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**Navajo Nation Council approves amendments to
legislation related to the acquisition of BHP Navajo Mine**

WINDOW ROCK –On the final day of the Council’s Fall Session, Council members voted 16-5 in favor of Legislation No. 0149-13, approving amendments to CAP-20-13.

CAP-20-13 is the original legislation passed by Council on Apr. 29, establishing the Navajo Transitional Energy Company, LLC which is tasked with carrying out necessary business actions on behalf of the Nation in its endeavors to acquire BHP Navajo Mine.

“The legislation before you will amend the initial legislation which created NTEC and it also amends the Operating Agreement,” said legislation sponsor Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood).

Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) drew attention to language within “Exhibit G” of the legislation that grants certain waivers for BHP Billiton and releases the company from future claims and obligations concerning Navajo Mine.

Following Delegate Curley’s statements in which he urged his Council colleagues to vote down the legislation, Council Delegate Russell Begaye (Shiprock) proposed an amendment to add language that would prevent BHP Billiton from obtaining waivers from possible claims in the future.

“The reason for the amendment is to hold BHP responsible for anything they have done,” said Delegate Begaye. “They should be responsible for those things, not the Navajo Nation.”

Speaking in support of the legislation, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said he felt the amendment was unnecessary based on the due diligence study conducted on the mine.

“I trust these people that are telling us everything and if they’re not telling us everything then that’s fraud. There’s still the federal remedy if they’ve done that,” said Delegate Tsosie.

Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) urged Council members to vote down the amendment.

“It was explained that in the slimmest event there’s a federal remedy to address anything that’s occurred in the past,” Delegate Bates said. “If we support [the amendment] then we might as well walk away from the deal.”

After nearly two hours of debate, Council members voted down the amendment with 4 supporting and 16 opposing.

Council then immediately voted 16-5 to approve Legislation No. 0149-13.

President Shelly will have 10 calendar days to consider the bill once it is sent to the Office of the President and Vice President.

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