



The 21st Navajo Nation Council
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FOR IMMEDIATE RELEASE

Council overrides President Shirley's veto of Wind Energy Project, approves legislation annexing parcel of Twin Arrows land for gaming

WINDOW ROCK, Ariz. – The 21st Navajo Nation Council convened for a special session and passed several pieces of legislation today, including the override of Navajo Nation President Joe Shirley's veto of Resolution CS-42-10 and legislation to annex the parcel of Twin Arrows land to the Leupp Chapter.

In an effort to develop a green Navajo economy, the Council overrode the president's veto by a vote of 64-8, which approves the lease negotiations between the Navajo Nation, Sempra Generation and IPP, Inc., for a 500 megawatt Wind Energy Project at Gray Mountain in Cameron Chapter. Honorable Bobby Robbins sponsored the override legislation.

Honorable Jack Colorado, a co-sponsor to the legislation, said the Wind Energy Project at Gray Mountain is a grass roots led-effort that will provide economic development opportunities for the local economy, as well as scholarship opportunities for students at Cameron Chapter.

According to the lease negotiations, Sempra Generation will fund 100 percent of the \$1.25 billion Wind Energy Project with construction completed by 2013. The project would create more than 400 construction jobs and 30 permanent jobs for Cameron Chapter and the Navajo Nation. The Wind Energy Project would generate lease revenue of \$1.3 million per year for Cameron Chapter and \$3.7 million per year for the Navajo Nation for 20 years.

Following the override legislation, the Council passed legislation to annex 405.61 acres of simple fee land to the Leupp Chapter on a vote of 63-2. Honorable Leonard Chee sponsored the legislation in an effort to move forward with gaming at the Twin Arrows site, which is located near Flagstaff, Ariz.

"The 405.61 acres of land contiguous to the Leupp Chapter was purchased by the Navajo Hopi Land Commission for the development of the Twin Arrows Casino and Resort," Chee said. "In order for development to occur, the Navajo Nation Council needs to pass this resolution. The federal government has already taken its action to put this land into trust status for the Nation."

Honorable Lorenzo Curley, who represents re-locatee Navajo constituents as a result of the Navajo-Hopi Land Dispute, expressed concern over Chee's legislation. He questioned the legality of Chee's legislation because of a pending lawsuit filed by the Forgotten People against the Navajo government's Navajo Hopi Land Commission. The Forgotten People, a non-profit and non-governmental organization on the Navajo Nation, filed an accounting suit against the NHLC on Aug. 4 to "find out where the rehabilitation trust fund monies and collected fee revenues are," which are to benefit Navajo relocatees, as well as Navajos living in the Former Bennett Freeze Area.

"The concern raised by Honorable Curley about the Forgotten People, and the money that was taken out of the rehabilitation trust fund has been replenished," said Chee, vice-chair for the Budget and Finance Committee and member on the NHLC. He also said Leupp Chapter needed to be involved in the annexation of the parcel because provisions in the Navajo Nation Code require a chapter to legalize gaming, as well as the legalization of alcohol.

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In other action, Honorable Leonard Tsosie sponsored legislation in an effort to alleviate the chaos between two factions at Diné College, where students have been served with temporary restraining orders and one arrest. Mr. Tsosie took the initiative to sponsor what he called emergency legislation, which went before the Education and Government Services Committee on Nov. 22. The Education Committee passed the legislation unanimously, while the Government Services Committee voted against the legislation, 4-3.

Mr. Tsosie said his legislation, which amends Title 10 of the Navajo Nation Code, is a tool to help address the situation at Diné College, which corresponds with the Navajo Supreme Court's Oct. 27 decision in *Ferlin Clark vs. Diné College*. He also said the legislation responds to President Shirley's inaction to appoint new Diné College Board of Regents; the legislation would have called the president to appoint new replacements within a ten day period.

On Nov. 12, Mr. Tsosie issued directives at a joint-committee meeting of the Education, Government Services and Judiciary Committees in an effort to address the instability at Diné College. Even with the directives, chaos escalated to higher levels, as staff and students were served with temporary restraining orders filed by the interim college president and appointed board of regents the same day the committee directives were issued. The actions of the interim college president and appointed board of regents resulted in Mr. Tsosie's legislation.

Honorable Ervin Keeswood, chair for the GSC, warned his colleagues of the passage of Mr. Tsosie's legislation.

"The GSC did not pass this document," explained Keeswood. "As you can see, the Council is subjecting itself to the Navajo Supreme Court. The Supreme Court indicated that the GSC should not interfere with the day-to-day activities of Diné College, pursuant to Title 10 §2003. This legislation is what the chief justice wants. He wants us to be subjected and if we pass this legislation we will no longer be the governing body."

"We want to see change at Diné College but President Shirley has not brought forth names to the GSC for new Diné College Board of Regents," said Keeswood, adding that the lack of quorum has been the key issue. "To date, we have not seen the recommendations unless I am going blind. Nothing has happened yet. For those reasons, members of the GSC have voted against the resolution. Those who vote in favor will subject us to the high court, and those who vote against the legislation know we are the governing body."

The Council, as the governing body, voted against Mr. Tsosie's legislation by a vote of 50-18.

Legislation sponsored by Honorable Charles Damon to amend Title 26 of the Navajo Nation Code also passed the Council floor, 41-14. The passage of Damon's legislation would allow for chapter officials to receive \$500 each for one regular chapter meeting and one chapter planning meeting per month.

The Council also approved a transfer of \$378,000 from Business Unit #101001-2110 to Business Unit #101001-6660 to provide funds for attorney fees and expenses. The budget transfer complies with Navajo Nation policies and procedures that funds are available.

"The purpose of the legislation is to address outstanding legal issues and services of the Navajo Nation Council," Tom said. "On Oct. 18, the Supreme Court took action to remove our chief legislative counsel and at this point in time the Office of Legislative Counsel does not have full authority or guidance. With the budget transfer, we will be able to acquire legal services from an outside attorney. Our legislative attorneys are reluctant to fulfill the role of the chief legislative counsel for fear of retaliation, particularly disbarment from the Navajo Nation Bar Association."

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