securing funding for infrastructure and capital improvements. Plan was approved by the Economic Development Committee and we are working to secure funding. Plans are to secure approval of the Plan and funding by the Navajo Nation Council during the Council's session July 19-23, 2010.
2. Staff attended the Grand Opening for Northern Regional Business Development office in Montezuma Creek, Utah. The grand opening festivity was in conjunction with the Aneth Community Development Corporation. A new building was dedicated and a ribbon cutting was performed to open the new offices and conference rooms. This event was attended by local community people and chapter officials for Aneth Chapter and Red Mesa Chapter. Navajo Nation Council Delegate Kenneth Maryboy and Navajo Nation President Dr. Joe Shirley were guest speakers as well as other speakers. Developers were recognized. All of the offices who were involved in the approval for the land were recognized, too. Ben Whitehorse, land permittee, was recognized for giving the original consent for the land.
3. Made bi-weekly deposit reports and check deposit for the former Gorman Trailer Park tenants. Deposits are deposited at the Navajo Nation Cashiers Office with person assigned from the office (Felix Earle, Accountant).
4. March 22, 2010 – Senior EDS Mike Etsitty met with client from Burnside on application for business site lease. He contacted Fort Defiance RBDO Program Manager and advised her of the client. Client will meet with the Fort Defiance RBDO on the next visit.
5. March 22, 2010 – Many Farms Chapter Vice President met with Program Manager on commercial development proposals for the Chapter's serving area. The Vice President provided two letters to businesses in Farmington and Gallup, New Mexico. The letters were refined and she would deliver them to the businesses.
6. April 20, 2010 – Small Business Development Department Manager and Chinle RBDO Program Manager met with Reuben Mike, Retail and Wholesale Operations Manager with the Navajo Nation Oil and Gas Company, Inc. The NN Oil & Gas is seeking additional land in Chinle for a convenience store and inquired what they could use their additional land at their Chevron business site. Mr. Mike agreed to meet in Chinle to review sites and took our recommended proposals under advisement.
7. April 28, 2010 – Program Manager attend the joint public hearing by the Arizona Department of Transportation and Navajo Department of Transportation at the Cameron Chapter. There was a mix up on scheduling with the Chapter so the hearing was moved to the Cameron Trading Post. Due to a late start the presentations on animals in the right-of-way (AIR) and vendors in the right-of-way (VIR) were shorten to about an hour. After the hearing the members of the AIR and VIR group met to reschedule another meeting date and time to do a complete presentation. The group agreed to have the hearing in Tuba City. They will notify the group when a location is secured on the date and time.
8. On May 19, 2010, staff attended the Micro Loan Guidelines meeting at the Navajo Nation Museum at the request of Ray Nopah, CFO, to review the revised drafts for finalization. Wilson Gilmore, Department Director, also attended with various other RBDO staff and program managers. Certain changes were made and extensive discussions took place on the changes. Further review was conducted on June 4, 2010, at the Karigan Professional Office Complex conference room. Each RBDO returned the changes of the guidelines for further review.
9. May 25, 2010 – Program Manager participated in the interviews of the applicants for the Program Manager position of the Western RBDO. There were five (5) applicants. Based on a point system an applicant was recommended

10. Improve the Chinle RBDO Program Performance Assessment Report despite facing the funding cutbacks.
11. Provide technical assistance to individual(s), chapters, and other organizations in business start ups, existing businesses, leases, and expansions.
12. Align with local chapters initiatives and plans in economic developments.
13. Develop a good working relationship with the commercial and industrial businesses as well as other governmental offices.
14. Perform cost estimations, recommendations, and strategic planning for business site cleanup work and site improvements.

EASTERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

A.

Number of Loans reviewed and renegotiated Payment Agreement	Number of SAS (BSL's Permits) submitted for Approval:	Number of SAS Professional Service Contracts submitted for Approval:	Number of SAS Small Business Loans submitted for Approval:	Number of Micro-Loans Approved:	Number of Jobs Created:
Total: 2	Total: 1	Total: 3	Total: 1	Total: 2	Total: 9

- B. Completed contract modification number two with engineering/architectural firm, Bighorse Engineers, to complete the architectural design & engineering of the Crownpoint Administrative Office Complex. This project is an add-on to the Crownpoint Master Planning & A&E projects.
- C. Completed contract modification number two with engineering firm, JEL & Associates, to complete the design & engineering of the Alamo Waste Water Lagoon System. The new lagoon is needed so the laundromat at the Alamo Mini-Mart may open for business.
- D. Approved a professional service engineering contract between Sauder, Miller and Associates and the Navajo Nation to complete water improvement projects for the Alamo Navajo Chapter, which will benefit the Laundromat within the Alamo Mini-Mart.
- E. Approved a business site lease agreement between the Navajo Nation and Arviso Construction Company, Incorporated, to lease 1.31 acres of land for operation and management of an office building and warehouse at Iyanbito, New Mexico.
- F. Utilizing funds from Mariano Lake Chapter to secure an agreement with Jim Analla – EA Services to provide an environmental assessment and archaeological clearance for the old Mariano Lake Trading Post business site at Mariano Lake, New Mexico in the Eastern Navajo Agency.
- G. Enrolled 4 new members into the Individual Development Account (IDA) program, a match-savings program where participants can received match funding to purchase new assets for their business. The program is designed to help build assets in the business, which increases the value of the business over time.

FT. DEFIANCE REGIONAL BUSINESS DEVELOPMENT OFFICE:

A.

Number of Loans reviewed and Renegotiated Payment Agreement:	Number of SAS (BSL's and Permits) Submitted for Approval	Number of SAS Professional Service Contracts Submitted for Approval	Number of SAS Small Business Loans Submitted for Approval:	Number of Micro-Loans Approved:	Number of Jobs Created:	Business Preference Certifications
Total: 5	Total: 2	Total: 0	Total: 1	Total: 0	Total: 0	Total: 3

- B. Loans Reviewed & Renegotiated Payment Agreement:
1. Reviewed loan package from Navajo Nation Hospitality Enterprise for the amount of \$1,700,000 for construction of a 9,650 sq. ft. office building in Window Rock. The loan was denied because they had an outstanding debt with the Navajo Nation. They will reapply when their payments are current.
 2. Days Custom is working with Northland Pioneer College to reapply for a loan. Northland Pioneer College is assisting Days Custom with financial Performa statements.
 3. Michael Nelson inquired about a possible commercial loan over \$1.5 million to build a hardware store with lumber services.
 4. The loan package for Yanabah Tea Company in the amount of \$75,000 is in the SAS review process. The loan is for operating capital of Navajo Tea distribution throughout the country and possibly worldwide.
 5. Provided information to Lisa M. Belone-Henson of Ft. Defiance, Arizona in obtaining a loan with the Navajo Nation.
- C. Business Site Leases & Permits:
1. Texaco Station, Tse Bonito, NM: Novation completed. On April 15, 2010 the Economic Development Committee of the Navajo Nation Council approved the Lease Amendment No. One (1) to Business Site Lease No. FD-06-229. The completed package has been forwarded to the Real Estate Department.
 2. Chevron Station, Tohatchi, NM: Novation completed. On April 15, 2010 the Economic Development Committee of the Navajo Nation Council approved the Lease Amendment No. One (1) to Business Site Lease No. FD-00-196. The completed package has been forwarded to the Real Estate Department.
- D. Professional Service Contracts:
1. None
- E. Number of Micro-Loans Approved:
1. None
- F. Number of Jobs Created:
1. None
- G. Business Preference Certifications:
1. Assisted DeChelly Tech Support with certification to provide computer consulting & technical support.
 2. April 14, 2010 – Attended a meeting with Nahatadziil Chapter in regards to joint venture with Adolfsen and Peterson Construction to address compliance with the Navajo Nation Business Regulatory guidelines. Ten (10) people were in attendance.
 3. Nova Corporation received re-certification for another year. Nova Corporation does contracting for the federal government in computer networking and installing security systems for government buildings.
- H. Other Projects/Activities:
1. Staff met with Phil Begay who is seeking to start an ice cream parlor business and in obtaining a business site lease.
 2. April 15, 2010 – staff attended Economic Development Committee of the Navajo Nation Council to obtain approval on two Business Site Lease novations.
 3. Assisted Marcella King of Rocksprings Chapter with business site lease packet.
 4. Staff met on April 30, 2010 with Yvonne Billison, Program Supervisor with Office of Youth Development, Ft. Defiance, AZ, regarding That's a Burger business site boundary located in Ft. Defiance.
 5. Staff provided land consent forms to Susie Wauneka of Teesto Chapter.
 6. Staff provided Sharon Russell of Ft. Defiance Chapter with business site lease information and business preference application.
 7. May 17, 2010 – Staff met with Warren & Verna Lyons owner of Yanabah Tea Company to verify the company's collateral and their loan package in Scottsdale, Arizona.
 8. One staff attended conference on Construction in Indian Country Conference in Scottsdale, Arizona. There were about 250 people in attendance, mostly contractors, architects, government contractors, and various funding agencies.
 9. Staff attended two separate sessions on Micro Enterprise Loan policy on May 19th and June 4th, 2010.
 10. Two staff attended training on Principal Protection Strategy and Maximum Leveraging in Chinle, Arizona on June 02, 2010.
 11. June 4, 2010 – Attended Micro Enterprise Loan training in the Division of Economic Development conference room.

12. Met with Suzy Baldwin, representative of Northland Pioneer College Small Business Office, in reference to Romero Brown's business site lease in Chinle, Arizona.
13. Staff provided Maggie Benally of Ft. Defiance Chapter with a business plan outline.
14. Staff provided information on a business plan outline to Roberta Tayd of Chinle.
15. A meeting was held with Yvonne Billison, Supervisor, Tina Tommy, Office Specialist, Youth Development Office; Harold Wauneka, Council Delegate, Ft. Defiance Chapter and Willie Tracey, Council Delegate, Ganado Chapter regarding Mr. Nelson Yazzie's home site and That's a Burger business site in Ft. Defiance, Arizona. Assignment is to meet with Harlen Charley with Land Administration regarding Mr. Yazzie's land issue and That's a Burger land encroachment. A meeting will be held with Navajo Tribal Utility Authority regarding water drainage problem.

NORTHERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

A. Summary of Performance

Number of training & presentations provided:	Number of BSLAs/Permits Reviewed &/or Submitted for Approval:	Number of PSCs, ERs & Certifications Submitted for Approval:	Number of Technical Assistance with plans, proposals, certifications, etc.:	Number of Loans Reviewed for Approval:	Number of Jobs Created:
0	0	0	0	0	0

B. Workshop & Presentations Summarized

1. 3rd Quarter: 1 group session, 200+ attendees
 1. 6/3; Utah Dineh Professional Plaza Grand Opening / NEW NRBDO office
2. Individual Sessions and Technical Assistance Provided
 - a. Held nine (9) individual sessions
 1. 5/24; R-Nine Safety Services, contact: Leebert Benn
 2. 5/17; Silversmith/Arts & Crafts, contact: Darlene & Julius Claw
 3. 5/18; Construction Business, contact: Eugene Lansing
 4. 6/3; Oil Well Service & Maintenance, contact: Alphonso & Trista Mike
 5. 6/8; Shi Stop Shop, contact: Eric McCly
 6. 6/15; Dandy Hay Distribution, contact: Delvin Dandy and John Cooper
3. Visitors and Technical Assistance Provided:
 - a. Assisted a total of seventy-one individuals.

C. Business Site Lease (BSL) Applications

1. Complete two (2) Letters of Intent and one (1) Business Plan and 0 Processed
 - a. 6/10; Montezuma Creek Sports Complex, Aneth Community Development Corporation, contact: Victor Dee, Chief Executive Officer
 - b. 6/10; Four Corners Visitor Center, Aneth Community Development Corporation, contact: Victor Dee, Chief Executive Officer
 - c. 6/15; Dandy Hay Distribution, contact: Delvin Dandy

D. Business Preference Certification Applications;

1. 3rd Quarter: Issued & Assisted with 2 Certification applications; 0 reviewed
 - a. 5/24; R-Nine Safety Services, contact: Leebert Benn
 - b. 6/3; Oil Well Service & Maintenance, contact: Alphonso & Trista Mike

E. Technical Assistance with Business Proposals/Plans/Loans

1. Assisted with eight (8) Business Plans
 - a. 5/24; R-Nine Safety Services, contact: Leebert Benn
 - b. 5/17; Silversmith/Arts & Crafts, contact: Darlene & Julius Claw
 - c. 5/18; Construction Business, contact: Eugene Lansing
 - d. 6/3; Oil Well Service & Maintenance, contact: Alphonso & Trista Mike
 - e. 6/8; Shi Stop Shop, contact: Eric McCly
 - f. 6/15; Dandy Hay Distribution, contact: Delvin Dandy

- F. Business Loans and Financial Plans
 - 1. Micro Enterprise Loan Program (MELP) Applications
 - a. Issued six (6) MELP Applications, where none were returned or reviewed.
 - 1) 5/24; R-Nine Safety Services, contact: Leebert Benn
 - 2) 5/17; Silversmith/Arts & Crafts, contact: Darlene & Julius Claw
 - 3) 5/18; Construction Business, contact: Eugene Lansing
 - 4) 6/3; Oil Well Service & Maintenance, contact: Alphonso & Trista Mike
 - 5) 6/8; Shi Stop Shop, contact: Eric McCly
 - 6) 6/15; Dandy Hay Distribution, contact: Delvin Dandy
 - 2. Business Industrial Development Fund (BIDF) Applications
 - a. One (1) information packet requested, non have been returned or reviewed
 - 1) 6/15; Dandy Hay Distribution, contact: Delvin Dandy
- G. Signature Authorization Sheet (SAS) Processed / Work Created;
 - 1. SAS No. 3792; Intra-Governmental Land Use Agreement for NTS Substation in Montezuma Creek, UT. Document retrieved from SAS process due to lack of funding by NTS, pending receipt of ARRA grant.
 - 2. Former Baby Rocks Trading Post business site Environmental Review request submitted to Real Estate Department (RED); pending identification of an operator.
 - 3. SAS No. 3858; Rental Agreement between Aneth CDC and NRBDO for office space effective 5/01/2010; initiated on May 19th, and is currently awaiting review by the attorney at DOJ.
 - 4. SAS No. 3863; PSC for Archaeological Clearance and/or Environmental Assessment for the three (3) Ratherford Development Site Projects in the Red Mesa Chapter.
 - 5. SAS No. 3864; BSLA for Aneth CDC to develop the Montezuma Creek Sports Complex in Montezuma Creek, UT pending updated survey and a final business plan.
 - 6. SAS No. 3865; BSLA for Aneth CDC to re-develop the former Teec Nos Pos Arts & Crafts Store as the Four Corners Visitor Center and pending a final business plan.
- H. Business Site Lease Monitoring and Compliance
 - 1. Aneth Chapter
 - a. BIA Lease No. SR-78-76, Montezuma Creek Swimming Pool, expired 5/26/2003.
 - b. BIA Lease No. SR-92-125, Riverview Trailer Park & Service Station; was cancelled by BIA on 1/19/2006 due to GMAR delinquency, needs to be reconciled with NN Accounts Receivable.
 - 2. Dennehotso Chapter
 - a. BIA Lease No. TC-66-45, Baby Rocks Trading Post, expired 9/1/1999.
 - 3. Mexican Water Chapter
 - b. BIA Lease No. SR-99-159, Teec Nez Iah Trading Post, lease termination on hold by NNEPA pending UST Final Closure Report.
 - 4. Oljato Chapter
 - a. BIA Lease No. TC-58-21 Oljato Trading Post; lease needs to be recommended for write-off regarding the delinquency for deceased lessee, Virginia Smith.
 - b. BIA Lease No. TC-76-70 UNDC Halcita Clinic; lease needs to be officially terminated. Meet with UNRHF and BIA to determine actual status prior to official termination.
 - c. BIA Lease No. TC-95-147 Oljato Trading Post; delinquency needs to be addressed with lessee.
 - d. BIA Lease No. TC-00-198 Monument Valley Inn; delinquency needs to be addressed with lessee.
 - e. BIA Lease No. TC-04-220 Mystery Valley RV Park; delinquency needs to be addressed with lessee.
 - f. BIA Lease No. TC-97-180 Goulding Lodge; delinquency needs to be addressed with lessee.
 - 5. Red Mesa Chapter; none
 - 6. Sweetwater Chapter
 - a. BIA Lease No. SR-81-79 Sweetwater Trading Post; pending NNEPA UST Final Closure Report before mutual termination and official termination.
 - 7. Teec Nos Pos Chapter
 - a. BIA Lease No. SR-03-180 Frank's Grocery Store; delinquency needs to be addressed by lessee and pending BSLA modification and novation.
 - b. BIA Lease No. SR-89-115 Teec Nos Pos Arts & Craft; pending BIA official termination.
- I. Meetings/Seminars/Workshops Attended or Upcoming (by Northern RBDO Personnel)
 - 1. 3/15-16; FMIS Accounts Receivable Module Training in Window Rock, AZ
 - 2. 3/16; Five Year Plan Presentation to EDC in Window Rock, AZ

3. 3/17; Staff Meeting/Field Trip to Cortez Economic Development/Tourism/Welcome Center
4. 3/23; Dennehotso Projects Coordination Meeting RE: Community Development Projects in Window Rock, AZ
5. 3/23; Five Year Plan Meeting with DED in Window Rock, AZ
6. 3/30; Dennehotso Group Meeting re: Desert Meadows in Window Rock, AZ
7. 4/2; Meeting with ACDC
8. 4/5; Mexican Water Chapter Multi-Purpose Construction Meeting in Blanding, UT
9. 4/6; Meeting with Geneva Chavez at Shiprock BIA RE: BSLAs in NRBDO region
10. 4/12; Red Mesa Chapter Meeting
11. 4/13; Meeting with Mary Lujan RE: BIA BSLA leases
12. 4/14; PM Meeting with DED Support Services/SBDD RE: "lost" personnel evaluations
13. 4/21; PM Meeting with SBDD Director
14. 4/23; Meeting with UNHF & Mexican Water Chapter RE: Multi-Purpose Project in Blanding, UT
15. 4/12; Red Mesa Chapter Meeting; Regular Meeting Agenda
16. 4/16; Utah Navajo Royalties Holding Fund: Mexican Water Multi-Purpose Complex Master Planning Meeting.
17. 4/23; Mexican Water Multi-Purpose Bldg. Planning Meeting; UNRHF Small Conference Room, Blanding, UT
18. 5/4-5; Communicating with Difficult People at San Juan College
19. 5/6; Dennehotso Chapter Planning Meeting, 18 attendees
20. 5/6; Meeting with Katherine Benally and Dennehotso Planning Committee RE: Tree family interest in operating Desert Meadows C-Store development in Dennehotso, AZ
21. 5/19; Five Year Plan Meeting with DED in Window Rock, AZ
22. 5/19; MELP Work Session with DOJ/DED in Window Rock, AZ
23. 5/21; Meeting with Margie Dee and Tovina Yazzie at NRBDO RE: Excessive Tardiness
24. 5/24; Walk through with Red Mesa Chapter officials and land surveyor RE: Red Mesa Community Building site survey in White Mesa Village, UT
25. 5/24; Meeting with ACDC & NUC RE: Tenant Agreement in Montezuma Creek, UT
26. 5/26; CM at Risk review of RFQ/RFP with UNTF/Eaton Architect/Mexican Water Chapter in Blanding, UT
27. 5/26; Meeting with Eaton Architect re: Baby Rocks Project in Blanding, UT
28. 5/27; Meeting with Ben Whitehorse, Navajo Land Department, Aneth Chapter Grazing Committee & ACDC RE: additional land withdrawal for business development in Montezuma Creek, UT
29. 6/2; Training by Frontier RE: PBX type telephone system at NRBDO
30. 6/2; Meeting with Environmental Consultants RE: Mandatory Site Visit in White Mesa Village, UT
31. 6/3; Grand Opening of Utah Dineh Professional Plaza, includes new NRBDO office
32. 6/3; Mexican Water Chapter RFQ/RFP Interview & Evaluation with NN AML & Eaton Architect at UDPP/NRBDO
33. 6/4; Aneth Chapter Planning Meeting, 14 attendees
34. 6/6; Red Mesa Chapter Planning Meeting, 13 attendees
35. 6/7; Meeting with Huddleston Surveyor RE: Montezuma Creek acreages
36. 6/7; Meeting with TNP Water Resort/Heritage Center Group RE: land withdrawal & BSLA requirements
37. 6/9; MVRB Meeting RE: Vehicle No. 109042 Temporary Parking
38. 6/10; NRBDO staff meeting RE: Budget and Operations
39. 6/14; Red Mesa Chapter Meeting, 42 attendees
40. 6/15; NRBDO staff meeting RE: Personnel management, project updates and field visit
41. 6/15; On-site visit in Oljato at Mystic Valley RV Park site
42. 6/15; Meeting in Oljato with Monument Valley Motel lessee, Roy Black
43. 6/15; Meeting in Oljato with Oljato Trading Post lessee, Evelyn Jensen
44. 6/15; Meeting in Oljato with Ilene Livingston, Big Rock Bed & Breakfast operator
45. 6/18; MELP Meeting in St. Michaels, AZ
46. 6/18; NRF Board Meeting in Teec Nos Pos, AZ
47. 6/18; Aneth Chapter Meeting
48. 6/19; Northern Agency Council Meeting in Montezuma Creek, UT

SHIPROCK REGIONAL BUSINESS DEVELOPMENT OFFICE:

A.

Number of Loans Reviewed and Renegotiated Payment Agreements:	Number of SAS (BSL's and Permits) Submitted for Approval:	Number of SAS (Professional Service Contracts) Submitted for Approval	Number of SAS (Small Business Loans) Submitted for Approval:	Number of Micro-Loans Approved:	Number of Jobs Created:
Total: 0	Total: 9	Total: 1	Total: 0	Total: 0	Total: 18

- B. Mettler & LeCuyer, P.C., Novation approved by EDC.
- C. Modification BIA Lease #SR-07-192 Home for Women & Children I to Tribal Regulations.
- D. Modification NN Lease #SR-07-192 Home for Women & Children I, Sec. E. & F.
- E. Modification BIA Lease #SR-86-104 Jeffery S. Manning to Tribal Regulations.
- F. Modification BIA Lease #SR-04-188 AMMJ, Inc. to Tribal Regulations.
- G. Modification BIA Lease #SR-07-193 AMMJ, Inc, to Tribal Regulations.
- H. Sadie Talk & Shirleen Roanhorse, 6 months, Revocable Use Permit.
- I. Mark Winter, 6 months Revocable Use Permit.
- J. 4 jobs created with Sadie & Shirleen's fabric shop.
- K. 4 jobs created with Mark Winter's Trading Post.
- L. Submitted SAS for an approval of land relinquishment, former Lopez business site lease in Shiprock. This site will be part of a proposed juridical complex.
- M. Professional Service Contract, Norman H. Chee, DBA: N H C Construction, for Water Line Extension, Shiprock, NM.
- N. Ten (10) Temporary Construction Jobs created for CJR Shiprock Properties, LLC Laundromat Construction Project

WESTERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

A.

No. of Loans reviewed & renegotiated Payment Agreement	No. of SAS BSL's and Permits submitted for Approval	No. of SAS Professional Service Contracts submitted for Approval or Completed	No. of SAS Small Business Loans submitted for Approval	No. of Micro-Loans Approved	No. of Jobs Created
Total: 0	Total: 3	Total: 1	Total: 0	Total: 1	Total: 4

- 1. No. of Loans reviewed & renegotiated Payment Agreement
 - a. None
- 2. No. of SAS BSL's and Permits submitted for Approval
 - a. SAS-3842 – Administrative Review: Approving a Lease Modification for Roy Walters & Marlene Walters. Lease No. TC-04-221 located in Cameron, AZ, Navajo Nation.
 - b. SAS-3845 – Approving PSC Agreement between Navajo Nation and Kathleen Klar Appraiser. SAS was return by DOJ with list of concerns. Due to these concerns, an RDP was issued to pay on the invoice.
 - c. SAS-3855 – Approving a Memorandum of Understanding between the Navajo Nation and Navajo Tribal Utility Authority.
 - d. SAS-3857 – Approving a BSL for Michael Nelson Enterprise, Inc. located in Tuba City, AZ.
- 3. No. of SAS Professional Service Contracts submitted for Approval.
 - a. SAS-3845 PSC Agreement between Navajo Nation and Kathleen Klar Appraiser was submitted for approval but DOJ return it with a list of Concerns. Because of these concerns, the contract was voided and an RDP was issued to pay for the invoice.

4. No. of SAS Small Business Loans submitted for Approval
 - a. None
 5. No. of Micro-Loans Approved
 - a. Micro-Loan for Kenneth Isaac was approved on March 28, 2010 and check was issued and disbursed on April 14, 2010.
 6. No. of Jobs Created
 - a. Two jobs were created by 2-B's Bus-line located in Lechee, AZ.
 - b. Two jobs were created by Isaac Investment, L.L.C.
- B. Bittersprings commercial site is 4.0 acres in Bittersprings, Arizona. The Business site is located on the west side on US Highway 89. Received a response from A. Leonard Smith, Regional Director of Economic Development Administration regarding the grant application of \$900,000. Indicated that there is no funding and will not consider the project at this time. Project was put on the 5 year plan for Bond Financing as an alternative to funding source. Glen Canyon Native Adventures received a chapter resolution for a business site lease for this business site.
- C. Chilchinbeto commercial and industrial (13.0 ac.+) site for infrastructure in Chilchinbeto, Arizona. Project was put on 5 year plan for Bond Financing as an alternative to funding source.
- D. Coalmine Mesa commercial & light industrial site is 14.52 + acres & 18.93+ acres, Coalmine, Arizona. Received a response from A. Leonard Smith, Regional Director of Economic Development Administration regarding the grant application of \$1,445,000. Indicated that there is no funding and will not consider the project at this time. Project was put on 5 year plan for Bond Financing as an alternative to funding source.
- E. Kaibeto Commercial & Tourism Land withdrawal, 8 ac./Site C & 10 ac./Site D, 80 acres & 120 acres, Kaibeto, Arizona. Received Kaibeto Chapter Resolution to AML for funding of plan & design for infrastructure. AML stated that Public Facilities Grant is not for Plans & Design, its for facility construction.
- F. Kerley Valley commercial & light industrial site (22 acres), Tuba City, Arizona. SAS 3771, approving ARRA funding for ARRA EDA proposal package for \$5,220,000.00 was approved by the NN President in January 2010 submitted to EDA, Seattle, Washington on 03-01-10. Project was put on 5 year plan for Bond Financing as an alternative to funding source.
- G. TCRBDO Office Building Project, 8,000 sf, .93 acres, Parcel A, Block 4, Tuba City, Arizona. . Received a response from A. Leonard Smith, Regional Director of Economic Development Administration regarding the grant application of \$1,445,000. Indicated that there is no funding and will not consider the project at this time. Project was also put on 5 year plan for Bond Financing as an alternative to funding source. Made a follow-up with Alan Watt, USDA regarding the grant proposal for \$300,000. Mr. Watt stated project is eligible for Community Facility Grant but needs matching funds. As soon as some matching funds are awarded, grant of \$300,000 will be approved.
- H. Our office is working with Blue Sage Ventures, LLC, the company intends to construct a 30,000+ square foot facility for a retail business in Tuba City, Arizona. Blue Sage will build building and lease to an interested retail business. Tuba City will benefit by providing jobs, increase sales tax revenue & increasing revenue for the Navajo Nation.
- I. Our office served three (3) Chapters which were Kaibeto Chapter, Shonto Chapter, and Chilchinbeto Chapter on economic development planning.

WHIPPOORWILL REGIONAL BUSINESS DEVELOPMENT OFFICE:

A.

Number of Loans reviewed and renegotiated Payment Agreement:	Number of SAS (BSL's and Permits) submitted for Approval:	Number of SAS (Professional Service Contracts Submitted for Approval):	Number of SAS Small Business Loans submitted for Approval:	Number of Micro-loans approved:	Number of jobs created:
Total: 0	Total: 5	Total: 2	Total: 0	Total: 0	Total: 63

None	3850-Land w/drawal-Whippoorwill. 3814-Land w/drawal-Jeddito. 3826-BSL Novation 3827-BSL Novation 3824-BSL Novation	3825- BSL clean-up Ironhorse. 3847-Survey - Iina Ba, Inc.			See item "F" under Section IV.
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- B. Number of Signature Authorization Sheets submitted for Approval:
1. SAS 3814-15 acres land withdrawal for commercial tract by Jeddito Chapter, approved by EDC and signed off by NN President.
 2. SAS 3850—Land Withdrawal for Regional Hoosh Dooh Dii To Solid Waste and Transfer Station approved by EDC on May 19, 2010 and signed off by the Vice President on May 26, 2010.
 3. SAS 3847—Professional Service Contract Modification for Iina Ba, Incorporated. Rocky Ridge General Store Legal Description and Survey Plat. Pending the President’s signature and on to the Controller’s Office for Notice to Proceed.
 4. SAS 3825—Professional Service Contract Modification for Ironhorse Environmental Services, Inc. Consultant performed all duties in the scope of work, his invoice has been paid out.
 5. SAS 3826—Lease Novation for Navajo Nation Oil & Gas, Inc. Lease No. FD-86-127. SAS packet was picked up by NNO&G representative (R.Mike) for CEO’s signature and has yet to return it back.
 6. SAS 3827—Lease Novation & re-newal for Michael Nelson & Associates, Inc. Lease No. FD-03-126. Returned to Whippoorwill RBDO per DOJ’s recommendation to pursue a whole new lease. UST compliance/inspection being finalized.
 7. SAS 3824 Dilkon Thriftway, Giant Four Corners, Inc. Lease novation.
- C. Assisted twenty-eight (28) new clients.
- D. EXISTING CLIENTS: 20 clients - Refer to A, B, C Listing

IV. STATUS ON-GOING PROJECT, INITIATIVES AND COA’S STATUS OF

SUPPORT SERVICES DEPARTMENT

- A. Audit(s). Office of Auditor General BIDE Audit Report 10-06 “Corrective Action Plan” to be implemented by the Chief Financial Officer.
- B. Audit(s). Working with KPMG, LLP for BIDE transactions for period ending December 31, 2009.
- C. Policies. Revise the Small Business and the Micro-Enterprise Loan Guidelines.
- D. Policies. Orientate DED RBDO offices of recently approved Commercial, Industrial and Tourism and Investment Guidelines. Provide flowcharts, binders and other materials.
- E. Server/Network. Install, test and implement new network hardware and software.
- F. 5-Year Plan. Prepare legislation, planning documents and financial analysis and discussion to implement the plan.
- G. NCDFI. Continue work with Shareholders for implementing: Director Appointment, CDFI application to IRS, and recruiting NCDFI CEO.

PROJECT DEVELOPMENT DEPARTMENT

1. The Department assisted the Administration with various projects and activities and representations.
2. The Department provided on-going technical assistance with chapters, division, private individuals and staff.
3. The Department continues to coordinate with Navajo Housing Authority in addressing HUD concerns.
4. Continue to coordinate the dismantling of the former NFPI particle board plant

TOURISM DEPARTMENT

- A. **2-year Navajo Calendar** has been created in-house using the photos from the 2009 Discover Navajo Photo Contest. Tourism printed 2,000 calendars for distribution which is currently underway.
- B. 2009 Discover Navajo Photo Contest Runner-Up Jeff Frey of Kanab, Utah presented Tourism with a beautiful framed print of his winning photo of Canyon de Chelly to hang in our office.
- C. Submitted nomination application for *2009 Discover Navajo Photo Contest* to compete in “Innovative Marketing” competition at **Arizona Governor’s Conference** on Tourism. AOT is sponsoring the contest. Conference is held in Phoenix in July.
- D. Placed ads for Navajo Ec. Dev. Specialist in Albuquerque, Phoenix, Gallup, and Navajo to broaden the recruitment area for candidates.
- E. Navajo Art Walk: Working with Navajo master artists, Irving Toddy, Baje Whitethorne, Sr., and Johnson Yazzie to produce a new event to occur during the Navajo Nation Fair. A juried art show & sale will take place on the side walk at the Navajo Nation Shopping Center, bringing in premier artists and marketed to visitors outside the Navajo Nation. The purpose will be to establish a premier art show in the area, to bring more outsiders to town (new money), and to raise funds for youth scholarships through Art of the People, Inc. & SW Indian Foundation.
- F. Currently making arrangements for balloon flight in Monument Valley. Working with Bill Lee in Gallup. Having received permission from MVTP to fly, I will ascend for photo session and have made arrangements to take travel writer along to produce feature story of the adventure. Also making arrangements with MV Balloon Co. to photo balloons in air to include in story since they have concession for passengers and will promote.

REAL ESTATE DEPARTMENT (RED)

- A. Continue with site visits for compliance, review lease documents and projects as they come in and as assigned.
- B. Continue training local entities and chapters when they request. We will continue to encourage and get certified chapters to get delegated and take over leasing activities.
- C. The lease data-base continues to be updated with information from cooperating departments, such as Project Development, Tuba City RBDO, and Shiprock RBDO. This information is vital because it assists in the possible re-adjustments of appraisals done by fee appraisers, and provides accurate view of the commercial leases on the Nation.
- D. Proposed Church Rock Market Center located near Church Rock, New Mexico.
- E. Proposed ALCO General Store located in Chinle, Arizona.

SMALL BUSINESS DEVELOPMENT DEPARTMENT:

- A. Chapter outreach; the Department continues to provide outreach programs geared toward Chapter needs in Economic Development, by attending Chapter related meetings.
- B. Training/Workshops; via the Regional Offices, the Program continues to provide training sessions at the request of Chapters for small business start-up.

CHINLE REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Chinle
 - 1. Ferrellgas Company – Company officials in Liberty MO. Still waiting on Letter of Intent from Corporate Headquarters in Missouri. Ferrellgas needs a new site but wants to remain on the current location.
 - 2. Woody’s RV Park & Campground – Working with Navajo Tourism Office to develop designs and plans for a RV Park and Campground. Woodys are interested in pursuing a lease for this purpose.
 - 3. Navajoland Nursing Home, Inc. will work on lease novation and modification for the lease. Wayne Claw is the contact person at the Navajoland Nursing Home. Inc.
 - 4. Blue Sage Ventures, Inc. – working with Larry Manuelito to finalize the lease document for SAS process.
 - 5. BNT True Value Center – waiting on surname from DOJ and to present to the DED Approving Committee for approval.
 - 6. Proposed plans for a Walgreens Store in Chinle, Arizona by Timothy Begay. He came into the office on April 4, 2010 seeking information on possible sites. He is meeting with representatives of Walgreens to make plans and a business plan for this project. Still in the initial planning stages.

7. James Tsosie of James Contracting came into the office on April 27, 2010 to inquire on the process of getting a BDF loan for his business. Client took an application and information for the required information to bring.
8. Jeff Tyrell and Lorraine Tyrell met with staff on April 23, 2010 at the Chinle RBDO regarding bringing his outstanding delinquency into compliance. Payments are being made to the Navajo Accounts Receivables Office. They operate the Speedy Septic in Chinle, Arizona.
9. Roy Douros of Lakeside, Arizona came into the office on April 27, 2010 seeking information on how to start a restaurant business in Chinle, Arizona. He wanted to know what sites are available and the process for approval. Information was provided and he plans to return for more information. This is still in the initial planning stages.
10. Debra Yazzie of Mesa, Arizona came into the office seeking information on establishing a business in the Chinle area for a non-profit recycling center. She is exploring the idea and researching to see what would be the best avenue to pursue this. Information was provided and wants to return after she gathers more information on land, costs, organization. Eventually, she plans to move back from Mesa, Arizona for this project.
11. Chinle Chapter, CLUP, and Agency Meetings- Attend chapter meetings, CLUP Meetings, and Agency meetings in support of initiative towards economic development.
12. April 20, 2010 – Small Business Development Department Manager and Chinle RBDO Program Manager met with Reuben Mike, Retail and Wholesale Operations Manager with the Navajo Nation Oil and Gas Company, Inc. The NN Oil & Gas is seeking additional land in Chinle for a convenience store and inquired what they could use their additional land at their Chevron business site. Mr. Mike agreed to meet in Chinle to review sites and took our recommended proposals under advisement.
13. Former Rose Cullison Business Site – On March 15, 2010, meeting with BIA Natural Resources Department, Harry Yazzie, Soil Conservation Technician, regarding Norma Price Castillo's complaint. Ms Price claim she has a Land Use Permit (agricultural) for the former Rose Cullison business site. Mr. Yazzie confirmed Ms. Castillo has a Permit for one (1) acre for agricultural use. Also, Ms Castillo and her sister, Teresa Price, have consent from the District 10 Grazing Committee to apply for one (1) acre Homesite Leases (Leases) from the Navajo Land Department. As far as the BIA records show the two (2) sisters have not applied for the Leases but we need to check with the Navajo Land Department to verify. On March 26th the Small Business Development Department Manager and Chinle RBDO Program Manager met with Richard Thompson, Rangeland Management Specialist, on the Castillo complaint. We presented our facts that the Lease for Rose Cullison was in effect prior to the District 10 Grazing Committee approved Ms. Castillo's Permit and no one from the Division of Economic Development provided written approval that the Lease could be converted to a Permit for agricultural use. Mr. Thompson took the facts under advisement and would present them to his supervisor, Alvin Whitehair, Manager. On April 22nd SBD Department Manager and Program Manager met with Mr. Whitehair and his staff. Mr. Whitehair stated the office err on the Land Use Permit (Permit) for Ms. Castillo. His office will go back to the District 10 Grazing Committee to request the Permit be terminated. On May 5th the SBD Department Manager and Program Manager attended the District 10 Grazing Committee (Committee) meeting at the Tselani/Cottonwood Chapter. The Committee approved the termination of Ms. Castillo's Permit. Mr. Yazzie will follow through on the minutes, approved/signed documents, and sign-in sheet for our office's record.

B. Lukachukai

1. Michael Garrity- Completing business plan for application of business site lease at Lukachukai, AZ.

C. Many Farms

1. Giant Four Corners, Inc.- Novation upon procurement clearance check approval from Navajo Nation Accounts Receivable Office.
2. The former Many Farms Laundromat business site was put on the Five Year Plan for cleanup and site improvement. Have an applicant who is interested in the site if it is cleaned up.
3. The former Jack and Jill Café business site is on the Five Year Plan for cleanup and site improvement.
4. The former Ernest Claw's Plateau Station is on the Five Year Plan for clean up and site improvement.
5. Giant Four Corners, Inc./Western Refining submitted a Letter of Intent requesting novation and modification of business site lease No. CH-82-74 in Many Farms. Anticipated approval will be the end of the third quarter.
6. Many Farms Chapter- Continue to support the Many Farms Planning and Zoning Committee in their plans to work with a foreign poultry farm company to establish a plant in the Many Farms area.

7. March 22, 2010 – Many Farms Chapter Vice President met with Program Manager on commercial development proposals for the Chapter’s serving area. The Vice President provided two letters to businesses in Farmington and Gallup, New Mexico. The letters were refined and she would deliver them to the businesses.
- D. Nazlini
1. Commercial Land Designation (9.55 acres). Nazlini Land Use Planning Committee wishes to this site in Nazlini for businesses. The site was designated with a revocable use permit for a gravel pit for NECA. This purpose is no longer in effect. Permit has expired.
 2. Shirley Bydonnie- Meet with Shirley to discuss the recommendation of the Department of Justice regarding the Nazlini Trading Post Business Site.
- E. Rock Point
1. Giant Four Corners, Inc. – Novation upon procurement clearance check to show that the business is in compliance before submittal for lease approval. The site at Rock Point, Arizona is in compliance but it’s some of the other stores on the Navajo Nation. Navajo Nation Accounts Receivables refuses to show compliance only for the store in Rock Point, Arizona.
- F. Rough Rock
1. No activity.
- G. Round Rock
1. Richard Yazzie - Richard, Darrell, Clarisa, and staff met with Karis Begaye from DOJ on June 08. Mr. Yazzie is making a request to waive or make a settlement regarding his delinquent rental payment since 2001. DOJ will make its recommendation upon review.
- H. Tsaille/Wheatfield
1. Joe Edison – Tsaille Laundromat & Carwash – a lease was approved by the Navajo Nation Economic Development Committee. The final signature of the President was never signed and has not been processed yet. A new lease can be processed utilizing the Navajo Nation Business Site Lease Administrative Management Plan. Client still has not decided or notified the Chinle RBDO on their decision.
 2. Robert Moss, Crossroads Convenience Store, LLC. - Mr. Moss is proposing to apply for a new business site lease under the Navajo Nation Business Site Lease Management Plan. Lease document is being drawn up and only needs the lease rental amounts. A request for a Market Date Research Request was submitted to Michael Sells, Senior Appraiser at the Navajo Nation Real Estate Office on June 8, 2010.
- I. Tselani/Cottonwood
1. Judy Toadlena - Ms. Toadlena has finally attended two of the WESST Workshops this quarter. She will be working with Ed Thomas towards completion of her business plan.
 2. Tselani/Cottonwood Chapter- Complete the land relinquishment of the chapter’s request to transfer the former Black Mountain Trading Post Business Site to the chapter.

EASTERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. T’is Tsoh Mini-Mart: Eastern RBDO continues to work with the Alamo Chapter, School Board and tenant, Sandia Oil Company, on securing a new wastewater system that will allow Sandia to open the Laundromat. A contract is currently in place with JEL & Associates to complete the design & engineering of the new sewer lagoon. Partial construction funds are in place once designs are complete and Phase I construction bidding may begin soon after. ERBDO and the Alamo Chapter will continue seeking additional funding to complete the project.
- B. Interstate 40 Corridor Feasibility Study: No funds available for ERBDO to complete the project. Considered an incomplete closed-out project due to fraud.
- C. Iyanbito Business Site: The business site lease package completed the SAS review process and is now awaiting approval from the DED approval committee. The next meeting will be held on June 21, 2010.
- D. Eastern Navajo Office and Retail Complex: The Project is in the preliminary development phase with all the necessary land clearances completed. Funds from the New Mexico State Legislature have been utilized to develop a Master Plan for this 10-acre project site. This Master Plan includes the planning & design of infrastructure, including utilities and roads for the site. Construction will follow when funds are secured. The Master Plan project is now complete. The project architect also provided design plans for the Wellness Center and is working on design plans for the Office Complex, which will be utilized to seek possible ARRA funding.
- E. Crownpoint Business Development Project I: The project site is a ten-acre tract, adjacent to the Crownpoint Shopping Center, a prime area for retail development. The land survey, archaeological clearance and environmental

assessment have been completed. The land withdrawal recently completed the review process and was approved by the Economic Development Committee. The proposed development includes: a restaurant, storage space, car wash, lube & oil shop, and possibly a hotel. Various individuals are interested in developing these businesses. This 10-acre tract has been advertised as available for lease in media outlets starting in January 2009. However, no formal responses. This site might be considered for one of the ten (10) proposed C-Stores.

- F. Mariano Lake Business Site: This is one of the proposed ten (10) convenience store project sites. A local entrepreneur plans to develop a light manufacturing business and trading post at this site, and is working on developing a business plan and seeking funding options for this project. An updated land survey is complete, but an updated archaeological clearance and environmental assessment are needed. Mariano Lake Chapter utilized its funds to hire a consulting firm to complete these clearances. This project is part of the proposed C-store proposal project that will be submitted for potential ARRA funding.
- G. Churchrock Convenience Store: The project will be located on the Churchrock Industrial Site. The land survey, archaeological clearance and environmental assessment for this project are completed. The client submitted a final business/financial plan for the project. An A&E firm is working to assist with planning, design & feasibility services. Construction funds are also being sought at this time. This project is also a part of the proposed C-store proposal that will be submitted for ARRA funding.
- H. Chichiltah Business Site: The project involves the development and construction of an electrical contractor shop on a one-acre site in the northwest corner of NM State Highway 602 and McKinley County Road 6. The land survey, archaeological clearance and environmental assessment are completed. The land withdrawal process is now in progress. Once the appraisal is completed, the business site lease agreement will be processed for approval.
- I. Counselor Business Site: ERBDO is working with Red Mesa Trading Company on completing a business site lease for the Counselor Trading Post and Rentals. The land survey, environmental assessment, archaeological clearance and appraisal have all been completed. A re-drafted lease was submitted to Red Mesa for their review, and they will provide us comments on the GMAR. Soon after, we plan to begin the SAS review process on this lease. Currently, an Emergency Management Agreement (EMA) with Red Mesa Trading Company to manage the Counselor Trading Post and lease properties is still in effect. The property is located on Navajo Nation Fee Land recently purchased by the Navajo Nation for Counselor Chapter. ERBDO will initiate a master plan with the Chapter once the land purchase completion letter is received from Land Administration and when funds are secured.
- J. Crownpoint Checkerboard Refuse Disposal Business Site: The Project is assisting an existing business to secure a 2-acre site for a formal business site lease. A request to use an existing driveway for the business has been denied by the permittees which caused delays in the project. ERBDO and client are working with N.M.D.O.T. to develop another driveway. Once this is completed, ERBDO will begin the land assessments and clearances. Once the land clearances are completed, the lease agreement will be initiated and should be completed in the 4th quarter of FY2010
- K. Crownpoint Auto Repair Business Site: ERBDO is working with client on a business site lease located on BIA Administrative Order Land. A land survey, environmental clearance, archaeological clearance and appraisal have been completed for this site. Eastern RBDO is now in the process of completing a Master Permit for the site. The Navajo Nation can then negotiate a Sub-Permit (BSL) with the lessee for the site.
- L. Crownpoint Business Development Project II: The project is within preliminary development phase of a 4.27 acres former business site. The site was divided up into 4-small parcels. The re-survey of the site is complete and it was advertised for development in January 2009 however, no response. ERBDO is in process of seeking funds to complete the archaeological clearance and environmental assessment.
- M. Highway 550 Corridor Project: This Project consists of seven (7) Chapters (Counselor, Whitehorse Lake, Torreon, Ojo Encino, Pueblo Pintado, Nageezi and Huerfano). A market and economic feasibility study has been completed for this region and the study has identified prime business sites for economic development. For Counselor Chapter, as stated under "I", the preliminary development phase is still in progress. The Nageezi and Huerfano Chapters have initiated their planning in developing a Poultry Production Plant, however this project is at a standstill and these two Chapters want to work with the Shiprock RBDO. The Torreon, Ojo Encino and Pueblo Pintado Chapters have been working directly with the Tourism Office on their tourism projects relating to the Chaco Canyon Historic National Park and periodically, technical assistance is provided to these three chapters. Recently, Torreon Chapter has requested technical assistance to purchase land in Cuba, New Mexico. This initiative is in the preliminary development phase. ERBDO has provided technical assistance to the Whitehorse Lake Chapter. The preliminary development phase for their project will be initiated when land is identified for business site development and some funds are identified and secured. The project cost for the preliminary and planning phases are approximately \$500,000.

- N. Joint Venture with Navajo Nation Oil & Gas: This project involves the design and development of ten (10) C-store/gas station sites throughout Navajoland, in conjunction with Navajo Nation Oil & Gas Company and Project Development Department. The sites are: Churchrock, Crownpoint, Mariano Lake, Ramah, Shonto, Leupp, Naschitti, Lupton, Dennehotso, and Ojo Amarillo. The Eastern RBDO has gathered all necessary clearances and infrastructure documentation from the chapters and RBDOs to ensure that each site has met the requirement to be deemed as “shovel ready”. The first application for ARRA funding has been submitted on May 24, 2010. Other applications are in the works and should be submitted throughout the 4th quarter.
- O. Other Projects: Other ERBDO projects that are being worked on, but don’t have the same priority as Items A through O are listed as follows:
- Torreón/Cuba Commercial Development Projects
 - Old Smithlake School Business Site Lease
 - Crownpoint Land Acquisition for Economic Development Purposes
 - Prewitt/Baca Economic Development Projects
 - Thoreau Commercial Development Projects
 - Crownpoint Executive Order Land Business Leases
 - Crownpoint Infrastructure Development Project
 - Manuelito Economic Development Projects
 - Lake Valley – Small Business Development Project & Industrial Development Project
 - Tohajiilee – Economic Development Project(s)
- P. Small Business Development (Technical Assistance/Feasibility Study/Training): The ERBDO is continuously providing services to clients with technical assistance in business start-up, business retention, business plans, business site leasing, loan packaging and individual development accounts. These services are provided on an individual basis or during workshops. Numerous Chapters are assisted with identifying funds for economic feasibility studies and master planning in their local areas and various organizations are partnering with ERBDO to implement entrepreneurial training. A workshop was recently completed and a new workshop series is being developed, which will begin in the spring of 2010. These workshops focus on training and educating Navajo entrepreneurs by providing basic knowledge in operating and managing a business.

Q.

FT. DEFIANCE REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Ganado Plaza, Ganado, Arizona – Sandia Oil, Inc. – The Business Site Lease package is put on hold by Sandia Oil Company, Inc., due to unresolved water and sewer issues at the proposed Ganado Plaza. A meeting is tentatively scheduled on June 24, 2010 with Chapter Officials, Council Delegates, NTUA, and BIA Roads to resolve the water and sewer issues.
- B. Nizhoni Hair Salon, Ft Defiance, Arizona – Laverne Bennett – the Business Site Lease is submitted to Real Estate Department (RED) for archeological clearance. Still awaiting the archaeological clearance from Real Estate Department.
- C. Lincoln Electric Corp, Ganado, Arizona – Dave Lincoln – Lincoln Electric is proposing development at the former McCray site in Ganado, Arizona. A chapter support resolution has been approved and submitted. Our program is requesting for updated survey of the site.
- D. J&V Trading Post, Tohatchi, NM – The lease has expired with Lessee in a serious delinquent account. An Emergency Operating Agreement was approved for Tohatchi Area of Opportunity & Services, Inc. to temporarily manage the post office in March 2010.
- E. Coyote Canyon Trading Post, Coyote Canyon, NM – Staff met with Coyote Canyon Chapter on March 2, 2010 to discuss possible land withdrawal north of Navajo Route 9 in Coyote Canyon. There is about 10 acres available for withdrawal to build a gas station, convenience store, and laundry mat.
- F. Tohatchi Area of Opportunity & Services (TAOS), Tohatchi, NM - Assisting TAOS to complete a business site lease for the post office and the possibility of relocating the post office to another location. TAOS repaired the sewer problems at the existing post office.
- G. Mexican Springs Community Development Corp., Inc., Mexican Springs, NM – Collaboration meeting was held with Anslem Bitsoi for extension of their development period.
- H. ONSAT, Tse Bonito, NM – Communicating with Dawn Cody at BIA in reference to the lease termination. Interested party wants to build a hardware and lumber store on this location.
- I. Manuelito Towing, Tse Bonito, NM – A letter has been sent to Mr. & Mrs. Manuelito informing them they are past due on lease payments. Working with Accounts Receivable Section to obtain payments from the Manuelito’s.

J. Chapter Outreach:

1. Ganado Chapter: Attended a work session with Chapter Officials at Route 66 Casino on May 16, 2010. Provided updates on the current business sites and to received reports from the proposed business owners.
 - a. On June 15, 2010, staff met with Ganado Chapter Officials and Council Delegate in reference to business sites within their community. The purpose of the meeting was to inform them of all ongoing projects in their community. A meeting is tentatively scheduled for June 21, 2010 to meet with NTUA regarding the water and sewer issue.
2. Steamboat Chapter: Attended a meeting on April 15, 2010, in reference to their Management Plan
3. Ft. Defiance Chapter: On May 16, 2010, attended a Strategic Session with Chapter Officials and Council Delegates at Route 66 Casino and provided update on existing business site leases.
4. Cornfields Chapter: Staff attended a chapter planning meeting on June 2, 2010. Staff provided information the “proper way to process your business site lease”. One new entrepreneur expressed interest in doing business in hay and feed store.
5. St. Michaels Chapter: Staff met with Marjorie Tsosie, Chapter Coordinator regarding future business development in the community. Existing business sites and potential business sites were also discussed. Ms. Tsosie was to discuss these items with the Chapter officials. It was reiterated that Ft. Defiance Business Development Office is available for technical assistance and training.
6. Coyote Canyon Chapter: Staff met with Chancey Martinez, Chapter Project Manager regarding direction and vision of the community regarding business development. Mr. Martinez will meet with Chapter officials and set up another meeting in July, 2010.
7. Twin Lakes Chapter: Staff met with the Chapter Coordinator regarding future business development projects in the community. A continued meeting is set July, 2010.
8. Mexican Springs Chapter: On April 19, 2010, staff met with Chapter Coordinator to address community economic development.
9. Tohatchi Chapter: Coordinated a meeting on May 28, 2010, with NHA, TAOS, Tohatchi Chapter Officials, Council Delegates, and BIA on the possibility of obtaining BIA land and buildings for community business development. The chapter requested presentation on business site lease which is tentatively scheduled for June 26 – 27, 2010.
10. Oak Springs Chapter: On April 28, 2010 I visited the Chapter to meet with the Chapter Officials or Coordinator, however, none were present. Several business cards were left with the Office Specialist to call with any questions or concerns surrounding economic development. Also, posted flyers for the community to call regarding business interests and development.

NORTHERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

A. Aneth Chapter

1. Car Wash and Laundromat (new BSL) proposed within 5.8 acres east of US Highway 262 and north of US Highway 162 in Montezuma Creek, UT; pending letter of interest and business plan by sponsor. Supporting chapter resolution for BSLA is included on Aneth Chapter meeting agenda for 6/18/2010. Contact: John Billie
2. Utah Dineh Professional Plaza in Montezuma Creek, UT on 5.32 acres business site. Contact: Aneth CDC, Victor Dee, Executive Director; is now:
 - a. Close to completion of Phase I construction project. Utah Dineh Professional Plaza Building (“UDPP”) completed on 5/1/2010. Phase I 95% completed pending landscaping, street and fencing.
 - b. Aneth CDC Tenant Agreement finalized with NRBDO as 1st tenant with rental agreement going through the SAS process. Other prospective tenant agreement for Navajo Utah Commission still pending identification of Operating & Maintenance funds.
 - c. UDPP Grand Opening held on June 3, 2010 with 200+ people in attendance.
3. Navajo Transit System Substation in Montezuma Creek, UT on 2.21 acres. Contact: Lee Bigwater, Department Manager.
 - a. Intra-Governmental Land Use Agreement submitted for SAS process on 3/10/2010. SAS retrieved due to lack of funds by NTS pending ARRA grant.
4. Montezuma Creek Sports Complex (former Montezuma Creek Swimming Pool expired BSL) proposed to be reopened with a new BSLA. Pending updated survey and business plan from sponsor. Contact: Aneth CDC, Victor Dee.

5. Proposed Restaurant (NEW) in Montezuma Creek, UT. Pending revised survey plat, letter of interest and business plan from prospective developer.
 6. Land withdrawal for business development regarding 8.01 acres of adjacent to the Utah Dineh Professional Plaza on Main Street, Montezuma Creek, UT is pending legal survey, grazing permittee consent and chapter resolution.
 - a. This impacts existing RIM Southwest Revocable Use Permit and questionable storage of probable contaminants/debris within non-leased site. Navajo EPA Solid Waste Program was contacted to determine analysis of probable Naturally Occurring Radioactive Material, carcinogenic Benzene from hydrocarbons and other probable contaminants resulting from used oil and gas tanks, pipelines, rods, machinery, etc. stored on-site.
 - b. This impacts existing Millineum Energy storage yard within non-leased site.
- C. Dennehotso Chapter
1. Baby Rocks Convention Center (NEW) proposed in Dennehotso, AZ conceptual drawing prepared for marketing and is pending:
 - a. Environmental Review by RED and HPD.
 - b. EA submitted to BIA for FONSI clearance on 3/3/2010.
 - c. Identification of a developer.
 2. Desert Meadows Development Site (NEW) proposed in Dennehotso community proposed for ARRA Navajo Oil & Gas project, fuel station and convenience store was excluded from 1st ARRA funding submittal, but still proposed for inclusion in the 2nd submittal. Pending identification of a developer and pending settling construction ready matters such as grazing permittee(s) consent(s) and infrastructure project cost estimate. Contacts: Dennehotso Chapter; Katherine Benally/Council Delegate, Asa Begay/CLUP President
- D. Mexican Water Chapter
1. Teec Nez Iah Giant Store (current BSL) lessee seeking business site lease termination, which is on hold and pending NNEPA UST cleanup by the owner. Contact: Ray Horton
 2. Mexican Water Chapter Community and Economic Development construction ground breaking occurred on 12/21/2009. Contact: Martha Saggboy
 - a. Pending land withdrawal.
- E. Oljato Chapter
1. Oljato Trading Post BSL in Oljato, UT was verified by BIA as a legitimate BSL. Evelyn Y. Jensen, lessee, reports that the trading post business closed in 2004 due to negative earnings but operates a horse touring business from the site intermittently. This BSL is pending resolution with Ms. Jensen regarding change from a trading post business to a touring business, is pending a response from Lessee to modify or terminate lease due to noncompliance with GMAR payments. Certified letter sent to Lessee and no response.
- F. Red Mesa Chapter
1. Ratherford Recreation Complex proposed initially in 1994 is reopened with an updated supporting chapter resolution on 6/14/2010; pending land withdrawal. Contact: Herman Farley, President/Red Mesa Chapter
 2. Red Mesa Community Building proposed in the Ratherford Community; land withdrawal of one (1) acre with a completed legal survey is pending environmental assessment; condemned building on-site demolition and cleanup being coordinated by Red Mesa Chapter. Sponsor: Herman Farley
 3. Toh Gray Hill Cultural Heritage Center proposed in the Ratherford Community; land withdrawal of 4+ acres with a completed legal survey is pending environmental assessment. Sponsor: Sam Dee
- G. Teec Nos Pos Chapter
1. Four Corners Visitor Center (Former Teec Nos Pos Arts & Craft Store terminated BSL) proposed to clean up and open as a visitor center. Contact: Victor Dee, Aneth CDC
 2. Frank's Grocery and Fina Station (NEW) proposed for sale awaiting the results of the ongoing appraisal to establish sale and annual rental values. Appraisal amount provided to lessee and decision made to keep but to modify BSLA taking one of the parties off the lease and pending BSLA novation from BIA to a NN lease. Sponsor experiencing family delays in process due to circumstances beyond control and seriously delinquent GMAR to be addressed. Contact: Joseph Wilson
 3. Teec Nos Pos Travel Center Restaurant and Hotel, and Truck Stop (NEW) business site lease application and business plan pending from sponsor. Pending capital funding. Contact: Floyd Kurley.
 4. US Postal Service (Existing) tenant agreement is pending a response from USPS. Contact: BIA – SR Realty

5. Four Corners Water Resort Heritage Center (new BSLA) proposed by the Whitehorse Corporation to build a water park and resort (hotel, spa and etc) along with a heritage center on an estimated 60 acre site. Original site was disputed by grazing permittees, and sponsor seeking alternative site. Contact Wesley & Cedric Bileen and Tom & Janet Slowman-Chee
6. Teec Nos Pos Heritage Center (new BSLA) proposed by the Whitehorse Corporation to build seeking 10 acres site. Original site was disputed by grazing permittees, and sponsor seeking alternative site. Contact Wesley & Cedric Bileen and Tom & Janet Slowman-Chee

SHIPROCK REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Packaging the EA Professional Service Contract for SAS process. Contractor is in the process of obtaining minimum insurance coverage.
- B. Montano Enterprises, New BSL-add additional land for wrecking and salvage yard. Clients working with Accounts Receivable to update delinquent account.
- C. Ayani Neez, Inc., New BSL-renegotiate rental rates.
- D. Shiprock Trading Post, BSL cancellation by BIA still pending.
- E. Harry Franklin, Sr., BSL Assignment still pending BIA signature approval.
- F. Sheepspings Express, new building construction-plans, designs, contingent upon highway 491 construction.
- G. Sanostee Trading Post, BSL termination – pending Sanostee Chapter support resolution requesting to return business site to chapter. A letter requesting resolution written to chapter.
- H. Shiprock Office Partners LLC, Lease modification, waiting on Lessee and Surety to sign off on Lease Modification document to be process thru SAS, no response from Lessee.
- I. Red Rock Retailers, LLC, DBA: Shiprock Quick Stop; New BSL – collecting documents to obtain a new lease contingent upon BIA cancellation document.
- J. Mettler & LeCuyer, Lease Modification to extend lease term to be submitted thru SAS Process next quarter.
- K. Thomas Auto Service, in the process of obtaining procurement clearances for issuance of a Revocable Use Permit pending BSL, collecting necessary documents for a new business site lease under the Tribal regulations, and terminate EDC BSL approval resolution which was approved under the BIA leasing process. Lease was never signed-off by BIA due to environmental issues.
- L. That's A Burger; Novated to Tribal Regulations, now in process of Assignment Modification.
- M. AMMJ, Inc. and The Rock Storage: Novated to Tribal Regulations, now in process of Assignment Modification.
- N. AMMJ, Inc. Car Wash expansion: Novated to Tribal Regulations, now in process of Assignment Modification.
- O. Home for Women and Children #1 Novated to Tribal Regulations and Modified Lease Section E. and F.
- P. Proposed NN BSL Home for Women and Children #2: Appraisal requested.
- Q. Proposed NN BSL Toadlena Trading Post / Two Gray Hills Rug Museum, issued Revocable Use Permit, while Lease in process. On 2010 NN EPA List for UST site assessment.
- R. Proposed NN BSL Shiprock Navajo Fair, Inc.: Lease in process, survey requested; will issue Revocable-Use Permit.
- S. Proposed NN BSL Roy Badonie Mobile home Park: Upon BIA relinquishment of land will proceed.
- T. BIA BSL Truck & Travel Center: Upon BIA's review, will determine next action.
- U. BIA BSL Jimmie Garnenez, Sr.: Severally in Non-Compliance with GMAR account, need to re-survey and modify Lease. NN EPA put on FY'10 List for UST Geophysical Investigation.
- V. Proposed NN BSL to develop Hotel and Restaurant: determining survey.
- W. Proposed NN BSL to develop Café: requesting EA amendment.
- X. Working with MELP taskforce to complete policies and procedures.
- Y. Complete projected projects for 5 years.
- Z. Working with BIA Realty Office to resolve business site lease issues.
- AA. Arnold's Conoco – Working with client to assemble lease package. Client requested assistance from NNEPA to remove USTs. NNEPA to start tank removal summer 2010.
- BB. CJR Shiprock Properties (Strip Mall) – Working with client to assemble lease package.
- CC. Design Data Solutions – Working with client to assemble lease package.
- DD. Lester Wilson & Irma Henderson – Business Site Lease is at BIA pending a judgment of responsibility for UST clean-up at business site and water rights claim by applicant.
- EE. Rena Martin – Submitted Business Site Lease through to Real Estate Department.
- FF. White Mesa Materials – Submitted Business Site Lease to BIA for approval. BIA waiting for insurance documents. Requested letter to show cause from BIA.

WESTERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Business Site Lease (BSL) for clients @ RBDO
1. Anderson, Michael New Lease
 2. Barney Enterprrie, L.L.C. New Lease-Completed
 3. Bitsoie, Julie New Lease
 4. Bigthumb, Tracy New Lease
 5. Blue Sage Ventures L.L.C. New Lease
 6. Begay, Myra A. New Lease
 7. Bennett, Kew L. Lease Termination
 8. Giant Four Corners (Tuba City) Lease Amendment (Acreage)
 9. Glen Canyon Nativeland Adventures New Lease
 10. Harris, Tincer & Lisa New Lease
 11. Holgate, Carol H. Revocable Use Permit
 12. Junction Enterprises, Inc. Lease Modification – Rental
 13. Keetso, Gerald & Leslie Lease Termination
 14. Kew Bennett Lease Termination
 15. Martinez, Deborah Lease Modification-Novation
 16. Martinez, Deborah Collateral Assignment of Lease
 17. Martinez, Deborah New Lease
 18. Mike, Richard (Cameron) BSL Assignment
 19. Mike, Richard (Kayenta) BSL Modification
 20. Nelson, Michael Enterprises, Inc. New Lease
 21. Redd, Shawn Mutual Termination of Lease
 22. Southwest Trading Log Homes New Lease
 23. Tallsalt, Daniel & Matilda Lease Amendment (Acreage)
 24. Tsingine, Walter New Lease-Completed
 25. Tuba City Express BSL Renewal
 26. Western Sunshine, Inc. Unilateral Lease Termination
 27. Alex Riggs, Sr. New Lease
 28. Alvin Tso New Lease
 29. Western Indian Ministries, Inc. Lease Agreement
- B. Land Withdrawal Transactions
1. Coalmine Canyon- 13+ & 18+ acres, commercial/light industrial – Completed, pending funding.
 2. Gap – commercial, 100 acres. NN RED is doing the archy. survey/report.
 3. Tuba City – commercial, 1 and ½ acres - pending
 4. Kaibeto Chapter – commercial/tourism, 10 acres & 8 acres. Completed and Chapter seeking technical assistance for the master plan.
 5. Bodaway/Gap Echo Cliff Veteran’s Park – Completed.
 6. Ned Yazzie Community Development Project – land withdrawal at Black Mesa. No further activity.
 7. Tonalea Chapter – Land Withdrawal completed. Chapter seeking funding for master plan.
 8. Chilchinbeto Commercial Site – Completed, development of infrastructure is in process with AML Funds and Chapter Funds.
- C. BSL pending at NN President’s Office
1. None – All BSL submitted have been signed by NN President or NN V-President.
- D. BSL and Land Withdrawals approved by NN President’s Office
Business Site Lease for Barney Enterprise, L.L.C. was approved by NN Vice-President on 05-07-10.
- E. NN Real Estate & BIA BSL Pending
1. Tauna Ashcroft, Crossroads T.P., Inscription House, Arizona, Lease Modification (Novation) (recording at BIA)
 2. Crossroads Convenience Stores, Inscription, Arizona, BSL Assignment (recording at BIA)
 3. Giant Industries, Inc., Gap T.P., Gap, Arizona, Lease Modification (Novation) (recording at BIA).
 4. Giant Industries, Inc., Tuba City, Arizona, BSL Assignment (recording at BIA)
 5. Giant Industries, Inc., Tuba City, Arizona, Lease Modification (Land survey) (recording at BIA)
 6. Junction Enterprise, Inc., Cameron, Arizona, Lease Modification (Novation) (recording at BIA)
 7. Junction Enterprise, Inc., Cameron, Arizona, Lease Modification (Rental) (recording at BIA)

8. Red Mesa Trading Co., Inc., Gap T.P., Lease Assignment (recording at BIA)
 9. Thriftway Marketing Corp., Tuba City, Arizona, BSL Modification (Novation), (recording at BIA).
 10. Thriftway Marketing Corp., Tuba City, Arizona, BSL Assignment (recording at BIA)
 11. Lorenzo Fowler, old Cowsprings T.P., Tonalea, Arizona, new Lease (& recording at BIA)
 12. Roy & Marlene Walters, Cameron, Arizona. Lease Modification (Novation)
 13. (recording at BIA).
 14. Western Sunshine, Inc., Cameron, Arizona. Unilateral Lease Termination (recording at BIA)
 15. Western Indian Ministries
 16. Walter Tsingine dba Nativeland Solar & Wind Energy Power, Inc., LeChee, Arizona. New Lease (pending at NN RES; recording)
 17. Unilateral Termination of Lease no. TC-96-159 between the Navajo Nation & Royal Churchill, dba Chief Propane, Kayenta, Arizona (at BIA for signature of Secretary of Interior)
 18. Unilateral Termination of Lease no. TC-04-216 between the Navajo Nation & Dine Propane, Inc., located on Shonto Commercial & Light industrial site (at BIA for signature of Secretary of Interior)
 19. Lease Modification (Novation) of Lease no. TC-86-109 for Stan & Maxine Patterson, Kaibeto, Arizona (recording at BIA).
 20. Lease Assignment for Lisa & Tincer Harris, Kaibeto, Arizona (recording at BIA)
 21. Red Mesa Trading Company, Inc., Gap T.P., Gap, Arizona. (TC-99-190) (recording at BIA)
 22. Submitted Barney Enterprise, L.L.C. business site lease to NN Real Estate Office for recording.
- G. BSL – Approved by BIA for recording - Completed
1. 04-02-10 Received approved Business Site Lease NN-TC-08-0023 for Nativeland Solar & Wind Energy, Inc. Business located in LeChee, AZ.
- H. NBP Certification or Recertification Approved and Completed
1. 05-21-10 ITL, Inc., Cameron, Az. - Recertification.

WHIPPOORWILL REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Conducted # of workshops/training/Chapter presentations:
1. 04/08/10; Navajo Business Taxation, Navajo Tax Commission
 2. 05/13/10; Presentation at Ganado High School
 3. 05/20/10; Incorporation and Business Planning, WESSTCorp
 5. 03/26/10; Orientate new CLUPc members-Indian Wells
- B. Meetings Attended (Chapter, Planning, CLUP, Others):
1. 04/01/10; Project mtg w/Whippoorwill CLUPC & CSC
 2. 04/02/10; Navajo-Hopi Land Commission
 3. 04/05/10; Blue Gap Planning meeting
 4. 04/07/10; Low Mountain Planning Meeting
 5. 04/09/10; Indian Wells Bid Opening meeting
 6. 04/13/10; Defiance OEH with David Tibbs
 7. 04/15/10; Dilkon Chapter Meeting
 8. 04/20/10; Jeddito Strategic Planning Meeting
 9. 04/22/10; Central Navajo Fair Board Meeting
 10. 04/28/10; Forest Lake Chapter Meeting
 11. 04/30/10; Whippoorwill Spring CLUPC
 12. 05/03/10; Pinon Planning meeting
 13. 05/05/10; Navajo-Hopi Land Commission
 14. 05/06/10; Site Meeting-Former McGee
 15. 05/10/10; Site Inspection Mtg-Former Low Mountain TP
 16. 05/10/10; Pinon Chapter Meeting (Becks Traders)
 17. 05/11/10; Jeddito CLUP meeting Tony
 18. 05/11/10; Whippoorwill Spring CLUPC
 19. 05/12-14/10; Business Site Lease Review
 20. 05/19/10; EDC meeting
 21. 06/04/10; Jeddito Planning Meeting
 22. 06/04/10; Indian Wells Chapter Officials Meeting
 23. 06/07/10; Pinon Planning meeting

24. 06/07/10; Pinon CLUPC mtg
 25. 06/08/10; Whippoorwill CLUPC
 26. 06/14/10; Pinon Chapter Meeting
- C. BSL/Permit Transactions Reviewed & Package:
1. William Singer – Submitted lease and sublease to be novated; pending updated procurement clearances.
 2. Dilkon Thriftway – sublease modification pending the novation approval.
 3. Dilkon Trading Post Matilda Haskan – New BSL documents being compiled by Client and RBDO. Client operating on Emergency Operating Agreement.
 4. Jeddito Commercial Site Development – 15 acres Land-withdrawal was approved by EDC and signed by Navajo Nation President.
 5. Rocky Ridge General Store – Mutual lease termination ceased until lessee complies with current tank inspection and compliance letter is issued. Navajo EPA working with Spencer O'dell in getting the testing underway.
 6. Hoosh Doo Dii To Solid Waste-Five acre land-withdrawal approved by EDC and signed by Navajo Nation President.
- D. Business Proposals/Plans/Site Development/Contracts Assisted:
1. Beck's Traders – Base lease is complete and distributed. Sublease with US Postal Service currently at Real Estate Department for recording purposes.
 2. Dilkon Trading Post, Client completed her Business Plan. Working on packaging a business site lease.
 3. Jeddito Commercial Site Development-On April 7, 2010 EDC approved land withdrawal of 15 acres, President signed off. Currently submitted to BIA for recording.
 4. Former McGee's Trading Post – Site Assessment Performed on May 6, 2010 by Paul Jones, Ecology & Environmental, Inc. of Oakland, Calif. USEPA Region 9.
 5. Former Low Mountain Trading Post – Ironhorse Environmental Services, Inc. contract work performed and completed as indicated in the Scope of Work, inspected by Program Manager, Tony Little. Contract paid out.
 6. Michael Nelson & Associates – Lessee requested for BSL novation & renewal. Returned to Whippoorwill RBDO per DOJ's recommendation to pursue a new lease. UST compliance/inspection still needs to take place.
 7. Navajo Oil & Gas Company - BSL No. CH-03-126, dba: Blue Gap TP has been submitted for lease modification, (SAS 3827).
 27. 8. Indian Wells Junction Commercial Development – Indian Wells Chapter hired consultant ETC, Inc. to perform the studies for sewer, septic or lagoon for the Indian Wells Commercial Development. Contract being prepared by the Indian Wells Chapter and will be submitted through the SAS process.
- E. Business Certification/Corporation Packages:
1. Robert Ben, Dineh Concrete Company, Inc.-assist with research for preparation of testing for licensing requirements.
 2. SAS#3824-BSL Novation for Giant Four Corners, Inc. Dilkon Thriftway.
 3. SAS#3826-BSL Novation for NN Oil & Gas, Inc.
 4. SAS#3827-BSL Novation & Lease re-newal for Micheal Nelson Assc., Inc.
 5. SAS#3823-BSL Modification for Giant Four Corners, Inc. Dilkon Store.
- F. Loan Package Completed:
1. None completed. Clients lose interest after learning criteria and process.
- G. Number of Jobs Created (Total of sixty-three):
- | | |
|--|--------------------|
| 1. Navajo Nation Oil & Gas-Blue Gap | 10 |
| 2. U.S. Postal Service – Pinon | 3 |
| 3. Rocky Ridge General Store - Hardrock | 3 |
| 4. Hoosh Doo Dii To Development, Inc. - Whippoorwill | 2 |
| 5. Giant Store – White Cone | 13 |
| 6. Mustang Store – Dilkon | 9 |
| 7. True Value – Dilkon | 5 |
| 8. Church's Chicken – Dilkon | 9 |
| 9. Historic Bitahochee Trading Post, Inc. | 1 |
| 10. Barton's Southwest Builders, Inc. - Dilkon | 2 (Perm.) 6 (temp) |

V. STATUS OF ACTION PLAN (A, B AND C LISTS)STATUS OF

SUPPORT SERVICES DEPARTMENT

1. Developing FY2010 Fourth Quarter Work Plans by each individual staff.

PROJECT DEVELOPMENT DEPARTMENT

1. Continue to administer the development of New Lands Shopping Center, Ganado Shopping Center and Rubber Gloves Manufacturing Facility and other projects.
2. Continue to provide technical assistance to the DED staff, Navajo Nation Chapters and private individuals.

SMALL BUSINESS DEVELOPMENT/REGIONAL BUSINESS DEVELOPMENT OFFICES

- A. For A,B,C Priority list, refer to Attachment "B"

VI. OUTSTANDING PROGRAM ISSUESVI. OUTSTANDING PROGRAM

SUPPORT SERVICES DEPARTMENT

- A. Fleet Management Vehicle Citations. The general public notifies Fleet Management of Navajo Nation vehicle alleged traffic infractions, which more or less has not deterred frequency of Fleet Management reports to the division. Most public reports are unsubstantiated and often result in additional work to justify or counter the public's claim of an alleged traffic infraction. Program is not certain as to whether Fleet management's Public Claim Program is effective to the Navajo Nation.
- B. Vacant Position. Not applicable. All positions occupied.

PROJECT DEVELOPMENT DEPARTMENT

- A. Continue to plan and develop the economic development projects and activities although lack of adequate funds.
- B. The Department of Justice has involved Design and Engineer Service into the preparation of AIA documents and contracts for architects, contractors, engineers and it has delayed the start of various projects and designs and constructions.
- C. Delay in the processing of contractor's pay requests has delayed the shopping center infrastructure work. The companies fabricating the equipment require an advance payment before the work begins. The contractor's payroll for the employees was also delayed.

SMALL BUSINESS DEVELOPMENT DEPARTMENT:

- A. Procurement Clearances; clearances are requested from a total of five office; however, programs have come across where requests are not answered until weeks later. This process heds the process for Contracts and Leases when they need to be presented to Committees of the Navajo Nation Council and the Division's Approving Committee.
- B. Professional Service Contracts/Insurance Requirements, the new contract policy requiring insurance by the Contractor has proved cumbersome. Risk Management is not prompt with their feedback, and the premium rate for the Contract is too expensive for a small scale project.

CHINLE REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Lack of funding for the cleanup work and site improvements of the business sites.
- B. We need the policies and procedures for the BIDF Loan Programs, MELP and small business loan, amended as soon as possible.

EASTERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Because of insufficient FY2010 Budget for proposed projects, ERBDO is continuously seeking outside funding sources to supplement tribal budget.

FT. DEFIANCE REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Staff working on Request for Proposal for five business site survey.

NORTHERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. There are overlapping and duplication of services by various DED departments.

SHIPROCK REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. No actions on pending Leases by BIA Real Estate Office.
- B. BIA leases needing action are years overdue, such as GMAR delinquencies, compliances, etc.
- C. Navajo Nation Real Estate office is frequently exhibiting misunderstanding of various processes on Navajo Nation Leasing.
- D. RED still not understanding leasing process.
- E. New Professional Service Contract process is cumbersome and stops development of projects.
- F. Navajo small businesses cannot meet strict insurance requirements for new Navajo Nation professional service contracts.
- G. Training needed to understand Risk Management's risk assessment process and requirements.

WESTERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. MELP Guideline is still being addressed for revisions by Task Group.
- B. Tuba City RBDO Budget is depleting. Budget for Office Space Rental is
- C. Down to \$1.57. Requested for assistance with Office Space Rental payment, Personal Travel, and Office Supply to DED Administration.

WHIPPOORWILL REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. SAS 3814-Land Withdrawal for Jeddito Commercial Site Development has been completed. Sent to Bureau of Indian Affairs, Dawn Cody, for recording.
- B. Office Assistant, Sonya Begay, attended RecordKeeping Training in Flagstaff.
- C. FMIS Training in Window Rock on April 6-7, 2010 were attended by Bertina Preston, EDS and Sonya Begay, Office Specialist. Both passed the test and received passwords to access FMIS System.
- D. SAS 3850-Five acre land-withdrawal approved by EDC and signed by Navajo Nation President.
- E. SAS 3825-Professional Service Contract with IronHorse, Inc is completed.
- F. Paul Jones, Ecology & Environmental, Inc. of Oakland, CA and Region 9 EPA completed site assessment at the Former McGee Trading Post as a procedure to the Brownsville's application for site clean-up with Navajo Nation EPA Superfund Program.

VII. PROBLEMS AND RECOMMENDATIONS. OUTSTANDING

PROJECT DEVELOPMENT

1. Timely payments for services are required to implement the planning and development process. Delayed payments have detrimentally affected the business relationships with clients.
2. A need for more funding for development projects continue to exist and possibly identifying a source of revenue stream of economic development projects and activities.
3. The SAS process to approve and execute contracts and agreements is still time consuming that ultimately affects the planning and development process.

REAL ESTATE

- A. Research and address the complaints that exist with business clients, RBDO's and BIA.

- B. Look into issues that affect Navajo Land Real Estate and work to improve them.
- C. Lease Compliance needs to be promoted and support needs to be generated in order to make it work.
- A. Real Estate needs to meet with project sponsors often to establish a better working relationship to exchange good result.
- B. Request for specialized training in the compliance area, to cover areas lacking in inspections such as radon, asbestos, mold, and other construction problem areas.
- D. Request for upgrades in compliance requirements, code implementation, and capability in areas such as ADA, OSHA, Building Codes, Risk Management, Etc.

SMALL BUSINESS DEVELOPMENT DEPARTMENT:

- A. None

CHINLE REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Several chapters are experiencing hardship with grazing permittees not willing to relinquish any land for commercial development. The chapters have Community Land Use Planning Committees but they are also at the mercy of the grazing permittees.
- B. Continue to attend Chapter Planning Meetings, Community Land Use Planning meetings, Agency meetings, and other meetings to promote economic development in the local communities.
- C. Continue to schedule workshops, trainings, and seminars.
- D. Continue to make presentations on the NN Business Site Lease Management Plan to Chapters and their CLUP members as well as to the general public
- E. Schedule more public workshops, trainings, and seminars.
- F. Involve the community members to participate in any event the Chinle RBDO sponsors with the use of flyers and newspapers.

EASTERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. The new protocol for AIA contracts by DOJ is an impediment on progress of projects.
- B. Match funds are needed for projects in the RBDO areas. ERBDO recommends EDC members be more aggressive in securing tribal funds for DED projects, as seed or leverage funds. This includes undesignated unreserved funds available during council sessions.

FT. DEFIANCE REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. None

NORTHERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. The DED Plan of Operations need to be reviewed and revised to align functional duties and responsibilities for each department within DED.

SHIPROCK REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Contacted BIA Real Estate Office for status of pending Leases.
- B. Recommending Tribal Regulations review where needed.
- C. Risk Management's Minimum Insurance-Time delay in getting this information for contracts. Risk Management to develop minimum requirements.
- D. Navajo small businesses cannot meet strict insurance requirements for new Navajo Nation professional service contracts/Allow more projects to be funded by purchase orders; Streamline risk assessment process with Risk Management.

WESTERN REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Program Budget is depleting, recommendation is to have other offices or programs assist with operating expenses on a limited basis.

WHIPPOORWILL REGIONAL BUSINESS DEVELOPMENT OFFICE:

- A. Problem 1: Quarterly Meeting NOT being addressed.

Recommendation 1: Quarterly Meeting is requested to ascertain that regulations, policies, guidelines are being implemented uniformly throughout each RBDO. The meeting also promotes effective work culture, teamwork, and group morale.

DIVISION OF
GENERAL SERVICES



VIRGIL BROWN, JR.
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DIVISION OF GENERAL SERVICES
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. Program Information

Division Executive Director: Virgil Brown, Jr.
 Telephone No.: 928-871-6311
 Facsimile No: 928-871-7620
 Web Address: www.dgs.navajo.org

Departments:

Air Transportation Services	Adriel Heisey, Director
Information Technology	Harold Skow, Director
Employee Housing Program	Kimberly Houston, Program Supervisor I
Facilities Maintenance	Marcus Tulley, Department Manager III
Fleet Management	Ben Manuelito, Jr., Department Manager III
Insurance Services	Jefferson Tsosie, Department Manager III
Navajo Nation Telecommunication & Utilities	Pearl Lee, Program Manager I
Navajo Transit System	Lee V. Bigwater, Department Manager III
Records Management	Darren Tungovia, Program Supervisor I

II. Budget / Performance Information:

A. Funding and Expenditure

1. Division of General Services B Administration:

Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
General/Total	4	1	259,044	75%	78,324	74%

2. Air Transportation Services Department:

Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
General	6	2	595,393	75%	151,112	55%
Proprietary-Revised	-0-	-0-	-0-	-0-	1,200,000	62%
Revised Total	6	2	595,393	75%	1,351,112	59%

3. Department of Information Technology:

Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
General/Total	21	2	1,303,913	57%	346,275	60%

4. Employee Housing Program:

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Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
Proprietary/Total	10	4	398,550	71%	301,450	77%

5. Facilities Maintenance Department:

Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
General/Total	58	23	2,037,403	61%	758,925	78%

6. Fleet Management Department:

Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
Proprietary/Total	71	21	1,980,599	60%	5,032,523	37%

7. Insurance Services Department:

Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
General	4	1	251,811	51%	117,173	45%
Proprietary	16	2	718,355	61%	660,047	71%
Premiums	-0-	-0-	-0-	0%	2,014,976	0%
Fiduciary	8	2	409,805	68%	1,658,010	89%
Total	28	8	1,379,971	60%	4,450,206	68%

8. Navajo Nation Telecommunications and Utilities Department:

Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
General	11	2	489,894	64%	80,706	58%
Fixed Costs	-0-	-0-	-0-		6,309,247	58%
Total	11	2	489,894	64%	6,389,953	58%

9. Navajo Transit System:

Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
General	5	1	0	0%	0	0%
External-State	25	0	1,116,620	17%	725,938	18%
External -	0	0	0	0%	4,625,080	1%

ARRA						
Total	30	1	1,325,499	17%	5,351,018	3%

10. Records Management Department:

Funding Source	# of Personnel	# of Vehicle(s)	FY= 2010 Personnel	% Used	FY= 2010 Operating	% Used
General	8	1	\$246,605	67%	\$77,343	52%
Proprietary	7	-0-	\$177,675	65%	\$828,770	47%
Total	15	1	\$424,280	66%	\$906,113	50%

B. Program Performance Results (*BUDGET FORM 2 ~ ATTACHMENTS*)

III. Accomplishments:

A. Division of General Services B Administration (DGS):

- DGS was instrumental in planning and suggesting ideas of how to approach the Strategic Work Session with DGS staff. The three day Strategic Work Session with Valiant Consultant, Mr. Mike Canfield, and the 40+ DGS managers and supervisors was held at Buffalo Thunder Resort north of Santa Fe, New Mexico. The objective for the Division is to have leadership, vision and planning for each of the departments for next year and on. Everyone participated from each of the departments which resulted in a very successful strategic work session.
- Division Director joined the Manager and staff of Department of Telecommunications and Utilities at their Strategic Work Session in Albuquerque, New Mexico.
- Division Director was instrumental in helping to get Legislation No. 0751-09 passed, approving a 3-year extension for HMA, INC., when Navajo Nation Council convened on April 20, 2010.

B. Air Transportation Services Department:

- Routine on-going maintenance on three aircraft.
- Order for official survey of airport perimeter fence.
- Meeting with NDOT to begin streamlining of FAA airport grant process.
- Research into security system for airport is underway.

C. Department of Information Technology (DIT):

- DIT submitted for funding in the amount of \$13,880,140.00 from the American Recovery and Reinvestment Act (ARRA) of 2009. \$10,931,249.00 was requested from the federal organization and \$2,948,891.00 is deemed as matching funds from the Navajo Nation.
- 163 calls responded to in support for NN desktop environment.
- 121 calls responded to in support of NN network environment.
- Responded to 493 calls in support of server maintenance, Database and Website development and maintenance, Software production and maintenance and administrative duties associated with software changes.
- DIT continues to provide IT support for the Reapportionment Hearings scheduled by the Navajo Nation President's Reapportionment Task Force.
- DIT is working with the developed Corrective Action Plan (CAP) submitted in response to the audit findings by Joseph Eve consulting.
- DIT finished installation for the NNIJISP Shiprock project fiber optic infrastructure cabling.
- SharePoint sites and demos were created for the Judicial Liaison Site and the Staff Development and Training Center site.
- During asbestos abatement in the DIT building we were still able to meet the requests of the NN workforce despite being shut down for a week and a half.

- D. Employee Housing Program (EHP):
1. Completed four (4) housing unit renovations.
 2. Installed alarm systems within three (3) housing units.
 3. Installed double panel storm windows at three (3) housing units.
 4. Staff has been attending various trainings to gain more knowledge and skills and new technology.
 5. EHP resubmitted to the DOJ the approved revised Navajo Nation Employee Housing Rules and Regulations and Employee Pet Policy for further review. The Rules and Regulations were previously reviewed by DOJ.
 6. Staff has filled pot holes within the residential areas of Employee Housing, which included Manuelito Drive, Tribal Hill Drive and Chee Dodge Drive.
- E. Facilities Maintenance Department:
1. Implemented and enforced bi-weekly safety meetings for all staff to ensure worksite safety practices.
 2. 12 roofing repairs were completed this quarter, due to snow and wind storm damage.
 3. Repaired electrical wiring for the Staff Development and Training Center.
 4. Pest Control services are in progress until September 23, 2010, for 262 buildings throughout Navajo Nation.
 5. Renovation of WR Fleet Management pumping station was completed.
 6. Complete renovation of the Public Safety Traffic Enforcement section building.
 7. Tohatchi EMS office sewer system upgrade was completed.
 8. Participated in pre-bid conferences in Kayenta and Window Rock for energy audit grants.
- F. Fleet Management Department:
1. The MVRB Sub-Committee consisting of three members reviewed 139 Navajo Nation Vehicle Abuse/Misuse Complaints. The MVRB issued 17 Notices to Appear for the April meeting, ten for May, and three for June; 30 Notices to Appear were issued to Supervisors and affected employees due to lack of response on NN Vehicle Abuse/Misuse Complaints previously filed.
 2. The Fleet Safety Committee met in May and leadership role was taken over by the Vice-Chairperson. Review of Plan of Operation and Fleet Safety Rules and Regulations have been discussed to consider amending both documents.
- G. Insurance Services Department (ISD):
1. Navajo Nation Council convened on April 20, 2010 and passed Legislation No. 0751-09 approving a 3-year extension for HMA, Inc.
- Employee Benefit Program (EBP):
1. Two (2) program staff have taken an on-online web-seminar regarding the recent Health Care Reform legislation; gained knowledge on how the changes impact and affect on the Navajo Nation Employee Benefits Plan.
 2. Presentation and work session conducted to the Navajo Nation Council regarding Health Management Associates (HMA, Inc.) contract extension. On April 20, 2010, the Navajo Nation Council approved the three (3) year contract extension of HMA Inc., not to exceed December 31, 2014, with the appropriate amendments to the scope of work and administrative agreement.
 3. The program has served 3,342 clients during this quarter, 17 orientations were conducted.
- Employee Assistance Program (EAP):
1. EAP referred 16 individuals to Alliance for the Quarterly reporting period.
 2. This Quarter EAP had 40 counseling sessions in-house, 2 sent for alcohol treatment to Keystone and 11 referred to Alliance.
 3. Contractual agreement between Navajo Nation and Alliance was approved for the purposes of providing EAP.
- Safety Loss Control Program (SLCP):
1. Safety conducted 30 of 24 planned safety awareness presentations: exceeded by 125% of objective.

2. Safety conducted 35 of 60 planned building inspections: met 58% of objective.
3. Safety conducted 159 of 120 of planned loss assessments: exceeded by 133% of objective.
4. Safety conducted twenty (30) safety training to programs and an overall total of 396 employees trained.

Risk Management (RMP):

1. At the direction of Government Services Committee, RMP selected MARSH as broker of record and are now negotiating the professional service contract.
2. Actuary study has been completed but is awaiting presentation to the Commission for acceptance. In that report, recommendations for premium levels were received. Those amounts have been incorporated into the BIPM and are currently awaiting NNIC approval.

Risk Management (RMP):

3. AJG Loss Control came and spent one and half days with SLCP regarding loss control inspections, loss control issues, discuss vision, set some goals and objectives. The session was very helpful to staff to understand the importance of loss control and proper reporting.
4. Almost all renewal information has been submitted and forwarded to both AJG and MARSH. Based on the effective date of the contract, one will be responsible for marketing the insurance for the Nation. A meeting was held to discuss all the details of transition and renewal, which are primary and need immediate attention. All information required was provided to MARSH from AJG. Transition seems to be going smoothly.
5. Meetings were held with the Casino liability underwriter and the Pool's general liability underwriter. Both meetings went well and were very informational and beneficial for both the Nation and the Carrier.
6. All data from the server has been retrieved and is currently being reviewed by David Corporation to determine if it's ok to use and reinstall back onto the server.

Workers' Compensation (WCP):

1. The program continues its work on the revision of the Workers' Compensation Act. All sections have been reviewed for applicability to claims filed by covered injured participants. The revision process is towards the end of the project. The final work that still needs to be done is to review each section for completion of the final draft.
2. The program completed and recommends inclusion of a Return to Work provision, Medical Cost Containment and Safety provision. The Traditional Healing Policy will be handled separately on the advice of a member of the Medicine Man's Association.
3. The finalized Workers' Compensation Act will be presented to the Navajo Nation Council in a work session the week of September 20, 2010.

H. Navajo Nation Telecommunication & Utilities (NNTU):

1. NNTU staff secured quote from ThyssenKrupp Elevator to upgrade elevator for the amount of \$45,460 for the inoperable elevator in Administration Building Number One. The SAS document in process.
2. NNTU Radio Technician completed the following activities, upgraded 30 portable radios with current version flash code, DSP and personality, and installed 8 mobile radios to Navajo Division of Public Safety (NDPS) fleet and 16 radios for Water Resources.
 - Processed request to convert FCC licenses to Narrow Band emission.
 - We have received Window Rock NPD radio licenses for Klagehoh and Toyey sites
 - Completed the radio relocation at Dilkon NPD dispatch center
 - Attended Harris M7100 and P7100 radio training in Lynchburg, VA.
3. Implemented a current IT for NNTU's LAN hardware completed on February 26, 2010. New server, desktops and UPS installed and are in working order.
4. Conducted energy conservation activities on Earth Day 2010 and Law Day 2010.
5. Policy and Procedures amendments completed for Utilities, Wireless, and Two-way Radio, Telecommunication and will be submitted through SAS review next month.
6. Request for proposal issued in April 2010 for energy audit assessment and retrofit. Bids received and evaluation completed. Awards made to Eaton Corporation, Heritage Green and Rock Gap-Patrick.

7. Request for Proposal for telecommunications services and network equipment for awarded to AT&T for data services and Qwest for voice services. Kick off conference call held with Qwest to discuss tasks for transition of voice services from AT&T.
- I. Navajo Transit Systems (NTS):
1. Submitted Bus Specifications, and RDP and MVRB certification for Arizona ARRA Funds to purchase Transit buses.
 2. Submitted Specifications for 2 Coaches for New Mexico ARRA fund.
 3. Submitted Specifications for 2 midsize buses for Utah ARRA fund.
 4. Maintenance and Repairs to date have been completed in a systematic order; this is factored by from minor to major repairs.
 5. Send most of our major repairs back to manufactures for warranty repairs; in turn NTS has not incurred any large repair bills. In one instance, NTS got refunded of \$1,700.00 on a repair on transmission.
 6. With the issue of recalls NTS fleet is up to date; all issues were resolved at vendor and manufactures.
 7. To date, shop personnel have attended Bus Safety Training, ADA Wheelchair Operation, Air Brake Inspection with ABS system & maintenance of Air Brakes, Walk Around Inspection Training, and Strategic Planning Work Session, which all have been informative and beneficial.
 8. Update specifications Mid Size and coach Size buses to benefit NTS.
 9. Validated FY2009 NTD Rural Transit Report.
 10. Finalized FY2011 ADOT/NMDOT Award budget and attended TEAM/ECHO Training.
- J. Records Management Department (RMD):
1. Records Management Department was rated on a priority listing by the New Mexico Historical Archive Panel at No. 03 for services for historical record preservation.
 2. Department has been able to provide the US Census Bureau with services in destruction and waste management of official census documents.
 3. Completed its revision to the department's plan of operations as of May 28, 2010. Sponsorship by a member of the Government Services Committee is pending, a work-session date is being planned to orientate the Oversight Committee on the changes of the department's plan of operations.
 4. Completed its revision to the department's fund management plan as of May 28, 2010. Significant changes include the incorporation of six (6) specialized services that will be available FY2011. Sponsorship by a member of the Government Services Committee is pending, a work-session date is being planned to orientate the Oversight Committee on the changes of the department's fund management plan.
 5. Held its Semi-Annual Review in April 2010 addressing the following areas: Department Performance Measurements 2009 v. 2010, Plan of Operations – Revision, Fund Management Plan – Revision, and Policies and Procedures Manual – New.
 6. Held its quarterly Training which is open to all Navajo Nation Branches, entities and enterprises as outlined in the department Budget Form 2 – Program Performance Measurements and Criteria. Attendance for the training was full to capacity and had representatives from all branches and some enterprises.
 7. Completed the development of its Strategic Plan which was initiated on October 01, 2009; as of May 2010, 90% of the development stages of the plan had been completed or nearing completion.
 8. Conducted inventory on all Xerox Equipment leased to Navajo Nation branches, divisions, departments, programs and offices were conducted on April 19-30, 2010. All Navajo Nation Agencies were visited to ensure that leased equipment was properly maintained as outlined in the Contract Agreement with the Xerox Corporation and there were no reports of damage, missing, or abuse of any equipment that are leased by RMD.

IV. Status of On-Going Projects, Initiatives and COA=s:

- A. Division of General Services (DGS) B Administration:
1. The Division Director is constantly assisting other departments with issues, concerns and ideas for improvement.

2. The Division Director continues to work with Worker's Compensation Program, Risk Management and Safety Loss Program with their ongoing efforts and implementation of recommendations made by Auditor General.
 3. The Division Director continues to assist and advise staff with Department of Information Technology's performance audit.
- A. Division of General Services (DGS) B Administration:
4. The Division Director continues to attend many activities and meetings this quarter on and off the Navajo Nation on behalf of the Division of General Services.
 5. DGS administration staff strives to uphold excellence in daily operations, duties and responsibilities, completing all tasks and other important business activities on behalf of the Division and the Navajo Nation.
 6. DGS Director and Staff continue to emphasize and demonstrate professionalism with all of the offices and departments of the Division and also advises, directs and supports all of the programs and departments to meet expectations, goals and objectives for this quarter. In addition, the Division Director continues to have a very good working relationship with other divisions, legislative offices, standing committees, other entities within the Navajo Nation and the private sector (companies) our business partners.
 7. This division and its departments and programs have NO COA's this Fiscal Year.
- B. Air Transportation Services Department:
1. A recent interest on Phase II of airport reconstruction by NDOT.
 2. Re-paving of the airport parking lot is on hold, this project is directly tied to the Phase II airport reconstruction project.
 3. Replacement of the Window Rock Airport lighting system is currently held up by Contract Administration's review of the FAA grant.
 4. Hot Section inspection of both engines on N200GS is currently stalled due to DOJ requirements.
 5. Payment of invoice for 10,000-cycle inspection of N740P is currently stalled due to DOJ requirements.
- C. Department of Information Technology (DIT):
1. In the process of requesting Internet Numbers from the American Registry for Internet Number (ARIN) organization for the Navajo Nation government and chapters.
 2. Convert all Head Start sites and agencies to the Navajo Nation network or to DSL services from Frontier Communication.
 3. Continuous training of DIT employees on the latest technology through the use of SKILLSETS on-line training.
 4. Perform planned backup & recovery process & procedures for WSSP 2003 and servers.
 5. Develop MOSS 2007 website & migration of SharePoint 2.0 to SharePoint 3.0.
 6. Continue to maintain and develop SharePoint portal, Websites, and Servers. (i.e., Navajo, NNITS, DIT, DGS, Judicial and NEMS)
 7. Continuous researching, working, developing, implementing, demonstrating, troubleshooting, supporting and maintaining Windows SharePoint Portal & Share Point Services 2003 (WSSP 2003), SQL servers/databases 2003 & 2005, Active Directory, Exchange Server & the Tanberg Content Server, continuous building of virtual servers for projects assigned, and using these servers as tools for software development.
 8. Preparing for the next NN IT Summit.
- D. Employee Housing Program (EHP):
1. Installing alarm systems at housing units at the request of tenants.
 2. Installing double panel storm windows as work load permits.
- E. Facilities Maintenance Department (FMD):
1. Continue to coordinate with NNTU to implement and install energy efficient lighting systems for all tribal buildings.
 2. Continue to conduct building assessments to determine energy and provide recommendations

- on improvements utilizing grants made available to the Navajo Nation.
3. Provide technical support towards the planning and implementation of the following projects as needed; Comply with the Navajo Nation Consent Decree to provide repairs and maintenance to all Navajo Nation Correctional Facilities 24 hours a day, 7 days a week; Local Empowerment Program; Implementation of preventive maintenance program for all tribally owned buildings and facilities to prolong the life and use of the buildings; and standardization of all building material and equipment.
- F. Fleet Management Department:
1. Wright Express Fuel Card usage is being continuously monitored due to unauthorized transactions.
 2. Regular Motor Vehicle Review Board meetings scheduled each month.
 3. Regular Fleet Management Safety Committee meetings schedules each month.
 4. Regular daily and monthly Underground Storage Tank record-keeping and tank tightness testing for US and NN EPA requirements.
 5. Continue vehicle service maintenance agreements with third parties.
 6. Coordinating disposal of vehicles to be updated on the RTA fleet management software for work orders and other fleet data uses.
- G. Insurance Services Department (ISD):
1. Anticipating new ISD website before September 30, 2010 for all program departments.
- Risk Management Program (RMP):
1. Corrective Action Plan (CAP) is being implemented regarding Audit conducted on the Program. The Program is continuing to proceed with completing the CAP. All items of the CAP have been fully implemented.
- Safety Loss Control Program (SLCP):
1. SLCP updated Correct Action Plan (CAP) and waiting on response back from Office of Attorney General (AOG).
- Employee Benefits Program (EBP):
1. The program is continuing with its on-going projects and initiatives.
 2. The program is actively continuing with orientations to promote program services and also updating changes in benefits and other activities.
 3. The program is continuing to conduct presentations and communication meetings at all agency, department, and program levels. This includes setting up exhibit booths at Nation sponsored conferences, providing training and orientations to attendees.
 4. The Navajo Nation Employee Benefits Program with the assistance of its Third Party Administrator will continue to evaluate the Health Care Reform Act for implementing these new changes to the Plan by its new Plan Year, January 01, 2011.
 5. On May 25, 2010, the Navajo Nation Employee Benefits Program staff, HMA Inc. and Met Life representatives met to discuss the life insurance policy and certificate of insurance. Recommended provisions to the life insurance policy are being discussed; an approved life insurance policy will be available for the fourth quarter reporting period.
- H. Navajo Nation Telecommunication & Utilities (NNTU):
1. NNTU Program Manager and Proposal Writer designated as members of the Navajo Nation Broadband Workgroup charged with coordination of the development of a unified Navajo Nation Broadband Funding Request for grants available under the American Recovery & Reinvestment Act of 2009. Application requested for \$32.1 million for predominately middle mile build out on the Navajo Nation and submitted by NTUA (lead applicant) was awarded on March 25, 2010.
 2. The Navajo Nation Broadband work group held meetings to discuss and assisted in the submittal of two grant applications:
 - a. NTIA-BTOP grant application requesting \$13 million for public computing center. Applicant Leader is Department of Information Technology.
 - b. RUS/BIP grant application requesting \$200,000.00 for NN economic research & study. Applicant Leader is Division of Economic Development
 3. NNTU proposal for \$1,321,285 for energy auditing assessment and retrofits for selected Navajo Nation buildings and \$100,000.00 for Energy Conservation Awareness education activities still in final review stage by funding source.

4. Request for proposal issued in May 2010 for Asbestos Sampling, Inspection and Testing Services on Navajo Nation building and housing units. Bids received and evaluation in process.
 5. Met with Facilities Maintenance Agency Managers to determine which Navajo Nation buildings should be retrofitted.
- H. Navajo Nation Telecommunication & Utilities (NNTU):
6. Continue to implement an energy management program and complete energy audits on NN commercial buildings along with written reports on recommendations for the Navajo Nation Government.
 7. NNTU staff conducted site visits at Division of General Services departments to document their network needs for implementation of VoIP. Development of VoIP implementation budget for 1st phase will include Division of General Services.
 8. Received 3rd draft of IP Converged Services Agreement from Frontier Communication and will forward to DOJ for language review. Price issues for equipment remains outstanding.
 9. Radio Technician continues to work with NN departments, chapters and other agencies to increase the two-way radio coverage on NN.
 10. Implement and monitor the DGS/NNTU Strategic Plan: Conducted second quarter update meetings on April 5, 2010 and June 28, 2010.
 11. Still upgrading Western Agency Tuba City NPD, Navajo Nation Fire Dept, and Fleet Management radios.
 12. Inventory of all NN wireless phones is ongoing. Second and third notices issued with deadline of June 25, 2010. Approximately 45-50% of departments have submitted their wireless inventory.
- I. Navajo Transit System (NTS):
1. Continue performing safe routes and practice customer service.
 2. Sanders route expansion to be in place in July and mark routes.
 3. Continue Training in Transit industry.
 4. Process procurement for ARRA transit bus purchases for New Mexico, Arizona and Utah.
 5. Improve NTS records on fleet, this includes maintenance and repairs. This is an issue that needs to be improved constantly.
 6. OSHA regulations – Doing research and current status on shop facility is needed to improve the shop, yard and compound.
 7. Currently researching EPA regulations for NTS to be in compliance as we are not at this time.
 8. Researching training organizations to get personnel certified with HAZWOPER, HAZMAT, and RCPR training. Training will be required by state and federal agencies in the near future.
 9. Working on Utah 5311 Transit contract. Finalize the Utah transit route for new 5311 fund.
- J. Records Management Department (RMD):
1. Discovery and notification phase for Civil Action, CA-99-0469-EGS is ongoing. Attorney General Louis Denetsosie issued notice to the Records Management Department that all documents relating to said action are to be cleared by the Navajo Nation's Department of Justice prior to distribution for litigation purposes.
 2. RMD Strategic Plan is an on-going initiative. Document has been finalized and implemented on October 01, 2009. Reassessment is done quarterly and modifications are made as needed.
 3. RMD Policies and Procedures Manual. A core team of the department section leaders has been established to begin the researching and development of a draft policies and procedures manual with anticipated completion and implementation set for October 01, 2010.
 4. Revision approval of the departments Plan of Operation and Fund Management Plan – pending sponsor by Government Services Committee member.
 5. Based on the re-evaluation of the duties and responsibilities of each position, a new organizational structure will be developed and included in the proposed revision of the Plan of Operation to focus service delivery on effectiveness and efficiency.
 6. The vending copier at Administration building #1 to be upgraded with a new WC5050. The approval of quotes and financial process is still pending.

V. Status of Action Plan (A, B, and C lists):

- A. Division of General Services (DGS) - Administration:
1. Not Applicable to DGS Administration. However, it applies to DGS departments.
- B. Navajo Air Transportation Department
"A" List #6. Develop a business plan for aircraft usage for the purpose of generating additional revenues.
Status: Plans and scheduled activities over the next 100 days are:
1. The department will continue its in-house Aircraft Maintenance Program and comply with all Airworthiness directives, Service Bulletins and Calendar Items that apply to the Nation's aircraft. This program allows all three aircraft to be easily returned to service after completion of their Phase Inspections.
 2. The department has attempted to work with and provide the NDOT all assistance with WR Airport improvements. NDOT has finally communicated with Air Transportation on our need to upgrade and replace the runway lighting system. Meetings are scheduled with NDOT which have the promise of opening up the process of FAA grant application for development of Airport Master Plans for all seven NN Airports.
 3. The Navajo Air Transportation Department currently has two of its three aircraft in service. The third aircraft is out of service while a major aging aircraft inspection and midlife engine inspections are carried out. This aircraft is expected to be returned to service in July or August of 2010.
- C. Department of Information Technology (DIT):
1. DIT is working on the foundation of a Navajo Nation information technology plan that will cover all aspects of the Navajo Nation government. Strategic actions include:
 - Revision of Resolution CJY-34-92
 - Preparing for a Navajo Nation IT Summit 2010
 - Pursuing external funding for IT purposes
 2. Formulation of Navajo Nation Information Technology policies and standards.
 3. Meeting the goals set forth in the Corrective Action Plan formulated by DIT in response to the recommendations made by the Auditors.
- D. Employee Housing Program (EHP):
1. Explore the possibility of designating NAHASDA funds for employee housing as a source of funding. Land Survey Completed.
- Status: NAVAJO HILL DRIVE DEVELOPMENT: Completed Land Survey with Navajo Land Administration. Pending – Request for technical assistance for environmental and archeological survey with Archaeology & Historic Preservation/Division of Natural Resources. As soon as the site clearance and survey are completed, EHP will proceed with a budget package for HUD, Section 184 Loan Guarantee Program.
- E. Facilities Maintenance Department (FMD):
1. Not affected by A, B, C List. Status Report on funding is provided in prior Quarterly Reports.
- F. Fleet Management Department (FMD):
1. Consideration of paperless shop software is pending awaiting installation.
- G. Insurance Services Department(s):
1. Not Applicable.
- Risk Management Program (RMP):
1. Corrective Action Plan (CAP) is being implemented and followed.
- Employee Benefits Program (EBP):
1. All activities are on schedule.
- Safety Loss Control Program (SLCP):
1. B list: 3 of 4 completed. The proposed newsletter interrupted by lack of safety personnel, but still in the plan.

- H. Navajo Nation Telecommunication & Utilities (NNTU):
 - 1. Not affected by A, B, C List.
- I. Navajo Transit System (NTS):
 - 1. Motor Coach drivers to be recertified in ADA lifts and operation.
 - 2. Utah Route expansion in progress.
 - 3. Sanders AZ Route schedule devised and ready for route start up.
- J. Records Management Department:
 - 1. Not affected by A, B, C List.

VI. Outstanding Program Issues:

- A. Division of General Services (DGS) - Administration:
 - 1. Department of Information Technology is working with the developed Corrective Action Plan (CAP) submitted in response to the audit findings by Joseph Eve consulting. Records Management Department's CAP is being implemented regarding the Audit conducted on the Program/Department and continues to proceed with completing the CAP. Safety Loss Control Program updated corrective action plan and waiting on response back from OAG. Two of the six Audit Findings with Workers' Compensation Program remain as outstanding corrective issues with the Auditor General.
- B. Air Transportation Services Department:
 - 1. The Director's duties are being performed by one of the Aircraft Pilots while the Personnel Department revises the Classification Specification for the position.
 - 2. The Department is operating without one pilot, due to the former Director's retirement. This imposes limits on the number of flights that can be scheduled. No advertising, recruitment or hiring can take place until the Personnel Department completes its action on the Director's position.
 - 3. The Department has a critical need to open an Aircraft Maintenance Technician position and significantly increase the starting pay grade in order to attract qualified applicants.
 - 4. The WR Airport's old and dilapidated runway lighting system is in need of replacement.
- C. Department of Information Technology (DIT):
 - 1. No instructions for a Disaster and Recovery Plan in place for PeopleSoft System, this is the main application that the NN uses for its financial system. If some catastrophic event were to occur, there would be no valid backup to recover data.
 - 2. Issues with utilizing remote desktop connectivity from outside the Navajo.org domain to local drives and then connecting to the SQL server.
 - 3. Need to perform planned back up of servers.
 - 4. DIT network needs to ensure network availability and optimal functionality for mission critical applications. DIT needs to invest in upgrading all the core network equipment to continue support the fast past network traffic for the Navajo Nation government network. This is a critical need which needs to be properly addressed within the next two (2) years to continue to be the Navajo Nation government network.
- D. Employee Housing Program:
 - 1. Continue to upgrade water system with Pex water system.
 - 2. Continue to upgrade housing units with double panel window replacements, roof renovation, driveways and patios.
- E. Facilities Maintenance Department:
 - 1. FMD's aging equipment, limits services that can be performed to the Navajo Nation.
 - 2. The Navajo Nation needs to establish a building standard to monitor the unsafe conditions.
 - 3. Divisions/Departments should be required to purchase their own building material for services outside FMD Plan of Operation to limit the strain on department budget.
 - 4. The FMD needs to be provided copies of the construction and shop drawings and documents

for newly acquired and/or constructed buildings. This would also apply to modifications made after purchases or construction.

5. Our department repaired several building break-ins and vandalism this quarter. A letter was issued to Mr. Sampson Cowboy, Division Director of Public Safety, requesting to increase Police Patrol in the high volatile areas. Services had been limited to none prior to this request.
- F. Fleet Management Department:
1. Generators for all Fleet Service Centers (FSC) contemplated but remain incomplete.
 2. Pavement needed at all FSC to accommodate parking, vehicle storage for fueling and vehicle service purposes.
- G. Insurance Services Department (ISD):
1. To prevent “Breach of Confidentiality” – regarding claims and health issues, the Program needs to relocate to an area where confidentiality is maintained. Because of the Navajo Nation Privacy Act, we are bound to provide confidential areas to discuss claims with claimants, adjudicate claims and house these confidential claim folders.
 2. Issues are the same as the other programs on office space confidentiality and most important the need to gain support from our oversight.
 3. Enterprises and the Nation are slow to report building renovation or new facilities to Risk Management; in order for SLCP to inspect and conduct property valuations to determine appropriate coverage.
- H. Navajo Nation Telecommunication & Utilities (NNTU):
1. NNTU needs a separate radio shop for installation and maintenance of equipment.
- I. Navajo Transit System (NTS):
1. Maintenance building is in need of improvement.
 2. Need a new compliant Fuel Storage Tank with dispenser and retaining wall.
 3. No match funds for Utah 5311 grant award for FY2010.
 4. Flagstaff route is closed temporarily as we need a driver from Flagstaff right away. We can’t advertise the position until all paperwork is completed and cleared.
 5. Chinle route will be closed on July 8th and will most likely resume until October 2010.
 6. Dealing with customer complaints and other issues related to driver’s job expectations and violation of personnel policies.
 7. Short staffed in maintenance department, fleet is growing, additional routes being proposed, need to fill open mechanic position. At this time, only two mechanics and one mechanic supervisor tend to a fleet of 29 vehicles, and by the end of 2010, an additional 5 buses will be delivered.
 8. Staying compliant with OSHA and EPA regulations, recommend training.
 9. Navajo Nation Sales Tax - Need source of funds to pay back taxes, penalties and interest.
 10. Shortage of vehicles, switching vehicles, Warranty issues with buses.
- J. Records Management Department:
1. Not Applicable.

