For Immediate Release  
January 30, 2012

President Shelly Releases Two-Year Progress Report

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly authorized the release of a two-year accomplishment report scheduled to be inserted and distributed in the Navajo Times newspaper on Jan. 31.

“I am pleased to present this report to the Navajo Nation to let them know that the Shelly/Jim administration has been hard at work for the people of the Navajo Nation. We have completed many projects, but we have many more to complete. The Navajo people elected the Shelly/Jim administration because we promised change and this report shows them the changes we have made,” President Shelly said.

President Shelly was inaugurated on Jan. 11, 2011 as the first Navajo president from New Mexico.

The Office of the President and Vice President has copies available for the public and the report is available online.

To see the report online or for more information, visit www.president.navajo-nsn.gov or www.facebook.president.benshelly.

###
President Shelly Assures BHP Negotiations Will Continue for Navajo Mine

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly, during a Wednesday morning meeting with BHP Billiton New Mexico Coal President Pat Risner, said owning a coal mine could be beneficial to the Navajo Nation and to continue the due diligence process to explore the acquisition.

“I think this could be a good acquisition for the Navajo Nation. But as President of the Navajo Nation, I must be sure that this is a good investment. After being informed of the process to now, I am comfortable with the progress our negotiations team has made. Let's continue to explore this proposal more and make sure this is good for the Navajo people,” President Shelly said during the hour-long meeting.

Both parties agreed that the due diligence investigation should continue and both are interested in further pursuing a possible deal that could sell Navajo Mine to the Navajo Nation.

“We have to protect the jobs at the mine,” President Shelly said. The mine employs more than 400 people.

President Shelly responded to criticism about comments he made after he presented his State of Nation Address to the Navajo Council on Monday.

President Shelly told the Council that he didn’t have enough information about the possible acquisition to support the transaction in its current state.

“I like the concept of acquiring the mine, but I didn’t have the information that I was looking for. I needed to see how this would be good for the Navajo people in the long term. Information has been shared with me and I like what I see right now. Let's continue negotiating with BHP,” President Shelly said to Risner.
President Shelly said he was concerned about the long-term investment of the mine, which includes, equipment, buildings, railroads and other infrastructure. President Shelly said he wanted to know how eventual repairs would be paid for.

In October, BHP- Billiton and Arizona Public Service, primary owners of Four Corners Power Plant, presented a proposal to the Navajo Nation that would essentially sell Navajo Mine to the Navajo Nation.

In December, President Shelly signed a Memorandum of Understanding with Risner to enter into negotiations to acquire Navajo Mine.

“Acquiring a coal mine is a giant step for the Navajo Nation. However, we must become more certain as to the benefits the Navajo Nation will receive. There are many issues to consider, but right now, we agreed to continue the due diligence investigation,” President Shelly said.

###
FOR IMMEDIATE RELEASE  
January 30, 2013

Navajo Nation Council requests for better communication to the Navajo people on area water shortages, realistic timelines for mainline repairs and recovery

WINDOW ROCK – At the conclusion of the first day of the Winter Council Session on Monday, the Navajo Tribal Utility Authority provided an update report, at the request of the Navajo Nation Council, on the status of its operations to repair broken waterlines and restore water services to a number of Navajo communities that have been affected by water shortages due to sub-zero temperatures in most recent weeks.

“This is a public health issue,” said Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Chʼízhí), who made the request to add the NTUA report to the agenda, along with a corresponding report by the Navajo Department of Emergency Management.

Delegate BeGaye stated the intent of the report’s introduction was to bring broader awareness on the issue to delegates who may not have been thoroughly informed since President Ben Shelly issued a declaration of emergency last Friday because of the water shortages.

Rex Kontz, NTUA deputy general manager, said nearly 1,900 reports have been recorded by the utility authority by Navajo people who have called into to notify them of both household and area-wide water shortages and outages.

In part, what caused the water shortages, Kontz explained, is that sustained sub-zero temperatures allowed frost to penetrate deeper into the ground than normal. This caused some water mainlines buried four-feet below ground level to freeze, which “is very unusual for our area,” Kontz said.

As temperatures began to rise, mainlines thawed while the soil shifted to changing temperatures, and water lines broke, giving way to leakages. Kontz said this caused the loss of substantial amounts of water from being delivered to residences and businesses.

Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K'ai Bii’Tó, LeChee, Tonalea/Red Lake) expressed displeasure with NTUA’s report, stating that it was the same report that was given before the Law and Order Committee last week.

Kontz had reported that the authority had been working with several Navajo Nation departments in a “recovery state” to fix and thaw frozen mainlines, assess damages, and repair broken lines. Part of this work included the hauling of water bottles to affected homes.

Delegate Tsinigine said due to the issuance of the emergency declaration, it “means that money is now available, and all I’m hearing is that you’re using bottled water. This report does not stand well with me on a humanitarian issue.”
Delegate Russell Begaye (Shiprock) requested for NTUA to provide realistic timelines to affected communities on when they expect water to be restored, stating that he was especially concerned for elders and people with disabilities who would appreciate notification so as to properly coordinate with their families for assistance if water outages are expected to be on-going.

Several delegates, including Delegates Leonard Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si ání) and Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) prompted NTUA to develop better methods of communication to notify customers when service outages are expected.

Delegate Curley specifically called for the implementation of a strengthened public information campaign, through informational publications and radio announcements, in which customers could be informed of what to do in conditions where water freezes.

“From my understanding of the situation, we’re going to have all these emergencies across the Navajo Nation, and only a few workers to cover the entire area. Places like Lupton and Houck are not going to get services right away,” said Delegate Curley. “And so, the folks there are wondering what they can do and what their chapters can do to help alleviate situations.

Some delegates were critical of the state of emergency that was placed on the water shortage issue, expressing that when a larger lens is placed on the situation, some Navajos would argue that the issue of frozen pipes is a minor issue in context of those who have been living without running water.

Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) said he did not know how or whether repairs and restoration of mainlines could be sped up.

“This is nature, itself, taking its course. And we’re just part of the process, getting used to all these conveniences. Sometimes we have to heat up water on the stove, and do with washcloth or bottled water,” said Delegate Smith. “I’m out of water, I don’t have any water. I’ll do what I need to do to get water. So we’re back to fundamentals.”

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) questioned what should be defined as an emergency.

“I would say eighty-percent of households on the Navajo Nation are without running water. Had I known that that constitutes an emergency, I would say that we have been in the state of emergency forever,” Delegate Benally said.

Many of Navajo citizens must haul their own water, and many of them from scarce sources and potentially unsafe sources, said Delegate Benally.

This is an issue the Council is trying to address, she continued, but in most cases, people will continue to obtain water from potentially unsafe sources "because there is no other way for them to get water.” To Delegate Benally, that situation constituted an emergency.

In the meantime, the Navajo Department of Emergency Management reported that they are currently setting up emergency operations centers and are assessing the needs of affected communities.

###
Bipartisan Disaster Relief Bill Approved

Tues, 01/29/2013 - 12:27 pm
Tribes To Be Treated Like States, Navajo President Encouraged

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Bipartisan Disaster Relief Bill Approved

Tribes To Be Treated Like States, Navajo President Encouraged

WASHINGTON—In a 62-36 vote, the Senate last night approved HR 152, a $50.5 billion package aimed at providing relief and assisting the recovery of communities that were devastated by last October’s Hurricane Sandy.

Included in the measure are provisions that change federal disaster laws to treat tribes as state, rather than local governments.

Having actively encouraged the changes since early last year through meetings and letters with congressional and administration officials and staff, Navajo Nation President Ben Shelly expressed his thanks to Congress for this bold affirmation of tribal sovereignty.

“The Navajo Nation has had a distinct government since before the United States gained its independence from a colonial power. The United States is committed by law and treaty to the self-governance of the Navajo Nation, and working with us on a government-to-government basis. The passage of this bill is a welcoming sign of the blossoming recognition nationally of the sovereignty of the Navajo Nation as a co-equal government within the United States. I appreciate the bipartisan team in Congress that approved this bill, and the bold leadership of the Obama Administration and FEMA Administrator Craig Fugate in endorsing the proposal.”

After the president signs the bill into law, FEMA will hold consultations on the successful implementation of the measure in the coming months.

###
NNTV5 will be providing live webcast of the 22nd Navajo Nation Council Winter Session.

Window Rock, AZ – The Navajo Nation operated television station NNTV5 will be webcasting the 22nd Navajo Nation Council-Winter Session. This is a collective effort in partnership with Navajo Nation Department of Information Technology to bring web stream programming to the Navajo Nation. NNTV5 would like to inform the public that the live webcast will begin at 10am beginning January 28, 2013 until the conclusion of the session.

The public who are interested in viewing the Navajo Nation Council Winter Session can do so by visiting the following link: www.ustream.tv/channel/navajo-nation-council.
For Immediate Release
January 28, 2013

President Shelly Delivers Message of New Projects for Economic Prosperity

WINDOW ROCK, Ariz. - Navajo Nation President Ben Shelly delivered a message outlining projects to create economic prosperity for the Navajo Nation. He presented his ideas during the State of the Nation address to the Navajo Nation Council during the first day of their Winter Session.

“We must redefine our economic principles. We can no longer sit in the passenger’s seat of receiving royalties and taxes, while others dictate our direction. I am proposing new initiatives that will broaden our outlook and create new opportunities to benefit our people,” President Shelly said during his 20-minute speech.

President Shelly informed the Navajo Council about budgetary issues in at the federal level. In September last year, Congress passed a Continuing Resolution to keep the federal government functioning, but the funding levels remained as the same as the previous year. President Shelly said the Navajo Nation has to prepare for potential budget cuts that could be as high as 11 percent for some federally funded programs when the Continuing Resolution expires in March.
President Shelly said one of the projects he plans to recommend to Council this spring is the Narbona Growth Fund. The fund would allow businesses formed under the Fund access to tax breaks. Also, the Fund would create tax revenue for the Navajo Nation, and the Fund would place the Navajo people as preferred shareholders, while the Navajo Nation government would serve as common stockholders.

“New companies formed under the Narbona Growth Fund will gain access to tax breaks only offered under the fund. The Navajo Nation will benefit from this new stream of tax revenue,” President Shelly said.

President Shelly introduced another initiative that would build a railroad port.

“We are working side by side with Burlington Northern Santa Fe railroad to build a trans-loading rail facility, the first of its kind in the southwest. The port authority will create an opportunity to load rail cars and ship the products on the Trans-Con railway,” President Shelly said.

Another project that is scheduled to open next month in Fort Defiance, Ariz., is a solar panel manufacturing assembly facility that when fully operational would create more than 400 jobs.

“The solar panels make renewable energy a reality, just one of several areas we are making good in our energy commitment,” President Shelly said.

President Shelly also called for a change in drilling lease processes for Navajo Oil and Gas Company, which is an enterprise of the Navajo Nation. To explore for new oil or gas, the approval of a lease could take up to three years. President Shelly proposed to grant Navajo Oil and Gas the option of choosing areas they would like to explore.

“Navajo Oil and Gas has taken the lead role in our oil and gas production. We have an obligation to them. Their success is vital as oil and gas remains a dominant force in the global economy,” President Shelly said.

President Shelly also proposed that changes be made to the Possessory Interest Tax to help new businesses compete. He asked that the tax be lowered for new businesses and to phase in the tax over a three-year period.

“We can greatly assist their efforts by amending the Possessory Interest Tax to alleviate the tax burden they face during their start up and development years,” President Shelly said.

President Shelly also asked the Navajo Council to invest $1.5 million to develop a Navajo Land Department title plant.

“We have been working for the last five years to develop a title plant at our Land Department to assume total control of how we record titles, homesite leases, grazing
permits, businesses leases, communication towers and all forms and uses of land,” President Shelly.

President Shelly closed his speech by outlining some misconstrued information the Office of the Controller has told Council committees in the past couple of months about federal and state monies that were reverted.

He said that $41 million has been reported as reverted, but the money was actually reimbursement funding.

“To say that $41 million has gone back to the respective governments is completely inaccurate,” President Shelly said.

Reports have indicated that the Navajo Nation has reverted about $124 million in federal and state funding, but President Shelly said the number is misleading. He said that $50 million of the funds have yet to be drawn down, including $33 million to complete public safety facilities in Kayenta and Tuba City.

“The Controller imposed limitations to keep programs from using their full funded amount from the states or federal government,” President Shelly said.

The Navajo Council voted to receive the President’s report in an 11 – 6 vote.

###
Mr. Speaker, members of the 22nd Navajo Nation Council, Mr. Vice President, First Lady, relatives, chapter officials, staff, family and friends, I want to say thank you for the opportunity to present the state of the Navajo Nation address. I want to recognize visiting federal, state, county and tribal leaders here with us today. It is my honor again to come before you and deliver the state of the Navajo Nation: To share our progress, accomplishments gained, the continuing work in government, and challenges we offer in this winter session.

One week ago, on Martin Luther King Jr. Day, our country swore in President Barack Obama for the second time. As President Obama’s addressed the Nation, he pledged to the country we would “move forward together.”

This is an idea I have talked about many times in these Chambers, and today I relay the same message of unity. As leaders, we must show our people by actions how we can work as one unit.
They put their trust in our abilities as we begin this New Year, and with the new snow this morning, let us work as one for the strength of our people.

We are in one of the most challenging times of our country’s history. The country is in debt unlike any before. The entire public debt is $16 trillion. To give you an idea of how much money that is, if we were to spread out 16 trillion one dollar bills, we could cover the states Florida, Delaware and Rhode Island. Making matters more difficult, this past fiscal year, the United States government outspent its revenues by $1.6 trillion in just one year.

For the past year, I have been talking about the possibilities of reduced federal funding, and we are in the midst of that now. Last September, Congress passed a Continuing Resolution for fiscal year 2013. The resolution will expire in March. At that time, we will be halfway into our fiscal year. The uncertainty of cuts to our programs that deliver direct services is cause for concern, which is why I have advocated for fiscal responsibility.

The Navajo Nation Washington Office advised of potential across the board program budget cuts. Some federal programs could see cuts as high as 11 percent.

It is important to share this with you so we can continue working together to protect our people. As we look ahead, our own
revenues may be affected in the next fiscal cycle. We could lose as much as $20 million for FY 2014.

A year ago, I recommended that we save $20 million in the Undesignated Unreserved Fund Balance to help us in times of reduced funding. Though the $20 million has been greatly reduced, we must still practice fiscal constraint in these unpredictable times.

Having this in mind, we must redefine our economic principles. We can no longer sit in the passenger’s seat of receiving royalties and taxes, while others dictate our direction. I am proposing new initiatives that will broaden our outlook and create new opportunities to benefit our people.

This Spring, we will recommend legislation that will create the Narbona Growth Fund, a holding company that gives the Nation the means to create an unlimited number of companies and investment opportunities.

We are building the fund as a corporate structure so the Navajo people are the preferred stockholders. The Navajo Nation will hold common stock. All enrolled Navajo members will be preferred stockholders, just like corporate stockholders.

New companies formed under the Narbona Growth Fund will gain access to tax breaks only offered under the fund. The Navajo Nation will benefit from this new stream of tax revenue.
We will recommend this initiative before the Naa’bik’iyati’ Committee by spring with goals to have the full Council vote on the measure in the Summer Session.

Another project we are beginning for our economic future is a port authority. We are working side by side with Burlington Northern Santa Fe railroad to build a trans-loading rail facility, the first of its kind in the southwest. The port authority will create an opportunity to load rail cars and ship the products on the Trans-Con railway. The project is near ready for our investment committee review and, upon approval, construction will begin this Summer. Burlington Northern Santa Fe plans to invest $5 million in this first stage of our Navajo Port Authority.

Members of the Council, we aimed to make technology a priority. Last month we opened the first data center on the Navajo Nation in Shiprock through our infrastructure technology plan. It is part of the American Recovery and Reinvestment Act we began in 2009, as we compiled our own stimulus recovery plan. We are now open for business with a hi-tech data center in a secure environment. It is the first Network Operating Center, which created 10 new technology jobs. We anticipate more jobs to be created.
Our new center will serve as the HUB for our new Long Term Evolution technology for voice and data needs. In other words, it serves wireless phones, iPads, laptops, or any mobile communication device. Moreover, the data center will be open for companies across the country that want to store their data, or mirror their large computer servers. Welcome to the technology age. We have just crossed over into the Information and Communications Technologies era here on the Navajo Nation in joining the rest of the world.

Part of our redefining our economic mindset means a new outlook on energy. Next month we are opening the doors of a solar panel manufacturing-assembly facility in Fort Defiance that when fully operational will employ more than 400 workers. A Navajo-owned and operated business will produce thin-film solar panels around the clock. The first shipment of panels have been ordered and when the order is filled, the panels will be destined for Singapore. Meanwhile we will sell our Navajo made panels to markets in Mexico and the United States. The solar panels make renewable energy a reality, just one of several areas we are making good in our energy commitment.
As I speak of redefining our economic agenda, we must also work to create opportunities for some of our longer standing energy developments. 

Navajo Oil and Gas has taken the lead role in our oil and gas production. We have an obligation to them. Their success is vital as oil and gas remains a dominant force in the global economy. Leases to drill exploration wells takes three years and more to be approved, which only hinders the company’s chance at growth. We are going to propose a plan that can cut that the lease approval time by more than half by granting them standard terms and allow them more latitude to pick and choose areas for exploration. This plan will stay consistent with responsible exploration and have proper oversight. Let’s remove unnecessary restrictions that impose limitations. More timely explorations will increase oil production easily adding more jobs, more revenue, and commensurate tax increases.

As we continue to build economic strength, we must also redefine how we tax businesses. Years ago, we implemented a tax and revenue structure when coal mining companies would not sit at the table to negotiate. We added a Possessory Interest Tax to our law, mostly to leverage an equitable revenue stream. This gave us the ability to exercise our sovereignty.
Times have changed as our nation has grown. More Navajo businesses are entering into renewable energy development, taking advantage of federal tax breaks and incentives. We can greatly assist their efforts by amending the Possessory Interest Tax to alleviate the tax burden they face during their start up and development years. We can find other ways to make it work—a solution for our businesses—and for our tax revenue generation. Our businesses need help so they can become a sustained contributor to the economic health of the Navajo Nation.

We are finishing up the proposed Navajo Nation General Leasing Regulations for your consideration and approval. Congress granted us power to lease trust land without federal approval. We have been working for the last five years to develop a title plant at our Land Department to assume total control of how we record titles, homesite leases, grazing permits, businesses leases, communication towers and all forms and uses of land. With the use of this new system, we will be able to use technology to upload and download information, with chapters having immediate access. Even individual Navajos will have the ability to use their smart phones to access, upload, and download homesite lease and grazing permit information. I am in full support of the supplemental budget
request of $1.5 million to implement the Navajo Land Department title plant.

Members of the Navajo Nation Council, you have heard and read many reports about federal dollars being returned to the United States Treasury. Reversion of Funds became a popular phrase last year. There have been so many different dollar amounts stated, some even as high as $124 million. It’s our responsibility to examine these discrepancies more closely. We have found that the Office of the Controller has not filed fiscal reports to the federal government on behalf of tribal programs. Our Historic Preservation Department has lost more than $600,000 due to a report filed five years late. The National Park Service is now declaring our Historic Preservation Department ineligible for funding this year. Cash deficits have gone un-reconciled since 2002, the Navajo Housing Authority has not reimbursed the Navajo Nation some $7 million, and federal dollars have not been drawn down.

The Controller describes $41 million as closed accounts for fiscal years 2008 through 2012, and states the funds have gone back to the states or federal government. Yet the fact is, many of these funds are cost reimbursements. The Navajo Nation spends Navajo Nation funds and awaits either the state or federal government to
reimburse the cost. To say that $41 million has gone back to the respective governments is completely inaccurate.

Here’s another discrepancy: Of the $124 million cash deficit, the Controller has not drawn down some $50 million. We learned that $33 million is for the construction of public safety facilities in Tuba City and Kayenta.

The Controller’s office is already understaffed, and yet he eliminated 10 positions this fiscal year. There are no internal procedures. Programs are prevented from using the full fiscal year for spending, a limitation the Controller has imposed, above the federal government. The Controller imposed limitations to keep programs from using their full funded amount from the states or federal government. On Friday, I just learned that 198 of our staff at Social Services were not paid. This occurs regularly.

Since 1989, changes in the government that were meant to be temporary have impaired our ability to govern efficiently. With your assistance in making changes to the law I will have the ability to make important fixes and take responsible control of these fiscal discrepancies.

On behalf of Vice President Rex Lee Jim and I, and the executive branch of government, I thank you for receiving these challenges
and the state of our nation. We support you in this winter session as you deliberate on the important work before you.

Let’s work together this year to help our Nation grow stronger. Our people deserve strong leadership.

May the Holy People guide you with wisdom and determination for the Navajo Nation. Ahe’hee’.
For Immediate Release
January 25, 2013

President Shelly Signs Emergency Declaration for Frozen Water Systems

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed a resolution declaring a state of emergency for the Navajo Nation because of water shortages.

“I am signing this resolution because we need to access emergency services to help our people who have been without water. We have waterlines that need repair, water storage containers that need to be replenished, and we need man power to help repairs the water systems that have been damaged,” President Shelly said.

President Shelly signed the resolution late Friday afternoon after the Commission on Emergency Management voted unanimously to pass the resolution.

As many as 2,000 homes in the Window Rock area have been affected by waterline breakage due to the subfreezing temperatures experienced for the past several weeks. Temperatures have been as cold as – 25 degrees Fahrenheit during the past few weeks, while only warming into the teens.

Due to the cold temperatures, large waterlines have been freezing. As Navajo Tribal Utility Authority unfroze the large waterlines, the pressure created from the water broke other smaller lines that lead to homes and residences.

Frozen and broken waterlines, however, have compounded into low water pressure issues for residents and communities that do have water. Water storage tanks are low due to broken waterlines. The resolution calls for residents to conserve water so water storage containers can replenish themselves and restore water pressure.

“We have always been a resourceful people. Now we need to all come together and conserve water while our water system is repair and our storages are replenished with water. We can do small things like turn off water while we brush our teeth, using towels more than once, or only washing clothing when needed,” President Shelly said.
The resolution allows the Navajo Nation to activate emergency resources to “restore and sustain vital community infrastructure.”

Communities throughout the Navajo Nation have water systems affected by freezing temperatures. Pinedale, Crownpoint, Shiprock, Kayenta, Chinle, Dilkon, and others have all reported water outages or low water pressure.

“I am asking our people to be patient as we tackle this problem,” President Shelly said.

NTUA authorities said that their work crews have been working 15 hours a day and up to 70 hours a week for the past several weeks.

“This resolution allows us to ask for help for extra man power to tackle these water issues that are happening throughout the Navajo Nation,” President Shelly said.

Public Safety Director John Billison said an emergency operations center will be established by early next week.

“We need to make sure our emergency contingency plans are followed and that we have a central command post where we can structurally organize our teams responding to this emergency,” Billison said.

Navajo Engineering and Constructing Authority (NECA) have been assisting NTUA with repairing waterlines. Indian Health Services has allocated resources to help with the emergency.

“We are working together and with other agencies. As we move forward, we are going to work with more agencies to get our people the help they need as we work to bring water back into their homes. We are a resourceful people and we will endure through these times,” President Shelly said.

###
NNHRCs regular meeting set for February 1st

SAINT MICHAELS, Navajo Nation—The Navajo Nation Human Rights Commission will meet at 10 a.m., on Friday, February 1, 2013, at its office located at 343 Arizona Highway 264 in the Saint Michaels Professional Bldg. 1, Suite 112, in St. Michaels, Navajo Nation (Arizona) for a regular meeting. The regular meeting is open to the public.

NNHRC advocates for the recognition of Navajo human rights and addresses discriminatory actions against the citizens of the Navajo Nation. For more information, call the NNHRC office at (928) 871-7436 or visit the NNHRC website at www.nnhrc.navajo-nsn.gov.

###
ADOT seeks IGA with Navajo Nation for $35 million project in Cameron

FLAGSTAFF—The Navajo Division of Transportation met with officials from the Arizona Department of Transportation on Dec. 2012 to discuss construction on U.S. 89 in Cameron.

The group pored over renderings of the proposed underpass access (including lighting) and the roundabout interchange. Unfurled the length of the table was an aerial map of the project site dated 2002.

ADOT requested an intergovernmental agreement with the Navajo Nation to provide maintenance of sidewalks and underpass lighting for the project. The $35 million project is subsidized by federal funding and ADOT’s timeline is to have the project bid-ready by Feb. 2013 to meet federal funding deadlines.

Construction will be from the intersection of SR 64 and U.S. 89, multiple driveways with three underpasses, and a new bridge structure at the Little Colorado River.

Benton said, “The existing steel truss bridge will be replaced with two new separate concrete girder bridges.

“The bridges are six spans with two columns on each bound that are replacing the existing structure. The historic cable suspension bridge will remain and will continue being utilized for a gas line,” he added.

ADOT will be adding or relocating the fence through a major portion of the project to the correct right-of-way location. Benton said the fence is inset toward the roadway and not placed at the correct locations along the right-of-way.

“There were some home site leases that are encroaching into the ADOT easement near the Cameron Chapter House,” Benton said.

Because of this, development changes were made to mitigate any impacts to those leases, he said.

ADOT plans to offset the fence and move around the home site, including construction of a home retaining wall for safety. The entire corridor will have ADOT lighting, increasing the safety level tremendously.

Benton said the IGA would have NDOT provide maintenance of three pedestrian underpass sidewalks and lighting; and maintenance of sidewalks running south of the Cameron Trading Post to the SR 64 intersection. He underscored roadway lighting was the responsibility of ADOT.

NDOT Director Paulson Chaco said authorization of the IGA would require oversight approval from the Resources and Development Committee of the 22nd Navajo Nation Council and the Naa’bik’iyati’ Committee.

“The concern that we have is liability. Unfortunately it’s not the chapter that assumes that responsibility, it’s the Navajo Nation that assumes that responsibility,” Chaco said.

Benton said the project will be built in two phases: Construction of the northbound phase first, and then redevelopment of the existing roadway for the southbound lane.

The project includes demolition of the existing steel truss bridge and construction of a new southbound bridge.

“It’s a fiscal year 2013 project. We hope to be bid-ready by February, meaning advertisements soon after,” he said.

“We’re hoping to deliver the project as a whole, that’s our intent on entering into an IGA with the Nation.”

Steve Boschen, ADOT Deputy State Engineer, said he would provide NDOT with load calculations for the underpass lighting for the power requirements and cost estimates.

Chuck Gillick, acting director for the ADOT Flagstaff District, said he would check with the City of Flagstaff regarding annual maintenance costs for sidewalks.

Chaco said cost estimates for the lighting and sidewalk maintenance would give NDOT a clearer picture of budget costs for the maintenance agreement that must be crafted in coordination with the IGA.

However, liability was still the main concern for NDOT.

“We’ve had some situations on Navajo with New Mexico, where we had to pay out on our liabilities on those roads where accidents happened,” he said.

Audra Merrick of ADOT Flagstaff District Development reiterated that the highway lighting through the corridor would be the responsibility of ADOT.

Chaco said council delegate Walter Phelps (Birdsprings, Cameron, Coalmine Canyon, Leupp, Tolani Lake) has wrestled over the issue of liability with attorneys from the Navajo Nation Department of Justice for the past year.

Phelps is the sponsor for the IGA legislation.

Chaco explained that NDOT maintenance crews were currently obligated to snow removal duties across the Navajo Nation. The maintenance of sidewalks would be a tertiary consideration, he said, especially with the number of Navajo chapters requesting road maintenance activities.

Coupled with the cost of sweeping the sidewalks at least four times a year, Chaco expressed concerns with funding.
especially when tribal transportation funds have been dwindling in recent years.

ADOT remained adamant on construction of this project for 2013.

“We would love to deliver this project as the entire piece, from an economy of scale perspective and also to benefit the community,” said Boschen.

He said one alternative would be to take out the sidewalks, which is undesirable because it would open up the roadway to pedestrians and potential accidents. The other alternative is to scrap the project entirely and proceed with another project, in order to meet the federal obligation.

“It looks like this is a good project, very impressive for $35 million,” Chaco said.

NDOT is currently moving the IGA through the SAS 164 review process before presentation to the Resources and Development and Naab’ik’iyati’ Committees.

“We would love to deliver this project as the entire piece, from an economy of scale perspective and also to benefit the community.”

Above, Exhibit 1 illustrates the U.S. 89 pedestrian underpass at milepost 464.78. ADOT is responsible for the roadway lighting and NDOT is responsible for underpass lighting and the mainline and ramp sidewalks. Below, the rendering of the underpass access illustrates the sidewalks on both sides of the roadway, the ramp and the sidewalk going through the underpass. (Renderings courtesy of ADOT)
FOR IMMEDIATE RELEASE

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Navajo Nation Hosts Successful Balloon Event

WINDOW ROCK, ARIZONA – A rendition of beautiful aerial poetry in motion.

Those are words that depict the Third Annual Monument Valley Hot Air Balloon Event at Monument Valley Navajo Tribal Park on January 11-13, 2013, which was sponsored by the Navajo Nation Parks and Recreation Department. The increasing-popular event was definitely a novelty and catered to every desire.

First-time participants and visitors describe the annual dovetailing event as “absolutely amazing to mystic,” which is the credo of Navajo. And there’s something that makes worldwide
visitors embrace the elegance and timeless Navajo cultural treasures to the showcase of architectural ambience.

Hot air balloon pilot enthusiast Graham Bell from Malvern, England has an insatiable love for the Navajo Nation. Case in point, he made a triumphant return to the Navajo Nation – this marks his seventh visit to marvel the beauty of Navajo. However, it was only his second time to participate in the annual premier event at Monument Valley Navajo Tribal Park. Graham was one of 20 pilots from throughout the world who soared through the crisp blue skies in a towering grand assembly fashion.

“Monument Valley is a mystic place in the nicest possible way. There’s just something that I just love here,” Bell explained. “When I received an invitation to participate in the Monument Valley Hot Air Balloon Event, it didn’t take me more than three seconds to say yes. I always dreamed of flying here.”

Graham has been coasting his balloons through the skies for 22 years and has participated in many hot air balloon events throughout the world. Although the signature event at Monument Valley has fewer balloons in the air, Graham said he especially enjoyed his rides on the Navajo Nation.

“It was very peaceful and serene,” he noted. “There’s no pressure here, just pure enjoyment to see a panoramic view of the area. I also met a lot of amazing people.”

Bell said he vacationed with his son and daughter and visited several parks in the Four Corners region including Grand Canyon in the past. However, Bell said their favorite place was Monument Valley Navajo Tribal Park.

Chris Bell from Aberdeenshire, Scotland who is Bell’s brother came along for the ride so to speak, but he didn’t know he was going to also get a birds-eye-view of the iconic red rock formations.

Bell said “It was absolutely amazing and it exceeded my expectation. It was just wonderful and I feel privileged that I had an opportunity to be a rider. I can see why people see it as special place – it’s mystic. To see Monument Valley from the sky is just magical.”
Cathy Stringfellow of Albuquerque said although she is from Albuquerque, she would rather fly at Monument Valley, adding, “There is no comparison to the balloon event in Albuquerque. This place is absolutely beautiful.”

Bryan Hill of Page, Arizona echoed similar comments. “Monument Valley’s most unique rock formations, mesas, buttes and iconic scenery provides a jaw dropping backdrop creating one of the most breathtaking places on earth to enjoy hot air ballooning.”

Hill said the idea of hosting a hot air balloon event on the Navajo Nation was discussed in 2007 and finally brought to fruition after many months of planning by Hill and Navajo Nation Parks and Recreation Department staff. Since then, Hill has been working quietly behind the scenes with Navajo Nation Parks and Recreation Staff to launch three successful hot air balloon events at Monument Valley Navajo Tribal Park.

He was quick to point out his gratitude to the Navajo Nation, noting, “The balloon pilots and crews are all grateful to the Navajo Nation Parks and Recreation staff for putting this event together. We hope this event will continue for years to come and be a boost to the local economy. All the pilots feel privileged to both fly Monument Valley and spend time with the locals. Flying hot air balloons in Monument Valley is exciting then when you add the welcome we received from the people of Monument Valley and the Navajo Nation, the event elevates to ‘outstanding!’ We are all already looking forward to next year.”

No expenses were spared at the third annual event, which featured a variety of activities, games, speakers, entertainers and musical genres that was suited for the entire family. Distinguished Navajo leaders also attended and participated in the eye-catching celebration.

Event Coordinator Geri Camarillo, said “I met with the community six months before the event to gather input on who would be performing at this event. We try very hard to accommodate the community’s input and this year we had a great line-up for both Youth Day and Family Day.”

Navajo Nation President Ben Shelly said “Thank you for coming out and thank you Navajo Nation Parks and Recreation for bringing this event to the Navajo Nation. Thank you to all the visitors for coming. You can get to know who we are. We have a lot of great food and
places to shop. Look at our beautiful sites here on the Navajo Nation. I am very proud of the Navajo people.”

Navajo Nation Vice President Rex Lee Jim has become a mainstay and especially enjoys the annual Monument Valley Hot Air Balloon Event. In fact, this is Jim’s third time he has journeyed through the skies as a rider.

“Thank you for allowing us to be here today,” said Jim. “I’d like to welcome all the non-Navajos here. Be sure and buy from our Navajo people and help them. Let’s also take care of our land and keep it beautiful.”

Navajo Nation Council Delegate Jonathan Nez who was also a rider stated, “It gives you a better appreciation of our land from the air. We have one of the most beautiful places in the world. I want to challenge the Navajo people to be good stewards of our land and keep it beautiful and pristine.”

Larry Holiday, a community liaison who works with the schools in Monument Valley assisted with the Navajo shoe game, which was a first-ever featured event.

Holiday said the Navajo shoe game was a match-up between elders who have years of knowledge and wisdom versus the younger generation. Holiday said that it is imperative that communities host Navajo shoe games and other winter events because that is when oral stories and activities can be shared about early Navajo history.

Navajo Nation Martin L. Begaye, said “I am very proud of my staff who worked tirelessly to plan and host this wonderful community event. I would also like to thank the many partners and sponsors who assisted to make it successful. We are doing our best to promote the local businesses and help boost the Navajo Nation economy while simultaneously accommodating our visitors. This is one way that we are saying ‘thank you’ to the Navajo people for their support and our way of giving back to the community. The Navajo Nation is a haven of unparalleled scenic beauty, however, it is the Navajo people who are truly unique and beautiful.”
New Mexico Dept of Transportation to host meetings in Northern Navajo Agency

The New Mexico Department of Transportation will be hosting public stakeholder meetings in the Northern Navajo Agency on Jan. 16, 2013. The meetings will take place at the Beclabito Chapter House at 2 p.m. and the Shiprock Chapter House at 5 p.m. Community members, school board members, school administrators, chapter officials, and council delegates are encouraged to attend.

The invitation is also open for the general public from surrounding communities.

NMDOT will report on the recent Road Safety Audits conducted on U.S. Highway 64 near Shiprock High School and Beclabito Chapter House and store access route.

NMDOT is seeking comment and suggestions on improving these roadways.

For more information contact Larry Ute Joe, senior planner for Navajo Division of Transportation, at 505-368-1536 or email him at ljoe@navajodot.org.

Information: www.navajodot.org

-30-
Navajo President Signs Resolution Creating Health Emergency for Administration Building Two

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed a resolution declaring a public health state of emergency for Administration Building Two because of fungi found in the building.

The resolution was signed Monday morning and closes Administration Building Two so remediation and renovation can begin, which should take about six months.

“We need to ensure the health of our Navajo Nation employees is secured. Once it was reported that conditions in Administration Building Two had mold, we formulated a plan for our employees to temporarily relocate so the building can be remediated and renovated,” President Shelly said.

Administration Building Two was ordered closed by the Navajo Occupational Safety and Health Administration (NOSHA) on Dec. 27 and a Jan. 4 meeting finalized plans for the more than 12 programs and about 200 workers to begin moving into different office buildings in the Window Rock area.

The Friday meeting involved the Navajo Division of Health, Department of Public Health, Facilities Maintenance, Division of Community Development, NOSHA, Office of President and Vice President and the Department of Public Safety. The offices will coordinate with each other while the building is being remediated and renovated.

“We’re following the guidance provided through a Continuity of Operations plan and checklists to be sent out from the Department of Emergency Management. We also are going to ensure that we communicate with affected employees and the general public about what our immediate and longer term plans are going to be. We need to make sure this happens so the essential services we provide the people will continue uninterrupted,” Chief of Staff Arbin Mitchell said.

“The Navajo Nation Commission on Emergency Management hereby declares a Public Health State of Emergency for the Navajo Nation Tribal Administration Building
Number Two due to substantial public health and safety risks from continued exposure to significant amounts of mold impacting building occupants,” the resolution stated.

The declaration also states that the Navajo Nation needs to provide resources to protect the health, safety and welfare of Navajo citizens regarding Administration Building Two.

Employees are asked to follow procedures when taking items from the building to reduce the risk of cross contamination.

“We need to reduce the risk as much as possible. The key people that would be affected by this would be immunocompromised persons and those with respiratory illnesses.” said Department of Emergency Management Director, Rose Whitehair.

The remediation and renovation is expected to cost about $12 million, which includes renovation costs for Administration Building One. Administration Building One was closed in September 2010 after mold was discovered.

Employees should expect to move back in Administration Building Two in about six months.

According to a report from EnviroScience Consulting Inc., Administration Building 2 has water damage and fungal spores. The report recommends the roof, the structure and electrical system all should be inspected since the building is about 30 years old. Furthermore, the report recommended that the HVAC system be replaced.

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The Navajo Nation, Navajo human rights official, an Oglala citizen and a Rosebud citizen file an Amici Curiae to U.S. Supreme Court

“The Evidence Reveals that There Is a Continued Need for Section 5” and “Section 5 preclearance continues to Protect Indian Voters.”

SAINT MICHAELS, Navajo Nation—Yesterday, as arguments began at the Supreme Court of the United States about the constitutionality of the Voting Rights Act in Shelby County v. Holder case, the Navajo Nation, the Navajo Nation Human Rights Commission Executive Director Leonard Gorman, Rosebud Sioux Nation member and Four Direction Executive Director Oliver J. Semans, Sr., and Oglala Sioux Tribe member Anthony Wounded Head, Sr., joined in filing an amici curiae (“friends of the court”) brief to the Supreme Court stating a continued need for Section 5 of the VRA to protect Indian voters.

The brief was filed with the U.S Supreme Court on February 1, 2013, according to the U.S. Supreme Court docket which also lists many briefs.

“The [friends of the court] file this brief to elucidate the importance that the Voting Rights Act and, in particular, Section 5 preclearance, has had in overcoming the purposeful efforts to disenfranchise Indian voters,” according to the brief and continues near the end, “This case should be resolved with a ruling in the Respondent’s favor, because reauthorization is supported by the Congressional Record and is a valid exercise of Congressional enforcement powers.”

The respondent’s favor in this case is the United States for the Voting Rights Act.

With that, the Navajo Nation says the judgment of the court for the Voting Rights Act should be affirmed.

-More-
Congress enacted the Voting Rights Act in response to the methods used by states which prevented minority populations from voting. The purpose of the Act is to ensure that the right of all citizens to vote, including the right to register to vote and cast meaningful votes, is preserved and protected as guaranteed by the Constitution. Congress found that vestiges of discrimination in voting continue to exist as demonstrated by second generation barriers constructed to prevent minority voters from fully participating in the electoral process.

Section 2 and Section 5 are of particular importance for the Navajo Nation because the two sections prohibit discrimination.

Section 2 applies to all jurisdictions and prohibits the imposition of a "voting qualification or prerequisite to voting, or standard, practice or procedure to deny or abridge the right to vote on account of race or color," according to a Reapportionment and Redistricting of the United States document citing 42 U.S.C. § 1973 (1965).

Section 5 applies to certain jurisdictions that have a previous history of discrimination. Arizona is a covered jurisdiction under Section 5 because of the State’s past history of discriminatory practices with regards to voting. Arizona must submit redistricting plans and any changes to electoral laws, practices, or procedures for preclearance to the United States Department of Justice or the United States District Court for the District of Columbia before enacting any changes.

The brief describes each entity or person filing.

In part, for the Navajo Nation it states, “The Navajo Nation has been involved in a number of voting rights lawsuits to ensure that its members can participate in the electoral process.” It also provides the Navajo Nation’s demographics and geographical information, and its and members support to Congress of the reauthorization act.

For NNHRC it states, “Mr. Gorman is the Director of the Navajo Nation Human Rights Commission. The Commission is charged with protecting and promoting the human rights of Navajo citizens. As part of this mission, the Commission is focused on ensuring that Navajo citizens are able to vote and elect candidates of their choice. He has participated most recently in the congressional and legislative redistricting for the states of Arizona, New Mexico and Utah. He testified before the Arizona Independent Redistricting Commission. Mr. Gorman was a plaintiff in Navajo Nation v. Brewer, challenging Arizona’s voter identification law.” (See amici curiae for more information about Mr. Wounded Head, Sr., and Mr. Semans, Sr.)

-More-
In the brief’s argument summary, it states, “Indian people have endured a century of discrimination and overcome new obstacles each generation in order to exercise the right to vote in state and federal elections. Nowhere have these struggles been more prevalent than in the Section 5 covered jurisdictions of Apache, Navajo and Coconino Counties in Arizona the home of the Navajo Nation and Todd and Shannon Counties in South Dakota the home of the Rosebud and Oglala Sioux.”

After stating the reason of the brief, it continues, “While passage of the Voting Rights Act in 1965 ended certain means of discrimination, Indians continued to be denied the right to vote through a variety of new strategies. As part of the 2006 reauthorization process, Congress obtained evidence that Indians continued to be disenfranchised by voting schemes, polling place discrimination and ineffective language assistance. The 2006 reauthorization was a legitimate Congressional response to the disenfranchisement. Protected by the Section 5 preclearance, voter registration and turnout have increased, but new challenges have arisen that require continued vigilance. Section 5 preclearance remains a key component to protecting the fundamental right to vote. The minimal burden required of covered jurisdictions to comply with Section 5 is justified to protect Indian voters.”

Continuing to show how important the VRA is, it states, “Indians in both Arizona and South Dakota have been subject to voting schemes that aim to dilute or pack the Indian vote. … Indian voters continue to suffer from some of the highest poverty rates and unemployment rates in the country. … Litigation to enforce voting rights is not a sufficient alternative to Section 5 coverage.”

Finally, not too long ago, the State of Arizona “… noted that the compliance with Section 5 is a minimal burden that does not intrude upon state sovereignty,” according to the brief from the Navajo Nation, Gorman, Wounded Head, Sr., Semans, Sr.

In 2009, the State of Arizona stated, “The Amici States urge [t]his Court to uphold the constitutionality of the 2006 Reauthorization of the Voting Rights Act. Any assertion that Section 5 constitutes an undue intrusion on state sovereignty does not withstand scrutiny. Section 5 does not place an onerous burden on States. States have been able to comply with Section 5 without undue costs or expense,” according to an amici brief for the States of North Carolina, et al, Northwest Austin Municipal Utility District One v. Holder.
FOR IMMEDIATE RELEASE
February 28, 2013

Council Delegate Duane Tsinigine holds press conference to provide update on U.S. Highway 89


“I am in the process of communicating with Arizona U.S. Representative Ann Kirkpatrick and her staff in order to request funding from Washington D.C.” said Delegate Tsinigine. “When an emergency declaration is made, we are also asking for funding quickly.”

On Feb. 24, Navajo Nation President Ben Shelly officially signed an emergency declaration on behalf of the Navajo Nation.

Recent amendments to the Stafford Act allow tribes to seek funds from the Federal Emergency Management Agency directly from the U.S. President without going through the state.

Ben Bennett, Navajo Division of Transportation deputy director, explained that funding would be used to reimburse some of the costs involved in grading, building up, and perhaps graveling alternative roads.

Residents in the locally affected area have had to find alternate routes to school and work. School buses and ambulances also have to make longer commutes.

Navajo Route 20, a 28-mile stretch of dirt road from Bodaway/Gap to Coppermine has taken on increased traffic since the damage occurred to U.S. 89.

“N-20 usually receives 100 vehicles a day. U.S. 89 receives about 3,100 vehicles a day,” said Bennett, explaining that the current condition of N-20 is not fit to take on heavy traffic.

N-20 has been on the NDOT’s pavement priority list for years.

“Even if Highway 89 wasn’t in jeopardy, the community still needs it paved,” said Delegate Tsinigine. “So, hopefully, this will be a positive impact in terms of getting it paved.”

Bennett advised Delegate Tsinigine to remain cautious until ADOT makes their recommendations, “It depends what they find and the cost of fixing U.S. 89 at its present location.”
On Wednesday, a meeting between ADOT, Coconino County, BIA, and NDOT took place in Flagstaff to determine alternatives, discuss worst and best case scenarios, and determine funding sources.

“We have the people on our conscience, and this needs to be fixed,” said Delegate Tsinigine.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
For Immediate Release

Navajo President Ben Shelly Praises House Passage of Domestic Violence Bill
Bill affirms tribal sovereignty

WASHINGTON—Navajo Nation President Shelly praised the House for passing the broad bipartisan Senate version of the Violence Against Women Reauthorization Act, by a vote of 286-138, with the tribal provisions intact. The bill now goes to President Obama for his signature.

“Today is a historic day and I commend the House of Representatives for taking a stand to protect all women from crimes of domestic violence. Women should not have to live in fear of violent acts of crime. This bill gives tribal nations the tools to protect Native women. We thank those who advocated vigorously on this important piece of legislation,” President Shelly said.

The bill reauthorizes the Act for the next five years.

Voting in favor of the Senate version of VAWA included the following from the Navajo Nation congressional delegation: Reps. Ben Ray Lujan, D-N.M., Michelle Grisham Lujan, D-N.M., Steve Pearce, R-N.M., and Ann Kirkpatrick, D-Ariz., Voting against the bill was Rep. Jason Chaffetz, R-Utah.

The bill keeps language intact that provides added protections to Native American women from domestic violence crimes on tribal lands, and would allow tribes to prosecute non-Indians in some circumstances where they commit acts of domestic violence against Indians or violate domestic violence related protection orders.

“The Navajo Nation, like any government, should have the right to protect its people. I am encouraged by the bold leadership of our congressional Representatives today in protecting our sovereign rights,” President Shelly added.

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FOR IMMEDIATE RELEASE
February 27, 2013

Council Delegate Edmund Yazzie honors two Wingate High School student-athletes as recipients of first Council Delegate Award

FT. WINGATE, N.M. – If the demonstration of excellence is something to be admired, then surely the effort and dedication that a person puts into working toward excellence is something to be equally as admired – at least, that is Council Delegate Edmund Yazzie’s (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) belief.

While most high school sports players are recognized for being their team’s “Most Valuable Player,” Delegate Yazzie recently chose to recognize two high school Wingate High School student-athletes for being their basketball team’s most improved player over the course of the season.

At Wingate High’s last home basketball game on Feb. 23 against Shiprock High School, Delegate Yazzie honored Marissa Sandoval, a member of the Girls’ Varsity team, and A.D. Jim, a member of the Boys’ Varsity team as the first recipients of his Council Delegate Award.

“I initiated this award to recognize our Navajo youth who embody the values of perseverance and dedication, and who serve as positive role models for their peers and their community,” said Delegate Yazzie, who is been known to encourage youth present at the Law and Order Committee meetings he chairs to aim high academically and to be selfless contributors to their community.

Marissa Sandoval, a senior, is a two-sport athlete who has played volleyball and basketball since her freshman year.

Sandoval was recently selected as “Senior of the Month” by Wingate High School faculty for the month of February. She is the daughter of Marcella Jake.

A.D. Jim is also a two-sport athlete, who participated as a member of the football and basketball team throughout his four years at Wingate High.

Like Sandoval, Jim was also selected as “Senior of the Month” this past November. He is the son of Aaron and Lynette Jim.

Sandoval and Jim were also recognized by Delegate Yazzie for their scholastic achievements and display of sportsmanship.

“Honorable Councilman Yazzie is no stranger to supporting Wingate High School,” stated Gloria Arviso, the school’s principal.

“Since most of the students at Wingate High School live in his respective communities, he visits the school and encourages the students to excel in academics and sports, to be leaders, and to make wise
decisions for the future,” said Arviso, who thanked Delegate Yazzie for his unrelenting support of her students.

Alfred Martinez, Wingate High athletic director and head varsity boys’ basketball coach, along with Manuel Smith, head varsity girls’ basketball coach, helped make the selections for the most improved award.

Sandoval and Jim were beaming when they went before a packed-house during the Wingate-Shiprock boys’ basketball game to receive their plaques, said Delegate Yazzie.

Recognizing Navajo youth for their dedication toward self-improvement and mastery in whatever activity or endeavor they wish to pursue is important.

“It helps build their self-esteem,” said Delegate Yazzie. “And in doing so, we are helping to cultivate youth who will go on to become strong and determined leaders for their community and their people.”

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FOR IMMEDIATE RELEASE
February 27, 2013

Resources and Development Committee approves legislation on Navajo Generating Station lease amendments

WINDOW ROCK – Being the first committee assigned to consider legislation extending the Navajo Generating Station’s lease for another 25 years beginning in 2019, the Resources and Development Committee on Tuesday voted 2-1 to approve the amendments outlined in Legislation No. 0042-13.

Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) is the legislation’s primary sponsor.

Prior to the legislation’s introduction by co-sponsor Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill), the committee unanimously voted to accept a report from a small group of Kayenta Mine workers who were in support of the lease extension.

RDC Chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) allowed statements from three of the individuals who mentioned they were also active members of the United Mine Workers of America, Local 1924, based out of Kayenta.

The group specifically requested to be heard before consideration of the legislation.

“We have been involved in the BART (best available retrofit technology) hearings on NGS, we’ve been making comments on it, and we are supporting the fact that they are going to put the SCRs in,” said UMWA union organizer, Marie Justice.

Justice was referencing the installation of selective catalytic reduction technology on three NGS units to reduce emissions of nitrogen oxide should the power plant’s lease be extended.

Justice, who is also a LeChee Chapter business committee member, asked RDC members to approve the lease extension legislation, while keeping the employment future of current mine workers secure – especially for the young Navajo men and women who are seeking a career in mining.

“We’d like to give them a future there. We would like for them to be there for a long time,” said Justice, also pointing out that the younger workforce would soon be filling the shoes of long-time miners that are looking at retirement in the near future.

Justice argued that the lease extension would continue to supply local jobs for Navajos, highlighting the point that local jobs would enable Navajos to stay closer to home, instead of moving to larger cities for employment.

Alex Osif, a UMWA executive board member for health and safety, and Jessie Chief, UMWA member, also voiced support for the lease extension.
RDC member, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) was the first to respond to the report.

“As leaders, we want to look at the overall thing. If I end up voting against you and what you’re asking for today, it’s not because I ignored it or because I don’t like you…it’s because I was considering the overall lease issue,” said Delegate Tsosie.

Not only do leaders have to consider the jobs and revenue portion of the NGS lease issue, Delegate Tsosie explained, but they also have to consider the environmental and water concerns that also come along with it.

“I do appreciate the miners coming out and sharing their side of the story,” Delegate Tsosie said.

Later that afternoon when Delegate Smith finally introduced Legislation No. 0042-13, he acknowledged that the lease extension topic generated a plethora of discussion and concerns last Friday when members of the Naabik’íyáti’ Committee met non-legislatively to receive an update on the lease agreement.

“It’s a major issue that faces us as a nation. It has political impact. It has economic impact. Also, whatever decision we make is going to be historical. As we discuss these things, we measure out the pros and cons on this issue before us,” Delegate Smith said.

“We commit ourselves to what will be in the best interest of the Navajo Nation in moving forward,” added Delegate Smith, who also articulated appreciation for the concern of the Diné on the topic.

Delegate Smith then handed the floor to Navajo Nation Attorney General Harrison Tsosie to explain more on the legislation’s details.

Labeling it an important matter for the Navajo Nation, Attorney General Tsosie stated, “There are certain discussions regarding this particular approval of this particular legislation that, at a certain point in time, we would need to at least request to go into executive session due to the law that’s on the books in the Navajo Nation Privacy Act.”

The Act provides that the negotiating position of the Nation, as well as its contracts with certain entities, are confidential, said Attorney General Tsosie, who added that his interpretation of the law is that “it is mandatory, and not discretionary.”

While he respected the attorney general’s request, Delegate Tsosie expressed concern over the confidentiality of information on a topic that is very much like the discussion that occurred with the Diné public over the controversial water rights legislation involving the Little Colorado River and Navajo water rights claims.

“This is just like the water rights legislation, and it eventually has to become public. These are the resources of the Navajo people, and the way we set up our laws, they should be allowed input into this so we can talk about it,” said Delegate Tsosie.

Delegate Tsosie then asked the attorney general at what point would the Diné public be provided information, after Attorney General Tsosie explained that the lease document is a finalized document.

Under Navajo law, once a final document is negotiated, it goes before the Navajo Nation Council for
approval, stated Attorney General Tsosie, further noting discussion on the matter is private and “cannot be disclosed,” according to the nation’s Privacy Act.

Before going into an executive session to discuss the legislation’s confidential exhibit documents, the RDC heard statements from Tulley Haswood, Milton Bluehouse, Sr., and Hank Whitethorne.

Haswood and Bluehouse are both members of the Diné grassroots organization who call themselves the Hada’asidi.

Whitethorne is president of the UMWA Local 1924.

Haswood, a former Navajo Nation council delegate, said because federal allocations to Indian Tribes continue to be reduced, the group believes that the Navajo Nation needs to obtain higher payments from corporations that are using Navajo-rich resources.

Haswood asked that the legislation be tabled until a thorough study with adequate information could be conducted.

He also suggested that the Nation negotiate for better conditions and for more than the $42 million amount that NGS owners are proposing to the Nation on an annual basis.

Shortly after the statements, the RDC moved into a nearly two-hour long executive session with Attorney General Tsosie, and members of President Shelly’s appointed NGS lease negotiation task force.

At its conclusion, the committee swiftly proceeded to vote.

Legislation No. 0042-13 now moves forward to the next assigned committee, and has been placed on the Feb. 28 Naabik’íyáti’ Committee meeting agenda for consideration.

The Naabik’íyáti’ Committee meeting commences at 10:00 a.m. in the Navajo Nation Council Chamber.

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FOR IMMEDIATE RELEASE
February 26, 2013

Speaker Naize vocalizes support and gratitude for veterans at annual flag raising remembrance event honoring Ira H. Hayes

SACATON, Ariz. – Speaking before a crowd of 300 people on Feb. 23 at the Mathew B. Juan and Ira H. Hayes Veterans Memorial Park, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) expressed gratitude on behalf of the Navajo Nation for the honorable military service of the late Ira H. Hayes at the 68th Anniversary Iwo Jima Flag Raising event.

Hayes, a member of the Akimel O’odham (Pima) people, was a U.S. Marine who served during World War II, and received widespread recognition for his significant part in the raising of the American Flag atop Mount Suribachi on Feb. 23, 1945, during the Battle of Iwo Jima.

“I want to thank the Gila River Indian Community for a son that we all celebrate today for the service he has done,” said Speaker Naize. “He is well-known throughout the country and the whole world for his services. And today, we remember him for his service.”
Speaker Naize also lent appreciation to members of the Central Navajo Veterans Organization Color guard who raised the Army flag during the raising of the military service flags that morning.

Council Delegates Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Lichíí', Steamboat), Jonathan Hale (St. Michaels, Oak Springs), and Joshua Lavar Butler (Tó Nanees Dizi) also attended the event to show support for veterans, a gesture that meant a lot to Commander Donald Bizadi from the veterans organization at Chinle Chapter.

“We need our leaders to follow us out here, participating in our activities,” said Commander Bizadi, adding that it was especially important to have the support of Navajo leadership when advocating in Washington, D.C. at the national level for the needs of Navajo veterans.

Commander Bizadi said he felt that Speaker Naize was very supportive of Navajo veterans. “He respects us,” he said of Speaker Naize.

Former Navajo Chairman Peter MacDonald, and current president of the Navajo Code Talkers Association, offered a few words before Speaker Naize, calling it a great day to “honor a warrior that we all respect.”

MacDonald recalled the accomplishments of the Navajo Code Talkers on the island of Iwo Jima during battle.

Within the first 48 hours of landing, over 800 messages of Navajo code were sent through the air “without a single mistake,” said MacDonald. “That’s Navajo code going through the air every three minutes non-stop for 48 hours.”

Bearing acknowledgement to the number of Navajo Code Talkers and veterans in attendance at the event, Speaker Naize thanked them and all veterans for their service and sacrifice.

“As leaders, we will continue to work for and serve our veterans. We thank you, and we will continue to give you support,” said Speaker Naize.

Urban Giff, commander of the Ira H. Hayes American Legion Post No. 84 that sponsors the annual flag raising commemoration event in Sacaton, thanked the Navajo Nation leadership and veterans for showing their support of the event year after year.

Among the Navajo Code Talkers in attendance, as mentioned by MacDonald, were Sidney Bedoni, Alfred Peaches, George Willie, Wilford Buck, and George James, Sr.

Members of the Central Navajo Veterans Organization who were present included Johnson Claw, Al Wheeler, Thomas Cooke, Clarence Gorman, Elaine Gorman, Donald Bizadi, Lee Chee, and Wilmer Woody.

The Iwo Jima flag raising event honoring Ira H. Hayes occurs each year on the weekend nearest the date on which the American flag was raised on Mount Suribachi.

Hayes was born on Jan. 12, 1923 in Sacaton, Ariz., and died on Jan. 24, 1955.

###
Executive Branch leadership meets with chapters affected by U.S. 89 closure

BODAWAY GAP—Community members met with leadership from the Navajo Nation Executive Branch Feb. 24 to discuss the impact of the road closure on U.S. 89.

Navajo Nation President Ben Shelly said he signed a declaration of emergency to address the issues faced by chapters in the area.

Arizona Department of Transportation is conducting assessments on the damage to determine how to fix it and the cost of repairs,” Shelly said in Navajo.

The chapter house was filled with Navajo elders from the local communities.

Shelly said the road would be closed for at least eight months and directed Navajo Division of Transportation to work with the Bureau of Indian Affairs to begin maintaining Navajo Route 20, a 28-mile dirt road stretching from Bodaway-Gap to LeChee.

“This road belongs to the State of Arizona. They have a 150-foot wide right-of-way and everything within is their jurisdiction,” Shelly said. “Outside that boundary belongs to the Navajo Nation and is NDOT’s responsibility.”

Navajo Nation Vice President Rex Lee Jim said speculations arose after the road collapse about a possible earthquake.

“It was not an earthquake. It was a rock slide,” Jim explained in Navajo.

He said the president asked him to answer the people’s questions about what to do culturally when such an event occurs.

“You probably have elders out here in the community. We will defer to them and ask for guidance,” Jim said.

He noted that most traditional Navajos believe discussions of unforeseen disasters occurring should not be allowed because it would be tantamount to willing it to occur.

“But if we’re not prepared, rumors can spread and cause panic and fear,” Jim said.

He said there’s opportunity with adversity and encouraged community members to care for one another and look after their elders.

Chief of staff Arbin Mitchell spoke in Navajo and explained the declaration of emergency from the Navajo Nation Commission on Emergency Management.

He said their responsibility is to determine if specific events qualified for emergency status for legislation to be crafted and moved forward to the federal government.

Mitchell said the emergency declaration covered community concerns from the road closure in the areas of emergency medical services, transport of school kids, employees working in Page, and the economic impact on Navajo vendors and stores in the area.

“It’s all a part of this declaration the president signed. What happened with this road is going to hurt people in these areas,” Mitchell said.

Although a disaster occurred, he said it’s an opportunity to finish paving N20.

The maintenance of N20 was a major concern for the Bodaway-Gap Chapter Vice President Gevern Begay.

Begay said, “(The road closure) going to affect and impact not only Coppermine, but Bodaway, LeChee, Cameron, Tuba City, and Coal Mine.”

She said when the road collapse occurred she was in Flagstaff attending orientation for new chapter officials. The newly elected officials then convened and drafted a resolution declaring an emergency.

Coppermine Chapter Vice President Lola Smith said her constituents were thankful for action from the Navajo Nation Executive Branch.

“You are aware of our needs,” Smith said.

She said the detour has increased the distance workers have to travel to get to Page. It also puts a strain on students that have to travel rough roads for long distances to get school.

“They actually have to get up at five o’clock in the morning to be able to be at school on time,” Smith said. “It actually affects over 200 students.”

NDOT Director Paulson Chaco responded to concerns and said road graders from the BIA and Coconino County are already on N20 performing services.

“U.S. 89 is the responsibility of ADOT, that road belongs to them. For us, it’s N20 and it’s a priority,” Chaco said.

He said the NDOT Department of Roads has taken the
lead role in road maintenance activities and invited department manager Ray Russell to give a status report to the community.

“We have created an action plan. Since Tuesday, we started assisting BIA Roads Department on N20, Russell said. “We put up electric signage stating ‘No Heavy Trucks, Local Traffic Only.’”

He said NDOT will be working with the BIA to schedule grading activities on N20 at least two times a month or more for six to eight months.

“A year ago, Coppermine requested an intergovernmental agreement with Coconino County to maintain N20. $250,000 was earmarked by NDOT, that’s how the county came out to start maintaining the road,” Chaco said.

Sara Dale, vice president of LeChee Chapter, was adamant about getting assistance for community members affected by the road closure.

“When you go to Page Walmart, who’s working there? Navajos. When you go to Page School District, who do you see teaching? Navajos. When you go to the dam, who assists you there? Navajos. And the Navajo Generating Station, who works there? Navajos,” Dale said.

BIA Western Navajo Agency Road Engineer Roland Becenti said the bureau understands the implications of the closure.

A resident of Tuba City, Becenti said he’s very familiar with N20 and all the surrounding routes.

“We don’t want the BIA roads as a detour,” he said, explaining that U.S. 89 has 3,100 vehicles a day traveling through the corridor from Bitter Springs to Page.

“It has 16 percent truck traffic and that amounts to about 500 trucks a day going through there,” Becenti said.

