



**Speaker's Report to the Council
Speaker Johnny Naize**

- Second Quarterly Report -

**Presented To The
21st Navajo Nation Council**

Monday, April 18, 2011

*Y*á át'ééh, Honorable Council Delegates of the 22nd Navajo Nation Council, President Ben Shelly, Vice President Rex Lee Jim, Chief Justice Herb Yazzie, distinguished guests, visitors and staff. I would like to extend an extra welcome to Congressman Ben Lujan Jr., who traveled from Washington DC, to join us, thank you for being here today.

It is my pleasure to welcome you to the 2011 Spring Session of the 22nd Navajo Nation Council.

A New Dawn

As during our meeting in January, the first as the newly formed 24 Navajo Nation Council, we continue the transition from having 88 members in this chamber to 24. This transition has been challenging as the new Legislative Branch is reborn with new legislative processes and committee structures being organized to handle the people's business.

We, in the 22nd Navajo Nation Council, have been awarded the task by the people to reorganize the Legislative Branch.

So before we can continue with the business of government, we need to ensure our actions are sanctioned by Title II of the Navajo Nation Code. Currently the Title language outlines the old Council structure of 88 delegates. Our job is to amend that language.

Streamlining the process of any government system makes any government more efficient in its performance. For that very reason, the Legislative Branch is changing outdated policies, procedures and practices.

It is our goal to reorganize the legislative process so that doing business with and on the Navajo Nation is simpler and can increase economic opportunities and job creation.

Furthermore, infrastructure development, law enforcement, and improved services to veterans, the elderly, and the youth are all goals of the Navajo Nation Council and we are prepared to work with President Shelly in accomplishing these efforts.

However, in this quest for a better Navajo Nation, it cannot be at the price of compromising the culture and values that are rooted in Navajo society.

Cultural awareness and preservation is very important to us. Each of us tries to incorporate those aspects in our daily lives; it is what makes us Diné.

A New Council Structure

We started off this quarter with the Navajo Nation Council establishing a new committee structure to operate its business. We separated into two think tanks to discuss how the previous twelve committee oversight duties could be consolidated into a four committee structure. These were the seeds for the proposed amendments to Title II of the Navajo Nation Code.

The Council agreed the new committee system would consist of four standing committees, based on the number "four" as a significant figure in Navajo philosophy. These four became known as: Budget and Finance, Resources and Infrastructure, Law and Order, and Human Development. In addition, it was decided to delegate the duties and powers of the former Intergovernmental Relations, Government Services and Ethics and Rules Committees to a new Council of 24 members, now known as the Nabik'iyati' Committee.

This new committee structure, which translated means "having an extensive discussion to arrive at a mutual decision," was the Council's solution, with help from the Diné Policy Institute, to integrate Navajo traditional concepts of thinking, planning, life, and achievement into the governmental process.

With the creation of these four subcommittees I would like to announce the Delegate assignments and their chairpersons.

The Navajo Nation Council Budget and Finance subcommittee selected Council Delegate LoRenzo Bates as its Chairperson. Council Delegate Jonathan Nez was selected to serve as Vice Chairperson.

On the subcommittee with Bates and Nez are Council Delegates Mel R. Begay, Nelson S. Begaye, Lorenzo Curley, and Leonard Tsosie.

The Budget and Finance Committee serves as oversight for the Navajo Nation Division of Finance and coordinates, oversees, and regulates the fiscal, financial, investment, contracting and auditing polices of the Navajo Nation. The subcommittee also reviews the annual budgets of the Bureau of Indian Affairs, the Indian Health Service and other departments and agencies of the federal government.

The Navajo Nation Council Resources Infrastructure Subcommittee selected Council Delegate Katherine Benally as its Chairperson. Council Delegate Charles Damon II was selected to serve as Vice Chairperson.

On the committee with Benally and Damon are Council Delegates George Apachito, Leonard Pete, Roscoe Smith, and David Tom.

This subcommittee serves as oversight for several Navajo Nation Divisions and Offices including Natural Resources, Community Development, Economic Development, Transportation and the Navajo Environmental Protection Agency.

The Navajo Nation Council Law and Order subcommittee selected Council Delegate Edmund E. Yazzie as its Chairperson. Council Delegate Alton Joe Shepherd was selected to serve as Vice Chairperson.

On the subcommittee with Yazzie and Shepherd are Council Delegates Elmer P. Begay, Russell Begaye, and Duane Tsinigine.

This subcommittee serves as oversight for the Navajo Nation Division of Public Safety and Office of Ethics and Rules, and coordinates with the courts of the Navajo Nation, the states, the federal court system and the administrative-judicial of the Department of Interior. The subcommittee also screens candidates for Chief and Associate Justices of the Navajo Nation Supreme Court and other lower courts.