VII. Problems/Recommendations:

- A. Division of General Services (DGS) - Administration:
1. Problem - Lack of funding for overall Division to carry out critical services DGS needs to provide to the Nation and people.
Recommendation – Need support from Legislators and President’s Office to increase funding.
 2. All departments are in need of office space and additional funding, some more critical than others, nonetheless, all are in need. As in the case of Navajo Transit System, they are in need of a new Transit Bus Terminal.
- B. Air Transportation Services Department:

1. The Department recommends that funding for engine overhauls of the Nation's three Aircraft, estimated to be next due in 2016, be set aside in the amount of \$150,000 each year for the next six years.
 2. Navajo Air Transportation would like NDOT to be encouraged by the Executive and Legislative Branches to pursue airport improvement projects for all six Navajo Nation Airports.
- C. Department of Information Technology (DIT):
1. The NN needs to have all Branches, Divisions, and Programs contribute to the cost of maintaining and providing the INTERNET pipe, we have in place and future upgrades.
- D. Employee Housing Program (EHP):
1. Problem – Pave back and side sections within the shop yard totaling (1) acre. This would allow for staff parking and proper storage of excess materials and property.
Recommendation – Additional funds to accommodate pavement and gravel request is needed.
 2. Problem – Potholes in NN Housing streets need to be re-patched and refilled.
Recommendation – Additional funds to purchase equipment and supplies to repair streets and coordinate with NDOT for street repairs. Gravel cold mix to be supplied by NDOT; otherwise has temporarily been filled by Employee Housing with limited budget.
- E. Facilities Maintenance Department (FMD):
1. Problem – Safety Violations: Navajo OSHA has repeatedly cited our department for various safety violations.
Recommendation - Have NOSHA provide safety trainings and provide technical assistance to remain in compliance. NOSHA is a government agency within the Navajo Nation. Therefore, should be required to work with all programs within the Navajo Nation in correcting their deficiencies rather than citing them for violations. NOSHA cannot enforce safety violations without an existing and approved building code.
 2. Problem - The lack of building standards and codes has caused our department to be in violation of the Safety and Buildings codes.
Recommendation - The Navajo Nation needs to adopt a Safety and Building Codes for enforcement.
 3. Problem - Technical capabilities: Our department is not certified in all aspect of the building codes and trades.
Recommendation - Provide more technical trainings for the staff to obtain certifications.
 4. Problem - Lack of Funding: Several tribal buildings and offices lack the proper working environment. This concern has been on-going for several years and more funding is needed just to keep the buildings in occupancy up to standards.
Recommendation - Seek more funding from the Navajo Nation to improve deplorable conditions. Also, restrict used building purchases or occupation thereof.
 5. Problem - Increase in Vandalisms and Break-ins.
Recommendation - Require all department and offices to take own initiatives in making their buildings more secure, i.e. security cameras, alarms, key control, etc.
- F. Fleet Management Department:
1. The Auto Body Shop's roof is leaking and Facilities Maintenance was contacted for repairs, no response initiated yet.
 2. The Chinle FSC's received a new tire machine but has not been installed. Need to coordinate with Facility Maintenance for assistance.
 3. The Tuba City FSC may have to dismantle fencing and relocate existing entrance for the secure parking area concerning the proposed Public Safety / Judicial Facility Planning Team since land tract located northwest of the facility is part of the land plot with the Navajo Land Department and Bureau of Indian Affairs. The bulk fuel tank sump remains in need of repairs due to a hair line crack noted when recent inspection as completed, with an estimated cost projected at \$22,694.
 4. The Window Rock FSC experiences excess water leakage when rain and water accumulates near the A/C & exhaust fan area where the alignment pit is situated. Facility Maintenance

- assisted with patching and resealing the exterior wall around openings, but leakage still occurs. Facility Maintenance will eliminate the A/C unit and relocate the exhaust fan.
5. The Crownpoint FSC has been waiting on Facility Maintenance to install a compressor and re-route the air line, for the past six months. Need to consider contracting the installation with an external vendor.
 6. The Shiprock FSC has been experiencing post seal leaks on below-ground hydraulic lifts and seals are replaced every other year, recommendation is to replace with above ground lifts, which will be planned for fiscal year 2011 budget.
- G. Insurance Services Department (ISD):
1. Problem – NN departments/programs do not budget or plan a preventive maintenance program in their own buildings.
Recommendation – Clean surroundings around work stations daily and monthly and around buildings.
 2. Problem – Safety culture cannot exist without support from the organization’s senior management.
Recommendation – Continue to educate Management, Legislators and employees. Safety Personnel needs to be trained and educated.
- H. Navajo Nation Telecommunication & Utilities (NNTU):
1. Problem – Navajo Nation departments unwilling to work on getting their past due accounts settled with Frontier Communications.
Recommendation – Cut services off in regards to two way communication until account is current.
 2. Problem – Untimely processing of telecommunication invoices at the Office to the Controller.
Recommendation – Continue to follow up with Office of the Controller and advise Division Director of the issue and request for assistance.
- I. Navajo Transit System (NTS):
1. More intense training on FTA Grants management specific to Tribal Transportation Program and TEAM Web.
 2. Training in Construction funding process and procedures.
 3. Continue to work on plans for a new facility development, due to old building currently occupied is falling apart and it unsafe.
 4. With the new route expansion, need more maintenance personnel to continue with program operations.
 5. Research and explore for additional funding to accommodate a modern fleet, facility and additional staff.
- J. Records Management Department (RMD):
1. Not Applicable.

DIVISION OF
HEALTH



ANSLEM ROANHORSE, JR.
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DIVISION OF HEALTH
Third Quarterly Report—Fiscal Year 2010
(April – May – June 2010)

PROGRAM INFORMATION

Division Executive Director:	Anslem Roanhorse
Division Deputy Director:	Dr. Madan Poudel
Telephone No.:	928-871-6350
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Departments:

Epidemiology Center	Dr. Deborah Klaus, Director
Bio-T Program	David Nez, Department Manager
Management Information System	Roger Davis II, Systems Technician
Office of Planning, Research & Evaluation	Roselyn Begay, Program Evaluation Manager
Navajo Area Agency on Aging	Hank Haskie, Acting Department Manager
CHR/Outreach Program	Mae-Gilene Begay, Department Manager
Health Education Program	Philene Herrera, Program Manager
Breast & Cervical Cancer Project	Sally Ann Joe, Program Supervisor I
Special Diabetes Project	Betti Delrow, Acting Program Supervisor
Window Rock Wellness Center	Paul Tso III, Coordinator
Behavioral Health Services	Ray Daw, Acting Department Manager
Food Distribution Program	Thomas Yellowhair, Acting Program Manager
Women, Infants, & Children	Adele R. King, Program Manager
Environmental Health	Herman Shorty, Program Supervisor
New Dawn Program	Harry Tom, Program Supervisor
Office of Uranium Workers	Larry Martinez, Program Manager
Kayenta Public Health Nursing	Linda Cothron, CHN Director

SIGNIFICANT ACCOMPLISHMENT

Executive Administration

- The Patient Protection and Affordable Care Act (PPACA), P.L. 111-148:
The PPACA contains numerous provisions pertaining to Indian health programs specifically in Titles I, II, IX and X for which many federal, state and tribal governments, and national Indian organizations are analyzing, including the NDOH. The PPACA will provide health coverage to about 32 million Americans who currently have no health insurance. It reforms the health insurance system in a various ways, including banning pre-existing condition exemptions, capping out-of-pocket expenses, increasing competition and providing increased government oversight. The NDOH will continue to examine and analyze the provisions to determine its applicability to the Navajo Nation.
- Activities of Federal and State Tribal Advisory Committees:
 - NDOH staff has participated in 3 federal regional tribal consultation sessions on: 1) April 22nd for Region 6 in Albuquerque, NM; 2) May 5th for Region 8 in Denver, CO; and 3) April 29th for Region 9 in Phoenix, AZ. The NDOH provided feedback on the U.S. Department of Health and Human Services Tribal Consultation by answering six questions posed by the Department, and submitted 14 issue papers.
 - The NDOH director attended the Medicare and Medicaid Policy Committee (MMPC) meetings on two separate occasions on April 28th in Washington, DC and on June 23-25th in Denver, CO. The MMPC provides technical analysis of and develops recommendations for Medicare, Medicaid and Children Health Insurance Program provisions pertaining to American Indians and Alaska Natives, and Indian health systems. The MMPC has been actively reviewing the provisions of the PPACA, including the Indian Health Care Improvement Act.
 - The NDOH director attended the CMS Tribal Technical Advisory Group (TTAG) meeting on April 29 & 30 in Washington, DC.
 - In May, Governor Bill Richardson (NM) established a Health Care Reform Leadership Team; the NDOH director represents the Navajo Nation on this Leadership Team. The group met twice on May 20th in Santa Fe, NM and on June 11th in Albuquerque, NM. A subcommittee of the Leadership Team developed a Concept Paper regarding Protected American Indian Benefits.

- **Indian Health Service Contract Health Service Program Reform**
On June 24-25, the IHS Director's Workgroup on Improving Contract Health Service (CHS) met in Denver, CO. The workgroup discussed the funding distribution formula for the CHS program. NDOH Director advocated for the existing CHS formula because it is beneficial for the Navajo Area IHS. For FY 2010, the IHS received 13% overall budget increase, including a \$779 million funding for the CHS program, of which there is a \$117 million increase over the base funding.
- **Navajo Department of Public Health (NDoPH) Initiative**
The NDOH administration conducted a series of planning sessions in April, May and June to finalize the proposed enabling legislation for the NDoPH. On June 10th, the Health and Social Services Committee held a work session on a draft enabling legislation for NDoPH and the Committee has received numerous comments and recommendations from representatives of NDOH, NAIHS and 638 tribal organizations. The Division secured support letters from each of the three State Health Department directors for the proposed NDoPH. However, in June, the Committee placed the draft enabling legislation on hold until such time it received a legal opinion on whether the Committee and the Navajo Nation Council has the authority to take legislative action on amendments to Title II without the participation of the Navajo people. Therefore, the proposed enabling legislation for NDoPH was not included in the Navajo Nation Council summer session agenda.
- On April 16th, the Division submitted the NDOH's P.L. 93-638 Annual Report for FY 2009 to the Navajo Office of Contracts and Grants.
- An initial meeting was held with a CMS official on June 21st regarding the Navajo Nation Medicaid Feasibility Study that was authorized in the PPACA. Ms. Kitty Marx, Tribal Affairs Group director informed the Division she was seeking funding within CMS to support the study. A second meeting is planned in July, 2010.
- The Executive Budget Review Team started meeting the latter part of May for the purpose of providing guidance to the Executive Branch in the development of the FY 2011 Navajo Nation General Funds budget. The NDOH Executive Director, Anslem Roanhorse, and Charlotte Francis, Senior Management Analyst, are members of the EBRT.
- The NDOH Executive Office continues to encourage programs to recruit and offer employment to eligible college students for the summer. Several former college interns have indicated that they developed an interest in the health field after working for NDOH and chose to pursue a degree in health care.
- The Dilkon Health Center Steering Committee -Planning Office (DHCSC) facilitated, organized and secured supporting resolution from Districts 5 & 7 requesting the Navajo Nation Council oversight committees Health & Social Services, Resources and Inter-Governmental Relations Committees to support the Leupp Dilkon Water Supply Project. The Joint District resolution discussed and approved the joint resolution.
- DHCSC participated in the Navajo Advocacy Week to lobby for funding in the amount of \$10.9 million for the construction of the Leupp Dilkon Water Supply Project; and to request the IHS Headquarters to incorporate the \$10.9 million water OEHE study into the Phase II SSER to complete this planning document.
- The Kayenta Health Center Project Leadership Team held 2 meetings this quarter. Currently, the NAIHS and DES-Dallas is processing the ROW application for the primary access road. As soon as this is acted upon, DES-Dallas will re-negotiate for the construction of the facility.
- The Bodaway Gap Steering Committee (BGSC) met once this quarter. The NAIHS reported that the Phase I Site Selection Evaluation Report (SSER) will be completed and forwarded to Division of Engineering Services-Dallas office.
- On April 27-28, the Kayenta Health Center Steering Committee lobbied for a budget increase for FY2011 construction funding. However, due to the national economic environment the chances of budget increase in FY 2011 appears doubtful, but the committee will continue advocating.
- The Office of Engineering Services – Dallas initiated the Phase II Site Selection & Evaluation Report for the Gallup Indian Medical Center replacement project. The timeframe to complete this document was revised to May 2011. The required studies and clearances will be initiated for the top recommended site (the Menapace Property) located in West Gallup. The IHS Headquarters reprogrammed \$300,000 to the GIMC replacement project for the site studies and clearances.
- The Pueblo Pintado Steering Committee made a site visit to the Jicarilla Service Unit Health Center May 27, 2010. The Jicarilla Health Center is similar in size to the proposed Pueblo Pintado Health Center. The trip was educational and informative for the group.
- A project update on the proposed Division of Aging Services was given to the Health and Social Service Committee. The committee asked for a defined organizational plan.
- Two work sessions on the Enabling legislation, plan of operation and organizational structure involving the members of the ALTCPC, DOJ, NAAA Program Supervisors and NDOH Management was completed this quarter.
- The Navajo Nation Human Research Review Board (NNHRRB) has approved four new proposals, and considered and approved 74 returning presentations for the months of April, May and June 2010. Two of the returning presentations

were not accepted by the Board; they were referred to Department of Justice for legal advisement for non compliance with some requirements by the NNHRRB. There were a total of 11 serious adverse events and none was related to any of the research studies. There were a total of 10 manuscripts approved for April, May and June 2010.

- As of this date, there are a total of 1,315 studies entered into the database – both research proposals and manuscripts. Of the total 1,027 are closed studies and 288 are open studies. Serious adverse events entered are 193 and CPAs entered is 1,996. CPAs consist of quarterly, annual and final reports, continuation requests, change in principal investigators, consent forms, dissemination plan or modifications to the protocols or consent forms and dissemination plans.

Navajo Epidemiology Program

- In March 2010, the NNHRRB approved publication of a report on health data about Navajo women and their infants living in New Mexico. The NEC printed this seminal report in May and has begun distributing the report across Navajo Nation. This was a joint project between the New Mexico Department of Health's PRAMS program and the Navajo PRAMS Workgroup, headed by NEC staff.
- In June, 2010, the first-ever Navajo Cancer Report was submitted to the NNHRRB and NEC will meet with the Board in July to request to publish this Navajo health report for distribution.
- On June 25, a 2-day site visit was conducted to evaluate the NEC and its work. An evaluator contracted by the Indian Health Service to assess this IHS TEC national program met with NEC, NDOH and NAIHS staff, Arizona Department of Health Services staff, and Dine College faculty to discuss past and present joint projects with the NEC as well as potential projects that the NEC might undertake to more fully serve the public health needs of the Navajo Nation. A report will be generated and will be used to determine the success of the nation TEC program as administered by the IHS.
- On April 9th the NEC participated in a special Arizona-Navajo Nation bioterrorism (full) exercise, during which NEC responded to a variety of scenarios (regarding an anthrax bioterrorism event) in order to protect the health and safety of Navajo residents. The Navajo Bioterrorism and Office of Environmental Health programs were also involved in this unique exercise.
- In May NEC staff took the lead to establish a Data Committee to collect information about suicide cases in the Thoreau area. The Data Committee also includes New Mexico Dept. of Health epidemiologists and the GIMC-Crownpoint NAIHS Injury Prevention Specialist. The Committee abstracted patient charts at GIMC and Crownpoint IHS Hospital, is currently collecting New Mexico data from the Office of the Medical Investigator and the Vital Records Bureau (death certificate information) and is attempting to obtain Navajo Nation Criminal Investigator information to identify suicide completions and attempts in this area. The data is being analyzed by the Data Committee, which will prepare a report of findings. The intent of this report is to provide reliable data about suicides in the Thoreau area and about some of the factors that contributed to these tragic cases.
- NEC staff participated various meetings and training including in a week-long CDC MCH Training, held in Chicago, May 10 – 14 to learn about the latest MCH (maternal & child health) issues, projects and research methods and the International Network of Indigenous Health, Knowledge & Development meeting, which is held every 2 years and includes indigenous researchers from the U.S., Canada, Australia, and New Zealand.

Bioterrorism Program

- April 9-13, the Navajo Nation, including stakeholders, i.e. Arizona DPS, Chinle Public Safety, NAIHS, Apache County, Chinle High School, participated in the Arizona full-scale SNS/RSS exercise, held in Chinle, AZ.
- April 22-25, the Program set up the ICP at the Chinle chapter house, related to the Canyon De Chelly flooding. Coordinated with AzDEM, NDOT, Apache County, Apache County Sheriff's Posse in the use of their heavy equipment and human resources in obtaining sand bags and putting the sand bags where it was needed along the banks of the river to keep homes and a business safe from the potential flooding.
- Program was notified of the Thoreau incident (suicides) and met with the programs and Crownpoint IHS already on scene. Program set up Unified Command with Crownpoint IHS, incident still on-going
- June 4, Program Manager and the Chairperson of the Emergency Management Commission met with Navajo Nation President, Dr. Joe Shirley, Jr., to give him an update on the Thoreau incident. The President signed the Public Health and Medical State of Emergency for Navajo Residents in the Eastern Navajo Agency.
- Program has received their Intergovernmental Agreement for FY 2011. A meeting with Department of Justice has been set to go over the new areas of the agreement, before submitting for Administrative Review process.

Breast & Cervical Cancer Prevention Program

- On April 7-9, 2010, BCCP Program staff traveled to Phoenix, Arizona for staff meeting with collaborators from the Arizona Department of Health Services and the Tour of the New Virginia Piper Cancer Center. Staff also met with the Arizona Cancer Registry to discuss the new MOU which defines how to link all cancer data.
- On April 14, 2010, Program Director attended a meeting of the Kayenta Women's Health to take part in a discussion regarding the low GRPA rating for pap and mammogram screenings. A method for a solution is to ensure QA staff properly input data.

- In April 2010, the Winslow Women's Health Department had their quarterly Marathon Mammogram Screening with 63 patients being screening with no abnormality found.
- April 17, 2010, program staff distributed breast cancer information to all rodeo participants and fans in Towaoc, Colorado.
- The Fort Defiance BCCP staff worked with Dr. Downing and the Sanders Clinic staff to implement a quarterly mammogram screening. The first screening is scheduled on June 17, 2010 and 60 patients will get screened.
- The Tuba City Case Manager met with the Manager of a new clinic in Flagstaff, Sacred Peaks Health Center to share information related to Cancer prevention, case managing and efforts to avoid duplication of services.
- The Winslow Case Manager was selected to serve on the Surgical Overview Committee. She will receive breast cancer patients and will follow-up on cases that are abnormal.
- The Program will provide education at the "Just Move It" activities for the months of June and July, in partnership with the FDIHB Community Wellness Activity committee.
- In June, Kayenta Health Center scheduled 105 patients for mammogram clinic and the Inscription House Health Clinic scheduled 90 patients for mammogram clinic. And the Winslow BCCP staff had a 2-day mammogram clinic; a total of 75 patients were screened.

Community Health Representative Program

- Of the 5 ARRA funded projects, the Crownpoint project will be completed by June 24, 2010. Upon a successful final inspection, the Crownpoint CHR office will move. The remaining four projects (Dilkon, Dennehotso, Chinle and Tuba City) should all be completed by July 2010.
- In May, 9 staff received their Public Health Certificate from Dine College bringing the total of 33 program personnel that have earned certification. The program will continue to have staff attend classes in the fall.
- Fort Defiance and Chinle CHRs are conducting surveys among the quadriplegics populations for the Christopher Reeves Foundation to get input. The CHRs will also get trained on how to apply for small foundation grants.
- Brigham Women Health or Boston PACT have been working with the CHRs of the Shiprock and Gallup Service Units to better equip them to work with the high risk patients diagnosed with chronic diseases. The CHRs are also being educated with the IHS Diabetes curriculum.
- The program in collaboration with the University of Arizona Maternal and Child Health department worked with Shiprock CHR Service Unit to help CHRs enhance their research capabilities.

Department of Behavioral Health Services

- DBHS' Crownpoint, Ft. Defiance, Shiprock Agencies & Kaibeto Office re-directed and re-assigned several staffs to assist the Unified Command Center that helped handled the suicide crisis in Thoreau and surrounding communities. Activities included coordination of Faith Based Initiative Project and the Traditional Practitioners, who provided education to the Thoreau High School students on suicide Prevention and hosted a Christian Based Singspiration in Thoreau, NM.
- DBHS staff assisted with expending the remaining balance of the Arizona Underage Drinking grant funds, in the amount of \$310,000.00 to plan to sponsor a Navajo Underage Drinking Summit on June 28, 29, and 30th in Flagstaff, AZ
- DBHS ARRA funded projects commenced at Shiprock; Chinle; & Crownpoint Agencies and Kayenta Sub office
- This quarter, Chinle has billed AHCCCS and has generated \$212,256 from its 3rd party reimbursements and assisted Tuba City with billing AHCCS.
- Crownpoint Agency's TCA Project has billed its total FY'2010 allocation in the amount of \$241,000 received from New Mexico OptumHealth.
- Dilkon Office staff provided surrounding Pre-Schools with Prevention activities which included a mini-health fair with presentations pertaining to Parenting skills and Domestic Violence.
- Ft. Defiance Agency FBIP held a 2- day work-session with their Faith Based Counselors to review and refine their faith based Christian Counseling Guide Book and provide an in-service training on their FBIP to the department Program Supervisors.
- Ft. Defiance Agency FBIP assisted with the observation of the Navajo Nation Day of Prayer which involved Pastors/Ministers to offer prayers for the needs on the Navajo Nation.
- Kaibeto Sub-Office coordinated a work session on the Third Party revenue generation and the budgeting of these funds for its OTC and RTC Administrative staff.
- Ojo Encino Outreach Program is coordinating the Sandoval County DWI Initiative to get DWI schools back in Cuba, so clients can complete DWI School and other DWI requirements.
- Shiprock Agency has been working on the Navajo Regional Behavioral Health Center's CARF Accreditation process after the Mock Survey was completed. NRBHC's six months operation of services is implemented for the required Program Standards, in order, to have the CARF survey completed in the fall, 2010. This will fulfill the Youth Residential Treatment Center's GPRA's performance standards, as set by the Indian Health Services YRTC Initiative.

Food Distribution Program

- Assisted 28,132_eligible participants with commodity foods and completed 193 tailgate food deliveries to various chapter houses during the quarter.
- Program has provided Nutrition Education on low sugar and low salt diets for a healthier life using commodity food to 10,469 participants.
- FDP staff attended the 23rd annual National Association of Food Distribution Programs on Indian Reservation (NAFDPIR) conference in Las Vegas, NV. Latest updates on new, amended or revised policies and regulations were provided by the USDA Headquarter staff.
- Contract has been finalized for the Mexican Springs Food distribution warehouse renovation and the Notice of Proceed has been sent to contractor.

Health Education Program

- Teen Pregnancy Prevention – HEP collaborated with Tuba City and Hopi Health Centers during HIV/AIDS Awareness Day, and held presentations on Abstinence/Consequences of Risky Behavior, for young parents, and held a workshop for Mom & Daughters on Native Women’s Health; a total of 485 people were served.
- HIV Prevention Program – The Legislative Counsel or recommended the HIV Code & Policy as a separate legislation. Project SOS (Stomp Out Syphilis) meeting was held on Thursday, June 10, 2010, to plan summer street outreach in several Navajo Communities and border town.
- HIV Prevention Program –72,515 people (students, school administrators, employees and general public) received public health education services.
- Health Education Program –56,502 people received public health education services by this Program. For this quarter, public education efforts focused on Suicide Awareness & Prevention In-services, Emergency Preparedness, Pandemic Influenza, H1N1, Cover Your Cough, Hand washing, HIV, Carbon Monoxide prevention, and Hanta virus.
- Health Education Program - Gallup staff held an Emergency Preparedness Conference for Navajo communities on June 15 – 17, including a NIMS 100 for approximately 120 participants.
- Kayenta Health Education held a Hastoi Health Day (Men’s Health) with 135 attendees who benefitted on health information.

Kayenta Public Health Nursing

- Car seat training/community outreach
- Clinical competency training for all Kayenta SU Tribal staff
- New RN hired at Inscription House office
- Health fairs throughout service unit including justice day, DaVita Dialysis, Schools, other locations
- Staff attended Native H.O.P.E. training, prevention of suicide, violence

Navajo Area Agency on Aging

- Submission of NAAA FY 2011 – 2013 PSA Region VII Area Plan to Arizona DES-DAAS office.
- Submission of ‘Request for Application (RFA)’ to Arizona DES-DAAS office for programmatic operation for FY 2011 – 2013.
- Successful completion of the NAAA Foster Grandparents Program for FY 2010 and the celebration of honoring FGP volunteers.
- Shiprock Foster Grandparent Volunteer Case Coordinator, Ms. Louise Washburn was honored as outstanding Volunteer-of-the-Year by New Mexico and the Washington, D.C. office.
- NAAA employed a State Health Insurance Program (SHIP) coordinator for delivery of general public education on Medicare/Medicaid benefits and eligibility, Contract Managed Options (CMO)/provision of benefits counseling, and provision of health care-related information to elders at all NAAA senior centers.
- NAAA Family Caregiver Support Program held the first annual Caregiver conference on June 16 to 18, 2010 at Honda Casio & Resort. The theme for the conference revolved around caregiver activities on the Navajo Nation.
- Completion of Title VI FY 2010 on March 2010. Title VI FY 2011 started on April 2010.
- NAAA honored elders during May 2010 celebration of Older American month.
- NAAA received term approval of FY 2011 – 2013 PSA Region VII Area Plan from Arizona DES-DAAS.
- Two Grey Hills Senior Center and Chapter received \$350,000 from the Abandoned Mine Land funds to construct a parking lot.
- NAAA received ‘Term Approval’ on FY 2011 – 2013 PSA Region VII Area Plan from Arizona DES-DAAS office as of June 17, 2010.

Navajo Special Diabetes Project

- Ground breaking for the soon to be constructed Wellness Center and office to house NSDP staff was held in Dilkon on April 5, 2010.
- The NSDP staff attended the annual Arizona State Diabetes Expo in Phoenix, AZ. on April 24, 2010. The staff showcased the NSDP program and activities at the Expo.
- NSDP staff received trained in the following: Native lifestyle curriculum, Plant-based cooking, CPR/First Aid, Data Software on reporting and management, and HIPAA.
- Three Senior Community Health Workers were certified as Community Nurse Aide (CNA).
- The NSDP held its annual picnic. The event allowed for: staff interaction, communication, team building and spirit, and updates on activities across the eight service areas

New Dawn Program

- NDP are busy distributing vegetable seeds, fruit trees & vegetable seedlings to low-income individuals and families at the 5 agency offices. NDP has received a large amount of vegetable seeds and fruit tree due to increase of ARRA funding. Clientele contacts have increased during this quarter.
- Ft. Defiance NDP concentrated on processing of administrative actions in order for the field staff to purchase vegetable seeds, fruit trees and vegetable seedlings. In addition, NDP has hired 12 temporary employees for the program. Vegetable seeds were delivered the third week in April and the fruit trees were delivered the last week in May.
- Ft. Defiance NDP distributed fruit trees to 469 people and distributed vegetable seeds/seedlings to 466 people. NDP attended three Public Hearings at Crystal, Oak Springs and Red Lake Chapters with a total of 55 people in attendance.
- Chinle NDP did presentations at IHS Health Fair, Pinon Health Fair, Earth Day meetings, & Just Move It health activity. Conducted presentations at Rough Rock School, Rock Point School, Chinle Elementary, and Tsaille Public School. Did a presentation on Health Promotion and gardening at Chinle chapter with 1,649 people in attendance. Education was provided to 714 adults with 404 youths. Total of 2,363 people served.
- Chinle NDP distributed fruit trees to 2,128 and vegetable & seedlings were distributed to 1,049 with a total of 3,177 was served this FY. Chinle served 5,540 clients total.
- Tuba City NDP conducted public hearings with Water Resource, & DSS at these locations Inscription House, Dennehotso, and Tolani Lake Chapters. Public hearings were held to gain public input on how to improve services.
- Tuba City NDP provided program (horticulture) information to 154 clients with 144 youths. In addition, did presentations at health fairs/workshops with 178 clients.
- Tuba City NDP distributed 593 fruit trees, 348 vegetable seeds/seedlings and 96 shade trees to clients.
- Shiprock NDP conducted presentations/workshops at these locations; Nutritious Fair, SR Justice Day, Newcomb Easter Activities, and Sheepsprings Health Fair. The program also distributed 3,707 vegetable seeds/seedlings and 2,967 fruit trees to clients.

Office of Environmental Health

- OEH monitored environmental health and safety activities during the following activities: :
 - Tuba City Spring Festival, Tuba City, Arizona, May 20 – 23, 2010
 - Shiprock Spring Carnival, Shiprock, New Mexico, May 27 – 30, 2010
 - NN Treaty Days & PRCA, Window Rock, Arizona, June 01 – 06, 2010
- Involved with the Thoreau Suicide Crisis Intervention & Incident Management Team, May 21 forward; Schultz Fire Smoke Emergency Response for the Western Agency, June 21 forward; NN Pan Flu Core and H1N1 Core Response Planning meetings; Tribal Bio- Terrorism Collaborative Core Team Meetings within Arizona Department of Health Services; Tribal R.S.S. exercise with the state of Arizona in the Chinle area, April 09, 12 & 13, 2010; Vendors & Animals in Right-of-Way meetings and presentations sponsored by NDOT; and Box Canyon Area of the southwestern portion of the Nation, CEM resolution forwarded onto Cameron Council Delegate.
- Received and addressed issues concerning but not limited to: invalid sanitation permit, food-borne illness complaint, hazardous chemical storage, questionable safe food handling, building demolition, and renovation of facility.

Office of Navajo Uranium Workers

- Screened 52 miners with the Radiation Exposure Screening Program through the Northern Navajo Medical Center collaborated with the Office of Navajo Uranium Workers.
- On Monday, May 3, 2010 to Thursday, May 6, 2010 the United States Department of Justice – Radiation Exposure Compensation Program (USDoJ/RECP) sent Ms. Elsa Heffernan and Ms. Kelly O’Neill Claims Examiners to the Shiprock ONUW home office to conduct an Outreach to review ONUW client case files on former uranium workers and downwinder victims; determining the eligibility criteria i.e. work history, medical records, and identities of the claimants.
- The DOJ RECA, DOL Parts B & E and the DOJ Downwinder compensations total \$1,592,500.00.

Women, Infants & Children Program

- The Navajo Nation WIC Program commemorated the first anniversary of the implementations of the: (1) Arizona in Motion (AIM) computer system which has improved the overall WIC services to the 11,950 clients throughout the Navajo Nation. It also has improved the monitoring and reporting in all five WIC components: Administration, Finance, Nutrition Education, Vendor Management and MIS and (2) New WIC Food Package and Cash Value Vouchers for fresh fruits and vegetables.
- The National USDA Office awarded the Navajo Nation WIC Program a \$50,000.00 bonus for Breastfeeding Promotion and the Breastfeeding Peer Counselor Project.

STATUS OF ON-GOING PROJECTS, INITIATIVES AND COA's

Dilkon Steering Committee

- The DHCSC's primary position supports the Leupp-Dilkon water transmission project estimated to cost \$10.9 million and supports request from the NNC oversight committees for the Southwest Navajo Rural Water Supply Project to pipe water to additional chapters.
- The \$500,000 is now being prepared for implementation. A cost estimate of \$150,000 has been earmarked to conduct the Leupp Dilkon waterline right-of-way study to secure the waterline alignment. The DHCSC is requesting information and plans for the remaining balance.

Kayenta Steering Committee

- Developing plans for a second advocacy trip to Washington, DC to discuss the FY 2013 federal budget for the Navajo Nation health care facility projects that are on the I.H.S. construction priority list.

Navajo Epidemiology Center

- The Navajo BRFSS (behavioral risk factor surveillance system) Steering Committee met on May 14. Injuries (i.e., unintentional, intentional, motor vehicle-related) constitute the leading cause of death among Navajos in Navajo Area.
- The NEC is unsuccessful to obtain access to the Navajo Area RPMS data (Resource and Patient Management System), which contains the clinical data collected by NAIHS.

Bio-Terrorism Preparedness

- H1N1 Response Plan near completion for presentation to the Navajo Nation President.
- H1N1 funding awaiting approval by the Arizona Department of Health Services.

Community Health Representative Program

- Working with Dine College and the University of Arizona to train staff with the basic principles of epidemiology.

Department of Behavioral Health Services

- Chinle Agency: anticipates IHS Revocable License MOU for office spaces at Red Mesa Four Corners Health Center and the Pinon Health Center.
- Crownpoint Agency: TCA Project has hired 4 full time Case Coordinators and they are assigned to Family Outreach/Care Coordination and Support; the State allocated Methamphetamine dollars from Shiprock were transferred to the Crownpoint's TCA Project to help address the Thoreau Suicide Crisis.
- Kaibeto Sub-Office: Seeks funds for the environmental assessment on the 2.4 acre of land for the construction of the Kaibeto Outpatient Treatment Center and works with NAIHS regarding its Modula Building Project and ARRA funds allocated at \$44,000.00 for minor alterations of the Page RTC administration building.

Health Education Program

- The HIV Code and Policy legislation will be introduced to the Navajo Nation Council in later this year.
- Exploring alternative office space for the Fort Defiance staff
- Navajo Health Education Program will provide financial assistance for selected community planned events in the Thoreau area on Suicide Prevention. Program Manager is coordinating with the Thoreau Unified Command staff, Health Education and IHS; activities are designed for youth involvement in recreation, training and training for parents in Parenting & Suicide Aftermath.

Kayenta Public Health Nursing

- Involved in chest clinic; TB program; community health fairs; vision and hearing screening; child protection team, domestic violence, high risk pediatric committees; member of NTAG, also part of enabling legislative preparation team, planned expansion of NDOH; and BETA accreditation team; for NDOH.

Navajo Area Agency on Aging

- All Evidence-based Health Promotion initiatives were included in the FY 2011 – 2013 Area Plan.
- Twenty-nine contracts for NMAITSD Capital Outlay projects completed the SAS reviews.
- Continues eyeglasses and dentures program utilizing revenue from the Navajo Elder Trust Fund.
- Tonalea Senior Center ready to reopen after extensive renovation and repair. Tuba City Regional Health Care Corporation's Office of Environmental Health will conduct final inspection prior to reopening the facility.

- NAAA is utilizing ARRA funds to continue the breakfast program in selected senior centers throughout the Navajo Nation.

Navajo Special Diabetes Project

- The NSDP is promoting the acceptance of a MOU with the ambulatory care programs of NAIHS and the 638 Contract Organizations.
- The NSDP is in the implementation phase of the program's three Best Practices (Case Management, Community Advocacy, and Diabetes System of Care)
- The NSDP's 100,000 pound weight loss challenge is occurring across the Navajo Nation with over eight hundred (800+) people participating.
- The University of Utah conducts the organizational evaluation and anticipates completing the evaluation by the end of July.

New Dawn Program

- Continue to disseminate program information at each agency by participating in health fairs, science fairs, and health events, on the benefits of gardening and exercising, distribution of seeds, fruit trees, horticulture workshops and food preservation workshops.

Office of Environmental Health

- Continue to provide monitoring, surveillance, and enforcement, conduct routine food handler's training sessions, address complaints or referrals received regarding environmental health and safety issues and concerns. Assists and/or participates with other Division of Health programs.

Office of Navajo Uranium Workers

- Continues to register and file claims on behalf of miners, millers, down winders, ore-transporters and where applicable, to their survivors.

STATUS OF ACTION PLAN (A, B, and C lists)

Department of Behavioral Health Services

- Ft. Defiance Agency FBIP continues to be assigned to the Thoreau Unified Command Center.

Kayenta Public Health Nursing

- PHN participate with CHR in community outreach, providing improved community services

Navajo Area Agency on Aging

- Pending approval of NAAA FY 2011 – 2013 PSA Region VII Area Plan
- Ongoing planning activity in establishing the 'Navajo Division of Aging Services'
- Pending renegotiation of contract between NAAA and NDSS for delivery of elder protection services.
- Continue to assist with the proposed amendments to the Navajo Dine' Elder Protection Act.

Navajo Special Diabetes Project

- The completion of the diabetes program evaluation project is in its final phase. The evaluators stated it will be completed by the end of this summer.

OUTSTANDING PROGRAM ISSUES

- The Dilkon Health Center Steering Committee is concerned about the limited acreage of land for the health facility and the staff quarters remain an issue for the DHCS.
- The Bio-Terrorism program lacks the funds necessary to complete the lease agreement payment from April 01, 2009 through August 31, 2009. A supplemental request has been submitted to the Arizona Department of Health Services, but there has been no response.
- DBHS Chinle Agency continues to experience shortage of clinical staff and recruitment of clinical staff for its Adolescent Residential Treatment Center
- The Health Education Program lack of adequate office space for staff.
- Kayenta Public Health Nursing has an on-going issue with salaries are not structured appropriately for staff members that are required to carry a professional license to practice. Licensed staff members are subject to legal requirements, malpractice, and are required to have a high education level. The present salary levels are not competitive with salaries within the industry.
- NAAA sanction remains in place, which will seriously impact General Fund allocations.
- NAAA experiencing financial shortfall in Part B and C accounts and service activities.
- Approximately \$1.3 million in capital outlay funds had to be reverted back to the NMALTS due to lack of action on part of NM communities to use these funds.
- NSDP need for adequate office space for NSDP staff in Shiprock, Fort Defiance, Chinle, and Kayenta.
- ONUW continue to have problem in securing "Proof of Presence" for Downwinder claims and deceased former uranium workers' in identifying their beneficiary survivors to support their monetary claims.

PROBLEMS/RECOMMENDATIONS

Navajo Division of Health

- Problem: There is a Division wide need for additional office buildings. Recommendation: Identify workspace or initiate plans to secure additional buildings to meet the growing demands for office space at the central and field level.
- Problem: Outdated computer hardware and software. Recommendation: Assess need and prepare plan to enable the purchase of updated computer hardware and software.
- Problem: Delay with the financial processes of contract development, account generation, external payments and access to timely monthly financial reports. Recommendation: The Navajo Nation put in place mechanisms that will expedite the processing of funds from external sources and/or propose to redesign the process to streamline steps and time to access financial reports.
- Problem: Personnel recruitment and hire of staff is a lengthy process which causes a delay in implementation of program activities or loss of potential employees due to hire with another agency. Recommendation: Streamline recruitment and hiring process.

Department of Behavioral Health Services

- Focus more on aftercare services for clients completing treatment within DBHS.
- Need to plan "Crisis Command" Centers in all the five Navajo Nation Agencies.
- ARRA funding for maintenance and improvements are not meeting the full needs of facility repair needs. Additional funding may need to be identified.
- Need to hire a Facility Manager for the Shiprock NRBHC facility.

Food Distribution Program

- Kirtland Food Distribution warehouse is having problems with the electrical circuits to their cooler/freezer and heating, ventilation & air-cooling system.

Navajo Area Agency on Aging

- Problem: Sanction of NAAA. Recommendation: Promptly expedite strategic plan initiated by NDOH with NAAA input to resolving outstanding discrepancies.
- Problem: Contracts with Noble Sysco and Bishop Optical need to be review for decision and action. Recommendation: Review current contracts and determine whether NAAA will retain contracts. Review should be based on quality of services, degree of complaints from elderly consumers, quality of products, type of consumer services rendered by vendors, and cost of products.
- Problem: Lack of understanding and agreement between NAAA and Navajo Division of Community Development on matters regarding facility maintenance, renovation, and vandalism and who is responsible to defray repair and other expenses. Recommendation: NAAA Management team, and Community Development to negotiate an agreement outlining role, responsibility and fiscal liability

Office of Navajo Uranium Workers

- Lack of funds to properly serve the Navajo cliental. The program request assignment of proposal writer to seek external funds.

DIVISION OF
HUMAN RESOURCES



JULIUS ELWOOD
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DIVISION OF HUMAN RESOURCES
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. PROGRAM INFORMATION

Division Executive Director: Julius Elwood
 Telephone No.: 928-871-6375
 Facsimile No: 928-871-6377

Departments:

Personnel Management	Bernadette Bernally, Human Resources Director
Staff Development & Training	Fred Silverfox, Training Manager
Navajo Workforce Development	Roselyn Shirley, Department Manager III
Navajo Veterans Affairs	David Nez, Department Manager II
Retirement Services	Rodger Martinez, Retirement Plan Administrator
Office of Navajo Labor Relations	Reynold R. Lee, Program Manager II
Office of Broadcast Services	Kee Long, Program Manager I
Navajo Office of Vital Records	Leonard Benally, Vital Statistics Manager
Navajo Occupational Safety & Health Administration	Timothy Bitsie, Program & Projects Specialist
Office of Navajo Women & Families	Marie E. Begay, Program Supervisor I
Department of Child Support Enforcement	Pierette Baldwin-Gumbrecht, Program Supervisor I
Navajo Nation Band	Lance Todakonzie, Band Director

II. BUDGET / PERFORMANCE INFORMATION:

Funding and Expenditures:

Department	Funding Source	# of Personnel	# of Vehicles	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
Personnel	General	25	0	1,325,474	48.2%	64,333	45%
	IDC	0	0	0	0	28,873	20%
Staff Development	General	5	0	245,285	65%	23,836	65%
Workforce Development	General	1		89,142	68%		.5%
	External WIA Adult (PY08)	103	8	1,134,611	104%	6,623,450	71%
	(PY09)			1,986,643	0%	5,691,071	24%
	ARRA (PY09) Youth	58		231,019	67%	1,092,193	63%
	(PY08)			1,370,196	100%	3,272,500	105%
	(PY09)			1,287,893	35%	3,133,268	25%
	ARRA (PY09)			1,086,219	75%	4,597,704	70%
	NEW (PY08) (PY09)		12	572,718	101%	1,179,948	100%
			602,159	37%	1,150,507	70%	
Veterans Affairs	General	27	13	1,294,805	62%	1,165,695	50%
	Trust Funds	0	0	0	0	868,717	22%
Retirement Services	GenTrust Fund	0	0			4,800,000	100%
	Fid Ret Fund	0	0			2,594,030	83%
	Fid Ret Admin	9	0	189,797	39%	289,404	63%
	Fid RPAC	0	0			36,507	27%
Labor Relations	General	14	6	356,459	60.05%	78,624	74.63%
Broadcast Services	General	6	2	305,414	70%	39,971	56%
Vital Records	External	20	1	828,540	45%	134,147	50%

Occupational Safety	General	4	1	195,879	79%	79,156	73%
Navajo Women	General External	2	0	98,083	55%	14,059	57%
Child Support	General	0	0	0	0	92,725	72%
	External	63	6	876,405	65%	109,495	72%
Navajo Nation Band	General	0	0	0	0	29,067	63%
Div of Human Res	General	4	1	106,680	63%	50,281	66%

III. ACCOMPLISHMENTS:

Division of Human Resources (DHR):

- Since the appointment of Mr. Elwood, he has been actively attending meetings with each of the DHR Departments to ensure that projects are on-going and that there is continuity in each of the departments while ensuring that goals and objectives are being met. During his recent tour to each department, he has taken note of problem areas and has been actively addressing the issues as they arise. The most imminent is the DNVA CAP Implementation.
- DHR Division Director Julius Elwood has been appointed by the Navajo Nation President as the new Division Director for the Division of Human Resources effective June 14, 2010. Previous Division Director Mr. Cordero departed the Division on May 28, 2010.

Department of Personnel Management (DPM):

- The DPM staff have been assisting and serving on the Executive Branch Budget Review Team (EBBRT). This assignment requires attendance at numerous meetings before, during and after the budget process. During this quarter, the EBBRT held at least two meetings each week and this will continue throughout July and August. As a member, DPM provides information pertaining to the personnel vacancies, general wage adjustment projections, step increase projections, salary data and recommendations for cost cutting measures.
- During the NNC Spring Session on April 20, 2010, the Navajo Nation Insurance Commission (NNIC) presented legislation requesting an extension of the Health Management Associates (HMA) contract for an additional two years. This effort started during the Winter Session, and included a NNC Work session and presentations during the agency council caucus meetings. Through the combined efforts of the NNIC, Insurance Services Department, HMA and sponsor, Delegate Roy Laughter the legislation was approved by a majority vote of the NNC.
- The DPM have been preparing amendments to the NN Personnel Policy Manual. The last meeting was held on April 15, 2010, at which time the Background check policies were finalized. Subsequently, these policies were prepared for review through the SAS process. As of today, there has been no response from the Department of Justice regarding our document. These policies need to be expedited so that the Office of Background Investigations (OBI) can fully implement their services.
- The NNIC participated in the Insurance Broker Interviews on May 27, 2010 in Gallup, NM. Four vendors were invited to participate as a result of the request for proposals. The panel included ISD staff, NNIC members, the Controller, a DOJ representative and an oversight committee member. The group selected Marsh, USA, Inc. as the Insurance Broker on a five year contract commencing on July 1, 2010.
- Several DPM staff participated in the DHR Conference on June 7-8, 2010 at the Route 66 Casino near Albuquerque, NM. Presentations included: Performance Evaluations, Background Investigations and Personnel Action Form processing. Due to a lack of funding, none of the DPM staff were able to attend, except for the staff who presented. According to the feedback, the conference was a success!
- On June 24-25, 2010 DPM staff participated in "Fact Finding Training for Internal Personnel Investigations" at the Navajo Nation Museum. The DPM sponsored the event and included a total of 15 participants from several different programs. The purpose of the training was twofold: to establish a dialogue with programs who conduct investigations and to go through a process of fact finding, interviewing witnesses and writing the investigation report. DPM is planning another training session either in late August or early September.
- DPM staff conducted FileMaker training for Retirement, Employee Benefits and DPM employees to inform them on how each office can use FileMaker to share and update information.
- On June 29, 2010, the DPM participated in Governor Richardson's Job Expo in Albuquerque, NM. Approximately, 5000 individuals attended the event. There were 70 organizations/businesses that were available to recruit for numerous jobs. DPM staff provided vacancy information, applications, promotional items and responded to questions. This Job Expo was one of the largest that DPM has attended.
- DPM received an Indirect Cost allocation and prepared a budget for approval for the Human Services Committee. Although the amount was small, the funds will take DPM out of a deficit and help with expenses

for the remainder of FY2010. DPM has been funding OBI and this has been difficult for the past three years.

- CPPO staff attended training on Fire Safety, HazCom and Housekeeping provided by the Safety/Loss Program. All occupants of Building #2740 were required to attend this training to comply with the NOSHA citations.
- The ERS was assign to assist in the revision of the Personnel Policies Manual. The last time the group met was May 27, 2010 and due to busy schedules of the team members and the holidays no meetings have been scheduled since.
- EIG section had meetings with Payroll office, Retirement office and the Benefits office to streamline and enhance the termination procedures. Some of the issues to address is who will have responsibility of stopping Pay, deduction, benefit and accrual records when an employees is separated from employment and also when and how to make the payment of annual leave more efficient.
- EIG Section completed a cleansing of the PeopleSoft database relative to ineligible employees with leave banks starting on April 20, 2010 with an exception report with 110 employees. This went down to a report entailing 40 employees on June11, 2010.
- The OBI received a total of seven (7) background check requests from Navajo Nation Department or Programs. OBI continues to work diligently to complete these background checks.
- On April 23, 2010 the OBI Adjudicator and the Program Supervisor with Division of Public Safety/ Information Management Section, met with the Arizona Department of Public Safety, to discuss possible submission of fingerprint cards for federal background checks. Currently, OBI is submitting fingerprint cards to Personnel Security Consultants of Albuquerque, New Mexico for a fee of forty dollars (\$40.00) per fingerprint card. Arizona DPS has offered to work with OBI and submit fingerprint cards at a fee of twenty four (\$24.00) dollars per fingerprint card. The turnaround time to receive the results is about two weeks. On May 17, 2010 a conference call with Utah Department of Public Safety was made to discuss possible submission of fingerprint cards. As a result of the meeting, it was decided that OBI would prefer to work with Arizona DPS instead of Utah DPS, since Arizona DPS is already assisting other Navajo Nation Department and Programs. In the near future, he plans to arrange a conference call directly with the FBI.
- The Program Supervisor with DPM/IMS agreed to allow the OBI staff to go to Toyeyi, AZ on a case-by-case basis to obtain tribal background checks. The OBI standard procedure is to have the employee or applicant go to Toyeyi, on a Monday, Wednesday, or Friday only. However, since some employees or applicants may reside or work in remote locations, it makes it difficult for them to arrive to Toyeyi on time and be one of the first allowed twenty five (25). The tribal background check is the only lacking document from a complete background check. Now that OBI was given access to obtain the tribal background checks, the adjudication process can be completed. The OBI staff received limited training on how to obtain tribal background checks. The Navajo Nation Law Enforcement has a strict database called, CODY. The OBI staff does not have access to this database but is in the process of establishing an agreement with the DPS Executive Director, so OBI can have access. Once an agreement is made, OBI will not create more workload on the employees at the Toyeyi Academy. According to the statistics below, there are a total of two hundred and nine (209) pending background checks. About eighty (80%) percent of the pending background checks are lacking the tribal background check.
- On June 15, 2010, the Background Check Technician presented the OBI presentation to the New Employee Orientation at the Staff Development and Training Center. There were a total of twenty (20) attendees.
- The Records Clerk and Background Check Technician are in the process of creating a database using the FileMaker Software. The two staff met with the HR Systems Manager. An outline was created that contains information on tracking all background checks and records retention. Currently, OBI does not have a secured database with an effective tracking system; however, our goal is to create one that is efficient for the office to use on a day to day basis.
- The Navajo Nation Policies Manual has been reviewed, amended, and is currently going through the SAS review process. Revisions were made mostly in the background check section. Once approved, this section will greatly assist OBI in the determination of suitability. OBI is currently working on procedures that will assist departments and programs.
- Two OBI staff successfully completed the Fingerprint Technique Training on April 2, 2010 and is now able to conduct proper fingerprinting.
- OBI staff helped organize the Fact Finding Training for Internal Personnel Investigations. This training would assist Department of Personnel Management in investigations for employee misconduct.

- DPM staff prepared several reports for Department of Head Start, Retirement Office and the Budget Team. These reports were exported from PeopleSoft to Excel. The retirement report took more time because of the research involved.
- During the FY2009 and previous budget processes, NN programs submitted their email addresses to DPM. DPM now has all the general funded programs and some of the K business units email addresses. These email addresses were imputed into Microsoft Outlook by divisions. This was tested and it works.
- HRS Manager conducted 4 Human Resources Information System (HRIS) recertification training sessions for DPM, Payroll and Judicial Branch staff. A total of 34 staff attended the recertification training required to maintain access to the HRIS.
- The HRIS has been modified to accommodate the leave accruals for the Head Start employees covered by the collective bargaining agreement. The modification was tested with the assistance of the Payroll office to make sure accruals were correct.
- The Network Specialist worked on upgrading DPM users to the new version of the FileMaker Pro software and moved the FileMaker server software to a new server and installed the recently purchased storage device for backups.
- HRS Manager assisted the Classification office with general wage adjustment and step increase projections for the upcoming budget year.
- HRS Manager also assisted the Position Control Analyst with updating the database for generating the budget form 4a for programs to use in developing their personnel budgets.
- HRS Manager has been working with the EIG staff to updates employee leave records and updating the PeopleSoft system files.

Staff Development & Training Department (SDTD):

- a. A total of 99 NN employees participated in training this quarter; 110 training sessions were offered; 1,072 Training Request forms were submitted and processed; 3 New Employee Orientations were held.
- b. Monthly and Quarterly computer & Soft Skills training schedules are completed and distributed.

Navajo Department of Workforce Development (NDWD):

- More than 120 NDWD personnel attended the National Indian Employment and Training Conference held in Albuquerque, NM on April 26-30, 2010. The Navajo Nation was one of the grantee sponsors of this national conference. Staff participated in various workshops and training sessions held during the week.
- The Tuba City agency is planning to implement a training program for future employees who want to obtain employment at the upcoming Church's Chicken franchise in Tuba City and the Burger King franchise in Cameron, AZ. Employment at these two franchises is expected to exceed 55 employees full-time.
- All of the regional and central Census Bureau offices and the Workforce Development offices collaborated to recruit, interview and employ qualified Navajos for census jobs. It is estimated that NDWD assisted with the selection and hiring of more than 300 census personnel on the Navajo Nation.
- d. All five workforce centers began recruitment activities for the annual summer youth program at the 110 communities. School is ending for the year and students and parents were interested in enrollment for youth employment. Although each Program Supervisor III was asked if they wanted to implement another summer youth program in 2010, the response was low. It was therefore, decided that the youth employment program would be year-round.
- Each workforce center program has been implementing coordination meetings with local veteran's service organizations, i.e., Department of Navajo Veterans Affairs and State Veterans Offices. These meetings have resulted in the referrals and placement of eligible veterans and their family members into jobs provided by WIA or with non-WIA employers. Serving veterans has been increasing and will continue to show steady improvement of WIA activities for our veterans.
- Forty (40) full-time ARRA funded employees will have their employment extended to September 30, 2010.
- ARRA funding will provide summer youth employment for 200 youth between the ages of 14-24 years old on the Navajo Nation. The wage rate is between \$7.28 per hour to \$9.56 per hour for four to eight weeks. The start date for this temporary employment is July 6, 2010 to August 27, 2010.
- A re-evaluation of the ARRA program was conducted and unspent funds were identified and reallocated to provide additional employment and training enrollments in each of the five ARRA field offices. 350 more ARRA-WIA jobs will be available through this additional funding.

- The Fort Defiance ARRA office has initiated a partnership with the Program for Self-Reliance (formerly TANF) to recruit and enroll PSR clients into ARRA employment opportunities. The goal is to enroll and employ general assistance clients in jobs and training so they are able to become self sustaining individuals and obtain permanent employment through work experience or classroom training.
- The FY 2009 Single Audit was performed and completed on WIA programs. There were seven (7) findings identified which did not contain any questioned costs. Five (5) of these findings were corrected. Two (2) findings remain that are repeat findings for the past two fiscal years. These are lack of controls of reporting returned/refunds checks and lack of controls of providing followups of training providers.
- NDWD ARRA offices have assisted 22 participants with job-placements, 29 completed high school and 12 obtained their GED certificate.
- Twenty eight (28) NDWD staff attended the Division of Human Resources Annual Conference in Casa Blanca, NM on June 6-8, 2010.
- NDWD management conducted 21 management meetings this quarter.

Department of Navajo Veterans Affairs (DNVA):

Central Administration:

- The Central Office Administration formed a team to devise a process to resolve corrections cited in the Auditor General's report. The process involves the development of a monitoring team that is designed to check the progress of the corrective actions at each of the agency and central office level.
- Two vacant positions at the Central Office have been filled with a temporary Senior Office Specialist and a permanent Administrative Service Officer. Western DNVA Veterans Service Officer started on June 22, 2010 and is looking forward to putting ideas and suggestions together with team work and communication being their main emphasis in working together at the Western Agency Office.

Chinle Agency:

- In the Month of May 2010, VSO attended five veterans' meetings to provide technical assistance and support in the following areas: Navajo Nation Veterans' Trust Fund, construction of permanent Veterans Building, and encouraged input to resolve critical audit findings through more educational meetings, workshops and micro-management of veterans' registry.
- 05/10/10: Continuing a series of collaboration with Chinle Workforce Center to heighten job placements, increase OJT opportunities, and qualify more recent honorably discharged veterans including family members for federal and/or state programs. The Workforce staff; namely, Jefferson Gorman, Mr. Wilson, Alice Jones, and Rena C. Begay are committed to assisting 16-Local CNVO Organization, and 'AVA' entity. During the collaboration meeting with Workforce Office, DNVA shared the importance of networking, and accomplishing veterans' educational/employment needs.
- 05/15/10: Transported the family members of Huskie Y. B. Ten, KIA of Black Mesa/Kitsillie, Arizona, to Armed Forces Day Parade in Flagstaff, Arizona. The H.Y.B. Ten Float was of one the most honored entry per Betsey Brunner, Reporter with Arizona Daily Sun Newspapers of Flagstaff, Arizona. A front paper article, 'Honoring an Old Tree Warrior – One Navajo Family strives to get proper recognition for a fallen loved one' was printed on Monday, May 31, 2010.
- 05/24/10: Per instruction, Chinle DNVA Staff submitted the following NNVTF Expenditure Report for HSC Meeting.
- Per Auditor General's Recommendation, all local veterans' group must have all required documents such as Chapter Resolution, Veterans' Resolution, Plan of Operation, Fiscal Year Budget Plan, minutes, sign-in sheet, agenda, and certified list of Commanders/Officials.
- 05/28/10: Commenced Chinle Agency Memorial Day, numerous widows, family members of deceased veterans came for flag refolding event. During the Wreath Laying Ceremony, two (2) Gold Mothers: namely, Ms. Alberta Todecheenie and Eva Yazzie participated. Also, honored and perpetual memory of fourteen (14) KIAs. On average, Chinle Agency KIA is 21.7 years old, Five (5) were married, nine (9) were single, and only three (3) Gold Star Mothers are active, and they are: Sadie B. Kee, Alberta Todacheenie and Eva Yazzie.
- Traveled with CNVO/AVA Officials, and met with Wendy Hoffman, National President of Gold/Blue Star Organization, Grand Junction, Colorado, including Dr. Julie Fuller, PhD Team Leader for Colorado State Vet Center; Glen White, President and Ron 'Doc' Ross, VSO, Western Slope VVA Chapter 57; CNVO/AVA and Colorado Veterans Programs. All agreed to initiate new services for eligible widows, and dependents of deceased veterans consisting of emotional/mental support, DIC/Pension, housing and other health care services through VA and non-profit organizations.

- 06/07/10: Authorized three Chinle Agency DNVA program staff to attend DHR Conference at Route 66 Casino, Albuquerque, NM which included Earlene Cooke, SOS, Angelita Woody, OA, and Virginia Reed, Driver. As directed, VSO attended Many Farms Veterans Organization Meeting to discuss the construction of permanent veterans building within the chapter premises; ideas were shared between two (2) Council Delegate, Chapter Officials, Veterans' Commanders/Officers, and visitors which included usage of 4% Set-A-Side Fund; identify a special allocation by 21st Navajo Nation Council; Abandoned Mine Fund was considered, and MFVO drafted other grant proposals/ legislations for Federal and state offices before the next Chinle Agency Council Meeting. All officials agreed to network, and attain council support at Tsale / Wheatfields Chapter, on July 10, 2010.
- 06/16/10 Traveled to provide technical assistance and guidance to Chinle Agency Veterans Organizational meetings; such as, CNVO, AVA, Many Farms, and Tselani/Cottonwood Chapters. VSO was unable to attend three (3) veterans meetings due to conflict of schedules.
- 06/23/10: Annual VA Benefit Workshop; invited twenty-six (26) Federal/State VA Officials, and they help 251-veterans and families with applications for Compensation, Pension, DIC, Health Care Enrollment, Insurance Coverage's, and Domiciliary/Rehabilitation for Employment/Job Trainings, Education, etc. This was most anticipated event by 'grassroot' veterans including VA Service Providers – Ms. LaRae HoMana Pawiki, Coordinator, VA Medical Center; Prescott, Arizona should be credited for her hard work. She helped Chinle Agency conduct one of the most diverse workshops since twelve 1998. Other professional/private individuals also helped and naming a few they are: Joe Cortez, John Dudas, Julie Fuller, Glenn White, Ron 'Doc' Ross, Saraphina Dailey, Polly Nez; and the youth, Chinle JROTC Cadets.
- 06/24/10: meeting between Col. Joey Strickland, Executive Director, Arizona State Veterans Commission, and Mr. David P. Nez, Department Manager II, DNVA Central Office, Mr. Julius Elwood, Division Director, Division of Human Resources, Window Rock, Arizona, including Clarence N. Gorman, CNVO Vice-Commander, Homer Bluehouse, Commander, Ft. Defiance Agency Veterans Organization, Honorable Elbert R. Wheeler, Council Delegate of 21st Navajo Nation Council/HSC. Discussed establishment of Veterans Cemetery; The Caregivers and Veterans Omnibus Health Service Act of 2009 (Senator Akaka, D-HI; Bills.1963); and to complete development of Veterans Clinic by September 2010, in Chinle, Arizona.
In the Month of June 2010, VSO attended two major veterans meetings – to discuss a permanent veterans building, and conduct need assessment for usage of 4% Set-A-Side Fund in FY 2011. Another important meeting for VSO was the successful implementation of CAP and achieves the ending of Auditor General's Sanction against DNVA.

Eastern Agency:

- **NAHASDA Housing Program:** Jamie Barboan, Office Specialist has been working with selected veterans under the NAHASDA Program by contacting several veterans for housing with only 3 qualifying out of 10 veterans. Veterans consist of Nelson Chee, Breadsprings, New Mexico; Edison Morgan, Pinedale, New Mexico; and Mr. King of Iyanbito, New Mexico. Ms. Barboan is encountering problems with Thoreau Management Office. Ms. Barboan and Frank Begay of NHA have conducted a site assessment for Edison Morgan, but Alice Chischilly, Housing Manager will not accept her work. A meeting with NHA Management needs to be scheduled to address this problem.
- **Self Help Housing Program** - in process of constructing (2) homes; one in Manuelito at 98% completion with completion by June 2010. The other is in Mariano Lake at 74% completion and presently at Phase IV. We have a burnout housing unit partial assistance which is at 12% completion with concrete floor done by Paul Castillo. DNVA will be assisting veteran with manpower and shell of house at a cost of \$11,506.00. Local Veterans Organization and Chapter will assist with purchasing the remaining material and providing manpower with delivery of materials on June 28, 2010 and anticipated completion by September 30, 2010. Project will be monitored by Lloyd Morgan.
- **Indigenous Community Enterprises (ICE)** is in the process of building a (2) bedroom house for a Manuelito, New Mexico veteran. No information has been received from (ICE) on this project; therefore, next alternative would be to meet with NHA Planning Section on status of this project.
- **Housing Technical Assistance** – Ms. Carol Wheeler, Coyote Canyon Chapter Coordinator requested our assistance in assessing a hogan for a veteran which was done by Lloyd Morgan. Ms. Wheeler asked our assistance in building a new house for the veteran; however, Coyote Canyon Chapter is under Fort Defiance Agency and Austin Desiderio, VSO was informed. Estimated cost to build a (2) bedroom house is approximately \$29,000 and Mr. Desiderio will look into funds for housing with the Agency. Fort Defiance does not have a Senior Carpenter so Eastern DNVA will assist in providing technical assistance in constructing the house. Ms. Wheeler also stated they have heavy equipment to clear the area and would provide an electrician and plumber to aid in constructing the house. The Veteran did not have a Housing Application on file and this is presently in the process.

- **Capital Outlay Funds \$50,000 and \$20,000 for Arch Clearance and Surveys** – Both funds have reverted back to the State of New Mexico. Veterans selected for surveys and archeological clearances have asked when the work is to begin; however, we have to inform them that project is not feasible.
- **Self Help Housing waiting List** - 90 veterans are on the Self Help housing waiting list with all documents required. Additional applications are being reviewed at this time. Suggested recommendation to use other agency funds for housing if they are not utilizing it. Qualified applicants will be submitted to NHA for housing assistance through the Mutual Help Homeownership Program.
- **Veterans Data Base** – continuing to input veterans' data DNVA.
- **Veterans Trust Fund** – informed Eastern Agency Veterans Organizations on the release of funds and has instructed them to budget both FY 2009 and 2010 together with a majority completing this process and have begun to spend. Seven Chapters have funds over \$10,000 and we have been encouraging them to spend their funds. However, Veterans Organizations have been spending the Supplemental funds. Veterans Organizations were asked to spend the Veterans Trust funds first then the Supplemental with some complying.
- **VAMC Fee Reimbursement** – Veterans are being updated on the required changes implemented by DNVA and are accepting these changes. Claims are being submitted to Window Rock Central Office and we are awaiting reimbursement, so that funds can be replenished in ENA Object Code 6910.
- **Auditor General Audit Reviews** – ENA would like a copy of the report given to Human Service Veterans Sub-Committee on 6/23/2010, this will serve as a guide for Eastern Agency to expedite closing out these findings
- **DNVA Parking Lot** – Harrison Martin of Design and Construction notified us, Navajo AML Reclamation Department is looking for shovel ready projects with a June 30, 2010 deadline to submit proposals. On June 15, 2010 a Proposal Development meeting was held in Window Rock. Since this is federal funding a NEPA is required. ENA Office has been asking Crownpoint Chapter for this information since ENA Office is on Chapter withdrawn land and if this information is not received ENA DNVA will not be submitting a proposal. On June 16, 2010 met with Casey Begay of Capital Improvement Program about possible funding through his office, he stated there is a possibility and would inform our office when this happens. ENA will continue to follow up on this funding.
- **Navajo Technical College** – Lloyd Morgan, Senior Carpenter and I met with Scott Halliday, CAD Program Director to review blue prints developed by his students, he requested we red line changes to be made before documents were finalized.
- **Workforce Development (ARRA)** – Four veterans have been hired under the Workforce Development (ARRA) Program and have been helping in constructing homes for veterans with one veteran being hired under DNVA on a temporary basis.

Fort Defiance Agency:

- *Report was not submitted.*

Shiprock Agency:

- April 30, 2010 – 2010 AML Arbor Day was sponsored by for the agency veterans where they planted 29 trees at the Northern Navajo Veterans Center Building with President Joe Shirley, Jr. participated.
- May 7, 2010 – Sheepsprings Veterans Organization meeting held with 12 veterans in attendance.
- May 11, 2010 – Two Grey Hills Veterans Organization meeting with 8 veterans in attendance.
- May 20, 2010 – Beclabito Veterans Organization meeting in conjunction with the Veterans Park dedication. President Joe Shirley, Jr. was in attendance and approximately 80-100 veterans attended.
- May 30, 2010 - Tolikan Veterans Memorial gathering and dinner held with 45 veterans attending.
- May 31, 2010 – Northern DNVA participated in Veterans Memorial at Window Rock Veterans Park.
- June 4, 2010 – “Lost Heroes Art Quilt” ceremony in Santa Fe, NM. Invitation was sent from Joretta Rodriguez with Santa Fe NM Department of Veterans Services. Was asked by the family of Lyle Cambridge to represent them at this ceremony with a gold medal of remembrance presented from the White House Commission to Lyle Cambridge's two young children. Following the ceremony, had a brief meeting with Department of Veterans Services inquiring about receiving training in obtaining certification to handle federal veterans benefits. A follow up will be made in the near future with possibly Lorraine Bigman and Northern Agency VSO making an attempt to obtain certification.
- June 23, 2010 – Chinle Agency Veterans Organization and Arizona State Veterans Department Benefits Conference held with VSO attending.

- June 25, 2010 – Southeastern Utah Dine’ Veterans Organization conference sponsored by Aneth Chapter Veterans Organization. This was a benefit workshop and 52 veterans were in attendance.

Western Agency:

- April 8, 2010 the Department of Navajo Veterans Affairs conducted a Veterans Orientation of services and audit update. There were about 50 people that attended the meeting and our office provided lunch for all guests. We were able to provide veterans on what type of services our department provides and gave update on audit.
- May 10, 2010 Tonalea Veterans Organization had their monthly meeting. SOS attended this meeting to orientate the organization and other veterans on the type of services provided and the process of the Trust Fund. They were able to have a better understanding of the process.
- May 13, 2010, first successful Social Day held for veterans. On this day all staff contributed in getting food and Navajo Taco were served to 15 veterans. Attendees were appreciative of this event.
- May 31, 2010, held a Memorial Day luncheon for the Tuba City community with 60 people served on this day. We were also able to get the consent forms filled out for the Memorial Wall which will be completed by November 2010.
- June 24, 2010 WNA set up another Social Day. On this day Dine, Inc. conduc a presentation on gardening and how to make blue corn tamale. Veterans enjoyed participating in this activity. We also served dumpling stew on this day and all who attended enjoyed the whole day overall.
- June 26, 2010, fundraising event set by DNVA staff. We had spaces set up for vendors to sell along with small food items. Spaces were sold for \$5 each with 7 vendors setting up. The DNVA OA and OS set up a concession stand and made \$60.25. With this money, DNVA staff purchased several different arts and crafts activities for veterans.
- May 5, 2010, SOS traveled to Window Rock to attend the staff meeting. We were informed of the 3 items out Department did not meet for the Audit report which was; Policies & Procedures, Veterans Database and VAMC reimbursements with a deadline date of July 29, 2010 to correct those items.
- June 14, 2010 SOS attended the Community Networking Meeting at the Tuba City Boarding School. At this meeting I was able to receive information from other entities and programs on what type of services are provided. With this information we were able to set up a garden for veterans where they planted corn, squash, and watermelon.

Department of Retirement Services (DRS):

- DRS Staff presented and provided New Employee Orientation of the Defined Benefit Plan and 401(k) Plan at Staff Development & Training Center in Window Rock, Arizona: 4/13/10, 5/11/10 and 6/15/10.
- On April 12, 2010 held meeting with Payroll, Insurance and Personnel Management regarding the SRP processes and how to resolve some issues on the FMIS/HRIS system. There were some complication on the data being implemented, payment issues for insurance coverage and making sure that all areas are being covered during the upcoming months. Also, on the 401(k) benefits deductions that have been left open for the Terminated employees.
- On April 22, 2010 staff traveled to attend and present the 401(k) Savings Plan and the Defined Benefit Plan to the Kayenta Public Health Nursing Department at Flagstaff, Arizona. Conference Call: April 27, 2010 with FMIS, Payroll, and Employee Benefits and regarding the 401(k) Savings Plan and JD Edwards files on the FMIS system.
- On May 3, 2010, continuation of the FMIS Meeting with Payroll, Employee Benefits and Personnel Management was regarding the issues for the implementing data on the Terminated participants and other discussion on reports. Stan Smith introduced the File Maker Pro to the attendees.
- Staff met on creating the Exceptional Report to request from Personnel Management on development of a database for Retirement Services.
- On May 14, 2010, staff and I met with OMB, Dominic Beyal and Finance, Darlene James on the Excel spreadsheet regarding the Special Retirement Participants. OMB and General Accounting was requesting a spreadsheet for numbers from each Divisions and Programs of how many took the SRP.
- File Maker Pro training conducted by Stanley Smith. Some of the Personnel Management staff and Retirement staff participated in a Power Point presentation on how to use and make File Maker Pro work as a database; this was an introduction to the staff. There were some many new and interesting ideas to help make our daily job easier.

- On May 21, 2010 the Retirement office received the Request for Proposal for the Actuarial Consultant contracts by 5:00 pm, and there was 7 RFP submitted.
- June 3, 2010 RPAC Committee Meeting with full agenda regarding the Request For Proposal for the Actuarial Consultant, 401(k) Savings Plan restated document, Defined Benefit restated document regarding the Military Service Credit by Towers Watson, introducing an Early retirement for Law Enforcement personnel and 401(k) Savings Plan Document via conference call.
- June 4, 2010 staff and I attended the presentation by Towers Watson an software to help us or staff with a Defined Benefit database, so the department will have to do pension calculation manually.
- Staff and I traveled on June 5-8, 2010 to attend and participate in the 2010 DHR Conference held at Route 66 at Casa Blanca near Albuquerque, NM.
- On June 9, 2010 staff had a conference call with Mary Cascaes from Wells Fargo regarding the pending issues and planned items for the upcoming quarter.
- June 11, 2010, Mary Cascaes and Kathy Hamilton of Wells Fargo traveled to met with us regarding the restated plan document and changes to the plan. Kathy Hamilton will be the Relationship Manager for the Navajo Nation Retirement Services.
- Conference Call: On June 23, 2010 Wells Fargo Kathy Hamilton and Michelle, Retirement staff discussed the communication materials for an upcoming mailer for all participants to attend a upcoming One on One session.
- I allowed Colonial Life Insurance to present to all the staff on June 24, 2010. This is a supplemental insurance for those who may want to receive extra coverage.
- During the week June 27-30, 2010 two staff traveled to attend and participate in the 63th Annual Society of Human Resources Conference on human resources, benefits and updates held in San Diego, California.
- Temporary hire in the Defined Benefit section, temporary not to exceed August 13, 2010. The department still needs assistance, so an extension was made to continue working on the Defined Benefits for participants and clients.
- Continue coordination with Employee Benefits/Insurance Services Department on the listing of all Terminated employees who are on the different plans and other issues concerning benefits. This allows us to update term dates for all participants on the 401(k) Sponsorweb along with People Soft.
- Continue to enforce and orientate to the different committees members, Navajo Nation Council Delegates and Political Appointees regarding the Deferred Compensation and Deferred Retirement on new legislation regarding eligibility and payments of Deferred Compensation with the American Jobs Creation Act.

Office of Navajo Labor Relations (ONLR):

A. WINDOW ROCK ADMINISTRATION

April 20, 2010 – Director and Gil Damon, LCO, provided a NPEA orientation for El Paso employees in Gallup. Representatives from Gallup, Colorado Springs and Albuquerque attended. Numerous questions were answered and El Paso assured ONLR they will continue to comply with the NPEA.

April 22, 2010 – Director and Gil Damon, LCO, provided a NPEA orientation for DHR Program Managers including Bernadette Bernally, HR Director, Rodgers Martinez, Plan Administrator, Retirement Services, Kee Long, Program Manager, Office of Broadcast Services, Leonard Benally, Manager, NOVRI, David P. Nez, Manager, Veterans Affairs, Marie Begay, Program Supervisor, Office of Navajo Woman & Families, Tim Bitsie, Program & Projects Specialist, NOSHA, Lorraine Tabaha, ASO, DHR, Leila Help-Tulley, Manager, SDTD, Andre' Codero, Division Director and Roselyn Shirley, Manager, Department of Workforce Development. Several scenarios of cases were provided and questions answered. The same orientation was offered to their supervisors and employees, but as of to date ONLR has not received any requests.

May 12, 2010 – The Eastern Land Commission invited the Director to their meeting to answer questions regarding recruitment in the eastern agency and Four Corners Power Plant. The commission was informed due to the nature of checkerboard, a determination had to be made whether ONLR had jurisdiction. Regarding the power plant, APS maintains ONLR has no jurisdiction based on a letter of agreement signed by Peterson Zah in 1985. One commissioner had negative comments stating it was discouraging business development. He was informed that was not the intent of the NPEA and perhaps he was not aware of the NPEA intent. ONLR offered to conduct a thorough orientation for the commission to clear up any misunderstanding of the law.

May 27, 2010 – Director and Gil Damon, LCO attended a prebid meeting at Crystal Chapter at the invitation of Chapter president Mae Mullahan. The contractors in attendance had several questions regarding Navajo preference.

June 3, 2010 – Don Adams of Bashas met with Director and Gil Damon, LCO to provide a presentation of their intended utilization of a drug and alcohol test on their premises. Copies of their policies and the tests were provided to ONLR for review and consistency with the NPEA.

June 4, 2010 – ONLR had their staff meeting and cookout at Wheatfields Lake. New LCO's were introduced and all LCO's provided reports on their cases, projects, site visits and settlements.

June 14, 2010 – Director and Carletta Benally, AA, attended the Human Services Committee meeting. IDC funds in the amount \$52,513.00 were approved for ONLR.

June 24-25, 2010 – Director, CEA and LCO's attended a training on "Fact Finding Training for Internal Personnel Investigations" sponsored by DPM. Every topic covered the two days was directly related to how ONLR conducts its investigations. This is part of an on-going effort to establish consistency in investigation by all LCO's.

B. CONSTRUCTION EMPLOYMENT ANALYST (Michael Armijo)

STATISTICAL INFORMATION

1.	New Charges Filed	N/A
	a. Navajo Nation Gov't	N/A
	b. Private Sectors	N/A
	c. Entities	N/A
2.	Total Charges Pending	N/A
3.	Informal Settlement	00
4.	Total Charges Closed	N/A
5.	Information/ Walk-Ins	200
6.	Referrals:	06
	a. Employment	01
	b. Apprenticeship	05
7.	Actual Job Placements	00
8.	Actual Apprenticeship Placement	05
9.	Job Site Visit	00
10.	Pre-Bid/ Pre-Job Conf.	08
11.	Overall Restitution	\$0.00
	a. Number of Person	00
	b. Amount per Person	\$0.00
12.	NPEA Orientation	09
13.	Affirmative Action Plan	N/A
14.	Wage Rate Issued	16
15.	Chapter Orientation	N/A

April 6, 2007 – CEA made a trip out to Kayenta ONLR to make repairs to storage shed building due to it be vandalized. Made the necessary repairs and installed a second lock on shed door. Storage shed can now be used for storing of ONLR property again.

April 20, 2010 – CEA assisted Chinle LCO with a pre-construction meeting at the Chinle Boarding School construction project. NPEA orientation was provided and answers and questions session followed the orientation. A total of 08 contractors and sub-contractors were at the meeting to hear the presentation on NPEA requirements.

April 21, 2010 – CEA provided a NPEA orientation to COMMNET WIRELESS LLC for the NTUA Broadband construction project. COMMNET was provided pre-construction packet as to the requirements before any work begins.

May 13, 2010 – CEA received notification from the National Ironworkers Training Program for American Indians, Inc. regarding three (3) applicants completing training. Due to the slow economy and lack of jobs around the country

applicant was unable to be job placed with any local unions at this time. As the economy improves and work picks up the three (3) applicants will be job placed thru the NITPAI.

May 24, 2010 – CEA attended a meeting with the Navajo Nation Public Safety Committee meeting regarding the collective bargaining agreement between Public Safety and UMWA. ONLR was to provide questions and answers session with the committee. But UMWA was tabled until CBAS was approved thru the S.A.S. process before being revisited.

WAGE DETERMINATIONS:

CEA issued a total of sixteen (16) wage decisions for construction projects throughout the Navajo Reservation during the third Quarter.

C. FORT DEFIANCE AGENCY (Eugene Kirk)

STATISTICAL INFORMATION

1.	New Charges Filed	08
	a. Navajo Nation Gov't	03
	b. Private Sectors	02
	c. Entities	03
2.	Total Charges Pending	23
3.	Informal Settlement	08
4.	Total Charges Closed	31
5.	Information/ Walk-Ins	1,203
6.	Referrals:	00
	a. Employment	00
	b. Apprenticeship	00
7.	Actual Job Placements	00
8.	Actual Apprenticeship Placement	00
9.	Job Site Visit	01
10.	Pre-Bid/ Pre-Job Conf.	00
11.	Overall Restitution	\$9,528.65
	a. Number of Person	5
	b. Amount per Person	\$1,225.60 \$2,403.05 \$2,000.00 \$2,900.00 \$1,000.00
12.	NPEA Orientation	05
13.	Affirmative Action Plan	02
14.	Wage Rate Issued	N/A
15.	Chapter Orientation	00

April 6, 2010 – LCO and Gil Damon, LCO met with Justin Newman, Service Project Manager with McCathy of Tempe, AZ who was awarded a contract of the Twin Arrows Casino Resort by Navajo Nation Gaming Enterprises. Mr. Newman was provided an orientation on NPEA requirements. The construction is scheduled to commence mid summer with completion by November 2010 if there are no delays.

April 10, 2010 – LCO informally settled a Charge filed against Bison Electric, Inc. regarding non-payment of wages. The complainant was provided payment in the amount of \$1,226.00 and Charge dismissed.

April 13, 2010 – LCO met with Ryan Hollowell, Superintendent of Bison Contracting Co. who received an award to construct a turn-off lane at Wide Ruins by ADOT. Four Navajo operators and flaggers were hired through Arizona job services. Davis Bacon is the prevailing wage for the project.

April 28, 2010 – LCO met with ESB Modular manufacturing regarding issues of enforcement action by Tuba City LCO, Meredith Thomas. The project manager had concerns that ESB was resorting to shutting down the project. LCO explained to the contractor the LCO's concerns were utilization of non-Navajos on the project. ESB has to provide justification and whether they advertised all positions as required by NPEA. The contractor had over 300 applications which they will assess to hire additional Navajo workers and agreed to hire more Navajos.

May 4, 2010 – LCO informally settled a Charge against Division of Social Services claiming non-payment of wages as Acting Director. The parties agreed to settle with a \$2,000.00 bonus payment and the Charge was dismissed.

May 11, 2010 – LCO dismissed a Charge filed against Department of Law Enforcement claiming improper denial of a transfer. DCE responded April 20, 2010 that the issue was resolved and the transfer was effective April 12, 2010.

May 12, 2010 – LCO informally settled a Charge filed against Little Singer Community School claiming non-payment of annual incentive bonus. The school proposed to settle the Charge with a payment of \$1,000.00 which the complainant accepted and the Charge will be dismissed when the Charging party submits a letter withdrawing the Charge.

May 13, 2010 – LCO informally settled a Charge filed against Division of Social Services claiming denial of step increase in wage for FY'09. The Division adjusted the complainants' salary and provided back pay in the amount of \$2,403.00 and the Charge was dismissed.

June 4, 2010 – LCO attended ONLR staff meeting at Wheatfields and provided a summary report on his activities.

June 18, 2010 – LCO dismissed a Charge filed against Department of Criminal Investigation claiming improper withholding payment of 299 leave hours. DCI responded that the complainant had been provided payment via his mailing address in the amount of \$2,900.00 along with his PAF.

D. EASTERN AGENCY (Gililand Damon)

STATISTICAL INFORMATION

1.	New Charges Filed	15
	a. Navajo Nation Gov't	07
	b. Private Sectors	08
	c. Entities	00
2.	Total Charges Pending	22
3.	Informal Settlement	00
4.	Total Charges Closed	20
5.	Information/ Walk-Ins	297
6.	Referrals:	00
	a. Employment	00
	b. Apprenticeship	00
7.	Actual Job Placements	00
8.	Actual Apprenticeship Placement	00
9.	Job Site Visit	00
10.	Pre-Bid/ Pre-Job Conf.	01
11.	Overall Restitution	\$4,103.68
	a. Number of Person	1
	b. Amount per Person	\$4,103.68
12.	NPEA Orientation	05
13.	Affirmative Action Plan	00
14.	Wage Rate Issued	N/A
15.	Chapter Orientation	00

April 5, 2010 – LCO attended a pre-construction meeting at Navajo Area Indian Health Services in St. Michaels regarding "Crownpoint Generator Replacement Project". LCO provided the contractor for two projects the requirements of NPEA.

April 6, 2010 – LCO conducted a NPEA orientation for representatives from McCarty who will be bidding on the Navajo Nation Casino and Resort at Twin Arrows, east of Flagstaff. Justin A. Newman, Senior Project Manager, provided the orientation on the specific requirements of the NPEA. Mr. Newman assured LCO he would comply with the law if he is awarded the contract.

April 20, 2010 – LCO and Director provided a NPEA orientation for El Paso Natural Gas in Gallup. Representatives from Gallup, Albuquerque, Grants and Colorado Springs, CO attended the orientation. The attendees asked questions and stated they enjoyed the presentation which was very informative.

April 22, 2010 – LCO and Director conducted a NPEA orientation and workshop for DHR Program Managers. The Program Managers asked a lot of questions and were appreciative of the information and documents provided.

May 12, 2010 – LCO and Director attended a meeting of the Eastern Land Commission at their request. The Commission had questions regarding NPEA enforcement in eastern agency and APS Four Corners Power Plant. Director informed the commission due to the checkerboard status, a determination had to be made whether Navajo Nation had jurisdiction. Secondly APS maintained ONLR has no jurisdiction over them based on a letter of agreement signed by Peterson Zah in 1985 and upheld by the U.S. District Court.

May 22, 2010 – LCO and Director attended a prebid meeting at Crystal Chapter regarding construction of the multi-purpose building. The contractor in attendance were provided an orientation on the requirements of the NPEA. Once an award is made, the successful contractor and subcontractor will be given a more in-depth orientation and packet.

June 3, 2010 – LCO took part in an in-house orientation by Don Adams, Human Resources Department of Bashas Store. The orientation covered a new method of conducting drug and alcohol testing. Mr. Adams was informed as long as the policy is consistent with the NPEA, it should not be a problem.

June 4, 2010 – ONLR had their staff meeting at Wheatfields, AZ. Various topics were reviewed with the staff, the staff reported their activities, new employees were introduced and a cook out was held.

June 15, 2010 – LCO attended and participated in a Job Fair at Ramah Chapter House. The job Fair was for “Pine Hill AARA Renovation Project” according to Native American Services Corp, general contractor; several Navajos were hired as a result of the job fair.

During the quarter, LCO accepted 15 individual Charges and one ONLR Charge. LCO also completed and dismissed 20 individual Charges.

E. NORTHERN AGENCY (Dave DeVore)

STATISTICAL INFORMATION

1.	New Charges Filed	14
	a. Navajo Nation Gov't	06
	b. Private Sectors	05
	c. Entities	03
2.	Total Charges Pending	10
3.	Informal Settlement	01
4.	Total Charges Closed	207
5.	Information/ Walk-Ins	207
6.	Referrals:	10
	a. Employment	00
	b. Apprenticeship	10
7.	Actual Job Placements	00
8.	Actual Apprenticeship Placement	00
9.	Job Site Visit	15
10.	Pre-Bid/ Pre-Job Conf.	03
11.	Overall Restitution	\$24,200.00
	a. Number of Person	01
	b. Amount per Person	\$24,200.00
12.	NPEA Orientation	35
13.	Affirmative Action Plan	20

14.	Wage Rate Issued	N/A
15.	Chapter Orientation	00

April 28, 2010 – LCO obtained a partial settlement on a Charge filed against Aztec Dormitory regarding non-payment of an Employment Contract. The complainant was provided payment in the amount of \$24,200.00. A balance of \$6,653.00 is pending payment.

F. CENTRAL AGENCY (Annabelle Henderson)

STATISTICAL INFORMATION

1.	New Charges Filed	07
	a. Navajo Nation Gov't	01
	b. Private Sectors	02
	c. Entities	04
2.	Total Charges Pending	16
3.	Informal Settlement	01
4.	Total Charges Closed	13
5.	Information/ Walk-Ins	276
6.	Referrals:	01
	a. Employment	301
	b. Apprenticeship	00
7.	Actual Job Placements	00
8.	Actual Apprenticeship Placement	00
9.	Job Site Visit	31
10.	Pre-Bid/ Pre-Job Conf.	02
11.	Overall Restitution	\$2,668.47
	a. Number of Person	01
	b. Amount per Person	\$2,668.47
12.	NPEA Orientation	13
13.	Affirmative Action Plan	04
14.	Wage Rate Issued	N/A
15.	Chapter Orientation	00

May 4, 2010 – LCO attended a prebid meeting at Chinle Chapter House and provided a NPEA orientation for several contractors in attendance and answered questions.

May 5, 2010 – LCO participated in Navajo Technical College Career Fair at Chinle Wildcat Dem and provided brochures and information on ONLR, NPEA and Ironworkers Training Program.

May 12, 2010 – LCO provided a NPEA orientation for a subcontractor, Maryland Carpentry doing work at Rough Rock Community School Project.

May 20, 2010 – LCO obtained an informal settlement of a Charge filed against Jeehdeeza' Academy, Inc. regarding a suspension without cause. The parties signed a settlement agreement that provided payment to complainant in the amount of \$2,668.47.

June 10, 2010 – LCO provided a NPEA orientation for Ledcor CMI, Inc. who was awarded the “Canyon De Chelly National Park Service South Rim Drive Project”. The duration of the project is July 2010 to December 2010.

June 14, 2010 – LCO attended a “Meet and Greet Meeting” for contractors and Bitco/Kitchell contractors. The contractors will be bidding for the construction of several casinos on the Navajo Nation. The LCO provided an orientation on the requirements of the NPEA.

June 24-25, 2010 – LCO attended training on “Fact Finders for Internal Personnel Investigations” at the Navajo Nation Museum sponsored by DPM. The training will enhance LCO’s investigative skills in interviews and report writing.

G. WESTERN AGENCY – KAYENTA (Delight Butler)

STATISTICAL INFORMATION

1.	New Charges Filed	11
	a. Navajo Nation Gov’t	04
	b. Private Sectors	05
	c. Entities	02
2.	Total Charges Pending	22
3.	Informal Settlement	00
4.	Total Charges Closed	08
5.	Information/ Walk-Ins	282
6.	Referrals:	00
	a. Employment	00
	b. Apprenticeship	00
7.	Actual Job Placements	00
8.	Actual Apprenticeship Placement	00
9.	Job Site Visit	20
10.	Pre-Bid/ Pre-Job Conf.	00
11.	Overall Restitution	\$0.00
	a. Number of Person	01
	b. Amount per Person	\$0.00
12.	NPEA Orientation	08
13.	Affirmative Action Plan	10
14.	Wage Rate Issued	N/A
15.	Chapter Orientation	01

LCO conducted twenty jobsite inspections on various projects and eight NPEA orientations.

May 20, 2010 – LCO issued a “Notice of Warning” to LeGrand Johnson Construction Co. doing road construction from Halchita to Mexican Hat, UT. Their manager report indicated several non-Navajos on the project. LCO went out to the jobsite but there were no workers out that day.

H. WESTERN AGENCY – TUBA CITY (Maredith Thomas)

STATISTICAL INFORMATION

1.	New Charges Filed	10
	a. Navajo Nation Gov’t	03
	b. Private Sectors	07
	c. Entities	00
2.	Total Charges Pending	09
3.	Informal Settlement	00
4.	Total Charges Closed	01
5.	Information/ Walk-Ins	521
6.	Referrals:	08
	a. Employment	05
	b. Apprenticeship	03
7.	Actual Job Placements	02
8.	Actual Apprenticeship Placement	00

9.	Job Site Visit	07
10.	Pre-Bid/ Pre-Job Conf.	02
11.	Overall Restitution	\$0.00
	a. Number of Person	00
	b. Amount per Person	\$0.00
12.	NPEA Orientation	03
13.	Affirmative Action Plan	04
14.	Wage Rate Issued	N/A
15.	Chapter Orientation	00

March 23, 2010 – LCO issued a “Notice of Warning” to Western Fence Company doing work in Tuba City for failure to advertise in the newspaper and radio as required by NPEA.

May 7, 2010 – LCO participated in “Justice Day” and provided handouts and information to students and adults. LCO also provided to five adults on how to file with ONLR.

May 11, 2010 – LCO and Director met with Alvina Tunney, Compliance Officer, Tuba City Regional Health Care regarding questions on their policies and NPEA. Also in attendance was Susie Hernandez, H.R. The two were informed the “At-Will” section of their policy was inconsistent with the NPEA and must be removed. They will consult with appropriate hospital officials on the issue.

June 4, 2010 – LCO attended ONLR Staff Meeting and provided a report on accomplishments and on-going activities.

June 15, 2010 – LCO attended an ADOT Partnering Meeting in Holbrook regarding highway construction at various areas on the Navajo Nation. LCO provided a NPEA orientation and overview of ONLR’s duties and responsibilities.

June 24-25, 2010 – LCO attended training in Window Rock on “Fact Finders Training for Internal Personnel Investigation”. LCO obtained training on how to conduct investigations, interviews and report writing that will be of great benefit in her case investigations.

Office of Broadcast Services (OBS):

- Digital Conversion Project: Purchase Orders for digital microwave radios and transmitter have been issued and are now being filled by vendors. Transmitter for three sites at Window Rock, Dezza Bluff, and Shiprock, and microwave radios for Piney Hill. Frequency assignments have been made with the assistance of National Telecommunication Information Administration (NTIA) Engineers and KNME-PBS TV Chief Engineer. This procedure was important so that the digital frequencies can be built into the transmitters at the manufacture before shipment to Navajo. Storage of new equipment is coordinated with Property Management Department. Installation assistance from Navajo Technical, Navajo Communications & Utilities, plus OBS technician.
- Dezza Bluff 190’ Transmit Tower Construction: Contractor, Advance Tower Services, Albuquerque, NM will begin construction on July 13, 2010. Funding from the State of NM in the amount of \$100,000.00 is funding the project. A Preconstruction Meeting is scheduled at the Office of Broadcast Services Building on July 7, 2010. Completion is scheduled on August 6, 2010.
- Proposed Professional Services Contract: Greg Best, Certified Professional Engineer to assist with testing and performance of digital radios and transmitters, he will connect the digital components and conduct testing to ensure maximum output. Will assist the filing of digital licensing of the new system. Have oversight on the requirements and specifications of digital equipment and build out of the system. Proposed agreement will be submitted to the 164 Process, once consultant signs document.
- Navajo Chapter Broadband Access Initiative (NCBAI): Assistance given to Navajo DIT, the lead agency for the ARRA Broadband Technology Opportunities Program grant application. The funds will set up Public Computer Centers (CCs) at 109 Chapter Houses, Headstart Centers, Elderly Centers, and other services area once funded. Office of Broadcast Services will perform the outreach of public information, promotion targeting tribal members with announcements to the general public through the CCs.
- Flight 33 TV Productions TV Series commencement of introduction filming with NN Public Safety/Police conducted scout, location, meetings DPS, OPVP, Jail, Facilities, NNPD-Window Rock, Chinle, Crownpoint sites visited. Ride Along. Project: Current CONTRACT signed with the Division of Public Safety & Flight 33

Production for Pre-coordination & Pre-promotion trailer filming concurred with NNFO & NNDPS meeting. The positive success of the Week of June 21st – 25th, 2010 site visit & preliminary filming with NNPD is a indication of what will become a long-term venture to highlight the daily efforts of the NNPD in each district. Conducted cast film & interviews, BRoll, Ride Along shoots and more within the week. NNFO ISSUANCE of PERMIT No. 3602 approved. National Geographic TV will be meeting on June 25th, 2010 to indicate the purchase of the series & its length run with Flight 33TV Production. NNFO will await for determination.

- MGM Studios Inc. “Stargate Universe” Television Series Filming conducted in the Bisti, NM badlands region under the interest of the NM Film incentives for 2010. The outcome with production representative indicated positive on filming in 2010 series & planetary terrain needed. This episode entitled “MALICE” #207 will air in fall on SYFY Channel NNFO conducted. Project Report: \$4,680.00 Revenue NNFO; Crew: 150+; Local Hires, Services, Transportation, Security, Lodging, Fuel, Meals, etc. Governor Richardson & NM Film Office improved film incentive programs from NM State which includes areas in & around Navajo. Conducted on-site monitor & location scout, site approvals for shoot episodes (4) in Farmington & BISTI areas. Tony Milford, Navajo Liaison on site daily with production. Conducted POST-Production monitor & clean up clearance with MGM Stargate crew.
- NNOBS NTIA Grant: Process SAS for final acceptance & issuance of NN approved transmittal letter for entered grant in the NN financial system for NTIA grant amount. Conducted procedural steps, meetings, documents, adjustments/justifications and other information to secure final acceptance with NNOMB, NNDOF-Contract Accounting, NN Capital Improvement Project funds for NTIA grant/NNOBS digital upgrade project. FMIS entered budget. Contract number: K010201 FY'10 & FY'11. MPS continue to monitor & issuance of financial oversight of budget for NTIA grant. Purchase commenced in 2nd qtr March, 2010.
- NN Emergency Management: April 12th 78 13th NNEMS & NNBTP will conduct exercise including Public Information section On April 12 and 13, the State of Arizona Department of Health Services and others will stage a statewide Strategic National Stockpile Exercise (SNS). The Navajo Nation Division of Health/Bio-Terrorism Preparedness Program and Navajo Area Indian Health Service including the Navajo Veterinarian and Livestock Program. NAIHS will set up an Emergency Operation Center in the lower level conference room of their facility in St. Michaels.
Set up and prep starts on April 9th. State and local responders will be sharing information setting up the scene prior to the actual two days of the exercise, April 12 and 13, 2010.
- NNOBS Finances: NNCIP/NM Funds-Advanced Towers for \$100K, NTIA GRANT Purchases: Vislink – (2) Receiver/Decoder \$7,770.00 – PO 225671; Vislink – Transmitters (6) & other items for each transmitter \$169,110.00 – PO 226895; Harris Corporation – Transmitters/Switchersd/ \$ 101,661.17 PO 226877; Vislink – Waveguides \$11,670.20 – PO 226892; Thermo Bond Building \$19,695.00 PO 226885 & \$25235.00 - PO 225982.
- Purchase including advertisement, refreshments, insurance & premiums coverage payments, Fleet Rental & Mileage, Storage, Conference Room Rental, Operational & Office supplies, Travel Expenses & other items expended in 3rd quarter.
- **Incoming Calls & Visitors:** Take messages, screen calls and visitors & have them sign-in the visitor’s Log before they are forward to appropriate staff for assistance greet and direct visitors to appropriate sources. Visitor’s that come in on a regular basis are as follows: FedEx, Navajo, Councilman(s), Navajo Police Officer, etc. requesting for Radio Programming updates, and other departments also Production crews to meet with Media Production Specialist.
- Perform clerical and secretarial office management and maintain filing system with clerical procedures at all time during the week, assistance provided to staff with normal office functions. Type correspondence and perform under general supervision of Program Manager and Media Production Specialist to perform related work as assign. Compile reports for the Quarterly Reports, monitor and maintain office supplies.
- Prepared and process (6) PPE Timesheet report from April, May & June, 2010. No late submittals. (See attachment of staff leave taken from April, May & June, 2010).
- New Division Director is selected, so type and prepared updates of authorization forms. New forms are Payroll Authorization, Expenditure Forms, Budget Revision Authorization and Cashiers Authorization form. All were prepared on 6-18-10 and forward to Division & President’s Office.
- Prepared and process (3) monthly mileage reports for Fleet Management with ICR-Interdepartmental Charge Requisition for both vehicle assigned. Up to date on reports and no late submittal to Fleet Management Department. For the month of May, 2010 both vehicles were taken in for maintenance services.
- Assist in preparing the Travel Authorization form for staff, assist Media Production Specialist on faxing some permits to the Production, typing out Purchase Requisition, Request for Direct Payment and making deposit at

Cashier's Office, Assist with preparing and finalizing the Quarterly Reports with the staff. Order Office/Janitorial supplies from the Custodian if available; Follow up on documents for pick up when called upon for pick up – like Budget Transfers, Personnel Department for PAF etc. PAF prepared for Winona House our Temporary Media Representative employee. DOE: 1-21-10 to July 16, 2010, due to new employee getting on, the Termination Notice was submitted on 5-21-10.

- PAF prepared for Lennie Renolds for Date of employment was scheduled on May 24, 2010 as Electronic Technician. But, the documents were held up on this from Personnel Department wanting more information on the position status of eligibility required. Pending, until further notice. Still have a vacant position and “Administrative Services Officer” Personnel Reclassification Forms is being process by Mr. Long.
- (Leonard K. James) Date of Employment: 4-27-10 and the Date of Termination on June 30, 2010. Prepare appreciation luncheon for him before he had left.
- Assist Lorie on assignments given to assist. This is typing ICR, Purchase Requisitions, Request for Direct Payment, making copies, faxing out documents, etc.
- I reviewed Mr. Greg L. Best, OBS designed consultant, I challenged his Scope of Work because I believed I accomplish part of his Scope of Work, therefore, it is not necessary to pay him for work done. I have added my remarks to the draft and pass it Kee Long and Lorie Lee for their approval.
- 03/30/10, working with Clark Rhodes, Vislink Communication I RPQ on NNTV four (4) duplex microwave digital radios. I forward PR to Lorie Lee for PO to be processed.
- I also finalized PR to Neville Cummings, Harris Communications for Three (3) 250 watts Translators for W/R, Dezza and Shiprock, include price listing for Omni antennas, coaxial cables and hardware.
- I talk with Clark Rhodes, Vislink Communications for connectivity to KNME-TV OTA at Piney Hill, he advised to loop 8VSB demolition into ASI transmitter input at P/H, transmit to W/R, its not necessary to purchase another set of radio duplex.
- SDTC all day, Frederick Skeet instructor, classes on 2007 MS Access database general introduction working with toolbars, graphic displays and work with application save, queries and making templates. Work with Datasheet view query specific record and change status.
- 4/13/10, working with Lorie Lee prepared SAS Packet for Greg L. Best Scope of Work consultation work with Office of Broadcast Services upgrading NNTV.
- 4/16/10, delivered rough draft copy of Greg L. Best Scope of Work to Lorie Lee for her study and analysis. If she is agreeable with the scope of work and no problem with budget, then it will be process for SAS Packet.
- Work with Harry Tso, Property Clerk from F/D Warehouse to tag new Fender 300 Pro PA System, also to updates OBS equipment listing. Harry Tso will fax master listing to OBS, this equipments list is latest inventory of all equipments OBS program has on record.
- 4/29/10 Meeting with Lorie Lee and Flora Chapito on studio layout of equipments....discussion on most economical way to convert middle room into small studio. Completed drawing for electrical connection to studio and editing bay rooms.
- Talk with Neville Cummings, Harris Corporation, he has not received PO for translators yet, also, most 250watts translators ERP rated 1000 watts. A UPS with 1500 watts should be sufficient to handle back up power. 5/31-6/01/10 DHR Division Conference, Route 66 Casino, Albuquerque, N.M.
- 6/16/10 Departed at 7:00 AM to St. Johns, AZ., for video coverage Louva Dahozy celebrations Day with Flora Chapito and Leonard James. Sept up camera St. Johns municipal court interview MC LeNora Y. Johnson, video Louva Dahozy ribbon cutting ceremony and parade.
- I talk with Harry Tso, Property Clerk at F/D regarding analog radio equipments and other OBS property stored in RR Boxcar, he advise to inventory all equipment, red tag all unusable and unserviceable equipments to be discarded.
- Call Deswood Begay, Cellularone Rep. in Showlow, AZ. to return my call for tower space agreement at S/R tower for OBS to mount 8 ft microwave dish antenna.
- 6/21/10, received RPQ from Katherine Scala OTA UHF antenna for KNME-TV 526-530 MHz, this will be sole source PO due to insufficient vendors
- Departed for Dezza Tower farm to inspect road conditions from NM State Highway 134, exit Sheep Springs to Narbono Pass, the road is passable until one mile from Dezza tower site, deep ravine, erosion and jagged rocks, road too narrow to accommodate heavy truck hauling tower. Road improvement would be necessary the last mile to Dezza.
- 6/22/10, Per Lorie Lee talk with Jim Gale, KNME-TV on NNTV microwave radio Tx/Rx frequencies, call Jim Gale to review the analog radio frequencies, perhaps apply for digital licenses.

- Fax 8VSB démodé PO from Vislink to Harry Tso F/D Property for tagging...I call Deswood Begay, Cellularone for information on S/R tower collocation permission, he informed me write letter to Melissa Covington, Cellularone request for tower collocation, size and weight of microwave dish antenna to be mounted on tower. A analysis study by Cellularone will be conducted if it is feasible to rent space on Cellularone tower at S/R.
- Signed PO to Katherine Scala Antenna for OTA UHF Channel 23, this is for P/H tower to demodulate KNMT-TV channel from Gibson Peak. This is specialty antenna, a high gain is necessary to intercept vivid video.
- 6/23/10 NOTE: Receive call from Herman Begay, Fleet Management inquiring who was driving Unit 107007 assigned to OBS. I told him I didn't know the driver. He making courtesy call, Tribal Units are not to be taken to lunch during noon. He didn't say where he saw vehicle but stated should be used for official use only.
- Drop off PC at Navajo DIT, this PC has virus problems, nothing is manageable anymore and search engine is being misdirected. Navajo.org outlook configurations are not working, getting behind on NNTV Projects eligible equipment list PR/PO.
- NNTV assisted Office of the President and Vice President with George Hardeen about video feed on Marshall Plummer's funeral from Rehoboth's church to Rehoboth's High School Gym. This task was completed with the help from D. I. T. by using their Tandberg System and using the schools internet access points in both buildings. A total of **2 hrs** on video web relay.
- We video covered NNC Special Session 4-2-10 **6 hrs**.
- I converted to DVD part 1 and 2 at total of **2:30 hrs**. Leg # 0592-09 during the Special Session on 4-2-10 to sell to Black Mesa Inc's.; which we sold 2 sets to them.
- I completed Human Rights Commission "Listing Session day 1" Part 1 at **2 hrs**. DVD. we wait for UNM School of Law to provide us afternoon listing session due to camera malfunctions.
- I completed Human Rights Commission "Listing Session day 2 Part 1" at **2 hrs**. DVD and Human Rights Commission "Listing Session day 2 Part 2" at **2 hrs**.; to include Human Rights Commission "Listing Session day 2 Part 3" at **30 mins** DVD a three part series.
- We video covered NNC Spring Session at **32 Hrs**.
- I video covered Supreme Court request and videotaped SC-CV-03-10, Timothy Nelson v. Joe Shirley Jr. hearing the NN Museum on 4-20-10. This project included D.I.T. to provide live transmitting to the Judicial Branch and we convert to DVD. A total of **2 hrs**.
- I provide my cassette recorder as a temporary loan to continue providing KGAK our daily radio programs due to their defective recorder.
- We received new intern Leonard K. James through Work Force Development. I provide training in Pre-Post production for 2 months.
- I videoed taped Supreme Court hearing SC-CV-02-10 with D.I.T. on 4-28-10 D.I.T provided live webcasting for Judicial Branch and we converted to DVD at **2 hrs**.
- I videoed taped **2 hrs**. on "Mapping Indigenous Community" on 4-28-10 per the request from Gallup UNM branch.
- I attended training at the training center about intro to Microsoft Access 07.
- The staff of OBS contributed their time to pick up trash for Earth Day.
- Temporary Media Rep. Winona House and I developed content for our website www.obs.navajo.org ant the proto type is on the W.W.W. with current activities and news. With this outlet we plan to improve and build customer services. We normally post all information on www.navajo.org, but now our content is on our website. I am still in the planning on when to fully launch the website.
- We video covered per the request from Supreme Courts "Announcement of the Order Decision per Timothy Nelson v. Pres. Dr. Shirley Jr. v. Speaker Lawrence T. Morgan" on 5-28-10 a total of **3 hrs**. Adoptive and Foster Parents Appreciation and Awareness Day pt 1 to DVD a total of **2 hrs**.
- We provided services to Navajo Nation Fair Office to video cover requested events such as Treaty day Grand Opening, Re-enactment Reunion and all Traditional Games a total of **5 hrs** combined. We are expecting payment at this time.
- NNTV total programming recorded for archival records and production 75:15 hrs. This does not include preproduction and editing time frame. These actions could not have been possible if we didn't not temporarily hired Winona House who provide a great contribution to production and the help from our intern Leonard K. James.

Navajo Office of Vital Records (NOVR):

- The Office will implement the new applications for service and enrollment starting July 6, 2010 at all the offices along with the refined enrollment guideline. This replaces the disclosure form currently used and all clients now must complete an application for services/enrollment. Applicants who do not have a parent on the base roll will now go before the Enrollment Screening Committee for enrollment consideration.
- Three positions have been filled, all Office Assistant positions. One completed her 90 day introductory for the Tuba City office and two are doing their 90 day introductory for the Window Rock and Fort Defiance offices. A Vital Statistics Technician position will be opening up soon for the Tuba City enrollment office.
- The Office issued 9,541 Certificate of Navajo Indian Bloods; 1,302 Verification of Indian Preference for federal employment; enrolled 1,001 new members and relinquished 9 individuals; and assisted 5,176 walk-in clients.

Navajo Occupational Safety & Health Administration (NOSHA):

- On March 31st, Programs and Projects Specialist traveled to Tuba City, Arizona to attend a scheduled meeting and conducted a site visit of the Tuba City Agriculture Building #2307. A review of an inspection report with photographs prepared by Ms. Rita Francisco, Senior Safety Technician Safety/Loss Program. Upon review of the inspection report it was deemed necessary to issue an *Order of Closure*. It is evident that the interior condition of the building is in a dilapidated condition and uninhabitable.
- On April 6th, a correspondence was addressed to Ms. Charlene Chapman, Program Supervisor; Risk Management Department requesting assistance in determining the structural integrity of the building. To date, no information has been provided to NOSHA of that determination.
- On April 1st, Ms. Onesalt conducted a *Workplace Safety Awareness Training* for the Kayenta Unified School District Maintenance Department personnel in Kayenta, Arizona. The training was in reference to asbestos containing material (ACM) awareness in the workplace and personal protective equipment (PPE) for the maintenance and custodial personnel. Approximately fifty-one (51) maintenance department employees attended the training. The training was conducted pursuant to a request from Mr. Julius Young, Operations Director; Kayenta Unified School.
- On April 5th, the NOSHA program staff had a meeting with Mr. John Linder, Senior Superintendent; and Ms. Lisa Gillson, Security Supervisor with Fire Rock Navajo Casino located in Church Rock, New Mexico. The meeting was in reference to review their Emergency Evacuation Manual and Safety Manual.
 - On April 23rd, the NOSHA staff completed the Emergency Evacuation Manual and notified Ms. Gillson, that it was acceptable and compliance with the Emergency Evacuation Plan.
- On April 7th, Programs and Projects Specialist and Ms. Onesalt attended a meeting in reference to the Ft. Defiance Community Health Services Building. In attendance for the meeting were Mr. Patrick Sandoval, Chief of Staff, Mr. Anslem Roanhorse, Division Director; Division of Health, Mike Salabiye, NDOH Planner, and Marcus Tulley, Department Manager; Facilities Maintenance Department. Mr. Sandoval reviewed the corrective action correspondence dated November 24, 2009, and he advised Mr. Roanhorse and Mr. Salabiye to commence corrective action on the stipulations addressed by NOSHA. A site visit was conducted with Mr. Sandoval, along with NDOH personnel to identify and commencing with a corrective action plan.
 - On April 14th, Mr. Charles Woodlee, Deputy Director of the Office of Environmental Health & Engineering; IHS/Navajo Area, conducted final air sampling sweep through the building basement, boiler room, 1st and 2nd floor common areas as well as several offices on the second floor of the Community Health Services Building.
 - On April 19th, the NOSHA program issued an Authorization to Resume Operation (Order) within the Community Health Services Building. The Authorization to Resume Operation was addressed to Mr. Anslem Roanhorse, Division Director; Navajo Division of Health. Regardless, the affected must comply with the November 2009 report.
 - On April 20th, a correspondence was addressed and delivered to Mr. Roanhorse; in reference to the Ft. Defiance Community Health Services building corrective action progress report. NDOH failed to provide the NOSHA program the information by May 7, 2010, wherein necessitated an issuance of *Citation and Notification of Penalty* to the Division of Health for failure to provide a safe and healthful working environment.
 - On May 7th, the NOSHA program received a correspondence from Mr. Herman Shorty, Program Supervisor III, and Office of Environmental Health/Code Enforcement requesting a Temporary Variance (extension) in reference to the NOSHA correspondence dated April 20, 2010, addressed to Mr. Roanhorse.
 - On May 24th, the NOSHA program issued a correspondence in reference to denial for temporary variance to Mr. Roanhorse. One of the requisites of the denial for the temporary variance is evidence that the NDOH, or its Program representatives, did not provide sufficient evidence for corrective action since the issuance of *Order of Closure*, dated November 24, 2009. Further, Mr. Shorty provided the temporary variance request on Friday, May 7, 2010 at approximately 4:55 p.m., thus providing insufficient time for review by NOSHA. On the same date; a

Citation and Notification of Penalty was also issued to Mr. Anslem Roanhorse, Director; and is within their right to request an informal conference with NOSHA; or file a Notice to Contest to the Office of Hearings and Appeals as indicated on page 1 of CNP FDAZ-11-24-09.

- On April 12th, the NOSHA program submitted a Request for Services (RFS) to Mr. Jerome Clark, Staff Attorney; Office of the Attorney General. The RFS was requesting legal opinion relating to the recent privatization of Fort Defiance Indian Hospital if the recent changes of federal law P.L. 93-638 (transfer of operations of the hospital for IHS to private nonprofit status); allow the NOSHA program to oversee the safety components of the facility? Would the employer be considered as a “Contract” employer as indicated in the NOSH Act of 2000, Subchapter 1, Section 102(A)(1)? As of to date, there is no response from the Office of the Attorney General.
- On April 12th – 16th, Ms. Onesalt attended *Accident Investigation and Safety Inspection Techniques* certification training sponsored by federal Occupational Safety and Health Administration Outreach Program in Phoenix, Arizona. The purpose of the Accident Investigation training is to prepare and planning, witness interviewing and photographing and diagramming of accident scenes, analytical techniques, report writing and legal aspects. The Safety Inspection Techniques is to learn the most commonly used safety inspection standards, tools and techniques. Experience in organized approach to inspecting and auditing projects to insure OSHA compliance, injury prevention and prepare a final inspection report for Construction and General Industry. Ms. Onesalt successfully completed and received her certification for Accident Investigation and Safety Inspection Techniques trainings.
- On April 13th, Mr. Owens provided *New Employee Orientation* (NEO) at the Staff Development & Training Department conference room. Approximately twenty (20) Navajo Nation government employees from various Divisions, Departments and Programs attended the monthly orientation. Mr. Owens provided orientation on NOSHA services; summary and overview of the Navajo OSH Act of 2000 and overview of applicable occupational safety and health standards in the workplace.
- On April 13th, Programs and Projects Specialist attended a *pre-construction meeting* in Navajo, New Mexico in reference to Navajo Housing Authority (NHA) Red Clay Hills Project. Approximately fifteen (15) representatives participated in the meeting; from the local chapter, Navajo Tribal Utility Authority (NTUA), NHA and the general contractor, Souers Construction, Inc. The general contractor was provided an orientation on NOSHA services; summary and overview of the Navajo OSH Act of 2000 and were made aware of applicable occupational safety and health standards for (29 CFR 1926 Construction Industry). Mr. Jeff Patrick is the Project Manager.
- On April 15th, Programs and Projects Specialist attended the DHR staff meeting at the Staff Development & Training Department conference room. Ms. Lorraine Tabaha, Administrative Assistant; provided updates on Earth Day Clean-up Activities, EPAF and Anniversary Dates, 2nd quarterly HSC reports, and upcoming activities scheduled for the Division.
- On April 16th, the NOSHA program authorized and coordinated to gain access to Chinle Navajo Special Diabetes Project (NSDP) to remove office equipment and publication health education materials/supplies in Chinle, Arizona. The NOSHA staff monitored the removal of office equipment. There was five (5) NSDP staff on site to wipe down equipment and load into trucks for transport to Window Rock. Mr. Randall Comb, Training Instructor and other staff donned into their personal protective equipment (PPE) while removing equipment from the modular building and during loading. The ownership of the modular building was never provided to NOSHA.
- On April 22nd, Programs and Projects Specialist attended the *Navajo Preference in Employment Act* (NPEA) orientation by Mr. Reynold Lee, Program Manager II and Mr. Gilland Damon, Compliance Office with the Office of Navajo Labor Relations. The gentlemen provided vital information on employment labor laws within the Navajo Nation which included Navajo Nation government, chapters, enterprises and private sector.
- On April 27th, the NOSHA program scheduled and conducted a meeting in reference to the Navajo Training Center, Building #2740. The meeting was related to receiving updates from each offices of any type of corrective action implemented of the noted findings; in addition to determine if further assessments are necessary insofar as identifying potential hazards (lead base paint, asbestos and mold). NOSHA invited Department of Risk Management, Safety/Loss Control, Property Management, Facilities Maintenance and Navajo Historic Preservation programs. The invited programs were to provide an insight of the resources available to ensure all employees are provided a safe and healthful workplace. During the meeting Directors and Managers reported no corrective action made and the Safety/Loss Control staff volunteered to conduct safety trainings for the staff; Mr. Wilfred Keeto, Senior Safety Technician offered his service to conduct asbestos containing material sampling and testing.
 - On April 28th, contacts were made with Mr. Keeto, Safety/Loss Control Program; he informed NOSHA that he will conduct ACM sampling and testing according to his work schedule and he referred me to Mr. William Lynch, Program Supervisor; he informed NOSHA they may schedule the ACM sampling after their May 5, 2010, scheduled monthly meeting.
 - On April 28th, Ms. Onesalt made contact with Mr. Charles Woodlee, Deputy Director; Division of Occupational Health and Safety Management, Navajo Area Indian Health Services (NAIHS) requesting his technical expertise

and assistance to conduct air analyses for the six Navajo Nation programs currently occupying the Navajo Training Center;

- On May 10th, Mr. Charles Woodlee, Deputy Director; conducted a sampling sweep through the building with the assistance of the NOSHA staff.
- On May 11th, received the Indoor Air Quality (IAQ) Sampling results from Mr. Charles Woodlee, Deputy Director; and levels measured inside the building were below the detection limits for carbon monoxide and volatile organic compounds during the duration of the sampling period.
- On May 14th, the NOSHA staff attended the Planning Meeting #1 in reference to the Navajo Training Center, which was conducted by Ms. Leila Help-Tulley, Manager; on the same date; Ms. Onesalt made contacts with asbestos abatement contractors for their technical assistance (cost estimates) in providing to the individual programs located at the Navajo Training Center, the legal process of environmental assessments. The contractors are Mr. Benjamin Drake, Owner; All Indian Environmental, LLC, Ms. Elaine Stewart, Owner; All Nations Environmental, LLC, Mr. Shawn Bitah, President; Blue Bison, Inc, and Mr. Duane Aspaas, Owner; Ina ba, Inc. The NOSHA program staff assisted the contractors during the onsite inspection of the building, and received all the cost estimates which were forwarded to Ms. Lorraine Tabaha, Administrative Service Officer, DHR.
- On May 26th, NOSHA conducted a meeting relating to the onsite assessment conducted by NOSHA on March 5, 2010, in reference to the Navajo Training Center. Again, no corrective actions were implemented of the noted findings by the building occupants; in addition Ms. Onesalt provided and disseminated information on the indoor air quality assessment and cost estimate for asbestos, lead base paint and mold sampling. There were not update information from Facilities Maintenance and Property Management Department. No representatives from Risk Management Department, Safety/Loss Control Program and Navajo Historic Preservation.
- On June 11th, the NOSHA staff attended the Planning Meeting #2 in reference to the Navajo Training Center; Topics of discussion included the structural integrity determination, asbestos sampling and testing, and other building maintenance needs.
- On June 14th, a meeting was held with the program representatives and the Chief of Staff. The NOSHA program meeting related to structural integrity, background information provided by NOSHA, Facilities Maintenance update report, a written report from Historic Preservation, electrical wiring testing by Mr. Leonard Hardy, and confirmation by the Safety/Loss Control to conduct asbestos and mold sampling on the week of June 21, 2010.
- To date, the Safety/Loss Control Program has been unresponsive to providing the necessary sampling. This delay is seriously complicating renovation.
- On May 4th, the NOSHA program staff participated in the annual Division of Human Resources (DHR) Earth Day roadside trash clean-up activities. The NOSHA staff coordinated the activities amongst staff and provided trash bags, rubber gloves, orange safety vests and drinking water. With an average participation of approximately forty-four (44) personnel from DHR Departments and Programs, the task was completed expeditiously in the areas designated for DHR. The post clean-up luncheon and refreshments were available which was coordinated by Ms. Leila Help-Tulley, Training Manager; at the Staff Development & Training Department for staff volunteers who assisted with the trash clean-up activities.
- On May 5th, the NOSHA program staff traveled to Montezuma Creek, Utah to attend a safety meeting and conduct a walk around site inspection of the former Aneth Gas Plant demolition project. Mr. Owens, Ms. Onesalt and I conducted the safety meeting for approximately thirty-five (35) asbestos abatement workers and provided information NOSHA services; summary and overview of the Navajo OSH Act of 2000 and overview of applicable occupational safety and health standards in the workplace. At the conclusion of the safety meeting, a site walk and safety inspection was conducted by NOSHA of the demolition project. In attendance for the safety meeting and site inspection were Mr. Charles Bird, Project Superintendent; and Mr. Dan Allen, Safety Officer; Envirocon, Kevin Behrens, Project Manager; Chevron, Inc., and Mr. Louie Leatherwood, Project Superintendent; Hudspeth & Associates, Inc., and Mr. Bill Gibson, Owner; Anti-Asbestos.
- On May 6th, the NOSHA program received an alleged complaint of unsafe working conditions at the Crownpoint Agriculture building in Crownpoint, New Mexico. The specific nature of the alleged complaint involves rodent infestation, unavailability of restroom facility and no potable water available for consumption and for hand washing by employees in the office complex. A correspondence was provided and delivered to Mr. Leo Watchman, Jr., Department Director of the Department of Agriculture to provide to NOSHA in writing a response in detail, stating specifically what corrective actions(s), if any were taken. The response should also accompany any supporting documentation on the actions(s) taken, such as monitoring results, abatement, new equipment orders, or photograph(s), etc., of corrected conditions.
- On May 11th, Mr. Owens provided *New Employee Orientation* (NEO) at the Staff Development & Training Department conference room. Approximately twenty (20) Navajo Nation government employees from various Divisions, Departments and Programs attended the monthly orientation. Mr. Owens provided orientation on NOSHA services;

summary and overview of the Navajo OSH Act of 2000 and overview of applicable occupational safety and health standards in the workplace.