His information was based on statistical data published by ADOT in 2010.

Because of the large volume of heavy trucks, he said N20 would only be open to local traffic only because of safety reasons.

“I know trucks will get stuck, I know RVs will get stuck,” Becenti said.
Navajo President Shelly Orders Navajo Flag Lowered to Commemorate a Navajo Marine

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly announced the loss of a Navajo warrior who was serving in the U.S. Marine Corp in Afghanistan.

Staff Sgt. Jonathan D. Davis, of Kayenta, Ariz. died on Feb. 22 in Afghanistan in the Helmand province while conducting combat operations. He was assigned to Headquarters Battalion, 32nd Georgian Liaison Team, Regimental Combat Team 7, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, Calif.

“The Navajo Nation mourns the loss of a warrior who gave his life defending freedom. We are saddened by the loss of our warrior and we offer our prayers to the family during this difficult time. Staff Sgt. Davis was a valued member of the Kayenta community and often remembered for helping to bring home two state high school basketball championships in late 1990s. His presence will be missed,” said President Shelly.

To honor the legacy of Staff Sgt. Davis, President Shelly has ordered the Navajo Nation flag be lowered from sunrise Tuesday, February 26, through Friday, March 1, and again on the day of his funeral service, which is still pending.

According to the Department of Navajo Veterans Affairs, Staff Sgt. Davis is the 13th Navajo member of the armed forces to be killed in action in the wars in Iraq and Afghanistan.

###
The Navajo Nation Commission on Emergency Management (CEM) convened at the Navajo Transportation Complex on Feb. 22 to discuss the collapsed roadway on U.S. 89, approximately 25 miles south of Page.

The roadway collapse was likely the result of a geologic slump on Feb. 20, at 5:09 a.m.

Taft Blackhorse, manager of the Navajo Division of Transportation Department of Project Management, said the road damage was the result of a slump. His educational background in geology led to this conclusion, he said.

“I don’t think it was a small earthquake or tremor. It appears to have been loose soil that eventually eroded, commonly known as a slump,” Blackhorse said.

According the U.S. Geologic Survey, a slump occurs on hillsides that have a thick cover of loose, rocky debris, commonly taking place after heavy rains saturate the ground.

Regardless of the cause, several Navajo chapters have been affected by the road closure and the commission cited concerns ranging from the transport of school kids and emergency medical service response.

NDOT director Paulson Chaco is working with the Bureau of Indian Affairs and Coconino County to ensure maintenance of alternate dirt roads for the influx of travelers in the area.

“We have NDOT crews working with the BIA to complete blading activities and to assist with setting up electronic message boards to alert motorists of the road closure,” he said.

U.S. 89 is closed from mile post 544.50 to mile post 524.

The Arizona Department of Transportation has detoured traffic at U.S. 89A to State Road 98 and on to U.S. 160 for motorists traveling to and from Page.

Commission chairman Herman Shorty said the primary concern of the CEM is assistance for Navajo communities affected by the closure.

“We are asking for consideration that a state of emergency be declared,” Shorty said.

The commission drafted an emergency declaration and is awaiting signature approval from Navajo Nation President Ben Shelly.

Navajo Nation Department of Emergency Management director Rose Whitehair said NDOT and the BIA Department of Roads have placed signage indicating “No Thru Traffic” and “No Trucks” for entrances on N20 and other dirt roads near U.S. 89.

A semi tractor trailer truck is stuck on N20 from an attempt to detour around the closed road.

NDOT principal civil engineer Darryl Bradley said N20 and other dirt roads in the area are not conducive to heavy truck traffic because of sandy conditions and patches of rough road.

“ADOT conducted a feasibility study to use N20 as a new alignment for a state road that would basically remove U.S. 89 off of their inventory,” Bradley said. “I guess it was cost prohibitive, so it never went any further than that.”

Presently, NDOT and the BIA are looking at paving N20, the 28 mile stretch of dirt road from LeChee to Gap, which is estimated to cost at least $50 million. Plans are to tackle this task in phases.

Leonard Williams, a Navajo Police officer with the Tuba City District said ADOT is maintaining traffic control near the damaged roadway.

“ADOT has closed off traffic on the north and south ends,” Williams said. “They estimated the road will be closed for at least two months before it’s repaired.”

He shared photos of the damaged road with the commission and noted ADOT has declined assistance from Navajo Nation law enforcement.

Despite this, Navajo Police are keeping a presence in the area. NDOT and the BIA are working with Coconino County to maintain nearby BIA and county roads in anticipation of increased traffic.

The BIA has completed blading activities on N6210, 6211 and N201.

Coconino County is maintaining N21, which stretches 28 miles from Kaibeto to Gap. Currently, 4.5 miles of this road is under construction from Tonalea to Kaibeto.

NDOT road crews are on standby in the western agency for possible assistance with roads in the area. They are also erecting signs in the area.

Information: www.navajodot.org
Navajo President Shelly Signs Letter to Obama Asking for Disaster Declaration

WINDOW ROCK, Ariz. - Navajo Nation President Ben Shelly signed a letter Tuesday afternoon asking U.S. President Barack Obama to declare a disaster pertaining to the emergency declaration President Shelly signed last month.

“We are exercising our sovereign authority provided by the Stafford Act and we are taking our concerns directly to President Obama. As a sovereign nation, we need President Obama to recognize our emergency and declare it a federal disaster. We
had thousands of Navajo residents without water for several weeks because of frozen water lines,” President Shelly said.

The 23 page document lists costs the Navajo Nation expended during Operation Winter Freeze estimated at $5.2 million.

The letter states the Navajo Nation’s water infrastructure was damaged beyond the tribe’s ability to fix or repair in a timely manner that would keep the health of people from being negatively impacted.

Twenty-six crews, 15 from NTUA, nine from Navajo Engineering Construction Authority, and two from Salt River Project helped restore water to homes that were affected by the freeze.

In January, President Obama signed legislation amending the Stafford Act allowing federally recognized American Indian Tribes to appeal directly to the President of the United States for disaster declarations. The Navajo Nation is the second tribe, but the Navajo Nation has the largest reservation that spans through three states and is the size of West Virginia.

On January 25, President Shelly signed an emergency declaration for the Navajo Nation where majority of Navajo residents were without running water because of abnormally below freezing temperatures. For nearly a month, temperatures for parts of the Navajo Nation dipped to 25 below zero at night, while daytime temperatures climbed to the teens.

The long lasting cold spell caused waterlines as large at 14 inches to freeze. Emergency officials estimate that more than 18,000 people were affected by the water outages. Navajo Tribal Utility Authority, which is the sole water utility, stated that at least 3,500 water outages were reported.

“We are taking our sovereignty to a new level. We are moving forward and strengthening our sovereignty by sending this letter. We will do all we can to help our Navajo people,” President Shelly said.

###
NNHRC to meet on March 1st for regular monthly meeting

SAINT MICHAELS, Navajo Nation—The Navajo Nation Human Rights Commission will meet at 10 a.m., on Friday, March 1, 2013, at its office located at 343 Arizona Highway 264 in the Saint Michaels Professional Bldg. 1, Suite 112, in St. Michaels, Navajo Nation (Arizona) for a regular meeting. The regular meeting is open to the public.

NNHRC advocates for the recognition of Navajo human rights and addresses discriminatory actions against the citizens of the Navajo Nation. For more information, call the NNHRC office at (928) 871-7436 or visit the NNHRC website at www.nnhrc.navajo-nsn.gov.

###
U.S. 89 road closure south of Page due to buckled road conditions

WINDOW ROCK-The Navajo Division of Transportation advises motorists traveling to and from Page to avoid driving on U.S. 89 south of Page.

Damaged road conditions have prompted this safety warning.

NDOT is currently working with the Arizona Department of Transportation and the Bureau of Indian Affairs to address repairs on this section of road.

A 150-foot section of the road buckled this morning about 25 miles south of Page, according to a press release from the ADOT.

ADOT stated the road damage occurred from a geologic event and not from the weather.

Motorists are advised to travel an alternate route to Page, which will take drivers east on U.S. 160 to SR 98 (about 50 miles) and north on SR 98 to Page. The detour is about 45 miles longer than the direct route.

There is no timeframe when the road will be opened to travelers.

For the latest highway conditions across Arizona, visit: www.az511.gov or call 5-1-1.

-30-
FOR IMMEDIATE RELEASE
February 19, 2013

Budget and Finance Committee approves cross-commission agreement between the Navajo Nation and the Navajo County Sheriff’s Office

WINDOW ROCK – The Budget and Finance Committee approved Legislation No. 0036-13 granting certain law enforcement powers to Navajo Nation Police Officers and Navajo County Sheriff deputies.

Supporters of the legislation stated that the agreement will benefit both sides by allowing police from Navajo County to assist Navajo police in enforcing criminal and traffic laws and vice versa.

Navajo County Officers will have the authority to arrest Navajo people on the reservation when called upon to assist in situations when Navajo Police are unable to respond to calls.

The agreement also gives Navajo Police the authority to arrest non-Navajos when they commit a crime on the reservation.

The legislation’s primary sponsor, Council Delegate Elmer Begay (Dilkon, Indian Wells, Teesto, Whitecone, Greasewood Springs), pointed out the rising crime rates within his chapters especially those dealing with domestic violence.

“This agreement is in the best interest of Navajo people living in the southwest portion of the reservation,” Delegate Begay stated.

“In my region we get three officers per shift which cover seven communities,” legislation co-sponsor Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) stated, whose chapters are affected by the agreement. “Officers are stretched, having to decide which calls are the most important and often do not get to all of the calls.”

BFC member, Mel R. Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’), voiced his opposition to the legislation saying that the Navajo Nation is pushing off its responsibility to protect its own people.

“We put others in a position to be on the lookout for our government and laws,” Delegate Begay said.

Council Delegate Jonathan Nez (Tsah Bii Kin, Navajo Mountain, Shonto, Oljato), who also serves as a county supervisor for Navajo County, strongly supported the legislation.
Delegate Nez said the agreement simply allows Navajo communities to benefit from the resources being offered by the Navajo County Sheriff’s Office.

Sheriff Kelly Clark said, “I’ve never had a complaint about treatment of people, I would not tolerate that,” easing concerns over the possible mistreatment of Navajo people by his officers.

The BFC approved the legislation with three supporting votes and one opposing.

Immediately following the agreement’s passage, Navajo Nation President Ben Shelly signed the agreement.

“With this agreement, we are going to provide safer communities for our people who live in Navajo County. I want to thank everyone who worked on this document to make our communities safer for our children,” said President Shelly in a Feb. 19 news release.

Similar cross-commission agreements have recently been made with other counties. An upcoming agreement is currently in process with San Juan County in Utah.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
President Shelly Signs Cross Commissioning Agreement with Navajo County

WINDOW ROCK, Ariz. - Navajo Nation President Ben Shelly signed a cross commissioning agreement with Navajo County Wednesday afternoon during a signing ceremony.

“With this agreement, we are going to provide safer communities for our people who live in Navajo County. I want to thank everyone who worked on this document to make our communities safer for our children,” President Shelly said before the ceremony.

The cross commissioning agreement allows the Navajo County Sheriff’s Office to respond emergency calls on the Navajo Nation, and enforce Navajo Nation laws. In addition, the Navajo Nation police can respond to emergencies off the Navajo Nation that are in Navajo County.
“Our law enforcement personnel work long hours and the travel hundreds of miles on any given day, which creates longer response times in some cases. And before, our resident’s couldn’t call on the Sheriff’s Office because we lacked a cross commissioning agreement. Now that has changed, and we can offer our help to Navajo County as well,” President Shelly said.

The agreement outlines protocols for enforcing Navajo and County laws. For example, if a sheriff’s deputy arrests a Navajo on the Navajo Nation, the person has to be transported to a Navajo facility and a Navajo police report has to be filed. Similarly, a Navajo officer arresting a non-Indian would have to transport the person to a county facility and file a county arrest report.

“We have to make it work for all our people,” President Shelly said.

Council Delegates Jonathan Nez, Elmer Begay and Dwight Witherspoon, who all represent Navajo communities in Navajo County, attended the signing ceremony. Navajo County Sheriff K.C. Clark and Navajo County Attorney Brad Carlyon represented Navajo County at the ceremony.

“President Shelly, you have my commitment that we will do all we can for the Navajo people,” Sheriff Clark said.

The agreement expires in two years.

###
Navajo President Shelly Says New Justice Center Creates New Era for Navajo Safety

TUBA CITY, Ariz. – Navajo Nation President Ben Shelly said the opening of the Western Diné Justice Center was the beginning of a new era for Navajo Public Safety Friday morning.

The opening ceremony for the justice center took place Friday near the chapter house.

“Today is a great day for the Navajo Nation. We are beginning a new era of public safety on the Navajo Nation,” President Shelly said before a crowd of more than 500 people in attendance.

The $62 million Western Diné Justice Center is a 134,429 square feet facility that will house Navajo district courts, peacemakers courts, law enforcement, prosecutors and a corrections facility. The facility cost $62 million to build.

The American Reinvestment and Recovery Act of 2009 made about $74 million available to the Navajo Nation for justice center construction and plans call for 13 more centers to be constructed on the Navajo Nation.

The justice center in Crownpoint, N.M. is expected to be dedicated in March, Kayenta is expecting a center to be completed early 2014 and Chinle plans to begin construction of a justice center next month.

“Today we are taking a huge step for our future because along with the judicial part of this complex, we have an area for our young Navajo people who need extra guidance,” President Shelly said.

The center will have 132 beds available to house a teen and adult correctional facility. In addition, the corrections rehabilitation program will incorporate Navajo culture.

“The correctional facility will house both adults and young people. Both will make uses of traditional counseling and other healing practices, which makes sense for our people.
The Holy People gave us this way of life and for far too long, we have been trying to help our people in need of criminal rehabilitation without recognizing their Navajo traditional values,” President Shelly said.

Earlier in the morning, Vice President Rex Lee Jim blessed the new center Friday morning.

Before the center was funded, in 2009 when President Shelly was vice president, he said he worked for a week to create a Navajo based stimulus plan when ARRA funding was being outlined. That plan brought about $550 million in funding to the Navajo Nation.

President Shelly also thanked the Navajo Council Budget and Finance Committee for securing about $60 million in funding through a Key Bank loan.

###
For Immediate Release
February 16, 2013

President Shelly Supports NGS Lease Extension Legislation

WINDOW ROCK, Ariz.—Navajo Nation President Ben Shelly announced his support for Navajo Council legislation to approve a lease extension for Navajo Generating Station that would bring the Navajo Nation more than $40 million annually of additional revenue if approved.

“A new lease agreement is fully underway. After rounds of negotiations, the lease extension is favorable and gives us room for a growing Navajo Nation. Looking ahead to our future, we will bring $40 million more starting in 2019,” said President Shelly as he spent the evening with Speaker Johnny Naize.

The proposed legislation (0042-13) was released for public comment late Friday afternoon. The legislation outlined the Navajo Nation would receive approximately $42 million a year in lease payments beginning 2019 through 2044. That annual payment is substantially larger than $608,400 outlined in the original lease approved in 1969. The president encourages public comment.

Another important aspect of the lease extension is jobs, President Shelly said.

“We are protecting existing jobs on the Navajo Nation,” said President Shelly. “We are building a job base well into the future. This is part of our drive for economic self-sufficiency.”

Between NGS and Kayenta Mine, the sole coal supplier for NGS, more than 900 people are employed and more than 85 percent are Native American, but most are Navajo.

President Shelly appointed a lease negotiating team shortly after he took office. The eight person negotiating team, led by Navajo Nation Attorney General Harrison Tsosie, finalized terms of the lease recently.

“I appointed a negotiating team that had experts about power plants, Navajo Nation laws, Navajo natural resources and other aspects of Navajo resources. It’s important to me that
when we are negotiating large terms that politics are kept out of the discussion. We can’t risk compromising a deal due to politics,” President Shelly said.

The original lease also stated that the NGS owners had the option of extending the lease with or without Navajo Nation consent.

“We are thankful that Salt River Project and the other owners extended good business practices and considered the position of the Navajo Nation. The terms of the lease extension continues a good working relationship we have developed over the years,” President Shelly said.

The legislation can be viewed at http://www.navajonationcouncil.org.

###
For Immediate Release  
February 14, 2013

President Shelly Signs Bill to Fund Chapter and Special Elections

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed legislation allocating nearly $700,000 to the Navajo Election Administration from the Undesignated Unreserved Fund Balance.

President Shelly signed the legislation Thursday.

The legislation specifies $416,552 would be used for special elections while $281,476 would be used for chapter elections to fill some chapter offices were left vacant during the last election.

“I would like the Navajo People to have the opportunity to vote on several referendums this year,” President Shelly wrote in his letter to Navajo Council Speaker Johnny Naize.

The legislation appropriates money to the election office for special elections and chapter elections, more importantly for President Shelly, the legislation provides funding for a possible special election that could change Title 2 language.

Legislation 0369-11, which hasn’t passed through Council yet, would amend Title 2 language to recognize the Navajo people as the governing authority of the Navajo Nation.

“Any authority the Navajo Government has is delegated from the Navajo People and any powers not delegated remains with the Navajo People. The Peoples’ authority has been demonstrated already by the reduction of the Council from 88 to 24 and the Presidential line-item veto authority. It needs to be rightfully and properly codify within the Navajo Nation Codes,” President Shelly wrote about Legislation 0369-11.

President Shelly reiterated the importance of the Navajo peoples’ role in the Navajo government before he signed the legislation.

“I signed this legislation because we have pending legislation that could put the people as the governing body of this Nation. The time has come for our people to be recognized as
the group that oversees our government. We need to make the change in Title 2, so all our leaders understand and recognize that our roles as elected leaders is entrusted to us by the people of the Navajo Nation,” President Shelly said before he signed the legislation.

Other possible referendums could be allowing Utah Navajo voters to select a trustee for the Navajo Utah Trust Fund or lowering the numbers of signatures needed to start an initiative.

“We need to hear the voice of the Navajo people. They are the reason we are here. We work for them,” President Shelly said.

###
For Immediate Release
February 10, 2013

President Shelly Line Item Vetoes $122k for Church Rock Business Development

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly exercised his line item veto authority and line itemed $122,000 from legislation that outlined spending for an incubator and training facilities in Church Rock, New Mexico.

President Shelly line item vetoed legislation CJA-02-13 on Friday, Feb. 8. The legislation would have provided $122,000 from the Business and Industrial Development Fund for facilities in Church Rock.

Though President Shelly stated his support for business development, he line itemed the financial part of the legislation because of the uncertain fiscal matters at the federal level.

“I maintained my position that the Nation needs to maintain sufficient amount to cover possible federal budget shortfalls. As the Navajo Nation is aware the Federal Continuing Resolution is still in effect until March 2013 and the Sequester still looms over the federal budget as well,” President Shelly wrote in his letter to the Navajo Nation Council Speaker Johnny Naize.

The Navajo Nation could face budget cuts that total about $30 million.

President Shelly also cited the emergency declaration as a reason to withhold spending. The declaration led to Operation Winter Freeze to help more than 10,000 Navajo residents regain running water. The operation is estimated to cost about $2.8 million, which doesn’t include needed infrastructure upgrades.

“It is understood there are needs that may require supplemental budget before certain direction of the federal budget is realized. I would request the Navajo Nation Council to continue to assist the President’s Office in scrutinizing supplemental requests until the Nation can prioritize its 2013 unmet needs,” President Shelly wrote.

###
For Immediate Release
February 7, 2013

President Shelly Outlines Measures Taken to Help with Operation Winter Freeze

TSE BONITO, N.M. – Navajo Nation President Ben Shelly outlined the steps he has taken to ask for help with Operation Winter Freeze during a meeting at the Navajo Division of Transportation Complex Thursday afternoon.

President Shelly said he has sent a letter to New Mexico Gov. Susana Martinez and to the Bureau of Indian Affairs asking for assistance with resources for Operation Winter Freeze which is expected to cost $2.8 million to help thousands of Navajo people restore their water services.

Arizona Gov. Jan Brewer declared a state of emergency for parts of northern Arizona affected by the water shortage.

“We are working to make sure our people get water again. We have Navajo people who are suffering, and we need to get them water. Some of our people have been without water for months,” President Shelly said during a debriefing meeting Thursday afternoon.

“I also want to commend the chapters that are already taking the lead to help their communities. And I want to thank Gov. Brewer, Gov. Martinez and other state and local leaders for helping our people,” President Shelly added.

President Shelly called the meeting and called all Navajo Nation Executive Branch Divisions to the meeting so they could be updated and find ways to help the people without water.

“You work for the people. Our people are suffering right now. We can’t let that happen. We have to help our people,” President Shelly said.

President Shelly also welcome officials from the Federal Emergency Management Agency who are here helping the Navajo Nation with technical assistance with asking
President Barack Obama to declare a federal emergency so the Navajo Nation could receive FEMA funding for Operation Winter Freeze.

President Obama recently signed the Sandy Recovery Improvement Act, which contained amendments to the Stafford Act that allows federally recognized Native American tribes to seek a federal emergency or disaster declaration from the President of the United States.

“Keep all your records in order - from time worked, to receipts. We are going to need all our financial records to be in order if we are going to get reimbursed,” President Shelly said.

Emergency management officials estimate that 10,000 people on the Navajo Nation are without water because of broken or leaking water lines. Water lines froze after nearly three weeks of temperatures that regularly dipped 20 degrees below zero at night.

Crews from NTUA, Navajo Engineering and Construction Authority and Salt River Project all have crews working throughout the Navajo Nation to fix water lines.

The money President Shelly is seeking would be enough to run the emergency operations center and to hire 15 additional crews to help with repairs.

“We are going to continue doing all we can to help our people,” President Shelly said.

###
San Juan County Commission approves MOU with Navajo DOT

AZTEC, N.M.-During the Feb. 5, 2013 regular meeting of the San Juan County Commission, a memorandum of understanding between the Navajo Division of Transportation and the county was unanimously approved.

The MOU provides the framework for both governments to craft intergovernmental agreements to provide road maintenance and construction projects on the Navajo Nation.

San Juan County Public Works administrator Dave Keck said the previous MOU with NDOT expired in Dec. 2012.

“This MOU establishes a framework and workgroup that will look at potential transportation projects on the reservation, as well as off the reservation,” Keck said.

He spoke of the previous collaborations between the county and NDOT, specifically the chip sealing of County Road 7750 in the Lake Valley area. NDOT contributed $800,000 for the project.

“We are looking at channeling some BIA, what’s called Indian Reservation Roads funds, through the Navajo DOT,” Keck said. “It looks like we’ll be getting $1.5 million up front for the replacement of the ‘Military Bridge’ in the Huerfano area, on County Road 7150.”

Conversely, he said the county would assist NDOT with acquiring aggregate road base material outside the reservation for projects on the Navajo Nation.

“We’ve located an aggregate source in Kirtland that would utilize our (rock) crushing contract,” Keck said.

The county plans to haul the crushed material onto the reservation and stockpile different sized rocks for road maintenance activities for chapters in the eastern and northern agencies.

NDOT director Paulson Chaco said the Navajo Nation has worked with San Juan County for the execution of intergovernmen-
Navajo Nation Council and Legislative Branch recognize 
dedication of branch staff members with over 15 years of service

Departing Navajo Nation acting chief legislative counsel also appreciated for service

WINDOW ROCK – At the closing of the Winter Council Session last week on Jan. 30, the 22nd Navajo Nation Council and the Legislative Branch recognized the dedication and tireless commitment of eleven branch employees who have served the Navajo Nation in varying capacities for more than fifteen years.

“I want to thank these dedicated employees for their unwavering contributions to our Nation over such a great expanse of time,” said Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood). “Each of these valuable staff members has exhibited a caliber of sheer commitment that enables our government to develop and adapt with sturdiness.”

Upon receiving his recognition plaque for twenty-five years of service, Johnny R. Thompson addressed the Council with his sentiments on legislative and governmental public service.

“Thank you very much. I know you feel for your people when you step onto the [Council Chambers] floor,” said Thompson, expressing that he could relate to them on a certain level. “The work that I do – I don’t do it for me. It’s not for my office, it’s for the constituents.”

Three employees who received recognition for 15 years of service were: Ronald Largo (Ethics and Rules Office), Anslem Bitsoi (Navajo Labor Commission), and Sally Tohannie (Navajo Election Administration).

Receiving recognition for 20 years of service were Henrietta Wauneka (Ethics and Rules Office) and Clarence Rockwell (Navajo Utah Commission).

Among the three who were recognized for 25 years of service were: Ronald Haven (Office of Legislative Counsel), Arlene Coan (Navajo Election Administration), and Carol Wilson (Office of Legislative Counsel).

Lorene Spencer, a legislative advisor with the Office of Legislative Services, was recognized for her 30 years of service.

Lastly, Marjorie James, a legislative reporting supervisor with the Office of Legislative Reporting Section, was appreciated for her 35 years of service to the Nation.

As the recognition ceremony wrapped up, Speaker Naize announced that there was one more individual he wanted to recognize for his service to the Nation as acting chief legislative counsel, Edward McCool.

McCool, who began working for the Nation for a second stint in November 2010, announced that he would be resigning, effective Feb. 2, to pursue personal endeavors.
“I want to thank you for the honor of having served you all the time I have been here, particularly these last few years,” said McCool to members of the Council. “I feel a part of this Council. In my heart, I feel a part of it – and that is because we pulled it together, together.”

McCool continued on to say that the past two years were especially intense because of the processes of transition that had to occur when the Navajo people voted for the Council reduction from eighty-eight members to twenty-four.

“People should be proud of the transition that you made happen. Within the last six months, you have it down,” said McCool. “To be a part of that history, the Navajo Council and the Navajo people will always be a part of my life.”

###
FOR IMMEDIATE RELEASE
February 5, 2013

Navajo Nation Council approves supplemental funding for Navajo Election Administration to meet elections needs of the Navajo Nation

WINDOW ROCK – In a decision aimed at affording and protecting the Navajo people’s right to vote, the 22nd Navajo Nation Council on the Jan. 30 – the final day of the Winter Council Session – approved supplemental funding from the Unreserved, Undesignated Fund Balance account in the amount of $416,552 and $281,476 to the Navajo Election Administration.

With the approved supplemental funding, the NEA can fund the conduction of special elections and provide election assistance and public educational information related to elections matters on the Navajo Nation.

The resolution, which included three amendments, passed with a final vote of 16 in favor and 4 opposing, but not without considerable debate.

Legislation No. 0431-12 was first heard by the Council on Jan. 29, but was tabled until the following day so Navajo Election Administration officials and legislation sponsors, Council Delegates Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tsé i’ah, Whiterock) and Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin), could revise the proposed budget to meet the NEA’s area of need.

Immediately after the legislation was recalled to be put back on the Council agenda on Jan. 30, council delegates engaged in a multi-faceted discussion which fringed on the topics of fiscal responsibility, prevention of wasteful spending, preservation of voting rights, and ideas to revamp how elections are conducted on the Navajo Nation.

In her comments, Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) addressed fellow Council colleagues, particularly Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake), who felt that the approval of the supplemental funding encouraged wasteful spending, and that special elections could be administered within the Navajo Election Administration’s original budget.

“For those chapters that have filled all elected positions, you may feel that there is no need for an election. Unfortunately, that is not the case across the Nation,” said Delegate Benally. “There are a lot of elected positions still vacant, and the law says there has to be special elections held.”

Delegate Benally continued on the point of protecting voting rights, “If we really care about the people, this is a basic fundamental right that we’re trying to protect – making sure they vote. So, we’re not going to be wasting our money.”
“The issue is about trying to be fiscally responsible and provide voting rights,” said Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill), who voiced concern over elections that still had to be held in which there is only one candidate running.

“It seems to be a waste,” said Delegate Witherspoon. “I discussed with [NEA Executive Director] Mr. Edison Wauneka that we need to bring forth legislation to change the law to allow for the appointment of individuals when there is only one candidate in these elections.”

However, Delegate Witherspoon acknowledged that this sort of action would only occur during general elections so as not to discourage voter turn-out during primary elections, which is when voter participation should especially be encouraged. Delegate Witherspoon stated that he would continue to fine-tune the idea with the NEA leadership.

As of Jan. 25, the amount available for appropriation in the Undesignated, Unreserved Fund Balance account sits at approximately $25.8 Million, according to the Office of the Controller.

The last two supplemental appropriations that gained approval by the Council occurred during its Fall Council Session last year.

Then, Council approved $750,000 to fund an investment analysis into whether the Nation could proceed with the acquisition of the BHP Navajo Coal Company, and just over $625,000 in supplemental funding for the Navajo Veterinary and Livestock Program to carry out emergency response and prevention measures against Rocky Mountain Spotted Fever.

###
NNHRC Urges Navajo Citizens to Vote in New Mexico School Board Elections

Today

ST. MICHAELS, Navajo Nation—The Navajo Nation Human Rights Commission urges Navajo citizens in northwestern New Mexico to vote in today’s school board election.

The Navajo Nation’s proposed redistricting maps provided Native Americans in Voting District 1 of the Central Consolidated School District an opportunity to elect a candidate of their choice in accordance to the Voting Rights Act. CCSD’s regular school election is today.

“We, at the Commission, worked diligently to ensure Navajo voting strength is protected,” said NNHRC Executive Director Leonard Gorman. “NNHRC drew redistricting maps to ensure that Navajo voters elect a candidate of their choice.”

The indicator that Navajos elect their candidate of choice is a larger Navajo voting age population turning out to vote.

“Take advantage of the opportunity and get out and vote,” said Gorman.

###
President Shelly Seeks for $2.8 Million to Fund Operation Winter Freeze

TSE BONITO, N.M. – Navajo Nation President Ben Shelly is beginning efforts to seek funding for Operation Winter Freeze, which is estimated to cost $2.8 million.

Operation Winter Freeze began after President Shelly signed an emergency declaration nearly two weeks ago because waterlines throughout the Navajo Nation froze and broke, leaving as many as 10,000 people without running water for as long as two months. The money would pay for an additional 15 crews for three weeks, and operational costs of the Emergency Operations Center.

“We need to continue funding the Operation Winter Freeze. People with health risks don’t have running water, some communities have low water pressure that are putting health centers and hospitals at risk of closure. We are facing an emergency that is putting lives at risk,” President Shelly said.

President Shelly outlined a plan that involves sending a letter seeking assistance from Department of Interior, working with the state of New Mexico’s Department of Homeland Security and Emergency Management, and asking for volunteers to help with the emergency.

Arizona Department of Emergency Management has been at the Emergency Operations Center since last week.

“This is an emergency and we need every agency to help us,” President Shelly said.

For weeks, crews from Navajo Tribal Utility Authority, Navajo Engineering and Construction Authority and Salt River Project have been repairing waterline breaks. Some of the water pipes were built in the 1950s.

In January, the Navajo Nation experienced three weeks of temperatures that dipped as much as 25 degrees below zero, while days only warmed to temperatures in the teens.
The extreme cold temperatures caused waterlines to freeze in multiple areas, so when one line was repaired, the water pressure would cause a breakage elsewhere down the line. Many of the water outages are attributed to these conditions.

NTUA estimates that about 730 reported water outages have yet to be inspected and throughout the last few weeks, crews have responded to more than 940 reports throughout the Navajo Nation. Crownpoint and Shiprock districts have the most reports that have yet to be evaluated.

“I know our crews are working hard and we need to help them. We are looking for volunteers to help feed our crews working long hours to fix our water,” President Shelly said.

Communities are still being asked to conserve water as the emergency nears the end of its second week. Water pressure is still a concern for communities with hospitals because if water pressure drops to low, then hospitals will be forced to close.

“Fort Defiance and Chinle were two communities where water pressure was an issue. We continue to monitor these two communities, but we are also observant of other communities with hospitals,” said Rose Whitehair, Navajo Nation Emergency Management director.

She added that volunteers are needed for the emergency command center.

“We have 10,000 people without water and we need all the help we can get right now,” she added.

Also, representatives from the Federal Emergency Management Agency Region 9 will be on the Navajo Nation beginning on Wednesday.

They will help the Navajo Nation present their emergency to FEMA and President Barrack Obama. Last week, the U.S. Senate passed amendments to the Stafford Act, which President Obama is expected to sign, allowing federally recognized tribal nations to appeal to directly ask the federal government for emergency and disaster declarations.

The Navajo Nation is taking steps to get reimbursed from FEMA should this be recognized by FEMA.

“We are doing all we can to make sure our people are getting help. We will resolve this issue and get people water. We are a strong people and we will persevere,” President Shelly said.

###
NNHRC Urges Navajo Citizens to know their Personal Financial Information to Better Negotiate a Vehicle under the Invoice Price

SAINT MICHAELS, Navajo Nation—The Navajo Nation Human Rights Commission wants Navajo people to spend a considerable amount of time researching their credit worthiness and personal finances to gain a realistic perspective of their purchasing limit when buying a vehicle. The value of the information will help Navajo people negotiate say Navajo human rights officials.

While the testimonies from Dilkon, Kayenta and Crownpoint public hearings are being transcribed from Navajo to English to issue a report soon, the staff of NNHRC has met with Navajo citizens who have provided testimony and have filed a charge. In one-on-one meetings, NNHRC recognizes that fundamental knowledge about pre-purchasing is lacking.

“It is important to protect our personal financial information. We are measured against all citizens, Navajo and non-Navajo,” said Leonard Gorman for NNHRC. “When we know our credit score, we know our credit worthiness. When we know our purchasing limit and opportunity, we are in a better position to purchase what we want like a vehicle.”

To help Navajo people understand what they should know, NNHRC issued an advertisement for those in the market to buy a vehicle, “You make your deal: knowing and negotiating, for best of your life for the rest of your life.”

It states what a Navajo person should know before going to the dealer and how to apply the new knowledge to negotiate while at the dealer.

There are two main headings, know before you go and know how to negotiate the price and sales contract.

Under the know before you go topic, the first point is to know your credit score, where to check it and when to check it (once a year) and the reason for knowing your credit score which is give yourself a better position to negotiate down the Annual Percentage Rate, the APR.

-More-
Second, know your purchasing limit. Know your personal debt-to-income ratio. Calculate a monthly payment you can comfortably afford.

“But do not make your monthly payment the deal breaker,” said Gorman and continued, “Negotiate the price of the vehicle down then consider your monthly payment.”

Reminding Navajo people they’ll be the one paying for their vehicle, not to allowing anyone to tell them that they can afford more, is also in the recently released information.

Third, know what you want and its value. Find the invoice price of the make and model you want. Research the cost of the vehicle at the Edmunds website at www.edmunds.com. It’s good for researching new vehicles, as well as the Kelly Blue Book website at www.kbb.com. Kelly Blue Book is a good source for used vehicle values. You want to begin negotiating below the invoice price of the vehicle.

Finally, to give yourself the best advantage, get pre-approved with your own lender. Talk to your credit union or bank about financing. Having your own financing pre-approved before going to a dealer gives you an edge in negotiations. If not, you’ll have to settle with the lender of the dealer’s choice.

Staff members recommend Navajo people to gain this knowledge and secure a lender prior to going to a dealership to successfully engage in the next step, negotiations, specifically, knowing how to negotiate the price and sales contract.

Begin by negotiating the price of the vehicle. You want to begin negotiating below the invoice price of the vehicle. Stick to buying the vehicle you researched and decided to buy. Buy a vehicle closest to the invoice price. Leave if the negotiations do not go like you hoped. If you decide you want a different vehicle, leave, and research again before buying.

Next, negotiate the terms in the sales contract. Before signing the contract, read it and have it explained to you in detail. Make the salesmen explain what the Cool Down Period is, learn if the dealer has a separate document explaining the return policy, what the document fees are, what the arbitration clause is and then negotiate each one. Anything else on your contract that has a fee—question it and negotiate it. If you speak Navajo, or prefer Navajo, ask for a Navajo speaker. Anything you don’t know can cost you.

Finally, the staff stresses not to sign anything if a person does not like the negotiation process. If a dealer arranges finances at the dealer, they should ask for a copy of the written information submitted by the salesman to the financer, as well as the written response by the financer. If the dealer refuses, this is a red flag, be prepared to walk out.

Watch for red flags’ recommends the staff. Further recommendations include: to make sure everything is in writing before leaving the dealer. Do not rely on verbal agreements. And, if there is a trade-in make sure it is in writing.

-More-
“Require all vehicle agreements to be incorporated into the sales contract,” said Gorman. “Remember all sales are negotiable.”

For more information, contact NNHRC at (928) 871-7436.

*Contributing writer includes Leonard Gorman.*

###
President Shelly Speaks of Unity Before NM Joint House

SANTA FE, N.M. – Navajo Nation President Ben Shelly delivered a message of unity while outlining different bills he supports during an address to the New Mexico Joint Legislative Session Friday afternoon.

“We must find new ways to partner and address issues that are important to our constituents. We must grow our economies, create jobs, and build infrastructure, while maintaining basic services. Let’s all work together and do our best to serve the people that put us here. We owe it to them,” Shelly said during a 10 minute speech.

Shelly was one of a handful of tribal leaders who spoke during the New Mexico American Indian in Santa Fe.

President Shelly also outlined some bills in the New Mexico legislature that he supports.

Senate Bill 76 would appropriate $1.44 million to New Mexico State University so they can grow fresh produce. Then the New Mexico Department of Agriculture would buy the fresh fruits and vegetables for distribution throughout the state for school lunches.

“We have Navajo Agriculture Products Industries that grows fresh produce, and I see a partnership that could serve both our interests, if this measure passed,” President Shelly said, adding that other Navajo Nation enterprises could be utilized to help some state projects.

President Shelly also offered his support to House Bill 28, which would allow students at tribal colleges to qualify for New Mexico’s Lottery Scholarship. Under current provisions, students who attend tribally owned colleges can’t qualify for the scholarship.

“We contribute to the lottery and our students should have the same opportunities as other young scholars in New Mexico,” President Shelly said as the audience applauded.
Similar bills have been introduced in previous years, but have yet to be introduced to the floor, thus killing the bill.

President Shelly also lent his support to a portion capital outlay funding that would provide funding to build homes for veterans.

“We must care for our veterans by providing housing. They sacrificed so much to provide our safety, so it is our responsibility to do as much as we can to help them,” President Shelly said.

President Shelly also extended his gratitude to Rep. Carl Trujillo for working with the Navajo Nation to make changes to House Bill 306, which would’ve made it more difficult to cross commission Navajo police officers with New Mexico law enforcement agencies.

“We know Representative Trujillo has the vested interested in public safety for all our communities and counties. Thank you for understanding the position of the Navajo Nation,” President Shelly said.

He closed his remarks by reminding leaders that to make the best progress, the leaders have to work together.

“In that spirit, let us continue to work together. The challenges we face could be better met if we work in a unified manner. Now is the time we must work together and see how we can find creative ways to establish new partnerships that serve all of our communities,” President Shelly said.

###
For Immediate Release
February 1, 2013

President Shelly meets with Israeli Diplomats and Arizona Israel Business Council

SCOTTSDALE, Ariz. —Navajo President Ben Shelly met with Israeli Consul General David Siegel and members of the Arizona Israel Business Council as they discussed priorities following the president’s visit to Israel in December 2012.

“We’ve built a bridge with Israel,” President Shelly said to the Israeli diplomat and Jonathan Breakstone, who leads the Arizona Israel Business Council. “We’re going to bring our professionals in agriculture, technology, and education together with the experts we met in Israel.”

President Shelly emphasized agriculture in Israel and the use of technology to conserve water in agribusiness as he visited thousands of acres of farming lands and green houses in Israel’s Negev, an arid Israeli southern desert between Jordan and Egypt. Drip irrigation nourishes crops year around with yields as much as 10 times more than traditional farming. Water is drawn from a large aquifer, the Sea of Galilee, and from the desalination of seawater from the Mediterranean.

“Agriculture is just one part of our drive to economic prosperity,” the president said. “Technology is the other. It’s where we are going.” The president described the Navajo Nation’s capacity for technology and the new data center in Shiprock, and the new jobs it has created with more to come.

The consul general accepted the president’s invitation to visit the Navajo Nation soon. In return the consul general welcomed the president to return to Israel, and committed to working on more meetings with Israeli government diplomats in Washington, D.C.

“You will always be honored guests in Israel,” said Consul General Siegel to the president and Mrs. Shelly. The Israeli consul general pledged his commitment to the president’s priorities for growth on the Navajo Nation. “We have many in the agricultural field who are ready to come to Navajo.”
The president also spoke on education, the meetings held with Haifa University and Ben Gurion University and the invitations by deans and professors to embark on a student and faculty exchange with both nations.

The consulate general of Israel in Los Angeles is one of the largest diplomatic missions in the world covering Arizona, California, Colorado, Hawaii, Nevada, Utah, and Wyoming.

Others who attended the dinner meeting with the president and the Israeli consul general were Phyllis Kaminaky and Glenn Williamson. Jonathan Breakstone gave his commitment in working with the president, and will accompany the Israeli diplomats in their future Navajo Nation visit.

The Arizona Israel Business Council serves the commercial and social interactions of individuals, companies, and organizations in pursuing cross border relationships to increase business, support trade growth and investments in Arizona and Israel.

###
FOR IMMEDIATE RELEASE  
February 1, 2013

Navajo Nation Council confirms appointment
of three probationary district court judges

WINDOW ROCK – The 22nd Navajo Nation Council on Wednesday confirmed the appointment of three probationary Navajo Nation district court judges during the final day of the Winter Council Session this past week. With the appointments, three of five vacancies for district court judges have been filled.

“There has been a shortage of judges on our Navajo Nation and a backlog of cases,” said Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), prior to the confirmation voting by the Council. “Once confirmed, these individuals can start working for our people - the victims who have suffered from the hands of criminal activity.”

Receiving confirmation as probationary district court judges were Roy Tso, Jr., Victoria R. Yazzie, and Leonard Livingston. All will serve a probationary two-year term, as mandated by Navajo law.

The Law and Order Committee initially determines the qualifications of all applicants for judgeships through a thorough screening process, according to 2 N.N.C. §601(B)(7)(a) and 7 N.N.C. §355(A). Those that are deemed qualified are forwarded to the President for appointment, which are then subject to confirmation by the Navajo Nation Council.

“We want good, qualified judges sitting on our benches,” said Council Delegate Russell Begaye (Shiprock) who explained that the applicants were screened through an interview panel with questions posed by the Law and Order Committee, of which he is also a member.

Applicants were also subject to complete a written test designed to demonstrate the applicant’s legal knowledge and writing skills, among other requirements, Delegate Begaye said.

Legislation No. 0493-12, confirming Leonard Livingston as probationary district court judge, was sponsored by Delegate Yazzie. Livingston, who has a background in law enforcement, has worked as a prosecutor for the Navajo Nation and served thirty years of military duty in the U.S. Air Force.
Delegate Begaye sponsored the two legislations to confirm the appointments of Roy Tso, Jr. and Victoria R. Yazzie, (Legislation No. 0486-12 and Legislation No. 0487-12, respectively).

Roy Tso, Jr. was appointed on the basis of his varied experiences in child support enforcement and social work, and completed stints with DNA People’s Legal Services and the Gallup Magistrate Court, where he served as a judge. Tso also worked as a district prosecutor on the Navajo Nation.

Victoria R. Yazzie’s appointment came on the basis of her 22 years of experience with the Navajo Office of the Prosecutor. Yazzie also possesses a degree in criminal justice.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill), during confirmation dialogue on the floor, requested for each of the judgeship appointees to communicate and follow-up with prosecutors in cases that involve young people, and ensure that police officers complete their records in a timely manner.

“Most [cases] get thrown out because police officers don’t get their paperwork done in three weeks. And so, the chance or the opportunity to make change for a young person never comes before a U.S. judge,” Delegate Witherspoon explained.

Ensuring that judges incorporate basic Navajo philosophical concepts of self-identity and identity through k’é (kinship relations) was important to Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone), who asked appointees how they intended to restore peace and harmony to Navajo families through their decisions.

When it was his turn to talk, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said as probationary district court judges, the work and decisions of each appointee will have a significant impact on the lives of Navajo people.

“If we put the wrong judge in, we have hurt Navajo people. That's how I look at this,” said Delegate Tsosie. “That's why I feel it is very important that you, as judges, do your job and do what is right. Your job is to bring harmony back to our communities based on the Navajo laws we have."

Immediately following their confirmation by the Navajo Nation Council, the new probationary district court judges were sworn in by Navajo Nation Supreme Court Associate Justice Eleanor Shirley on the Council Chambers floor.

###
For Immediate Release
March 29, 2013

**President Shelly Declares Eddie Basha a Noble Soul in Expressing Farewell**

**WINDOW ROCK, Ariz.** — Navajo Nation President Ben Shelly this morning expressed fond remembrances of an Arizona grocer and philanthropist who invested in grocery stores on the Navajo Nation.

“It is with great sadness to learn a noble soul has left us this past Tuesday afternoon,” President Shelly expressed to widow Mrs. Nadine Mathis Basha in a letter. “Eddie Basha was indeed a great friend to the Navajo Nation, who reached beyond his business comfort to invest in the unknown and all the while established a permanent presence here with a lifetime to come.”

In December 2012, the president’s office received more than 2,500 turkeys from the Basha family for Navajo families to enjoy the holiday season. In expressing appreciation to Mr. Basha, the president wrote, “I extend a sincere thank you for the large contribution of turkeys you made which will go to families and organizations for the holiday season.”

“Eddie lived in the nature of giving,” said the president on Good Friday morning. In his message to the Basha family, President Shelly concluded, “We shall always bear his memory as we say farewell to a man of humility who leaves his imprint in the days to come.”

Funeral services for Mr. Basha fare scheduled to begin Saturday, April 6, 2013, at 10:00 a.m. at the Arizona State University Gammage in Tempe, Ariz. The public is urged to contribute to a list of charities in lieu of flowers and donations.

###
FOR IMMEDIATE RELEASE
March 28, 2013

Naabik’íyátí Committee passes $2.3 million legislation to fund Phase II of the possible acquisition of BNCC, proceeds to Council for final decision

WINDOW ROCK – Today, the Naabik’íyátí Committee passed Legislation No. 0078-13 with a vote of 18-2, which brings the Nation a step closer to approving $2.3 million in supplemental funding for Phase II of the due diligence investigation to possibly acquire the BHP Navajo Coal Company.

Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’ Da Kaan, Upper Fruitland), in his opening remarks to the committee, explained the need to complete Phase II of the due diligence so that Council can make an informed decision on the possible acquisition of BNCC.

Delegate Bates described Phase II of the due diligence investigation as a process that will allow the Nation to conduct an independent legal, mining, and financial due diligence.

“This will be an ‘as is’ sale, so we will be particularly focused on identifying and quantifying any potential liabilities,” Delegate Bates added.

The Nation began exploring the possible acquisition of BNCC in October after it became apparent that Navajo Mine would no longer meet BHP Billiton’s investment criteria beyond 2016.

During the 2012 Fall Council Session, Council approved supplemental funding in the amount of $750,000 from the Unreserved, Undesignated Fund Balance to begin Phase I of the due diligence.

“The purpose of Phase I was to become familiar with the mine operations, run initial financial and economic analyses, and identify potential liabilities based on information provided by BHP Billiton,” Delegate Bates said.

On Dec. 18, after the completion of Phase I, the Navajo Nation and BNCC entered into a Memorandum of Understanding, outlining the transfer of ownership of BNCC to the Nation.

The legislation will now proceed to the Council for final considered on Mar. 29 beginning at 10 a.m. during a special council session at the Navajo Nation Council Chambers.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
March 28, 2013

Resources and Development Committee receives update on construction schedule and details for Navajo Route 20 pavement project

WINDOW ROCK – The Resources and Development Committee on Tuesday received a report on the latest developments regarding the closure of U.S. Highway 89 and plans to construct a temporary detour route on Navajo Route 20, south of Page, Ariz.

Officials from the Navajo Department of Transportation, the Arizona Department of Transportation, and the Bureau of Indian Affairs went before the RDC to provided segments of the report.

A landslide occurred in the early morning hours of Feb. 20, causing the US 89 to buckle and making it impassable.

NDOT Director Paulson Chaco said the Federal Highway Administration recently authorized Quick Release Funds of $2 million to begin repairing US 89.

The plan is to pave Navajo Route 20 as a temporary detour route by this summer, Chaco said. The project is estimated to cost between $15-20 million.

The emergency relief funding is intended to “get a detour in place as soon as possible,” and is limited in its use, Chaco told the committee. It cannot be used to construct any ultimate improvements.

According to NDOT, there are no provisions for fencing along the N20 detour route, but ADOT deputy state engineer of development Dallas Hammit said his agency is “looking at other areas to get funding for fencing.”

It was unsettling for Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) to note that there were no plans or measures prepared by either of the transportation agencies accounting for the protection of livestock along N20, as well as the hazards they impose on traveling motorists.

“All that land is open range where the detour road is being proposed. What type of notification have those people received who depend on those animals as their livelihood? What information has been shared with them?” inquired Delegate Benally.

She further questioned how livestock, the people’s livelihood, would be protected.

Lacking protection measures, Delegate Benally stated, “That’s very dangerous. That’s not only dangerous for the people who depend on their livestock, but it’s also dangerous for the people will be traveling.”

It poses a “big liability question,” said Delegate Benally, who asked transportation officials which agency would take responsibility for that.
Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, T’sah Bii Kin) informed the committee and representatives from NDOT, BIA, and ADOT that Diné citizens in his represented communities – particularly Shonto, T’sah Bii Kin, and Navajo Mountain – have expressed concerns about the high amounts of detour traffic funneling through the area on Arizona State Route 98 to Page, due to the closure of US 89.

With the summer tourist season approaching, that traffic is only expected to increase.

“Public safety has been a concern. Navajo County [deputies] recently got cross-commissioning, so they’re there on the Navajo County side reminding visitors, as well as our own Navajo citizens, to take it easy on these routes,” Delegate Nez said.

Delegate Nez mentioned he has not observed this level of protection or interaction from public safety officials in nearby Coconino County, “but that’s another discussion to have,” he said.

Both Delegate Benally and Delegate Nez expressed dissatisfaction with the proposed construction plans for N20, seeing them as sub-par, and less than what local Diné residents deserved.

“I’m a little furious with what is going on here. Emergency or not, there needs to be consideration for our people,” said Delegate Benally, who noted that she was aware that certain emergency funding President Barack Obama had set aside for Tribes. “Maybe this Council needs to go directly to Obama, and ask why the proposed roads are half-shoddy already.”

Delegate Benally asked profusely why sufficient drainages and turn-offs were not included in the construction design of N20.

“If this happened off the Navajo Nation, how much money would the Federal Highway Administration or FEMA pour into restoration, or even doing a detour road? Not the peanuts that we’re getting. I take offense to that,” expressed Delegate Benally.

It was not only in the best interest of local residents, “but for Arizona to get this route permanent,” said Delegate Nez, who added that he believed “it is the responsibility of ADOT to put more funding into the alternate route.”

Delegate Nez requested for ADOT to visit his chapters along SR 98 and provide a report.

NDOT stated that the anticipated detour duration is expected to span two years.

The Federal Highway Administration has not yet determined how much it will cost to repair US 89, nor has it been determined how long repairs are expected to last.

Geotechnical experts and engineers are currently conducting an investigation of the US 89 landslide.

The Resources and Development Committee voted to accept the report with a vote of 4-0.

“We want to have a meeting with all parties as soon as possible,” Delegate Benally said at the conclusion of the report.

###
HOLBROOK-The Navajo Division of Transportation met with the Arizona Department of Transportation and the Bureau of Indian Affairs on March 25 to move forward with plans to pave Navajo Route 20 as a detour route to restore essential traffic from the road closure on U.S. 89.

ADOT has been allowed the use of Federal Highway Administration emergency relief funding to pave N20 and to open up the route as soon as possible for traffic.

However, before construction can begin, a number of items must be addressed, such as detour design standards, speed, traffic volume, commercial truck traffic, drainage, and livestock provisions.

Other items needed by ADOT include application for a temporary easement for the N20 detour route, updating the 2006 environmental assessment and biological evaluation, a cultural resource survey, and acquisition of all necessary permits and clearances from the U.S. Environmental Protection Agency.

ADOT will assume the responsibility of maintaining the detour route until regular traffic is allowed back on U.S. 89.

Dallas Hammit, senior deputy state engineer for ADOT, said he was concerned with the lengthy process and time involved with acquiring the right-of-way application and the need for a legal description survey.

In the interest of time, ADOT plans on utilizing the existing alignment of N20 to expedite the construction process.

We are staying with the current dirt road alignment, Hammit said.

Roland Becenti, acting division manager for the BIA survey work with the legal descriptions is going to take some time,” Becenti said.

ADOT right-of-way agent Myra Rothman said they must have a meets and bounds legal description in place before applying for the temporary easement.

Hammit asked if it was possible to get permitting to begin design and possibly even construction, while surveying activities were executed.

“(We) could have it as a deliverable to the (Navajo Nation) Land Department within 60 to 90 days after construction is complete. That would be the complete survey and monumentation,” Hammit said.

NDOT civil engineer Darryl Bradley said they can request submission of a map with a general layout of the existing survey work with the legal descriptions is going to take some time,” Becenti said.

Navajo Region Division of Transportation, said there is not very much more environmental work that needs to be done on N20, if ADOT sticks to the existing alignment.

“There is an existing environmental document, archaeology work and bounds survey has been done. But you’re right, the

The survey work with the legal descriptions is going to take some time.

“
alignment, but he was dubious about approval of the 60 to 90 day timeframe.

ADOT said they could provide a temporary legal description and plat, while following the designer along the route and writing legal descriptions. However, ADOT survey crews wanted time to ensure there were no mathematical errors before submission to the Land Department.

Developing a set of plans is going to be the time-consuming part of the process, they said.

In order to speed along the process, Paulson Chaco, NDOT Director, said he would direct his project management department to meet with the reviewing parties from the Nation – Fish and Wildlife, Land Dept, Historic Preservation Dept – and iron out details before the packet is sent in for review.

This would streamline the approval process, he said, before the permission to survey and ROW applications were submitted for approval.

“If we could submit (the packet) just once, that would be good,” Chaco said. “That way you take care of your centerline, profile, cross-section, and the temporary easement at the same time to take care of your meets and bounds.”

He said NDOT would see if Navajo Nation President Ben Shelly could speed the process along by allowing ADOT’s consultant on N20 to conduct surveying activities, via the emergency declaration that was executed by the Navajo Nation on Feb. 24.

“I need to get together with the president’s office to see if he can issue a letter, short of going through federal regulations,” Chaco said.

There is an existing centerline for N20, but some “bits and pieces” where there is no centerline, thwarts efforts to establish meets and bounds necessary for the design.

Hammit said Aztec was selected as the consultant because they had four survey crews at their disposal for immediate action. He added that ADOT has also advertised for statement of qualifications for a contractor to do the actual road construction, employing construction manager at-risk methodology.

Proposals are due to ADOT on April 2. Hammit said the review team will have a week to review the proposals and select a contractor.

“But before we could start work, we would need the right-of-way and environmental clearance,” Hammit underscored.

Simone Jones, acting reality officer for the BIA Navajo Region, explained the process for granting an easement for construction.

“Typically, you begin with the permission to survey as step one in the right-of-way process for the BIA, under 25 CFR, Part 169. It requires the consent of the landowner, in this case, it would be the Navajo Nation,” Jones said.

She said the Navajo Nation would grant permission to survey for meets and bound description, centerline, and any archaeological or environmental work.

“When we have the tract permission, it’s a quick turnaround and the BIA will acknowledge they have tribal consent and according to the Nation’s terms and conditions with permission to survey, ADOT can get on the road,” Jones said.

Consent for the right-of-way follows the same footprint, including SAS 164 review, archaeological and environmental assessment, and centerline data.

ADOT is pushing to have N20 paved by summer 2013 to restore essential traffic from U.S. 89.

-30-
FOR IMMEDIATE RELEASE
March 27, 2013

Budget and Finance Committee receives update on the construction of judicial and public safety facilities

WINDOW ROCK – At a special meeting on Monday, the Budget and Finance Committee received an update from the Navajo Nation Department of Corrections concerning the financial shortfalls relating to the construction of judicial and public safety facilities in several areas of the reservation.

Stephanie Baldwin, Navajo Nation DOC administrative services officer, updated the BFC on the financial costs associated with the two-phased construction of the Chinle judicial/public safety facility, which is scheduled to begin in April.

According to figures provided by Baldwin, the estimated combined construction cost of Phase I and Phase II totals $47.5 million, with a combined shortfall totaling $27.9 million.

In addition to the Chinle facility, the DOC plans to construct judicial/public safety facilities in Shiprock, Fort Defiance, Dilkon, and Pinon. However, funding has not been secured to cover the cost of constructing these facilities, which is estimated to total $157.3 million, said Baldwin.

Baldwin also explained that the judicial/public safety facility in Kayenta is approximately 40 percent complete and is scheduled for completion in March 2014.

With the recent completion of the Tuba City and Crownpoint judicial/public safety facilities, Law and Order Committee Chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), who was in attendance at the meeting, explained that the LOC now plans to update and expand the DOC judicial/public safety facilities priority list.

The judicial/public safety facilities priority list is established by the LOC to prioritize the locations that are in need of new facilities.

Delegate Yazzie added that the LOC and BFC need to approve Legislation No. 0083-13, a bill which will allow amendments to the judicial/public safety facilities fund management plan.

The proposed additions to the priority list were met with opposition from some delegates.

BFC member Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si ání, Wide Ruins) explained that when the previous 21st Council approved the judicial/public safety facilities fund management plan, the intention was to keep construction costs minimal.
“Are there any restraints in the spending spree that is developing here?” asked Delegate Curley.

Delegate Curley further stated that the fund management plan needs to limit the funding for judicial/public safety facilities, and shift the focus to capital improvement needs, such as improvements to administration buildings.

Council Delegates Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch'izhi) and Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts'ah Bii Kin) urged delegates to secure funds to complete facilities currently under construction before expanding the priority list.

Navajo Nation Controller Mark Grant offered options to address the construction shortfalls.

One option would be to service the Nation’s current $60 million loan from KeyBank and continue utilizing it as a revolving line of credit, which would be more costly because interest rates are expected to increase over time, said Grant.

Another less costly alternative is to issue bonds, because interest rates are currently low which means the Nation would be locked in to a low rate for the entire period. However, the issuance of bonds requires the approval of the entire Council, Grant explained.

BFC Chair Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) encouraged the DOC, LOC, and BFC to establish an updated priority list and to address funding shortfalls.

At a special meeting on Tuesday, the LOC considered Legislation No. 0083-13, the bill concerning the priority list, along with discussion on funding shortfalls.

Delegate Nez supported the LOC’s efforts to construct new facilities, and urged LOC to focus on the current construction taking place in Kayenta and Ramah - each of which was funded by the American Recovery and Reinvestment Act of 2009.

“Kayenta needs to happen,” said Delegate Nez. “They’ve been moving from place to place and need an office as soon as possible.”

In light of the discussions between the B&F and LOC, Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) recommended an amendment to the legislation that would extract the priority listing until the LOC members agree on which locations should be prioritized.

During their special meeting, the LOC approved an amendment to expand the priority list from five locations to ten locations.

The LOC also voted to approve the legislation 2-0 with two amendments.

Legislation No. 0083-13 now moves on to the BFC, which has final approval.

# # #
Speaker Naize thanks veterans and military members for service and protection at Lori Piestewa sunrise memorial event

PHOENIX – Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) and Council Delegate Jonathan Hale (Oak Springs, St. Michaels) rose before dawn on Saturday morning along with about 75 other people to honor the late Lori Piestewa at a sunrise memorial service held at the base of namesake Piestewa Peak.

“It is an honor to participate in this event this morning,” said Speaker Naize, who extended special recognition to the Piestewa family and friends present at the memorial service who served alongside Piestewa in the military.

In their capacity as tribal leaders, Speaker Naize affirmed that he and the Navajo Nation Council would continue to give their full support to veterans, military service members, and those who were serving in the military overseas.

“We have so many of our Native people fighting and courageously defending this nation,” said Speaker Naize, expressing gratitude for the protection that Native military warriors were providing, while sacrificing time away from home and family.

Speaker Naize then focused the audience’s attention on the current struggles for water, land, resources, and treaty recognition that many Indigenous nations are engaged in domestically.

“We have to remind the federal government that we are also fighting for our water and our resources, too,” Speaker Naize said.

Wrapping up his short address, Speaker Naize turned to the Piestewa family who were seated in the front row before the presentation stage – among them were Piestewa’s father, mother, and her two children, who were now 13 and 14 years old.

“May the Holy People, and Father Sun shine light on your families and warm their hearts with comfort,” Speaker Naize said, addressing both the Piestewa family and military families in attendance that had lost loved ones in foreign combat.

Speaker Naize and Delegate Hale paid tribute, alongside President Ben Shelly and Miss Navajo Nation Leandra Thomas, to all veterans – living and fallen – for their military services.

The event marked ten years since Piestewa was killed in combat at the age of 23 during a roadside military ambush in Iraq on March 23, 2003.

Piestewa grew up in Tuba City, Ariz., and was a member of the Hopi Tribe.

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SAINT MICHAELS, Navajo Nation—The Navajo Nation Human Rights Commission will meet at 10 a.m., on Friday, April 5, 2013, at its office located at 343 Arizona Highway 264 in the Saint Michaels Professional Bldg. 1, Suite 112, in St. Michaels, Navajo Nation (Arizona) for a regular meeting. The regular meeting is open to the public.

NNHRC advocates for the recognition of Navajo human rights and addresses discriminatory actions against the citizens of the Navajo Nation. For more information, call the NNHRC office at (928) 871-7436 or visit the NNHRC website at www.nnhrc.navajo-nsn.gov.
Health, Education, and Human Services Committee discusses legislation allowing Navajo Technical College to be named a university

WINDOW ROCK – The Health, Education, and Human Services Committee on Wednesday discussed legislation aimed at approving amendments to Title 2 and Title 15 of the Navajo Nation Code, as well as the articles of incorporation for Navajo Technical College. The changes will allow for NTC, a wholly-owned nonprofit corporation of the Navajo Nation, to change its name to Navajo Technical University.