The Navajo Nation Council Human Development subcommittee selected Council Delegate Walter Phelps as its Chairperson. Council Delegate Dwight Witherspoon was selected to serve as Vice Chairperson. On the subcommittee with Phelps and Witherspoon are Council Delegates Jonathan Hale, Kenneth Maryboy, Joshua Lavar Butler, and Danny Simpson.

This subcommittee serves as oversight for the Navajo Nation Division of Health, Division of Social Services, Division of Human Resources as well as the Division of Diné Education, Navajo Nation Board of Education, and colleges within the Nation.

The subcommittee also enacts regulations of the labor laws and policies of the Navajo Nation including laws relating for veterans services.

Title II Subcommittee

Following the Winter Session the Council created a temporary Title II Subcommittee or Task Force. This subcommittee was tasked to create the language for the amendments to Title II – those amendments we will consider during this Council session.

I want to thank those on the subcommittee for their work and long hours, Delegate and Chairperson Leonard Tsosie, LoRenzo Bates, Katherine Benally, Walter Phelps, Dwight Witherspoon, Jonathan Nez, Joshua Lavar Butler, and Alton Shepherd.

During this past quarter I spoke on the importance for the Navajo Nation Council to complete discussions on amending Title II and submit the draft language for adoption of a new structure for the Legislative Branch.

We also heard growing concerns from the people that the restructuring of the Council was not moving fast enough. Building a new government is complex and the Council and I want to make sure we get these

amendments right, with careful and thoughtful consideration, as we begin this new era of representing the people.

We also want to thank the Navajo People for being patient and understanding toward your Council Delegate, especially if they haven't been able to attend some of your local chapter meetings.

After eight weeks of discussions, on April 2, the Title II Subcommittee of the Nabik'iyati' Committee submitted its proposed legislation (NNC 148-11) for the Spring Session agenda for review prior to formal consideration by the Council.

However, even after this considerable process not all of the language in legislation had complete consensus. A Nabik'iyati' Committee meeting was held in Shiprock last week to strengthen the document.

Copies of the legislation have also been sent to the Executive and Judicial Branches for their information.

Navajo Nation Budget

This year the Navajo Nation Operating Budget is facing a deficit of more than \$20 million. The three branches will work together to fill in that shortfall with as much little impact to services to the people and personnel. As you probably well know, we are not alone in trying to adjust budgets for government programs. The news has been filled with budget struggles at the Federal and Statehouse level and we are not immune either. You will hear in the coming weeks how our three branches will make sure the Navajo people are not overly burdened in the loss of funding during these financially difficult times in the economy.

Laying a Foundation for Economic Development

As with many other governments the Navajo Nation will need to find additional sources of revenue and investment if we are to make it through these tough times. In February, Delegate Mel Begay and I traveled to New York City with Navajo Nation President Shelly to present before Standard & Poor officials who have determined a credit rating for the Nation to issue bonds for our economic development projects.

Issuing public bonds raises needed capital for projects. Through earlier discussions, it was decided that S&P would be most appropriate for the Nation as it has had the most experience working with other Native Nations, as well as those in corporate America.

In March, President Ben Shelly and I met with Arizona Governor Jan Brewer and Attorney General Tom Horne in an effort to build new relationships as we begin our new terms in office.

On behalf of the Council, I thanked Governor Brewer for helping the Navajo Nation in urging the Bureau of Indian Affairs to adjust the land status to allow for the building of the Twin Arrows Resort and Spa, now under construction in Leupp. I also told her of the cooperation our transportation folks have been receiving from ADOT (Arizona Department of Transportation) toward the interchange that will serve the project.

Governor Brewer thanked the President and me for the efforts the Navajo Nation made as they planned for the gaming operation. She appreciated how the Nation reached out for community input to minimize the impacts to its neighbors.

We also talked about the challenges facing our governments during these lean fiscal times and I acknowledged her message to statehouse leaders that rather than making cuts across the board that tend to weaken needed assistance and education programs, there should be an effort to make strategic cuts that would streamline the bureaucracy first.

President Shelly and I also had the chance to talk with Arizona Attorney General Tom Horne. We thanked him for his understanding of the unique legal status that tribes have at the state and federal level, an understanding he attributed to his previous position as the Arizona Superintendent of Instruction.

I assured him that the Council looks forward to working with him and his office on various issues from taxation to further defining the role of a government-to-government relationship with the State of Arizona. He stated that the state and the tribes in Arizona will not always agree on the approach to address different issues, but he also said having a great stable relationship and friendship between the two groups would make those conflicts fewer and easier to navigate when they occur.