- On May 17th, Mr. Owens attended the scheduled *pre-construction meeting* at the Kayenta Unified School District (KUSD) Governing Board room in Kayenta, Arizona. The meeting was in reference to the Monument Valley High School Veterinary Facility project and the invitation was from Mr. Julius Young, Operations Director; KUSD Operations Department. The General Contractor is W.M. Grace from Phoenix, Arizona and their representatives are Mr. Ed Shipley, President; Scott Shipley, Project Manager; Jerry Wolfe, General Superintendent and Tony Putrow, Assistant Project Manager. The Sub-contractors are Superior Steele and their representatives are Steve Nowaczyk, President; and Rose Contracting, Mr. Jerry Watkins, Superintendent. All the representatives were provided an orientation on NIOSH services; summary and overview of the Navajo OSH Act of 2000 and were made aware of applicable safety and health standards for (29 CFR 1926, Construction Industry).
- On May 19th, Programs and Projects Specialist attended the DHR Director's meeting. Update information were provided on Indirect Cost allocations for Staff Development & Training Department, Employee Recognition, Department of Personnel Management, Office of Navajo Labor Relations and Navajo Occupational Safety & Health Administration. In addition update reports were provided by each Departments and Programs to Mr. Andre' Cordero, Acting Division Director.
- On May 20th, Programs and Projects Specialist and Ms. Onesalt conducted a building inspection for the Internal Affairs Department located in the Navajo Nation Public Safety Building in Window Rock, Arizona. There several deficiencies that were found during the walk around assessment such as excess material storage/furniture, outdated fire extinguishers, electrical hazards and replace ceiling light ballasts with protective covers, to name a few. A written report will be provided to Sergeant John Yazzie in reference to the onsite assessment of the office complex to ensure corrective actions are made for the safety and health of the Navajo Nation government employees.
- On May 21st, Programs and Projects Specialist and Mr. Owens conducted a *construction site safety inspection* at the Four Corners Monument renovation project in Teec Nos Pos, Arizona. The purpose of the inspection was to assure the local vendors and the general public is not exposed to unsafe conditions while the renovation project is in progress. The on-site inspection was conducted with Ms. Victoria Dee, Supervisor; Navajo Nation Parks & Recreation Department, (NNP&R). Ms. Dee informed us that the construction is in daily progress Monday through Thursday and there are no construction activities on Friday's. The vendors and the general public are not allowed onto the site during construction activities, and the construction site is also fenced in. The site security is conducted by Ms. Dee and Mr. Harrison Cattleman, Maintenance Personnel, NNP&R. Weeminche Construction Company is the renovation contractor from Towaoc, Colorado.
- On May 24th, Programs and Projects Specialist attended the DHR staff meeting which was held at the President/Vice-President conference room. Mr. Patrick Sandoval, Chief of Staff attended the meeting and he informed the Department and Programs Directors that Mr. Cordero has resigned from the position and the Chief of Staff will commence acting status of the Division on a temporary basis until a replacement is made by the Navajo Nation President. He also informed the Directors and Managers approval for off-reservation travel for the DHR conference at Route 66 Hotel/Casino on June 7th and 8th, 2010.
- On May 25th, Programs and Projects Specialist and Ms. Onesalt conducted a construction safety inspection of the Bureau of Indian Affairs (BIA) Force Account project in Oak Springs, Arizona. The contractor has approximately eight (8) employees conducting pavement repair on BIA Service Route 12, between Hunter's Point, Arizona and Lupton, Arizona. The safety issues and concerns that were observed were; no posted speed limit signs were posted for traffic control, the two traffic flaggers did not have appropriate traffic paddle signs, no 2-way radios for communication and porta-johns for male and female employees on site. An opening and closing conference was conducted with Mr. Damon Rosenberg, Project Superintendent; and Mr. Victor Castillo, Assistant Project Manager and corrective actions were made on site and provided copies of the Navajo OSH Act of 2000 for their information on NIOSH services; and applicable occupational safety and health standards in the workplace.
- On June 7th & 8th, the NIOSH staff attended the DHR "Division Conference 2010", at Route 66 Casino/Hotel. The staff attended the break-out sessions and received important information from various Navajo Nation Divisions, Departments and Programs. Overall, the 2010 conference was a success and positive comments were made by DHR administration and Navajo Nation government employees who attended the conference.
- On June 9th, the Navajo Tribal Utility Authority (NTUA) informed NIOSH of an unsafe construction site at the Navajo Nation Quality Inn, in Window Rock; the contractor, Gallup Roofing Company employees were re-roofing the Navajo Nation Inn office/building complex. The contractor was set up on the north end of the building and the unsafe conditions were employees not wearing appropriate personal protective equipment (PPE's), no personal fall arrest system, combustible material storage adjacent to the natural gas meter, outdated fire extinguishers, and the 100 lbs., propane tanks are not properly secured. The unsafe conditions were reported by Mr. Ernest Abeita, Safety Officer and Mr. Jackson Yazzie, Utility Safety Officer; with NTUA and subsequently, shut-down the project. On the

same date; Ms. Onesalt contacted Ms. Irene Aragonz, Owner; Gallup Roofing Company and informed her of the unsafe conditions on the project site which needs corrective actions to avoid injuries and/or accidents. Ms. Aragonz informed Ms. Onesalt that she will send a representative to meet with the NOSHA program and NTUA on June 10th, to obtain proper safety requirements for the project. Mr. Stan Sapp, General Manager; Monument Hospitality from Phoenix, Arizona was also contacted and informed about the unsafe conditions on the project site.

- On June 10th, the NOSHA and NTUA staff waited for the Gallup Roofing Company representative at the Quality Inn project site, and no representative made the effort to attend the meeting.
- On June 10th, the NOSHA program conducted an Informal Conference regarding the *Citation and Notification of Penalty* for National Roofing Company from Albuquerque, New Mexico. The citation and notification of penalty was issued at the Tse' Hootsooi Middle School project site in Ft. Defiance, Arizona. During the informal conference there was an informal settlement agreement that was made between NOSHA and National Roofing representative Mr. Eli Naunez, Project Manager.
- On June 10th, the NOSHA program staff conducted an on-site *construction safety inspection* at the Basha's parking lot construction site in Window Rock, Arizona. The contractor was Wolverine Construction Company from Albuquerque, New Mexico and the owner is Mr. Ron Garcia. There were approximately 10 employees working on the project site and the unsafe conditions which were observed were employees not wear proper personal protective equipment (PPE's), no proper traffic control signs/barricades and fencing, no rebar protective covers, and damaged electrical cord used on the construction site. On-site corrective actions were made on site by Mr. Garcia and provided a brief orientation on NOSHA services; summary and overview of the Navajo OSH Act of 2000 and overview of Navajo OSHA responsibilities and requirements of Construction Industry Standards (29CFR 1926).
 - On the same date; the NOSHA staff met with Mr. Charles Day, Project Manager; Navajo Nation Shopping Center and informed him of the unsafe construction site and corrective actions were made on-site. He was also reminded to notify NOSHA on pre-construction meetings of all new projects in the future.
- On June 11th, Mr. Owens conducted an onsite building inspection of the KTNN Radio Station (Native Broadcast Enterprise) complex in Window Rock. The inspection was initiated by Mr. Jeffrey Morgan, Lieutenant; Navajo Nation Fire and Rescue Service as he requested for technical assistance from the NOSHA program. During the inspection, the exit doors were locked and dead bolts were installed on the exit doors, exit routes were obstructed with excess furniture; no exit signs posted; no protective covers on ceiling lights; excessive material storage, etc., to name a few. Based upon the findings, the NOSHA program deems that the building is in non-compliance with applicable occupational safety and health standards for employee safety. Corrective action needs to be taken to comply with Navajo OSH Act of 2000, and General Industry's occupational safety and health standards, (29 CFR 1910).
 - On June 22nd, Mr. Owens provided a correspondence to Mr. Troy J. Little, General Manager; KTNN/Native Broadcast Enterprise in reference to the on-site assessment and was informed to provide a written response to the NOSHA program. KTNN's response should be detailed, stating specifically what corrective action(s), if any were taken. In addition, the response also be accompanied any supporting documentation on the action(s) taken, such as monitoring results, abatement, new equipment orders, or photograph(s), etc., of corrected conditions. If NOSHA does not receive a response from Mr. Little, within (10) business days (July 6, 2010) indicating that appropriate action has been taken, an inspection may be scheduled and perhaps result in the issuance of *Citation and Notification of Penalty*.
- On June 14th, the NOSHA program received a telephone call in reference to a complaint of alleged unsafe working conditions at the Office of Special Education & Rehabilitation Services (OSERS) in Chinle, Arizona. The specific nature of the alleged complaint involves reptile entry into the workplace. According to Ms. Treva Roanhorse, Director; OSERS, the building owner ("Owner") is Imperial Circle, Inc., of Chinle, Arizona. The NOSHA program requested a copy of the Rental Agreement, between OSERS and the Owner. Upon review of the contract, Item #8 indicates that the Owner (Imperial Circle) is responsible for the maintenance of the building, including plumbing, heating and cooling and to provide general upkeep of the exterior of the building. For this reason, NOSHA cannot intervene at the present time.
 - On June 16th, the NOSHA program provided a correspondence to Ms. Treva Roanhorse, Director; informing her as Department Director of OSERS, it is her responsibility to provide each employee a place of employment a safe work environment. And provide to NOSHA in writing, her response for corrective action. The response should be detailed, stating specifically what corrective action(s), if any were taken. The response should also accompany any supporting documentation on the action(s) taken, such as monitoring results, abatement, new equipment orders, or photograph(s), etc., of corrected conditions. If NOSHA does not receive a response from the department within 10 business days from receipt of the correspondence, indicating that appropriate action has been taken, an inspection may be scheduled and perhaps result in the issuance of *Citation and Notification of Penalty*.
 - As of this date, the response time has lapsed with no feedback from OSERS.

- On June 15th, Mr. Owens provided *New Employee Orientation* (NEO) at the Staff Development & Training Department conference room. Approximately twenty-one (21) Navajo Nation government employees from various Divisions, Departments and Programs attended the monthly orientation. Mr. Owens provided orientation on NOSHA services; summary and overview of the Navajo OSH Act of 2000 and overview of applicable occupational safety and health standards in the workplace.
- On June 16th, Programs and Projects Specialist attended the DHR Directors and Managers staff meeting at the Office of Navajo Nation President/Vice-President's conference room. Chief of Staff (Mr. Sandoval) introduced new DHR Division Director, Mr. Julius Elwood. Introductions were provided by all DHR Directors and Managers and provided information on their programs duties and responsibilities. Mr. Elwood informed the staff he will visit all the programs to meet staff and to continue services to the Navajo Nation to the best of our ability and to implement customer services. On the same date, Mr. Elwood met with NOSHA program staff.
- On June 18th, the NOSHA program staff attended the Environmental Information Association (EIA) *Asbestos Regulatory Seminar* sponsored by The Asbestos Institute, Phoenix, Arizona. The seminar agenda included Introduction to Asbestos and Regulations, Asbestos Health Effects, Federal EPA Asbestos NESHAP, Training and Work Practices, OSHA Asbestos Regulations and AHERA Regulations. The Instructors was Mr. Bill Cavness and Mr. Brian Jones from Arizona Department of Environmental Quality (AZDEQ). The NOSHA program Senior Safety Technicians, Ms. Onesalt and Mr. Owens also provided an orientation on NOSHA services; summary and overview of the Navajo OSH Act of 2000 and overview of applicable occupational safety and health standards in the workplace. Approximately thirty-five (35) Navajo Nation government employees from various Divisions, Departments and Programs attended the seminar, and a few private contractors.
- On June 21st, the Programs and Projects Specialist attended the DHR staff meeting. Mr. Julius Elwood, Division Director and Ms. Lorraine Tabaha, Administrative Assistant; provided information on Short Term Strategic Planning Session, Department Profile Update, Governor Richardson's Job Expo on June 29th in Albuquerque, New Mexico, Fiscal Year 2011 Budget Impact Statement due on June 22nd, and Quarterly Reports are due to DHR on July 2, 2010 and to attend the HSC Oversight Committee meeting on Monday, June 28th at the Alamo Chapter House to address any questions, concerns and/or comments on behalf of each DHR department and program.
- On June 23rd, Mr. Owens conducted a construction site safety inspection at McDonald's fast food restaurant parking lot in Window Rock, Arizona. Approximately four employees with Young Electric Sign Company from Chandler, Arizona were installing a business sign on the permanent metal structure without proper personal protective equipment (PPE's) and no personal fall arrest system (full body harness). Contacts were made with Mr. Terry Larson, Lead Person; and was informed of the unsafe work practices by his employees and the project was temporarily shut-down and corrective actions were made on site and Mr. Owens authorized to resume operation on the project site. Mr. Larson was provided an orientation on NOSHA services; summary and overview of the Navajo OSH Act of 2000, and made aware of applicable occupational safety and health standards for (29 CFR 1926 Construction Industry).
- On June 23rd, Mr. Owens traveled to Kayenta, Arizona to conduct a construction safety inspection at Bashas' Shopping Center renovation project; the contractor is Zohnnie Construction Industries, Inc., from Farmington, New Mexico and the contact person is Ms. Harrietta Zohnnie, President. During the onsite safety inspection Mr. Owens observed that the employees were not wearing proper personal protective equipment (PPE) such as safety glasses with side shields, safety shoes with steel toe and employees were also eating in the construction zone. Corrective action was made on site to prevent personal injury and/or accidents. Mr. Owens also provided an orientation on NOSHA services; summary and overview of the Navajo OSH Act of 2000, and made aware of applicable occupational safety and health standards for (29 CFR 1926 Construction Industry).
 - On June 29th, Mr. Owens, Senior Safety Technician prepared and provided a correspondence to Ms. Henrietta Zohnnie, President in reference to the onsite construction safety inspection that was conducted at Bashas' Shopping Center renovation project in Kayenta, Arizona. A courtesy copy of the report was provided for Ms. Elizabeth Tso, Acting General Manager; Navajo Nation Shopping Center.
- On June 25th, the Programs and Projects Specialist and Senior Safety Technicians attended the pre-construction meeting at the Fire Rock Casino in Gallup, New Mexico in reference to new casino construction project for Chinle and Tse Da Kaan (Hogback). Approximately twenty (20) representatives from various companies, project owner, architect and general contractor BITCO – Kitchell attended the meeting. The general contractor representatives was provided an orientation on NOSHA services; summary and overview of the Navajo OSH Act of 2000 and were made aware of applicable occupational safety and health standards for (29 CFR 1926 Construction Industry). Mr. Edison Bitsui, President of Construction; BITCO-Kitchell and Ms. Cassey Phillip, Project Manager were informed of their duties and responsibilities. The joint venture construction company is from Albuquerque, New Mexico and Phoenix, Arizona.

- On June 25th, Ms. Susie Ahasteen, Office Specialist attended the scheduled Fiscal Year 2011 Navajo Nation Budget Preparation Orientation at the Navajo Nation Education Center auditorium in Window Rock, Arizona. The orientation focused primarily on changes to the overall budget preparation process for those who are experienced in the process. The orientation was conducted by Office of Management and Budget (OMB) staff.
- On June 28th, Programs and Projects Specialist and Ms. Onesalt attended the scheduled Human Services Committee (HSC) meeting in Alamo, New Mexico. The purpose for attending the meeting was to support Mr. Elwood, Acting DHR Director of his official appearance and report to HSC regarding the management and operation of DHR departments and programs and to address any questions, concerns on behalf of each program. The DHR report was presented by Mr. Elwood; however the report was tabled by HSC due to issues and concerns. The report has been deferred to HSC special meeting on Friday, July 9th, at Iyanbito Chapter House.
- On June 29th, the NOSHA program conducted an Informal Conference regarding the *Citation and Notification of Penalty* for FCI Constructors, Inc., Litchfield Park, Arizona. The Citation and Notification of Penalty was issued at the Tse' Hootsooi' Middle School project site in Ft. Defiance. During the informal conference an informal settlement agreement was made between NOSHA and FCI Constructor, Inc., representatives. The settlement agreement was agreed upon by all parties and approved by Mr. Jerome Clark, Attorney; Department of Justice (DOJ) and signed by the NOSHA program on the same date. This will officially close the Citation.
- On June 29th, Ms. Onesalt attended a pre-construction *meeting* at the Navajo Technical College (NTC) President's conference room in Crownpoint, New Mexico in reference to a construction and installation of the Dezza Bluff television/radio transmission tower. The meeting was coordinated by Mr. Kee Long, Program Manager; Office of Broadcast Services and the contractor for the project is Advance Tower Service from Albuquerque, New Mexico. The contractor representatives were not available to attend the meeting; consequently, the meeting has been rescheduled on July 7th, at the Office of Broadcast Services.

Office of Navajo Women & Families (ONWF):

- Continue providing walk-in clients with protection orders, information and referrals. Perform radio presentation. The program is happy to have a volunteer assisting with office work including answering telephone calls, folding brochures and other work assignment.
- March 29, 2010 ~ an elderly lady came in regarding her problem with her adult son. Her son took her driver's license and vehicle registration from her purse and vehicle. The elderly lady is seventy-two years old. She said that she code sign for all her adult children to purchase their vehicles. Now that they don't want her to drive. She received no citation for any traffic violations nor broke any law. Her children received traffic violations, and she cannot understand why they don't want her to drive. She also always asked to buy groceries. About a year ago this elderly lady was assisted with protection order and the judge honored it and she received a restraining order up to five years. Program Supervisor asked her to bring her document and follow up with it with the Window Rock District Court. It sound like her son has violated the restraining order conditions.
- March 29, 2010 - The grandmother established a guardianship to raise her five grandchildren. The young mother of the small children passed away a month ago. The young mother lived with her children in Phoenix, Arizona. Two the children's father passed away and the young lady was living with a young man at the time of her death. The children ages range from five to eleven. The family is living in a small two bedroom trailer, and it is not enough room for all of the children. An application was filed with the NHA for a five bedroom house, and it is pending for the family to move in.
- March 31, 2010 - A lady called from Kaibeto, Arizona requesting for assistance. She is a veteran widow. Her late husband was a purple- heart recipient. She adopted two little children, 10 and 13 years of age. The older boy goes to school in Page, Arizona. The younger girl is going to Kaibeto Elementary School. The family has a coal/wood stove and it is very old. The lady apparently asked her council delegate to assistance, but to this date she has not been assisted. The lady sells her crafts to keep up with her home necessities including food, school supplies, etc. A referral was mailed to her to give it to her council delegate.
- March 31, 2010 - A young lady came in requesting for monetary donation, gift certificates or prizes/supplies/items. The Easter Celebration Committee in Ganado, Arizona is planning a community Easter Celebration on Saturday, April 3, 2010. The lady said the community members and dignitaries are making efforts to provide a happy occasion to their community. With that, ONWF donated some bottled water.
- March 31, 2010 - Program Supervisor did a follow-up on a client and her family near the Yah Ta Hey, New Mexico. The ONWF assisted the client and her handicapped son with providing all the required documents to the Southwest Indian Foundation back in year 2000. The Southwest Indian Foundation put the family in the priority list and had the house built by the Southwest Indian Foundation, Gallup, New Mexico. The grandmother takes care of her handicapped son, who is twenty six years old. She also is raising her grandson under the guardianship.

The grandson was placed under her care because the natural parents were unstable and alcoholic. The grandson is thirteen years of age; under the medication and attended different schools. Currently, he is on probation. The grandmother is seeking help from Ft. Defiance Indian Service – Adult Care Unit (ACU) to enroll his grandson to receive therapy. Recently, the young grandson stabbed a neighbor's son and the injured boy was treated at the hospital in Gallup, N.M. Although, the incident was never reported, the grandmother is fearing that her grandson might hurt her because he is restless and always in demand. The ONWF will submit a referral of support to Ms. Beverly Deshine, Ft. Defiance Indian Health Service – Adolescent Care Unit (ACU).

- April 6, 2010~ Program Supervisor follow-up visit to a client and her handicapped son at Yah Ta Hey, New Mexico. The meeting took an hour and half long. Program Supervisor informed the client and her son that Ft. Defiance Indian Health Service – Adolescent Care Unit (ACU) would inform them about the outcome of the screening and evaluation of her grandson; whether he would be placed at the ACU for therapy. The ACU supervisor informed that the family has been calling once or twice a day for the information. Program Supervisor was comfortable to find out the family is doing fine. The grandson was playing with his little puppy. The grandmother looked tired but happy. The grandmother talked about her older sister whom she helped for a year. The sister had her house built near her home. Lately, the sister has been verbally angry at her. The grandmother told her why she is carrying on being angry at her; after all the help she provided to her when she was in dire need of assistance. Program Supervisor mentioned there are ways to keep her away. And that is to file protection order against her. The grandmother has enough problems to worry about.
- April 7, 2010 - A former client came requesting for an assistance to respond to a 30-Day Civil Summons to Window Rock District Court, in Window Rock, Arizona. The client is a guardian to raise her three grandchildren by the court order. Apparently, the natural mother of the children is requesting to modify the existing Guardianships Decree to spend time with her children during the school breaks, summer vacation, and talk on telephone. Program Supervisor advised the client that the ONWF cannot interfere with on-going court proceeding, etc. And since she has been assisted by the DNA Legal Office, she needs to go back and her attorney assist her with the respond.
- April 12, 2010 - An individual came in with her two aunts. The party had a concern. The ONWF assisted the individual back in February, 2010 with two referrals to Social Services in Fort Defiance and Speaker of the NN for financial assistance. The concern was that the individual informed her grandmother that the ONWF Supervisor told her to get help from her grandmother. There is not in any way to offend anybody. Program Supervisor provided the referrals for the young lady. The young lady mentioned her grandmother worked for the ONWF awhile back. I may have commented that her grandmother has all the knowledge. The two aunts asked what ONWF do? I informed the two aunts that the ONWF provides services with protection order, information and referrals, radio presentation, sponsor conferences. The ONWF talk on the Navajo Nation Radio Network and pleads with the parents and grandparents to love, support and encourage their children and grandchildren to stay away from drugs and alcohol.
- April 12, 2010 - Program Supervisor follow-up on a client at St. Michaels, Arizona. Distributed some clothes and toiletries. The client is still living with his brother. The uncle left and lives with his sister and family in Phoenix, Arizona. The client and his uncle are both handicapped. The good news is that the Community Health Worker (CHR) continues to visit them.
- April 13, 2010 - A young individual came with her aunt from Gallup, New Mexico requesting for referral for NHA rental unit in Church Rock, New Mexico. The young mother has two children who are living with her mother in Albuquerque, New Mexico, and she would like to bring her children back to Church Rock, N.M. The father of the young children is Hispanic and living away from the young family. The ONWF provided a referral for housing unit to Ms. Eleanor Jim, Intake Housing Officer in Tohatchi NHA Office. The young lady would like to establish her home on the Navajo Reservation which is in Church Rock, N.M.
- April 13, 2010 - An elderly man came in complaining about his chapter officers and misuse of funds. Program Supervisor informed the individual that the matter is the chapter affairs. Also if there are any unethical activities, the concerned community members can go to the Navajo Nation Ethics & Rules Office.
- April 13, 2010 - A young lady came in and said that she is with Women of Abuse or In Transition (W.A.I.T.) from the Seventh Day Adventist Church. Her mission is meeting with women in the domestic violence or abusive relationship and with the assistance of the pastor counsel the victims.
- April 14, 2010 - Program Supervisor and Navajo Women's Commissioner from the Eastern Navajo Agency gave a radio presentation with the Navajo Nation Radio Network. Topic covered: "Congratulation" to all graduating students across the Navajo land and the state-wide nation.
- The traditional values and teaching should rekindle our Navajo Way of Life, love one another, help one another, teach one another, and pray and sing together so we can continue to journey together with the blessing from all four cardinal directions and with the guidance of the Holy People.

- April 15, 2010 - Program Supervisor attended the DHR Staff Meeting at the Staff Development Training Department at 4:00 P.M. Topics covered were: Earth Day Clean-Up and Activities, DHR Conference 2010, NPEA for Supervisor's Orientation, and Others.
- April 16, 2010 - An elderly individual called regarding his adult daughter. The daughter is 45 years of age and an alcoholic. The daughter has two children and the children are with their grandmother under guardianship agreement. The daughter has been to a detoxification program in Phoenix, Arizona a few years back, but now that the daughter has fallen back to drinking, the father is very worried about her. The daughter is currently living off and on with her boyfriend and she is being abused by her boyfriend. The father is constantly telling her daughter to get help again, but the daughter is refusing to get help. Program Supervisor talk about the daughter that she is an adult woman, been to a rehab and refusing to get help, there is possibility of getting the assistance from the Navajo Nation Behavioral Health, and Public Health Mental Health. The daughter is the one that would want to get help. The ONWF can assist the daughter with the protection order (PTO) against her boyfriend. The ONWF welcomes the daughter to visit for the assistance.
- April 19, 2010 - An individual called from Lechee, Arizona regarding her daughter-in-law from the State of Virginia who telephoned her about non-payment of child support from her son. The son lives with his new girlfriend in Lechee, Arizona. The individual told her daughter-in-law that she constantly tells her son to keep up with his support to his five children. The son has his young son with him. The daughter-in-law told that she is cutting off the visitation, pictures of the children, etc. from the father and his family. This threat hurts the grandmother. The ONWF informed the individual that the daughter-in-law, mother of the five children has every right to complain about the non-payment and she even can go to court to receive her relief. And the individual (grandmother) loves her grandchildren, and she needs to seek counseling from the Another Way who provides free counseling. And she needs to take care of herself and not to really worry about her son's problem. The son is an adult, and he need to realize that he has the responsibility to support his young children.
- April 20, 2010 - Navajo Women's Commissioners, Judge Mae Horseman, and Charlotte Jane Begaye visited to review a document requesting for monetary donation from the Navajo Agricultural Products Industry, ATTN: Beulah John. The financial assistance is to defray the luncheon expenses to host the 13th Annual Navajo Women and Family Conference scheduled for July 14-15, 2010 at the Chinle Junior High, Chinle, Arizona. It is anticipate approximately 300 attendees. The theme for this year's conference is "T'aa she'aniish te'ego" (If it is going to be, it is up to me). This conference will focus on the skills that are vital to the "Self-Esteem, Control/Discipline, Life's happiness and well being of oneself. It will emphasize that family members should live by the principle of the Dine' Way of Life. The conference will also provide opportunities to empower the people to make positive changes in their lives.
- April 22, 2010 - Program Supervisor attended the Navajo Preference in Employment Act (NPEA) on Thursday, April 22, 2010 at the Quality Inn Meeting Room. A lengthy coverage on the Navajo Preference in Employment Act was presented by the Office of Navajo Labor Relations. The coverage included "All employers doing business within the territorial jurisdiction of the Navajo Nation, or engaged in any contract with the Navajo Nation shall give preference in employment to Navajos. Preference in employment shall include specific Navajo affirmative action plan and timetable for all phases of employment to achieve the tribal goals of employing Navajos in all job classification including supervisory and management positions."
- May 4, 2010 - The ONWF staff joined the other DHR employees in the Mother's Earth Clean up. The ONWF donated bottled water and soda pops for the cook out. The day was beautiful and sunshine and made the luncheon good and fun. Ms. Tully inspired the employees with jokes and music. The meal was delicious. Program Supervisor gave a short note: "We all love our Mother Earth, she feeds us. We all take care of our trash dispose them properly".
- May 4, 2010 - Program Supervisor took some bottled water and refreshment to Tohatchi Chapter. Program Supervisor extended console scent to former Office Specialist and family. Program Supervisor met a lot of people from all over the reservation. The father was a medicine man, well known father and grandfather.
- May 6, 2010 - Program Supervisor gave a radio presentation with the Navajo Nation Radio Network. The presentation covered the Mother's Day message, Keeping Mother's Earth Clean, and the graduation message to all graduates this coming month. Mother's Day is on Sunday, May 9, 2010. Every day is Mother's Day. We have mothers who we all dearly love. Some mothers passed on, but we cherish the beautiful memory of them. We remember the wondrous teaching they gave us. The parental control with love and care, discipline and responsibility they instill in us. The teaching we teach our children and grandchildren. About our Mother's Earth, we all love our Mother's Earth. Our Mother's Earth feed us. We keep her clean free of litters. About the coming graduation, us parents support our graduating children and extend the guidance that they stay away from alcohol and drug. A good celebration is fun and memorable event.

- May 7, 2010 - An individual called from the Western Agency regarding the windmill that was recently installed is vibrating and may blow down from the strong wind. Program Supervisor called the Tuba City Water Development and reported it. Mr. Ray Manygoats will check it out. If there is any work, it will be until on Monday, May 10, 2010. The windmill replaced the solar panel pump. The solar panel pumped the water for the livestock for some years, and the pump was vandalized more than one time.
- May 12, 2010 - An individual came in seeking an assistance to counter file a complaint regarding an order by Judge T.J. Holgate with the Window Rock District Court on May 11, 2010. Also, a request for a referral to her daughter's supervisor. The daughter works for Window Rock District Court's Records Department, and the daughter has been harassing and calling her names. The individual showed a statement from her daughter stating that her mother always against her ex-husband, the father of her daughter. The daughter stated she is pursuing a protection order against her mother. The individual is very unhappy about her daughter's attitude and behavior. And that is why she wants to talk to her daughter's supervisor. Program Supervisor advised the individual to hire an advocate to assist her with her complaint. And as far as referral, the daughter is working and earning money for her family, and jobs are hard to find. And the daughter is filing a protection order against her. The other thing Program Supervisor advised her is that once the matter is in the court status, the program cannot interfere.
- May 12, 2010 - Office Specialist attended the DHR Conference Committee meeting from 3:00 p.m. to 5:00 p.m. at the Staff Development Training Center. The committee learned that the initial plan for the conference in Scottsdale, Arizona was cancelled due to some internal concerns. The conference was scheduled for June 7th to June 10, 2010 at the Paradise Double Tree, Scottsdale, Arizona. However, the committee will continue to plan the conference at a nearby location. The conference date and location will be determined at a later date.
- May 13, 2010 - Commissioner Irene Tully called from Whitehorse Lake, New Mexico. Program Supervisor reminded Ms. Tully that her commission term is expiring in June, 2010, and if she is interested in her commission serve, she needs to submit an updated resume and a letter of interest to the Navajo Nation President Joe Shirley, Jr. I mentioned to her that the other commission from Shiprock, N.M. that her term is also expiring in June, 2010. The ONWF will most likely advertise the positions in June, 2010.
- May 13, 2010 - Program Supervised visited some local vendors regarding technical assistance toward the 13th Annual Navajo Women & Family Conference schedule on July 14-15, 2010 in Chinle, Arizona. The conference's tentative agenda includes Drugs/Alcohol with FAS/FAE and emphasis behavior, Parent Child Relationship, Emergency & Safe Home/DV Elder Abuse, Neglect & Exploitations, Nursing Home, DSS ('638 Program), Renal Disease and Dialysis, Suicide Prevention, Creating Hope-Arts & Craft, Gangs and Drugs, Spirituality and Healthy Lifestyles and Veterans-Post Traumatic Stress Syndrome. The Kist Ani Catering Services will cater the luncheon on the first day.
- May 14, 2010 - Ms. Charlotte Jane Begaye called regarding an update of information on the upcoming 13th Annual Navajo Women & Family Conference scheduled for July 14-15, 2010 in Chinle, Arizona. The concern is the liability insurance of the conference at the Chinle Elementary School. The conference committee is working on it and wants to resolve the issues before too long.
- May 14, 2010 - Office Specialist ran some errands to the local businesses for donations of door prizes for the upcoming 13th Annual Navajo Women & Family Conference scheduled for July 14 & 15, 2010 in Chinle, Arizona.
- May 18, 2010 - An individual called from Lechee, Arizona that her friend is addicted to drinking heavily. Her friend was in Page Detox Center and received his treatment. Since his release, he started drinking again. Program Supervisor advised the individual to talk to his friend and try to readmit himself at the Detox and have him go through the treatment and counseling. And if he can stay in longer period to receive the counseling or if possible if he can be referred to other rehabilitation program.
- May 19, 2010 - Program Supervisor attended the Division of Human Resources ' Directors meeting at the Days Inn's Conference Room from 10:00 a.m. to 12:00 Noon. Topics covered IDC, Department Reports and Pending Projects. There were other questions posed such as why the conference in Scottsdale was cancelled. The response was that there were programs not support the location and some internal issues facing the division. However, the conference committee is planning for two-day conference locally. There were some suggestions brought up in regards the conference be held in the latter part of June due to the months after have activities booked.
- May 20, 2010 - An individual came in requesting to file a protection order with the Window Rock District Court. Ms. Yazzie has been living with her boyfriend for a year, and she stated that her boyfriend is very jealous man. Ms. Yazzie is a student at Navajo Community College. Her friend accuses her of messing around and hurts her emotionally and physically. Her latest abusive incident happened on May 19, 2010. Program Supervisor assisted Ms. Yazzie with the protection order, and advised Ms. Yazzie to seek professional help with Indian Health Services Mental Health. Advised her that she is young and she is doing the right thing by going to college. Apparently she is involved in a dysfunctional relationship with a man. And that is not healthy and it is only going

to give a setback in her life. Ms. Yazzie stated that she will file the protection order (PTO) with the Window Rock District Court, and she will inform the ONWF of her retraining order hearing.

- May 27, 2010~ Judge Mae Horseman, Navajo Women's Commissioner telephoned the Program Supervisor and requested the updated information regarding the DHR Conference at Route 66 Casino. Program Supervisor informed the commissioner that the conference is scheduled on June 7 to 8, 2010 and the location is at Route 66 Casino Hotel. The decision for the commissioner to be a presenter is based on the commissioner's knowledge of her work as a commissioner and a judge. Her knowledge includes Victims of Abuse/crime, child support matter, and what resources are available to victims. The Division of Human Resources Administration wrote a letter to Judge Mae Horsemen to be one of the presenters at the conference. An arrangement of the trip and expenses will be processed for the commissioner.
- May 28, 2010 - Program Supervisor and Office Specialist attended the Navajo Supreme Court Ruling. We witnessed the interpretation of the court reviews, and at the conclusion, the Navajo Nation Supreme ruled in two cases included the Navajo Nation Council of 24 delegates will be seated on January 11, 2011; the use of Dine' Fundamental Law by Navajo Courts is invalid. The other was on the President's administrative leave that it was illegal.
- June 2, 2010 - this client, a grandmother reported that she is still waiting to hear from the Navajo Housing Authority to move into a five bedroom house. Back in March 29, 2010, the grandmother established a guardianship to raise her five grandchildren. The young mother of the small children passed away a month ago. The young mother lived with her children in Phoenix, Arizona. Two the children's father passed away and the young lady was living with a young man at the time of her death. The children ages range from five to eleven. The family is living in a small two bedroom trailer, and it is not enough room for all of the children. Program Supervisor will follow-up on this matter with the Navajo Housing Authority.
- June 3, 2010 - Due to unexpected information, Judge Mae Horseman, Navajo Women's Commissioner telephoned the Program Supervisor that she will not be able to provide a presentation at the DHR Conference at Route 66 Casino & Hotel on June 7 to 8, 2010. Therefore, the DHR wrote a letter to Ms. Irene Tully to be a presenter. The decision for the commissioner to be a presenter is based on the commissioner's knowledge of her work as a commissioner, Representative for Department of Government Development and Chapter Official. Her knowledge includes Victims of Abuse/crime, child support matter, and what resources are available to victims.
- June 6, 2010 - Office Specialist served on the conference committee. She traveled to Albuquerque, New Mexico to pickup Conference Material on Saturday, June 5, 2010 the conference material were given out to our Conference Participants and a meeting with DHR Committee Members on Sunday, June 6, 2010. The Division of Human Resources sponsored DHR Annual Conference at the Route 66 Casino & Hotel for two days on June 7th and 8th, 2010.
- June 7th & 8th, 2010 - Program Supervisor attended the DHR Annual Conference at Route 66 Casino & Hotel for two days on June 7th and 8th, 2010. A commissioner from the Eastern Navajo Agency gave a presentation on "Victim of Abuse". The topic covered her tragic experience when she was hit by some young boys who just graduated from high school a day before. The accident involved these boys under the influence of alcohol; two of the boys lost their lives. She was hurt badly, lost her tooth, broken leg, dislocated her shoulder and was under painful body for a long time, and this date she is wearing a brace on her foot and uses a cane to get around. The commissioner covered the terrible effects from alcohol. Anyone who drinks in a home affects everyone whether it is verbal abuse, physical abuse or mental abuse. In some areas, those influenced by alcohol can destroy a home and even killing occurs. The Office of Navajo Women & Families extends the appreciation to all the DHR Conference Committee for the preparation of the conference. The time was short for the preparation. Everything was organized. The committee is hereby complimented for their good job.
- June 9, 2010 -An individual called from Colorado requesting for assistance with her custody battle of her grandchildren. Program Supervisor advised her that the Office of Navajo Women & Families cannot get involve with the court proceeding off the Navajo Nation. She has a case off the Navajo Nation, and there is a jurisdictional problem. However, she can call the Indian Child Welfare Act Office and Navajo Nation Division of Social Services for advice. The telephone numbers were provided to her.
- June 10, 2010~ Program Supervisor visited and follow-up with the local vendors regarding donations for the 13th Annual Navajo Family Conference on July 14 & 15, 2010 in Chinle, Arizona. The conference's plan is pretty much on scheduled. All the presenters have confirmed as well as the caterers including the Kis-Aani Catering Services and the Southwest Food Services have confirmed.
- June 14, 2010 - A client came in informing of her court decision regarding a claim of her ex-spouse's retirement. She is still working on counter file with the Window Rock District Court. She is aware that the Office of Navajo Women and Families cannot interfere with her court proceeding. She is welcome to talk to counselor about her problem.

- June 16, 2010 - Program Supervisor attended the Division of Human Resources Managers meeting at the Office of the President and Vice President's Conference Room at 9:00 A.M. The managers met the new appoint DHR's Division Director, and he is Mr. Julius Elwood. Mr. Elwood introduced himself to the managers, and briefly talked about his background. His main interest is to work with the staff to implement the services to the people. He emphasized the customer services to the people. Program Supervisor introduced herself. She expressed her appreciation to the new "Boss", welcomed him. She briefly talk about her program services including the assistance to clients with Protection Order, Moral Support, Referrals to other programs, and currently focusing on the upcoming conference scheduled on July 14 and 15, 2010 in Chinle, Arizona. The Navajo Women's Commission comprised of five members representing the five Navajo Agencies including Western, Northern, Eastern, Central and Fort Defiance.
- June 21, 2010 - Program Supervisor attended the Division of Human Resources Directors meeting at the Days Inn Conference Room. The meeting was about the FY 2011 General Budget. The programs were instructed to implement the budget with a 10.02% deduction and an impact assessment as soon as possible.
- June 25, 2010 - Program Supervisor attended the Suicide Awareness Conference at the Navajo Nation Museum & Library on Friday. Honorable Dr. Joe Shirley, Jr. enlightened his talk about the awareness regarding the depression. Depression affects anyone. Dr. Joe Shirley, Jr. referred his talk about the scriptures from the Holy Bible. Having to believe in higher supreme helps us to survive and the courage to face all kind of obstacles. He emphasized that there are resources within the Navajo Nation Division of Social Services, Behavioral Health, Division of Health and the lists goes on.
Miss Navajo Nation Tashina Nelson talked about the conference which focused on the Suicide Awareness. She ran for Miss Navajo Nation last September, 2009, and she focused her topic on Suicide Awareness. The reason is the depression is affecting a lot of young generation. She wants to make sure that the young youth are educated about this disease, and that the young generation is loved and supported so that they don't go astray from their families.
- June 23, 2010 - Program Supervisor and Navajo Women Commissioner from the Navajo Eastern Agency gave a radio recording with the Navajo Nation Radio Network. Topic covered included "Happy Father's Day" to all Fathers across the Navajo land and the state-wide nation. A joyful get together on these celebrations; spending time with our children will be so beautiful and cherishing moments. Sharing your day with your children, grandchildren will be so joyful and happy moments. Continue to cherish the love and support so that your children will proceed into their lives to reaching their goals. Love your children, support them. Encourage your children to stay away from drug and alcohol. The traditional values and teaching should rekindle our Navajo Way of Life, love one another, help one another, teach one another, and pray and sing together so we can continue to journey together with the blessing from all four cardinal directions and with the guidance of the Holy People.
- June 28, 2010~ Program Supervisor attended the Human Services Committee Meeting at the Alamo Chapter, New Mexico. An update report by Julius Elwood, DHR Division Director, regarding the management and operation of the Division of Human Resource and its department and programs. The Over Sight Committee inquired mostly on the veterans matter and issues. The Councilor Mr. George Apachito addressed a lot of needs, issues and concerns of his people and community.
- He expressed his closer working relationship with the Navajo Nation Programs in the areas of economic, social services, police protection/court. The visiting DHR managers were invited to Mr. Apachito's home and met his family. The family was very nice and serviced a delicious dinner. Their hospitality was excellent.

Department of Child Support Enforcement (DCSE):

a. Central Administration:

- Received Award Letter for Third Quarter of FY 2010 in the amount of \$962,035 from Joseph M. Lonergan, Director, Office of Mandatory Grants, Washington, D. C.

REPORTING:

- NN Contract Accounting submitted SF-269 Report (K100533) for FY 2010 First Quarter Ending 103-31-10 to OCSE, ACF, DHHS, Washington, D. C.
 - April 30 - OCSE 34A Report for Quarter Ending 03-31-10 was submitted to Federal OCSE meeting the federal reporting requirement. The report reflects a total of **\$2,173,739** was collected by NNDCSE during the Second Quarter of FY 2010.

STATE OF NEW MEXICO:

- June 21 – Finalized Governmental Services Agreement between New Mexico Human Services Department and the Navajo Nation in the Amount of \$40,000 for Child Support Fees and Program Expenses Involving Clients on the Navajo Nation, Effective July 1, 2009 or Upon Signature of Both Parties, and Shall Terminate June 30, 2010, Unless

Amended, Extended or Terminate Pursuant to Terms of the GSA, Which Includes Termination for Lack of Budget Availability.

STATE OF ARIZONA:

- NNDCSE staff registered for Notary Public Training from Arizona Secretary of State. Notary services are provided as a convenience for our customers for establishment of paternity and establishment

HUMAN SERVICES COMMITTEE:

- June 28, 1010 - Program Supervisor traveled to Alamo Chapter to provide an Update Report to HSC. The DHR Report was tabled. However, Program Supervisor discussed concerns with Council Delegate G. Apachito, and followed up with Crownpoint NNDCSE Case Management Specialist. Plans are to inform the Alamo customers of right to obtain services at Socorro, New Mexico; thus alleviating long drive to Crownpoint, NM. Information will be mailed by U.S. Postal Services, flyers, booths, and visits to chapter.

OTHER:

- NNDCSE continue to collaborate with NNDOJ and OHA for hearings, and obtain signature of Hearing Officer for pleadings. Pleadings for a total of **673** cases received legal review and were forwarded to Office of Hearings and Appeals for signature on pleadings. **532** were signed and returned. **13** days of Administrative hearings were scheduled for 3rd Quarter FY 2010, at all 8 NNDCSE offices. However, Gallup had only one hearing date scheduled.
- April 20, 2010- held Conference call with federal OCSE, NMCSED to discuss to request for technical transfer, including obtaining “limited services” from other IV-D agencies, software to assist with uniform pleadings, and training needs on the ATLAS system.
- April 28, 2010 – all NNDCSE managers and Chinle staff attended meeting with Chinle NNPSR for collaboration purposes.
- April 29, 2010 – Program Supervisor facilitated conference call with NNDCSE staff in Arizona, regarding making correct entries in ATLAS to avoid erroneous duplication of cases causing inflated arrearage balances for non-custodial parents.
- May 4-27 Program Supervisor facilitated mandatory budget worksession for all NNDCSE managers.
- May 18-20, 2010 - Management staff from all NNDCSE agencies attended “Line Manager Training” provided by NMCSED.
- May 26-27, 2010 NNDCSE Conference Planning work sessions
- June 7-9, 2010 – NNDCSE staff attended the DHR Conference and presented a workshop on NNDCSE. Due to limited budget, not all staff attended. Those who did learned new information.
- June 4-25 – various staff prepared presentations for the NNDCSE annual training session.
- June 28-July 1 – All NNDCSE employees participated in mandatory annual training. Staff were trained on federal regulations, and working child support cases, calculating worksheets, closing cases, teambuilding. Members of the Human Services Committee attended and commented they learned a lot about all the processes involved in child support. Division Director Julius Elwood and Chief of Staff Patrick Sandoval spoke at the banquet. The Program Supervisor commended the staff for collections and the noticeable increase in number of orders processed. Most of the participants said they learned information to enhance their skills.

b. Chinle:

- May 15 – Two employees attained Legal Assistant Certification from Navajo Technical College. Their accomplishment will enhance customer services.
- A new was CSEO

c. Crownpoint:

- April 7, 2010 - one staff traveled to Alamo, New Mexico with NNPSR to provide services to three (3) customers.
- June 1-2, 2010 – CMS attended National Tribal Child Support Enforcement Association Planning Meeting in Albuquerque, New Mexico.
- June 3, 2010 – all staff participated in telephonic IRS Training from NMCSED

d. Fort Defiance:

- April 1 - CMS traveled to the NNDCSE Chinle Agency office and provided training on mail merge and an updated format for motion, notice of default, order for default, the administrative order, and the order to

withhold income. The purpose for this task is for consistency of pleadings and elimination of errors in default pleadings, so they are processed in a timely manner.

- April 27 - CMS was invited to a meeting with NIOSH regarding the Training Center Complex. CMS was informed to have staff members attend a "House Cleaning Training" which will be spearheaded by Staff Development. EPA will also be conducting testing through the offices for exposure to asbestos, lead base paint, and mold. NIOSH informed attendees to have their staff members to have their employees schedule themselves to be checked by I.H.S. for a respiratory exposure and to file paperwork with workmen's compensation.
- May 5 – Fort Defiance Agency Staff Members met with NNPSR Greasewood Office to discuss problems surrounding the 500 forms.
- May 10 – To address safety compliance, staff members received HAZCOM and Fire Safety Training at the Window Rock Fire Department.
- May 18 – Case Assistants provided case intake and case closure training to the entire NNDCSE Fort Defiance agency staff. A meeting was held with NNPSR Greasewood Office to discuss the 500 forms.
- June 4, 10, 16, 17, 22, 24, 25 - CMS attended the Management Meeting at the Central Administration Office regarding the Department Training in Albuquerque, New Mexico on June 28 through July 7, 2010.
- June 14 - CMS attended a meeting regarding testing of asbestos in the Staff Development Training Complex.
- June 15 - CMS attended a training provided by Fred Pryors "Managing Your Emotions under Pressure" in Farmington, New Mexico.

e. Gallup:

- April 7-8 – CMS attended County Directors meeting in Albuquerque, New Mexico.
- April 7, 2010 – CSEO position filled.
- May 31-June 2 – CMS attended the National Tribal Child Support Association planning meeting in Albuquerque, New Mexico.
- June 7-8 - CMS attended the annual Division of Human Resources Conference in Albuquerque, New Mexico.

f. Kayenta:

- May 3 – Staff meeting was held. Discussion included: issues with NNPSR that could be resolved with more communication and collaboration, and the teleconference meeting held with Pierette Baldwin Gumbrecht, Program Supervisor on April 20, 2010.
- June 10-11 - CMS attended the 2010 Navajo Nation Annual Bar Conference at Isleta Casino, and obtained CLE hours.

g. Shiprock:

- CMS received performance evaluation.
- May 11-13 - Coyote Cabling worked on the cabling connecting Suite # 5 and Suite # 7.
- Submitted a request for quotation on telephone to attempt to stream line with the NN Communication & Utilities resolution and to address the high cost on telephone billings. It was recommended to NNC & U to provide quotation on transfer of four lines to Suite #5 and second quotation for Key System where only one line will have long distance and the rest of the line will have only extensions.
- June 4th, NMHSD CSED inspected router set up in Suite #5, where it is now more in compliance with federal requirements of Safeguarding.
- June 6th CMS assisted with presentation on NNDCSE at the DHR conference.
- Two employees are being referred to Employee Assistance Program, in response to a complaint of hostile work environment.

h. Tuba City:

- April 6 – CMS completed four (4) Employee Performance Appraisals.

Navajo Nation Band (NNB):

- The Navajo Nation Band participated in an overnight trip to Mescalero, NM in which 42 members participated and marched during the annual Mescalero Ceremonial Days. The Mescalero Tribe provided lodging while the Navajo Transit Systems provided one motor coach bus. All activities for this trip was coordinated by the DHR Administration Office.

IV. STATUS OF ON-GOING PROJECTS AND INITIATIVES:

Staff Development & Training Department (SDTD):

- a. Progressive objective are to plan, develop, and continue to conduct training function at the training center and schedule on-site training services.
- b. SDTD continue to schedule routine utilization of classroom usage.
- c. SDTD continues to generate funds through the Fund Management Plan.

Navajo Department of Workforce Development (NDWD):

- A meeting with the Division of Economic Development was initiated to discuss joint funding for classroom training and work experience positions with several projects that are being implemented in the Shiprock and Tohaajilee communities. These projects are nearly set to proceed pending final financing negotiation with the DED. These two projects are projected to employ over 150 Navajos after construction is completed.
- The training initiative with Denny's Restaurant (Romero Brown) has been dropped due to the owner is unable to obtain a business site lease with the Chinle Chapter and the Navajo Nation.
- The ARRA program expenditure for youth is at 70% and the adult program is 62%. A redistribution of unspent ARRA funds was provided to each ARRA office to increase expenditure and enrollment prior to September 30, 2010. NDWD will exceed its projected goals of serving more youth and adults with ARRA funds.
- The organizational development team is ready to start finalizing the revision of the department's organizational chart and plan of operation. It is expected to be sent through the 164 review process in the next quarter.
- For increased efficiency and monitoring purposes NDWD is planning to re-centralize the Accounting and MIS Functions in Window Rock. A plan and a strategy will be developed and shared with all of those concerned.
- Congress is expected to rewrite and reauthorize the Workforce Investment Act this year. USDOL has requested an increase in overall funding for Native American Programs nation-wide. The NN Washington office needs to keep us informed of the progress this reauthorization is making and the significant changes it may create in all the adult and youth programs.

Department of Navajo Veterans Affairs (DNVA):

- Mr Laurence McMerty, CEO, Docustore Inc. Mr. McMerty requested an extension on the installation of the server unit in the new office. According to Mr. McMerty installation of the server should be done in July 2010. Once server is installed training will be provided. We will also request a refresher training for our clerical staff on records management, e.g. electronic filing.
- Eastern Agency staff met with Navajo Technical College staff on a proposal to have the CAD Class develops the housing blueprints three bedroom size housing units. Mr. Morgan is in the process of reviewing the blueprints and making changes with a finalized copy by the end of September 2010.
- During the quarter the department provided technical assistance to veteran organizations on the Trust Fund Budget and new documents implemented for financial assistance.
- The Capital Improvement Office has informed the Eastern Agency Veterans Office that they have the Parking Lot project on their priority list, and is going through the SAS process.
- Continue building homes for veterans in the Eastern Navajo Agency and follow up on NAHASDA Housing construction/planning.
- Will submit a plan of 65 acre assessment for Veterans Cemetery and a request for assigned program van replacement within Chinle Agency.
- Will continue working on getting consent forms from family members to have the veterans name be put on the Memorial Wall. This will be an on-going effort to get this project completed by Veterans Day in November 2010.
- The Western VA Office will continue with getting more veterans registered within their agency.

Department of Retirement Services (DRS):

ADMINISTRATION:

- a. Department of Retirement Services – Administration:

Plan strategic planning to refocus and identify the programs goals and objectives which will ultimately lead to additional staff and review their job duties and responsibilities.

Status Report: Scheduling to the strategic planning session in the spring of 2010 and possibly have a report completed by June of 2010.

- b. FMIS/HRIS Project: Continue to remedy the problems associated with the reconciliation of the Payroll files and the employee and employer 401 (k) and the Roth 401 (k) plan, contribution that are submitted information in place for compliance with the federal law.

Status Report: The FMIS/HRIS software is currently in upgrade status. The upgrade is for FMIS Tools to be implemented. Testing in the Development Environment has shown no difference in operation for the 401k reporting or reconciliation with payroll. The reporting and data entry will continue to use the same processes.

DEFINED BENEFIT PLAN:

- c. Special Retirement Program (SRP):

Implement the Special Retirement Program as approved by the Retirement Plan Administration Committee and the Budget and Finance Committee Legislation Tracking No. 0579-09 on October 6, 2009.

Status Report: Implementation of the Special Retirement Program (SRP) took effect after final approval by the Budget and Finance Committee with legislation Tracking No. 0579-09. The DRS staff has provided numerous presentations and work sessions on the special retirement in the five agencies and in the Window Rock specifically at the Navajo Nation Museum. Based on the current employees, individual SRP packets were sent out to 875 plus eligible participates. The SRP (Early retirement) window period started on November 1, and ended on December 15, 2009. The DRS staff is currently finishing up the incomplete Election Form for the SRP. The final number of employees taking the SRP will not be known until sometime after January 4, 2010.

- d. Navajo Nation Annual Retiree Recognition and Luncheon

Planning of the annual Retiree Recognition for 429 new retirees, who are included from Special Retirement Plan, are to be recognized for the years of service under the Navajo Nation government. The event is an annual celebration to recognize and give appreciation to each individual for an outstanding job. We are planning an all day event on April 9, 2010 and luncheon at the Gallup Inn & Suites in Gallup, New Mexico. Invitations were mailed to the retiree with a RSVP date to response. We are excited to see actually how many will attend the event.

- e. Advertising for Actuarial Consulting Services:

The Retirement Plan Administration Committee had extended the Actuarial Services to Towers Perrin through September 30, 2010.

Status Report: The advertising for Actuarial Consulting Services is being done in the second quarter of Budget Year 2010. There is a need to make a selection by June 2010, to start the Actuarial consultant on October 1, 2010, FY 2011.

- f. Annual Actuarial Valuation Report for Plan Year ending 2010:

The DRS staff is working with the Towers Perrin the Actuarial consultant and with the Navajo Nation to completing and finalizing the annual actuarial valuation report for year ending September 2009 and for plan year 2010.

Status Report: Currently, the financial asset reports are lacking and are being reconcile to complete the actuarial valuation report ending September 30, 2009. A Preliminary report has been received to inform us of the annual outcome to date.

- g. LGA Certified Chapter: The department continues to assist the Certified Chapter through the Local Government Act with their retirement benefits plan in accordance with the law.

Status Report: Currently, there are ten (10) certified chapter and four (4) of the certified chapter are continuing to participate in the Navajo Nation Retirement (Defined Benefit) Plan. DRS will continue to strive and encourage the chapter to participate in the plan and contribute to the fund.

- h. Early retirement for Elected Official and Law Enforcement Personnel:

Status: Report has been made with Early retirement for both NNC and LE analysis. There will a continuous discussion for final recommendation.

DEFINED CONTRIBUTION PLAN:

- i. Restatement of the Plan Document for the 401(k) Saving Plan. Due to several changes in the Federal Law, the IRC and the Department of Treasury ruling have made it necessary to amend and restate the Navajo Nation 401(k) Savings Plan, Plan Document a customize policy and provision to administering the 401(k) Plan in compliance with all federal laws.

Status Report: A first draft of the restated plan document and related material are ready for presentation to the Retirement Plan Administration Committee for review and approval. And, final approval will be by the Budget and Finance Committee at a later scheduled date.

- j. LGA Certified Chapter: Continue to assist the Certified Chapter through the Local Government Act of the Navajo Nation with their retirement benefit plans in accordance with the law.

Status Report: Currently there are ten (10) certified chapters and four (4) of the certified chapter are continuing to participate in the Navajo Nation 401 (k) Saving (Defined Contribution) Plan. DRS will continue to strive and encourage the chapter to participate in the plan and contribute to the plan fund in a timely matter.

DEFERRED COMPENSATION/RETIREMENT PLAN:

- d. Restatement of the Plan Document: DRS and the Retirement Plan Administration Committee will revisit the rules and regulations to administering the Deferred Compensation/Retirement plan as a non qualified retirement plan in accordance with the Internal Revenue Code.

Status Report: During the 3rd quarter, DRS and the committee would have to review the plan provision of the Deferred Compensation/Retirement plan.

- b. Communication and Education on DCP Retirement Plan:

Status Report: Department of Retirement Services' staff will devise training materials for Elected Officials for the Deferred Compensation Plan.

Office of Navajo Labor Relations (ONLR):

- NPEA revision. Sections 601-610 have been completed by ONLR and NDOJ. Section 611 is still pending with legislative counsel.

Office of Broadcast Services (OBS):

- NNOBS NIIA Grant: Procurement & process of purchase orders, sole source process documents, receiving reports, expenditure reports to be continue as priority with the assistance of Mr. Richard Mitchell, Electronics Technician & under the supervision of Mr. Kee Long. Maintain finance oversight of the grant capital expenditures & administration. Lorie Lee, MPS, maintain finance account expense daily. Enter Grant fund for FY 2011 for NNOBS.
- NNOBS Budgets: Monitor & reconcile of FY'10 budget, issuance of funds for approved events, travel, PR's & other documents needed in expense. One budget transfer planned for 4th quarter for line item in promotional & special transaction, contractual services.
- NNFO: Working with current Broken Circle for summer events, Norman Patrick Brown for film projects expected to be filmed in 2010 (2), Police department TV Series when Production company is selected for filming in 2010 summer/fall with FLIGHT 33TV ProductionsAlso, New Zealand Automatic Films Production in July for MV, UT; Japanese TV July; Laughing Boy Feature film auditions July/August 2010.
- NNFO: Broken Circle: Audition 4 of 4 held with coordination with Directional Entertainment & NNFO will be conducted in August 2010 in Albuquerque, NM due to large Native American/Navajo actor & actress present. Mainly, to foster coordination & support with conducted meetings with NNFO & Production with NM Film Office, NM Vision Makers Program, Albq. Film Office planned. Contact has been made & coordination for event date & schedule pending.
- Work with D.I.T. to continue www.obs.navajo.org website. Requested additional tabs to provide information in more of a catalog list. Lack the list for rate sheet of cost for film office & NNTV production; to include Procedure guide for custom services. I need assistants for all this information.
- NNTV have numerous amounts of video coverage stated in TV production which need final operation for complete them for future programming. NNTV have excessive daily operation and lack of staff which will slow down production for the next quarterly report. NNTV will continue daily activities but with limit amount of productivity.

Navajo Office of Vital Records (NOVR):

- The on-going project all agency offices and soon the satellite sub-offices is data entry. Although Alamo Navajo has very limited internet services which prevent encoding unless technicians bring back the records for encoding at the central office. Thus far, as of today July 2, 2010 at 10:53 a.m., the tribal membership database has 318,452 records and of this total 287,362 are enrolled members who are ¼ Navajo blood quantum and greater. This is an increase of 4,600 new entries for this quarter.
- The satellite offices of Alamo Navajo, To'hajiilee and Ramah Navajo are currently serve once a week or on demand until the part-time vacant positions are filled. The job vacancy announcements for these positions will be closed today. We have been unable to fill these positions temporarily during the interim and although we get applicants they fail the qualification assessment. The Fort defiance office will reopen on Tuesday July 6, 2010. The reopening of the office has been announced on the Public radio stations: KTNN and KGAK and the Window Rock office will not be receiving clients and will be open to the BIA Probate researchers.
- The Certificates of Navajo Indian Blood (CNIB) and the BIA Form 4432 are the documents requested by clients for various government program benefits like Food Commodities, Housing, Education, Healthcare updates or possible employment with the Bureau of Indian Affairs or Indian Health Services. The Tuba City Regional Healthcare Corporation has also requested to collaborate on verifying client information with our office which will ultimately include all Indian Health Services at each agency. The Office continues to work towards this electronic data interchange with other service providers to help the Navajo people.
- The central server is closer to getting a refresh with i7 processors and large storage platform in the terabyte range as an initial work towards Microsoft 2008 application server that should bring the Office up to date. All users will eventually get the next generation personal computers that will be compatible all around and targeting within the next quarter.

Navajo Occupational Safety & Health Administration (NOSHA):

- Provide monthly New Employee Orientations for Navajo Nation employees.
- Provide consultation and technical assistance to employers in regards to compliance with occupational safety and health regulations.
- Conduct announced and unannounced safety inspections of construction projects throughout the Navajo Nation.
- Provide re-certification training to NOSHA personnel in aspects of current trends in the field of occupational safety and health. These trainings are off-reservation and require pre-approval from the Division of Human Resources and the Office of the President.

Department of Child Support Enforcement:

- NNDCSE continues collaboration with NN Self Reliance Program (formerly TANF).

Chinle:

- Cross training for CSEO and support staff to improve customer services.
- Monitor undistributed child support payments for process.
- Preparation for Federal OCSE and IRS site visit.

Ft. Defiance:

- Releasing monies in suspense.
- Continue to work on the CBT training modules on a daily basis.
- Addressing safety concerns identified by NOSHA.

Kayenta:

- Seeking training on releasing monies from suspense.
- Transferring cases to the Shiprock NNDCSE Office.

Tuba City:

- Releasing funds in suspense, 70% have been released.
- Case closure

V. PROBLEMS AND RECOMMENDATIONS:

Department of Personnel Management (DPM):

- The Navajo Occupational Safety and Health Administration (NOSHA) conducted an inspection of all offices in Building #2740 due to problems experienced by the Staff Development and Training Program and the findings were that this building is unsafe and that certain corrective actions need be taken to ensure compliance with the NOSHA findings. Prior to the inspection it was brought to our attention that the main problem was asbestos. The asbestos problem remains a major concern for health and safety of the employees although there is no mention of this problem in the NOSHA report. In addition, although several requests have been previously made by our office to Facilities Maintenance and NOSHA, no repairs have been completed by Facilities Maintenance to correct the problems due to the lack of testing to determine whether there is asbestos in the building which will impact any repair work to be completed. The other problem is the lack of cost estimates to determine whether funds will be available to conduct the testing and repairs. This process has been very slow and needs to be expedited.
- The OBI staff need access the Department of Public Safety CODY software to conduct tribal background checks. Recommendation: Support is needed from the Division of Public Safety. Once approved, OBI can conduct tribal background checks faster.
- A Business Unit number needs to be issued for the OBI. Recommendation: Continue to work with the Controller's Office to have a business unit number issued.
- There is need for a database for all contract funded positions. These positions are hard to track since the budgets have different end dates and business unit number changes. The next step is to set up this database in FileMaker Pro.
- On Position Control, the position status code is use to track the positions to see if they are filled, vacant or other status. As of today there are 23 different codes. There are too many codes and some are unused, so DPM staff needs to reassign some of them.
- The scanning of microfilmed records of former Navajo Nation employees has been put on hold due to lack of manpower. These records need to be converted from microfiche to digital form so access to the records will be much easier.
- OBI FY11 Budget: It is necessary that the OBI receive a budget allocation for FY11. OBI has a separate Plan of Operation and needs to become autonomous within the Division of Human Resources. The DPM has been funding this program for several years now and this has impacted DPM greatly. A separate budget was prepared and needs to be fully funded.

Staff Development & Training Department (SDTD):

- SDTD continues to experience difficulty involving Building #2740. Our office has initiated a number of meetings to address our building concerns. Our involvement in advocacy stems from SDTD staff experiencing health concerns. To address these concerns we have become involved in requesting certain testing to address the issues of concern. For Building #2740 we have been able to achieve an Air Quality Test. This test brought forth result to show that our working environment is not volatile. The next testing we are awaiting includes asbestos, lead-base paint, and mold testing. We are hopeful that these testing's will be achieved by July, 2010.

Navajo Department of Workforce Development (NDWD):

- The Executive Order for off-reservation travel is hampering our staff's efforts to make timely and routine follow-ups of our participants who are in training in schools in metro areas of Phoenix, Albuquerque, Salt Lake City, etc. For emergency travel to assist our participants it takes days to obtain approval to travel.
- USDOL continues to issue grant award notices of funding award very late in the program year. This causes delays for program implementation, budget preparations and guidelines for the workforce centers to follow for enrollments and expenditures
- The Navajo OMB has a mindset that WIA funds are an annual appropriation and required expenditure. WIA federal regulations authorize Indian grantees a three year 'window' to spend its funds. In other words, the Nation is authorized to carryover funds for two years after receiving the initial year of funding. Each year OMB requires us to submit an award letter from our funding source. USDOL does not issue an award letter for each year the three year funding is appropriated for. This in an 'in-house tribal' bureaucratic requirement that is cumbersome and unnecessary. It causes delays in payments to staff and participants for hours they have worked.

Department of Navajo Veterans Affairs (DNVA):

- The Local Veterans Organization and Agency Veterans Organizations are experiencing problems with conducting business due to a lack of quorum each time a meeting is scheduled.
- Some veterans want full explanation on why the Trust Fund is on "hold". Recommend that we compose a letter of explanation to share with them.

- There is still a problem with 8 million dollars supplemental funding at the Chapter level. Recommend a meeting with the Controller to provide for a resolution.
- Traditional Ceremony Assistance was worked on, the VSO's met on the subject and all confirmed that additional clarification is needed and we need to schedule some type of meeting with Medicine Man Association both Arizona and New Mexico side. The New Mexico side of the Medicine Man Association needs to be informed.
- Eight (8) chapters out of 19 Chapters in the Shiprock agency are not spending their Veterans Trust funds. Shiprock VA Office will continue to assist the chapter veterans' organization to expend the funds by providing technical assistance.
- Capital Outlay Funds \$50,000 and \$20,000 for Arch Clearance and Surveys – Both funds are on hold pending results from the 2010 New Mexico State Legislation Session in Santa Fe, New Mexico. DNVA needs to meet with Capital Improvement Program to assess the situation. According to Eastern DNVA Agency Office, it is believed that funds allocated in the amount of \$20,000 have been reverted back to the State. No information on the \$50,000 allocation at this time. There is a possibility that the \$50,000 has been saved. Veterans are awaiting Archaeological Clearance and Surveys to be done on their home site lease.
- DNVA has been working on a Data Base for the past (5) years until it was put on hold due to a legal challenge that the gathering of data may infringe upon the rights of individuals. It is recommended that it is put through legal review as soon as possible.
- Four (4) Proposals were submitted by the Eastern Agency Veterans Office for American Recovery and Reinvestment Act funds. Eastern is mainly concerned with one proposal that is for Housing Construction in the amount of \$3,404,866 for thirty-six (36) shovel ready projects, (30) carpenters, (1) Electrician, (1) Plumber and equipment. The Agency recommends a response on this project.
- During the quarter we have been recruiting applicants for the AmeriCorps Program, and came up with four (4) applicants, but the program is on hold pending correction to audit findings. It is recommended that this project be re-instated as promptly as possible.
- The Department needs to begin working with the Veterans Department in the State of New Mexico. Thus far, we have been meeting with the Veterans Department from the State of Arizona. The same Veterans Benefits are provided by the State of New Mexico.
- Veterans Act needs to be expedited. Veteran Organizations are inquiring on status.
- Marginal media coverage of DNVA productivity, accountability, and personnel (ie: Gallup Independent Newspaper of June 12-13, 2010. SOLUTION: Investigate \$10,000 for an alleged Home Improvement Project; allow executive review of \$3,000 for House Payment.
- Certain Navajo Nation Honor Guard Organization(s) are demanding payments within two days of military funerals (ie. Tohatchi Veterans Organization). SOLUTION: educate Color/Honor Guards to be realistic and allow Navajo Nation Offices issue stipend checks as regular process within 5-10 working days.

Department of Retirement Services (DRS):

- Internet Services: Previously, the Internet was unavailable at certain times of the month. Due to technical issues with DIT, the Internet would be slow or not available.

Status Report: The department has implemented the DSL Internet as a backup and still is using the T-1 line provided by DIT as Primary Internet service. T-1 line is wireless and the access point is located at the NN Sports Center. When power is shut off or lost at the Sports Center, we lose Internet connection and access to NN service. When the power is cut off, the usage and services is affected and is not displayed until the department staff informs each other. There are antennas at both points of origin, which allow connection, but if the connection alignment is slightly off, and then we will lose any services provided. DIT is aware of situation.

Office of Broadcast Services (OBS):

- Encountered problems with Vislink microwave radios, the PR must be redone due to Shiprock radio site is not listed as redundancy system. Per Jim Gale, NN OBS will be charge for this duplex or S/H line item is removed from PO.

Recommendation: Remove S/R duplex system to Dezza.

- Meeting with Kee Long, he informed me the OTA picking up KNME-TV channel from Mt. Powell on Frontier tower at Piney Hill belong to NNOBS. Per Kee Long, I talk with Rick Urbino at Frontier to request extending cable into OBS communication building. I talk with Rick Urbino on OTA at P/H, he obstinately insist that OTA belongs to Frontier and won't part with it. He will write letter to Kee Long stating Frontier own

the OTA. **Recommendation: Ordered OTA, NTIA has budgeted fund for this OTA as eligible equipment for PO.**

- 4/22/10, The Navajo DIT is having technical problems with E-Mail Accts, rebuilding configurations database and individuals accounts. I can't get quote from vendors via Navajo.Org.

Recommendation: Inform DIT for back up email Server if primary Server crashes.

- PC has serious virus problems again, will not redirect websites, freezes up and can hear music from LA radio station! DIT Benneke Gorman re-configured Navajo.org Outlook email....but PC will not download antivirus software.

Recommendation: Take PC to Navajo DIT format C:\ drive.

- 6/15/10 Still having problems with IE browser and Navajo outlook, no email correspondences. Call Navajo DIT Benneke Gorman.

Recommendation: Purchase antivirus for OBS Program PC.

Navajo Office of Vital Records (NOVR):

- The problems continue to be facilities in Window Rock, Fort Defiance, Crownpoint and Chinle. The Bureau of Indian Education has been providing offices for most of our programs where there is a need for additional space and renovation. The Chinle office has a small three room with a small area for our clients and the facilities office has informed us they do not have sufficient funds to do any renovation unless we can provide funds to do the work. The Crownpoint office is in the old boarding school compound and that may be up for demolition in the near future and we are not sure where we will be moving to when the demolition team arrives. The office in Fort Defiance Agency is in need of replacement and we have asked the Bureau of Indian Affairs for technical assistance to acquire the Indian Health Services modular building that used to be the dental office and it is still pending. Finally, the Window Rock building's electrical system needs to be brought up to code to accommodate the computing equipment.

Navajo Occupational Safety & Health Administration (NOSHA):

- The Navajo OSHA program does not have sufficient personnel to provide prompt services to the Navajo Nation employees when the Program receives a complaint. Currently only three personnel provide the services (i.e., inspections, trainings, and technical assistance).
- The Navajo Nation Council approves fiscal year operating budgets that allows only for salaries for the four current positions, including operating costs (i.e., rental of equipment and tribal vehicle rental, etc.). Currently, there are no additional funding sources available (i.e., external funding sources). The federal grants are very competitive. NOSHA has submitted several grant proposals in the past, only to be turned down.

Office of Navajo Women & Families (ONWF):

- Family Violence Situation/Protection Orders/Restraining Orders, Follow-Ups
- Many of clients are in need of a lawyer or advocate. Our case populations are unemployed/receive little income, and usually have to represent themselves in the court room (Pro Se). The outcome of these cases is usually in favor of the batterer, or respondent; only because the batterer had hired a legal representative.

Department of Child Support Enforcement (DCSE):

Crownpoint:

- Our office submitted a request for a possible agreement with our program and the Navajo Nation Judicial District Court to waive fees for NNDCSE staff in obtaining copies of certified court orders from the courts. An invoice was attached to the request. Program Supervisor has contacted Judicial Branch on this matter, however, no response has been received. Verbal updates on this matter are provided by Program Supervisor.
- On April 28, 2010 our office received legal pleadings via facsimile. The verbal instruction provided to our office was to begin using the pleadings, however when we reviewed the pleadings, we concluded, they did not comply with the "Order of Instruction" initiated from the Office of Hearings and Appeals. We requested for our legal department to correct pleadings for compliance with the "Order of Instruction" however our office has not received any further written information regarding the requested corrections. Therefore, we reviewed the pleadings and revised the template to reflect the "Order of Instruction". Pending written clarification on this matter, no default pleadings were processed for the month of May 2010. The changes to pleadings and processes by NNDOJ and OHA affects customer services by hindering our compliance in meeting time frames for initiating

legal actions. **RECOMMENDATION:** The NNDOJ and Office of Hearings and Appeals should discuss any changes in legal documents with NNDCSE management, followed by formal official notice of legal pleadings.

Ft. Defiance:

- Staff need training on the ATLAS system. All staff members continue to work on the CBT training modules on a daily basis and print out their test scores. These test scores will be provided to the State of Arizona to determine the areas that training is needed. The NNDCSE Program Supervisor has been working with federal OCSE and the State of Arizona to obtain the necessary training. NNDCSE staff in Arizona are invited to participate in the conference calls with federal OCSE and State officials.

Gallup:

- No resolution with Qwest regarding problems with the phone line and phones: cannot transfer incoming calls from the main line to the workers, the phone is not activated in one workstation and we need an additional line for the front reception area, the reception on the phone is very poor on certain extensions (50/50 when it will be good or bad), and the fax line list wrong number on the confirmation sheet. **RECOMMENDATION:** Central Office assisted by changing contact information with Qwest to Navajo Nation Telecommunications who will assist with the concerns.

Kayenta:

- The Kayenta DCSE staff is in dire need of training on the Arizona Alas system especially on debt set up and release of suspense monies. The NNDCSE Program Supervisor has been working with federal OCSE and the State of Arizona to obtain the necessary training. NNDCSE staff in Arizona are invited to participate in the conference calls with federal OCSE and State officials. CMS needs to review all outgoing NPA and the calculations, for compliance with NNDCSE timeframes, and a recent "Order of Instruction" from Office of Hearings and Appeals. Presently, the CSEO mail them out without review. The new "Order of Instruction" from Office of Hearings and Appeals states concern with violation of due process rights for NPA older than six (6) months.
- The electrical wiring is a problem at Kayenta NNDCSE office. Since the new furniture/ cubicles have been installed, staffs are running power cable from the wall to power the computers, creating a hazardous condition. The original plan to power the cubicles from the bottom of the trailer has been changed, as the Township maintenance staff recommended powering the cubicles from the ceiling. An electrical power pole has been ordered, but Kayenta office has yet to receive equipment.

DIVISION OF
NATURAL RESOURCES



FREDERICK WHITE
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DIVISION OF NATURAL RESOURCES
Third Quarterly Report—Fiscal Year 2010
(April – May – June 2010)

“Land, Water, Power, and Quality of Life”

I. PROGRAM INFORMATION

Division Executive Director:	Frederick H. White
Division Deputy Director:	Evangeline Curley-Thomas
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Departments:

Abandoned Mine Lands/Uranium Mill Tailings Remedial Action (AML/UMTRA)	Madeline Roanhorse, Department Manager
Agriculture (NNDA)	Leo C. Watchman, Jr., Department Manager
Archaeology (NNAD)	Linda Laughing, Acting Manager
Fish and Wildlife (F&WL)	Gloria M. Tom, Department Manager
Forestry (NFD)	Alexious C. Becenti, Department Manager
Historic Preservation (HPD)	Alan S. Downer, Ph.D., Department Manager
Navajo Land (NLD)	W. Mike Halona, Department Manager
Minerals (MIN)	Akhtar Zaman, Department Manager
Museum (MUS)	Maneulito Wheeler, Department Manager
Parks and Recreation (P&R)	Ray Russell, Department Manager
Resources Enforcement (DRE)	Leonard G. Butler, Department Manager
Water Resources (DWR)	Raymond A. Benally, Department Manager

II. ACCOMPLISHMENTS

Administration

Division held their 4th Annual DNR Conference/Expo April 13-15, 2010 at Buffalo Thunder Resort and Casino, on the Pueblo of Poaque, near Santa Fe, New Mexico. 100 classroom presentations were completed over the three day session with 18 Departments and Programs completing presentations. Thirteen (13) Departments within the Division of Natural Resources' Departments and Programs provided informative presentations to over 700 recipients attending the conference. Five (5) additional entities from State and Federal governmental agencies also participated in the event;

A farewell banquet was held to honor the resignation and eleven plus years of service of Arvin S. Trujillo on June 24, 2010 in Farmington NM. The event was held in conjunction with the DNR's Supervisors Meeting on June 24, 25, 2010. 427 people attended the event. Mr. Trujillo's family, State, Federal, County, Bureau of Indians Affairs, private entities, Navajo Nation Divisions, Departments and Programs and Chapters can out to celebrate and congratulate Mr. Trujillo. We had a delicious meal and an enjoyable evening. Staff and Departments within the Division of Natural Resources will truly miss Mr. Trujillo.

Division of Natural Resources held two DNR Supervisor's Meetings this quarter, May 13 & 14, 2010 at the Navajo Nation Museum. The purpose of the meeting was to instruct Department mangers and supervisors of the need to use strategic planning to identify priorities in planning for next year Master Plan Project. Department managers were also allowed time to provide updates to their respective mater plan projects for FY 2009, accomplishments, Resource Committee Directives, FY 2009 COA's, LC's and other concerns and issued Departments are facing. The Division of Natural Resources now has a total of 12 Departments with the newly established Navajo Nation Museum Department. All twelve directors provided updates. The second Supervisor's meeting was held on 24 & 25, 2010, in Farmington, NM. Departments provided updates and priority projects for FY2010.

Agriculture

Two bids were completed for the touch up work/painting and the building of the large animal surgery room for the Tse Bonito Veterinary Hospital. Priority one service providers were provided by certified mail, invitation to bid and the scope of work on March 24, 2010. A mandatory walk through was completed on April 2, 2010. Bids were opening and selection completed on April 9, 2010 with award letters sent out. On April 12, 2010, first invoices were delivered to the Window Rock Veterinary Hospital to the attention of the Program Manager. Letters to Mr. Halona, Navajo Land Department to request for escrow draw down were completed.

The Program Manager continues to provide input on the USDA Animal Disease Traceability Working Group at the weekly conference calls. The NNVLP met with the Department of Resource Enforcement to update the rangers and livestock officers of the direction of the United State Department of Agriculture as they proceed toward disease traceability nation-wide.

The Public Health Accreditation Board (PHAB) has selected the Program Manager to become an evaluator for the national board on public health infrastructure of state and tribal departments. Training took place March 30-31, 2010 in Washington, DC. The Navajo Nation Department of Health is one such tribal public health department scheduled for evaluation but the Program Manager will not be able to evaluation this department for conflict of interest issues.

The full scale Strategic National Stockpile (SNS) was completed for the Navajo Nation in coordination with CDC, Arizona State Health Department, Department of Homeland Security, Eleven Arizona Counties and the Navajo Area Indian Health Services. The exercise was "biologic weaponized anthrax" exposure. The Navajo Nation and I.H.S. interface meeting was April 9, 2010. The request for assets for the Navajo Nation exercise was completed April 9, 2010. The medical asset deployment was extended another day by the State. The receiving, storing and dispensing of the medical assets was completed April 12-13, 2010. Each segment of the exercise proceeded with debriefing and hot wash. The incident command system, communications, ordering of the assets and the warehouse functions were the focus of evaluation. The Program Manager held a major role in the full scale exercise as the Supply Unit Leader (SUL) of the RSS Warehouse. It was a great success for the Navajo Nation, as the first Tribal nation to have a SNS RSS Warehouse exercise.

The NNVLP participated in the Division of Natural Resource 2010 EXPO with three presentations: Livestock Record Keeping and management update, the Navajo Nation Veterinary Stockpile and the Advanced Animal Disease Traceability. Each presentation was successful. Many thanks to the NNVLP staff for excellent program development and delivery of their presentations.

The NNVLP sponsored Mr. Stephenson from Yakama, WA to lead the presentation on the feral horse issues in Washington for the Department of Agriculture feral horse presentation at the DNR EXPO. Mr. Stephenson portrayed the scenario and hardship of the Yakama Nation on their feral horse challenges and where they are at present day. The NNVLP took care of the airfare and hotel stay at the EXPO. We requested for a wavier of conference registration for our guest.

Clinic Veterinarian attended the yearly meeting of the USDA Rabies planning meeting and presented the data on the GonaCon birth control vaccine project and what we have been seeing. Also presented on our projects at the North American Rabies Management Plan group meeting held the day before. Out of the meeting it was officially agreed that we are now looking at doing three more studies- two on birth control and one on a new Oral Rabies Vaccine being used in Canada.

Attended a meeting with the Navajo Nation Resource Enforcement to bring them up to date on the changes to animal ID and where we go from here.

Assisted the Navajo Nation Zoo with two injured birds and an injured deer. Also vaccinated all the birds for West Nile Virus and doing annual health checks, treated an injured red fox and Albert's squirrel.

Ordered 840 tags for the Department of Agriculture's certified Angus bull sale. All tags recorded in the AIN manager system with the Veterinary & Livestock Program. Freeze branded and RFID 50 bulls that is being lease for the new bull breeding program.

Glenda Davis, Program Manager is a member of the USDA Animal Disease Traceability Working Group which meets weekly by teleconference with a two-day face-to-face meeting in Kansas City, MO. The group has been tasked to develop the national performance measures for disease traceability. Public hearings have been sponsored throughout the country on our current activities and recommendations prior to rule development.

The NNVLTP has requested for brite tags for the Navajo Nation to be used on cattle for interstate movement. The USDA will be providing these tags to the Veterinary & Livestock Program for livestock use.

Work plans for the Animal Disease Traceability (ADT) and Chronic Wasting Disease (CWD) cooperative agreements were submitted to the Phoenix Office. It is hoped that the work plans will be approved within the month.

The seventh (7th) Annual NHA Dog Wellness and Dip schedule was been initiated with the NHA sites to begin the week of June 7, 2010 with eighteen (18) sites planned for this season. These sites are to decrease the number of ticks on pets and reduce disease within the NHA housing communities.

The Department of Agriculture has completed the master plan for the Division of Natural Resources this month.

Attended the Humane Society of the United States (HSUS) Animal Care EXPO this month with the Navajo Puppy Adoption Outreach Coordinator, Kendra Wapaha. This conference will assist with all aspects of the NNAP and Ms. Wapaha's work for the Navajo Nation. She has gained the skills to support fostering, fund raising, building legislation, sheltering, shelter medicine and outreach education.

Astounding news was delivered on Thursday May 20th. The first Oral Rabies ever allowed to be imported officially for evaluation, was approved for the Navajo Nation dog study. This is a new Oral Rabies Vaccine being used in Canada and has been showing great results in wildlife. The USDA has been attempting to get the vaccine for evaluation for the last six years. It has taken almost 2 years in the application effort for a permit to evaluate and import the ONRAB vaccine, but the efforts of the clinic Veterinarian have paid off and within the next three months we will be shipped the vaccine to do a dog vaccine trial. This will be watched by the USDA, the CDC and every country that has dog Rabies affecting people, to see if it is effective. This is an exceptional opportunity and honor.

Started a new summer USDA staff member to help develop and organize the Navajo Nation Scrapie Coop project. Ms. Zoey Benally, a second year Veterinary student at Washington State University, will be working with the program over the summer on Scrapie outreach. One of her first activities is getting radio PSA's done that are bilingual for our sheep and goat producers to improve Scrapie tagging and reviewing our Navajo Scrapie education materials. Other activities will be buying sheep and sheep heads for Scrapie testing. The project goal is to show that the Navajo Nation is Scrapie free, and improve rancher's use of Scrapie tags for sales.

Clinic Technician, Harold Blacksheep acted as an instructor for the Sheep shearing school held at Dine' College this month.

We are also looking at finally getting a rabies vaccine and birth control trial started this year. This study will be looking at a male dog sterilant that is FDA approved and see how or if it affects Rabies Vaccine in these dogs if they are given at the same time.

Assisted the Navajo Nation Fish and Wildlife treating an injured Golden Eagle. Unfortunately it didn't survive the trauma inflicted by the poacher.

Abandoned Mine Lands

Participated in the DNR Conference/Expo, April 12–15, in Pojoaque, NM, gave presentations on related AML/UMTRA subjects: Health-Safety, Presentation Methodology, Successful PFP, Vegetation-Reseeding, Partnership, and Project Development. On April 14, 2010 as part of our presentations Navajo AML and New Mexico AML conducted a site tour of the Cerrillos Park, Pojoaque, NM a reclaimed abandoned mine site. Navajo AML also set up an information booth distributing and providing information on the department.

In conjunction with Arbor Day, Navajo AML coordinated tree planting activities with the Cameron Elementary School, Blue Gap Senior Center, and Shiprock Veterans Center. At least 50 trees were planted between all three location. Representatives from the Office of Surface Mining, delegates, teachers, students, and Navajo Nation President were present and assisted with planting. Other participants were BHP Coal, Peabody Western, Northern Navajo Veterans, and Shiprock Planning Commission.

Shiprock AML staff attended the Northern Agency's Department of Emergency Management Banquet for all NN Programs that assisted in the 2010 Snow Operation to extend their appreciation. Northern Agency DEM reported there was over 6,000 families that were assisted.

Managers from Navajo AML met with Congressional Delegates, they briefed Delegates on AML and RAMS Funding issues and participated in Congressional visits.

Navajo AML had a visit from three French Public Broadcast Radio journalist. They conducted a short taped interview, asking general questions about our program, reclamation/remediation techniques, funding, uranium, etc. Navajo AML was one of several programs that they visited. The uranium impacts were one of the issues that they were interested in. They were accompanied by Roberta John of Navajo Tourism Department. As a follow-up, Pierre De Vallombreuse, is going to send a formal request for an orientation and visits to AML sites.

The Health Physicist and Senior PIO from Navajo AML attended the Blue Gap/Tachee regular Chapter meeting. The HP reported on the findings of the radiological survey for the chapter house, the surrounding property and buildings, Sadie Bills residence and property; and NA-0701. The report concludes the work request by the chapter and Mr. David Taylor, NN DOJ.

AML/UMTRA staff participated in the Kirtland Elementary School Career Day for grades 4th thru 6th. The event provided insight on the AML/UMTRA programs and what education is needed for the various positions within programs. Also representing the AML Program was the AML mascot, "the Badger".

AML staff attended meetings between the "Certified" Tribes of Crow, Hopi and Navajo with the Office of Surface Mining (OSM). The topics of discussion were on the Proposed Rule change for stream enhancement and the Obama Administration's proposal to cut "Certified" States and Tribes AML Programs. In preparation for these meetings and possible upcoming Congressional visits, Navajo AML has been conducting research and drafting supporting documents for our Program and the Navajo Nation President.

AML staff attended the OSM TIPS/GPS training in coordination with OSM and Southwestern Indian Polytechnic Institute.

Forestry

Four Forest Services Officers completed the 8-hour Wildland Fire Refresher Training Course, sponsored by the BIA, Navajo Region Branch of Fire Management. In addition to taking and passing the classroom training, all the Officers took and passed the required Walk test for certification.

The Program Manager participated in the "kick-off" meeting regarding the revision of the Navajo Nation Multi-Hazard Mitigation Plan. In order for the Navajo Nation to be in compliance with FEMA regulations for emergency reimbursement, this document needs to be revised to incorporate new and updated information regarding the mitigation of certain disasters on the Navajo Nation.

The Forest Services Officers responded to a total of 805 calls for services, ranging from investigating trespass harvesting, investigating wildland fires, checking both resale and personal use forest product permits, reporting weather and road conditions to providing emergency assistance

Two Program Forest Technicians assisted the BIA, Navajo Region Hotshots in identifying trees that may be harvested in order to meet training certification regarding chainsaw operations, maintenance and tree felling. This certification is required in order for the Navajo Region Hotshots to be made available for wildland fire and other emergency response.

The Reforestation Program loaded and delivered 64,311 ponderosa pine seedlings to the USFS, Apache-Sitgreaves National Forest in Springerville, Arizona. These seedlings were grown in the Departmental greenhouses for the Apache-Sitgreaves National Forest for the purposes of supporting their reforestation needs within their forested boundaries. The Apache-Sitgreaves was billed, as this was a cost reimbursement project, in the amount of \$60,379.90 for the cost of the seedlings and delivery.

The Program assisted one family of the Fort Defiance Sunset Residential Hill Housing area with landscaping concerns and techniques. This family was also provided education regarding the types of native vegetation that could be grown within the housing area to make it more aesthetic appealing.

Conducted a tour of the greenhouses and the botanical garden to 52 students of the Red Valley-Cove High School. These students were educated on the concepts of greenhouse operations and maintenance and the different types of plants species located within the botanical garden.

The woodland management crew hauled in and restocked the woodlot with 49 truckloads and 25 trailer loads of unsplit, dry firewood. This will eventually be sold to the public. In addition to hauling in firewood, the crew also loaded 24.6 cords of piñon and 1.2 cords of ponderosa pine firewood, 0.5 cords of juniper, 1.5 cords of oak firewood, 4 juniper posts and 130 lbs. of barbed wire for a total of 276 customers.

Issued 27 right-of-way tree harvesting permits to IHS, NECA and NTUA for their infrastructure development projects. Woodland management staff mended the fence line at the Summit area, where someone had harvested a tree that damaged the fence line and did not repair the line. Woodland Section staff met with NECA on trees harvesting standards as it relates to the overall project the NECA is currently working on.

The Navajo Forestry Department issued 3,164 personal and commercial use forest product permits/tags to both enrolled Navajo Nation and Non-Navajo individuals. These forest product permits allow an individual to gather firewood for personal and resale purposes, harvest fence posts and transport wood that has been harvested to another location.

A coordination meeting was conducted that included discussions on range management, the range inventory that was completed for the Navajo forest and the fuels management projects that are occurring on the Navajo Nation which are being performed by the BIA, Branch of Fire Management, Fuels Management Program.

The Department also was involved with the yearly Program's Contract Monitoring activity with the BIA. The review went well but the area that the Department needs to address is in the area of Property Management.

Five, including the Forest Manager, staff members attended the 34th Annual National Indian Timber Council Symposium in Mescalero, NM. This symposium allowed the attendees to acquaint or reacquaint themselves with the other forestry professionals in Indian Country. In addition to networking, staff learned about what is happening in Indian Country regarding forestry. Most tribes are now looking beyond any commercial logging operations and turning their attention to other ways to manage the forest. These other types of management involve stewardship contracting with federal agencies to address forest protection from fire and insects and disease, landscape restoration, integrating riparian habitat and watershed management.

Presentation made on moratorium made at the Wheatfields Chapter District Grazing Committee meeting on May 3, 2010. Another meeting was conducted with the District 11 Grazing Committee Meeting at the Round Rock Chapter on the Forest moratorium. These meetings are a result of several concerns regarding homesites within the forested areas.

Presentation on the *Navajo Nation Forest and Woodland Regulations* at Red Valley Chapter on May 16, 2010. This allowed the Department to further educate the public on the regulations as they are currently written, to avoid any trespass harvesting.

Program Forest Technicians performed inventory measurements on the APS 345 kV Powerline that crosses the Defiance Plateau and the Chuska Mountains. The purpose of this inventory is to identify potential hazard trees within the APS right-of-way for the purposes of clearing these potential hazard trees. The result of the inventory will allow the Department to invoice APS for the trees that they have removed within the project area.

Program technicians are also assisting other Department Programs with their respective tasks when all other work has been completed, such as inspecting a NTUA Project ROW, West of St. Michaels and assisting with some campground improvements at the Narbona Pass picnic area.

Program Manager is working with the BIA Timber Sale Officer to ensure that information regarding the cutting of trees is recorded and information submitted to Central Office in Washington DC.

Provided a presentation to 25 students attending the Wild Rockies Institute of Montana regarding the Navajo forest and the management of our forest.

Conducted a tour of the Department's Botanical Garden to two (2) US Forest Service employees of the Kaibab National Forest. Answered all their questions regarding the establishment of the garden and accepted recommendations from the individuals as well.

Initiated the process of compiling the growth and survival studies of the ponderosa pine seedlings that were planted in the White Clay area, north of Sawmill, AZ. This information will allow the Department to obtain additional information on how all the seedlings are doing for the purposes of developing future growing stock.

Woodland Section Manager met with Mark Baca, a private citizen and entrepreneur, on the possibilities of harvesting wood off of the Big Boquillas Ranch.

Marked 1,174 Ponderosa pine and 110 Douglas-fir poles for 32 customers.

Forest Manager and R&D Manager met, twice, with the Kaibab National Forest, Tusayan Ranger District, District Ranger, the Tribal Liaisons from the Kaibab National Forest, to discuss the Tribal Forest Protection Act and the possibilities of establishing Stewardship Contracts with the Kaibab National Forest. This would allow the Nation to employ individuals while protecting the natural resources of the Nation and the Kaibab National Forest from catastrophic wildland fires.

Forest Manager and DNR Executive Director met with Resources Committee Chair George Arthur and BIA Deputy Regional Director Sharon Pinto to discuss the issues surrounding the Emergency Firefighters Program (EFF Program). The Department has agreed to continue to be involved with the EFF Program and will assist the BIA with administering this program. Several internal changes will occur with the management of the program as a result of this meeting.

Forest Manager and Forest Services Program Manager, along with T&R Market managers, met with the Resources Committee to discuss the issue of firewood sales off the Navajo Nation to traders and others. The committee advised the Department and the T&R Market managers to continue to work together to develop a solution that would later be proposed to the committee for insertion and implementation in the revised forest and woodland regulations. Currently, only ponderosa pine is allowed to be sold to traders, on or off the Navajo Nation.

Conducted a Fire Prevention presentation at Window Rock School District, for the Extended School Year Program for children from K -3rd grades. The concepts shared with the children included what are good and bad fires along with providing an appearance of Smokey Bear at the school for the children.

Program Manager attended the Grant Writing Workshop in Gallup, NM on June 23, 2010.

The Department initiated the Fire Restriction Executive Order. With the weather pattern as it is, dry fuel, windy conditions, no precipitation and high temperatures, the conditions are present for a wildland fire to ignite and spread quickly. In order to control the human element of wildland fires, this fire restriction was put in place, with concurrence from BIA Fire Management. Therefore, the fire restriction is in place until such time that fire weather conditions are reduced. Distributed the Fire Restriction Notice were made Navajo Nation wide.

Coordinated with Fish & Wildlife Conservation Officers, Animal Control Officers, & Navajo Rangers on providing services per BIA, NRO Branch of Fire Management Resource Order AZ-NAA-0086, July 4th 2010, which will be ongoing from June 27, 2010 to July 10, 2010. This coordination allows for more public awareness on the efforts to prevent human caused fires on the Navajo Nation. Staff from the four separate offices will be patrolling the forest and woodland areas contacting individuals and making these individuals aware of the fire restriction and providing general fire prevention information.

Program Manager conducted one field inspection of APS tree cutting crew on the 345Kv ROW powerline. The APS cutting crew is currently removing identified hazard trees within their existing right-of-way along this particular line that runs across the Defiance Plateau and the Chuska Mountains. Once the harvesting of trees is completed, an invoice will sent to APS for the trees that they harvested.

Program personnel met with Navajo individual, Melvin Burnside, and BIA Forestry in the field to discuss utilization of cut timber for a small portable sawmill. This would be an opportunity for this particular individual to show how his portable sawmill would handle timber from the Navajo forest.

Program personnel met with Dave Reidhead of Taylor, Az., a potential timber purchaser, to look at APS ROW cut trees and other areas cut for possible contract sales of timber

Program staff assisted on family by harvesting and transporting 50 ponderosa pine poles to Chinle.

Forest Manager was contacted by the USFS, Coconino National Forest, Tribal Liaison Specialist regarding the Schultz Fire, north of Flagstaff, AZ. This individual and the Forest Service wanted to ensure that all tribes in the Southwest were contacted and provided information regarding this incident. In addition, they (USFS) wanted tribes to know that if additional information was needed, the Tribal Liaison Specialist would be there to disseminate information on their behalf.

The Department sent 10 forest technicians to Silver City, NM for forest inventory training conducted by the U.S. Forest Service and the New Mexico State Forestry staff. This inventory training taught the Department's forest technicians how the FIA (Forest Inventory and Analysis) inventory was to be conducted and also taught them the basics on how to upload information utilizing a handheld data recorder. The Department is looking to enter into an agreement (Joint Powers Agreement) with the State of New Mexico Forestry Division to conduct this FIA inventory on Navajo Nation lands in Eastern Agency. The JPA is still going through the Nation's SAS review process.

Fish & Wildlife

The Director and Fred White, Deputy Division Director, met with Larry Voyles, Director and Leonard Ordman, Assistant Director, Arizona Game and Fish Department to negotiate terms of the Big Boquillas Ranch access agreement. A draft agreement was successfully completed and each entity forwarded copies of the agreement to their respective Attorneys.

The annual coordination meeting with the Arizona Game and Fish Department was held in April. Agenda topics included law enforcement coordination, wildlife disease monitoring, endangered species management projects and other coordination issues. Action items were developed and the AZGFD will monitor these items.

The Director provided in-house pesticide training for Predator Control Officers who are attempting to secure Pesticide Applicator Certification from the state of Utah. Two study sessions were held during the month. The Officers still have not been able to successfully pass the certification exam.

Department personnel from Administration, Animal Control, Wildlife Law Enforcement and the Zoo attended the Wildlife Management Short Course at Colorado State University.

The Department sponsored two Annual Youth Hunt fundraisers and raised approximately \$1100 for the project. Food sales were held at the Navajo Nation Zoo's Raptor Day and Zoo Fest.

The Director met with representatives from Chevron Mining Company and their environmental consultants to discuss close-out plans for monitoring projects. The mine is currently in shut-down phase and wildlife monitoring projects are also going to be phased out or turned over to the Navajo Nation. The Company is requesting Department assistance in phasing out these projects. The Department requested copies of wildlife monitoring reports that the Company has been preparing annually.

The Department met with the Hopi Tribe to coordinate eaglet collection procedures for the year. Both parties agreed on the protocol and both parties signed the protocol before the end of the meeting.

The Director assisted the Animal Control Program in developing Standard Operating Procedures. Draft procedures were completed and another meeting will be scheduled to complete the SOP's.

Department supervisors met with the Department of Personnel Management to discuss classification issues being encountered with the Classification Section. DPM provided additional clarification on their issues with the original PCQ's. After discussions with DPM, Department supervisors revised affected PCQ's and these were re-submitted to DPM.

The Management Section completed development of the 2010/2011 Fall Big Hunting Proclamation, Commercial Trapping Proclamation and the Game Bird Proclamation.

Department personnel attended the FY-2013 BIA Budget meeting and submitted the FY-2013 BIA Budget Forms for both the Fish and Wildlife 638 contract and the Natural Heritage Program contract.

The Department approved the Arizona Game and Fish Department's request to conduct a predator control project on the Big Boquillas Ranch. The approval was issued after consulting with the Division of Natural Resources.

The Management Section completed an annual narrative report for the BIA to comply with the P.L. 93-638 Contract reporting requirement.

Department staff successfully completed the Safari Club International big game scoring certification training.

Department personnel assisted a film crew from Wales in filming Navajo Nation wildlife. Their documentary will be on the Navajo culture and the importance of wildlife to the Navajo people. Additionally, the documentary will highlight similarities between Navajo culture and the Walsh culture.

Department staff processed 39 endangered razor-back suckers at the San Juan River Fish Ladder during the month. The fish were weighed, marked and biological measurements were taken.

Department personnel, along with consultants, completed the golden eagle incubation surveys. A temporary Wildlife Technician was employed to begin conducting the prey analysis part of the golden eagle study. The Wildlife Technician and a consultant surveyed rabbit transects throughout the month.

Natural Heritage Program staff participated in a presentation entitled, "Negotiating Environmental Agreements with Tribes: Consulting with the Navajo Nation" at the 2010 Environmental Conflict Resolution conference in Tucson, Arizona. Other participants were the Historic Preservation Department and El Paso Natural Gas Company.

Natural Heritage Program personnel attended a Conservation Action Planning meeting to finalize threats and conservation actions to the San Juan River watershed.

The Animal Control Program conducted community enforcement projects at Rock Point and Round Rock Schools, Many Farms BIA Housing, Birdsprings NHA, Leupp NHA, Tolani Lake NHA and Crownpoint NHA. Patrols in these communities focused on compliance and enforcement of Navajo Nation Animal Control laws, picking up stray and unwanted animals and public education.

The Wildlife Law Enforcement Program conducted four Hunters Education Courses in Shonto, Arizona, Ganado, Arizona, and Tuba City, Arizona. A total of sixty (60) individuals successfully completed the courses. Course topics included safe and ethical hunting principles, firearm handling and safety, wildlife management and conservation, and wildlife laws and regulations.

Wildlife Conservation Officers Benally and Joe successfully completed a Firearms Instructor Refresher Training course at the Federal Law Enforcement Training Academy in Artesia, NM.

Wildlife Law Enforcement personnel successfully completed training with the Arizona Game and Fish Department regarding federal procedures and the use of DNA evidence in court cases.

The Navajo Nation Zoo hosted the first ever Raptor Day and the event was a huge success. Approximately 1,808 visitors attended the event, which was sponsored by BHP Billiton Community Investment Fund.

The Navajo Nation Zoo continues to educate the public by providing tours and presentations. Fourteen (14) tours/presentations were completed this month at the Zoo and across the Navajo Nation.

Navajo Department of Transportation supported the Zoo by providing grounds maintenance. The grounds were cleaned up and painting was completed by NDOT employees.

The Navajo Nation Zoo was inspected by the U.S. Department of Agriculture. No citations were issued and the Zoo passed the inspection for the second year in a row.

The Navajo Nation Zoo continued in its effort to provide excellent customer service by remaining open during holidays. The Zoo stayed open on Navajo Nation Sovereignty Day and welcomed 201 visitors that day.

Historic Preservation Department

Various staff participated in a "Poster Session" on Navajo cultural affiliation with the "Anasazi" at the Society For American Archaeology meetings in St Louis, MO.

Ettie Anderson was selected for and has accepted the Program manager's position in the Chaco Protection Site Program replacing the retired John Stein.

Minerals

Negotiated a new cooperative grant agreement with the U.S. Minerals Management Service. It will be processed for the Nation's approval and will be in effect on October 1, 2010.

Western's ROWs renewal agreement is in the departmental review process. The Nation will receive \$1,820,577.45 after the agreement is approved by RC.

A meeting was held with Conoco and the Department of Water Resources (DWR) to discuss water wells ROWs and Water Use Permits.

A meeting was held with PNM for the renewal of electrical transmission lines ROWs.

Reviewed and processed two electrical distribution line ROWs for NTUA.

Reviewed and processed an electrical distribution line for CDEC.

Reviewed and provided comments on a road ROW application submitted by McKinley County, NM.

Reviewed and recommended the disapproval of a telephone line ROW submitted by NCC.

Reviewed and provided comments on a draft mining and reclamation plan for an S&G lease submitted by Chance Corporation.

Processed an S&G lease for WCA after they addressed the deficiencies in the lease application.

Reviewed response to the S&G lease deficiencies submitted by Dibe. Issues still remain outstanding and another letter was sent to the company.

Provided FY 2011 revenue estimates on O&G, coal, S&G, ROWs and water use to the Navajo Nation Controller's office.

Presented topics on Navajo Nation mineral resources and coal mining blasting at the 2010 DNR Conference and Expo. We also had a booth to inform participants on the Minerals Department's functions and responsibilities.

OSM Inspection: 12

BLM Inspection: 1

Staff participated in the quarterly coordination meeting related mainly to the coal mining operations on the Navajo Nation with OSM, BLM and BIA held in Phoenix, AZ. Mr. William Johnson, Staff Attorney, DOJ, also participated in the meeting at the Minerals Department's request.

A meeting was held in Albuquerque, NM with CMI staff to discuss their responsibilities and requirements for the closure of McKinley Mine.

The FY 2010 OSM grant for the Surface Mining Program is in the Navajo Nation review process. RC approved and accepted the grant for \$1,165,000 and recommended it to the Intergovernmental Relations Committee of the Navajo Nation Council for approval and acceptance.

A three day negotiation session was held with APS for the resolution of the Nation's consideration and other issues related to FCCP and electrical transmission line ROWs extension. Considerable progress has been made and the parties committed to execute a "Principles of an Agreement" within 30 days.

A meeting was held with SRP. The company discussed environmental issues and expressed their interest to renew the NGS lease and associated electrical transmission lines ROWs.

A meeting was held with Conoco regarding water well sites ROWs. Tentatively, the next meeting with Conoco will be held in the second week of July 2010.

A meeting was held with Enterprise to discuss some ROWs which might not have been renewed under the 2005 agreement. The company has to conduct additional search to be sure if the ROWs are covered under the 2005 agreement.

Reviewed and processed an electrical distribution line ROW for NTUA in the vicinity of Leupp, AZ.

Reviewed and requested additional information for a ROW application for co-location of telecommunication antenna and an access road submitted by Tri-State.

Reviewed and processed 12 APDs. Consideration of \$79,940.37 was assessed. Also received \$29,944.25 consideration for APDs approved for Rosetta Resources.

Reviewing another response to the deficiencies in an S&G lease application submitted by Dibe.

The S&G lease for WCA was signed off by the Minerals Department.

Meetings were held with Chance Corporation regarding information needed to initiate the processing of their S&G lease application.

Twenty-three workers were provided with Annual Refresher Training (coal) and 25 workers received the New Miner Training (coal).

Unit/Lease Inspections:	06
Environmental Inspections:	04
Witnessed:	
Oil Sales	06
Gas Meter Calibrations	15
LACT Meter Proving	10
Mechanical Integrity Test	~
Well Plugging & Abandonment	01
Drilling Operation	~
TOTAL:	42

The FY 2011 revenue estimate and potential of additional revenue was discussed with the Controller's Office and revenue projections for FY 2011 were submitted.

The Nation, OSM and BIA are signing an agreement for a permanent resolution of the reclamation issues at Amcoal Mine. OSM has apprised Amcoal of the proposed agreement.

A Notice of Violation was issued and a fine was assessed by OSM for Navajo Mine's violation of NPDES permit.

The Minerals Department will work with Water Resources Department to identify issues pertaining to the abandonment and reclamation of the coal slurry pipeline from Black Mesa to Cameron, AZ.

The Nation has retained a consultant attorney to work on the Nation's Reclamation Code to properly address the jurisdiction issues.

OSM has approved \$1,165,000 grant in FY 2010 which is effective June 1, 2010 for the Nation's Surface Mining Program.

A late payment interest charge of \$87,107.86 is being assessed against Resolute for late payment of \$886,724.14.

Resources Enforcement

Attended meeting in Window Rock for the COPS grants. All departments under the tribe must produce one application for all grant requests. Meeting discussed the timelines and format to be used as well as the allocations that were allowed.

Lt. J. Dover had an emergency medical assist after a man stopped breathing. He assisted the fire rescue crew with CPR for more than an hour until EMS personnel in touch with medical control called attempts off. Police criminal investigator took over the scene. It appeared that the man had been under doctors care for some time.

Long range patrols were carried out in the Dilcon area after reports of aircraft dropping drugs was received. Police were contacted with the information and the head of the drug task force requested rangers to check the area. Nothing unusual was discovered. A dozen residents were contacted and all stated that there was no activity that they knew of in that area.

A woman called the department requesting rangers search a particular area for the body of a man that has been missing since October 2009. The area requested is very rugged and plans are currently underway to check the area in question in detail.

The DNR Conference/Expo was attended with administrative personnel conducting classes and manning the booth. Information was given out and the project was a success.

Conducted the Deputy Livestock Inspectors training for the Rangers personnel. All personnel passed the written exam and are now conducting their 40 hour OJT with Field Personnel at Bitahochee Inspection Station and Shiprock Inspection Station.

Ranger Frederick Chee was assigned to Forestry department to complete his 40 hour field training to learn their procedures of checking permits and working with the general public.

Ranger Chee was assigned to Fish & Wildlife for his 40 hour field training on their procedures of checking fishing and hunting permits and working with the public.

Ranger Brandon Tsosie and Ranger Roger Singer setup exhibit a booth at Rough Rock School for Earth Day.

Ranger Dorothy Curley and Ranger Singer setup exhibit booth at Hopi's Earth Day on April 29, 2010.

The total number of calls for service within the district is (796) according to the Cody Records System. The District Rangers issued 108 Livestock Inspection Certificates. The report count for individual Rangers are broken down as follows:

Ranger Sgt. Randall Jim, Ranger Ericson Yazzie, Recruit Pearl Tsosie and Recruit Merlinda Roanhorse attended Justice Day in Crownpoint, New Mexico. The booth presented was excellent. The turnout was very good. The two ladies and Ericson did an excellent job with the assignment.

Rangers Jimmy Boyd and Jeremy Grondin assisted with snowmobile support on a rescue operation in Narbona Pass, New Mexico. They were able to contact one individual and assisted him. The other person was not contacted. They went through various sheep camps but no contact. On March 19, Ranger Sgt. Randall Jim was called out to Shiprock on a Fire Investigation call. The investigation continued into Saturday March 20, 2010 concluded at 1311 hours.

On Friday April 16, 2010, Ranger Jeremy Grondin resigned from the Department of Resource Enforcement as a Ranger. Mr. Grondin has taken another position with the State of New Mexico District Attorney's Office in Gallup, New Mexico. His contributions to the Navajo Nation were exceptional.

On Sunday April 18, 2010, Ranger Recruits Merlinda Roanhorse, Pearl Tsosie, Frederick Davis and Joe Dayzie checked in at the BIA Indian Police Academy in Artesia, New Mexico. They are scheduled to be in training from April 19 thru August 09, 2010. They have to spend an additional week at location for Indian Country Jurisdiction Training.

On April 7, 2010 the Kayenta Chapter and Township personnel rounded up stray horses within the Kayenta Township area and Ranger Lavern Juan assisted with the seizure of all the unbranded horses, these were transported out of the area by Herman Upshaw from the Department of Agriculture.

At least fifteen horses have been seized as strays in the western district this month, more ranchers are assisting by gathering and holding stray horses that they want removed to save what vegetation is available for their livestock. We have been encouraging this activity since we do not have the resources to address this issue.

Ranger Tamara Thinn did a public presentation on the livestock laws at the Pinon Grazing Officers meeting this month there were no major incidents reported and turnout was good.

Water Resources

The NNWRC held regular meeting was held on April 19 - executive session reports and updates were given on New Mexico San Juan River Adjudication and San Juan River Settlement congressional legislation, New Mexico Zuni River Adjudication, New Mexico Rio San Jose, Utah San Juan River, Arizona Little Colorado River and main stem Colorado River, Arizona Gila River and budgets.

The NNWRC gave an in depth update to the Resources Committee on April 9 about the proposed Arizona agreement that will be going eventually before the full council.

The NNWRC participated in the NN, Hopi and Arizona parties water rights negotiation meetings on April 7 – 8, and 22 - 23.