Legislation sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) immediately drew the committee’s attention to a proposed amendment in the articles of incorporation that would allow NTC to establish its own institutional review board.

The proposed IRB would be responsible for reviewing and approving all human and animal research conducted by NTC students, faculty, and individuals associated through institutionally sponsored projects.

“I think this will be this committee and the Naabik’íyátí Committee’s main concern with the legislation,” Delegate Simpson said.

NTC president Elmer Guy, Ph. D. stressed the need for NTC to have its own IRB as all other universities do.

“Part of educating students is that you have to teach them how to do research because they research to promote the field they’re in,” said Dr. Guy. “They research to add new discoveries, to add new knowledge.”

Although HEHSC members expressed strong support for NTC being named a university, concerns were raised about the proposed NTC IRB being exempt from Navajo Nation Human Research Code.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) and Navajo Epidemiology Center director Ramona Antone-Nez voiced opposition to specific language in the legislation which states that the proposed IRB and the board-approved research shall be exempt from requirements outlined in the Navajo Nation Human Research Code.
Delegate Simpson said he and Guy had met with Navajo Nation Department of Justice attorney Cherie Espinosa to address the language in the legislation, and asked HEHSC members to amend its wording so that the proposed NTC IRB would not be exempt from the HRC.

One of the main reasons NTC is pushing to establish its own IRB is to expedite the research approval process for students, Guy said.

Guy noted from his own experience that it took over a year for his doctoral research proposal to be approved by the Nation’s HRRB under the current process.

He further stated that many Navajos, often doctoral candidates who want to do research on the reservation, are often discouraged from doing so due to the lengthy HRRB approval process.

“We lose that information that could’ve contributed to the Nation’s needs,” said Dr. Guy. “With our own IRB, [students] can do their studies here on Navajo.”

Antone-Nez responded by saying that she does not oppose the legislation, but worries that it has the potential to create a “dual process” in which two entities would have the authority to approve research studies.

She went on to affirm that the HRRB should not be removed from the approval process because its purpose is to protect the well-being of the Navajo people from research, possible harm, and any adverse effects.

Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) thanked Antone-Nez for bringing her concerns before the committee, and urged the HRRB to exercise greater efficiency and timeliness when approving research requests, rather than posing as an obstacle for researchers.

“I support this legislation, but the concerns over approval authority need to be resolved in order to avoid adding another layer of bureaucracy for research entities,” Delegate Butler said.

HEHSC Chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) urged all sides to come together and iron out the issues.

“Division of Health is here, NTC is here, DOJ is in the middle, but nobody is talking,” said Delegate Hale. “Not until it comes before us does it become evident that there’s no communication taking place.”

HEHSC members voted 4-1 to table the legislation until NTC, NDOH, and DOJ resolve their differences.

The legislation needs approval from the Law and Order Committee, the Naabik’íyáti Committee, and the Navajo Nation Council, in addition to the HEHSC.

A meeting between legislation sponsor Delegate Simpson, Navajo Nation DOJ, and NDOH is scheduled to take place today before the legislation is brought back before HEHSC.

# # #
FOR IMMEDIATE RELEASE
March 20, 2013

Resources and Development Committee approves supplemental funding request for due diligence investigation to analyze possible BHP mine acquisition

Legislation for $2.3 million request moves forward to Budget and Finance Committee

CHURCK ROCK, N.M. – Legislation requesting for the approval of $2.3 million in supplemental funding to complete a due diligence investigation for the possible acquisition of Navajo Mine was considered and passed by the Resources and Development Committee yesterday with a vote of 3-0.

Legislation No. 0078-13, sponsored by Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, T’iis Tsah Sikaad, Tsé Daa’ Kaan, Upper Fruitland), is assigned to four Navajo Nation Council standing committees and the Navajo Nation Council for consideration.

The legislation requests for the $2.3 million to be drawn from the Undesignated Unreserved Fund Balance account, which will be used to further the Navajo Nation’s due diligence measures in the possible acquisition of the BHP Navajo Coal Company to mine reserves located there, said Delegate Bates.

The proposed due diligence measures would be Phase II of the acquisition assessment the Nation has undertaken.

Phase I was a preliminary assessment to determine whether the acquisition was a transaction that the Nation should proceed with, and was made possible through a Council resolution approving the allocation of $750,000 from the UUFB during last year’s Fall Session.

The allocation for Phase I activities received concurrent signatory approval by President Ben Shelly.

“Through Phase I, it was determined that this acquisition was something that the Nation should seriously consider,” said Delegate Bates, explaining to RDC members that the requested amount will be used to examine the Phase I assessment findings in greater detail.

Some of the questions to be examined under the proposed due diligence investigation will include how the Nation will pay for the acquisition, what areas of liability the Nation will be responsible for, where dispute resolutions will take place, and where water from post-processing activities will go.

“Until those details are determined by an independent firm, the Nation will not be able to make an accurate decision on whether we want to buy the mine,” Delegate Bates said “We, as a Nation, at this time would not have all the needed facts and information to make a sound decision.”

“In order for us as a Navajo Nation Council to make a sound decision, and to look under all these stones yet to be turned over,” the requested $2.3 million is needed to uncover and assess key information in greater detail, Delegate Bates said.
The due diligence investigation will need to yield information by June 30.

During the questions and comments segment of the legislation’s presentation, RDC member Council Delegate Leonard Pete (Chinle) alluded to questions he had about the quantity and quality of coal at the mine, whether some layoffs would be imminent during the acquisition process, and environmental impacts the mine has posed over the years.

These concerns need to be addressed in piecemeal fashion, said Delegate Pete.

According to Delegate Bates, the amount of reserves at the mine is enough for 100 years, and the current available supply will be enough to get the Nation past 2016 and onward.

The RDC was the second committee to consider the bill.

On Monday, the Law and Order Committee moved the bill forward to the RDC with a “Do Pass” recommendation along with one amendment requesting that “all current information and data gathered related to the possible acquisition shall be made immediately available to the members of the 22nd Navajo Nation Council and members of the Energy Task Force Team.”

Legislation No. 0078-13 now moves forward for consideration by the Budget and Finance Committee. Thereafter, the bill will move before the Naabik’íyáti’ Committee, and then on to the Navajo Nation Council agenda.

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FOR IMMEDIATE RELEASE
March 19, 2013

Budget and Finance Committee approves cross-commission agreement between the Navajo Nation and the San Juan County Sheriff’s Office

WINDOW ROCK — On Tuesday, the Budget and Finance Committee voted 4-0 to approve a cross-commission agreement between the Navajo Division of Public Safety and the San Juan County Sheriff’s Office in Utah that will allow for increased law enforcement presence and protection in emergency situations.

Legislation No. 0022-13, outlines specific provisions and regulations that will allow Navajo Nation Police and San Juan County Sheriff Officers to function as the “primary law enforcement” in its own jurisdiction and as a “secondary law enforcement” in the other’s jurisdiction.

The legislation was first considered by the Law and Order Committee on Feb. 25, which referred it to the Budget and Finance Committee with a “do pass” recommendation with no amendments.

Legislation co-sponsor and Law and Order Committee Vice Chairperson, Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) expressed support for the agreement, asserting that Navajo Nation Police are shorthanded, especially in remote areas on the reservation.

Delegate Shepherd, a former police officer for ten years, attributes the lack of Navajo Nation police officers to the challenging process and stringent qualifications that police candidates must meet.

The few who become police officers often choose to leave the Nation for higher paying jobs, Delegate Shepherd said.

BFC Vice Chairperson and legislation co-sponsor, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) thanked the Law and Order Committee, San Juan County Sheriff’s Office, and Navajo Nation Department of Justice attorneys Regina Holyan and Paul Spruhan for working on this agreement, and two prior cross-commission agreements with the Arizona Department of Public Safety and Navajo County in Arizona.

“The agreement provides law enforcement services that will supplement the Navajo Nation police force,” Delegate Nez said.
Delegate Nez encouraged Law and Order Committee members and the San Juan County Sheriff’s Office to work together to ensure that provisions and regulations under the newly re-authorized Violence Against Women Act are fully understood and adhered to by Navajo Nation police officers and San Juan County police officers.

“In a way, there’s no more excuses when it comes to domestic violence between a Navajo and non-Navajo,” said Delegate Nez. “Jurisdictional issues are no longer an excuse with this agreement in place.”

BFC member Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) praised the legislation agreement and encouraged both committees to work toward establishing more cross-commission agreements.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Invites All to Navajo Prayer Day

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly invites Navajo people to Navajo Prayer Day, “Ilhodiyiin Bji,” scheduled to begin tomorrow at the powwow grounds at the Navajo Nation Fairgrounds.

The two day event begins with a flag raising and blessing ceremony at 7 a.m. Then a welcoming ceremony is scheduled to start at 6 p.m. before the Native American Church ceremony begins near the powwow grounds.

“Navajo people have long been strong in our prayers. We depend upon the Holy People for guidance and goodwill, so it important that we recognize our deities during the spring equinox regardless of our faith. We all need to join together in prayer,” President Shelly said.

Also a Christian prayer service is scheduled to take place Wednesday evening on the fairgrounds.

“These days we should think and offer prayers in appreciation. The stronger our prayers, the stronger we become as Navajo people,” President Shelly said.

For more information call Cyndy Taylor at (928) 871-7914.

###
FOR IMMEDIATE RELEASE
March 18, 2013

Health, Education, and Human Services Committee and Law and Order Committee discuss emergency response issues

BLACK FALLS, Ariz. – Members of the Health, Education, and Human Services Committee and the Law and Order Committee met with representatives from law enforcement, public safety, Coconino County, Navajo Nation Office of the President and Vice President, Rural Addressing Initiative, health care providers, and Black Falls residents to discuss first response challenges and issues.

HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) — representative of the Black Falls community which is a part of the former Bennett Freeze area — arranged for the joint-committee meeting in this remote community to provide emergency service representatives a first-hand perspective of the living conditions and rough terrain that residents contend with on an every day basis.

Black Falls is approximately 27 miles northwest of the community of Leupp.

Delegate Phelps said he wanted everyone at the meeting to experience the long commute on rough roads to Black Falls to give them a realistic idea of what residents deal with daily.

He noted that many were late to the meeting because the water level had risen too high in one area of a road which made travelers detour using another route.

Recently, it was reported that a Black Falls resident died in a car accident on a long stretch of dirt road between Leupp and Black Falls.

Emergency personnel were not able to reach the victim immediately because of confusion over which emergency personnel was obligated to respond to the accident due to service areas not being clearly defined in this remote area of the reservation, Delegate Phelps explained.

“This is not an isolated incident,” said Delegate Phelps. “Delayed responses are common and lives are lost because of it.”

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) said his communities face similar problems, citing inaccessible roads for emergency vehicles, a lack of signage to direct emergency personnel, and a lack of communication technology and accessibility.
Community residents and representatives of the “Forgotten People” non-profit organization shared firsthand accounts of delayed emergency responses, and urged HEHSC and LOC members to work toward solutions that truly help their community.

Much of the discussion centered on the need for the Nation to create a Public Safety Answering Point — also known as a PSAP system — which is a specially equipped center that receives 911 calls which are then directed to the correct emergency services said Brian Tagaban, director of the Navajo Nation Telecommunications Regulatory Commission.

Tagaban further explained that in order to implement a PSAP system, clearly defined addressing and service area boundaries must first be developed.

Delegate Witherspoon offered several suggestions including acquiring a helicopter for emergency personnel to reach remote areas quickly, developing telecommunications infrastructure for emergency personnel and community members, and establishing a cross commission agreement with Coconino County so they would also be able to respond to emergencies on the reservation also.

HEHSC and LOC members expressed their condolences to community members, and said they will support legislation that helps them and their community to establish communications and emergency service needs.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Signs FEMA Agreement

MENTMORE, N.M. – Navajo Nation President Ben Shelly signed a tribal agreement with the Federal Emergency Management Administration on Thursday opening the door for FEMA to help reimburse the Navajo Nation with costs related to Operation Winter Freeze.

“Today, the Navajo Nation is taking a new step into establishing our sovereignty as we are going to sign an agreement with the Federal Emergency Management Administration,” President Shelly said before he signed the agreement.

The Navajo Nation is the second Native American nation to sign an agreement since amendments in the Stafford Act allowed tribes to directly ask the President of the United States to declare a disaster.

FEMA Region 9 Administrator Nancy Ward signed the agreement for FEMA.

The agreement specifies FEMA and the Navajo Nation will share costs from the emergency that left as many as 18,000 people without running water due to frozen pipes. FEMA will share 75 percent of the costs, according to the agreement.
The Navajo Nation is eligible for reimbursement funding for costs related to restoring water to homes and costs for structural repairs to prevent future waterline freezing.

The total costs have yet to be determined but Navajo Department of Emergency Management initially estimates that the total cost of repairs stemming from Operation Winter Freeze is more than $7 million.

On March 5, President Barack Obama declared that a major disaster existed on Navajo Nation lands, the agreement states.

“The Navajo Nation is taking a new step on the path of recognized sovereignty,” President Shelly said, “We hope today’s signing will lead to more direct recognition and communication with other agencies and departments within the federal government.”

###
FOR IMMEDIATE RELEASE
March 16, 2013

New Mexico State Senate does not place the Navajo Nation Gaming Compact on the Senate Floor for a vote

The Senate for the State of New Mexico Legislature did not move the Navajo Nation Compact to the Senate floor for a vote despite the Navajo Nation working five years to present this Compact before the State Legislature.

“The Navajo Nation has in good faith and respectfully followed the State process under the New Mexico Compact Negotiation Act,” Navajo Nation President Ben Shelly said. “The Navajo Nation is very disappointed that the Senate for the New Mexico Legislature did not move the Compact to the Senate floor for a vote as required by law.”

Sen. George Munoz (D-Gallup), whose district includes a majority of Navajo voters, did not introduce the joint resolution, and the Gaming Compact was not put on the Senate floor for a vote, although the New Mexico Compact Negotiation Act requires the legislature to act without delay.

“The Navajo legal team worked closely with the State’s Legislative Council Service to ensure compliance with all the proper and legal procedures throughout this process,” said Council Delegate LoRenzo Bates, Chairman of the Navajo Nation Gaming Subcommittee Taskforce.

As a result of the State Senate delaying and not moving the Compact, the Navajo Nation’s investment into the gaming industry is jeopardized and it also places 950 jobs at risk for New Mexicans.

If the Compact was approved, the State would have received approximately $10 million dollars a year and resolved a long standing dispute on Free Play.

“The Navajo Nation worked diligently to ensure that jobs and revenue were secure for the Navajo Nation and the State of New Mexico,” Speaker Johnny Naize said. “Unfortunately, our five year effort to present the compact before the legislature was viewed as rushed.”

In compliance with the New Mexico Compact Negotiation Act, the Navajo Nation first requested the State of New Mexico to commence negotiations with Governor Richardson’s administration in 2008.
Over a period of two years and after the submittal of several letters requesting to commence negotiations, Governor Richardson commenced negotiations in the spring of 2010 and he continued to negotiate to the end of his term.

In February 2011, after the election of Governor Susanna Martinez, the Navajo Nation continued requesting the State to commence negotiations.

With the appointment of Governor Martinez’s Lead Negotiator in April 2012, the Navajo Nation began to have an open line of communication as to the Navajo Nation’s key principle positions of the Compact.

The Navajo Nation began negotiations with Governor Martinez’s Lead Negotiator in May 2012.

After months of tough negotiations, the Governor’s Office and Navajo Nation came to a final agreement on the terms of the Compact.

On Mar. 8, Governor Martinez submitted the Navajo Nation Compact to the Committee on Compacts.

On Tuesday, Mar. 12, the Committee on Compacts, by a vote of 11-4-1, recommended approval of the Compact and submission of a joint resolution to the New Mexico Legislature for an up or down vote by the Senate.

“This is an important matter to the Navajo Nation and its people. The Navajo Nation will continue to respect and follow the State process under the New Mexico Compact Negotiation Act in moving the Compact forward,” Delegate Bates said.

# # #
FOR IMMEDIATE RELEASE
DATE: Friday, March 15, 2013

NAVAJO NATION JUDICIAL DISTRICT COURTS’ JUSTICE DAYS

April 1, 2013 marks the 54th anniversary of the Navajo court system. The Navajo Nation Judicial Branch celebrates the creation of the Navajo court system with Justice Days held at the judicial district courts.

Justice Day gives the public an opportunity to visit the courts and to learn about how our justice system works. Judicial districts will be observing Justice Day with various activities that are open to the public.

The courts of the judicial districts will be holding Justice Day on the following dates and locations:

<table>
<thead>
<tr>
<th>DATE</th>
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<th>INFORMATION</th>
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<tbody>
<tr>
<td>April 1, 2013</td>
<td>Chinle Judicial District</td>
<td>(928) 674-2070</td>
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<td></td>
<td>Chinle, Arizona</td>
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<tr>
<td></td>
<td>Crownpoint Judicial District</td>
<td>(505) 786-2072</td>
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<td></td>
<td>Crownpoint, New Mexico</td>
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<tr>
<td></td>
<td>Aneth Judicial District</td>
<td>(435) 651-3545</td>
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<td></td>
<td>Aneth, Utah</td>
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<tr>
<td>April 2, 2013</td>
<td>Window Rock Judicial District</td>
<td>(928) 871-6962</td>
</tr>
<tr>
<td></td>
<td>Window Rock, Arizona</td>
<td></td>
</tr>
<tr>
<td>April 12, 2013</td>
<td>Tuba City Judicial District</td>
<td>(928) 283-3140</td>
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<td></td>
<td>Tuba City, Arizona</td>
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</tbody>
</table>
Dilkon Judicial District
Dilkon, Arizona
(928) 657-8141

Shiprock Judicial District
Shiprock, New Mexico
(505) 368-1270

May 3, 2013
Dził Yijiin Judicial District
Pinon, Arizona
(928) 675-2325

Ramah Judicial District
Ramah, New Mexico
(505) 775-3218

To be determined
Kayenta Judicial District
Kayenta, Arizona
(928) 697-5549

To’hajiilee Court
To’hajiilee, New Mexico
(505) 908-2817

Alamo Court
Alamo, New Mexico
(505) 908-2817

Any further updates will be posted on the www.navajocourts.org website.

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FOR IMMEDIATE RELEASE
March 15, 2013

Law and Order Committee Chair expresses appreciation and public safety concerns at the grand opening of judicial facilities in Crownpoint

CROWNPOINT, NM – The grand opening celebration of the Crownpoint Judicial Complex on Mar. 8, Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), chair of the Law and Order Committee, spoke before a crowd of approximately 200 people, recognizing and thanking the many people who worked together to fund and construct the Navajo Nation’s new multi-purpose judicial facilities.

The new buildings are designed to house law enforcement, judicial courts, peacemaking activities, and approximately 50 beds for adult and juvenile detention facilities.

Delegate Yazzie attributed the successful development to the “collaboration” of many departments, law enforcement representatives, past and current council delegates, and construction workers.

“It was a real team effort,” said Delegate Yazzie. “Everybody took part in the process, and this will make our communities safer.”

Delegate Yazzie expressed gratitude to members of the previous 21st Navajo Nation Council’s Judicial Committee and Public Safety Committee, which legislated the establishment of a one percent sales tax increase on the Nation. This action is what created a funding source to pay for the construction of new Navajo judicial and public safety facilities.

Although this is a major accomplishment, Delegate Yazzie acknowledged the presence of other public safety concerns that still impact the Nation.

Among the concerns cited were the need for more police and the need to create a 911 call center that could expediently respond to calls from Crownpoint and surrounding areas.

When Crownpoint residents call 911 for emergency assistance, their calls are directed to personnel in Gallup who then relay the information back to emergency personnel in Crownpoint, resulting in significant delays in emergency response time.

This inefficiency leaves those who are in need of emergency services waiting for longer periods of time, and that time is very critical, said Delegate Yazzie.
“These are a few of the major problems that I urge all of us to work to resolve for our Navajo people,” said Delegate Yazzie.

Law and Order Committee members Council Delegate Russell Begaye (Shiprock) and Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’Bii’Tó, LeChee, Tonalea/Red Lake) were also in attendance at the grand opening ceremony.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
March 15, 2013

Resources and Development Committee approves three legislations, furthering progress on proposed community development projects

WINDOW ROCK – With no receiving reports on their regular meeting agenda this past Tuesday, the Resources and Development Committee proceeded straight to legislatting, approving three pieces of legislation within their purview.

With a vote of 3-0, the committee approved Legislation No. 0051-13, sponsored by Council Delegate Kenneth Maryboy (Mexican Water, Aneth, Teec Nos Pos, Tólikan, Red Mesa), which will enable the land withdrawal of 17.76 acres of Navajo Nation trust land for the development of a proposed recreational complex within the Red Mesa Chapter vicinity.

The proposed recreational complex is intended to be a mixed-use facility for youth, elders, family gatherings, and wellness.

It is slated for construction in the Ratherford Community, which is located in Montezuma Creek, Utah, and will be owned and monitored by the Red Mesa Chapter.

RDC also approved Legislation No. 0062-13 with a vote of 5-0, allowing the granting of a right-of-way to Jemez Mountain Electric Cooperative, Inc. to construct, operate, and maintain an electrical distribution line for a power line project that will benefit Diné residents on Navajo Nation trust lands within Torreon Chapter.

The legislation’s prime sponsor was Council Delegate Charles Damon II ( Bááháálí, Chichiltah, Manuelito, Tsé Lichíí’), but it was co-sponsor and RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) who presented the bill to the committee that morning.

Pursuant to 2 N.N.C. §501(B)(2), the RDC has authority to give final approval of all land withdrawals, non-mineral leases, rights-of-way, surface easements, and bonding requirements on Navajo Nation land and fee land.

Council Delegate Jonathan Hale (Oak Springs, St. Michaels) presented the third bill to garner RDC approval, which was Legislation 0064-13, a bill approving the Fiscal Year 2012 carryover amount of $1.2 million for the Navajo Water Resources Department for Fiscal Year 2013.

Najam H. Tariq, Water Resources Department director, said the funds would only be used for general operating supplies, fuel, and equipment repair.

Delegate Tsosie was the first RDC member to offer comments on the proposed carryover.
“What bothers me about this is that when I go home and I give a report, I tell people, ‘We approved this much for the windmills, for the earth dams, and others...that you will pretty soon see tractors and trucks coming to work on your windmill,’” Delegate Tsosie said.

“You make a liar out of me by not spending these monies and tending to needed infrastructure maintenance,” Delegate Tsosie continued, stating that community members get upset and frustrated when maintenance and repair activities are not carried out as reported.

“When you see an emergency out there, you should be out there until the job gets done,” Delegate Tsosie said, directing his comment to Tariq.

“We are not sitting on our hands,” Tariq said, explaining that it took time for the Navajo Nation Office of Management and Budget to put the department’s money into the tribe’s financial system.

Tariq assured the committee that his department has to spend funds wisely and in accordance with the Nation’s need.

“If you could tell us about the issues you are running into, give us some proposed solutions,” said Delegate Tsosie. “Let us know so that we can try to tackle them.”

Delegate Tsosie ended his commentary with encouragement for the water resources department to “do good for the Navajo people.”

At the end of the discussion, Delegate Leonard Pete (Chinle) requested to see a status report from the department on the Nation’s earthen dams.

According to Tariq, the department repaired 29 dams in 2012. The average number of dams repaired on an annual basis is 16.

The RDC voted to approve the department’s carryover request with a vote of 5-0.

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FOR IMMEDIATE RELEASE
March 13, 2013

Law and Order Committee considers move to amend Nation’s construction fund priority list of judicial and public safety facilities

Ramah Navajo Chapter seeks to be added to list citing special circumstances

WINDOW ROCK – The Law and Order Committee continued dialogue on Monday with officials from the Navajo Judicial Branch and the Navajo Division of Public Safety to discuss a possible amendment to the Judicial/Public Safety Facilities Fund Priority List, which could add additional projects to the list.

This discussion stems from a recent request by the Ramah Navajo Chapter asking the Navajo Nation to place their funding request of $600,000 on the Fund Priority List to help cover a funding shortfall and move its estimated $5.6 million detention center project forward to construction phase.

The Funding Priority List identifies and prioritizes five Judicial Branch, Public Safety, or combined Judicial/Public Safety facilities at specified locations on the Navajo Nation that may receive funding from the Judicial/Public Safety Facilities Fund.

The Fund was established in 2007 by the Navajo Nation Council as a special tax revenue source to fund the construction of judicial and public safety facilities on the Nation.

In 2009, Ramah Chapter secured $3.8 million in grant funding from the U.S. Department of Justice through the American Recovery and Reinvestment Act for construction of the community’s detention center facility on 15 acres of property near the chapter house.

A funding shortfall occurred when unexpected expenses surfaced, which required the chapter to figure out how it would pay for an environmental assessment, mitigation work at a historical site, and most presently, how the chapter will transport water to the detention facility, said Ramah Navajo Police Chief Emil Radosevich.

The Ramah Chapter risks having to return the $3.8 million ARRA grant they received if they do not secure the $600,000 they are requesting by June 1, Chief Radosevich told the committee.

The requested amount will primarily be used to pay for the costs of drilling a water well, hiring a construction manager, an electrical line extension, and utilities.

“We have secured outside funding from other grant sources, but we didn’t anticipate this situation with the water and the drilling of our own well,” said Chief Radosevich.

Offering a suggestion, Council Delegate Russell Begaye (Shiprock) encouraged Ramah Chapter to examine the Indian Health Service as a potential funding source to help with water well drilling expenses.
“Ramah has done their work. They’re not asking for mega-dollars,” said Delegate Yazzie, advocating for the chapter’s project to be added to the Fund Priority List. “They have secured the land, and completed the necessary surveys. They just need a little help from the Nation to proceed to construction.”

Last week, Council Delegates Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) and Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Lichii’, Steamboat) requested from the Judicial Branch a current listing of priority projects under the Fund Priority List.

According to the FY2011 and FY2012 Fund Priority List initially recommended by the Judicial Branch and the Division of Public Safety to the Law and Order Committee, and approved by Budget and Finance Committee in December 2011, the five prioritized projects are located in Chinle, Shiprock, Ft. Defiance, Pinon, and Dilkon.

“We need to take a look at all these projects, and where they are at with everything as far as land status and punch list,” said LOC Vice Chair Council Delegate Alton Joe Shepherd before proceeding with an amendment to the priority list.

Delegate Shepherd, however, supported an amendment to the Fund Priority List to add Ramah’s project, which would expand the list to six priority projects instead of the current five.

Chief Justice Herb Yazzie and Navajo DPS Director John Billison both told LOC members that it was the call of the committee if they wished to expand the Fund Priority List to add additional projects.

Every two years, a Fund Priority List which covers a two-year fiscal year period is approved by the Law and Order Committee.

The committee is currently considering drafting legislation that is intended to amend the Fund Priority List.

###
NNHRC concern about Navajos falling prey to spot delivery abuse

Spot delivery abuse is a predatory auto sales scam

SAINT MICHAELS, Navajo Nation—To date about predatory auto sales, the Navajo Nation Human Rights Commission has held three public hearings, and provided public education by sharing a flyer and advertisement about what to know before going to an auto dealer and how to apply what you now know to better negotiate the purchase of a vehicle. Now, the Commission has begun to share what they’ve learned in the course of a few weeks since obtaining information from Navajo citizens about predatory auto sales, one of which is—spot delivery abuse.

Spot delivery is a term used by those protecting consumers like the Attorney Generals’ offices or consumer protection bureaus. It means when a vehicle is sold on the spot before the financing is complete. When a vehicle is sold on the spot before the financing is complete, this can be an example of abuse, a type of predatory auto sales tactic, and is part of the yo-yo sales ploy.

“We do not want Navajo people to fall prey to spot delivery abuse. Recognize that it exists and learn how to avoid it by knowing your personal financial information,” said NNHRC Executive Director Leonard Gorman. “Once you know your personal financial information, protect it and you’ll be able to use it effectively.”

Typically, sales on the spot abuse occur when a dealer allows a consumer with less than ideal credit to take a vehicle before the actual financing is complete. When financing falters dealers will ask you to return to a dealership where you’ll be faced with a higher interest rate or fees, or even be asked to put down a larger down payment. Often times, not only do these consumers have less than ideal credit, but are also, older, speaks preferably in Navajo with limited use of English, and are unaware of dealers reviewing their credit without their authorization.

-More-
Unfortunately, Navajos are frequently informed to take the vehicle home while the dealer knows that financing is not fully approved explained Gorman.

**Your Right to Know**
To make sure you’ve been financed before leaving the dealership, NNHRC recommends Navajo people always ask for the written information provided from the dealer to the financier and the written response from the financier to the dealer. The documentation that you want should state that you’ve fully approved for financing.

Always ask for the sales contract.

If a person does not receive a sales contract then they may receive a buyer’s order, which means it’s a spot delivery and means you do not own the vehicle and likely will be called to return to the dealer.

Gorman said, “Don’t leave the dealer until the financing has been fully approved. When you are told to take the vehicle home prior to the final approval of financing the vehicle, you are more likely to be swindled.”

People have the right to know the information supplied from the dealer to the financier and the response from the financier to the dealer to determine whether you’ve been financed.

**Educate Yourself to Avoid Scams**
The commission wants Navajo consumers to continue to understand the benefits of learning about what to know before you go to a dealer and how to better negotiate in order to avoid scams.

Before purchasing a vehicle, people should know their credit score, their purchasing limit, what they want and its value, and secure their own lender. With the knowledge gained people should apply it while at the dealer by negotiating below the invoice price. Leave the dealership if negotiations for the purchase of a vehicle do not go like as hoped. If a person decides they want a different vehicle, leave and research again before negotiating and buying.

Navajo people are encouraged to ask their chapter officials for a flyer by the Navajo Nation Human Rights Commission, “You Make Your Deal: Knowing and Negotiating, For the Best of your life, For the Rest of your Life.”

-More-
Visit or Contact NNHRC About Tate’s Auto
Also, to bring awareness to the Navajo Nation Human Rights Commission about Navajo consumers’ buying experience, the commission wants Navajo citizens who have specific complaints about Tate’s Auto to visit or contact their office

To contact NNHRC, call (928) 871-7436 or visit the office at 343 Arizona Hwy. 264, in the Saint Michaels Professional Bldg. #1, Suite 112 in St. Michaels, Navajo Nation (AZ).

Said Rachelle Todea for NNHRC, “In the meantime, the Navajo Nation Human Rights Commission will continue to reveal the predatory sales tactics as a follow-up to the public hearings, prior to the release of the Commission’s report, which will be released soon.”
TSE BONITO, N.M.-The next phase of the efforts to restore essential traffic from the road closure on U.S. 89 is underway.

Officials from the Navajo Division of Transportation, Arizona Department of Transportation, Bureau of Indian Affairs, Coconino County, and Federal Highway Administration met on March 7, to discuss paving Navajo Route 20 as a detour.

A portion of U.S. 89 failed and the pavement settled on Feb. 20, after an apparent rock slide.

Steve Boschen, ADOT Deputy State Engineer, gave a slideshow presentation on the current status of U.S. 89 repairs.

Scrubbing through photos, he said the slip is 500-feet on top of the road and a quarter mile deep at the base of the hill.

“Our objectives are to restore mobility to the area, both short-term and long-term,” Boschen said.

Geotechnical data collection continues at the site and the truck-mounted drill rigs completed eight of 10 borings for sampling. Nine additional high-speed bores were mobilized for their higher capabilities for recovery.

ADOT selected an emergency repair contractor to grade an access road for first responders to utilize during the day. The contractor will also grade the site once all of the preliminary data collections are complete.

Boschen said a survey flight was also conducted to complete a digital terrain map of the area.

Thanks to the Federal Highway Administration, we did get funds in the amount of $2 million authorized, he said.

ADOT continues geotechnical data collection and estimated completion in two weeks.

The results of the data will provide more insight into providing what he dubbed the “ultimate repair” of U.S. 89.

“Our objective is to restore essential traffic as soon as possible,” Boschen said. “The anticipated detour duration is two years.

“We do think that we can get another fix on U.S. 89 in two years, so that’s our goal,” he added.

The immediate plan is to pave 27-miles of dirt road on the existing alignment of N20. The combination of clay and sand in the area has resulted in some commercial vehicles getting stuck in the past few weeks.

Accidents on N20 have also been reported.

Other considerations of the design criteria for paving N20 include the drainage and low points of the road where water could collect.

The need to flatten vertical curves was also a concern.

“I noticed one that was a compound vertical and horizontal curve and we want to fix that because those are dangerous curves,” Boschen said.

ADOT also plans to review opportunities for left turn lanes at N21, N6210, N201, and N6211.

Taking into consideration the needs from self-employed Navajo vendors in the area, the design team is looking into access control and consolidating roadside stands.

“We know that there’s going to be a need for some vendors to use N20 as opposed to U.S. 89,” he said.

NDOT and BIA shared a feasibility report of N20 with ADOT, in addition to right-of-way alignments, geotechnical data reports, and a N20 Keyhole Markup Language Zipped file providing GIS data.

ADOT needs to conduct additional soil samples along N20 to de-
Floyd Stevens, Coppermine Chapter President, said his community fully supports the paving of N20 by the Arizona Department of Transportation, emergency detour route or otherwise. Stevens holds a feasibility study conducted by Western Pacific, which was consulted by the chapter to look into paving the 27 mile stretch of dirt road connecting Bodaway-Gap with LeChee. (Photo by Rick Abasta)

“When the road gets turned back to the Navajo Nation, we don’t see that traffic going away.”

“I do think one thing to expedite our ability to get out there and pave (N20) would be to avoid any deviation from the current existing alignment,” Samour said. “If we stayed within the existing alignment, we could be paving a lot faster.”

Representatives from the Coppermine Chapter were to the point in lending support to ADOT’s efforts on N20.

“Gap-Bodaway is working on their resolution and Coppermine, we already have ours in. LeChee is also working on theirs,” said Lola Smith, vice president of Coppermine Chapter.

Chapter president Floyd Stevens said, “We just came for an answer and that answer is yes. Our response is, ‘Let’s do it.’”

NDOT Civil Engineer Darryl Bradley said although plans are in flux and information is still being gathered, the need to move forward with an approach must continue.

“When the road gets turned back to the Navajo Nation, we don’t see that traffic going away. Increased volume of traffic, that’s our concern,” Bradley said.

For now, the focus will remain on maintenance of N20 until the paving activities take place.

ADOT plans on having N20 paving completed by the summer to begin receiving traffic from U.S. 89.

Reduced speed limits will be utilized in the interest of safety, especially because of the conditions of the current road alignment.

Information: www.navajodot.org

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FOR IMMEDIATE RELEASE
March 11, 2013

Health, Education, and Human Services Committee receives report from the ‘First Things First’ Early Childhood Development and Health Program

WINDOW ROCK – The Health, Education, and Human Services Committee heard a report on Mar. 6 from Melissa Begay, regional director of the Navajo Nation’s ‘First Things First’ early childhood development and health program, in which the program’s strategies, challenges, and goals for the next three years were outlined.

First Things First began in 2006 when Arizona voters approved Proposition 203, which established an 80 cent tax on tobacco products sold in the state with tax revenue going directly to the statewide program.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) expressed satisfaction in seeing state tax dollars having a direct positive impact on Navajo children.

“We need to see more state dollars coming back to Navajo,” said Delegate Phelps. “I’m very glad that it’s happening.”

The program is credited with opening five preschools in Kayenta, one in Pinon, and plans to open more preschools in Chinle, Indian Wells, and Red Mesa.

HEHSC members recognized the efforts and accomplishments of the First Things First program, and recommended working closer with Navajo chapters to address such early childhood development needs like establishing more preschools to help working parents with child care needs.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) invited the program to assist chapter officials and his constituency from Black Mesa and Hardrock in establishing preschools, explaining that the Hardrock community recently lost one preschool due to a fire.

Aside from working with children in the preschool level, First Things First also plans to work with existing Navajo Nation programs to provide prenatal outreach to pregnant teens, which is something they say they have yet to fully implement.
Council Delegate Joshua Lavar Butler (To Nanees Dizi) acknowledged that some pregnant teens often feel ashamed and/or embarrassed by their pregnancy and neglect the needs of the unborn child. Sometimes, this might lead to alcohol and drug use.

Delegate Butler emphasized the need to educate young mothers and convey the importance of prenatal care—especially in the first trimester—to ensure a healthy pregnancy and birth.

Another component of the program called “Family, Friends, and Neighbors” provides at-home-babysitters with books, floor mats, and other learning tools to provide a safer and more learning conducive environment. This component is carried out in partnership with the Navajo Nation Childcare Development Funds Program, mentioned Begay.

This strategy is an effort to offset the growing demand of day care services for working parents.

Working parents often rely on friends, relatives, and neighbors for daytime child care because day care centers across the reservation have long waiting lists, making immediate enrollment nearly impossible.

This is an issue that affects communities that are trying to increase economic development opportunities and provide jobs for their people, said Delegate Phelps.

Delegate Phelps said he expects an influx in the workforce population in his communities of Leupp and Tsidi To ii due to the opening of the Twin Arrows Casino in Leupp and the opening of a manufacturing plant in nearby Winslow, but worries about a lack of childcare services available for those working parents.

HEHSC Chairperson Council Delegate Jonathan Hale (Oak Springs, St. Michaels) praised First Things First for future plans to collaborate with the Diné Culture and Language Program to develop curriculum to begin teaching children and parents the Diné language and culture.

HEHSC members expressed strong support for such collaborations to maximize the Nation’s resources and ensured their continued advocacy for First Things First in the future.

HEHSC members voted to accept the report with four supporting and zero opposing.

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FOR IMMEDIATE RELEASE
March 8, 2013

Naabik’íyáti’ Committee and Budget and Finance Committee approve $3 million EPA grant to rebuild homes affected by abandoned uranium mines

WINDOW ROCK – The Naabik’íyáti’ Committee passed legislation on Wednesday approving and accepting a $3 million grant awarded to the Navajo Nation by the U.S. Environmental Protection Agency in July 2012, to rebuild housing structures that were demolished due to contamination by abandoned uranium mines.

Legislation No. 0030-13, sponsored by Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone), will provide the Community Housing and Infrastructure Department with funding to repair and rebuild nine housing units across the reservation, according to Freida White, Navajo Nation EPA Superfund Program Supervisor.

Contaminated homes are usually found within a quarter-mile of an abandoned uranium mine, White said. Contamination also occurs when people use materials found at abandoned uranium mine sites to construct new homes.

The legislation was first considered by the Resources and Development Committee on Feb. 12, which referred it to the Budget and Finance Committee with a “do pass” recommendation with no amendments.

At the BFC meeting on Wednesday, Delegate Begay said the federal funds would be used to cover expenses such as labor force, schedules, materials, construction, design specifications, and community and technical assistance.

The BFC voted to approve the legislation with four supporting and zero opposing, but not before some committee members expressed concerns over the legislative process and how efficiently the funds would be dispersed and utilized.

BFC member, Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izhi) questioned why it took so long for this legislation to come before the BFC.

“This goes all the way back to 2012 and we’re finally approving it,” Delegate BeGaye remarked.

Council Delegate LoRenzo Bates, BFC Chair (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland), asked if the funds would be expended efficiently referring to
legislation language which states that the federal grant funding is for work conducted from Mar. 12, 2012 through Oct. 31, 2013.

“You’re going to be expending $3 million. Are we going to get all this money expended between now and then — efficiently?” Delegate Bates questioned.

White assured that the funds will be spent adequately. She highlighted that the construction schedule begins this summer, and that the projects will be completed on time.

On Thursday when the legislation came before the Naabik’íyátí Committee, it was met with strong support from delegates who welcomed the funding in order to help Navajo people long affected by the consequences of uranium mining.

Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) commended the efforts of the Navajo Nation EPA saying, “It’s good to see an effort being made to address these homes and buildings that are abandoned because of hazardous material.”

Delegate Curley went on to recommend that the Navajo Nation EPA assess old buildings in communities throughout the reservation, and continue to work with the Council to address more hazardous waste issues.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill), however, opposed the legislation citing concern over the risk of liability that the tribe assumes by having the Community Housing and Infrastructure Department — a Navajo Nation entity — construct the homes.

If anything should go wrong during or after construction of the homes, the Navajo Nation is assuming liability, said Delegate Witherspoon.

Delegate Witherspoon further suggested having the Navajo Nation Department of Justice review such risks in the future to ensure the Nation’s protection from liability claims.

At the conclusion of the discussion, the Naabik’íyátí’ Committee voted to approve the legislation with 13 supporting and 1 opposing.

The Navajo Nation EPA, along with the U.S. Army Corps of Engineers, is expected to begin meeting with affected families next week to begin the rebuilding process.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
March 8, 2013

Naabik’íyáti’ Committee approves term sheet for an amendment to the NM tribal-state gaming compact

Proposed gaming compact on track for consideration by NM State Legislature

WINDOW ROCK – After more than four hours of debate during a special meeting on Thursday, the Naabik’íyáti’ Committee voted 13-5 in favor of legislation approving a term sheet for an amendment to the proposed gaming compact between the Navajo Nation and the State of New Mexico.

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

Though Council Delegate Jonathan Hale (Oak Springs, St. Michaels) was the prime sponsor of Legislation No. 0058-13, it was Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, T’iis Tsoh Sikaad, Tsé Daa’ Kaan, Upper Fruitland) who signed on as co-sponsor of the bill and presented it before the Naabik’íyáti’ Committee on Thursday afternoon, and before the Resources and Development Committee on Wednesday morning.

With the Nation’s gaming compact set to expire in two years, Delegate Bates said it became a matter of priority for the Nation to negotiate amendments to the 2001 Compact, which includes an extension of the Compact’s term, with New Mexico Governor Susana Martinez’s administration.

Moreover, it was critical to have the negotiated amendments placed before the New Mexico state legislature for consideration during the 2013 legislative session, which ends Mar. 16.

“Once the state approves the proposed compact, it still needs to go to the U.S. Department of Interior for consideration. That process could take as long as two years. So when you couple all of that together, considering the deadline, there is a lot being put at risk,” Delegate Bates said.

Delegate Bates participated in the negotiation discussions with the state as the Chair of the Naabik’íyáti’ Gaming Task Force Subcommittee.

The subcommittee, along with appointed members of the Nation’s compact negotiations team, pressed for three key positions to be addressed in the proposed gaming compact, and “we got them,” Delegate Bates stated.

First, the Nation advocated and is permitted to operate up to five (5) gaming facilities.

Second, the Nation sought a long term extension on the duration of the gaming compact, and as a result the proposed gaming compact will not expire until 2037.

Third, the Nation postured to retain the revenue sharing percentage at the tiered-structure amounts outlined in the 2007 gaming compact the state entered into with other New Mexico gaming Tribes.
The legislation generated considerable committee discussion on sovereign immunity, jurisdiction and revenue sharing.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) raised concerns on specific language that included waivers of sovereign immunity, the tribunal in which claims could be heard, and the number of arbitrators that would hear any dispute between the Navajo Nation and the State.

The Navajo Department of Justice assured the Naabik'íyáti’ Committee that the proposed amendments to the compact did not expand beyond what was previously approved by the Navajo Nation Council in 2003, and that there was an expansion of tribal jurisdiction to allow tribal courts to apply the tribe’s laws, which is not currently provided in the 2001 and 2007 compacts.

Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si ání) also raised concerns on the revenue sharing paid to the State.

The Indian Gaming Regulatory Act requires a State to authorize gaming within the State and negotiate in good faith a Tribal-State Gaming Compact, which includes revenue sharing between the State and the Tribe, before a tribe can conduct Class III gaming on its lands.

Other lauded compacts provisions included criminal jurisdiction over non-member Indians, comps for food and lodging through a player’s club program and casinos will be allowed to be open 24 hours, 7 days a week.

Two letters will be sent today from Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) and President Ben Shelly to Governor Martinez and the Committee on Compacts of the New Mexico Legislature, informing them that the Navajo Nation has approved key principle terms of the proposed compact.

This action signals that the proposed compact is ready for review by the Committee on Compacts. The Committee on Compacts has the authority to review the Compact as required by the New Mexico Compact Negotiations Act.

The Committee on Compacts can offer amendments, up to three times, and each amendment will have to be sent back to the Office of the Governor and the Navajo Nation for approval, disapproval or re-negotiations.

“In the event that the Gaming Task Force Subcommittee hears of any possible amendments, and we voice our position, but the amendments go through and are not in the best interests of the Nation, then we will have to come back before you, to say ‘this is what they did,’” said Delegate Bates to Naabik’íyáti’ Committee colleagues when explaining the review and approval process at the state level. “At that time, we go back through the negotiations again.”

Once the Committee on Compacts approves the proposed compact it is forwarded to the New Mexico state legislature, which can then either approve or disapprove the compact. The legislature, however, cannot offer any further amendments.

If approved, the compact will then be submitted to the Department of the Interior for final approval, as required by the Indian Gaming Regulatory Act.
DOI will then have 45 days to take action, or if no action is taken, the Compact will be deemed approved on the 46th day.

During Thursday’s debate, several delegates on the Naabik’íyátí’ Committee praised the efforts of the Gaming Task Force Subcommittee for its persistence and diligence throughout the negotiations process with Governor Martinez’s office.

Formed in February 2011, the Naabik’íyátí’ Committee is comprised of Council Delegates LoRenzo Bates, Edmund Yazzie, Joshua Lavar Butler, Jonathan Hale, and Speaker Johnny Naize.

“The Naabik’íyátí’ Committee created the subcommittee to negotiate in the best interest of Navajo. We did that every step of the way,” said Delegate Bates, when presenting before the RDC on Wednesday. “We protected Navajo in every possible way.”

###
Navajo President Shelly Signs Loan Agreement for Freeze Emergency

ALBUQUERQUE – Navajo Nation President Ben Shelly signed a loan agreement on Thursday for $2.8 million to pay for Operation Winter Freeze, the operation that restored running water to 18,000 residents on the Navajo Nation.

The agreement was with Key Bank. Key Bank agreed to the loan adhering to Navajo Nation law and courts.

“I am thankful that we will have the funding for our emergency operation where many of people endured conditions without running water because of frozen water pipes. We had many people affected by the freeze, so it was important that we ensured the safe welfare of our people,” President Shelly said.

The loan is expected to be partially paid back with reimbursement funding from the Federal Emergency Management Agency.

President Barack Obama declared the frozen waterlines a disaster on Tuesday, making way for FEMA to financially assist with cost related to the emergency.

The Navajo Nation is expect to share 25 percent of the cost of the emergency while FEMA can reimburse 75 percent of cost related to the emergency.

Navajo Tribal Utility Authority officials said the emergency cost about $1.8 million as they had more than 25 crews working to restore water. In addition, Navajo Nation
Department of Emergency Management officials said it cost $1 million to operate the emergency command center.

The amount of money FEMA will assist the Navajo Nation is unknown at this point, but FEMA officials are scheduled to visit the Navajo Nation next week to further assess the costs of the emergency.

According to the FEMA, the Navajo Nation is eligible for two types of financial assistance. One category relates to costs directly resulting from the emergency, such as labor and supplies to restore water service to residents. While the other category allows for financial assistance with infrastructure upgrades, such as placing water lines deeper in the ground to make them less susceptible to freezing.

“I want to thank everyone for their hard work to restore services to our people. We are a strong people and have the ability to manage through crisis, but we also must keep in mind that we have Navajo people who depend on running water for their health. Their health is important to the Navajo Nation,” President Shelly said.

During the months of December and January, the Navajo Nation had as many as 18,000 residents living without running water because of frozen water pipes. President Shelly signed an emergency declaration in January because communities through the entire 27,000 square mile Navajo Nation were affected by the freeze.

###
Senator Pinto sponsors Senate Bill 600 to fund U.S. 491 road construction

SANTA FE—Senator John Pinto (D-Dist. 3) reported before the New Mexico Senate Corporations and Transportation Committee on March 3. Pinto sponsored Senate Bill 600, requesting for a one-cent special fuel surtax to fund completion of U.S. 491 construction. Joining him was Paulson Chaco, Navajo Division of Transportation Director.

Senator John Pinto (D-Dist. 3) reports to the New Mexico Senate Corporations and Transportation Committee on March 3. Pinto sponsored Senate Bill 600, requesting for a one-cent special fuel surtax to fund completion of U.S. 491 construction. Joining him was Paulson Chaco, Navajo Division of Transportation Director. (Photo by Rick Abasta)

“The road has produced positives for the Navajo Nation, as well as the Four Corners region and the State of New Mexico,” he said.

Chaco noted that in addition to increased corridor capacity, the major improvement from the road construction has been safety.

NDOT statistics from 1999 to 2012 show that motor vehicle crashes from milepost 47 to milepost 85 (N13 Junction to Sheep Springs) on U.S. 491 peaked at 70 crashes in 2001. In 2012, that figure dropped to 24 crashes, substantially less than previous years, due to the new four-lane highway.

Injury accidents on U.S. 491 indicate a peak in 2002, when 41 people were hurt in vehicle accidents. That figure dropped in 2012 to 13 injuries, resulting from the new highway conditions.

In 2001, fatalities on U.S. 491 reached a peak of 11 deaths from vehicle accidents. That number dropped to one fatality in 2012, again attributed to the new four-lane highway constructed.

About 30 miles of roadway remain to be constructed at a cost of $102.9 million.

To date, total investments on U.S. 491 total $141,545,265. Multiple funding sources for the project include the Navajo Nation, State of New Mexico, and federal funding.

The Navajo Nation invested $8 million from the Indian Reservation Roads funding for the project.

“Highway 491 provides for regional mobility, which will provide for economic development for that region, which is probably one of the poorest parts of New Mexico,” Chaco said.

Dan Silva, an audience member representing the Associated Contractors of New Mexico, spoke in support of the legislation.

“I support this bill. It would certainly help the statewide infrastructure, it would put people to work and it’s something that would benefit the whole State of New Mexico,” Silva said.

Sen. Sander Rue (R-Dist. 23) raised concerns about the proposed fuel tax.

“Why are we doing it this way? Why isn’t this road in the queue for roadwork that needs to be done,” Rue questioned.

Chaco explained that U.S. 491 is a federal aid system road within the state and that although it is on the state’s priority list, it wasn’t selected for funding.

He noted that $365 million in state road projects for FY 2013 were funded for District 1, which was allocated $32.6 million; District 2 was allocated $81.8 million; and District 3, which was allocated $154.2 million.

“Unfortunately, U.S. 491 is not one of those projects that’s in the queue and we don’t see it in the state process as anything to be funded in the near future,” Chaco said.

The U.S. 491 road project was submitted for stimulus consideration under the Transportation Investment Generating Economic Recovery grant, but was not selected for the state proposal, he said.

In addition to the TIGER grant, Sen. Pinto said he’s been lobbying congressional delegations for assistance, but the federal government does not have enough funding to assist.

“This is everybody’s road,” Pinto said. “Public school buses use this road. Eighteen-wheelers use this road, bumper-to-bumper from Gallup to Shiprock to Colorado.”

Sen. Rue compared the project to his efforts in Bernaalillo County with construction on Paseo del Norte and I-25. He asked why multiple funding sources couldn’t be employed, just as his district did with the aid of federal, state, county and city funds.

“Unfortunately for the Navajo Nation, we don’t have the luxury of a tax base to rely on, as far as funding infrastructure development,” Chaco said.

He explained that the Navajo Nation receives approximately $55 million per year from the Federal Highway Administration to cover 11,000 miles of road on the 27,000 square miles of the reservation.

“I’m going to support this. I understand what you’re saying,” Rue said.

Vice Chairman Clemente Sanchez (D-Dist. 30) said he supported the legislation because the road needs to be completed due to dangerous conditions.
“I don’t really like taxes, but I think this is one time that we need it. It is a heavily traveled road,” Sanchez said.

Sen. Mark Moores (D-Dist. 21) asked if the surtax would only apply to gas stations on tribal and pueblo lands.

Chaco said that it would be a tax for the entire state and tribal taxation would have to be discussed with the Navajo Nation Council. He added that he did not speak for the Pueblos of New Mexico.

Using the completion of State Road 285 as an example, Chaco noted that 217 miles of road was funded by the state without matching contributions from counties and municipalities in the area.

“It’s not a Navajo Nation road or a Pueblo road. It’s a state road that we’re trying to get improved,” he said.

Sen. John Sapien (D-Dist. 9) asked if the legislation had a sunset provision.

Given the questions regarding the tribal fuel tax match and sunset provisions, Chairman Phil Griego (D-Dist. 39) said he was concerned that participation from the Indian nation wasn’t included.

“Even though 491 is a state road, it also affects the Navajo Nation,” Griego said. “I don’t want to hold your bill up senator, so I’m going to ask (the committee) to sent it on to the Finance Committee with a no rec.”

Sen. Pinto responded, “This U.S. 491, the Navajo Nation gave us the right of way. Nobody opposed it for the land to be used. That’s wonderful, thanks to God for them.”

The committee forwarded the legislation to the Finance Committee with a vote of 5-2.

-30-

Senator John Pinto sits in his office and prepares for his report to the Corporations and Transportation Committee of the New Mexico Senate on March 3. Pinto has been a member of the New Mexico Legislature since 1977. Before retiring, he is determined to complete construction on U.S. 491, dubbed one of the most dangerous roads in New Mexico. (Photo by Rick Abasta)
Navajo President Shelly Breaks Ground for New Youth Facility

SHIPROCK, N.M. – Navajo Nation President Ben Shelly delivered a message of encouragement for young people during a groundbreaking ceremony for a multi-purpose youth facility Wednesday afternoon.

“I have said many times that our children are the most precious resource the Navajo Nation has. Through them, we have new dreams, new visions and new ideas to better the Navajo way of life. The youth of the Navajo Nation hold our future in their hands,” President Shelly said. He encouraged them to stay active in their communities and help us build a nation.

President Shelly participated in the traditional blessing and groundbreaking ceremony for a youth facility that, when completed, would be about 22,300 square feet. The Navajo Office of Youth Development and the Boys and Girls Clubs of the Diné Nation have been allocated $6.6 million to complete the building, which is scheduled to be completed in late spring of 2014.
The Navajo Nation, Navajo Housing Authority, Abandon Mine Lands, Economic Development Initiative- HUD, and the State of New Mexico provided funding for the center.

President Shelly said the center would allow children to have a safe environment for them to develop and learn to balance both the Navajo and modern worlds, so they can succeed in life and be proud to be Diné.

“So when I think about this youth center that we are breaking ground for, I think about the children having an opportunity to find that balance for themselves in a safe and positive environment. This is important because a safe and positive environment will give our children the best chance to learn how to balance the Navajo world and the modern world,” President Shelly said.

“This is important because a safe and positive environment will give our children the best chance to learn how to balance the Navajo world and the modern world. Their ability to balance their lives is important for the Navajo Nation’s long-term success,” President Shelly added.

The facility plans to have a gymnasium, after-school/summer programming area with a technology center, media room, learning center, art room, teen area, game room and an administrative office area.

More than 70 people attended the groundbreaking ceremony.

###
FOR IMMEDIATE RELEASE
March 5, 2013

Law and Order Committee passes bill amending extradition and detention provisions, also passes bill amending NDOT plan of operation

WINDOW ROCK – The Law and Order Committee passed two legislations under its review on Monday.

Both are proposed Navajo Nation Council resolutions - one aims to amend extradition and detention provisions in the Navajo Nation Code, and the other seeks to amend and approve the Navajo Division of Transportation’s plan of operation with added division changes.

Legislation 0015-13, the bill pertaining to NDOT’s plan of operation amendments, also seeks to reassign and transfer the Navajo Department of Highway Safety to NDOT, and amend language at 2 N.N.C §1371, which will primarily name the Resources and Development Committee as the body of authority to make recommendations to NDOT’s plan of operation.

Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichíí', Steamboat) pointed to a specific amendment in the plan of operation which would place NDOT under the legislative oversight of RDC, commenting that he was not sure how members of the Naabik’íyáti’ Committee would feel about the distinction.

“Do we want to give that authority to RDC solely when [transportation matters] pertain to the whole Navajo Nation? To me, that would be giving more power to RDC,” Delegate Shepherd said.

Delegate Shepherd’s chief concerns centered on what would be RDC’s power to review and determine future changes to NDOT’s plan of operation, and RDC’s advantage in determining which Navajo road projects get listed as priority.

“From a law and order standpoint, this issue is also within our realm. I just wanted to point that out,” said Delegate Shepherd. “However, that’s more of a discussion at the Naabik’íyáti’ Committee level as we move forward with this. That’s the only thing I see that is going to be a challenge.”

As Council Delegate Russell Begaye (Shiprock) skimmed the pages of the proposed plan of operation changes, he asked NDOT deputy director Ben Bennett about whether NDOT would be taking care of its own human resources department and employee hiring, and turning the department into a “one-stop shop” of sorts.

“We are presently talking with the [Navajo] Division of Human Resources,” said Bennett. “We feel that there is a need to develop our own H.R. at NDOT because the overall Navajo H.R. management does not know what our actual needs are as far as engineers, heavy equipment operators, and the like.”

Bennett said the Department of Personnel Management currently requires senior heavy equipment operators to have commercial driver’s licenses to be considered for employment.
“Anywhere outside the reservation, you’re going to find that senior heavy equipment operators are not required to have CDLs...only if they’re going to be driving trucks on highways. Those kinds of things, we are looking at,” said Bennett.

In addition, the legislation requests approval of the plans of operation for the Department of Airport Management, Department of Airport Management, Department of Project Management, and the Department of Transportation Planning Department of Roads – all under NDOT’s umbrella.

As directives, Delegate Shepherd requested for NDOT officials and the legislation’s sponsor, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin), to attach to the legislation an analysis of major and minor impacts identified and a draft personnel policies and procedures document.

Previously on Feb. 26, RDC considered and approved the legislation, adding a directive for NDOT to develop a Highway Safety Plan and Road Maintenance Manual, which is to be presented before RDC by April.

The NDOT legislation was approved with a vote of 2-0, and will now move onto the Naabik’íyáti’ Committee, then onto the Navajo Nation Council for consideration.

The second bill the Law and Order Committee passed was Legislation No. 0049-13, a bill to amend extradition and detention provisions of Titles 7 and 17 of the Navajo Nation Code.

Language in the bill’s body states that the amendments are for the purposes of ensuring the safety of communities and law enforcement personnel, as well as protecting the rights of the accused.

“No Navajo will be taken off the reservation by outside authorities without going through proper process. This is the due process that people will follow. That will provide rights to our people that are being detained here,” said sponsor, Delegate Russell Begaye.

In addition, new proposed provisions stipulate that any arrested Indian adult or juvenile in custody must be informed of his or her right to legal counsel or a hearing.

A federal detainer statute is also among the new proposed provisions.

Such a statute would ensure that a person in tribal custody who has serious felony charges from another jurisdiction is not released into the community during or at the conclusion of tribal proceedings without first addressing charges from the other jurisdiction.

The legislation will require a two-thirds approval vote by the Navajo Nation Council in order for the Title 7 and 17 amendments to be finalized, which will most likely be considered at the Spring Council Session.

The Law and Order Committee approved the legislation with a vote of 2-0.

###
Navajo DOT meets with federal, state officials regarding U.S. 89 road closure

Officials from the Navajo Division of Transportation, Bureau of Indian Affairs, Federal Highway Administration, Arizona Department of Transportation, and Coconino County convened on Feb. 27 at the ADOT Flagstaff District office to discuss ramifications of the road closure on U.S. 89.

A contingent of 40 people discussed ADOT’s on-going assessment of the rock slide that caused pavement settlement, including proposed detours and partnerships to restore essential traffic.

Robert Samour, senior deputy state engineer for ADOT’s on-going assessment of the rock slide that caused pavement settlement, including proposed detours and partnerships to restore essential traffic.

Robert Samour, senior deputy state engineer for ADOT, facilitated the meeting and began with a slideshow that illustrated the extent of the damage.

He said the objective of the meeting was to provide an update on the slide that occurred on U.S. 89, to hear the various agency challenges with regard to the detour, and to find alternate routes to carry traffic, specifically Navajo Route 20.

“ADOT is doing everything it can, first and foremost, to ensure the safety of the public, to make sure that we’re being as responsive as we can, and to get that road reopened as quickly as possible,” Samour said.

The rockslide happened on Feb. 20, around 5 a.m., resulting in two vehicle accidents on the damaged roadway of U.S. 89.

Two waves of pavement settlement occurred, according to ADOT field reports. The initial wave buckled the pavement and resulted in a five-foot pavement surface to pavement surface settlement.

Samour said the soil is shifting down the mountain both west and east. Large cracks in the surface of the earth are visible, extending through the guard rail and chasing the slope down into the valley, he added.

“You can envision this failure as almost in the shape of a frown,” he said. “It’s about a semi-circle down to the base of the hill and it actually widens out to about 1,200 feet.”

ADOT survey crews are gathering geotechnical data and mapping the area. They are also installing inclinometers to measure slope movement and stability.

A national landslide expert was also brought in to assist with the assessment.

“Our geotechnical team still feels the area is unstable,” Samour said.

He noted that the site has some surface cracks 30-feet deep and that ADOT has increased security measures for this reason, including a chain link fence, and pedestrian signage warning of the danger.

Upon completion of the surveys and installation of inclinometers, the plan is to use an auger to drill into the earth and gather soil samples. Geotechnical data gathering is estimated to take two weeks, after which ADOT will have a clearer picture and timeframe for repairs.

In the meantime, ADOT has incorporated the National Incident Management System approach and established a web emergency operations center.

The website can be accessed at: www.azdot.gov/us89/.

Audra Merrick, ADOT district engineer for Flagstaff, has been designated the incident manager.
Robert Samour of the Arizona Department of Transportation holds the 2005 feasibility study that was conducted on Navajo Route 20. ADOT compiled the assessment to determine whether N20 was feasible for traffic. Since the road closure of U.S. 89 on Feb. 20, the study has been dusted off and reopened for review. (Photo by Rick Abasta)

The worst case scenario is that the area is deemed so unstable that we can’t fix it. "The signs were up on Sunday, but yesterday at 9 a.m., there was already a semi truck that was stuck on N20 again. It’s very sandy, that’s the reason why we can’t have trucks on there,” Fowler said.