In addition to these meetings we also had the opportunity to attend two important groundbreaking ceremonies that are laying the foundation for our economic future.

In February, I joined Delegate LoRenzo Bates, President Shelly, the Navajo Nation Gaming Enterprise folks and numerous community leaders and residents to begin construction of the new Northern Edge Casino in Upper Fruitland, New Mexico, just outside Farmington. When it opens next year, the Northern Edge Navajo Casino will have a 120-seat restaurant, 750 slot machines and table and poker games.

In March, the scene was repeated again but this time in Leupp, Arizona. There I joined Delegate Walter Phelps and the community to start construction of the largest of the planned Navajo Casino operations, the Twin Arrows Casino Resort & Spa just off of Interstate 40. The resort will be the first Navajo operation to have a hotel and conference center and will employ approximately 800 people when it opens in 2012.

These two events gave me the chance to tell the audiences that while our gaming operations are an increased presence; this industry should only be a part of developing more economic opportunities for families and their communities.

Gaming is not our only economic development tool; we already have people working in a variety of small businesses from arts and crafts to raising livestock and farming. We need to make sure our pursuit of future economic opportunities do not leave these existing businesses behind.

However, since we are operating casinos, we still need fairness when negotiating future gaming compacts with Arizona and New Mexico. I can assure you that the Council, along with President Shelly, will continue to fight for the best share of economic opportunities for the Navajo Nation. But we also need to include our tribal neighbors to make sure our enterprises are protected at the state and federal level.

To help us with that united voice the Council created the Gaming Task Force consisting of Delegates LoRenzo Bates, Edmund Yazzie, Joshua Lavar Butler, and Jonathan Hale. In March, the Task Force selected Mr. Butler to serve as the Navajo representative for the Arizona Indian Gaming Association.

I also mentioned the need for better economic balance with border towns. Our new gaming operations have the opportunity to improve cooperation with the border communities.

There has also been criticism of the Navajo Nation for its Navajo Employment Preference Laws but it has leveled the playing field for small Navajo businesses to participate in the construction of these larger projects and if used correctly does benefit the community at large.

Increasing Revenue

In February, we started our journey to bring additional revenues to the Navajo Nation by tackling the Arizona Public Service (APS) Lease extension for the Four Corners Power Plant near Fruitland, New Mexico. We passed the measure by a vote of 18-2 and it was signed by President Shelly.

While I know not everyone agrees with continuing the lease, I can tell you that the Council considered all concerned during our discussions and we believe we came up with a fair agreement.

This lease, set to terminate in 2016, will now expire in 2041 and will guarantee annual payments to the Navajo Nation for \$7 million.

Currently, the power plant, with the nearby Navajo Coal Mine employs approximately 1000 people with a majority being members of the Navajo Nation.

We know coal generated electricity is not environmentally friendly so the Council also added an amendment to the lease that instructs APS to adjust and recalibrate its facility to keep future emissions low as newer technologies develop.

In the continuing attempt to bolster renewable energy usage, Delegates Butler and Phelps attended the Plateau Solar Project lighting ceremony in Canyon Diablo in January. There residents, through the help of Electric Solar Water Power Systems and IINA Solutions, are attaching their homes to two kilowatt solar units.

The Project is an effort to bring solar electricity to rural elders and needy residents of northeastern Arizona and northwestern New Mexico. 27 elders, impacted by the Bennett Freeze, have been approved to receive electricity.

Delegates in Action

All the Delegates have been busy this quarter in their committees, organizing their new structures, electing chairpersons, and identifying those important issues to address once the committees are elevated in standing.

In February, Delegate Joshua Lavar Butler notified us of the emergency situation facing the Tuba City Judicial Court due to health hazards posed to staff, clientele and visitors during the planned construction of the new Tuba City Judicial/Public Safety Complex. He outlined several cost proposals for the temporary relocation of the court and is working with Navajo Nation Controller, Mark Grant, and the Director of Judicial Administration, Edward B. Martin, to identify funds for the relocation.

On March 28, Delegate Walter Phelps announced an update on water development projects in the Grand Falls, Box Springs and Black Falls areas of the Leupp Chapter. Working with the Department of Water

Resources' Najam Tariq, Delegate Phelps hopes the development of new wells, storage tanks and water lines will ensure a cleaner water supply for the area's families including those impacted by past uranium contamination.

During that same week, one of those projects passed a milestone and resulted in the delivery of water after a delivery of five water hauling trucks. Ultimately more than 150 homes will begin receiving piped water in the future.

In early March, Delegate Jonathan Hale with Navajo Nation Vice-President Rex Lee Jim attended the 13th Annual Health and Human Services (HHS) Tribal Consultation Budget Meeting hosted by HHS Secretary Kathleen Sebellis at the Hubert H. Humphrey Building in Washington DC.