The NNWRC gave presentations at the DNR Expo/Conference on April 13 – 15.

On April 29, the NNWRC held a meeting recommending the Arizona water rights agreement be approved by the Navajo Nation and recommended to the Resource Committee for their approval. The Resources Committee approved going forward with the proposed agreement.

The USHHS Region IX held a Tribal Consultation Session at Phoenix April 29 and the NN Vice President requested the the USHSS complete their portion of the plan to authorized Indian water rights appropriations.

A Gallup water supply contract meeting was held on April 2 to prepare language for a potential water supply by the Navajo Nation. The New Mexico portion of the NGWSP cost share agreement meeting was held on April 7. The Gallup Repayment Contract meeting was held April 29

A NGWSP Settlement Agreement review meeting was held on April 6 to discuss the Federal team objections on portions of the agreement. Additional NM SJR agreement teleconferences were held April 19, April 28 and 30.

The NGWSP Operations meeting was held at BOR Farmington office on April 22 – 23 to discuss who should be the water pipeline operator.

A Navajo Dam operation meeting was held at Farmington on April 27.

A NNDWR - NTUA fund management plan meeting was held on April 5.

The NMWSP Cutter Lateral Waterline celebration was held at Counselor Chapter April 12.

The ALP Association Finance Workshop was held on April 7 and the ALP PCC meeting was held on April 8 at Durango.

The Arizona water rights meetings were held on on March 10 – 12.

A NN – Utah water rights meeting was held on April 21 at Salt Lake City.

IHS has seven funded projects working together at Navajo Mountain to complete the regional inter-tie between Inscription House and Rainbow Village. This project is for a total cost of \$1,025,000, but includes other water facilities to serve scattered homes.

The NNDWR and other entities met with the USEPA on April 19 with Pete Silva, Assistant Administrator for Water, EPA Headquarters, Nanci Gelb, Deputy Director, Office of Groundwater and Drinking Water, EPA Headquarters, and Jared Blumenfeld, Regional Administrator, EPA Region 9. The items discussed were:

1. Navajo Water Needs

2. Indian Health Service (IHS) Sanitation Facilities Construction Program
3. Navajo Tribal Utility Authority (NTUA)
4. NNEPA Surface and Ground Water Protection Department
5. USEPA - Follow-up to Prior Action Items

A meeting was held with the Dilkon Clinic steering committee meeting on April 8 to discuss the committee's draft resolution for the various NN Council standing committees to approve for planning and construction funding. The resolution was approved. On April 23 - Districts 5 & 7 held a joint meeting (chapter officials, grazing officers, council delegates, etc.) on the IHS clinic and BOR rural water supply update (SWNRWSP).

The San Juan River Settlement Legislation (DOI Water Contract). NDWR staff completed the Navajo Gallup Water Supply Project conjunctive groundwater plan. Staff and BOR completed draft of the Navajo San Juan River Secretarial Water Contract for SAS process.

The Arizona Navajo Settlement Agreement. In March, the Navajo Nation and the State Parties signed a draft settlement agreement support document. In April, Staff met with the Resources Committee and the Water Rights Commission to explain the agreement, and solicit input on moving it forward.

Utah Planning Reports - Brown and Caldwell completed final drafts of the Phase 1 and Phase 2 reports.

Staff made direct contact with BIA Region realty office in re: San Juan County (Utah) schools right-of-way issue for their school well pipeline in Monument Valley. BIA Region agreed to join directly with the WCA in researching the issue more intensely.

Apache County gave their progress report on the new Chinle well they constructed, and also submitted the driller's log. They continue with well development and land withdrawal aspects of the project, and are working with TCOB.

Staff completed its input for the Navajo Nation Environmental Protection Agency (NNEPA) notice of violation on a Clean Water Act issue (substantive streambed manipulation without a 401 permit or other approval) in the Tse Bidalgai School wash area by Navajo County and DWR.

Staff continued to assist DNR Director in maintaining N.N. potential claim to \$500,000 in U.S. in Natural Resources Conservation Service (NRCS) grant moneys for decommissioning of several contaminated wells. This issue is ongoing and will require agreement by the Technical, Construction, and Operations Branch (TCOB) Director, the Division Director, and the President before any acceptance and implementation can occur. WCA was informed by NRCS managers that the funds are available only through 4/21/10. If no Navajo Nation decision is in place by then, the funds will be unavailable.

Operations and Maintenance Section

1. Completed 71 monitoring and visual inspections for 13 dams.
2. Asaayi First Fill: Water surface elevation reached spillway level on April 14, 2010 at approximately 7:45 PM.
3. Tsaile Dam Siphon Operation: Ongoing April 1-30, 2010:
Navajo Nation Safety of Dams staff has been on a 24/7 schedule overseeing the operation and maintenance of the 12" and 16" siphons located at Tsaile Dam in order to maintain and lower the water surface elevation.
4. Asaayi Dam Gatehouse Slump Pump Drain, April 7, 2010:
Drained water from the lower section floor of Asaayi gatehouse via activation of slump pump.

2010 Dam Safety Coordinator's Conference, Austin, TX, April 19-23, 2010 Staff participated in the 2010 Department of Interior's Dam Safety Coordinator's Conference in Austin, TX. Information and presentations with regards to dam safety issues and remedial projects were given to attendees.

Emergency Action Plan Level One Alert for Tsaile Dam, April 22-April 30, 2010

On April 21, 2010, the Bureau of Indian Affairs and the Navajo Nation Safety of Dams Program activated Tsaile Dam's Emergency Action Plan by initiating a Level One Alert. A Response Level 1 is a slowly developing unusual situation at the dam. It's potential for adverse impacts are not yet serious, but could progress into a potentially threatening event if it continues or intensifies. As of April 29, 2010, we remain under a Level One Alert with the following status update: The conditions currently at the dam are: Four pumps and two siphons with a combined pumping capacity 115 cubic feet per

second are now in operation. The lake water surface elevation is at 7026.06. (Definition: 1 cubic foot is equal to the amount of water held by a regulation size basketball.) Tsaila Lake is 3.06 feet over the restriction level of 7023.00 feet.

The NGWSP Ground Water PCC meeting was held at the Albuquerque BIA office on May 5. The NNDWR submitted the following Conjunctive Groundwater Development Plan proposals to BIA

Well and Related Facilities for Iyanbito NTUA Water Supply System

Funding in the amount of \$936,000 is requested for construction and related tasks for construction of one fully equipped water well and appurtenant facilities for the Iyanbito water supply system operated by the Navajo Tribal Utility Authority (NTUA).

Well and Related Facilities for Naschitti NTUA Water Supply System. Funding in the amount of \$1,043,000 is requested for construction and related tasks for construction of one fully equipped water well and appurtenant facilities for the Naschitti water supply system operated by the Navajo Tribal Utility Authority (NTUA).

A BOR meeting regarding coordination and oversight on the current Cutter Lateral work by NNDWR Engineering Consultant was held on May 19 at Farmington.

The Navajo Nation Department of Water Resources (NNDWR) had previously submitted a proposal to the United States Environmental Protection Agency (USEPA) through the Indian Health Services (IHS) to drill two exploratory wells to address the domestic water needs in the western and northwestern parts of Leupp chapter, including Grand Falls, Black Falls and Box Springs areas. The USEPA has approved \$450,000 for drilling of the first exploratory well which is expected to be completed in 2011. USEPA is willing to fund a second exploratory well in the amount of \$500,000, provided the water quality of the first well is good for human consumption. The purpose of the exploratory drilling is to set up watering points for safe drinking water hauling and ultimately to provide piped water to more than 155 homes in the concerned areas.

The project consists of constructing 7 miles of waterline extension from livestock well number 5T-529, construction of two 24,000 gallon water tanks and installation of a 4,000 gallon water tank to serve the livestock water needs in Box Springs, Grand Falls and Black Falls areas. The waterline is designed to bring livestock water as close as possible to the Box Springs to provide livestock water to the livestock owners on the northern side of the Little Colorado River. The total project cost is \$251,179.00.

This project includes 5.5 miles of waterline extension from well number 5M-104, construction of two 24,000 gallon water tanks and installation of two 4,000 gallon water tanks to serve the livestock water needs in west northwest of Leupp, Grand Falls, Box Springs and Black Falls area. The project cost is estimated at \$274,942.00.

The Department of Water Resources has received \$2,640,000 to implement this project. Water hauling tanker trucks are on order. DWR intends to initiate this project immediately upon arrival of the trucks. These trucks will be used throughout the Navajo Nation to provide safe drinking water to the people who do not have access to safe drinking water.

OBJECTIVES		3rd Quarter
Livestock Systems		
1	Windmill inspected	231
2	Windmill repairs	198
3	Windmill installation (redrilled or new well)	0
4	Windmill replacement (existing well)	10
5	Installed/repared pump jack	1
6	Solar unit inspected	9
7	Solar unit installation	1
8	Solar unit repaired	4
9	Solar unit replacement	0
10	Tank/trough/waterline inspected	74
11	Tank/trough/waterline repaired	115
12	Dug well/spring inspected	14
13	Spring/spring hand pumps repaired	14
14	Springs rehabilitated	13

15	Miscellaneous	78
TOTAL		762
Domestic Systems		
1	Domestic system inspected	27
2	Domestic system repaired	1
3	Water Sample collected	7
4	Systems disinfected/chlorinated	1
5	Final inspection/Sanitary surveys completed	0
6	Pump tests completed	0
7	Domestic systems transferred to NTUA	0
8	Miscellaneous services provided	4
TOTAL		40

Irrigation Systems		3rd Quarter
1	Inspected diversion structures	51
2	Repair diversion structures	20
3	Maintain sump, control, panel, pump, etc.	9
4	Inspect discharge gates, spillway, etc.	37
5	Clean/repair discharge gates, spillway, etc.	23
6	Clean/repair lining, gates, siphons, etc.	46
7	Inspect/monitor/measure water flow	38
8	Patrol canal system	14
9	Clean/repair over & undershot flumes	24
10	Clean/repair field drainage ditches	18
11	Maintain canal service road	3
12	Construct new canal, gates, siphons, etc.	1
13	Transport heavy equipment	8
14	Other branches assisted	2
15	Miscellaneous services provided	9
TOTAL		303

III. On-going Projects and Activities:

Abandoned Mine Lands/Uranium Mill Tailings Remediation Action Program

Morrison II AML Maintenance Reclamation Project – Value Engineering (VE) work began March 31, in coordination with Navajo EPA. On March 24, mine site visits to Mexican Water and Tse-Tah AML areas were completed. Navajo AML will be contacting Navajo Archeology Department for surveying and reporting to comply with NEPA. Project development, NEPA, and designs are continuing.

Window Rock NAML Parking Lot – The project is on hold until funds are approved from Navajo AML. A justification statement to use AML project funds was drafted March 26 and sent to Navajo AML staff for review and will be finalized. Once funds are approved and accounts identified, the contract will be finalized and the 164 SAS process will follow.

RAMS GIS Database Development – The GIS Chapter Boundaries were received from Navajo Land Department the week of April 5 and most important, background layers from BIA on satellite images. On April 22-24, Navajo AML received TerraSpectra's deliverable which involved training for technical and field personnel.

Staff are continuing to work on a follow up meeting on the radiological survey for Blue Gap/Tachee chapter house and NA-0701.

On-going UMTRA Projects

Staff finalize coordination activities: with Joey Gillespie, Stoller, for the annual LTSM inspection scheduled for May 4-5 for Mexican Hat and Tuba City UMTRA sites; David Miller, Stoller, on the water dye application scheduled for the Shiprock UMTRA site.

Completed site visit on April 20 & 22, to monitor DOE/Stoller's radiological surface assessments within the fenced area that identified anomalies requiring further remediation. This area could be residuals that had been left behind during surface remediation cleanup. Additional surveys and soil sampling will be collected.

Shiprock UMTRA, Health Physicist is continuing UMTRA site well inspections and continues to haul water to the phytoremediation test plots. Staff completed site visit on April 1-2, to provide water dye information to community members that reside near the evaporation pond and verify proposed institutional control (IC) area scheduled for further ground water remediation work in the Many Devils Wash.

On-going Public Facility Projects-FY 2008 PFPs

Hardrock Chapter Multi-Purpose Metal Building – The project consists of a new multi-purpose metal building. The A/E contract with Smith Architect, LLC, Flagstaff, AZ is currently going thru the 164 SAS review process for approval. A site visit was completed on March 9. The project is scheduled to commence in Spring 2010.

Thoreau Chapter I.H.S. Dental Clinic – Greg Kelly, Navajo DOJ, and AML have not received a final contract since coordinating and finalizing all efforts with the I.H.S. attorney. Per telephone conversation with Candace Tsingine on April 20, I.H.S. issued an Award letter on March 23. Construction activities at the project site began April 19,

Coyote Canyon Chapter House Renovation – NM State funds of \$75K have been pending since January 2010. Although the Chapter has lobbied on behalf of their funding, the status is unknown. LAM Corporation is waiting on Design & Engineering Services and Brown Associates for inspection of the electrical, plumbing and mechanical work before continuing with sheet rocking. All selective demolition is completed. Additional work on the replacement roofing for the office area has been accepted by Coyote Canyon chapter, an expense covered by their funds.

Teesto Chapter Senior Citizen Center – Navajo AML has prepared a proposal seeking \$450K for off-site sewer and waterline extensions; Navajo County will approach Navajo Hopi Indian Relocation Office. Navajo AML also met with Buildings and Grounds (Navajo County) and provided copies of the topo survey, cost estimates and geo tech report for the sewer line layout. Council Delegate Elmer Begay took copies of the proposal to approach Navajo Council for additional funding for the offsite services. David Sloan Architectural Firm continues to finalize the design documents and is currently 50% complete. Construction bidding is anticipated in July/August 2010.

FY2009 PFPs

Church Rock Chapter, Powerline Extension – Authorization to proceed with 3 phase in the casino area hinders the overall powerline extension project. Gallup Joint Utilities continues to coordinate efforts in finalizing the ROW for the GJU clients immediate to the Gallup Church Rock boundary. CHID will need to modify the contract date for the CDEC contract for a time extension. AML continues to coordinate project efforts with all parties involved, CDEC, GJU, Land Administration, Sacred Wind and I.H.S.

Forest Lake Chapter, (Black Mesa Review Board), Bathroom Addition Project for 80 homes – Two preliminary project planning meetings were held in March and April 2010.

FY2010 PFPs

Houck Chapter is proposing a new head start building for their community. AML will advise and help begin assisting with research and determine the status of the project. If necessary, staff will begin drafting a proposal should the PFP criteria's be met.

PFP Technical Assistance (TA) / Project Development

- Houck Chapter is proposing a new head start building for their community. AML will advise and help begin assisting with research and determine the status of the project. If necessary, staff will begin drafting a proposal should the PFP criteria's be met.
- AML continues to communicate with Iyanbito Chapter on a proposed head start building. The chapter is researching and providing the necessary information up front for review to determine compliance with PFP procedures.
- Manuelito, Nahodishgish, Red Rock, Indian Wells, Round Rock and TsaYaToh Chapters have projects but are not construction ready projects. They lack funding sources for planning or design services. Most do not have funding for construction services.
- Sweetwater Chapter is proposing powerline project. AML assisted with construction staking.

- Sansotee Chapter is proposing an upgrade to the existing powerline. AML assisted in completing the EA.
- Newcomb Chapter is proposing a Senior Center Parking Lot. AML assisted with design completion.
- Red Valley Chapter is proposing a powerline project in coordination with NTUA. AML assisted in the EA development.
- Two Grey Hills Chapter is proposing a Senior Center parking lot and building. AML assisted in the design completion.
- Whiterock Chapter is proposing a powerline project in coordination with NTUA. AML assisted in construction staking.
- Gadii'ahi (Cudei) Chapter is proposing a Home for Women and Children. AML assisted with contracting and bidding information.
- Nageezi Chapter is proposing a Multi-use Administrative building. AML assisted with contracting and bidding information.

PFP Partnering

- Window Rock AML assisted with Arbor Day activities via Office of Surface Mining. AML partnered with Navajo Department of Agriculture – Gerald Moore and Pinon High School Agriculture Class to plant trees at Tachee/Blue Gap Senior Center, a PFP project area funded in 2002.

Fish & Wildlife

Main Office Building - Develop funding options by end of 1st Quarter- a meeting with the Controller will be scheduled to determine loan options. The floor plan was updated by Design and Engineering. Additional discussions with D/E centered on funding strategy for architectural engineering phase where at least \$200,000 is needed to complete this phase.

New Positions - Predator Control Agent – position is being reclassified to Wildlife Conservation Officer-Western Agency. The position was classified by DPM and returned to the Department. The Job Vacancy Announcement was submitted to DPM for vacancy advertisement.

Data Entry Clerk – Senior Information Systems Technician position is being reclassified to Information Systems Technician. DPM responded by classifying to an Office Specialist. A meeting was convened with DPM to discuss this classification and a new PCQ will be submitted.

Historic Preservation

CHACO PROTECTION SITE PROGRAM ALL PROJECTS ON HOLD DUE TO STAFF RETIREMENTS AND WILL REASSESSED

ARRA Funded Road Pavement Rehabilitation Projects - **Status:** Continue to provide “clearance” documents for projects as we receive requests;

- **Project:** *Navajo-Gallup Pipeline*, **Status:** Consultation continues.
- **Project:** *BHP Area V North*, **Status:** Expansion has been put on hold for two years.
- **Project:** *Desert Rock Cultural Resources Treatment*, **Status:** No new report.
- **Project:** *491 Corridor “Clearance”*, **Status:** Consultation on treatment plan has begun.
- **Project:** *Grey Mountain Wind Farm*, **Status:** Report reviewed, comments provided to NNAD.
- **Project:** *Energy Corridors Draft EIS–Federal Lands*, **Status:** No new report.
- **Project:** *Southeast Utah ARPA Case(s)*, **Status:** Consultation with BLM and FBI continues.
- **Project:** *Ft Wingate Land Transfer*, **Status:** No new report.
- **Project:** *USGS Corn project*, **Status:** *HPD Portion of this project is 100% complete.* USGS is preparing a publication detailing the results of this project..
- **Project:** *Digital Archiving*, **Status:** Progress reported in Part V below.
- **Project:** *Cultural Affiliation Statement (2010 HPD Priority Project)*, **Status:** **COMPLETE.**

FACMAN

! **Project:** *Determination of Building Eligibility for Thirty-Three (33) Buildings at old Fort Wingate School.*

Status: HPD Facility Management will visit Ft. Wingate to record the nineteen (19) non-historic buildings as soon as the snow melts.

! **Project:** *Determination of Building Eligibility for Twenty-Two (22) Buildings at Thoreau Boarding School.*

Status: Finalizing HCPI Forms for the twenty (20) non-historic buildings. As of this reporting period twelve (12) have been finalized. Buildings will be photo-documented as soon as snow melts.

! **Project:** *Determination of Building Eligibility for Fourteen (14) Buildings at Baca Community School.*

Status: Finalizing HCPI Forms for the nine (9) non-historic buildings. Buildings will be photo-documented as soon as snow melts.

! **Project:** *Demolish building 251, Dormitory, at the Lukachukai Community School.*

Status: A site visit is scheduled for December 21, 2009.

! **Project:** *Request to Demolish building 4 within the Tuba City Boarding School campus.*

Status: Continue to wait on a decision from BIA Office of Facilities Management and Construction or NRO FACMAN on next steps.

! **Project:** *Proposed demolition of Building #1203 SASI.*

Status: Still awaiting a response from SASI.

! **Project:** *Proposed Coyote Canyon Trading Post Demolition*

Status: Unchanged, awaiting resolution of land dispute.

! **Project:** *Historic Preservation Plan.*

Status: Project on hold awaiting no cost extension of the end date of the task order funding the work.

! **Project:** *Navajo Nation Council Chamber Rehabilitation.*

Status: Waiting on funds accounting from the Council staff.

! **Project:** *Proposed Coyote Canyon Trading Post Demolition*

Status: Unchanged.

FORESTRY/NATURAL RESOURCES

! **Project:** *Toh nit tsa & Oak Ridge Timber Sales CRM*

Status: Waiting for review and preparation of revised draft MOU by Robert Allen at DNR.

! **Project:** *Washington Pass Prescribed Burn Project.*

Status: Report complete, undergoing CRCS review.

! **Project:** *Natural Resources Range Management Unit (RMU) Fenceline Survey.*

Status: Remains on hold, land user boundary disputes remain unresolved.

! **Project:** *Mount Powell Wildland Urban Interface Project.*

Status: Unchanged.

! **Project:** *Gibson Peak (WUI) project.*

Status: Status unchanged.

! **Project:** *Ganado District 7/17 Boundary Fence*

Status: Draft report is under internal review.

Minerals

Conoco will be making a presentation to DWR and Minerals Department in the near future regarding the water use and economics of the Plant.

Parks and Recreation:

IV. Program Issues and Recommendations:

Agriculture

Second Chance Shelter, Flagstaff, AZ meeting discussed the problems with outbreaks within the Flagstaff shelter of vaccinated puppies breaking with distemper. Reviewed vaccination protocols and dates of vaccinations only to find that some puppies transferred through the NN Puppy Adoption Program and others from Navajo communities that do not hold the appropriate protection against distemper after immunized. A change in vaccination protocol was agreed upon to assist with identifying those puppies without appropriate immune responses to the vaccine through new testing.

Navajo Feral Horse Task Force has not been able to move forward without the appropriate completion of assignments from task force members. Situation was brought to the attention of Mr. Arvin Trujillo. Program Manager was requested to develop

a work plan for the task force to ID deadlines and accomplishments. The work plan was developed and introduced to the task force members only to have half of the participants present at the meeting when it was discussed.

Legislation 0166-10 – AVMF Grant Expenditure was tabled by the Resources Committee due to the aging of the document. What was not mentioned by the sponsor was that he did not submit the document for two months. The Program has decided to cash the check, \$5,000.00 and eat the cost of the mini-conferences that were presented in November, 2009.

The Arizona board of Veterinary Medicine receives a second complaint that Mr. Clide McBride is practicing medicine without a license. This was brought to the attention of the program manager and Dept of Fish and Wildlife manager last year and investigated, but was not show to be the case. But we may be missing something and need to send out an undercover person to see if he is doing surgeries on cats and dogs as is being reported twice now. Recommendation- Have DNR lawyer follow up and issue a letter of warning and/ or do an undercover investigation during one of his advertised clinics.

Continuing during the last month, the clinic continues to have random losses of electrical power from NTUA. Recommendations- Investigate a backup generator that could be run off the propane system and kick in during outages and give the clinic emergency power. This also would be good for disaster preparation.

The 900 series of RFID or EID tags within the AIN manager system have been registered with the NNVL. The new animal traceability system will be grandfathering in rules to make sure that future tags are only 840 tags. Once all of the NNVL incentive tags are delivered, the Program will be purchasing 840 tags to compile with the traceability requirements. NNVL needs to document RFID tags (480 tags) for the certified Angus bulls to make sure each bull has each tag registered with the AIN manager.

The lack of an approved IDC% for 2010 is causing problems with our USDA cooperative agreements for Scrapie, Chronic Wasting Disease (CWD) and Animal Disease Traceability (ADT). USDA will not recognize prior approved IDC%, especially since our last approved percentage is for 2007. The Program has requested for the exact rule and language from the USDA regional office for a second time since November 2009. It has been frustrating and time consuming to retrace our efforts when this was previously discussed with the regional office by email.

THE LACK OF AN APPROVED IDC% FOR 2010 IS CAUSING PROBLEMS WITH OUR USDA COOPERATIVE AGREEMENTS FOR SCRAPIE, CHRONIC WASTING DISEASE (CWD) AND ANIMAL DISEASE TRACEABILITY (ADT). USDA WILL NOT RECOGNIZE PRIOR APPROVED IDC%, ESPECIALLY SINCE OUR LAST APPROVED PERCENTAGE IS FOR 2007. THE PROGRAM HAS REQUESTED FOR THE EXACT RULE AND LANGUAGE FROM THE USDA REGIONAL OFFICE FOR A SECOND TIME SINCE NOVEMBER 2009. IT HAS BEEN FRUSTRATING AND TIME CONSUMING TO RETRACE OUR EFFORTS WHEN THIS WAS PREVIOUSLY DISCUSSED WITH THE REGIONAL OFFICE BY EMAIL.

Minerals

The positions of Petroleum Engineer and Environmental Engineer and Principal Geologist are being advertised but so far there are no responses. The Executive Director, DNR, should take up the issues relating to the Department of Personnel Management (DPM) “pay scale” for technical and professional positions with the President’s office. Otherwise, the shortage of technical staff will deprive the Nation of maximizing its revenue from minerals and energy projects and its control over the minerals exploration, development and production. The Principal Geologist retired December 31, 2009 and currently we are getting technical staff assistance from NNOGC for the time being. There is no permanent staff to evaluate oil and gas development potentials or to oversee the O&G lease operations.

Navajo Land Department (NLD) must initiate the transfer of patented and unpatented copper mining claims in the vicinity of Coppermine Chapter, AZ to trust status.

As a result of DNR’s strategic planning meeting to discuss collaborative projects, all departments under DNR agreed to collaborate on a centralized land data management project under NLD. This project is underway and must be supported by DNR for future funding of the project.

We are very concerned that the Nation is not exercising any jurisdiction in the New Lands Area. Leases/permits are issued by the Navajo-Hopi Land Commission, Flagstaff, AZ, without adequate consideration and reclamation requirements.

The Nation needs to take a firm position without any ambiguity on coal mining on the Nation. Several national and local environmental protection organizations are opposing coal mining and they have tied up mine permit approvals by OSM by filing lawsuits without any merits. Furthermore, the Obama Administration is opposing coal power generation projects, including the Desert Rock Project, and the Nation needs to lobby against this federal policy.

The NNC tabled the proposed legislation and then failed to recall the legislation for amendments to PWCC's two coal mining leases royalty reopener amendments. The Nation will not receive the stipulated annual bonus payments of \$2.5 million until the agreements are approved by the NNC and the Secretary of the Interior. Because the legislation was not recalled in a special meeting on December 22, 2009, the Nation may even have to return \$3.5 million to PWCC, which was paid in 2007.

DIVISION OF
PUBLIC SAFETY



SAMSON COWBOY
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DIVISION OF PUBLIC SAFETY
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. Program Information

Division Executive Director: Samson Cowboy
 Telephone No.: 928-871-6581
 Facsimile No: 928-871-7087

Departments:

Law Enforcement	Bobby L. Etsitty, Acting Chief of Police
Criminal Investigation	Robert Platero, Acting Chief of Criminal Investigations
Corrections	Delores Greyeyes, Department Manager III
Emergency Medical Services	Henry Wallace, Department Manager III
Fire & Rescue	Larry Chee, Fire Chief
Emergency Management	Johnny Johnson, Department Manager I
Highway Safety	Mabel Henderson, Program Manager I

II. Budget/Performance Information

a. Funding and Expenditure

Funding Source General Funds	Number of Personnel	Number of Vehicles	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
Public Safety Admin	2	1	\$198,548.43	52%	\$138,170.00	53%
Corrections	0	19	\$132,298.00	101%	\$653,428.00	62%
Law Enforcement	24	266	\$2,986,403.95	57%	\$2,252,586.35	64%
Fire and Rescue	12	17	\$559,967.03	62%	\$155,962.00	167%
Criminal Invest.	3	59	\$192,945.62	43%	\$437,939.38	80%
Emergency Mgmt.	4	5	\$307,646.00	48%	\$158,156.00	71%
Highway Safety	5	2	\$193,048.08	67%	\$64,378.00	65%
Internal Affairs	0	6	\$29,711.49	26%	\$45,016.51	72%
Total	50	375	\$4,600,568.60	58%	\$3,905,636.24	70%

Funding Source External Funds	Number of Personnel	Number of Vehicles	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
Corrections	85	0	\$2,313,683.71	55%	\$441,419.48	105%
Criminal Invest.	65	0	\$3,136,187.35	55%	\$0.00	0%
Law Enforcement	320	0	\$16,639,502.48	55%	\$0.00	0%
Chinle Youth Corr.	34	5	\$774,384	35%	\$126,535.62	35%
Tohatchi Juvenile	11	2	\$266,448	65%	\$58,658.57	50%
EMS	139	47	\$5,066,483.00	90%	\$768,157.08	95%
EMS Shares			\$0.00	0%	\$74920.00	75%
Total	654	54	\$28,196,688.54	51%	\$1,469,690.75	51%

b. Program Performance Results (Budget Form 2 attached)

III. Accomplishments

Law Enforcement:

Chinle District:

- a. District supervisors in coordination with Chinle Comprehensive Healthcare Facility Emergency Team are working to develop and conduct a full scale exercise to test the NIMS/ICS Unified Command Structure on July 15, 2010.
- b. District Captain attended Navajo Nation Rights Commission meeting regarding the development of policies and documents related to the new Arizona State Immigration Laws (SB-1070).
- c. District Sergeant is working with local chapters in obtaining land for possible sub-station sites.

Crownpoint District:

- a. Police Captain attended meeting in Isleta, NM. The meeting was regarding New Mexico D.W.I. Initiatives and was attended by Tribal Leaders of New Mexico. The topic of discussion was licensing issues and reporting. As a result to these issues, draft memorandum of agreements (MOA) was presented to the tribes for review and implementations.
- b. Police Captain attended meeting at Laguna Tribal Administration, Laguna, NM on April 19, 2010. The topic of discussion was Jurisdictional issues regarding Indian Route 56 which is a concern of the To'hajilee community. The To'hajilee districts courts scheduled a meeting with the Laguna Governor to discuss and address solutions regarding these issues. The meeting was attended by representatives from To'hajilee Chapter, To'hajilee District Courts, Navajo Police Department and Laguna Tribal representatives.
- c. Police Captain attended a meeting at Ft. Wingate Elementary on May 27, 2010. The school was awarded a grant for safe schools initiatives and this was a preliminary planning meeting on use of funds for School Resource Officer. Also in attendance, representatives from the High School, Boarding School, McKinley County Sheriff's Office, New Mexico State Police and Navajo Police Department.
- d. Police Captain attended meeting at Pueblo Pintado Chapter on June 8, 2010. The topic of discussions was the plans to establish and develop the boarding school facilities to be utilized by courts and public safety.

Dilkon District:

- a. District provided quality services to the communities within the southwest area of the Navajo Nation through the means of vigilant security checks and thorough investigations as well as actively participating in meeting department goals and objectives.
- b. District continues to provide guidance to personnel to improve performance on a professional level. The district works with personnel in achieving optimal professionalism as commissioned officers and communication specialist.
- c. District continues to hold periodic sobriety checkpoints. Public services provided such as checkpoints, attend staff and community chapter meetings and provided police assistance and/or shift coverage to other police districts and law enforcement agencies.

Kayenta District:

- a. On June 3, 2010, District Lieutenant and Sergeant met with facility manager for Kayenta Community School to acquire two (2) modular buildings to be used as offices for the police district staff when the school moves into their new buildings. The facility manager was agreeable and supportive of the effort and suggested a written letter of request be made to the Property Manager for BIA Regional Office in Gallup, NM.

Shiprock District:

- a. On April 9, 2010, District Captain attended and presented at a luncheon to recognize, honor and extend gratitude to all Navajo Nation employees and volunteers who participated in the recent Navajo Nation State of Emergency, 2010 Operation Snowfall activities. The district provided emergency services to over 6,100 families.
- b. On April 10, 2010, District personnel attended the “Annual MADD Honoring Heroes Dinner and Awards Ceremony” to honor law enforcement officers across New Mexico in reducing DWI crashes by arresting the offenders. The district had three officers that were recognized, one Police Officer was a recipient of an award while two other officers were names honorable mention for their efforts in making New Mexico roads safer for 2009. All officers mentioned did an outstanding job.
- c. On May 18, 2010, District Captain attended an impromptu meeting with Aneth District Court and staff regarding the Navajo Nation’s Court Innovation of Restorative Justice at the Shiprock Police District building and at the Shiprock District Court house. The presentation concerned the development of a pilot “Community Court” collaborative court model that combines the power of the Court system with local or regional resources to address underlying individual problems causing people to commit crimes. The project is expected to be implemented very soon.
- d. A meeting occurred between BIA Reality and Shiprock Public Safety and Judicial Building Steering Committee with regard to the proposed building. Research was completed and a list of resolutions will continue concerning the land status of the Shiprock Boys and Girls Club. A proposed resolution has completed the process to re-designate the business site lease west of the Boys and Girls Club to Community Development This is scheduled to be presented to the Economic Development Committee of the Navajo Nation Council. Shiprock Delegate will sponsor the resolution.
- e. District Captain in collaboration with Principal Accountant completed the proposed new P.L. 93-638 Contract and Budget for Law Enforcement Patrol – Dispatch (Telecommunications) Services has been completed and will be submitted to the Navajo Nation Internal Review Process (SAS 164). The budget for this proposed new program is in the amount of \$2,032,738.46.

Tuba City District:

- a. District personnel attended meetings regarding the pre-planning and relocation project located south of the Criminal Investigations buildings.

Training Academy:

- a. During this quarter, Emergency Medical Technicians’ basic training was scheduled at the training academy on April 5, 2010 to May 7, 2010.
- b. Districts continue to utilize training academy to hold firearm re-qualifications, K-9 trainings, and meetings.

Window Rock District:

- a. District personnel attended Law Enforcement Summit at NN museum in April 2010. Attendees were from various police agencies and also provided presentations. Group discussions took place and main topic was possible MOU’s and Mutual aid to each agency.
- b. District Lieutenant attended meeting with Criminal Justice Department to discuss land acquisition for “one stop shop” for Window Rock.
- c. On May 15, 2010, the district coordinated a motorcycle run to raise money for the Special Olympics Torch Run. All monies received were given to St. Michaels Special Education Program.
- d. On June 12-13, 2010, the district held the Special Olympics Law Enforcement Torch Run. The starting point was Veterans Park, Window Rock AZ and ended at Tuba City, AZ. The run lasted two days with a total of 192 miles traveled. Hopi rangers also participated in the event and next year we want to include them in the fund raising event and place their seal on the t-shirts and the Torch. Next year, the event will be called “Navajo-Hopi Torch Run for Special Olympics”.

Information Management Section:

- a. IMS continues to provide technical assistance as well as indirect involvement with police department CODY effort; to include addressing CODY issues from police districts. There are eight positions identified as vacant.
- b. Background Check (Toyei)-(Primary three issues) 1. NNOBI assisted with CTRs (April). 2. One personnel attended VINE presentation (May). 3. Assisted 841 individuals for the quarter.
- c. Police ID Technicians (Primary issues): Total of 627 Fingerprint Cards. Total of 26 Fingerprint Classifications and AFIS procedures. Total of 1,984 other applications and direct services. 1. Added 77 to deceased log including 71 Death certificates received from TC DCI. 2. Window Rock District Law Day. 3. Made folder for one sex offender and typed activity form along with address verification. Folder sent to TC DCI. 4. Updated AZ/NM SO, total of 606. Violent Crime Offenders 111.
- d. IMS Actions (top 3 for the quarter): April – AZDPS meeting; May – Judicial Branch Conference; June – IMS Plan of Operation efforts.

Criminal Investigations:

- a. NDCI collaborated with numerous NN programs in the formulation and submission of an application for the Coordinated Tribal Assistance Solicitation FY2010 Grant. Various meetings were conducted to strategize and compile the necessary information for the application to include a detailed combined budget for all participating programs.
- b. NDCI has participated in numerous meetings with the Division of Social Services program, specifically the Navajo Treatment Center for Children and Their Families (NTCCP) in which it was agreed upon to reestablish the former Memorandum of Agreement between the two programs. An emphasis will be placed on the development and implementation of a Navajo Forensic Interviewing Program for native children that have been victimized.
- c. NDCI addressed four medical examinations for all district programs which have consisted of full autopsies, toxicology's, pronouncements, transports and external examinations. The Navajo Nation mortality rate for this period is sixteen (16). The FBI absorbed the cost for eight (8) examinations and four (4) were deemed non-examination required. The intent is to continue to enhance and establish a program policy to effectively document all examinations for accountability purposes.
- d. NDCI served as a representing agent for Public Safety Committee member in presenting the legislation for a tribal "Internet Crimes against Children" code. Initially, the legislation was not presented but thereafter passed almost unanimously. The executive branch has since signed the code into law.
- e. The Dzilna'odilii Public Safety Sub office building is completed. The various services providers (telephone, heat, water) have been contacted and situated through the tribal communications & utilities program. DCI formalized a listing of furnishings needed and a budget which was presented to the NAPI organization for their assistance and financial support. The facility is scheduled to be dedicated on July 16, 2010 at 2:00 PM.
- f. NDCI is continuing to cooperate with the OIG and BIA audits of equipment and administrative concerns. A recent updated report of equipment items reported as missing has been submitted and the department continues to search for missing properties. In regards to the BIA monitoring review report, this report continues to be worked on by the designated group to develop a feasible corrective action plan. The BIA has been receptive to our response to the citations which is our intent will result in a collaborative effort.
- g. NDCI is continuing to organize a review session with the district supervisors of the proposed DCI Plan of Operations and Standard Operating Procedures. As a result of the meeting it is the programs intent to submit the documents through the SAS process for consideration and approval.
- h. NDCI Dilkon and Crownpoint reports that the developments of the two modular buildings remain at a standstill pending funding for infrastructure connections. It is our understanding that the BIA has placed these buildings on their property inventory listing for potential funding, but funding has not been identified.

- i. NDCI continues to meet with the Office of the Chief Prosecutor to resolve the concerns regarding the Navajo Nation Extradition process. A proposed draft of a protocol has been prepared by the NNDOJ and it has since been disseminated to the respected offices for consideration and recommendations. A meeting to discuss the issue is scheduled for June 30 with the Navajo Nation President and the Attorney General.
- j. NDCI Shiprock and Window Rock have participated in the "Project Safe Neighborhood" project. Several initiatives were executed to include a "Warrant Roundup and Saturation Patrol" in areas prone to high crime rates. The partnership is comprised of tribal, state, and federal law enforcement neighboring agencies.
- k. NDCI Shiprock conducted a Medical/Legal Death Investigation course for personnel. The training course was presented in several sessions which resulted in personnel becoming proficient in death investigations. The course allowed for personnel to be versed in description of cause of death and submit an effective Death Certificate after their examination is completed to the respective parties involved.
- l. NDCI Tuba City and Crownpoint representatives are continuing to be actively involved in planning stages of the proposed Public Safety/Judicial Buildings. Several meetings have occurred to finalize the floor plan and discuss specifics. The groundbreaking ceremony has been set for early September 2010 in Tuba City.

Corrections:

- a. The Judicial/Public Safety Task Force has continued to meet to complete the schematic designs for Tuba City and Crownpoint districts. The schematic designs were completed in May 2010 and approval given to Dyron Murphy Architect to move forward on the detail designs for the Judicial/Public Safety facility. There were some changes made from March 2010 to redesign the Law Enforcement section to include the E911 section near the dispatch center. Another change was made in the probation section of office and client entry areas to better accommodate for service delivery. The detail designs were turned over to Arviso/Oakland in early June 2010 to develop cost estimates for construction. The proposed ground breaking is planned for the third week in September 2010 in both Tuba City, AZ and Crownpoint, NM.
- b. The Bureau of Indian Affairs (BIA), Office of Facility Maintenance and Construction proposed to partnership with the Navajo Nation to build the Crownpoint Judicial/Public Safety facility. In order to do this the BIA requested for a resolution addressing three areas: 1) Navajo Nation to partnership with the BIA to build the Crownpoint Judicial/Public Safety facility; 2) Navajo Nation requesting to prioritize Crownpoint, NM for a new facility and; 3) Navajo Nation requesting to have \$20 million dollars allocated to the Navajo Nation for the Crownpoint facility. Ft. Defiance Council Delegate sponsored legislation supporting with the above three elements and was approved unanimously by the Public Safety Committee, the Judiciary and the Intergovernmental Relations Committees.
- c. In June 2010, the budget for the \$60 million Key Bank loan completed the SAS review process and was approved by the Public Safety Committee on June 21, 2010. During the Navajo Nation Council Winter Session a \$60 Million dollar loan was approved with a majority vote. This loan will allow for the building of the Tuba City Law Enforcement and Courts to be built at the same time as the detention center. This will also facilitate the construction of the Crownpoint Judicial/Public Safety Center at the full cost of \$38.6 million. The Key Bank loan was closed on June 24, 2010 to allow the Navajo Nation to begin using these funds for the construction of the Tuba City and Crownpoint Judicial/Public Safety facilities. The start of construction is scheduled for September 2010 at both Tuba City and Crownpoint sites.
- d. Several issues related to utilities were addressed which would support the construction of the Judicial/Public Safety facility. These issues were resolved through a Memorandum of Agreement (MOA) with Arizona Public Services (APS) to design the power lines to the Tuba City Judicial/Public Safety facility. This MOA was reviewed and recommended for approval by the Department of Justice. The second issues involved the Navajo Tribal Utility Authority (NTUA) Master Plan to run a natural gas line through the middle of the proposed site for the Judicial/Public Safety facility. An agreement was reached on June 23, 2010 where NTUA will run the gas line around the facility and absorb the cost; the owners would pay for connection from the main line. NTUA Deputy Director will provide a letter stating this agreement.
- e. The Kayenta Judicial/Public Safety task force with the assistance of Design and Engineering Office advertised and made a selection for a Project Management firm. On June 24, 2010, negotiations started in order to enter into a contract for Parson LTD to project manage the Kayenta Multi-Purpose Justice Center.

Parson will assist the Navajo Nation in advertising and selection process for a Construction Management firm. The target date for start of construction for Kayenta site is November 2010.

- f. During this quarter, the DOC entered into a number of professional contracts to replace security cameras in three (3) districts: Window Rock, Shiprock, and Crownpoint. The department utilized funding received from USDOJ-Bureau of Justice Assistance Grant. In addition, the same districts were able to renovate the heating, ventilation and air conditioning systems.
- g. During this quarter, the Tohatchi Youth Facility received funding in the amount of \$93,000 to repaint the facility, provide landscaping and new floor tiles in the Multi-Purpose Room. An additional \$25,000 was received for repairs and maintenance. These funds will be used to repair the walk-in freezer, replace lighting throughout the facility, and replace outside lighting around the facility. The Scope of Work for these much needed repairs was completed by the maintenance supervisor.

Emergency Management:

- a. The program with the assistance of the Inter-Tribal Council of Arizona submitted a grant to Homeland Security in the amount of \$300,000.
- b. The program held a Strategic Planning Session in Aztec, NM. Attendees were DEM staff, DPS Staff, and Highway Safety Program Manager. The department's Mission Statement, vision, and values statement was revised. A strategic plan was developed on how DEM will be improved.
- c. Several meetings have been held with Window Rock, Crownpoint, Shiprock DEM staff, DPS staff, and other programs on completing the All Hazard Emergency Plan. In addition, the Hazard Mitigation Plan was revised and submitted to FEMA for approval.
- d. The department received field office funding in the amount of \$300,000 and was allocated from the State of New Mexico Indian Affairs Department. This allocation is divided equally between Crownpoint and Shiprock DEM offices.
- e. The department completed the Arizona Public Assistance assessment and will be submitting information for reimbursement to FEMA. In addition, emergency assessment and data collection is also completed.
- f. The department received funds from Homeland Security in the amount of \$140,000 and the SAS process was completed to accept the funds.

Fire and Rescue:

- a. The department educated approximately 1,107 people in fire safety and CPR/First Aid. There were a total of 30 fire prevention classes conducted during this quarter. These classes included Fire Safety and Fire Extinguisher training. There were 17 CPR/First aid classes conducted during this quarter.
- b. The department supervised 4 fire drills this quarter by individual fire stations. In addition, a total of 12 fire inspections were conducted by individual fire stations.
- c. The department continues to conduct fire code inspections and work with OSHA, Risk Management Safety, and Design & Engineer offices due to the fact that requests are made on weekly/monthly basis to inspect facilities owned by the Nation. This effort is done to comply with the Uniform Fire Codes standards as the Nation has and will continue to inspect all facilities to provide better and adequate working environments for all employees.
- d. Some firefighters and fire officers are taking course via internet with the National Fire Academy, US Fire Administration, and some colleges. This is another initiative to continue the education of core fire personnel to improve their higher education background to enhance their ability to improve and be more efficient in areas of fire operation and administrative support.
- e. Recruiting more firefighters is essential in manpower at the fire stations and during an emergency incident requiring additional manpower. The fire district is continuously recruiting for more volunteer firefighters to assist them at the stations. A total of 10 new recruits were added to the department including all districts.

In addition, the department temporarily hired one firefighters to fill one of the two vacant positions and the other position still be advertised in-house.

- f. Tuba City Fire district received \$9,000.00 to purchase fire fighting protection gear to outfit volunteer firefighters. Leupp Chapter donated \$800.00 for building materials for the fire station. Tuba City Council Delegate personally donated \$2,000.00 as donations to improve operations support.

Emergency Medical Services:

- a. During this quarter, the department held a five week EMT Basic Class at the Toyei Training Academy. A total of eleven students enrolled for the class and nine students graduated.
- b. NTUA installed the meter loops for the two new office buildings. The power into the building is on.
- c. The department continues to schedule interviews for the Torreon EMS Office vacant positions. The office assistant and four EMT interns were hired and interviews were held for the Field Office Supervisor. Recommendations to hire select applicant has been submitted and is pending.
- d. The department received new AEDs (defibrillators) from the Navajo Area Indian Health Service. These will be distributed to the field office as soon as the Navajo Nation Property Section tags them.

Highway Safety:

- a. The department completed the proposal for new building infrastructure and submitted to the BIA office Washington DC, Division of Transportation for funds and one to Children and Families Division.
- b. The department resubmitted a new cost estimate budget in the amount of \$35,000 for Expenditure of Generating Revenue Plan. This will be used as supplemental funds for program operations.

IV. Status of on-going Projects, Initiatives and COA's

Law Enforcement:

Chinle District:

- a. District will continue to increase mobile patrolling throughout the residential areas and all routes leading to the Chinle Community. Patrol personnel not only enforce traffic violations, but apprehend individuals for DUIs, Navajo Nation warrants, and Seatbelt enforcement.
- b. District personnel will continue to give presentations to the youth, general public, and business establishments on Gang Awareness, Youth Violence, Traffic Safety, and Crime Prevention.
- c. Chinle Police Officer and Police Chaplain will continue to coordinate with Chinle Agency Chapters and Pinon Health Center to assist with food boxes and clothing for the elderly and the needy. This quarter a total of 20 families and 88 individuals were assisted with food boxes.
- d. Chinle Police Officer and Police Chaplain will continue to coordinate with Pinon Unified School District, Whippoorwill Housing Project, and Chinle Chapter Land Commission to obtain housing units for Chinle Police District personnel.
- e. Police Chaplain and district D.A.R.E officers will continue to coordinate with Chinle Agency Schools with presentations/classes in regard to behavior, school policies, Navajo Nation law, and G.R.E.A.T. program. Thus curbing student suspension and expulsion rates.
- f. To ensure district communication, Chinle District holds bi-weekly Supervisor's meetings. District supervisors were briefed on district budget, solutions to reduce pending reports, vandalism of Navajo Nation vehicles, morale improvement, and issues with DOC.

- g. District Lieutenant and Police Officer in coordination with DOC Department Manager are working with Chinle Chapter, Agency Council and Pinon Chapter in obtaining land for the NDPS Building for Chinle Police District. Land use was acquired utilizing land relinquishment through the Bureau of Indian Affairs. Public Safety Buildings are in the final stages of schematic drawings.
- h. District Lieutenant and Sergeant are attending meetings with Pinon Chapter in reference to beginning a new police district with the Pinon Community and surrounding areas.
- i. District Lieutenant is assisting both Navajo Police Department and Criminal Investigations Headquarters with developing and implementing the new Navajo Nation Sex Offender Registry, E-911 Task Force, and 'Enhancement of Response to Victim Services, an International Associations of Chief of Police (IACP) Training.'

Crownpoint District:

- a. The establishment of an office for police officers use at the Alamo School is being negotiated with the School Board in exchange for services of one officer to serve as School Resource Officer for two days a week for the 2011 school year. The Memorandum of Agreement is pending review by Department of Justice.
- b. The Socorro Cross Commissioning has been finalized and the district will provide cultural, traffic and Criminal Code training to Socorro County Deputies.
- c. The projects for the Eastern Agency Justice Center, Dzilna'odilli Police Sub-office and development of the To'hajiilee Police Sub-office are near completion. The development is ahead of schedule and will require a final inspection before release to the Navajo Nation. In addition, a ribbon cutting ceremony will be held on July 16, 2010 for the Dzilna'odilli Police Sub-office.

Dilkon District:

- a. District continues to recruit to hire additional police officers, public safety telecommunications operators, and recruits.
- b. District continues with traffic enforcement, goals and objectives to meet the public safety mission statement.

Shiprock District:

- a. The Building projects continue to be addressed. In Shiprock, NM the land currently occupied by the Shiprock Boys and Girls Club will be re-designated for the new Shiprock Public Safety and Judicial Complex for the "One-Stop" shop building to provide more effective and efficient public safety and court services to the public. In Aneth, UT, the Chapter had designated some land near the old Fire Station in Montezuma Creek, UT. The alternative site may be in the Red Mesa, UT area. We will continue to hold meetings with both communities to compete this well deserved project.
- b. District Captain and Police Officer will continue to attend meetings concerning the Restoring & Celebrating Family Wellness and Dine' Ba'Hozho and coordinate activities for the police district.
- c. The district will continue to coordinate and collaborate with San Juan County Partnership to administer and complete a community survey concerning law enforcement services within the Shiprock Police District. The results will be reviewed and shared with upper command in the near future. The survey and results are the property of the police district.
- d. The district will develop and implement a proposed Memorandum of Agreement (MOA) or Understanding (MOU) between Shiprock Police District and the Indian Health Services Housing Committee. Red Mesa I.H.S. Facility Red Mesa, AZ to house commissioned personnel at a low rental rate.
- e. A proposed budget for the Dzilna'odilli (DZ) Sub-station has been submitted to Headquarters for their review and input. To date, we have not received a response. The DZ sub-station continues to be under the control of Crownpoint Police District.

- f. Shiprock PD and the Courts will be moving forward with the new parking lot. NECA will be the vendor starting and completing the project. It will be funded by the State of New Mexico and NECA.

Tuba City District:

- a. Regarding pending reports, the district is having the commission officers work on their reports when time permits. The shortage of manpower and increase in crime play a vital role in determining when officers work on their pending reports. Supervisors are having their officers work on their reports when calls for services slow down. Holidays, Events/Activities, First of the months, Special Assignments, etc., requires the officers to work longer hours which increase the officer's pending reports.
- b. The district commission personnel are required to complete their forty-hours (40) training requirements in order to maintain their certification as a peace officer. The training coordinator has scheduled several training for commissioned personnel. The Public Safety Telecommunications Operators and Administrative personnel will be included to attend trainings.
- c. In regards to Officer's safety, the district is revising the shift schedule in order to have enough officers available. This is a major priority for the district due to increase of crime and the suspect(s) are more aggressive and violent. The dispatchers are required to make sure officers are safe during their Tour of Duty. Officers responding to rural areas must have additional officers to assist. Officers not only assist their fellow officers but other agency officers (Sheriffs Dept., NN Rangers, Hopi Police officers, Hopi rangers, etc) as well. Backup assistance is necessary especially for the areas we patrol.
- d. The district has seen a rise of burglaries within the communities which officers need to be proactive by being more visible in the business and residential areas. The district has a shortage of manpower and the Security Officers (schools/hospitals) needs to assist with saturated patrols in areas where burglaries have taken place. The district will meet with the community to have them more involved in community oriented efforts such as neighborhood watch. The Drug Enforcement Team from Window Rock, AZ has done several undercover operations for the district. The district is working on starting a Tactical Operation Team for all High Risk situations in addition, re-activate the K-9 Program.
- e. The district will relocate from the current locations to the proposed location south of the Criminal Investigations building in Tuba City, AZ. The purpose of the relocation is due to the new Public Safety facility project that will be built on the current land tract. The Department of Corrections and Police Department were able to obtain land which will be utilized temporarily until the new facility is constructed. Personnel and equipment will be moved to the proposed site once the identified construction team develops the land and the sets up temporary trailers. All the required paperwork was submitted and the relocation is unknown as this time. The district has identified individuals who are assigned to work on this project. All utility companies have been notified and are ready for construction of electricity, sewer lines, water lines, etc.
- f. The district is actively recruiting potential applicants for the shortage of manpower with the Tuba City District. There are very few officers with the district which puts more stress on the current officers we have in the field. The crime rate is rising and the main objective is to recruit more individuals to help patrol the wide range area within the Western Agency. The district currently has four (4) vacant police officer positions which need to be filled.

Training Academy:

- a. Navajo Police Training Academy (NPTA) will continue to provide recruitment and background investigation to assist the districts in filling all their vacant positions. All basic recruit cadets will be scheduled to attend one of the Training Academies in the State of Arizona in accordance with their scheduled basic recruit training.
- b. Renovation to the academy is a top priority; unfortunately repairs to the buildings have been stalled due to budget and funding restraints.

Window Rock District:

- a. District is still working closely with Rock Springs Chapter to establish a Police Sub-station on New Mexico State Highway 264. This sub-station will be used in conjunction with Navajo Nation Social Services, New Mexico State Police, Navajo Police Districts and McKinley County Sheriff department.
- b. Police District commissioned personnel continues working with chapters and school officials within Window Rock and surrounding areas.
- c. The Drug and Gang Unit has continued monthly intelligence meetings with members of the unit from each police district, BIA Drug Enforcement agent, and Criminal analysis from the Navajo County Sheriff's Office. The inter-agency working relations are on-going for the Navajo Police Drug & Gang Enforcement unit in regard to working with local schools, tribal departments, and numerous communities.
- d. The unit has continued working with the FBI and the Assistant United States Attorneys' Office (AUSA) in conducting controlled Alcohol, Drugs, and other illegal substance buys throughout the Navajo Nation. The district Drug & Gang officers have started illegal substances (drugs) control buy operations and have several methamphetamine targets within the police districts and is scheduled to start submitting affidavits to the AUSA office in Flagstaff, Az.
- e. The unit has continuously worked on gathering intelligence on drug distributors throughout the Navajo reservation. The FBI and BIA from Albuquerque, NM and Flagstaff, AZ are both assisting.

Information Management Services:

- a. Development of NDPS/NDLE IT Plans: IMS will continue to pursue for a Strategic IT plan.
 - a. IMS Plan of Operations was being sponsored by NN Tuba City Council Delegate however it has been put on hold by consensus with IMS.
 - b. IMS Strategic Plan is complete, 5/22/09 v5.0, however complementing parts "Information Technology Plan and IMS Manual" are pending.
- b. Integrated Criminal Justice System Project: The efforts of this project must involve the NN primary criminal justice programs, law enforcement, judicial, prosecutor, and NDIIT.
 - a. Proof of concept for Shiprock District on going. Window Rock district finalized planning is underway
 - b. Live CODY review scheduled for July 6 at NDIIT.
 - c. API cost with CODY continues to be an issue.
- c. RMS Software Reporting Guide and Training (CODY): We will attempt to facilitate the concern for continued basic training applications, i.e., data entry, troubleshooting, supervisor approval process.
 - a. Understand CODY NPD Team is working on draft CODY Reporting guide. .
- d. ARCHIVING: Current efforts entail micrographics, proposal of microfilming of law enforcement reports, documents which will serve as long term storage resource. However, digital conversion is optional due to low costs.
 - a. Digital conversion on-going with Dine' Digital Services on court dispositional data and law enforcement data at IMS Toyei. Agreement to extend DDS contract for 12 months was approved however, no formal decision by NDPS Director.
- e. AFIS T1 Data line: Ongoing effort to ensure active dateline, i.e., funding for basic TI and AFIS equipment maintenance. IMS continues to pay for T1 line from fees collected from NPD reports and CHR's.
- f. RMS User Meeting: Plan to rejuvenate effort; primary emphasis on discussion of issues, trouble-shooting, training concerns, etc. No updated information.
- g. NCIC: Utah BCI is primary NCIC. WR District connection to AZDPS serves as backup for NCIC. USDOJ is planning UCR training in September 2010 (Albuquerque, NM).
- h. NDPS/NDLE Sexual Offender Registry: DCI is lead for NDPS, IMS assisting with general database setup and recommendations with technical applications.
 - a. Legal team is working on draft legislation of 'sex offenses' on the Navajo Nation.

- b. Draft MOA for TTSORS agreement has been sent to IIR for their review and comments.
- c. Memorandum sent to 'Acting' Chief of Investigations regarding NDCI reporting requirements.
- i. NN Office of Background Investigations (OBI): NN lead is OBI under the Department of Personnel Management. No word from State of Utah on authorization to collaborate with NNOBI.

Criminal Investigations:

- a. NDCI is continuing to participate in discussions regarding the efforts to combat crime with the Arizona Assistant United States Attorney's Office. Ongoing meetings highlighting strategies to prosecute perpetrators of crimes are being addressed.
- b. NDCI is cooperating with NNDOJ to update the Safe Trails Task Force agreements with the respected FBI programs (Arizona, New Mexico, and Utah) and the AUSA's. Some issues and concerns governing protocol and resources have been identified as concerns and must be reconsidered by all parties involved.
- c. NDCI continues to communicate with representatives of the BIA OJS office in discussing the possibility of assisting in installation and renovation of three modular buildings that will be utilized by our personnel in Crownpoint and Dilkon. The BIA has re-established the modular buildings on their property inventory list for funding purposes, but has not commented on their funding status.
- d. NDCI has been participating in discussions with various respected programs in development of a Sexual Assault Response Team (SART) that would be located at the various medical facilities on or near the Navajo Nation. In addition, DCI has been communicating with NNDSS discussing the possibility of developing and implementing a Navajo Nation Forensic Interviewing mechanism. This is ongoing.
- e. NDCI has been involved in the design and development of the Navajo Nation Sex Offender Registration Program. The working group is concentrating on the implementation of the registration system. NDIC is coordinating an operation with the US Marshal Services to contact all convicted Sex Offenders residing on the Navajo Nation in the month of July 2010. An operation plan is being developed and Navajo Police Department will also participate.
- f. NDCI is continuing to assist in coordinating the development of Navajo Nation AMBER Alert program with Navajo Department of Transportation and the media industry. NDCI is researching the development of a MOA with the participating entities and the implementation design of the alert system. The national program is continuing to provide personnel training opportunities and technical assistance.
- g. NDCI is continuing to collaborate with various programs to enhance services from the various departments in combating aggravated crimes. The individual districts are urged to maintain communications with their respective departments to gain support and assistance for various initiatives. This process contributes to the overall public opinion of public safety services.
- h. NDCI continues to strive for better working relationships with both government and non-government entities. It is our position that this will produce a more effective and efficient community effort in solving crime. This would include educating the general public of personal safety techniques thereby reducing criticism.
- i. NDCI experienced a disruption in the processing of evidence through crime labs, but recently the AzDPS Crime Lab reestablished its contract with the federal government allowing DCI access. Although, the program relies on the AzDPS lab other alternatives resources are available, but are time consuming.
- j. NDCI is assisting by participating in NPD training sessions emphasizing report writing and evidence processing. The program shall continue to support such efforts at the various district levels.
- k. NDCI is researching and intending to renovate and update program statistical information for all categories (mileage, case load, crime trend). This information will be utilized to provide an accurate portrait of the condition of the Navajo Nation and personnel accountability that will be utilized for various reports and updates.
- l. NDCI is attempting to solidify the internal ranking structure and promotion process for personnel. It has been suggested the program emulate NPD position requirements.

Corrections:

- a. During this quarter, the Crownpoint District was able to obtain approval from the court and prosecutors office to release individuals arrested on warrants and those arrested with serious charges to be released. This ensures compliance with the consent decree over the weekend, holidays, and when courts are not in session. However, we still encounter overcrowding on a daily basis. A bigger facility is needed to accommodate everyone's needs and better cooperation to stay in compliance with the decree. A new facility for Eastern Navajo Agency has been accomplished by securing funding for the entire project, pending a date for groundbreaking ceremony and with the completion of the new facility in 18-20 months in 2012.
- b. During this quarter, DOC personnel toured corrections facilities that were recently built on the concept of direct supervision in To'Hono Odham Nation and Salt River to get a better understanding of concept, building concerns, change orders, budget and construction issues. This trip allowed the tour supervisor and staff to gain a better understanding of the process of building construction and development.

Emergency Management:

- a. The department continues to provide training to obtain NIMS certification and continually schedule programs' training for 700a, 100a, 300a, 400a, and 800a.
- b. DEM field staff continue to provide assistance to clients with hay, grain, salt block, wood or coal as well as provide bottle water to community members whom are in need that reside in remote areas.
- c. DEM field staff will continue to coordinate with other public safety personnel, resources, and establish the Chapter ALERT to respond to emergencies.
- d. DEM field staff will continue to schedule the ICS, NIMS, and First Aid/CPR training for other programs and chapters for certification or re-certification purposes.
- e. The department continues to collaborate with other governmental and private entities is also on-going. In addition, department participates in tabletop exercises, health fairs, emergency preparedness, safe schools and other presentations for chapters and schools.
- f. The department will need to initiate an Emergency Fund Use Policy to expedite response establishments and incorporate the emergency fund into the response plan operations.
- g. The department needs to stockpile commodities in preparation for possible summer droughts or early fall weather.

Fire and Rescue:

- a. Due to new facilities being constructed, the department in collaboration with Navajo Design and Engineering will conduct initial and final fire inspections.
- b. The initiative in recruiting more volunteer firefighters is ongoing and volunteers are essential in providing manpower during emergency calls. More manpower also reduces the amount of fatigue and stress on the firefighter when more personnel are available.
- c. The districts recruiting efforts for more volunteer firefighters in producing more manpower to assist is turning some positive numbers, as a total of six new recruits were added to the departments and going through in-house basic fire fighting training.
- d. Navajo Nation Communication & Utility agree to pay for all fire station utility cost and this now includes Leupp and Chinle.
- e. The department developed a fund management plan to recover operational cost, the 'Fee for Services' is collection fees for service rendered and the funds will allow the program to be self sufficient. SAS is pending review at DOJ.

Emergency Medical Service:

- a. The department will continue to meet with officials from San Juan County, Sandoval County, Pueblo Pintado and Ganado Sage Hospital regarding the establishment of Navajo EMS field offices within their communities. This continues to be on-going.
- b. The department continues to follow up with the Department of Justice on the Memorandum of Understanding with Winslow Health Care Center, Winslow AZ. As of this reporting period, the department was informed by DOJ that another attorney is assigned to the division. The document has not been reviewed. There are nine Emergency Medical Service documents pending review and they date back to two years.

Highway Safety:

- a. The department continues to conduct child car seat clinics. Public and parent education and awareness continue to address this issue. The department is working with I.H.S prevention office on public awareness regarding new legislation on Booster seat usage. The department submitted a carry-over request from the I.H.S contract in the amount of \$35,000 (approved pending I.H.S. formal notification notice for process).
- b. The department is working with Vice Presidents Office and Navajo Vital Records on a Tribal Identification card system for the Navajo nation.
- c. The department is working on a new work plan for employee identification cards for all Navajo Nation employees in conjunction with the Office of the Navajo Nation President and the Vice President's Office. A report was submitted per request by OPVP's office.
- d. The department has expanded the schedule for Defensive Driving Courses to five agencies within the Navajo Nation. In addition, schedule car seat clinics in rural areas and locations.
- e. The department is continuing to meet with I.H.S area offices in re-development of the Navajo Nation Safe Kids. The department is working on the plans of operation for the group to be recognized as a Navajo Nation working group.
- f. Revise policies on Permit issuance for all Navajo Nation programs is at the final stage of approval with the Department of Justice.
- g. The department continues to seek additional funding for staff training, new office building, and operations.
- h. The department is starting up CAPP (Children are Precious Passengers) classes for ticket reduction for car seat citation, providing education and enforcement to utilize seat belts and car seats. A meeting is scheduled with State of Arizona Highway Safety Governors' office in developing a State to Tribal contract.
- i. The department is continuing with initiating SNAP (Safe Native American Passengers) and TOPS (Traffic Occupant Protection Strategic) training for the Navajo Nation Police Officers in all districts.
- j. The department is working closely with the Navajo Nation Fleet office in tribal vehicle misuse, damages, and permits concerns in regards to enforcement strategies.
- k. The department is working on revising and updating the NDPS website and the NDPS newsletter for staff notification and monthly updates.
- l. The department continues to provide ongoing Public Service Announcements on Safety and Injury prevention. In addition, the department submitted a five (5) year I.H.S. grant to continue operations of the Navajo Nation Injury Prevention Program.
- m. The department initiated SAS process to amend Navajo Nation license revenue fund. In addition, SAS process was initiated to recognize the Navajo Nation Safe Kids Advisor Group(By-Laws)
- n. The department assigned a total of sixteen (16) NDPS personnel to become DUI facilitators, pending curriculum development. This would allow the Nation to start training awareness to offenders and as early intervention.

Internal Affairs:

- a. The department continues reviews and follows all Taser usage by certified NPD Police personnel.
- b. The department continues to do background check of former police officers for reinstatement.
- c. The department continues to conduct a variety of trainings for Department of Corrections, Criminal Investigations and Police Department.
- d. The department continues working with the State of New Mexico and Arizona to ensure training officers meet the requirements and are in compliance.
- e. The department continues to provide Sergeant at Arms for scheduled legislative council session (spring, summer, fall, and winter sessions).
- f. The department developed standard of operating procedures regarding IA Investigation and it is currently at Department of Justice for review.
- g. The department will assist Navajo Police Districts with Internal Investigation Cases at District level.
- h. The department assigned Two Investigators to develop new IA Organizational structure and desk manual policy. In addition, the office has assigned One Investigator to assist with the development of new NDLE General Orders.

_V. Status of Action Plan (A, B, and C lists)

“A” List

- a. Develop a comprehensive plan that supports and promotes communication and working relationship between various programs.
- b. Response: On-going meetings have been held; Criminal Justice Summits, Resource Coordination meetings with Prosecutors, Judges, Probation Officers, Department of Behavior Health and Department of Corrections to address the much needed coordination and collaboration issues. Many of these issues expressed are related to lack of personnel at all levels including law enforcement, corrections, judicial and other providers. The demand for services is much higher than providers available to service the population in need of services.

“B” List

- a. Status report of utilizing Automated Fingerprint Identification System (AFIS) by NDPS IMS.
- b. Response: The AFIS still non-operational to lack of funding for upgrading cost. AFIS LiveScan has been returned to IMS from WR DOC. No action this quarter; awaiting response from SMART grant application.
- a. Status report of enhancing the IMS and Communications Improvement Project.
- b. Response: Integrated criminal justice system effort with prosecutor, judicial, public defender and NDIT. IMS/NPD is part of an established project management effort with prosecutor, judicial and NDIT. Proof of concept at Shiprock district is on schedule and Window Rock district is scheduled to go live in August. NNIJISP rollout and meetings are scheduled for August 2-6 in Shiprock, NM.

VI. Outstanding Program Issues

Law Enforcement:

Crownpoint District:

- a. The shortfalls in the budget will require some evaluation and redirection of planning to avoid any deficit. Additional funding will be needed to maintain services and manpower. These will include operation cost for the sub-office development in Alamo and Dziłna’odilii, NM
- b. The Socorro Cross Commissioning has stalemated due to language in the agreement stating the provision of training in Toyey, AZ rather than Alamo or Socorro, NM. This is being addressed through a letter of clarification from the Chief of Police.

Dilkon District:

- a. Dilkon district needs a new public safety building as well as a detention facility to eliminate relays and high mileages. Additional funding is needed for police equipment, overtime, training, and recruitment.

Shiprock District:

- a. The district needs new vehicles, police equipment, computers, and new vests for police officers. Additional funds are needed to purchase items.

Tuba City District:

- a. The district is working on replacing four (4) police vehicles with revenues with Settlement Claims from the vehicles classified as "Total Loss". The settlement claims for the vehicles is \$62,030.25 made available for the district. District Sergeant is in the process of making arrangements with Motor Vehicle Review Board for their approval to obtain replacements.
- b. The Jail Facility Project Team is working with the Navajo Nation Headstart to relocate the Headstart School bus yard located east of the current police department. District police officer has conducted research of the land located on the east side of fleet management. At this time, Navajo Nation Headstart has no documents to determine how the land was obtained in its current place. With the assistance of DOC, we are willing to assist the program to develop the land in order to accommodate them. A recent meeting in June 2010 was held regarding this matter.
- c. The Jail Facility Project Team is working with the Navajo Nation Fleet Management in developing an east entrance for them. Based on the Land Drawing, Fleet Management has a yard for tribal vehicles which must be moved so development of the new facilities could be started. The west entrance to Fleet Management will be closed due to construction what is scheduled to begin.
- d. The Jail Facility Project Team is working to relocate DOC and Police Department to south of the Criminal Investigation section. There is land made available for Law Enforcement and DOC. Finalization on this task has finally been completed. The relocation will begin in August 2010. A small dedication is being planned when the relocation is complete.
- e. The District Personnel, EMS, Court Personnel, Prosecutor's Office, Fire Department Personnel, OEH, and other Departments held a meeting at the District Court, Tuba City, AZ in reference to the Legislation approved by IGR approving the drafting of Western Navajo Agency Decentralization Pilot Project. The meeting was to express concerns about the legislation. District personnel are opposed to this project and are expressing resigning their positions if this occurs. More information will be forthcoming.

Training Academy:

- a. Navajo Police Training Academy will continue to provide the pistol and rifle firing range to police districts to meet mandated firearms qualification. There will be limited training provided by academy's two (2) commissioned staff during this period.
- b. The academy will continue to collect names of interested applicants and keep them in the database. Once funding has been replenished then recruitment will commence throughout the police districts.

Window Rock District:

- a. Relay problem between Window Rock and Dilkon Police districts is still continuing due to lack of personnel in local and substation areas. We tried using the Detention officers and Police recruits that are available to handle the relays between the two districts. There are numerous calls requesting for services from the public every hour within Window Rock area; the police officers are constantly tending to these calls on every shift. Dilkon district police officers request for relaying prisoners to Window Rock and this takes hours because they tend to other traffic within their district. Due to these situations that both districts encounter, there is no specific schedule of when to relay the prisoners from one location to the next. This is

an on-going problem for both districts. Recommendation: Dilkon needs to hire Detention Officers to conduct relays and maybe have a temporary holding facility for the inmates.

Information Management Services:

- a. Although there are many issues, the most prevalent one for the quarter is efforts to get additional funding for the IMS program in addition funding for staff salaries for calendar 2010.

Criminal Investigations:

- a. NDCI submitted a ten month budget to include a two month budget request. Having projected the program expenditure rate as it appears that sufficient funding exists to carry the program through the year. Due to the anticipated shortfall district programs are predicted to be more selective in performing their duties and responsibilities which could be detrimental to an investigation.
- b. The FY-2009 contractual budget indicated savings in certain line items, but Contract Accounting declared that those monies were utilized to cover last year's shortfall. As such, the program was forced to revert to its general fund account to absorb ongoing and anticipated expenditures. Due to this scenario, the program anticipates that it would have to significantly reduce its operation which directly correlates with a reduction of investigative services. Other costs saving methods have been initiated.
- c. NDCI is stressing the necessity for all district offices to comply with mandated contractual requirements (medical examinations, training, background, weapon certifications). The emphasis is a program concern for contractual compliance assurance purposes.
- d. All NDCI district programs have reservations in regards to the working relationship with their respected District Prosecutors office. Specifically, the submission of criminal complaints and extradition procedures. The situation is ongoing and has caused some confusion to include stress. The proposed process must be resolved to avoid possible confrontations.
- e. The respected Assistant United States Attorney's offices still have concerns regarding the effectiveness of police reports being submitted especially those reports that have the potential of proceeding to the federal level. Some district patrol programs are significantly backlogged. Their primary concern is poor investigative report documentation. In addition, other outside reports of SA incidents are not being properly submitted to NDCI, but circumvented directly to the FBI.

Internal Affairs:

- a. Department continues to provide on-going policy development training and familiarization courses to various departments with Navajo Division of Public Safety.
- b. Department request for training such as computer fraud, policies and procedures, update ruling on Internal Affairs investigations.
- c. Department requests for a presenting officer for NDPS during grievance hearings.

VII. Problems/Recommendations

Law Enforcement:

Chinle District:

- a. The district as well as Navajo Police Department as a whole needs to provide Level Three (3) body armor for all patrol officers to ensure protection. Several officers have outdated protective vests that need replacement. Funding through grants or other sources should be sought for the best body armor possible.
- b. The district is in need of obtaining Tasers for its commissioned personnel. The need is prevalent due to the increase number of resisting individuals and incidents involving the necessary use of Tasers. Due to the district's current budget, limited funding does not allow us to purchase a large amount of Tasers for our personnel. Currently, only four officers have gone through the necessary certification to carry Tasers assigned from the Navajo Police Department Headquarters.

Crownpoint District:

- a. The hiring freeze and limitation of funds hampers district operations in provision of services and coverage of its thirty-five (35) communities.
- b. The mandates of annual Oath of Office and Domestic Violence Declaration forms are requiring that officers or programs start paying for notary services of which funding was not provided by the Bureau of Indian Affairs (BIA). This does not include the cost for overtime, mileage, court personnel cost and duplication of forms.

Dilkon District:

- a. District has limited personnel and requests for additional law enforcement officers, equipment, operating supplies as well as additional funding to pay overtime and holiday pay. The district has a vacant position that need to be filled such as one (1) police sergeant.
- b. District needs additional funding for non-commissioned personnel i.e. Public Safety Telecommunications Operators.
- c. Maintenance Services (A, B, and C) are done on all units in Window Rock, Chinle, and/or Tuba City Fleet shop services. Purchase order provided at Cakes Chevrolet for oil change only, tire services need to be included.

Kayenta District:

- a. The district is in need of a permanent facility to meet the growing needs of the staff and clientele. As well as needing more laptops for officers, an undercover vehicle and emergency lighting system for on crime scene and crash investigations.
- b. Review policies of Navajo nation regarding refusal to give raises unless all employees submit appraisal forms request for increase and/or merit pay are submitted. The Navajo Nation Personnel should not penalize deserving employee with outstanding ratings that supervisors submitted on time.

Tuba City District:

- a. The district has a decrease in the budget and the district is in need of supplies and equipment. The administrative assistant is keeping a close watch on the budget due to the constant changes that occur. In addition, the administrative assistant is working with fiscal section in Headquarters, Window Rock, AZ in moving money around to fulfill the needs of the district.

Training Academy:

- a. The academy roof is still a main concern. The summer monsoon is expected and more leakage will damage the academy roof. Personnel will continue to identify damaged areas and repair them with available material. Next step will be to hire a roof contractor to make repairs once money is identified.
- b. NPTA firing range will need to be upgraded with continuing fencing and increasing the dirt mount for wall barrier. The turning target is non-functional and needs to be repaired or replaced. Personnel will continue to finding funding and submit proposal.
- c. NPTA water well #4 is the only well that is functioning and supplying water to the facility. Need to continue to find funding and submit proposal to get well # 6 & 7 back in operation.
- d. The vacant housing units at Toyei are still being vandalized due to lack of security on weekends. To combat this occurrence, one academy staff stays on the premises during the weekend to deter criminal activities.
- e. One tenant is refusing to leave Toyei housing premise and they continue to keep getting extensions from DOJ to remain in the house. DOJ advised against eviction until the tenants can secure an NHA house.

Information Management Services:

- a. IMS Plan of Operation: Meetings held with Principal Accountant and 'Acting' Chief of Police and tentative results are as follows: Table Plan of Operations with PSC, Plan to establish program under BIA 93-638, Update '638 Scope of Work, and CODY contract renewal.

Criminal Investigations:

- a. NDCI continues to struggle somewhat through FY'2009 financially and for FY'2010 steps were taken to ensure operations. It appears that for FY'2011, NDPS is again going to have to compromise services because of the anticipated tribal shortfall. As such, it is recommended that the NDPS budget representative effectively document and present to the B&F Committee the necessities required to operate such programs.
- b. An on-going analysis of cost in regards to tribal expenditures rates have been conducted so that we can justify and explain the purpose of those costs to those programs that can assist with supplemental support (vehicle use rate, insurances) cost.
- c. NDCI provided an accurate portrait of the cost expenses of the program to the BIA to include citing federal regulations governing salaries (personnel cost) and mandated policies. To date, we have not received information regarding possible supplemental support.
- d. NDCI is continuing to research and locate existing documentation regarding accountability of equipment purchased through grant funding. To date, some items have been located and justified but some remain unaccounted for. The department shall continue reviewing documents relevant to this subject manner.
- e. NDCI intends to develop and implement a standard operating procedures manual that will contain investigative responsibilities.
- f. Advertise, select and establish a permanent Chief of Criminal Investigation for the purpose of continuity and stability. To date, the PCQ and the JVA is pending approval of the Executive Director.

Corrections:

- a. The Tuba City Judicial/Public Safety task force encountered a number of challenges to start construction at this site. The Navajo Nation Headstart has built a bus barn and a maintenance yard on the southeast corner of the land site assigned for the facility. In addition, Fleet Management department also expanded their tribal vehicle parking area into the northeast corner of the land site. Memorandums were sent to the department managers to relocate offsite to allow construction of the new facility. Research was completed with the Navajo Nation records and land office and no documentation was found assigning any of the land to either departments.
- b. During this quarter, Crownpoint DOC has been receiving requests from other departments for relays to hospitals, other districts, and from arrest locations. The problem is lack of manpower to fulfill the department needs and this causes a burden on DOC personnel. This issue needs to be addressed at the headquarters level to have the officers transport their inmates in for booking or medical clearances.
- c. The Environmental Assessment was redone for Tuba City and Kayenta Judicial/Public Safety site and submitted to USDOJ for review and approval. To date, no response has been received. A meeting was held with the USDOJ Policy Advisor on June 15, 2010 and information given was that a review should be completed by the week of June 28, 2010.
- d. The Environmental Assessment was redone for Tuba City Public Safety relocation and renovation was completed in May 2010 and a 'draft approval' was provided by USDOJ. In order to obtain final approval DOC will need to obtain public input in the paper.

Emergency Management:

- a. The department provides services to the Navajo Nation with limited funds to meet the needs of all chapters. The department has to eliminate individual assistance to clients by referring them to programs that provide services with finances, home improvements, weatherization, etc. Chapters are required to assist clients because they receive emergency funds for their communities.
- b. The department discovered that trained volunteers in the Incident Command System are not being utilized to assist in developing response plans and establishing teams.

- c. The department continues to recommend partnership between programs with similar responsibilities to protect and share cost expenses on technology, communication, supplies & equipment, etc throughout the emergency event from initiation to close out process.

Fire and Safety Rescue Services:

- a. Budget Needs- To address a major public safety need, our department needs a significant budget increase. As you can see, we requested significant amounts of funding with lobby efforts and yet we continue to be under funded. Many of our problems and the lack of fire/rescue/medical services can be resolved with an adequate budget. We are aware that it will not fix all our problems however; it will address our most oppressing problems improving manpower issues, funding for re-certifications, mileage cost, and operations cost as the calls continue to increase by the year. No travel budget has also put our operation and prevention section in a real bind, as we have travel on 'out of pocket' expense since the beginning of the fiscal year. In addition not paying Overtime for the firefighters. The department has made several fruitless attempts in requesting funds through SAS, justification to the office of budget and finance.
- b. Responding to Incidents- Lack of department funding has put a huge strain on the operations section; some calls now have to be screened before a response is made. This is to reduce mileage cost for each vehicle assigned, reduce unnecessary wear and tear on vehicles, some calls are now being referred to counties and we project this will continue to no services to some areas of the community.

Highway Safety:

- a. The department needs a new office building. In addition, the department needs more training for staff and support from administrative offices.
- b. The department will be requesting for assistance in obtaining drivers license check on all Navajo Nation employees.

Internal Affairs:

- a. Office of Internal Affairs needs to be part of Academy Curriculum for police academy and Advance Officers training.
- b. Office of Internal Affairs needs to get a new office building for our department.
- c. Department needs additional funds for mileage cost and purchasing new equipment.

DIVISION OF
SOCIAL SERVICES



CORA MAXX-PHILLIPS
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DIVISION OF SOCIAL SERVICES
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. PROGRAM INFORMATION

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Dine for Our Children	Juanita Rodgers, Senior Program & Projects Specialist
Management Information Systems Dept.	Travis Platero, Senior Programmer Analyst
Navajo Children & Family Services	Regina Yazzie, Program Director
Navajo School Clothing Program	Ralph Atcitty, Program & Projects Specialist
Navajo Treatment Center for Children & Their Families	Gerald Watchman, Acting Clinical Director
Program for Self-Reliance	Roxanne Gorman, Department Manager III
Title XIX-Long Term Care Services	Antoinette Miller, Title XIX Liaison
638 Contract Administration	Virgil Pablo, Senior Program & Projects Manager

II. BUDGET / PERFORMANCE INFORMATION

Executive Office / Accounting Section

Office	Funding Source	# of Personnel	# of Vehicles	FY 2010 Personnel	% Used	FY-2010 Operating	% Used
Exec Admin	Gen Funds	7	1	\$475,891	74%	\$113,227	76%
	Other						
	Totals	7		\$475,891	74%	\$113,227	76%

Block Grants & Special Projects

None provided.

Child Care & Development Fund (CCDF)

Central Direct	FY2009 Personnel	Personnel Budget	% Used	FY2009 Operating	Operating Budget	% Used
Chinle	\$	\$		\$ 15,000	\$ 10,800.74	72%
Fort						
Defiance				\$ 20,000	\$ 21,319.39	106.60%
Shiprock				\$ 15,000	\$ 10,865.04	72.43%
Total				\$ 50,000	\$42,985.17	

Developmental Disabilities

Funding Source	# of Personnel	# of Vehicle(s)	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
General						
External	7	3	\$350,001		\$518,8414	
Others			\$0		\$0	
Total	7	3	\$350,001		\$518,814	

MIS

None provided.

Navajo Children & Family Services

Program	Funding Source	Business Unit #	# of Personnel	# of Vehicles	FY 2006 Personnel	% Used	FY 2006 Operating	% Used
ICWA Unit	PL 95-608	K090722	20	08	\$972,610	73%	\$230,707	65%
ICWA Unit	PL 95-608	K100730	15	08	\$656,453	34%	\$122,799	81%
Adoption Unit	Title IV-B, Subpart II	K100513	4.60	01	\$274,323	64%	\$108,325	44%
Parenting Skills Trng	AZ DES	K102001	.40	00	\$22,372	98%	\$9,088	47%

Navajo School Clothing Program

Office	Funding Source	# of Personnel	# of Vehicles	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
NSCP	General	2	0	\$185,855	90%	\$1,071,851	99%
	External	0	0	0	0	\$100,000	100%
	Others	0	0	0	0	0	0
	Total	2	0	\$185,855	90%	\$1,171,851	86%

Navajo Treatment Center for Children and Their Families

Fiscal Year	Funding Source	Number of Personnel	Number of Vehicles	Personnel Balance	Percent (%) Used	Operating Balance	Percent (%) Used
2010	K090587 IHS – Base	29	3	\$719,795	.38%	\$92,101	.32%
2010	K090586 IHS-Tribal Shares	0	10	0	0%	\$481,143	.28%
2010	K100592 IHS – Support	0	0	0	0%	31,731	.70%
2010	K100727 BIA	00	00	0	0%	125,374	.01%
2009-2010	Total	29	13	719,7956	.38%	730,349	32%

Program for Self-Reliance

A. Federal Funds: FY 2010

ADMINISTRATION (20%)

<u>Budget</u>	<u>Expenditures</u>	<u>Open Commitments</u>	<u>Balance</u>
\$6,369,378	\$2,255,584.80	\$88,359.25	\$4,025,433.95

DIRECT SERVICES (80%)

<u>Budget</u>	<u>Expenditures</u>	<u>Open Commitments</u>	<u>Balance</u>
\$24,804,648	\$22,714,111.30	\$129,846.71	\$1,960,689.99

B. State Funds: FY 2010 - 2013

- i. Arizona Maintenance of Effort (AZMOE) contract completed the SAS 164 process and returned to the State of Arizona for final signature authorization process.
- ii. New Mexico General Services Agreement (NMGSA). NNPSR fulfilled its obligations for FY 2010 under the NMGSA Increase in Services Plan. Final accounting requested from the Navajo Nation Division of Finance.
- iii. Formal talks initiated with the State of Utah, Department of Workforce Services. The objective is to develop and implement a MOA between the NNPSR and the State of Utah, Department of Workforce Services to collaborate and coordinate access to training/educational opportunities for our Navajo customers residing in the Utah Navajo Strip; Data Sharing Agreement to verify eligibility; and to continue to serve NNPSR customers who relocate to off-reservation Utah communities for continuing education, training or treatment.

Title XIX-Long Term Care Services

Office	Funding Source	# of Personnel	# of Vehicles	FY2010 Personnel	% Used	*FY2010 Operating	% Used
Long Term Care Servs	External (AZ)	1	1	\$93,402	62%	\$52,369	48%

638 Contract Administration

Office	Funding Source	# of Personnel	# of Vehicles	FY 2010 Personnel % Used	FY 2010 Operating	% Used
'638 Dept.	External	9	1	25%	Not avail.	25 %

Chinle Regional Office

Funding Source	No. of Personnel	No. of Vehicles	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
638 Admin	14	6	640,193		94,867	
638 Welfare	6	6	141,878		30,013	
Admin General Funds	6	2	295,664		85,193	
ALTCS-TXIX	11	6	533,443		211,861	
AZ TXX	2	4	230,495		98,456	
CSBG (FY 09-11)	0	0	0		51,535	
CSBG (FY 08-10)	0	0	0		51,354	
DEPP	1	1	35,651		13,422	
LIHEAP (10-Cont Funds)	0	0	0		55,064	
LIHEAP (2 TEMPs)	4	0	41,670		564,517	
LIHEAP (09-Cont Funds)	0	0	0		52,914	
PSSF-Family Pres	2	2	117,149		55,042	
FVP-Family Violence	2	1	86,064		34,628	
CSBG ARRA (TEMps)	8	2				

Eastern Navajo Regional Office

OFFICE	Funding Source	# OF Personnel	# OF Vehicles	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
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Admin	General	5	2 GSA	\$242,030	58%	\$154,691	44%
DEPP	General	1	1 GSA	\$40,921	21%	\$16,936	7%
TIV-B PSSF	Federal	2	1 Tribal	\$110,255	31	\$61,936	50%
Family Vio	Federal	2	1 Tribal	\$85,974	31	\$34,718	50%
NM TXX-CPS	Federal	3	1 Tribal 1 GSA	144874	82%	\$51,599	64%
PL.93-638 Adm	Federal	21	23 GSA	\$794,325	35%	\$153,537	66%
PL.93-638 CES	Federal	1		\$27,753	0%	\$18,159	29%
PL.93- 638CWA	Federal	24		\$434,400	44%	\$18,409	27%
09 ^o LIHEAP	Federal	4	0	\$33,946	100%	\$659,968	100%
09 ^o LIHEAP Contingency	Federal	---	---			\$66,462	98%
09 ^o CSBG	Federal	---	---			\$64,290	94%
10 ^o LIHEAP (Contingency)	Federal	----	----	-----	-----	\$69,163	6%
10 ^o LIHEAP	Federal	2	0	\$33,058	37%	\$715,270	98%
10 ^o CSBG	Federal	0	0	----	----	\$64,731	76%
GRAND TOTAL							

Fort Defiance Regional Office

Funding Source	# of Personnel	# of Vehicles	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
General Funds	6	2	\$305,084	70%	94,464	63%
638 Admin	17	13	\$820,005	40%	\$30,741	72%
638 Welfare	14	15	\$265,919	29%	\$167,799	18%
Arizona TXX	3	3	\$215,917	70%	\$73,065	70%
PSSF	2	2	\$126,847	66%	\$45,344	71%
Family Violence	2	1\$	\$88,743	67%	\$31,948	61%
LIHEAP	2	0	\$48,541	68%	\$502,623	94%
LIHEAP-Cont K100599	0	0	-	0%	\$49,607	87%
CSBG – FY 10	0	0	-	0%	\$46,428	103%
ALTCS	5	3	\$369,882	57%	\$178,727	57%
NM TXX	1	1	\$27,472	90%	\$10,969	62%
DEPP	1	1	\$42,405	60%	\$17,074	89%

Shiprock Regional Office

Funding Source	# of Staff	# of vehicles	Total Budget	% Used
General	5 + 2T	1	\$363,246	80%
DEPP	1		\$ 56,702	78%
Family Violence	2	1	\$120,692	75%
Title IV-B	2	1	\$62,376	55%
AZ TXX	.05		\$36,242	99%
NM TXX	3		\$36,242	78%
UT TXX	1	1	\$192,202	75%
638 Administration	15 + 2T	10	\$953,028	45%
638 Welfare Assist.	17	8	\$375,496	81%
CSBG			\$55,427	99%
LIHEAP 09	4 T		\$648,109	88%
LIHEAP-C't 08			\$59,223	95%
Total	54	23	\$2,988,092	56

Western Navajo Regional Office

Funding	# of	# of	FY 2009	%	FY 2009	%
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Source	Personnel	Vehicle(s)	Personnel	Used	Operating	Used
General	5	2	\$269,387	70%	\$112,640	50%
FVP&SA	2	2	\$ 88,743	68%	\$ 31,949	33%
TXX-AZ	5	6	\$233,129	88%	\$ 67,911	62%
TXX-Utah	1	0	\$ 38,745	93%	\$ 26,971	75%
PSSF	2	2	\$121,898	66%	\$ 50,294	30%
ALTCS	7	5	\$485,999	65%	\$208,360	65%
638 Admin	16	14	\$783,611	41%	\$166,746	46%
638 Welfare	20	12	\$252,896	70%	\$124,573	41%
LIHEAP	1	0	\$ 36,976	79%	\$636,352	96%
CSBG	0	0	\$ - 0 -	0	\$ 57,768	100%
LIHEAP Contg	0	0	\$ 2,981	88%	\$ 56,332	91%
LIHEAP 2010	0	0	0	0	\$ 61,724	64%
DEPP	1	1	\$ 37,818	68%	\$ 22,204	39%
Total	60	48	\$2,352,183		\$1,623,770	

III. Accomplishments

Executive / Accounting Section

The Quarterly Financial Reviews for all NNDSS Programs continue to be scheduled for the Programs.

The Principal Social Worker (QA) position has now been filled; which will aid in case management reviews and protocols desperately needed throughout the Division. The Accountant will be filled in the next quarter.

The NNDSS Budget for FY-2011 has begun, plans initiated for 10.02% decrease.

The NNDSS completed the revision of the Navajo Nation Children's Code, wherein the following Navajo Nation entities assisted: DOJ, Judicial Branch, Office of the Prosecutors, Office of Public Defenders and the Division of Public Safety. The new proposed name is Alchini Bi Beehaz' Aanii (Children's Law). The revisions have made the Act more user-friendly with emphasis on putting the responsibility back on the parents and extended family members to resolve issues through family conferencing and consent decrees. The Public Hearings were conducted at 10 different sites across the Navajo Nation. Presentation to the appropriate standing committees and the NN Council Session; with their approval will finalize the Code.

The NNDSS completed the proposed Violence Against Family Act and has been sent to the Legislative Branch for sponsorship.

The NNDSS facilitated the Navajo Nation review of the proposed Adult Protect Act (aka: The Doris Act). The review has been completed and sent back to the sponsor. The Act focuses on using traditional and/or common law to respect and protect vulnerable individuals, their communities, and their unique qualities by providing for their physical and mental well-being. The act also strives to prevent abuse, neglect, and exploitation.

The NNDSS has taken the lead role in starting the revisions of the current NN Elderly Protection Act. The current Act is vague and general with very little enforcement behind it, thus compromising the safety and protection of our elders.

The NNDSS was selected among five other Tribes who received an award for "Fostering Connections to Success to Increase Adoption of 2008" contract. This new legislation that became law on October 7, 2008, which allows for Indian Tribes to access Title IV-E direct federal funding rather than going through the States. A development grant of \$300,000 was received. The NNDSS formed a IV-E CORE Team to establish the infrastructure and policies and procedures. The CORE Team is currently working on all these tasks, which is expected to be completed by September 30, 2010.

The NNDSS met with University of Utah, School of Social Work, and Dine' College to discuss a partnership to provide long-distance education for our Navajo students in obtaining an AA degree through Dine' College and a BSW degree through U of U. Probable agreement is expected.

The NNDSS has initiated a partnership with the National Indian Child Welfare Association and University of Florida regarding the Child Welfare Implementation Project (NNWIPC), which is a four-year project funded by the Children’s Bureau. The partnership will work towards implementing systems changes to increase timely permanency, applications of systems change, program/policy, practice level strategies, related cultural strategies, the newly revised NN Alchini Bi Beehaz’ Aanii and best practices across the NN child welfare system and for Navajo children who, otherwise will remain in the system, sometimes as long as 10 years.

The NNDSS traveled and met with the Arizona State DES to discuss termination of the IGA with our Developmental Disabilities program services; which would have resulted in termination of 7 employees. The termination of the program would have interrupted, possibly stopped services for 248 Navajo clients. The NNDSS successfully negotiated the continuation of the IGA; however, with reduced funding per case file.

Block Grants & Special Projects:

Title IV-E Initiative

Receiving IV-E Subsidy	July	August	September
Foster Care	0	0	0
Adoption	3	3	3
Guardianship	24	24	24
Total	27	27	27

Title IV-E initiative with the State of New Mexico:

Receiving IV-E Subsidy	April	May	June
Foster Care	8	7	7
Adoption	3	3	3
Guardianship	21	21	20
Total	32	31	30

On April 14th, Executive Director and IV-Specialist met with Dine’ College Board of Regent to explain our communication with U of U School of Social Work on their interest to collaborate with the SW program and Dine’ College on obtaining an AA and BSW degree through distance education. A follow-up meeting was held with U of U Bachelor of Social Work Administration on April 16th in Albuquerque. Board of Regent

In March 2010 seven cases were referred by Shiprock Regional office and one case referred by Eastern Navajo Regional office and all eight cases were approved for IV-subsidies. With eight new foster care cases added there were a total of 32 children receiving IV-E subsidies in April. In the month of May one foster care child was found no longer eligible for IV-E subsidy because guardianship was established by Shiprock Court. Under the NM Title IV-E JPA, guardianship is not a part of the NM IV-E Plan therefore the case was closed making a total of 31 children receiving IV-E subsidies in May. During the month of June one guardianship child reached the age of majority so IV-E subsidy was discontinued bring a total of 30 children receiving IV-E subsidies in June.

During the third quarter home visits were made with nine children and their caretakers to renew their guardianship and/or adoption agreement so they may continue to receive monthly IV-E subsidy.

During this same quarter Senior Social Services representative, Diana Haven Woody, assisted in maintaining contact with the guardians/adoptive parents and in addition maintained contact with NM Title IV-E Specialist were foster care license or payments were questionable.

member Clinton Jim also attended the meeting. We are still in talking stage with more meetings to follow.

On April 1-2, 2010 the Title IV-E Core Team (16) had a work session in Albuquerque to divide the nine Development Grant goals and objectives among the task group for assignments to complete. Pat Pianko, Program Specialist from Region IX was on hand to provide clarification on the goals and to provide technical assistance.

On May 11, 2010 the Title IV-E Pre-Print Plan Document (78 pages) was divided into seven sections and assigned to individual task group to complete. Plans are to have a work session on July 1-2 to compile all the information on one USB drive for presentation during the July 8-9, 2010 CORE Group Work Session to be held in Albuquerque.

The first Title IVE Development Grant report was submitted on April 30, 2010 to the Children's Bureau.

The Title IV-E Specialist has also been attending regular work sessions with the Navajo Children's Code Revision Committee and Navajo Nation Child Welfare Implementation Project. Both of these projects will have a significant impact on the development of the Title IV-E Plan and Development Grant.

Another request for a no-cost extension from the US DOJ/OVW Safety for Indian Women from Sexual Offenders Demonstration Initiative was approved by OVW on March 30, 2010. Therefore an extension was offered to the only subcontractor, Home for Women and Children, Inc. for the period March 31, 2010 to December 31, 2010. The Section 164 approval process (SAS) for the prime contract was approved and executed thereby allowing for the subcontract to be initiated and is nearly completed, it is in the final stage of the process, all required signatures have been obtained and is now at the OOC Contract Administration Section. Invoices from subcontractor are being processed as soon as they are received; however, subcontractor delays submission of invoices usually twenty (20) days after the end of the service month.

In response to the USDOJ Office of Inspector General Audit/Review in July 2009, a final draft report was submitted to the Nation in May 2010 for concurrence and responses in the form of a coorrective action plan. The Nations final response was submitted on June 2, 2010. A copy of the final report has been given to the BGSP office for reference.

For the Family Violence and Prevention Service Act (FVPSA) the contract has been fully executed and all invoices under subcontracted services are being paid when they are received. The following contracts continue to receiving payments from BGSP for FVPSA services.

1. Battered Families Services, Gallup, New Mexico, \$220,000.00
2. Family Crisis Center, Farmington, New Mexico, \$300,000.00
3. Northland Family Help Center, Flagstaff, Arizona, \$ 100,000.00
4. Page Regional Domestic Violence Services, Page, Arizona, \$430,000.00
5. Time Out, Inc., Payson, Arizona, \$50,000.00
6. Tohdenasshai Shelter Home, Kayenta, Arizona, \$120,000.00
7. Home for Women and Children, Shiprock, New Mexico, \$100,000.00.

BGSP continues to work with the NDSS Victim Witness Advocates to work on finalizing the Family Violence Protocol within the Navajo Division of Social Services. A complete overview of the grant was provided in addition to the purpose and scope of the program, budget and the problems that are encountered at the NDSS regional offices in meeting the immediate needs of domestic violence victims and their dependents.

BGSP has started to initiate program reviews for the Family Violence Prevention Services Act throughout the regional offices. This will continue through August 2010.

The FVSPA Contract Analyst continues to be on the reporting work group continues to meet to address the Annual Reporting requirements.

The FVPSA Annual Funding Request and Application was submitted on April 13, 2010 for FY 2011. The RFP for Subcontractor's was released on June 3, 2010 and the submission date is July 6, 2010. A review process will following after the RFP opening with Business Regulatory.

The BGSP Department Director attended the Family Crisis Center Grand Opening for their new Marge's Place in Farmington, New Mexico on June 26, 2010.

The FVPSA Contract Analyst attended the following work session, meetings and training.

1. May 17, 2010 – Statistical work group meeting in Window Rock, Az
2. April 24-26, 2010 – Attended Sexual Assault Training in Albuquerque, NM

The Title IVB Subpart 1 and Subpart 2 contracts have been fully executed and funds are being expended on all accounts.

The Annual Progress Service Report and Funding Request for FY 2011 for title IVB Subpart 1 and 2 was submitted on June 30, 2010.

The New Mexico TXX Protective Services Government Service Agreement is now fully executed and expenditures can be done on this award.

BGSP attended the Arizona IGA meeting in Flagstaff, Arizona for DCYF and Navajo Nation Programs on May 17, 2010.

BGSP hired a new Contract Analyst for the TXX contracts, Ms. Irene Eldridge began her employment on April 27, 2010.

AZ DES TXX Protective Services Intergovernmental Agreement was finally executed in April 2010 and a request to continue to expend funds after the internal Navajo Nation deadlines was extended to the Division through the concurrence of the OPVP. This has helped greatly and we are grateful to the Division of Finance for their support and understanding.

The Federal FY 2010 LIHEAP and the contingency funds are in place and are being expended. Carryovers from FY2009 were allocated to the Regional offices.

LIHEAP has been selected as part of the Navajo Nation Single Audit for FY 2009. Audit activities started on March 15, 2010 and were completed in April 2010. A final exit conference was completed on May 17, 2010.

Presentations continue to be done in conjunction with the Regional Staff to chapters on the wood and coal project.

CSBG funds are in place and are being expended.

The CSBG-ARRA 3rd quarter report was submitted on April 01, 2010 and July 1, 2010. Temporary workers have been hired throughout the regional office to assist with the LIHEAP program. Positions include Caseworkers, Case Assistants, Carpenters, Laborers and office assistants. New Dawn and Water Resource have also hired temporaries within their department under the CSBG-ARRA.

The LIHEAP/CSBG Sr. Office Specialist attended the Division of Natural Resource Conference in May 2010 in Santa Fe, NM. She also provided a presentation.

BGSP Office Specialist Rachel Toledo has taken the lead on the Office Reconfiguration project for BGSP and Central Accounting. The Executive Staff have also decided to reconfigure their office set up as well. We are looking at a completion date of August 2010. And also attended the National Energy and utility Affordability Conference in San Antonio, TX on June 14 through 17, 2010 along with the WNRO Accountant.

After the BGSP Office Specialist resigned in May 2010, the office assistance was promoted into the OS position and the OA position will be abolished.

Child Care & Development Fund:

- a. Kii Doo Bah Child Care Center in Chinle, is now open to child care services to serve 45 children.
- b. The CCDF program finally has its Grant Year 2011 going through the internal 164 Review process for approval. The program received \$8,832,549.00 in supplemental funding for its 2011 grant.
- c. In June 2010, the Program had a Collaboration/Coordination Cross Training State to Tribe Child Care between the Hopi Tribe Child Care Program, Arizona State Child Care Program and Navajo Nation Child Care Program, in regards to our Eligibility Process. The presentations were provided to all Child Care Case Worker, Hopi Tribe Child Care and the Arizona State's Child Care Eligibility Workers, we had over 45 participants.
- d. On June 23, 2010, the Karigan Child Care Center promoted 14 children to the next level of Kindergarten.
- e. The Program Child Count number were provide to our Region IX, Federal Administration for Child and Families, Child Care & Development Fund Program, the child count included the 7 Service Unit, including the board town of Winslow, Flagstaff, Farmington, New Mexico; Alamo, Tohaghili, and Ramah community. The number was 55,347, under the age of 15 years old.

Developmental Disabilities

Arizona State DES Division of Developmental Disabilities will be continuing it's IGA for Case Management services provided by our office, with a rate change to accommodate their budget. We are very happy that we will be able to continue our collaborative work with the Division. This decision is a very positive outcome for the 245 Consumers served by the Navajo Nation unit, and provides for the least amount of change as possible for Consumers, NN Case Managers, and the DDD.

Current caseload is 245, which is primarily due to individuals whom we served who have deceased. We continue to collaborate our DD services with DES DD Quality Assurance, Mr. Ernest Dale. He attends the departments partnership and staff meetings, as well as providing technical support and assistance. The case managers continue to assess ALTCS services (ANC, HAH & RSP) based upon need. Case managers continue to meet with families and provider agencies in accord to AHCCCS/ALTCS mandated cycle reviews – every 90 days for individuals served at home and every 180 days for individuals in licensed group home settings.

MIS

- a. Department has met all General Assistance deadlines with reporting on time.
- b. Department has submitted Title IV-E SAS packet through Navajo Nation procurement process
- c. Department has resubmitted T1 SAS packet through Navajo Nation procurement process.
- d. Department has completed all 638 Statistical Reporting process.
- e. Department has tightened security on several levels of client authorizations, network logon, database logon and server auditing.
- f. Department has hired new Principal Information Systems Technician.

Navajo Children & Family Services

- Navajo Children and Family Services (NCFS), ICWA Unit provided case management services to approximately 1,286 eligible Navajo children, who have been determined to be abused or neglected and placed in the custody of a state child welfare agency. There were approximately 271 ICWA notices pending for verification with the Navajo Nation Office of Vital Records. There were approximately 04 children enrolled with the Tribe. There were approximately 11 children reunified with their birth parents and another 08 children were placed with relatives to meet their permanency plan of either adoption or guardianship. There were approximately 03 children placed in a certified Navajo adoptive home.
- The NCFS, Title IV-B, Subpart 2, Adoption, Promotion & Support Services (APSS) through the Adoption Unit provided services to 97 children and 48 caretakers. There was a total of 30 adoption applications mailed out to prospective adoptive parents. There are 24 certified adoptive homes, of which 05 homes have children placed with the family and are waiting for the adoption of their child to be finalized with the tribal court and there are 16 non- certified relative homes.
- The Program Director (PD) completed and submitted the APSS annual Child and Family Services Program (CFSR) Report.
- The program completed the close-out process for all purchases under the AZ DES Parenting Skills Training contract. The balance should reflect a zero balance after all the adjustments have been made with FMIS charges effective 07/01/10. The new contract is still pending with the State of Arizona legal review and approval. The program is hoping the contract is received prior to PPE 07/02/10 with the assignment of a new K-account.
- The program was able to advertise, conduct interviews and fill two (2) vacant Case Worker positions. In addition, the program was able to interview applicants for the vacant Principal Social Worker position in the Adoption Unit.
- The Adoption Unit staff implemented the new Diné Traditional Parenting Curriculum during the two-day parent training session held earlier this month, June. In prior months, October 2009 and March 2010, the developers of the curriculum conducted the trainings with limited facilitation by the Adoption Unit staff.
- The PD and the ICWA Unit supervisor in coordination with the NN Department of Justice attorneys conducted a meeting with AZDES District III and the Assistant Attorney General's office in addressing ICWA case coordination between the Nation and AZDES. We were able to address these on-going issues, brainstorm

on best practices and develop policies that would be more conducive to having a more effective and efficient government-to-government working relationship.

- The PD represented the program by becoming a member of an on-going working group in a new state-wide initiative with the State of New Mexico, Children, Youth and Families Department (CYFD). The PD attended an two meetings thus far and provided input to their planning and development of revising their state child welfare system related to dependency action court cases and its impacts on children.
- The PD co-facilitated Intergovernmental Agreement (IGA) meetings with the three states, Arizona, New Mexico and Utah. These meetings are held on a quarterly basis with all three states and the purpose is to address on-going issues and concerns pertaining to case coordination of child protective services and ICWA. In addition, it allows for continued maintenance of a government-to-government relationship.
- The ICWA Unit continued their monthly cast staffings with the Department of Justice (DOJ).
- The ICWA Unit continued their monthly case staffings with the State of New Mexico County offices.
- The program coordinated with the State of Arizona Department of Economic Security in renewing the PST contract, which goes into effective July 01, 2010 to June 30, 2011. The funding remained the same at \$30,240.00.
- The program processed Criminal Background Investigations (CBI) for adoptive, relative caretakers and/or foster parents within the scope of the approved contract with the State of Arizona, Department of Public Safety. The program processed a total of 46 fingerprinting cards for this quarter.

Navajo School Clothing Program

The Program has selected six (6) clothing suppliers, completed negotiations and placed orders with the companies for upcoming season.

The Program submitted seven (7) Purchase Requisitions to the Purchasing Department on June 24, 2010 for approximately \$837,983.77 worth of clothing items.

Navajo Treatment Center for Children & Their Families

- a. The Program provided 1,258 client contact hours and 1,607 client consultation hours.
- b. The Program continues to provide outpatient mental health therapeutic services.
- c. The Program has vacancies for a Family Therapist and Treatment Coordinator at Crownpoint. The Program also welcomes Ms. Mary L. Begay, MSW, LCSW as the permanent Clinical Director which became effective April 27, 2010.
- d. The Program continues to provide clinical group supervision every first Monday of the month with the clinical staff. Clinical group supervision consists of administrative updates, clinic updates and case reviews. This includes counseling sessions offered to individuals, couples, groups, families and aftercare; which are provided at schools, homes and/or at program clinic(s).
- e. The Program continues to attend routine and scheduled meeting throughout the Navajo Nation. The Program also has authorized staff to attend Peacemaking and Safe Schools Project meetings.
- f. The Program met with Ms. Agnes Barney, Senior Contract Analyst with Office of Management and Budget regarding single audits for FY 2006, FY 2007 and FY 2008; which are being acted upon.
- g. All staff attended the program Quarterly Review that was held at Pinetop, Arizona on May 04-06, 2010; wherein a variety of topics were presented and discussed; some of which included the following: Five-Year Plan, Third Party Billing, Monthly statistical review, Monthly report narrative review, Monthly performance criteria review, NTCCF Clinical manual, Navajo Peacemaking and Safe Schools Project, Memorandum of Agreement with Department of Criminal Investigations and Patient Chart/Forms.
- h. The Program with OMB participated in a teleconference call meeting with the Methamphetamine and Suicide Prevention Initiative to discuss the goals and accomplishments. Grantee information on 1st Annual Conference. Report dates. Web portals. Evaluation process.
- i. The Program continues to conduct staff meetings every Monday morning to ensure proper communication and continued professional services.
- j. The Program has initiated implementation of a uniform clinical patient chart forms in all clinics.
- k. The Program attended and participated in the instant command center in Thoreau, NM. Discussion consisted of how can NNDSS assist and implement an emergency response team for suicide.

Program for Self-Reliance

Finance Section

- A. The NNPSR Support Services-Finance/Recovery Section completed and submitted the 2nd Quarter ACF 196-T Financial Reports for Fiscal Years 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010 as requirements under 45 CFR 286. (EXPLANATION OF ACF 196-T FINANCIAL REPORTS: States and Tribes must submit separate quarterly reports regarding the use of each fiscal year's funds. For example, States and Tribes must submit a report regarding the expenditure of FY 2001 funds in FY 2002 separately from the report on the use of FY 2002 funds in FY 2002. Until the State or Tribe reports that all of the Federal funds awarded for a given fiscal year have been transferred or expended, States and Tribes must continue to submit quarterly reports on the use of funds from that fiscal year.)
- B. The NNPSR Support Services-Finance/Recovery Section has identified all of the TFAG expenditures and has completed the Journal Voucher. A request will be submitted to Division of Finance to process the Journal Voucher to charge the TFAG expenses to close out the Fiscal Year 2010 New Mexico GSA contract. (EXPLANATION OF TFAG: 45 CFR 286.20, How is the amount of a Tribal Family Assistance Grant (TFAG) determined?, provides that in order to determine the amount of a TFAG "...[w]e will request and use data submitted by a State to determine the amount of a TFAG. The State data that we will request and use are the total Federal payments attributable to State expenditures, including administrative costs (which includes systems costs) for fiscal year 1994 under the former Aid to Families with Dependent Children, Emergency Assistance and Job Opportunities and Basic Skills Training programs, for all Indian families residing in the geographic service area or areas identified in the Tribe's letter of intent or Tribal Family Assistance Plan."
- C. PSR Support Services Finance/Recovery Section participated in provided Intense Training on all areas of financial processing. This Intense training was provided to field staff.

Policy, Research & Data

- A. Tribal Assistance System (TAS) - The eighth TAS training was provided for staff, a total of fifteen (15) staff were trained on how to utilize the TAS system.
- B. Family Assistance and Employment Support Services (FAESS) Manual - Developed a Draft NNPSR Customer Handbook which will provide Customers with information on Welfare Reform, the Navajo Nation Program for Self Reliance, Customer Rights, Customer Responsibilities and answers to Frequently Asked Questions.

Management Information Systems

- A. Refurbished 20 Dell PC's for setup of resource centers in Gallup and Ft. Defiance.

Human Resources/Staff Development Section

- A. The Navajo Nation Program for Self Reliance filled some significant staff positions during this quarter. They are: 1) Principal Accountant for the Finance, Recovery Section/Central Support Services Section, 2) Program and Projects Specialist for the Special Projects Section/Central Support Services Section, 3) Program Supervisor II for the Tuba City Field Office and 4) Program Supervisor II for the Monument Valley, Aneth Field Office and 5) Administrative Services Officer for the Chinle Field Office.
- B. The NNPSR Human Resources Section assisted in planning a Management and Supervision training session for all NNPSR supervisors. The training was conducted by The University of California-Davis
- C. The NNPSR Human Resources Section planned and facilitated a two (2) day training session entitled, "Creating Harmony in the Workplace" for all NNPSR Central Support Services staff on April 8 and 9, 2010 in Farmington, New Mexico. This was a very successful training session that was accepted positively by all staff.
- D. The NNPSR Human Resources Section facilitated a one week intensive employee orientation session. This session was for Program Supervisor IIs, Caseworker Supervisors, Administrative Services Officers and Senior Office Specialists. The topics included program policy, financial procedures and human resources.

Special Project Section

- A. June 2 & 3, 2010: Special Projects coordinated the 4th Annual Healthy Marriage Workshop at San Juan College for NNPSR customers.

Customer Development Section

- A. Completed draft of the Child Care Academy Work Activity Plan. This plan identifies work activities that Customers can take advantage of after they receive their Child Care Providers' Certificate with Northland Pioneer College.

Public Relation Section

- A. Attended the Six Tribes Quarterly meeting. The information presented was very informative. It was a great opportunity to learn about the problems being faced by other tribal TANF programs.

- B. Public Information Officer developed scripts and submitted them to radio stations to be broadcast within the service delivery area.
- C. APIO and PIO attended Healthy Marriage Workshop in Farmington. PIO conducted interviews, attended workshops, and supervised information booth. APIO took pictures of couples and conducted interviews

Quality Assurance Section

- A. Quality Assurance staff was fully devoted to the KPMG Audit during the entire third quarter.

Chinle Field Office

- A. 10 Navajo Nation Program for Self Reliance Orientations held for the quarter, 84 customers attended for April and May 2010.
- B. 66 Customer completed TABE (Test of Adult Basic Education) for April and May 2010.
- C. 66 Customer completed BESI (Barriers to Employment Success Inventory) for April and May 2010.
- D. 18 Customer completed SII (Strong Interest Inventory) for April and May 2010.
- E. 55 Customer completed PICS for April and May 2010.
- F. 11 Customers completed BtC, StC, Pfe, SSE (adult education and career interest).
- G. April 21, 2010 – 13 customers attended a Career Fair in Farmington, NM.
- H. College Preparation Orientation held on May 26, 2010 with 26 customers attending the orientation.
- I. Customer that completed an online OSHA 10 certification using program self help computer is now employed with independent construction company remodeling Chinle Valley School housing.
- J. May 11, 2010 meeting held with Jerry Adams representative on Adult High School Diploma program with Rough Rock High School. Classes will continue September 2010.
- K. 22 Customer attended the Healthy Marriage Conference in Farmington, NM on June 2, 2010.
- L. June 8 – 10, 2010 Program Supervisor II, Caseworker Supervisor and Administrative Services Officer will be attending the UC Davis Leadership and Supervisory Training in Albuquerque, NM.
- M. Tentatively a Customer Appreciation Day is being planned for July 2010 to recognize our success stories within our agency.

Fort Defiance Field Office

- A. Customer training initiated: Personal Values, Positive Listening Skills, Its all about me, Self Discovery, Confidence Building, Character Counts and Getting a job.
- B. Customer assessments (TABE, BESI, STRONG, PICS) were completed with customers
- C. Customer Incentives were given to customers for their effort
- D. Forty-three customers attended the Healthy Marriage Workshop in Farmington.
- E. Fifty-five customers attended the Ganado School Parent Day in May; thirty-one customers attended the Tse Ho Tso Annual Parent Day Collaboration.
- F. Ft. Defiance office in the process of preparing for Second Annual Celebration for all HS, GED, and Post-secondary graduates.