Other safety concerns include the open range status of the road, leaving travelers susceptible to hitting livestock, especially at night. Speed is another factor.

Three rollover accidents were reported last week, from motorists traveling at 75 miles-per-hour on the dirt road of N20. She stressed that U.S. 89A is still open, including businesses in the Marble Canyon area. For self-employed Navajos living in the area, U.S. 89 was the lifeline to the community and its closure has damaged an already economically depressed area, she noted.

“The whole region is dependent on tourism,” Fowler said.

The Navajo Nation, Coconino County, and State of Arizona have all emergency declarations in place regarding U.S. 89 and assistance from the FHWA is forthcoming.

Estimates by ADOT to pave the existing N20 roadway as a detour hover around $10 to $11 million. To pave the roadway for commercial traffic, that figure expands to $14 to $15 million.

Chaco said, “N20 is an option that we need to put on the table. The president issued his statement that he is willing to approve N20 as a major arterial, utilizing whatever funds are necessary to address that.”

Information: www.navajodot.org

Coconino County Supervisor Lena Fowler said the road closure on U.S. 89 has impacted Navajo communities financially, as many self-employed Navajos depend on the tourism for their financial well-being. She said ADOT and others must make a concentrated effort to let the public know U.S. 89A remains open, as does Marble Canyon and other points of interest. (Photo by Rick Abasta)
FOR IMMEDIATE RELEASE
March 4, 2013

Health, Education, and Human Services Committee receives report from Pinon Unified School District Superintendent

PINON, Ariz. – Last Wednesday, the Health, Education, and Human Services Committee received a report from Larry Wallen, the superintendent of the Pinon Unified School District, which centered on a variety of issues concerning federal funding, teacher retention, school safety, and college/career readiness for students.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) who represents the Pinon community asked what sort of problems the district faces in regard to recruiting and retaining quality teachers.

Superintendent Wallen explained that the problem with teacher retention is not teacher salary, but the isolated location of the schools.

Teachers often have a different mental image of a remote community. Once they arrive to Pinon, they are often overwhelmed, explained Wallen.

“We deal with a 20 percent turnover with teachers each year,” Wallen said.

The school district recruits many of its teachers from other states, including Colorado, Montana, North Dakota, South Dakota, Michigan, and Indiana through student-teacher programs.

Delegate Witherspoon asked Superintendent Wallen to highlight some of the safety concerns that the Pinon community and their students face on a daily basis.

Safety issues involve sexual assault, domestic violence, and drugs which often take place outside of school. Mr. Wallen explained that students deal with such issues far too often, which distracts them from learning and excelling in the classroom.

“Students need to come to school ready to learn,” said Wallen. “We can’t be the social services agency for the community.”

Although school safety is always a concern, Wallen made it clear that he does not support proposed school safety legislation recently introduced by Arizona Attorney General Tom Horne.

Arizona House Bill 2656, introduced on Feb. 19, would allow one trained school official to carry a gun on campus to protect students and school officials in the event of an emergency.
Aside from school safety, funding issues also make it difficult for the school district to provide extra-curricular school activities and programs that present students with opportunities to focus on positive things rather than facing negative temptations outside of school.

“What else can we do to help you and your district?” asked Council Delegate Joshua Lavar Butler (Tō Nanees Dizi). “Often we have a lot of dialogue about the problems, but we also need to take action.”

Wallen said he would like to see increased funding to pursue programs such as the nationwide “2+2 Program,” which allows high school juniors and seniors to take college-level courses with the intent of sending more high school students to college.

The problem is not a lack of intelligence on the students’ part, Wallen said, mentioning one high school senior who was recently awarded the United States Presidential Scholarship.

HEHSC Chairperson Council Delegate Jonathan Hale (Oak Springs, St. Michaels) expressed his support for Pinon School District’s endeavors while acknowledging that the issues Pinon School District faces are common throughout the reservation and affect learning for many Navajo students.

HEHSC members voted to accept the report from Superintendent Wallen with four supporting and zero opposing.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
March 1, 2013

Council Delegate Jonathan Hale sponsors legislation to amend gaming compact between the Nation and the State of New Mexico

WINDOW ROCK – After nine months of negotiation discussions with the State of New Mexico, the Navajo Nation Council’s Naabik’íyáti’ Gaming Task Force has agreed on key principle positions that prompted Council Delegate Jonathan Hale (Oak Springs, St. Michaels) to introduce Legislation No. 0058-13 on Feb. 25.

The legislation, which will complete the five-day comment period on Mar. 2, seeks approval from the Resources and Development Committee and the Naabik’íyáti’ Committee to amend the Gaming Compact between the Navajo Nation and the State of New Mexico.

Currently, the Nation is one of five Tribes signed onto the 2001 Gaming Compact. The Nation entered into the Gaming Compact with the State of New Mexico in 2003.

Although the Nation did not participate in the negotiation of the 2001 Gaming Compact, the New Mexico Compact Negotiation Act allows for a tribe to enter into an existing compact with the approval of the governor without submittal to the legislature for approval.

In addition to the 2001 Gaming Compact, the State of New Mexico also entered into another gaming compact, referred to as the 2007 Gaming Compact, with other tribes that does not include the Navajo Nation.

“The amendments will expand opportunities, not previously allowed, for Fire Rock Navajo Casino and Northern Edge Navajo Casino, and those opportunities will allow our current and future Navajo casinos in New Mexico to compete with other casinos and racetracks,” Delegate Hale said.

The Naabik’íyáti’ Gaming Task Force advocated for three key positions, to which the State agreed.

The first position was the number of Class III gaming facilities the Nation will be allowed to operate. The 2001 compact allows the Nation to operate an unlimited number of Class III gaming facilities.

The negotiated agreement will limit the Nation to five Class III facilities, which is a decrease from the current unlimited number, but is an increase when compared to the two gaming facility limit outlined in a 2007 compact negotiated between the State and other tribes.

The second position the State agreed to is the percentage of revenue sharing.
Currently, the Nation’s revenue sharing is at 8%. In newly negotiated terms, the Nation would pay 9.75%, and it will escalate over the term of the Compact to 10.75% of the revenue.

The revenue sharing is an increase from the 2001 compact but is equal to the 2007 compact.

The third position the Nation advocated for was a longer duration for the Gaming Compact to remain in effect.

The current Gaming Compact between the Nation and the State is set to expire on Jun. 30, 2015.

If the amendments are approved by the Nation, the State, and the federal government, the negotiated compact will expire in 2037.

“Long term duration to the compact is very important to the Navajo Nation,” Delegate Hale stated. “The gaming industry on the Navajo Nation is still in its infancy and these casinos are self-financed from the Navajo Nation. It is important to protect the Navajo Nation’s investment.”

In addition to the three key principle positions, the Gaming Task Force negotiated criminal jurisdiction over non-member Indians, Navajo casinos will be able to comp food and lodging through a player’s club program, and Navajo casinos will also be able to extend their hours of operation to 24 hours per day, 7 days a week.

The 2001 compact prohibited the operation of any Class III Gaming for at least four consecutive hours daily, and the Nation previously did not have criminal jurisdiction over non-member Indians.

Prior to negotiation discussions, the State informed all the Tribes that it was not calculating the free play correctly. There has been much dispute over the calculation and the amount owed to the State.

Since then, the Nation settled with the State regarding the free play issue.

“Aside from the revenue generated, the most important benefit that gaming brought to the Navajo Nation has been the jobs produced for our Navajo people,” said Delegate Hale.

The RDC is scheduled to consider the gaming compact amendment at their regular meeting on Mar. 5.

The Naabik’íyáti’ Committee will consider the legislation on Mar. 7 during a special meeting that was approved by Speaker Johnny Naize this morning.

The Naabik’íyáti’ Gaming Task Force was formed in February 2011, and is comprised of Council Delegates LoRenzo Bates, Edmund Yazzie, Joshua Lavar Butler, Jonathan Hale, and Speaker Johnny Naize.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Naabik’íyáti’ Committee approves proposed Navajo Nation Council resolution declaring state of emergency regarding U.S. Highway 89

WINDOW ROCK – A proposed Navajo Nation Council resolution sponsored by Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai Biι’Tó, LeChee, Tonalea/Red Lake) approving a state of emergency declaration for the Navajo Nation Western Agency due to the collapse of a portion of U.S. Highway 89 was unanimously passed by the Naabik’íyáti’ Committee on Thursday with a vote of 13-0.

The legislation, which also encourages Navajo Nation departments to seek federal and state assistance to address the emergency, now moves onto the Navajo Nation Council for its consideration.

The Arizona Department of Transportation is requesting for an emergency declaration resolution before it proceeds with its reimbursement request to federal agencies for emergency funding to repair the road, said Delegate Tsinigine.

“I feel for these people that live in Marble Canyon, Bitter Springs, and Cedar Ridge to travel all the way back south to Gap, and then go back north 28 miles to get to their jobs in the City of Page and the Navajo Generating Station,” said Delegate Tsinigine, also highlighting the longer commutes that Navajo students have to make in order to go to school in Page, Ariz.

While a number of Naabik’íyáti’ Committee members were ready to vote for the legislation’s approval, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii’Kin) motioned to make an amendment to the legislation, adding an additional line of language to the bill’s body.

“Rather than having a ‘feel good’ legislation, let’s put something teeth into this document,” remarked Delegate Nez.

Delegate Nez’s amendment directed the Navajo Division of Transportation and the Bureau of Indian Affairs to expedite all clearances necessary in preparing Navajo Route 20 for paving.

N20, a 28-mile stretch of dirt road from Bodaway/Gap to Coppermine, Ariz., is designated as an alternate route from the affected area into Page.

Additionally, the Navajo Nation urges the State of Arizona and federal agencies to release emergency funds to stabilize, repair, and reopen the damaged road portion as quickly as possible.

Furthermore, the Nation also asks officials to use emergency funding to pave the entire N20 route.

Delegate Nez’s amendment recommendation was approved by a vote of 13-0.
“This legislation, with the exhibits, will declare federal emergency through the Stafford Act,” said Delegate Tsinigine. “We need to declare this as a federal emergency so we can get more funding through the federal government, through Congress.”

Currently, geotechnical work is being conducted to allow ADOT to decide if reconstruction of U.S. 89 is feasible, said NDOT director Paulson Chaco in his address to the committee.

If improvements to the damaged road are possible, it will take anywhere from six months to a year to complete the reconstruction, Chaco said.

Additionally, if the reconstruction time is expected to go beyond a year, ADOT may decide that it is necessary to reconstruct N20 for pavement.

If that is the case, it will take approximately four months for them to complete the pavement of 28-miles of N20, Chaco said.

Road surveys on N20 have already been conducted by BIA, said Delegate Tsinigine, and road construction on N20 is estimated to cost $200 million. A substantial portion of costs involved will be reimbursed to ADOT from federal emergency funding sources.

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FOR IMMEDIATE RELEASE
March 1, 2013

NGS lease extension legislation ruled out of order citing concerns over Title 18 provisions

Window Rock – Legislation No. 0042-13, sponsored by Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood), which sought to extend the Navajo Generating Station’s lease for 25 years beginning in 2019, was ruled “out of order” at the Naabik’íyátí Committee meeting yesterday.

After two hours of debate, Pro Tem Chair Elmer Begay ruled the legislation “out of order” on the grounds that the negotiating task force appointed by Navajo Nation President Ben Shelly was not formulated in accordance to Title 18 of the Navajo Nation Code.

Title 18 provisions guide the selection of the negotiating team members who are charged with negotiating minerals leases or other energy agreements on behalf of the Navajo Nation.

Council Delegate Alton Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) was the first to raise concerns over questionable adherence to Title 18 in the formation of the negotiating team, and requested for Attorney General Harrison Tsosie to furnish additional documentation detailing how the negotiating team was established.

Specific attention was placed on §105 of Title 18, which provides that two members of the ten-member negotiation team be selected from the Resources and Economic Development Committee. Additionally, the Government Services Committee (now the Naabik’íyátí Committee) of the Navajo Nation Council must approve the appointed team.

“The Attorney General is supposed to be abiding by the law, and I want to see the documentation as far as section 105, Title 18,” said Delegate Shepherd.

In response, Attorney General Tsosie began to frame his answer stating that in 1989, there were significant revisions to the Navajo Nation Code at a time when the government was transitioning to a three-branch government.

“At that time, there was a lot of transition that occurred, and this particular reference to Title 18, this particular negotiating team was developed in 1985 for a very specific purpose,” and at that time the Peabody mine royalties were being re-negotiated, explained Attorney General Tsosie.

Dissatisfied with the attorney general’s focus on mining, Delegate Shepherd interjected to emphasize that §101 of Title 18 mentions energy agreements in addition to mineral leases.
“I don’t know where the AG is coming from. The laws are here, and for him to change my mind to say [this law] was written way back then, ‘we’re not going to abide by it’, but we have laws,” said Delegate Shepherd, who followed by making a second firm request for documentation on the team’s selection.

According to Attorney General Tsosie, the NGS lease negotiating task force was not assembled according to Title 18 provisions, but was assembled by President Shelly “specifically for engaging in these particular activities.”

“So what you’re saying is that the president is not following the law in terms of the negotiation for mines or minerals according to Title 18,” questioned Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill).

This non-adherence to Title 18 was a point Delegate Witherspoon said he had brought to the attention of President Shelly at least two times before, and explained that Delegate Shepherd merely cited the law to reflect that the Navajo Nation Council was not involved in the negotiations as the law states.

“There was no Council that participated in the negotiating team, that’s a flaw in the negotiations,” continued Delegate Witherspoon. “We didn’t have an opportunity to provide input into the negotiations.”

Some delegates also expressed concern that the Council was rushing to make a decision regarding the legislation.

“What is the driving force behind rushing this very important issue for the Navajo Nation?” asked Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill). “There are major issues being brought to the table.”

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) supported Delegate Smith’s concerns, saying, “We have to make sure we turn every stone. Make sure we’re all satisfied. We may not get everything we’re asking for, we recognize that, but let’s get it done right.”

Referring to the original lease agreement approved by past leadership in 1969, Delegate Benally further stated, “They had a good reason that they didn’t have the upper hand, they weren’t educated. Twenty-five years from now, fifty years from now, when our children and great-grandchildren are looking at this, what excuse are we going to have?”

“I wholeheartedly support this, but I want to make sure we have the best deal for the people,” concluded Delegate Benally.

Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’Bi’i’To, LeChee, Tonalea/Red Lake) made it clear he supported the legislation as it directly impacted a large portion of his
constituency, many of whom were seated in the gallery having traveled many hours that morning to attend the meeting.

“I would like to proceed because it’s Navajo Nation economy… LeChee, Coppermine, K’ai’Bii’To, Bodaway/Gap’s economy. It’s their workforce, it’s their livelihood,” said Delegate Tsinigine.

As result of the concerns voiced by the council delegates, Speaker Naize asked legislative counsel for clarification as to whether or not the provisions guiding the selection of a negotiating team under Title 18 were pertinent to the discussions on the lease renewal.

Mariana Khan, Legislative Counsel, explained that there have been instances in the past where a president has formed a negotiating team outside of Title 18. However, there have been no legislations formally changing Title 18 to legitimize such a practice.

“Without any particular legislation coming to our office amending Title 18 that I know of, it appears Title 18 is still valid law,” Kahn stated.

Responding to Kahn’s explanation, Pro Tem Chair Elmer Begay stated that the delegates can insist on utilizing Title 18 to declare the legislation “out of order.”

Kahn further explained that “out of order” means you do not have a valid resolution.

In this case, Exhibit A, the amendments to the Indenture of Lease, could be ruled “out of order” because the negotiating team did not have authority, under Title 18, to negotiate on behalf of the Navajo Nation.

Pro Tem Chair Elmer Begay ruled the legislation out of order placing the NGS lease renewal discussion on hold.

It is now in the hands of the Naabik’íyáti Committee, President Shelly, and the Attorney General to resolve uncertainties concerning Title 18 and the negotiations completed by the president’s appointed team.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
For Immediate Release
April 30, 2013

President Shelly Welcomes Energy Officials from Mandan, Hidatsa and Arikara Tribes

WINDOW ROCK, Ariz.- Navajo Nation President Ben Shelly welcomed energy leaders from the Three Affiliated Tribes from North Dakota during a meeting Tuesday morning at the Navajo Nation Museum.

The group from North Dakota included Vice Chairman of the Three Affiliated Tribes Rich Fox, who represents White Shield community. The three tribes that comprise the Three Affiliated Tribes are the Mandan, Hidatsa and Arikara tribes.

Vice Chairman Fox said his tribe was visiting the Navajo Nation to gain information about tribal energy regulations.

“We are thankful to the Navajo Nation for presenting to us,” Vice Chairman Fox said during the introduction portion of Tuesday's program that opened a day of
presentations from the Navajo land Department, Navajo Environmental Protection Agency, Navajo Occupation Health and Safety Organization, Navajo Oil and Gas Company, and other programs.

President Shelly welcomed attendees, adding that the Navajo Nation is rich in natural resources, but have regulations that prevent the Navajo Nation from realizing its full potential in energy development.

“On the Navajo Nation, we are rich with coal, natural gas and other precious and rare metals, some which can only be found on the Navajo Nation. As rich as we are though, we have spent decades overcoming regulations set forth by the federal government,” said President Shelly.

“Gaining certain approvals for us to explore and extract natural resource has been a long standing issue that slows the ability for the Navajo Nation to truly establish self determination,” President Shelly added.

According to media reports, the Mandan, Hidatsa, Arikara Tribe plans to invest in a $400 million oil refinery, which if built, would be the first refinery built in the United States in more than 30 years.

The meeting is scheduled to conclude on Wednesday.

###
Navajo Nation Council approves formation of Navajo Transitional Energy Company, LLC to act on its behalf for BHP Navajo Mine acquisition

WINDOW ROCK – During a special session on Apr. 29, the Navajo Nation Council approved Legislation No. 0116-13 with a vote of 17-4, to create the Navajo Transitional Energy Company, LLC – an action that will orient the Navajo Nation toward greater economic independence and self-reliance.

The approval authorizes the company to act as an arm of the Navajo Nation, and to carry out necessary business actions on behalf of the Nation in its endeavors for the possible acquisition of the BHP Navajo Mine.

Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood), sponsor of the legislation, said the new company would be responsible for overseeing operations of the mine once it is purchased by the Nation.

“When [NTEC] is established, it will have a manager and staff. The manager will be responsible for signing all documents needed to finalize the purchase,” explained Speaker Naize, adding that the manager’s additional responsibilities would include authorizing a Coal Supply Agreement and a Mine Management Agreement to ensure the continuation of operations at the mine.

During an Apr. 25 Naabik’íyáti’ Committee meeting, a member of an outside due diligence investigations team the Nation hired to complete legal work on the proposed mine acquisition told the committee that based on their assessment, the transaction would be a favorable move for the nation.

At that meeting, attorney Craig Moyer with Manatt, Phelps, & Phillips said although the mine’s financial gains under Navajo ownership for the first 3 years would be tight, by the fourth year the Nation should be able to pay off its purchase of the mine.

Because of the anticipated shutdown of 3 units at the Four Corners Power Plant, coal volumes will decrease by 25-percent, said Moyer, but after 2016, the Nation can expect higher revenue returns because it will be fetching a higher price for its coal.

At least 10-percent of net income generated by the mine under Navajo ownership will be reinvested to fund the research and development of renewable and alternative sources of energy, which is in line with what Speaker Naize has stated before on the mine acquisition being a stepping stone to more sustainable means of energy.

“Although the action this Council is taking is a risk, it is a very courageous risk. It is a risk that has foresight. It is going to open the doors of opportunity,” said Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi Tó ii). “If we want to learn to live what it means to be self-sufficient, we have to take risks, and I think this is one step in that direction.”
Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) hailed the legislation as a “venture into a new era,” in that it would create opportunities for young Navajos with higher education and training to play a greater role in developing a more self-sustaining nation.

“It is a vision for the future,” said Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, T’iis Tsoh Sikaad, Tsé Daa’ Kaan, Upper Fruitland) when urging fellow colleagues to vote for the legislation’s approval.

Delegate Bates further iterated that BHP and the APS Four Corners Power Plant has a history of success, and once the remaining two units at the power plant are retrofitted with selective catalytic reduction technology, nitrogen oxides emissions will be reduced by 80-percent.

Council Delegate Joshua Lavar Butler (Tó Nanees Dizí) said the legislation represented Navajo jobs, economy and revenues that support Navajo programs.

“I don’t support the continued extraction of natural resources, but I also have to consider the revenues that are generated and that come back to the Navajo Nation,” said Delegate Butler, adding that with sequestration cuts expected to have a “huge impact” on federally-funded programs, it was critical for the Nation to maintain its revenue generation stream to ensure continuation of vital services.

Earlier this evening, Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), who served as Speaker Pro Tem during the Council proceedings at the time of Legislation No. 0116-13’s consideration, signed the approved Council resolution.

Immediately thereafter, President Ben Shelly authorized the action at a signing ceremony in his office.

A mine management agreement is expected to be submitted to the APS this Friday. A Surface Mining Control and Reclamation Act application is also expected to be submitted by Friday to approve the merger.

The newly formed Navajo Transitional Energy Company will be on track to sign a mine management agreement with BHP and a coal supply agreement with APS by July 1.

###
MANUELITO CANYON, N.M.-The Navajo Nation Commission on Emergency Management declared an emergency for the closure of the South Manuelito Bridge No. 8080.

The commission convened at the Navajo Transportation Complex on April 24 to discuss the bridge closure, which severed major arterial traffic to and from the Manuelito Chapter area.

Commissioner Ben Bennett said the bridge closure was the result of safety considerations for travelers in the area.

“People traveling that stretch of bridge aren’t safe, especially when there’s rainy weather,” Bennett said.

The pier supporting the bridge could fail, causing further sagging, reducing load capacity, or even possible collapse.

Erosion was a primary concern for the bridge, which was erected in the 1970s, according to McKinley County employees constructing an alternate access route.

The Bailey bridge in Manuelito Canyon is a portable, prefabricated truss bridge that was utilized extensively by the military during World War II.

The bridge is located 3.5 miles southeast of Navajo Route 7140.

There are two bridges in the area and bridge number two is the structure facing erosion and structural issues. The McKinley County Roads Department has constructed an emergency bypass route through the wash.

The earthen structure is susceptible to damage from rain, however, and efforts are underway to repair the damaged bridge.

Paulson Chaco, director for Navajo Division of Transportation, said he will be traveling to Santa Fe to meet with Tom Church, cabinet secretary for New Mexico Department of Transportation and John Don Martinez, division administrator for the Federal Highway Administration New Mexico Division.

“This is a major roadway for Navajo families in the Manuelito Canyon area,” Chaco said. “I will be meeting with officials in Santa Fe to discuss funding options for the repair of the bridge.”

On April 17, the Federal Emergency Management Agency and McKinley County Roads Dept conducted a safety assessment of the bridge and determined it to be structurally unsafe.

The assessment was conducted along with the Navajo Nation Department of Emergency Management, Manuelito Chapter and McKinley County Office of Emergency Management.

Approximately 45 families utilize the bridge, with an average of 4.5 people per home. The high traffic volume includes daily use by school buses, service providers and emergency responders.

The Manuelito Chapter declared on emergency on the bridge closure April 18 and the bridge was officially closed on April 19.

NMDOT is assessing the report from the state bridge engineer to calculate load rating and corrective action for the bridge.

For now, the 45 households that utilize the bridge are will continue traveling on the emergency bypass for access.

NNCEM unanimously passed the declaration by a vote of 5-0 and it was signed by Navajo Nation President Ben Shelly.

-30-
4th Annual Navajo Agriculture Conference Thrives with Rich Information

WINDOW ROCK, AZ. - Navajo Agriculture Department and Navajo Fish & Wildlife Department team up for the two-day, 4th Annual Navajo Agriculture Conference “Drought Management /Climate Control,” April 24 – 25, 2013.

As the conference grows every year, so does the list of presenters. This year over 30 presenters shared their expertise and knowledge on drought concerns and providing tools to continue managing agricultural activities especially through climate changes.

Presenters came from; U.S. Geological Society, New Mexico State University, University of Arizona, University of Colorado, Navajo Veterinary & Livestock Program, Office of the Attorney General, Navajo Department of Agriculture, Navajo Heritage Program, Navajo Department of Water Resources, Navajo Animal Control Program and Navajo Fish & Wildlife.

Attendees of the conference were able to hear the information in English and Navajo, translators were available to ensure clear communication to elders.

Division of Natural Resources Executive Director, Frederick H. White began the conference with a welcome statement and commended his staff in their hard work in organizing such a desirable conference in this time of drought conditions. “This a very important time and we are all destined to
be here, to make adjustments to our agricultural initiatives on Navajo country. I encourage everyone to work as a team so we have better success,” stated White.

Leo Watchman, Department Manager for Navajo Agriculture said, “This year’s conference was very unique in partnering with Navajo Fish & Wildlife and changing the conference to the spring instead of the fall. Our elders have taught us to plan in the spring, and to be ready for winter. Our team wanted to introduce some priority drought concerns now so we can introduce our legislative concerns to council by summer time. We are fortunate to have many elected officials attend our conference, as we need their assistance with our plans.”

Dr. John Idowu from New Mexico State University, talked about the importance of building soil health and avoid soil salinity to maximize crop success. Adding organic matter and properly rotating crops, definitely help during drought conditions. Dr. Idowu also shared a shocking fact; when one inch of top soil is lost, we are not able to recover that lost in our lifetime.

School children arrived in buses and proceeded into Nakai Hall. The youth conference schedule included; Canine Care & Responsibility, Youth Hunt information, Seed Ball Express, Sheep Shearing, Water Activities and Drug & Gang Unit.

Roxie June from Navajo Agriculture reported over six hundred attendees for the two-day conference, over two hundred students participated for the Youth Conference, in previous years the youth attendance has been higher.
them maintain a clear flow of digestive system. Some simple tips are; buy a salt block, maintain vaccinations and deworming.

One of the most popular Break-Out Sessions was the “Review of New Grazing Mediation Process,” presented by Office of Attorney General. Attendees of this session included, Navajo Nation Farm Board, Eastern Navajo Land Board, and District Grazing Committee Members.

Watchman stated, “Our next priority project is to organize a youth conference, because we believe they are the key to long term success on Navajo Nation.”

Navajo Department of Agriculture website: www.agriculture.navajo-nsn.gov

###
Navajo Nation Council votes down legislation allowing Navajo Technical College to be named a university
Legislation sponsor plans to introduce new legislation addressing Council’s concerns


Legislation No. 0077-13 was aiming to approve amendments to Title 2 and Title 15 of the Navajo Nation Code, as well as the articles of incorporation for Navajo Technical College, which would allow for the institution to change its name to Navajo Technical University.

The legislation was first considered by the Health, Education, and Human Services Committee on Mar. 20, where HEHSC members voted 4-1 to table the legislation, and referred it on to the Law and Order Committee.

At the Mar. 20 meeting, HEHSC members expressed concerns over a proposed amendment in the articles of incorporation that would allow NTC to establish its own institutional review board.

The proposed IRB would have the responsibility of reviewing and approving all human and animal research conducted by NTC students, faculty, and individuals associated through institutionally sponsored projects.

Language in the original legislation also proposed for NTC’s IRB to be exempt from the Navajo Nation Human Research Board.

On Apr. 1, LOC members amended NTC’s articles of incorporation to allow its proposed IRB the authority to approve all social science and animal research conducted by students of NTC.

However, under the amended language, NTC would have to obtain approval from the Navajo Nation HRB for all other research, including medical and clinical research.

At the start of Council’s discussion, Delegate Simpson acknowledged that the concerns surrounding the proposed IRB would need to be resolved, and thus recommended removing certain portions in the legislation including NTC’s articles of incorporation.

The removal of the articles of incorporation would amend Legislation No. 0077-13, allowing HEHSC to serve as oversight of universities, and also allow NTC to change its name to Navajo Technical University, explained Delegate Simpson.

Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) asked for a cost-analysis detailing how the transition to a university might affect the Navajo Nation’s budget.
“With uncertainties surrounding Navajo Generating Station, the BHP Mine, and federal sequestration, we should be asking how this will impact the Navajo Nation budget,” Delegate Curley said.

Delegate Simpson responded saying, “We cannot allow ourselves to be blocking stones. We want all of our schools to progress and succeed.”

NTC President Dr. Elmer Guy also urged Council to allow NTC to be renamed.

“It’s a part of building the Navajo Nation economy,” said Dr. Guy. “With your support, we can continue to build our nation, and this is the way to do it.”

After consultation with the legislation sponsor, Council Delegate Russell Begaye (Shiprock) motioned for the proposed amendments recommended by Delegate Simpson.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said the proposed amendments defeat the purpose of the legislation, which is to address NTC’s articles of incorporation.

Delegate Tsosie also questioned the rationale for seeking a name change asking, “Why do we need to use the word ‘university’ when there are premiere universities that do not use the word ‘university’?”

Delegate Curley suggested that the two amendments be handled separately.

“We are giving HEHSC a new power [to oversee universities], and we are also ratifying an action [renaming NTC] by HEHSC on a matter that they don’t have power over,” Delegate Curley said.

Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) motioned to table the legislation and refer it back to HEHSC to allow HEHSC members to resolve the issues concerning the proposed amendments.

Supporting the tabling motion was Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) who drew attention to a signed petition from NTC students in support of the legislation.

“The proposed amendments are not in line with the scope of the petition signed by NTC students,” Delegate Nez said.

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) disagreed with the tabling motion saying the proposed amendments make it an enabling legislation.

“I support the university idea,” said Benally. “We should give our children the choice to get their education, give them that option.”

After an hour of discussion, legislation sponsor Delegate Simpson asked Council colleagues to withdraw the tabling motion, and to vote down the legislation to allow time to reintroduce new legislation that addresses the concerns.

“We owe it to our students, and our people to take time to work these issues out and do this the right way,” said Delegate Simpson.

Council members voted down Legislation No. 0077-13, with 5 supporting and 14 opposing the bill.

###

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo Nation Council votes to table NGS lease extension legislation

WINDOW ROCK – After lengthy discussion and the approval of several amendments, the Council on Apr. 17 voted 15-7 to table Legislation No. 0042-13, which seeks to extend the Navajo Generating Station’s lease for 25 years beginning in 2019.

Early into the discussion, legislation sponsor Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) reiterated to fellow Council colleagues the economic impact the Nation would face if the NGS lease extension was not approved.

“We are at the crossroads. We have to make a decision for the people,” said Speaker Naize. “We have to keep our Nation’s economy healthy and keep our dedication to the people by sustaining their jobs.”

Office of the President and Vice President energy policy advisor Sam Woods and Navajo Nation assistant attorney general Marcelino Gomez also presented alongside Speaker Naize.

Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) expressed concerns over the proposed lease amendments.

“I stand to support the Nation to continue to have a business relationship with NGS in the form of a lease, but maybe not this particular lease,” said Delegate Curley. “We need to address the concerns of grassroots people.”

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) motioned to amend the legislation to add language that could be used to make future claims to the Upper Colorado River Basin.

Delegate Witherspoon’s proposed amendment stated that nothing in the lease extension agreement may hinder the Navajo Nation from legally obtaining water rights after the original lease expires — specifically to the 50,000 acre feet or to assert claim to more than 50,000 acre feet from the Arizona Allocation of the Upper Colorado River Basin.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) opposed specific language in the proposed amendment.

Citing a 1922 Colorado River Compact, Delegate Tsosie said he does not agree with the interpretation that the Nation receives water from Arizona as stated in the proposed amendment.

Delegate Tsosie also did not agree with the Department of Justice’s decision to keep the proposed “amendment of the indenture of lease” confidential stating that “Anything in its final form of legislation should be made public.”
Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland), however, supported the proposed amendment.

“Nothing in the lease hinders the Navajo Nation from legally obtaining water rights after 2019,” Delegate Bates said. “In this case, the minimum amount is 50,000, and we can go beyond that.”

After an hour of discussion, Council voted 17-5 to approve Delegate Witherspoon’s amendment.

Delegate Witherspoon proposed a second amendment concerning section 16 and section 18 in the indenture of lease regarding the employment of Navajos.

However, after several Council members expressed confusion over the amendment, Delegate Witherspoon withdrew his motion, and made another motion to add the original 1969 lease agreement to the legislation as “Exhibit E” in order to amend language in the original agreement.

The amendment to add the 1969 lease agreement as “Exhibit E” was approved with a 19-4 vote.

Delegate Witherspoon’s third amendment to add new language to “Exhibit E” stating that lessees are responsible for covering coal ash from the power plant, with 12-inches of earth, instead of 6-inches, as stated in the original lease, was approved with a vote of 23-0.

Several delegates questioned if the proposed amendment would be necessary considering new U.S. Environmental Protection Agency regulations that may address the remediation of coal ash.

Navajo Nation EPA director Stephen Etsitty said the original lease predates federal regulations regarding the disposal of solid wastes, and there are currently no federal regulations for fly ash.

Though Delegate Tsosie expressed appreciation for the discussion, he urged for Council colleagues to table the legislation to allow more time to address raised concerns.

“We need to analyze all of these concerns to make sure we are not putting the Navajo Nation at risk,” said Delegate Tsosie, who then motioned to table Legislation No. 0042-13.

The motion to table Legislation No. 0042-13 failed with a vote of 10-13.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) proposed a fourth amendment to add the U.S. Bureau of Reclamation to several parts of the legislation language to ensure its inclusion as a party to the proposed lease amendments.

The BOR amendment was passed with a vote of 19-2.

Council Delegate Russell Begaye (Shiprock) proposed a fifth amendment requiring that the Navajo Business Opportunity Act be applied to all procurements made by the participants for the construction, operation, and maintenance of NGS and associated facilities.

NBOA, which predates the 1969 lease agreement, requires businesses within the Navajo Nation to give preference to certified Navajo-owned businesses when bidding out projects.

Delegate Witherspoon cited specific language in the original lease agreement promising Navajo job preference to all resident Navajos for positions at the power plant, or the mine from which coal is being bought for use at the coal power plant, and in any and all facilities related to the production of the power of the proposed coal fired power plant.
The promise is pre-paid, said Delegate Witherspoon, by the allowed annual usage of 34,000 acre feet of water by NGS.

“Our Navajo workers and Navajo businesses should be given preference,” agreed Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta), who stated the necessity to cite specific Navajo Nation laws in the proposed amendment language was crucial.

The fifth amendment concerning the Navajo Business Opportunity Act was passed with a vote of 20-3.

Delegate Begaye also proposed a sixth amendment to include language requiring NGS to adhere to the Navajo Preference in Employment Act.

Assistant Attorney General Marcelino Gomez reminded Council that the 9th Circuit Court of Appeals ruled in favor of NGS in a court case involving the Navajo Preference in Employment Act.

Gomez explained that the court ruled that language under section 16 of the original lease agreement overruled the Navajo Preference in Employment Act.

Delegate Tsosie spoke in support of the proposed amendment and expressed dissatisfaction for the court’s ruling in favor of NGS regarding the Navajo Preference in Employment Act.

“’We are claiming to be sovereign. We pre-exist the U.S. federal government and all state governments,’” said Delegate Tsosie. “It’s time we air our grievances to the world.”

Delegate Phelps argued that the ruling by the 9th Circuit Court of Appeals only applies to the original lease, and should not apply beyond 2019.

Delegate Witherspoon drew attention to section 18 of the original lease which states there are certain positions at NGS for which “superior abilities” are required for job selection.

“This absolutely discriminates,” said Delegate Witherspoon. “The word ‘superior’ allows subjective possible discrimination.”

After lengthy discussion, Council voted 22-0 in support of the sixth and final amendment.

“I realize the need for employment, but there are so many issues,” said Delegate Tsosie. “By allowing this to go forward [as is], we will be short-changing the Navajo people.”

Delegate Tsosie then motioned to table Legislation No. 0042-13 for a second time.

“Tabling the legislation is not saying ‘no’ to NGS,” Delegate Tsosie added. “It will allow more time for us to air our grievances, and hopefully allow us to come back with a better agreement.”

Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) said he supported the tabling motion as long as a negotiating task force is created and meets with NGS owners and the legislation is brought back to Council for consideration.

“We’ll do our best to get all the parties together as soon as possible, and bring it back on Apr. 29,” Speaker Naize said.

The Council voted 15-7 to table Legislation No. 0042-13 to allow time to address the concerns with NGS ownership, and will reconsider the legislation on Apr. 29.

###
Navajo Nation benefits from TIGER grant to rehabilitate Torreon Road

The community members of the rural northwestern New Mexico town of Torreon have finally earned their stripes.

The Transportation Investment Generating Economic Recovery program, or TIGER, has funded $5 million to Sandoval County N.M. for the Torreon Road Rehabilitation project for FY 2012.

The total cost of the project is $5,740,000 and is a collaborative effort between the N.M. Department of Transportation, Navajo Division of Transportation, and the Mid-Region Council of Governments.

After years of driving a bone-jarring dirt road, the community will finally see 11.9 miles of rural road transformed into a paved connector with shoulders, allowing for 55 to 65 mph speeds.

Torreon Road was the only project selected for TIGER grant in New Mexico.

Four chapters of the Navajo Nation and Sandoval County are served by the road, which links Counselor, Ojo Encino and Torreon with U.S. 550.

The groundbreaking ceremony for the road construction took place on April 5 in Torreon, at the intersection of San Luis and Torreon Roads.

Franklin’s Earthmoving has been selected to do the construction.

Navajo Nation President Ben Shelly said the new road is the product of partnership.

“Sandoval County, NDOT, and Navajo Nation have done (partnership) and succeeded. It works, government-to-government,” Shelly said. “As we know, roads are bad around here.”

He said the importance of paving the road hinged on the need to get school kids safely to school and provide access for emergency services.

Shelly added, “We have to keep those roads where they’re good enough to be safe.”

J. Don Martinez, division administrator for the Federal Highways Administration’s N.M. Division, agreed with the president.

“Transportation is important to your children. They have a right to be picked up by a bus to take them to school,” Martinez said.

He revealed that he was raised in a rural part of the state and was familiar with the importance of transportation services.

In the rural parts of New Mexico and the Navajo Nation, the roads are not in the best condition, Martinez explained.

“You’re not asking for much. You’re just asking for the roads to be in better condition, so you can have access to those things everyone else has,” he said.

Torreon Chapter President David Rico shared a history of the road.
Navajo Nation President Ben Shelly said the new paving project was the result of partnership and government-to-government relations. He said NDOT and Sandoval County will partner again for Red Dog graveling. (Sandoval County photo by Sidney Hill)

The majestic view of Cabezon Peak served as the backdrop for the ground-breaking ceremony at the intersection of San Luis and Torreon Roads on April 5, 2013. (Sandoval County photo by Sidney Hill)

The dignitaries from the Navajo Nation, Sandoval County, State of New Mexico and Federal Highway Administration broke ground to change lives in Torreon. (Sandoval County photo by Sidney Hill)

“We used to see a lot of covered wagons on this road for the Zia Feast. The day before the feast, the people would camp on the other side of San Luis. That is how this road was born in the beginning,” he said.

Today, you see headlights in the early morning and in the evening hours as people returned home, he added.

Navajo Nation Council delegate Leonard Tsosie (Baca-Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said he used to receive letters from Torreon School.

“The kids were writing letters on this road because they ride on the bus and it’s too bumpy and takes a long time to get home,” Tsosie said.

Donning hardhats and grabbing shovels, the dignitaries broke ground with their shovels and officially began the construction process for the new road.

The road reduces travel distance by 45 miles and will save time and money for motorists. In addition to residents, the road is also used by mining companies in the area.

Families are excited for accessibility to school buses and first responders.

According to the U.S. Department of Transportation, “The TIGER program enables DOT to use a rigorous process to select projects with exceptional benefits, explore ways to deliver projects faster and save on construction costs, and make investments in our Nation’s infrastructure that will make communities more livable and sustainable.”

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TIGER GRANT STATISTICS

- The U.S. Department of Transportation is authorized to award $474 million in TIGER Discretionary Grants pursuant to the Full-Year Continuing Appropriations Act, 2013 (Public Law 113-6, March 26, 2013).
- TIGER program funds are awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area or a region.
- TIGER invests funding in road, rail, transit and port projects.
- Congress dedicated $1.5 billion for TIGER I. As a result, 51 capital projects were completed.
- $600 million for TIGER II, producing 42 capital projects.
- $526.944 million for FY 2011, for construction of 46 capital projects.
- $500 million for FY 2012, netting 47 capital projects built.
- Each project is a multi-modal, multi-jurisdictional or otherwise challenging to fund through existing programs.
For Immediate Release
April 23, 2013

President Shelly Signs Executive Order to Shorten SAS Process

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed an Executive Order that will streamline one government process that sometimes takes years to complete.

President Shelly signed an executive order last Thursday to shorten the Signature Authority Sheet process for the Executive Branch SAS Review Sheet under Section 164b of Title 2, which doesn't include SAS sheets needing Legislative approval.

“We are making progress for our SAS process. With the new changes, we will be able to shorten the SAS process to a month. We are going back to the original intent of the law. This is a review process not an authorization process,” President Shelly said.

Chief Of Staff Arbin Mitchell said the SAS review process has changed from a review process to an approval process, which creates delays.

“The process is to review and make recommendations to the documents. But now we have people who use their signature as approval and sometimes SAS documents are delayed for months. The SAS process, you’re supposed to review and provide recommendations,” Chief of Staff Mitchell said.

The executive order is scheduled to begin the updated SAS process on July 1 this year.

Reviewers will have seven working days to sign the document and offer recommendations. After the seventh day, the document goes to the next reviewer whether it has been signed or not.
“Some of these documents are time sensitive. We are making our government better with this executive order,” President Shelly added.

Chief of Staff Mitchell added that the Office of the President and Vice President are working to build an online SAS tracking system.

“Some of these documents, we need to know where they're at, which department has them. It’s all a part of making the government more efficient,” Chief of Staff Mitchell added.

###
For Immediate Release  
April 22, 2013  

President Shelly Releases Statement for Navajo Sovereignty Day  

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly released the following statement about Navajo Nation Sovereignty Day, which is recognized today, April 22.

“Today, our tribal government recognizes Navajo Nation Sovereignty Day. A day when we remember and recognize the decision of the United States Supreme Court in 1985 to uphold our ability to tax without the approval of the Secretary of Interior. With that unanimous decision, the highest court in the country recognized our sovereignty as the Navajo Nation.

We created Navajo Nation Sovereignty Day on May 3, 1985.

Today, my relatives, I want us to remember our sovereignty before the U.S. Supreme Court made their decision. We established our sovereignty by practicing our Diné teachings. We practiced our sovereignty by speaking our language to our grandchildren, ensuring that our culture was passed on to the future generation. We practiced our sovereignty by keeping our ceremonies in tact and never losing our faith in the Holy People. We practiced our sovereignty by instilling in our children the fundamental teachings of who we are as Diné.

The Holy People have always known who we are; therefore we have always been sovereign. As we move forward, we need to continue to practice cultural independence. Sovereignty is not defined completely by a court of law; it’s defined in our free ability to guide our children into the lives we want for them.

We are a diverse Navajo Nation with many different methods of expressing our ideas and culture. As we live as independent people by the teachings bestowed upon us by the Holy People, we must remember that in the complex society we live in
today, our Diné teachings are the basis of who we are and within the practice of those teachings, we establish our sovereignty.

Regardless, we are thankful for the U.S. Supreme Court’s decision to uphold our ability to tax. The court confirmed our true ability to govern our land. We are a sovereign Navajo Nation.”

###
### Legislation

<table>
<thead>
<tr>
<th>Legislation No. 0001-13</th>
<th>Committee Assignment</th>
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</thead>
<tbody>
<tr>
<td>sponsored by Honorable Katherine Benally, amending 2 N.N.C. §§1352, 1355, 1356, the plan of operation for the Navajo Division of Public Safety, GSCAU-61-95, to reassign and transfer the Navajo Department of Highway Safety to the Navajo Division of Transportation.</td>
<td>Budget and Finance</td>
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<tr>
<td>Action: The Council passed the legislation with nineteen (19) supporting and zero (0) opposing.</td>
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<tr>
<th>Legislation No. 0015-13</th>
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<tbody>
<tr>
<td>sponsored by Honorable Jonathan Nez, amending 2 N.N.C. §1371 and the Plan of Operation for the Navajo Department of Transportation, GSCAU-26-09, to reassign and transfer the Navajo Department of Highway Safety to NDOT, and approving all NDOT Department Plans of Operation.</td>
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<td>Action: The Council passed the legislation with twenty-two (22) supporting and zero (0) opposing.</td>
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<tr>
<th>Legislation No. 0077-13</th>
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<tbody>
<tr>
<td>sponsored by Honorable Danny Simpson, amending Title II and Title 15 of the Navajo Nation Code and the Articles of Incorporation of Navajo Technical College relating to changing the name from Navajo Technical College to Navajo Technical University.</td>
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<tr>
<td>Action: The Council voted down the legislation with five (5) supporting and fourteen (14) opposing.</td>
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### Legislation Results for the 22\textsuperscript{nd} Navajo Nation Council

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<tr>
<th>Legislation</th>
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<tr>
<td><strong>Legislation No. 0352-12</strong></td>
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<tr>
<td>Approving supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of $8,629,580 to business unit #115009 for professional services for Sweetwater to Tsaile-Wheatfields regional water plan, Many Farms to Nazlini regional water plan, Shonto to Black Mesa regional water plan, Tuba City regional water plan, preliminary engineering reports, Kayenta water project, Coyote Canyon to Lake Valley regional water plan, Puerco Valley Chapters Water Use Plan and Conservation Plan, Navajo Mountain to Teec Nos Pos preliminary engineering reports, planning, design, and construction of east Dennehotso waterline, Leupp-Dilkon regional water supply development project, and design and construction of Rough Rock water well.</td>
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<tr>
<td><strong>Action:</strong> The Council passed the legislation with nineteen (19) supporting and zero (0) opposing.</td>
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<tr>
<td><strong>Legislation No. 0496-12</strong>, sponsored by Honorable Dwight Witherspoon, directing the Attorney General of the Navajo Nation to proceed with litigation representing Navajo Nation claims on the Upper Colorado River.</td>
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<tr>
<td><strong>Action:</strong> The Council passed the legislation with fifteen (15) supporting and zero (0) opposing.</td>
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<tr>
<td><strong>Legislation No. 0009-13</strong>, sponsored by Honorable Walter Phelps, opposing the creation of a wilderness area in the Wupatki National Monument, and supporting congressional effort to assist the Peshlakai family to retain a right to residence and grazing within the Wupatki National Monument.</td>
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<td><strong>Action:</strong> The Council passed the legislation with fifteen (15) supporting and zero (0) opposing.</td>
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## Legislation Results for the 22<sup>nd</sup> Navajo Nation Council

### Legislation

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<thead>
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<th>Legislation No.</th>
<th>Committee Assignment</th>
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<tr>
<td><strong>Legislation No. 0060-13</strong>, sponsored by Honorable Duane Tsinigine, an emergency legislation, approving the declaration of a state of emergency for the Navajo Nation Western Agency due to the collapse of a portion of U.S. Highway 89 serving major arterial traffic within and encouraging the Navajo Nation departments to seek federal and state assistance in addressing the emergency.</td>
<td>Budget and Finance, Health, Education, and Human Services, Law &amp; Order, Naa'Bik'iyati', Navajo Nation Council</td>
<td>The Council passed the legislation with twenty-two (22) supporting and zero (0) opposing.</td>
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<td><strong>Legislation No. 0117-13</strong>, sponsored by Honorable Lorenzo Bates, an act relating to an emergency, expressing concern of the Navajo Nation and requesting the United States government consult with the Navajo Nation to avoid and minimize the impact of the sequester.</td>
<td>Budget and Finance, Health, Education, and Human Services, Law &amp; Order, Naa'Bik'iyati'</td>
<td>The Council passed the legislation with twenty (20) supporting and zero (0) opposing.</td>
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<td><strong>Legislation No. 0120-13</strong>, sponsored by Honorable Jonathan Hale, an act relating to an emergency, approving a supplemental appropriation request from the FY 2013 non-recurring revenue in the amount of $6,980,000 for the remediation and renovation work of the Administration Building #1 and Administration Building #2 in Window Rock, Arizona and costs incurred by the displaced divisions/programs/departments as a result of the facility closures.</td>
<td>Budget and Finance, Health, Education, and Human Services, Law &amp; Order, Naa'Bik'iyati'</td>
<td>The Council passed the legislation with seventeen (17) supporting and two (2) opposing.</td>
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**KEY**  
✓ - Considered and Recommended  
✓ - Final Approval Authority
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From the Office of the Speaker: 2013 Spring Session
Legislation Results for the 22\textsuperscript{nd} Navajo Nation Council

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**KEY**

✓ Support = +1     X Oppose = -1     ---- Did Not Vote = 0
+ Primary Sponsor    S = Speaker or Speaker Pro-Tem,
                      No Voting Privileges (Unless to break a tie)

If you have questions about legislations or you would like to make recommendations to improve this document’s usability, please feel free to contact us at nnlb.communications@gmail.com or (928) 871-7160.
For Immediate Release
April 18, 2013

President Shelly Lowers Navajo Flag in Honor of Fallen Code Talker

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly said the Navajo Nation collectively mourns the loss of Navajo Code Talker Albert Smith, 88, who passed away Wednesday morning.

President Shelly has ordered the Navajo Nation Flag be lowered from sunrise April 19 through sundown April 22 in honor of Code Talker Smith.

“Vice President Rex Lee Jim, First Lady Martha Shelly and myself offer our prayers and condolences to the family of Code Talker Smith. His legacy of being a Code Talker will be remembered for generations to come. The Navajo Nation mourns the loss of one of our modern day heroes and warriors,” President Shelly said.

Code Talker Smith was born Dec. 13, 1924. He was Salt People Clan and born for Black Streak Wood People.

“I think about our Code Talkers and their deeds, it makes me proud to know that these young Navajo men helped defeat the Japanese. Code Talker Smith was among those young men who used our language to defeat the enemy. They came home without being able to tell us of their deeds. We recognize them today and their heroic deeds,” President Shelly said.

Code Talker Smith also served as an advisor to the movie “Windtalkers,” a movie that depicted the inception and service of the Navajo Code Talkers.

In 2001, he was honored with the Congressional Medal of Honor for his service during World War II.

Code Talker Smith also was an honored guest in New York’s Fifth Avenue Veteran’s Day Parade last November.

Code Talker Smith is survived by his daughter, Alberta Holman; brothers, George Smith of Mariano Lake, N.M., Donald Smith of Bluewater, N.M., Leonard Smith of Sundance, and Phillip Lee Smith of Monument Valley, Utah; sisters, Yvonne Denetclaw of Fruitland, N.M., Florence Dick of Iyanbito, N.M., Phyllis King of Iyanbito, and Diane Smith of Sundance; and two grandchildren.

Code Talker Smith was preceded in death by his wife, Helen Smith, of Laguna, N.M; parents, Red and Betsy Dawoola Smith; stepmother Johanna Smith; brothers Sherman Pinto, Ray Smith, George Smith; sisters Mary Christine Begay and Dorothy Jaramillo.

A rosary is scheduled to be held 7 p.m. tonight, Thursday night, at St. Joseph Church in Laguna, N.M. Funeral services are scheduled to begin at 11 a.m. Friday, April 19, at the same church.

“Code Talker Smith will be remembered as a educator, warrior and a hero among our Navajo people,” President Shelly said.

###
For Immediate Release
April 17, 2013

President Shelly Sends Letter to Navajo Council Urging Approval of NGS Lease

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly sent a letter to the Navajo Nation Council asking them to approve the Navajo Generating Station Lease Extension Amendments.

Amid rumors of Navajo Council possibly tabling legislation that would approve the NGS lease extension, President Shelly wrote the following letter:

“Honorable Council Delegates,

I strongly appeal the Navajo Nation Council to pass the Navajo Generating Station lease extension amendment. It is a well-negotiated lease agreement. The Navajo Nation laws and procedures were adhered to during the negotiations.

As President, I am delegated the authority to negotiate pursuant to my Powers and authority stated in Title Two of the Navajo Nation Code. Through that authority I appointed the NGS Negotiation Team. The Team negotiated a good solid agreement for the Navajo Nation. The current lease, including taxes is approximately $3 Million a year. If the Council approves the lease renewal the Nation will receive $43 Million a year, starting 2019.

We have been told by SRP there is little, if no room to renegotiate. They consider the major points of the agreement to be exhausted, such as jurisdiction and money. Because of mitigating circumstances the water concerns are unlikely to be resolved before the timeframe needed to finalize the lease extension.

The Navajo Nation Council’s authority pertains to approving or not approving the NGS lease extension amendment. Contemplation of furthering any negotiations would be detrimental to the Navajo Nation and the People who rely on Navajo Generation Station for their livelihood.

I appeal to you for your vote to pass this legislation.”

Navajo Council is expected to discuss the NGS lease extension today.
For Immediate Release
April 16, 2013

President Shelly Outlines Objectives for Uranium Clean Up

GALLUP, N.M. – Navajo Nation President Ben Shelly delivered an opening statement that featured future steps needed to continue uranium clean up in Church Rock and other affected areas.

“One of the critical lessons we learned early on was to listen to the people who live in the impacted areas,” President Shelly said during his speech.

President Shelly’s speech helped start the two day Fifth Annual Uranium Contamination Stakeholder Conference, in which citizens had a chance to express their concerns to leaders of various government agencies that are tasked with uranium clean up and reclamation.

President Shelly talked about the Five Year Plan that outlined timelines to clean up uranium abandoned mines and contamination sites.

“Since 2007, over seven different federal agencies have joined this inter-agency collaboration and they have completed many of activities in the Five Year Plan,” President Shelly said.

President Shelly said the future of mine clean up needs to have more Navajo employed and trained to perform remediation tasks.

He added that the agencies need to continue identifying and cleaning structures, water wells, abandoned mines, and continue clean up of North East Church Rock mine site and Tuba City Dump.
President Shelly did applaud the completed objective of cleaning up uranium tailings along U.S. Highway 160 near Tuba City.

“We are grateful that Department of Energy allowed Navajo EPA to take the lead on the cleanup process which came in on time and under budget. This is a good model for all to recognize – as long as sufficient resources are provided,” President Shelly said.

He added that financial resources needed to be dedicated to the remaining objectives.

U.S. EPA Region 9 Administrator Jared Blumenfeld was in attendance and agreed with President Shelly that financial resources need to be allotted for the objectives to be completed.

“All of these objectives are important to me as Navajo Nation president,” President Shelly said.

###
Speaker Naize delivers report focusing on energy issues during the first day of Navajo Nation Council Spring Session

WINDOW ROCK – Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) delivered a report citing progress on core initiatives under his administration before the Navajo Nation Council on Monday afternoon during the first day of the Spring Council Session.

“We are in a real critical stage in the Nation’s period,” said Speaker Naize. “Our Navajo Nation revenue is at stake, our employment is at stake, our economy is at stake, and our unemployment rate is yet to be decided.”

Speaker Naize emphasized the importance of proceeding forward with the Nation’s due diligence investigation to possibly acquire the BHP Navajo Mine – a move that would help protect Navajo jobs, bolster the Nation’s economy, minimize devastating budget cuts to Navajo programs and services, and help the Nation make a significant step toward economic self-reliance.

“We have a sequestration that we have to worry about,” said Speaker Naize, alluding to impending federal budgets cuts and the impacts it will have on federally-funded Navajo programs. “I hope and look forward to a very favorable solution when we get over this hump that we’re trying to climb over.”

Speaker Naize also touched upon the topic of Navajo Generating Station lease amendments and the negotiation process in his report.

“Although we believe it is imperative that the Legislative Branch remain informed and engaged during the entire negotiating process, Title 18 may not be the proper provision for this engagement,” Speaker Naize reported.

Title 18 of the Navajo Nation Code guides the formulation of the negotiating team tasked with negotiating mineral leases or other energy agreements on behalf of the Navajo Nation. Concerns over non-compliance with Title 18 provisions during the NGS lease negotiation discussions resulted in an “out of order” ruling on the NGS lease amendment legislation during a Feb. 28 Naabik’íyáti’ Committee meeting.

Citing information provided by the Navajo Nation Department of Justice, “Title 18 remains questionable as to its application and relevance to the matters at hand,” Speaker Naize wrote in his report.

In other energy related matters, Speaker Naize said his office has been working with the Navajo Nation Minerals Department and Navajo Oil and Gas to address Utah Navajo community concerns on
the flaring of excess natural gas due to maintenance issues that required the shutdown of a natural gas pipeline.

The gas, which would have normally been directed to the market to generate taxes and revenue for the Nation, has since been re-injected back into the ground. Staff has been working on securing additional right-of-ways to allow for the natural gas to be transferred north to a Utah gas plant, Naize said.

Other topics Speaker Naize mentioned in his report included advancements on discussions regarding the Fort Wingate Military Depot land negotiation talks with the Zuni Tribe, the outcome of the New Mexico gaming compact negotiations, Navajo education, an update on proceedings with Navajo Housing Authority lawsuit, and water rights.


####
NNHRC Urges Navajo Citizens to Vote in New Mexico School Board Elections on Tuesday

ST. MICHAELS, Navajo Nation—The Navajo Nation Human Rights Commission urges Navajo citizens in McKinley county of New Mexico to vote in tomorrow’s school board election.

The Navajo Nation’s proposed redistricting maps provided Native Americans in McKinley County of the Gallup McKinley County School District an opportunity to elect a candidate of their choice in accordance to the Voting Rights Act. GMCSD’s regular school election will take place on Tuesday, April 16, 2013.

“We, at the Commission, worked diligently to ensure Navajo voting strength is protected,” said NNHRC Executive Director Leonard Gorman in a previous press release. “NNHRC drew redistricting maps to ensure that Navajo voters elect a candidate of their choice.”

The indicator that Navajos elect their candidate of choice is a larger Navajo voting age population turning out to vote. With that, NNHRC encourages Navajos who are of voting age to find their election polling station and vote.

“The Navajo Nation’s involvement with the United States redistricting of election districts from the congressional level to the school board level was to keep Navajos voting rights intact,” said Gorman. “Get out and vote.”

###
FOR IMMEDIATE RELEASE  
April 14, 2013

Legislation allowing the formation of Navajo Transitional Energy Company, LLC excluded from Naabik’íyátí Committee’s agenda

WINDOW ROCK – Legislation No. 0102-13, sponsored by Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood), which seeks approval for the formation of the Navajo Transitional Energy Company, LLC, was excluded from the Naabik’íyátí Committee’s agenda last Thursday due to non-compliance with Title II of the Navajo Nation Code concerning the implementation of special committee meetings.

At a special session on Mar. 29, the Navajo Nation Council passed Legislation No. 0078-13, approving $2.3 million in supplemental funding for Phase II of the due diligence investigation to possibly acquire BHP Navajo Coal Company.

The establishment of NTEC would allow for the limited liability company to negotiate and execute agreements for the possible purchase of the BHP Navajo Coal Company.

The Resources and Development Committee was the first assigned standing committee to consider Legislation No. 0102-13 during a special meeting held early Thursday morning, where members voted 3-2 in support of the legislation.

Immediately following the RDC special meeting, the Budget and Finance Committee convened at a special meeting to consider the legislation where members immediately tabled it, moving it forward to the Naabik’íyátí Committee for consideration.

When the Naabik’íyátí Committee convened on Thursday afternoon and began discussion on the approval of the committee’s proposed agenda, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) asserted that Naabik’íyátí members would need to first approve the addition of Legislation No. 0102-13 onto the agenda because an earlier draft agenda had not listed the legislation.


Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) immediately objected to the motion, arguing that the RDC did not comply with the one-day public notice requirement, as mandated in Title II of the Navajo Nation Code, for the RDC special meeting held that morning.
According to 2 N.N.C §184, special committee meetings may be held if funds are available within the approved annual budget for additional meetings, the Speaker of the Navajo Nation Council approves such meetings, and notice of the meeting is posted on the Navajo Nation Council website at least one calendar day before the proposed meeting.

Delegate Benally said on Tuesday afternoon RDC Vice-Chair Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) had requested for the RDC special meeting, and that the public notice was posted to the Council’s website after 2:00 p.m. on Wednesday.

In accordance with that timeline, the RDC special meeting took place less than twenty-four hours after, said Delegate Benally, and thus, did not meet the 24-hour public notice requirement.

Navajo Nation Deputy Attorney General Dana Bobroff said she was informed that the Office of Legislative Counsel had previously interpreted one calendar day to mean twenty-four hours.

“This morning’s [RDC] meeting did not meet the notice requirement,” said Bobroff, who then referred to Acting Chief Legislative Council Mariana Kahn for her input.

Kahn referred back to RDC’s Apr. 9 regular meeting, when Legislation No. 0102-13 was placed on the approved agenda for committee consideration. At that meeting, the legislation was not considered for action as it had failed to garner a motioning and secondary vote.

During previous Title II amendment discussions, Kahn said the Navajo Nation Council decided that a committee that does not have final approval authority on a resolution does not have the authority to stop the resolution.

According to Kahn, legislative counsel attorneys agreed that the RDC took action when RDC members had the opportunity to consider the legislation and decided against it.

Kahn concluded that since the RDC was not the final authority on the legislation, it should have moved forward to the Budget and Finance Committee for consideration.

“You advised otherwise when I had a legislation taking the same steps and you said I was out of order,” said Delegate Benally. “Members of the committee, this not only affects the RDC, but any other legislation that you choose not to address at some point.”

Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’Bi’i’To, LeChee, Tonalea/Red Lake) also expressed disappointment with legislative counsel’s statements, and urged Delegate Bates to withdraw his motion.

Delegate Bates stood by his motion, arguing that the issue concerning one-day public notice should have been brought forth and dealt with at the RDC special meeting.

“It is contingent on you, Mr. Speaker, as to whether you want to go by what legislative counsel has indicated, or based on the actions of the [RDC and BFC] committees, you allow it,” Delegate Bates said.
In response to the request of Delegate Bates, legislation sponsor Speaker Naize excused himself to allow for Council Delegate Jonathan Hale (Oak Springs, St. Michaels) to serve as Pro Tem Chair.