Hale was glad to be part of the Navajo delegation and being able to meet other native health advocates and leaders from across the country. Navajo needs to stay involved and informed and stand in unison with our fellow tribes to ensure the people get the health care they need.

In Memoriam

This quarter we also remembered those who have served and helped the Navajo people and their communities through honor, courage, and leadership.

We lost three Navajo Code Talkers since January, a loss that can never be replaced.

In early February, Johnny Alfred died at the age of 91. He was a US Marine First Class and a Tuba City Resident. After the war Mr. Alfred worked as a social worker with the BIA.

February also saw the loss of Joe Antonio Silversmith, 86 years old. He was a US Marine Corporal who lived in Coolidge, New Mexico. He was a minister at the Whitewater Bible Church and the Thoreau Community Bible Church and loved working with the community.

Then in March news arrived of another hero lost. On March 16, Navajo Code Talker US Marine Corporal Lloyd Oliver, 88, of Phoenix, passed away in Avondale, Arizona. After the war ended, Corporal Oliver worked as a silversmith and lived with his wife in Camp Verde, on the Yavapai Apache Nation.

The Navajo Nation Council also lost a couple of colleagues this quarter.

Former Delegate Wesley Begay who represented Tsaille/Wheatfields Chapter during the 19th Council passed in February. After leaving the Council, Mr. Begay served as Chapter President and championed water issues for his community.

More recently, Tom LaPahe, who many of us knew from the 21st Council and represented Tachee/Blue Gap and Whippoorwill Chapters, suddenly died on March 7. We were all shocked and saddened about the sudden death of our friend and colleague. His leadership on the Council and Economic Development Committee and his dedication to improve the lives of the families in the communities he represented was extremely admirable. He loved the Navajo Nation and never lost faith in its people.

From the Judicial Branch we lost Tom Becenti who was 90 years old. A former judge and chapter official from the Eastern Agency as well as a rodeo fan and World War II veteran, many have said Navajo sovereignty is better because of his service. It's been said that he always made sure that the Treaty of 1868 was the basis of Navajo government.

From our immediate chapter family we recently mourned the sudden death of Lorenzo Isaac, Jr., the Chapter President of the Shonto Chapter. We will remember his dedication and leadership for his community. He will be missed.

Looking Ahead

Our work this week will go a long way to reestablishing the Legislative Branch to accomplish the people's business. After this session is completed, we look ahead to the Summer Session, where we will reevaluate the impacts created by the expected adoption of the amendments we are making this week to Title II and make the necessary adjustments. We will also explore how the new roles the Council and its Delegates have grown in this restructuring and make sure the people continue to benefit from our changes.

As I conclude this report I want to relate a couple of experiences I had during the past quarter working with our youth. I enjoyed interacting with these young people at these events and as the weather warms I will look forward to many more.

I think it is very important that we take the time to attend these activities and participate. It gives us the chance to bring government to our future group of leaders, some of whom will be occupying our chairs in the future. These boys and girls will be our next stewards of the Diné traditions, culture, sovereignty and government.

In February, on behalf of the Council, I had the honor of providing a keynote at the 1st annual Hero Twins Conference held in Farmington. This weekend forum had an audience of approximately 130 young boys and men who were informed that by understanding the importance of the values taught by traditional Navajo society, they are capable of not only preserving the Navajo culture but also self-determine their goals in life.

This event was sponsored by The Miss Navajo Council and the Ways of Life: Iina, a Ford Foundation Project. This is the same group that has sponsored similar gatherings to discuss the role of girls and women in Navajo society.

Both the boys and girls conferences featured several panel discussions ranging on topics from finding positive role models at school and at home, the importance of learning the Navajo language, to developing leadership skills for future Diné leaders.

I was also glad to visit the 2011 Navajo Nation Science Fair that was held in Window Rock. The three-day event, hosted by the Department of Diné Education Office of Science, Math, Technology and was attended by 37 schools and nearly 180 students, grades K through 12, from schools across the Navajo Nation.

There were many talented young people at the event and as I toured the exhibits, that featured model solar systems and volcanoes, I remember thinking I wish there was an event like this when I was their age.

As the tour finished I reminded the children to not to forget to thank your teachers and parents for letting you participate and be proud of your efforts and the schools you represent. I told them to remember to take this great experience with them – all the way to college.

So for these young people and their families we have our work cut out for us.

Let's finish the amendments and complete the Council's transition to representing the Navajo People with 24 Delegates. Our people are waiting, very patiently, for us to finish our work and focus our efforts representing them.

Ahéhee