Gallup Field Office

- A. Reception Update – (as of 06/04/2010).
261 applications submitted.
683 Appointments scheduled.
Total Customer Sign in – 2,743.
- B. SCW graduated from University of New Mexico – Gallup on May 14, 2010, receiving a Certificate in Human Services.

Shiprock Field Office

- A. Two Staff members attend the Healthy Marriage Workshop meeting.
- B. Five Staff started Cohort effect January 20, 2010 and every Wednesdays at Gallup UNM
- C. Five staff members completed UNM Cohort Spring Semester.

Title XIX Long Term Care Services

The Program assisted the NNDSS Developmental Disabilities Program in retaining dollars and the IGA intact on the Navajo Nation, by serving as support personnel and member of the NNDSS team. The NNDSS successfully maintained the IGA with the NNDSS Developmental Disabilities Program.

The Program worked with the Regional Offices, local entities and individuals in distributing donations of used clothing and other household items that were received from the Arizona Blue Sky Flyers. All donations were distributed.

638 Contract Administration

Continued performance of '638 social services contract with no break in the social services delivery system. The 5-year '638 contract began January 1, 2006 and ends December 31, 2010.

Six additional students as referred from Navajo social services graduated from the pipe fitters / plumbers training. This is an achievement for the students.

A training was completed and will continue to occur on a revised reporting format of services rendered. This is critical information for the funding agency and for funding distribution purposes as being made in Washington D. C.

The '638 department successfully presented the "NDSS Professional Standards and Ethics" which basically reflects a social work protocol. The book was accepted and passed by the Health and Social Services Committee.

The '638 department developed an Annual Plan for CY 2010 for the '638 social services contract wherein specific program activities were listed with timelines for them to be completed and identifying workgroup members.

Chinle Regional Office

1. Family Services Unit-Case Management Services:

- a. The new Quality Assurance staff, Ms. Laughter-Begay provided information on Adoption Promotion Support services. The staff attended the Child Abuse and Domestic Violence Conference in Flagstaff, Arizona. The Foster Care workers' last day of employment was April 30, 2010. There were 34 dependency court hearings held: 15 guardianship, 7 custody, 4 Adult guardianship; 1 Adult guardianship was granted, 2 guardianship were close due to lack of interest.
- b. The Unit cases were audited by BIA Monitors this period; staff traveled to Eagledance Youth Services, Page, AZ with client for case staffing and visitation. The Unit continues act on court ordered home studies. The Foster Care position remains vacant ; 4 pending foster home cases; 1 requires a renewal of licensure.

2. Family Services Unit-Child Protective Services:

- a. New staff started with the Unit; completed her shadowing and started her "on call" assignments.
- b. Unit met with Dr. Gomes of Chinle Hospital regarding application of potential "grant" to open communication between IHS and Chinle Social Services; possibility of upgrading the IT infrastructure to track Child Maltreatment cases. The grant is due May 7, 2010; Dr. Gomes is awaiting for Regional Director for the final answer.
- c. Unit hired temporary employee using the ARA funds for Case Assistant, will be assisting with intakes. Completed Vehicle Audit done by Chinle Fleet Management.
- d. MDT meeting held, closed 4 cases that continued to be on the idled list. The FBI Agent and Victim Specialist provided feedback. For several years, MDTs were held with no participation from the Criminal Investigation, however the last two meetings, March and May, we had participation from Criminal Investigation, FBI Agent, USA office, Federal Victims Specialist, Office of the Prosecutor's and Navajo Treatment Center for Children and Families.
- e. Unit SCAN meetings are proactive group in children's safety as well as continuing services to the families. We have connected and made referrals for the children during SCAN Meetings.
- f. New ARRA worker helping at Intake Section, inputting data intakes which were over 30 days old; most of which are usually minor or Priority III, IV cases.
- g. Adult Protective Service Worker has worked closely with Chinle Hospital Mental Health Counseling Department and Doctors for Adults in ensuring medical needs are met for the "Senior population". She attends Protection hearing on Thursdays and speaks fluently in both the Navajo and English languages. Interviewed applicants for the Senior Social Worker position.

3. Family Financial Services Unit:

- a. Unit continues to provide GA, Indigent Burial, Disaster, CSBG, and LIHEAP to low income families. Hired seven (7) temporary LIHEAP workers (Case Workers, Case Assistant, Office Assistant and a Carpenter): (5) using CSBG/ARAA funds and (2) using LIHEAP funds.
- b. Unit depleted funds for FY2010; letter of notifications were sent to clients.
- c. LIHEAP workers continue to provide LIHEAP/CSBG assistance to clients.

4. Family Violence Prevention Services:

Victims/Witness Advocate:

- a. Attended the Navajo Nation Advisory Counsel Against Domestic Violence Committee meeting, Criminal Justice Meeting, SCAN meeting. Continue to provide direct service to 3 adults (10 children were directly affected by domestic violence), though education on Dynamic of DV, lethality Assessment with Safety Planning, Self-Empowerment or Lay-Legal Advocacy; assisted 1 with filing protection order; and 2 court accompaniment.
- b. Received 2 families going through DV Crisis. Continue to provide follow-ups on referrals.
- c. Attended the Navajo Nation Advisory Counsel Against Domestic Violence Committee meeting, the Victims Assistance Training and provided presentation at PSR on Dynamic of Domestic Violence, DV on Children, and Self Empowerment to their customers. Continue to provide direct service to 4 adults (7 children were directly affected by domestic violence), though education on Dynamic of DV, lethality Assessment with Safety Planning, Self-Empowerment or Lay-Legal Advocacy; 1 court accompaniment; transported a family (1 adult and 5 children) to Shelter and placed a family (1 adult and 3 children) in a Safe Home/Hotel.

Community Involvement Specialist:

- a. Attended Planning Meeting at Blue Gap/Tachee Chapter, the Nazlini Chapter Government “Stop the Domestic Violence in Your Community Mini Conference”, attended the Walking together for a Healthier Committee meeting, traveled to ADOT Office regarding Liability Insurance and other application for approval. Attended the Earth Day Committee Meeting at Chinle Chapter House, conducted presentations: Self Empowerment to Navajo Nation Prosecutors Staff Training; Child Abuse/Neglect to child care workers at Rough Rock Child Care Center, set up information booth at Chinle Community Center, Good/Bad Touch to Parents and Community at Jeehdeez’a Academy Inc., Domestic Violence presentation, Dine’ Perspective of Sexual Abuse to the community of Shiprock at Shiprock Chapter House; hosted the 14th Annual Journey to Wellness-Walking together for a Healthier Nations, set up Information booth on Domestic Violence and Child Abuse; Earth Day and Child Abuse Event at Chinle Chapter House
 - b. Continue to promote “Stop the Domestic Violence in your Community Mini Conference” information. Served as Judge at Shima Sani doo Shicheii Pageant 2010 at Chinle Senior Center.
5. Youth Home- Closed as of September 10, 2004.

Eastern Navajo Regional Office

- The NNDSS-Eastern Region continues to provide services and assistance to the Native American population within the applicable policies. It also includes collaboration with other resources/vendors within the Eastern Navajo Region; including maintaining/managing court hearings, case assignments, on call obligations, various meetings, daily intakes, protective services, transportation services, home maker services, financial assistance services and administrative support services to administer programs.
- The Family Financial Assistance Unit (FFAU) completed/processed all applications submitted for home-heating energy assistance to 784 families as follows: Electricity 64; Natural Gas 14; Propane 50; and Wood/Coal 656. Approximately 36% were adults, 39% children and 25% elderly. The assistance to those families account for approximately 89% of the funds allocated for heating assistance. In addition, the program worked with (2) Navajo chapters: Mexican Springs and Ojo Encino, which served as wood/coal vendors that processed approximately (38) applications for \$15,200.
- Pursuant to the LIHEAP Assurances the program conducted (3) public hearings to inform the general public of program policies/procedures, address concerns, and recommendations for improving the program. The public hearings were held at the following chapters: May 18th at Counselor; May 25th at Church Rock; and June 17th at Whitehorse Lake.
- The Community Services Block Grant program processed this quarter approximately (49) applications for individual and family basic needs. Thus far the program has expended approximately 93% of the funding allocated for the financial assistance program. Likewise, the program was included in the public hearing this year.
- The General Assistance program is continuing to assist individuals and families with basic needs (food, shelter and clothing). The program completed 100% of the required case reviews for this quarter. In addition, the BIA Contract Monitoring Staff conducted the quarterly case reviews of GA case files. The findings were minimal; however, they commended the GA Staff for improvement in case management activities. The program staff also participated in the Individual Self-Sufficiency Plan (ISP) training this quarter conducted by ‘638 Contract Administration staff and technical assistance by BIA Staff.

- During this quarter, each NDSS-Eastern Region Program Unit conducted monthly staff meetings to provide updates, training, and address any program and personnel concerns. Other collaborative activities with resources such as the *Program for Self Reliance* were invited to these meetings to provide information to the staff which helps to better serve our clientele.
- All staff attended training in CPR and First Aid. All participants were certified.
- The NDSS-Eastern Region was able to fill (5) keys positions this quarter as follows: Jarvis Quandelacy, Sr. Information Systems Technician; Carma Peshlakai, Sr. Social Worker for Safe & Stable Families Program; Camilla Lynch and Ronda Roan, Sr. Case Workers; Lorena Begaye, Case Management Specialist; and Sandra Roper, Victim & Witness Advocate.
- Meeting with the Indian Health Services' *Incident Command Center (ICC)* along with the Thoreau Chapter and several Tribal Programs transpired on May 27, 2010 to discuss the *Thoreau Crisis* involving both adolescents and adults either committing suicide, ideation or recovering from the trauma. Rash of incidents have occurred in the community and other parts of the Eastern Navajo Agency over the past several weeks. Daily briefings regarding the issues, logistics, planning activities and operations were held by the Incident Command Center (ICC) at the McKinley County Sheriff Sub-Station in Thoreau, New Mexico.

Fort Defiance Regional Office

The NNDSS Fort Defiance Regional Office continues to attend routine and scheduled meetings throughout the Navajo Nation and surrounding locations. The Region continues to provide direct services regarding the many Navajo clients, families, and children. The Region also completed reviews with the KPMG audits; of which findings were brought forth with the 638 cases. The Region finally hired a Casework Supervisor after several months.

	April Cases	May Cases	June Cases
TOTAL CASES	61	63	63
Closed Cases	01	0	0
Unduplicated	01	02	0

The Region continues to provide case management services, and act upon court ordered home studies.

The Region continues case staffing with permanency worker.

The Foster Care position has filled at Dilkon.

The Region continues to provide CPS services throughout, mostly P1 and P2 due to increased intakes.

The Region continues to provide on-going training to staff in the many contracts throughout.

The Region has begun coordination efforts with the Sage Memorial Hospital to implement a Sexual Assault Response Team (SART).

The Region continues to provide shelter, care, recreational activities, transportation, counseling, guidance, supervision and referral services to the female adolescents placed with the Shandiin Youth Home.

Shiprock Regional Office

The NNDSS Shiprock Regional Office hired seven temporary employees to assist with LIHEAP applications and to assist clients to install heating stoves and winterization repairs. Staff members made weekly site visits to Chapters and the Senior Citizen's Centers to take applications. Over 1,000 persons were assisted with heating or weatherization assistance and another 25 with CSBG. We provided general assistance for 766 families and burial assistance for eleven (11) deceased. We completed two public hearings, one in New Mexico and another in Arizona with public education and to hear from the people about financial assistance programs. Over 150 people attended two hearings; another hearing is scheduled June 29, New Mexico.

The Region provides continuous prevention public education as requested. Emphasis remains on education community people about preventive measures and healthy relationship techniques between parents and children.

The Region's child protection needs remain high. In March we had 119 new reports while another 121 cases remain in process. Five staff members are not sufficient to meet the demand.

Western Navajo Regional Office

Administration

- a. April 2010 is National Child Abuse/Neglect Prevention Month. Numerous prevention and educational events and activities were scheduled and carried out through out the month of April 2010. Sub-offices started the month with sunrise ceremonies with numerous activities and concluded the month with walks, other promotional events and candlelight vigil.
- b. During the month of March 2010, the KPMG Auditors audited the '638 case records. Our entrance meeting was on April 7, 2010. During the entrance meeting, numerous cases were listed with findings from all regions. We were given opportunity to correct and clear initial findings. For Western Navajo Regional Office, we were able to clear all our General Assistances case files. Final exit meeting was on April 27, 2010. Several findings from other regions were not cleared and expected to be on final audit report; however, non from Western Navajo Regional Office. Good Job.
- c. Regional Director, Principal Social Worker and staff of Tuba City Children & Family Services have been participating in meetings regarding the Title IV-E initiatives. We have core planning group and there are work groups with their own assignments. The WNRO Regional Director and Wilfred Yazzie are assigned two (2) sections of the Title IV-E application dealing mostly with administration. Plans are for work groups to complete their assignments and to reconvene on July 1-2, 2010 to report back to core planning group. Put plans together for meeting with Federal Government representatives on July 8-9, 2010 in Albuquerque, NM.
- d. The Regional Director, the Supervisory Principal Social Workers, and Case Worker Supervisor have been attending the monthly '638 Programs Monthly Meetings. There are three (3) work groups assigned various tasks as part of the annual '638 Program Plans. We have Principal Social Worker participating in the Services and Manual work groups. Regional Director and Senior Information Systems Technician have been attending the participating in the IT work group meetings. On our tasks to do are statistical reports, IT related issues and concerns such as Child Abuse and Neglect Report to Federal Government, ARFs, and SARFs trainings, Child Registry System, and etc. Work groups report back to core group at '638 Programs Meeting regularly.
- e. On a quarterly basis the regional director, supervisory personnel have been attending and participating in the quarterly Arizona and Utah Intergovernmental Agreement meetings. At these meetings, the main focus of discussions are service coordination on Child Protective Service with state personnel. Secondly, coordination and implementation of ICWA with the states. These meetings have been very beneficial where issues and concerns on the table for discussions, then we discussed and find solutions. Next NN/AZ IGA meeting is scheduled for Thursday, June 17, 2010 in Flagstaff, AZ.
- f. Navajo Nation Arizona Long Term Care Services: State of Arizona provided a presentation on the requirements for staff to report suspected elder abuse; Supervisor conducted homevisit to address report of case manager favoring home health agency, due to numerous home health agencies and each agency trying to keep their clients there are sometimes unfounded allegations; ALTCS and Banner Health hosted a Alzheimers Workshop at the Greyhills Auditorium on April 12, 2010; Case Manager assigned to Dennehotso has had to telecommute from home pending the replacement of the Dennehotso Community Health Representative building or the opening of the Dennehotso Chapter House Complex; Toni Miller, Title XIX Liaison made a site visit to Tuba City Sub-Office complex to view the area of the planned ALTCS building along with Arizona Public Service; ALTCS Staff Meeting was held in Sedona with staff wellness in mind; Supervisor assisted Kaibeto & Tuba City Case Managers with case staffing in Inscription House and Gap areas.
- g. Direct service staff at the Tuba City, Kaibeto, Kayenta & Leupp Sub-Offices continue to conduct trainings for clients, attend Child Protective Team meetings, , case management specialists meet response timelines for Priority 1 & 2 CPS Intakes, attend all scheduled court hearings to provide testimony and written reports; reunite children with their parents and legal guardians; supervisors continue to review cases to ensure

policy/guidelines compliance; CPS workers and some case managers attend the Children's Code Public Hearings in Tuba City and Kayenta

- h. General Staff Meeting was held at the Prescott Resort & Conference Center in Prescott, AZ on June 23-24, 2010, the majority of the staff attend the meeting; had a bowling tournament for staff wellness at Antelope Lanes in Prescott Valley, Tuba City Sub Office won the tournament. Everyone had a great time.

SERVICE DELIVERY:

WORKER NAME	CASES C/O	NEW CASES	CLOSED	TOTAL CASES
Tuba City Sub-Office	205	30	46	189
Leupp Sub-Office	67	4	2	69
Kaibeto Sub-Office	112	15	9	118
Kayenta Sub-Office	130	22	25	127
Financial Services	308	13	20	301
AZ Long Term Care Svs.	424	23	26	421
Victim Witness Advocate	10	0	2	8
TOTALS	1,256	107	130	1,233

IV.STATUS OF ON-GOING PROJECTS, INITIATIVES & COAs

Executive Administration / Accounting Section:

The NNDSS Accounting Section continues to meet on a quarterly basis with the programs.
 The NNDSS streamlining of reviews and processes continue to move forward.
 The NNDSS continues to support attainment of new/renovated building throughout.
 The NNDSS continues to meet with NNDPS in the background checks and data input activities project.

Block Grants & Special Projects:

The Navajo & Arizona IGA was approved in 2006 to implement the IV-E program but due to outdated

Efforts with Arizona Title TIV-E Initiative continues to have problems in communicating with the Arizona Children's Information Library and Data Services (CHILDS). DSS MIS office is currently making effort to put in new cables to upgrade the computer services in Tuba City office.

Issues with the Title IV-E Plan continues. A worksession has been set for July 8-9, 2010 in Albuquerque, New Mexico for the CORE Group members to address the issues and concerns that have arise in the past several months.

The Title IV-E Specialist will continue to aggressively work with all the above task groups to ensure they complete their assignments and in addition work with other assigned task as they emerge. We have fifteen months left to complete all the tasks. Efforts to hire a full time coordinator to oversee the Development Grant project and an IT consultant to help build a Data Collection system are still pending. Advertisement and RFP has been process and we are waiting for applicants to apply. With additional staff this will help speed up the progress of all the assigned tasks.

Statistics and financial reports for TXX (Arizona, New Mexico, Utah) will continue on a monthly basis.

The Wood/Coal Project initiative under LIHEAP will need to have an updated meeting with Chapter needs to be planned to try and get more chapter involve also at the same time invite private vendors to the meeting to work directly with the chapter or NDSS. Centralization of LIHEAP and completing Protocols and Plans continues to be worked on and will be presented to Executive office on the Pros and Cons of the initiative.

Under the CSBG Self-Sufficiency Plans: Negotiation need to be started with local colleges on training and certifications for our clients that are requesting for assistance in work and education related.

CSBG AARA: will be ending on September 30, 2010, efforts are being done to ensure complete expenditure. Negotiation with local chapter, colleges and other departments that can provide training and on the job training assistance to clients that either lost their job and needs to obtain a job.

The Block Grants and Special Projects Department will continue to have staff available to provide technical assistance and support in the areas of Title IV-B Subparts 1 and 2, Title XX (Utah, New Mexico and Arizona), Family Violence Prevention Services Act, LIHEAP and CSBG to the NDSS Departments and Regional Offices in the following areas: Personnel, Procurement, Administrative, and fiscal. And Continue to provide technical assistance and support to Sub-contractors: i.e. orientation on Invoice Payment, Monthly Reports and relevant Contractual issues/concerns in the areas of Family Violence Prevention Services Act and Sexual Assault Initiatives.

Review and complete outstanding fiscal and programmatic reports for the Title IV-B (Subparts 1 & 2) FVPSA, Title XX (Arizona, New Mexico, and Utah) LIHEAP, CSBG funded programs and Sexual Assault Initiatives. Reports are provided and submitted on annual basis to the U.S. Dept. of Health & Human Services and the U.S. Dept. of Justice.

BGSP will continue to submit monthly statistical and fiscal reports to the State of Arizona for reimbursements for Title XX Contracts (Arizona, New Mexico, Utah); enhance coordination and communication for efficient services to children and families. Began developing information to incorporate into the Family & Domestic Violence initiative in preparation for the New Year.

BGSP will seek other potential funding sources that will enhance and expand our existing services under the Division of Social Services.

The Wood and Coal Project Initiative have been reassigned to the Regional Offices and the proposals that are being submitted to BGSP are forward to the Regional Offices. The Regions were informed that they will handle all negotiations with the chapter that are interested in the vending project.

Child Care & Development Fund

- a. In June 2010, meeting was held with the Two Grey Hills Chapter Officials and the community of Two Grey Hills, during their regular Chapter meeting. Two attempts were made to have the Chapter meeting, but cancelled due to lack of a quorum. During the second chapter session, a Chapter Resolution was passed with a vote of 31-0-0 to keep the Two Grey Hills Child Care Center open for children in the community. Another Resolution was passed with a vote of 31-0-0 to request for Mr. Spencer Willie, Program Manager with Head Start to attend the next Two Grey Hills Chapter Meeting, pertaining to Head Start/Early Head's usage of the Two Grey Child Care Center. A third resolution supported by the Chapter was to possibly rent or lease the building from the CCDF to include other programs to cost share the rental and/or lease. The programs identified were Work Force Development, Head Start, Early Head Start, Bureau of Indian Education (BIE); Face Program.
- b. The CCDF program is using its stimulus money to replace aging equipment such as water heaters, HVAC systems, kitchen appliances and classroom furniture (cribs, high chairs, etc.). Additionally, new playground equipment will be purchased for three sites: Tuba City, Chinle, and Shiprock.
- c. The CCDF program is initiating a plan to move several modular units to Shiprock Dine College campus and to Tuba City, AZ. The modular units that are slated to be moved are from communities where enrollment has been stagnant and inconsistent. Whereas, the new proposed locations have higher populations for our target child range. More significantly, the new locations have a large number of Navajo families that are on TANF, our target population to serve for self-sufficiency.

Developmental Disabilities

The Program has not had any partnership meetings with provider agencies. Case Managers have been directed to begin arranging and scheduling partnership meetings with provider agencies whom we contract services for the individuals we serve.

The Program is currently experiencing recent legislation which allows agencies to become representative payee, with approval from ISP team and guardian. In order for this process to occur, Case Managers are reminded that any changes of Payee away from DES/DDD MUST be handled thru the ISP process.

The Case Manager must notify Client Fund Manager of the proposed change so that the process to change occurs according to rules. At this moment, several changes have occurred we have not been notified of - leading to payments not being able to be generated, as well as the process with Social Security not having been followed.

Case Managers continue to receive and review Incident Reports from agencies and enter the more serious incidents reports (SIR) into RIMS (Risk Incident Management System). They also update RIMS on a weekly basis.

Case managers continue to work closely with individuals and their families, as well as contracted agencies to develop goals and objectives, which are realistic and will allow the individual become as self sufficient as possible.

MIS

Continue with on-going project for installation of APC UPS Infrastructure, with new FY 2010 funds.

Installation of Barracuda web filter and SPAM filter on the external network.

Working with the 638 Statistical work group on developing and collecting better data for statistical reports. Also, collaborated with the Statistical workgroup on MIS policy and procedures for the entire division.

Continue working with Title IV-E initiatives with national recourse centers, other tribes and federal government entities.

Navajo Children and Family Services

- NCFS will continue to provide case management services to Navajo children and families involved in state court proceedings under the ICWA unit.
- NCFS will continue to provide case management services to Navajo children and families under the Title IV-B, Subpart 1, Adoption, Promotion & Support Services through the Adoption Unit.
- NCFS will continue to coordinate the Intergovernmental Agreement (IGA) for Child Welfare Services Meetings between NN DSS and the States of New Mexico, Arizona and Utah. NCFS will continue to work with a core group to make recommendations for amendments and/or addendums to the current IGA's with each state.
- NCFS will continue to process Criminal Background investigations for NDSS under the contact with Arizona Department of Public Safety.

Navajo School Clothing Program

The NSCP is reviewing, revising and will be ordering all operational forms.

The NSCP continues to collaborate and network with the CIO office to locate a permanent warehouse for the program.

The NSCP is in the process of preparing for their last Annual Orientation for all schools participating in the program. The Orientation will be held in early August at the Navajo Nation Museum - the NSCP will distribute the clothing order forms afterwards for SY' 2010-11.

The NSCP continues to accept Emergency Requests for student clothing.

Navajo Treatment Center for Children & Their Families

- a. Program continues to provide quality psychotherapy, child advocacy and community prevention education to Navajo children and their families
- b. Participate in the Navajo Division of Social Services (DSS) Management meetings.
- c. Program continues to schedule staff meetings to ensure communication regarding program updates, schedules and patient services.
- d. Program continues to maintain partnership with other resources to exchange program information and extend services for collaborative treatment with patients.
- e. Program continues to work closely with clinical providers in obtaining and maintaining their state licensure.
- f. Program is in a Memorandum of Agreement with Navajo Peacemaking and Safe Schools Project (Borrogo Pass Day School, Chilchinbeto, Community School, Little Singer Community School, Shonto Preparatory School, Shonto Preparatory Technology High School and The Star School) whereby the program will provide outpatient therapeutic services.
- g. Program is in the process of finalizing the NTCCF Clinical Policy and Procedures Manual in accordance to HIPAA standards.

- h. Program to begin to expend the Methamphetamine and Suicide Prevention Initiative Grant funding by advertising the positions and operation costs.
- i. Program assigned Shiprock Treatment Coordinator to provide case management at the Instant Command Center. This was a temporary assignment. The Instant Command Center was made aware that NTCCF was available for aftercare referrals.

Program for Self-Reliance

Human Resources/Staff Development Section:

- A. Principal Accountant was hired on March 29, 2010 for the NNPSR Finance Section/Recovery Services Section. This was an in-house promotion of a qualified current staff member. This was not reported in the 2nd Quarter Report. See above in significant accomplishments.
- B. Program and Projects Specialist was hired on April 05, 2010 for the NNPSR Special Projects Section at the NNPSR Central Support Services Section.
- C. Program Supervisor II was hired on May 10, 2010 for the NNPSR Tuba City Field Office. This was an in-house promotion of a qualified current staff member.
- D. Program Supervisor II was hired on May 10, 2010 for the NNPSR Monument Valley/Aneth Field Office.
- E. An Administrative Services Officer was hired on May 24, 2010 for the NNPSR Chinle Field Office.
- F. NNPSR Human Resources Section continues coordination with Navajo Nation Department of Personnel Management and NNPSR field offices regarding Job Vacancy Announcements, performance evaluations, processing PAFs for new hires, resignations, terminations and temporary employment, position advertisements, annual performance evaluations and merit payments. Technical assistance also is provided on a daily basis to all field offices. The NNPSR Human Resources Section continues coordination to request technical assistance from the Navajo Nation Department of Justice on specific human resources/personnel issues, specifically proposed disciplinary actions, as required.

Public Relations

- A. Finalization of Customer Recruitment Project Plan.
- B. Brochure development.
- C. New updated radio scripts.
- D. Community involvement initiative.
- E. Youth day celebration.
- F. Grandparents raising grandchildren.
- G. Back-To-School campaign initiative.

Special Projects

- A. Fourth Annual Healthy Marriage Workshop.

Customer Development Section:

- A. Financial Aid Training – Ongoing research continues.
- B. Certified TABE Assessment Administrator – Contacted the McGraw Hill for technical assistance.
- C. Work Readiness Assessment – initiated contact to do a refresher course online.
- D. Adult Basic Education Contracts – had the first meeting for a pilot project with Chinle PSR and the Finance Section.
- E. Customer Resource Centers – Coordinating with MIS to identify resources that should be established with automating resources in conjunction with the TI duties and responsibilities
- F. Develop an Entrepreneurial Opportunities Plan – Met with a representative from Bik'eh Hozho Community Development Corporation who provides assistance to people who desire to start their own business.
- G. All EDS to become trainers in the Entrepreneurial classes – research to more services and programs that provide such opportunities.
- H. Automate TABE Assessment – with the resource centers establishment, work with MIS to begin this process.
- I. Develop DVDs on the Customer Orientation – begin to work with the Public Information section to begin scripts and identify presenters.
- J. Adjunct Faculty of TI and EDS positions – contact the Arizona DES for technical assistance to begin this process.
- K. Enhance the Customer Training Plan using the Service Delivery Model.
- L. Enhance the Employment Readiness Plan using the Service Delivery Model.

Crownpoint Field Office

- A. Program Supervisor II and Senior Office Specialist is working to get itinerate site in Dzilh-Na-O-Dith-le, & Pueblo Pintado. The goal is to find a site that will allow us to provide itinerate services that will house an office and a training room.
- B. Leases for Alamo/Tohajiilee are in process for payment and/or approval.

Fort Defiance Field Office

- A. Meetings were held with Window Rock Child Support Enforcement staff, to provide update on current Policy changes.
- B. Collaboration meetings with three Schools, Workforce Development/ARRA, CCDF, General Assistance, NHA for customer referrals. Internal procedures are identified to provide services to customers.
- C. Ft. Defiance is taking the initiative meeting with Navajo Transit to identify a procedure to provide services to customers. Both Programs are mandated by the Federal Regulation to work together.

Title XIX Long Term Care Services

ALTCS Enrollment Statistics: The current enrollment for the ALTCS Program is as follows. The ALTCS program has 1,159 members receiving Home and Community Based Services and 259 were in a residential facility for a total case count of 1,416.

Office Space: The ALTCS Program continues to work on the purchase of modular buildings for the Regional ALTCS Staff. Buildings will be purchased for Ft. Defiance, Chinle and Tuba City and Dilkon ALTCS Programs. It has been a very cumbersome process trying to navigate the Tribal system in this purchase process. The budget has been developed and funds are available to be used for the purchase, infrastructure and set up of the buildings.

Hoosh Dooh Di To Incorporated (HDDTI): The ALTCS office continues to work with the HDDTI in completing the construction of the Elderly Group Home in Whipporwill, Arizona. DSS continues to work with the facility to ensure they meet all standards to ensure the waiver of licensure. This will ensure the collection of third party reimbursements from the Arizona Health Care Cost Containment System.

Navajo Nation Long Term Care Advisory Council : The ALTCS program continues to assist Division of Health with the development of the Division of Elderly Services. The meetings are back on schedule.

Annie Wauneka Life Care Center – The ALTCS program has begun work with AWLCC in the construction of their new facility in Ganado. The program is currently receiving third party reimbursements. They will continue this process when their new facility is built. They will be increasing the total number of beds in this facility and would like to ensure they will receive additional clients.

638 Contract Administration

- a. Plans for orientation and training of GA Caseworkers and GA Supervisors will continue regarding the collaboration and coordination of GA and Navajo Department of Workforce Development programs.
- b. The '638 department continues to work with the MIS department and/or Department of Information Technology to develop an on-line invoicing system for vendor reimbursements.
- c. The '638 department continues to have monthly '638 meetings in order to clarify issues in the '638 social services manual and where questions were brought forward on service delivery.
- d. Plans are on the drawing board to go through another training phase of the '638 social services programs manual.
- e. The '638 department plans to host a '638 "seminar" this year, similar to one that occurred in November 2005. BIA has committed to allot some federal funds for this seminar.
- f. The '638 department director plans to visit all the regions again to re-re-orientate '638 staff on various topics related to the scope of the '638 social services contract.
- g. '638 Vendors and mortuaries under agreement have all been monitored on-site. Evaluation reports will now be written up.
- h. Efforts are now being focused on preparations for a new '638 social services contract term. The current 5-year contract with BIA ends December 31, 2010. Another 5-year term is being worked on.

Chinle Regional Office

No report submitted.

Eastern Navajo Regional Office

Recruitment of (8) key vacant positions within the Eastern Region, which are: (3) Principal Social Service Representative (PSSR/Crownpoint), (1) Senior Social Service Representative (SSSR/Crownpoint), (4) Youth Home Parents. The NDSS-Eastern Region intends to resume Youth Home Program operations.

The Family Violence Prevention program is continuing to promote and enhance community public awareness and prevention of family violence on Navajo children and families through community outreach and education activities at local communities, schools, and other special activities and campaigns. This quarter (14) presentations were given at various chapters, school prevention awareness activities and other resources as requested. The staff participated in assisting other service providers with the *Thoreau Crisis* activities on as needed basis. Plans are underway plans to hold a Suicide Prevention Mini-Conference in July 2010.

A child abuse prevention mini-conference was held at Tohajilee Chapter with eighty-one attending.

The Adult In-Home Care (638) Program provided monthly services to an average of 81 clients per month. They received (8) new referrals this quarter.

Planning of educational video highlighting activities within the General Assistance and LIHEAP in the community is underway with discussion with a Consultant. Completion of the video is scheduled for the last quarter of 2010.

Status of MIS activities is ongoing within the NDSS-Eastern Region. Majority of the MIS related issues at all field offices have been addressed. Additional system upgrades are planned.

Fort Defiance Regional Office

The NNDSS Fort Defiance Regional Office scheduled its Quarterly Meeting in mid-July, which will include expert and professional staff who will provide topics of importance and concern.

The Promoting Safe and Stable Families' {PSSF} consultants, Ed Gonzales-Santini and Tim Perry will provide insight to the upcoming annual reviews at all the Regional Offices; their concentration will be with the clients, workers, supervisors and of course, Regions and Executive Administration. In addition, our annual APSR reports are due on 28 June 2010.

The LIHEAP public hearings are almost complete with the exception of Wide Ruins Chapter next week. With our new Family Financial Services Supervisor, we are offering training and technical assistance to sharpen her existing supervisory and General Assistance experiences.

The Navajo Children's Code provided some new information to the almost thirty (30) year old policy. There have been some changes in the Judicial System as well as the Division of Social Services. The proposed Navajo Children's Code will compliment our current Division policies and procedures.

The Region continues to struggle with the Arizona TXX contract funds. The Arizona Title XX statistics are extremely high because the Ganado Family Services took the initiative to review every referral although they were given instructions to prioritize and only serve the Priority 1 and 2's they also reviewed the 3 and 4's even though they only one worker available. They are on a Corrective Action Plain to revisit and close the inactive and unsubstantiated cases. They should be completed by the end of TXX's First Quarter 2011.

On-going Social Work Connection meetings held where resources such as DBHS, Veterans Office, etc. provides information on programs; mission is to improve coordination of services for clients and other programs.

FSU continues to participate in the Criminal Justice Meetings to discuss concerns and improve our working relationship with the Prosecutor's Office and Courts.

Shandiin Home for Youth:

The Youth Home was granted NAHASDA funds for FY2001 and FY2002 for the pre-engineering and construction phase of a youth home facility. 78% of the pre-engineering phase is completed. Funding from both grant years were recaptured by the Navajo Housing Authority though no formal letter was received from NHA.

Shiprock Regional Office

No information submitted.

Western Navajo Regional Office

No information submitted.

IV. STATUS OF ACTION PLAN (A, B and C lists)

Executive Administration / Accounting Section

The NNDSS continues its efforts to promote the seven plans established for all Programs.

Block Grants & Special Projects

Title IV-E Specialist priority will be devoted to the Title IV-E Development Grants and the Title IV-E Plan. When the development grant is approved more time will be provided to the goals and objective to prepare NNDSS readiness to implement the IV-E program.

Child Care & Development Fund

No information submitted.

Developmental Disabilities

Not applicable.

MIS

None provided.

Navajo Children & Family Services

None identified at this time.

Navajo School Clothing Program

No response provided.

Navajo Treatment Center for Children & Their Families

To be submitted by the Division.

Program for Self-Reliance

Not applicable.

638 Contract Administration

No information provided.

Chinle Regional Office

1. Family Services Unit-Case Management Services:
 - a. Staff meeting with CMS and AIHC staff for program updates.
 - b. Continue court hearings, SCAN and MDTs.
 - c. Continue case staffing on Wednesdays.
 - d. CMS continue case staffing for RTC placements with Acting PSW.
 - e. AIHC continue to provide in home care services; continue receiving referrals for services.
2. Family Services Unit-Protective Services:
 - a. Continue attending staffing and SCAN meetings as scheduled throughout the month.
 - b. Maintain vehicles through Fleet Management; Inspection/audit are being scheduled. Workers do not know when the vehicles are scheduled for A, B or C services.
 - c. Priority I Intakes are assigned daily to "Chaser". We continue working with Chinle Medical Staff on SCAN cases, referrals are sent to Chinle Police Department and FBI or Federal Victim Specialist, Bpreston.
 - d. Collaborate with Fleet Management Personnel for vehicle maintenance to ensure vehicles are adequately maintained.

- e. Collaborate with Victim and Witness Advocate referring Domestic Violence cases. Response is positive and quick. This creates another dimension of services for children and their families for intervention, prevention and education to strengthen their coping skills.
3. Family Financial Services Unit
 - a. Community Services Block Grant PL 105-285 FY 2010.
 - Provide financial assistance to low-income families to become self-sufficient through various services and utilizing the National Poverty Guideline for eligibility.
 - b. Low Income Home Energy Assistance Program PL 105-285 FY 2010.
 - Provide financial assistance to assist eligible families to repair/weatherize for a warm/energy efficient home. Priority is given to elderly, low income and physically challenged individuals.
 - c. Continue to provide Financial Assistance to low-income families and increase self-sufficiency as defined in the 25 CFR 20.301.
 - d. Continue to provide one-time CSBG assistance to provide for hardship.
 - e. Continue to provide LIHEAP assistance to low-income families for heating, propane, ECIP, Weatherization, pellets, and stove.
 - f. Continue to provide assistance according to Program Guideline established.
 4. Family Violence Prevention Services:
 - a. VWA continues participating in monthly NNADVAC meetings/work sessions; finalizing the Domestic Violence Criminal Code.
 - b. VWA continues participating in weekly FSU Case Staffing.
 - c. CIS will continue to work toward program goals and objectives as outlined in the funding plans.
 - d. CIS will continue to provide presentations relating to Prevention Education and Awareness, overview of NDSS program and services, set up information booths, educate on Self Empowerment, Dysfunctional Families and Dine Parenting and Childrearing.
 - e. CIS will continue to collaborate with local resources, schools and chapters.
 - f. CIS will continue to increase public awareness by providing prevention information through radio station.
 - g. CIS will continue to coordinate conferences on the prevention of family violence.

Eastern Navajo Regional Office

No report submitted.

Fort Defiance Regional Office

The Region is planning a move of the ALTCS & Financial Program into vacated BIA building.

Shiprock Regional Office

No report submitted.

Western Navajo Regional Office

The NNDSS Western Navajo Regional Office continues to do intakes for Low Income Home Energy Assistance Program Weatherization and Cooling Assistance; despite depletion of LIHEAP Funds however, applications will be processed using Citizen Energy Corporation (CEC) funds when its made available. CEC is Energy assistance program for heating assistance.

The Region continues to participate in the '638 Contracts Administration Department meetings and work group meetings. To continue to participate in Arizona and Utah IGA Meetings, Quarterly Promoting Safe & Stable Families Program staff meetings quarterly NDSS/Department of Workforce Development MOU meeting and other coordination meetings with various programs.

The Region continues with the implementation of Title IV-E as pilot project.

The NNDSS' reorganization and transition plan implementation to re-establish Leupp Children & Family Service at this Region is ongoing. Currently, we are still waiting on the office lease agreement to clear the SAS process so we could begin paying for our rent and utilities. Leupp Chapter Officials have been very patient. The Region

requests assistance from the NNDSS from Block Grants & Special Grants Department in pushing the lease agreement through the SAS process.

The Region's temporary Case Manager continues to assist with a full case load and will be training the new case manager, position is now advertised for Navajo Mountain, Arizona; Temporary Senior Case Worker has been very helpful in assisting with office duties and conducting homevisits as needed; referrals to the ALTCS program have increased and community members and potential clients continue to go to obtain applications to get services, although the number of clients getting approved for ALTCS has not been many; case managers continue to attend local elder related meetings, elder task force meetings to address issues and concerns; ALTCS Supervisor provides technical assistance to Title XIX on the current operation of the program for the administrative function of the program. Service delivery system, submission of reports, interpretation of policy & procedures, etc.;

V. STATUS of COAs.

Shiprock Regional Office

- A. Child Protection Team (CPT) met the second Wednesday in Shiprock and second Tuesday each month in Blanding, Utah. One CPS staff conducts the Shiprock CPT meetings. One CPS Staff member participates in the Utah meetings for cases that involve residents in Utah. Specific cases are reviewed at these meetings and assigned workers attend. The last meeting was June 8, 2010 but a total of 35 cases were reviewed and 29 were closed.
- B. A staff member facilitates the monthly Foster Care Review Board meetings. Currently we have ten licensed foster homes and new applicants are in process of for certification. Foster home recruitment and retention is a continuous process at various meetings. We have ten (10) certified foster homes and two in process. All Foster homes were used last month.
- C. Adult Protective Services holds a monthly coordination of services and case staffing the second Tuesday each month with local services providers. Major issue continues to be adults who refuse services.
- D. The Domestic Violence Prevention staff members continue to provide a monthly education for court ordered and volunteers who need training on symptoms of domestic violence. The last session was June 23, 2010 with 31 persons attending in the last three months.

VI. OUTSTANDING PROGRAM ISSUES

Executive / Accounting Office

The NNDSS continue to support and promote direct services activities throughout.

Block Grants & Special Projects

The State of Utah continues to put a hold on the Title IVE Initiative Agreement due to the new Fostering Connections legislation.

Issues with IDC under the Controller's Office has started to impact the SAS Process causing a lot of delays for most of the contracts. Several meetings have been held to address the IDC issue on at least three contracts. This hinders the SAS Process.

Late submittal of statistical and data reporting has improved since the hiring of a new Contract Analyst.

Reversions of personnel lapsed funds under the FVPSA continues to be a problem, effort need to be done to sanction or redistribution funds to other offices and programs to ensure spending compliance and complete expenditure.

Child Care & Development Fund

No information provided.

Developmental Disabilities

None.

MIS

The Department's expenditures for FY2010 are coming to a conclusion. FY 2011 budgets are being prepared for the next FY. Also, remaining 2010 purchasing is still continuing.

The Department is focusing on 638 General Assistance and Foster Care database systems, as they have become very cumbersome to maintain. MIS is analyzing and developing new procedures that will make these systems more proficient and productive, in their reporting and payment process.

The NNDSS website is continuing to be developed and MIS is also getting help from OPVP on public information distribution.

Continuing to plan for central cabling installation, power and phone cabling with frontier and Business Environment Inc. on office cubical organization.

Working on Personal Performance Evaluation for MIS staff.

Navajo Children & Family Services

None identified at this time.

Navajo School Clothing Program

The need for a permanent office space and warehouse facility.

The need for a new data base system, for use in the office and inventory software needed for use at the warehouse.

Navajo Treatment Center for Children & Their Families

Chinle Clinic capital improvement.

Hire Family Therapist and Treatment Coordinator for Crownpoint Clinic.

Program for Self Reliance

No information submitted at this time.

Title XIX Long Term Care Services

Navajo Nation Home Care Providers – The ALTCS Program continues to work with Home Care Providers in providing quarterly meetings. The purpose for these meetings is to provide information and develop lines of communication.

638 Contract Administration

Implementing the COSM: regional offices are not consistent in implementing COSM.

Continue to track the FY 2010 federal appropriations bill in Washington D. C. in the interest of welfare assistance funding. Accurate, reliable and timely reporting of statistical data from one or two regional offices impacts the timeliness of reporting to the funding agency.

There continues to be a need for adequate office space for social services staff on the Navajo Nation.

The '638 department is awaiting a second allotment of welfare assistance funding for CY 2010. The 2nd allotment will be determined whether sufficient funds will be available to the end of the year.

Chinle Regional Office

1. Family Services Unit-Case Management Services:
 - a. CMS and AIHC workers are encouraged to work together, making home visits for re-certification, client is also aware of workers expectations.
 - b. Foster Care worker resigned as of April 30, 2010.
 - c. CMS need training: Foster Care, FCRB and FCRB report writing, case plan, Court Reports writing, Narrative writing, case filing, SARF and Time Management. Training dates have not been set up.
 - d. Office space re-assignment. Acting PSW requesting for reassignment of CMS to vacated offices.
 - e. Office space re-assignment. Acting PSW requesting for reassignment of SCCS-Sr. SW and Foster Care staff to vacated FSU offices; to better coordinate services.
 - f. Need new telephones. Office equipment (telephones) are broken, staff have been bring in their own phones. Requesting for new telephones with speakers.
 - g. Need bigger vehicles to transport and safety of clients. We have been borrowing CPS vehicles. The two Tahoes assigned to Acting PSW and SCCS worker is able to hold only four people comfortably and CMS are transporting more than four clients (adults and children) at one time so there is a need to borrow vehicles.
2. Family Services Unit-Protective Services:
 - a. Substance Abuse counseling and effects of meth in our children's nervous system with newborns with positive methamphetamines and marijuana are referred through SCAN-what services are there in the community besides DBHS or Chinle Hospital Counseling Services.
 - b. The Presenting Officer has requested that CPS submit their reports with an 'Affidavit'. Acting PSW spoke with Justice Department, they recommend that the Prosecutors Office put in writing and "cite" the section that requires and "Affidavit".
 - c. Intakes are back logging.
 - d. Training for CPS Workers on Substance Abuse Counseling with DBHS or Mental Health.
 - e. Awaiting for written notification from the Office of the Prosecutors about her reason for asking for Affidavits.
 - f. CPS initiates the case, then transferred to CMS which idles and/or no input of narrative or no action and case pops back up. There were no services or delayed reaction to the report. This needs to be resolved by all workers of DSS in Family Services unit to work together to being services to the family.
 - g. 2 vehicles need new windshields. We were cited for no First Aide Kit and No Fire Extinguisher. There are also no shovel and/or chains in our vehicles.
 - h. Recommending Chinle Region sponsor or have a retreat this summer in Flagstaff or Pagoosa Springs. Item on agenda, review and/or comment on Amended Children's Code. It appears that only the Administrative Staff were involved in making the amendments.
 - i. Training on meth. Identify a substance abuse counselor to do a meth workshop, the effects of substance abuse in children born with it.
 - j. Hire a PSW for CPS and CMS unit.
 - k. Staff has been working together in going out in the field or staffing cases; We have been writing appointment letters and the response level is 3.5, 5 being the highest.
 - l. Training for CPS Workers on Substance Abuse Counseling with DBHS or Mental Health.
 - m. Awaiting for written notification from the Office of the Prosecutors about her reason for asking for Affidavits.
3. Family Financial Services Unit:
 - a. Office Space is inadequate. For the past 23 months, the Program was temporarily assigned to utilize the Chinle Valley School-Long Term Care Program's conference room to provide financial services to clients. The room measures approximately 562 square foot; it is currently holding 5 Senior Case Worker, a Secretary and the Program Supervisor and clients to perform reviews and intake. Workers are literally working shoulder to shoulder violating client's confidentiality. The office space is inadequate and very unprofessional; there are no desks and no individual telephone lines. It is frustration for the staff and clients to work in this manner. This concern is repeatedly expressed to the Regional Director, however the situation remains the same.
 - b. Statistics count a continuing concern. R: Re-orientate until accountability is accurate. Suggest we use the chapter printout list for case count.
4. Family Violence Prevention Services:
 - a. CIS-R: all Regional CIS work together, collaborate and coordinate as a team and train the trainers on program goals and objectives relating to family violence.

- b. CIS-needs a new laptop and power point projector.
- c. CIS-There is no conference room to host mini conferences for the general public and clients.

Eastern Navajo Regional Office

None.

Fort Defiance Regional Office

None was provided.

Shiprock Regional Office

- A. Each staff member maintains his/her own manual case count and complete the monthly report that is compiled and submitted to Window Rock (e-mail).
- B. Proposed Case Audit forms: we are using draft Review Forms but have questions about the usefulness. The questions with the review forms are related to audit issues found during program/case service reviews. We recommend review form improvement.
- C. Child Protection Services remains high priority. We continue to work against high and unrealistic public expectations for quick fix services to resolve family disputes that have been developing for years. We have run-away mothers and strings of unknown fathers - we have babies and children without care and nurturing caretakers. Our workers are placed in a position to assess these situations quickly, often with minimal data and information. The issues are not new but the volume of reports are increasing at an alarming rate, are recurring again and again; the situation is frightening in light of decreasing funds and eminent budget cuts that directly impact the number of qualified staff who can do the required work.

Western Navajo Regional Office

The Region discovered there is confusion about the primary 'scope of work' for Specialized Child Care Services Permanency Planning workers. We may be unknowingly in violation of SCCS program performance outcome goals/objectives by assigning them court-ordered home studies to permanency could be established for children "in limbo". We were informed tat SCCS are supposed to provide one-on-one therapeutic services to prepare children for transition from foster care into a permanent placement through adoption, legal guardianship, etc. Generally, we refer back such children to NTCCF for that type of service. Is there going to be duplication of services between NTCCF and SCCS/PP similar to duplication of services between NTCCF and SCCS/PP similar to duplication of services between NTCCF and SCCS/PP similar duplication existing between FVPSA, APS, and DEPP (adult protective service)?

VII. PROBLEMS AND RECOMMENDATIONS

Executive Administration / Accounting Section

The NNDSS continues to receive many telephone calls from clients regarding their case determinations or receipt of their monthly assistance checks. Recommendation: Directors and Supervisors need to stress the importance of maintaining contact with their clients.

The NNDSS programs continue to receive untimely turaround from the Department of Personnel Management regarding application assessments, timely processing of Personnel Action Forms, and timely review of Position Classification Questionnaire forms. Recommendation: Possibly a change in assignments of HR Analysts, hiring of additional staff. Has been going on this long path of deficiencies way too long. Some funding have timeframes in which programs must expend. DPM staff do not seem to realize the urgency of expending these funds.

Block Grants and Special Projects

The BG & SP Department will continue to work with the Executive Office, 638' Contract Administration, Management Information System (MIS) and other departments to resolve and streamline our activities.

BGSP recommends that Central Accounting staff meet with Regional Accountants monthly to reconcile fiscal records/activities to ensure expenditures.

There continues to be delays in obtaining statistical data from certain NDSS regional offices. These delays cause inaccurate reporting to the state agency and federal.

Continuation of Financial Quarterly Reviews needs to be consistent.

Child Care & Development Fund

No information provided.

Developmental Disabilities

None at this time.

MIS

Problem: MIS is continuing its efforts for T1 connectivity and is having issues with encumbrance. We hope to have this taken care of by the beginning of 4th quarter.

MIS is currently looking at adding an unbudgeted position for a Network Specialist position is in being planned for.

The funding of the position is in question and is not being supported by some programs.

MIS staff is in need of computer related training. As much needed knowledge and skill is needed to address connectivity, communication, resource planning and management of both network and systems.

Recommended Resolution:

Continue to wait for Navajo Nation Procurement and continue to supply information as needed to other procurement departments.

Seek funding for a Network Specialist position for FY 2011.

Plans to take Microsoft and Cisco training classes during the last part of this quarter.

Navajo Children and Family Services

The Adoption Unit is not getting Parenting Skills Training and Post Placement Service referrals from NNDSS Regional Offices. The Unit staff have conducted program services orientation to regional offices beginning July 2009.

Recommendation: The Unit staff will contact regional offices to schedule staff re-orientations on services, forms and eligibility criteria as outlined in the PSSF – APSS Five Year Plan.

Navajo School Clothing Program

Problem: Continue to need a larger storage facility/warehouse nearby.

Recommended Resolution: Continue to search for resources.

Problem: Continue to need a new data base system for the office and inventory software for use at the warehouse.

Recommended Resolution: Continue to search for resources.

Navajo Treatment Center for Children & Their Families

NTCCF recommends program to remain centralized as specialized treatment of trauma and substance abuse

Program for Self-Reliance

Finance Section:

- A. Since FY 2005 the PSR has requested from the Navajo Nation’s Office of Management and Budgets a descriptions/definitions of the Chart of Accounts object codes identified in the Navajo Nation Budgeting Manual and have not received a response from OMB. The Navajo Nation’s FY 2010 Budgeting Manual has a description/definition for only 22 description object code. The primary reason for our request is that the Division of Finance –Purchasing, Contract Accounting and the Office of Management and Budget (OMB)- Contracts and Grants Section staff have different interpretation of the object codes and what correct object codes is to be used for our program expenses.
- B. In previous fiscal year, the OMB issued noticed to the external funded programs to calculate in their budgets an Indirect Cost (IDC) rate of approximately 9% and within the same FY, the external funded programs were directed to recalculate their IDC at the provisional rate of 21.6% until OMB had completed their negotiations with the National Business Center (NBC) in Washington, D.C. The external funded programs are still using the provisional rate of 21.6%. When will OMB complete their negotiations with NBC to identify a fixed IDC rate for the Navajo Nation.
- C. The NNPSR has experienced return of SAS documents due to DOF staff at Contract Accounting and Contract Administration not agreeing on object codes to be utilized on financial documents. Confirmation would take place with one of the two DOF sections but still documents get returned. This affects budget revisions made after getting confirmation or clarification, additional budget revisions have to be submitted to transfer funds. Verbal communication was made that Contract Accounting will make the final decision on which object codes to utilize and a request was made by NNPSR Finance/Recovery Section for a written correspondence regarding this matter, no response from DOF.

Gallup

- A. Request decreasing time in reviewing and approving Incentive Awards for High Academic Achievement, Honor Roll, etc. We have students who are still waiting for their awards from previous school year.

STATISTICS

Finance Section

BATCH RUNS					
Batch Run Dates	# of Customers Paid by Pay Card	# of Customers Paid by Check	Total # of Customers Paid in this Batch Process	Total \$ Amount Processed	# Customers on the Reject Listing
3/30/10	1,643	945	2,588	\$1,424,346.00	25
4/14/10	385	433	818	480,396.00	5
4/29/10	1,711	1,224	2,935	1,669,664.00	16
5/13/10	232	291	523	317,120.00	9
5/27/10	1,638	1,346	2,984	1,725,077.00	Pending
Totals:	5,609	4,239	9,848	\$5,626,603.00	55

Human Resources/Staff Development Section:

- A. Total Employees – All 197
- B. Total Permanent Employees 167
- C. Total Temporary Employees 23
- D. Total Position Vacancies 33

638Contract Administration

Funding of the welfare assistance component of the ‘638 social services contract continues to be an outstanding and important concern not only for Navajo but for Indian Country. Lobbying through the tribal representatives is necessary.

Reporting of statistical data to the funding agency is a significant and serious concern. The reporting is directly tied to the Division's MIS department and there continues to be lapses in reporting that result in incomplete data reporting. The program had to resort to manual reporting which should not be the case in this age of advanced IT.

There are still challenges in getting regional offices to comply with requirements in the '638 social services manual.

Recommendations:

Continue to lobby the U. S. Congress to the Bureau of Indian Affairs on the subject of welfare assistance and administration funding for 2010 and future years.

There is a need to staff the Division's MIS department so that adequate programming can occur, especially in the area of statistical reporting. Numbers are very important at the federal government Washington D. C. level.

Continue to work with BIA and other resources for adequate office space in certain service locations of the Navajo Nation.

Title XIX Long Term Care Services

Navajo Nation Home Care Providers – The ALTCS Program continues to work with Home Care Providers in providing quarterly meetings. The purpose for these meetings is to provide information and develop lines of communication.

Chinle Regional Office

No information provided.

Eastern Navajo Regional Office

The Family Violence Prevention Program purchased its own vehicle several years ago, which exceeded 100K miles and in need of replacement but limited funds to purchase another.

Fort Defiance Regional Office

The Region continues to experience obstacles with the 3 Family Service Units, regarding the SWRO realignment. Restructuring per the Continuum of Service Model (COSM) continues to be a challenge, however, it is currently on the back burner until the staffing and funding is stable. Budgetary constraints prevent the three (3) larger Regional Office from requesting additional positions such as the much needed Case Management Specialists.

The Region is making strong efforts to attend all scheduled '638 Contract Administration monthly meetings; however, are experiencing difficulties which prevent attendance.

The Region is experiencing a growing problem of rodents in all the offices in Ganado and Fort Defiance. Calling the tribal maintenance does not help; so many times they have informed the Region that they do not provide the professional services we need, so the Region is responsible for payment. Even worse, they want the Region to purchase the mousetraps to be placed in the offices. Our employees do not eat or bring food to the offices, but because of the colder weather, the rodents were migrating into the offices. Every morning, staff is occupied with cleaning up mouse droppings with Clorox solutions. We are instructed not to sweep, but to follow the Sanitation collection and disposition protocol we don't have large trash receptacles or bins since the housekeepers empty our office trash receptacles. We are fortunate that we do not have a rodent problem in Dilkon since the building is relatively new. Staff have been instructed not to store food or eat in their offices; there is a lunch area complete with microwave, coffee master, refrigerator, stove and sink to clean used dinnerware and utensil.

The Ganado Family Services Unit proposal is still on going, currently in the planning stages for the first meeting.

The Region's Case Management Specialist has not been fulfilled.

Suggestion: Advertise position to college students during their breaks, preferably majoring in social work,

psychology or behavioral health or related field.

Staff status: Five Case Management Specialist, one advertised not filled yet.

Travel authorization takes too long for approval and case reviews become overdue, sometimes severely past due.

Suggestion: Case review is continuous routine, implement blanket TA.

P-CARDS: All FD & Dilkon/DSS turned in P-Cards due to abuse. Suggestion: payroll deduction from those employee who abused/misuse the P-card for non-business activities, have them be accountable for their action/behavior.

Caseload ratio remains above 90% more than what is called for. CMS continues to keep case review updated; yet they still fall behind.

The ALTCS program has about 53 members – eight out of 53 are HCBS and the rest in nursing facility. HCBS case reviews are every 90 days and for nursing facility every 6 months or 180 days. Over half of these cases are past due since October to present. The ALTCS program manager carries at least 22 caseloads in the nursing facilities. Two members reside in the Assisted Living and three in the home community base. The ALTCS supervisor puts together the other CMS due caseloads for review rather than making trips 2 or 3 times in one month time to conduct off reservation case reviews. The ALTCS staff will alternate case reviews off reservation including conducting other case reviews for their peers.

Increasingly, the ALTCS staff do not take care of assigned vehicles; one (1) was damaged and is currently in the shop. Regular maintenance is not followed which is negligence.

ALTCS program has been sharing office with the administrative staff, and it is a very congested place where there is no privacy (confidentiality) for members when they come in to see their case manager. The building is old, unsafe and fire hazardous by usage of excessive electrical extensions to operate office equipments and heaters. The ALTCS program needs to have its own building with a fenced in property for safety measures and to protect the building and tribal vehicles from vandalism. There is not enough room for client(s) in wheel chair whom visits our office. This is violation of handicapped services to people with disabilities and no parking space for the handicap, the wheelchair ramp is also beginning to show signs of deterioration – a safety issue.

Regional Director to advocate for a Case Management Specialist position. The one Case Management Specialist is overwhelmed with court ordered home studies, CHINS cases, and regular CWA cases.

Need to meet with Window Rock Family Court Judges about Court Order home study investigations that are being requested within one month and it is not enough time.

Need of an Intake Worker for the Ft Defiance Office.

Need to advertise the Principal Social Services Representative/Adult Protective Services Position.

The continuous problem on the lack of office building/space for Fort Defiance and Ganado FFAU program/staff. It is overcrowded, staff pair up to share office space, and there is no privacy for caseworker and clients for interviews and re-certification reviews.

Lack of assigned vehicle for the Caseworker Supervisor to continue to monitor and certify case file for the two FFAU Office in Dilkon and Ganado.

Our networking is problematic. Our intake system is connected to NNSS site and our connection to Central MIS is always disrupted. It is hard to track intakes and assignments using our IMS.

Our office is over crowded. We have several staff sharing office space and it interferes with the confidentiality of information when there is more than one client being served. It is unsafe because are electricity setup is not suppose to have the amount of electrical use we currently have.

Clients are crammed into one small waiting area and our hallways passage is limited due to filecabinets and boxes that we have no other space to store.

Central MIS to coordinate with our Information Specialist to resolve the problems causing breakdown.

Our issue filed with Executive Director has not been resolved regarding improving leadership and maintaining quality in management.

As a supervisor, I cannot make recommendations for workers to receive much deserved step increases because our performance evaluations are not completed within the timeline. Those administrators become consistent in following the Personnel Manual so worker's evaluations are completed within timeline and our issues addressed according to protocol.

The Region's Financial Services Staff have concerns that cases are not reviewed and certified in a timely matter leading to perceived staff inattentiveness from the public. Financial staff are also concerned that they were not properly

supervised for a 2-3 week period when the Financial Supervisor reportedly informed staff that she was not under the 638-program, thus was unable to provide guidance and supervision.

Several Financial Staff continue to have problems with their computers that they perceive are not being addressed. Computer Tech worker makes office visits every 3-4 weeks and is not sufficient to meet the FSU needs. The financial staff workers with computer problems are unable to print and access the Internet.

Confidentiality and rumors continue to be a concern particularly after program management meetings. Confidential and privileged information continue to be leaked out to the direct services workers leading to poor staff morale and suspicion directed at management and staff. The Computer Tech recently approached this SW and questioned that she heard complaints about her during the Program Manager's meeting when the discussion revolved more of concerns than complaints.

The ALTCS Programs requesting for more training on job related issues obtaining to their clientele.

The ALTCS Program requesting for additional Case Manager.

The ALTCS program is in need of an addition vehicle and case manager.

Shiprock Regional Office

No report submitted.

Western Navajo Regional Office

Kayenta sub-office has been closed since December 14, 2009, at the recommendation of the Office of Safety and Health Administration (OSHA) due to no heating in the office. The heater/cooler combination unit burned out during the week of December 7, 2009. A heater/cooler combination unit has been ordered and received by Facility Maintenance Department in Fort Defiance. Working crew is expected to be out this week to work on installing the unit. We hope to have all staff back in the office next week. Now, they are stationed at the prosecutor's office in Kayenta; other staff are generally out in the field daily, such as the Home Care Workers and direct service staff. Financial Assistance staff are on doing intakes at the chapter houses.

LIHEAP/CSBG intake responsibility should rest with NDSS. Getting other organization involved such as Dine Forgotten People and Dine Home Owners Association, Inc., is not doing us any good. Even though we go through orientations with these groups, the applications they turn in are incomplete, not properly supported with requirement documents, done in hasty-like manner and our staff have to redo applications or request for appropriate support documents

Recommendations: NDSS has LIHEAP and CSBG Detail Plans [Navajo Nation plans] and guidelines which supplements NDSS Case Management and Professional Standards. We have guidelines which we should be using. If we are not going to use our Detail Plans and Guidelines, what's the sense of having these policies? Dine Forgotten People organization and Dine Home Owners Association, Inc. should refer potential applicants to NDSS Offices. Let us do intake per LIHEAP and CSGB plans and guidelines. In the event of an audit, we are accountable and responsible for the outcome. An alternative would be to have Dine Forgotten People and Dine Home Owners Associations, Inc., assign a worker to our office to do intake for their selected individuals and families.

ALTCS: Attendant Care providers can not be paid to provide skilled care; there is a need for skilled care services on the Navajo Nation; It would be very beneficial for all regional ALTCS Offices to have their own Program Contractor ID number from the AHCCCS Administration, our office would be able to have statistical information specific to our caseload and manage our own administrative responsibilities, audits completed could reflect the agency more accurately; The Division of Health and Division of Social Services have similar services and at times serve the same clients. There is a need to streamline programs and expand the service delivery system.

NAVAJO
DIVISION OF TRANSPORTATION



TOM PLATERO
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
DIVISION OF TRANSPORTATION
Third Quarterly Report—Fiscal Year 2010
(April – May – June 2010)

I. PROGRAM INFORMATION:

Division Executive Director:	Tom Platero
Telephone No.:	928-871-6498
Facsimile No:	928-871-7987
Web Address:	www.navajodot.org

Departments:

Capital Projects	Regina Clauschee, Acting Manager
Engineering Section	Michele Morris, Acting Program Manager I
Transportation Planning Section	Riley Wilson, Program Manager II
Road Maintenance Section	Ray Barney, Program Supervisor
Airport Section	Emerson Tracey, Program Supervisor

II. SIGNIFICANT ACCOMPLISHMENTS:

- Navajo Division of Transportation's administrative complex is roughly 98% complete and funding has been secured. We just need to complete two contracts: 93-638 contract with BIA and contractor's contract. The building is anticipated to complete construction by December 2011.
- The first two Navajo DOT road yards, Pinon and Dilkon, are being constructed. Anticipated construction completion is September 2010. Once the buildings are dedicated, we will open it up to the public. Funding for this project was a joint effort between the Navajo Nation and Navajo County. The County has been an exceptional partner in this process. Picture on the front cover of this report is of the Dilkon yard.
- The Division held a two-day Division strategic planning work session (April 28-30, 2010). The session allowed multiple stakeholders to help us identify priorities. The group consisted of internal and external partners. In this next quarter, we will finalize this plan so it is included in our FY 2011 budget presentations.
- Funding for \$15.7 and \$3.9 million was secured with the passage of an updated TTIP for FY 2010. These funds provided funding for the Transportation Complex and expansion of road maintenance services by Navajo DOT.
- The Fuel Excise Tax Road Fund Management Plan was amended. The legislation approved by TCDC and Budget and Finance revised language to coincide with our new Division status. It also provided changes to annual appropriations for Navajo DOT as well as project eligibility clarifications.
- Met with Larry Echo Hawk, Assistant Secretary for Department of Interior, in regards to Navajo Nation's position on the Question 10 – Indian Reservation Roads Funding Distribution formula. Mr. Echo Hawk was provided a thorough orientation on the misuse and abuse of the current funding formula. After this meeting, it was announced by Federal Highway Administration and Department of Interior that the position of the Navajo Nation will become a policy for IRR funding distribution beginning with FY 2012. This was a major victory for the Navajo Nation and should begin realizing expanded funding for road construction.
- Navajo DOT participated in Earth Day activities where we were involved in the community clean up. We also provided assistance to the Navajo Nation Zoo on their Zoofest activities. Each quarter, we try to be involved in a community service project.
- Navajo DOT is also involved in providing fuel to the St. Michaels Association for Special Education on their joint project with the Military Reserve. They are making improvement to their facilities. They do not have fueling facilities so Navajo DOT is providing the fuel so the project can stay on schedule.
- The Intergovernmental Agreement with New Mexico Department of Transportation was approved for the US 371/Navajo Route 9 junction. This safety project will assist with reducing accidents at this busy intersection.
- Navajo DOT provided a comprehensive legislative update to the Transportation and Community Development Committee (June 29-30). The Committee was not fully aware of all the innovative planning being done to expand transportation services for the Navajo People. It was a successful meeting. Below is another picture of our joint venture with Navajo County (Dilkon road yard):



- Navajo DOT has begun formulating the RealSystem project. This project will allow us to automate project reporting electronically for all Navajo Nation Fuel Excise Tax projects. It will provide a level of transparency that will benefit all stakeholders. The project will then be expanded to all section of Navajo DOT.
- The Northern Agency Road Committee sponsored the 1st Annual Road Summit (June 24-25) in Farmington, New Mexico. This was an excellent initiative of the ARC and Transportation Planning Program staff. Much information was shared with the Public. There has to be more of these type of events held to showcase the work being done.
- The transition of the Navajo Scenic Byway program is being implemented by Navajo DOT. Our initial meeting with the Phoenix Sky Harbor airport was very successful. We are laying the groundwork for establishing a long-term partnership with regional airports where potential tourists can gain knowledge about the Navajo Nation home lands.
- The Planning Department hosted a project update meeting on N55. This meeting brought the many stakeholders together. The project is needed for the residents of Alamo Chapter. The project has multi-jurisdictional issues due to its multiple land ownership status.
- The IT section has established teleconferencing via the web so that we can reduce the cost of holding meetings with our transportation partners. The next phase of this undertaking will be to enable video/teleconferencing which will be tested during the month of July 2010.
- The Inventory/GIS sections sponsored the Navajo Nation/ESRI GIS Summit (May 12-13) to educate internal and external stakeholders on Navajo DOT's GIS activities. The participants were educated on each section's activities. The event was well attended.
- Through our Arizona Partnership, a project leadership training was held April 1. This training was part of our efforts to transition leadership of the partnership's task teams from Arizona DOT to Navajo DOT. After this training, all leadership roles for task teams were officially transferred to Navajo DOT.

III. STATUS OF ON-GOING PROJECTS AND INITIATIVES:

- Fuel Excise Tax/Road Funds – A recommended update of the Fuel Excise Tax fund management plan has been approved by the Transportation and Community Development Committee and the Budget and Finance Committee. The change will be beneficial in stabilizing the Division's interest in operational funding.

- US 491: The negotiation of the \$31 million TIGER funding has reached a critical issue over payment of taxes utilizing discretionary funding. The lawyers from all stakeholders are working on a resolution so the project can proceed.
- 93-638 Road Maintenance Program: This initiative is presently on hold as the BIA's focus is to ensure the expenditure of all ARRA approved funds (IRR Road Construction and Road Maintenance).

IV. STATUS OF ACTION PLAN/CONDITION(S) OF APPROPRIATION:

- Formalizing Partnerships: The Navajo Division of Transportation continues to be the lead agency for the Arizona Transportation Partnership Group. We are initiating the process with the State of New Mexico's transportation entities within the next quarter.
- Supplemental Funding: The supplemental funding of \$15.7 (Transportation Complex) and \$3.9 (Road Maintenance) million has been approved with a modification of the Navajo Nation Tribal Transportation Improvement Plan. The contract with BIA will be completed within a few weeks.
- Condition(s) of Appropriation:
 - #22: All ARRA clearances for the Bureau of Indian Affairs ARRA projects have been completed. ARRA projects amounting to \$47.26 million in road construction projects are cleared. Completion date by 1st Quarter. Project lead: Michele Morris, Environmental Specialist.
 - #23: Agency Road Committees are holding centrally located meetings. Completion date by 1st Quarter. Project lead: Riley Wilson, Program Manager II.

V. OUTSTANDING ISSUES/RECOMMENDATIONS:

- None at this time.

NAVAJO ENVIRONMENTAL PROTECTION AGENCY



STEPHEN B. ETSITTY
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
ENVIRONMENTAL PROTECTION AGENCY – SURFACE & GROUND WATER PROTECTION DEPARTMENT
Third Quarterly Report—Fiscal Year 2010
(April – May – June 2010)

I. Department Information

Division Executive Director:	Stephen B. Etsitty
Acting Department Manager:	Yolanda Barney
Telephone No.:	928-871-7692
Facsimile No:	928-871-7996

Departments:

Water Quality/Navajo Pollutant Elimination Systems Programs	Patrick Antonio, Principal Hydrologist
Underground Injection Control	William Freeman, Senior Hydrologist

II. Accomplishments

A. Department Office:

Attended 19 meetings/conference calls relating to the following:

- Mtgs. with Ecosphere Environmental Services regarding the Wetlands Mapping Project “2010 Wetlands Development Grant.
- On-going Efforts with URS Corporation On the Node-to-Node, FY08 Exchange Network and follow-up on the completion of the Network Implementation Projects
- Mtgs with Tetra Tech Inc. on the “ICIS/NPDES” and “FY2009 Exchange Network” Contracts
- Mtgs with USEPA on Grant Reporting Requirements and status updates on current active Grants.
- Mtgs with NNOMB regarding FY2013 Budgets and IDC rates.
- Mtgs with NNOPVP regarding USEPA Grant Awards Acceptance, Reporting and Amendment protocols
- Wetlands Mapping Project extension and scope of work since some materials are readily available from BIA
- Tetra Tech.’s award of \$75,016 for the ICIS/NPDES Exchange project and kick-off of contract tasks
- 2013 External Funds Budget meeting with NNOMB
- Mtgs with Ecosphere Environmental Services and getting their assistance in Applying for the 2010 Wetlands Grant
- Mtgs regarding “Briefing Documents” for the 2010 Site Visits from USEPA Sr. Officials
- Mtgs with USEPA on Grant Reporting Requirements

FIELD INVESTIGATION

Attended two(2) Drinking Water Facility Inspections-Tonalea, AZ

Attended (1) field inspection in the Sothern St. Michaels area. Report of illegal dumping of solid waste in a culvert and also in a drainage area.

Attended a Failed Wastewater System Investigation-Ft. Defiance, AZ

ADMINISTRATION

JVA posted for the Vacant Environmental Specialist position under the Wetlands Project Grant.

Attended 23 meetings/conference calls relating to the following: -

- Mtgs. With Tetra Tech. Inc. regarding the “ICIS/NPDES” and FY2009 Exchange Network” Contracts, including efforts to get overall updates on the Navajo Nation’s established NEIEN Infrastructure and updates on user requirements.
- On-going Efforts with URS Corporation On the Node-to-Node, FY08 Exchange Network and follow-up on the completion of the Network Implementation Projects to complete ALL NEIEN Semi-Annual Reporting Requirements
- Mtgs with USEPA on Grant Reporting Requirements and status updates on current active Grants; including status, budget status, workplan requirements and any amendments needed.
- Mtgs with NNOMB regarding FY2013 Budgets and IDC rates, current grant status and updates on all funding through Grants.
- Mtgs with NNOPVP regarding USEPA Grant Award Acceptance of \$7M for the CISWA Projects.

Work continues with URS Corporation on the FY 2008 NEIEN Project. Work is currently focused on the attempts to successfully populate the WQX 2.0 schema. Training has also been provided by URS to several PWSS staff.

- Node-to-Node Environmental Information Exchange continues into the latter phase of contract tasks. There remains approximately 10% of work that still remains. Current activities include the trial runs at a successful flow of WQX data to the Exchange Network. Several attempts to flow data have been made, none successful.

- Negotiations with U.S. EPA are underway to extend several Grants, as needed to fully expend grant funding.

- Works on the FY2010 Wetlands RFP application with assistance from Ecosphere Environmental Services were completed and submitted on May 5, 2010

FY2013 Budgets Completed for the Water Programs

STAFF

Attended FMIS training for the 6B-Rollout on Purchasing and Procurement

Went to Chicago IL for the Exchange Network Node meeting

Went to Data User Conference Meeting at Indiana, IN

TRAINING:

B. WQ/NNPDES Program:

GOAL: Continue to implement permitting, compliance and enforcement capabilities to protect water quality.

Task 1(a): Conduct field investigations

- check to see if unpermitted discharge from the Alamo Chapter House lagoon was stopped by letter from Navajo EPA (discharge was stopped, transfer valves repaired, weeds removed); staff will draft letter acknowledging the correction of non-compliance issues; follow up inspection on Alamo Chapter House sewer lagoon system
- unpermitted release of wastewater from the Speedy's Truck Stop sewer lagoon system in Lupton, AZ into a drainage that is a tributary to the Puerco River. Inspection of the Speedy's Truck Stop sewer lagoon system (invited ADEQ to accompany; conference held day before the inspection)
- inspected consultant repair of faulty drainlines at the Tohajilee Community School WWTS drainfield; follow up to check repairs by consultant on Tohajilee Community School WWTF drainfield (2 more areas of surfacing WW identified); follow up on school WWTS drainfield (1 area of surfacing WW not repaired)
- overflowing NTUA sewer manhole in Church Rock, NM near the Puerco River (NTUA unplugged 2 manholes)
- 2x observed discharge from the BIA Seba Delkai School WWTF (NN0110183)
- 2x observed sewage sludge that was removed from the BIA Ojo Encino Day School WWTF (NN0020915) and stored on-site; sludge was removed from the site; tour of the new BIA Ojo Encino Day School and upgrades to the school's WWTF
- 2x observed on-going discharge from the BIA Pueblo Pintado School WWTF (NN0020991)
- NTUA Navajo Townsite WWTF (NN0030335) discharge was yellowish in color with bubbles
- BIA Lukachukai School WWTF (NN0030339) where BIA wants to remove sewage sludge
- BIA Jeehdeez'a Academy WWTF (NN0030337) where BIA wants to terminate NPDES permit coverage
- inspection of the BIA Borrego Pass School WWTF
- inspection of the BIA Baca School WWTF
- site inspection of the NTUA LeChee WWTF (no problems)
- collapsed septic tank at a Houck, AZ residence
- faulty septic system at Tse Bonito, NM residence
- faulty septic system at Houck, AZ residence (system has no drainfield)
- inspection of faulty residential septic system drainfield in Upper Fruitland, NM (non-compliance letter to be sent to homeowner); follow up inspection of faulty residential septic system in Fruitland, NM
- Twin Lakes Chapter faulty septic system (problem corrected)
- faulty residential septic system in Red Mesa, AZ
- faulty residential septic system in Ft. Defiance, AZ (met with resident & homeowner)
- detailed review of the new Cromaglass WWTS used at the BIA Lake Valley Boarding School
- recon with NNAML on several abandoned uranium mines in the Teec Nos Pos and Sweetwater Chapters where reclamation access will require crossing of the Teec Nos Pos Wash and Toh Chin Lini Wash (401 Cert applications will be forthcoming)
- field review of BIA road project on N21 in Kaibeto, AZ
- field review of BIA road project on N11 in the Mariano Lake Chapter
- 401/404 and storm water issues at proposed LDS church site in Alamo, NM

- 401/404 of NNDOT projects in the Tsale, AZ area
- 401/404 of NNDOT dirt road maintenance projects in Tsale/Wheatfields Chapter
- 401/404 of NMDOT maintenance work in Alamo, NM (bridge by convenience store)
- 401/404 of the Ft. Defiance baseball field complex (site meeting with NNDOT & NN Youth Dev)
- 401/404 of channelization work by the Shiprock Irrigation Office at the Cudeii canal
- 401/404 on last phase of BIA Road project on N16 in Navajo Mountain, UT
- showed COE native plants at Navajo Monument Part that are used by Navajos
- jurisdictional determination by COE on crossings on the N16 road project in Navajo Mountain
- site visit with COE to proposed Navajo Mountain water tank site
- oil in seeping NTUA waterwell in Sanostee, NM; report sent to Acting SGWP Dept Director; follow up on NTUA work on a water well in Sanostee, NM leaking oil (removed cap and inner casing; lined pond holding 10 gpm flow; plan to properly cap after hydrogeologic assessment; oil being skimmed off of pond water); explained roles of WQ/NNPDES and PWSS Programs to the Sanostee Chapter acting Community Coordinator
- several small unreported spills and pipeline repairs at the Hart Oil & Gas lease
- proposed oil well in Bluff, UT by Trinity Petroleum Mgmt (no WQ concerns)
- proposed BIA Road's material yard in Tolani Lake for road project on Hopi Reservation
- tour of recent discharge at Outfall No. 2 at the BHP Navajo Mine (NN0028193); NNOSM is concerned about the release; R9 CWA Compliance Office unaware since BHP sent letters to a different office
- flowing No. 1 Foshay well that is releasing salt-laden ground water that is flowing into the Bisti Wilderness Area
- Cudeii canal improvement project by iina'ba (cleared vegetation and bulldozing)
- observed treatment impoundments at Nacogdoches Oil & Gas lease in Hospah, NM (upstream of NN lands)
- clearing of trail on west bank of San Juan River just downstream of bridge in Shiprock, NM
- trash dumping into a wash near a Ft. Defiance, AZ residence
- 2x trash dumping in canyon SW of the St. Michaels Chapter House
- follow up on overflowing NTUA sewer manhole behind Hubbell's Trading Post (problem corrected)
- follow up on faulty residential septic system in Ganado, AZ (IHS to work with resident)
- follow up inspection on faulty septic system at Red Mesa, AZ residence (request of support letter)
- follow up inspection on Nacogdoches Oil & Gas facility in Red Mesa (some oil still in drainage)
- follow up inspection on Red Mesa School WWTF (2 ft of freeboard)
- follow up inspection on faulty septic system at Ft. Defiance, AZ residence
- follow up on faulty septic system at Lupton, AZ residence
- follow up inspection to check cleanup of overflowing NTUA sewer manhole in Church Rock, NM near the Puerco River
- 2 follow up inspections of pooling wastewater in the drainfield of the Tohajiilee Community School WWTS

Task 1(b): Draft NPDES permit renewals

- The following NPDES permit renewals were sent to EPA Region 9: BIA Ojo Encino School WWTF (NN0020915), BIA Crystal School WWTF (NN0020869), BIA Wingate High School WWTF (NN0020958), NTUA Ganado WWTF (NN0022195), and Nacogdoches Oil & Gas (NN0020133), and NTUA Window Rock WWTF (NN0021555) fact sheet only
- meeting with EPNG on proposed release of hydrostatic test water on its pipeline near Lower Greasewood, AZ as part of federal requirements to test pipelines near populated areas
- discussion with BIA ESB who are considering not reapplying for an NPDES permit for the Ojo Encino Day School WWTF (NN0020915)
- provided CWA Part 503 (sewage sludge) info to consultant for Ch'ooshgai Community School
- notified EPA R9 of inquiries by San Juan Citizen's Alliance on the NPDES permit for the APS Four Corners Power Plant and other power plant and fly ash issues

Task 1(c): Conduct NPDES Compliance/Enforcement Inspections (CEIs)

- conducted NPDES CEI at the NTUA Window Rock WWTF (NN0021555)
- conducted NPDES CEI at the NTUA Tuba City WWTF (NN0020290)
- conducted NPDES CEI at the BIA Torreon School WWTF (NN0030341)

- report on the 2009 NPDES CEI for APS Four Corners Power Plant (NN0000019) finalized
- report on the 2009 NPDES CEI for the BIA Ojo Encino Day School WWTF (NN0020915) was finalized
- report on the 2009 NPDES CEI for the BIA Jeehdeez'a Academy WWTF (NN0030337) was finalized
- discussion with R9 on the 2009 CEI report for Peabody Western Coal Company
- sent EPA R9 CWA Compliance Office the last 5 remaining NPDES CEI reports for past CEIs conducted by program staff
- sent copy of 2009 CEI reports on NTUA Shiprock WWTP & NTUA Tuba City WWTF to NTUA (HB)
- revised NPDES CEI report for Nacogdoches Oil & Gas facility per EPA R9 comments

Task 1(d): Conduct storm water construction inspections

- St. Michaels Special Education Association (no SWPPP, no NOI)
- storm water inspection on construction of the Newlands Shopping Center in Sanders, AZ
- storm water inspection on construction at Ganado Group Home
- storm water inspection at the Leupp School housing units (construction 70% completed)
- storm water inspection of Transwestern Pipeline recoating of 1,500 feet of gas pipeline between Dilkon and Birdsprings
- storm water inspection of the US 491 hot asphalt plant in Little Water, NM

Task 1(e): Conduct storm water industrial inspections

- storm water inspection at the Antelope Point Marina

Task 1(f): Conduct CAFO inspection at NAPI

- NAPI CAFO: discussion with NAPI on status of the Cow Camp feedlot; received update on NAPI feedlot activities (Cow Camp feedlot lessee is to move into the Sheep Camp feedlot)

Task 1(g): Improve compliance monitoring & enforcement activities

- Non-compliance at Teesto Wash: discussions with COE, NN Water Code, NNDOT, and Navajo County; Navajo County obtained a water use permit for Well 7T522 in Dilkon, AZ; discussion with COE, NNDOT and NN Water Code; letter to NNDNR Division Director to reclaim pit dug in Teestoh Wash; forward dept-issued non-compliance letter to COE; discussion with Navajo County and NN Water Code on noncompliance issues; meeting with Navajo County rep who said the pit was filled and requested a meeting on developing water resources in the Dilkon-Teestoh area
- Non-Compliance at Black Creek/I40: discussion with COE on ADOT non-compliance with 401 Cert, NNSWQS and NNCWA, and discussed mitigation plans; discussions with ADOT who are requesting a site visit; discussion with ADOT environmental compliance staff on subcontractor issues; discussion with SGWD Dept Director on ADOT response to our non-compliance letter; discussion with COE on ADOT response; meeting with SGWPD Dept Director on the non-compliance issues; ADOT notified the program of plans to address/correct non-compliance issues; site visit to observe ADOT removing fill that was placed in Black Creek
- check to see if unpermitted discharge from the Alamo Chapter House lagoon was stopped by letter from Navajo EPA; discharge was stopped, transfer valves repaired, weeds removed; staff will draft letter acknowledging the correction of non-compliance issues
- letter to Planetary Engineering who are consultants to Tohajilee Community School for its AdvanTex Treatment System concerning the surfacing of wastewater within the system's drianfield area; consultant will assess the problem
- update from Smith Energy on cleanup of oil spill near the UT/CO border; cleanup pending NNEPA review
- discussion with EPA R9 on P-20 remediation project (Resolute's desire to shut down extraction operation but continue monitoring wells; EPA looking to pass oversight to NNEPA); sent comments to EPA R9 on Resolute's proposal moving to a passive recovery operation at the P-20 site
- provided EPA R9 with contact info for Chevron McKinley Mine for DMR purposes
- provided address to EPA R9 of CONSOL contact to receive DMRs
- EPA R9 CWA Compliance Office provided update on BHP's response to a release of pond water at the Navajo Mine
- reviewed DMRs for NTUA Kayenta WWTF, NTUA Tuba City WWTF, NTUA Window Rock WWTF, NTUA Shiprock WWTP, NTUA Chinle WWTF, NTUA Ganado WWTF, NTUA Pinon WWTF, NTUA Navajo Townsite WWTF, BIA Lukachukai School WWTF, BIA Jeehdeez'a Academy WWTF, BIA Nazlini School WWTF, BIA Tiis Nas Bas School WWTF, BIA Hunters Point School WWTF, BIA Seba Delkai School WWTF, BIA Pueblo Pintado School WWTF, BIA Ojo Encino

School WWTF, BIA Lake Valley School WWTF, BIA Wingate HS WWTF, BIA Torreon School WWTF, BIA Crystal School WWTF, Peabody Western Coal Company, APS Four Corners Power Plant, Nacogdoches Oil & Gas, Chevron McKinley Mine

Task 1(h): Participate in monthly NPDES conference calls with EPA

- biweekly conference call with EPA R9 NPDES point of contact on April 14th, May 26th, June 9th, & June 23rd
- provided info to USEPA R9 on NPDES CEIs and storm water inspections performed by the program in the first two quarters of FY 2010

2. GOAL: Continue to operate the Navajo Nation 401 Certification program

Task 2(a): Determine 401/404 applicability

- USGS removal of a gauge station on the Little Colorado River at Grand Falls (may need 401 Certification; NN Water Mgmt Dept has no funds to continue its operation)
- use of Black Creek water on sawdust fire at NFPI
- discussion with COE about the Cudeii canal sites (sent COE detailed report)
- discussion with NMDOT on drainage systems upgrades in Alamo, NM
- discussion with BIA on changes to N11 design plan
- discussion with NNAML on applicability to various UMTRA sites
- discussion with consultant on 401 Certification
- proposed house on allotted land near Crownpoint, NM
- NTUA installation of fiber optic cable throughout the NN
- 25 NTUA scattered projects on the Defiance Plateau
- NTUA sanitary facilities for single family home in Sawmill, AZ (no effect)
- 18 NNDOT road projects, e.g. N9707 Crystal Chapter and N329 Mexican Springs Chapter
- BIA concerning jurisdictional status of two drainages on the N16 road project at Navajo Mountain, UT
- BIA proposed drainage crossing designs on the N11 road project
- BIA proposed road project in the Rock Point, AZ area
- NN Water Code on NTUA plan to implement directional drilling for waterline crossings in Ganado
- wetland clearance per request of Native Planning Environmental
- suggested Little Colorado River and Moenkopi Wash for the COE's study of Ordinary High Water Marks
- IHS NEPA coordinator may not understand the 401 Certification process as evident by work on the Q-42 waterline project from Cameron, AZ to Shadow Mountain, AZ; discussion with IHS on applicability of 401 Cert regulations on IHS projects (will have internal program meeting followed by another meeting with IHS)
- WesPac inquiry on 401 Cert for waterline crossing of drainage from the Ft. Defiance baseball field complex
- discussion with BIA on who makes jurisdictional determinations for 404 permits
- conference call with Apache County on the Wheatfields Creek crossing (county is aware of 401/404 requirements)

Task 2(b): Issue tribal 401 Certifications

- 401 Cert for UDOT Halchita Bridge at Gypsum Creek (2010-0015TC): iina' ba made formal inquiry on 401 Cert application; discussion with COE on applying NWP 14; continued completeness review; sent out incompleteness letter; discussion with consultant on issues; sent out incompleteness letter; site visit with COE; site visit with COE (discussed proposed project, NWP applicability, stream channel classification & incompleteness letter; delineated ordinary high water mark, looked at site vegetation, & looked at alkali wetlands)
- 401 Cert for NPDES Permit Renewal for BIA Ojo Encino Day School WWTF (2010-0057WR) and for NTUA Ganado WWTF (2010-0058WR): final Certs drafted for approval for both facilities
- 401 Cert for NPDES Permit for Chevron McKinley Mine (2010-0053WR): company rep dropped of fee check; final Cert drafted for acting Dept Director's signature; final Cert issued
- 401 Cert for Proposed Sand & Gravel near Hogback, NM by Dibe Niitsa (2010-0016SR): read through documentation; visited site to obtain oil well info; reviewed documents on pit closures of well within the footprint of the proposed gravel operation; talked with operators of well operator to see if the pits were officially closed; talked to BIA & NNEPA OER to see if EA has been approved; talked with NN Minerals concerning the abandoned oil field within the proposed operation; talked with President of Dibe Niitsa

- 401 Cert for NNAML for Monument Valley UMTRA Site: request from NNAML to assist in attaining Cert for recent discovery of contaminated soil at the site
- 401 Cert for ADOT 160 Project at Tsegi (2010-0014TC): application completeness review; sent ADOT completeness letter; sent public notice to Kayenta Chapter
- 401 Cert for NN Water Development for Water Tank at Navajo Mountain (2009-0047WR): inquired about the project (awarded but construction yet to start)
- 401 Cert for Proposed Sand & Gravel near Hogback, NM by Dibe Niista (2010-0017SR): reviewed info from Dibe Niista on proposed sand and gravel mine near the Hogback; letter to Dibe Niista regarding their proposed sand and gravel operation near the Hogback
- 401 Cert for Proposed Realignment of N8009 in Rock Point, AZ (2010-0016SR): looked through application package; site inspection; discussion with COE; wrote incompleteness letter
- 401 Cert for BIA Kaibeto Road Project (2010-0016TC): discussion with BIA on proposed box culvert in Kaibeto Wash; received digital application, need original from BIA; discussion with BIA; assisted BIA in filling out application; spoke with BIA on Cert timeline and the project
- 401 Cert for NNDOT Black Mesa-Oraibi Wash Project (2009-0032WR): NNDOT inquired on status of Cert (incompleteness letter sent to BIA subcontractor some time ago & resent again)
- meeting with COE and Cudeii Chapter officials on work done on drainages flowing by the Cudeii Canal (401/404 likely needed)

Task 2(c): Maintain 401 Certification database

- updating database with plan to post active 401 Certs for public viewing

GOAL: Continue to implement the NNSWQS program

Task 3(a): Apply NNSWQS to other programs

- discussion with Chevron McKinley Mine staff on NNSWQS implications on impoundments proposed to be made permanent
- Chevron McKinley Mine staff appear to not understand our requirements concerning post-mining surface impoundments needing to meet the NNSQWS

Task 3(b): Initiate preliminary process for the next triennial review of the NNSWQS

- discussion with EPA about mercury criteria; began updating Designated Use table with changes to water body listing and designated uses; began strikethrough and underline
- discussion with NN Heritage Program on the Bald Eagle range as it pertains to the applicability of our mercury standard in the NNSWQS
- reviewed list from NNFWD of waterbodies where Bald Eagles fish and will modify standards based on this info

4. GOAL: Continue to implement the NPS management program

Task 4(a): Oversee on-going NPS Projects

- Elkins Ranch: site recon with YCC coordinator to determine how much maintenance is needed on the erosion control structures installed last year (1-2 days); completed maintenance of rock structures installed in 2009
- Roanhorse Project: relocated 5,000-gallon water tanks
- Hardy Ranch: revised contract for contractors per DOJ direction to use new contract format; Zeedyk and Gadzia contracts at OPVP; contract for Rick's Backhoe Service signed by NNEPA Executive Director; mailed out finalized project contracts to Bill Zeedyk and Kirk Gadzia; still dealing with NNDOJ issues on proposed contracts with Rngeland Hands and Rick's Backhoe Service; contract for Rngeland Hands signed; contracts for Rick's Backhoe Service and Rngeland Hands finalized and sent out; met with BIA and John Hardy to initiate

the 319 project

- Austin Ranch: proposal awarded (\$150,00.00) under the FY 2011 CWA PPG; site visit with Integrated Vegetative Management contractor

Task 4(b): Develop & submit NPS proposal

[Completed: proposal selected by EPA and included in FY 2011 CWA PPG application; See Austin Ranch info in Task 4(a)]

- recon potential 319 grant site on the Defiance Plateau (does not warrant a full blown grant but implementation of mitigation techniques to address erosion problems)

Task 4(c): Implement NPS management initiatives

- provided SGWPD Dept Director with status of active NPS grants

5. GOAL: Continue to implement the WQ monitoring program

Task 5(a): Determine physical, chemical and biological conditions of waterbodies and evaluate them against WQ indicators

- sampled from: Mancos River
Montezuma Creek
Alamo Wash
Chinde Wash above BHP
Morgan Lake blowdown
Captain Tom Wash
Rio Puerco
Ojo Amarillo
Bluewater Creek
- McElmo Creek
Gallegos Canyon
Red Willow Wash
Chinde Wash below BHP
Chaco Wash near APS
Sanostee Wash
Montezuma Creek
Mancos River
Alamo Creek
- Blanco Canyon
Bluewater Creek
lower Captain Tom Wash
Chaco Wash at Burnham
Chaco Wash at N36 bridge
Bitsui Wash
McElmo Creek
Gallegos Canyon
- collected field parameters at multiple sites around Chaco Wash as part of fly ash study
- resolved holding time issues for dissolved samples with contract analytical lab
- resolved problems with filters from Geotech (will return defective filters to Geotech)
- delineated new access route to WQ sample collection point on the Puerco River (previous route was on land owned by Laguna Tribe)
- sent out letter to UDEQ approving access to the McElmo and Montezuma Creeks as part of EPA's National Rivers and Streams Assessment study
- QAPP: finished Section A, Project Management Elements; starting Section B, Data Generation and Acquisition Elements
- Contract analytical lab: processed invoice; received notice that Columbia Analytical Services has been bought out by Xenco Laboratories (need W-9, debarment & suspension notice, PO change notice); reviewed WQ analytical data received so far from the contract lab; over-billing on a mercury analysis which will be credited to the program; tour of lab subcontracted by Columbia Analytical Services to perform radionuclide analyses on our WQ samples

Task 5(b): Maintain a WQ monitoring database

- preparing data for the property owner of the land used to access the Bluewater Creek sample site
- responded to URS request for clarification on some of our units used in the WQX database

Task 5(c): Prepare WQ assessment report involving designated use attainability determinations

- used a spreadsheet to calculate discharges using data from field sampling forms for samples collected in 2008 & 2009

Task 5(d): Submit WQ data to EPA

- prepared update for SGWPD Dept Director on WQ database and our WQX capabilities

Task 5(e): Revise WQ monitoring strategy if needed

- non-applicable

Task 5(f): Conduct annual assessment of the WQ monitoring program, QAPP and WQ database

- an on-going activity

6. GOAL: Continue transition from a federal to a tribal NPDES program

Task 6(a): Obtain NPDES program delegation

- NPDES PSA: EPA R9 current view is to hold off on primacy until the program reaches appropriate permitting and inspection proficiencies
- NPDES TAS: more work on revising jurisdictional map at the NN Land Office

Task 6(b): Implement MOA between EPA and Navajo Nation

Task 6(c): Coordinate on permits, compliance and enforcement

7. GOAL: Continue to implement the WQ education and outreach program

Task 7(a): Conduct presentations to students (35)

- Tsehootsooi Mid School Career Day (19x)
- McKinley County Youth Water & Energy Awareness Day at Red Rock State Park (7x)
- McKinley County Youth Water & Energy Awareness Day at Miyamura HS (9x)

Task 7(b): Conduct general public presentations (13)

- CWA presentations at NN Division of Natural Resources’ annual conference (2x)
- storm water presentation at NN Division of Natural Resources’ annual conference
- WQ presentation at NN Division of Natural Resources’ annual conference
- WQ presentation at 1st Annual Northern Agency Road Summit
- 401 Cert presentation at 1st Annual Northern Agency Road Summit
- CWA presentation at 1st Annual Northern Agency Road Summit
- WQ outreach on KNDN radio station in Farmington, NM
- CWA outreach on KNDN radio station in Farmington, NM
- Tolani Lake Chapter community coordinator
- 401 Cert to consultant (Suzy Baldwin)
- 401 Cert to USGS
- 401 Cert to Apache County

Task 7(c): Issue quarterly program newsletter

- updating newsletter format for placement on program website being developed

8. Continue tribal WQ staff training

Task 8(a): Attend WQ-related, WET and other technical courses

Name of Training Course	Training Site	Staff Attending
WTI “Wetland Delineation”	Sacramento, CA	LAM
LSI “Tribal Energy in the Southwest”	Albuquerque, NM	NB

“Wastewater Lagoon Troubleshooting”	Santa Ana, NM	PA, RB, NB, DBR
3rd workshop by Nature Conervancy on the San Juan River Conservation Action Plan	Albuquerque, NM	TM, SA
Integrated Vegetative Management workshop at NN Forestry	Ft. Defiance, AZ	TM, MO

Task 8(b): Attend health and safety recertification: none

Task 8(c): Attend EPA conferences/workshops

Name of Training Course	Training Site	Staff Attending
EPA “NetDMR Introduction”	webinar	PA

Continue to provide technical assistance, grants management, and office administration

Task 9(a): Provide clerical/office administrative support

- IP is providing excellent clerical/office administrative support

Task 9(b): Provide CWA-related technical assistance

- No. 1 Foshay flowing well: site is Navajo patented land; salt-laden flow onto State, Bisti Wilderness Area, and back onto NN Trust into Hunter Wash; potential concern that a drinking water aquifer may be impacted if the casing integrity is as bad as the well head; memo to PWSSP and Water Resources Dept on the need to coordinate to address this problem well; several discussions with BLM; inspection report sent to PWSSP and Water Resources Dept; summary of program actions to date sent to BLM; requested info on patented land from BIA, NNEPA OER, etc.; BIA stated they are not involved with patented lands; staff made site visit as prep for possible earthmoving work with the program’s tractor to divert water flow into the Bisti Wilderness Area; staff will contact NN Historic Preservation,

NN Heritage Program, and ONHIR; discussion with NN Water Resources Mgmt who concurred with our plan to divert flow into the Bisti National Wilderness; meeting with NNEPA Executive Director on letter to the Office of Navajo-Hopi Indian Relocation who have oversight on the land; meeting with ONLA; left issue paper with the Navajo-Hopi Land Commission; site visit to check if diversion of flow with shovels was still occurring; BLM is very happy with our actions; another meeting with ONLA; used program tractor to stop flow to the north toward Bisti and diverted into ponds east of the well; reworked letter to ONHIR; follow up site visit shows no flow leaving the ponds and running down to the Bisti Wilderness Area

- Uranium Issues: updated DOJ on DOE’s quarterly UMTRA meeting; checked to see if recent precip events have caused any significant flow events in Many Devils Wash next to the Shiprock UMTRA site; checked Shiprock UMTRA back ground wells in the floodplain to find source of increased contaminant concentrations; observed USEPA R9 presentation to the Resources Committee on the 5-year plan in dealing with uranium impacts on the Navajo Nation; participated in annual inspection of the Shiprock UMTRA site
- Fly Ash: discussion with San Juan Citizen’s Alliance on the NPDES permit for the APS Four Corners Power Plant and other power plant and fly ash issues
- US 491: requested SWPPP for Segments 7 & 8 where construction has begun
- Wetlands: conference call with Ecosphere Environmental Services on development of a proposal for next year; reviewed proposal for new wetlands grant; proposal for the next wetlands grant was not selected by USEPA; participated in a job interview of an applicant for the Environmental Specialist position under the Wetlands budget
- Alamo Chapter Lagoon System: check to see if unpermitted discharge from the Alamo Chapter House lagoon was stopped be letter from Navajo EPA (discharge was stopped, transfer valves repaired, weeds removed); staff will draft letter acknowledging the correction of non-compliance

issues; meeting with JEL on the proposed WW treatment system for the Alamo Chapter/community (plan calls for WW to be pumped to new lagoons 1.5 miles NW of the chapter; existing lagoons near the chapter will be reclaimed when new system comes on-line; JEL informed to follow new NN Domestic WW Regulations)

- updated Navajo grazing permittee on cleanup of crude oil spill by Smith Energy (final inspection pending cleanup of upstream sites on Ute Mountain Ute tribal land)
- meeting with Chairman of the Resources Committee and BHP rep concerning Nenahnezad Chapter request for BHP to upgrade an unused road for local use due to closure of existing road due to mine expansion (401/404 and storm water requirements will need to be complied with)
- meeting with NN Gaming Enterprise on status of proposed bingo operations in Hogback, NM (storm water & WW issues) and Chinle, AZ
- meeting with BIA OFMC in Albuquerque, NM on construction projects at Wingate High School, Pueblo Pintado Boarding School, and Ojo Encino Day School
- meeting with BIA in Gallup, NM concerning proposed sludge removal at the Wingate High School WWTF; letter sent to BIA indicated that the NPDES permit for the high school WWTF has specific sludge management language
- meeting with BIA and Integrated Vegetative Management contractor on BIA's Russian Olive and Tamarisk removal project in Ganado, AZ
- discussion with NMSU on BIA's plan to treat sprouts from last years removal of Russian Olive and Tamarisk in Ganado
- discussion with Denali Environmental on storm water and 401 requirements for proposed borrow pit for the N4 road project
- discussion with Brodrick Engineering on storm water requirements for proposed LDS church in Alamo, NM
- technical assistance to JHD Construction on storm water issues for a proposed Tuba City project
- researched the NM Liquid Waste Assistance Program that replace faulty septic systems for indigent families in Sandoval, Socorro, and Cibola counties
- discussion with NNFWD regarding a possible fish kill at Morgan Lake this past fall/winter (provided analytical info to NNFWD)
- inquiry from NN Tourism Office on requirements for waterless toilets to be placed at various businesses throughout the NN (researched NN Domestic WW Regulations and AZ APP rules)
- meeting in Low Mountain, AZ on erosion impacts to N8059
- discussion with Ganado landuser wanting to use old tires for erosion control in wash impacted by the nearby school bus yard and road
- inquiry from Oaksprings, AZ resident on the use of old tires for erosion control
- sent comments to contract attorney (Jill Grant) on NN Tax Commission's comments on the draft NNSPCC Regulations
- recon BIA's Russian Olive/Tamarisk removal project in Ganado, AZ
- discussion with NNEPA OER on the Captain Tom Dam rehab project
- contacted by ADOT HAZMAT about gasoline spill a truck near Dilkon, AZ
- BIA wants NN to draft proposal requesting FY 2010 unspent BIA monies for hiring a consultant to generate an Integrated Weed Management Plan; worked on executive summary for the Integrated Weed Mgmt Plan that is due to BIA on June 9, 2010
- Transwestern Pipeline Co. wants to develop a plan for changes in its on-going remediation at its Thoreau Compressor Station
- inquiries from GHD who are consultants for Red Mesa School concerning the school's over-capacitated WWTF
- inquiry from NMDOT on tribal requirements to access allotted lands in Mentmore, NM to address erosion from the Puerco River
- inquiry from LEDCOR on tribal requirements for an asphalt batch plant near Canyon de Chelly
- discussion with Tolani Lake Chapter President on proposed material yard for a road project on Hopi
- Navajo Utah Commission meeting in Oljeto, UT
- meeting on proposed LUST cleanups in Tuba City at the former Davis Chevrolet and Thriftway store (no CWA issues)
- review Nacodogches Oil & Gas' "Hospah Ponds Proposal" as provided by BLM
- tour of the Tohajil Community School AdvanTex Treatment System by the school's engineering consultant
- discussion with DEM on the WQ effects of forest fires
- provided info on program involvement with oil spills to NSP who are meeting with the Chairman of the Resources Committee on the NNCERCLA

Task 9(c): Each staff perform required administrative functions

- Resources Committee tabled the proposed NN Domestic Wastewater Regulations; Resources Committee passed the NN Domestic Wastewater Regulations (preceded by work session)
- submitted to NNEPA Executive Director requested 1-page paper on the program's regulatory authority in reference to NNAML request on NNEPA's regulatory function
- tour of the WWTP, located on Gila River Reservation, used by the City of Chandler
- tour of the Gila River Reservation's Lone Butte WWTP
- developed briefing paper (annual §106 funding target allocation) for visiting EPA Office of Water Asst. Administrator
- discussion with NNEPA IT group on installing wireless receiver on the Tuba City sub-office to allow access to node needed to access USEPA databases
- Sr. Environmental Specialist assisted Air Quality Program with job interviews
- completed 2103 budget forms requested by NN Washington, DC office
- WQ/NPDES Program staff meeting
- NNPDES staff meeting
- internal 401 Cert meeting
- annual employee performance appraisal for Sr. Environmental Specialist
- internal program on budget and expenditure status
- Principal Hydrologist attended NN FY 2011 budget orientation
- participated NNEPA trash pickup

Task 9(d): Submit application for FY 2011 CWA PPG

- EPA R9 Project Officer revealed current available FY 2011 funding of \$976,194 (funding for FY 2010 was \$1,025,000 with no IDC)
- FY 2011 CWA PPG application ready for signature prior to submittal to EPA (3 workplans & 3 budgets: 106, NPS competitive, Wetlands)
- EPA R9 Project Officer has an extra \$25,000 in 319-Base funds for our FY 2011 CWA PPG (will need to revise application, work plan and budgets)

10. Quarterly reporting for self-evaluation and joint-evaluation of annual PPG performance

Task 10(a): Report on task status, expenditures, accomplishments, environmental results, and problems impacting performance

- mid-year self-evaluation table sent to EPA R9 Project Officer

C. PWSS Program

Enforcement: 26 activities, 28 Notices of violations issued, and draft administrative order drafted.

Staff worked on the Navajo Nation DIME database, specifically the entry of enforcement action records for the Red Valley BIA School, PWSID# NN0432007.

Staff sent reminder faxes and letters to the owners/operators of systems who have failed to submit their bacteriological data for the months of April and May, 2010.

Staff received a phone call from Fire Rock Navajo Casino stating that NTUA takes their water quality TCR samples and handles all pick slip data results. Staff of the casino will fax over TCR copies.

Staff entered 56 Sanitary Survey deficiencies into DIME for the Farmington Rural Water System. The surface water systems need to be tracked in DIME for compliance purposes.

Staff conducted a DIME in-service session to enter and update enforcement action records and link the action records to the appropriate violation records in the Navajo Nation DIME database.

The quarterly FY2010-FQ2 SDWIS XML files were uploaded to the US EPA's CDX website.

Staff drafted an Administrative Order for the Ramah Pinehill's noncompliance of the arsenic requirements, sent to NN DOJ.

Staff continued researching school folders and writing letters regarding ERP, finding water quality data that is entered in DIME is not in folder, data is in folder and not entered, date entries have errors, and data is miss filed, or hard copy data cannot be found.

Staff issued 28 Notice of Violations to systems that are not in compliance with bacteae, nitrate/nitrite, and CCR requirements.

Staff began to address noncompliance activities under the new Enforcement Response Policy. Noncomplying systems were notified of their failure to comply. PWSSP worked to get several entities to submit their data, prepare consumer confidence reports, and to submit public notices. The data was entered into DIME (Direct Implementation Management Environment) and some were placed on a return to compliance status. Entries into DIME were corrected and past submittals of public notices were corrected. Schools were primary targets to ensure compliance both by the EPA-HQ, Region 9 and NNEPA. EPA advised PWSSP to issue bilateral agreements, NOVs, administrative orders to comply of systems in severe noncompliance and before June 30, 2010.

Staff drafted public notices for Red Mesa and Round Valley Schools and these were faxed to the operator. Staff drafted a public notice for Monument Valley (UT) High School and this was mailed to the operator.

Staff drafted the Tohatchi public notice, unable to find Nov 01, Dec 01, Jan 02, Feb 02, March 02, April 02, May 02, and June 02 total coliform data, there are no hard copies in file. Date is in Dime but not in file. Corrections to both the hard copy file and to DIME were made.

Staff participated in a conference call with EPA to discuss the ERPs for the Navajo Nation.

Staff drafted public notices for Pinehill, Red Mesa, Monument Valley, Round Rock, Tohatchi, and Rough Rock BIA.

Staff continued to work on public notices in an efficient and effective way to get public water system to respond. Even when public notices were complete for system they have not been returned.

Staff participated in the Alamo Water Users Board Meeting at the Alamo School Board conference room. Staff presented information regarding the ERP and asked them to begin sampling of their wells. They said they would sample Nitrate sample and continue Total Coliform sampling. The IOC, VOC, SOC and RADs will be done in October of 2010 when additional funding becomes available.

Staff assisted Canoncito Water System personnel with sampling their well. We collected IOCs, VOC, SOCs, and RADs, and local system personnel went on to deliver those samples to the NM Scientific Laboratory Division in Albuquerque, NM.

Staff participated in a conference call with United States Environmental Protection Agency (US EPA), Region 9, and discussed the radionuclide results for the NTUA Smith Lake\Church Rock Regional Water System (CWS), in the Navajo Nation DIME database. Region 9 was concerned that radionuclide results were exceeding the maximum contaminant levels. After researching the Navajo Nation DIME database, it was found that some results were entered incorrectly. Currently efforts are being conducted to correct those errors in the Navajo Nation DIME database.

Staff received a DIME update file from US EPA, Region 9, and updated the Navajo Nation DIME database to Version: 2.5.7, Date: 04/02/2010.

Sanitary Survey Inspections 25

Staff conducted sanitary survey inspections at the NTUA Forest Lake, NTUA Kitsillie/Black Mesa, NTUA Lake Valley, NTUA Standing Rock, NTUA Casamero Lake, and NTUA Iyanbito, NTUA Breadsprings, NTUA Chichiltah, NTUA Sawmill, NTUA Oaksprings, BIA Wide Ruins Boarding School, NTUA Tohatchi/Mexican Springs, NTUA Mexican Springs Rural West, NTUA Pinon/District#4, NTUA Sweetwater, Thoreau High School, Fire Rock Casino Inspection, NTUA-Boardman Rt Circle, NTUA Newcomb, NTUA Toadlena Community Water Systems, Low Mountain-BIA, Shonto-BIA, Rock Point-BIA, Red Lake/Tonalea-BIA and Tonalea-NTUA.

Design Review and Final Inspections

10 meetings

Staff provided Brown and Caldwell with water quality results of water sources that serve the NTUA Greasewood/Dilkon Regional CWS and the NTUA Ganado Regional CWS. Brown and Caldwell is assisting NTUA with an engineering project that will drill a new well in the Cornfield Chapter area.

Staff traveled to Sanders, AZ, and inspected the site of the new Navajo Nation Shopping Center complex under construction. NNEPA Water Quality Program called me with a concern about the on-going construction of the new NNSC complex in Sanders, AZ: and whether the PWSSP ever reviewed the design of the new potable water and wastewater systems. The PWSSP never received nor reviewed the design of the new potable water and wastewater systems. A site inspection and an on-site discussion with a contractor revealed that the most of the potable water system has been constructed and that about 80% of the wastewater system has also been constructed. The PWSSP needs to contact the NNSC or Navajo Nation Department of Economic Development and discuss the requirements of the Design Review Program.

Staff traveled to the Firerock Casino and met with the Navajo Nation Gaming Enterprise and their consultants to discuss the design review requirements for the proposed gaming facilities at Hogback, NM, and Chinle, AZ. PWSSP received preliminary design packages for both facilities. However, the Gaming Enterprise will still need to submit design review applications and fees to the PWSSP to begin the design review process. While at Firerock, I was able to obtain copies of bacteriological results for the months of February, March, April, May, and June 2010.

Staff traveled to Dilkon, AZ, and attended the District 7 Joint-Chapter Planning Meeting. During the planning meeting, the Dilkon Health Care Center Steering Committee conducted a presentation on the status of the construction of a major health care facility in Dilkon. The main topic during this presentation was the Southwest Navajo Region Water Supply Project. The SWNRWSP proposes to pump potable water from the NTUA Leupp Regional Community Water System to the NTUA Dilkon Regional Community Water System. A transmission pipeline and at least three booster stations will need to be constructed between the two regional public water systems at an approximate cost of \$10-\$12 million. Currently, the steering committee is seeking funding for the project.

Staff met with NTUA personnel and discussed gray water issues. The Navajo Housing Authority (NHA) is receiving US HUD housing grants where a small percentage of the new homes must implement “green” measures. A small number of homes will reuse gray water for landscaping purposes. Because these homes will be receiving potable water from NTUA, NTUA wanted to know if there were any NNEPA regulations regarding gray water. PWSSP staff stated that currently there are no gray water regulations, but that the program will be developing gray water regulations in the near future. The program advised NTUA to utilize gray water regulations from the State of Arizona in the time being.

Staff worked to continue discussions to address access to safe drinking water for the residents of Black Falls. Staff are collaborating with the Department of Water Resources, the EPA-Region 9, and NNEPA staff.

Staff attended a meeting with NTUA to talk about an upcoming pilot project through NHA to start implementing graywater systems in homes. A future meeting is still in the process to talk about design issues and if regulations for graywater are needed on the Navajo Nation.

Staff met with the Window Rock Unified School District Facility Maintenance and their consultants regarding the new “Fort Defiance” middle school. Facility Maintenance Director contacted the PWSSP regarding the construction of the potable water system for the new Fort Defiance school buildings. Unfortunately, neither the school district nor the consultants submitted a design package to the PWSSP’s Design Review Program. Staff quickly did a construction review of the new potable water system that was still under construction. Staff found two backflow prevention assemblies that needed to be verified that they were certified by the Foundation for Cross-Connection Control and Hydraulic Research. Engineering staff verified the assemblies and provided a letter to WRUSD about the certified assemblies.

Staff provided a Design and Engineering Workshop at the Navajo Nation Museum. This workshop presented the Design Review Program, and introduced the new NNDWWR to the public. In attendance were personnel from the Navajo Tribal Utility Authority (NTUA), Bureau of Indian Affairs (BIA), Indian Health Service (IHS), Ramona Smith Water User Group, and a couple contractors.

Four (4) Right of Way SAS documents reviewed. PWSSP recommended approvals with permit requirements and compliance with Navajo law requirements.

4 Final Inspections:

Staff conducted the final construction inspection for the Manuelito Waterline Extension Project, (NA-03-N20, NA-03-P29, NA-03-P30, NA-03-P31) in Manuelito Chapter, NM.

Staff traveled to Ramah, NM, and participated in the final construction inspection of IHS Projects Q02/Y78/N98. The projects were mostly scattered projects connecting existing homes with the various public water systems operated and maintained by the Ramah Navajo Utility Authority.

NA-06-Q99 Kayenta South Crank WL Extension: this project has constructed approximately 4, 142 feet of 2-inch PVC waterline, 4 individual water service lines, 3 concrete septic tanks and 4 drain fields. Total of 4 homes benefit from this project.

NA-09-Q45 Kayenta North Comb Ridge WL Extension Project: this project expanded the existing water system by constructing approximately 39, 251 feet of PVC waterline of 2-, 4-, and 6-inch PVC pipes, which also included 180 feet of HDPE. 16 homes benefit with water service under this project. 15 homes are facilitated with septic tanks and drain fields.