“This particular legislation in question is my legislation,” said Speaker Naize. “If I rule on it, it’s going to put me in conflict.”

Delegate Tsosie urged his committee colleagues to abide by the Navajo Nation Code to avoid potential lawsuits by proceeding with the legislation.

“I think it’s quite simple, you go with what’s written in the law,” said Delegate Tsosie. “The fact is the RDC convened before the twenty-four hours had passed.”

“Legislative counsel is saying, when there is no motion to hear legislation that it’s considered ‘taking action’, and it shouldn’t be,” added Delegate Tsosie. “It sets a dangerous precedence.”

Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) encouraged his colleagues to allow the legislation to be considered since it had already gone through the RDC and BFC.

“At the BFC [special] meeting, we had a document come before us containing RDC’s report,” said Delegate Begay. “The meeting was called to order, we had all the formalities, and I believe that legitimizes the action.”

After nearly an hour of debate, Pro Tem Chair Jonathan Hale (Oak Springs, St. Michaels) called for the legislation to be withheld from the Naabik’íyátí Committee’s agenda.

“For this situation – abiding by the laws that are written other than the interpretation given verbally – I’m going by what’s written,” Pro Tem Chair Hale declared.

Legislation No. 0102-13 remains on the Resources and Development Committee’s agenda for consideration.

###

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Naabik’íyátí Committee votes down NGS lease extension

*Legislation moves on to the Navajo Nation Council for final consideration*

WINDOW ROCK – Legislation No. 0042-13, which seeks to extend the Navajo Generating Station’s lease for 25 years beginning in 2019, was opposed with a 10-11 vote at the Naabik’íyátí Committee meeting last Thursday.

Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) is the prime sponsor of Legislation No. 0042-13.

The legislation was first brought before the Naabik’íyátí Committee on Feb. 28, where it was ruled “out of order” by Pro Tem Chair Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) on grounds that the negotiating task force appointed by Navajo Nation President Ben Shelly, was not formulated in accordance with Title 18 of the Navajo Nation Code.

On Thursday, Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) immediately issued a challenge to the “out of order” ruling from the initial Feb. 28 meeting.

“I believe in our rules. Once there is a ruling from the chair or the Speaker, and an individual feels that it is not the correct ruling, it allows for a challenge,” said Delegate Bates. “At the time Honorable Elmer Begay ruled it out of order, there was a challenge issued by Honorable [Duane] Tsinigine, but it was never recognized, and immediately after, the meeting was adjourned.”

Council Delegate Jonathan Hale (Oak Springs, St. Michaels), who served as Pro Tem Chair during Thursday’s Naabik’íyátí Committee discussion, then asked Navajo Nation Deputy Attorney General Dana Bobroff to offer her perspective on how the challenge to the “out of order” ruling should be handled.

Bobroff stated that she was not present at the Feb. 28 meeting, and therefore, could not offer firsthand knowledge about what occurred.

“There are no provisions for challenging it in the [standing] committee rules,” Bobroff said.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said based on the Deputy Attorney General’s statement, the “out of order” ruling should stand, but it would not necessarily stop the legislation.

If the ruling was to stand, Delegate Tsosie suggested two ways to proceed forward – either the legislation could be reintroduced, or the Naabik’íyátí Committee could create a negotiating team in compliance with Title 18 provisions.
Delegate Bates continued to question the validity of the “out of order” ruling.

Referencing two legal opinions provided by the Navajo Nation Department of Justice, Delegate Bates stated, “As indicated, there’s nothing in Title II that addresses how to handle this particular situation so the Naabik’íyáti Committee does have the authority to make a decision based on what’s before us.”

According to Bobroff’s legal opinion, standing committees did not have the authority to rule a Council’s resolution “out of order”.

A resolution would have to be ruled “out of order” at a council session, Bobroff stated, and as such, the legislation moves on to the Council for final consideration.

Delegate Tsosie expressed disappointment with the legal interpretation.

“If legislations are just going to move on, then what’s the point of having [standing] committees?” questioned Delegate Tsosie, who thought the best way of appropriately handling the legislation would be to form a negotiation team pursuant to Title 18, which would then recommend a certain action.

Council Delegate Russel Begaye (Shiprock) also expressed skepticism about moving the legislation forward to Council, stating that in the last couple of years, if legislation was ruled “out of order” it did not move forward.

“If we’re now saying it does move forward, then maybe we need to revisit all the legislations that have previously been ruled “out of order,” and didn’t move forward,” Delegate Begaye reasoned.

In response to Council Delegate Walter Phelps’s (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) request for a definitive explanation as to what “out of order” meant, Bobroff said it is the Council’s responsibility to answer that question.

“Council is asking the DOJ to make a decision based on an absence in your rules,” Bobroff said.

A committee cannot kill legislation at the committee level by ruling it “out of order” if the Council holds final approval authority, Bobroff clarified.

Bobroff cited §164 of Title II which states that a legislation that does not receive sufficient vote for passage by a committee which does not have final approval authority over the matter shall move forward to the subsequent assigned committee(s) or Navajo Nation Council for action.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) opposed the recommendation to move the legislation forward.

“Our laws on the Navajo Nation Code are now being considered not valid,” said Delegate Witherspoon. “We will now have to research all Navajo Nation codes as to their full vetting of the Council to be considered valid law.”

If the legislation was allowed to proceed, Delegate Witherspoon said the Naabik’íyáti Committee would then be supporting the president and DOJ in leaving Council and agency representation out of any future negotiating team which would leave the door open to any individual and any delegate to sue for not having representation in the negotiations.
Delegate Witherspoon argued that because the legislation was ruled “out of order”, it was never considered by the Naabik’íyátí Committee and should not go to a vote during Thursday’s meeting.

Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) said he supports the legislation but does not support the way the Naabik’íyátí Committee is proceeding and deviating from procedure.

“What is the purpose of having standing committees if legislation is going to continue to move forward?” asked Delegate Butler. “We should just do away with committees and save the Nation time and money.”

Legislation sponsor Speaker Naize, explained that ruling the legislation “out of order” was not in the floor rules at the Feb. 28 Naabik’íyátí Committee meeting.

“This particular legislation went through the process. It went through the committees and never diverted from the process,” said Speaker Naize. “Since there’s no ruling of ‘out of order’ in our floor rules, it had to come back to this committee and that’s why it was placed on the agenda.”

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Ojito, Ts’ah Bii Kin) expressed the importance of handling the legislation carefully.

“We as representatives for various areas did not have input on this agreement, but yet we are voted in by the people and held accountable by the people,” Delegate Nez stated.

Delegate Nez said his constituents are questioning if this is the best deal the Nation can negotiate, adding that the Inscription House Chapter has passed a resolution advocating for him to be a part of the negotiating team.

“We’re not saying ‘no’, we just want to do what is best for our constituents and for the people of the Navajo Nation so that 20 or 50 years down the road, our children, our grandchildren, don’t say to us, ‘the 22nd Navajo Nation Council just sold us out,’” Delegate Nez said.

Delegate Witherspoon summed up the differing arguments by explaining that one body of delegates would like to act on the legislation with supporting legal opinions from DOJ, and another body of delegates believes the “out of order” ruling should be upheld, meaning that new legislation should be introduced after Title 18 is resolved.

Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’iBi’To, LeChee, Tonalea/Red Lake) urged the committee members to adhere to the challenge of the “out of order” ruling put forth by Delegate Bates, and asked Pro Tem Chair Hale to make the decision.

After two hours of debate, Pro Tem Chair Hale made the decision to call for a vote, explaining that when the NGS lease extension legislation goes before Council, it can be tabled at that time until all concerns are resolved.

Naabik’íyátí members opposed the legislation with a vote of 10-11. Pro Tem Chair Hale cast the tie-breaking dissenting vote. Legislation 0042-13 moves forward, and is now on the agenda for the Navajo Nation Council’s consideration during the Spring Session which begins Apr. 15.
FOR IMMEDIATE RELEASE
April 14, 2013

Navajo Nation Council Spring Session to be streamed live on the web

WINDOW ROCK – The Navajo Nation Council Spring Session will once again be streamed live on USTREAM beginning Monday, Apr. 15.

“I am pleased to welcome all Diné citizens – those living within our four sacred mountains and those residing in various places the world over – to tune into our designated USTREAM channel on the web throughout the duration of the Council’s Spring Session,” said Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood).

This is a prime opportunity to engage in the Navajo Nation’s legislative proceedings as an active viewer, and to become informed on pressing issues that affect the Diné people, now and into the future, stated Speaker Naize.

This will be the third time a regular Council session has been streamed for online viewing since live streaming of Council proceedings first began during the 2012 Fall Session.

The purpose of this endeavor is to expand and diversify the ways in which Diné citizens participate in their government – an objective for which many Council Delegates have advocated.

The Office of the Speaker continues its partnership with the Navajo Nation Office of Broadcast Services to provide this regular service to the Diné people.

Visit http://www.ustream.tv/channel/navajo-nation-council to view the live-streamed proceedings of the Spring Council Session. Alternatively, viewers may log onto the USTREAM home page and search for ‘Navajo Nation Council’ in the search box.

###
FOR IMMEDIATE RELEASE
April 12, 2013

Law and Order Committee receives status reports on Shiprock police and judicial districts

SHIPROCK, N.M. – The Law and Order Committee traveled on Monday, holding their regular meeting at the Navajo Engineering & Construction Authority office building, where they received status reports on the present activities and concerns held by the Shiprock Police District and the Shiprock Judicial District.

“We have a number of challenges that we are currently working on,” said acting Navajo chief of police, Capt. Ivan Tsosie, who mentioned that officers have been working diligently to cut down on the number of pending police and vehicle accident reports within the department.

Capt. Tsosie also said the police district has also been addressing complaints from the public for lack of or no response to calls for assistance, but said it still poses a challenge as police officers divide their time to provide services to Navajo communities over great land expanses.

Currently, the Shiprock Police District is coordinating with the Ute Mountain Ute Tribe on installing a signal repeater atop one of the nearby mountains in the area to broaden communication between on-scene police officers and police dispatch.

The police district has also been coordinating with area school districts and BIA schools on the development of response plans in the event that a shooting were to occur within the school or the community.

Additionally, Capt. Tsosie said the police district is partnering with a local company to erect billboards for a community safety campaign aimed at cautioning people against texting or drinking while driving.

Discussion about the Judicial/Public Safety Facilities Fund Priority List surfaced at the conclusion of Capt. Tsosie’s report, when he asked the committee to retain Shiprock as one of the 5 prioritized facility construction projects at the top of the list.

The Shiprock project is currently number two on the list, after Chinle. It is then followed by Fort Defiance, Pinon, and Dilkon.

“Right now, we are shovel-ready and ready to go,” said Captain Tsosie. “We just need the funds.”

In response, LOC vice chair Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichíí’, Steamboat) maintained his position that he wants to make sure the committee addresses the priority listing determinations in a fashion where projects that have all the necessary pre-construction requirements ready would be prioritized higher up on the construction priority list.
“Everybody is coming to this Law and Order Committee saying that they have a greater need, and this type of comparison evaluation would paint a better picture of how to objectively assess these projects,” Delegate Shepherd said.

Shiprock Chapter President Duane “Chili” Yazzie was also in attendance at the Monday meeting to convey his support to keep Shiprock at the top of the priority list, and also acknowledged the dilemmas the LOC gets placed in when addressing the extent of needs of numerous Navajo communities for public safety, judicial, and detention facilities.

“Other communities that are competing for the same pot of funds, I don’t discount the severity of their needs,” said Yazzie, who mentioned that Shiprock is the highest populated chapter on the Navajo Nation.

“This facility will certainly meet the needs of the greater number of people. As leaders we try to meet the needs of the greater number of people the best way we can,” Yazzie continued. “Keep our Shiprock complex up at the top of the list.”

When it came to the Shiprock Judicial District status report, court administrator Ethel Laughing provided statistics on the number of cases that were addressed this year from Jan. 1 through Mar. 29.

According to Laughing, the number of cases brought forward to the Shiprock Judicial District numbered 3,532, along with an additional 932 cases that have been filed.

These numbers amount to an overall caseload of 4,464 cases. Of that number, 747 cases have been closed, which leaves a total of 3,717 cases pending within the district.

Laughing praised the district’s implementation and use of JustWare, a case management software that allows the district court to enhance how information is shared and managed with prosecutors, courts, peacemaking, public defenders, and probation.

The district court is looking at using JustWare to introduce the conveniences of e-filing and e-payments for the general public. In the future, the public could electronically file requests or make electronic payments to the court over the internet.

LOC member Council Delegate Russell Begaye (Shiprock) asked Laughing she anticipated any impacts to the judicial district’s operations due to the sequestration cutbacks.

“We are looking at a 5 percent cut...minimal,” answered Laughing. “Based on our assessment, we feel we are safe, and should be able to employ employees in our district.”

The Law and Order Committee wrapped up discussion on the reports by iterating that they will soon be selecting a date to hold a work session with officials from the Navajo Nation Judicial Branch to discuss possible amendments to the Judicial/Public Safety Facilities Fund Priority List.

Both reports by the Shiprock Police District and the Shiprock Judicial District were each approved by committee members with a vote of 3-0.

###
Press Release
For Immediate Release

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**NNTV5 will be providing live webcast of the 22nd Navajo Nation Council Spring Session.**

Window Rock, AZ – The Navajo Nation Office of Broadcast Services - NNTV5 will be webcasting the 22nd Navajo Nation Council Spring Session beginning April 15-19, 2013. This is a collective effort with assistance being provided by Navajo Nation Department of Information Technology and the Navajo Legislative Branch to bring web stream programming to the Dine people.

NNTV5 would like to inform the public that the live webcast will begin April 15, 2013 at 10am until the conclusion of the session. The public who are interested in viewing the Navajo Nation Council Spring Session can do so by visiting the following link:
http://www.ustream.tv/channel/navajo-nation-council
NNHRC announces the official visit of a U.N. Working Group on Business and Human Rights to the United States

SAINT MICHAELS, Navajo Nation—The Navajo Nation Human Rights Commission announces a visit of the United Nations Working Group on Business and Human Rights to the United States from April 22, 2013 to May 1, 2013, which will include a visit to Flagstaff, Arizona on Saturday, April 27, 2013 among other official visits nationwide.

Currently, details for the official visit to Flagstaff, Ariz., are being facilitated by NNHRC.

“The visit will include engagement with the U.S. Government, state/local governments, business enterprises, civil society and other stakeholders to identify current initiatives, opportunities, challenges and good practices in the implementation of the Guiding Principles on Business and Human Rights in the United States,” stated Michael van Gelderen for the Office of the United Nations High Commissioner for Human Rights to NNHRC.

The Office of the United Nations High Commissioner has stated that the Guiding Principles on Business and Human Rights “set a global standard on preventing and addressing the risk of adverse impacts on human rights linked to business activity.”

Including indigenous peoples

“The Working Group has also decided to address the situation of indigenous peoples as part of its programme of work, in collaboration with other relevant UN bodies on the rights of indigenous peoples,” stated van Gelderen in his e-mail to NNHRC. “One of the perspectives that the Working Group is keen to capture as part of the US visit is that of the protection and respect for the human rights of indigenous peoples, including Native Americans, in the context of business activities.”


###
FOR IMMEDIATE RELEASE
April 11, 2013

Budget and Finance Committee votes down legislation to approve $5.2 million for water projects

WINDOW ROCK – At a special meeting on Wednesday, the Budget and Finance Committee voted to oppose Legislation No. 0352-12 which aims to approve supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of $5.2 million for contractual services for regional water plans.

The legislation was first brought before the BFC on Mar. 6, where no action was taken because budget documents in the legislation were for fiscal year 2012, instead of the current year.

The Resources and Development Committee had previously considered the legislation on Jan. 8, and referred it to the BFC with a “do pass” recommendation with no amendments.

Reginald Shirley, senior hydrologist with the Navajo Nation Department of Water Resources, said the regional water plans would evaluate existing water systems, develop alternatives for future water supplies and development needs, and provide cost estimates.

According to the legislation, regional water plans are designated for numerous chapters, preliminary engineering reports, Kayenta water development, and the Rough Rock water well.

As many as 23 chapters will benefit from the funding, Shirley said.

The legislation immediately drew skepticism from some BFC members over the motive of the funding proposal and who the funding would benefit.

BFC member Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) questioned why the Department of Water Resources does not request funding for water projects more often.

If the department had routinely performed these types of studies and proposals, they could be helping the entire Navajo Nation, Delegate Curley said.

“This seems like a pork barrel type of legislation, which is designed to benefit only certain folks and all the other chapters will not benefit from these services,” Delegate Curley added.

BFC member Council Delegate Danny Simpson (Becenti, Crownpoint, Huervano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) questioned why none of the Eastern Agency chapters were included in the legislation.
“If plans like this are going to be funded, other chapters need to be incorporated,” said Delegate Simpson. “If we don’t do it now, those chapters will be left out for many more years.”

BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izhi) questioned if any services had already been contracted to any particular company and if so, Delegate Begaye asked if all Navajo Nation procurement were followed.

Shirley assured BFC members that the projects had not been contracted to any companies and that the Department of Water Resources would comply with all Navajo Nation procurement policies.

“I would support this if the legislation answered all of our questions, but it does not,” Delegate Begaye concluded.

BFC vice-chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) warned Shirley that the legislation would draw even more questions and concerns when it is brought before the Naabik’íyáti Committee.

Delegate Nez also questioned the feasibility of the proposed projects, specifically the proposed Shonto to Black Mesa Regional Water Plan.

After an hour of debate, BFC members opposed the legislation with a vote of 1-2. Legislation No. 0352-12 now moves on to the Naabik’íyáti Committee for consideration.

###

For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
For Immediate Release
April 10, 2013

**President Shelly Welcomes ASU Study of Economic Impact of Navajo Generating Station and Kayenta Mine**

**WINDOW ROCK, Ariz.** – Navajo Nation President Ben Shelly applauds an Arizona State University study that states Navajo Generating Station and Kayenta Mine will help contribute nearly $13 billion to the Navajo economy and help support nearly 75,000 jobs from 2020 through 2044, the term of the extended lease.

“I have been saying that NGS plays an important role to the Navajo Nation. The power plant does more than create revenue for the Navajo Nation government, but the plant stimulates the local economy. The study from ASU is welcomed because it factually outlines the overall picture NGS and Kayenta Mine play in the Navajo Nation’s economy,” President Shelly said.

The study was released Wednesday afternoon by the L. William Seidman Research Institute in the W.P. Carney School of Business at ASU.

A negotiating team appointed by President Shelly recently concluded negotiations earlier this year of a NGS lease extension through 2044 with Salt River Project, the managing partner of Navajo Generating Station.

The Navajo Nation government would see a favorable increase in lease payments and taxes, however, the lease extension has to be approved by the Navajo Nation Council before President Shelly could sign the lease extension amendment.

The study states that Navajo Generating Station and Kayenta Coal Mine would contribute $12.94 billion to the Navajo Nation economy through sustained jobs and wages.

The study also indicates that in 2020, the plant and mine would support nearly 3,000 jobs and contribute more than $500 million to the Navajo Nation’s economy, or Gross Navajo Nation Product. The plant and the mine currently employ nearly 1,000 workers.
“I have been saying we need to protect existing jobs on the Navajo Nation. This study shows that the plant and the mine not only support existing jobs at the plant and mine, but support other jobs in the area,” President Shelly said.

The most recent study is separate from the 2012 study that stated that Navajo Generating Station and Kayenta Mine have $20 billion impact to the northern Arizona economy.

“The 2012 report was concerned with the economic effects for Coconino County, Navajo County and the State of Arizona as a whole. The current study examines the economic effects exclusively for the Navajo Nation,” the study stated.

###
President Ben Shelly To Sign MOU with Local Unions

WINDOW ROCK, Ariz. – Navajo President Ben Shelly is scheduled to sign a Memorandum of Understanding with the Nal-Nishii Federation of Labor AFL-CIO group of unions on Thursday morning, April 11, at 11:30am.

The signing ceremony is scheduled to take place at the President's Office.

Through the MOU will create job opportunities for Navajo Nation residents. The Navajo Nation and unions affiliated with Nal-Nishii Federation of Labor AFL-CIO will assist residents to be hired for jobs according to required skills and proficiency in job classifications, and to help develop a highly skilled, qualified and resilient workforce for upcoming public works projects on the Navajo Nation, whether undertaken by federal, state or Navajo Nation government.

“We need to train our Navajo people so they can have the opportunities to have better jobs. This MOU will help our people gain access to training so our workforce can become stronger,” President Shelly said.

###
ADOT reaches out to Navajo communities on N20 paving efforts

BODAWAY GAP-The chapter house was packed to capacity and many stood along the walls and in the doorway, for a chance to listen in on the discussions for paving Navajo Route 20 as an interim detour route as U.S. 89 is repaired.

Officials from the Navajo Division of Transportation, Bureau of Indian Affairs, Arizona Department of Transportation, Coconino County and Federal Highway Administration were in attendance.

Chapter officials from Bodaway-Gap, Coppermine and LeChee facilitated the dialogue on April 1, regarding the ramifications of the road closure on U.S. 89.

U.S. 89 was closed to traffic on Feb. 20, 2013, after a dry slide occurred and damaged the roadway. ADOT rerouted traffic east on U.S. 160 and then north on State Road 98 for travelers headed to Page.

Since the road closure, several meetings have been held in an effort to get a grip on repairing the damaged roadway and paving N20 as a temporary detour to alleviate the extra 100 mile drive for the current alternative route.

Officials sat facing each other “for a round table discussion, meaningful dialogue and exchange of ideas,” said Floyd Stevens, president of Coppermine Chapter.

Paulson Chaco, director for NDOT, spoke first and said ADOT has the lead role in the project.

“NDOT and BIA are just helping,” Chaco said. “We’re working with the right-of-way for ADOT. They want to pave quickly but there’s no right-of-way in place.”

He said President Shelly made it a priority for NDOT to assist ADOT in the development of N20 paving efforts during his visit to the chapter on Feb. 24.

Robert Samour, senior deputy state engineer for ADOT, shared a presentation on the restoration of U.S. 89 and the paving efforts for N20.

“I wanted to share some of the challenges, show you where we are and where we think we’re going,” Samour said.

He explained the slope failure of Feb. 20 resulted in a five-foot drop on the pavement and 500-feet of roadway movement. Additionally, the pavement separated and created large gaps with cracking near the shoulder of the red rock formation, he said.

Switching gears to N20 as a potential interim detour route, Samour said the first step would be geotechnical collection and the second step is restoration of essential traffic.

Samour said, “We believe
that N20 provides an opportunity, if we can come to an agreement of the actual scope of that project. Paving N20, the approximately 27 miles of dirt road, we believe would help relieve the current 100 mile detour that’s in place.”

He stressed site security at U.S. 89 and said safety is paramount, meaning no pedestrians and no public access. He said there have been six breaches of security and that somebody cut down the fences at both ends of the project, sometime between Mar. 30 and 31.

Emergency access is available through the site for first responders like ambulances, fire department and police. Members of the community have tried to access the roadway stating they have an emergency, which is unacceptable.

Gevern Begay, vice president for Bodaway-Gap, shared concerns about the hiring of workers to pave N20. She asked, “Would our Navajo people here have first preference?”

Begay also mentioned concerns about the public outreach efforts and asked if an office could be established at one of the community chapters, including a liaison familiar with the communities.

Samour said ADOT would have Tribal Employment Rights Office specifications as a part of their contract “to hire a certain percentage of tribal members.”

“We need to do a better job of getting out,” Samour said. “I apologize if anyone feels that outreach hasn’t been adequate up-to-date.”

Responding to concerns about fencing, he said as the scope of work increased, it moves the project away from an interim repair to an ultimate project and ineligibility for relief funding from the FHWA.

Ammon Heier, area engineer for the FHWA, said as an emergency relief project, the paving of N20 would utilize a specific pot of money at the national level, which has stipulations.

“We’re fortunate we can pave a road that needs paving. It has to be done as expeditiously as possible,” Heier said. “It’s a balancing act.”

Others spoke of the effects of traveling on N20.

“Our major concern is the condition of N20 right now,” said Jim Walker, superintendent of Page Unified School District.

Walker explained that at least 10 buses travel on the 28-mile dirt road to transport 178 kids from the reservation communities.

He was worried about making it to the end of the school year on May 18.

“If we don’t do a better job maintaining that road, I’m going to have more buses in the repair shop than on the road,” Walker said.

The closure of U.S. 89 hit the pocketbooks of many residents.

Coleen Mountain, president of the Antelope Trails Vendor Association, said her members are directly impacted.

“They make a living from their art. It pays for their electricity, it feeds their children,” Mountain said.

Artists used to sell their goods 200-yards from where the landslide occurred.

“It’s a way of life for us. It makes us self-sufficient and independent. We are in desperation: financially, emotionally, mentally and physically,” Mountain said.

NDOT continues work on expediting the approval of the temporary easement, along with the BIA and the target date for ADOT construction to begin on N20 is May 1.

Information:
www.navajodot.org

“We’re fortunate we can pave a road that needs paving,” said Ammon Heier, area engineer for Federal Highway Administration. He said because the road was going to be funded by the emergency relief funding, the paving project had to be done as expeditiously as possible and would be done with minimal improvements in accordance with federal guidelines. (Photo by Rick Abasta)
FOR IMMEDIATE RELEASE
April 8, 2013

Health, Education, and Human Services Committee
dialogues on proposed Navajo Nation Junk Food Tax Act of 2013
Committee tables legislation until work session is held on the topic

WINDOW ROCK – On Apr. 3, the Health, Education, and Human Services Committee considered Legislation No. 0085-13, a bill proposing to amend Title 24 of the Navajo Nation Code to allow for a 2 percent sales tax on junk food and to eliminate the sales tax on fresh fruits and vegetables.

Legislation co-sponsor Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) began the discussion by relating the purpose of the legislation to his own personal life.

“A year ago, I probably wouldn’t have signed off on a bill like this,” said Delegate Nez. “But at one point in my life, I realized that a lot of foods out there are not healthy, and in order to change my life I had to get away from those unhealthy foods.”

Nez shared that he has lost 100 pounds since changing his eating habits, attributing much of his weight loss to exercising and taking part in the Navajo Nation’s “Just Move It” program.

The generated tax revenue could raise substantial sums of money to benefit programs that are facing sequestration budget cuts, Delegate Nez said, and the tax also encourages local communities to be more self-determined and self-sufficient.

Although HEHSC members expressed strong support for the general promotion of healthier lifestyles, several questions and concerns were raised on the possibility of imposing additional taxes on Diné people.

“We have all been negatively affected by diabetes, whether it’s a family member or our chapter members, but this should be in the form of a referendum. Let the people decide if they want to impose this tax upon themselves,” said Council Delegate Joshua Lavar Butler (Tó Nanees Dizi).

“This law imposes a tax on the working poor, and it is a form of totalitarianism,” Delegate Butler added. “We are exercising control over the personal freedom of our citizens and infringing upon the personal choices and decisions of our Navajo people.”

Offering his perspective on the issue, HEHSC member Council Delegate Kenneth Maryboy (Mexican Water, Aneth, Teec Nos Pos, Tólikan, Red Mesa) recalled the day when he was diagnosed with diabetes.
“I took it very hard. It hit me broadside when I was told that I’m a diabetic,” said Delegate Maryboy. “Your world shatters when you’re told, but you have to take care of yourself.”

Other forms of economic development should be explored, said Delegate Maryboy, other than the promotion of fast-food chains that often offer unhealthy foods.

Delegate Nez referenced a recent unsuccessful attempt by New York City Mayor Michael Bloomberg to ban “sugary beverages” larger than 16 ounces in New York City.

“There’s litigation on the East Coast about similar issues,” said Delegate Nez. “We are a sovereign nation. We could really take charge and provide an example for other tribal communities by promoting this type of initiative.”

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) reminded the committee that 100 percent of the proposed tax revenue collected would go directly to chapters for community wellness projects.

Chapters will decide how to use the revenue, said Delegate Hale.

HEHSC member Delegate Witherspoon questioned whether a 2 percent sales tax would be enough to change the behavior of “junk food” consumers, and pointed out that the tax purpose might be defeated if consumers decide to purchase “junk food” from border towns to avoid paying the tax.

HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) said while he supports the overall goal of encouraging people to eat healthier foods, he cannot support the legislation as it is written, because it would establish a tax without a plan on how chapters will spend the tax revenue.

“I don’t think we should just tax and spend,” said Delegate Phelps. “We should have specific objectives with specific timelines, and this legislation does not do that.”

Delegate Phelps suggested the inclusion of a sunset clause in the legislation that would eliminate the tax once established goals are accomplished.

“How about we just pass a resolution to take the tax off fruits and vegetables,” asked Delegate Phelps. “I really like that part of this legislation.”

After nearly two hours of discussion, HEHSC members decided to hold a work session to explore and address the issues and concerns that were brought forth.

HEHSC members voted 4-0 to table the legislation until a work session takes place.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
April 5, 2013

Resources and Development Committee grants approval of natural gas pipeline right-of-way in Red Mesa Chapter area, approves budget carryover

WINDOW ROCK – The Resources and Development Committee passed two pieces of legislation on Tuesday – one relating to the granting of a natural gas pipeline right-of-way and the other relating to the approval of a Fiscal Year 2012 budget carryover to Fiscal Year 2013 for the Navajo Nation Design and Engineering Services.

With a vote of 3-0, the RDC elected to approve Legislation No. 0084-13, which grants a right-of-way to Nacogdoches Oil and Gas, Inc. to operate and maintain a four-inch and six-inch diameter natural gas pipeline on, over, and across Navajo Nation trust lands within the Red Mesa Chapter.

Council Delegate Roscoe D. Smith (Crystal, Fort Defiance, Red Lake, Sawmill), the legislation’s sponsor, requested for RDC approval of the right-of-way, alongside Navajo Nation Minerals Department official Ram Das and Nacogdoches Oil and Gas, Inc. representative Kitty Wood.

The pipeline is approximately 5.8 miles in length, and has been in the ground since the 1960’s.

The previous owner’s right-of-way had expired, Das explained, and Nacogdoches had applied to take over the right-of-way.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) was the first to respond to the presentation, asking if any issues, incidences of spills, or complaints by residents living near the pipeline had ever arisen during its history.

“There should be assurances from them that they will be good neighbors,” said Delegate Tsosie, bringing attention to cases in the past where Navajo Nation residents in other areas have protested against right-of-way assignments for various concerns.

Kitty Wood, representative for Nacogdoches, said that she had recently spoken with the company’s owner, Mike Finley, who had indicated that there have been no “protests” to his knowledge.

Wood also mentioned recent correspondence with the Minerals Department, where a representative there said there have been no active complaints against the Nacogdoches company since it has been doing business with the Navajo Nation.

Legislation No. 0090-13, a bill approving the FY 2012 indirect cost unspent recovery funds carryover budget into FY 2013 for the Design and Engineering Services in the approximate amount of $64,000, was the second legislative item to be considered by the RDC.
Delegate Tsosie inquired as to what DES was planning to buy with the funds since nearly half of the requested amount was allocated for general supplies.

Legislation sponsor Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts'ah Bii Kin) said he was not sure, but iterated that the detailed line item budget and justification form states that general office supplies are identified as pens, paper, desktop equipment, and the like.

“Keep in mind that these are not recurring costs,” said Delegate Nez, so funds cannot be used to cover operation expenses such as personnel.

The Resources and Development Committee voted 3-0 in favor of approving the requested budget carryover.
FOR IMMEDIATE RELEASE
April 3, 2013

Budget and Finance Committee receives update regarding potential impacts of sequester cutbacks for the Navajo Nation

WINDOW ROCK – The Budget and Finance Committee received an update from the Navajo Nation Washington Office Director Clara Pratte on Tuesday, via video conference, regarding the potential impacts of sequester budget cuts for the Navajo Nation.

On Mar. 26, U.S. President Barack Obama signed into law H.R. 933, the Consolidated and Further Continuing Appropriations Act, a continuing resolution that funds the federal government through the end of the current fiscal year and maintains the $85 billion spending reductions mandated by the Budget Control Act of 2011.

According to information from Tommy Thompson with the Tribal/Interior Budget Council, the Bureau of Indian Affairs calculates its budget reduction to be approximately 5.2 percent explained Pratte.

Pratte said the BIA had planned to absorb most of the budget cuts at the administrative and executive levels.

However, the BIA recently informed Pratte that each line item in the BIA’s budget must be reduced to comply with the Budget Control Act.

BFC chair Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) inquired on how the spending cuts would impact specific Navajo Nation programs, urging Pratte to relay information to the BFC, three-branch chiefs, and programs as it becomes available in order to avoid a “crisis management” situation.

The Navajo Nation Washington D.C. Office has reached out to agencies like the U.S. Dept. of Health and Human Services and U.S. Dept. of Veterans Affairs, and expects to receive information on each agency’s estimated budget cuts in a week or so. At which time, a clearer assessment can be provided for specific programs, Pratte said.

BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Ojato, Ts’ah Bii Kin) expressed concern over the possibility of mandated furloughs at the federal level.

This could impact Navajo Tribal Parks at a time when the tourist season is beginning, Delegate Nez said.
Delegate Nez also pointed out that the Department of Interior now has travel restrictions, which not only limits interaction between the Nation’s leaders and the DOI, but may also increase travel expenses for Tribes to send leaders to Washington D.C. more frequently, Delegate Nez added.

“It’s going to affect the tribal consultation dialogue that President Obama has always advocated for,” Delegate Nez said.

On a positive note, Pratte said the U.S. House and Senate have passed their versions of the 2014 budget resolutions, which includes a statement in the Senate’s version that addresses the importance of upholding the treaty and trust responsibilities of the United States.

Pratte also noted that the Senate’s version of the 2014 proposed budget allows for BIA funding at a rate consistent with their pre-sequester budget. It also provides an additional $53 million for Indian Health Service to construct new facilities.

Pratte said the Navajo Nation Washington Office has argued that the sequestration violates a presidential executive order which provides that decisions regarding funding that impacts tribal nations must go through a full consultation process.

“Our point is that the sequestration was a forced decision made without full consultation, which is a violation of the executive order,” added Pratte.

Pratte emphasized the importance of having Navajo Nation leadership present in Washington D.C. to testify at the House Committee on Appropriations budget hearings, scheduled to take place on April 24 and 25.

BFC members Council Delegates Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izhi) and Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’aa’) urged the BFC, Navajo Nation Washington Office, and the Nation’s three-branch chiefs to meet and develop a plan for addressing budget cutbacks.

At the discussion’s conclusion, the Budget and Finance Committee and Pratte agreed to develop a resolution that would state the Navajo Nation’s position regarding the sequester budget cuts.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed legislation allowing $2.3 million to be drawn down from the Undesignated Unreserved Fund Balance to pay for continuation of the due diligence investigation for the possible acquisition of Navajo Mine.

“I signed this legislation because we need to know whether acquire this mine is beneficial for the Navajo Nation. We are in times unlike any other with federal budget cuts, reduced revenue and taxes. We must consider investments that could help sustain critical programs that help our people. The due diligence investigation will help us learn all we need to know to make an informed decision about acquiring Navajo Mine,” President Shelly said.

President Shelly added that the Navajo Nation hasn’t decided to buy Navajo Mine yet.

“At this point, I need to know more information about the entire operation of the mine. I also want to know how are we going to pay for the mine, if we decide we want to buy it. And, I want us to think far into the future and consider other technologies for clean coal. We need to look ahead and see how we can make use of our resources,” President Shelly said.

The legislation was signed today. The investigation is the second phase into a due diligence investigation that started last fall.

The proposal for Navajo Nation to acquire Navajo Mine came after Four Corners Power Plant and Navajo Mine owners could not agree upon a coal price.

“We have to keep in mind that we have about 800 Navajo people working at the mine and the power plant. We have to protect their jobs too. If acquiring Navajo Mine can protect those existing jobs, it is my duty as president to ensure that we at least consider the proposal. We have to protect jobs,” President Shelly added.
If the Navajo Nation acquired the mine by June 2013, BHP Billiton would continue managing the mine until 2016. The mine employs nearly 400 people, most of whom are Navajo.

The Navajo Nation would buy all shares of BHP Navajo Coal Company, the merge the coal company with a Navajo company yet to be determined. The Navajo owned company would receive all equipment, improvements, workforce, tangible and intangible intellectual property rights, and permits.

Navajo Mine is the sole provider of coal to Four Corners Power Plant, which is owned by Arizona Public Service. APS officials estimate that Four Corners Power Plant would need about six to eight million tons of coal per year to continue the operations beyond 2016.

Last year, Navajo Mine supplied about 8.1 million tons of coal to Four Corners Power Plant, which generated more than $40 million for the Navajo Nation.

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Senate Bill 1317 to allow tribes a seat at the table for aviation funding

PHOENIX—On March 27, 2013, the House Appropriations Committee convened at the State Capitol and listened to reports on proposed legislation, including Senate Bill 1317, which would allow publically-owned airports on Indian reservations to be eligible for grants from the Arizona Aviation Fund.

Senator Jack Jackson, Jr. (D-Dist. 7) sponsored the legislation that would allow the 14 tribally-owned airports to compete for aviation funding to repair and maintain tribal airports and runways.

“I used to be part owner of an air transport company located on the reservation and we did a lot of medical transports off the reservation,” Jackson said. “I know firsthand the need for improved runways and improved airports as well.”

SB 1317 would allow tribes to compete for funds to improve their airports, he said.

Representative Michelle Ugenti (R-Dist. 23) asked how much money the tribes would be eligible for.

Corinne Nystrom, president of the Arizona Aviation Association, said the maximum amount for any individual airport on an annual basis is 10 percent of what is in the Aviation Fund. She noted that over the past two years, the fund hovered around $20 million, which meant each individual airport could compete for $2 million. The airports compete for these funds, based upon the types of projects that they are going after. Priority is always given to the projects that have aviation safety, Nystrom said.

Aviation fuel and aircraft registration fees imposed upon pilots who register their aircraft in Arizona are the sources of funding.

“It is totally funded by the users, there is no taxpayer funding that’s included in the Aviation Fund,” she said.

Pilots on the reservation have been contributing to the fund every year, but the original legislation did not include Native American-owned airports in the language.

Representative Jänescita Peshlakai (D-Dist. 7) said Arizona is the ancestral homeland of 22 tribes, 14 of which own airports.

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Americans owning airports,” she said.

Peshlakai is also a member of the Veterans Caucus in the House of Representatives and served in the Persian Gulf War. Native Americans contribute to the overall greatness of the country and the state, she added.

She said, “We really need to bring this type of infrastructure to our nations because we are a destination point: Grand Canyon, Monument Valley, etc.”

Arlando Teller, program manager for Navajo Division of Transportation’s Department of Airport Management, spoke of tribes taking advantage of multimodalism and its positive impact on Indian nations.

“The Navajo Nation is no exception. We are taking advantage of improving our roads, improving rail and goods movement, and also trying to improve our airports infrastructure,” Teller said.

He said the Navajo Nation owns seven airports, four of which are located in Arizona. The Navajo airports in Arizona have been funded by the tribe and the Federal Aviation Administration.

“All we’re asking for is that we have a fair share to compete with our aviation partners,” Chaco said.

Eric Descheenie, representing the Navajo County Board of Supervisors, read a letter of support from the board into the record.

The NCBOS stated they supported the efforts of NDOT and Sen. Jackson in passing SB 1317 to allow Arizona tribes to participate in the Aviation Fund.

He cited concerns in the area of public safety, such as emergency preparedness response for events like forest fires.

The committee passed SB 1317 with a vote of 11-0.

Information:
www.navajodot.org

-30-
U.S. 89 ROAD CLOSURE AND N20 INTERIM DETOUR ROUTE
FACT SHEET

– On Feb. 20, 2013, the Arizona Department of Transportation closed U.S. 89 due to road damage between milepost 544.50 to milepost 524. ADOT instructed motorists to use the detour east to U.S. 160 to State Road 98 north into Page.

– On Feb. 22, 2013, the Navajo Nation Commission on Emergency Management convened at the Navajo Transportation Complex in Tse Bonito, N.M. and declared an emergency due to the damaged roadway and its affect on Navajo residents in the area. The commission cited concerns with school bus transportation, emergency medical services, and general transportation into Page for Navajo residents working there.

– On Feb. 24, 2013, Navajo Nation President Ben Shelly and Vice President Rex Lee Jim met with community members at Bodaway-Gap Chapter and toured the damaged roadway 25 miles south of Page. President Shelly signed the Navajo Nation emergency declaration.

– On Feb. 27, 2013, ADOT hosted a meeting at their Flagstaff district office to discuss the road closure and potential alternate detour route through Navajo Route 20. Officials from NDOT, BIA, Coconino County, and Federal Highway Administration were in attendance. ADOT reported two waves of pavement settlement and soil shifting down the mountain into the valley about 1,200 feet. They also said there were some cracks as deep as 30-feet and fenced off the site of the damaged roadway for safety purposes.

– On March 4, 2013, officials from NDOT, ADOT, BIA, Coconino County, and FHWA convened at the Navajo Transportation Complex to discuss paving N20 as an interim detour route. ADOT reported the slip was 500-feet on top of the roadway and ¼ mile deep at the base of the hill. The FHWA employed the quick release of funding in the amount of $2 million for ADOT to begin work on repairing U.S. 89. ADOT also began work on a Joint Powers Agreement with NDOT and the BIA for paving N20 as a detour route, sticking to the existing alignment. Resolutions of support were submitted from Bodaway-Gap, Coppermine, and LeChee Chapters.

– On March 25, 2013, ADOT hosted a meeting at their Holbrook office to discuss required permitting for paving activities to begin on N20. NDOT and BIA officials shared requirements for the temporary easement application process, as well as the right-of-way process. NDOT shared concerns with the detour route improvements in the areas of detour design standards, speed, traffic volume, commercial truck traffic, drainage, livestock provisions, updating the 2006 environmental assessment (including biological evaluation), cultural resource survey, and responsibility and liability of the N20 detour route until U.S. 89 is reopened. A timeline was agreed upon for construction to potentially begin in May 2013.

– On April 1, 2013, ADOT met with officials at the Bodaway-Gap Chapter as part of their public outreach efforts to keep affected communities informed. Officials from NDOT, BIA, FHWA, and local chapters discussed the issues surrounding the construction of a temporary detour route on N20. Community members voiced concerns about the need for maintenance on N20 at present time, due to washboard conditions and potholes in the roadway. Local school transportation concerns were also shared because of damaged buses and the lengthy timeframe required to get kids to school. NDOT shared information about the two-weeks on, two-weeks off rotating schedule for road maintenance on N20 between BIA and NDOT road department crews.
FOR IMMEDIATE RELEASE
April 1, 2013

22nd Navajo Nation Council honors Vietnam veterans including Council Delegate Leonard Pete who offers guiding words

WINDOW ROCK – The 22nd Navajo Nation Council took time on National Vietnam Veterans Day to recognize and thank Vietnam veterans following the Council’s special session on Mar. 29, a date that marks the withdrawal of United States combat troops from Vietnam in 1973.


“This is the first time we’ve been appreciated and recognized. When we first came back we didn’t get any presentations like this, there was no welcome home,” Frank said.

Harvey expressed his appreciation to the Council saying, “You have no idea what it means to us to be recognized as human beings who did their job and came home.”

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) presented his Resources and Development Committee colleague, Council Delegate Leonard H. Pete (Chinle), with a token of appreciation for his service as a veteran of the Army during the Vietnam War.

“Today, we have one gentleman who sits with us on the [Council] floor that has made a tremendous sacrifice,” said Delegate Tsosie. “On behalf on the Navajo Nation Council, please accept [our recognition] as a token of our appreciation for your tremendous service to the ideal of freedom, and for protecting America and this great Navajo Nation.”

Having served twelve months as an infantry combat medic in Vietnam, Delegate Pete expressed appreciation for the sentiments of the Council, and provided insight into his wartime experience.

“The only thing that drove me [in Vietnam] was the crying of the wounded,” Delegate Pete disclosed. “When I raised my hand, I said, ‘I’m willing to die,’ and I never took it back.”

Delegate Pete continued, drawing a comparison between his experiences in Vietnam to his years of service as a member of the Council.
When he first stepped into his role as a Council Delegate, Delegate Pete said he took on a similar pledge to fight relentlessly on behalf of Diné citizens and the Nation as a whole.

“I haven’t changed my mind yet, and I’ll never change my mind,” Delegate Pete declared.

Delegate Pete cautioned that if leaders ever ceased to listen to the voice of the people, it would serve as the precursor to the decline of the Navajo Nation.

“If there’s anything that’s going to drive us, it’s the cry of the people,” Delegate Pete noted to fellow Council colleagues. “If we don’t hear that anymore, we’re down the tube.”

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FOR IMMEDIATE RELEASE
May 31, 2013

Resources and Development Committee hears report on proposed Utah national conservation area in San Juan County

WINDOW ROCK – The Resources and Development Committee received an update report on Tuesday from two advocacy groups that are leading local efforts to turn public lands in Utah into a national conservation area – the main purpose centered on the protection of land-based Navajo cultural and traditional interests in San Juan County.

Willie Greyeyes, a member of Diné Bikéyah, an interest advocacy group primarily comprised of Utah Navajos, stated to the RDC that for years Navajos in San Juan County have experienced opposition when gathering traditional herbs and visiting sacred sites, among other land-based Navajo lifeway practices, in the area.

Navajo people have long used the land for subsistence and cultural practices to maintain holistic health, Greyeyes said, and for those reasons Diné Bikéyah is working to ensure protection of traditional access and use through the establishment of a national conservation area.

The group has been working in unison with Round River Conservation Studies, a non-profit organization dedicated to conservation strategies that preserve and restore places of wilderness.

Greyeyes was joined by Round River Conservation Studies executive director Dennis Sizemore and Navajo Nation Division of Natural Resources director Fred White.

White said the national conservation area proposal had been introduced to the Navajo Nation nearly two years ago.

“Areas in San Juan County, Utah are managed by outside agencies. Utah Navajo communities wanted to make sure they have access so that they won’t be restricted. These lands have been used for centuries for hunting, grazing, traditional offerings, and herb collection,” said White, who added that many agencies require a permit to allow use of the land and Navajo families are concerned.

Round River Conservation Studies was selected to assist in the effort and to perform an assessment of the conservation area proposal, said White.

Under the direction of the Navajo Nation Office of the President and Vice-President, the Division of Natural Resources established a memorandum of agreement with Round River Conservation Studies to further explore the protection efforts.

“We have gone to Washington [D.C.], and have received favorable recognition on this proposal. They are encouraging us to work with those other interests out there,” said Greyeyes, referring to county, state, and federal governmental entities.
RDC chair Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) asked Greyeyes if his group and their partners were planning to develop a legislation requesting support for the establishment of a conservation area or land management area.

Greyeyes said legislation would be developed in the future, especially after the groups gained considerable encouragement from national leaders to pursue the effort.

White emphasized that the groups were working cooperatively with other stakeholders on the proposal.

“It will be a cooperative proposal that all stakeholders will be proposing. The drivers will be the San Juan [County] Commission and the Utah Navajo communities. The proposal will require support from Council in the future, but we’re still in the preliminary stages,” White said.

Greyeyes said the groups advocating to protect Navajo interests in San Juan County have proposed for 1.9 million acres of land to be protected as specially managed areas, while the county has counter-proposed 600,000 acres.

Council Delegate Leonard Pete (Chinle) requested a more defined map of the proposed area, in addition to telling photographs of the geographical layout of the area for future presentations of the proposal before the Council.

The Resources and Development Committee voted 4-0 in approval of the report.

###
To the delight of many tribal employees and officials alike, the resurfacing of Window Rock Boulevard is finally completed.

The project to improve the roadway was a partnership between Navajo Division of Transportation and Bureau of Indian Affairs. The BIA Force Account provided $15,568 in manpower and NDOT paid for asphalt and rental equipment at a cost of $3,171.

NDOT Director Paulson Chaco said the requests to improve the potholed roadway have been numerous. “People have been calling for repairs on this road and we are happy to finally get it completed,” Chaco said. “It was another opportunity to partner with the BIA to improve Navajo Nation roads.”

Joe Peterman, construction manager for BIA Force Account, said the roadway was over 20 years old and presented numerous challenges. “We came, we saw, and we kicked butt,” Peterman said.

The Force Account crew of nine milled two-inches of the existing asphalt and replaced it with two-inches of fresh asphalt.

The mill-and-inlay project repaired a total of 375-feet of roadway in front of the Navajo Nation Department of Justice building.

Peterman said the project took four days to complete and it was a great partnership between NDOT and the BIA. Construction occurred from May 13 to 16.

“NDOT provided the asphalt and rented equipment for me,” he said. “We enjoyed the work and it was great to be out there and serve the public in that manner.”

NDOT and the BIA Force Account partner to repair Window Rock Boulevard’s 375-feet of potholed roadway in front of the Department of Justice building. The roadway was over 20 years old. (Photo by Rick Abasta)

NDOT grant writer David Silversmith lauded the work completed by Navajo crew from the BIA Force Account. “It is a good example of NDOT-BIA cooperation. Force Account supervisor Joe Peterman and his foreman Danny deserve a lot of credit,” Silversmith said.

For years, the potholed area forced tribal leaders and employees to strategize a route to navigate the roadway as they traveled to their respective offices.

Today’s smooth surface is an obvious contrast to the old roadway. “There were real issues of public safety and vehicle damage,” Silversmith said.

Tertiary considerations included aesthetic concerns, since the road was located in the heart of the Navajo Nation Capitol area. Requests to repair the road came into NDOT for over a year, especially as many cars got stuck in the winter season.

Because of the unique need for repairs on Window Rock Boulevard, NDOT and BIA partnered to address the issue in an expedited effort.

Road maintenance must be planned, he said. “People should depend more on comprehensive planning and project construction readiness to justify projects and achieve results,” Silversmith said of the high demand for road repairs across the Nation.

He encouraged chapters to be proactive with their road construction projects.

Information: www.navajodot.org

-30-
FOR IMMEDIATE RELEASE
May 28, 2013

Speaker Naize expresses appreciation to past and present leadership at the grand opening of the Twin Arrows Navajo Casino Resort

LEUPP, Ariz. – Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) took part in a ribbon cutting ceremony last Friday, for the new Twin Arrows Navajo Casino Resort, located approximately 24-miles east of Flagstaff, Ariz.

Speaker Naize welcomed hundreds of guests and dignitaries at the casino’s grand opening event, alongside Navajo Nation President Ben Shelly and Navajo Nation Gaming Enterprise CEO Derrick Watchman.

“We welcome you all to this wonderful new facility, which also serves as a symbol of economic prosperity for our Navajo people,” said Speaker Naize during the brief ceremony which took place in the casino’s rotunda.

Located at the east entrance of the casino, the rotunda showcases a custom chandelier along with a colorful conceptual installation depicting the Navajo story of emergence and the Four Worlds.

Calling it “fabulous,” Speaker Naize praised the interior design of the casino and resort, which emphasizes Navajo artistic and cultural concepts throughout the 267,000 square-foot facility.

Also in attendance were members of the previous 21st Navajo Nation Council and members of the current 22nd Navajo Nation Council.

Speaker Naize thanked former and current delegates for their hard work and determination in completing the project, while giving special recognition to former Council Delegate Lawrence Platero who served as the chairperson of the Economic Development Committee in the previous 21st Navajo Nation Council.

“One day, he came to the Council and said ‘I want gaming, let’s build casinos,’” recalled Speaker Naize. “Without him, we would not be here today.”

Speaker Naize further expressed gratitude to all the individuals and entities involved in the development of the casino, including members of the 22nd Navajo Nation Council, Navajo Nation Gaming Enterprise, and staff from all four Navajo-owned casinos.

“This is a symbol of our Nation’s economic independence and sovereignty, which would not be possible without all of your planning and hard work,” Speaker Naize concluded.

Twin Arrows Navajo Casino Resort is the Nation’s first casino in the state of Arizona.

###
Naabik’íyátí Committee approves legislation to move the
Nation a step closer to establishing the “Narbona Growth Fund, Inc.”

Legislation moves on to the Navajo Nation Council for final consideration

WINDOW ROCK – Legislation No. 0447-12 sponsored by Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill), seeks to petition the U.S. Secretary of the Interior to issue a federal charter of incorporation that will enable the Navajo Nation to establish Narbona Growth Fund, Inc., a section 17 for-profit company under section 17 of the Indian Reorganization Act.

The legislation was approved by the Naabik’íyátí Committee on May 16.

Delegate Smith explained that the company’s establishment would put the Nation on a path toward further economic independence and allow for a variety of opportunities for the Nation.

“The Nation has taken great strides in creating opportunities to make substantial decisions concerning our own resources,“ Delegate Smith said.

The proposed investment company is one component of the Navajo Nation Division of Economic Development’s strategic plan, developed to address financing shortfalls that hinder economic development, explained Peter Deswood, senior economic specialist with the DED.

Deswood said in addition to being exempt from state taxes, section 17 of the Indian Reorganization Act would also allow Narbona Trust Fund, Inc. to be exempt from federal taxes, conduct business in any state or foreign country, and seek federal contracts.

Members of the Navajo Nation Council would serve as shareholders or common stock holders, and each enrolled member of the Navajo Nation would be a preferred stock holder, according to Deswood.

Shareholders would be represented by ten individuals, including two members from each of the four standing committees of the Navajo Nation Council, and two individuals appointed by the Navajo Nation President who would have the authority to approve the Board of Directors.

As a holding company, the Narbona Growth Fund, Inc. would be able to form subsidiaries, joint ventures and partnerships, and allow for investments in stocks and bonds, real estate, and commodities such as oil and gold, Deswood said.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) spoke in support of the legislation and urged colleagues to vote in favor.
“We as a Nation need to be involved and take advantage of financial tools to be able to place the Nation in the best situations possible to benefit from multiple sources of revenues, and multiple opportunities to help facilitate economic development,” Delegate Witherspoon said.

Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’aa’) expressed concern over ethical business practices, referencing previous large corporations throughout the U.S. that failed due to unethical business practices.

“I encourage this operation to be realistic in assessing its assets and to envision positive business practices,” Delegate Begay said.

Another concern raised by Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) and Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) centered on duplication of services.

Delegate Curley said the responsibilities of the proposed company may overlap with the responsibilities of the DED, the Navajo Nation Investment Committee, and other entities.

“Is this going to replace the current entities that we’ve already empowered to handle some of these responsibilities?” asked Delegate Curley.

In response to questions over the distribution of revenue, Deswood explained that Narbona Trust Fund, Inc. would allocate a portion of its revenue for a trust fund to help elderly and disabled Navajo people.

Legislation sponsor Delegate Smith acknowledged the concerns of his Council colleagues and continued to affirm that establishing the company would address the major lack of financing necessary to drive the Nation’s economy.

At the conclusion of discussion, Naabik’íyátí Committee members approved the legislation with a 9-3 vote.

Legislation No. 0447-12 now moves on to the Navajo Nation Council for final approval.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Releases Memorial Day Statement

FLAGSTAFF, Ariz. – Navajo Nation President Ben Shelly released the following statement to commemorate Memorial Day, May 27, 2013.

“Ya’at’eeh shikee doo shidine’e. The Holy Ones have blessed us with good day and we are rich with the knowledge our ancestors have taught us through the generations.

So this day, I want our people to remember our men and women who died protecting our people and our land so we could continue living practicing our Diné way of life. We have had many warriors such as Narbona to Staff Sgt. Jonathan Davis, who gave their lives to protect our people. Today let us be reminded of their deeds, but also remember their purpose for which they gave their lives.

Our society has changed in many ways. But having the freedom to live our lives is one of the basic ideas founded in freedom today. Our warriors fought to protect our future so that our grandchildren strength to live their lives founded in Diné principals.

Today my relatives, let us stand together and commemorate our warriors who gave their lives to ensure that we have the freedom to day to live our lives. No words can express the gratitude we have for our warriors who made the ultimate sacrifice and their families.

Let us remember our fallen warriors in prayers today. Without our warriors, we would not have the lives that are rich with culture and freedom. Let us pray for their families and their well being. Today relatives, let our hearts fill with gratitude for our fallen warriors of all generations, Navajo and non-Navajo. We will forever be indebted to our fallen warriors of all generations.”

###
Delegate Hale shares horsemanship knowledge to help Girl Scout Troops

Photo: Council Delegate Jonathan Hale (right) and troop leader Amber Crotty (center) stands with Girl Scout Troops representing the Arizona Cactus-Pine Council.

OAK SPRINGS, Ariz. – Council Delegate Jonathan Hale (Oak Springs, St. Michaels) took time on Monday to teach a group of Girl Scout Troops about the various aspects of horsemanship and responsible caretaking, as part of the group’s pursuit of a Girl Scouts badge for horsemanship.

Delegate Hale, a lifelong owner and caretaker of horses, used several of his horses to teach the group about the anatomy of a horse. He also demonstrated the importance of maintaining the horse’s teeth and regular medication and vaccination, as well as other critical practices necessary to promote the healthy maintenance of a horse.

While caring for a horse can sometimes be time-consuming and challenging, Delegate Hale says it also provides opportunities for an individual to bond with their horse.

“It’s a form of therapy,” said Delegate Hale. “When you interact and bond with horses, you have a sense of want and a sense of need.”
Delegate Hale also addressed concerns from troop leader Amber Crotty, who also serves as a legislative district assistant for Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’ izhi).

Crotty expressed the need for more sponsorships for children who do not have the financial means to take part in certain aspects of the Girl Scouts.

The Girl Scouts plan to build upon their knowledge base of horses by visiting a veterinarian next to learn more of the scientific aspects of horses.

When asked why he wanted to share his knowledge of horses with the group, Hale explained that caring for horses has been a very positive part of his life.

Delegate Hale, who chairs the Health, Education, and Human Services Committee, said he wanted to encourage kids to become involved in a hobby or pursuit that they are not only passionate about, but that will also help them throughout their life, as caring for horses has done for his life.

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly speaks at Twin Arrows Navajo Casino Resort Reception

FLAGSTAFF, Ariz. – Navajo Nation President Ben Shelly said Twins Arrows Navajo Casino Resort is the start of a new endeavor for Navajo gaming.

“We are at the beginning of a new endeavor and a new frontier for Navajo gaming,” President Shelly said during the reception in which more than 200 people attended.

President Shelly welcomed the group of V.I.P.’s during a reception that included Navajo Nation Council Speaker Johnny Naize and other council delegates and former leaders. The reception was held at Twin Arrows Navajo Casino Resort on Wednesday.

Twins Arrows has boosted the Navajo economy with its construction and is expected to employ at least 800 people upon its opening.

“Twin Arrows is the newest and grandest Navajo Gaming operation. We have created more than 800 new jobs for our economy,” President Shelly added.
The Twin Arrows Navajo Casino Resort is located about 23 miles east of Flagstaff on Interstate 40 and will have nearly 1,089 slot machines, blackjack and poker tables and 90 hotel rooms.

The resort will have a number of places to eat like a steakhouse, an oyster bar, a 24-hour restaurant and a food court.

President Shelly added that Twin Arrows Navajo Casino Resort could help bolster Navajo tourism.

“We expect visitors from throughout the world to experience Navajo Gaming, as they visit other parts of the state like Monument Valley and the Grand Canyon,” President Shelly said.

In addition, President Shelly said he plans to sign an executive order mandating that all executive branch programs and office use Twin Arrows for their conferences and large meetings.

“My office will do all we can to build upon the successes we have in our other gaming establishments,” President Shelly said.

The public grand opening for Twin Arrows Navajo Casino Resort is scheduled for tomorrow.

###
FOR IMMEDIATE RELEASE  
May 20, 2013

Resources and Development Committee presses Navajo Nation EPA  
public water systems program for accomplishments and drinking water data  

Discussion arises while RDC considers acceptance of $1.5 million U.S. EPA grant

WINDOW ROCK – Of the seven legislative bills the Resources and Development Committee took action on last week on May 14, one bill in particular requesting for the approval and acceptance of a $1.5 million federal grant award for the Navajo Nation Public Water Systems Supervision Program generated heavy dialogue on the improvement of program performance reports and data maps depicting the status of water quality across the Navajo Nation.

Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) was the sponsor of Legislation No. 0129-13, the bill requesting a waiver of the indirect cost rate, in addition to the acceptance of the grant from the U.S. Environmental Protection Agency.

“Each year for the last decade, we’ve been receiving federal funds from U.S. EPA,” said Ronnie Ben, environmental department manager, noting that the program goes before the RDC every year for grant approval, and “continues to ensure that drinking water on the Navajo Nation is going to be safe” for Diné people.

Though the RDC eventually voted 4-0 to approve the grant acceptance legislation, it was Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) who peppered Ben and NNPWSS environmental program manager Yolanda Barney with questions about the program.

“We talked about this before where we need some type of performance report. What have you done with the money before? How many unsafe drinking water incidents occurred? How was your program carried out?” questioned Delegate Tsosie.

“We have programs that come before us and say, ‘Approve this for me,’ and off they go again, and we don’t know the performance behind the money. How did the money benefit the Navajo Nation?” Delegate Tsosie pressed further.

Barney explained that since the NPWSS program was granted primary enforcement authority, or primacy, by the U.S. EPA in 2000, staff have been responsible for adopting environmental regulations, updating regulations, and maintaining a program that ensures public water systems operators are certified.

Staff also participate in activities geared toward the infrastructural development of drinking water systems, and provide enforcement to ensure that water is safe to drink on the Navajo Nation, Barney said.
“We maintain an extensive database on the water quality across the Navajo Nation,” stated Barney, and available data suggests high concentrations of uranium in some areas, and high levels of arsenic in others.

“In those areas, the [Navajo Tribal Utility Authority], the [Bureau of Indian Affairs], or whoever is out there operating an official water system has to do treatment to bring those levels down to drinking water standards,” Barney explained.

“We want information on how these programs are performing,” responded Delegate Tsosie. “Why is it that we get reports from Cameron [Chapter] that the water quality is bad? Yet, you are telling us that it is safe.”

Before the legislation is presented before the Naabik’íyáti’ Committee – the body with final authority on the proposed action –Delegate Tsosie asked program managers to provide a short summary describing the accomplishments made with the previous year’s federal grant monies, along with a map depicting water quality in communities across the Nation.

“Even if the information is lacking, tell us,” said Delegate Tsosie. “Tell us, ‘The information is lacking, and that with these funds, we will dedicate some of these funds to obtain that information.’

Legislation No. 0129-13 now moves onto the Budget and Finance Committee, where it will be considered for action at the next scheduled meeting on May 21, beginning at 10:00 a.m.

It will then move forward to the Naabik’íyáti’ Committee where final authority on the legislation rests.

###
FOR IMMEDIATE RELEASE
May 16, 2013

Health, Education, and Human Services Committee listens to concerns from ‘638’ tribal health care entities on proposed legislation for a NN Dept. of Health

‘638’ entities advocate for a NN Dept. of Public Health but request for exemption from oversight

TUBA CITY, Ariz. – At a meeting held on May 8 at the Tuba City Regional Health Care Corporation office, the Health, Education, and Human Services Committee was presented with a resolution backed by a number of Navajo health care tribal organizations opposing a Mar. 21 draft enabling legislation that is proposing the establishment of a Navajo Nation Department of Health.

Ramah Navajo Chapter, Ramah Navajo School Board, Alamo Navajo Chapter, Winslow Indian Health Care Center, Inc. also submitted resolutions supporting the position to exclude Navajo tribal health care organizations, or ‘638’ contracted tribal entities, from a planned Department of Health for the Nation.
The main resolution, dated May 7, also bears mention to the introduction of an alternate legislation to establish and authorize a Navajo Nation Department of Public Health, while exempting the ‘638’ tribal entities.

Additionally, the tribal organizations are requesting for existing contracting and compacting authorities to be preserved, and that the organizations be included in discussions surrounding the development of health codes, regulations, policies, and procedures.

Robert Salabye, board president for the Winslow Indian Health Care Corporation, who co-presented the resolution on behalf of the ‘638’ health care providers along with Wilfred Jones, board president for the Utah Navajo Health Care, Inc., said the Mar. 21 draft enabling legislation would subject the ‘638’ entities to the Navajo Nation’s 164 review approval process, which he says would create a bottleneck because of its lengthy and “cumbersome” review time.

“It’s going to be another level of bureaucracy. We just got out from under a bureaucracy of IHS review, IHS approval, and funding mechanisms through IHS,” said Salabye, referencing a time when the Indian Health Service maintained more wide-spread control of area hospitals.

“We have a long history in the Navajo Nation doing self-determination, and it was with the help of this oversight committee and it was with the help of the Navajo Nation Council,” continued Salabye. “Keep us under your oversight. Let’s work together and keep our partnership going.”

At the conclusion of the resolution presentation, Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) was the first HEHSC member to voice support for the resolution and the amendments proposed to the enabling legislation by the ‘638’ entities.

“This is input from the entities that provide health care for our people,” Delegate Butler said.

“I remember clearly that this committee made a directive to [Navajo Division of Health] to involve the ‘638’ entities as well in creation of this legislation. I want to know if there has been any consultation with the ‘638’ entities,” said Delegate Butler, responding to the statement that the ‘638’ health care entities have not been provided an opportunity to be directly involved in the development of the draft Mar. 21 draft enabling legislation.

According to NDOH chief medical officer Dr. Gayle Diné Chacon, who was in attendance, a meeting between NDOH and a number of ‘638’ board members occurred in Flagstaff last December where “significant” pieces of the enabling legislation were addressed, and where “there were many comments from many of those here today,” Dr. Chacon said.

Dr. Chacon stated that she has communicated with a number of ‘638’ tribal health care leaders, and assured HEHSC members that NDOH officials were available to address many of the issues that discussed at the meeting that day.

“When we have one pertussis case or someone who has syphilis or [tuberculosis] in one part of the Navajo Nation and travels to another part of Navajo Nation, there’s no way we can follow that or monitor that or evaluate it because no one is telling us, and we can’t keep track of it. There should be some oversight for the whole population of the tribe, and that’s what this legislation is about,” Dr. Chacon explained.
HEHSC chair Council Delegate Jonathan Hale (St. Michaels, Oak Springs) noted to all in attendance that, at present, the proposed enabling legislation has not been reintroduced because of a HEHSC directive that was issued previously for the NDOH and ‘638’ entities to meet and work on revising the legislative document together.

“I informed [NDOH executive director Larry Curley] that I would not be sponsoring this legislation if that was not accomplished,” Delegate Hale said, adding that he has not heard of any other meetings that have taken place between the two entities besides the one he attended in St. Michaels, Ariz. last November.

After Delegate Hale reiterated that the directive was still in effect, the HEHSC voted 5-0 to accept the report.

###
FOR IMMEDIATE RELEASE
May 16, 2013

Title 17 Sentencing Provision Review Task Force holds public hearings to receive feedback concerning proposed changes to sentencing penalties

FORT DEFIANCE, Ariz. – As part of a week-long schedule of public hearings, the Title 17 Sentencing Provision Review Task Force held a public hearing on Wednesday at the Fort Defiance chapter house to receive input from the public and provide clarification on proposed changes to Navajo Nation sentencing penalties.

Earlier in the week, the task force had held public hearings in Tuba City and Chinle.

The task force was formed after Legislation No. 0236-12, sponsored by Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat), was approved by the Law and Order Committee last July.

Members of the task force are responsible for reviewing provisions under Title 17 of the Navajo Nation Code which outlines sentencing penalties for crimes committed on the Navajo Nation.

In 2000, the Navajo Nation Council eliminated jail terms and fines for a number of offenses, according to LOC members – in part because the Nation had limited resources to prosecute and jail criminal offenders.

Members of the task force include Office of the Public Defender director Kathleen Bowman, Navajo Nation chief prosecutor Bernadine Martin, Navajo Nation Department of Corrections director Delores Greyeyes, acting Navajo Nation chief of police Capt. Ivan Tsosie, Aneth Judicial District staff attorney Glen Renner, information management supervisor Orlando Bowman with the Navajo Nation Division of Public Safety, and Navajo Nation Ethics and Rules Office executive director Vernon Roanhorse.

Also in attendance was LOC member Council Delegate Russell Begaye (Shiprock) who encouraged the public to participate by attending the remaining public hearings, providing feedback electronically whenever it is available, and taking part in an upcoming radio call-in public forum.

“This is your opportunity, your chance to have input on this important topic and recommend changes to our laws,” Delegate Begaye said.

Task force member Kathleen Bowman said the task force conducted bi-weekly meetings since January to review penalties and propose changes.
One member of the audience drew from his personal experience of when he was convicted of a state charge. He pointed out that had he faced the same charge on the Navajo Nation, he would potentially face significantly less jail time and fines – even with the proposed changes.

In response, Bowman explained that the Nation’s sentencing penalties are limited by the Indian Civil Rights Act of 1968, which states that tribes within the U.S. cannot impose a jail sentence of more than 365 days or impose a fine of more than $5,000.

Another member of the audience, a law enforcement officer, questioned why some proposed sentences are not stricter — specifically, for disorderly conduct.

Under proposed changes, those convicted of disorderly conduct could be sentenced to 40 hours of community service for a first offense and 80 hours of community service for a second offense.

Task force member Delores Greyeyes concluded the discussion, explaining that the Nation needs additional funding not only to provide more training for emergency first responders, but also to address the lack of services for people with mental health issues.

Task force members ensured the public that their comments and recommendations will be reviewed by the task force and the LOC, who will then draft legislation that will be considered by the Navajo Nation Council.

Task force members also encouraged the public to review a complete listing of offenses and proposed changes that will soon be made available on the Navajo Nation Council website.

A radio call-in public forum designed to gain more feedback from the public is scheduled to take place live on KTNN on May 30.

Additional public hearings are scheduled to take place at the Crownpoint chapter house on May 16 and at the Shiprock chapter house on May 17. The public hearings will begin at 10 a.m. each day.

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FOR IMMEDIATE RELEASE
May 15, 2013

Law and Order Committee receives update regarding funding shortfalls for the Na’Nizhoozhi Center, Inc. in Gallup, NM

WINDOW ROCK – On Monday, members of the Law and Order Committee received a report from Jay Azua, acting director of the Na’Nizhoozhi Center, Inc. regarding ongoing funding shortfalls that could force the closure of NCI as soon as next month.

NCI is seeking short-term emergency funding in the amount of $300,000 to fund the program through June 2013, and an additional amount of $1.4 million to ensure operation through June 2014, according to Azua.

NCI was established in 1992 through an intergovernmental agreement between the city of Gallup, the Pueblo of Zuni, the Navajo Nation, and McKinley County to serve as a non-medical alcohol crisis intervention and treatment center for the city of Gallup and McKinley County.

LOC chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) expressed his appreciation for NCI’s services and encouraged fellow LOC colleagues to support forthcoming legislation to provide funding for NCI to continue its services.

On Dec. 24, the Office of the President and Vice President, Navajo Division of Health, and the Navajo Nation Department of Behavioral Health Services provided $300,000 to NCI to continue operations through the winter season.

Azua attributes reduced funding for NCI to the poor economic conditions in recent years.

Delegate Yazzie pointed out that NCI is also seeking funding from the state of New Mexico and other sources, and also suggested that other entities should also contribute.

““The city of Gallup and McKinley County are making large profits from alcohol sales and we need to put pressure on them to contribute to NCI as well,” Delegate Yazzie said.

LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) expressed disappointment that NCI does not receive more funding from the McKinley County liquor excise tax, a five-percent tax on alcohol sales imposed on retailers.

According to Azua’s report, the McKinley County liquor excise tax provided $27,000, or two-percent of NCI’s grant funding in 2012.

LOC member Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) also voiced dissatisfaction for the distribution of tax revenue from alcohol sales.
“I have my reserves for how border towns take advantage of Navajos or Native Americans in all aspects, including economics,” said Delegate Shepherd. “You see it in taxation as well, because we get very little tax dollars.”

Delegate Shepherd continued on to affirm that the roots of alcoholism need to be addressed.

“We’re going to be coming back every year, and every year statistics are going to show that we need more and more money to help our people,” said Delegate Shepherd. “We really need to address the root of the problem.”

At the conclusion of the discussion, Delegate Yazzie reminded the committee that legislation to secure funding for NCI is forthcoming.

LOC members voted 2-0 to accept the report from NCI.

NCI representatives are scheduled to present a report at the next Naabik’íyáti Committee meeting on May 16 at 10 a.m. in the Navajo Nation Council Chambers.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
May 14, 2013

Health, Education, and Human Services Committee discusses proposed changes to the Navajo Nation Department of Personnel policies

SCOTTSDALE – The Health, Education, and Human Services Committee met with representatives from the Navajo Nation Department of Personnel Management and the Navajo Nation Office of the President and Vice President last Thursday, to address three proposed legislations aiming to amend provisions within the personnel policies manual.

Major changes include the elimination of the equivalency clause in job descriptions, mandatory background checks for certain positions, and changes to the grievance process.

Legislation No. 0095-13 sponsored by Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill), proposes changes that would eliminate the equivalency clause from being used in job descriptions.

The equivalency clause is defined as an equivalent combination of education, training, and experience necessary to perform job duties.

Delegate Witherspoon explained that the majority of job openings require one to nine years of work experience which prevents recent college graduates from getting an interview.

“There’s a need to change what’s been acculturated into the Nation’s policies,” said Delegate Witherspoon. “It discriminates against educated Diné because they can’t even get in the interview pool.”

The legislation tabled by HEHSC on Apr. 3, would also allow for division directors and program managers to become trained in screening job applicants, selecting interviewees, and recommending a person for hire, explained Delegate Witherspoon.

Division directors and program managers would also have the ability to negotiate pay rates for prospective employees, Delegate Witherspoon said.

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) expressed support for the proposed change and asserted that program managers must take the time and effort to establish well-defined job descriptions and qualifications that truly meet the program’s needs.

Delegate Hale also explained that the proposed changes only affect the legislative and executive branches, and not the judicial branch.
In a memo to HEHSC members dated Apr. 3, President Ben Shelly said he agrees that changes to the Nation’s personnel policies are needed, and insisted that the OPVP and the Department of Justice be consulted on such matters since it impacts the entire executive branch.

Legislation No. 0063-13, proposes to require background checks for individuals applying for positions that are identified as sensitive positions, according the Delegate Witherspoon.

He further explained that individuals currently serving in sensitive positions would also be required to pass a background check, although he also acknowledged that some current employees may have to be transferred to another position or terminated based on the findings.

“We have an obligation to protect the Nation’s finances and resources,” Delegate Witherspoon said.

On the issue of grievances, Delegate Witherspoon noted that forthcoming legislation will propose changes to ensure that employees adhere to the grievance process before taking the issue to the Navajo Nation Labor Commission.

When employees are terminated with good reason, Delegate Witherspoon observed that they often do not follow the established grievance procedures. Instead, they take their grievance(s) directly to the Navajo Nation Labor Commission, and often receive compensation.

“The Nation is paying significant amounts of money to people who, at times, get fired for good cause,” said Delegate Witherspoon. “It is a big financial problem for the Nation.”

At the conclusion of the two-hour discussion, HEHSC members said they will continue to work with DPM and the executive branch to improve personnel policies.

Legislation No. 0095-13 and Legislation No. 0063-13 will be considered by the Health, Education, and Human Services Committee at their next regular meeting scheduled for May 15 at 9 a.m. at the Leupp Chapter House in Leupp, Arizona.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
May 9, 2013

Law and Order Committee receives report from HEHSC chair
on concerns regarding father parental rights in Navajo court case rulings

WINDOW ROCK – The Law and Order Committee received a report on Monday from Health, Education, and Human Services Committee Chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) who asked the LOC to consider developing a policy to ensure that the parental rights of a father are being equally protected along with those of a mother in family court rulings involving children.

Delegate Hale brought the issue to the LOC’s attention after a young Navajo father approached him, telling Delegate Hale about a personal circumstance in which the young man felt his parental rights were unfairly diminished when the court decided to give his children’s mother full custody, even though the young father stated that he had always been the primary caretaker of his children.

“There needs to be a policy developed that will consider giving full custody to the father,” Delegate Hale stated, adding that there are currently no Navajo policies that speak to equal parenting, and in most cases, the mother gets to determine when a father gets to see his children.

In some situations, Delegate Hale said it may be that the father is the caretaker and the mother is adversarial.

“In custody situations, somebody needs to be checking with the mother, and making sure that the kids are seeing their father,” said Delegate Hale, who advocated for the implementation of requirements to ensure that either parent is being allowed to see their children per court rulings.

Concluding his report, Delegate Hale posed the question: In this day and age, when does a father get to be a major parental figure, too?

Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Lichii’, Steamboat) noted that the concerns Delegate Hale raised were important discussion items and suggested that they be addressed at an upcoming work session between the LOC and the Navajo Nation Judicial Branch on May 26 and 27 in Flagstaff.

“There is needed guidance from the courts when something is adjudicated or determined by the judge on these matters. We need a healthy resolve in these family-type situations,” stated Delegate Shepherd, who serves as LOC vice chair.

Delegate Shepherd said was not sure if policy changes could be handled administratively, but requested for the committee to advance toward discussions on the topic with Navajo Nation Supreme Court Justice Herb Yazzie, Navajo district court administrators, and judges.
On a related note, Council Delegate Russell Begaye (Shiprock) took issue with the amount of child support cases that are said to be backlogged at Navajo offices, which he says is a concern that continues to be raised, mostly by Navajo mothers who are requesting enforcement of child support payment.

“A lot of moms feel that they have been abandoned...the process is too long,” said Delegate Begay, who felt that the committee also needs to coordinate with the appropriate program administrators to identify the reason for the high backlog of cases and address it.

In response to Delegate Begaye’s comment, Delegate Shepherd said the LOC shares oversight responsibilities with the Health, Education, and Human Services Committee in the area of child enforcement, and welcomed recommendations from HEHSC on how the two committees could jointly address the issues.

“Again, if changes need to be legislated, then we can do that. That is within our realm as lawmakers, but we always ask the respective entities to see what they can do within their program,” said Delegate Shepherd. “If they can fix the problem there, that’s good - but if it has to be policed or legislated, then we can explore that avenue as well.”
FOR IMMEDIATE RELEASE
May 9, 2013

Budget and Finance Committee approves legislation to temporarily exempt NN Oil & Gas Company from the Navajo Nation excise fuel taxes

Legislation would allow for development near Twin Arrows Navajo Casino

WINDOW ROCK – The Budget and Finance Committee approved Legislation No. 0108-13, a bill which seeks to exempt the Navajo Oil and Gas Company from being subject to Navajo Nation fuel excise taxes so the entity can finance infrastructure development near the Twin Arrows Navajo Casino - specifically a gas station and a convenience store.

If approved by the Navajo Nation Council, the NNOGC would be exempt from fuel excise taxes until either the estimated $2.5 million infrastructure costs are reimbursed to NNOGC or after a seven-year period from when the convenience store begins operation, whichever occurs first.

The Navajo Nation fuel excise tax, which was established in 1999, imposes an 18-cent per gallon tax on gasoline distributors or retailers on the Navajo Nation.

Legislation co-sponsor Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said the project would promote economic development and provide employment for Navajo people.

“It’s something that benefits the whole Navajo Nation,” said Delegate Tsosie. “It will be good for our people, and for the casino.”

The proposed development is part of NNOGC’s “Rural Development Initiative” to construct convenience stores in the communities of Chilchinbeto, Navajo Mountain, Nazlini, Round Rock, Montezuma Creek, Indian Wells, Shonto, Dennehotso, Crownpoint, and Twin Arrows.

BFC member Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) opposed the legislation, expressing dissatisfaction with the overall financing of the proposed development.

“We’re taking away from the fuel excise tax revenue,” said Delegate Curley. “That’s a lot of money we won’t be collecting.”

BFC vice-chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) voiced support for the project and advocated for rural communities to benefit from such financing opportunities.
“There are other projects that are going to be built throughout Navajo, and I’m wondering if this creative way of financing could be implemented on those projects,” Delegate Nez said. “They should be able to take advantage of this financing opportunity as well.”

Although BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izhi) expressed skepticism over the exemption of taxes during a time of uncertainty regarding the Nation’s budget, he ultimately voted in favor of the legislation.

Delegate Tsosie expressed appreciation for the BFC’s support of the legislation and asserted that the project will move the Nation toward greater economic independence and self-sufficiency.

At the conclusion of the discussion, BFC members approved the legislation with a 2-1 vote.

The legislation now moves on to the Naabik’iyáti Committee and then the Navajo Nation Council for final consideration.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
DATE: Tuesday, May 7, 2013

GARNISHMENT ACT RULES RELEASED FOR PUBLIC COMMENT

Proposed rules for garnishment proceedings pursuant to the Navajo Nation Ethics in Government Law Garnishment Act of 2005 have been completed. The proposed rules are required under the Navajo Nation Ethics in Government Law Garnishment Act of 2005, which is codified at 2 N.N.C. §§ 3800-3810. The law provides for the remedy of garnishment only for judgments of the Ethics and Rules Committee involving public elected officials and Navajo Nation employees.

The proposed rules are called the Navajo Garnishment Act Rules of Procedure, or N.G.A.R.P. and can be found at http://www.navajocourts.org/Rules/NGARP.htm or through a link on the website of the Judicial Branch main page. The proposed rules and forms shall be applicable once permanent rules are adopted by Order of the Supreme Court. The period for consultation as required under 7 N.N.C. § 601 and also for public comment prior to adoption now begins. Forms required under the proposed rules are also being developed.

Public comment and consultation is being sought through May 21, 2013. Please direct all input to Karen Francis, Government Relations Officer, at karenfrancis@navajo-nsn.gov by that date.

###
Animal Lovers Celebrate the 6th Annual Navajo Nation Zoo Fest

Kayla Notah, age 7 from Ft. Defiance and Nicole Pappastamou, age 7 from Sawmill, Az enjoy the company of Eddie the Eagle, Smokey the Bear and Woodsy Owl, May 4, 2013. Navajo Nation Zoo. (Photo by Geri Hongeva)

WINDOW ROCK, AZ. – Navajo Nation Department of Fish & Wildlife celebrated its 6th Annual Navajo Nation Zoo Fest on Saturday, May 4, 2013.

The Navajo Nation Zoo and Botanical Park is the only tribally owned zoo in the country. The zoo is home to over fifty species of southwestern animals, raptors and reptiles. Nearly all of the animals at this zoo have been orphaned or injured, it is not only a sanctuary to the animals but includes native plants on Navajo country.

The zoo is considered a non-profit organization and operates on limited tribal funds, donations and private sponsors. Currently, the zoo does not have an admission fee. It is a sanctuary for everyone to enjoy.

David Mikesic, the Navajo Nation Zoologist, stated, “We just want people, especially kids, to have fun and take part in all our free activities and entertainment. We want everyone to enjoy the day and take pride in the Navajo Nation Zoo.”

Planning and coordination begins six to eight weeks prior to May 4th, it involves over twenty volunteers and additional help from Navajo Fish & Wildlife staff on the day of the event. Volunteers included; National Indian Youth Leadership Project, St. Michaels School, Dine College and Lions Club.

Approximately 4,900 animal lovers joined in the festivities at the Zoo Fest this year. Entertainers included flute player Dan Scaduto, the Amazing Bodinni magician, basketball entertainer Jerrickson Hosteen, bead art by Lisa Richards and a raptor exhibit provided by Hawks Aloft.
A new addition to the zoo, a rustic structure displayed as a Hogan greenhouse captured curious visitors by its appearance. Made out of metal, wood and tamarisk, it provides a cool environment for various plants with a drip irrigation system. The Hogan greenhouse was designed and donated by Will Wilson in September 2012, as part of the Harmony in the Making Project. It is designed to nurture indigenous food plants to maintain growth on Navajo land.

Dine College students in Margaret Mayer’s class took a special interest in assembling the Hogan greenhouse and began cultivating Golden Currant, Three Leaf Sumac, Bristlecone Pine, Lodgepole Pine and Buffalo Berry. The greenhouse shelters the plants until they are strong enough to be planted around the Navajo Nation Zoo.

Elizabeth Shonnie, Dine College student, explained, “we are facebook friends of the ‘NavajoZoo Arizona’ and one day we asked David Mikesic if we could volunteer.” The zoo had the Hogan greenhouse but it needed to be assembled. Five students from Dine College met every Tuesday and Thursday to make this possible, stated Shonnie.

Mikesic and his staff are busy bees, all year long. The Zoo Fest has become a popular event, as well as the Zoo Boo festivities in October. The Navajo Nation Zoo seeks creative avenues to continue to nurture the animals and plants at the zoo. Coming soon are four blends of coffee with the Navajo Zoo logo on it. Fifty percent of all net proceeds will go directly to the Navajo Zoo to help this unique sanctuary with operating costs. Mikesic plans to have a press conference to officially unveil the new Navajo Zoo Coffee.

For more information about Navajo Nation Zoo, please visit www.navajozoo.org or call 928-871-6573.

###
President Shelly Approves $8.6 Million for Water Projects and Studies

WINDOW ROCK, Ariz.- Navajo Nation President Ben Shelly approved an $8.6 million measure that plans to bring water development projects and plans to several Navajo Nation communities.

The funding would come from the Navajo Nation's Undesignated Unreserved Fund Balance.

“Water infrastructure is very important to my administration. Though I am concerned about maintaining money in our Undesignated Unreserved Fund Balance, these projects will bring water to our Navajo people and plan for future water projects. Navajo communities need water to be healthy physically and economically,” President Shelly said.

The legislation, passed by the Navajo Nation Council last week, outlines projects and plans for communities throughout the Navajo Nation.

Projects funded by the $8.6 million appropriation include:
  1. Design and construction of a new Rough Rock water well.
  2. Construction of a waterline east of Dennehotso, Ariz. that will serve 62 homes.
  3. A fund, placed under the Navajo Nation Water Management Branch, that will be utilized to develop preliminary engineering reports and environmental reports that will assist in leveraging funds from available federal programs such as USDA-Rural Development.
  4. Leupp-Dilkon and Kayenta regional water supply development projects. Cost share required by the U.S. Bureau of Reclamation for feasibility studies.
  5. Water studies to evaluate existing and future water supply and water distribution system needs and development of plans for existing and future improvements and water resource development for the following regions:
Sweetwater to Tsaile-Wheatfields, Tuba City, Many Farms to Nazlini, Coyote Canyon to Lake Valley, and Shonto to Black Mesa.

6. Natural resources conservation plan for the Puerco Valley to manage, implement, monitor, and evaluate farmland, water, and related natural resources.

“The studies are needed so we can ask for different types of funding from different sources. Many entities, like the U.S. Department of Agriculture need studies to justify the need. Our studies will do that. Also, they will help Navajo Tribal Utility Authority and Indian Health Service to composed long term plans for water needs and usage,” President Shelly said.

As vice president of the Navajo Nation, President Shelly spearheaded lobbying of the New Mexico legislature to spend over $30 million dollars on water development for Navajo communities.

Most of the $8.6 million will fund water wells, waterlines and studies in the Arizona portion of the Navajo Nation. There is one project in New Mexico, which will funds a plan for a waterline from Coyote Canyon to Lake Valley and would complement the Navajo Gallup Water Supply project, a $1 billion water project, which Congress approved as part of the Navajo San Juan River Water rights settlement in New Mexico.

“I want the Navajo Nation Council, the States and Washington to know that Navajos are serious about water development. It is a basic requirement to develop our Nation,” said President Shelly.

###
FOR IMMEDIATE RELEASE
May 3, 2013

Law and Order Committee receives requested financial update report on Navajo casino funds for law enforcement services

WINDOW ROCK – The Law and Order Committee on Apr. 30 received a financial update report it had requested three weeks prior from the Navajo Nation Office of the Controller regarding the status of funds for casino police services.

The financial report was requested by LOC member Council Delegate Russell Begaye (Shiprock) on Apr. 8 after the LOC then received a status report on the Shiprock police district from acting Navajo chief of police Capt. Ivan Tsosie at a regular committee meeting held in Shiprock.

Capt. Tsosie informed the LOC that the police district had been unable to utilize compensation funds set aside by the Navajo Nation Gaming Enterprise for law enforcement services at Navajo casinos, as provided in a Memorandum of Agreement established a year ago between the NNGE and the Navajo Division of Public Safety.

“Capt. Tsosie said in his report at Shiprock that [the NDPS] knows the money is sitting there [in an account],” said Delegate Begaye, but the NDPS has been unable to use the funds which are needed to purchase essential equipment and supplies.

Under the scope of agreement, NDPS is to provide law enforcement presence at casino facilities operated by the Navajo gaming enterprise, which currently cites the Fire Rock Navajo Casino, Flowing Water Navajo Casino, and the Northern Edge Navajo Casino.

Further, the NNGE is to compensate NDPS for providing law enforcement presence pursuant to a Navajo Nation fund management plan by depositing monthly installments of $18,000 for Fire Rock Navajo Casino and $18,000 for both the Flow Water and Northern Edge Navajo Casinos.

Robert Willie, general accounting supervisor under the Office of the Controller, reported that as of Apr. 26, the gaming enterprise has deposited $486,000 into a miscellaneous deposit account for NDPS.

Since March 2012, the gaming enterprise has deposited $36,000 a month into that account.

“The reason why it is sitting in that account is because there is no account given, and there is no fund management plan in place to have expenses for these monies that are being deposited,” Willie said.

Once a fund management plan is in place and an account in identified, the accumulated funds will be transferred over to that account, Willie added.
Delegate Begaye said the Budget and Finance Committee would soon be considering the approval of a fund management plan, as it is currently going through the assigned committees for review as a part of the legislative process.

“As soon as Budget and Finance entertains it, the fund management plan will be in place, and an account will be set up,” Delegate Begaye said.

LOC vice chair Council Delegate Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kin Dah Łichii’, Steamboat) recalled a recommendation being made in which NDPS was asked to seek a proprietary account.

“Would this [account] fall into that category?” Delegate Shepherd inquired.

According to Willie, an entity would need to make at least $250,000 a year to be designated a proprietary account.

Additionally, the entity would have to be able to sustain itself financially, and all expenses such as personnel costs would need to be covered by revenue the entity collects.

“As long as the casinos are there, they’ll keep on having these agreements,” explained Willie. “So, it would meet the threshold as far as amount, but as far as covering all their own expenses, everything that they perform...all their expenses, would need to need to be in relation to supplementing those casinos.”

The Law and Order Committee voted to accept the report with a vote of three supporting and zero opposing (3-0).

###
FOR IMMEDIATE RELEASE
May 3, 2013

Health, Education, and Human Services Committee receives update from the Navajo Nation Department of Behavioral Health Services

WINDOW ROCK – The Health, Education, and Human Services Committee received an update from the Navajo Nation Department of Behavioral Health Services on Wednesday, regarding a Condition of Authority issued by the HEHSC. The action requires the completion of a comprehensive plan to address adolescent treatment centers throughout the Navajo Nation.

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) emphasized the need for increased adolescent treatment to prevent the continuation of behavioral problems such as alcohol abuse and drug addiction.

“Often, our youth learn such behavior from their parents and it continues when they become parents, so it’s important to address the problem when they are still young,” Delegate Hale said.

Theresa Galvan with the Navajo Division of Health said she, along with clinical directors, had identified a list of priorities and future plans for the DBHS.

“The need for licensure and certified staff is among the top priorities,” said Galvan. “It is important to have adequate staff that is able to be effective in treating our clientele.”

DBHS has recently dedicated treatment centers in Newlands and Tuba City, while development is underway for centers in K’ai’Bii’Tó, Crownpoint, and Ojo Encino, Galvan said.

A crisis response plan is also being developed. The plan will include the establishment of a crisis phone number in response to an increased number of suicides during spring break and graduation season in recent years, according to Galvan.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) applauded the efforts to establish a crisis phone number, and suggested for HEHSC to possibly incorporate the initiative in a legislation being developed to enhance the 911 emergency system on the Navajo Nation.

Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) commended the DBHS for moving forward with initiatives, despite uncertainty surrounding sequester budget cuts, while also addressing the need to mobilize their services across the Nation, including areas surrounding the new Twin Arrows Navajo Casino.
“I’m an advocate for casinos, but we also have to acknowledge the other side of it,” said Delegate Butler. “We will see an increase in neglect, addiction, violence, and other social ills, and we need to address those issues.”

In response to Delegate Butler’s statement, Galvan explained that the DBHS currently has two mobile units they plan to deploy so as to establish a stable presence in more communities.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) recommended that the DBHS establish a presence within schools in an effort to combat social and behavioral issues affecting students.

Delegate Witherspoon who represents the community of Pinon, explained that in one year, nearly 100 students from Pinon Unified School were disciplined for drug use, mainly marijuana.

“We need to get into the schools and make changes before these problems progress,” Delegate Witherspoon said.

Near the conclusion of the discussion, HEHSC members discussed the possibility of collaborating with the Law and Order Committee, Navajo Nation Department of Public Safety, Navajo Division of Health, and other entities to develop a 5-year plan to address and combat social issues.

HEHSC members also acknowledged the need to update the Navajo Nation’s behavioral health code and policies to comply with the Indian Healthcare Improvement Act.

HEHSC members accepted the report from the Navajo Nation Department of Behavioral Health Services with a 4-0 vote.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)

The Navajo Nation Office of Background Investigations announces the launching of its new website. The professional technical specialists of the Navajo Nation Department of Information Technology led the collaborative effort in creating the Office of Background Investigation website.

The Office of Background Investigations is established and organized to be responsible for the background investigations and adjudication of all employees who are regular status, seasonal or temporary, applicants, volunteers, interns, and to employees who are assigned (i.e., transfer, promotion or position reclassification) to a sensitive position under the Executive and Legislative Branch of the Navajo Nation government.

The mission of the Navajo Nation Office of Background Investigations is to provide professional background investigation and adjudication services that will protect the resources and integrity of the services provided to the Navajo Nation. It is aligned directly under the Division of Human Resources as a separate and independent department to eliminate any potential political influences and manipulations of sensitive background investigation matter and material.

The Office of Background Investigations office is located at:

Tse Bonito Business Park
Suite 1575B, Highway 264
Tse Bonito, New Mexico 87301
Telephone : (505) 371-5124
Fax : (505) 371-5125

The Office of Background Investigations specializes in digital fingerprinting services, and comprehensive background investigations and adjudication services for sensitive designated positions to comply with federal, state, tribal, and local requirements, and in accordance with the Navajo Nation Personnel Policies mandates.

The new website features an online step-by-step printable Checklist, which is accompanied with downloadable required documents and instructions for program supervisors, employees, applicants and volunteers to complete their required background checks. In addition, features include Frequently Asked Questions; printable Flowchart for the background check process; printable Program brochure; downloadable online Customer Satisfaction Survey; and, Contact information and Links to appropriate external websites.

Visit the new Office of Background Investigations website at www.obi.navajo-nsn.gov or from the hyperlink on the Navajo Nation homepage for additional information, or call (505) 371-5124 to speak with an office staff member. The website is handled through the Navajo Nation Department of Information Technology in Window Rock, Arizona.
FOR IMMEDIATE RELEASE
DATE: Thursday May 2, 2013

REVISIONS TO ÁLCHÍNÍ BI BEEHAZ’ÁANNII ACT RULES OF PROCEDURE
RELEASED FOR PUBLIC COMMENT

Revisions to the Rules of Procedure for the Álchíni Bi Beehaz’ánnii Act have been released for public comment. The revisions are available on the [www.navajocourts.org](http://www.navajocourts.org) website on the Judicial District Courts webpage under “ABBA Rules of Procedure April 28, 2013.”

When the Navajo Nation Council repealed the Children's Code at 9 N.N.C. §§ 1001-1307 and enacted the Álchíni Bi Beehaz’ánnii Act of 2011, effective January 2, 2012 at 9 N.N.C. §§ 1001-1504, the Children's Code Rules of Procedure, originally adopted by Order of the Navajo Nation Supreme Court (No. SC-SP-01-95) on October 4, 1995, became urgently in need of complete revision. On December 4, 2012, the Chief Justice issued Administrative Order 48-2012 In the Matter of Conforming Rules to New Laws which required court rules on the Judicial Branch website to be updated on a provisional basis to reflect new statutory changes pending permanent changes to the rules.

The revisions to the Children's Code Rules of Procedure were completed on April 28, 2013. Changes are reflected via strike-through for deletions and dark blue text instead of underlines for additions for ease of practitioner use. As required by Admin Order 48-2012, each change is accompanied by a footnote showing the current statutory provision or case law derived from.

Until permanent rules are adopted by Order of the Supreme Court, these rules are immediately applicable. They reflect the Álchíni Bi Beehaz’ánnii Act, relevant case law, and other applicable laws. The rules will continue to be refined until July 31, 2013. Please direct all public input to Karen Francis, Government Relations Officer, at karenfrancis@navajo-nsn.gov.

###
FOR IMMEDIATE RELEASE
May 1, 2013

Navajo Nation Council approves Navajo Generating Station lease extension

WINDOW ROCK – At a special session on Monday, the Navajo Nation Council voted 20-1 to approve Legislation No. 0042-13, extending the Navajo Generating Station’s lease for an additional 25 years beginning in 2019.

The Council approved a total of ten amendments to the legislation during the six-hour discussion.

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) offered the first amendment in which the Navajo Nation declared that the federal U.S. government’s contractual interest in NGS, held by the Salt River Project for the Bureau of Reclamation, is in direct conflict with the federal government’s trust responsibilities and duties to the Navajo Nation.

“[Through the] Bureau of Reclamation, the U.S. government is essentially an owner of NGS in absolutely every single way possible except for a few words on a piece of paper,” said Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) who voiced support for Delegate Benally’s amendment.

Delegate Witherspoon argued that the potential to obtain water rights that were waived by the Nation in the original lease agreement outweighs the financial benefits the Nation would receive from the amended lease extension.

“That water will be absolutely more important to the Nation, and that’s why I can’t in good conscience, participate in a legislation that would take away our future for our children, our grandchildren, and great-grandchildren,” Delegate Witherspoon said. “That water is critical for life.”

Council voted in support of the amendment with a vote of 21-0.

Council then quickly approved a second amendment with a 19-1 vote, requiring lessees to cover ash disposal with 12-inches of earth.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) motioned to amend language to give Navajos employment preference to the extent allowed by law, provide Navajo preference in all training opportunities, and ensure that Navajos are prepared to assume positions at all levels.

Further language stated that if federal law prohibits employment preference based on tribal affiliation, lessees will follow Indian preference.

The language also stated that in certain circumstances the need for critical or specialized skills at NGS will require selecting the most qualified person whether or not they are Navajo.
The proposed amendment was met with opposition from numerous delegates, including Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake).

“This is troublesome,” said Delegate Tsosie. “It’s like reading ‘lessees will give preference to other Indians, rather than to Navajos’. It’s dangerous language to add.”

Delegate Benally urged her colleagues to vote down the proposed amendment, and to uphold a similar amendment regarding the Navajo Employment Preference Act passed by Council on Apr. 17, during the spring session.

Delegate Phelps clarified that the proposed amendment would replace the previous amendment approved by Council during the spring session.

After lengthy debate, Council voted in support of the amendment with a vote of 12-9.

Council also approved an amendment to change language to reinstate a $1 million signing bonus which expired on Feb. 28, by inserting a new date of Apr. 30.

Several delegates voiced opposition to an additional amendment that outlined provisions in the event that the Navajo Nation revokes its approval of the amended lease after the lessees have paid the signing bonus.

The amendment also stated that the lessees shall not be required to pay any accrued payments if the Navajo Nation revokes its approval of any 323 grants, and that the Navajo Nation shall refund all payments made by the lessees should the Nation revoke its approval of any 323 grants.

The 323 grants are the rights-of-way for lands leased to NGS from the Navajo Nation.

Delegate Benally opposed the amendment saying, “We are agreeing to penalize ourselves, yet there is no penalties for them. Please do not go along with this amendment.”

After nearly an hour of debate, Council voted 13-7 to approve the amendment.

Council also approved an amendment with a vote of 20-0, requiring NGS lessees to provide a 2-year written notice to the Navajo Nation if the lessees choose to permanently cease all NGS operations prior to the end of the 25-year lease extension, as opposed to the original 90-day notice.

Prior to the vote on the main motion, Council approved two amendments aimed at preventing NGS from opposing the Navajo Nation’s future pursuits of water rights, and to ensure that members of the Resources and Development Committee and the Division of Economic Development meet annually with NGS officials to discuss opportunities for NGS to conduct business with Navajo-owned businesses.

Delegate Benally voiced support for the legislation, and expressed appreciation to Council colleagues for approving amendments specifically intended to support Navajo employment preference.

“I was very concerned about Navajo preference because I want jobs for my people — and they belong to my people, first and foremost,” Delegate Benally said.

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) expressed support for the legislation and thanked his fellow colleagues for advocating for Navajo people.
“I was hesitant to move this forward because of the concerns that I had, but with the wisdom brought forth by my colleagues, this is one of those good legislations that I can support,” said Delegate Nez.

In reference to disagreements over the formation of President Ben Shelly’ assembled negotiating team for the NGS lease extension, Delegate Nez offered words of advice for future discussions.

“I ask the executive branch to include the Navajo Nation Council in future negotiations, and together we can do great things for the Navajo Nation,” Delegate Nez said.

Moments before Council members casted their deciding votes shortly after 11:00 p.m., Speaker Naize addressed the audience and also recognized the Council’s efforts in making critical decisions for the Nation and the Diné people.

“Those of you in the audience, you have watched your Council Delegates in action all day and there were some words that were exchanged, but as you see, we are now all united again,” said Speaker Naize.

Council approved Legislation No. 0042-13, with a 20-1 vote.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
ALAMO, N.M.-The Resources and Development Committee unanimously approved the temporary construction easement for the Arizona Department of Transportation on April 30, 2013.

By a vote of 3-0, Legislation No. 0123-13 was approved, granting ADOT an easement to construct, operate and maintain road improvements on Navajo Route 20, located on Navajo Nation trust lands in the vicinity of Bodaway-Gap, Coppermine and LeChee Chapters.

ADOT will pave the existing alignment of N20 as an interim detour route until repairs are completed to the damaged roadway of U.S. 89.

The roadway will now be designated as U.S. 89T for a three-year period. The committee also waived the surface compensation amount because the roadway will benefit Navajo communities.

A portion of U.S. 89 was destroyed during dry slide that occurred near the Bitter Springs-Echo Cliffs area on Feb. 20. ADOT detoured traffic through an alternative route, taking travelers east on U.S. 160, then north on State Road 98 into Page.

However, the detour added 45 more miles and extra drive time.

Paving U.S. 89T would substantially reduce travel time for motorists heading to and from Page.

ADOT has selected FNF Construction, Incorporated as the contractor and the two parties are currently in negotiations for the construction costs associated with paving the roadway.

FNF Construction received the 2011 Arizona Transportation Partnering Excellence Award for the U.S. 93 Hoover Dam project.

Efforts to pave the roadway have been spearheaded by ADOT, along with the Navajo Division of Transportation, Bureau of Indian Affairs and Federal Highway Administration.

Typically, the process for a construction easement can take months, sometimes even years to complete.

For the paving of U.S. 89T, the process was completed within a month’s time, with the cooperation of all agencies involved to address the emergency.

The collaboration between all agencies was acknowledged by legislation sponsor Duane Tsinigine (Bodaway-Gap, Coppermine, Kaibeto, LeChee, Red Lake- Tonalea).

“This will lessen the frustration and stress of the people out there,” Tsinigine said.

Darryl Bradley, principal civil engineer for NDOT, said the collaboration served the needs of local chapters in terms of school bus routes, people traveling to work, medical services, and social programs.

Bradley said, “There’s just been a lot of effort and partnership on getting this done in such a short timeframe.”

Leonard Tsosie (Baca-Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) was appreciative of the work that was done.

“From my office to yours, I really want to thank you,” Tsosie said. “But especially for Coppermine Chapter. They’ve been coming to this committee with tears in their eyes asking us to please fix the road.”

Negotiations and compromise that led to the inclusion of fencing into the project added permanency to the road structure that will be built, he explained. “I really appreciate the way all of you worked together to crank it out,” he said.

Before voting on the legislation, the committee shared concerns on the archaeological components to the project, which was addressed by the Navajo Nation Historic Preservation Department.

In addition to Navajo Nation archaeologists monitoring the construction, ADOT and its contractor will also have an archaeological team on standby to address any issues that may arise.

Because N20 was surveyed at least twice already, NDOT and BIA staff have already identified the location of all archaeological sites, traditional cultural property and a gravesite found near the roadway.

Because the temporary detour construction is the result of an emergency, the regulations of the Advisory Council on Historic Preservation have streamlined the easement process with regard to the normal requirements of a cultural resource compliance form.

RDC Chairwoman Katherine Benally congratulated the efforts of the team.

“I want to take this time to thank ADOT for adding more money. Thank you,” Benally said.
FOR IMMEDIATE RELEASE
May 1, 2013

22nd Navajo Nation Council honors the Navajo Code Talkers at the 30th Annual Gathering of Nations

ALBUQUERQUE – On behalf of the 22nd Navajo Nation Council, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) addressed thousands of spectators and participants at the 30th Annual Gathering of Nations last Friday evening at an event co-sponsored by his office to honor the Navajo Code Talkers.

“We are honored to be here with all of you tonight to pay tribute to our Navajo Code Talkers,” said Speaker Naize, who stood alongside former Navajo Nation Chairman Peter MacDonald on the floor of the University of New Mexico “Pit”.

MacDonald currently serves as president of the Navajo Code Talkers Association. During World War II, MacDonald served as a Navajo Code Talker.
Speaker Naize affirmed his support for the Navajo Code Talkers Foundation’s effort to establish a museum designed to honor the history and significance of the Navajo Code Talker legacy.

“I want the whole world to know what we’re trying to accomplish,” Speaker Naize said. “We want to have a museum to share the story of our brave Navajo Code Talkers who served in World War II.”

Concluding his brief address, Speaker Naize encouraged the public to support the Navajo Code Talkers Museum & Veterans Center Project by donating to the Navajo Code Talkers Foundation.

The 22nd Navajo Nation Council and the Navajo Nation Office of the Speaker co-sponsored the “Midnight Special: Men’s Northern Traditional” dance competition on Friday evening.

Prior to the dance competition, an honor song was performed, paying tribute to all Navajo Code Talkers for their brave service in World War II.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
22nd Navajo Nation Council approves two legislations that will impact the newly opened Twin Arrows Navajo Casino Resort

WINDOW ROCK – During a special session held on Friday, the Navajo Nation Council approved Legislation No. 0108-13, exempting the Navajo Nation Oil and Gas Company from being subject to Navajo Nation fuel excise taxes to enable the entity to finance infrastructure development near the Twin Arrows Navajo Casino Resort - specifically a gas station and a convenience store.

The NNOGC will be exempt from fuel excise taxes until either the estimated $2.5 million infrastructure costs are reimbursed to NNOGC or after a seven-year period from when the convenience store begins operation, whichever occurs first.

The Navajo Nation fuel excise tax, which was established in 1999, imposes an 18-cent per gallon tax on gasoline distributors or retailers on the Navajo Nation.

The legislation was sponsored by Council Delegate Russell Begaye (Shiprock) and Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake).

In addition, the Navajo Nation Council approved Legislation No. 0165-13, amending Title 17 of the Navajo Nation Code to allow the sale of alcohol on casino floors owned by the Navajo Nation Gaming Enterprise.

Legislation sponsor Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’), asked for the Council’s support of the bill as a means to continue the growth and success of the NNGE.

“Council previously approved alcohol sales in a limited capacity, and I ask you to support this legislation to allow the enterprise to be competitive and flourish,” said Delegate Begay.

The majority of Council’s discussion centered on a proposed amendment issued by Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) that sought to allow the sale of alcohol on casino floors from 2 p.m. to the regulatory closing time only, and to prohibit alcohol sales in the casino’s gift shop and as part of hotel room service.

The proposed amendment was met with support from several delegates including Council Delegate Danny Simpson (Becenti, Crownpoint, Huervano, Lake Valley, Nageezi, Nahodishgish,
Tse’ii’ahi, Whiterock), who argued that the NNGE should abide by the existing law approved by the 21st Navajo Nation Council in 2008.

“What’s more important, the lives of our Navajo people, or dollars?” asked Delegate Simpson of his Council colleagues. “It seems like we’re always bowing down to the gaming industry.”

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) expressed concern that the NNGE could possibly face lawsuits if incidents involving alcohol occur, and urged fellow Council members to allow Navajo people to decide alcohol issues in the form of referendums.

“We need to give the choice to the people and let them decide for themselves,” said Delegate Nez.

Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) spoke in opposition, calling the proposed amendment a double standard in regard to the Antelope Point Resort and Marina, located near Lake Powell in Page, which is allowed to sell alcohol through specific provisions outlined in Title 17 of the Navajo Nation Code.

NNGE CEO Derrick Watchman assured Council members that the sale of alcohol is heavily regulated by the Arizona Gaming Compact and the Arizona Department of Liquor Licenses and Control, in addition to Navajo Nation laws.

According to Watchman, NNGE employees are required to receive periodic training that allows servers to limit alcohol consumption by customers on an hourly basis, and to ensure customer safety.

“If we violate the regulations I could be subject to criminal prosecution, so I take this issue very serious,” said Watchman.

After an hour of discussion, Council voted down the proposed amendment with a vote of 7-9.

Council then immediately voted 9-7 in support of Legislation No. 0165-13.

The legislation does not impact Navajo-owned casinos currently operating in the state of New Mexico, due to restrictions in the New Mexico Gaming Compact that prohibit the sale of alcohol on casino floors throughout the state.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
June 27, 2013

Naabik’íyátí Committee receives update regarding the scheduled closure of the Na’Nizhoozhi Center, Inc. due to funding shortfalls

Na’Nizhoozhi Center, Inc. set to close its doors on July 15

WINDOW ROCK – Representatives from the Na’Nizhoozhi Center Inc., the City of Gallup, and McKinley County discussed funding shortfalls with Naabik’íyátí Committee members on Thursday, which may result in the closure of NCI on July 16.

NCI was established in 1992, through an intergovernmental agreement between the city of Gallup, the Pueblo of Zuni, the Navajo Nation, and McKinley County to serve as a non-medical alcohol crisis intervention and treatment center for the city of Gallup and McKinley County.

Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) expressed urgency in funding NCI to continue its services, and urged other entities to become involved in addressing the issue.

“We need to help this cause as soon as possible,” said Delegate Yazzie. “We need to get the Zuni Tribe involved along with the bar owners in Gallup.”

Also in attendance was the City of Gallup Mayor Jackie McKinney, who informed the committee that city officials have talked with several entities including the Navajo Nation Division of Health about the possibility of assuming operations at the facility.

“We want services to continue, but we feel we might have to go with another operator in the future,” said Mayor McKinney.

Council Delegate Russell Begaye (Shiprock) inquired as to whether any tax revenue from the McKinley County liquor excise tax, a five-percent tax on alcohol sales imposed on retailers, would be allocated for NCI in the future.

McKinley County Commissioner Carol Bowman-Muskett, explained that New Mexico State Senator George K. Munoz is sponsoring S.B. 397, aiming to increase the liquor excise tax rate from five to six-percent.

Commissioner Bowman-Muskett added that if S.B. 397 becomes law, revenue collected from the increased tax rate may benefit prevention and treatment programs such as NCI.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) acknowledged the need to address the funding issues, and pressed the need to reduce the number of liquor licenses in the city of Gallup.
“When you allow liquor retailers to continue selling alcohol even when they’ve violated laws and ordinances, it perpetuates the alcohol problem,” said Delegate Tsosie.

Delegate Tsosie urged Gallup city officials and Navajo leaders to meet and work together to address the funding issue and other issues affecting Navajo people in and near the city of Gallup.

“Navajos are being targeted on their way home from Gallup, especially on the Arizona side. You never see roadblocks in the city of Gallup, or in the affluent areas,” said Delegate Tsosie. “In this government to government dialogue, we need to talk about it.”

Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood), Mayor McKinney, Commissioner Bowman-Muskett, and NCI officials said they will continue to work together to discuss and resolve the issues.

Naabik’íyáti Committee members voted 14-0 to accept the report.

A meeting between city, county, NCI, and Navajo officials to discuss the possible closure of NCI is scheduled to take place on Tuesday.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
Navajo President Shelly Ready to Approve Emergency Declaration for Drought Conditions

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly said he is ready to sign an emergency declaration regarding drought conditions on the Navajo Nation after an Emergency Commission Meeting approved an emergency declaration.

“We need to help our people right now. We have wells that are dry. We have livestock that are thirsty and crops that are in dire need of water. Declaring this emergency will release emergency funding for chapters to take care of needs they see in their communities,” President Shelly said.

According to tribal precipitation statistics, Western Agency is about 65 percent below normal precipitation amounts this year, while Fort Defiance Agency is about 63 percent below normal. Northern and Eastern Agency are about 55 percent below average, while Chinle Agency is about 30 percent below average precipitation levels.

The National Oceanic and Atmospheric Administration officials expect above normal temperatures to continue through the summer months with below average precipitation.

The emergency declaration is being drafted and is expected to be signed soon.

“We are going to do everything we can to ensure that we deal with drought conditions that are consistent with the ramifications of the Navajo government. Also, declaring an emergency will allow us to appeal to President Obama for funding,” President Shelly said.

President Shelly added that everyone needs to help conserve water.

“We are in this together, so we all need to conserve water. Our livestock and crops will be depending on our conservation too,” President Shelly said.

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FOR IMMEDIATE RELEASE
June 28, 2013

HEHSC receives report regarding a study to improve the reading scores of bilingual Navajo elementary students

WINDOW ROCK – The Health, Education, and Human Services Committee received a report on Wednesday from Gregory Allen, a graduate student and elementary school teacher in Kirtland, N.M. Allen described the relationship between reading scores and musical tone tests amongst Navajo elementary school students in Kirtland, Newcomb, and Shiprock.

“When a student is reading, their voice is the same tone as when they are singing,” Allen said. “Students whose first language is Navajo, often have lower reading scores than students whose first language is English, but these scores do not properly reflect their intelligence.”

Allen explained that his study focused on the correlation between Navajo student’s reading scores and their response to three musical tone tests: steady‐beat, pitch‐matching, and rhythmic‐echoing, the pitch‐making test most closely correlated with the student’s reading levels.

“I have found that if a student comes from a Navajo speaking home and they sing a song in the Navajo language, it is much easier for them compared to singing a song that is written in English,” said Allen.

Allen plans to utilize his research to develop curriculum and testing materials that he hopes will improve the reading scores of students who come from a Navajo speaking home.

HEHSC vice chair Council Delegate Charles Damon II ( Bááhááli, Chichiltah, Manuelito, Tsé Lichíí’, Rock Springs, Tsayatoh) encouraged Allen to transform his research into Navajo music education materials that encompass Navajo music to benefit schools across the Navajo Nation.

“The Navajo language is complex as there are only four syllables,” said Delegate Damon. “I am impressed that you are incorporating the Navajo language into music education.”

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) expressed enthusiasm for the study and encouraged Allen to develop customized academic assessments that truly reflect the intelligence of Navajo children.

“This is the first time I have seen a study involving music on the Navajo Nation,” said Hale. “This study has my full support and I believe it will improve our student’s reading levels.”

HEHSC voted 3‐0 to accept the report.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Fuel Excise Tax dollars making a difference on Navajo Nation

When you fill up with fuel on the Navajo Nation, you are contributing to road infrastructure and self-determination.

For every gallon of fuel pumped at gas stations across the Navajo Nation, 18 cents is collected for the Navajo Nation Road Fund. Since 1999, the Fuel Excise Tax has been collected by the Office of Navajo Tax Commission and is making a positive impact on the Navajo Nation for community road projects.

For gasoline, the FET is 18 cents and for diesel, it is 25 cents. Funding from the road fund is used for improvement projects such as parking lots, school bus routes, drainage crossings, access roads, road maintenance, grading, graveling, archaeological surveys, testing, mitigation, drainage studies, construction services, threatened and endangered species, airport maintenance, designs, plans, specifications, bidding, and contract services.

Navajo Nation President Ben Shelly said roads have always been an issue Navajo people passionately care about.

“I am thankful that we have completed more than half of the projects that were stuck in government bureaucratic processes,” Shelly said. “We have pushed these projects through and have many more to complete.

“The Fuel Excise Tax is making a difference because we have funding to pay for some of these projects,” he added.

Paulson Chaco, director of Navajo Division of Transportation, said FET projects dating several years back are finally finding their way to completion.

“Navajo DOT had a backlog of 78 Fuel Excise Tax projects in limbo when I stepped into the division. We have cut that figure in half and completed many projects since President Shelly took office,” Chaco said.

There are currently 32 FET projects across the reservation that NDOT is working to complete.

Chaco said no new FET proposals will be collected until NDOT completes the remaining 32 projects.

“We are working hard to ensure these projects are completed, rather than taking on new FET projects while work is still left undone,” he said.

According to statistics from the Navajo Tax Commission, a total of $146,644,840 in FET funds has been collected since 2002, for an average of $13,331,349 per year.

From the annual FET revenue, $4 million is distributed to the State of Arizona; $2 million is deposited into the Permanent Trust Fund; $3 million goes into the FET coffers; and $3 million is used for road maintenance activities.

As directed by the Office of President and Vice President and Resources and Development Committee, NDOT imposed a moratorium on new FET projects since 2010, to ensure all previously funded projects were first brought to completion.

During the moratorium period, a $13 million surplus was realigned by NDOT.

On March 28, 2013, NDOT reported to the Naa’bik’iyati’ Committee and was directed to divide the $13 million surplus between all five agencies of the Navajo Nation.

“NDOT will complete 13 projects in 2013,” said Darryl Bradley, principal civil engineer for NDOT.
He explained that fuel manifests are issued by the tax commission to distributors delivering fuel on the Navajo Nation. In turn, tax returns are filed by the distributors and the fuel tax is paid on a monthly basis to the Navajo Nation.

“These funds are used by NDOT for transportation projects within the Navajo Nation for development, planning, road maintenance and construction of public roads,” Bradley said.

Zane James and Priscilla Lee are program and projects specialists for NDOT, working directly with FET funding for projects.

James is overseeing 16 projects, three of which are completed parking lots and an access road for the communities of Twin Lakes and Standing Rock.

Lee also has 16 projects on the table, with the two-mile C27 Dakota Loop project slated for completion on June 28, 2013.

Both agree the funds are integral to improving Navajo Nation roads and their focus is to complete the remaining FET projects before soliciting for new project proposals.

Approximately 14,733 miles of public roads cover the Navajo Nation. From that figure, 76 percent, or 11,353 miles of road are unpaved and provide the only means of access for schools, employment, medical care, and commerce.

NDOT’s mission is to provide a safe transportation infrastructure through innovation and partnerships.

Information: [www.navajodot.org](http://www.navajodot.org)

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**ONGOING FUEL EXCISE TAX PROJECTS**

| 1. Tohajiilee Behavioral Health Center Road |
| 2. N8068 and N8069 Gap and Tachee |
| 3. N8068 and N8069 Drainage |
| 4. N4 and N9065 Pinon and Teesto |
| 5. N8073 Pinon |
| 6. Hard Rock Parking Lot |
| 7. N20 Coppermine |
| 8. San Juan Farm Routes |
| 9. Shiprock Community Bus Routes |
| 10. N673 Whippoorwill Low Water Crossing |
| 11. N9452 Red Lake |
| 12. N5007 Newcomb |
| 13. Black Mesa Low Water Crossing |
| 14. N9003 Greasewood |
| 15. N124 Oaksprings |
| 16. N61 Whippoorwill |
| 17. N8031 Hard Rock |
| 18. Many Farms Parking Lot |
| 19. Chinle Workforce Development Redesign |
| 20. Window Rock Alternative Route |
| 21. Tohatchi Parking Lot |
| 22. Window Rock Airport Parking Lot |
| 23. Oljato Senior Center Parking Lot |
| 24. N9702 and N9703 Sawmill and White Clay |
| 25. Dine’ College Access Road |
| 26. Chinle Valley School Parking Lot |
| 27. Nenahnezad School Bus Route |
| 28. Coal Mine School Road |
| 29. Red Mesa High School Parking Lot |
| 30. Newcomb Senior Center Parking Lot |
| 31. Twin Lakes Parking Lot (completed) |
| 32. Standing Rock Parking Lot (completed) |

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JOINT PRESS RELEASE

Navajo Nation Office of the President
and Vice President &
Navajo County Board of Supervisors

FOR IMMEDIATE RELEASE
Thursday, June 27, 2013

Eric Descheenie (Navajo County) 928-524-4045
Erny Zah (Navajo Nation) 928-380-0071

NAVAJO NATION PRESIDENT BEN SHELLY, NAVAJO COUNTY CHAIRMAN JONATHAN NEZ, AND RED DOG GRAVEL PROJECT PARTNERS SHOWCASE PROGRESS ON ROAD IMPROVEMENTS

PINON, AZ – Wednesday, inter-governmental partners making up the Red Dog Graveling Project demonstrated progress to Navajo Nation “Black Mesa Region” Chapter leadership and Navajo Nation President Ben Shelly during a team update meeting at the Navajo Nation Department of Transportation/Navajo County Pinon Road Yard Facility.

The Red Dog Gravel Project is a partnership initiative intended to improve the quality of life for Black Mesa Region residents by crushing, hauling, and placing red dog gravel material from Peabody Western Coal Company on 125 miles of road in most need of repair, over five years. Black Mesa region consists of ten Navajo Nation municipalities or chapters including Kayenta, Pinon, Forest Lake, Black Mesa, Shonto, Low Mountain, Chilchinbeto, Whippoorwill, Hardrock, and Blue Gap/Tachee.

The intergovernmental partnership consists of Navajo Nation Department of Transportation (NDOT), Navajo County, U.S. Bureau of Indian Affairs (BIA), Peabody Western Coal Company, local school districts, in particular Pinon and Kayenta, in addition to the chapters.

The partnership reported to meeting participants that Phase-I of year-one is complete and Phase-II of year-one is well underway. Phase-I included the delivery of 4,500 tons of red dog gravel to each chapter to improve road segments (totaling 25 miles) in most need of repair as identified by chapters.

Phase-II of year-one includes the distribution of 40,000 tons of red dog gravel to the respective ten chapters and placement to locations where chapters designated greatest need. To date, the communities of Low Mountain and Whippoorwill have received their allocated amount with road maintenance vehicles making their way to the next designated chapters. Phase-II is expected to be completed this fall.
As a facilitator to the Red Dog Gravel Project, Navajo County Chairman Jonathan Nez acknowledged the outstanding cooperation and hard work of the partners, “If there is ever a model of true partnership involving virtually all levels of government and the private sector, this is it. The federal government through the BIA, Navajo Nation, Navajo County – State of Arizona, Navajo chapters, and Peabody Western Coal Company are all contributing to this common effort in tremendous ways. Chapters, NDOT, and Navajo County have foot much of the bill for the 40,000 of gravel crushing. Navajo Nation has provided $250,000 for material hauling and placing expenses. BIA Force Account, the construction workforce group in BIA, is contracted to haul material with cost effective material placement. Navajo County has provided two road maintenance equipment operators and water trucks. And NDOT, Navajo County, and Peabody are providing fuel. Even the school districts are allowing construction crew to lodge in their respective housing units. I applaud all of us.”

After reporting on much of the progress the BIA Force Account has made since they started April 8, BIA Construction Manager Joe Peterman stated, “These guys deserve a lot of kudos. They work hard from sun up to sun down and more, and we’re coming to your chapters...be ready! I want to thank the Kayenta Unified School District for providing our guys housing and Navajo County for buying our trucks new tires. Going through 15 tires to date tells you the kind of miles we’re putting in. We greatly appreciate it.”

After receiving the update reports from the project partners, Navajo Nation President Ben Shelly offered his remarks, “This group here is pioneering how partnerships work successfully and you all need to share this with other chapters and agencies to learn from. I have directed NDOT to setup trainings and work sessions to share how you made this work to provide safer roads in your communities.”