6 Reviews

Staff generated the draft copy of the project Tuba City Service Unit Scattered Waterline Extension and wastewater projects. The project scope includes providing water service to few no. of project (unknown this time), and will extend the existing 8 inch sewer line including construction of few number of manholes, septic tanks, and drain fields.

Staff completed the initial review of the NA-09-S12 Chilchinbeto waterline extension and well upgrading Project and issued the draft copy of construction permit for public comment.

NA-04-C77 Rocksprings Scattered Phase II Waterline Extension Project was reviewed and the draft copy of the construction permit for the necessary public comments was sent to Gallup Independent for the advertisement. This project will improve the overall function ability and performance of the existing system by installation of pumps, surge anticipator valve, expansion joints, high pressure gauge and low pressure pump cut-off transducer to enhance the flow efficiency and monitoring purpose.

(NA-07-P98, D60, Q69 and D67) The Tse De Tah Canyon Projects was submitted to PWSSP for design reviewing and permitting process. This project will construct about 29, 803 feet of PVC waterlines, several wash and road crossings in order to provide water service to 35 homes in Manuelito Chapter

NA-03-N34/P27/P28 Red Rock Scattered Project: This project proposes to serve the 39 homes with water after installation of approximately 21, 120 feet of PVC water lines into the existing distribution system.

NA-04-C66 Oljato/Dennehosto Scattered Project: The existing Oljato CWS will be expanded by installing 9060 feet of water lines and will be intertie with proposed Monument Valley SW CWS. The project will also install an altitude valve into the distribution.

7 Permits

Staff completed the initial review and produced the draft permit for the project Teec Nos Pos Waterline Extension. The project purposes to serve eleven (11) homeowners by installing 23, 700 feet of PVC waterlines in Teec Nos Pos Chapter.

Staff completed the final review and issued the construction permit for the Rocksprings Community Water System. The project will install surge anticipator valve, expansion joints, high pressure gauge, and low pressure pump cut-off transducer in the existing water system.

NA-06-Q46/S56 Blueberry Hill Waterline Extension Project: This project targeted to construct approximately 500 feet of PVC waterline in order to serve water to desired homes in Shiprock Chapter.

NA-08-P43/S06: Twin Buttes North Waterline Extension: This project proposes to serve 19 homes with safe water along with construction of approximately 8,000 feet of PVC waterline into the existing Red Rock Community Water System.

NA-06-Q42 Shadow Mountain Waterline Extension Project: Twenty eight (28) homes are proposed to be served after completion of construction of approximately 57,640 feet of PVC waterline into the Cameron Distribution System.

NA-09-S12 Chilchibeto Well Upgrade and Waterline Extension: This project proposes to replace a section of 6-inch PVC waterline with HDPE pipe and will also upgrade powerline and electricity connections.

NA-07-P98, D60, Q69, D67 Tse De Tah Canyon Phase I /II, Manuelito South WL Extension Project: This project will construct about 29,803 feet of 60-inch, 4-inch, and 2-inch PVC waterline, several crossings for unpaved roads, and several wash crossings. The 35 homes will benefit from this project.

Administration 20 activities

Staff attended an Abandon Mine Lands coordination meeting with the state of New Mexico staff, the Navajo AML staff, Bureau of Reclamation staff, the NNEPA staff, and the USEPA staff.

Staff received an e-mail from representative of the Cadmus Group, Inc. who is assisting the US EPA in preparing for the 2011 Drinking Water Infrastructure Needs Survey (DWINS). He sent an Excel spreadsheet containing the inventory of public water systems under the direct jurisdiction of the Navajo Nation. He is requesting the verification and correction of the inventory spreadsheet. The corrected inventory will be used in the selection of Native American public water systems that will undergo the needs survey in 2011. The spreadsheet needs to be corrected and sent back to Cadmus Group as soon as possible.

Staff intended to meet with the Indian Health Service to discuss budget issues. This meeting will be rescheduled.

Staff participated in the Navajo EPA spring clean-up activities from JCT N-112/264 N-112 to MP3.

Staff reviewed the Navajo Nation Multi-Hazard Mitigation Plan 2005 that FEMA is developing or updating for the Navajo Nation.

Staff inquired with ITCA regarding "grand parenting" allowance for a tribal operator to become a level 1 operator.

Staff attended the USEPA Data Managers Users Conference in Indianapolis, IN. The conference covered some issues such as reauthorization of the SDWA, Lab to state tool for reporting data, paperless virtual file images. Also, the USEPA database is moving from SQL to Oracle 10G. Data quality conditions are going to be included in the PWSS Grant. No DV's this year due to budget restraints. The Enforcement Response Policy will become official in October 2010. All states still have a lot of issues with inventory population, wholesale distribution, data points, transient populations, etc. I registered and attended the States only session. Several states presented their budgetary status, regulation implementation challenges and other issues. RTC definitions will be coming soon from USEPA.

Staff completed the application package to ABC regarding receiving approval to implement an operator certification program for the Navajo Nation.

PWSSP is planning a meeting with the CDC and the Division of Health to discuss 1) cistern project, 2) development of water/health educational campaign and ideas, 3) potential future CHR trainings, 4) to discuss a potential future project investigating cadmium exposure to help explain the high levels of cadmium we found in the household study, and 5) any other follow-up/IRB activities we need to address.

Staff presented a summary of the NN Domestic Waste Water Regulations to the Resources Committee, so they can have a better understanding of the regulations for approval.

Staff presented a summary of the NN Primary Drinking Water Regulations to the Resources Committee.

Sr. Environmental Engineer took the Professional Engineering Licensing exam and currently possesses a professional engineer's license.

Environmental Engineer took the Fundamentals of Engineering Exam and is awaiting the results.

Staff researched TMF capacity. Staff recognized that setting standards and prioritize the list for the public water system with health as the main focus. Staff conducted some more research on the issue of setting prioritization and finding the baseline. Staff reviewed DIME to find what kind of violations have been documented so I can get an idea of how to start focusing on finding the baseline as well as doing the priority list.

Staff participated in an interview panel for the NNEPA Air Quality Program, upon their request. AQP was hiring an environmental engineer and wanted engineers on the interview panel. Interviews lasted all day.

Staff participated in the drinking water/wastewater infrastructure group conference call. EPA-HQ, IHS, EPA-Region 9, other tribes, and PWSSP participated.

The Navajo PWSSP organized a field visit for Mr. Pete Silva, Assistant Administrator for the Office of Water, EPA-HQ and Ms. Nanci Gelb, Deputy Director, Office of Ground Water/Drinking Water. The tour was conducted at the Baca Haystack area where it was shown that many family members used two wells near a past uranium mining area. The water at these wells were shown to have elevated uranium. The purpose of the tour was to show that there are many issues relating to drinking water and the need to have access to safe drinking water. The afternoon session included presentations by the Indian Health Service, the Navajo Tribal Utility Authority and the Department of Water Resources.

Staff traveled to Page to meet with the Navajo Generating Station and the EPA-Region 9 Regional Administrator. Discussions included the status of the power plant, global warming, and carbon sequestration.

GIS

Staff was asked to prepare a map showing water wells within 5 miles of NGS for Daniel Cornelius of Environmental Integrity.

Operator Workshops and Training 10 activities

Staff held a conference call with ITCA regarding the Water Operators' exam during the conference.

Staff attended the NTUA Foremen meeting in Winslow, AZ. Staff conducted a presentation regarding new enforcement ERP. Staff informed NTUA that they can review their violation at the EPA SDWIS site and informed NTUA that they can return their system to compliance by submitting a public notice for violations listed in SDWIS and taking timely water quality samples. NTUA requested information on procedures for well abandonment

Staff conducted an Operator Workshop in Chinle Attendees:16

A Water Math Training by Alvidrez Water Operation Attendees:11 was held.

Staff conducted an Operator Workshop Shiprock Attendees:19

Staff conducted an Engineer Workshop Attendees: 24

Staff mailed General Module and Level One Distribution Books to Tuba City Unified School District, Sage Memorial Hospital, Rough Rock School, BIA-Shiprock (Sampling booklet) staff.

Staff conducted an Operator Workshop at the BIA Conference Room in Chinle, AZ. Approximately 20 people attended. Presentations included program introduction, operator certification, sanitary surveys, the GWR, and the new ERP.

Staff held a Water Math Workshop in Gallup, NM that was given by Alvidrez. 11 participants attended.

2010 Drinking Water Conference; staff are in contact with Fort McDowell on facility, accounts receivable, etc., conducts updates with the conference committee, aid in developing the agenda and topics for the conference in process, ensure financial purchase requisitions are processed for Navajo Times, promotional items, etc, and ensure advertisement is being completed.

Unregulated Water Sources: 23 activities

Staff participated in a meeting with the Office of the President to give updates on projects being conducted in the Black Falls area.

Staff researched past uranium mining activities in the Mariano Lake Chapter and gathered information about the minerals that are available for Mariano Lake. Geologic data was gathered regarding Mariano Lake Chapter.

For the monthly report, I went to the monthly Community Meeting regarding the Skyline Uranium Mine in Oljato. Participants included Navajo Superfund, AML, and US EPA. Prior to the meeting I took US EPA out to Moonlight site and tour the area.

Staff provided technical assistance and provided information for the DiNEH Project regarding water quality data.

Staff and Southwest Research Information Center provided hydrologic regarding the hydrology for Church Rock Chapter. Information was shared with the PWSSP's attorney. SRIC provided information regarding how instu mining was going to impact the Navajo groundwater at Church Rock.

Staff traveled to Wide Ruins to conduct an investigation of the sheep dip vat. PWSSP met with Navajo and EPA Superfund to discuss the problems with sheep dip vats. Superfund reopened the past work that Superfund and BIA conducted. When the sheep dip vat at Wide Ruins was uncovered, the staff found that the vat was resting in ground water. PWSSP is concerned that potential "toxaphene" may enter into the groundwater aquifer. Staff began to visit other sheep dip vats and gather data/photos.

Staff conducted a site visit to the Teec NosPos area with the Navajo AML, Navajo Superfund, and Navajo EPA staff. The staff visited the uranium mine site that needs to be remediated. Due to the steep slopes, these sites have not been mitigated. These exposed uranium mine sites are contributing to potential contamination to surface and groundwater sources.

Staff traveled to 23 chapter locations to gather information on their sheep dip vats and locations to drinking water wells. UTM locational data and photos were gathered.

Staff visited 9 unregulated sources to conduct an assessment and gather UTM points. These sites were documented with photos.

Staff visited three missions, four chapters, and the Black Mesa Pipeline to verify that people are hauling water from these locations.

Staff provided technical assistance for the IHS regarding hauling water practices and potential sampling of these sources.

Staff attended the Contaminated Structures Assessment Project where staff discussed targets for the next 5 year strategy plan and what was accomplished thus far.

Staff attended the RCAC conference in Tempe, Arizona.

Staff collected two coordinates of wells that were unregulated that local communities were utilizing on Monument Valley, UT.

Staff drafted the Water Hauling Guidelines and sent to EPA for review.

Staff attended the Oljato Chapter meeting with U.S. EPA-Region 9 and Navajo Superfund Program. NN AML was also present but he was there as a community member. The Skyline Uranium Mine was discussed where EPA considered remediation of this mine. EPA proposed three scenarios. EPA provided information regarding where the mine waste was still present. NNAML staff also presented information about some of the reclamation that was done under the NNAML program. Some of the community members were unaware of the extent of the uranium exposure. A chapter official James Adakia requested that Navajo EPA and US EPA to draft a resolution and bring that back. In the mean time, the community members wanted to make the area of concern fenced up and let the soil be stable in some way so the contaminated soil does not blow around or be carried off by water. The community also wants a comprehensive study done at Oljato. The issue of water, structural, and health issues came up also at the meeting. Some of the community members met with the U.S EPA and Navajo EPA to address some of their concerns. EPA/AML/NNNEPA discussed setting up a special meeting to address some of the community's concerns at the Monument Valley High School and at the next chapter meeting.

Staff participated in the tour of Ambrosia Lake water wells with staff and USEPA.

Staff attended the reservation-wide meeting of the District Grazing Committees and Eastern Navajo Lands Boards at the Navajo Nation Museum in Window Rock, AZ.

Staff participated in an Unregulated Sources meeting at Department of Water Resources with USEPA, NNEPA and NDWR. The items that were discussed were program status, priority service areas, community outreach, rate structure, NNEPA water hauling guidelines, assistance needed.

Staff prepared a Western Agency Unregulated Sources maps; Cameron, Leupp and Black Falls area that showed location of the windmill and sample results for the unregulated sources.

AdEdge is working with "Helping Hands for People" and Ms. Esmeralda B., wanted to work on Box Springs only if that source is or will be used as a source of drinking water. Proposed plans are to use their treatment technology to bring the Box Springs source to quality standards.

Staff drafted a water hauling guideline for the Navajo Nation.

Staff Training (14 staff training this quarter)

Staff attended the Backflow and Cross Connection Tester Training at the University of Southern California, Los Angeles, CA. The training was from June 7 thru 11, 2010. Staff learned about four (4) different types of devices: the double check valve assembly, the reduced pressure backflow assembly, the pressure vacuum breaker and the spill resistant vacuum breaker.

Staff participated in the webinar An Overview of EPA's New SDWA Enforcement Response Policy and the Enforcement Targeting Tool. The webinar was given by Michael Ledesma, Attorney/Advisor, US EPA's Office of Criminal Enforcement, Forensics and Training. This webinar will discuss the importance of thorough and careful observations and documentation on site, including multi-focused observations, note taking, evidence handling, interview documentation, sampling, and report preparation.

Staff attended the June 2, 2010 Amex Confined Space Entry/Entrant @ Farmington NM San Juan College.

Staff traveled to Chicago, IL, and participated in the Drinking Water Infrastructure Needs Survey (DWINS) National Meeting.

Staff traveled to Indianapolis, IN, and attended the US EPA / ASDWA Data Management Users Conference. The conference was presented by US EPA and the Association of State Drinking Water Administrators (ASDWA).

Staff attended the Tribal Financial Manager Certification Program Training in Tempe, AZ at the Arizona State University

Staff attended training on the ID machine for ID issuance for operators and backflow.

Staff participated in the Lagoon Troubleshooting workshop at Santa Ana, NM.

Staff participated in the Microsoft Advance Access Training-Staff Development Center in Window Rock, AZ. Staff learned Querying with SQL, Advance queries, Macros, Advanced Macros, Importing, Exporting, and linking, Database management, Internet Integration.

Staff traveled to Chicago, IL to participate in the Exchange Network conference.

Staff attended the Division of Natural Resource Expo/Conference.

Staff attended the Microsoft office 2007 Introduction to PowerPoint Training and the Microsoft Advanced 2007.

SWAP (4 activities this quarter)

Staff attended a meeting with the Navajo Superfund Program and EPA Superfund staff to discuss findings of the sheep dip vats and possible groundwater contamination. PWSSP agreed to investigate the potential groundwater contamination to drinking water sources by former sheep dip vat use.

Staff sent out more letters regarding susceptibility assessment updates and monitoring waivers.

Staff worked on more SWAPs for the schools and the BIA and near completion. Next the BIA will have to review these and update them for approval. Once they are accepted by the BIA, the BIA can then use these as part of their monitoring waiver applications.

Staff worked on 4 SWAPS, and Emergency Water Supply Plans, for the Eastern Agency, Dzil Na O Dthle, Crownpoint, Chichiltah, and Bird Springs.

Technical Assistance 15 activities

Staff provided a review of the Ganado Public School's CCR.

Staff provided information for the Chevron Mining Co. and they provided bacte, nitrate/nitrite, and public notice documents.

Chevron Mine Public Water System staff came to the PWSSP office and met with Manager to discuss compliance issues for the Chevron Mine PWS; she was provided material on emergency water supply plan and the design review requirements for both drinking water and wastewater facilities.

Staff provided technical assistance to a Church Rock Chapter member. Staff provided the susceptibility assessments for the Church Rock NTUA, Smith Lake NTUA, and Coyote Canyon NTUA systems.

Staff provided technical assistance to the operators in submitting certification for those who renewed their certification. Staff inputted certificate information on prior training into DIME, and staff filed certificates into operator's files.

Staff provided technical assistance to the Ganado School District, the Canoncito Water System, and the three (3) Alamo Systems regarding their 2008 annual Consumer Confidence Report. All the systems turned in a CCR and were entered into DIME.

Staff conducted technical assistance with Canoncito, Alamo, Shonto, Monument Valley High School.

The operator of the Ramona Smith Water Users Group called requesting a copy of a monitoring schedule.

Staff met the Ganado Public Schools water system operators to review water data.

Staff prepared a location map for of Navajo Department of Water Resources as he wanted to locate wells in the Black Falls area. DWR wanted contaminant level of these wells, but we did not have that data and that he should contact CDC for that data.

Staff provided technical assistance to NNAML regarding water quality in Cane Valley and a Susceptibility Assessment for the system.

Staff assisted Ganado Unified School District on the remaining hours each operator has before their certification expires.

Wastewater: 6 activities

Staff continue to develop the program components of the Domestic Wastewater Program. Staff developed the permit applications and these will be placed on the website for the program.

Discussed in-depth strategy initiatives regarding wastewater review and how OEHE currently designs and submits waste water plans for seepage, sewage, and lagoons. Other entities need to be included in the wastewater compliance discussions.

Staff worked with the Navajo Water Code staff regarding Victoria Begay's plans to install a septic tank at the mouth of the De Chelly Park.

Staff attended a meeting to discuss a wastewater project mentioning the relining of existing Tuba City Sewer lagoon designed by NAIHS. The project was submitted to PWSSP for the necessary review and permit.

Staff presented an overview of the Domestic Wastewater Regulation to the Resource Committee members. The regulations were approved.

Staff finalized the operating permit fee schedule for wastewater facilities: septic tanks and drain fields/individual lagoon for commercial owner within the Navajo Reservation boundary

Public Education: 15 activities

Staff provided a presentation to the attendees of the June 8 AUM Coordination Meeting.

Staff provided a presentation to the Window Rock Unified School District Elementary School.

Staff presented the water model and other pollution prevention outreach at the Coyote Canyon Health Fair on June 5 and the Tohatchi Health Fair on June 11.

I had a meeting with Carol Wheeler to discuss the water celebration for the residents on the north east side who have finally received waterthis will be at the Coyote Canyon Chapter on August 28. This day is also to dedicate the new chapter. We discussed my participation on a water committee to present safe drinking water information including its availability, and longevity for the community.

Staff attended the Window Rock Unified School District Scientific fair, set up booth for presentations, 5pm to 7:30pm.

Staff attended the Gallup McKinley County Schools Water Awareness Activities and presented to over 30 schools on May 5 & 6.

Staff are coordinating with the Centers for Disease Control and Prevention on conducting public education for water hauling practices.

Staff attended the Earth day presentations at the Tohatchi Elementary School on April 21 and Twin Lakes Elementary school on April 22. Staff provided a short lesson on the water cycle, depending on the age group it varied how presentation was given. Next, a demonstration was given to show the quantity of water in the world between Oceans and fresh water. This was done by using a bucket of water, the bucket represented all the water in the world, then using smaller cups we took out small amounts that represented freshwater. We asked the kids where they thought fresh water came from and whether ocean water was drinkable. The amounts of water in the bucket and cups gave the students an idea of how much water is in the world and how much is really drinkable. Next, we used the aquifer ant farm to show the kids and demonstrated pollution and contaminated water. Staff made an "edible" aquifer made of cereal (rocks), ice cream (confining layer), chocolate rocks and sprinkles (rock and sand), sparkling water (water/rain), and a straw (well).

Staff was interviewed by a UNM college student regarding job position and work on environmental issues. Examples of work included a Source Water Protection Plan of the NTUA Church Rock water system and the hydrogeological assessments of a few wells in the surrounding area.

Staff provided public educational activities at the Hilltop Christian School.

Staff requested to be part of the Water Committee at the Coyote Canyon Chapter. The communities in Standing Rock Chapter and East Coyote Canyon will finally have water and they wanted to celebrate the momentous occasion, with a water festival type theme, celebrating water.

Staff provided public educational activities at the Gallup McKinley County Schools Water Awareness. Staff presented the Rolling River trailer demonstration and focusing on Watershed Protection.

Staff presented livestock information at the Navajo Nation Natural Resources Conference.

Staff presented an Exhibit Booth at the DNR Conference.

Information Technology

April 2010: 5 Technical Assistance/Support Projects

May 2010: 4 Technical Assistance/Support Projects

Staff conducted an evaluation of the Shiprock-NNEPA offices to assess the hardware needs and to observe the type of connection(s) that would help with the NEIEN Project plan for data flow. Staff had to determine the best connection to connect to the Navajo Nation's DIT backbone (network). Staff determined that these offices need 2 x 8-Port switches (Functions VLAN, Gig-Ethernet, QoS as well as 2x Cisco Wireless Bridges with antennas. These offices need (AIR-BR1310G plus directional antenna) server for backups, roaming profiles, and user administration. These offices also need (RAID5, Server 2008 R2) to aid in connection for dataflow as required by the NEIEN grants.

Staff also evaluated the Tuba City NNEPA office and determined that they do not need a server. DSL is sufficient and using a wireless radio would aid in reporting to the Navajo EPA's node.

Staff began testing the VPN connection so staff can log into their computers from off site. This VPN connection test was unsuccessful and will have to work on further software purchase.

D. UIC Program

Administration

4/1/10: Sr Hydro met with the NNEPA Executive Director in Window Rock to discuss Dugan's aquifer exemption Public Notice and the "letter of recommendation" to USEPA.

4/2/10: The UIC submitted Dugan's aquifer exemption Public Notice to the Farmington Daily Times for posting.

4/7/10: The legal notice for Dugan's aquifer exemption (AE) application (West Bisti #1 SWD) was posted in the Farmington Daily Times for the 30-day public comment period.

4/8/10: Sr Hydro met with the Resources Committee in Window Rock for approval of the FY2011 Federal Grant Application (\$102,685) and matching Tribal funds (\$34,228); the motion passed unanimously, subject to minor changes to the IDC (Leg. 0188-10).

4/8/10: Sr Hydro submitted a final draft of a Briefing Paper re: proposed Class VI and its effects on the UIC budget for the upcoming visit by USEPA HQ Sr. Officials.

4/9/10: Sr Hydro met with the NNEPA Executive Director in Window Rock to discuss Dugan's Administrative Order (AO) from by USEPA re: the West Bisti #1 SWD and its effect on the approval of their pending aquifer exemption (AE). The Executive Director's only comment was that the USEPA's AO should be resolved prior to the NNEPA's execution of the recommendation letter to USEPA regarding the AE.

4/9/10: The UIC received copies of completed UIC FY2013 budget documents from the Acting S&GWP Dept. Director

4/13&14/10: The UIC assisted the S&GWP Dept. in the preparation of their FY2013 Budget document.

4/15/10: Sr ES attended a meeting with USEPA, et al., in Tuba City re: possible injection of treated clean-up water at the old Davis Chevrolet site.

4/16/10: Sr Hydro submitted to USEPA Region IX an updated list of financial assurance documents (transfers from USEPA to NNEPA) received from operators by the UIC.

4/23/10: Sr Hydro mailed NNEPA Form 2001-07 "Application to Transfer Permit between Owners/Operators" to XTO Energy. This form, along with some sort of documentation that Lance/Western's NW Cha Cha properties were acquired by XTO, will be submitted to this office and copies will be forwarded on to USEPA Region IX. This should expedite USEPA's release of Western/Lance's bond.

4/23/10: UIC "courtesy-contacted" the following operators by e-mail re: possible/pending NOV: Resolute (#A-17 MCU & #F-115 AU); Elm Ridge (#WI-88); XTO Energy (NW Cha Cha #24 & #60).

4/26/10: Resolute (#A-17 MCU & #F-115 AU) and XTO Energy (NW Cha Cha #24 & #60) contacted the UIC with current well status information/plans pursuant to the UIC's possible/pending NOV inquiries re: the aforementioned wells. Resolute plans to workover their wells in May. XTO plans to P&A the #24 and requested an extension of this wells T/A status in order to evaluate/convert this well from enhanced recovery to salt water disposal.

4/30/10: UIC contacted BLM re: the status of Nacogdoches' Navajo #10 DBK well remediation. BLM reported that Nacogdoches intends to move a rig on the location next week to re-enter the well for repairs or P&A, if necessary.

5/5/10: The UIC staff picked-up trash around their facility for Earth Day.

5/7/10: The UIC was notified of the 30-day posting on the USEPA's website of their enforcement settlement with Dugan Production re: the West Bisti # 1 SWD disposal well.

5/10/10: Sr Hydro mailed to USEPA Reg IX a copy of the transfer of operator from Western/Lance to XTO, and a copy of the related assignments of the NW Cha Cha Property from Western/Lance to XTO. This was done in order to expedite Region IX's release of Western/Lance's bond at NW Cha Cha Unit; financial assurance has now been assumed by XTO.

5/11/10: The UIC received a copy of USEPA Reg IX's posting (until June 7, 2010) of their public notice re: their enforcement assessment on Dugan Production's West Bisti #1 SWD injection well. The NNEPA Executive Director was

apprised of the notice and will act on Dugan's Aquifer Exemption recommendation letter to USEPA sometime after the public comment period ends on June 7, 2010.

5/20/10: UIC received the following Sundry Notices via BLM: XTO NW Cha Cha # 26 - plan to P&A; NW Cha Cha #60 - plan to convert from Class IIR to Class IID.

5/20/10: USEPA Reg IX further clarified the process necessary to expedite the Aquifer Exemption for Dugan's West Bisti #1 SWD injection well; the NNEPA/UIC will provide USEPA Reg IX with additional documents.

5/25/10: UIC sent Dugan Production a current status letter re: their Aquifer Exemption application for the West Bisti #1 SWD injection well.

5/26/10: UIC mailed to USEPA Reg IX copies of a current status letter and the public notice affidavit on Dugan's West Bisti #1 SWD injection well aquifer exemption for their files.

5/27/10: UIC received the following Sundry Notices via BLM: XTO NW Cha Cha # 35 - plan to convert to production; NW Cha Cha #37 - plan to convert from Class IIR to Class IID.

6/2/10: Resolute contacted the UIC requesting conversion of their #G-22 McElmo Creek Unit well (TA'd producer) to injection. Resolute was notified that this conversion will have to await issuance of the McElmo Creek Area Permit (NN 24).

6/2/10: UIC responded to USEPA Reg IX inquiry re: the use of annulus additives on the Rez and related mechanical integrity testing problems. None are known.

6/3/10: UIC received the following Sundry Notices via BLM: #18W21 RU and #A-17 MCU - successful MITs on 5/25/10; #10W43 RU - NOV (TA); #G-22 MCU - intent to convert to injection.

6/3/10: Resolute was notified of another NOV issued re: their #F-115 Aneth Unit well. This well failed MIT on 4/1/09 and needs to be repaired or P&A'd ASAP. Resolute responded that the well repairs are currently in progress.

6/3/10: USEPA Reg IX informed the UIC that the Southwest Partners CO2 Sequestration R&D study at Aneth was nearing completion.

6/3&4/10: UIC assisted USEPA Reg IX in responding to Dugan's e-mailed questions re: their West Bisti #1 SWD injection well permit requirements and pending Aquifer Exemption.

6/7/10: Pursuant to Resolute's #F-115 Aneth Unit well workover, the UIC provided Resolute field engineers with the Horsley-Witten Reports (including recommended corrective action well Tables) for Aneth, McElmo Creek, and Ratherford Units for their reference on future injection well workovers.

6/8/10: Sr Hydro addressed Resolute's inquiries re: the 10W43 (possible conversion from production to injection) and 10W44 (proposed extension of TA status) Ratherford Unit injection wells.

6/9/10: UIC responded to Dugan's e-mailed questions as they pertain to their West Bisti #1 SWD (NN 17) injection well permit requirements and pending Aquifer Exemption.

6/10/10: Sr Hydro met with the Executive Director in Window Rock re: preparations for his signing/dating/sending the NNEPA's Aquifer Exemption 'recommendation letter' on to USEPA Reg IX. This material was left (with instructions) with his Admin Asst pending notification by USEPA of finalization of USEPA's enforcement action against the West Bisti SWD #1 injection well.

Sr Hydro and the Executive Director also briefly discussed the NN CERCLA and the current ramifications of crude oil designated as a hazardous waste; the Executive Director requested a meeting to be scheduled with Superfund Program on this matter.

6/11/10: UIC received a lengthy and detailed revised letter from Navajo Oil & Gas/Running Horse explanation outlining the status of their (and Western Gas') stalemated clean-up activities at the old Aneth Pipeline Station facility in Montezuma Creek, UT.

6/15/10: The UIC fielded a call from Resolute requesting advice re: workover/repairs to a surface casing leak on the #P-07 McElmo Creek Unit injection well. Possible repair/P&A scenarios were provided by the UIC staff.

6/24/10: Sr. ES informed Dugan that aquifer exemption application still not finalized.

6/25/10: Sr. ES was informed by BLM about pending P&A at Hospah Well#51.

Database

4/12&14/10: USEPA Region IX notified the program that the mid-year database report was forwarded on to USEPA HQ. Some inconsistencies were noted and are to be discussed during my visit to the USEPA Region IX's office next week. A question arose as how to handle wells in the database categorized as "Rule Authorized" by USEPA, until such time they are permitted by NNEPA - the NNEPA/UIC does not recognize "Rule Authorized" wells.

4/22&23/10: USEPA Region IX requested clarification on selected wells from the database pursuant to the UIC's mid year database report forwarded to USEPA HQ - Sr ET provided this information for USEPA.

/13/10: Sr Hydro participated in a conference call with the Acting S&GWP Director, et al., Prog Supv I, and USEPA Region 9 re: the current status of the UIC portion of the NEIEN Grant contract with URS. The UIC recommended cancellation of the contract with URS and possible legal action for non-performance.

5/17/10: The UIC requested that USEPA Reg IX re-send an e-copy of the UIC database to the NNEPA Acting S&GWP Dept. Director and to URS (NEIEN grant contractor), pursuant to the conference call meeting between NNEPA and USEPA on 5/13/10.

/3/10: The NNEPA IT staff visited the UIC office to conduct computer inventory for the NEIEN.

6/25/10: Sr. ET had web conference with USEPA Region 9 about database troubleshooting.

Staff issued 2 Permits

Permit and Program issues

4/12/10: Sr Hydro contacted Resolute re: additional information (future Aneth Unit activities) requested by the NNEPA Executive Director pursuant to the issuance of Resolute's Aneth Area Permit (NN 25).

4/8/10: Sr Hydro met with the NNEPA Executive Director in Window Rock to review Resolute's Aneth Area Permit (NN 25) and discussed possible edits/additional information needed for the Final Permit document.

4/20/10: Resolute contacted the UIC re: additional information (future Aneth Unit activities) requested by the NNEPA Executive Director pursuant to the issuance of Resolute's Aneth Area Permit (NN 25). Resolute notified the UIC that this information is forthcoming.

5/6/10: The UIC received a long-term development plan from Resolute as requested by the Executive Director in support of the Aneth Unit Area Permit (NN 25).

5/12/10: Sr Hydro met with the Executive Director re: the Aneth Unit Area Permit (NN 25); he intends to sign the permit by next week.

Staff conducted 31 Injection Well Mechanical Integrity Tests: (MIT's, Temp Logs, Step-Rate Tests, CBL):

4/16/10: Sr ES witnessed two (2) MITs: Resolute #7W34 Ratherford Unit and #F-114 Aneth Unit. Both passed MIT.

5/3/10: Sr ET witnessed three (3) MITs: Resolute Aneth Unit #s E-214, H-314X and F-314. All passed their respective MITs.

5/4/10: Sr ET witnessed four (4) MITs: Resolute Aneth Unit #s G-125, F-225, H-223 and H-227. All passed their respective MITs.

5/5/10: Sr ET witnessed four (4) MITs: Resolute Aneth Unit #H-122; McElmo Creek Unit #s Q-16, M-20, N-09. All passed their respective MITs.

5/25/10: Sr ET witnessed three (3) MITs at Resolute Resources #18W21 Ratherford Unit, #A-17 McElmo Creek Unit; #H-219 Aneth Unit. All passed their respective MITs.

5/26/10: Sr ET witnessed one (1) MIT at Robert L. Bayless SWD #2 Tocito Dome Unit. This well passed MIT.

6/9/10: Sr ET witnessed three (3) MITs at Resolute Resources #18W12, #13W24, #13W11 Ratherford Unit. All passed their respective MITs.

6/10/10: Sr ET witnessed four (4) MITs at Resolute Resources #H-219, #H-220, #G-121X, #H-315 Aneth Unit. All passed their respective MITs.

6/15/10: Sr ET witnessed one (1) MIT (re-test) at Bayless' #2 Tocito Unit. It passed MIT.

6/16/10: Sr ET witnessed four (4) MITs at Resolute Resources #F-115 Aneth Unit; #P-09, #U-16, #L-19 McElmo Creek Unit. All passed except #L-19 McElmo Creek Unit which failed MIT; it was shut-in immediately pending repairs or P&A, as per UIC SOP.

6/28/10: Sr. ET witnessed two (2) MITs at Resolute Resources #L-17 McElmo Creek Unit and #H219 Aneth Unit.

Staff witnessed 1 Plugging and Abandonment (P&A) of Injection Wells

4/1&2/10: Sr ES and Sr ET witnessed the successful P&A of Resolute's #7W43 Ratherford Unit injection well.

Staff conducted 5 enforcement Action (Citations, NOVs, etc.)

4/23/10: UIC "courtesy-contacted" the following operators by e-mail re: possible/pending NOVs: Resolute (#A-17 MCU & #F-115 AU); Elm Ridge (#WI-88); XTO Energy (NW Cha Cha #24 & #60).

4/26/10: Resolute (#A-17 MCU & #F-115 AU) and XTO Energy (NW Cha Cha #24 & #60) contacted the UIC with current well status information/plans pursuant to the UIC's possible/pending NOV inquiries re: the aforementioned wells. Resolute plans to workover their wells in May. XTO plans to P&A the #24 and requested an extension of this wells T/A status in order to evaluate/convert this well from enhanced recovery to salt water disposal.

5/4/10: USEPA Reg IX requested info re: any BP, et al., enforcement/compliance issues on the Navajo Nation. There were none.

5/25/10: Sr Hydro led a conference call with Navajo O&G/Running Horse staff and management regarding continued inactivity and failed negotiations with Western Refining relating to clean-up operations at the old Aneth Pipeline Station facility in Montezuma Creek, UT.

6/15/10: Sr Hydro criticized Western Gas over their apparent stalemate with Navajo Oil & Gas/Running Horse re: combined clean-up activities with NO&GC/Running Horse at the old Aneth Pipeline Station facility in Montezuma Creek, UT.

Staff conducted 7 Spill Report Inspections/Site Visits

5/10/10: Sr ES inspected a sizeable oil spill at DBK #26 site.

5/19/10: Sr Hydro site-inspected, at the request of the NNEPA Office of Environmental Review, an old dry hole proposed for re-entry/directional drilling by NNOGC, et al., at Tohonadla Field, San Juan Co. , Utah.

5/19/10: Sr ES site-visited, at the request of the NNEPA WQ/NPDES Prog Mgr, the installation of a new-design septic system (Class V) at Lake Valley BIA School.

5/25/10: Sr ES inspected oil/saltwater spills reported by the Utah Land Dept. and the surface permit holder at Citation's Ismay Flodine Unit.

5/27/10: Sr ES and NN Minerals staff inspected oil/saltwater spills reported at Dine Bi Keya Field.

6/17/10: Sr ES investigated surface casing problems/leaks with the #P-07 McElmo Creek Unit injection well.

Training: 7

Staff attended 40 Hr HazWOPER Training in Farmington.

Staff attended USEPA's FOT/SRT Training in San Francisco.

Staff attended ACCESS/EXCEL training in Window Rock.

Staff Spec attended FMIS 6B Rollover training in Window Rock.

Staff attended technical paper presentations re: CO2 Sequestration at the AAPG Regional Conference in Durango, CO.

Staff attended "Training Session for Compliance with Court Orders Issued in Navajo Nation vs. United States, No.06-945L" in Window Rock, AZ

Staff attended FY 2011 Budget Preparation Orientation in Window Rock, AZ.

E. Conditions of appropriations: none

The Navajo Nation
ENVIRONMENTAL PROTECTION AGENCY – AIR & TOXIC DEPARTMENT
Third Quarterly Report—Fiscal Year 2010
(April – May – June 2010)

PROGRAM INFORMATION

Division Executive Director:	Stephen B. Etsitty
Department Manager:	Eugenia Quintana
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Departments:

Air Quality Program	Charlene Nelson, Environmental Program Supervisor
Pesticide Enforcement & Development	Glenna Lee, Environmental Program Supervisor
Radon Program	Vivian Craig, Environmental Specialist

ACCOMPLISHMENTS

Two employees of the Air & Toxics Department supporting Uranium Clean Up projects, along with other NNEPA employees, were nominated by U.S. EPA. Region 9 for a U.S. EPA OSWER Environmental Justice team award for their work as a team in identifying, removing, and facilitating the rebuilding of Navajo homes built from uranium-contaminated materials. This important work is on-going under the auspices of the Contaminated Structures Project (CSP) phase of a five years effort with U.S. EPA. Region 9 and the Navajo Nation.

Completed updates to the 2005 Navajo Nation Multi-Hazard Mitigation Plan, as required by statute; submitted the finalized draft 2010 updates to FEMA. Region 9. The 2010 updates are essential in that the approved updates will allow the Navajo Nation to receive federal funding for mitigation and reimbursement for expenditures of resources to federally declared disasters that occurred on the Navajo Nation.

Contributed to the development of the 2011 Budget Impact Statement for the NNEPA. Overall, reductions in all budgets will result in reduced services to the general public.

Continued participation as a technical work group member with NMED-ABQ to address San Juan County ozone action. The technical work group will provide input into a plan of action in the event the area exceeds 95% of the new standards. The technical work group activities will become more elevated after the new federal standards have been finalized.

Four projects were selected by the NN FWDA (Fort Wingate Depot Lands) MOU Team, of which the NNEPA is a member, for funding consideration under the Natural Resources Damages Assessment (NRDA) settlement discussions regarding the Fort Wingate Depot Activities (FWDA). The selection of the projects was requested by the State of New Mexico along with their consultant (Stratus Consulting Inc.) in cooperation with the U.S. Army Corps of Engineers (on behalf of U.S. Army). The projects selected were: (1) Navajo Tribal Cultural Properties (TCP) Study, (2) Church Rock to Iyanbito Waterline, (3) Off-site Water Loading Station, and (4) Erosion control through youth involvement (designated alternative).

Attended a meeting with Arizona Public Service (APS) regarding New Source Review (NSR), Mercury standards, BART (Best Available Retrofit Technology), as applicable to APS/FCPP (Four Corners Power Plant), and discussed potential regional strategies in preparation for federal rulemaking that will require compliance with new rules. Environmental compliance often impacts varying aspects of economics and stakeholder values.

Completed six environmental compliance documentation for ETD, Inc. projects to fulfill 24 CFR, Part 50 DHUD regulations for environmental review.

Pesticide Enforcement & Development Program

Staff participated in five (5) conference calls, and attended two (2) meeting to receive and provide updates, and acquire related information regarding compliance inspections and worker protection standards.

Key Action Items

A Consent Agreement and Final Order (CAFO) concerning violations of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for *Dollar Store, Inc., Shiprock, NM*, was submitted on June 24, 2010. A fine of \$800.99 was issued in the CAFO. *Dollar Store, Inc.* was selling and distributing unregistered pesticides. The initial inspection and investigation was done by NNEPA inspectors under federal authority.

U.S. EPA issued a civil administrative complaint against *Tanner Flying Services* for violation of FIFRA. *Tanner Flying Services* used two registered pesticides in a manner inconsistent with the labeling. More specifically, the pesticides were found to have been used without the proper Personal Protective Equipment and one was applied to a non-target crop. A civil penalty will be sought for the violation. The initial inspection and investigation was done by NNEPA inspectors under federal authority.

June 25, 2010. U.S. EPA Region 9 finally agreed to a budget for FY 2011. There is a 10% cash match, the budget decreased by \$20,000, but the annual amount offered increased by \$15,000. The grant application was due July 9, 2010.

The expenditure for FY 2010 is at 50%. Funds set aside for IDC (\$30,000) will be used in the 4th quarter if an IDC rate is not approved by then. The money will be used to fund the Pesticide /Hazardous Waste Collection. The event is geared towards schools.

Inspections

Six (6) non-agricultural inspections, five (5) market place inspections, and twenty (20) agricultural inspections were conducted by FIFRA credentialed staff of the Pesticide Program. There were no repeat violators.

Outreach

Fifteen (15) pesticide outreach were conducted at the following location:
Child Care Development (five) - Chinle Region, Rough Rock, Arizona
Tuba City Community Health Care, Tuba City, Arizona
District 8 Grazing Officials, Navajo, New Mexico
Dine College, Tsaile, Arizona
Tohatchi Schools (three), Tohatchi, New Mexico
Tse Hotso Middle School Career Day, Window Rock, Arizona
Shonto Schools (three), Shonto, Arizona

Radon/PPG Program

Staff participated in the following:

Radon staff provided 24 Hr. notice for the Contaminated Structures Phase II to inform family members of USEPA and NNEPA arrival prior to conducting assessments.

One (1) Planning Board meeting in Pinedale, NM to get on the Chapter agenda for the Contaminated Structures Project Phase II (CSP II) for Eastern Agency communities. The presentations included updates and progress of the residential radiological screening.

Participated in three (3) conference calls to prepare for U.S. EPA contractors arrival for home screening, background issues/concerns, sampling for U.S. EPA arrival for March 30, 2010.

On-going coordination for assessments, relocations, demolition, etc., with affected family members in Mariano Lake and Haystack area.

Environmental Technician attended the annual Division of Natural Resources Conference in Santa Fe, NM.

Radon staff assisted U.S. EPA Contractors with home visits during the screening activities in the Mariano Lake community.

Staff participated in the NNEPA Superfund and U.S. EPA quarterly meeting on the Contaminated Structures Project II on update and objectives for the new FY.

June, 2010 Environmental Technician attended the Abandoned Mine Lands Coordinating meeting held in Albuquerque, NM. U.S. EPA gave updates about sharing protocols, procedures, and status of activities for mines, structures, and groundwater. The following agencies attended the coordination meeting: U.S. EPA-Region 6 staff, U.S. EPA-Region-9 staff, New Mexico Environmental Department, New Mexico Bureau of Land Management, Office of Environmental Policy & Compliance

Office of New Mexico, Minerals Division of New Mexico, Office of Surface Mining New Mexico, NAML, NNEPA, NDOJ. Each agency presented their status of activities on mines on tribal lands. Activities include equipments, backgrounds, calibrations, structures, outreach, water issues, and enforcements

Key Action Items

April 2010-NNEPA, U.S. EPA had a meeting with NTUA on issues/concerns on water and electrical hook-ups, issues of having the contractors waiting for 3 days for disconnect or reconnect. The NTUA Tribal Liaison assured the group that NTUA will work this out with their District offices.

NNEPA and U.S. EPA met with Southwest Foundation Indian Foundation (SWIF) on structure replacement. They have strict guidelines regarding replacement of structures, primarily income level. One of the residents who received a new structure would like for U.S. EPA to tear down her structure but U.S. EPA informed her that she is not qualified to have her structure taken down by U.S. EPA.

U.S. EPA and NNEPA met with five families in the Church Rock community regarding structure replacement, temporary housing and per diem allowances. The meeting took place twice with each family in the third quarter. Proof of Home Site lease was one requirement.

Replacement of two retaining walls will also take place. The rock walls exceeded the background levels. Six (6) radon barriers installation completed in April for CSP I, one (1) at Cove, AZ three (3) at Cane Valley, UT One (1) Teec Nos Pos, NM and one (1) Oak Springs, NM

NNEPA CSP II and U.S. EPA had a meeting to discuss Background/Investigation levels and the characteristics needed to establish background/investigation levels. The following are the characteristics necessary to establish levels:

Elevation

Geology

Upwind/gradient

Out of drainage

Distance(eye view)

Accessible (to drive RAT)

Avoidance of Mine sites

Ant hills and prairie dog holes

May 14, 2010 Environmental Technician followed up on a report made by an IHS Field Sanitarian from the Gallup Service Unit, OEH, regarding the radon mitigation system at Bread Springs Head Start. A report indicated that electrical wire leading to the fan was a temporary connection. Staff met Eastern Agency Head Start maintenance supervisor and it was determined that rewiring would take place when school ends for the summer.

May 2010 Environmental Technician attended the "Construction in Indian Country" conference in Fort McDowell, AZ.

Environmental Specialist working as the liaison for one family from Mariano Lake for decontamination of their mobile home and furniture replacement.

Twelve radon e-perm chambers placed in this quarter. Two results came up greater than 4.0 pCi/l.

June 2010 Environmental Technician worked on the radon mitigation criteria listing for different type of structures which are Passive Sub-Slab Depressurization System, Passive Sub-Membrane Depressurization System, and Active Sub-Slab Depressurization System. Environmental Specialist in the process of reviewing. The list will be used to format the radon mitigation project that is planned for fiscal year 2010. A total of three residential homes will be constructed with radon mitigation system in eastern agency area. The three selected homes that will be mitigated must meet the criteria that are listed.

Environmental Specialist attended a meeting with Public Water, AML and NSF staff on how to address the environmental issues in the Blue Gap/Tachee community.

Environmental Specialist and NSF staff attended a meeting on Contaminated Structures Meeting with U.S. EPA and NHA. The meeting was scheduled to address how NHA could help in rebuilding structures for CSP II, guidelines have to be followed and there is a waiting period. The group was referred to Community Development who helps Chapters rebuild structures.

Radon staff attended the “Community Exposure to Uranium Healthcare Provider Training” and received Certificate of Attendance

Outreach- Five (5)

One (1) Outreach presentation at the Division of Natural Resources Conference.

One (1) Outreach presentations conducted for Rough Rock Earth Day.

One (1) Pinedale Chapter House on CSP II and recommending residence sign up if they live in a ¼ mile radius of an AUM.

One (1) Outreach presentation was conducted in partnership with the Community Uranium Exposure Health Screening Educational Outreach Program from Shiprock, NM

One (1) Outreach Presentation to Chinle Head Start staff “Child Find Growing in Beauty”.

Air Quality Control Program/Operating Permit Program

The Air Permit Engineer has drafted a renewed Title V permit for TWP Leupp Compressor Station and Klagetoh station. U.S.EPA has reviewed the draft and the permit will be public noticed in July 2010.

Correspondence was sent to Navajo Generating Station in April 2010 for (1) submittal of final NGS CAM plan, and (2) notice to re-open permit and to include the Federal Implementation Plan (FIP).

Operating Permit staff completed the 2008 Navajo Nation Emission Inventory for point sources (Title V facilities). The data will be submitted July 19, 2010.

The Air Permit Program submitted the FY 2009 financial report as required of jurisdictions with delegated authority (40 C.F.R Part 71.9(b)), and per delegation agreement Section VII. Submittal of Information: 3. Fee Auditing. Through the delegation, NNEPA agrees to submit a certified annual report that accounts for all Title V fees collected that fiscal year, all Title V expenditures and all Title V funds carried over from the previous fiscal year.

Environmental Engineer for the OPP was hired on May 24, 2010.

The Air Permit Program staff participated in Particulate Matter Audit testing at Four Corners Power Plant (FCPP) on all five stacks. The results will be submitted by the consultant when calculation is completed.

The Air Quality Control Program received an award of \$255,000 from the U.S. EPA Clean Air Action, Section 105, and the acceptance of the grant application is in the Section 164 review process.

The Air Quality Control Program monitoring section submitted the 2009 Data Certification to U.S. EPA for Crownpoint, Tuba City, and Shiprock TEOM data. The report was accepted by U.S. EPA.

Shiprock site is in operation mode with gaseous and MET monitors. The Particulate monitor (TEOM) has not been in operation due to the Mass Flow Control that went out. The part is on order and anticipated to be reinstalled July 1, 2010. Also at the site the wind propeller was changed out due to high winds splitting the tail of the propeller.

U.S. EPA Project Officer for the Air Quality Control Program visited the program from May 18-19, 2010 for a meetings related to the work plan activities, quarterly reporting, and to discuss air monitoring equipment needs, and she accompanied the staffs to the Shiprock site, a second potential site at Nenahnezad where a VOC monitor is planned to be located, and the Nazlini FRM and MET stations.

Six (6) consultation letters were prepared for Navajo Housing Authority and ETD Inc., Navajo Tribal Utility Authority, Great House Environmental, and four (6) burn permits were issued to individual clients.

Air Quality Control/Operating Permit Program staff worked on development of a draft fact sheet for Wildfire and Public Health.

Due the increased number of public requests for information on the impacts of wildfire smoke to humans, specifically from the Schultz Fire in Coconino County, AQCP staff developed a fact sheet, health advisory, and updated information on impacts of wildfire smoke to humans. The information was distributed to NN chapters adjacent to the fire, to other requesting NN chapters, tribal programs, EOC in Tuba City, State of Arizona Health Department, Coconino County Health Department, Coconino County Supervisor, NN Division of Health, NN Commission on Emergency Management, and numerous other requesting organizations and individuals.

An EBAM (Environmental Beta Attenuation Monitor), a portable instrument that automatically measures and records air borne PM concentrations (by photo multiplier tube) was set up at Leupp, AZ, to address the number of public inquiries

related to health impacts as a result of wildfire smoke. After 24 hours of monitoring data was retrieved, edited, and a chart developed using the Air Quality Index (AQI) results to show PM levels and AQI levels. The same was performed on the results from the Tuba City monitor. The program worked with the US Forestry and ADEQ. Air monitoring reports showed all sites to be in compliance with the NAAQS for the months of April, May, and June, 2010. The NAAQS is 105 ug/m³ for PM₁₀ (24 hours), and 35ug/m³ for PM_{2.5} (24 hours).

Current activities :

The Air Operating Permit will public notice the draft Title V permits for TWP Leupp and Klagetoh compressor stations in July 2010.

The Air Operating Permit Program is drafting the administrative amendment for Aneth Resolute Oil and Gas Company.

NNEPA is waiting for U.S. EPA to complete review of the draft Ozone (O₃) QAPP that was submitted in October 2009.

NNEPA is reviewing the draft NO₂ QAPP by AQCP Supervisor and Sr. Environmental Specialist prior to submittal to U.S. EPA.

Memorandum of Understanding between NNEPA Air Quality and Canyon De Chelly Park on setting up a PM_{2.5} monitor is ready for signature.

AQCP staff had telephone conference call with Kayenta Township on possible air monitor site and burn regulation ordinance.

Ongoing project between Air monitoring and NAU is conducting toxic and trace metal study at Shiprock Site and special Toxic monitoring at Nenanehzad School.

An outreach session is planned at Nenanehzad Chapter.

Meetings:

Meeting with U.S. EPA Project Officer for CAA section 105 May 18, 2010.

Meeting with APS on environmental issues June 18, 2010.

Third quarter review progress of work plans with programs in August 2010.

Title V compliance inspections July 7 & 8, 2010 for El Paso Natural Gas at Leupp, Dilkon and Navajo stations.

Title V compliance inspections July 26-28, 2010 for El Pas Natural Gas at White Rock, Gallup and Window Rock stations.

Arizona Permit Manager's Meeting, July 29, 2010.

Navajo EPA Division in service and training, July 28-30, 2010.

Outreach:

On April 22, 2010, the air monitoring staff gave a presentation to Window Rock Elementary School during Earth Day.

On May 12, 2010, the air regulation staff participated in science fair at Window Rock School.

On June 22, 2010 information pamphlets on smoke advisory were given to Coalmine Mesa Chapter and Tuba City Chapter.

Training:

24 hour Haz Awareness, April 20-23, 2010

Network Applications, April 20-21, 2010

8 hour HazWoper, May 7, 2010

Intermediate Excel, May 21, 2010

Confined Space Entry, June 2, 2010

Beginning and Intermediate Access training, June 2010

Overview of Grant Writing, June 23, 2010.

STATISTICS

Facility Compliance & Inspections:

There were no compliance evaluation inspections this quarter.

Citations / NOV's - #'s, type, location - No citations or NOV's issued by the NNAQCP.

Air Operating Permit Program received an excess emission notification on May 20, 2010 from EPNG Dilkon office which occurred at Dilkon Compressor Station between 19:00 and 22:00 on May 20th. The cause was related to the unit experiencing

multiple startups. Once the unit is started it eventually achieves equilibrium. This turbine unit is a Dry Lo NOx system which is designed for excess emission. A written report of this event will be submitted to NNEPA.

On May 20 , 2010 Air Quality Control Program received a call from Navajo Superfund Program, who informed the office that a disposal site made up of saw dust has been reported and burning for a couple of days in Navajo, NM. The monitoring section setup an EBAM at one of the local residences south of the dump and collected PM 2.5 data, and the data converted to AQI (Air Quality Index) indicated the impacts were minimal. The EBAM requires electricity and there were no electrical service along the Bowl Park/Lake road which is northeast of dump.

On June 4, 2010 Air Operating Permit received a called regarding an explosion like sound in Leupp, AZ, the Program Supervisor contacted officials at El Paso Natural Gas and TransWestern Pipe line to obtain information regarding the sound. EPNG confirmed there was a scheduled maintenance referred to as the “blow down” of the compressor line (venting) that morning. According to EPNG, the local chapter and the police station were notified of the venting early in the week. With next scheduled blow down the company will also notify the NNEPA Operating Permit Program.

The Navajo Nation
ENVIRONMENTAL PROTECTION AGENCY – CRIMINAL ENFORCEMENT DEPARTMENT
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

Program Information

Division Executive Director:	Stephen B. Etsitty
Program Manager:	Anderson Harvey
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Budget Information

Office Funding Source	# of Personnel	#of Vehicles	FY 2010 Personnel	FY 2010 Operating	% Used
Enforce General	5	5	5	345,546	72%
Total	5	5	5	345,546	72%

Accomplishments

NNEPA-CED preventative patrol in the following communities for environmental civil and criminal activities, including other criminal related activities.

Fort Defiance Agency: Dilkon, Sebi Delkai, Ganado, Sawmill Community, Toyei Community, St. Micheals, Hunters Point, Oak Springs, Klagetoh, Wide Ruins, Ganado, Wood Springs New Lands, Sanders, Querno Canyon,, Steamboat, Houck, Querino Canyon, Chambers, Sanders, Leupp, Fluted Rock, Burnside, Kinlichee, Crystal, Narbona Pass, Window Rock, Summit and Fort Defiance community. Whitecone community, Ganado Lake, Grease Wood community,

Shiprock Agency: Navajo Agriculture Product Industries, Hogback, Horseshoe Canyon, Aneth, Four Corners Tribal Park, Huerfano, Sanostee, Newcomb, Upper Fruitland, Shiprock, Counselor, Little Water, Burnham, Mexican Water, Red Valley/Cove, Buffalo Pass, Sheep Springs, Teec Nos Pos, Cudei, San Juan River and BHP & Navajo Coalmine areas Nehnahnezad, Beclabito, Red Mesa, Montezuma Creek, Many Devil wash.

Western Agency: Sand Springs, Cameron, Cactus Valley, Moenavi Valley, Elephant Feet, Red Lake, Bitter Springs, Coal Mine Canyon, Shonto, Tonalea Lake, Lechee, Cider Ridge, Kayenta, Monument Valley, Black Mesa, Peabody Coal Mine, Copper Mine, Tsegi Canyon, Navajo National Monument, Grand Falls, Copper Mine, Gray Mountain Community, Leupp, Navajo Mountain, Wildcat Peak, Newspaper Rock, Oljatoh and Tuba City community.

Crownpoint Agency: Standing Rock, Haystack, Tse Ya Toh, Twin Lakes, Mexican Springs, Tohatchi, Casamaro Lake, White Horse, Chilchitah, Little Water, Crownpoint, Standing Rock, Little Water, Tohlakai, Thoreau, Coyote Canyon, Pueblo Pintado, Huerferno, Red Rock Community, Manuelito, Superman Canyon, Mount, Coyote Canyon, Mentmore, Rock Springs and Baca/Prewitt.

Chinle Agency: Chinle Wash, Nazlini, Nazlini Wash, Canyon De Chelly NPS, Kitsillie community, Pinon, Tselani/Cottonwood Community, Balakai Mesa, Blue Gap, Whippoorwell, Low Mountain, Smoke Signal, Cow Springs Canyon, Forest Lake, Tsaile, Dinnebito, Rough Rock, Rock Point, Round Rock, Many Farms, Old Valley Store, Spider Rock Community, Black Mountain community.

Investigations/Activities

NNEPA-CED activities include criminal investigations, patrols; assistance; arrest and presentations totaled two hundred and thirty five (235) case log activities. Nine (9) cases are still pending follow up investigations, Notice of Violations response, interviews and judicial adjudications, persecution reviews, filing of criminal complaints. Twenty three (23) Environmental laws

and regulation presentations were conducted at Schools, Chapters, and Community activities. Two hundred three (203) cases have been resolved, adjudicated in tribal court, field contact corrective clean up measures, compliance with Notice of Violations, or closed with lack of substantial information, assistance to other tribal, Federal and State agencies and or law enforcement agencies.

NNEPA-Criminal Enforcement Department investigated illegal disposal and re-use of construction debris and waste for residential and Chapter construction projects within the Chinle Agency. A contractor admitted not disposing of construction debris/waste at a designated waste site off the Navajo reservation, as agreed to during under its contract. Attempts were made for corrective measures, but the company has not provided any work-plan or remedies to remove the debris/waste. Case is being review by the Navajo Nation Prosecutors office for potential environmental criminal violations.

NNEPA-CED investigated a complaint of illegal water tapping within the Eastern Agency. The incident involved a non-Navajo residing on a private land who had allegedly tapped into a Navajo Tribal Utility Authority water line without approvals. Investigation revealed, the water tap was legal and no violations were found.

NNEPA-CED received a complaint of illegal waste being buried without proper authorization and or in compliance of the Solid Waste Act for disposal of waste. Incident occurred within a withdrawn agriculture site. Investigation revealed a local business had begun to dump tires, wood boards, paper and plastic waste products, including minor petroleum waste. A Notice of Violation was served to the business and immediate remedial action was initiated for corrective measures. All waste was removed and transported to a proper waste facility off the reservation. Area was re-inspected and in full compliance as agreed in the environmental review process.

NNEPA-CED investigated several other minor complaints referred by NNEPA departments which were resolved without incidence or issuance of Notices of Violations.

NNEPA-CED assisted the Tuba City NDPS with their firearms qualification for both day and night shoot as well as judgmental.

Initiatives and COA

NNEPA-CED submitted a grant proposal to U. S. Department of Justice-Community Oriented Policing in the amount of \$300,000 to supplement our general funds operating cost. The amount requested will help replace law enforcement vehicles, purchase equipment and cover training costs. The proposal is pending the USDOJ-COPS review process.

NNEPA-CED continues to provide assistance to the NNEPA-Air and Toxics Department, Resource Conservation and Recovery Program, Surface and Ground Water Protection Department. Requests for assistance from these programs include non-compliance response, response on tribal environmental violations, responsible generators on environmental related civil and criminal activities and environmental criminal investigations.

NNEPA-CED continues to provide assistance, by request, to the Navajo Nation communities, Navajo Nation Department of Law Enforcement and the Navajo Nation Department of Resource Enforcement Department at all district levels within the Navajo Nation for investigations, Environmental related activities, security details and other selected assignments. This includes assistance to the United States Environmental Protection Agency Criminal Investigations, local and State Agencies.

Outstanding Program Issues

One NNEPA-CED Officer successfully completed Arizona Police Officers Training Board required 40-hours of Firearms Instructor Training Program at the Arizona Law Enforcement Training Center in Phoenix, Arizona. The NNEPA certified firearms training instructor is currently assisting the Navajo Nation Division of Public Safety by training Navajo Law Enforcement Officers for firearm qualifications.

Per NNEPA-CED policy and the Arizona Police Officers Standards Training Boards requirements, CED personnel attained all firearms qualification, proficiency related trainings, legal updates on Use of Force training, defensive tactics training, CPR and other tribal and federal law enforcement/emergency trainings. CED personnel attained the required annual certifications to better serve the Navajo communities in preserving and protecting tribal property and the safety of the Navajo Nation environment.

The Navajo Nation
ENVIRONMENTAL PROTECTION AGENCY – WASTE REGULATORY COMPLIANCE DEPARTMENT
Third Quarterly Report—Fiscal Year 2010
(April – May – June 2010)

I. PROGRAM INFORMATION

Division Executive Director:	Stephen B. Etsitty
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Departments:

Underground Storage Tanks	Warren Roan, Environmental Specialist
Leaking Underground Storage Tanks	Henry Haven, Senior Geologist
Superfund Program	Frieda White, Environmental Program Supervisor
Resource Conservation & Recovery Program	Cassandra Bloedel, Environmental Program Supervisor

II. SIGNIFICANT ACCOMPLISHMENT:

Waste Regulatory Compliance

4/01/10 – WRCD staffs participated in the 2013 Budget Orientation for External Funding sponsored by NN Washington Office and Office of Management and Budget in Gallup, New Mexico.

4/15/10 - Attended a meeting regarding with U.S. Environmental Protection Agency and Hopi Tribe regarding remedial activities and proposed plans for Tuba Thriftway site and Davis Chevrolet site. This meeting was a multi-agencies represented from Hopi, NTUA, NNEPA program, US EPA, IHS, Bristol Consultant, Thriftway.

Issues:

Several water studies were completed by Hopi lands by MDC that addressed the issue on water shortage on Hopi. MDC has announced more economic development plans for Hopi, Moenkopi Village and the Hopi Tribe.

Thriftway informed the group that they could release the remediated groundwater to the wash behind the current truck stop. The idea was to type to release the remediated water back into the shallow aquifer.

Bristol for Davis indicated that the water will be re-injected into the aquifer o Hopi. Water injection wells have already been completed o Hopi. The concerns about the deeper water zones.

Navajo expressed concerns that the sampling of uranium will only be used for the Davis site and that the sampling should not be used in case for naturally occurring uranium n the Navajo Sandstone. USEPA agreed.

Navajo Water injections program indicated that this is classified as a leach field and that an injection permit was not needed from Navajo Nation. The permit should be obtained from US EPA.

Discussions and update on the Thriftway remedial activities.

4/16/10 – Attended a meeting with U.S. Environmental Protection Agency Region 9, BIA Environmental Quality Department staffs and Navajo Nation EPA staff. The discussion was on remedial activities conducted by BIA for site held for administrative purposes in Tuba City, Chinle, Shiprock, Crownpoint and Window Rock. Work plan and proposed activities were presented for consultation from U.S. EPA and Navajo EPA.

4/16/10- Teleconference with U.S. Environmental Protection Agency to discuss the Regional Administrators visits to the Navajo Nation along with Headquarter officials to visit the water supplies wells, contaminated wells on the Navajo Nation, visit to the Navajo Generating Station in Page, AZ.

4/16/10- Met with U.S. EPA Project Officer to discuss the UST/LUST FY2011 funding and work plans. The discussion included the IPA contract ending on September 30, 2010 and will not be funded to continue the contract for FY2010. The UST program will be funded \$275,000 and LUST will be funded \$500,500 for FY2011.

4/29/10-Teleconference with NNEPA Contract Attorney to discuss the proposed Underground Storage Tank Program MOU with New Mexico for sites located in Indian Country with unknown jurisdiction in the Eastern Agency. There are several questions on the MOU and planned to proceed with New Mexico. What is really the issue with New Mexico on these sites? The concern from NNEPA was the information sharing of these sites, remedial activities, closures and whether they have monitoring wells, etc.

5/05/10 - Attended a meeting with U.S. Department of Energy (DOE) regarding the Highway 160 Site to discuss the Cooperative Agreement Modification and Project Scope of Work. The discussion included the following:

Draft Characterization Plan- Navajo Nation EPA and Navajo Nation DOJ. The Navajo Nation submitted a draft SPW for the entire Highway 160 Site project, to be included in the second modification. NNEPA-WRCD manager went over her comments submitted. The concern that DOE had was the use of CERCLA vs. UMTRA Standards. It was agreed that all the language or wording referring to CERCLA and UMTRA Standards be taken out. The cleanup standard can be worked out cooperatively when the Remedial Action Plan, as ARRARs.

DOE provided several comments and provided white papers and summary of the activities that has taken place up date. DOE also has offered to write the SOW for the Navajo Nation as the detailed scope and cost of characterization which will be developed by S & K. NNEPA-WRCD will be assisted by DOE's contractors.

Navajo Nation with the assistance of S & K will resubmit the final version of the Scope of Work. The meeting went very well, once both the Navajo Nation and DOE decided to take on the CERCLA and UMTRA languages out of the Scope of Work. DOE also decided the best way to get the \$4.5 million to the Navajo Nation and will execute the modification to the existing Cooperative Agreement it has with the Navajo Nation through the NNAML/UMTRA programs so that all can start work as soon as possible.

5/13/10-Attended a meeting sponsored by U.S. EPA Region 9 regarding Northeast Churchrock Uranium Mine Removal at Church Rock Chapter. U.S. EPA provided updates on the remedial activities.

5/25/10, Participated in a conference call with U.S. EPA regarding the FY2011 Work plan for Leaking Underground Storage Tank and Underground Storage Tank grants.

6/07/10- Met with Chairman of the Resources Committee of the Navajo Nation Council and the Legislative Advisor to discuss a proposed amendment to the Navajo Nation CERCLA that resulted from a meeting with the Major Oil Industries in Houston, Texas in May 2010. NNEPA staff provided update on the questions posed about a lack of public input. Superfund staff provided a chronological events and meetings to the drafting of the NNCERCLA beginning in 1992 and why oil was not excluded from the Navajo CERCLA similar to that of the Federal CERCLA. Because of the environmental safeguard using the term Mother Earth has a fundamental value and is part of our fundamental laws. Resources Committee Chairman wants to continue discussions and would like to attend our July 15th meeting with our Contract attorney and the Oil Industries continuing our negotiation (MOU) in the Gap filling agreement.

6/08/10 – Participated in the technical meeting with U.S. Environmental Protection Agency from Region 6 & 9, New Mexico Environment Department, New Mexico Mine and Mineral Department, Bureau of Indian Affairs (BIA) and representatives for BLM. The purpose of the meeting was to briefly update each other on the status of our activities for uranium mines, structures and groundwater and to provide strategies and coordinate future efforts in the areas of data management, enforcement and community outreach. The following presentations are as follows:

U.S. EPA Region 9 provided update and status activities on the Uranium Mine Five Year Plan for Navajo Nation to include overview and objectives;

New Mexico Environment Department and U.S. EPA provided the status for mine screening, assessment and removal activities, shared criteria for further assessment and removal actions and any significant inconsistencies and next steps for sites; U.S. EPA, Region 6 and Navajo Nation provided the review protocol/status for structure screening, assessment and removal, share criteria for further assessment and removal actions;

Navajo EPA provided update on the structures screening, assessment, removal and protocol used for surveys and data collections

U.S. EPA Region 6's Consultant provided update on their structures screening/assessment and has not done any removal.

New Mexico Environment Department provided update on the groundwater studies for the Grant Uranium Belt.

Navajo Nation EPA provided update on the livestock well sampling conducted by CDC and U.S. EPA and the community outreach.

U.S. EPA, Region 9 provided update on continued work on the well sampling.

U.S. EPA Region 6 and their contractor provided on the status of the ULEP database, data sharing needs, confidentiality issues

U.S. EPA, Region 9 covered the enforcement, coordination on enforcement activities

Navajo Nation and U.S. EPA provided update on community involvement activities, sharing outreach strategies, future coordination opportunities.

Meeting adjourned around 5:00 p.m.

6/09/10 - Met with U.S. EPA for a brief update on AUM activities, NECR land status, Brownfield activities, 2011 work plan reviews and action items.

6/15/10- Met with BIA Phoenix area, Navajo Nation DOJ, and Navajo EPA staffs to discuss the Tuba City Open Dump Draft RI/FS Work plan. BIA provided update on the comments submitted by Hopi Tribe, Santec and Navajo Nation EPA.

The concerns were as follows:

Background samples and levels

Cross gradient wells

Natural occurring uranium and in well samples in Monitoring well No. 7

Couple of theories - Natural occurring and from Rare Metal

Discuss on USGS/Santec involvement in the RFS, the approach that USGS has used concerned bias by NN and Hopi tribe.

NN request BIA that USGS not be the main lead in the studies for the RFS and with limited involvement.

Tracer Tests in GW wells

RI/FS schedules

Work plan comments discussions

Personnel Training/Health Monitoring Activities:

June 15, 16 and 17, Environmental Grants, Boise, Idaho scheduled for RCRP staff.

June 21, medical monitoring for RCRP manager at Reliance Medical, Farmington, NM rescheduled due to other medical treatment.

June 21, 22 and 23, NM Recycling Conference, Albuquerque, NM scheduled for RCRP staff.

June 25, 2010-Navajo Nation FY11 Budget Orientations provided by Navajo Nation OMB. Highlighted the changes and additions to the Budget forms.

June 29, low-flow purge internet training was completed by RCRPA staff, as he continues to assist at TCOD for groundwater sampling or other locations.

Superfund Activities

3/23/10 - NSP met with U.S. EPA in San Francisco, CA receiving information of unofficial approval of a) funding \$180,000 for proposed Uranium Commission with annual balance of \$320,000 to be sought through letters of request by NNDOJ to other federal agencies, b) \$70,000 for Community Involvement Coordinator (CIC) to start in FY2010 summer with use of U.S. EPA's Emergency Response's program funds, c) an IPA Attorney from U.S. EPA in FY2011 with use of FY2010 cost savings from Sr. Environmental Engineer's position which would extend the Superfund Cooperative Agreement for two years and render a revision of the workplan for the CIC. The meeting continued with U.S. EPA providing the information from the February 24th Manager's meeting, and USEPA's acknowledgement to make effort to schedule all NSP projects through NSP including outreach and notification to have NNAML attend or not.

3/24-25/10 - NSP participated in the Quarterly Meeting in San Francisco where it included reports made by project leads, responses to inquiries made by persons working on the project, information provided by U.S. EPA regarding the Targeted Brownfields Assessment Grant approved for use at the Pinon McGee site this summer, as well as the need to submit the TBA for the Sawmill Site, a report of U.S. EPA's organizational changes (i.e. Superfund Division Director becoming Deputy Regional Administrator, etc.), an overview of the CSP project in presence of U.S. EPA Region 6 official - of which the NN will be looked at for guidance when work continues with Region 9, 6, NMED, NM Mining & Minerals, talk of effort being a

unified approach on tribal lands through evaluation of rad problems and prioritizing them for cleanup, overview of the UNC site and its current problems to be addressed by U.S. EPA in concert with NSP, conversation of using NHA to build homes for contaminated structures project or use of local contractors that Radon Program will provide, report of CSP Phase I nearing completion pending utilities hook ups, strategy to revisit the background sites to determine which sites to use (undisturbed and one not adjacent per HRS protocol) in the Churchrock area via re-testing with the addition of an XRF to see if the metals signature is the same as at the minesite, the provision of information when a mine reads 100,000 cpm (80,000 cpm) and structure is within ¼ mile so that Emergency Response will initiate, determination to also demolish rock walls when “hot”, review of the Sheep Dip Vats project’s history, need to perhaps have names submitted to Emergency Response removed and placed with numbers to continue effort of “privacy” or rely on U.S. EPA’s confidential declaration filed in their record’s center, review of current sites screen formats a) one for all purposes, b) one for mine sites, c) one for emergency response, and d) one to be condensed for Brownfields sites pending NSP’s discretion, review of draft schedule for site screens and structures surveys in order to reach all six regions with the understanding that assistance can be sought from U.S. EPA Region’s contractors pending NPS’s goal of handling and review of the draft, and finally scheduling of meeting with U.S. EPA 9, 6, NMED, NM Mining & Minerals, and NN in May or June.

5/13/10 - NSP met with U.S. EPA to provide information on: a) U.S. EPA’s plan to determine if contamination exists at identified site in Mariano Lake Chapter, potential impact to livestock grazing, b) family in Section 23 already moved trailer to Thoreau, c) status of Navajo Nation letter requesting U.S. EPA to work on Quivera 1, 1E, and 2 with listed expectations/scope, d) GE to pay for water samples to be collected in the NECR, UNC, Quivera 1, 1E, 2 areas this July 2010, and e) NSP need to perform rad survey of vent holes, not addressed in the Draft EE/CA.

5/13/10 - NSP met with U.S. EPA to: a) review expectations for the 1pm pre-meeting with the facilitator and RWPR, and b) receive an b1) update of their conversation with NNDOJ, b2) a report of U.S. EPA’s effort over a one month period to meet with Resources Committee on May 13th, b3) consideration types of handling RWPR’s contamination, b4) update of the Skyline Mine Project where the NN Dept. of Water Resources requested for capping of the contaminated well and drilling of a new one, and b4) status of Mariano Lake site where the nearby well was found dry affecting the HRS process and where NNDOJ will obtain records from NN Minerals for continued PRP search.

5/21/10 - NSP participated in a U.S. EPA teleconference with the NNEPA Executive to provide updates on the a) NECR site where the charter (RWPR Strategic Plan of 11 points) will be reviewed/discussed before the June 10th Conceptual Planning Meeting at Churchrock Chapter, b) Skyline Mine where planned outreach on June 3rd is set and where residents request to close the contaminated well located 1/10th mile from minesite will be made of U.S. EPA, c) Quivera Mine where NSP provided same information below under the NECR Section, d) Mariano Lake Old Golf Mine area where NSP provided same information below under the CSP Section, and where different assessment method used at private owner’s home by Region 6 will be addressed at the June 8th meeting, e) planned Uranium Commission, U.S. EPA-OAR contributed \$75,000 for the Commission and \$5,000 for the upcoming AUM Stakeholders’ Conference, f) Tuba City Dump where U.S. EPA will draft a letter for an administrative order that NNEPA will review before it is provided to BIA to get them to perform an RIFS (Remedial Investigation Feasibility Study), and g) NSP’s pursuit of an office building where U.S. EPA will look into sources of funds perhaps with green building funds to rehab current office.

6/6-10/10 - NSP attended the 2nd U.S. EPA Quarterly Meeting where reports were provided of the PA/SI, NECR, and Brownfields work with current work in the third quarter also provided; AUM points of discussion occurred re: a) the NECR land status that was determined and followed by NNEPA requesting USEPA Region 9 to take lead and Executive Director requesting NM State to handle Febco, Blackjack, and Ruby mines, b) the need to consistently screen among partners, c) Uranium Commission work, d) Lawrence Livermore National Lab, via University of Southern California, to do contract laboratory work, e) Skyline minesite activities, and f) Rio Algom activities. CSP work will occur in the Eastern Agency of homes within ¼ mile to check for exposure and in Fall 2010 in the Northern agency. Response activities update and lead to future planning; SDV activities generated the need to write a letter to BIA; and, review of the budget determined the need to write a letter to BIA; and, review of the budget determined the need to closely monitor funds in FY11 as it is more complicated than in prior years.

Accomplishments/Status

A. PA/SI ACTIVITIES

CONTAMINATED HOME STRUCTURES (CSP):

NSP and Radon met, assisted, and provided oversight of the U.S. EPA (and their contractors) re-analysis of the background issue at the Churchrock site with same instruments except for use of the XRF to determine signature of metals at the site and the minesite; and for use of NMED’s geologist who pointed to reasons for not choosing U.S. EPA’s adjacent and potentially disturbed background sites. Work continued at all background sites selected by U.S. EPA and NSP for Phase II of which data

will be generated, evaluated, and shared with NSP after soil samples are analyzed at a lab; Re-analysis included use of 3x3 radiological scans, PIC readings, soil samples being collected for uranium/radium analysis, and Germanium probe analysis for radioactive isotopes; All NSP staff participated as this is important to understand, write protocol, and use for future site work; NSP conversed with families to receive approval of continued work in their area. Further on April 27th, NSP arranged to have U.S. EPA meet in the NSP Conference Room with NSP staff to provide a) explanation of questions/concerns with the background data selected for the November 2009 data as well as the future consistent protocol for background determinations for the balance of the CSP project, and b) mitigation actions (next steps) proposed for the elevated contaminated homes determined from U.S. EPA's radiation scans in November 2009 in the Church Rock Chapter area.

NSP and U.S. EPA met on April 1st in the NTUA Conference Room to inform families that received new structures in Cane Valley, Ut who still have not had electric hook ups although NTUA had been previously requested to do so; NTUA's Government Liaison, will meet with the Kayenta district office where the request was made to resolve the issue.

NSP visited on April 27th six homeowners in the Churchrock area of the contaminated homes to inform of the upcoming mitigation actions for their homes which includes the visit of a structural engineer. Four homeowners were contacted on April 28th; all homeowners are part of the Phase II project.

NSP participated on April 28th with U.S. EPA a meeting at the Southwest Indian Foundation (SWIF) office in Gallup, NM, where SWIF provided information that a) SWIF provides modular homes to needy Navajo families provided they qualify under SWIF's housing requirements, b) that the recipients are responsible for obtaining infrastructure hookups and are to demolish their former home, and c) the Happy Valley Road residents are not able to comply with SWIF requirements due to financial setbacks. U.S. EPA informed that if the contamination is found to be part of the home and not naturally occurring then U.S. EPA can assist the family with infrastructure hookups and demolition of their former home; U.S. EPA will return in one month for further testing to determine the source of the contamination.

NSP on April 29th - 30th obtained some home schematics with detail of Radon placement of canisters and radon concentration results during the Phase I CSP for the Radon Program.

NSP on May 6th attended the CSP update meeting and discussed the recent U.S. EPA background sampling events, U.S. EPA outreach to affected residents, SWIF home replacement activities, and remaining Radon monitoring efforts in the Church Rock Chapter.

NSP conversed with U.S. EPA regarding the June 8th Stakeholders Meeting where NSP will present the CSP's process after its prepped with current activities, its status along the process, its protocols used, and next steps; and where U.S. EPA and others will give presentation.

NNEPA Radon Program took new U.S. EPA Community Involvement Program staff on May 13th to the Mariano Lake and Section 23 area to tour work activities carried out and planned by NSP and U.S. EPA.

NSP worked with U.S. EPA on May 18th - 19th in the Mariano Lake (ML) and Haystack (HS) Section 23 area and performed a) public outreach to families residing in the area, b) radiological scans of the ML Old Gulf Mine Site (OGM), its (3) surface impoundments with historical effluent draining into the Rock Canyon area, dirt roads surrounding the site with readings as high as 140K counts per minute, and residential adjacent homes, c) release of animals that were in the OGM fence, d) decision to initiate an RP so further characterization may be performed, and e) a second background scan that was lower than the first which will result in adjustments to the IL; ACTION ITEMS are to request a) U.S. EPA to put up signs for residents to avoid animal grazing within the fenced area, and b) to have knowledgeable resident, who put up a framed Hogan, sign a document that at his discretion he still desires to build a home in the contaminated OGM parking pad area, c) write a letter and have parents of trailer owner who moved from the OGM parking pad area to Thoreau on her parent's homesite lease to indicate their approval to reside there, d) once this is completed then U.S. EPA will clean inside the trailer, remove the carpet, purchase furniture, put up skirting, and build front and back porch, e) information on different method of structural assessment performed by U.S. EPA Region 6 as compared to Region 9, as NSP noticed this when assessment was performed on private landowner's home, and f) to reschedule structural assessments with a participating family, as they missed the opportunity in November 2009 and on May 18th - 19th.

NSP attended a technical staff meeting on May 20th in the NSP Conference Room regarding a) the requirement for the CSP project to be completed in each region by 2012 with Northern conducted in 2010, Western in 2011, and Central/Southern in 2012. Thereafter, information can be utilized as justification to inform Congress of the budget need to finish the endless CSP project; NSP will simultaneously work on Eastern Agency homes that are within 1/4 mile of mine, and b) work that occurred in the Mariano Lake and Haystack Section 23 area, as noted under CSP.

NSP accompanied Radon Program on June 3rd to meet at Thoreau site regarding trailer placement, cleaning of trailer, temporary lodging, and followup meeting to occur on June 15; GPS readings were taken. Thereafter, they met with U.S. EPA to provide an update to Church Rock Chapter residence at the Church Rock Chapter regarding a future visit with a structural engineer who is to evaluate homesites that require follow up due to homesites exceeding the screening levels.

NSP set up a CSP Meeting on June 3rd with the Navajo Housing Authority's Grants Management Office on June 22nd for the purpose of having NSP and U.S. EPA partner to service NN homeowners who have contaminated home structures through discussions to determine the services each will provide to meet the goal of providing safe home structures for the homeowners pending each agencies' regulations/ guidelines.

NSP developed a CSP briefing paper for the April 19th U.S. EPA Headquarters Visit/Tour, as detailed under Technical Assistance.

NSP revised by making the CSP notification paper generic for outreach use at the DNR Conference.

SITE SCREENS:

None.

NAUM ACTIVITIES:

NSP conducted a meeting on April 9th among NSP staff to share information, plan, and coordinate meetings and tours with Tronix on April 13th and 14th and with U.S. EPA Washington DC and USEPA Region 9 visits on April 19th.

For Skyline Project Activities in Oljato Chapter:

1) NSP attended and participated in an April 9th meeting in the Executive Director's Office to prepare for the Oljato Chapter meeting.

2) NSP attended and participated at Oljato Chapterhouse meeting on April 11th regarding the Skyline mine project, and presented an overview of work at the Skyline mine with generated outcomes.

NSP drafted a resolution for the Oljato Chapter in support of the Skyline Mine Activities and assisted U.S. EPA on April 22nd - 23rd at the Skyline mine with fencing and application of the sealant to retain contamination in prevention of dust exposure.

4) NSP attended Oljato Chapter Meeting regarding the Skyline Mine activities on June 3rd; NSP received a two year report of Skyline Mine activities where NSP informed U.S. EPA and the public that the two year report is considered a DRAFT and that more repository options are needed before finalizing the report.

NSP participated in Tronix field visit/tour, where 5 persons with majority being attorneys, to NECR on August 13th and Lukachukai and Cove on April 14th. Only one site was accessible due to road conditions and snow in existence in the mountains thus the tour was postponed to July or August 2010.

For Public Meeting Attendance:

NSP attended in Flagstaff, AZ the Earth Day Film Festival on April 20th where four films related to Uranium Issues showed the danger of Uranium to Human Health and the Environment, the history of uranium, and Community Group activities such as the Eastern Navajo Dineh Against Uranium Mining (ENDAUM); Three speakers (1 from Sierra Club and 2 from RWPR) spoke; NSP did not need to rebuttal.

NSP attended the Grants Mineral Belt Public Meeting on April 27th regarding NM's five year plan in which community members commented on varied observed gaps and their appreciation of the many federal and state agencies working together; No RWPR member was present

NSP attended on June 8th the AUM Stakeholders Cleanup Coordination Meeting to provide information on the NNEPA Contaminated Structures Project and received information from the USEPA Region 9, USEPA Region 6, NMAML, NMED, NMME of current AUM activities; Questions and discussions lead to the need of having follow up meetings as smaller groups to address the consistent work required for screening at AUM sites, the need to share data as each would provide, and the need to use the PORTAL geared to share among all stakeholders, and last the need to have this type of meeting annually to review all work occurring within the 5 Yr Congressional Plan.

NSP attended the Resources Committee meeting on June 10th to provide support in USEPA's presentation on the progress of the AUM 5 Year Congressional Plan; NSP (FSW) responded to the Resources Committee's inquiry of working with NNAML by informing that a Uranium Commission was needed to address the need for NNAML to lower their reclamation level through SMCRA to a more Navajo Nation conservative level to meet CERLCA's cleanup level, as processed for other tribes and states to their conservative cleanup levels.

TECHNICAL ASSISTANCE:

NSP staff participated in NNAML's value engineering process at the Morrison Minesite to find major concerns of non-compliance that NSP need strategize for the best approach to inform of these concerns.

NSP assisted on April 8th, 16th with the planning process and final revisions of the packet for the tour scheduled for April 19th on behalf of USEPA Office of Water Asst. Administrator Pete Silva and Region 9 USEPA's Regional Administrator Jared Blumenfeld.

NSP assisted with the morning part of the tour on April 19th for the USEPA official. NSP informed of where the AUM sites were in Haystack respective to water wells to emphasize mine contamination impacts to nearby residents and local groundwater sources. Ultimately, NSP's effort was to have Mr. Silva provide information to U.S. EPA Administrator for allocation of funds and resources to address uranium contamination in the Haystack area.

NSP responded on April 21st to the NNEPA Environmental Review Office referral of chemicals of concern listed on an Indian Health Service (IHS) inspection report, conducted by IHS at the Immanuel Mission School located in Sweetwater Chapter.

NSP attended and participated in the BYU presentation on May 10th that pertained to a BYU professor and student giving explanation of their pilot study and their interest to assist where most needed; NSP responded to inform that the biggest

longterm project was AUMs; Thereafter, NSP took them to the Diamond 2 Minesite to collect two ranges of contaminated soil samples.

NSP toured an unused BIA building on May 11th to consider for NSP's Office.

NSP completed fifteen compliance letters or memos for construction activities of new homes, roadways, or developments

NSP received inquiry and responded to have NTUA send their environmental compliance request to NNEPA Environmental Review and NSP's Health Physicist so that NTUA was compliant before funds were received for fiber optic cabling to replace old technology.

NSP attended the Navajo Nation (NN) Emergency Management Presentation on May 21st to find that a resolution was passed to have all Navajo Nation employees to take National Incident Management System (NIMS) online courses and 700-800 onsite level courses in preparation for response activities; NSP's concerns are a) 40 Hr HAZWOPER requirements were not reviewed, as well as, b) risks to NN employees not trained in understanding hazardous chemicals.

NSP responded to inform that the Montezuma Creek Regional Business Development Office's (RBDO) concern of a currently active business falls under the RCRA laws and should be handled by this program.

PUBLIC INFORMATION:

NSP support staff set up an outreach booth at the Division of Natural Resources Conference in Santa Fe to provide information on the Contaminated Structures Project and information of NSP's history, highlights of accomplishment, and services.

Other events are under CSP and AUM activities, and Meetings.

B. SACA ACTIVITIES (NECR) /RIO ALGAM/TRONIX:

NSP staff attended on March 30th the Health and Risk Workshop at the Churchrock Chapter to answer individual questions during the breakup sessions following the presentations provided by IHS, NNDOH, UNM & Dineh Team, USEPA, ATSDR, Medicine Man, and Dine Interpretor's brief overview in Navajo after she provided interpretation to individuals sitting next to her; The overview covered the health impacts from radiation and contaminated water; Information packets of the area water wells' results of analysis and risk assessment were made available to the public.

Conceptual Planning Meetings Attended:

1.) NSP on May 5th teleconference in the NSP conference room with USEPA Region 9 Staff, Phil Bluehouse, Traditional Peacemaking Services, and Teddy Nez, Red Water Pond Road resident regarding the upcoming May 13th meeting to be held at the Church Rock Chapter; Mr. Bluehouse was recruited by Mr. Nez in an effort to use a different approach to resolve ongoing conflicts and misunderstandings through the "peace making method" with use of the traditional "Navajo Creation Stories."

2.) NSP conversed with USEPA on May 10th to inform temporary replacement, will be introduced on May 13th to NSP; this new person has been working on the Tuba City Open Dump and UST; Also, per RWPR's request USEPA tried to have a facilitator who could not make it, as a result, Mr. Philmer Bluehouse was solicited by RWPR to do the facilitation.

3.) NSP attended at 1:30 pm a pre-meeting regarding procedural steps as to how the evening session will occur, with the facilitator Mr. Bluehouse generally informing of his paradigm and with USEPA communicating for an outcome of handling three goals of the RWPR's nine listed short term goals; Included was general approval of the use of a medicine person with care emphasized so that funds are not to be taken advantage of.

NSP attended the 5:30 pm Conceptual Planning Workshop at the Churchrock Chapter on May 13th with attendance by the Community, the USEPA, NNEPA, and General Electric Company where the facilitator, Mr. Philmer Bluehouse expended the majority of time explaining in detail his paradigm of cultural statements followed by USEPA providing an overview that led to general coverage of three of the nine short range goals.

NSP attended at the Churchrock Chapter on June 10th a continuing Conceptual Planning meeting with the RWPR community members.

NSP provided oversight of the drilling process used to delineate the horizontal and vertical extent of petroleum contamination discovered during the recontouring process of mine waste; The proposed ten drilling locations were not completed due to an onsite accident caused by the mud circulating system becoming detached from the drill mast crashing onto the drill rig operator; Work was halted and will continue during the weekend; U.S. EPA contractor and MWH contractor were also present.

NSP provided comments on planned interim paving of the Red Water Pond Road that sits adjacent to the step-out area of the NECR mine site with concern (MD) that further characterization below ground to define contamination need be performed first and that per GE the contaminated pavement would cost additional money to dispose of; Options to reduce the radiation exposure to nearby residents at the NECR site are being considered with the sealant application used at the Skyline minesite not an option (EE) as it is temporary (biodegradable) and is compromised with weight and activity.

NSP participated in a teleconference a) with NSP informing they will not accept the updated correlation until data is seen on how re-correlation was performed and actual data is provided; Concern is excessive readings above 2.24 pCi/gm in the tree area are now considered okay when previously it was not and was the reason for taking all the trees down, b) where NSP

received updated information of the petroleum contamination's extent being 300 ft NW toward and near arroya that was recently excavated and is 500 to 600 ft from TNez's home and remains above the sandstone layer, c) BTEX was measured for and is < 1 ppb therefore volatilization into homes is not of a concern; Initial contact by USEPA with NSP occurred via conversation a) GE's reliance on their field equipment correlation (K40) that may now be questioned because most analytical results of the sandstone in the tree area resulted to be below the action level, and b) the upcoming tour at the Midnight Mine in the State of Washington.

NSP and USEPA teleconferenced on May 20th with Rio Algam (4 attorneys, 1 CEO, and 1 Vice President) with outcome of USEPA informing they want to work cooperatively and if not an order would be issued for berms or sedimentation basins to be placed to prevent migration, to sample in the 50 ft shoulder area of the RWPR, to place sealant or pavement on the road to contain contamination, to repair fence to keep animals/humans out, to develop workplan by end of June, and to visit site before workplan although Rio Algam (RALM) questioned a) GE not participating with USEPA directing them to GE with inquiries, b) risk when there is no agriculture use of the road with USEPA informing that it was a historic transportation road, c) the Emergency with USEPA informing of the more understood risks, and RALM informed that a) a Bureau of Land Management (BLM) agreement was signed off on to release RALM of management responsibilities as they accepted their remediation work with USEPA informing that there is no closure document, and b) the Navajo Nation (NN) should have been keeping animals/humans from entrance with NNDOJ informing that there is no release of responsibility by the NN and the NN has different programs with different responsibilities.

NSP was assisted by NNEPA's Radon personnel with the Rio Algam Tour on May 28th.

NSP attended a meeting with NNDOJ, NNEPA, and USDOJ officials on June 4th regarding USDOJ's claims against Kerr McGee through Tronix Bankruptcy proceedings for subject areas of contaminated water problems and structures, health studies of tissue samples, and data of culturally related sites.

GE contractor reseeded the Step-out area and fenced it.

NSP developed briefing papers as noted in Technical Assistance.

C. PREWITT/UNC ACTIVITIES:

NSP developed briefing papers for each site as noted in Technical Assistance

NSP teleconferenced on May 20th and 25th with U.S. EPA Region 6 Grant Specialist regarding a) definition of No-cost Extension with cap of \$30,000, b) NSP's expressed need to exceed the cap, c) Region 6's estimate to perform an amendment over the routine process, d) Region 6 using outdated information of drawdowns in Jan 10 and April 10 that NSP indicated were representative up through March 10 and monthly drawdowns were not possible, e) a teleconference scheduled for June 28th to review the process of drawdowns, and f) teleconference in June regarding budget.

NSP attended a meeting on June 9th in Albuquerque at the NM State Environment Department's Conference Room to review the next steps of the project to monitor the effort to stop the Northern underground water flow potentially to move onto the Navajo Nation.

D. BROWNFIELDS ACTIVITIES:

NFPI Smoldering Incident:

1.) NSP on May 5th observed, photographed, and interviewed nearby homeowner of the smoldering at the NFPI dumpsite in response to the Navajo Pine Fire Department's phone call; NSP (JB) took GPS readings on May 6th to determine the volume of sawdust and extent of smoldering; NSP (MD) on May 6th and 7th coordinated among the NNEPA Air Department, Department of Economic Development office (DED), the BIA, and Navajo Nation Fire Department to locate a) heavy equipment to be contracted through DED, b) monitoring equipment from NNEPA Air, USEPA, and potentially from the Navajo Pine Fire Department to determine if a hazard to the community and responders who will respond to the smoldering, c) Personal Protective Equipment pending the level to be determined, and d) some funding; A meeting is planned for further response coordination on May 10th.

2.) NSP met with BIA Forestry and NN Fire Captain at the NFPI Dumpsite to coordinate and plan response activities on May 10th.

3.) NSP with Air Quality set a particulate monitoring station toward the nearby community on May 12th.

4.) NSP received from the NN Fire Department information that they will monitor the NFPI dumpsite smolder on May 13th and have completed monitoring on May 13th to find that there were no concerns with toxic fumes therefore the BIA Fire Response Team can put foam and water on the dumpsite to stop smoldering, as they successfully performed two years ago.

5.) NSP received information from BIA on May 13th that they positioned their trucks at the edges and saturated the NFPI dumpsite with foam and water, will perform the same on May 16th, and if needed next week will repeat the task; They will be contacted as it continues to smolder.

NSP inquired on June 4th of the Legislative Branch to find that to form a commission a) a resolution is needed for an enabling legislation, and b) plan of operations guidelines like department plans of operations are needed; Actual sample copies of two commissions citations were provided.

NSP received official information via a letter that NSP was not awarded the Competitive Assessment Grant.

OLD CHURCHROCK MINE (OCRM) ACTIVITIES (Section 17):

NSP developed briefing papers as noted in Technical Assistance

NNCERCLA ACTIVITIES:

NSP revised the NSP brochure to include the NNCERCLA.

NSP developed briefing papers as noted in Technical Assistance.

NSP met with the Executive Director on June 2nd to prepare for upcoming meeting with Resources Committee Chairman.

NSP met with Resources Committee Chairman on June 7th where he informed NSP of his concerns that were generated after he met with non-Navajo Oil & Gas Companies (O& G) in his effort to retain a balance between economics and environmental concerns.

SDVs:

NSP participated (am) in the am Sheep Dip Vat (SDV) meeting on March 23rd in San Francisco at the Region 9 Office with USEPA (Site Assessment Managers and QC Manager), BIA Gallup, BIA DC (telecon), BIA's contractor, and ATSDR (telecom) regarding eight SDV sites that are to undergo Site Investigations following community outreach, scoping, completion of Sample Analysis Plan (SAP), and sampling pending resolution to use discrete versus composite samples, depth of soil collection, sediment collection, and hydro-punch where Toxaphene was found in water.

NSP conversed with BIA-NRO who can't find their BIA administrative document summarizing SDV information up to 2007 with estimate 220 plus sites and 180 samples under the work of BIA Headquarter Office in Washington DC.

NSP reviewed and agreed to have BIA include the Wide Ruins SDV Site in the FY10 SDV Sampling Site Inspections that will occur with eight other sites for the following reasons: The maximum contaminant level of 140ppm exceeds the drinking water MCL of 0.03 ppm and the shallow aquifer may be used by this community for drinking water purposes.

NSP conversed with U.S. EPA Project Officer on May 12th to inform that a schedule was needed to schedule chapter visitations to inform of the scoping events and that NSP staff will participate in the 1st scoping event to observe the process.

NSP received information on May 17th of an SDV site located East of San Juan Chapter from NECA who are constructing a water line from LaPlata to Shiprock; NSP on May 18th GPSed and photographed the SDV site and structures after arrangements were made with Chapter Manger; Information will be used to determine if it was tested before.

NSP while checking with President of Hogback, of the SDV site (no records known of) was informed that NNEPA was to haul away soil and cement debris. NSP requested that Solid Waste, who informed that NN Design and Engineering was to haul it away but had no funds, call and inform the Chapter of such.

TBA ACTIVITIES:

Pinon McGee Site:

1) NSP conversed with USEPA's Contractor from Ecology and Environment to provide the best physical address as there is no street number for the Pinon McGee Site, and responses as to how the BIA sections land areas without use of parcel numbers; Responses were provided after conversation with the Chinle BIA Real Estate Service Office where they informed that a) non-Navajo Nation (NN) Assessor's Parcel Numbers are NN Lease Numbers, b) before the NN Lease Number was issued, it had BIA's lease no, c) the current NN Lease Number CH-85-80 is associated with BIA's documented record no. under the BIA Land & Title Records No. 790-1-86, d) there is no tract number associated with gridding of this area, as it is unsurveyed area, and e) there are no aerial photographs before 1980.

2) NSP assisted Ecology and Environment, USEPA's contractor, with the Phase I file review and site visit at Pinon McGee Trader's site in Pinon, AZ on May 6th where the Regional Business Development Program Manager and the Economic Development Specialist were met.

NSP teleconferenced on May 24th with USEPA, Brownfields Project Manager, and their Ecology & Environment contractor to complete the site scoping session for the Pinon

McGee Site where petroleum contamination will be addressed through a sampling plan, and metals and PCB burned in the demolished property will be documented for the disposal company to handle.

NSP provided an update to the Whippoorwill RBDO office's specialist on June 11th

Potential Sawmill Site:

- 1) Treasurer/Secretary of the Sawmill Chapter called informing that she will take on the responsibility of assisting with the TBA application process and will obtain the Master Plan and Site Maps that NSP requested years ago, to allow application procedures to proceed.

PARTNERSHIP ACTIVITIES:

None.

ENHANCE CLEANUP CAPACITY:

None.

TRAINING/TRAVEL:

NSP attended, and completed Trip Reports for the following:

- 1) Travel to San Francisco regarding Sheep Dip Vat meeting,
- 2) Travel to USEPA Quarterly Meeting in San Francisco.
- 3) Travel to Basic Inspector Training in Lakewood/Denver.
- 4) Travel to Division of Natural Resource Conference in Santa Fe for outreach.
- 5) Travel to Natural Resource Damage Assessment Workshop in Phoenix.
- 6) Travel to Workshop Series on Fundamentals of Contaminant Chemistry, Contaminant Chemistry and Transport, and Monitored Natural Attenuation in Seattle Washington.
- 7) Travel to the National Association of Remedial Project Managers Conference in Washington DC on week of May 24th.
- 8) Travel to the Grants Writing Workshop in Boise, Idaho on week of June 14th.
- 9) Travel to the National Superfund Radiation Meeting in Boston, Massachusetts on week of June 14th.
- 10) Onsite provided training of new NSP equipment (Ludlum 2221 and realtime readings of GPS points and data collected simultaneously with 2221) by NSP also for Radon Staff.

PERSONNEL:

NSP completed the Personnel Classification Qualification (PCQ) for the Sr. Public Information Officer.

PURCHASING/BUDGET/REPORTS:

NSP attended NN Washington Office's orientation on FY13 Budget that will be submitted to USOMB in June 2010, after following NNOMB's late notice of NNOMB's schedule requiring the 1st submittal on April 12th; Preparation and justification to retain the Personnel Position figures that exceeded FY10's salary plus 6% by including FY12 and FY13 quantities to correctly project for the FY13 Budget were completed for all five grants, which will proceed through the two year national OMB process; A revision was completed to change the COLA to 3% from 2.5% although both were in the 4/1/10 instruction presentation; Per the Navajo Washington Office (NOW), Simon Boyce, Acting Director, agreed that NN OMB's insistent of projecting personnel cost to FY11 instead of FY13 was incorrect and that NSP's FY13 Budget that projects personnel cost up through FY13 will be accepted as is.

NSP received \$590,350 as a Brownfields Award, the increase being attributed to \$180,000 for the Uranium Commission and \$75,000 from USEPA OAR.

NSP completed Spreadsheet Labor Distribution and Projections and List of Tasks routinely accomplished under the Region 6 grants for the purpose of justifying the need for increased funding, and under Region 9 for the Attorney IPA and Sr. Public Information Officer.

NSP completed USEPA approved Budget Transfers for Brownfields and PA/SI grants.

NSP conversed with USEPA's Contract Specialist who confirmed federal USEPA's rejection of federal applications if a non current IDC rate is not completely processed for approval.

NSP questioned NN OMB who informed that the FY11 Budget Manual will not be ready until the 1st week of June and commented "that's just the Navajo Process" when I referred to my recommendations in prior years that it need be prepared by April of each year.

NSP received floor plan of potential NSP office.

NSP documented on May 24th for closure of recurring inquires regarding the HP Plotter 630CPS which had been traded in 2003 for a \$2500.00 discount toward its replacement, the HP Designjet 5500PS 42" Printer as noted under PO 221448; DOJ where property records indicated they had this plotter, and upper management were copied the memo and multiple attachments due to property's unmanaged records although their personnel were previously provided the same records.

NSP attended the meeting on Indirect Cost at the Economic Development Conference Room on April 6th to find that this only applied to General Fund personnel; Meanwhile, I found that the NN had not yet received approval for the 2007 rate and are expecting the approval process for the 2010 rate to be completed by October 1, 2010.

OTHER:

NSP completed the final NN 2nd Quarterly Report, the NN April – May Bimonthly Report, Weekly Reports through 6_18, and the USEPA Region 6 Quarterly Report.

NSP picked up trash on May 5th.

NSP completed routine activities i.e Timesheets, Weekly Draft Reports, TAs.

NSP attended, received, and provided updates in the following routine staff meetings: the WRCD meeting on April 5th, May 4th, June 14th at the NNEPA Conference Room, and NSP staff/technical meetings in the NSP conference room on May 3rd, May 10th, May 20th, and May 21st.

NSP attended Support Staff Meetings in the NNEPA Conference Room on a weekly basis since April 22nd to continue planning the In Service Training.

Resource Conservation and Recovery Program:

April – June 2010, NNEPA-RCRP manager continued technical support for the former Tuba City Highway 160 Site with inspections; as well as continued meetings for the Tuba City Open Dumpsite; providing technical support with U.S. DOE for the upcoming characterization sampling project at the Highway 160 Site, finalization of the GeoTechnical Report for the Tuba City Open Dumpsite, May 2010, NNEPA-RCRP.

June 2010, NNEPA-RCRP provided technical assistance to NAPI for trenched area with solid waste, and will assist USDOJ per NNDOJ.

Citations and NOVs – Number, Type and Location

RCRP response: 66 complaints, 48 NOVs, 10 compliance letters, and 62 site assessments. Of the citations provided to individuals approximately 70% have cleaned up their sites. Civil complaints were received from the following Chapters:

Chinle Agency reported 3 complaints; and conducted 3 site assessments. One site is being handled by the National Park Service for Canyon de Chelly.

Eastern Agency reported 10 complaints, issued 3 NOVs, issued 3 compliance letters, and conducted 10 site assessments.

Fort Defiance Agency reported 27 complaints, issued 35 NOVs, issued 4 compliance letters, and conducted 26 site assessments with 2 site assessments completed by NNEPA-CED for follow-up by RCRP. One cleanup resolved using the Internet for a company in Georgia for Houck, AZ.

Shiprock Agency reported 13 complaints, issued 6 NOVs, issued 2 compliance letters, and conducted 11 site assessments. Alex Yazzie, NNEPA-CED, has been instrumental in reducing civil complaints by immediate response to those complaints related to other Navajo Nation violations. One ongoing major cleanup and recycling by NAPI at Upper Fruitland, NM.

Western Navajo Agency reported 13 complaints, issued 4 NOVs, issued 1 compliance letter, and conducted 12 site assessments. NNEPA-CED, has been instrumental in reducing civil complaints by immediate response. One major cleanup for construction debris by the Tuba City School District #15.

RCRP provided 32 outreach presentations.

RCRP provided assistance for recycling avenues for NAPI to clean up a waste pit, and waste tire grant through the NM Environment Department.

RCRP staff will conduct a special reconnaissance for USDOJ as advised from Navajo DOJ at Cove, AZ and Churchrock, NM as necessary.

Outstanding program issues: The Program is waiting positioning for the Environmental Program Supervisor to facilitate this Program and the Highway 160 Site.

NAVAJO GAMING REGULATORY COMMISSION



CARLEEN CHINO
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
GAMING REGULATORY OFFICE
Third Quarterly Report—Fiscal Year 2010
(April – May – June 2010)

Program Information

Division Executive Director:	Carleen Chino
Telephone No.:	928-871-6712
Facsimile No:	928-871-6713

Departments:

Investigation / Licensing	Lisa F. Tom, Licensing Manager
Audit	Milford Maloney, Audit Manager
Slot Compliance	Lena Poyer, Slot Compliance Manager
Enforcement	Sherie Schultz, Enforcement Manager
Surveillance	Jerome Tobish, Surveillance Manager

Staff Status

- The Navajo Gaming Regulatory Office (NGRO) staff consists of thirty-four (34) employees in the following departments: Administration, Information Systems/Technology, Investigations/Licensing, Audit, Slot Compliance, Gaming Enforcement and Surveillance. All NGRO staff are Navajo Tribal Members. A summary of activities for each NGRO department is included in this Third Quarter Report and titled separately hereafter.

Administration Department

- The Administration department is tasked with the responsibility of the overall coordination and establishment activities of the administration of the Navajo Gaming Regulatory Office. The Administration staff exists to provide administrative and clerical support to the departments of NGRO as identified. Administrative support is essential to allow the NGRO departments to focus and maximize their efforts in performing specific regulatory duties.
- The NGRO continues to meet with the Navajo Nation Gaming Enterprise Executive Management (NNGE) and Casino Management on regulatory issues of concern. Discussions include the following: 1) preliminary Job Fairs held at TseDaaKaan (TDK) and Chinle; 2) the process of licensing Vendors & Gaming Employees; 3) internal issues between casino operations and the Tribal Gaming Office (TGO); 3) issues regarding the Wide Area Progressives (WAP) deduction and Revenue Sharing Payments; 4) the 2010 external financial and MICS Audit of Fire Rock Navajo Casino; 5) Floor plans of Chinle & TDK Casinos; 6) new Casino Management System proposals; 7) NIGC Facility License documentation; 8) DRAFT Internal Controls & Regulations; 9) Surveillance equipment and the project status of TDK & Chinle gaming operations; 10) Major Variances at FRNC continue to occur that need to be reviewed by NNGE and corrected; a meeting was held to work out a plan of action; 11) Exclusions and revision of a new Exclusion/Ban Policy is being reviewed for final approval; 12) support to NNGE at a Budget & Finance Committee meeting on loan request for TDK & Chinle gaming operations.
- NGRO participated in the Association of New Mexico Indian Gaming Commissioners (ANMIGC) meeting held at the Santa Ana Star Casino in Santa Ana Pueblo. The ANMIGC meeting included discussions surrounding 1) the calculation of Net Win for Wide Area Progressives (WAP); and 2) Point Reduction Revenue Fees on Players Club Point accumulation; 3) Revenue Sharing payments to the State of New Mexico; and 4) NIGC Updates. These issues are of continuing concern to some NM tribes when calculating Net Win and Revenue Sharing as interpreted by the New Mexico Gaming Control Board.

- NGRO participated in the ATGRA meetings held in Phoenix & Chandler, AZ in April & May 2010. Discussions included updates to the NIGC MICS, proposed changes to Appendix J - Vendor Licensing, website creation, and changes to ATGRA By-Laws.
- NGRO participated in the AIGA meeting held at Cliff Castle Casino in Camp Verde, AZ in May 2010. Discussions included updates to the proposed changes to Appendix J - Vendor Licensing, advertisement for an AIGA Assistant Executive Director; AZ Senate & House representation amongst Arizona Tribes. Navajo Nation was also represented by Jonathan Nez & Lawrence Platero, Council Delegates.
- NGRO participated in a meeting with the Arizona Department of Gaming (ADOG) held at the Navajo Nation on April 12, 2010. Discussions included possible updates to the Title II Licensing Appendix J for Vendor Licensing; updates as to the status of the Twin Arrows project and the facility licensing requirements for ADOG; Employee & Vendor Licensing requirements per AZ Compact;
- The NGRO is in the process of approving the re-submittal of various internal control modifications & standard operating policies and procedures for various casino departments as recommended by the NIGC in the MICS audit. Other approvals included marketing promotions, changes and movement of gaming machines, and bingo/table games promotions were also reviewed and supported.
- Participated in other meetings in the third quarter and include discussions with: 1) NGRO attorneys Steve Hart & Peter Larson of the firm Lewis & Roca, on proposed Title II Regulations on Vendor Licensing; 2) met with Allan Begay, Executive Director of the Economic Development Organization and Roy Dempsey (St. Michaels Chapter Delegate/EDC member) in regards to gathering information on the possibility of requesting a land assignment from the St. Michael's Chapter to build an office for NGRO; a preliminary Business Plan was requested & is in the process of being drafted; 3) Correspondence was sent to follow-up on the supplemental budget request to Mark Grant, Controller, on March 15, 2010 from the Gaming Development Fund. The request was for support on preliminary land & office space surveys, to date no response has been received; 4) Met with Ms. Bernadette Bernally, Personnel Director, Reycita Toddy, Classification Specialist in regards to pending PCQs of NGRO job positions awaiting review & advertisement for the last three months. It is of concern to get the NGRO fully staffed by August 1, 2010 to properly continue enforcing the required gaming laws that protect the gaming assets of the Navajo Nation; 5) several Council Delegates visited the NGRO on issues related to the Gaming Development Fund & the Gaming Distribution Plan; 6) Met with Patrick Sandoval, Chief of Staff & Michelle Dotson, Legal Counsel on three (3) occasions in regards to department issues and updates on plans for future gaming sites; the importance of adequate funding for FY 2011 was addressed. An estimated total for 100% funding to the NGRO amounts to atleast \$5.7M; 7) Met with the Economic Development Committee (EDC) on a request for a budget modification identifying funds from current budget for TDK & Chinle gaming operations personnel, item was approved; 8) May 18, 2010- Attended a 3 hr. presentation on "Emergency Management for National Incident Management Systems (NIMS), Incident Command System (ICS and All hazard Plan. This was to have each program under the Navajo Nation to implement plans for such incidents and understanding NGRO's roles and responsibility. Presentation by NN Division of Public Safety-Sampson Cowboy, Division Director; 9) Met with staff from OMB & Controller's Office for review of current budget status and fund availability as recorded in the FMIS system; 10) completed and submitted to Risk Management the Exposure Summary Questionnaire and attached a print out of NGRO's property list. This was so that a policy can be issued and attached to the Lease Agreement for the Office Suite 111 at the Karigan Professional Complex Building. The new Lease Agreement is still pending Dept. of Justice Approval in the SAS process and 11) participated in the FY 2011 Budget Orientation.
- The National Indian Gaming Commission conducted a compliance review of the NGRO on May 11, 2010. The review warranted non-compliance with the submittal of employee background investigations on a timely basis and non-compliance with the responsibility of conducting required internal audits. All Department managers were reminded of their job duties & responsibilities.
- NGRO Licensing Staff attended the NMAIGC Licensing Chapter Meeting held on June 25, 2010 hosted by the Pueblo of Acoma Gaming Commission at Sky City Casino. Updates by the NIGC Representative Ms. Emily Molina were made on Employee Licensing & Background Investigations. Information on upcoming FBI Criminal History Training was given. Information on the NIGC Tribal Access Portal (TAP) was provided. A briefing on what the NIGC onsite inspection

consists of as well as Facility Site Licensing. An open discussion amongst licensing attendees in regards to vendors, vendor badges, and licensing standards.

Information Systems/Technology Department

The Information Systems/Technology Department is new and was created to aid the NGRO in establishing a structure for the protection of information shared within the responsibility of the NGRO. Several issues identified as pending in the last quarter reports were carried as best as they could within the third quarter as follows:

Hardware

- Purchased and configured 2 HP Proliant ML110 servers with dual core processing, 360 and 500 Gb of storage and 4,0 Gb of RAM. One server will be for the office Domain Controller (NGRO.NAVAJO.ORG) and the other will be for local Exchange Server (email). Vendor: Hewlett Packard
- Purchased and configure HP Procurve switch 2524 with 24 ports 10/100 Mbps with a 1 Gb fiber output. Switch will provide connectivity for NGRO local network going out to the WAN (internet). Vendor: Hewlett Packard.
- Purchased and installed Cisco router for T1 connectivity to NGRO office, provides WAN connectivity such as the Internet, video conferencing and implementation of VoIP. Vendor: Holland's Computers
- Cleaned out and reissued out office laptops for NGRO employees. Performed diagnostic tests as well as virus scans and cleaned out useless programs preloaded or loaded by previous user to assure optimum performance for new user. Made sure Microsoft Windows OS and Office software were authentic.

Software

- Purchased and installed Windows Server 2008 standard onto both NGRO servers and installed Windows Exchange 2010 on NGRO exchange server. Implemented Active Directory for NGRO Domain Controller for pc and user administration. Vendor: CDW-G
- Installed Windows 7 OS and Office 2007 for certain pc's here at NGRO office in St. Michael's and at Fire Rock Casino. Vendor: Holland's Computers
- Ran Windows Update and Anti Virus updates on all local pc and laptops in the NGRO office here at St. Micheals and Fire Rock Casino.
- Validated all Microsoft OS and Office Suites software currently running in offices occupied by NGRO.

Configurations/Integrations

- Configuring and implementing a local area network for the NGRO office here in St. Michaels', Az, equipment includes a Layer 2 switch which will link all computers/PC's, printers together on one dedicated network. NGRO will be using IPv.4 for protocol. A Cisco router will be in place to provide connectivity to the Wide Area Network which includes the internet. 2 HP servers are in place for our Domain Controller and Exchange Server which is our primary email server. NGRO's Domain Controller will also act as the web server for the NGRO.NAVAJO.ORG domain.
- Initiated 3 phone line installs with NNTU and Frontier, also activated voicemail for all employees here at the office, moved 6 phone lines for employees who relocated office space.

Troubleshoot/Helpdesk

- Troubleshoot PC's in the NGRO office pertaining to many different issues (virus, slow performance, and upgrade of software, upgrade of hardware or replacement of hardware). Troubleshoot printer/fax issues here at NGRO office (no connectivity, printer connection via network or local port).
- Troubleshoot phone lines in NGRO office such as static on lines during usage, voicemail issues, replacement of hardware.
- Confirming access to Fire Rock Casino VoIP, Layer 2 switch, and servers for management and administration. Currently working with Steve Hoskie, FRNC IT Director on this. Pending.

Points of Contact

- Victoria Begay, Account Manager (Frontier)- T1 installation for NGRO office.
- Steve Hoskie, IT Director (Fire Rock Casino) – Working on collaboration of Casino and NGRO infrastructure systems.
- Harold Skow, IT Director (Navajo Nation) – Collaboration of with Domain name and Website.

- Sandra Dalgai, Account Rep (NNTU) – Initiate trouble calls to Frontier for repairs and installations.
- Kean Volin, Account Manager (Hewlett Packard) – Rep for HP for all our hardware needs.
- Patrick O’Neill, Account Manager (CDW-G) – Rep for CDW-G for all our software needs.
- Steve Holland, Reseller (Hollands Computers) – Misc purchases for IT needs.

Investigations/Licensing Department

Each Gaming Regulatory Investigator is to conduct applicant/licensee interviews to obtain additional information, or an inconsistency of information received during the course of the applicant’s background investigation, as well as new arrest information obtained from the licensee (72 hour notice). This quarter there were approximately 29 interviews conducted amongst the Licensing Team.

Licensing statistics:

Employee Licensing

64 – Temporary Licenses Issued (FRNC– 25; TDK – 39)
 32 – Currently Pending Licensing (FRNC – 9; TDK – 23)
 58 – Applicants Processed
 23 – Inactive Employees
 33 – Background Investigations Completed
 21 – Determination of Suitability’s sent to National Indian Gaming Commission
 21 – Determination of Suitability’s sent to New Mexico Gaming Control Board
 00 – Applications sent to Arizona Department of Gaming
 01 – NGRO License Denials/Revocations/Suspensions (3 Pending Submission to Executive Director for Review)
 00 – Notice of Revocations to NIGC/NMGCB

Vendor Licensing:

21 – Vendor Packages Issued
 10 – Vendor Temporary License Issued
 00 – Vendor Background Investigations Completed
 12 – Vendor Revenue totaling \$39,000
 00 – NGRO License Denials/Revocations/Suspensions

Fire Rock Employee Orientation

Gaming Regulatory Investigators provide a bi-monthly NGRO presentation in conjunction with the Fire Rock Navajo Casino Human Resources Department on new employee orientation. Information is provided to new hires on the role and responsibilities of the NGRO in relation to gaming activities on the Navajo Nation.

Licensing Staff training:

- NIGA Trade Show/Convention (04.05-09.10) - Various discussions and workshops on Indian/tribal gaming.
- Mock Trial Training (04.29.10) – Conducted by the Office of the Chief Prosecutor. Training on testimonials and went over police/investigation reports.
- Gaming Agent Academy (05.24-27.10) – Conducted by the Arizona Tribal Gaming Regulatory Commission members. Consisted of various tribal gaming topics that were specific to regulatory requirements. NGRO staff member Lisa Tom provided an hour presentation on the “Role of License Process” for the Gaming Academy.
- NGRO Management Work Session (05.27-28.10) – Work session on finalizing departmental policies and procedures. Each department manager is responsible for implementing or revising their own departmental policies and procedures.
- Criminal Interview & Interrogation Training (06.07-11.10) – Conducted by Wicklander/Zulawski and hosted by the Phoenix Police Department. Went over specifics on criminal interviews/interrogations and signs of what to look for.
- Defensive Driving Course (06.14.10) – Conducted by the Navajo Nation Highway Safety Department/NPD. Training consisted on Navajo/ADOT rules/regulations as it pertains to tribal vehicles. Passing of the test and received updated tribal permits.
- LiveScan Training (06.29.10) – Gaming License Technicians received training on the LiveScan Fingerprinting System.

Audit Department

The NGRO Audit Department has the following to report for the 3rd Quarter:

- The Department is working on the final draft of the department's Policies and Procedures. The Policies and Procedures were reviewed during an NGRO management team's work session and additional sections were edited. The P & Ps are in the final stages of completion. The final draft is expected to be completed and approved within the next quarter.
- The Department has been reviewing and approving a number of amendments to the Fire Rock Navajo Casino (FRNC) Policies and Procedures for each department and their Internal Controls Procedures. Moss Adams, a CPA firm, is assisting FRNC with the Class II Gaming procedure manuals.
- The Department is conducting two (2) engagement audits which include Card Games and Table Games. Once the two (2) audits are complete, the NGRO Audit Department will issue the Preliminary Findings to the Fire Rock Navajo Casino Management for their responses to the findings. Once the casino management responds, the audit department will prepare final audit reports.
- During the 4th quarter, the audit department will begin other audits which include, not limited to, Machine Games, Drop and Count, and Cage departments. The Audit Department will be provided training from other casinos' audit departments on their procedures for conducting an engagement audit.
- Training on Class II Gaming Machines is being provided by the NIGC. The Department is planning to attend this training course. It will aid the Department when conducting audits of the gaming machines and the opening of the two Class II Gaming Facilities.
- The NGRO was unsuccessful in finding individuals to fill the Gaming Auditor positions. Amendments to the reclassifications of the Gaming Auditor positions are awaiting a response from the Navajo Nation Personnel Office. Upon approval, advertisement for (3) three additional Gaming Auditor positions will begin along with scheduling interviews.
- The NGRO Internal Audit Department is responsible for ensuring that the FRNC is in compliance with the required audits on the NIGC MICS and the Tribal-State Compact applicable audit sections. An audit schedule was approved by the Executive Director on January 11, 2010. As of this date the Internal Audit Department has not completed any audits as required.

Slot Compliance Department

The Slot Compliance Department continues to aid the FRNC in regards to installing, removing and reorganizing the gaming machines on the casino floor. The following information is a summary description of their duties during the third quarter of 2010:

- Met with GLI(Gaming Laboratory International)-Robert Pagliaroli-Gaming development Representative-to make proposal of cost for testing and Field services to certify our gaming devices at the new gaming sites on Class II games.
- Met with BMM Compliance another Independent Laboratory offering testing and Field services they provide to certify Class II & Class III gaming devices.
- BV upgrades on end server to Easitrax to have IT personnel have excess.
- Met with NNGE's Revenue Auditor to observe game conversions as recommended by REDW auditor.
- May 3, 2010- Bank moves to install new kiosks machine on gaming floor. Kiosk machines were tested by Slot compliance to verify software as a gaming device on floor.
- May 6, 2010-New kiosk install and went live on May 7th.
- May 13, 2010-Second kiosk install and went live on May 14th.
- May 20, 2010-3rd kiosk install and went live on May 21st.

- May 10- 12th, 2010- WMS software upgrade on 127 games on floor. This was a manufacturer Customer Notification mandatory upgrade. Days and times were schedule for (6) days and Slot Compliance monitored and tested all the gaming devices before putting games back in service.
- May 18, 2010-Slot Operations and Player's club perform point accumulation for play promotions with Slot Compliance and Surveillance monitoring the tests. Test results were good.
- May 24 thru 26th , 2010-IGT game conversions (24 games converted):
 - a) Gaming Machine asset numbers changed due to different game themes.
 - b) May 27th, 2010 (2) WMS Wide area progressive games converted.
 - c) New asset number for both conversions, different game themes.
- June 7th, 2010-Rocket Gaming phone conference on Class II Games.
- June 14th thru 18th, 2010 attended the Casino Data System demos in Las Vegas. The demo was based on NNGE's needs of compliance features that a new Casino Data System can provide for the new additional sites.
- June 17th, 2010-IGT software upgrade WOLF-MLP. Upgrades were a success
- June 28 to June 29th, Konami Conversions on 26 games.
- 733 gaming devices are currently on the gaming floor at FRNC
- Continue to gather information on Class II gaming devices for our new sites.
- 04-01-10 Monitor swap on machines 8087 and 9205 in Zone 5, Bank 17 due to doors closing improperly. Problem corrected by swapping monitors.
- 04-02-10 Slot changed 5 button panels and 2 power supplies on WMS machines. Machines down for 2 days due to parts not being available.
- 04-08-10 6 games down in Zone 3 due to PMs from day before. Helped out slot tech to troubleshoot gaming devices.
- 04-14-10 Progressive jackpot hit for 4230.19. Kobetron software and machine back into play.
- 04-19-10 Zone 7, Bank 56 Asset #8180 Safe storage wipe. Asset #6020 \$7200.00 Jackpot, Asset #6521 \$10,000 Jackpot. Kobetron jackpots and jackpots are valid.
- 04-21-10 Jackpot levels set incorrectly on casino floor. Jackpot levels reset to \$250.00 on all Aristocrat machines. Slot Dept. made aware of this and researching all machines on all levels.
- 04-22-10 Ez trak upgrade on bill validators.
- Meeting w FRNC Compliance on P&P issue where casino stood with procedures on MOD signatures verifying jackpots. Some jackpots not being signed and controlled.
- Kobetron jackpots on Machine #6016 for \$16,200.00, #6510 for \$3500.00, #9407 for \$4813.48. Testing and signature matching of software passed.
- 05-24-10 Conversions on 24 IGT S2000 machines. Zone 4, Banks 33 & 34 changes from single denom. To multi-denom. Zone 3, Bank 46 software change-CATS program.
- Addressed issue from 04-05-10 pertaining to progressive machine and mystery jackpot on Bank 31. Issue was mystery jackpot was not paying out according to customer. Customer failed to recognize that mini jackpots do not go into handpays, only gets added to credits on machine. MOD and slot techs did minor testing to see if mini jackpots are being added to credits. Slot tech addressed that MODs did the testing which is not allowed.
- Fort Knox mystery progressive hit for \$13,553.00. Kobetroned Fort Knox to see if validate jackpot. Check signatures to GLI listing. Signatures matched and approved.
- Rocket Gaming presentation in bingo hall pertaining to Class II Gaming & gaming devices
- 06-18-10 Jackpots in Zone 3, Bank 39. Asset #6514 for \$20,000 and asset #6521 for \$10,000. Kobetron machines and check SHA signatures to GLI listing. Jackpots are valid.
- 06-30-10 Kobetron jackpot of \$9271.79 from 06-29-10. Signature matches GLI listing and jackpot is valid.

Gaming Enforcement Department

The Gaming Enforcement Department submits the following Third Quarter report:

- During the third quarter seventeen (17) visits to the Fire Rock Navajo Casino, Enforcement Office were made for various reasons that primarily included meeting with the Lead Agents and Agents, providing assistance and clarification; obtaining information to continue developing Policies and Procedures, Standard Operating Procedures and to review issues that the Agents face and require resolution. Capturing information on and the logistics for the upcoming new sites was also a big part of the quarter events.

ON GOING:

Continued progress for the Enforcement Office Procedures Manual.
Continued training for Gaming Agents.
Continued job vacancy announcements for upcoming new casino sites.
Continue to attend various meetings scheduled with the states of New Mexico and Arizona

Enforcement Office Activity Report

Activity	April	May	June	TOTAL
# of Exclusions	13	8	8	29
# of Self Exclusions	1	1	3	5
# of Patron Disputes	2	0	0	2
# of Variances	8 +\$219.24 -\$111.61	23 +\$6,239.50 -\$7,231.60	16 +\$6,485.94 -\$1,735.82	47 +\$12,944.68 -\$9,079.03
# of Bank Count Down Completed	2	5	1	8
# of Suspicious Activity Report Received	1	0	0	1
# of Counterfeit Bills Seized	\$5		1	2
	\$10			0
	\$20		1	1
	\$50	1		1
	\$100			0
Incident Reports Filed	30	13	23	66

Surveillance Department

Areas of Documentation in Surveillance Logs (For Statistical Purposes Only)
(April-June 2010)

Intoxicated Person	220
Customer/Employee Injuries/Illnesses	36
Alcohol/Illegal Drug on Premises	24
Panhandling/Soliciting	9
Minor Accidents in Parking Lot	10
Property Damage	6
Vehicle Vandalism	11
Domestic Disputes	26
Unaccompanied Minors on Property	71
Counterfeit Incidents	4

DUI Arrest on Premises	4
Emergency Personal on Premises	18
NPD Arrest Made on Premises	45
Exclusion/ Self Exclusion/related calls	34
Excluded Person Trespassing	17
Excluded Person Allowed Back on Property	9
Possible Missing Person Sighted	1
Employee Dispute w/FRNC	80
Customer Dispute w/FRNC	106
Restaurant Patron Walk Outs	5
Technical/Mechanical Problems	69
Cage/Vault/ Soft Count Suspected Violations	70
M.O.D. Suspected Violations	6
Slot Attendant Suspected Violations	30
Security Suspected Violations	12
Table Game Suspected Violations	75
Players Club Suspected Violations	12
F&B Suspected Violations	30
Bingo Suspected Violations	5
Maintenance/Housekeeping Suspected Violations	9
Gift Shop Suspected Violations	2
I.T. Suspected Violations	1
Administration/Enterprise Suspected Violations	3
Shipping and Receiving Suspected Violations	4
Surveillance Review Request	141
Weapons confiscated by FRNC Security/NNPD	3
Lost and found/return items	114
Patron Ticket Theft	4
Railroad Accident resulting in Death	1
Abandoned Elderly	2
Duress Alarms cleared by Surveillance	3,076

Transactions Monitored by Surveillance

<u>Jackpot Hand Pays (All)</u>		<u>Cage Payouts over \$500</u>	
April	2,898	April	1,320
May	2,760	May	1,364
June	2,116	June	1,320

Surveillance Staff Trainings

April 5, 2010	Card Counting Training
April 10, 2010	Scams and O.C. Training
April 14, 2010	Craps Workshop
April 20, 2010	Roulette and Poker Workshop
April 27, 2010	Craps Training
April 30, 2010	Blackjack Refresher/ Workshop Training

Annual Goals/Challenges and Opportunities for Improvement

The NGRO will continue its assessment of the structure of its organization and will allow opportunities for improvement. Several challenges that need immediate attention include but are not limited to the following:

- 1) Professional Building – The NGRO will seek plans to construct a building to house all the NGRO Staff as we continue to aid the NNGE in expanding gaming operations. In process and pending.

- 2) Regulatory Assessment – The NGRO will continue its focus on taking additional steps to review the balance of regulatory concern and business concern. This will be an ongoing effort between casino management and the NGRO. In process and pending.
- 3) Develop a Training Certification Process for Staff – The NGRO will conduct training sessions to review all of the current laws, rules, and regulations that are utilized by the NGRO. Several trainings have been attended and additional job duties have been incorporated.
- 4) Approval of Proposed Regulations – The proposed Title 31 Regulations were published for 30-day public comment in February and ended March 5, 2010. No comments were received. Any final regulations will be properly submitted to all parties for enforcement. Complete.
- 5) Charitable Bingo Regulations are in draft form and will be published for the required 30-day public review & comment.
- 6) Department Development – The NGRO will review and update all department standard operating procedures and internal controls to streamline and track performance. A review of the Internal Audit Department will be conducted and appropriate changes will be made.

NAVAJO NATION TELECOMMUNICATION REGULATORY COMMISSION



BRIAN TAGABAN
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
TELECOMMUNICATION REGULATORY COMMISSION
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. Program Information

Division Executive Director: Brian Tagaban
 Telephone No.: 928-871-7854
 Facsimile No: 928-871-7856

II. Budget / Performance Information

a. Funding and Expenditure

Funding Source	# of Personnel	# of Vehicles	FY'2010 Personnel	% Used	FY'2010 Operating	% Used
General	02	00	\$155,386.00	100%	\$ 274,515.00	100%
Total	02	00	\$ 47,550.00	69.4%	\$ 153,145.00	44.21%

b. Program Performance Results (Budget Form 2 attached)

III. Accomplishments

- c. The Navajo Nation Telecommunications Regulatory Commission (“NNTRC”) Office continues to host the commission regular monthly meetings on 3rd Thursday of every month. Updates and agendas are posted timely as possible on the NNTRC website <http://nntrc.org>.
- d. The Commission has set a timeline for the development of the Certificate of Convenience and Necessity (“CCN”) to allow entities to engage in telecommunication activities which will include broadband services on the Navajo Nation. The CCN will be process for the NNTRC to monitor and assess telecommunications activity on the Navajo Nation. The CCN will also allow the NNTRC to enforce consumer protection regulations over telecommunication entities.
- e. ARRA Broadband Round 2 – Public Computing Centers: The Navajo Nation completed the application to National Telecommunications and Information Administration (“NTIA”) Broadband Technology Opportunities Program (“BTOP”) for Public Computing Centers (“PCC”) at 4:57 PM EDT. The project is titled Navajo Chapter Broadband Access Initiative (“NCBAI”). The Navajo Department of Information Technology (“NDIT”) was supported as the lead applicant despite findings related to a performance audit. The total cost of the project is \$13,880,140 with a \$2,948,891 matching, leaving \$10,931,249 as the requested amount.
- f. ARRA Broadband Round 2 – Technical Assistance Grant: The NNTRC office assisted the Navajo Nation economic development complete a grant request for \$200,000 grant to revise the Comprehensive Economic Development Strategy to leverage newly funded broadband technology. The grant will help fund a study to spur new business, develop technology –based Foreign Trade Zones, and reverse the “Brain Drain” of young Navajos leaving the nation using broadband technology.

IV. Status of on-going Projects, Initiatives and COA’s

- g. Round 1 - NTUA/Commnet 4G LTE Project: The NNTRC office continues to confer with Monroe Keedo on the progress of the project and participates in planning sessions to ensure core/fundamental goals of the project are met. Final engineering decisions are responsibility of NTUA. There have been no significant changes to the status of project. No funds can be expended for the ARRA grant award until all EA’s completed and the deadline for EA is September 1, 2010. The project will create more business opportunities, and facilitate new avenues of communication while expanding coverage to a greater part of the reservation. While NNTRC lead the application effort in coordinating various telecommunications entities, the NNTRC office is not a recipient of the award. NNTRC office participates in planning sessions, and is in the process of securing middle mile infrastructure for Navajo Nation government use by agreement. The NNTRC office attend the NTIA/BTOP post-award workshop in order to better communicate the importance of the project and network other recipients from around the United States who also had received similar grants from NTIA/BTOP.

h. Then NNTRC office continues to participate on weekly basis as a member of steering committee for the New Mexico Broadband Mapping ARRA grant. New Mexico Department of Information Technology (“DoIT”) has placed New Mexico University under contract to aid in the mapping effort. DoIT is currently gathering broadband access data and signing Non Disclosure Agreements (NDA) is all broadband providers throughout the state of New Mexico. New Mexico has started uploads to the FCC server. I will be visiting Santa Fe, NM to visit with the NMDoIT broadband mapping team and discuss further involvement with all NM tribes.

V. Status of Action Plan (A, B and C Lists)

- i. The NNTRC will be nominating a representative to participate in the FCC-Native Nations Broadband Task Force (“Task Force”). The Task Force will assist the FCC in fulfilling its commitment in developing and executing a FCC consultation policy, eliciting input from Native American governments, ensuring that Native American concerns are considered in all FCC proceedings related to broadband deployment and adoption on Tribal Lands, and coordinating with external entities, including other Federal departments and agencies.
- j. The end of June was the target date to begin commenting on the CCN requirements and process. The comment period allows all telecommunication entities affected by the CCN requirements to respond with concerns and/or comments before the NNTRC enacts the CCN. The CCN development will continue throughout the remaining part of the 4th quarter.
- k. The NNTRC office is developing a collocation policy to be adopted by the NNTRC. The collocation policy will include a policy for use of BIA water towers. NNTRC is further commenting on FCC reform of the Universal Service Fund

VI. Outstanding Program Issues

- l. Shortage of staffing continues to be an issue. The short staff requires the office to limit the number of projects to which the office can undertake. The office has many ambitious goals, and many tasks are not completed to the fullest. Staffing would allow the office to extend operational capability and allow the executive director to pursue and explore strategic opportunities while maintaining office priorities. The NNTRC office will have to expand staffing to accommodate the additional processing of applications.
- m. Ambiguous legislation clarifying who should collect collocation fees and how such fees should be expended. The Navajo Nation can realize telecommunication sovereignty with sound legislation and policies governing telecommunication activities on the Navajo Nation. The NNTRC should retain all authority to permit telecommunication activity on the Navajo Nation including setting and collecting fees for co-location.
- n. No funds to secure 700Mhz D-block spectrum for public safety use. Funds should be secured to ensure the public safety personnel have access to essential spectrum to carry voice and data. The FCC recommending the uniform use of the 700Mhz D-block for public safety and that agencies develop plans for true interoperability.
- o. The current NNTRC building has been under NIOSH findings. NNTRC office has been attempting to mitigate the findings, but the long range office space for the NNTRC is not definite.

VII. Problem / Recommendations

- p. No ability to collect fees and fines. Recommendation is to create a comprehensive spending plan for fees and fines collected by the NNTRC.

NAVAJO HOPI LAND
COMMISSION



ROMAN BITSUIE
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
NAVAJO HOPI LAND COMMISSION
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

Mission & Goal

Protect and advance the interests and rights of the people and communities affected by the adverse impacts of the passage of the Navajo and Hopi Indian Land Settlement Act of 1974, P. L. 93-531, as amended.

I. PROGRAM INFORMATION

Division Executive Director: Roman Bitsuie
 Telephone No.: 928-871-6441
 Facsimile No: 928-871-7297

II. Budget/Performance information

Funding and Expenditure:

Funding Source	No. of Personnel	No. of Vehicles(s)	FY2010 Personnel	% Used	Fy2010 Operating	% Used
General	7	1	\$480,750.55	71%	\$74,280.45	88%
External	2					
Others	0					
Total	9	1	\$480,750.55	71%	74,280.45	88%

III. Accomplishments:

A. Renewable Energy Development Initiative (REDI)

1. Grant Applications Submittal to Government Agencies

a. From April to June, 2010, our office prepared grant applications and obtained support letters from chapters, NHLCO resolutions, and data to support the grants. As funding sources require us to work with regional entities, we met with Chapter land use planning committees and officials from Chapters surrounding the Paragon Ranch area in New Mexico, and educated and updated them on the project process. “Regional” is defined as involving the five chapters surrounding the Paragon Ranch area. They are Whiterock, Lake Valley, Burnham, Huerfano and Nageezi chapters. We received letters of support from three chapters for alternative energy farm on Paragon Ranch area.

b. We submitted three grant applications to the following federal government agencies to cover costs associated with pre-feasibility and analysis necessary to realize this project.

1. Rural Business Enterprise Grant (RBEG): Application submitted on May 14, 2010 to the USDA Office in Albuquerque, NM. The grant request is for \$199,000.00. Our office received updates on the USDA RBEG. We may get the grant funds.
2. Rural Business Opportunity Grant: Application submitted to USDA Office in Albuquerque, NM, on Monday, June 28, 2010. The grant request is for \$125,248.00.
3. BIA Energy and Mineral Day Program BIA-EMOP Grant: Application submitted to BIA-EMOP on June 28, 2010. The grant request is for \$100,000.00.

The funds will be used for consultant fees, cost of power generation analysis work related to transmission and interconnection, power purchases and technology partnering for this proposed development, site evaluations, data collection regarding solar, wind and geothermal resources, analysis of suitability of various alternative energy generation technologies, analysis of potential power purchase agreements, contract negotiations for large generation interconnect studies, and applications.

Our office will continue to review and assess the next round of grants to see if NHLCO project is a good fit.

2. Update on requests for technical assistance & other funds

- A. Study grant- DOE funded a \$10,000 grant for a pre-feasibility assessment of renewable generation for the Paragon Ranch in winter 2010. Under contract Western States Energy Solutions (WSES) completed a pre-feasibility assessment for placement of 150MW of renewable solar energy generation in May.
- B. There has been no response on the request by U.S. Senator Tom Udall (NM) for a \$1.5 million congressional appropriation for the project. He introduced the legislation in the House of Representatives.

3. Meetings attended by the REDI staff this quarter:

- April 6, 2010 – With Rural Communities Innovation (RCI), Roman Bitsuie, Karis Begay and Sandia Laboratory on upcoming grants for the renewable energy project development.
- May 25, 2010 – With Whiterock Chapter officials and Navajo Technical Institute to get support for the Paragon Ranch grant applications.
- May 20, 2010 – With NTUA on solar energy panels for HPL families.
- May 27, 2010 – With NTUA to continue coordination and update on solar energy for families.
- June 8, 2010 – With Lake Valley Chapter Office to develop partnership and support for grant applications.
- June 21, 2010 –With Burnham Chapter Officials to develop partnership and support for grant applications.
- June 23, 2010 – Reported to NHLC committee.
- June 30, 2010 – Attended GSC meeting.

B. Former Joint Use Area (FJUA)

1. Hopi Partitioned Lands (HPL)

- a. NHLCO met with the Office of Hopi Lands and Office of Range Management and discussed feasibility of photovoltaic system conducted by NTUA on HPL and other issues relating to homesites, housing and grazing. The NHLCO and NTUA will work on match funding the project.
- b. Promised Land Quarry Inc inspected three completed homes. The inspections passed. We then met with homeowners and gave them warranty package and keys.
- c. ICE (Indigenous Construction Enterprises) completed two homes. One home is 90% completed.
- d. Thirteen (13) homes are in contract stage for renovation work.

2. Navajo Partitioned Lands (NPL)

- a. NHLCO staff attended Navajo Partitioned Land District Grazing Committee (DGC) work sessions regarding NPL grazing implementation. The Navajo Nation is educating the NPL DGC on existing Navajo Nation laws livestock management. There is more DGC work sessions scheduled this summer. The NPL Grazing Permit Regulations, 25 C.F.R. part 161 has not been implemented 4 years after its approval.

C. Navajo Rehabilitation Trust Funds (NRTF) Administration

1. The NHLCO administers eighteen (18) rehabilitation and improvement projects on the land dispute affected areas. Business unit numbers have been assigned to 17 of the 18 projects. The recipients' have two (2) year to complete their projects. NHLC funded these projects in the fall of 2009. A total of \$1.4 million was allocated by the NHLC for the 18 projects.
2. The NHLCO continues to monitor the Twin Arrows economic development.

D. Land Selections and Conveyances

1. In the last several years NHLC selected over 3,000 acres of fee, tribal fee and private lands in New Mexico and Arizona for conveyance to the Navajo Nation for benefit of the relocates. The BLM recalculated the acreage amount, resulting in less land in New Mexico available for selection. There needs to be an agreement on the amount remaining to be selected.

2. In latter 3rd quarter we started selection process to buy parcels within the Turquoise Ranch west of Winslow. A land tour was scheduled for early July. A tentative offer of \$1.25 million is set to buy several parcels owned by the Phelps family.

E. Former Bennett Freeze Area (FBFA) Recovery

1. NHLCO developed a proposed plan for use of the escrow funds amounting over \$6 million. The funds are proposed to improve homes located in the FBFA.
2. [Work on securing legislation for the area recovery is discussed in section on legislation below]

F. Legislations

NHLCO secured services of Congresswoman Ann Kirpatrick (D, Arizona) to introduce legislation for fund appropriation for the FBFA recovery efforts. She and her staff forwarded a proposed FBFA recovery legislation to their legislative counsel for their formulation and review prior to its introduction in the House of Representatives.

G. New Lands Transition

1. NHLCO staff and NHLC members were updated about ONHIR's sponsored Padre Mesa Demo Ranch program in June.
2. NHLCO later participated in a Padre Mesa Demo Ranch activities regarding livestock and range management, herd health, animal identification and the Beef Quality Assurance program. The event was provided by the ranch manager and ranch hands for New Lands permittees and the public.

IV. Status of Ongoing Projects:

[See above]

V. Outstanding Program Issues:

A. Renewable Energy Development Project

Budget Impact

- a. The renewable energy office implementation required NHLCO to provide free use space, supplies, equipment and staff time to maintain. This resulted in a general funds travel account deficit of \$9,804.87.
- a. Funding for the present renewable energy project development will end December 2010. \$199,000.00 is needed to develop an environmental impact statement and pre-construction technical

services for continuation of the project. We applied for funding but there is no guarantee the project will be funded for continued operation.

- b. The NHLCO renewable energy program is currently applying for grants with federal governmental agencies and other funding sources to proceed to the next step toward the development of a renewable energy farm. We are seeking funds for an environmental impact statement study of the proposed Bisti-Paragon Ranch alternative energy farm and technical assistance services for the same. The project will provide create jobs and economic development in the region.

Issues and Concerns

- a. Federal funding sources to which we applied for funding for the project require “best practice” and regional cooperation in renewable energy development projects and developing small businesses and job creation. This requires us to involve the five chapters surrounding the Bisti-Paragon Ranch Area in our renewable energy development endeavor in the area. We need their support for alternative energy farm development to get funding applied for. Partnership and collaborations is essential for project success.
 - b. Lack of funds to finance NHLCO renewable energy program beyond December 2010.
 - c. Have established a Section 17 corporation to manage and disburse funds from the renewable energy development projects.
- B. Former Joint Use Area
1. HPL
 - a. Renovate 13 homes and build 6 new homes.
 - b. Revive the HPL resident organization so it can effectively represent concerns of its constituents and advocate for them.
 - c. Cause reopening of fence entrance in RU 559 east of Teesto as an access road.
 - d. Enforce terms and conditions of the accommodation agreement.
 - e. Initiate discussion on alternative dispute resolution.
 - f. Meet with Hopi tribe regarding range management fencing.
 2. NPL
 - a. Seek funding for a rehabilitation plan development.
 - b. Coordinate distribution of grazing permits with the BIA.
 - c. Prepare for a major livestock reduction.
 - d. Meet with Hopi tribe regarding range management fencing.
 - e. Seek funding for housing.
- c. Former Bennett Freeze Area (FBFA)
1. Seek NHLC approval of spending plan and cause transfer of funds from BIA to special Navajo Nation account.
 2. Legislation appropriating for recovery efforts is needed if the region is to recover from the freeze on development.
- d. Legislation
1. A proposed legislation on preference rights lease applications (PRLA's) pending on lands in New Mexico for conveyance to the Navajo Nation for the benefit of relocatees is dormant awaiting Federal Court review this month.

3. Monitor legislation to appropriate funds for the Paragon Ranch renewable energy project development.
4. Monitor proposed former Bennett Freeze Area Recovery legislation.

e. Navajo Rehabilitation Trust Funds (NRTF)

1. The implementation of the NRTF funded projects has been slow. This is attributed to the large turnover of Chapters Community Service Coordinators (CSC) who retired in December 2009. NHLCO is working with ten (10) new CSCs. Three (3) Chapters are having internal problems that have greatly affected implementation of their project.
2. The NHLCO is monitoring the progress of the Twin Arrow economic development by the Navajo Nation Gaming Enterprise. NHLCO is interested in the development of the site.

F. Land Selections

1. Secure legislation on allowing PRLA's to occur so conveyance of lands to the Navajo Nation in New Mexico can occur.
2. Secure definite answer from BLM on exact amount of acreage lands available for selection in New Mexico. Meet with them and ONHIR on the issue.
3. Acquire parcels in the Twin Arrows area for economic development purposes.
4. Have conveyed to the Navajo Nation for benefit of relocatees over 3,000 acres of fee and tribal fee lands selected in last several years lands.
5. Select and acquire over 10,000 acres of lands in Arizona and have it conveyed to the Navajo Nation for the benefit of relocatees.
6. With 100 plus to over 800 acres of lands still left to be selected from the 35,000 acres authorized to be selected in New Mexico, select and acquire lands in both New Mexico or Arizona.

NAVAJO NATION
WASHINGTON OFFICE



SIMON BOYCE
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
WASHINGTON OFFICE
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. PROGRAM INFORMATION

Division Executive Director: Simon Boyce
 Telephone No.: 202-682-7390
 Facsimile No: 202-682-7391
 Web Address: www.nnwo.org

II. NNWO Budget & Office Information

A. Budget Information

Program	
Source	General Funds
FY 2010 Funding	\$1,688,606
Balance Remaining:	\$788,606

B. Office Information

Budgeted Permanent Positions	10
Permanent Staff	7
Contracted Staff	0
Vacant Positions	3

III. Policy Updates

Legislative Calendar

As of July 1, 2010, the Congress is planning on adjourning for the year to October 8, 2010, approximately one month prior to the November 2, 2010 election. Between July 1, 2010, and October 8, 2010, the Congress will be on recess from July 5-9, and August 2-September 10, for the House of Representatives, and August 9-September 10 for the Senate. Given an average legislative week of 3.5 out of 5 days, this means the Congress has approximately 28 legislative days remaining in this term. In the remaining time, Congress needs to consider: a Federal Budget Resolution; 12 Federal Appropriations Bills; confirm Elena Kagan to the Supreme Court; debate and pass energy, immigration, and job and tax bills; and finish financial regulation reform legislation. Needless to say there is not enough time to complete the necessary legislative work this year. It is currently predicted that Congress will return for at least one (1) and as many as four (4) “lame duck” sessions after the November 2, 2010, elections. During these lame duck sessions Congress is expected to lump together “omnibus” bills, or large pieces of legislation that combine many related bills into a single package. Current speculation is that Congress will at a minimum take up an appropriations omnibus to pass any outstanding appropriations bills for fiscal year 2011, and an energy/natural resources omnibus bill.

November Elections

On November 2, 2010, the nation will go to the polls for a mid term election. In most mid year elections the party that holds the Presidency experiences significant losses in the Congress. In the Senate, 22 of the 100 seats are up for election, whereas in the House all 435 seats are up for election. In the Senate 45 Democratic seats are considered safe or not up for reelection and 33 Republican seats are considered safe or not up for reelection. Of the Democratic seats up for reelection four (4) are considered likely or leaning Democratic, whereas nine (9) Republican seats are considered likely or leaning Republican. If

these numbers hold that would mean that there are 49 expected Democratic seats and 42 Republican seats with nine (9) seats that are too close to call. Since either party needs 51 seats to obtain a majority, a change in leadership in the Senate is a possibility.

The projected break down of the races in the U.S. House of Representatives puts the Democratic Party with 150 safe seats, 23 likely Democratic seats, and 27 leaning Democratic seats. The Republican Party has 165 seats considered to be safe with 10 likely Republican seats and 24 leaning Republican seats. If these projections hold, the Democrats will have 200 seats, the Republicans 199 seats, and 36 seats will likely be too close to call. Since either party needs 218 seats to obtain a majority, a change in leadership is a possibility in the House of Representatives.

A change in majority in either or both chambers of Congress would radically change the priorities of Congress and pose a significant challenge to President Obama's agenda. Depending on how the individual races breakdown, these changes could also radically change the ability of the Navajo Nation to obtain its priorities.

Fiscal Year 2011 Appropriations

On February 1, 2010, President Barack Obama kicked off the Fiscal Year 2011 Budget and Appropriations process by releasing his President's Budget Request (hereinafter "PBR") for Fiscal Year 2011. The PBR for Fiscal Year 2011 (hereinafter "FY11") sets government spending at approximately \$3.834 trillion with an expected \$1.267 trillion deficit. The President's budget proposes a total of \$1.415 trillion in discretionary spending--an increase of about \$15 billion over FY 2010 spending, not counting emergency spending

The FY11 PBR includes an across the board three-year spending freeze on non-defense, non-homeland security discretionary spending projected to save \$250 billion over 10 years in addition to immediate terminations, and reductions for a total of \$20 billion.

It is now up to Congress to determine the actual federal budget for FY11 and to pass appropriations bills for each of the federal department and agencies. As of July 7, 2010, Congress had not passed an FY11 Budget Resolution setting the overall budget for the federal government and the portions of the budget each appropriations committee is responsible for reviewing. The Congress has also not passed a single appropriations bill of the twelve (12) required to keep the federal government functioning after October 1, 2010. Congress has begun to hold hearings on these appropriations bills.

It is expected that the Congress will pass the Defense and Homeland Security Appropriations bills before the Target Adjournment Date and pass a Continuing Resolution (hereinafter "CR") to keep the government functioning at FY10 levels until after the November 2, 2010, elections.

PBR - Interior

At the Department of Interior, the Bureau of Indian Affairs will receive \$2.6 billion, a \$3.6 million decrease from FY2010 enacted levels. Part of the lower amount was created by the one-time increase in FY2010 for tribal colleges not included this year. Several BIA programs have received increased funding according to new goals to strengthen Native communities including: a \$20 million increase for public safety; an \$8.9 million increase for Native education; and a \$29.9 increase for tribal self-determination.

Navajo Specific Interior Spending:

- Dennehotso Replacement School Phase II at the Dennehotso Boarding School was included under education construction
- Bennett Freeze: a \$9.1 million increase for land management and \$1.2 million for redevelopment activities
- \$8 million has been assigned to the Office of Navajo-Hopi Indian Relocation
- \$10 million was included for the Navajo-Gallup pipeline project and \$6 million for the Navajo Nation Water Resources Development Trust Fund
- \$12.5 million for the Navajo Indian Irrigation Project

PBR Health and Human Services Spending

The Indian Health Service would receive \$5.4 billion, an increase of \$354 million. Contract Health Services will receive an \$84 million increase to \$864 million.

Specific Health and Human Services Spending

- New construction received \$66 million for three new facilities, one is an outpatient clinic located at Kayenta.
- The DHHS Budget includes \$8.2 billion, an increase of \$989 million, for Head Start to serve an estimated 971,000 children, an increase of approximately 66,500 children over FY 2008.
- The budget also includes an extension of the Temporary Assistance for Needy Families (TANF) block grant and related programs, including the Contingency Fund and Supplemental Grants, through FY 2011.

President Obama's Budget Request (in millions)

	FY 2010 Enacted	FY 2011 Request	% Change
Department of Interior	12,000,000	12,000,000	0.00%
Bureau of Indian Affairs	2,619,000	2,566,000	-2.07%
OIP	2,335,965	2,394,640	2.45%
Tribal Government (Total)	429,778	481,037	10.66%
Human Services (Total)	136,996	138,769	1.28%
Trust--Natural Res. Mngmt. (Total)	175,618	158,337	-10.91%
Trust--Real Estate Services (Total)	152,493	150,754	-1.15%
Education (Total)	799,400	804,495	0.63%
Public Safety & Justice (Total)	328,855	361,575	9.05%
Community & Economic Development (Total)	44,910	38,413	-16.91%
Exec. Direction & Administration (Total)	267,915	261,260	-2.55%
Construction	225,000	115,723	-94.43%
Education (Total)	112,994	52,854	-113.79%
Public Safety & Justice (Total)	64,407	11,377	-466.12%
Resource Management (Total)	38,385	42,159	8.95%
Other Program Construction (Total)	2,064	2,043	-1.03%
Construction Management (Total)	7,150	7,290	1.92%
Indian Land & Water Claim Settlement	47,380	46,480	-1.94%
Indian Guarantee Loan Program	10,200	8,200	-24.39%
Office of Special Trustee	186,000	160,200	-16.10%
Bureau of Land Management	1,020,000	1,100,000	7.27%
Minerals Management Service	356,400	364,800	2.30%
Office of Surface Mining	162,800	146,100	-11.43%
Mandatory Grants to States and Tribes (AML Funds)	141,914	164,100	13.52%
(\$0 to certified States and Tribes)			
Abandoned Mine Land	35,600	30,400	-17.11%
US Geological Survey	884,000	1,100,000	19.64%
Fish and Wildlife Service	1,605,000	1,600,000	-0.31%
State & Tribal Wildlife Grants			
National Park Service	3,154,000	3,147,000	-0.22%
Bureau of Reclamation (Water & Related Resources)	1,210,000	1,100,000	-10.00%
Office of Navajo and Hopi Indian Relocation	8,000	8,000	0.00%
Navajo Gallup Water Supply	3,000	10,000	70.00%
Navajo Indian Irrigation Project	NA	12,433	
Navajo-Hopi Settlement Program	1,230	1,226	-0.33%

Navajo Water Resources Development Trust Fund	6,000	6,000	0%
Bennett Freeze Development	NA	1,200	
Department of Veterans Affairs	110,700,000	121,700,000	9.04%
Discretionary Only			
Medical Programs (Medical care)	44,512,000	48,183,000	7.62%
Entitlements			
Benefits Programs	49,396,106	53,500,000	7.67%
Burial Benefits	207,000	182,000	-13.74%
Education Mandatory Benefits	8,444,000	9,704,000	12.98%
Veterans' Housing Benefit Program	818,182	163,600	-400.11%
Native American Veteran Housing Loan Program	825,504	707,000	-16.76%
National Cemeteries Administration	168,000	104,000	-61.54%
Environmental Protection Agency	10,300,000	10,000,000	-0.03
Environmental Programs and Management	2,994,000	2,891,000	-3.56%
State and Tribal Assistance Grants	4,978,000	4,782,000	-4.10%
Infrastructure Assistance: Clean Water SRF	2,000,000	2,000,000	0%
Infrastructure Assistance: Drinking Water SRF	1,387,000	1,287,000	-7.77%
Infrastructure Assistance: Tribal Resources	69,740	65,740	-6.08%
Brownfields Projects	173,600	215,000	19.26%
Categorical Grant: Tribal Air Quality Management	13,300	13,566	1.96%
Categorical Grant: Tribal General Assistance	62,875	71,375	11.91%
Categorical Grant: Tribal Implementation	0	30,000	100%
Categorical Grant: Underground Injection Control	10,891	11,109	1.96%
Categorical Grant: Underground Storage Tanks	2,500	2,550	1.96%
State and Tribal Partnership Programs			
State & Local Air Quality Management Grants	171,000	241,000	29.05%
Air Monitors	0	15,000	100%
Water Pollution Control Grants	229,300	274,300	16.41%
Multimedia Tribal Implementation Grants	0	30,000	100%
Tribal Capacity Building	12,100	15,000	19.33%
Tribal GAP	62,900	71,400	11.90%
Department of Energy	26,600,000	28,400,000	6.34%
Weatherization Assistance Grants	210,000	300,000	30.00%
Department of Transportation	78,400,000	79,100,000	0.88%
Federal Highway Administration	44,152	42,801	-3.16%
National Highway Traffic Safety Administration	143,000	136,000	-5.15%
Highway Traffic Safety Grants	620,000	621,000	0.16%
Formula and Bus Grants, Trust Fund	8,343,000	8,631,000	3.34%
Department of Education	46,781,000	49,697,000	5.87%
Special Education	12,600	11,995	-5.04%
Strengthening Tribal Community Coll. & Univ. (HEA-III)	30,000	32,000	6.25%
Tribally Controlled Vocational & Technical Institutions	8,000	8,000	0%
Indian Student Education -(Formerly ESEA-VII)	127,000	127,000	0%
Dept. of Health and Human Services	78,400,000	81,300,000	3.57%
Indian Health Service	4,052,375	4,406,429	8.03%
Clinical Health Services	2,953,559	3,200,165	7.71%

Hospitals and Health clinics	1,754,383	1,893,292	7.34%
Dental health	152,634	161,262	5.35%
Mental health	72,786	77,076	5.57%
Alcohol & substance abuse	194,409	205,770	5.52%
Health Information Technology	131,000	135,000	2.96%
Contract health services	779,347	862,765	9.67%
Preventive Health Services	144,315	151,060	4.47%
Public health nursing	64,071	67,571	5.18%
Health education	16,682	17,489	4.61%
Community health reps	61,628	63,991	3.69%
Immunization AK	1,934	2,009	3.73%
Other Services	559,744	609,962	8.23%
Urban Health	43,139	45,502	5.19%
Health professions	40,743	41,413	1.62%
Tribal management	2,586	2,669	3.11%
Direct Operations	68,720	69,845	1.61%
Self-governance	6,066	6,201	2.18%
Contract Support Costs	398,490	444,332	10.32%
Total Health Services Programs	3,657,618	3,961,187	7.66%
Indian Health Facilities	394,757	445,242	11.34%
Maintenance & Improvement	53,915	55,523	2.90%
Sanitation facilities	95,857	97,710	1.90%
Health care facilities construction	29,234	66,192	55.83%
Facilities and Environmental Health Support	193,087	202,106	4.46%
Medical Equipment	22,664	23,711	4.42%
Head			
Start	7,235,000	8,224,000	12.03%
Administration for Native Americans	49,000	49,000	0%
Community Services Block Grant	700,000	700,000	0%
Temporary Assistance for Needy Families (TANF)	17,059,000	16,740,000	-1.91%
Substance Abuse Block Grants	1,799,000	1,799,000	0%
Mental Health Block Grants	421,000	421,000	0%
Department of Homeland Security	55,347,859	56,335,737	1.75%
FEMA Grant Programs	4,165,200	4,000,590	-4.11%
Department of Agriculture (Mand. & Disc.)	25,000,000	23,000,000	-8.70%
Office of Tribal Relations	1,000	1,025	2.44%
Rural Development Programs (Title III)	?	2,983,000	
Domestic Food Programs (Food & Nutrition Serv.)			
Child Nutrition Program	?	81,000,000	
Women, Infants, and Children (WIC)	?	249,619	
Natural Resources Conservation Service	887,629	923,729	3.91%
Forest Service	5,356,000	5,380,000	0.45%
Food Distribution Program on Indian Reservations			
Department of Labor	14,266,000	13,967,000	-2.14%
Training and Employment Services	3,829,000	3,925,000	2.45%
Native American Programs	53,000	54,000	1.85%
Adult Employment and Training	861,540	906,884	5.00%
Department of Justice	27,400,000	29,200,000	6.16%

Office of Violence Against Women (OVAW)	418,500	438,000	4.45%
STOP Grants (Grants to combat VAW)	210,000	187,500	-12.00%
Rural Domestic Violence & Child Abuse Enforcement	41,000	41,000	0%
Research on Violence Against Indian Women (VAIW)	0	3,000	100%
National Tribal Sex Offender Registry	0	1,000	100%
Office of Justice Programs	2,988,463	2,869,906	-4.13%
Justice Assistance	235,000	224,300	-4.77%
State and Local Law Enforcement Assistance	1,534,768	1,478,500	-3.81%
Byrne Justice Assistance Grant Program	518,000	519,000	0.19%
Adam Walsh Act	0	20,000	100%
Juvenile Justice Programs (JJP)	423,595	289,806	-46.17%
Tribal Youth	[25,000]	[0]	0%
Public Safety Officers Benefit Program	70,000	77,000	9%
COPS	791,608	690,000	-14.73%
COPS Tribal Law Enforcement	40,000	25,000	-60.00%
Department of Housing and Urban Development	43,587,000	41,590,000	-4.80%
Community Development Block Grant	132,000,000	65,000,000	-103.08%
Native American Housing Block Grant	700,000,000	580,000,000	-20.69%
*Indian CDBG (moved from CD&P)			

Fiscal Year 2013 Budget and Appropriations

The U.S. Office of Management and Budget (hereinafter “USOMB”) has begun to formulate the President’s budget priorities for fiscal year 2013 (hereinafter “FY13”). In order to bring the federal government’s budget and deficits under control, USOMB is asking all federal departments and agencies to provide preliminary budgets with cuts between three (3) and five (5) percent for non-defense, non-homeland security discretionary spending. A three (3) to five (5) percent cut for 2013 would effectively mean that the federal government would be operating at the reduced FY11 levels without the intervening two (2) years of inflationary increases. In other words, non-defense, non-homeland security discretionary programs will have to operate under significant reductions.

In order to protect the Navajo Nation as much as possible from these projected spending cuts, the NNWO and the Navajo Nation Office of Management and Budget (hereinafter “NNOMB”) have begun to develop the necessary budget forms for the Navajo Nation Divisions and Offices for submission to the USOMB. By submitting the Navajo Nation’s budget numbers early while the USOMB is formulating its budgetary priorities for the federal government, the Navajo Nation has an increased chance of ensuring that our priorities are a part of the federal government’s priorities.

The NNWO met with Navajo OMB, Division Directors, and Navajo Nation staff to discuss strategies for incorporation of Navajo programs into the Fiscal Year 2013 Budget. To date, the NNWO has reviewed budget justification for the following programs:

- Navajo Division of Natural Resources – Forestry (BIA)
- Navajo Division of Natural Resources – Abandoned Mineland Program (DOI)
- Navajo Division of Natural Resources – Navajo UMTRA Program (DOE)
- Navajo Division of Natural Resources – Water Development Program (DOI)
- Navajo Division of Natural Resources – Fish and Wildlife Management (DOI)
- Navajo Division of Natural Resources – Natural Heritage Program (DOI)
- Navajo Division of Natural Resources – Right of Way Clearance (FHA)
- Navajo Division of Natural Resources – Forest Management (DOI)
- Navajo Division of Natural Resources – Land Department (DOI/OHNIR)

- Navajo Division of Natural Resources – Department of Water Resources (Manymules) (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (Many Farms)(DOI)
- Navajo Division of Natural Resources – Department of Water Resources (Irrigation) (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (Navajo Gallup) (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (Rio Puerco) (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (To'hajilee) (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (Red Mesa) (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (Halchita) (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (LeChee) (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (Water Monitoring and Inventory Program) (DOI)
- Navajo Division of Natural Resources – Department of Water Resources (Rights Protection) (DOI)
- Navajo Division of Natural Resources – Historic Preservation (Forestry) (DOI)
- Navajo Division of Natural Resources – Historic Preservation (Facilities Management) (DOI)
- Navajo Division of Natural Resources –Historic Preservation (Environmental Quality Archeology) (DOI)
- Navajo Division of Natural Resources – Safety of Dams Program (DOI)
- Navajo Department of Diné Education – Education Grant Program (DOI)
- Navajo Hopi Land Office - Bennett Freeze Community Housing and Infrastructure (DOI)
- Division of Community Development – Community Development Block Grants (HUD)
- Division of Community Development – Weatherization Assistance Program (DOE)
- Division of Human Services – Office of Vital Records and Identification (DOI)
- Navajo EPA – Air Quality Program (EPA)
- Navajo EPA – Leaking Underground Storage Tank Program (EPA)
- Navajo EPA – Navajo Superfund Program (EPA)
- Navajo EPA – Underground Storage Tank Program (EPA)
- Navajo EPA – Superfund Brownfields (EPA)
- Navajo EPA – General Assistance Program (EPA)
- Navajo EPA – Superfund Program: Preliminary Assessment and Site Inspection (EPA)
- Navajo EPA – Pesticides Program (EPA)
- Navajo EPA – Radon Program (EPA)
- Navajo Nation Judicial Branch – Tribal Courts (DOI)
- Navajo Division of Human Resources - Child Support Enforcement (HHS)
- Navajo Division of Health - Navajo Emergency Medical Service-Base Program (HHS)
- Navajo Division of Health - Health Education 638 Program (HHS)
- Navajo Division of Health - HIV Prevention Education 638 Program (HHS, HIS)
- Navajo Division of Health - Navajo Nation Breast & Cervical Cancer Prevention Program (HHS, CDC)
- Navajo Division of Health - Kayenta Public Health Nursing Program (HHS, IHS)
- Navajo Division of Health - New Dawn Program (HHS, Administration for Children and Families / CSGB)
- Navajo Division of Health - Office of Environmental Health 638 Program (HHS, IHS)
- Navajo Division of Health - Navajo Nation Food Distribution Program (USDA)
- Navajo Division of Health - Navajo Epidemiology Center (HHS, IHS)
- Navajo Division of Health - Community Health Representative/Outreach Program (HHS, IHS)
- Navajo Division of Health - Navajo Nation WIC Nutrition Program (USDA)
- Navajo Division of Health - Navajo Special Diabetes Project (HHS, IHS)
- Navajo Division of Health - Navajo Area Agency on Aging, OAA, Title III (HHS, Administration on Aging)
- Navajo Division of Social Services - Navajo Treatment Center for Children and Their Families (HHS)
- Navajo Division of Social Services - Program for Self Reliance (HHS)
- Navajo Division of Social Services - Title IVE (HHS)
- Navajo Division of Social Services - Community Services Block Grants (HHS)

- Navajo Division of Social Services - Low Income Home Energy Assistance Program (HHS)
- Navajo Division of Social Services - Family Violence Prevention & Services/Grants for Battered Women's Shelters (HHS)
- Navajo Division of Social Services - Title IVB- Subpart II Promoting Safe and Stable Families (HHS)
- Navajo Division of Social Services - Title IVB Subpart 1: Child Welfare Services (HHS)
- Navajo Division of Social Services - Child Care & Development Fund Program (HHS)
- Navajo Division of Social Services - P. L. 93-638 Social Services Administration (DOI)
- Navajo Division of Social Services - P. L. 93-638 Social Services Welfare Assistance (DOI, BIA)
- Navajo Division of Social Services - NCFS/Indian Child Welfare Act Unit (DOI, BIA)

The NNWO will continue to work with the Divisions and NNOMB to coordinate FY 2013 budget advocacy efforts.

Bennett Freeze

The NNWO has continued to advocate for the needs of the Bennett Freeze area since the lifting of the Freeze in 2006. Congresswoman Kirkpatrick is expected to introduce legislation before the end of this Congress that seeks to address the new rehabilitation of the former Bennett Freeze by providing authorization for infrastructure, economic development, and housing projects.

Radiation Exposure and Compensation Act Amendments

On June 15, 2010, Senator Tom Udall and Congressman Ben Lujan introduced the Radiation Exposure Compensation Act Amendments of 2010 (S. 3224 and H.R. 5114 respectively) to address the longstanding needs of those exposed to uranium contamination as a result of the U.S. governments Cold War nuclear weapons production. The bill would expand compensation for those affected by uranium mining and nuclear testing. Several of the highlights under this compensation include: all claimants would be eligible for medical benefits, equivalent to EEOICPA medical expense compensation, and expansion of downwind test sites to include the Trinity Test Site and tests in NM, NV, AZ, ID, CO, MT, and UT. The bill would also extend compensation to miners who were employed until December 31, 1990. Under the current law, the final compensable date is December 31, 1971. In addition to streamlining many of the administrative obstacles to seeking compensation, this legislation also authorizes \$3 million for five years in grant funding to be administered by the National Institute of Environmental Health Sciences. This funding would provide for research to investigate the epidemiological impacts of uranium mining and milling among non-occupationally exposed individuals, including family members of uranium miners. Grants are to be awarded to universities with priority given to Southwestern institutions.

Energy Legislation

Prior to the July 4th recess and in response to the British Petroleum Gulf Oil disaster, Senator Reid (D-NV) instructed the Chairman of the relevant Senate Committees to provide to him on their return from the recess fully developed ideas for inclusion in a comprehensive energy bill. Senator Reid has stated that he wants to have the bill completed before the August recess beginning August 9, 2010. This is an ambitious timeline. Senator Bingaman (D-NM) and Senator Snowe (R-ME) have stated that they are working on a package that includes limitations on the future production of carbon dioxide and other green house gases. President Obama has stated that any energy legislation has to impose some form of cost on the production of carbon dioxide whether through a cap and trade or tax regime. It is expected that Senator Dorgan's Indian Energy Legislation will become a part of this package. Senator Dorgan's legislation contains a mixture of incentives to promote fossil and renewable energy production on Tribal lands and streamlines the federal regulatory process.

Helping Expedite and Advance Responsible Tribal Homeownership (HEARTH) Act of 2010

Congressman Martin Heinrich (D-NM) and Senator Byron Dorgan (D-ND) have introduced the HEARTH Act (H.R. 2523 and S. 3235 respectively) to extend to all Tribes the same ability the Navajo Nation to manage and issue leases without the approval of the Secretary of the Interior. The House version has been referred to the House Resource Committee, the Senate version has been referred out of the Senate Indian Affairs Committee and could come up for a vote at any time. Representatives of the Navajo Nation Division of Natural Resources held a series of meetings in Washington to inform policy makers of the problems that Navajo has faced in implement the Navajo Nation Leasing Act, and the need for resources to fully develop the Navajo Land Title Data System.

Native American Employment Act of 2010

NNWO has worked with the Navajo Nation Economic Development Office to discuss the possibility of supporting Senator Dorgan's bill regarding economic development, S. 3471. NNWO informed NNEDO Executive Director Allan Begay that Congress would be out for the 4th of July holiday week, and would probably not take up this bill as a stand-alone bill. It may be attached to another piece of legislation. NNWO will follow-up with Allan Begay regarding this legislation after the Legislative break.

Twin Arrows

NNWO assisted in strategizing and researching potential support letter for Chairman Nick Rahall (D-WV) of the Transportation & Infrastructure committee. NNWO researched the issue and advised that Rahall may not interfere with a pure property right as a Natural Resources Chairman but he may participate as a Transportation and Infrastructure Chairman. Generally, the Chairman will defer to those Representatives in their respective districts in assisting their citizen/voters. NNWO reviewed and was finally vetting the letter when the underlying issue was resolved.

99-Year Lease and NAPI meeting with Congressman Lujan

NNWO coordinated meetings with Congressman Lujan's staff to discuss Navajo seeking 99-year lease authority for economic development purposes. NNWO worked with the Navajo Nation Department of Justice to set meetings in this regard. The Navajo Nation Department of Justice brought members of the Navajo Economic Development Board to discuss this legislative request and NAPI legislation. NNWO worked with NAPI legal counsel to assist setting the meetings.

Tax Extender/Job Bill H.R. 4213

The NNWO developed four support letters to our Senate delegation asking for support for H.R. 4213. NNWO reviewed the support letters with Allan Begay and Peter Deswood from Navajo Division of Economic Development. However, the Cobell Settlement was attached to the tax extenders package, and where there is a split of support in Indian Country for the Cobell legislation. Although it is an individual Indian money suit, many Tribal leaders have weighed in to oppose paying exorbitant lawyers fees.

The Navajo Nation is seeking parity with other entities to issue taxable bonds for capital projects and allow the U. S. Treasury Department to issue a direct federal subsidy for a portion of the borrowed costs. Parity will lead to more private investment on Indian land. The Navajo Nation is advocating for a permanent extension of this tax credit, rather than the existing year-to-year extension. Any private businesses located on Indian land should be eligible for substantial tax credit for hiring of new employees. Again, this tax credit has only been renewed on a yearly basis. This tax credit will incentivize business development on the Navajo Nation.

Currently, Tribes may issue government bonds for essential government purposes, which the Internal Revenue Service has been interpreting to not include casino development for "essential government purposes." This bill may allow for bond financing for water and sewage facilities that do not serve an "essential government purpose" like a casino. The Navajo Nation may be able to take advantage of this provision in their casino development. The New Market Tax Credit program allows the federal government to leverage federal tax credits to encourage significant private investment in businesses in low-income communities. Tax credits will be given for investment in low-income communities to off-set tax liability. Certain conditions would apply to these offsets. The bill would extend the new market tax credit for one year through 2010.

Eastern Navajo Land Commission Meetings

NNWO assisted Larry Rodgers, Executive Director, Eastern Navajo Land Commission (ENLC) set meetings with New Mexico Delegation to discuss possible Eastern Navajo Land claim, which was subject to Council pre-approval. The ENLC seeks to have certain BLM land set into trust status on Eastern portion of the Navajo Reservation. The attendees included: Chales Damon, Board President, Hoskie Kee, member, Paul Frye, Attorney, Johnathon Hale, Speaker's office, Larry Rodgers.

United States Department of Education Consultation Hearing at Window Rock Department of Education regarding the reauthorization of the Elementary and Secondary Education Act (ESEA)

The NNWO held preliminary strategy meeting with the Navajo Department of Dine Education (DODE) on June 29, 2010. NNWO met with Dr. Calvin White, Superintendent Andrew Tah, and Dr. Galvin regarding the type of Navajo request for

inclusion in the ESEA reauthorization. NNWO laid out the probable questions the Navajo Nation may receive from the US DOE regarding asserting jurisdiction over state schools on Indian land. NNWO held a post consultation meeting on June 30th to discuss the possible legislation. NNWO will hold a follow-up meeting with Navajo DODE regarding working the reauthorization with US DOE and Congress.

NNWO made the initial contact with DOE, Ashley Wiegart, to set DOE Elementary and Secondary Education Act (ESEA) consultation. Coordinating the consultation was re-assigned to the Navajo Nation Dine Department of Education. NNWO continued to assist DOE to coordinate the meetings. A NNWO representative attended the meetings on June 29-30th.

NNWO worked with Dr. Calvin White to coordinate a BIE meeting on June 29th, 2010. Navajo DODE will ask BIE regarding their answer to obtaining technical assistance for the NN Accountability workbook.

FY11 Navajo Nation Education Advocacy

NNWO organized meeting for the Dine Bi Olta School Board Association (DBOSA) who was delegated authority to advocate in behalf of the Navajo Nation by the Education Committee. NNWO accompanied Fernie Yazzie, President of DBOSA, Ervin Chavez, DBSOA Board member, Darnell June, DBSOA member and Andrew Tah, Navajo Nation Superintendent of Schools of BIE funding for FY '11.

NNWO accompanied the group to meetings with the following offices: Senator Dorgan (D-ND), Congressman Ed Pastor (D-AZ), Congresswoman Ann Kirkpatrick (D-AZ), Congressman David Price (D-NC), Senator John Testor, Senator Tim Johnson, and Chairman Moran (D-VA).

All Congressional Representatives are on their respective Appropriations Subcommittee in the House or the Senate for Interior. The group advocated for Interior Appropriations issues to 1) asking for an increase in Administrative Cost Grants, 2) more funding for Student Transportation, 3) an increase in School Equalization Formula and 4) increases in Facilities Construction.

Operations and Facilities Maintenance.

Since this is an election year there is a strong sense on Capitol Hill there Congress will pass a CR to continue funding at FY10 levels, in lieu of an increase in funding through the appropriations process.

Dennehotso Boarding School Advocacy

NNWO organized Congressional meetings for Councilwoman Katherine Benally to advocate for the new Dennehotso Boarding School to be moved to Desert Meadows. Several members of the community, including three elders accompanied NNWO and Councilwoman Benally to these meetings.

The group advocated with staff from the Senate Committee on Indian Affairs, the office of Congresswoman Kirkpatrick (D-AZ), for the office of Senator John McCain (R-AZ), and the office of Senator Jon Kyl (R-AZ).

ESEA Reauthorization

NNWO met with Peter Zamora, Senior Education Counsel, for Senator Jeff Bingaman, to discuss the progress of ESEA reauthorization. Mr. Zamora provided insightful information that they are working on inclusion of Native issues and reviewing the Tribal Education Department. NNWO advocated for the treatment as a State Education Agency (SEA) that is consistent with our Tribal issue statement. Mr. Zamora invited NNWO to participate in a meeting with the Senate Health Education and Labor Committee staff to discuss the TED reauthorization.

Indian Health Care Reauthorization

The Indian Health Care Improvement Act - S. 1790, (IHCIA) was permanently reauthorized as part of national health care legislation when it was signed into law by President Obama on March 23, 2010. The NNWO advocated for Navajo Nation's interests to: (1) preserve the Indian Health Service (IHS) facilities construction prioritization, (2) the development of a feasibility study to establish the designation of Navajo as an independent entity for purposes of Medicaid reimbursement, and (3) for Arizona to be designated as a Contract Health Support Designation Area (CHSDA) to increase eligibility for Arizona

Navajos to access the IHS Contract Health Services Program. An analysis matrix prepared by the NNWO examines Indian health specific provisions in national health reform legislation, along with provisions specific to the Nation in the IHCIA. This matrix is attached as a reference. The NNWO continues to be a resource to the Navajo Division of Health (NDOH) and the Navajo Area IHS. NNWO presented health care reform and IHCIA information at the Navajo Area Health Summit, which was held in Flagstaff, AZ on June 16 – 18, 2010. NNWO staff were honored at the Summit by NDOH for their IHCIA advocacy efforts.

Now that IHCIA has been reauthorized, NNWO is concentrating on appropriations advocacy efforts. On April 27 and 28, 2010, NNWO advocated with the Dilkon, AZ and Kayenta, AZ Steering Committees before members of the House Interior Appropriations Committee and the Senate Appropriations Committee. For much of the geographically isolated Navajo Nation, access to health care translates to access to a health care facility. The group continued to educate members and staff about the significance of health care facilities construction appropriations to the Navajo Nation. NNWO will continue to assert the Nation's objectives and advocate for resources before Congress and the Administration. NNWO has been asked by NDOH for support in developing budget strategies for health care reform and the IHCIA. NNWO is working with the NDOH to prepare issues for discussion during the upcoming IHS visit to the Navajo Nation. The NNWO will also assist in developing the formal position to address efforts to revisit the formula for priority listing on the IHS health care facilities construction list to be presented to the Director of the Indian Health Service and members of Congress.

As analysis and strategic planning for implementation of national health care legislation continues, critics and proponents continue to debate cost issues. On May 11, 2010, the Congressional Budget Office (CBO) released an updated discretionary spending cost estimate at a minimum of \$115 billion over 10 years, which is more than twice the previous estimate. Indian health care and the IHCIA are a part of this increased discretionary spending cost estimate. These concerns ought to be deemed unreasonable, since Congress has been appropriating funds for Indian health care, even when the IHCIA authorization expired. The NNWO will continue to monitor the greater national health care reform debate and specific concerns with IHCIA as they arise.

Special Diabetes Program for Indians

Legislation authorizing the Special Diabetes Program for Indians (SDPI) is set to expire in 2011. The NNWO along with the NDOH and the Health and Social Services Committee (HSSC) Oversight have been advocating before the 111th Congress for reauthorization and extension of the SDPI for \$200 million per year for a total of 5 years. Both the House and Senate have had hearings in the past month regarding diabetes. NNWO staff attended the Senate Indian Affairs Committee Oversight Hearing entitled, A Way Out of the Diabetes in Indian Country and Beyond on June 30, 2010. The NNWO continues to work with the Navajo SDPI, the NDOH, and the HSSC to develop our strategy going forward.

Indian Health Service Contract Health Services Program

Dr. Yvette Roubideaux, Director of the IHS initiated formal tribal consultation with the Navajo Nation to reform the Contract Health Service (CHS) program in a "Dear Tribal Leader" letter dated January 15, 2010. Dr. Roubideaux correctly identified the most important issue in CHS reformation has been chronic underfunding of CHS. The call for reformation and re-evaluation of the current CHS policies must be evaluated in the context of this prolonged inadequate funding. To assert the current formulas are inherently flawed when the program was never sufficiently funded is problematic. The increase for CHS and support costs in the President's FY 2011 Budget will help to address this chronic deficiency.

The NNWO and NDOH responded to this letter with the following recommendations: address existing funding distribution inequities, incorporate hold harmless language to address the substantial health care needs on the Navajo Nation, eligibility criteria that have since been addressed in the IHCIA, transportation, and expansion of the services covered by CHS.

Low Income Home Energy Assistance Program

The President's 2011 Budget reduced the LIHEAP funding, but also included a new trigger that would increase LIHEAP funding by 2 billion. NDSS is evaluating future participation in the NFFN Advocacy Day. To date, NFFN is advocating for an additional \$2.5 billion in supplemental funding for this year, LIHEAP funding at \$7.6 billion for FY 2011; and support for the Markey bill (H.R. 4554) reauthorizing LIHEAP and increasing funding authority to \$7.6 billion.

The NDSS asked NNWO to participate in the National Fuel Funds Network's (NFFN) advocacy efforts in Washington, DC.

Meetings were scheduled with the NM delegation to advocate for more appropriations for the LIHEAP program. The DC meetings were cancelled. The NFFN and NDSS sought to schedule home district meetings with the NM delegation.

Tribal Consultation: Correspondence with Federal Agencies

The NNWO reached out to the federal agencies pursuant to a request from the Navajo Nation Office of the President and Vice President (OPVP) in January 2010, to assist in coordinating communications related to President Obama's November 5, 2009, Executive Memorandum. NNWO's efforts were aimed at assisting in the logistics of helping the Navajo Nation government foster self-determination through meaningful tribal consultation as described in President Clinton's Executive Order 13175. The NNWO received responses from the Department of the Treasury, the Department of Justice, the Department of the Interior, the Department of Education, the Veterans Administration, the Department of Transportation, the State Department, and the Environmental Protection Agency.

The Nation's specific tribal consultation recommendations, at this stage in the process, require technical experience in the various federal-tribal program areas. As the experts involved with daily program administration, the Navajo Division Directors, their staff, along with their oversight Committees on the Navajo Nation Council, are in the best positions to give meaningful substantive consultation recommendations to the federal agencies.

Additional federal tribal consultation correspondence the NNWO receives will continue to be forwarded to OPVP directly for further coordination with Division Directors and their oversight Committees. The NNWO continues to also be in contact with Navajo Nation Department of Justice, and Navajo Council Committees and Councils as needed to facilitate federal consultation.

Apache County Sheriff

The Navajo Nation through the Inter-Governmental Relations Committee has partnered with the Apache County Sheriff's office to advocate and secure appropriations from the federal government in the amount of \$15 million for the purchase and operation of two helicopters. Our office coordinated and interfaced with congressional offices on behalf of the Apache County Sheriff's office. We coordinated comprehensive approaches on two different occasions. Our approach was a three-prong approach: 1) Homeland Security, 2) Public Safety and 3) Health Services. Our advocacy approach resulted in Congresswoman Kirkpatrick submitting a request for \$7.5 million to the appropriations Committee.

The Status of the Appropriations bills passing Congress this year is slim. We feel that there will be a continuing resolution in September and the appropriations bills will be passed after the midterm elections. Nevertheless, lawmakers are working behind the scenes to possibly hold an initial series of markups soon. Homeland Security, Energy-Water, and Legislative Branch appropriations may come up first.

Judiciary Committee

The Navajo Nation Judiciary Committee requested assistance in securing appropriations for a Navajo Nation Supreme Court Complex. The Judiciary Committee and the Navajo Nation have been requesting from the Federal government for the last decade. Various Senators and Representatives have supported the idea over the years to no avail. Most recently Sen. Udall through his appropriations staffer indicated their support for the Complex by stating they would submit the appropriations request in the amount of \$15 million through the process. We will continue to follow up on this request and may possibly have meetings scheduled in July with the BIA and other Administration officials.

Navajo Nation Utah Trust Fund

There are currently two competing bills in Congress concerning the appointment of a trustee over the Navajo Nation Utah Trust Fund. The current trustee is the State of Utah as dictated by the federal government. The State of Utah last year passed legislation indicating that they no longer wish to be the trustee. Senator Bennett introduced S.1690, legislation last year appointing the Utah Dineh Corporation as the trustee over the objections of the Navajo Nation. Specifically, the Navajo Nation through the Inter-governmental Relations Committee passed legislation requesting the federal government to appoint the Navajo Nation as the Trustee. Senator Bennett's bill developed traction towards the end of last year but through the efforts of the NNWO Bennett's bill has not moved forward. There are no co-sponsors to Senator Bennett's Bill.

On the House side, Congressman Matheson introduced House Bill 4384. Congressman Matheson's bill has a significant

amount of control standards for any future trustee to abide by. The Matheson bill does not identify a trustee but rather allows for the seven chapters that are the beneficiaries of the trust to select a new trustee, which would allow the Navajo Nation to bid for the position of trustee. The Navajo Nation DOJ has provided written comments to the Matheson bill. Congressman Matheson is requesting a congressional hearing within the next three to four weeks to discuss the House and Senate Bills. Matheson is requesting a merging of the Senate and House bill for a new draft to be presented to the House Resources Committee.

In the near future we should coordinate additional meeting for Navajo Nation officials to meet with congressional officials to discuss the Navajo position.

Veterans

Over the last several years, the Navajo Nation has been advocating for more health services for Navajo Nation Veterans from the Veterans Administration. In the middle of last year, there was a coordinated effort on behalf of the Division of Health and our office to interface with Veterans Administration to continue the Nation's pleas for more health services for Navajo Veterans. Anselm Roanhorse, Navajo Nation Division of Health Director has been tasked with this effort. The Veteran Administration has established Post Traumatic Stress Disorders (PTSD) services in various locations throughout the Navajo Nation. The Navajo Nation has been advocating for a Community Based Outpatient Clinic (CBOC) to no avail. Veteran Administration is moving away from building brick and mortar facilities to telehealth services especially in light that Navajo Veterans are spread throughout the Navajo Nation. Of interest to the Nation is authorizing language in the Indian Health Care Improvement Act that seeks to increase access to care by sharing of facilities. NNWO will continue to advocate for health services that meet the needs of its veterans.

The Veterans Administration has also reached out to the Navajo Nation to continue to discuss the idea of a Veterans Cemetery.

Transportation

NNWO has been engaged for our services by the Transportation and Community Development Committee to set meetings for the Committee. Meetings were originally scheduled in March of this year but the Committee cancelled. We rescheduled the congressional meeting for May 19 and 20th. The purpose of the meetings is to advocate on the reauthorization of SAFETEA-LU and the Indian Reservation Roads program. The main objective is to advocate for a more favorable funding formula for Large Land Base Tribe and specifically the Navajo Nation.

We subsequently held meetings on May 19th and 20th with various congressional and administrative officials to discuss formula funding of the Indian Reservation Roads program. We assisted the Navajo Nation TCDC Committee Chair and Sampson Begay, with preparation of the meetings. The BIA through Leroy Gishi and Assistant Secretary Echohawk will hopefully provide the Navajo Nation with an updated formula funding concerning the IRR program before the end of June.

International Indigenous Peoples' Rights

The Navajo Nation has been consistently advocating for the United States to adopt the United Nations Declaration on Indigenous Peoples Rights. The advocacy of various tribes seems to have gained traction within the United States administration in that the administration is reviewing the Declaration. It is hopeful that the U.S. will adopt the declaration and possibly implement the Declaration in its practices. Most recently, the United States Department held consultations with tribes on July 7, 2010 to discuss the U.S. review of the Declaration of Indigenous Peoples Rights. On another note we also met with the State Department to discuss the climate bill and its effects on indigenous populations. The meeting was scheduled on May 19.

IV. Ongoing NNWO Goals & Objectives

Continue the Navajo Nation government's working relationship with Congress, federal agencies, and the Obama administration.

In addition to working on legislative efforts with Congress the Navajo Nation Washington Office continues to represent the Nation's interests before federal agencies. In providing support to visiting Navajo Nation elected representatives and staff the Navajo Nation Washington Office facilitates meetings, consultations, and assists in the representation with federal agencies.

Prioritize and Advance Planning and Budget Development

The Navajo Nation Washington Office has worked arduously to advance the budget and appropriations requests with the federal government on behalf of the Navajo Nation. The Navajo Nation Washington Office continues to educate and stress the critical importance of working two years in advance in the federal budget cycle in order to have projects and program funding incorporated in the President's budget submittal to Congress.

V. Program Recommendations

FY 2013

The Navajo Nation Washington Office has been working three budget cycles in advance with the U.S. Office of Management and Budget in preparation of the FY 2011, 2012 and 2013 budgets. Navajo Nation Divisions and Departments will continue to work with the Divisions and the NNOMB to advocate for the Navajo Nation's priorities for the FY 2013 budget year.

OFFICE OF THE
CONTROLLER



MARK GRANT
CONTROLLER

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
OFFICE OF THE CONTROLLER
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

MISSION STATEMENT

The Mission of Division of Finance is to protect, manage and maintain the financial integrity and physical resources of The Navajo Nation. We seek to demonstrate ethical behavior and promote fiscal responsibility and accountability to the Dine' and their Government through meaningful, accurate and efficient financial information so that all our customers quality services.

I. PROGRAM INFORMATION:

Controller: Mark G. Grant
 Telephone No.: 928-871-6310
 Facsimile No: 928-871-7612

Departments:

Systems, Contract Accounting	Laura Johnson-Nez, FMIS Project Manager
WIA Accounting	
Cashiers, Office Services,	Lena D. Arviso, Accounting Manager
Accounts Receivable	Isabelle A. Yazzie, Accounting Manager
Payroll	
Contract Administration, Purchasing,	Janice M. Haskie, Accounting Manager
Supply Center	
Accounts Payable, Travel Office	
P-Card Section	Lorena Eldridge, Accounting Manager
Credit Services	Louise Johnson, Manager
General Accounting	Robert Willie, Supervisor
Property Management	Harry Tso, Jr., Senior Property Clerk

ADMINISTRATION

II. BUDGET/PERFORMANCE INFORMATION:

1. Funding and Expenditure

Office	Funding Source	# of Personnel	# of Vehicle(s)	FY 2009 Personnel	% Used	FY 2009 Operating	% Used
Administration	General	3	1	\$133,307.20		\$155,251.20	
	Total	3	1	\$133,307.20		\$155,251.20	

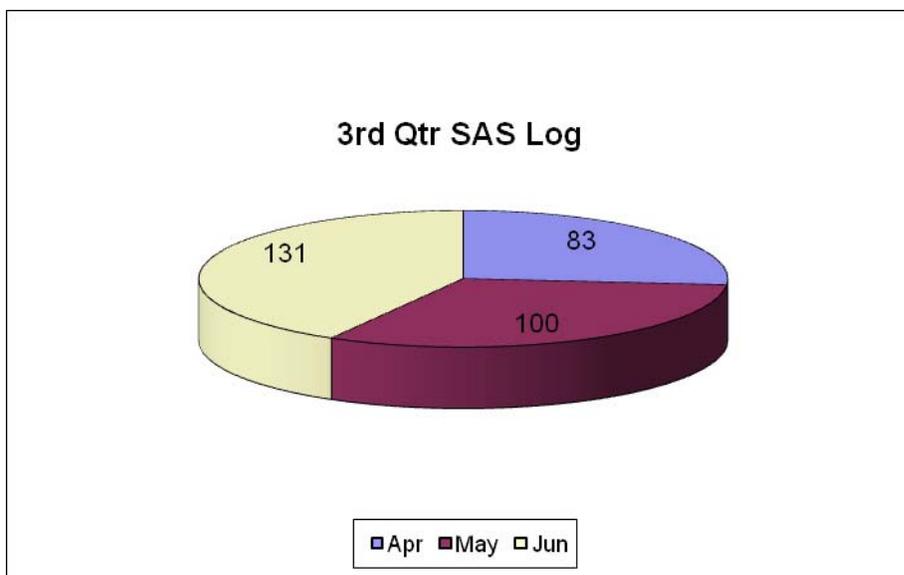
III. BUDGET STATISTICAL INFORMATION:

SAS LOG

Section 1.02

DIVISIONS	Apr Month 07	May Month 08	Jun Month 09	TOTAL
Executive Branch	0	2	3	5
Department of Justice	3	3	4	10
Division of Community Development	9	13	13	35
Division of Economic Development	16	5	8	29
Division of Dine' Education	4	21	26	51
Environmental Protection Agency	4	3	4	11

Division of Finance	11	8	12	31
Division of General Services	0	2	1	3
Division of Health	12	1	13	26
Division of Human Resources	3	3	8	14
Office of Management & Budget	1	0	0	1
Division of Natural Resources	11	15	15	41
Division of Public Safety	4	7	13	24
Division of Social Services	2	11	7	20
Office of Tax Commission	0	0	0	0
Legislative Branch	0	3	1	4
Judicial Branch	0	0	1	1
Transportation	2	3	2	7
Other	1	0	0	1
GRAND TOTAL	83	100	131	314



CONTRACT ACCOUNTING / SYSTEMS

II. ACCOMPLISHMENT:

1. Close out contracts within a timely manner.
 - The close outs for our section continues at a slow pace as we have approximately (290) grants that are pending close out. The slow process is due to closing out incomplete folders with the lack of final reports and worksheets. Since March 2010 (27) grants have been closed.
 - Our helper; Jacqueline Burbank continues to sort and file the closed grant folders. Recommendations were made to extend her time with Contract Accounting so that she may finish this project but uncertain if this will be approved.
 - The Accountant's booked the new FY07 IDC rate of 18.05% to the April 2010 ledgers. And for those adjustments we missed will be posted to the May 2010 ledgers.
 - On May 27, informed General Accounting that all entries (journal entries and allocations) were posted for the month of April. The majority of all indirect cost expenses were updated to reflect the 2007 Indirect Cost rate of 18.05% from 10/01/06 through 4/30/10. There are 4 2004 BIA accounts we need to do analysis before posting adjusting entries, then need to wait for State modifications in order to adjust IDC for Navajo Transit's business units.
 - All 2009 Corrective Actions Plans were due to OMB Contract Analyst on Friday, May 28. Completed CAP for:

a) I H S – Reporting and Indirect Cost

b) CCDF – allowable Cost

- Began work with KPMG consultants on Contract Accounting policies/procedures. They were to write up discussions for our review, then additional meeting(s) to be held.
- We worked on the IDC adjustments from 8.94% to 18.05% and have completed a majority of it. There are a few entries that will need to be done and will be working on this until we get the remaining entries in. We are also working on reducing the IDC from 21.6% down to 18.05%. This period of time was not completed during the month of May for the B.I.A. business units. We have several more entries to do.
- Presently working on completing several financial reports that were put on hold while we were working on the IDC adjustments. This includes the final financial report for the 2009 OSERS report. This should be completed shortly after the training for Procurement June 4, 2010.
- We were not able to do very much during the month of May because working on the IDC adjustments.
- Completed Equipment and Software listings and had them certified
- Completed Underwriter Exposure Summary for FY2011
- Completed responses to Disaster Recovery Audit
- Completed draft of Disaster Recovery Plan
- Completed FMIS Disaster Recovery Budget

2. Process financial documents within a timely manner.

- In adherence to the Contract Compliance memo dated October 15, 2007 effective October 1, 2007 the Contract Accountants continue on a daily basis to review and analyze submitted financial documents then forward to Accounts Payable and Purchasing Section as soon as possible. They continue to have problems with the Programs who are submitting late documents with incorrect account numbers, unauthorized signatories, etc. We assist the Programs in submitting documents to other sections on time. Additionally, Contract Accounting is documenting the problems and informing the Programs as to why financial documents are not being processed within a timely manner.

III. STATUS OF ON-GOING PROJECTS, INITIATIVES AND COAs:

1. Fiscal Year 2009 Audit.
2. Close all External Fund Open Commitments
3. All NMJPA's expired June 30
4. FMIS Disaster Recovery

IV. STATUS OF ACTION PLAN (A, B, AND C LISTS):

1. The Contract Accountants have worked directly with the auditors and provided all requested reports. This year we have only two finding, one was questionable and we agreed that next year our goal is to have no findings.
2. Contract Accounting Staff are continuing to run the Job Status Inquiry reports for some programs. Purchasing Section ran the open commitments report for all external funds and currently Contract Accounts are working with the programs to close all old outstanding open commitments from FY 2003, 2004, 2005, 2006 and 2007.
3. The Contract Accounting Power user has completed recertification training for all Contract Accountants.

V. OUTSTANDING PROGRAM ISSUES:

1. Continue to work with program to correct the cost type in the NN budget forms for the Window Rock Airport project.
2. NM JPA's
 - CIO continues to process financial documents on a regular basis for those JPA's that will expire on June 30, 2010. To provide assistance to CIO an open commitments reports is emailed to CIO staff on a weekly basis so that vendor invoices can be processed accordingly.

- Master Intergovernmental Grant Agreement #3 was recently approved between the Navajo Nation and NMIAD for an additional (24) JPA's. Of the (24) there are (4) JPA's that will expire on June 30, 2010. Close outs are in process for those JPA's that are not identified in MIGA 1 – 3.
 - Our section with Contract Administration is continually advising Design and Engineering with various strategies for PSC modifications, retainage and the NN 4% tax language issues within the PSC. It was recommended for the program to seek DOJ's advise on incorporating new language into the PSC's to address these issues specifically for NM JPA's.
3. Aging & Adult Services attended meeting with Arizona Dept of Economic Security Division of Aging & Adult Services to address issues pertaining to reporting monthly invoices for congregate meals and respect services. Continuing to reconcile the monthly meal counts to FMIS and reporting information into AIMS.
 4. Foster Grandparent attended meeting with Corporation for Nation Community Services on budgets and upcoming monitoring visit scheduled for July 26th and 27th.
 5. Arizona Nutrition attended meeting with Arizona Nutrition Network on outstanding invoices for FY09 & FY10. Reviewed the FY11 budget details and program reporting requirements.
 6. NMLTSD
 - Continue to work with program to correct budget award to FMIS. A deadline was given to NAAA to submit its Budget Adjustment Report (BAR) for approval in May 2010 and now is uncertain if the program received approval from NMLTSD. If this is not approved it will affect the Monthly Activity Report (MAR) for cost reimbursements.
 - Received notice that a majority of the Senior Center Capital Projects was reverted back to the State of NM and now we are in the process of closing out these grants.
 7. DBHS learn and serve received clarification on in-kind matching from funding agency. OCG issued transmittal to the program and now can begin spending grant funds.
 8. H1N1 funding agency continues to audit expenditures from the Bio Terrorism Department. Each month additional supporting documents is needed in order to approve cost reimbursements to the NN.
 9. FEMA completed the outstanding FFR reports and successfully drew down funds through PMS.
 10. NM STD/TB Program attended quarterly meeting with STD/TB MOA interagency, the State of NM-STD/TB program and NN CHR in Albuquerque, N.M. Received updated information on financial report and program reporting. OCG also provided a presentation on the overview of contracts with the Navajo Nation. Recommendations were provided to the program on how to speed the process of approving new grants.
 11. EDA copies of financial reports were provided to the program to assist in retrieving the missing \$31,200.71 cost reimbursements.
 12. USDOJ
 - Attended the Public Safety committee meeting to address the lack of draw downs for ARRA grants under Dept. of Corrections. Based on FMIS there is little to no expenditures to drawdown funds. Received notice from USDOJ that all draw downs must be supported with expenditures. Received notice of upcoming monitoring visit from USDOJ on the ARRA grants scheduled for June 15th – 17th.
 - Attended meeting at the OPVP on the draft findings/questioned costs for (28) USDOJ grants. Instructions were provided on responding to findings and timelines. Completed response for the COP grants on draw down issues. Assisted the Accounts Payable section address internal issues on record keeping.
 - Completed CAP for matching funds and financial reporting for Single Audit.
 - Continue working with programs to submit new expenditure authorized signature forms due to new staff hired at the program level.
 13. NHA/HUD
 - Successfully drew downs of funds in the amount of \$3,695,088.08 through the LOCCS system. This was a lengthy process as we needed to change approving officials.
 - The reconciling process and monthly meetings with NHA and CHID continues to clean up prior grant modifications and outstanding reimbursements due to the Navajo Nation.
 14. Attended last of Final single audit exit meetings TANF (Program for Self Reliance), LIHEAP (Low Income for Home Energy Assistance Program) and Special Diabetes.

15. Social Services (Block Grants and Special Projects) is the only department that has requested for an extension to submit “obligating” documents (PRs, ICRs, etc) until June 18 for the Arizona Title XX business units.
16. Due to personnel turn-over, CCDF missed deadline of April 1 to inform US Administration for Children and Families (ACF) that they would expend all 2008 funds. They were informed they lost \$583,020. Meeting was held on what the Program needs to do now.
 - All commitments are to be closed.
 - DSS Admin to try and meet or have a conference call with Federal reps to explain situation and see if funds can be re-allocated back to the Navajo Nation. I doubt it will work as funds have already been withdrawn from the Payment Management System (PMS Letter-of-credit).
 - DSS Mgmt will centralize accounting functions. CCDF accounting will report to DSS Central accounting (internal DSS issue).
17. Met with DSS regarding LIHEAP Data Port vs. RDP documents. Lately been receiving one RDP with attached vendor listing for individuals that delivered wood to eligible LIHEAP clients. As Accounts Payable did not respond to DSS if utilizing one RDP for numerous vendors was acceptable, DSS continued practice. Vonda did explain the way the documents are filed, this was unacceptable.
18. For time sake, this would be the last time OOC would accept the (2) RPDs and from now on will need individual RDPs.
19. DSS MIS staff will be working with DSS Accountant to hire consultant to work on DSS’ Data Port. This issue with that is there are too many business units. There is 6-7 business units assigned to the annual (2010) LIHEAP funds and then additional 6-7 business units assigned for the LIHEAP (2010) contingency funds. Then there are the 6-7 business units from the prior year 2009 contingency funds. Previous Data Ports doubled payment amounts.
20. Agreed to continue to meet with DSS on a MOU that will set procedures should the Data Port not be operational. Such as using one RDP for numerous vendors. No date was scheduled.
21. After the Single Audit Exit meeting with Program for Self Reliance, we did inform the Program their 2010 Direct Business unit K100532 was close to being in a budget deficit. I will be writing to the Program this week, there will be no funds by June 4 and a PEC “N” will be placed on their account. No additional charges will be processed against this business unit, including personnel.
22. Have not received write up on findings from the Headstart Review Team. Grants Management did mention that they were looking through the documents delivered to his office for his review of the \$514,000. He indicated they would notify us when he will give approval for the release of the last drawdown for Grant Year 2009.
23. There were several adjusting entries for prior year business units. These entries were done to use up remaining funds on JOM and Social Services business units. We will still be making additional entries of several of the prior year B.I.A. accounts before the end of this fiscal year.
24. Need to complete review of the last update on the NADD Fees worksheet. This should be sent to our office within the next few days. The NADD office wants a final certification on this worksheet.
25. Still waiting funding for Disaster Recovery for FY2011.

VI. PROBLEMS/RECOMMENDATIONS:

1. On May 17, 2010 we interviewed for the In-House Accountant Position, however the applicant was not selected due to not passing the required accounting test. This position will be advertised from June 7 – 18th through Personnel’s JVA listing.
2. On May 26, 2010 we interviewed one applicant for the Associate Accountant Position. The applicant successfully passed the accounting test and now in the process of doing background checks. So far the applicant received high recommendation from (1) previous employer.
3. Two accountant’s within our section continue to exceed (300) hours of annual leave. Due to grants closing on June 30, 2010 for the State of New Mexico and Arizona it requires for the accountant’s to continue working instead of taking leave. Once completed they are encouraged to utilize their leave.
4. Process Issue C/A and Contract Administration need to agree on use of line items. (Controllers checklist) update I’m still trying to schedule a meeting with Janice and her group will try again this week.

5. Create process to address all audit findings from FY2008 (Controllers checklist) update Rob and I need to meet on this will get together this week.
6. Held staff meeting to discussed on-going Audit with KPMG, In-House Vacant Positions, Outstanding Reports, IDC, Office Closure, Attendance and Staff Contribution (W-2's & Operation Snowfall).
7. Staff participated in rearranging seating assignments.
8. Valerie has given me the listing of business units to review in order to come out with a final listing for files to be organized. This will take me a couple of days and I do not expect to get to this listing until after I complete my monthly journal entries and several reports that are pending.
9. Attended Office of the Controller's FMIS Issues Mtg
 - 5/5/2010 2 pm-3 pm
 - 5/26/2010 2 pm-3 pm
 - Tested Report Specs for the following Audit Reports currently generated through the Insight Software on an annual basis.
 - R5543PODET-Purchase Order Detail by CFDA
 - R5504APRDP-RDP Count of amounts greater than \$5,000
 - R5509BATCH-Payroll Detail by Batch Number by Co.
 - Generated Ad Hoc Reports using the Insight Software for KPMG, OOC Supervisors, Contract Accounting Staff,
 - Updated the Job Cost Manual
 - Began scheduling classes for OOC Staff and preparing for the 2010 FMIS Recertification
 - Followed up on submitted Issue with Co. 3141-Vouchers Payable
 - Followed up on submitted Issue with OOB Batch 542418
 - Training provided and attended: May 19, 2010-Provided FMIS Inquiry Training 8-5 to new NN FMIS Users
10. Still awaiting training funds for staff to attend Technical Trainings
11. We need to discuss and decide on Oracle Contract Migration
12. We have 7 projects listed that need to be prioritized and budgets prepared to cover them.

IV. BUDGET STATISTICAL INFORMATION:

	Apr-10	May-10	Jun-10	Totals for Three Months
Documents Processed:				
Meetings/Training	48	61	78	
Signature Approval Sheets	36	94	145	
Walk Thru's (RDP's, TA's, PR's)	81	99	78	
Budgets/Memos	5	0	29	
Contracts	0	0	0	
Receiving Reports	2	10	3	
Budget Transfers	16	14	31	
Journal Entries	2513	4323	3209	
Draws	22	38	111	

Reports	333	167	284	
Carry-Over's	0	0	0	
PAF/Back-pay/Timesheets	850	538	2336	
Subtotal	3906	5344	6304	15554
Encumbrance Documents Processed:				
Purchase Orders Mods (PO's)	16	26	45	
General Claims Forms	133	2	728	
Interdept Charge Requisitions	97	98	169	
Purchase Requisitions	564	398	530	
Req for Demand Pmt	950	570	1268	
Stationary Supply Orders	14	45	76	
Travel Authorizations	1072	637	948	
Subtotal Encumbrances	2846	1776	3764	0
Total Documents processed for Apr to Jun, Third Quarter FY '10	6752	7120	10068	15554

	No. of Reports	Gross Disbursements
Federal Cash Transaction Reports	16	\$35,573,402.59
Financial Status Reports	39	\$44,242,380.93
Invoices	153	\$4,335,456.14
Requests for Reimbursements	5	\$196,000.64
Final Financial Reports	2	\$52,091.84
Drawdown's	16	\$35,573,402.59
Total Gross Disbursements	231	\$119,972,734.73
Less Final (Close Out) Reports	2	\$52,091.84
Total Qrtly Disbursements Reported	229	\$119,920,642.89

Revised Budget for Active C/G's	3,034,849,859.98	
Project to Date Expenditures for Active C/G's	2,459,072,712.56	81% of Budget
Encumbrances for Active C/G's	58,911,190.93	2% of Budget
Budget Balance for Active Contracts/Grants	516,865,956.49	17% of Budget

Statistics

Phone Calls	45
In Person	84

Email	153
Project Promotion	3
Maintenance	6
Password Resets	8
Lock Outs	3
Security Forms Received	66
User Accts Set Up	54
User Accts Changed	12
Meetings	21
Data Ports	87
Restore file from Backup	4

CASHIERS / OFFICE SERVICES / ACCOUNTS RECEIVABLE

II. BUDGET/PERFORMANCE INFORMATION:

1. Funding and expenditures.

Section	Funding Source	# of Personnel	# of Vehicles	FY 2009 Personnel Budget	% Used	FY 2009 Operating	% Used
Accounts Receivable	General Fund	6		\$198,869	71%		
Cashiers	General Fund	6		\$265,928	74%		
Office Services	General Fund	2	1	\$44,034	75%		

2. Program Performance Results:

- Accounts Receivable Section (A/R) prepared invoices for general funds and proprietary funds.
- Cashiers Section (C/S) prepared incoming/outgoing electronic wires, receipts and deposited funds for the Navajo Nation departments.
- Office Services Section (O/S) monitored incoming/outgoing mail, mail meters, Xerox copies, Interdepartmental Charge Requisitions and vehicle mileage for the Office of the Controller (OOC).

VII. ACCOMPLISHMENTS:

1. A/R processed **110** Council Delegate Salary Advance Requests as of June 30, 2010 which consists of invoices totaling **\$54,475.00**. This process consists of staff entering data from the claim forms into the FMIS; Supervisor reviews and approves the batches, and it requires the Accounting Manager's signature on the claim forms. Finally A/R submits it to A/P for check processing.
2. A/R staff have updated excel worksheets for Business Site Leases (BSLs) for agencies and have monitored BSLs by performing reconciliation, updating A/R Customer Ledger accounts, and sending out billings to the current A/R customers. The total payment received for BSLs for the quarter ending June 30, 2010 is **\$1,132,132.38**. The revenues received for Land Rents is **\$3,224,762.25** and revenues received for Right of Way is **\$626,718.11**. The total Insurance Premiums billing is \$1,685,328.99 and the total paid is \$1,687,866.10, thus leaving an outstanding balance of \$2,537.11.
3. C/S took in \$20,264,254.84 million dollar in daily deposits and \$225,551,790.38 in ACH deposits for the quarter ending June 30, 2010. The total number of Cash Receipts issued is 17,039 and the total number of ACH Receipts issued is 504. The total revenue for quarter ending June 30, 2010 is \$214,551,032.94.

4. O/S prepared and submitted Xerox billing for the quarter ending June 30, 2010 to Department of Records Management (DRM). The total Xerox copies processed for the first quarter is **45,618** and the billed submitted for Xerox copies is **\$2,339.47**. The total number of mail sent out is **57,665** and the total cost of the mail sent out is **\$37,174.63**. The total number of General Assistance checks and Initial Grants mailed for the quarter is **6,122**, Scholarship is **27**, LIHEAP is 664 and the total number of TANF checks mailed is **1,080**.
5. C/S prepared budget transfers each month for OOC. The total number of budget transfer submitted and approved by Office of Management Budget (OMB) is five (5) and the total amount of the budget transfer is \$63,328.20. This is less than 1% of the total budget for OOC.
6. Cashiers received referrals for the Accountant position. Interviews were completed and Ms. Roberta Begay was selected. Ms. Marsha Jones was selected for the Accounts Maintenance Specialist position. She started with OOC effective June 7, 2010. She passed the Common Foundation, Inquiry and A/R Module.
7. Cashiers Section worked with Wells Fargo on bank accounts opened with Navajo Nation Tax Identification Number. All opened bank accounts with Wells Fargo have the four authorized signers now.
8. Ms. Ella Howard was promoted into the Administrative Assistant position. For the Property position within Fixed Asset, a letter of interest and an updated application was received from Ms. Geraldine Wauneka, Property Clerk.
9. Ms. Louise Johnson, Credit Services Manager was provided the telephone number for Mr. Jess Alderet with Wells Fargo bank. Mr. Alderet will assist the department in setting up the Web Site for their customers to pay their loan payments on-line.
10. Isabelle Yazzie, Accounting Manager and I have met with Debra Ware, ADP Enterprise Time and Attendance. The company will provide a demonstration of their product on automatic time input in July of 2010. Also, they provided the Office of the Controller with an estimated budget.

VIII. GOALS AND OBJECTIVES FOR NEXT QUARTER:

1. C/S will send a letter to Bank of American notifying them that the use of Navajo Nation Tax Identification Number (NN TIN) can only be authorized by OOC or its designee, OOC/Cashiers Section. Need to meet with Bank of America to discuss the detail of obtaining a list of opened bank accounts established with NN TIN.
2. Cashiers will meet with Ms. Louise Johnson, Credit Services Manger on the assignment for setting up the Web Site for automatic payments to be made on-line for Credit Services' loan participants/clients.
3. Cashiers will meet with Ms. Eldridge, Accounting Manager on the reconciliation of P-Card expenditures and understand the detail process P-Card goes through to download all the transactions only a monthly basis.
4. C/S staff will continue to communicate with departments on all incoming revenues and make sure they are recorded into the FMIS by the end of each day. C/S will continue to issue Cash Receipts to customers and have it reflected in the FMIS for all Navajo Nation employees, departments and the public who make payments for Home, Veterans, and/or Business loans, etc.
5. A/R staff will continue to set-up and reconcile BSL accounts established in the FMIS to improve the accountability of all Navajo Nation approved leases. A/R will continue to meet with the Regional Business Development Office (RBDO) Managers to discuss existing issues regarding BSLs. A/R staff will continue to invoice, reconcile and monitor all A/R accounts.
6. O/S staff will continue to prepare timesheets for OOC until an automatic system is identified and implemented using the FMIS, JDE/PeopleSoft software application. O/S staff will continue to assist OOC employees with incoming and outgoing mails, Xeroxing, procuring office supplies and materials as small purchases and running errands for the staff.
7. C/S will continue to review the budget for OOC and ensure that all line items do not go into a deficit spending mode.
8. O/S will continue to provide an update on a bi-weekly basis the newly created Employee Schedule which shows the number of LWOP hours recorded for employees and employees who have Annual Leave balances in excess of 300 hours.

IX. STATUS OF ON-GOING PROJECTS:

1. A/R is continuing to communicate outstanding balances with Economic Development Specialist from RBDO. A/R will meet with A/R Customers with outstanding Profit and Loss Statements.
2. A/R staff continues to update worksheets on Auto/Grazing/Restitution/Missions/Archaeology accounts and send out customer billing statements generated from the FMIS. The staff will continue to perform procurement clearances on Veterans, Credit Services, and Economic Development loans. A/R staff will continue to make adjustments on Tribal Ranches by applying 4% to 6% late charges based on approved lease agreements.
3. C/S staff continues to print Wells Net reports daily, record all credit and debit transactions completely and accurately, and/or prepare journal vouchers (JVs), approve and post all JVs on a daily basis. The staff will continue to prepare and approve all wire payments on-line and print copies of all wire transactions (payments) from the Wells Fargo site. This is printed for supporting documentations for the Auditors.
4. O/S staff will continue to assist OOC staff with faxing out documents to other organizations and Xerox documents for

the staff if they need assistance. O/S will continue to mail all Vendors, General Assistance, TANF, Foster Grandparents checks, etc.

5. C/S Staff will continue to release Payroll Checks and Direct Pay Advices to the departments on a bi-weekly basis and upload ACH Direct Deposits and Positive Pay to Wells Fargo Bank. C/S will continue to disburse all Council Delegates, Vendors and Travel Reimbursement checks on a daily and/or on a bi-weekly basis. C/S will continue to deposit all cash and checks daily to Wells Fargo Bank.

X. STATUS OF ACTION PLAN:

1. A/R staff will need time to review their schedules on when to test the Credit Reimbursements on A/R module and push it out to production on the JDE/PeopleSoft software application. This assignment is presently on hold.
2. O/S and Payroll Section (P/S) have not schedule a meeting with Leslie Riggs with National Account Services or any vendor to discuss ADP Time and Labor Management to go through the automation of time input via an automatic time input system. OOC does not have funds to proceed with the automation of time input at this time.
3. A/R staff has not set up another meeting with Department of Justice (DOJ) on establishing an account for entering Cash Receipts on Performance Bond(s) payments from the Business Site Lessees which ensures security for performance of all contractual obligations. This project is on hold.
4. The Early Check Release policy was revised and sent out to the departments.
5. C/S is waiting on A/P to convert all manual checks to ACH payments which is doable and inexpensive. This is on hold for now since A/P needs to re-test their scripts.

XI. OUTSTANDING PROGRAM ISSUES:

1. C/S still has issues with the Treasury ACH wire payments for the Grants/Contracts Funds. Although detail information is emailed to the C/A Accountants, the responses are not as quickly as C/S would like it to be. C/S will continue to work with the C/A Accountants.
2. C/S is concerned that Accounts Payable Section (A/P) has to re-test their scripts on vendor payments via Treasury ACH wire payments. The project was on hold because there is no programmer to program the transmission of data port to Wells Fargo. But the Consultants are going to assist A/P, so it should be done by next year.
3. Department of Justice (DOJ) scheduled a meeting with A/R on outstanding bill by Hampton Inn in Kayenta, Arizona.

XII. PROBLEMS/RECOMMENDATION:

1. A/P needs to establish schedules on distribution of vendor payments. However, C/S staff has been distributing checks before 5:00 p.m. or a little after which is still a problem. C/S will continue to work with A/P on a daily basis to expedite check printing and releasing Vendor payments and upload Positive Pay files to Wells Fargo Bank. This will continue to be a problem unless the Controller issues a memorandum to the programs with the established schedules.
2. Positive Pay Upload to Wells Fargo site is not a major problem now for C/S. The problem is printing of the checks. It is usually printed close to 5:00 p.m. and C/S distributes it late due to the required review and pending the upload of the Positive Pay file to Wells Fargo Bank. I recommend the A/P Supervisor take the initiative in following up with her staff discussing the activity until they performed it timely (less than five (5) minutes. C/S will work with A/P on a daily basis.

XIII. STATISTICAL DATA:

ACCOUNTS RECEIVABLE:

Cancelled Checks Requested from:		SAS Packages:	
General Accounting	0	Logged In:	_____
		Logged Out:	_____
Voided Checks Requested from:		Council Delegate Advance:	APPROVAL
General Accounting	0	No# of Claim Forms	110
Accounts Payable	0	No# of CD Pymt processed	110
NSF Checks Cashiers	0	No# of Statements/Correspondences	0
		Amount of Request	54,475.00
		Amount of Payment	54,475.00
Memos (not including clearances):			
To Clients	127	ICR:	

To Department/Programs	22	# Logged In:	2
To OOC Sections	8		
To Others	16	Request for Payments:	
	<u>173</u>	RDPs Processed	4

Procurement Clearance:	Number of: Memos Received	Clearance Check for Individuals	Clearance Check for businesses	Memos Sent
Economic Development	61	20	212	61
Navajo Housing Services	10	6	12	10
Veterans Office	2	57	0	2
Credit Services Department	61	888	10	61
Navajo Nation Shopping Ctr.	6	0	1	6
Dine College	4	4	1	6
Department of Justice	9	1	31	9
Project Development	6	9	0	6
Tribal Ranch - Agri	0	0	0	0
Others	39	2	41	39
	<u>198</u>	<u>987</u>	<u>313</u>	<u>198</u>

Revenue:	Business Site Lease Payments (January to March)	Other	Amount Posted to Settlement	RU - BSL Mission Account
Business Site Lease 1360	(18,436.87)	(656.26)	(6,453.32)	
Business site Lease				
Fort Defiance	(52,991.84)			
Shiprock	(73,773.58)	(9,375.98)		
Chinle	(450,265.58)			(41,954.13)
Tuba City	(290,265.58)			(41,680.32)
Eastern	(10,394.76)			(449.67)
Aneth	(16,278.45)			(8,259.27)
Industrial Park	(14,138.00)			
Kayenta Township	(198,273.58)			
Whippoorwill	(7,166.66)			
Total:	<u>(1,132,132.38)</u>	<u>(10,032.23)</u>	<u>(6,453.32)</u>	<u>(92,343.39)</u>

Revenue:	Business Site Lease Payments (January to March)
ROW Revenue	(646,718.11)
Land Rent	<u>(3,224,762.25)</u>
Total:	<u>(3,851,480.36)</u>

A/R Automobile Sale		Council Delegate	
Beg. Balance:	119,300.82	Beg. Balance	1,025,646.33
Billings	76,369.99	Billing	63,150.00
Payment (Net DR & CR:	(133,469.29)	Payment:	(75,438.97)
Outstanding Balance	\$62,201.52	Outstanding Amount	1,013,357.36

Archaeology		Worker Compensation	
Beg Balance - Billing	417,563.50	Entity/Chapter Total	15,563.66
Total Billing Amount:	15,751.66	Total Billing Amount:	174,854.98
Paid Amount:	(23,176.48)	Paid Amount:	(177,313.96)
Balance Due :	410,138.68	Balance Due	13,104.68
Outstanding Amount	410,138.68	Outstanding Amount -Both	13,104.68

Risk Management - Insurance Premium		Fleet Management (Work Orders)	
Beginning Balance	1,687,866.10	Beg Balance - Billing	0.00
Chapter/ Entity Total	0.00	Total Billing Amount:	
Total Billing Amount:	(1,685,328.99)	Paid Amount:	
Paid Amount:		Balance Due :	
Outstanding Amount	2,537.11	Outstanding Amount::	0.00

ACCOUNTS				
		Invoices(RI)	Payments(RM)	Statements

		Invoices(RI)	Payments(RM)	Statements
7550.0208	Archaeology	0	0	0
7060.0202	Automobile Sales	0	292	0
107004.1360	GL - Business Site Leases	0	64	0
10.0204.02	FD - Business Site Leases	21	67	21
10.0204.03	SR - Business Site Leases	19	55	19
10.0204.005	CH - Business Site Leases	11	80	78
10.0204.05	TC - Business Site Leases	47	141	94
10.0204.06	EA - Business Site Leases	0	11	6
10.0204.07	AN - Business Site Leases	0	13	9
10.0204.08	WH - Business Site Leases	23	5	4
10.0204.09	IP - Business Site Leases	3	6	3
10.0253	CD Salary Advance	130	493	63
7040.0202	Employee Benefit	0	3	1
7060.0202	Fleet Management	0	0	0
7570.0206	Grazing Fees	19	0	34
7020.0210	Chapter Insurance Premiums	0	43	14
7020.0203	ENTITY Insurance Premiums	0	7	0
107004.1354	Land Rents	0	30	0
10.0205	Mission Sites	0	11	6
	Notes Receivable	0	0	0
10.0212	Northern Trust	0	2	0
N01185.1392	Raytheon	3	3	0
10.0392	Restitution	0	0	0
107004.1360	Rights-of-Way	0	32	0
	Scholarship Loans	0	0	0

7060.0202	Tribal Billings - 7060	0	0	0
7030.0211	Workers Comp. Program	<u>88</u>	<u>107</u>	<u>60</u>
Total:		<u>364</u>	<u>1,463</u>	<u>412</u>

CASHIER'S SECTION:

Number of Cash Receipts issued for checks and cash for April, May and June FY'10

<u>Date</u>	<u>Number of cash receipts</u>	<u>Total cash collected</u>	<u>Total checks</u>	<u>Total daily deposit</u>
6/30/10	17,039	579,110.53	13,964,249.80	\$ 20,264,254.84
TOTAL	17,039	579,110.53	13,964,249.80	\$ 20,264,254.84

Number of Cash Receipt batches issued for checks and cash for Jan., Feb., and Mar. FY' 10

<u>Date</u>	<u>Receipt Batches</u>
6/30/10	2,687
TOTAL	2,687

Number of ACH Receipts issued for Incoming Wires & Misc. Deposits for Jan., Feb., and Mar. FY'10

<u>Date</u>	<u>ACH Receipts</u>	<u>ACH Deposits</u>
6/30/10	504	\$ 225,551,790.38
TOTAL	504	\$ 225,551,790.38

<u>Date</u>	<u>Number of Cash Receipts</u>	<u>ACH Receipts</u>	<u>Total Receipts</u>
6/30/10	17,039	504	17,543
TOTAL	17,039	504	17,543

<u>Date</u>	<u>Total Daily Deposit</u>	<u>Total ACH Deposits</u>	<u>Total Deposits</u>
6/30/10	\$ 20,264,254.84	\$ 225,551,790.38	\$245,816,045.22
TOTAL	\$ 20,264,254.84	\$ 225,551,790.38	\$245,816,045.22

TOTAL REVENUES FOR APRIL, MAY AND JUNE:

	<u>April</u>	<u>MAY</u>	<u>JUNE</u>
Miscellaneous Revenue	\$ 7,204,309.76	\$ 13,391,455.98	\$ 11,177,856.16

Contract Accounting Revenue	\$ 12,432,966.42	\$ 10,903,559.70	\$ 34,576,922.99
Commercial Deposit	\$ 7,188,450.90	\$ 7,002,634.41	\$ 9,703,088.00
Pay Card (GF) 2755352099	\$ 985.60		
Lockbox Deposit 6008301569	\$ 11,782,564.78	\$ 9,096,400.29	\$9,078,648.60
Tax Depository 2755351844	\$ 16,717,744.78	\$ 24,004,341.93	\$23,480,121.89
Tax Depository 2755351877	\$ 2,641,421.72	\$ 3,873,668.64	\$ 80,608.89
TANF Deposit 7553041190	\$ 61,819.00	\$ 67,974.00	\$ 83,488.50
TOTAL REVENUE	\$ 58,030,262.96	\$68,340,034.95	\$88,180,735.03

OFFICE SERVICES' SECTION:

	April	May	June
Number of Xerox Copies Processed	17,117	12,171	16,330
Total Xerox Billing	\$ 890.08	\$ 632.89	\$ 816.50
Mail Quantity Processed	21,303	18,658	17,704
RDP TO CMRS-PD/JV for Postage	\$ 15,427.15	\$ 12,236.93	\$ 9,510.55
RDP PITNEY BOWES Global(Rental Quarterly)	\$ 0.00	\$ 0.00	\$ 3,388.14
P-Card charges	\$ 4,550.26	\$ 6,276.89	\$ 3,888.20
SSO Charges	\$ 29.09	\$ 0.00	\$ 0.00
Number of GA Checks Mailed	1,985	1,925	2,212
Number of TANF Checks Mailed	433	291	1,080
Number of Scholarship Checks Mailed	21	0	6
Number of LIHEAP Checks Mailed	978	447	217
Tribal Vehicle # 198062 Miles traveled	360	362	303
Tribal Vehicle # 300306 Miles traveled	414	881	602
Number of checks received in the mail	192	94	119
Number of Employees on Time Sheets (A-Y)	192	182	200
RDP Processed for KACHINA RENTAL	\$ 260.00	\$ 260.00	\$ 260.00
Total Tax for Mileage amount	\$ 9.51	\$ 15.68	\$ 11.34
Total Cost for Vehicle #198062	\$ 101.08	\$ 101.36	\$ 84.84
Total Cost for Vehicle # 300306	\$ 136.62	\$ 290.73	\$ 198.66

PAYROLL

I. BUDGET/PERFORMANCE INFORMATION:

1. Funding and Expenditure

The Payroll Section's budget is included in the overall Office of the Controller's budget.

II. ACCOMPLISHMENT:

1.

	3rd Quarter		Year-to-date	
	Number Processed	Total Value	YTD Number	YTD Total Value
Payroll Section				
Regular Payroll Checks	16,395		43,434	
Interim Payroll Checks	0		0	
Direct Deposits Processed	32,492		89,472	
TOTAL PAYROLL:	48,887	\$ 49,399,722.14	132,906	\$ 136,179,727.18
Emergency Pay Advances	260	\$ 94,102.53	653	\$ 249,023.97
Salary Advances	120	\$ 129,863.00	371	\$ 466,019.23
Navajo Arts & Crafts Enterprise Deductions	12,646	\$ 1,575,677.24	22,167	\$ 4,283,324.43
Travel Advance Deductions	789	\$ 211,105.17	1,937	\$ 483,627.40
Personal Loan Deductions	5,292	\$ 631,597.22	10,803	\$ 1,262,925.62
Direct Deposits (new, cancellations, changes)	423		1,136	
Wage Verifications	892		2,165	
Check Copy Requests	80		312	
W-2 Reprints	48		159	
TOTAL:	69,437	\$ 52,042,067.30	172,609	\$ 142,924,647.83

III. STATUS OF ON-GOING PROJECTS:

1. W-2 Processing – Reconciliation.

There are two HRIS reports that should all tie in to indicate what amounts are reportable for federal, FICA, and Medicare wages and taxes. These are:

- R073170 – Federal Tax Distribution Summary. This is the bi-weekly report from which federal taxes are paid. This report also calculates month-to-date, quarter-to-date, and year-to-date taxable wages and tax amounts. The cumulative reporting is not correct. This is being worked on by consultant, Annette Franklin, and the FMIS support staff and is an ongoing issue.
- R078500 – 941 Detail Wage List. This report is run at quarter end. These quarter numbers (federal, FICA, Medicare wages and taxes) are compared to cumulative numbers of the bi-weekly reports – R073170. These numbers should tie in. The voided checks in any bi-weekly payroll cycle need to be carefully scrutinized to determine whether an adjustment is necessary to the bi-weekly report numbers. Upon this determination and adjustment the cumulative numbers of the bi-weekly report will tie in to the quarter report numbers. This reconciliation on a quarterly basis resolves this issue. The quarter ending 06/30/10 is yet to be reconciled via this method. Quarter ending 03/31/10 did tie in when void adjustments were applied. To avoid this problem, all checks that are issued in any one quarter that need to be voided, should be voided prior to or in the last payroll cycle of the quarter. A custom Void Report R5507349 is also being developed by Ms Franklin and is in the test stage.

2. New Mexico SUTA Reports (State Unemployment Insurance reporting).

Consultant Annette Franklin has successfully formatted a CSV file of the necessary employee and wage information to be reported to the New Mexico Department of Workforce Solutions via the NM E-Filing Bulk Filing Service. First submission validated and accepted on April 23, 2010.