The Red Dog Gravel Project update concluded with site visits to Navajo Route 4, west of the Pinon community and Navajo Route 67 of the Low Mountain community. Navajo Nation President Ben Shelly, Navajo County Chairman Jonathan M. Nez, NDOT Director Paulson Chaco, Navajo County Public Works Director Homero Vela, Navajo County Transportation Liaison Leo Sheppard, and accompanying staff observed partnership construction crew carrying out Red Dog graveling for the people.

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FOR IMMEDIATE RELEASE
June 27, 2013

Resources and Development Committee discusses the impacts of oil drilling in the Eastern Navajo Agency

PUEBLO PINTADO, N.M. – The Resources and Development Committee received a report on Tuesday from RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) regarding oil drilling operations on federal lands managed by the Bureau of Land Management near the community of Counselor in the Eastern Navajo Agency.

Delegate Tsosie described the impacts of the oil drilling operation on Counselor residents, roads, and safety.

“The Navajo people living in Counselor have had their everyday activities disrupted by oil producers,” said Delegate Tsosie. “These oil producers use a method called ‘horizontal drilling’ and I am concerned that the oil companies are not only disrupting the residents, but also drilling oil from under Navajo land allotments.”

According to Delegate Tsosie, the BLM has created a Research Management Plan for the oil drilling operation, leading to the approval of oil drilling leases on BLM lands near Counselor.

“The oil leases were approved without consultation with the Navajo Nation,” noted Delegate Tsosie. “The Nation needs to meet with the Bureau of Land Management to explore how we can work this out.”

Delegate Tsosie stressed that any corrective action must be strategic, as current oil operations could possibly pose an economic threat to the Navajo Exchange Legislative Initiative.

The Navajo Exchange Legislative Initiative seeks to consolidate Bureau of Land Management Lands in the Navajo Eastern Agency and place the land into trust.

Brandon Velivis, economic development advisor for Ojo Encino Chapter, explained the challenges of enforcing effective land use plans in the Eastern Navajo Agency due to the vastness of Navajo checkerboard lands.

“Land use plans and environmental impact statements must include potential impacts to cultural and economic resources on tribal lands,” said Velivis. “These impacts were considered because of the mix of tribal, federal, and allotted lands, thus there is no adherence to Navajo cultural customs or community safety.”
Delegate Tsosie added that the oil operation has lead to an increase in noise and traffic in Counselor, upsetting many residents.

“In Counselor, you will see the operation’s smoke emissions close to traditional Navajo hogans and roads that are constantly being damaged by tractors and oil trucks,” Delegate Tsosie said.

Following the presentation, RDC member Council Delegate Leonard H. Pete (Chinle) expressed deep concern for the residents, adding that he would like the issue addressed immediately to prevent prolonged challenges for the community.

“We need to resolve this looking at the problem from all angles,” said Delegate Pete. “This is an issue where all parties need to be on the same page.”

RDC vice chair Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) reminded his committee colleagues to remain mindful of political interests when seeking a possible solution.

“We need to acknowledge the political processes tied to the drilling and determine the best process to remedy a solution,” Delegate Smith said. “I am very interested to see if the Research Management Plan can be re-opened to address concerns of the chapter and the Nation.”

In response to the committee’s comments, Delegate Tsosie explained that the issue has resulted in the Bureau of Indian Affairs and the Eastern Navajo Land Commission working together to address the jurisdictional complexities.

“This situation is exactly where a government-to-government relationship needs to occur,” said Delegate Tsosie. “The operation is occurring entirely on BLM lands, but we don’t know what’s going on underground.”

RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) suggested the committee create a directive requesting the Navajo Department of Justice to consult with the committee about the issue.

“I believe the Navajo Nation can work to delay the operation by working together and possibly finding a way to compete with these oil producers,” said Delegate Benally.

Delegate Tsosie expressed support for Delegate Benally’s directive, adding that he would sponsor legislation to acquire the resources to further investigate the Nation’s interests in the oil operation.

RDC members voted 5-0 to support a directive to Navajo Department of Justice, requesting consultation with the RDC to review the Nation’s interests in the oil drilling operation.

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

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Responds to Obama’s Climate Change Strategy

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly released the following statement regarding President Barack Obama’s newly unveiled strategy regarding climate change.

“The Navajo Nation supports President Obama’s climate action plan, but remains mindful of the important role fossil based energy has in providing secure, low-cost energy for the country. The Navajo Nation is supportive of an all of the above energy approach and is optimistic as we go down this road.

Though we look forward to new technologies that will be more environmentally sound, we hope that as policies are developed for the new initiative, policies will reflect time and resources necessary for economies dependent upon fossil fuels to transition into cleaner energy.

We are heartened to see specific mention for alternative energy resources and climate change preparedness specific to tribes. We applaud the president for taking such a bold step at addressing climate change and we stand at the ready to address climate change for our future generations.”

President Shelly’s statement is in response to a newly announce White House initiative that aims to further reduce emissions from fossil fuel production.

About 95 percent of the Navajo Nation’s general fund after set asides is generated by fossil fuel royalties, leases and taxes.

###
Law and Order Committee approves legislation to allow alcohol sales on casino floors in the state of Arizona

FOR IMMEDIATE RELEASE
June 25, 2013

WINDOW ROCK – The Law and Order Committee on Monday approved Legislation No. 0165-13, seeking to amend Title 17 of the Navajo Nation Code to allow the sale and consumption of alcohol on casino floors owned by the Navajo Nation Gaming Enterprise.

Legislation sponsor Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’aa’) urged LOC members to support the bill in an effort to promote economic development for the Nation.

“The gaming industry is very competitive and in order for us to compete at a high level, we need to adjust some laws that we have in place,” said Delegate Begay.

NNGE CEO Derrick Watchman explained that the proposed amendment would not affect Navajo casinos currently operating in the state of New Mexico due to restrictions in the New Mexico Gaming Compact that prohibit the sale of alcohol on casino floors throughout the state.

LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) expressed concern over regulation and enforcement of alcohol sales.

“How are we going to prevent people from consuming alcohol outside of the casino, or prevent people from bringing in liquor from outside the casino?” asked Delegate Shepherd.

In response, Watchman and general counsel for NNGE Ray Etcitty, assured LOC members that the NNGE is bound to strict policies from the Arizona Gaming Compact and the Arizona Department of Liquor Licenses and Control, that specifically outline regulations regarding the sale of alcohol.

LOC chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) voiced concerns over the possibility of increased domestic violence and other crimes as a result of expanded alcohol sales.

“We talk about economic development for the Nation, but you also have to consider the victims in our communities,” Delegate Yazzie said.

Delegate Yazzie urged LOC members to reconsider the legislation after the NNGE establishes a proposed liquor sales tax, referencing a report received by LOC members from executive director of the Navajo Tax Commission Martin Ashley, prior to the legislation discussion.
The proposed liquor sales tax would be separate from the current five-percent Navajo Nation sales tax and the tax revenue would benefit public safety and social services on the Navajo Nation, according to Ashley.

LOC member Council Delegate Russell Begaye (Shiprock) suggested the sale of alcohol on casino floors be limited to the Twin Arrows Navajo Resort Casino, and reiterated the need for NNGE officials to be very cautious in serving alcohol to casino guests.

After an hour of discussion, LOC members voted 4-1 in support of Legislation No. 0165-13.

The legislation now moves on to the Naabik’íyátí Committee for consideration.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
June 25, 2013

Council Delegate Elmer Begay welcomes officials and heavy equipment operators to Heavy Equipment Certification training

DILKON, Ariz. – On Monday, Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) welcomed officials from Navajo County, Navajo Nation Division of Transportation, and Bureau of Indian Affairs to a 40-hour heavy equipment certification training.

Navajo County, NNDOT, and BIA partnered together in an effort to provide training to heavy equipment operators from various communities throughout the Navajo Nation.

“I know this is a longtime coming,” said Delegate Begay. “You should be proud to be here.”

“There’s no other chapter, community, or county that has reached this point,” said Delegate Begay to approximately 25 heavy equipment operators in attendance.

BIA Road Maintenance Supervisor and training facilitator Franklin Sandoval said the partnership between Navajo County, NNDOT, and the BIA is an effort to allow chapters to localize road construction and maintenance in their areas.

Delegate Begay said he believes the initiative sets an example for other chapters to localize road construction and maintenance through training in their communities.

“If you go to other local governments, they haven’t gone this far with certification [training],” said Delegate Begay.

Navajo County Public Works Transportation project manager Alberto Peshlakai said the training was developed by the Southwestern Navajo Region Transportation Planning Council, comprised of chapter officials from Birdsprings, Tolani Lake, Teesto, Dilkon, Indian Wells, White Cone, Greasewood, and Jeddito.

Peshlakai added that NNDOT, BIA, and Navajo County collaborated in the past to maintain roads throughout Navajo land and broke down jurisdictional barriers to increase cost-effective initiatives for road construction and maintenance.

Navajo County supervisor Jesse Thompson reasserted Delegate Begay’s support for the partnership.
“Teaming up is important for NNDOT [and other agencies] to work as a functional unit for the community,” said Thompson.

Thompson, Peshlakai, and Sandoval worked to plan and implement the training with support from Delegate Begay and chapter officials.

Delegate Begay said the training will improve over time, and expand to other areas aside from road construction and maintenance.

At the conclusion of his welcome address, Delegate Begay expressed appreciation to the trainees and officials for working together for the benefit of their communities.

“I really am thankful for your participation because this is for the people in our communities,” said Delegate Begay.

The one-week training concludes on June 28.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Brewer signs SB 1317, allows tribes stake in Aviation Fund

WINDOW ROCK—After a lengthy six-month process winding its way through the Arizona Legislature, Senate Bill 1317 was signed into law by Arizona Governor Jan Brewer on June 20, 2013.

Sponsored by Senator Jack Jackson, Jr., SB 1317 allows tribally-owned airports to participate in the Arizona Department of Transportation’s Aviation Fund program.

The purpose of the fund is to allow competitive grants for infrastructure and improvements to public airports in Arizona. The fund is financed by aviation fuel and aircraft registration fees imposed upon pilots in Arizona.

There is no taxpayer dollars included in the Arizona Aviation Fund.

“This bill is a great opportunity for the 14 tribally-owned airports of Arizona to compete with other public airports to improve their runways and other needs,” said Paulson Chaco, director of the Navajo Division of Transportation.

He said pilots from these tribally-owned airports have contributed to the aviation fund since its inception and that it is only fair they are allowed to compete for approved infrastructure projects through the fund.

“The Navajo Nation has five airports in Arizona that can benefit from this legislation. We look forward to improving mobility for the northern part of the state,” Chaco said.

The Navajo Nation owns airports in the Arizona communities of Chinle, Ganado, Kayenta, Tuba City and Window Rock.

The responsibility of guiding the Navajo Nation’s airports is shouldered by Arlando Teller, program manager for the Department of Airport Management.

He explained that the seed for SB 1317 was planted in 2011. The Arizona Airports Association initially supported the bill but cited concerns that tabled the legislation.

“They were supportive of allowing tribal airports to become eligible to utilize state aviation grants but they questioned the differing regulatory environment such as taxation and how tribes would pay into the program,” Teller explained.

Eventually in Dec. 2012, AAA’s new president, Corinne Nystrom, supported amending the Arizona Revised Statutes 28-8202, to include tribal
The Department of Airport Management is responsible for the seven Navajo Nation airports in Arizona and New Mexico. Five of the airports are located in the Arizona communities of Chinle, Ganado, Kayenta, Tuba City and Window Rock. (Photo by Rick Abasta)

The Window Rock Airport is at an elevation of 6,750 feet and covers an area of 88 acres. The airport is located one nautical mile south of the central business district of Window Rock, Ariz. The airport has one runway measuring 7,000-feet by 75-feet and averages about 5,000 general aviation aircraft operations per year, or 13 flights per day. (Photo by Rick Abasta)

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Navajo President and Vice President Congratulate High Wire Artist Nik Wallenda

LITTLE COLORADO RIVER GORGE, Ariz. – Navajo Nation President Ben Shelly and Vice President Rex Lee Jim congratulated high wire artist Nik Wallenda after he successfully walked across the Little Colorado River Gorge on a two inch steel cable on Sunday evening near the Grand Canyon.

Wallenda’s tightrope walk, which was near the Little Colorado River Navajo Tribal Park, was broadcasted live on the Discovery Channel to 217 countries throughout the world.

“I want to congratulate Nik on his successful walk. I want to thank the Discovery Channel, NBC and all the workers who made this event successful. This is an example of what can happen when we work together.

I am pleased that the Navajo Nation was a part of this project and that we helped Nik achieve one of his life long goals. It was exciting to Nik walk on the tightrope with windy conditions and I am happy that he was successful.
The worldwide audience was able to see the Navajo Nation and now we invite you to come Navajo land. Come see the pristine landscape for yourself, with your own eyes, you won't regret it. We invite travelers near and far to come experience Navajo land,” President Shelly said.

President Shelly, Navajo First Lady Martha Shelly and Vice President Jim sat together near the edge of the Little Colorado Gorge and watched Wallenda walk across the gorge.

President Shelly gave a bolo tie to Wallenda after the walk and Vice President Jim presented Wallenda a silver and turquoise belt buckle.

Vice President Jim said Wallenda’s success is about achievement.

“I want our Navajo children to know that they can dream big and have big success. Just like Nik dreamed about walking over the Grand Canyon, our young children can dream big about their goals in life and they can achieve them.

We can use each success and build upon that. Each success builds for bigger dreams and larger successes. We can accomplish that for the Navajo Nation,” Vice President Jim said.

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FOR IMMEDIATE RELEASE
June 21, 2013

Council Delegate Kenneth Maryboy and Teec Nos Pos chapter officials declare state of emergency due to water shortages

Teec Nos Pos, Ariz. – On Thursday afternoon, Council Delegate Kenneth Maryboy (Mexican Water, Aneth, Teecnospos, Tólikan, Red Mesa) and chapter officials issued a memo declaring a state of emergency due to water shortages that have resulted in the deaths of livestock in the community of Teec Nos Pos, located near the four corners region.

The memo signed by Delegate Maryboy, chapter president Alfred Jim, grazing officer Herman Lee, and CLUP member Herbert Peterson states, “Ranchers and livestock owners have a concern for water for the livestock. In addition, because of limited water, livestock are beginning to perish.”

Delegate Maryboy attributed water shortages to the closing of several local water wells due to high levels of contamination.

“We had elderly people come by the chapter house saying they are worried about their sheep, horses, and cows because there is no water for them,” said Delegate Maryboy.

Chapter president Alfred Jim noted that many local residents have relied on one water trough that is currently not in operation.

Delegate Maryboy said the chapter notified and is awaiting responses from the Division of Community Development, Navajo Nation Emergency Management, Division of Community Development, Navajo Nation Office of the President and Vice President, Navajo Nation Environmental Protection Agency, Apache County, and San Juan County in Utah.

Jim and Delegate Maryboy expressed dissatisfaction with the policies and procedures of the Local Governance Support Centers when dealing with emergency situations.

“We have to go through a lot of red tape and we can’t afford to do that,” stated Jim. “We need to get water out there as soon as possible.”

Delegate Maryboy added that the Tólikan chapter and Mexican Water chapter may soon declare a state of emergency due to water contamination in the area.

“We would like to get water tanks to haul water out there, but we need assistance,” said Delegate Maryboy. “We are open to any help that our community can get.”

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FOR IMMEDIATE RELEASE
June 21, 2013

Budget and Finance Committee votes down supplemental funding for the demolition of former Tuba City District Court Building

WINDOW ROCK – The Budget and Finance Committee met Tuesday to discuss Legislation No. 0144-13, which sought to approve supplemental funding from the Undesignated, Unreserved Fund Balance in the amount of $150,000 to demolish the former Tuba City District Court Building.

In Nov. 2012, the Tuba City Local Government approved a resolution supporting the efforts to demolish the former Tuba City District Court Building, citing environmental and safety concerns, and its infringement on the new Tuba City Judicial Complex.

“The building is at a point where it is condemned,” said director of the Navajo Nation Judicial Administration Edward Martin.

“This building is located about ten feet from the brand new courthouse and we’re afraid [that] at some point if it’s not demolished, it could [collapse and] damage the new court building,” Martin added.

In Jan. 2013, Program Supervisor III Herman Shorty from the Navajo Nation Division of Health’s Office of Environmental Health/Code Enforcement, issued an Order of Closure for the former Tuba City District Court building.

The legislation garnered opposition from BFC members including BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts‘ah Bii Kin).

“Today, we all know that there is a need for office space,” said Delgate Nez.

Delegate Nez added that the poor condition of the building is likely due to a lack of upkeep and maintenance, and that renovating the office space could be a feasible task instead of demolition.

BFC member Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) also opposed the legislation saying, “Saving the building is a cheaper alternative.”

The former judicial complex was transferred from the Navajo Nation Courts to Navajo Nation Property, and no maintenance to the building continued thereafter, according to Martin.
Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) recommended that an assessment and report be conducted on the building by Navajo Nation Property.

Legislation sponsor Council Delegate Russell Begaye (Shiprock) pointed out that an assessment of the closed property had already taken place by a certified building inspector.

“There is a liability issue with having someone move in there, which I think is a huge concern,” stressed Delegate Begaye.

Despite the completion of the building assessment and official closure of the former district court complex, BFC members recommended the Navajo Nation Property Department consider renovating the facility for future use.

At the conclusion of the discussion, BFC members opposed Legislation No. 0144-13 with a 0-3 vote.

The legislation now moves on to the Naabik’iyáti’ Committee for consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
June 20, 2013

Council Delegate Walter Phelps highlights the importance of education in presentation to Girl Scout Troops

Photo: Council Delegate Walter Phelps (center) speaks to Girl Scout Troops representing the Arizona Cactus-Pine Council at St. Michael Indian School.

ST. MICHAELS, Ariz. – Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) took time on Wednesday to share words of encouragement to a group of 30 Girl Scout Troops participating in a week-long summer camp at St. Michael Indian School.

Delegate Phelps, a member of the Health, Education, and Human Services Committee, recalled a conversation with a former leader that took place while the two participated in the Navajo Nation parade years ago.

“I remember a great leader and he said, ‘I know the Navajo Nation will continue to grow stronger and the Nation will be strong for many more generations,’” said Delegate Phelps.

“I tell you this because that’s who you are, you are the future of our Nation,” Delegate Phelps told the group. “You are the future leaders, the future doctors, the future police women of the Navajo Nation.”
Delegate Phelps commended the girls for taking part in the summer camp and recommended their continued participation in the Girl Scouts to help overcome adversity and setbacks that often affect the youth throughout the Nation.

Crystalyne Curley, legislative district assistant for Delegate Phelps and Celena McCray, legislative district assistant for HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) were also in attendance and urged the group to adhere to the teachings of their elders and to continue with their education despite obstacles that may stand in their way.

Delegate Phelps concluded his brief presentation by encouraging the Girl Scouts to become involved in their communities by attending chapter meetings.

“You learn a lot about your community by attending meetings, and many important decisions are made at the local levels that affect your lives on a daily basis,” Delegate Phelps said.

Troop Leader Carla Moerike said the group will be given the opportunity to earn a Girl Scouts badge if they attend chapter meetings in the near future.

The week-long summer camp is the first to be held in St. Michaels for the Girl Scouts of the Arizona Cactus-Pine Council.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
June 20, 2013

Law and Order Committee receives report regarding the Judicial/Public Safety Complex Priority Listing

CROWNPOINT, NM – On Monday, the Law and Order Committee received a report from director of the Navajo Nation Judicial Administration Edward Martin, regarding the Judicial/Public Safety Complex Priority Listing.

The discussion focused on Legislation No. 0083-13 sponsored by Council Delegate Alton Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat), aiming to expand the judicial/public safety priority listing from five to ten.

On Mar. 26, the Budget and Finance Committee considered and tabled Legislation No. 0083-13, until a listing of locations was finalized.

The Judicial/Public Safety Facilities Fund receives 25 percent of its revenue from the Navajo Sales Tax to construct new facilities, such as the newly constructed judicial/public safety complexes in Tuba City and Crownpoint.

Originally, the priority listing consisted of five locations including Chinle, Shiprock, Fort Defiance, Pinon, and Dilkon.

LOC members recommended the addition of five locations to include Aneth, Ramah, Kayenta, Alamo, and Pueblo Pintado, pending approval from Chief Justice Herb Yazzie and Public Safety Division Director John Billison.

Chief Justice Yazzie and Billison signed off on the initial agreement. However, when the agreement was amended to add five additional locations, Billison's signature was absent, according to Exhibit A of the legislation.

LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Whitecone) expressed support and advocated for his community of Dilkon.

“They still have to transport their prisoners all the way to Window Rock,” said Council Delegate Elmer Begay, explaining the need for additional sites to alleviate detainment and transportation issues in Dilkon.
LOC vice-chair Delegate Shepherd explained that the added five locations would allow chapters the opportunity to advocate for funding, pointing out that funding agencies often request a priority listing. It would illustrate the need and optimal focus the NN is taking on these prioritized projects, thus attracting outside resources, said Delegate Shepherd.

“They have received the appropriate resolutions and clearances to go forward with this project, but they have run out of funding to complete construction,” Martin said.

The Kayenta judicial complex is currently under construction, and has made preparations for the construction of a police station and corrections facility, Martin added.

At the conclusion of the discussion, LOC members agreed that the expansion of the list would be beneficial to the Public Safety Division and surrounding communities.

The LOC voted 3-0 to accept the report.

On Tuesday, the BFC voted 3-0 to approve Legislation No. 0083-13, including two amendments to expand the priority list from seven to ten sites, and moving Ramah to the top of the list.

The BFC is the final authority for this legislation.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Says Navajo Nation is Capable of Running Buy-Back Program

ALBUQUERQUE, N.M. – Navajo Nation President Ben Shelly said to the Department of Interior that the Navajo Nation is capable of implementing the recently announced a Land Buy-Back Program for Tribal Nations.

Wednesday’s meeting was the first government-to-government consultation between DOI and the Navajo Nation about the buy-back program, which was announced on Tuesday.

“Navajo Nation has the capability to acquire lands efficiently which provides an opportunity to the Navajo people to maximize their interest and provided a valuation methods through the Buy-Back Program,” President Shelly said.
“Navajo Nation strongly recommends for the American Indian Trust Land funds to be allocated directly to Navajo Nation through a contract to administer the Buy-Back land for its Navajo people,” President Shelly added.

As part of the program, DOI has made $1.9 billion available to American Indian tribes to buy allotted lands that have multiple owners. The Navajo Nation’s portion is about $103 million to potentially buy 4,355 tracts of land that have multiple owners.

The program would only buy land from owners who agree to sell their land.

John McClanahan, program manager for the Land Buy-Back Program, said the program plans to have multiple meetings to with Navajo leaders, allotment landowners and other interested parties.

“We want to make sure we are tailoring the program to the unique needs of the Navajo Nation,” McClanahan said during his opening presentation.

Another suggestion President Shelly presented was that lands that are purchased under the program should have environmental clearances to reduce environmental liabilities.

“This will strengthen the chapters on Navajo Nation and the opportunity to enhance residential, community and economic development through their comprehensive community land use plans,” President Shelly said.

Sharon Pinto, Navajo Region director for the Bureau of Indian Affairs, said having a centralize location for the program would make it easier for landowners to learn about the Buy-Back Program.

“I think it is important to have a centralized location for landowners. We need to take this and move it forward to make it successful,” Pinto said.

Navajo Chief of Staff Arbin Mitchell said the buy-back program could help achieve rights of ways for new projects since some allotment lands have multiple owners.

“If one says no, that puts the whole project on hold or we have to change plans,” Mitchell said.

President Shelly stated after the meeting that though New Mexico has the most fractionalized allotted lands, the Navajo Nation has to be concerned with the needs of all Navajo allottees, including allottees in Arizona and Utah.

“We have Navajo families in all three states that have allotted lands. We have to listen to all the people about how we can make this program work for them,” President Shelly said.
Navajo DOT enhances Navajo Nation Zoo parking lot

WINDOW ROCK-To say David Mikesic loves animals is an understatement.

Mikesic is the zoologist for the Navajo Nation Zoo. Educated as a biologist and zoologist, he spent most of his free time working with animals before moving to the Navajo Nation.

His passion for helping animals in need brought him to Window Rock in Oct. 1994 to work for the Navajo Fish and Wildlife Department as a zoologist. Mikesic was eventually promoted to zoologist for the Navajo Nation Zoo in 2010.

Since then, he has been squarely focused on improving the living conditions of animals at the zoo and enhancing the zoo experience for visitors.

Recently, one such improvement elevated the Navajo Nation Zoo experience exponentially.

The Navajo Division of Transportation graveled the zoo parking lot and roadway in early 2013 and made the facilities accessible for employees and visitors alike.

NDOT director Paulson Chaco was awarded a plaque in appreciation for donation of goods and services in completing major renovations to the Navajo Nation Zoo parking lot and entry road.

Mikesic presented the award to Chaco in June 2013 at the Navajo Transportation Complex in Tse Bonito, N.M.

“The graveled effort for the Navajo Nation Zoo was another improvement project completed by the Navajo Division of Transportation,” Chaco said. “We continue to move forward with the mission of NDOT, which is to improve transportation infrastructure on the Navajo Nation.”

Project costs for the Navajo Nation Zoo were in excess of $15,000 when manpower, equipment, and materials are factored in together. Over $10,000 in general funds covered the cost of gravel.

Mikesic said the zoo was greatly improved for employee access and parking. Previously, employees and visitors had to slog through mud during adverse weather. Compounding the challenges for the zoo was mud and dirt tracked inside the facilities as well.

“It has reduced our need to clean mud from the office space as often. When it rained or snowed, the parking lot was difficult and
The Navajo Nation Zoo was enhanced with a gravel parking lot and entry way leading to the facility. Zoologist David Mikesic said the gravel made a big difference for access to and from the zoo. (Photo by Rick Abasta)

Within 10 years, I want to see the zoo as a more modern zoo with renovated animal enclosures and more education and recreational opportunities for the Navajo people and visitors from around the world.”

Top photos, before the NDOT graveling project was completed, employees and visitors of the Navajo Nation Zoo had to slogo through mud during adverse weather to access the facilities. Bottom photos, NDOT crewmembers graveled the parking lot and entry way to the zoo, which made a major difference for access to and from the zoo. (Photos by David Mikesic)

The Navajo Nation Zoo was enhanced with a gravel parking lot and entry way leading to the facility. Zoologist David Mikesic said the gravel made a big difference for access to the facility for employees and visitors to the facility. The zoo is open Monday through Saturday from 10 a.m. to 5 p.m. and admission is free. (Photo by Rick Abasta)

renovation or construction projects via funding or labor. Donations are also accepted.

On July 6, the zoo will celebrate their 36th Anniversary with a party, free birthday cake, and 25 cent hotdogs. The public is welcome to attend.

The Navajo Nation Zoo continues to provide a sanctuary for nature and the human and animal spirit.

“We provide people with an opportunity to make a connection and learn about the plants and animals of the local Navajo lands,” Mikesic said. “We provide a quiet place in Window Rock to just calm the spirit among our wildlife.”

New additions to the family of injured and orphaned animals at the zoo are Abbey the Black Bear and Mule Deers Jasmine and Bella. They were adopted into the family in November 2012 and found a permanent home in Window Rock.

The Navajo Nation Zoo is the only full-scale zoo owned and operated by a Native American tribe.

The zoo is open Monday through Friday, from 10 a.m. to 5 p.m. and is open on most major holidays. The zoo is open Monday through Saturday from 10 a.m. to 5 p.m. and admission is free. (Photo by Rick Abasta)

Information: www.navajozoo.org or www.navajodot.org

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FOR IMMEDIATE RELEASE
June 19, 2013

Mariano Lake Chapter hosts annual Treaty Days Celebration

MARIANO LAKE, N.M. – Mariano Lake gathered with tribal and federal leaders last Friday to celebrate the annual Treaty Days Celebration.

“Treaty Days celebrates what the Navajo people has preserved since the signing of the Treaty of 1868,” said Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) to a crowd of approximately 300 guests and participants.

Delegate Yazzie noted that he and his council colleagues are working with congressional leaders to resolve several issues including obtaining funding for a new Gallup Indian Medical Center, securing the return of 300,000 acres of Bureau of Land Management land to the Eastern Navajo Agency, and progressing with the Fort Wingate negotiations.

Mariano Lake Chapter collaborated with Delegate Yazzie, Navajo Technical College, the Navajo Nation Elections Office, and local vendors to offer activities for the entire community to enjoy.

Arts and crafts vendors, food stands and country bands filled the chapter house parking lot, while spectators enjoyed horseshoe games and a Navajo song-and-dance competition.

Event organizers showcased a traditional Navajo Hogan exhibit for visitors, that included a variety of traditional items such as a weaving loom, clothing, and a set of traditional silversmith tools.

Anthony Begay, Mariano Lake Chapter president, introduced field representatives from the offices of New Mexico Senators Tom Udall and Martin Heinrich. Each noted that the senators continue to advocate for Navajo related issues and to honor the Treaty of 1868.

The event marked the tenth annual celebration for Mariano Lake Chapter.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Calls for More Defined Fundamental Law

TWIN ARROWS, Ariz. – Navajo Nation President Ben Shelly called for Diné Fundamental Law to be better defined to better protect Navajo children.

The Navajo Nation in 2002 adopted Diné Fundamental Law to recognize unwritten traditional Navajo laws and values in written statutes.

“Only the medicine men know what fundamental law is. We need it written out because we have repeat offenders being let off because of fundamental law,” President Shelly said during opening remarks at the 29th Annual Navajo Division of Social Services conference on Tuesday.

President Shelly added that Fundamental Law needs to be more specific and urged the conference attendees to start dialogue to find solutions that would help social workers keep offenders accountable for their actions.

“We need stronger laws,” President Shelly added.
President Shelly also thanked the Division of Social Services for their commitment to helping Navajo families.

“I know each of you have had hardships because of the situations you are asked to handle. I want each of you to know that I am thankful for your service to our Nation but most importantly, to our children,” President Shelly said.

The division has been making internal policy changes throughout the past year in efforts to serve Navajo people with more efficiency. President Shelly supports the division’s strides to make changes.

“I strongly support the restructuring of the divisions and programs. We cannot longer operate as we have been for years. We have to become more and more efficient while we find creative ways to deliver services,” President Shelly said.

###
Navajo President Shelly Delivers Long Anticipated FEMA Reimbursement Checks

EASTERN NAVAJO AGENCY, N.M. – Navajo Nation President Ben Shelly delivered reimbursement checks from the Federal Emergency Management Agency for Navajo chapters from disasters stemming from as far back as 2005.

“Our chapters have been waiting years to be reimbursed for money they spent for emergencies since 2005. I am happy to report that we have completed a task that has been plaguing the Navajo Nation for years,” President Shelly said.

President Shelly personally delivered checks to 12 chapters in Navajo Eastern Agency last Friday and on Monday. Chapters in other agencies received hand delivered checks by Navajo Department of Emergency Management staff.

The reimbursement checks varied in amount depending upon the amount of money chapters spent during the emergencies from 2005 through 2010. At least $2.6 million is being reimbursed to chapters and the Navajo Nation government.
Operations Hashtlish, Monsoon and Snowfall are all part of the reimbursements of emergency spending, along with emergency spending from monsoonal floods of 2006.

In total, the Navajo Nation had 846 disaster projects that were reimbursed up to 75 percent of the total costs.

“I know this has been a long time in the making. I am pleased that our Department of Emergency Management was able to move forward and help chapters receive their money,” President Shelly said.

Navajo Department of Emergency Management Director Rose Whitehair said the oldest projects are being reimbursed first, then other larger then smaller projects is expected to be reimbursed.

“We have many checks for many chapters and we have been coordinating with all of them to disburse their checks,” Whitehair said.

The Navajo Department of Emergency Management received and coordinated help with FEMA personnel and volunteers earlier this year, which helped chapters and Navajo DEM complete necessary paperwork to complete reimbursement applications.

“We are thankful for all the hard work FEMA and FEMA Corps did for us in the past few months. They have been very helpful and provided great insight,” Whitehair said.

She added though that the money that is being reimbursed from FEMA must be used to certain projects.
For some chapter workers, the reimbursements are recognition of keeping sound chapter financial records and allocating funds to their specific purpose.

“Some chapters have been waiting eight years,” said Michelle Bitsie, account maintenance specialist for Tsayatoh Chapter. She also worked for Coyote Canyon Chapter.

President Shelly handed out checks to Tsayatoh, Manuelito, Red Rock, Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau, Casamero Lake, Crownpoint and Becenti Chapters.

###
FOR IMMEDIATE RELEASE
June 17, 2013

Health, Education, and Human Services Committee considers new legislation allowing Navajo Technical College to be named a university

WINDOW ROCK – The Health, Education, and Human Services Committee discussed Legislation No. 0154-13 last Wednesday, which aims to approve amendments to Title 15 of the Navajo Nation Code. The amendments will allow for NTC to change its name to Navajo Technical University and the authority to establish its own institutional review board.

Legislation No. 0154-13 serves an amended version of Legislation No. 0077-13, which was previously voted down by the Navajo Nation Council, during the Spring Session on April 16.

The original legislation aimed to approve amendments to Title 2 and Title 15 of the Navajo Nation Code, however the legislation’s sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock), asked the Council to vote down the legislation to allow time to reintroduce new legislation that addressed their concerns.

Council Delegate Jonathan Hale (Oak Springs, St. Michaels) and the legislation’s co-sponsor, said the legislation’s primary purpose is to raise academic research standards on the Navajo Nation.

“The legislative documents are here for review and to approve Navajo Technical College’s request to become a university,” Delegate Hale said to his colleagues. “The proposed IRB is a necessity for the college to produce valuable research.”

Dr. Elmer Guy, president of Navajo Technical College, urged the committee to approve the legislation and emphasized the college’s accomplishment, mentioning NTC’s six bachelor degree programs, which will soon increase to eight.

Dr. Guy added that the college is working to implement a masters program, the first to be offered on the Navajo Nation.

“One we are at the masters level of research we are no longer a college, we will be a university,” said Guy.

Delegate Hale addressed the second part of the legislation that seeks for NTC to establish its own IRB.

NTC has worked with the Navajo Division of Health and Department of Justice to clarify concerns over the proposed establishment of an IRB, said Delegate Hale.
“The college will only review and approve students’ research related to NTC’s academic programs,” said Delegate Hale. “Any medical research will continue to be reviewed by the Navajo Nation IRB.”

“Any and all research that can be done by our academic departments will be reviewed by the college,” added Dr. Guy.

Delegate Hale emphasized that Navajo Technical College has progressed and continues to encourage students to enhance their lives and to help Diné people through higher education.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) expressed his appreciation and support for the legislation as an effort to improve the quality of education on the Navajo Nation, but also questioned additional support from other Navajo Nation entities.

“I’m grateful you were able to work with the Department of Justice,” said Delegate Phelps. “Will the Department of Justice or Navajo Nation IRB be providing any kind of support for this legislation?”

In response, Dr. Guy explained that NTC has maintained frequent communication with the Navajo Division of Health and Navajo Nation Institutional Review Board.

“We have gained the support from Larry Curley, NDOH division director, and Beverly Becenti-Pigman, chairperson of the Navajo Nation Institutional Review Board,” said Guy. “We each believe this change is good for our children and students.”

At the conclusion of the discussion, HEHS members voted 3-0 to pass the legislation.

The legislation now moves forward to the Naabik’íyáti’ Committee for consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Excited About the Release of Navajo Dubbed Star Wars

WINDOW ROCK, Ariz. – The Navajo language once helped save the United States from defeat in World War II, and now will transcend to a galaxy far, far away.

Last week, officials from Knifewing Studios in Gallup, N.M., announced that the Navajo dubbing of Star Wars, originally released in 1977, is now set for release with Navajo dubbing during the Navajo Nation Fourth of July Celebration.

“We are proud of this project,” Navajo Nation President Ben Shelly said. “We have great value in our language. Our Code Talkers helped the Americans defeat the Japanese during World War II, and now we can look forward to seeing one of the most successful movies in history now be dubbed in Navajo. This is exciting.”

Deluxe’s Audio Mixer Francisco Rodriguez, was in charge of sound during the recording and Dubbing Director Ellen Stern of Epcar Entertainment coached Navajo actors to deliver voices that capture a realistic representation of the movie.

“We are proud that this project came to the Navajo Nation. It’s interesting to see how Navajo will sound with some of the characters in the movie. It’s a good thing to see our Navajo language on the big screen,” Division of Natural Resources Director Fred White said.

More than 20 voice actors gave their best over the two-week period. The seven primary characters were chosen and confirmed.

“This was an intense recording session that went 12 days straight. I know the public is going to be blown away when they get to see what we have done. The actors, translators, dubbing director, audio mixer, and Knifewing Studios made a great team and it couldn’t be done without all of their involvement.” Manuelito Wheeler, director of the Navajo Nation Museum, said.
“We are so pleased with how well it turned out. None of the cast had ever dubbed a film before. They picked it up quickly and the performances are outstanding.” Shana Priesz, Senior Director of Localization of Deluxe.

The seven actors taking lead roles as the Navajo language voice-overs in the production are:

Terry Teller as Luke Skywalker, James Junes as Han Solo, Clarissa Yazzie as Princess Leia, Anderson Kee as Obi Wan Kenobi, Marvin Yellowhair as Darth Vader, Geri Hongeva-Camarillo as C-3PO and James Bilagody as Grand Moff Tarkin.

For more information please contact Manuelito Wheeler, Director of Navajo Nation Museum (928) 810-7941.

###
Navajo President Shelly Commemorates the Passing of Two Navajo Code Talkers This Week and Orders Lowering of the Navajo Flag

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly commemorated the passing of two Navajo Code Talker who were laid to rest earlier this week. In addition, he ordered the Navajo Nation Flag be flown at half-staff from sunrise June 14 through sundown June 18.

Code Talkers King Fowler and Milton M. Gishal both passed away earlier this week.

“It’s a sad week for our Navajo people knowing that we lost two more of our modern day heroes. The Navajo Nation’s prayers and condolences are with both families. Our Navajo Code Talkers are the sources of great pride for our people. There is a certain pride that our Code Talkers created because they used our language to defeat the Japanese in World War II. We will forever in indebted to the services of our Navajo Code Talkers,” President Shelly said.

Code Talker King Fowler passed away on June 7 at his home in Tonalea, Ariz. He was born on Dec. 12, 1915 in Kaibeto, Ariz.

Code Talker Fowler enlisted with the U.S. Marines on Oct. 27, 1944. After his honorable discharge, he assisted his Tonalea community as a public servant by holding positions in various community organizations and programs.

Code Talker Fowler was preceded in death by his wife Betty S. Fowler.

Code Talker Fowler is survived by his son Bobby Fowler Sr. of Tonalea; Dylon Jacob Fowler, grandson; eight grandchildren and 20 great-grandchildren.

The other Code Talker who passed away was Milton M. Gishal was passed away June 8.
Code Talker Milton M. Gishal was from the Beshbito and Jeddito areas of the Navajo Nation.

Less than 60 Navajo Code Talkers are estimated to still be living with Code Talker Chester Nez being the only one of the original 29 Navajo Code Talkers.

Navajo Code Talkers served in the U.S. Marines in World War II in the Pacific Theater. The Navajo language, which some linguist say is one of the most difficult languages in the world to learn, was encoded and used to communicate during battle. The Navajo code was used in every major engagement in the Pacific Theater from 1942 through 1945.

“If it wasn’t for our language and our Code Talkers, we might not be here right now. Our people have provided a great service to the people of the United States. We are proud of them,” President Shelly said.

In addition, the Navajo Code Talkers Foundation has been raising money to build a museum. For more information visit www.navajocodetalkers.org.

###
Navajo President Shelly Calls the Sequester an Opportunity for Indian Nations

SANDIA PUEBLO, N.M. – Navajo Nation President Ben Shelly said the federal sequestration is an opportunity for American Indian nations to reduce federal red tape because tribal nations depend upon the federal government for funding.

“We’re part of the deficit. Give me the power to become more energy independent,” President Shelly said during opening remarks of a tribal leaders round table.
discussion at the Developing Tribal Energy Resources and Economies Conference Tuesday morning. The two day conference ended on Wednesday.

“We have the opportunity to shoot a big buck,” President Shelly said.

President Shelly participated in a round table discussion that included leaders from throughout the country.

Some of the topics the panel spoke regarded protecting tribal culture while developing energy, gaining more young people involved with government, and other topics regarding tribal economies.

“I think that people need to bring productive solutions is really key,” said Tex Hall, chairman of the Mandan, Hidatsa and Arikira.

As for getting more young people involved with policy, President Shelly said policy change and allowing younger professionals a chance would help bring younger people into government.

“Tribal leaders need to look at their tribal policies,” President Shelly said.

He added that some Navajo college graduates aren’t qualified for positions at the Navajo Nation because of existing policies. Though legislation is being prepared to address the issue, President Shelly said change is difficult.

“We are tying to amend it. It's tough. It's like trying to pull out an old tree with a lot of old roots,” President Shelly said.

Another way to address engagement of young people into government is giving them the opportunity to do so.

“Some of us need to step aside and let the young people come up,” President Shelly said.

Derrick Watchman, chief executive at Navajo Nation Gaming Enterprise, responded to a statement that interoffice politics might be a reason why young people aren’t interested in tribal positions.

“It's political no matter where you go,” Watchman said, adding that most of his working experience is working for large corporations.

Watchman said one solution that could be helpful is creating more internships for college students in tribal offices.

###
FOR IMMEDIATE RELEASE
June 13, 2013

Resource and Development Committee sends
large-quantity water use permits to Navajo Nation Council for final vote

WINDOW ROCK – The Resources and Development Committee considered significant legislation on Tuesday requesting the approval of two Navajo Nation water-use permits for the Animas La Plata Project Navajo Nation Municipal Pipeline (ALP NNMP) in Upper Fruitland, N.M.

Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) co-sponsored Legislation No. 0102-12, which sought water-use permits for two ALP NNMP projects.

One permit will authorize 4,680 acre-feet per year from the Animas La Plata Project, while the second permits will authorize 2,600 acre-feet per year from the Navajo Nation Municipal Pipeline in Upper Fruitland.

The permits will be granted to the Navajo Tribal Utility Authority, in order to convey water to its customers via the San Juan River Animas La Plata Project and the San Juan River “Run of the River” Water Project.

Jason John, principal hydrologist for the Navajo Department of Water Resources, provided the legislation’s technical and historical background.

John explained that the water is a part of the San Juan Navajo Water Rights Settlement signed in 2010 by former Navajo President Joe Shirley and former Secretary of the Interior Ken Salazar.

“Usually these permits only require approval from the Department of Water Resources. However, the Navajo Nation Code states that water quantities of this size must be approved by the Resources and Development Committee,” John said.

Delegate Smith noted that the Navajo Department of Justice informed the Department of Water Resources that the RDC can exercise the discretion to refer the legislation to the Navajo Nation Council due to the large quantity of water.

“This is a large amount of water, and the legislation will go to the full Navajo Nation Council,” said RDC chair Katherine Benally (Chilchinbeto, Dennehotso, Kayenta).

Council Delegate Leonard H. Pete (Chinle) questioned potential water usage, and if any would be used by nearby municipalities.
“If the water is kept behind the Ridges Basin Dam, it is untreated,” said Delegate Pete. “Will the water be pumped into a municipal treatment plant and used by our Navajo communities?”

The Navajo Nation has storage rights in the Ridges Basin Dam, said John, and will exercise those rights to deliver the 4,680 acre-feet of water.

“The water behind the dam is the same water being delivered to Navajo chapters between Farmington to even some west of Shiprock,” said John.

John also explained that the second permit authorizing 2,600 acre-feet for the “Run of the River” project serves Navajo municipal and industrial water needs.

Delegate Pete stated that water management is his biggest concern when it comes to all water settlements, such as those involving the San Juan River, Little Colorado River, and Colorado River.

“I do support this project, but we need to make sure to take every drop of what is allocated to us,” said Delegate Pete. “I do not want municipalities banking our Navajo water.”

Delegate Smith requested that the RDC amend the legislation’s language by inserting ‘Area’ between ‘Shiprock’ and ‘Chapters’ in lines 19 and 23 to prevent any confusion about the usage of the water.

The amendment passed 3-0, and now reads ‘Shiprock Area Chapters’.

At the conclusion of the discussion, RDC members voted 3-0 to approve Legislation No. 0102-12.

The legislation will now move on to the Naabik’íyáti Committee, and then on to the Navajo Nation Council for final approval.

The Colorado Ute Settlement Act of 2000 approved the Animas-La Plata Project.

Upon passage of the settlement, the Navajo Nation received storage rights in the Ridges Basin Dam, located in Durango, Colorado, and the Navajo Nation Municipal Pipeline.

The Navajo Nation Municipal Pipeline is 26 miles long, and is expected to be completed by the end of this year.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
June 13, 2013

Council Delegate Edmund Yazzie praises community teamwork efforts in the construction of new playground in Thoreau

Photo: Council Delegate Edmund Yazzie (far left) speaks on the importance of teamwork during a dedication ceremony for a new community playground in Thoreau, N.M. on June 8.

THOREAU, N.M. – Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) praised Thoreau community members and volunteers for donating their time last Saturday to help build a new state-of-the-art playground for the local children at the local St. Bonaventure Indian Mission and School.

Approximately 100 people, donning blue work shirts, showed up on-site early that morning on June 8, equipped and ready for the challenge of building the grant-funded playground within eight hours.

“It is very encouraging to note how involved and devoted the community of Thoreau and the St. Bonaventure School has been in providing the youth here with a place where they can play and be active,” Delegate Yazzie said.
Delegate Yazzie, a continual advocator for collaborative and unifying teamwork efforts, said he was elated that with the addition of the new playground in the community, Thoreau children would have a positive reason to spend time outdoors playing and socializing.

“Kids need a safe place where they can laugh, play, and engage in fun physical activity,” said Delegate Yazzie, who added that such activity is valuable in the prevention of youth depression.

In March, the school was informed that they were the recipient of a grant to build a playground from KaBOOM, a national non-profit organization dedicated to creating play spaces for children.

The BlueCross BlueShield of New Mexico stepped up as the main sponsor of the playground building project, and transported about 80 volunteers to the new play site that morning to assist with construction.

“In Thoreau, there is not a whole lot for young people to do, and we wanted to help bring an opportunity and let the community know that we care about them,” said Chris Halter, executive director for the St. Bonaventure school, which applied for the grant two years ago.

Halter said they planned and collaborated with many of the local Navajo chapter communities surrounding Thoreau on the project.

Along with support from Delegate Yazzie, Halter credited the local chapters for their help in generating donations and volunteers to make the project a successful reality.

“I’m excited for the kids in Thoreau,” said Delegate Yazzie. “Their community rallied together in unity to give them a place where fond childhood memories will surely be created.”

###
Budget and Finance Committee meets with the three branch chiefs to discuss the Nation’s budget projections and shortfalls

WINDOW ROCK – Members of the Budget and Finance Committee met with Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood), Chief Justice Herb Yazzie, Chief of Staff for the Office of the President and Vice President Arbin Mitchell, and representatives from various departments on June 5 to discuss the Navajo Nation’s 2014 budget and the shortfall due to the federal sequestration.

BFC chair Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) called for the meeting to outline the Nation’s priorities and discuss concerns with the three branch chiefs.

“What are the priorities? Is it the elderly, is it education, or is it public safety?” asked Delegate Bates. “At the end of the day, the Nation is going to have to make some tough choices.”

Speaker Naize stated that the three branch chiefs had previously met three times this year, most recently on May 20, to discuss the budget issues and that the meeting with the BFC brings them a step closer to resolving the issues.

Delegate Bates warned of the lingering effects of the sequestration, and inquired as to whether the Nation should look into using funds from the Permanent Trust Fund, currently valued at over $1 billion.

“The sequester is not a one-time occurrence. It has started and it will continue,” cautioned Delegate Bates.

According to a report from Robert Willie, general accounting supervisor at the Office of the Controller, revenue for the Nation is projected to be approximately $171 million in FY 2014, $165 million in FY 2015, and $125 million in FY 2016.

Although revenue projections are expected to decrease in the next few years, Delegate Bates said other factors will impact the projections including the ongoing Navajo Generating Station lease negotiations, the BHP Navajo Mine purchase, and the Unreserved, Undesignated Fund Balance.

Approximately $14 million is estimated to be remaining in the UUFB account, according to Delegate Bates.
Controller Mark Grant and Dominic Beyal, executive director of the Office of Management and Budget, were also in attendance to provide updates and answer questions about the Nation’s finances.


Beyal explained that a second volume, which will focus only on external funds, may be necessary due to increased policies over the years regarding external funding.

Delegate Nez said the addition of a second volume would likely lead to increased confusion, especially among agencies and chapters, and reminded everyone that the original intent of the manual was to make it simple to navigate and comprehend its guidelines.

At the conclusion discussion, BFC chair Delegate Bates encouraged the three branch chiefs to continue meeting with the BFC throughout the budget process to address further questions or concerns.

“We will notify all parties of any changes that may further impact the budget and process, and we will continue to work through this together,” Delegate Bates said.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
IMMEDIATE RELEASE : June 11, 2013

(Nik Wallenda practicing his balance at Little Colorado River Navajo Tribal Park, May 2013. Photo by Geri Hongeva-Camarillo, Navajo Parks & Recreation)

“A Dream Come True”

CAMERON, ARIZONA – A prayer and a dream. That’s what builds a new path or will take you to new heights….literally. Case in point, Navajo Nation Park Manager Helen Webster and World Famous Tight Rope Legend Nik Wallenda each had a dream.

It was a dream they had envisioned for many years….they just didn’t know their dreams would connect them. Webster is a park manager for Little Colorado River Navajo Tribal Park, which oversees the Little Colorado River Gorge on the western outskirts of the Navajo reservation. Located just off the beaten path, it is a haven of solace that has been uniquely sculpted by the hands of Mother Nature. Wallenda on the other hand is a non-Navajo from Sarasota, Florida.

Webster began working for the Navajo Nation Parks and Recreation Department in February 2006. It was never part of her goal in life to work for the Navajo Nation, but she believes everything happens for a reason.

In the beginning, Webster said she had to start from scratch to get the park off the ground. Reflecting back, Webster said her first major project was to establish a fee booth, which she
accomplished in a record time of four months. Her vision then, which continues today, is to have state of the art infrastructure and facilities to create an accommodating atmosphere for visitors.

Webster said, “Despite all the challenges and obstacles, I really enjoy my job. My goal is to provide quality customer service – I want our visitors to enjoy their visit here at Little Colorado River Gorge.”

Over the years and one step at a time, Webster worked to help install an entrance fee station, improve fencing, install picnic tables, develop a hiking trail, install signage and waterless restrooms while never losing hope that one day she would see paved parking.

Then one day there was an element of surprise when Location Scout PJ Connolly introduced Webster and Wallenda. It seems the “King of High Wire” wanted to fulfill a life-long goal and walk across a towering canyon without a harness. As fate would have it, Wallenda marveled the towering canyon walls at Little Colorado River Gorge as the perfect location to honor his great grandfather Karl Wallenda who died after falling from a tight rope in Puerto Rico in 1978.

Wallenda was captivated by the rustic and mystic beauty of the Navajo Nation and viewed Little Colorado River Gorge as the ideal place to achieve his ambition. It would be the highest walk he would attempt in his life yet. Webster saw this as an opportunity of a lifetime.

Although there was concern about the limited infrastructure and how an event of this magnitude could even happen, the Navajo Nation Parks and Recreation Department rose to the occasion and agreed to work with Wallenda and make his dream come true.

Hence, many discussions and meetings have been held over the past several months to make this event become a reality. It is not an easy task, but the Navajo Nation Parks and Recreation Department is working diligently behind the scenes to produce a triumphant event for the world to see.

In fact, just the land clearances alone took more than 10 months to complete. Some of these requirements included consent from local land users, and a biological, environmental and archaeological survey.

Navajo Nation Parks and Recreation Department Manager Martin L. Begaye, said “We are very honored and pleased that Nik Wallenda has selected the Navajo Nation as a location to help him achieve his life-long goal. Hosting an event of this caliber requires a lot of pre-production planning and approval. As stewards of our land, we are working cooperatively with many different individuals and entities to ensure that we also preserve and protect our natural resources so that future generations will continue to enjoy our native homeland.”

Echoing Begaye’s comment, Geri Hongeva-Camarillo, media representative at Navajo Nation Parks and Recreation, said “We began video production in April to promote the majestic beauty of the
Navajo Nation. During the two-hour long broadcast from the Discovery Channel, spectators will see and learn about the Navajo Nation.”

The video will feature interviews with various Navajo leaders, distinguished Navajo people and it will showcase our tribal parks. Moreover, the Nik Wallenda Tight Rope Event is generating a lot of interest from worldwide media and the Navajo Nation is doing whatever it can do lay out the red carpet. There will be a fashionable ensemble of local Navajo entertainers who will perform at a nearby location for the first 600 people who are fortunate enough to watch the event on a jumbotron. Due to limited space, the public is encouraged to view the event on the Discovery Channel.

Considering the scope and distinction of this first-ever historic event, NBC and the Discovery Channel are collaborating to produce and air the June 23rd event live beginning at 6 p.m. It is estimated that more than one billion people from throughout the world and more than 100 countries will be able to see the live telecast.

As an act of goodwill and a spirit of camaraderie to the Navajo Nation, NBC hired a contractor to pave a road to the Nik Wallenda Tight Rope site and a parking lot specifically for the media. It was quite the challenge. What normally takes years or months took only a matter of days to lay a new foundation and pathway….It was like an overnight transformation.

Webster said, “I have been praying for improvements to Little Colorado River Navajo Tribal Park ever since I started. I had no idea NBC would be able to pay for a new road and parking lot for us. This is what you call a miracle.”

Begaye, added, “We have always wanted to make major improvements at Little Colorado River Navajo Tribal Park, but were unable to do so due to limited funding. We are very grateful to NBC for helping the Navajo Nation.”

Webster said after the event is over, she would like to see the new paved area as a new way to promote Little Colorado River Gorge, adding, “I want to thank my immediate staff, co-workers and other individuals who are assisting to make this event come to fruition. It is amazing to know just how many people from throughout the world will be able to catch a glimpse of our beautiful Navajo culture. After they see the video, I hope they will want to visit the Navajo Nation.”

And interestingly, it all started with a prayer and a dream from two individuals of two different worlds.

For more information about the event, please contact Navajo Nation Parks and Recreation at (928) 871-6647 or obtain information on their website at www.navajonationparks.org

###
FOR IMMEDIATE RELEASE
June 10, 2013

Churchrock Chapter celebrates Fourth annual Treaty Day Celebration

CHURCHROCK, N.M. – The 4th annual Churchrock Treaty Days commenced with a traditional Navajo morning blessing last Friday at the Churchrock chapter house to “recognize Navajo sovereignty from our treaty [Navajo Treaty of 1868],” said Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau).

Delegate Yazzie stated that he and the community collaborated with outside entities to strengthen community fellowship.

“We are creating a gathering place for our elders and encouraging youth participation in the events,” said Yazzie.

The event schedule included some of the following events: a song-and-dance social event, community fun runs, a revival, a fashion show and a veteran bike run.

Throughout the afternoon, visitors filled a walkway lined with food stands, jewelry vendors, and health education booths.

During the Commemoration Ceremony, Vice President Rex Lee Jim addressed a large audience to explain the significance of the treaty signing.

Titus Nez, planning committee president, explained that the chapter received growing support from the community.

“The Treaty Celebration has grown to be bigger and bigger every year,” said Delegate Yazzie. “We are already looking forward to next year’s festivities.”

The Office of the Speaker, Office of the President and Vice President, Navajo Engineering and Construction Authority, URI Inc. and Fire Rock Navajo Casino all participated as event sponsors.

The Churchrock Treaty Days originated from a community effort to commemorate the June 1, 1868, treaty signing with the United States, which ended the four-year incarceration of the Navajo People at Fort Sumner, allowing their return to their homelands.

Delegate Yazzie invites the public to attend Mariano Lake Treaty Day Celebration on June 14.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Tribal, state, federal officials break ground for N20 paving construction

GAP, ARIZ.-Humble gratitude was the emotional atmosphere and mindset, as the Navajo Division of Transportation, Arizona Department of Transportation, Bureau of Indian Affairs and Federal Highway Administration broke ground for the paving of a 27 mile dirt road located in rural northern Arizona.

After months of planning and negotiations between tribal, state and federal entities, the paving construction of Navajo Route 20 for use as an interim detour route for U.S. 89 is officially underway.

U.S. 89, a 1,252 mile highway stretching from Flagstaff to the Canadian border in Montana, was damaged on Feb. 20, 2013, after a dry landslide tore a segment of the road on the Navajo Nation, near Bitter Springs.

For the past three months, ADOT has been conducting geotechnical analysis to repair the roadway and diverted traffic for Page through U.S. 160 and State Route 98, an additional 115 miles of road to travel.

The groundbreaking ceremony at Tsinaabąąs Ha'bitiin Elementary School on Sunday was a major milestone for ADOT stakeholders. Upon completion, the tribal road will provide the most direct route to Page and beyond until repairs on U.S. 89 are made.

The new detour will be designated as U.S. 89T and shaves off half the distance and time to get to Page.

“I want to thank all of the people that were involved,” said Paulson Chaco, division director for NDOT.

Speaking in Navajo, Chaco said N20 would be paved, thanks to the tireless work of Navajo leaders, chapter officials and grazing officers.

“ADOT helped with this road for over three months, working with ADOT, Bureau of Indian Affairs and Federal Highway Administration,” Chaco said.

Navajo Nation President Ben Shelly said working together and partnership was the key to success.

“I want to thank everyone for working together these past couple of months to bring us to this day where we can begin construction on Navajo Route 20,” Shelly said.

Four days after the landslide, Shelly and staff met with community members in Bodaway-Gap to hear concerns from the affected communities. He signed an emergency declaration the same day and sent it to Arizona Governor Jan Brewer.

“I’m happy to report that the paving of N20 now stands at $35 million and will include fencing, culverts, turning lanes, and an appropriate speed limit for the safety of all.” Shelly said.

He added, “By working together, we have proven that we can complete major projects like this and improve the quality of life for our Navajo people and our Arizona and American citizens.”

The Bureau of Indian Affairs magnified the efforts from the affected Navajo communities.

“Based upon their willingness and ability to see the need for this particular road to
be built through their communities is what opened this door, is what made this come to realization,” said Sharon Pinto, regional director for BIA Navajo Region. 

Tsinaabąąs Ha’bitiin (Wagon Wheel) has a new meaning, she said.

Jennifer Toth, ADOT state engineer, said transportation is very personal to the community and those that use the roads.

“U.S. 89 is not just another state highway. It’s a critical route along which children are transported to and from schools. Commuters, hard-working people use it to commute to their jobs and goods and services are delivered,” Toth said.

She echoed the sentiments of partnership and cooperation.

Toth said, “Based on my experience, I can tell you that generally road construction projects typically do not materialize in a three month time period. And a project where you’re paving 27 miles of roadway can really take years to become a reality.”

The enormity of the project was not lost on the stakeholders involved: paving a 27 mile dirt road that has needed improvement for over 40 years in a three month timeframe is not for the weak-hearted.

Since 2004, ADOT and the Navajo Nation have maintained a formal partnership and follow a standardized method of collaboration on projects and incidents related on the state roads running through tribal lands.

“Without that direct collaboration between ADOT, tribal leaders, chapter presidents, and the Navajo Division of Transportation, we wouldn’t be here today in such a quick timeframe to celebrate returning mobility to the region,” Toth said.

The federal efforts underscored improving the quality of life for motorists.

FHWA division administrator Karla Petty said the importance and urgency of the recovery efforts of the U.S. 89 landslide is recognized at the highest level of the U.S. Department of Transportation and FHWA.

“Road closures such as U.S. 89 emphasize the importance of transportation in our daily lives,” Petty said.

She explained that funding from the FHWA Emergency Relieve program provided ADOT with $37 million for U.S. 89 recovery efforts. To address immediate responses for ADOT, $2 million in quick release funds was made available, followed by $35 million for the detour.

Petty said the FHWA will secure additional funding as ADOT work towards a permanent solution for U.S. 89.

“I have traveled N20 and I do appreciate the need for an improved roadway,” Petty said. “But we would not be here today without the cooperation and partnership with the Navajo Nation, the Navajo Division of Transportation, BIA, ADOT and you, the communities. “The spirit of teamwork is evident,” she added.

Floyd Stevens, president of Coppermine Chapter, was appreciative for the construction.

“This road has many problems. It’s dry, rough, sandy, washboard, muddy at times, and it tests the mettle of even some of the toughest drivers,” Stevens said.

Information: www.navajodot.org

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Navajo President Shelly Breaks Ground for Paving of Navajo Route 20

BODAWAY-GAP, Ariz. – Navajo Nation President Ben Shelly broke ground on a project that has kept local residents in waiting for about 40 years.

A groundbreaking ceremony took place this in morning for the paving of Navajo Route 20. The ceremony took place at Tsinaabaas Habitiin Elementary School.

Plans call for about 28 miles of N. 20 to be paved and when paving is completed, then the route will serve as an alternative route for U.S. Highway 89 travelers.

The paving project is projected to cost about $35 million and be ready for traffic by mid-August.

“Navajo Route 20 has been needing improvements for more than 40 years, and now we can begin a new chapter of travel not only for our local residents who will use
the road the most, but for our visitors who help sustain the tourism economy of Northern Arizona,“ President Shelly said.

U.S. Hwy. 89 was closed February 20 after a landslide caused the road to partially collapse about 25 miles south of Page. Since then travelers have been detoured to U.S. 160 and north on State Route 98 for access to and from Page. The detour is 115-miles long and adds 45 minutes of travel time.

For local residents in the Bodaway/Gap and Bitter Springs areas, the detour increased a 30-minute drive to an hour and a half for residents to travel to Page, which is the nearest city.

President Shelly said the detour causes stress for local communities because the increased distance in travel results in longer hours for school children and people commuting to work.