3. On-Line Time Entry

The Payroll Manager is working on a Request for Proposals to acquire competitive bidding on software and hardware compatible with the JD Edwards ERP system to automate on-line time and labor entries. ADP, a vendor in time and labor services is scheduled July 15, 2010 to demo their software, hardware and services.

4. Consultant Annette Franklin is also working on revising JD Edwards reports so to report relevant data:
 - Custom 941 Detail Wage Report – R5578500. During the Head Start audit by grantor, auditors were requesting specific tax data of the Head Start program to ensure the Navajo Nation was complying with federal tax compliance and reporting. Currently the 941 includes the Head Start employees, but data is not grouped by department, division or account numbers. This report would also help when adjustments are necessary to the general ledger.
 - The Office of the Controller is in the process of revising written Accounting Policies and Procedures for each accounting section. KPMG is assisting in this project with a goal to improve overall governance related to the finance function of the Navajo Nation. In order to accomplish this goal we will determine gaps between existing policy and procedure manual and current processes. The Payroll Manager, Supervisor and staff have revised the following procedures: Timesheet, back pay, direct deposit, payroll, payroll accounting and reporting, family emergency pay advance processes. Procedures yet to be written are the Void check process, Overtime processing and others to be determined.
5. The Payroll staff has completed their annual recertification of the Payroll module. Two classes were conducted by the Payroll Supervisor and Senior Payroll Technician on June 18th and 29th.
All passed the required exam and have continued access to the Payroll module.

Tasks

1. The Payroll staff processed 7 payroll cycles in the third quarter. Payroll figures reported on spreadsheet (page 1 of this report) are for PPEs 03/26/10 through 06/18/10. Federal taxes (FIT, FICA, and Medicare) have been paid one day after each payday.
2. Form 941 Employer's Quarterly Federal Tax Return was filed on April 12, 2010 with the IRS. The following numbers were reported for the second quarter of calendar year 2010:

➤ Number of employees who received wages in quarter	5,859
➤ Wages, tips and other compensation	\$ 42,437,367.58
➤ Income Tax withheld from wages, tips and other compensation	\$ 3,358,020.25
➤ Taxable Social Security Wages & tips	\$ 42,768,780.46
➤ Social Security Taxes	\$ 5,303,328.78
➤ Taxable Medicare Wages & tips	\$ 42,768,780.46
➤ Medicare Taxes	\$ 1,240,294.63
3. The Payroll Manager research calendar years 2009 and 2008 941 Employer's Quarterly Federal Tax Returns and applicable data after receiving stale dated payroll checks from NDWD. These checks had to be voided and adjustments made on IRS Form 941X to report correction information. Forms 941X were mailed to IRS on May 4, 2010. W-2 forms were also corrected and mailed to former employees.
4. On April 16, 2010, the Payroll Manager presented recommended changes to the Memorandum of Understanding between the Ethics and Rules Office and the Office of the Controller/Payroll Section. These changes involve the method of calculation to derive a payroll deduction amount for restitution. The methods of calculation are those recommended by the American Payroll Association and utilized by the United States Department of Labor. On May 7, 2010, the Ethics & Rules Committee unanimously accepted the final draft of the MOU. MOU requires signature approvals from the Controller, Ethics & Rules Executive Director and the Ethics & Rules Chairperson. To date a final approved MOU has not been received by the Payroll Office.
5. On June 15, 2010, the Payroll Manager reported to the Employee Benefits Program the applicable payroll figures for insurance purposes. Figures were reported for the months of April, May and June.
6. Payroll Section successfully process payroll for Navajo Nation employees who worked for/during the Navajo Nation Treaty Days. The IRS is requiring the Navajo Nation to process payment via the payroll process so federal taxes can be collected and paid.

Assignments

1. Payroll Accounting Manager assisted General Accounting Senior Accountant in reconciling outstanding balances on SUTA balance sheet accounts. Assignment began in March and finalized in April, 2010.
2. The elevator in Administration Building #1 is inoperative since late May 2010. Elevator brand and parts are obsolete so NN Utilities and Communications Department is encountering problems in receiving competitive bids for repair. Only one vendor in Albuquerque can repair, but due to obsolescence it will take through the end of July for complete repairs. This has presented problems to physically handicapped employees who work on the second floor. Payroll Manager coordinated available workstations on the first floor to accommodate these employees. No report on the status of the repair.

IV. PROBLEMS/RECOMMENDATIONS:

1. Programs and departments continue to process Personnel Action Forms (PAF) incorrectly and late causing a delay in Department of Personnel Management updating employment information. The result is employees are not receiving a payroll check sometimes for two or three pay periods.

CONTRACT ADMINISTRATION / PURCHASING / SUPPLY CENTER :

V. BUDGET/PERFORMANCE INFORMATION:

1. Funding and Expenditure

Office	Funding Source	# of Personnel	# of Vehicle(s)	FY 2009 Personnel	% Used	FY 2009 Operating	% Used
Purchasing Services Department	General	8	0	\$ 193,088.41	68%	\$ 20,438.39	45%
Office Supply Center	Proprietary – Internal Fund	4	1	\$ 98,318.93	70%	\$110,029.45	140%
	Total	12	1	\$ 291,407.34	138%	\$130,467.84	186%

2. Program Performance Results (Budget Form 2 attached)

VI. ACCOMPLISHMENT:

- 1.

	Number Processed	Total Value	YTD	YTD Value
Purchasing Services				
Purchase Orders	1,039.	\$ 5,250,235.14	3,602	\$ 10,890,795.51
Blanket Orders (Includes contracts)	619	\$ 1,643,437.03	1,673	\$ 6,857,234.31
Contract Orders	214	\$ 15,285,597.82	571	\$ 71,491,262.37
*Purchase Requisitions (OR Regular Orders)				
Total	1,872	\$ 22,179,269.99	5,846	\$ 89,239,292.19

- Total dollar amounts do not include purchase requisition amounts, as purchase requisitions convert purchase orders.
 - Purchase Orders are closed on quarterly bases over the 90 days limitation period.
 - Purchase Orders with (I) text lines are currently being canceled.
 - Receiving records total 934 and SAS being reviewed totals 646.
2. Quarterly Statistic
 - Inventory at Year End FY'2009 \$ 254,816.17
 - Inventory balance at 3/10/2010 \$ 285,373.33
 - Total revenue this quarter \$ 63,806.02
 - Total cost of goods sold this quarter \$ 169,298.91
 - Total sales tax this quarter \$ 6,771.96
 - SSO received (internal log in sheet) 289
 - SSO completion (FMIS posting) 290

VII. STATUS OF ON-GOING PROJECTS, INITIATIVES AND COAs:

1. Conducted presentation on the Navajo Nation Procurement Rules & Regulations on the following dates:
 - April 05, 2010 Dept. of Youth – Fort Defiance Agency
 - April 07, 2010 Dept. of Youth - administrative staff
 - April 21, 2010 Low Mountain - cancel
2. A draft copy of the revised Procurement Rules and Regulations was provided to Chief Legislative Counsel responds and updates are currently being work on in conjunction with Dept. of Justice which is completed except for the construction projects.
3. Attending most of the meeting regarding the revision of the procurement code.
4. Sales Tax Form 600 for 2009 and 2010 is submitted to Navajo Tax Commission every quarter. Making sure all numbers, totals are correct and tax rate of 4%.
5. Office Supply Center continues to order supplies and paper. Bids will be forwarded to vendors and upon the procurement policies the lowest bidder will be selected based on price, quality and product.
6. July 01, 2010 through July 07, 2010, Navajo Nation Office Supply will be conducting their first quarterly Inventory Count; therefore the office will be closed.
7. Enforcing the programs to utilize their P-Card for goods to be purchased.

VIII. OUTSTANDING PROGRAM ISSUES:

1. Purchase receipt payment backlog remains a problem. Factors contributing to late payments are:
 - Programs are not processing receiving records for goods/services received. Invoices are being mailed to Accounts Payable as instructed on the purchase order. Programs need to initiate receiving records when deliverables are made.
 - Original invoices are lost when in route to or at Accounts Payable.
 - Programs/departments are sending in copies (not originals) of invoices or other documents in place of to evidence receipt of deliverables, however, an original invoice is the only document that the Accounts Payable Section honors to process a payment.
 - Large volume of payment documents.
2. The closure of Open Commitment for General Funds Business Unit will continue on Quarterly Bases; however the External Funds would need to address to minimize the open commitments.
3. Need to run a report for all external funds open commitment, so contract accounting will review and request for deletion/closure of purchase order etc.
4. Unsafe Delivery Sites at the program levels which causes back injuries and other parts of the body. I would like to recommend that the programs think about safety.
5. The capabilities' to usually the FMIS is still concern at times we don't have access because of down line, the system freeze up and Office Supply Center contacts Leroy, Nathan or the power user.
6. Schedule a meeting with Wells Fargo regarding credit card machine for Office Supply Center.
7. Working on the bids for next year Fiscal Year 2011 calendars.
8. Completed ¾ of the revision for the Accounting Policies and Procedures Manual for Purchasing and Office Supply Center is complete.
9. Due to the additional funding received from IDC allocation the operating cost increase by \$28,634.00 for this quarter.

IX. Approval route for procurement documents needs streamlining. Documents are not getting to appropriate section for processing. The Navajo Nation Procurement Rules & Regulations give instructions of the path of approval for purchase requisitions which ultimately will end in Purchasing Services Department for encumbrance. This path of approval is not followed by programs and departments. Programs need to comply and apply the Navajo Nation Procurement Rules & Regulations.

1. Training and testing are still necessary in the FMIS Upgrade to 8:12 Procurement Module and Inventory Module to fully use the module thus benefit from its capabilities. Reporting is an area that is most needed.
2. Programs are submitting receiving records for goods and/or services rendered. When this transaction is entered in FMIS a credit entry is created to the account Received Not Voucher. However, the due to a number of issues, this account is not being debited correctly to create and offset thus clearing the account. This is creating a liability for business units that need to be reconciled for fund source year-end reporting.
3. Contract Accounting is not advising Accounts Payable or Purchasing Services when particular business units are closing so proper research and action can be taken in a timely manner. Usually it is after the close date when notification comes which is too late.

X. PROBLEMS/RECOMMENDATIONS:

1. Contract/SAS process is not being followed:

- SAS processes are being initiated well in to the contract term resulting in requests for demand payments from contractor before contract has been setup on FMIS.
 - During the SAS review process, Office of Management & Budget and Office of the Controller are bypassed and not given the opportunity to review contracts. This has resulted in several contracts being executed without financial information necessary to encumber the contract, i.e. account numbers, contractual dollar amounts, or contract term.
 - Budget Hold code (B1) is not working accurately in the FMIS system, therefore the consultants are working on the problem and more of the issues meeting pertains to the purchasing module.
 - Had a meeting regarding object code for certain goods/services with Contract Accounting Section.
2. Procurement of services is being done without proper contracts, e.g. long term lease agreements are not being processed through SAS/Admin Review. PSD is seeking legal advice from DOJ in this area.
 3. Large purchases also are being delayed due to noncompliance with Navajo Nation Procurement Rules & Regulations. Per these policies, the foundation of an efficient and cost-effective procurement process begins with proper planning by the procuring parties. Many contracts (construction, professional services, etc.) are processed through the SAS administrative review and approved without showing evidence that the procurement process was done. The procurement process includes public advertisement (applicable to purchases of \$50,000 or greater), public notice and competitive bidding. These documents should be on file in the contract folder in Contract Administration/Purchasing Services Department. This was an audit finding for FY 2006, 2007, 2008 and 2009. For SAS documents that are signed by Contract Accounting Section of the Office of the Controller the following are not being checked:
 - Business Unit Number (s)
 - Dollar amount(s) to be encumbered
 - Funds available in appropriate object code(s)
 - Contract term
 - Procurement Rules & Regulations compliance (documents to evidence this should be included in SAS packet)
 - Debarment and Suspension Form Certificate
 - W-9 Forms

ACCOUNTS PAYABLE / TRAVEL OFFICE / PURCHASE CARD

I. BUDGET/PERFORMANCE INFORMATION:

1. Program Performance Results
 - Accounts Payable Section prepared voucher processing for the general funds, external contracts and proprietary funds for 2010.
 - P-Card prepared downloaded data from Wells Fargo, air fares, OOP reimbursements for the Navajo Nation programs/department. Included is also the task of uploading data into the FMIS.
 - Continue to emphasis on time management and punctuality to AP & P-Card staff due to the high volume of disbursements and card maintenance and customer services.

II. ACCOMPLISHMENT:

1. Able to keep Accounts Payable processing payments to vendors/customers on a daily basis regardless of short of man power.
2. AP was able to fill four (4) out of the five (5) retiree's position and one got abolish due to budget constraint.
3. Ongoing P – Card presentation to the Navajo Nation Program, for this quarter the P-Card G/L Download was **\$3,569,935.67**. Including General Funds, External Contracts, and Out of Pocket with ACH (banking information), Out of Packet without ACH (no banking information) and Out of Pocket that are pending.
4. Compile reports and documents for the internal auditor, special prosecutors pertaining to discretionary funds and/or annual audit for the external auditor.
5. Able to provide 2 job sites for youth workers/Work Force Development; however 1 youth complete his term.
6. Completed the Accounts Payable re-certification for all staff members overall average of 75% passing.

7. Reassigned new check write processors and crossed trained all AP Staff.

III. GOALS AND OBJECTIVES for next quarter:

1. Focus on the P Card and promote to get more Programs and Department on the new initiatives and take advantage of new computer age by training them on the 6B Rollout.
2. Continue to solicit for funds to dispose to outsource the handle contaminated files by mole in the plastic bags and in the bin outside the building.
3. Continue to work on the P Card Policy and assigned to our newly hired Associate Accountant and working with the KPMG consultant.
4. Continue with the Travel policy for the Navajo Nation Council Delegates and Navajo Nation Employees also assigned to the Associate Accountant and working with the KPMG consultant.
5. Update Policies and procedures particularly for the RDP and working with the KPMG consultant.

IV. STATUS OF ON-GOING PROJECTS, INITIATIVES AND COAs:

1. Find alternative on Document Scanning Project for AP and P-Card for future exploration. Vendor has demonstrated their application and will be proceeding with the RFP.

V. STATUS OF ACTION PLAN:

1. Continue to educate the staff on Personnel Policy and Procedure, and the importance of best practice for AP module and CCER.
2. Re-establish and reiterate the OOC attendance policy.
3. Coordinate P-Card Conference in the near future.

VI. OUTSTANDING PROGRAM ISSUES:

1. Need to re-establish the document submission deadline, still changeling.
2. Need more funds in the big projects for AP & P-Card received IDC but were taken back on new positions.
3. Too slow of a process on Travel Reimbursements Checks; travelers do not submit their trip report on a timely manner.
4. FMIS is too slow in the afternoon and now we have to schedule print job with payroll.

VII. PROBLEMS/RECOMMENDATIONS:

1. Prepare Monthly Report and daily checklist in a timely manner. Also to accept any task given by Supervisor.
2. Continue Positive Pay upload of all checks. Communicate to Positive Pay Group when checks are uploaded.
3. Record all credit transactions and debit transactions within the month they are received. Continue with email communication to appropriate departments for account number assignment.
4. **Staff chart with new structure is needed in order to have better harmony with Section Supervisor, Accountants, AMS and Office Aid.**

CREDIT SERVICES DEPARTMENT :

I. BUDGET/PERFORMANCE INFORMATION:

1. Funding and Expenditure

Office	Funding Source	# of Personnel	# of Vehicle(s)	FY 2010 Personnel	% Used	FY 2010 Operating	% Used
	General						
	External						
Personal Loan Program	Other	11		\$ 134,708	64.66%	\$ 9,146	44.03%
Home Loan Program	Other	4	5	\$ 305,464	37.89%	\$ 96,107	29.67%

		15	5	\$ 440,172		\$ 105,253	
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2. Program Performance Results (Budget Form 2 attached)

3. Personnel

➤ Vacant Positions(2)

a) Accountant (#202875)

The position is advertised in JVA announcement with a closing date of July 19, 2010. The Department of Personnel Management will refer qualified applicants, interviews will be scheduled and position filled upon a suitable applicant to be selected.

b) Accounting Technician (240193)

The position was advertised through a JVA announcement with a closing date of July 2, 2010. The Department is awaiting the referrals of qualified applicants by the Department of Personnel Management, and will follow the hiring process to fill the position. Currently, temporary personnel are occupying the position up to July 30, 2010.

➤ Personnel Serving 90-Days Introductory Period

a) Collection Clerk (Pos #203121)

Seven (7) applicants were referred by the Department of Personnel Management, interview was conducted on May 26, 2010, and the individual selected began employment on May 31, 2010 subject to a 90 day probationary period.

II. **ACCOMPLISHMENT:**

1. Personal Loan Program

➤ **Loan Application Distribution and Inquiries.** A total of (287) Personal Loan applications were distributed to potential applicants and a total of (269) inquiries were made via personal visits and telephone calls

➤ **Loan Approval.** There were (399) loans approved through the Administrative Review process totaling \$1,007,400. The following is a comparison of the Personal Loans broken down by the five (5) agencies of the Navajo reservation:

Chinle	Eastern Navajo	Fort Defiance	Northern Navajo	Western Navajo
79	93	215	66	46
\$ 164,600	\$ 189,400	\$ 444,400	\$ 117,5001	\$ 91,500

➤ **Statistics on Loan Ineligibility.** Sixty-Six (66) loan applications did not meet the program's eligibility criteria to qualify for personal loans based either on debt-to-income ratio exceeding the required ratio (48), length of employment (05); Credit History (06), and other pending or lacking information (07). On a priority basis, the applications are evaluated and analyzed to determine their eligibility or ineligibility. The applicants are notified in writing of the reason for ineligibility, and vice versa, those that are eligible.

➤ **Personal Property Liens/Release.** An applicant can pledge personal property as collateral in lieu of a qualified cosigner and includes an automobile, trucks, manufactured homes and must have a certificate of title, current registration, full coverage insurance policy and inspected by the Credit Manager, or designee. Title liens are effectuated through the respective County Motor Vehicle Divisions; respectively, titles are released upon loans paid in full. **There were no liens placed on personal properties, two (2) Titles was released.**

➤ **Charge-Off of Loan Accounts Approved Administratively.** There were fifteen (15) loan accounts that were charged off through an administrative process authorized by the Department per the Operating Policies and Procedures. The total amount charged off is \$6,543.03 in principal balance; \$681.25 in accrued interest; \$1,675.00 and \$775.00 in late fees. Total: \$7,999.28.

➤ **Write-Off of Loan Accounts Approved Administratively.** There were five (5) loan accounts that were written off through an action by the Budget and Finance Committee on June 3, 2010 per the Operating Policies and Procedures. The total amount written off is \$2,397.02 in principal balance; \$327.15 in accrued interest; \$600.00 in late fees; \$120.00 in private processor; and \$10.00 in court fees. Total: \$3,454.17.

➤ **Cash Receipts and Revenues Received:**

	Cash Receipts	Principal	Interest Income	Late Fees	Court Fees	Process Fee	Loan Fees	Revenue
APR	253,913.28	225,750.58	17,624.81	1,650.00		240.00	8,647.89	19,274.81
MAY	247,943.29	219,560.91	17,680.27	835.00	10.00	130.00	9,727.11	18,525.27
JUN	348,658.52	309,977.38	26,566.96	1,605.00			10,380.00	28,171.96
Total	\$ 850,515.09	\$ 17,624.84	\$ 61,872.04	\$ 4,090.00	\$ 10.00	\$ 129.18	\$ 28,755.00	\$ 65,972.04

2. Home Loan Program

- **Application Distribution and Inquiries.** A total of (77) Home Loan application was distributed to potential applicants. There were total of (134) Home Loan inquiries via personal visits and telephone calls.
- **Loan Approvals.** A total of (09) Home Loans were made totaling \$571,100 to purchase new Manufactured Homes. The following is a comparison of the Home Loans broken down by the five (5) agencies of the Navajo reservation:

Chinle	Eastern Navajo	Fort Defiance	Northern Navajo	Western Navajo
2	-0-	-0-	6	1
\$ 176,000			\$ 319,300	75,800

- **Statistics on Loan Eligibility and Ineligibility.** Thirty-eight (38) applicants did not meet the program's eligibility criteria to qualify for home loans due to their debt-to-income ratio exceeding the required percentage (19), Length of Employment (1), Credit History (1) and other pending or lacking information (4). The applications are promptly evaluated and analyzed to determine eligibility within five (5) working days; they are either pre-qualified or ineligible. The applicants are notified in writing of the reason for ineligibility.
- **Home Inspections.** Eleven (11) home loans were inspected for sufficiency in installation and other required inspections.

No.	Date	Type	Location	Results	Problems
1	4/2/10	Manufactured Home	Chinle AZ	Past Inspection	None
2	4/7/10	Manufactured Home	Many Farms AZ	Past Inspection	None
3	4/12/10	Manufactured Home	Tuba City AZ	Past Inspection	None
4	4/20/10	Manufactured Home	Vanderwagon NM	Past Inspection	None
5	4/28/10	Manufactured Home	Salina Springs AZ	Past Inspection	None
6	5/4/10	Refinanced Home	Upper Fruitland NM	Complete Inspection	Needs new steps.
7	5/12/10	Home Improvement	Thoreau NM	Past Inspection	None
8	5/14/10	Manufactured Home	Tuba City AZ	Past Inspection	None
9	6/4/10	Manufactured Home	Fruitland NM	Past Inspection	None
10	6/10/10	Manufactured Home	Many Farms AZ	Past Inspection	None
11	6/14/10	Manufactured Home	Shiprock NM	Past Inspection	Minor

- **Liens on Manufactured Home Titles/Release.** Liens are placed on the title to the new Manufactured Homes within 30 days of the loan and after you receive the MSO, and filed within the respective County Motor Vehicle Division; and released upon the loan being paid in full. **Liens were placed on two (2) Mobile Home Titles, and six (6) release of mortgage (2); Mobile Home Titles (2); and Release of Financing Statement (2).**
- **Homeowners/Life Insurance.** Home Loan Program Operating Policies and Guidelines requires a Mortgage or Credit Life Insurance Policy in an amount not less than the outstanding principal balance of the loan and shall be kept in effect for the duration of the loan period. In an event that the insurance coverage lapses and is not cured within ten (10) working days, the Department intervenes and purchases insurance coverage by resorting to an independent contracted Insurance Company which is Amerind Risk Management Corporation. The Department has an MOA with Amerind to sign up customers under Community Shield Program for the basic or deluxe insurance coverage. The Loan Insurance Representative consistently follows up with the Homeowner(s) through correspondence, telephone, and field visits, regarding their lapse of insurance coverage, insurance renewal, obtain new coverage, and collect the outstanding negative impound balance. New insurance coverage requires a home inspection by taking photos of the dwelling and working hand-in-hand with Amerind to receive quotations and approval. In some instances, Amerind

will not insure a dwelling if the premises present evidence of fire risk, but the homeowner(s) can remove the hazardous material as advised by Amerind and still obtain coverage. Premium payments in the amount of \$16,380.00 were paid for the basic coverage, and \$21,956.00 for deluxe coverage. This covers the period August 1, 2009 to July 31, 2010.

The Loan Insurance Representative provided the following data in working with the homeowners and maintaining insurance coverage.

Basic Coverage	54	Deluxe Coverage	54
Contacts	168		
New Accts Signed up	07		
Denials by Amerind	-0-		
Impound Escrow Collected		Amount	\$ 2,717.86
Insurance Lapsed/Cancelled	4		
Insurance Renewals	5		

- **Mortgage Processed/Releases.** Applicants who receive loans in an amount over \$5,000 for home construction, improvement or for a purchase of a site built house must grant to the Navajo Nation a leasehold mortgage as first mortgagor. The leasehold mortgage is processed soon after loan closing and/or release of mortgage is executed as soon as possible after the loan has been paid in full. **There were seven (7) releases of mortgages made this quarter.**

- **Cash Receipts and Revenues Received:**

HOME LOANS								
	Cash Receipts	Principal	Interest Income	Late Fees	Impound Escrow	Defermt Fees	Impound Repymt	Revenue
APR	101,782.23	61,859.69	34,748.20	690.00	3,791.88	80.86	611.60	39,922.54
MAY	84,121.17	49,996.17	29,839.40	600.00	2,891.38	85.66	708.56	34,125.00
JUN	164,714.76	117,297.15	41,412.75	955.00	3,936.34	94.52	1,019.00	47,417.61
Total:	\$ 350,618.16	\$ 229,153.01	\$ 106,000.35	\$ 2,245.00	\$ 10,619.60	\$ 261.04	2339.16	\$ 121,465.15

BIA HOME LOANS								
	Cash Receipts	Principal	Interest Income	Late Fees	Impound Escrow	Deferment Fees	Impound Repymt	Revenue
APR	4,989.54	4,808.54			113.00		68.00	181.00
MAY	6,808.09	6,372.09			215.30		220.70	436.00
JUN	16,619.85	16,380.85			149.00		90.00	239.00
Total:	\$ 28,417.48	\$ 27,561.48	\$ -		\$ 477.30	0.00		\$ 856.00

BIA BUSINESS LOANS								
	Cash Receipts	Principal	Interest Income					Revenue
APR	1,250.00	1,250.00						0.00
MAY								0.00
JUNE	200.00	200.00						0.00
Total:	\$ 1,450.00	\$ 1,450.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

- Personnel Action Form (PAF) and Business Procurement Act (BPA) Clearances.** The Department provides Business Procurement Act (BPA) Clearance for individuals who are applying for loans with the Small Business Loan Program within the Division of Economic Development, Veteran's Loan Program, Dine College, BIA Natural Resources for any Grazing Permits being transferred to another individual, and other departments requesting such clearances. The Credit Services Department also has the responsibility for all clearance of Personnel Action Forms (PAF) for employees who are terminating their employment with the Navajo Nation. Copies are made of the PAF's and forwarded to FMIS for updating purposes. The following are the statistics on clearances:

- PAF Clearances 537
- BPA Clearance (Accounts Receivable) 916
- BPA Clearance (NN Shopping Centers) 1

- BPA Clearance (Veterans Loans) 57
- BPA Clearance (BIA-Grazing Permits) -0-
- BPA Clearance (RBDOs) 30
- BPA Clearance (Department of Justice) -0-

4. **Collections.** The Department is diligently performing stringent collection of delinquent home and personal loan accounts to collect funds due and owing to the Navajo Nation. The collection staff is traveling reservation wide to personally contact debtors who are delinquent on their loan accounts, especially loan accounts that have matured and has past the statutes of limitation. The Collection Section is continuing their collection efforts by assessing and analyzing loan accounts that are deemed non-collectable and initiating legislations for write-off or charge-off, and/or refinancing in some cases.

The following information is the statistics for the overall collection activity:

Loan Program	Number of Contacts	Skip Tracing	New Payment Agreements	Loans Accelerated	Amount Collected
Personal Loan	754	24	5	12	\$ 10,983.65
Home Loans	457	-0-	02	-0-	\$ 38,953.65
BIA Bus Loans	4	1	0	-0-	\$ 1,200.00
Total:					\$ 51,137.30

5. **Small Claims/Probate Hearings.** The Tribal Court Advocate takes the lead role in filing cases with the respective District Courts and attends all hearings and monitors all compliance with judgments and other resolutions to each case. The following is a breakdown of all small claims filed in an attempt to collect a debt.

No.	Date Filed / Hearing	Type	District Court	Results
1	4/7/10	Small Claims - \$1,189.89	Window Rock	Default Judgment
2	4/7/10	(4) Small Claims - \$875.99	Crownpoint	2 - Dismissed – Rule 10 1 – Default Judgment 1 – Dismissed – Acct PIF
3	4/13/10	Small Claims - \$1,970.35	Chinle	Default Judgment
4	4/14/10	Small Claims	Crownpoint	Bench Warrant
5	4/15/10	Small Claims - \$450.40	Kayenta	Default Judgment
6	4/21/10	Small Claims - \$804.02	Dilkon	Stipulated Judgment
7	5/10/10	(2) Small Claims - \$1,262.06	Window Rock	2- Stipulated Judgment
8	5/11/10	Small Claims - \$985.80	Tuba City	Continued
9	5/11/10	Small Claims - \$1,964.95	Chinle	1- Stipulated Judgment 1- Default Judgment
10	5/12/10	Small Claims - \$1,359.53	Crownpoint	Default Judgment
11	5/17/10	(2) Small Claims	Window Rock	1-Continued 1-Dismissed – Rule 10
12	5/19/10	Small Claims - \$2,033.99	Crownpoint	Stipulated Judgment
13	5/22/10	Small Claims	Crownpoint	Dismissed – Rule 10
14	6/14/10	Small Claims - \$964.00	Tuba City/Window Rock	Continued & Default Judgment

III. STATUS OF ON-GOING PROJECTS, INITIATIVES AND COAS:

1. **Financial Education/Homebuyers Education.** It is the policy of the Home and Personal Loan Program that the Navajo public be educated on financial responsibility and money management. It is a requirement for the Home Loan Program that the homeowners attend the Homebuyer’s Education or financial counseling prior to loan commitment. Each certified trainers are scheduled to provide financial education based on different financial modules, and will receive certificates upon completion. The Department refers home loan clients to Navajo Partnership for Housing to receive

Homebuyer's education and receive certificates that they completed the course. Each participant will be charged a fee of \$50.00 to attend and complete the session. Financial Education were provided at the following locations:

No.	Date	Location	Program	No. of Attendees
1	4/7/10	Shiprock NM	Workforce Development	25
2	4/9/10	Gallup NM	Navajo Nation Prog for Self Reliance	11
3	4/23/10	Gallup NM	Navajo Nation Prog for Self Reliance	13
4	5/7/10	Gallup NM	Navajo Nation Program for Self Reliance	10
5	5/21/10	Gallup NM	Navajo Nation Program for Self Reliance	13
6	5/27/10	Shiprock NM	Navajo Nation Program for Self Reliance	21
7	5/28/10	Gallup NM	Navajo Nation Program for Self Reliance	15
8	6/3/10	Farmington NM	4 th Annual Healthy Marriage Workshop by Program for Self Reliance	54
9	6/10/10	Gallup NM	Social Services Home Care Program	12
10	6/11/10	Gallup NM	Program for Self Reliance	10
11	6/17/10	Gallup NM	TANF	11
12	6/18/10	Gallup NM	TANF	11
13	6/18/10	Gallup NM	TANF	13
14	6/22/10	Shiprock NM	Program for Self Reliance	15
15	6/27/10	Page AZ	Homebuyer's Certification, NPH	1
16	6/29/10	Pinedale NM	Pinedale Chapter Youth Workers	22

2. **Promotional Activities.** Presentations regarding loan criteria and information about the lending program are scheduled based on requests coming in from the various department/programs/entities. The Loan Officers meet with other departments explaining the lending services and arrange presentations accordingly.

No.	Date	Location	Program
1	4/1/10	District Court, Crownpoint NM	Justice Day
2	4/7/10	Shiprock NM	Workforce Development
3	4/9/10	Gallup NM	Navajo Nation Program for Self Reliance
4	4/23/10	Gallup NM	Navajo Nation Program for Self Reliance
5	4/13-15/10	Buffalo Thunder, NM	Division of Natural Resources Annual Conference
6	5/7/10	Gallup NM	Navajo Nation Program for Self Reliance
7	5/19/10	Dine College, Shiprock NM	Workforce Development Job Fair
8	5/21/10	Gallup NM	Navajo Nation Program for Self Reliance
9	5/27/10	Shiprock NM	Navajo Nation Program for Self Reliance
10	6/3/10	Farmington NM	4 th Annual Healthy Marriage Workshop by Program for Self Reliance
11	6/10/10	Gallup NM	Social Services Home Care Program

12	6/22/10	Shiprock NM	Program for Self Reliance
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3. **Credit Reporting.** The Department electronically transmitted a Credit Report Card consisting of **4,403** active accounts to Trans-union to update all new loans and other payment history information. The updated reports are for the Personal and Home Loan Programs.
4. **Staff / Collection Meeting**
 - Regular Staff Meeting – Quality Inn, Window Rock, AZ
 - a) May 13, 2010
 - b) June 7, 2010
 - c) June 16, 2010
 - Collection Work session – June 18, 2010, Natural Resources Conference Room, Window Rock, AZ; and June 21, 2010, Eastern Navajo RBDO, Churchrock, NM. The Credit Manager conducted a work session for the Collection Staff and Tribal Court Advocate where updated collection activities are given and new assignments made to the collection officers and Sr. Tribal Court Advocate.
 - Collection Meetings – April 6, 2010, May 14, 2010 and June 8, 2010. Collection staff and Sr. Tribal Court Advocates provide progress reports and other updates.
5. **Staff Training**
 - Various staff attended three different trainings to enhance their work skills and to benefit the Navajo Nation in work productivity:
 - a) May 12, 2010 – How to Create and Deliver Exceptional Power Point Presentations in Albuquerque, NM
 - b) June 1, 2010 – How to be a Highly Successful Team Leader in Albuquerque, NM
 - c) June 21, 2010 – Microsoft Excel in Albuquerque, NM
6. **Department of Navajo Veterans Affairs (DNVA) Assistance.** The Department Director of DNVA has requested to train their staff on the fundamentals of Loan Ledger software and assist with straightening out their accounting of all new loans made from November 2009 to April 2010. A staff member from Credit Services Department was assigned the task to assist with the project which began May 22, 2010 where re-posting of all payment transactions of Veterans Loan accounts and reconciled six (6) months of posting and corrections/adjustments. Close-out reports and journal vouchers for the monies distributed to the correct receivable account and revenue accounts were provided. Training was available to the DNVA lending and collection staff in which they did not take full advantage of the four (4) week-ends in a row that posting and reconciliations were performed. Steve Hollands, Computer Technician, will come in and transfer all the corrected data back to DNVA and they will continue to maintain and make entries to new loans booked, payments and reconciliations.
7. **Conditions of Appropriation – Plan of Operation.** The amended Plan of Operation for Credit Services Department is in a draft form pending approval by the oversight Committee and contingent upon the approved Plan of Operation for the Controller’s office.

PROPERTY MANAGEMENT DEPARTMENT

II. SIGNIFICANT WORK ACTIVITIES:

1. Tagging of Fixed assets and Expense items within the respective Divisions.
2. The disposal of excess, surplus, obsolete & unserviceable equipment no longer used by the Navajo Nation including non-certified Chapters. This includes transfers to internal programs of the Navajo Nation and donations to outside interest if necessary.
3. The physical inventory of dept/programs of the three (3) Branches of government, including non-certified Chapters of the Navajo Nation.
4. The audit close out of the federal funded (external funds) programs that are required to report all property to satisfy the contract and grant requirements. This includes the Corrective Action Plans instituted by the audits for further review and compliance.
5. The warehouse function in relation to shipping, receiving, and transporting including storage of all Navajo Nation

Property and Supply items shipped via freight.

6. The sale of excess surplus vehicles to the Navajo Nation Employee base on the excess amount released by the Fleet Management Department for disposal. Alongside this activity vehicles that did not meet the criteria for the sale are auctioned at a vendor site whose business is entirely based on the sale of vehicles for organizations, governments, and business entities.

III. ACCOMPLISHMENTS Name of clerk, position title:

1. DIVISION OF GENERAL SERVICES: NOTAH SILVERSMITH, SR. PC

- Complete physical inventory of Air Transportation.
- FMIS Fixed Asset Module Training Completion.
- FMIS Procurement Module Training Completion.
- Transport Obsolete, Unserviceable Excess Equipment Metal Content items to Kirtland, N.M., Recycle Co.
- To Red Rock Transfer Station Thoreau, N.M. to transport Obsolete Unserviceable non-metal excess equipment items.

2. PROPERTY MANAGEMENT DEPT./TUBA CITY: CONNIE MALONEY, PC

- FMIS Fixed Asset Training Module Completed.
- Provided orientations to nine (9) NN departments on Property Control Policy.

3. PROPERTY MANAGEMENT DEPT/CHINLE: RUTH CURLEY, PC

- FMIS Fixed Asset Training Module Completed.
- Physical Inventory completed at Youth & Adult Correction, 513 equipment items inventoried.

4. PROPERTY MANAGEMENT DEPT/SHIPROCK: EMERY LINCLON, PC

- Physical inventory of Law Enforcement vehicles, (44) forty-four.
- The tagging of property items both capitalized and expensed items.
- The completion and testing of the Fixed Asset Module within the FMIS.

5. PROPERTY MANAGEMENT DEPT/CROWNPOINT: JULIA BEGAY, PC

- Physical inventory of DSS/General Assistance Program, Pueblo Pintado, N.M.
- Physical inventory of Dept. of Workforce Development/ARRA.
- Sale of Trailer F004-055, VIN: 7605, to the General Public, at PMD yard.
- Physical inventory of Special Diabetes Program.

6. DIVISION OF NATURAL RESOURCES: HARRY TSO, JR., SR. PC

- Tagging of fixed assets and expense items received at dept location of received at Property Warehouse location.
- Training in the Fixed Asset Module of the FMIS, pending test results.

7. DIVISION OF HEALTH: SHIRLEY L. BEGAY, PC

- Equipment tagging both Fixed Assets and Expense items.
- Equipment item Forms processed for Disposal of Equipment

8. EXECUTIVE OFFICE-OFFICE of THE PRESIDENT/VICE-PRESIDENT, LEGISLATIVE BRANCH, NAVAJO EPA, BENNY BAHE, PC

- No reporting received.

9. NAVAJO DIVISION OF EDUCATION: EDWARD TOUCHINE, PC

- Physical inventory of Navajo Headstart Buses and ONSAT satellite equipment at the sites within the divisions work area.

10. DIVISION of SOCIALSERVICES: AMBRYNNE BEGAY, PC

- Physical inventory of the following: Little Miss Muffet Day Care Program, Ft. Defiance; As Long term Care Program, Window Rock; Central Accounting Program; Navajo School Clothing Program.
- The training and testing with the FMIS system, 7 modules completed.

11. DIVISION of PUBLIC SAFETY: GERI WAUNEKA, PC

- No reporting received.

12. REAL PROPERTY REPORTING: HARRY TSO, SR.PC

- The disposal of 5 ea. modular building owned by the CHR Program to Property Department, Excess Surplus, recommended for remediation and demolition: FA# 2884, Crownpoint, FA# 2883 Dilkon, FA# 2886 Dennehotso, FA# 2885 Tuba City, and FA # 2887 Chinle.

13. The negotiation between the Navajo Nation and the Winslow Health Facility (‘638) regarding the land transfer and its utility and building infrastructure, which includes Dilkon Health Facility and Luepp Health Facility. The Navajo Area IHS and BIA involved in negotiations. The BIA includes trust land status at Dilkon and Luepp.

IV. STATUS OF ON-GOING PROJECTS, INITIATIVES AND COAs:

1. The monitoring and evaluation of the COPS Grant activity associated within the findings by the Inspector General, Department of Justice.
2. The continued work with the KPMG single audits and corrective action plan submitted for review. These include the Special Diabetes program, Emergency Medical Services, Law Enforcement with property requirements.
3. The Navajo Nation Vehicle Sale to employees and vehicle auctions at Manheim Auto Auction, Albuquerque, N.M.

INVESTMENT :

II. BUDGET/PERFORMANCE INFORMATION:

Office	Funding Source	# of Personnel	# of Vehicle	FY-2010 Personnel	% Used	FY-2010 Operating	% Used
Ofc of the Controller	General	2		2	75		75
Perm Fund	Fiduciary	2 1		2 1	25 100		25 100
Totals		3		3			

III. ACCOMPLISHMENT:

1. All journal entries for June 24, 2010 were entered for Non-Retirement, Retirement, Deferred Comp, Wells Fargo 401(k), and BIA.
2. The investment reports for March 31, 2010 completed and presented on May 25, 2010.
3. Completed Recommended Budget Level schedules, and approve on June 22, 2010 by B& F Committee.
4. Assisted with Key Bank Loan due diligence items—attaining B&F Resolutions, filled out Controller’s Certificate of Financial Covenant Compliance, helped prepare press release, got SAS signatures, helped with travel arrangements, prepared Controller’s memo to Judicial and Public Safety Committees.
5. Assisted with Fire Rock Loan Extension—prepared letter to Derrick W. from Controller and AG approving NNGE loan & conformance with Bond Finance Act, researched liens on NNGE with Business Regulatory, received updated term sheets from Orrick after meeting in May, gathered documentation for legal costs associated with Fire Rock, worked with Rob to get signatures for lockbox deposit account.

6. Attended Budget & Finance work session on May 6-7 in ABQ to hear NNGE/IC negotiations and 5 year expenditure plans for PF
7. Spoke intermittently to Ray Nopah of DED about the 5 year expenditure plan for PF and Navajo Nation Investments.
8. Attended Investment Committee Meeting on May 25-26 in SFO to review NNGE docs, approve Investment Banker Resolution and hear 2nd Qtr NN Investment Report.
9. Prepared Investment Banker Resolution that was reviewed and approved by IC on May 25.
10. In touch with Marcia Beard on next Investment Committee meeting and due diligence items, e.g. 401k manager selection, large cap manager search, PF projections.
11. Prepared schedule for KPMG of all benefits paid in FY'09.
12. Assisted Mr. Bates with Investment Presentation to Chapter Officials in Gallup on June 9.

IV. STATUS OF ON-GOING PROJECTS, INITIATIVES AND COAs:

1. Internal investments and income amounts are entered into FMIS daily so as to have a balance for Navajo Nation operations.
2. June 18, 2010, Judy emailed Eric Doane for update on the upload project, and his response was "the custom report which is the driver for the GL is being corrected, once the changes to custom report are implemented is should proceed quite swiftly".
3. Review on Webcast/Trade Order Entry (TOE) this is for Wire Transfer. Northern Trust would like to train Investment Section on this webcast for better management on the wire transfer.
4. On May 5, 2010 for webcast training on the global passport. Missed the two days training in Chicago, IL due to lack of funding in the account. Same training will be available in Oct 2010.
5. We are in process of withdrawing from Navajo/Hopi Escrow Account (Navajo portion) and waiting for a response from John Carpenter and Richard Zakizewski on original amount invested and redemption value of the investment.
6. Attend the Budget process orientation on June 25, 2010.
7. Prepare the actual budget for Permanent Fund and other funds (investment manager fees) for FY '2011 due in July 9, 2010.
8. Preparing for next Investment Committee Meeting.

OFFICE OF THE
FIRST LADY



VIKKI SHIRLEY
FIRST LADY

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
OFFICE OF THE FIRST LADY
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

PROGRAM INFORMATION

First Lady: Vikki Shirley
 Telephone No.: 928-871-7008
 Facsimile No: 928-871-7807

Pursuant to GSCD-54-07, the approved Plan of Operations for the Office of the First Lady’s purpose is to respond to correspondence received; to coordinate and schedule public events that the First Lady is required to attend and to assist in development of certain programs and projects in the best interest of the Navajo Nation and in which the First Lady is interested and involved.

The Office of the First Lady is authorized to seek grants, develop proposals and administer special projects and programs of the Office of the First Lady. Further, the Office of the First Lady is authorized to establish a non-profit organization to promote education, career, economic advancement and public awareness about domestic violence, alcohol and drug abuse. The Office is authorized to provide public relations functions as needed on behalf of the Navajo Nation in the capacity of First Lady.

I. BUDGET/ PERFORMANCE INFORMATION

Office	Funding Source	# of Personnel	# of Vacancies	# of Vehicles	FY 2010 Operating	% Used
First Lady	General Funds	2	1	2	\$199,683	45%

- a. **Staffing:** Two staff positions are authorized to the Office of the First Lady. Both positions are filled.
- b. **Program:** The Office of the First Lady completed a program audit for FY 09 as requested by the oversight committee. An entrance meeting was conducted and initial discussions have been completed. Fiscal and programmatic documents were reviewed and tested. The final exit meeting was done at the end of May, 2010. The audit took up at least 60% of staff time during the entire reporting period.

II. PROJECTS & GRANTS

1. **First Things First (FTF) Regional Partnership Council:** The First Lady hosted the First Things First State Board meeting in Window Rock on May 18, 2010. The State Board reviewed first hand the conditions, distance and the importance of Dine cultural needs determined by the Navajo Regional Partnership Council. Their site visit to the Navajo Nation was a success.

The Navajo Regional Partnership Council continued its work toward developing the 2010 Annual Funding Plan. The Navajo Regional Partnership Council is committed to working in partnership with families, caregivers, and the community as a whole to establish a community ethic that embraces its youngest children. The First Lady continues to promote the vision, and commitment to the development of an integrated system connecting services to children, and coordinate services within the Navajo Nation programs

The Funding Plan and the Overall Strategic Plan are governing documents for planning and implementation of strategies and to fund its prioritized needs. The Navajo Regional Partnership Council will continue to build on prior year efforts which include the following:

- meeting the need for quality early care and education that is culturally responsive with native language; developing state of the art facilities, transportation, research based data and trained staff;

- meeting the need for well trained and appropriately qualified child-care workforce with additional technical assistance for child-care workers;
- Meeting the need for family support education & outreach and to support and expand community awareness of the importance and impact of early care, education and health for children 0-5.

The Navajo Regional Partnership Council awards regional grants to address development and health needs of children birth through age five and their families within the region. Needs and strategies to meet those needs are designated in Regional Partnership Council's Funding Plans. The following is the updated description of the funding strategies and awards made.

Strategy Name	Description	Regional Allocation	Awards Made	Service Numbers
Quality First	Increase the number of children receiving quality early care and education through the expansion of funding for Quality First, facility improvements, coaching, and professional development.	\$500,000	19 sites have been selected	19 Centers
Early Literacy	Support families of children birth to five years old in providing literacy rich environments that promote Navajo language acquisition. Support early literacy in preschools, centers and home-based settings through the development of books and materials in Navajo, the dissemination of these materials, the establishment of a clearinghouse, and providing community-based trainings.	\$400,942	In progress – An agreement with Navajo Nation Head Start	
Early Literacy Companion Piece	Develop and disseminate a culturally relevant kit to parents of newborns to support early literacy and knowledge of the resources available to families on the Navajo Nation. This backpack includes board books and a CD in Navajo and English, a lullaby CD in Navajo, and a resource guide	\$110,000	The companion piece components are included.	1500 children
Emergency Food boxes	State-wide FTE Emergency Response to AZ Economic Situation	\$18,333	In progress – contracts with Navajo Way and St. Jude.	600 children
	TOTAL NAVAJO ALLOCATION	\$1,029,275		2100 +

2. Mothers Against Drunk Driving (MADD)

The Navajo MADD (Mothers Against Drunk Driving) Affiliate remains as a primary initiative of the Office of the First Lady. The President and the First Lady took time to meet and console the Peshlakai family of Naschitti and the students of the Newcomb High school who lost the lives of two beautiful young Navajo girls who were active in sports and part of the Newcomb high school's school spirit. The loss of precious lives is again a result of continual drunk driving. MADD ribbons and bracelets were handed out to the students in memory of the Peshlakai sisters; however, the loss remains a devastated situation.

MADD funds are utilized for services to victims of drunk driving accidents, purchases of educational and prevention material, training costs and travel costs for MADD related efforts. The Navajo MADD Affiliate seeks to sustain its own program in the future, which makes it necessary to raise funds, seek public/personal donations and pledges. It is also necessary to maintain managerial and administrative connections with the main MADD offices in NM and AZ.

Other MADD related programs include support for Law Enforcement at sobriety check points. Which were held at three major checkpoint events to coincide with holiday activities to create awareness as family gatherings and holidays. A major

event of this reporting period was a drug bust at the Hwy 264 checkpoint in which over \$100,000 worth of street drugs were confiscated.

Current plans are underway for other MADD related events such as the Law Enforcement appreciation and recognition awards; continue to maintain communication on Court Monitoring; maintenance of a Speaker's Bureau, Youth initiatives and prevention of underage drinking, including Parent Initiatives.

3 .Arizona Meth Project Advisory Board - On- Going

The First Lady continues to serve on the Arizona Meth Advisory Board, which guides the project through research based marketing campaign to communicate the risks of Meth use. The project has recently released changed management and now operates the fund raising campaign under a foundation to make more accessible for donors to use the non-profit tax exemption.

The Office of the First Lady continues to visit schools, agencies, youth groups, health fairs, etc. to discuss the dangers of meth use, show the ads and provide information for community and school outreach. The Office is currently participating and supporting the newly re-organized Navajo Meth prevention initiative, A Beautiful Path with Hope organization by attending monthly meetings and supporting educational forums for youth.

4. Arizona Early Education Project to Promote Literacy

The Arizona Early Education was established in the Arizona Community Foundation with funding partners to help Arizona communities build quality and capacity of early care and education programs for children from birth to kindergarten. The First Lady continues to serve on the Early Education Fund Board of Directors; her role is to ensure young Navajo children have access to literacy.

5. Arizona Governor Commission to Prevent Violence Against Women

Victims Assistance: The Navajo Nation First Lady is authorized to provide assistance to Navajo women and families impacted by domestic violence. The goal of the Office of the First Lady is to assist Navajo women and families with temporary assistance to seek and acquire temporary emergency shelter from a domestic abusive situation.

The Victim's Survivor Assistance proposal remains a standing proposal. If funded, it will allow a small sum of funding for victims to purchase gasoline to get to and from the shelters; as well as purchase food while en-route to and from the shelters. These basic costs are a constant struggle for the majority of Navajo victims seeking shelter from domestic violence. The Victim's Survivor Assistance proposal will be administered and monitored through the Office of the President and Vice-President, the Office of the First Lady in conjunction with the established battered women and families coalition throughout the Navajo Nation.

6. Skills 2 Succeed – Certiport Training

The Certiport training program remains an important project for the Office of the First Lady. The program contains a software training program that allows for staff to attain certification, to train and certify others in basic computer skills and is a moving-on effort for victims of domestic violence. In this reporting period, the First Lady met with the Michelle Scott to update and discuss the continuing need for the program and to ensure its continuity in view of the recently revised program guidelines.

This program has proven positive results for the Navajo communities. The plan is to expand the program and make it accessible to others. The Office of the First Lady continues efforts to establish a course in Window Rock. The beneficiaries are victims of domestic violence; it addresses self esteem issues as well as to re-establish direction in life for victims.

7. The U. S. Department of Justice - Office of Violence Against Women (OVW)

The First Lady continued to serve as member of the Task Force established under the Section 904 Violence Against Women in Indian Country which is administered by the U.S. Department of Justice. The Task Force provides an opportunity to implement a program of research on violence against American Indian and Alaska Native women including domestic violence, dating violence, sexual assault, stalking and murder.

In October, the Navajo Nation First Lady invited members of the National Institute of Justice (NIJ) research team to visit the Navajo Nation to see first-hand the conditions related to domestic violence and issues discussed in the National Task Force Program of Research called for under provisions of the Violence Against Women Act (VAWA) law, Section 904 entitled, Violence Against Women in Indian Country.

In December, the National Task Force gathered to formulate its final recommendations to the NIJ. Within the two days meeting in Oklahoma City, the Task Force developed a final draft. After input and reviews, a final document was produced. The Office of the First Lady provided its comments to provide advice and recommendations to the Office on Violence Against Women and the National Institute of Justice regarding the development and implementation of the program of research, as called for by legislation.

Throughout its two-year existence, the Task Force, has engaged in a dialogue to advance its understanding of the complicated nature of the issues presented as a means to formulate recommendations to assist the National Institute of Justice (NIJ) to successfully implement the research required by the statute. The Task Force concerns and corresponding recommendations are herein paraphrased and summarized under the four components of NIJ's proposed program of research. The primary authors are members of the Task Force.

On March 18, 2010, the Section 904 Task Force recommendations regarding the development of the National Institute of Justice proposed program of research was issued. The Office of the First Lady issued comments on the document entitled "Responsibility of the United States to Assist Indian Tribes in Safeguarding the Lives of Indian Women". The VAWA, Title IX, Section 902 states as its purpose:

- (1) to decrease the incidence of violent crimes against Indian women;
- (2) to strengthen the capacity of Indian tribes to exercise their sovereign authority to respond to violent crimes committed against Indian women; and
- (3) to ensure that perpetrators of violent crimes committed against Indian women are held accountable for their criminal behavior.

The First Lady has been an instrumental part of the passage of the legislation as well as its reauthorization. The Task Force report recognized that the advances made under the VAWA nationally is not reaching women within tribal communities. While violent victimization was reported to drop nationally the rates of victimization of Indian women had not decreased but remained the same or increased. It was commonly understood that certain nuances of Federal Indian law mired the progress within tribal communities toward enhancing the safety of Indian women under the prior VAWA legislation. Specifically, VAWA is based upon a justice model that assumes a comprehensive justice system that utilizes a coordinated community response to VAWA related crimes.

The Task Force report brought forth jurisdictional restrictions, historical and current lack of resources and choices a comprehensive western based justice system that is not a given within Indian tribes. Further, institutional barriers created by federal law act as systemic roadblocks to holding perpetrators accountable for their violence and prevent Indian tribes from adequately responding to violence against Indian women. The report cited that such barriers include specific acts of Congress such as the Indian Civil Rights Act which limit the sentencing authority of Indian tribes to a maximum sentence of one year per offense and a fine of no more than \$5,000 regardless of the felony level or severity of the crime such as rape. Further, Indian tribes are restricted from providing a meaningful remedy when women are physically and sexually assaulted because Indian tribes have no criminal jurisdiction over non-Indians, and may not prosecute or punish non-Indians. Such barriers have grave consequences for the safety of Indian women and often leave them without criminal recourse provided all other women within the United States. State law enforcement and courts are similarly saddled with limitations on their authority to prosecute non-Indians who commit acts of violence upon Native women in tribal communities because of the implications of the General Crimes Act.

The Task Force report further emphasizes that if VAWA is to enhance the safety of Indian women it is critical to understand these systems that are charged with the responsibility of responding to VAWA related crimes. These legal barriers ultimately impact the ability of Indian women to live free of violence and the authority of Indian tribes to safeguard the lives of the citizens of their respective nations. The well documented under-reporting of these crimes is illustrative of the failure of the systems to be evaluated.

First, the term Indian Country not only ignores federal law defining the interstate nature of crimes against women, but also ignores factual situations that exist on a daily basis due to jurisdictional issues. Focusing solely on women who reside in Indian Country or women who have been victimized on Indian Country ignores a segment of Indian victims who may cross into or

out of Indian Country, if even for a brief moment. Women who are victimized outside of Indian Country escape to their reservation and families for protection. They may obtain protective orders from the tribal court, seek counseling from tribal support systems but we are ignored because the assault took place off of Indian Country.

The Task Force believes that studies isolated to crimes occurring only in Indian Country fail to take into account all factors including where the abuse occurs, where women go to receive safe shelter and what other services they are taking advantage of. This information is essential for tribes to continue to take care of its citizens. A review of the filing of protective orders and the enforcement of tribal protective orders is necessary to determine the effectiveness of Indian Country protective orders.

Finally, the term Indian Country excludes 229 federally recognized Indian tribes within the State of Alaska. This exclusion the Task Force maintains was not the intent of the statute and notes the definition of Indian tribe under VAWA includes all federally recognized Indian tribes.

Second, it is the concern of the Task Force that the crimes enumerated and the response of the systems to these crimes remain the focus of the program of research. Further, the Section 904 study is time sensitive. Everyday the impact of failed systems charged with safeguarding the lives of Indian women translates into loss of life, constant threat of physical injury, and in general a detrimental impact on the quality of life of American Indian women. While much research is needed the NIJ is encouraged to focus on the evaluation of the effectiveness of these systems.

The Task Force recommends that the NIJ program of research not focus on the behavior of Indian women participating in the study. Perpetrators of crimes of domestic violence, dating violence, sexual assault, and stalking are responsible for their criminal behavior and not the victims of these horrific crimes. The perpetrators of these crimes typically do not commit single acts but repeat their violent behavior over time with the same or different victims. To enhance the safety of Indian women, the current systems must be reformed. It is the strong opinion of the Task Force that primary data be collected from perpetrators and the systems to be examined to develop such recommendations.

Regarding the component on Tribally Representative Primary Data Collection, the Task Force recommended that the primary data collection component be broadened to include Indian women, perpetrators, and systems' personnel.

Task Force Recommendations for NIJ in the area of primary data collection:

- 1) NIJ collect primary data from personnel working within the systems to be examined to evaluate the effectiveness of those systems.
- 2) NIJ collect primary data from perpetrators of the crimes to be examined to evaluate the effectiveness of the systems charged with holding offenders accountable for their violent behavior.
- 3) NIJ collect primary data from Indian women to evaluate and increase the effectiveness and to improve the response of systems that address violence committed against Indian women.
- 4) NIJ establish and maintain an on-going relationship with participating Indian tribes to allow for full, informed, and consistent participation in the implementation of this component.
- 5) NIJ understand the sovereign authority of each Indian tribe and give deference to the respective Indian tribe to determine the process that is most applicable to its unique circumstances.
- 6) NIJ develop an MOU or MOA with each Indian tribe and if agreed, the document should identify the responsibilities of NIJ to the specific Indian tribe and address issues of concern expressed by the tribal government.
- 7) NIJ recognize that while partnerships with federal departments charged with responsibilities for providing services to Indian tribes, such as law enforcement and health, are helpful they do not constitute formal governmental consultation or relationships with Indian tribes agreeing to participate in the primary data collection component.
- 8) NIJ recognize the sensitive and complex nature of the information to be collected from Indian women and develop a system for a woman to be accompanied by a support person to the collection site.
- 9) NIJ develop collection component partnerships with battered women's shelters, rape crises services, and prevention and education services provided by tribal women's coalitions, including compensation to these entities for time provided to NIJ in the data collection process.
- 10) NIJ develop a response for anonymity due to fear of retaliation for participating in the study. Victims viewed as whistle blowers on the failed response of a system should not face retaliation for their participation in the NIJ research project.
- 11) NIJ develop anonymity for Indian tribes concerned about the loss of federal VAWA or other funding due to participating in the data.
- 12) NIJ hire and train tribal women with demonstrated expertise in the areas of violence against Indian women and Federal Indian Law to implement the primary data collection component.

- 13) NIJ contract with researchers with demonstrated expertise in the areas of violence against Indian women and Federal Indian Law to conduct the data analysis and write the primary data collection component.
- 14) NIJ provide training on violence against Indian women and Federal Indian Law to all participants employed and or contracted to implement this component of the program of research, including the use of tribal colleges as a resource.

Recommendations for Secondary Data Component:

- 1) NIJ locate and analyze data from federal agencies, state agencies, and tribal agencies.
- 2) NIJ recognize that Indian Civil Rights Act limits the ability of Indian tribes to adequately sentence persons convicted of the five crimes to be examined under the statute.
- 3) NIJ recognize that the United States Department of Justice (USDOJ) is the sole entity with felony sentencing authority within tribal jurisdiction sharing concurrent federal criminal jurisdiction. The response or lack of response by the USDOJ to the five crimes listed must be focused in judicial/prosecutorial Districts in which Indian tribes are located. Data reflecting no response or zero prosecution of these crimes must be reflected in this component.
- 4) NIJ recognize the detrimental limitation of P.L. 53-280 upon Indian tribes.
- 5) NIJ develop a process for reporting murders to allow for inclusion of such cases that may not be reflected in the data collected by federal or state agencies but known to the tribal community, service provider or family.
- 6) NIJ recognize that the concepts of safety, perpetrator accountability and justice within a western system may not include the restoration of balance and well-being of a woman in a tribal setting.

Recommendations for the Program Evaluation Component:

1. NIJ evaluate the effectiveness of a tribal-federal concurrent jurisdiction system.
2. NIJ evaluate the effectiveness of a tribal-multiple federal jurisdiction system.
3. NIJ evaluate the effectiveness of a tribal-state concurrent jurisdiction system.
4. NIJ evaluate the effectiveness of a tribal system.
5. NIJ evaluate the effectiveness of advocacy services programs.

The fourth component of the NIJ proposed program of research is comprised of special studies. Specifically, it contains trafficking of Indian women; women with special needs; comparison of tribal laws/codes relating to violence against Indian women; comparison of PL 280 vs. non-PL 280 prosecutorial and sentencing practices; U.S. and Tribal Nation border issues; and impact of "Full Faith and Credit" statutes. While these specialized topics are important the Task Force recognizes that funding such studies may require additional resources beyond the authorized amount and that the primary purpose of Section 904 is to provide Congress with recommendations to enhance the effectiveness of the federal, state, tribal, and local response.

The following general recommendations are not specific to a single component of the proposed program of research but are made to NIJ with regard to the entire proposed program of research.

- 1) NIJ provide to the Task Force an update of the role of the Task Force to assist in the development and implementation of the study.
- 2) NIJ maintain on-going relations and provide updates to Indian tribes and national / regional tribal organizations actively engaged in the effort to increase awareness concerning the safety of Indian women.
- 3) NIJ host a briefing session at each annual VAWA USDOJ tribal consultations to inform tribal leadership of the progress, challenges and status of the program of research until the report and recommendations are completed.
- 4) NIJ provide participating Indian tribes the data collected within their respective reservations to assist the tribal government in increasing the effectiveness of law enforcement, prosecutors, courts, services and other related program areas to cases of domestic violence, sexual assault, dating violence and stalking.
- 5) The Task Force recommends that it be re-chartered to guide the development and implementation of the NIJ Program of Research and development of the recommendations to Congress.

The full and official text of the Section 904 Task Force Report can be found at www.vawa.gov

8. Partnership to Address Sexual Assault: SART/SANE/SAFE:

The President of the Navajo Nation, made a commitment of support for a grant application submitted by the Navajoland Nurses United for Research, Service and Education, Inc. (N-NURSE) in the Spring of 2009 to the U.S. Department of Justice, Office of Violence Against Women. In September 2009, N-NURSE received the two-year grant award to complete two goals: to formalize a Regional Alliance and to increase the number and skill level of trained forensic examiners and response teams to serve victims of sexual assault within the Navajo service areas including rural designated areas of San Juan and McKinley counties in NM, and Apache, Navajo & Coconino counties in Arizona.

The commitment and program call for a first step to call on the Hopi and Zuni tribal leadership to learn of the scope of the project and to identify key tribal representatives to be active members of the region's alliance. In this reporting period, the N-NURSE project began identifying gaps and barriers to comprehensive care for Indian victims of sexual assault and to prepare a policy briefing containing the results of this analysis. A first and follow-up session was held with Navajo traditional practitioners who work with victims and offenders of sexual assault. This analysis will assist the regional alliance to promote and establish consistent standards of practice.

The Rural Program purposes are: 1) To identify, assess, and appropriately respond to adult victims of sexual assault, by encouraging collaboration among domestic violence (dating violence, sexual assault, and stalking) victim service providers; law enforcement agencies; prosecutors; courts; other criminal justice service providers; human and community service providers; educational institutions; and health care providers; and

2) To establish and expand nonprofit, nongovernmental, tribal and local government victim services in rural communities. This project's focus is to increase the number of collaborating partners in northern Arizona and New Mexico serving American Indian survivors (victims) of sexual assault, aged 16 years and older.

The Strategies addressed by the project are: 1) Implement, expand, and establish cooperative efforts and projects among law enforcement officers, prosecutors, victim advocacy groups, and other related parties to investigate and prosecute incidents of domestic violence, dating violence, sexual assault, and stalking; and 2) Work in cooperation with the community to develop education and prevention strategies directed toward the aforementioned issues. 100% of this budget will be used for activities that meaningfully address building capacity through collaboration to improve accessible and available resources and services for victims of sexual assault in Indian communities in northern New Mexico and Arizona Indian Country that include the Navajo, Zuni and Hopi tribes.

This two-year grant will improve these situations through cooperative sustainable agreements among the Navajo, Hopi and Zuni Nations by the formation of a Regional Alliance Against Sexual Assault. The alliance will initiate and use culturally appropriate methods of response to sexual assault victims as well as health policy recommendations brought forward at the executive level to make necessary changes and bring this crime to public attention.

An inventory of SANE/SAFE professionals accessible and available to the Hopi and Zuni Nations is currently being done including an assessment instrument called the GAP analysis. The Office of the First Lady participated in the start-up activities, including initial board meeting and selection of project staff. The Office of the First Lady serves as resource staff to begin the inter-tribal dialogue with the Hopi and Zuni Nations. During this reporting period monthly meetings have been held including one with the Hopi representative attending. Follow-up is needed and the Office will maintain support for this important project.

9. Navajo Nation Prevention of Domestic Violence:

The Office of the First Lady continues to coordinate and collaborate with domestic violence work groups, committees and programs, which are the Office of Prosecutor, Department of Public Safety, Division of Social Services, Battered Families Program, and shelters serving the Navajo Nation. The Navajo Nation First Lady continues to support the NNACADV mission and goals, including to advocate for the adoption of the Family Violence Act.

10. Safe School/Healthy Student Initiative:

The Office of the First Lady continued to provide needed information to schools requesting for materials and information on wellness and quality of life topics for schools serving Navajo students. In as much as possible, the office incorporates the national concept of Safe Schools, Healthy Students Initiative and goals of Healthy Communities. Through the Safe School/Healthy Student Initiative school volunteers are helping their schools and community systems to better serve students and their families by building stronger relationships and partnerships with the Navajo Nation systems. The initiative remains a priority project.

11. Prevention of Underage Drinking:

The Office of the First Lady staff met with the students at the Ganado High School to discuss Underage Drinking and prevention of it. The emphasis was to provide research-based information regarding the functions and malfunctions of the growing brain and the effects of alcohol use at early ages. An estimated total of 300 pamphlets and MADD ribbons were

distributed by the end of the second quarter. The Office also issued the *Prom Promise* to 46 area high schools to encourage a safe and sober prom event.

12. DWI INITIATIVES:

A. DWI Czar's Office: The Office of the First Lady maintained regular communication with the New Mexico DWI Czar's Office to maintain the prevention of driving while intoxicated (DWI) strategies as a high priority. The NM DWI Czar held a town hall meeting in Gallup wherein the State DWI Task Force provided information on policy and legislative initiatives targeted to curb and deter drunk driving. Many questions were raised as to the methods and approaches being used to toughen the DWI penalties, processes for administrative and legislative venues, including monitoring of liquor licensing and liquor sales.

B. New Mexico DWI Leadership Team Meeting(s): The First Lady and Office staff continues to attend the monthly DWI Leadership Team meeting held by the NM DWI Czar's Office. The meetings are held to update all entities, departments and offices within the State of New Mexico to report progress on the Governor's DWI Initiative. The Navajo Nation First Lady is a partner member to the NM Leadership Team. Meetings are held the Thursday of each month in Santa Fe, New Mexico. Within this venue is the New Mexico/Tribal DWI Team meetings.

C. NM/DWI Team Meetings: The Office of the First Lady has been involved and attended the monthly with Indian Tribes of New Mexico to provide updates and share information using the Strategic Plan of 2008 which strives to strengthen tribal laws on DWI and related enforcement. One topic of focus is provide stringent criteria including revocation of state license of persons arrested for DWI; and to share data on drivers convicted under tribal law to be entered into the state database. No significant activities were held this second quarter, though regular meetings will resume in the next reporting period.

D. Navajo Nation DWI Task Force: The Office of the First Lady continued to work on the Navajo Nation DWI Initiatives forwarded by the Navajo Nation President in an effort to eliminate drunk driving. Under this initiative the Office of the First Lady works to enhance the capacity of the Navajo Nation police force, law enforcement, and the Selective Traffic Enforcement Program (STEP) with training, equipment and technology upgrades that will assist in arresting, convictions and prosecution of impaired and unsafe drivers.

E. Support for the Navajo Nation Police: In collaboration with the Indian Health Services (IHS) Injury Prevention initiatives, the Office of the First Lady worked with the Navajo Nation Division of Public Safety and Law Enforcement to develop training courses for the Navajo Nation police officers. The First Lady is promoting law enforcement training to prevent drunk driving as well as to document arrests related to domestic violence, and to give overall support to the capacity building efforts for the Navajo Nation's finest.

F. Enhancing STEP Team Capacity: The Office of the First Lady submitted a proposal entitled, "Proposal to Prevent Injuries through Navajo Public Education and Enhance the Navajo Nation Selective Traffic Enforcement Program (STEP) Team's Capacity" was issued on January 15, 2010 to the IHS Injury Prevention Initiative. **Award Notice was received by the Office on April 19, 2010.**

The proposal is in collaboration with the Navajo Nation Law Enforcement, the Navajo Department of Highway Safety and the Navajo Nation Mothers Against Drunk Drinking (MADD) Affiliate. The goal is to increase public awareness and provide community outreach activities as a preventive and intervention measure to injury prevention, and elimination of impaired and distracted driving.

The STEP team is comprised of 8 Navajo Police officers from the seven police districts of the Navajo Nation. The STEP team goals and objectives remain to prevent impaired driving crashes by conducting sobriety checkpoints, increasing safety belt/car seat use, and garnering speed compliance on major roadways throughout the Navajo Nation. The proposal's program objectives include:

- Increase public Awareness on Injury Prevention targeting Navajo youth, elderly and Navajo Nation entities and employees as resources;
- Conduct sobriety checkpoint at selected sites.
- Increase safety belt use by five percent
- Increase speed compliance by ten percent

- Publicize law enforcement efforts
- Public Awareness for prevention of impaired driving;
- Community outreach using multi-media approach

The following strategies remain the focus of the proposal:

- Publicize the STEP enforcement effort in local newspapers and radio stations prior to each event and campaign. The STEP team will conduct extensive media campaigns throughout the Navajo Nation using newspapers and radio stations that reach the 7 Districts of the Navajo Nation.
- The Office of the First Lady will develop Public Service Announcements for reservation high schools to inform the student drivers of the need to wear seat belts, use car seats, and the cost of a citation;
- The STEP team will make presentations to Chapter communities on STEP team activities.
- The STEP team will set up information booths in Chapter communities to hand out safety belt and child passenger safety restraint information to citizens during the media outreach phase of the enforcement campaigns.
- The Office of the First Lady will create an email distribution list, for Navajo Nation employees and major employers on the Navajo Nation whose employees have access to a computer with internet. The email distribution list will inform citizens of the Navajo Nation of upcoming enforcement activities. The email distribution list will also provide recipients with Public Service Announcements for reducing motor vehicle crash injuries and other injuries.
- “Click It or Ticket” campaign. Officers will focus on increasing the use of safety belts and car seats through saturation patrols in identified communities of the Navajo Nation where safety belts and car seat usage is low as identified through Indian Health Service, Department of Environmental Health Service quarterly seat belt and car seat surveys.
- “100 Days of Summer” campaign. STEP officers will focus on reducing the incidence of DUI on Navajo Nation roads during June 1, September 9, 2010 and again for the Winter holiday period up to January 2011, through saturation patrols and DUI checkpoints on identified Navajo Nation roadways where there is an increased incidence of DUI documented by motor vehicle crashes and prior data from DUI checkpoints.
- Deploy STEP patrols on major roadways through the Navajo Nation. STEP officers will enforce Navajo Nation safety belt and child safety seat laws in addition to laws regarding speed during saturation patrols.
- The Office of the First Lady will network with state and tribal resources to develop a Navajo language video series on prevention of impaired driving to be used as a community –based education network model.
- The Office of the First Lady will develop community information resources booklet and brochures for community education and school presentation purposes.
- The Office of the First Lady will network with the State and tribal agencies and funding sources to install six (6) large size billboards on the prevention of impaired driving to be stationed at strategically selected sites on the Navajo Nation roads and highways.
- Work with funding sources to add four (4) units of intoxilyzer instruments for Public Safety /Law Enforcement Officer’s use.

III. OUTREACH/ MEETINGS

Outreach meeting and appearances for the First Lady comprises of community activities and events. The Office requires invitations a month prior to the actual event; and is subject to change pursuant to the Navajo Nation President’s schedule.

EVENTS

April 14 – 16, 2010	HGM Certification for 25 Navajo Police Officers
April 27, 2010	AZ Governor Brewer's Kick-Off - Crime Victim Rights Week

April 29, 2010	Keynote @ NI/NAE&T Conf .Abq Marriott
May 1, 2010	Honor the Fallen, Luepp/Birdsprings Chapter
May 4, 2010	FTF Regular Mtg, Quality Inn Suite # 207
May 9, 2010	Mother's Day –MADD event
May 11, 2010	N-Nurse - Tribal Leaders Mtg - Flagstaff
May 13, 2010	NHZASRT, Sage Memorial - Ganado
May 18, 2010	FTF State Board Meeting, NN Museum
May 19, 2010	NM DWI Leadership Team meeting, Hilton of Santa Fe
June 1, 2010	NN Treaty Day NN Wide
June 16, 2010	NM DWI Leadership Team Mtg - Hilton of Santa Fe
June 20, 2010	Father's Day – DV event

OFFICE OF
MANAGEMENT & BUDGET



DOMINIC BEYAL
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
OFFICE OF MANAGEMENT & BUDGET
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. Program Information:
 Division Executive Director: Dominic Beyal
 Telephone No.: 928-871-6570
 Facsimile No.: 928-871-6567
 Web Address: www.omb.navajo.org

Departments:

Budget Section Emmett Francis, Budget Officer
 Management & Policy Section Arnold Jake, Management & Policy Section Manager
 Contract & Grants Section Cordell Shortey, Contracting Officer
 Systems Section Erie Tsoisie, Senior Programmer Analyst

II. Budget / Performance Information:

a. Funding and Expenditure:

Funding Source	No. of Personnel	No. of Vehicles	FY 10 Personnel	% Used	FY 10 Operating	% Used	Total % Used To Date
General	30	1	1,881,916	64%	148,509	51%	58%

Workload Indicators

	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>3rd Qtr Total</u>	<u>FY 10 Total</u>
a. No. 164 Documents Received:	36	33	41	110	320
b. No. of Budget Transfer Requests (External Fund)	81	94	80	255	723
c. No. of Budget Transfer Requests (Navajo Fund)	86	88	95	269	687
	203	215	216	634	1,730

III. Accomplishments:

Management and Policy Section (MPS)

- a. Issued three (3) Navajo Nation organization management reports (Conditions of Appropriation, Plans of Operation, Performance Assessments):
- FY 2010 second quarter Plans of Operation Report was completed on April 27, 2010, and disseminated to key officials and division management.
 - FY 2010 second quarter Conditions of Appropriation (COA and Legislative Concerns (LC) Status Report was completed on May 4, 2010, and disseminated to key officials and division management.. There are 30 COA's and 3 LC's for FY 2010.
 - FY 2010 second quarter Program Performance Assessments Report (PAS) was completed for 274 Navajo Nation programs and the report disseminated on April 30, 2010. This report was compiled using results provided by program managers on Budget Form 2 and scored by OMB Management Analysts.
 - Workload Indicators (MPS) staff:
 Number of Budget Revisions Requests Reviewed: 226
 Number of Proposed Legislation (SAS) and Supplemental Request Reviewed: 25
- b. On-going day to day assistance to OMB and Navajo Nation tribal employees on the use of FMIS/JD Edwards electronic financial software in regards to budget administration, contracts/grants/project account set up and other related usage.
- c. Continuously issuing new Company Numbers and verifying Account Set-up for OMB's functional involvement in the Navajo Nation's FMIS/JE Edwards financial software for Contracts and Grants Section of OMB. Also provide guidance and problem-solving for OMB's JDE functional Job module usage.

- d. During this quarter, continued the development of an organizational report that would capture complete tribal funds information. The report will focus on non-general funds and their respective accounts as contained in the JD Edwards financial system.
 - The report will provide information such as legislative references, fund management plans, number of accounts tied to each fund, responsible program for each fund, etc.
 - The report will be useful for OMB for development of the annual comprehensive budget to ensure that all tribal funds are included.
- e. Updated Revenue Projection vs. Actual Revenue analysis and presented to OMB Executive Director.
- f. Reviewed draft 2011 Budget Instructions and Policies Manual (BIPM) and provided input, also worked with the Executive Director to develop new budget policy language to be included in the 2011 BIPM.
- g. Provided (on-going) technical assistance to Navajo Nation programs with their Form 2, Plan of Operations, Fund Management Plans, budget transfers and budget status reports.
- h. The Management Analysts reviewed and completed analysis write-up for the following proposed legislations, SAS documents, and supplemental funding requests:
 1. Legislation # 000-10: Hoosh Dooh Dü To' Development request for a supplemental funding of \$286,000.
 2. Legislation # 0255-10: Kelcher & McLeod, supplemental funding request of \$85,000.
 3. Legislation # 0103-09: Rosetta Stone, supplemental funding request of \$450,000.
 4. Legislation #0231-10: Edward Smiley, supplemental funding request of \$25,000.
 5. Legislation #0235-10: Approving the modification of the \$35 million loan from the Land Acquisition Trust Fund to the Navajo Nation Gaming Enterprise.
 6. Legislation #0201-10: Amending BFMA-2-10 by amending the FY 2010 budget for the Navajo Nation Gaming Development Fund.
 7. Legislation #0367-10: Amending the Navajo Nation 2010 FY budget by approving a supplemental appropriation for FY 2010 Contingency Management Fund of \$9 million to the Navajo Nation Chapter for assistance to local veterans and local veterans' committees.
 8. Legislation #0237-10: Approving the Fixed Income Investments from the Navajo Nation Master Trust Fund to the Navajo Nation Gaming Enterprise for the development of gaming facilities at Twin Arrows, Upper Fruitland, Chinle, Tse Daa Kaan and Pinta Road.
 9. SAS DHR-12719: Update FY 2010 budget schedules and request for budget level balance for Archaeology Department.
 10. SAS DHR-23109: Military Service Credit on Retirement Plan for Veterans.
 11. SAS DHR-22868: Proposed Amendment to Title 2, Subchapter 27, Section 1704. Definition of Navajo Veteran.

Contracts and Grants Section (CGS).

- a. FY 2009 Single Audit Report.

This report for year ended 9/30/2009 was not submitted by the June 30, 2010 due date by KPMG, LLP, the Nation's Auditor. Although Budget and Finance Committee accepted the report on July 6, 2010, at writing of this report, the audit report has not been finalized and issued. OMB hopes the audit report is filed without further delay. The audit report consists of two parts, the financial statements and single audit. The former which is on all funds the Nation operates with is all handled by Office of the Controller (OOC). The latter applies to funding contracts and grants that expended at least \$3 million in FY 2009 on which CGS/OMB is responsible. CGS/OMB coordinates with the programs that have audit finding to submit and finalize correction action plans (CAP). The information that will be included in the final audit report on single audit are:

 - For year audited, FY 2009, there were (34) findings and CAP were prepared for each.
 - For prior year FY 2008, there were (29) findings and status report on what was achieved on the CAP by 9/30/09 was prepared for each.
- b. Indirect Cost (IDC).
 1. FY 2007 rate of 18.05%. Based on the negotiated IDC rate, OMB issued revised projection on recovery of IDC funds for FY 2010. By memorandum of May 12, 2010, notice was provided to all Branch Chiefs, Divisions and Programs that the revised projected recovery for the year was \$18 million. This is an increase by \$8 million to the initial projection of \$10 million which is based on IDC rate offer by NBC of 9.78%. The \$8 million was allocated to those programs that are funded by Navajo Nation General Funds and assist with administration of more than one funding contract and grant. The projected recovery of IDC for FY 2011 is also \$18 million. This is used as a revenue source for funding contract support service provider for development of FY 2011 Navajo Nation General Fund budget.

- c. IDC Rate Proposals.
Preparation of the FY 2008 proposal by Moss Adams, LLC, the Nation's IDC Consultant, is approximately 90% done. The finalized proposal should be submitted to NBC by July 31, 2010 for review and negotiation of new rate. Submission of FY 2009 IDC Rate Proposal will follow as soon as FY 2008 is done.
- d. Federal Budget Request (FBR) for FY 2013 Congressional Appropriations.
This process which was implemented on April 1, 2010 with orientation of the Nation's federal funded programs by OMB and Navajo Nation Washington Office (NNWO) is behind schedule on completion. Based on the procedures and timetable issued by CGS/OMB, the Navajo Nation endorsed budget request was due for submission to NNWO by May 28, 2010. Thereafter or in June, 2010, NNWO was to arrange schedule with Federal OMB examiners for the programs to present their requests in one to one meetings. At this point, of the (10) Divisions that are expected to submit FBR, only Division of Social Services' request completed the process by obtaining IGR Committee endorsement. CGS/OMB is doing what it can to have the rest of (9) Divisions comply in completing budget requests promptly.
- e. Inquiries by Funding Agencies on Audit Findings.
1. On June 3, 2010, a 300+ pages response was submitted to Denver Office of Inspector General on a draft report that was issued on monitoring review that was performed on (28) grants awarded to the Nation by U.S. Department of Justice (DOJ). The review was conducted from February 2009 to July 2009. The draft report was issued by U.S. DOJ in letter of May 4, 2010. Based on response submitted by the Nation, the final report was expected to be issued during the week of July 12, 2010. This is a major review by U.S. DOJ that resulted in a lot of findings mostly on unaccounted for property and equipment involving the programs in the Nation's Divisions of Public Safety, Natural Resources and Social Services and Judicial Branch. The details on the response can be furnished upon request of CGS.
 2. In a letter of July 2, 2010, a response was submitted to Ms. Frances Price at BIA NRO on (4) findings regarding FY 2008 Single Audit. The findings are related to (3) BIA contracted programs which are: two findings for Division of Public Safety and one each for '638 Contract Administration Section in Division of Social Services and Design and Engineering Services. The response should be sufficient for BIA to clear the same.
 3. CGS/OMB is awaiting receipt of additional information from the Nation's Head Start Program for use to compile a response for submission to Administration for Children and their Families/DHHS. This is in effort to clear questioned cost of \$229,424 involving two findings. These are on findings from FY 2007 for \$198,325 and FY 2008 for \$31,099. The due date for the Nation to submit final response is July 30, 2010.
- f. FY 2011 Navajo Nation Budget Development Process.
CGS has been involved in this process since it started internally at OMB around April 6, 2010. Based on the Budget and Finance Committee's adoption of the FY 2011 Budget Instructions and Policies Manual (BIPM) on June 22, 2010, actual development of the budget is in progress. Compared to FY 2010, CGS substantially improved the rules on external contracts and grants in the FY 2011 BIPM. The intent was to provide as much guidance as possible, so work by external funded programs are done correctly from the start and in timely manner.
- g. Personnel Activity Report (PAR).
On May 4, 2010, by resolution BFMY-13-10, the Budget and Finance Committee adopted Indirect Cost Service Tracking Policies and Procedures. The policy is designed to guide tracking and recording time spent on administration of external contracts and grants. The Nation's personnel position and Oversight Committee affected are those that are funded by Navajo Nation General Funds and administer more than one external contracts and grants. The result of the tracking will support the Nation's FY 2010 IDC Rate Proposal in setting related IDC rate.
The tracking was on a "test run" bases effective pay period beginning April 18, 2010. The official implementation commenced with adoption of the policies. This initiative has been coordinated efforts by CGS/OMB, Contract Accounting Section/OOC and Department of Justice who provided several orientations for the benefit of the three branches of the Navajo Nation. The tracking which is required by 25 CFR Part 225 Cost Principles for State, Local and Indian Tribes suppose to be on a pay period ending basis for the employees and per meeting by the Committee and all compiled in a quarterly report to OMB. The reports for quarter ended June 30, 2010 are due July 15, 2010. CGS/OMB looks forward to all to comply and assist in ensuring the purpose of PAR is successfully achieved.
- h. Department of Interior (DOI) Consultation Policy Team (Team).
President Joe Shirley, Jr., submitted names of (3) Navajo Nation personnel to Mr. Omar Bradley, BIA Navajo Regional Director, as nominees to serve on the Team. These are Marcelino Gomez and Veronica Blackhat of DOJ, and Cordell Shortey of CGS/OMB. The Team which will consist of a representative from each of the (12) BIA Regions will be charged to develop a DOI Consultant Policy within a year.

In a letter dated March 22, 2010, from Larry Echo Hawk, Assistant Secretary of Indian Affairs, announced DOI's initiative that will involve participation by the Indian Tribes. DOI had established a timetable in formulating the Team which is provided herein. By now the regional representatives should have been selected but there has been no response from DOI.

- i. Some important issues/meetings that the Contracting Officer was involved in:
 1. Several Budget and Finance Committee (Committee) meetings regarding FY 2011 Navajo Nation Budget Process e.g., revenue projections, branch planning allocations, BIPM, PAR, IDC, FY 2009 Audit, etc.
 2. On June 25, 2010, attended KPMG, LLP, presentations of the draft FY 2009 Financial Statements and Single Audit Report to the Committee. Thereafter, the report was accepted by the Committee on July 6, 2010.
 3. On May 14, 2010, along with DOJ met with Moss Adams, LLC on development of the Nation's FY 2008 and 2009 IDC Rate Proposal.
 4. On May 13, 2010, attended quarterly meeting between Community Health Representatives (CHR) of Division of Health and the State of New Mexico. Gave a presentation on the Nation's process on review of funding contract applications and acceptance of related award via SAS process, and authorizing such for implementation so funds can be expended to affect service delivery.
 5. Regarding preparation for development of FY 2011 funding proposals for P.L. 93-638 BIA funding.
 - June 23, 2010, attended internal Navajo meeting consisting of DOJ and Contract Accounting to prepare for meeting with BIA Navajo Region Office.
 - June 30, 2010, along with DOJ and several CGS personnel met with BIA Navajo Region Office to review the funding contract documents (Model 108 and AFA's) and proposed implementation plan on AFA submission. The result of the meeting is being compiled in preparation to officially begin the process by August 1, 2010.

Budget Section

- a. Continued reviews of supplemental budget proposals, majority are usually after the fact. These proposals are considered by the various oversight committees, the Budget and Finance Committee before consideration and approval by the Navajo Nation Council. On June 8, 2010, pursuant to CJN-25-10, the Navajo Nation Council appropriated \$7.6 million from the Contingency Management Fund for five projects. The Navajo Nation President approved only one appropriation from the resolution and that was for the summer youth employment for \$2 million, but line-item vetoed the other four appropriations, including:

Navajo Nation Chapters for Public Employment	\$3,000,000
Navajo Nation Chapters for Housing Assistance	\$2,000,000
Office of the Speaker – Discretionary Funds	\$ 500,000
Nazlini Chapter for a Post Office Building.	<u>\$ 150,000</u>
Total:	\$5,650,000

A prior fiscal year appropriations by the Navajo Nation Council totaled \$1 million for chapter emergencies (from available personnel balances) making a total of \$3,000,000 in overall appropriations to-date. Most of these appropriations were based on floor amendments to budget proposals on the Council agenda. These proposals lacked sufficient review by affected parties, including the Navajo Nation Office of Management and Budget.

- b. Continued processes of budget revision requests on a daily basis. This entails the review of each request, recommendation by the assigned Budget Analyst and the Management Analyst and approval by the Executive Director. Those budget transfers handled on a routine basis usually are processed in five or less working days. On a positive note, there is not as many budget revision requests this fiscal year, probably due to programs preparing better initial budgets.
- c. The staff responded to about 1,500 inquiries this quarter regarding budget revisions, supplemental budgets, other budget related issues, including e-mails and telephone calls.
- d. Conducted several internal staff meetings to plan for the development of the FY 2011 Navajo Nation comprehensive budget process. Other meetings were held with the staff of Department of Personnel Management, Division of Community Development, Risk Management and the Workers' Compensation regarding the FY 2011 rates, codes and schedules for inclusion in the FY 2011 Budget Instructions and Policies Manual (BIPM). A final draft of the manual was completed the second week in June, 2010 and was distributed to other reviewing offices, including the Department of Justice for legal sufficiency.
- e. Meetings were also held with the Budget and Finance Committee during the month of May and June, 2010 to report on the fiscal year budget development process. FY 2011 Budget Instructions and Policies Manual, the revenue projections and the Branch planning allocations were approved by the Budget and Finance Committee

on June 22, 2010. A budget orientation for all Navajo Nation programs was held on June 25, 2010 to begin the budget preparation process.

- f. Navajo Nation budgets are due to OMB on July 9, 2010, which is two weeks later than last year's schedule. Indecisions and late action by the Budget and Finance Committee on the budget manual, planning allocations and the revenue projections caused the budget process to start late. It was anticipated that the budget preparation would start the first week in June, 2010, but that did not work accordingly.
- g. The Fiscal Year 2010 third quarter expenditure report will be available after the third week in July, 2010. These reports will be used during the Budget and Finance Committee's FY 2011 budget hearings and possibly during the Executive Branch Budget Review Team hearings.

Systems Section

- a. On a daily basis, Systems Section provides technical assistance to the OMB staff and Navajo Nation Programs on hardware, software, network and peripherals. Assistance includes, but not limited to:
 - 1. Maintaining OMB DNS Server, DHCP Server, Active Directory, E-mail Server, File Server, Print Server, FileMaker Pro Server, Anti-Virus Services, Right Fax, and Local Area Network.
 - 2. Maintain the following software: Microsoft Office 2003/2007 (Word, Excel, Power Point, InfoPath, Outlook, Publisher), Symantec Anti-Virus, RightFax, ScanSoft PaperPort, Adobe Software, FileMaker 8.0, Canon iP90.
 - 3. Updates to OMB website with documents needing to be distributed to Navajo Nation Programs. 4. Design and create OMB business cards for all OMB employees.
 - 5. Faxing/Scanning Assistance, Xerox machine assistance, printer assistance and Hardware/Software assistance.
- b. Provided 245 information technology support services to OMB and other Navajo Nation programs on budgets, hardware/software/network issues and programming.
- c. Provided technical setup assistance for the FY 2011 budget orientation which was held on June 28, 2010 at the auditorium of the Navajo Department of Education.
- d. Partially prepared the current FY 2011 Budget Report Generator Database for data entry by the Program Evaluation Section and reformat the FY 2011 Budget Report Generator Database with automation of data import from the FMIS to FileMaker Pro.
- e. Setup five new computers for employees and temporary employees of OMB.
- f. Five Canon IP printers were repaired by Business Systems and Mechanics, ABQ, NM, and two Servers to PC Place, ABQ, NM, for repairs, also. The five Canon printers were successfully repaired and one Server was repaired. One Server was unable to be fixed but its spare part will be used for the working Server.
- g. The Department of Personnel Management and the Office of the Auditor General are requesting for establishment of their servers within the OMB Server Rack. OMB will be working with DPM and OAG to accomplish this task.
- h. The Senior Information Systems Technician attended the NetWorld InterOp in Las Vegas, April 27 – 30, 2010. His participation and experience has provided awareness of "cutting edge" technology in office environment and may help OMB identify certain IT needs.

IV. Status of On-going Projects, Initiatives and Conditions of Appropriation

a. Systems Section:

- 1. Web filters still needs to be installed. Request for assistance is still pending at Department of Information Technology. But we will continue to work with Department of Information Technology to install a web filter on OMB network. This web filter will assist in blocking unsolicited sites on OMB network.
- 2. Continue to reformat or incorporate update automation into the FY 2011 Budget Report Generator Database.
- 3. New hardware/software installation. There is a total of eight new laptops requiring setup. Systems Section will continue to work with those staff's schedule to complete the transition from the old to new system.
- 2. Continue to improve the OMB document tracking system, this will improve the current database, i.e., budget transfer, incoming mail, and § 164 document log.

b. Budget Section:

- 1. Continue to process budget revision requests on a daily basis.
- 2. Continue to respond to inquiries regarding the preparation of the FY 2011 Navajo Nation budget and other budget related matters.
- 3. Began review of approximately 400 Navajo Nation proposed program budgets, including all Navajo Nation chapters' proposed budgets.

4. Assist all Navajo Nation programs with the preparation of the FY 2011 budgets and ensure the programs adhere to the tight budget schedule. In addition, prepare budget information for the Executive Branch Budget Review Team, the oversight committees, the Budget and Finance Committee and the Navajo Nation Council.
 5. Continue to review supplemental budget requests, the small percentage that honors the review requirements of the Appropriations Act, and analyze and compile information for presentations to the Navajo Nation President, the respective oversight committees and the Navajo Nation Council.
- c. Management and Policy Section:
1. Continue issuing new Company Numbers and Account Set-up verification using the Nation's FMIS/JD Edwards financial software for the Contracts and Grants Section of OMB.
 2. Continue to provide daily assistance to OMB and Navajo Nation tribal employees on the use of the FMIS/JD Edwards electronic financial software regarding budget administration, contracts/grants/project account set up and other related usage.
 4. JDE Fund Accounts (work in progress) is pending the verification of resolutions that established the Fund Management Plans to determine active and non-active accounts.

V. Problems / Recommendations.

- a. Supplemental funding budget proposals bypass the review and analysis requirements required under the Navajo Nation Appropriations Act. There are too many instances where the legislative sponsor presents their proposal directly to the legislative staff without the required reviews by appropriate offices. The lack of review by the affected parties results in incomplete budget forms, or having vague, erroneous or conflicting information. In particular, capital projects get funded without proper pre-requisites for constructions.
- b. The Navajo Nation needs to look carefully at the general fund deficit in FY 2010 with revenues being short again for the FY 2011 budget. Strategies need to be considered and developed on how to deal with the possible shortage of revenue next fiscal year and in the development of the overall Navajo Nation FY 2011 budget.
- c. The 2004 amendments to Title 2 requiring that legislation be drafted only by Legislative Branch, reviewed only by Legislative, heard only by Legislative, and enacted by Legislative is causing problems. OMB has the duty, by law, to conduct budget impact analyses of budget related legislation but proposed legislation is not sent to OMB at all. This same problem applies to other offices that have similar responsibilities, e.g., DOJ, Controller, Office of President, affected Divisions, etc. Consequently, the Navajo Nation Council and standing committees do not receive appropriate advice and analyses resulting in less than optimal decisions. Much of Navajo government business is not open to the public.
- e. There are no longer any control mechanisms that act to curb unnecessary appropriations by the Navajo Nation Council. Legislation is drafted with "waiver" language regularly. Supplemental funding legislation, for any purpose, is introduced and goes all the way to the Navajo Nation Council regardless of problems and deficiencies in the legislation or budget(s). Oversight committee recommendations are rarely considered. And then, at Navajo Nation Council, rider amendments for more appropriations are made. Budget purpose, costs, and object codes are not reviewed. This results in poor planning and funding for non-priorities. As long as this is allowed to continue, more and more programs and people will go directly to Navajo Nation Council and not follow processes and procedures of Navajo Nation law (Appropriations Act). Those programs who choose, commendably, to follow the laws and policies and procedures, are essentially denied proper consideration by these actions. Simply compliance with the Navajo Nation laws and policies and procedures would correct this.

OFFICE OF MISS NAVAJO NATION



DINAH WAUNKA
PROGRAM SUPERVISOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
OFFICE OF MISS NAVAJO
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

PROGRAM INFORMATION

Miss Navajo Nation:	Tashina C. Nelson
Program Supervisor I:	Dinah Wauneka
Telephone No.:	928-871-6379

OBJECTIVE

The Office of Miss Navajo Nation is established for the purpose of Miss Navajo Nation, the Goodwill Ambassador of the Navajo Nation. The Office of Miss Navajo Nation is established within the Office of the President and the Vice President under the Executive Branch of the Navajo Nation. Our office is to advocate on behalf of Miss Navajo Nation, who during her one year reign represents herself in the role of a “daughter, sister, aunt, mother, and a grandmother.” Miss Navajo Nation is to encourage all Navajo people to preserve our Navajo Culture, Traditions, and Language.

ACCOMPLISHMENTS

The Office of Miss Navajo Nation performed duties and responsibilities in promoting the Office of Miss Navajo Nation as well as promoting Tashina C. Nelson, Miss Navajo Nation 2009-10 by scheduling appearances at many schools, Navajo Nation program conferences, staff meetings, pageant meetings, fair meetings, Navajo Nation program meetings, social events, and planning the annual Miss Navajo Nation Pageant to accomplish goals set within the program.

The Office of Miss Navajo Nation would like to extend our gratitude to all of the Navajo Nation programs, schools and other entities who have worked closely with our office to promote the Navajo Culture, Tradition and Language. Each year, Miss Navajo Nation is selected as the Goodwill Ambassador for the Navajo Nation. Throughout her reign, she promotes a healthy lifestyle and promotes awareness of social issues.

The Office of Miss Navajo Nation has fulfilled and exceeded the performance measurements for the third quarter in accordance to FY2010 Budget as follows:

Third Quarter	Promote preservation of Navajo culture, language & tradition 1,000 participants per quarter	Participate in current activities with NN div., depts. and NN Org. 15 events per quarter	Promote education by visiting schools on/off reservation 15 schools per quarter	Promote MNN through entertainment, public speaking & presentations 1,000 participants per quarter	Conduct and coordinate meetings – staff, NN depts., pageant, etc. 12 meetings per quarter
April 2010	13,300	10	9	13,400	4
May 2010	2,900	5	12	2,900	10
June 2010	2,200	8	0	2,200	12
TOTAL	18,300	23	21	18,500	26

In the third quarter, Miss Navajo Nation attended a variety of program meetings, conferences and the Navajo Nation Council Winter Session. She also visited many schools within the five agencies and speak to children of all ages to continue their education. In addition, she continues to advocate for the preservation of the Navajo culture, language and tradition at all events attended. The following are just a couple highlights of the quarter.

2010 GATHERING OF NATIONS **April 23 & 24, 2010**

Miss Navajo Nation attended the 2010 Gathering of Nations festivities held on April 23 & 24, 2010 in Albuquerque, New Mexico as the Goodwill Ambassador of the Navajo Nation. She attended the Traditional Competition to provide support for all of the Navajo contestants participating in the Miss Indian World competition. In addition to the competition categories, she also attended the pow wow festivities. The Office of Miss Navajo Nation would like to commend Miss Emerald Dahozy/Navajo of Fort Defiance, Arizona who was awarded First Runner Up and Miss Everita Thinn/Navajo of Shonto, Arizona who was awarded Second Runner Up. It was an honor for Miss Navajo Nation to represent the Navajo Nation amongst the many different Indian nations.



2010 GRADUATIONS

Miss Navajo Nation was invited and attended numerous graduations as a special guest speaker varying from headstart to college throughout the Navajo Nation. Her main message and focus pertained to the importance of continuing education and to maintain and preserve the Navajo Way of Life. In addition to speaking to the children, she expressed her appreciation to all parents and grandparents for their unconditional support in their children's academic careers.

2010 SUMMER SUICIDE AWARENESS CONFERENCE **Hosted by Miss Navajo Nation & Regional DBHS** **June 25, 2010**

"Tina lilli: Honor your life" was the theme of the event. As you may be aware, there have been a number of suicide attempts and completions in the Thoreau area in the last few months. Unfortunately, suicide and suicide attempts aren't secular to Thoreau or the immediate surrounding areas - the problem is reservation and nationwide. As a way to begin talking about the subject of suicide and self-harm, the Office of Miss Navajo Nation teamed up with the Navajo Regional Behavioral Health Authority being that the platform as Miss Navajo Nation is on depression and suicide prevention. Together, we hosted a Suicide Awareness Conference on June 25, 2010 from 9:00 a.m. to 4:00 p.m. at the Navajo Nation Museum in Window Rock, Arizona. Many programs participated by setting up a booth to provide information about resources their program has available to help people. The target audience of our conference was students, parents and community members. Our goal was to break the code of silence and begin talking about suicide and self-harm and to recognize signs and symptoms of depression so we can get ourselves or others the help that is needed.

LOUVA DAHOZY DAY **June 16, 2010**

Louva Dahozy Day took place in St. Johns, Arizona. Apache County recognized Louva Dahozy for her dedicated volunteer services to advocate for voting rights, voter education, voter registration and participation in all elections. Louva Dahozy has spent over 50 years traveling throughout Apache County and the state of Arizona to provide education and advocating registration and voting. A parade and a celebration banquet was held to honor her achievements.



MISS NAVAJO NATION PAGEANT 2010

This year, the Annual Miss Navajo Nation Pageant is solely being sponsored by Navajo Arts & Craft Enterprise of Window Rock, Arizona. The Office of Miss Navajo Nation and the Pageant Committee has been working diligently to finalize all preparations for the upcoming pageant.

The Miss Navajo Nation Pageant 2010 scheduled to commence on September 6-11, 2010 as follows:

2010 MISS NAVAJO NATION – PAGEANT SCHEDULE

Monday, September 6, 2010:	9:00 a.m.	Butchering/Fry Bread Competition - TBA
Tuesday, September 7, 2010:	2:00 p.m.	Etiquette Workshop (closed to public)
Wednesday, September 8, 2010:	10:00 a.m.	Contemporary Competition/NACE
	4:00 p.m.	Traditional Competition/NACE
Thursday, September 9, 2010:	2:00 p.m.	Interview Panel Judging(closed to public)
Friday, September 10, 2010:	9:00 a.m.	Self Defense Workshop (closed to public)
Saturday, September 11, 2010:	7:00 p.m.	Coronation of Miss Navajo 2010-2011/NACE

The contestant applications are currently available at the Office of Miss Navajo Nation. The deadline to submit application is Friday, July 30, 2010.

For more information on upcoming events or to invite Miss Navajo Nation, please contact our office or send an email to missnavajonation@yahoo.com. The Office of Miss Navajo Nation can be reach at (928) 871-6379. Our office is located at the Navajo Nation Museum, Window Rock, Arizona.

OFFICE OF
NAVAJO TAX COMMISSION



MARTIN ASHLEY
EXECUTIVE DIRECTOR

FY 2010 - 3RD QUARTERLY REPORT

The Navajo Nation
OFFICE OF NAVAJO TAX COMMISSION
 Third Quarterly Report—Fiscal Year 2010
 (April – May – June 2010)

I. Program Information

Division Executive Director: Martin E. Ashley
 Telephone No.: 928-871-6992
 Facsimile No: 928-871-7608
 Web Address: www.navajotax.org

Departments:

Accounting Department Sue Bizade, Principal Accountant
 Audit Department Lawrence Sorrell, Principal Tax Auditor
 Compliance Department Larieta L. Tso, Senior Tax Compliance Officer
 Valuations Department Ethel O. House, Senior Mineral Assessment Specialist
 Department of Justice (Tax Unit) Marcelino Gomez, Assistant Attorney General

II. FY 2010 Budget/Performance Information as of June 30, 2010

	Original Budget	Actuals	Encumbrances	Budget Balance	Expensed
Revenues	(1,427,307.00)	19,578.53	-	(1,407,728.47)	-1%
Expenses					
2001 Personnel Exp	1,209,814.00	765,422.50	19,578.53	424,812.97	65%
3110 Fleet	1,500.00	699.34	-	800.66	47%
3210 Vehicle Rental	3,000.00	1,493.97	-	1,506.03	50%
3230 Personal Travel	26,057.31	24,079.58	-	1,977.73	92%
3310 Commercial Air	4,945.00	2,752.80	-	2,192.20	56%
3610 Meetings	8,500.00	1,000.00	-	7,500.00	12%
4130 Office Supplies	279.00	177.78	-	101.22	64%
4410 Office Sup & Eqmt	6,420.00	6,001.82	-	418.18	93%
5110 Building Lease	110,850.00	55,424.74	55,424.74	0.52	100%
5170 Equipment Lease	9,236.00	5,994.80	2,997.40	243.80	97%
5520 Telephone	1,842.00	991.84	394.86	455.30	75%
5570 Internet	7,980.00	5,985.00	1,995.00	-	100%
5610 Wireless	720.00	645.22	210.00	(135.22)	119%
6520 Contractual Serv	25,000.00	23,877.80	1,122.20	-	100%
7110 Programs	190.69	578.01	-	(387.32)	303%
7410 Media	990.00	452.40	138.00	399.60	60%
7510 Training	1,155.00	820.00	-	335.00	71%
7710 Ins Premiums	8,828.00	3,640.91	-	5,187.09	41%
Total Expenses	1,427,307.00	900,038.51	81,860.73	445,407.76	69%

- A. Staffing -
 The office has 2 vacancies: a Tax Auditor and a Minerals Assessment Specialist. The Tax Auditor and Minerals Assessment Specialist Positions are budgeted at 50% in the FY 2010 budget due to limited funding received. The vacant Tax Compliance Office position was filled during the 3rd quarter 2010.
- B. Operational Budget -
 ONTC expended 65% of the personnel budget; this is less than 75% due to the vacancies in three positions during the first two quarters of the fiscal year. Overall ONTC expended 69% of the FY 2010 Budget. On the operating budget ONTC has expended 91% of the FY 2010 budget.
- C. A reduction of 1% impacted our personnel budget by \$19,578.53 due to the NNC legislation seeking resources to address the Winter Emergency situation. ONTC had budgeted two positions at 50% to start April 1, 2010 due to FY 2010 budget allocation limitation. The calculation of the anticipated savings for the Personnel Lapse took half of the 50%. This action negatively impacted our staffing situation and don't have the funding to hire on April 1, 2010.

III. Accomplishments

- A. FY 2010 Overall Tax Revenue Collection as of June, 2010 of \$71,812,952 is 87% of the \$82 million projection. The excess tax collection for the three quarters of FY 2010 is due to PIT and Sales Tax Non-retail being higher than the original projection.
- B. FY 2010 General Fund Tax Revenue Collection as of June 30, 2010 of \$51,296,157 is 90% of the \$56.9 million projection. The excess for the three quarters of FY 2010 is due to the actual PIT and Non-retail Sales Tax received being higher than the original projection.

	<u>1st Qtr '10</u>	<u>2nd Qtr '10</u>	<u>3rd Qtr '10</u>	<u>4th Qtr '10</u>	<u>Total</u>
Sales - Non Retail	5,750,424	5,268,647	5,729,934	-	16,749,004
TPT	5,174	53,952	50,455	-	109,580
PIT	15,021,496	311,586	11,032,467	-	26,365,548
SEV	1,757,729	1,860,491	2,011,976	-	5,630,197
BAT	2,642,157	2,638,574	1,348,348	-	6,629,080
FET	3,442,586	2,965,257	3,344,646	-	9,752,490
FET - Licenses	12,100	2,000	400	-	14,500
HOT	429,616	348,705	245,667	-	1,023,988
Sales - Retail	<u>1,895,386</u>	<u>1,825,959</u>	<u>1,817,220</u>	-	<u>5,538,565</u>
	<u>30,956,668</u>	<u>15,275,171</u>	<u>25,581,112</u>	-	<u>71,812,952</u>

- C. Liquor Regulation – This responsibility was given to the ONTC without any funding or appropriation and therefore is an unfunded mandate. ONTC is continuing to be the regulatory body regulating liquor sales since the only one is the Fire Rock Navajo Casino.
- D. Tax Compliance Activities – The Compliance Section performed 1,684 desk and office audits and issued 111 assessments for lack of clerical accuracy or failure to timely file or pay taxes due. Compliance Section also made 24 field visits under the Fuel Excise Tax Retail Inspections. For Calendar Year 2010 97% of the FET Taxpayers are licensed.
- E. Tax Compliance Activities – 4 compliance meetings/presentations were attended during this quarter; NN Telecommunication Regulatory Commission at St. Michael, AZ, HSSC on the Tobacco Tax Legislation in Window Rock, 2010 Chapter Officials Convention in Gallup, NM and meeting with Kenneth Maryboy and Lansing Construction in St. Michael, AZ.
- F. Compliance Liquor Licensing – Compliance staff made a site visit to Fire Rock Navajo Casino for a site inspection for compliance with the liquor licensing requirement. Employees that were serving liquor were all licensed.
- G. Tax Audits – two field audit assessments issued and four preliminary findings, and conducted 9 field audits. Tax Audit staff coordinated with the Arizona Department of Transportation on four (4) Fuel Excise Tax Audits.
- H. Tax Audit staff assisted the legal staff with audits that were on appeals which included Sunshine Builders, Coreslab, and Antelope Point Holding, LLC. Audit staff also assisted in the agreements being entered with two taxpayers to make monthly installment payments on unpaid taxes.
- I. Tax Valuations – appraised 108 leases. Senior Minerals Assessment Specialist and other ONTC staff toured the McKinley Mine and Peabody Mine in April 2010.
- J. Tax Appeals – held conferences in 19 cases this quarter, opened 14 new appeals, closed 5, and currently have a total of 98 open appeals, although some of those simply remain open because the taxpayer is on a payment plan, and the appeals are kept open until the payments are completed.
- K. Sales Tax – The Navajo Nation Sales Tax was amended by the Navajo Nation Council during the Fall Session and signed into law by the Office of the President/Vice President. The amendment authorized governance-certified chapters to impose a local tax rate on top of the national 4% rate. This amendment also removed the allocation directly to certified chapters, instead depositing all revenue generated by on-reservation businesses into the Sales Tax Trust Fund for annual distribution under the 50/50 allocation. On March 1, 2010 To’Nanees’Dizi Chapter implemented its own Sales Tax pursuant to amendment authorized and approved by the Navajo Nation Council.
- L. State Relations –New Mexico – the legislature adopted, and Governor Richardson signed legislation increasing the tobacco tax by 75 cents per pack, but allowing any distributor selling to tribally-licensed retailers selling on reservations or pueblos where the tribe has imposed its own tax of 75 cents per pack or greater to obtain a tax credit stamp and pay the tribal tax in place of the state tax. Arizona – there is legislation that directly impacts the Navajo taxing program. There are a couple of bills that are designed to increase the amount of state tax revenue flowing to the Nation.
- M. Federal Issues – Federal legislation has been discussed over the past several years regarding the Streamlined Sales Tax Project. The States are beginning to seriously consider how to include tribes in the process. ONTC also continued to participate in the Federal Highway Administration (FHWA) Grant “Promoting Fuel Tax Compliance in Indian Country.” ONTC staff met with representatives from the Arizona Department of Transportation and the Navajo Nation Weights and Measures office to discuss future site visits.
- N. Navajo Tax Commission – The Commission met on February 18, 2010 and discussed several revenue generating ideas, amending the Sales Tax Regulations, Amendments to the Navajo Tobacco Products Tax and Licensing Act recommending approval by the appropriate standing Committees and Navajo Nation Council, and Amending the Fuel Excise Tax Regulations. Fuel Excise Tax rate increase for diesel to 25 cents went into effect on July 1, 2010.
- O. Pending/Proposed Legislation – The Tobacco Products Tax (TPT) legislation has been presented to the Health & Social Services Committee, Budget and Finance Committee and the Ethics & Rules Committee. This legislation will be presented to the Navajo Nation Council during the Summer Session. The intent of the amendment is to increase the TPT, to change the specific requirement of tax rate changes to be made by regulation rather than being in the Navajo Nation Code and to delete the Navajo Nation licensing requirements from the Code.
- P. Community Outreach – Our Compliance Section continued to inform the public about our Navajo taxes, through presentations requested by the Eastern Regional Business Development Office (RBDO).

IV. Status of on-going Projects, Initiatives, and COA's

- A. Ongoing Projects –
 - 1. Section Goals –
 - a. The Audit Section is continuing to audit taxpayers within the seven taxes. These field audits help to determine if additional tax, interest and penalties are due to the Navajo Nation. They also assist in ensuring that taxpayers voluntarily comply with the Navajo Nation tax code.
 - b. The Compliance Section is continuing to perform desk audit reviews of taxpayer's returns as they are submitted to the office. These desk audit reviews determine timely filing, timely payment and clerical accuracy of the return. Thus, taxpayers are made aware of issues in a timely manner. Furthermore, the section continues to provide presentations to the general public as requested.
 - c. The Accounting Section is working to improve the Tax Revenue database. This is vital information that is used to monitor tax collections and to extrapolate future tax revenue. This section also remits monthly reports and quarterly payments to the State of Arizona pursuant to our Fuel Excise Tax intergovernmental agreement.
 - d. The Valuations Section works to administer all aspects of the Possessory Interest Tax.
 - 2. Intergovernmental Agreements – the current intergovernmental agreements with surrounding states provide very useful information to both the Office of the Navajo Tax Commission and the States.
 - 3. Federal Highway Grant “Promoting Fuel Tax Compliance in Indian Country” – ONTC continued our involvement in this grant. During this quarter, ONTC and NN Weights and Measures met with the Arizona Department of Transportation (AZ DOT) the main grant recipient of the Federal Highway Grant and the two NN offices are sub-recipients. Site visits were conducted jointly in June 2010 with all three offices participating (ONTC, NN Weights & Measures and AZ DOT).
 - 4. Tax Administration System – the office continues to enter information on tax payments, fuel deliveries and assessment information into the system. With this information, the office can monitor critical data like fuel deliveries, sales tax collection and tax revenue collection.
- B. Initiatives -
BUY NAVAJO - It is important to educate the Navajo consumers about the need to “Buy Navajo.” All the revenue from purchases made of Navajo goods and services will benefit the Navajo Nation and the businesses within the Navajo Nation. For every \$1 spent on the Nation, \$.04 comes back to the Nation to provide revenue for the Chapters, the Nation's General Fund, and the Judicial/Public Safety Facilities Fund. For every gallon purchased from Navajo Nation gas stations; \$.18 goes to the Nation's Road Maintenance Fund.
- C. COAs:
None.

V. Status of Action Plan

- A. Immediate plan
 - 1. Comprehensive assessment and plan for additional tax revenues – ONTC is continuing to review current tax statutes to provide recommendations on proposed changes for additional tax revenue generation.
 - 2. Establish Navajo Nation Tax Policy – This is currently in place. It is the policy of the Navajo Nation to tax all transactions and not discriminate between Navajo, Indian and Non-Indian.
 - 3. ONTC to continue coordination with other offices, agencies, or consultants to gain perspective on economic conditions of the Navajo Nation in regards to broadening our tax base for the future.
- B. Ensure that the current taxing system supports and promotes the business sector on the Navajo Nation – this is on-going.

VI. Outstanding Program Issues

- A. The Navajo Tax Commission and the ONTC strongly recommend that an Alcoholic Beverage Commission and corresponding Office be created as soon as possible to regulate liquor activity within the Navajo Nation.

- B. Due to the high volume of sales tax taxpayers, ONTC needs additional Tax Compliance Officers to better monitor and collect tax activity due the Navajo Nation.

VII. Problems/Recommendations

- A. ONTC has had difficulty in filling the vacant positions. Additionally, there are two positions that were placed on budget freeze for FY 2009 and the savings from those two positions were transferred or reallocated out of ONTC budget. These same two positions were funded at 50% in FY 2010 and during this winter the NNC allocated \$1 million from anticipated Personnel Lapse during the 1st Quarter of FY 2010. The calculation for the Personnel Lapse **inappropriately** included half of the 50% (25%) that was budgeted. Therefore, ONTC can't hire these two positions until July 1, 2010 instead of April 1, 2010.
- B. ONTC had initiated a scanning project to scan files to be stored in the computer system. This project was put on hold pending clarification from the Department of Justice on the legality of using scanned documents for litigation purposes.
- C. ONTC was provided the FY 2010 budget allocation, this is the same amount as FY 2009 and due to the GWA and step increases for the prior year (increase in personnel cost) the operating budget is having to be reduced by \$83,767. ONTC has a limited operating budget for FY 2010. This budget issue is impacting scheduled audits for August and September 2010 as there are no more travel funds available.