“I understood the hardships the closing of U.S. 89 created for our Navajo people. Not only were our children rerouted on longer bus routes and workers had to put in extra hours just to get to work, the local economy also too was affected by the road closure,” President Shelly said.

The groundbreaking was the continuation of months of planning, said Bureau of Indian Affairs Navajo Regional Director Sharon Pinto.

After the U.S. Highway Administration, Arizona Department of Transportation and the BIA worked together, “this project became a reality,” Pinto said during the ceremony.

Navajo Division of Transportation Director Paulson Chaco said N20 is expected to be completed in mid August with plans to make the pavement suitable for heavier traffic.

President Shelly added that provision for road paving will include fencing to protect travelers and livestock, turning lanes and culverts for drainage.

Council Delegate Duane Tsinigine, Division Administrator for the Federal Highway Administration Karla Petty, ADOT State Engineer Jennifer Toth and local leaders spoke during the ceremony.

“This new road is a blessing for the Navajo Nation and shows how partnerships with tribal, state, and federal agencies can positively improve the lives of Navajo people,” President Shelly said.

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Navajo President Shelly and Vice President Jim Meet with BSNF for Thoreau Rail Port

GALLUP, N.M. – Navajo Nation President Ben Shelly said the Navajo Nation is still on track to develop a 300-acre industrial park near Thoreau, which is scheduled for completion in 2014.

“We need to put the Navajo Nation in a direction of job creation and economic development,” President Shelly said during a Thursday morning meeting with Burlington Northern Santa Fe Railway Company.

The Thoreau industrial park would also serve as a railway port.

The meeting informed various stakeholders about BSNF’s plans for development in the McKinley and San Juan County regions.

Navajo Vice President Rex Lee Jim, New Mexico Indian Affairs Secretary Art Allison, N.M. State Representatives Sharon Clahchischilliage and Patricia Lundstrom and other community leaders attended the informal meeting. LaTonya Finch, regional manager of economic development for BSNF, led the meeting.

“We need more jobs, more wealth and we have an opportunity to do that right now,” Finch said during the hour-long meeting.
Finch added that BNSF has four areas in which their railway company plans to invest to match forecasted growth. The areas included Gallup, Belen, Las Cruces and Clovis. The Gallup area also includes the Thoreau industrial park. As many 22 different companies are awaiting expansion between Gallup and Thoreau, she added.

“We got tremendous opportunity here,” she said.

Vice President Jim said the rail port in Thoreau can bridge the principles of Navajo culture and economic development.

“I believe we can have economic development while maintaining the integrity of our culture,” Vice President Jim said.

Sec. Allison said that Gov. Susana Martinez supports the Thoreau industrial park and building a railroad from the Four Corners area to Thoreau.

Products like oil, gas, coal and produce from Navajo Agriculture Products Industries would have more access to an international market, Allison said.

“Navajo Coal would be sold on the international market,” Sec. Allison said.

President Shelly informed the attendees that the Navajo Nation is working to purchase Navajo Mine from BHP- Billiton this summer and would be interested in creating a larger market base to sell coal from Navajo Mine.

“We need to do this. Let’s work together and do this,” President Shelly said.

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FOR IMMEDIATE RELEASE
June 6, 2013

Health, Education, and Human Services Committee receives update on changes in delivery of social services to Leupp and Pinon communities

WINDOW ROCK – Responding to a May 23 written request issued by the Health, Education, and Human Services Committee, officials from the Navajo Nation Division of Social Services (DSS) appeared before the committee at a May 29 meeting to address concerns surrounding the delivery of services to the communities of Leupp and Pinon in the southwestern region of the Navajo Nation.

A report by DSS administrators was requested after concerned Leupp Chapter community members informed the committee on May 22 of news that DSS sub-offices in Leupp and Pinon were in the process of closing down, and that the Leupp sub-office would be relocated to Dilkon, Ariz.

“This is a serious concern and issue for all involved,” stated HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) to Navajo DSS division director Sharon Begay-McCabe in a May 23 letter.

Navajo DSS legislative analyst Thomas Cody confirmed that the Pinon sub-office for the Program for Self-Reliance had been closed – primarily due to concerns that the current office facility had long been unmaintained, was “falling apart,” and DSS administrators were concerned for staff safety.

Inconsistent caseload ratio, the cost-efficiency of service delivery, limited resources in the community for clients to gain work experience and training, and the relocation of the Arizona Department of Economic Security services from Pinon to Chinle, Ariz. also contributed to the decision to close the Pinon sub-office, Cody said.

However, the division is working with Pinon Chapter officials to move and set-up three modular units across from the chapter, with hopes that one unit will be made into a DSS office for all area programs.

Currently, the Program for Self-Reliance has established an itinerant site and conducts weekly visits in Pinon to meet the needs of clients there.

Budget cuts from Navajo Nation, state, and federal funding sources had forced the division to “streamline services without impacting the welfare of [Navajo] children and families,” Cody stated.

“As you are aware, the [Bureau of Indian Affairs] has administered a 5% cut and the Navajo Nation anticipates another 14%,” wrote DSS division director Sharon Begay-McCabe in a May 28 response letter addressed to Delegate Hale.

As for the Leupp DSS sub-office, Cody said only two of current four employees would be relocated to Dilkon to provide services on a regional basis for the specialized child care program and case management.
“We’re not closing the Leupp office. All we’re doing is we’re attempting to move out of the current big facility,” said Cody, which has repeated been broken into and vandalized. The move to a smaller building would also be a cost-effective measure.

“I’m from Leupp. I think you should know that I would not close an office when I know there are services that are there, and I would fight for those services,” added Cody, who is a former Leupp Chapter president.

The Leupp sub-office will continue to provide adult in-care home services and a variety of financial services which includes general assistance and funerary burial assistance.

The two staff positions that will remain in Leupp to provide community social services will be those of the victim advocate and the community involvement specialist.

Speaking on the importance of retaining a victim advocate within the community, Cody said, “This is the individual that works with the chapter, housing, and schools. They coordinate those prevention activities and services.”

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi Tó i) pointed out that there are a number of schools in the vicinity of Leupp.

“These [educational] institutions need that support. It’s critical that you maintain an office in the Leupp community. I’m happy to hear you will be retaining the victim advocate there, and that you’re taking that all into consideration,” Delegate Phelps said.

While he was sure DSS administrators were keenly aware of the situations in the two communities affected by sub-office changes, Delegate Phelps suggested to HEHSC members that perhaps they needed to consider having a reliable third-party conduct an assessment.

“What is the impact from an outside professional perspective...from the way that work was done before to the way that the current structure is set up and the way they are providing services now? Are the needs being met?” Delegate Phelps questioned.

Delegate Phelps likened the scenario to that of a health patient who is told by one physician that he needs heart surgery. People usually visit another practitioner for a second opinion, to see if surgery is indeed really necessary, Delegate Phelps said.

At the close of the discussion, HEHSC chair Delegate Hale requested for DSS to keep the committee abreast of their communications and other proceedings with the affected chapters as streamlining measures continue to unfold.

Both the HEHSC and DSS are currently waiting for written comments and recommendations to be finalized from a town hall meeting that was held in Leupp on May 8 to address the state of social services in the community.

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FOR IMMEDIATE RELEASE
June 6, 2013

Resources and Development Committee discusses land withdrawal to boost commercial and economic development in Shiprock

WINDOW ROCK – The Resources and Development Committee on Tuesday addressed five legislations. One particular legislation sparked considerable committee discussion as it could potentially boost commercial and economic development in Shiprock, NM.

Council Delegate Russell Begaye (Shiprock) presented Legislation No. 0143-13, a bill he sponsored which sought to relinquish 4.43 acres of Navajo Nation trust land for community development, and withdrawing the same acreage amount for commercial and economic development purposes.

The land is located west of U.S. Highway 491, approximately one-half mile south of the junction of U.S. Highway 491 and State Highway 64.

“We would like to take that one section, and use it for commercial development,” Delegate Begaye said.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) questioned the exhibits attached to the legislation.

“I’m looking for proposals... exactly how the land will be used,” said Delegate Tsosie. “Is Shiprock thinking of the idea of a township?”

“As long as we have this land withdrawn, we can be ready for proposals that come in,” responded Delegate Begaye. “We [Shiprock Chapter] are currently bouncing ideas around for a township.”

Sally Begay, senior economic development specialist for the Shiprock Regional Business Development Office Shiprock, told the committee that her office already has two interested developers, one of which is interested in building a mini-mall.

Council Delegate Leonard H. Pete (Chinle) expressed concern about the multitude of administrative regulations that hinder development.
In effort to streamline land withdrawals Delegate Pete said, “Right now, the RDC is working with land administration to get all withdrawn lands into one central area to improve the process.”

Delegate Begaye explained that he and the Shiprock Business Regulatory Office would work with potential developers to prevent them from becoming discouraged about their investment.

“We want to let businesses know this land is available. It has great potential for small businesses like restaurants, mini-malls and retail,” Delegate Begaye said.

The RDC, which serves as the final authority on the matter, voted to approve the legislation with a 3-0 vote.

As the next step, Delegate Begaye and the Shiprock Business Regulatory Office plan to review the two development proposals they have received.

In September 1993, the Resources Committee of the 17th Navajo Nation Council unanimously passed resolution RSC-212-93, withdrawing 36.674-acres of Navajo Trust Land in Shiprock for community development purposes.

It is of the original 36.674 acres, that 4.43 acres will now be withdrawn for economic development purposes.

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Navajo Route 4 road construction resumes in Pinon

A little over seven months ago, construction was halted on Navajo Route 4, southwest of the remote Arizona community of Pinon, after Navajo Division of Transportation workers encountered armed community members driving through the worksite.

Construction on N4 has resumed and NDOT crew members are back onsite, continuing work on the dirt road at the edge of town that sees much traffic on a daily basis, ranging from school buses, personally-owned vehicles, to commercial vehicles that use the road as a short cut to Hopi land.

“The safety of our staff was the greatest concern for our division,” said Paulson Chaco, director of NDOT. “We are back out on the roadway and construction will be completed this month.”

He said the N4 construction was only one of many projects under construction across the Navajo Nation this summer.

Chaco said, “N4 is one of several road projects that have been pending since 2005 that this administration is bringing to completion. NDOT continues to move forward improving the Navajo Nation’s transportation system.”

Cost for the Fuel Excise Tax road project is over $600,000. The cost includes over $400,000 in materials and $200,000 in equipment and manpower from NDOT.

The completion date for the road improvement project is June 30, 2013. The location of the project site is from the intersection of N4 and Navajo Route 8031, stretching west for three-miles.

Recently, geotech fabric was utilized to cover a section of N4 to protect an archaeological site that is located on the roadbed.

NDOT engineer-in-training Lyle Begay is leading the project.

“After this arch site is covered and protected, we will proceed with the tilling and compaction of the soil earth bed,” Begay said. “That is when the gravel and the stabilizing materials will be coming in.”

Hubert Dayzie from Recon Oil joined the NDOT crew to take soil samples within the project site.

The samples were taken to a geotechnical firm to perform soil testing and analysis to determine the best mixture for the Road Bond stabilizer.

Recon Oil is the contractor providing aggregate base material for the construction.

“For this N4 project, we are planning to gravel and stabilize three-miles of roadway,” Begay said.

Project manager Priscilla Lee said the N4 FET project was budgeted in FY 2005.

“We started in the fall of 2012 originally but we had to shut down for safety reasons. Now that we started up again, police are patrolling the area periodically,” Lee said.

She said the work crew was awaiting 600,000 gallons of water from the Navajo Nation Department of Water Resources.

NDOT purchased 6,442 tons of base-course for the
Navajo County matched $52,146 to purchase 1,399 tons of base-course for the project.

Base course is the sub-layer of the roadway placed on the top soil to provide a foundation for the road.

Lee listed two graders, three rollers, one scraper, one loader, three water trucks, and one dozer for the project, including 10 crewmembers.

Begay noted the logistics of getting materials, equipment and workforce in place is only a part of the overall process.

He said NDOT is out in the field setting the gears in motion for infrastructure projects across the Navajo Nation, although many communities are often impatient with the lengthy timeframe for construction to begin.

“Any project is going to take some time,” Begay said. “It requires compliance from several different fields of work that deal with the land.

“One of the major ones that we’re mitigating today is archaeology,” he said.

Other compliance factors he cited were environmental and water, which requires documentation and regulation of soils and materials falling into America’s waterways, or encumbering on biologically-sensitive areas.

Using those two fields of work as an example, preconstruction can take up to a year before compliance is made and we can go out and actually mobilize equipment and labor, he said.

“We are out here. If not out here on the road, we’re behind the scenes trying to get the roads improved,” Begay said.

Information: www.navajodot.org

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FOR IMMEDIATE RELEASE
June 5, 2013

Delegates advocate for development of a Congressional bill to benefit the Eastern Agency to three New Mexico Congressmen

WASHINGTON, D.C. – Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) and Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) met with New Mexico Congressman Ben Lujan (District-3) and Senators Martin Heinrich (D-NM), and Tom Udall (D-NM) on May 29 to advocate for the development of a congressional bill that would enact the Navajo Indian Irrigation Project (NIIP) and Navajo Exchange Legislative Initiative (NELI).

The 22nd Navajo Nation Council passed resolution CO-47-12 last October requesting for Congress to resolve the federal government’s obligations to the NIIP by giving its sole authority to the Navajo Nation and to take into trust Navajo lands in the Eastern Agency.

“At this rate it will take 150 years to complete,” said Simpson

One portion of the bill aims to pass sole authority of NIIP from the United States to the Navajo Nation and includes necessary funds for its future construction, maintenance and rehabilitation.

The bill will also consolidate most of the Bureau of Land Management lands in the Eastern Agency of the Navajo Nation and place them into trust.
“These lands have always belonged to the Navajo people. We are working to move them into trust,” Delegate Yazzie said. “BLM is supportive and wants to give back the acreage of land.”

The Eastern Navajo Land Commission (ENLC) – which consists of Council Delegates Charles Damon II (Bááhááli, Chichiltah, Manuelito, Tsé Lichií’, Rock Springs, Tsayatoh), George Apachito (Alamo, Ramah, Tohajiilee), Delegate Simpson, and Delegate Yazzie – worked to develop legislation that combines NELI and NIIP.

“NIIP is similar to the NELI project, instead of two separate bills, Eastern Navajo Land Commission and the congressional leaders suggest one comprehensive bill,” Delegate Yazzie said.

“I feel good about it being passed because Udall is a ranking member in D.C.,” Delegate Yazzie said, adding that the rights of Navajo People in the Eastern Agency are undeniable and by fixing the current situation, it will encourage development.

“This problem started back in 1907, and we as Navajo Leaders are working to resolve it with the help of the three New Mexico Congressmen,” said Delegate Simpson. “We are carrying through with an initiative supported by thirty-one Eastern Agency Chapters, the Eastern Navajo Land Commission, and the 22nd Navajo Nation Council.”

Delegate Yazzie remains optimistic about the meeting, and believes if all parties work together, the legislation can be passed within one year.

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FOR IMMEDIATE RELEASE
June 5, 2013

Law and Order Committee receives update regarding 911 service initiatives

WINDOW ROCK – On Monday, Law and Order Committee members received a report in which Navajo Nation Telecommunications Regulatory Commission acting director Brian Tagaban presented a proposed plan to implement a 911 emergency system for the Navajo Nation.

Established under the Navajo Nation Office of the President and Vice President pursuant to 2 N.N.C. § 3451, the NNTRC is an independent commission authorized by the Navajo Nation Council to establish and enforce rules, regulations, policies, for the health and safety of the general public in regard to telecommunications matters.

LOC chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) requested an update from the commission after members of the LOC and the Health, Education, and Human Services Committee convened on Mar. 14 in the community of Black Falls, Ariz. to hear firsthand accounts from residents on delayed emergency response times due to a lack of communication infrastructure and rural landscapes.

Black Falls, located approximately 27 miles northwest of the community of Leupp, is a remote area in which most residents lack basic utility services such as electricity and running water.

According to the proposed organizational structure for the Navajo 911 program, three necessary components will need to be developed to stabilize the program: public safety answering point, location information system, and rural addressing.

LOC member Council Delegate Russell Begaye (Shiprock) reminded his colleagues that jurisdictional boundaries are also a necessary component that needs to be addressed.

“Based on the testimony we heard from residents of Black Falls, it’s clear that jurisdictional issues need to be ironed out so that emergency services are not delayed, jeopardizing the lives of our people,” Delegate Begaye said.

The proposed 911 program drew support from LOC vice chair Council Delegate Alton Joe Shepherd (Jeddo, Cornfields, Ganado, Kin Dah Lichií, Steamboat) who urged NNTRC and fellow colleagues to expedite the process that began years ago.

“My chapters are telling me they’ve done a lot of work on their part to begin this process, and it doesn’t seem to be moving forward fast enough,” Delegate Shepherd said.
Tagaban told LOC members the proposed plan was developed after months of consultation and feedback from various entities, including various wireless communications organizations, Frontier Communications Corporation, Navajo Tribal Utility Authority, Navajo Nation Department of Public Safety, and individuals who experienced delayed emergency response times.

To fund the 911 program, Tagaban explained that perhaps a tax and/or a surcharge will be necessary to ensure continued funding, especially in times of budget shortfalls.

LOC member Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’Bi’To, LeChee, Tonalea/Red Lake) reminded those in attendance that construction of Navajo Route 20 will begin this month.

Cell phone reception, Delegate Tsinigine said, is not available along most or all of the 28-mile stretch of road from Bodaway/Gap to Coppermine.

“As more and more traffic passes through this road, there is an increased need for phone and emergency services,” said Delegate Tsinigine. “It is a public safety concern for people in my area.”

Tagaban told LOC members that the plan is an overview and does not include many details that still need to be worked out between various entities and members of Council.

At the conclusion of the discussion, LOC members voiced continued support for the 911 program and agreed to continue working with all sides to make the program a reality.

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FOR IMMEDIATE RELEASE
June 3, 2013

Naabik’íyátí Committee approves IGA between the Navajo Nation and the State of Arizona for U.S. Highway 89 maintenance

STANDING ROCK, N.M. – Last Thursday, Naabik’íyátí Committee members convened at the Standing Rock Chapter House, located approximately 12 miles west of Crownpoint, NM, as part of committee’s initiative to “take the government out to the people,” said Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood).

“We are happy to have you all with us today, and we are even more happy to see so many of you take part in your government,” said Speaker Naize to the audience of approximately 50 people who attended the first in a series of Naabik’íyátí Committee meetings that will be held in chapter houses across the Navajo Nation.

Prior to the start of the meeting, committee members spent over an hour listening to concerns and suggestions from community members.

During the course of the meeting, Naabik’íyátí Committee members approved Legislation No. 0132-13, an intergovernmental agreement between the Navajo Nation and the State of Arizona which establishes the maintenance responsibilities of the Navajo Nation for several construction projects on U.S. Highway 89 in Cameron, Ariz.

The Arizona Department of Transportation will design and construct a four-lane urban section on U.S. 89 through Cameron from SR 64 to Little Colorado River that includes a new roundabout, new northbound roadway, 16 foot-wide raised median, 8 foot-wide sidewalks, four pedestrian underpasses, and two bridges over the LCR.

Upon completion of the $35 million two-phased project, legislation sponsor Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii), explained that the Navajo Division of Transportation will be responsible for sweeping and cleaning sidewalks and underpasses, minor sidewalk repairs, removal of weeds and snow, and the maintenance and repair of lighting fixtures.

Delegate Phelps added that the Cameron Chapter, the District III Council of the Western Navajo Agency, the Western Navajo Agency Council, and the Western Navajo Agency Roads Committee have passed resolutions in support of the projects and maintenance responsibilities.

NDOT principal civil engineer Darryl Bradley said the Naabik’íyátí Committee’s approval would be the last step necessary before ADOT can advertise the projects and begin construction.
Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) expressed concern over language in the agreement stating that, “any claim or dispute arising hereunder submitted to binding arbitration shall be governed by the laws of the State of Arizona.”

“If there’s any litigation, we’re agreeing to throw out Navajo Nation laws,” said Delegate Tsosie. “Subjecting ourselves to Arizona laws is an item of concern.”

Delegate Tsosie, a member of the Resources and Development Committee, said the RDC tabled the legislation due to this concern, prior to RDC’s approval on May 22. However, he also stated that he understands that the projects also promote economic development for the community of Cameron.

Responding to a concern by Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) regarding the question of who would fund the maintenance, Bradley stated that in the past, the Cameron Chapter had agreed to fund the maintenance.

However, chapters are unable to enter into an IGA with the state, Bradley said.

Bradley added that NDOT is receiving more requests for similar projects for communities throughout the Nation, and many have expressed consent to fund the maintenance and upkeep.

At the conclusion of the one-hour discussion, Naabik’íyátí Committee members voted 10-0 to approve Legislation No. 0132-13.

Upcoming Naabik’íyátí Committee meetings are tentatively scheduled to take place in Dilkon, Tuba City, and Shiprock.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
Navajo President Shelly Ensures a Healthy Work Environment for DODE

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly said appropriate measures are being taken to ensure that conditions Department of Diné Education offices are cleaner for DODE employees. The offices are in the Education Center.

“We are going to make sure that we clean the offices to reduce mold spores and want to ensure that our workers have a safe and healthy work place. The Department of Diné Education has many projects they are working on to better the educational future of our children and our workers need healthy conditions in their work space,” President Shelly said.

The DODE offices were closed Monday due to cleaning after tests confirmed a higher than average mold spore count was found after air and on surfaces testing for mold in the DODE offices. Navajo Nation Facilities Maintenance department were slated to clean the offices to reduce mold spores in the offices.

Navajo Nation Occupational Safety and Health Administration initially confirmed higher than average mold spores was present in the DODE offices on Wednesday afternoon, which prompted a closure of the DODE offices.

Mold is commonly found in air we breathe, but elevated levels can be a health risk, Navajo health officials said in a meeting last week.

Since then, EnviroScience further tested for mold and is expected to deliver a full report regarding their findings early this week, including findings from a HVAC system inspection. However, preliminary reports that mold spore counts are not nearly as high as those that prompted the mold remediation of Administration Complexes 1 and 2.

“We know our employees are concerned about the mold in DODE. But we need to keep in mind that the mold infestation in Administration Buildings 1 and 2 were
much higher. A thorough cleaning of the offices and ducts will help reduce the mold count,” President Shelly said.

Facility maintenance personnel added that ducts in the offices were also covered limiting the amount of air circulation in the building, which reduces airflow and allows for dust and mold build up.

After the cleaning, the offices are expected to be tested for mold again. In addition, the full report from EnviroScience will provide officials more information about other steps that may need to be taken to further eradicate the mold in the DODE offices.

“We want to see the report from EnviroScience so we have a better understanding of what needs to be done to ensure a healthy environment for our employees,” President Shelly said.

The Office of the Controller, which occupies the auditorium of the Education Center, is expected to remain open after testing showed average mold counts. About 90 employees at DODE were affected by Monday’s office closure.

###
Aafter months of planning and negotiations, the Navajo Division of Transportation and Arizona Department of Transportation are ready to break ground on Navajo Route 20.

The groundbreaking ceremony for the paving construction of N20 will take place at 11 a.m. (DST) on June 9 at Tsinaabas Habitiin Elementary School in Bodaway-Gap.

On May 28, ADOT officially began construction activities on N20.

The $35 million project will pave a 28-mile portion of dirt road, which travels from Bodaway-Gap north through Coppermine and ending in LeChee.

N20 stretches a total length of 44-miles and has connected all three Navajo communities for over 40 years. Navajo community members are excited about the road construction after decades of traveling rough road conditions.

The construction project is eligible for reimbursement through the Federal Highway Administration’s emergency relief program, which funds the repairs of roadways damaged by natural disasters.

Upon completion of paving, N20 will be designated as U.S. 89T and will serve as a temporary detour route for traffic from U.S. 89. After the reconstruction of U.S. 89 is complete, the newly-paved U.S. 89T will be returned to the Bureau of Indian Affairs.

ADOT closed U.S. 89 on Feb. 20, after a dry slide occurred and damaged the roadway near Bitter Springs.

ADOT expects construction to be completed in mid-August to receive traffic. NDOT, ADOT, FHWA and Bureau of Indian Affairs have been working together since the closure of U.S. 89 to utilize N20 as a detour route.

“The paving of 28-miles of dirt road for use as an emergency detour route is unprecedented for Indian Country,” said Paulson Chaco, director of NDOT. “We have worked closely with ADOT and our other partners to realize this project.”

Immediately after the road closure, Navajo Nation President Ben Shelly directed NDOT to work with ADOT on the possibility of paving N20 as an alternative detour route.

On Feb. 24, Shelly and Navajo Nation Executive Branch leadership organized a meeting at Bodaway-Gap Chapter and met with residents affected by the road closure.

“We have followed President Shelly’s directive and here we are three-months later, with a groundbreaking ceremony scheduled and construction underway,” Chaco said.

NDOT assisted ADOT with the expedient processing of a temporary construction easement for construction. The lengthy tribal process typically takes months and even years to complete.

ADOT's easement was processed within weeks through assistance from tribal departments and the BIA.

Chaco said the cooperation between NDOT and ADOT has been a great working relationship and he is optimistic the collaboration will lead to other opportunities to improve the transportation system on the Navajo Nation.

Currently, motorists are traveling a 115-mile detour, driving east on U.S. 160 to State Route 98 north for access to and from Page. The U.S. 89T detour route will reduce travel time and mileage to Page by half.

Festivities for the groundbreaking ceremony are scheduled to begin at 11 a.m. with chapter officials from Bodaway-Gap, Coppermine and LeChee.

President Shelly will provide the opening statement. Arizona State Representative Jamescita Peshlakai (D-Dist. 7) will also be in attendance.

An overview of the project will be provided by Paulson Chaco of NDOT, Sharon Pinto from the BIA Navajo Region, Jennifer Toth of ADOT, and Karla Petty from the FHWA.

Additional speakers include Navajo Nation Council delegate Duane Tsiniqine (Bodaway-Gap, Coppermine, Kaibeto, LeChee, Red Lake-Tonalea) and members of the Resources and Development Committee. Coconino County Supervisor Lena Fowler is also scheduled to attend.

Information:
www.navajodot.org or www.azdot.gov/us89
The Budget and Finance Committee approves amending the Navajo Nation Veterans Trust Fund to provide homes for Navajo Veterans

Legislation moves on to Law and Order Committee for consideration

LEUPP, Ariz. – During a special meeting on Tuesday, the Budget and Finance Committee approved Legislation No. 0193-13, which seeks to amend the Navajo Nation Veterans Trust Fund to divert two-percent of its set-aside to the Department of Navajo Veterans Affairs to construct homes for Navajo Veterans.

The set aside derives from the Navajo Nation General Fund that is generated from all revenues on the reservation and is diverted to the Navajo Nation Veterans Fund yearly in the amount of four-percent.

According to legislation sponsor Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat), by diverting two-percent of the set aside from the Veterans fund to DNVA, it would allow the construction of 15 new homes and minor repairs/renovations for Navajo Veterans in each of the five agencies on the Navajo Nation, through FY2017.

“Once this amendment to the [Veterans] fund is approved, it would be equally distributed between the five Navajo agencies,” said Delegate Shepherd. “We have calculated that in the next four years, we can build about 300 homes for Navajo Veterans.”

Delegate Shepherd also stated that local Veterans would be hired to build the homes, adding that Home Depot has a program called U.S. Communities, which allows an additional 10-20 percent discount on building supplies to construct the homes.

“Home Depot has been working with DNVA with construction costs and the amount it is going to take to build the homes,” said Delegate Shepherd.

Although BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tse Chi’zhi) praised the efforts of the legislation, he also voiced concern over the purchase of building materials for all the housing projects.

“We should gear our business to local entrepreneurs for building supplies and labor, so the money stays within the Navajo Nation,” said Delegate BeGaye.
In regards to Veteran priority, BFC member and Army Veteran Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) advised that low-income Veterans be made priority.

“We have to concentrate on the less fortunate Veterans and they need to be a priority when selecting who will receive these homes. At times, they are usually overlooked,” stressed Delegate Simpson. “The more educated and [financially] stable Veterans need to extend a helping hand to the less fortunate ones.”

In response to the concerns posed by BFC members, Delegate Shepherd said that DNVA will look into local businesses for building materials and labor, and that DNVA has already drafted eligibility guidelines for Veterans to apply for the new houses.

BFC chair LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) recommended seeking legal advice in regard to the funding.

“This legislation might require a fund management plan, but I recommend that you confirm this with either the Department of Justice or Legislative Counsel, in terms of the use of the money to build the homes,” said Delegate Bates.

Delegate Shepherd agreed and said that he and DNVA will seek assistance for the fund management plan, if it is required.

“The two-percent set aside is one way we are trying to address the needs of our Navajo Veterans and I am happy to say, we have full support from all five agencies,” said Delegate Shepherd.

At the conclusion of the discussion, Legislation No. 0193-13 passed with a vote of 3-0.

The legislation will now go to the Law and Order Committee for consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 31, 2013

Resources and Development Committee discusses leasing data and revenues report from Navajo Land Department

WINDOW ROCK – The Resources and Development Committee discussed a report from the Navajo Land Department on Tuesday, concerning the department’s revenues from leasing services and filing fees.

The RDC requested for the Navajo Land Department to provide insight about its leasing procedures and processes which would assist the RDC in amending grazing policies.

“The homesite leasing process is tied to grazing issues, we want information about how many leases there are,” said RDC Chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta). “The RDC wants to make sure the Nation is getting its fair share of leasing revenue.”

Currently, the Navajo Land Department receives revenue from: homesite annual and filing fees, surveys, lease payments, right-of-ways services, project reviews, surface damages, and various permits.

Navajo Land Department manager Mike Halona, informed the RDC that the department does not collect revenue from NTUA because they receive a waiver for right-of-way fees and that the Land Department is working to create a system that lists all approved leases on the Navajo Nation.

RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said he would like for the Land Department to provide a listing of entities ‘due and owing’ in order to increase revenues.

Delegate Benally and Delegate Tsosie raised concerns about NTUA right-of-way charges incurred by Navajo chapters during electric power line projects, as chapters have been charged up to $15,000 per mile, said Delegate Benally.

“If NTUA is charging a right-of-way fee then those fees should be listed as Land Department revenue,” said Delegate Tsosie. “If there is an NTUA waiver for right-of-ways, then they shouldn’t be collecting fees.”

Delegate Benally questioned what a right-of-way fee consisted of and how the NTUA fee compared with the Land Department right-of-way fee.
“A right-of-way fee includes a cultural resources inventory, legal description, archeological survey and labor fees,” said Halona.

Halona also added that NTUA was originally given a right-of-way waiver due to the high demand for infrastructure across the nation, which has led to a rise in right-of-way costs by contracted entities.

“With a right-of-way waiver, the right-of-way costs should have gone down,” said Delegate Tsosie. “These costs are making it more difficult for young Navajo families to return and build a home on the Nation.”

Delegate Benally recommended that all entities involved in the right-of-way leasing process should meet to discuss streamlining the process and to inform others of the financial and technical challenges they each face.

The RDC will vote whether or not to accept the report at the next scheduled meeting.

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For Immediate Release
July 30, 2013

President Shelly Signs NGS Lease Extension Legislation

WINDOW ROCK, Ariz.—Navajo Nation President Ben Shelly signed a 25-year lease extension worth more than $1 billion in revenue during a signing ceremony Tuesday afternoon. The lease extension is for Navajo Generating Station.

The lease extension brings the Navajo Nation about $1.3 billion in revenues from Navajo Generation Station through 2044.
“I know for nearly 3 years, we negotiated our way to what is before us today. Countless hours have been devoted to ensuring that Navajo jobs are maintained for an extra 25 years,” said President Shelly before the signing ceremony.

The lease states the Navajo Nation would receive approximately $42 million a year in lease payments beginning 2019 through 2044. That annual payment is substantially larger than $608,400 outlined in the original lease approved in 1969.

Another important aspect of the lease extension is jobs, President Shelly said before the signing ceremony.

“We are protecting existing jobs on the Navajo Nation,” said President Shelly. “We are building a job base well into the future. This is part of our drive for economic self-sufficiency.”

Between NGS and Kayenta Mine, the sole coal supplier for NGS, more than 900 people are employed and more than 85 percent are Native American, but most are Navajo.

President Shelly appointed a lease negotiating team shortly after he took office. The eight person negotiating team, led by Navajo Nation Attorney General Harrison Tsosie, finalized terms of the lease before Navajo Council made other amendments.

“We are thankful that the owners are committed for at least 25 years,” Tsosie said.

SRP Vice President John Hoopes said the lease negotiations provided SRP a chance to learn about Navajo people and their values.

“One of the most significant benefits of the negotiations we learned much more about you, your priorities about your culture about the things that you value I hope that will aid our relationship going forward,” Hoopes said during the signing morning.

Navajo Council Speaker Johnny Naize said he was thankful for SRP’s patience as the Council came to agreement regarding the lease extension.

“They stuck with us throughout the time, we continually, things will come out properly as it should be at the end, which it did,” Speaker Naize said.

President Shelly said, “now it’s legal” after signing the lease and legislation.

The lease extension now goes to the other NGS owners for signatures and then to the Department of Interior for final approval. The original lease is scheduled to expire in 2019.

###
Law and Order Committee approves the FY 2013-14 Judicial/Public Safety Facilities Construction Priority Listing

WINDOW ROCK – On Monday, the Law and Order Committee approved Legislation No. 0187-13, the final Judicial/Public Safety Construction Priority listing for fiscal years 2013 and 2014.

Throughout the discussion, LOC members made it clear that sites that are ready to begin construction should be made a priority, including legislation sponsor and LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat).

“The final priority listing will be up to the committee, but we recommend that it is structured to reflect construction-ready areas at the top of the list,” said Delegate Shepherd.

Currently, Tuba City and Crownpoint have each constructed a judicial/public safety complex under the Judicial/Public Safety Facilities Fund Management Plan which requires the priority listing to be updated every two years.

Construction is funded through a 1 percent sales tax established in 2007, specifically intended to generate funds for the construction of judicial/public safety facilities on the Navajo Nation.

“Areas that are construction-ready should be funded quickly, such as Chinle, who has completed 100 percent of their assessments, clearances, schematics, and planning design. Right now they are only waiting for funding to begin construction,” said Navajo Nation Judicial Administration director Edward Martin.

Martin also noted that Kayenta is the only site that has begun construction on its corrections and law enforcement buildings, and is seeking funding to begin construction of a new court building.

Speaking in support of the legislation, LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) said, “Dilkon began as a police substation, but it is now growing into a full-fledged judicial/public safety entity. I am very pleased with that, and it will be the same for other areas on the Navajo Nation.”

In a previous report given to the LOC by Navajo Nation Department of Corrections director Delores Greeyes, she stated that Chinle, Pinon, Dilkon, Kayenta, and Shiprock are construction-ready areas and suggested they be at the top of the priority listing.
Delegate Shepherd also reminded his LOC colleagues that they have the authority to amend the priority listing as they see fit and motioned to amend the priority listing to reflect the suggestions made by Greyeyes.

LOC members voted 3-0 in support of the amended list which consists of Chinle, Dilkon, Pinon, Kayenta, Shiprock, Fort Defiance, Ramah, Aneth, Alamo, and Pueblo Pintado.

Also in attendance was Council Delegate Jonathan Hale (Oak Springs, St. Michaels), who commended LOC members for their efforts to establish more judicial/public safety complexes.

“We are a growing nation of over 300,000 people and we need to get these facilities built as soon as possible to avoid the overflow in our corrections, jail, and court systems,” said Delegate Hale.

At the conclusion of the discussion, LOC members voted 3-0 to approve Legislation No. 0187-13.

The Law and Order Committee serves as the final authority for the legislation.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 30, 2013

Speaker Naize responds to President Shelly’s veto of Title II amendments

WINDOW ROCK – On Monday, the Navajo Nation Office of the President and Vice President issued a press release addressing President Ben Shelly’s veto of resolution CJY 28-13, approved by the Navajo Nation Council during the summer session.

Legislation No. 0381-12, sponsored by Council Delegate Jonathan Hale (Oak Springs, St. Michaels) sought to strikeout language at 2 N.N.C. §183, which currently restricts stipend payments for work sessions, workshops, and training and business meetings with Navajo or non-Navajo entities.

“The changes to Title II are directed at increasing Council attendance at work session meetings and does not increase Council stipends, as indicated by President Shelly’s comments,” said Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood).

In a memo addressed to Speaker Naize dated July 29, President Shelly states that the legislation “will provide a salary raise for the council delegates.”

“For delegates to receive a salary raise it would not only require an increase to the legislative budget, but also two-thirds approval of all Navajo Nation Chapters as mandated in Title II of the Navajo Nation Code — that is not what this legislation does,” Speaker Naize said.

Speaker Naize further explained that the proposed change is in response to increased requests for a reduced Council to attend numerous meetings, which often makes it difficult for delegates to prioritize their schedules.

“Departments and programs compete for time to conduct work sessions with delegates that often last beyond an eight-hour work day, resulting in certain issues receiving inadequate attention,” stated Speaker Naize. “This legislation provides an incentive to attend meetings with programs to address issues that directly impact Diné people, but does not increase salary for delegates.”

Speaker Naize also addressed statements from President Shelly in which he says that a “pay increase” for delegates cannot be justified in a time when all the Nation’s programs are anticipating budget cuts.

“I remain mindful of ongoing budget cutbacks due to the federal sequester. However, I assure everyone that if this legislation were implemented, it would not increase or affect the legislative budget, nor that of any other program or department within the Navajo Nation,” added Speaker Naize.

The Council can override President Shelly’s veto with two-thirds of Council’s approval.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Says be Prepared for Severe Weather

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly said people throughout the Navajo Nation need to be prepared to unexpected weather during the monsoon season.

“We have to be prepared for all weather that may come our way. This is the year we usually experience rains. But since we’ve been in a drought, the ground is harder making it less likely to soak up any water. That creates the opportunities for flash flooding. Though we are thankful for all the rain we receive, we must respect the power of water,” President Shelly said.

During this past weekend, the Department of Emergency coordinated efforts to respond to nearly a dozen areas of flooding in different parts of the Navajo Nation.

“Chapters are being asked to assist families. We ask that citizens to be aware of their weather and surroundings. Please be cautious of standing water that may look like it’s not deep; utility crews may not have been able to get to energized power lines that are fallen,” President Shelly said.

Navajo DEM Director Rose Whitehair said that chapters need to be involved in responding to weather emergencies.

“It is extremely critical that chapters list their emergency call and cell phone numbers posted on their closed doors for weekend emergencies. Tribal citizens, Department of Public Safety and CHR’s were desperately trying to contact chapter officials to set up shelters this past weekend but were not able to, due to the fact that no one could be found,” Whitehair said.

“We need to work together. We work for the people of the Navajo Nation and we have to be accountable and responsive in times of need,” President Shelly said.

Here is a list of tips to help preparedness for severe weather:
• Be alert to weather conditions. Stay tuned to your local radio station for weather information.
• During high winds stay away from windows. Take shelter in a solid structure.
• Communities need to identify shelters during high winds and harsh weather for residents of the area.
• If there is flooding in your community, stay out of the area. Do not cross flooded roads, arroyos or bridges. Watch your children and make sure they do not play in standing water or flowing flood waters. Small and large debris is carried by flowing flood waters. Flood waters are contaminated.
• Navajo Tribal Utility Authority cautions against spectators at repair operations due to safety concerns for the public.
• Report all weather damages to the chapter administration first. They will contact the Emergency Operations Center for follow-up, if needed.

###
Navajo President Shelly Vetoes Bill to Increase Council Stipends

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly vetoed a bill on Monday that would have increased the amount of stipends Navajo Council Delegates receive for attending meetings.

Legislation CJY-28-13 would have amended Title 2 by removing language that defined the type of meetings that Council Delegates could receive stipends for. Essentially, the bill would have allowed stipends for all attended meetings except orientation meetings.

“I have to express my disappointment in the passage of this Legislation,” President Shelly wrote in a memorandum to Navajo Council Speaker Johnny Naize, adding that programs throughout the Navajo Nation government are facing budget cuts as high as 25 percent.

“Additionally, the FY 2014 Indirect Cost (IDC) will decrease $10 million that will result in employee layoffs. However, working through the budget process we are trying to find ways to alleviate as many lay offs as possible,” President Shelly wrote.

The legislation was passed during the Navajo Council’s summer session with a unanimous vote, 18 – 0.

“I have confidence the Council will recognize the merit of this Veto and understand the counsel my office and oversight committees have advised the programs they obligated to ‘do more with less,’” President Shelly concluded.

The Navajo Council can override President Shelly’s veto with a two-thirds majority vote.

###
FOR IMMEDIATE RELEASE
July 26, 2013

Naabik’iyáti’ Committee approves $150,000 to fund the demolition of the former Tuba City District Court building

WINDOW ROCK – On Thursday, the Naabik’iyáti’ Committee voted in support of Legislation No. 0144-13, approving approximately $150,000 in supplemental funding from the Undesignated, Unreserved Fund Balance to demolish the former Tuba City District Court building.

On Jan. 17, Navajo Nation Office of Environmental Health/Code Enforcement director Herman Shorty, issued an official ‘Order of Permanent Closure’ for the former Tuba City District Court building, citing health and safety concerns.

“The [building] inspector confirmed there is a presence of mold, the building foundation is unstable, and the roof is badly dilapidated,” said Delegate Begaye. “If we attempt to repair or replace this building, it would cost millions of dollars.”

Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’bii’to, LeChee, Tonalea/Red Lake) questioned whether funding is available through alternative sources.

“Would you be able to use your internal budget to do the demolition if the Naabik’iyáti’ Committee did not approve this?” asked Delegate Tsinigine.

“There is another potential source of funds for the demolition, but we are requesting your support to approve funds from the UUFB, which would free up some of our resources to address other judicial facility needs throughout the Navajo Nation,” said the director of the Navajo Nation Judicial Administration Edward Martin, in response to the question posed by Delegate Tsinigine.

Several delegates voiced opposition to suggestions that the building be renovated and used by other Navajo Nation departments.

“The Budget and Finance Committee did not approve this legislation with a vote of 0-3, because we believe this building can be repaired and provide much needed office space for other Navajo Nation programs,” stressed Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tse Si’ani, Wide Ruins).

Delegate Begaye informed his colleagues that Shorty provided an official evaluation of the building and the findings of a report carried out by a certified building inspector.

“The building is considered officially deteriorated and is beyond any type of feasible repair,” stated Delegate Begaye.
After considering several options and reviewing reports provided by the presenters, Naabik’iyáti’ Committee members voted 7-3 in support of Legislation No. 0144-13.

The legislation now moves on to the Navajo Nation Council for final consideration.

# # #

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FOR IMMEDIATE RELEASE
July 26, 2013

Health, Education, and Human Services Committee votes to rename the Office of Youth Development to ‘Diné Y.O.U.T.H.’

WINDOW ROCK – The Health, Education, and Human Services Committee met on Wednesday, to discuss Legislation No. 0199-13, which amends the plan of operation for the Office of Youth Development, housed under the Department of Diné Education.

Legislation sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezí, Nahodishgishí, Tse’ii’ahi, Whiterock) stated that the bill’s primary intent is to rename the Office of Youth Development to ‘Diné Y.O.U.T.H.’ to move the program in a new direction.

Diné Y.O.U.T.H. advocates for the development of a resilient and healthy generation of youth by providing the following programs: youth career incentives, recreation, youth counseling, high school preparatory and enrichment, and the Boys & Girls Club of Diné Nation.

The program’s acting department manager, Virginia Nelson said the amendments would assist the program in serving Navajo youth up to the age of twenty-four and allow the Boys & Girls Club of Diné Nation to become a sub-affiliate.

Speaking in favor of the bill, Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) said he believes in the youth on the Navajo Nation, and acknowledged the need for consistent leadership within the program.

“I’m concerned about the program’s budget, it is very much reduced and the kids don’t have money to do anything,” said Delegate Butler. “I support the Office of Youth Development, but the program needs the foresight to capture grants and funding for youth-oriented activities.”

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) motioned to include an amendment on page 4, line 25 of the legislation, that would allow students to maintain the ‘Diné Y.O.U.T.H.’ website.

HEHSC members approved the amendment with a vote of 4-0.

Delegate Witherspoon emphasized the need for the program to establish a College Enrichment Program Database, an on-line listing of various youth opportunities, for the youth to create and maintain.
“The youth can create a website that includes information about academics, athletics, internships, and employment programs at colleges and universities,” said Delegate Witherspoon. “If our kids have the opportunity to experience a college campus, they can begin to imagine themselves as a college student there one day.”

Delegate Simpson also said that he will continue to support legislations to improve youth services and encouraged HEHSC members to seek funding through the Navajo Housing Authority for the development of youth centers.

HEHSC members approved Legislation No. 0199-13 with a vote of 5-0.

The HEHSC serves as final authority for the legislation.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Signs Agreement with PNM for $1 Million in Job Training

WINDOW ROCK, Ariz. — Navajo Nation President Ben Shelly formalized an agreement Thursday afternoon with Public Service Company of New Mexico (PNM) that will provide Navajo Nation members with funding for workforce training at colleges in Crownpoint and Farmington.

Navajo Nation President Ben Shelly joined PNM Chairman, President and CEO Pat Vincent-Collawn to sign a memo of understanding for the new job training initiative at Navajo Nation headquarters in Window Rock, Ariz.

The PNM-Navajo Nation Workforce Training Program is part of a $1 million commitment PNM made this year in recognition of the job impact related to its proposed 2017 closure of two of four units of San Juan Generating Station near Farmington. The two-unit closure is part of an agreement announced Feb. 15, 2013, that would allow San Juan to comply with a federal visibility rule. The $1 million would be paid in $200,000 installments over five years and would not be funded through rates.
“Working with PNM, our goal is to provide funding directly to Navajo students in fall 2013 at both Navajo Technical College and San Juan College. We need to invest in our Navajo people and I believe this is an important way to do that. When we invest in our people, they make the Navajo Nation stronger,” President Shelly said.

“PNM is committed to supporting the long-term economic health of the state and the Four Corners area in particular. We are extremely pleased with the collaborative process that has allowed us to craft a meaningful way to invest into job readiness for Navajo members,” Vincent-Collawn said. “The Navajo Nation has demonstrated that same spirit of cooperative collaboration in finding an effective path forward for San Juan to meet the regional haze rule.”

New Mexico Public Regulation Commissioner Theresa Becenti-Aguilar said that when PNM first announced their proposal to shut down units at San Juan Generating Station, she asked that there be no lay off of workers.

“I said, I don’t want to see any lay off of workers. They work hard and we need to keep them working,” she said.

Under the terms of the memorandum of understanding signed yesterday, members of the Navajo Nation can qualify for $1,000 to $2,000 in funding per semester at Navajo Technical College in Crownpoint and San Juan College School of Energy in Farmington. The goal is to prepare Navajo members for jobs that are in demand and that are important to the Four Corners area and the Navajo Nation, so only certain certificates and associate’s and bachelor’s degree programs qualify.

**Add One / PNM-Navajo Nation Workforce Training Program**

The fall 2013 semester begins Aug. 19, so Navajo members who are 18 years of age or older are encouraged to apply as soon as possible. Details on applying and certificates and degrees that qualify for funding can be found at PNM.com/Navajo. In addition, information on academic eligibility is at [www.navajotech.edu/index.php/admissions](http://www.navajotech.edu/index.php/admissions) or by calling (505) 786-4107 and at [www.sanjuancollege.edu/energy](http://www.sanjuancollege.edu/energy) or by calling (505) 327-5705.

Students who are currently enrolled and meet the eligibility requirements can contact the colleges and qualify for funding for the next semester.

The grants are intended to cover most and in some cases all of the tuition costs for the various degree and certification programs.

###
For Immediate Release
July 25, 2013

Navajo President Shelly Signs Bill to Change the Name of a Navajo Tribal College

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed a bill that formally changes the name of Navajo Technical College to Navajo Technical University during a signing ceremony Thursday afternoon.

“Navajo Technical College is now Navajo Technical University,” President Shelly announced immediately after he signed the bill.

Legislation CJY-30-13 changes the name of the college.

Navajo Technical University President Elmer Guy witnessed the signing.
“This is a great day for our institution of higher learning,” NTU President Guy said.

“It is in the best interest of the Navajo Nation to amend Title 2,” the legislation stated.

The name change is effective immediately.

“We are thankful that we are moving into a new future with Navajo Technical University. I encourage our children and young people to consider NTU to fulfill their educational needs. We are making a change for the better,” President Shelly said.

President Shelly toured the college earlier this week.

###
For Immediate Release
July 25, 2013

Navajo President Shelly Signs $3 Million Bill for Drought Relief

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed a bill that provides $3 million for drought relief for the Navajo Nation. He signed the measure Thursday afternoon.

“We need to get help out there to the communities. We declared an emergency because of the drought, now we need to make resources available to help our people. We are in difficult times and thankful for the recent rains, but we still have to create plans to manage the drought,” President Shelly said.

Legislation CJIY-44-13 provides about $1.4 million to the Department of Agriculture for feral horse round ups, and $202,761 to the Department of Resource Enforcement and the remainder to the Navajo Department of Water Resources for well and windmill repairs.

This legislation is similar to the one President Shelly vetoed early this month because of budget technicalities.

“As a leader, I must adhere to the laws of the Navajo Nation. I support drought relief, and I am thankful that we could work through the laws of our Nation to provide much needed resources to our Navajo departments and Rangers,” President Shelly said.

The money will come from the Undesignated Unreserved Fund Balance.

On July 1, President Shelly declared an emergency because of drought conditions throughout the Navajo Nation.

According to tribal precipitation statistics, Western Agency is about 65 percent below normal precipitation amounts this year, while Fort Defiance Agency is about 63 percent below normal. Northern and Eastern Agency are about 55 percent below average, while Chinle Agency is about 30 percent below average precipitation levels.
President Shelly also signed a memorandum ordering all executive departments to help update and revise a drought management plan.

“We are going to help our people through these tough times. I know it’s difficult with little vegetation for our livestock and small yielding crops. We are strong people and we will persevere through these challenging times,” President Shelly said.

###
FOR IMMEDIATE RELEASE
July 25, 2013

Resources and Development Committee recommends
approval of Navajo Nation General Leasing Regulations of 2013

 WINDOW ROCK – The Resources and Development Committee on Tuesday, considered Legislation No. 0189-13, which seeks to approve the 2013 Navajo Nation General Leasing Regulations and enacting the same in Title 16 §2301 ET SEQ. of the Navajo Nation Code.

The purpose of Legislation No. 0189-13 is to streamline agricultural, religious, educational, recreational, and residential leasing processes by authorizing the Navajo Nation to issue such leases without having to seek the approval of the U.S. Secretary of the Interior, excluding mineral and right-of-way leases.

Legislation co-sponsor Council Delegate David Tom (Beclabito, Cove, Gadi’i’áhi/To’Koi, Red Valley, Sheepsprings, Toadlena/Two Grey Hills, Tsé ałnáoz’(t’i’) stressed the importance of approving the bill, as it would improve the efficiency of the land leasing process by eliminating the role of the Bureau of Indian Affairs.

Mike Halona, Department Manager of the Navajo Land Department, added that the legislation serves as an enabling legislation for the Federal ‘Helping Expedite and Advance Responsible Tribal Homeownership’ Act.

The HEARTH Act was signed by President Obama in July 2012, and gives tribes the authority to process land leases without BIA approval.

The intent of the HEARTH Act is to promote investments in tribal communities and facilitate economic development by reducing the time it takes to approve leases for home and small businesses in Indian Country.

RDC member Council Delegate Leonard H. Pete (Chinle) said the approval of the proposed leasing regulations would improve the overall planning processes for future developments by laying the foundation to better understand the geography of Navajo land.

“I do support this initiative and the effort that the Navajo Land Department has made. It would be a great advancement to see leases and maps digitized,” said Delegate Pete.
RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) added that the proposed bill would assist all Navajo People, by giving the Nation control over surface land leasing and permits.

“Right now the [land] leasing process is very incompatible with the needs of our chapters, we have the opportunity to make it more compatible with the needs of the people we represent,” added Delegate Benally.

Before the final vote, Halona also explained that with the passage of the legislation, the Navajo Land Department would establish its own land leasing records system and continue to send copies of land transactions to the BIA for their own records.

The RDC approved Legislation No. 0189-13 with a vote of 3-0.

When the legislation was brought before the Naabik’íyátí Committee for consideration on Thursday, primary sponsor Council Delegate Russell Begaye (Shiprock) asked for his colleagues’ support, calling the bill “a historic and landmark legislation.”

“We are taking what has been the responsibility of the BIA for years, and giving it to the Navajo Nation,” Delegate Begaye stated.

The initiative was met with skepticism from Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins), who cautioned that assuming the responsibility of land leasing would create more “red tape” within the Nation’s government and questioned if the Nation has funds to assume the responsibility.

“Is this something that will come out of the Nation’s General Funds or are there federal dollars for it?” Delegate Curley asked.

Delegate Pete expressed optimism over the legislation and said that he hopes it will lead to land reform across the Navajo Nation.

“I hope with this legislation, we can set up a mechanism to use our land effectively,” Delegate Pete said.

After an hour of discussion, Naabik’íyátí Committee members unanimously approved Legislation No. 0189-13, with a 10-0 vote.

The legislation now moves on to the Navajo Nation Council for final consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
For Immediate Release: July 24, 2013
PNM Contact: Valerie Smith, 505-241-4438
Navajo Nation Contact: Erny Zah, (928) 871-7884

Navajo Nation and PNM Announce Workforce Training Program

(Window Rock, Ariz.) – Navajo Nation President Ben Shelly will join PNM Chairman, President and CEO Pat Vincent-Collawn, as well as representatives of the Navajo Technical College and San Juan College School of Energy on July 25 to announce a new job training initiative for Navajo members.

President Shelly and Vincent-Collawn will sign a memo of understanding regarding the jobs initiative. Officials from local Navajo Nation Chapters of Upper Fruitland, Nenahnezad, San Juan, Tse Daa Kaan and Tiis Tsoh Sikaad are expected to attend the ceremony. Also attending are the presidents of the two participating colleges: Toni H. Pendergrass, Ph.D., president for San Juan College, and Elmer Guy, Ph.D., president for Navajo Technical College.

Representatives of the media are invited to attend the announcement.

<table>
<thead>
<tr>
<th>WHAT:</th>
<th>Ceremonial signing of memo of understanding to launch the PNM-Navajo Nation Workforce Training Program</th>
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</thead>
<tbody>
<tr>
<td>WHEN:</td>
<td>3 p.m. Thursday, July 25, 2013</td>
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<tr>
<td>WHERE:</td>
<td>Navajo Nation Headquarters, President’s Office, One Tribal Hill Drive, Window Rock, Ariz.</td>
</tr>
<tr>
<td>WHO:</td>
<td>Navajo Nation President Ben Shelly, PNM Chairman, President &amp; CEO Pat Vincent-Collawn, Navajo Technical College, San Juan College School of Energy</td>
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Navajo President Shelly Signs Three Bills into Law

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed three different bills into law Tuesday, all of which were passed by the Navajo Nation Council last week during their summer session.

“With my signature, I am pleased to know that we are making progress in the Navajo Nation. Some of these changes are being made slowly, but we are preserving through and patiently creating change in the government that is stable,” President Shelly said.

First, the President’s signature on legislation CJY-37-13 took another step to create the Narbona Growth Fund, a holding corporation. Pending the Secretary of Interior approval, the fund could provide tax incentives enticing large corporations to expand their businesses on the Navajo Nation. In addition, the fund could also provide an avenue for potential business to operate as a joint venture, LLC, or as other corporations and would be able to perform business without federal taxes.

“We set this up from Division of Economic Development and the President’s Office to provide income to the people. When the fund gains traction, it will generate income. We envision that this action will attract manufacturing to the Nation. As an example, Raytheon Corporation, which exists on the Nation, if they received a new contract to build more defense systems and if they choose to go under this new corporation, they will be exempt from federal taxes. The company can save millions of dollars, which they can put into the Fund or the business,” Albert Damon, DED director, said.

Another incentive is that once the fund is set up as a federal charter, the Navajo Nation people would act as preferred stockholders and would eventually earn dividends from the Narbona Growth Fund.

“We are creating new ways to care for our people,” President Shelly said. “We also hoping the Narbona Growth Fund will be a way to lure big businesses to the Navajo Nation. I want to see retail, manufacturing and other businesses help strengthen our Navajo economy.” President Shelly said.
President Shelly signed legislation CJY-36-13 that strengthens Navajo sovereignty by providing $354,297 to the Real Estate Department to develop a Navajo Land Title Data System.

The new system would incorporate a digital database for land records on the Navajo Nation. Goals of the new system would be to enhance data storage, protect data, establish Internet protocols that allows Navajo home site lease holders to pay their home site lease payments over the Internet, and create an online tracking system for land lease applications.

“We need to update one of the most important databases in the Navajo Nation. Having better records will strengthen our long term planning and will help keep accurate records of our lands. We need that to strengthen our sovereignty going forward. Strong record keeping is a sign of a strong nation,” President Shelly said.

The third bill President Shelly signed approves was use permits for Navajo Tribal Utility Authority for the San Juan River Animas La Plata Water Supply Project and the San Juan River “Run of the River or Native Flow” Water Project.

Legislation CYJ-34-13 establishes water permits for NTUA to supply water to the Shiprock area from the two water projects. In 2012 a water pipeline was completed that allows more water and the permits provide the approval to use more than 7,200 acre feet of water from the two water projects.

“Providing clean and safe drinking water to the Navajo Nation has always been high on my priority list. This water is part of the Southern Ute Settlement Act of 2000 and we are benefitting from the water settlement. The local Shiprock area will now have more safe drinking water to their availability making the community safer and healthier.” President Shelly said.

###
Navajo chapters face road damage from monsoon rains

BURNHAM, N.M.—The monsoon rains have been a godsend for many Navajo communities over the past month.

However, these heavy rains have also created challenges for chapters across the reservation, as local dirt roads are often washed out from the flash floods.

Last week, Navajo Division of Transportation Road Department crews began assessing road washouts in the Northern Navajo Agency.

Safety is the priority in these efforts.

Paulson Chaco, NDOT director, advised motorists to be safe when traveling the damaged roads.

“We have our crews out on the roads conducting assessments and mobilizing for road repairs. However, we must also be prudent in preventing our equipment from getting stuck or damaged during these repairs,” Chaco said.

On July 17, heavy equipment operators Cornelius Kenny and Orren Lee conducted road assessments near Tsis Tsoh Sikaad and Burnham on Navajo Routes 5080 and 5081 for a total of 55.2 miles.

For N5080, they assessed 15.2 miles of road and encountered a low water crossing area that needed work but was still passable; a washout that was repaired by the chapter with a backhoe and was passable; washouts that needed some grading; a cattle guard that needed cleaning; and miles of washboard.

They noted areas that needed graveling from the washout conditions.

For N5081, they encountered water on the roadway but passage was still possible in two wheel drive; several areas of roadway that had the shoulders washed out and are in need repair; one area that was damaged and merges into one lane; heavy damage on one portion of the road that was washed out and is passable only with four wheel drive; and two areas that need to be completely rebuilt from major flood damage.

Senior heavy equipment operator Roscoe Tsosie said his crews are out working on the washout emergencies throughout the reservation and noted many chapters are demanding immediate response.

However, he said NDOT crews must still wait on pools of water to dissipate and for mud to dry before heavy equipment can be taken in for roadway repairs. This is to ensure equipment does not get
Navajo Route 5081 faced the worst damage from the flooding. NDOT advises motorists to avoid roads like this all together. Exercise common sense and do not attempt to cross roads that are impassable. (Photo by Cornelius Kenny)

Navajo Route 5080 did see flooded roads but damages are not as severe as N5081, also located in the Northern Navajo Agency. NDOT crews are mobilizing this week for road maintenance activities. (Photo by Cornelius Kenny)

While the monsoon rains have been a blessing because of drought conditions, they brought challenges like the flash floods that have hit many Navajo chapters. NDOT is working on road repairs. (Photo by Cornelius Kenny)
Navajo Nation Department of Agriculture Begins Navajo Nation Wide Feral Livestock Removal

WINDOW ROCK, AZ. – Legislation 0202-13 passed. This will allow immediate protection and management of Navajo Natural Resources.

On July 18, 2013, Legislation No. 0202-13 passed. Relating to Emergency: Approving a Supplemental Appropriation Request from the Unreserved, Undesignated Fund Minimum Fund Balance in the Amount of $3,000,000 to the Navajo Department of Water Resources, for Addressing the Extreme Drought Conditions on the Navajo Nation; $897,239 to the Department of Agriculture for Feral Livestock Round-Ups; and $202,761 to the Department of Resource Enforcement for Livestock Round-Ups. The Legislation will become effective upon the signature of the Navajo Nation President.

The NNDA is gearing up to implement the legislation by working with our partners and the Navajo communities to achieve Navajo Nation wide Feral Livestock Round Up events. NNDA will work with Navajo Chapters to immediately begin an intense schedule of feral livestock round-ups up until the end of the fiscal year, September 30, 2013 and will follow all Navajo laws and regulations regarding the feral livestock round-up. All chapters are encourage to pass multi-year round up legislation and to contact the NNDA to schedule multiple round up events in August and September 2013. The legislation included $250,000 total for payment to those chapter with past round-ups and current round-ups.

The Navajo Nation Veterinary Livestock and Veterinarian Program will be on site during the round-ups to provide limited castration and sterilization services, a limited number will be provided at no cost. NNDA will hire a minimum of 20 temporary laborers by the second week of August 2013 and are currently accepting applications. Individuals with horses, vehicles and stock trailers along with the livestock management skills are needed. Applications can be secured on the NNDA and Department of Personnel Management website along with the job description - www.agriculture.navajo-nsn.gov.

As communicated by the NNDA through tribal ranch meetings, grazing meetings, annual agriculture conference and presentations at the local level, the continuous drought condition has taken a heavy toll on Mother Earth and Father Sky. Additional conditions such animal overpopulation, extreme temperatures, and high winds all combine to cause forage degradation, erosion, and loss of top soil.
Thus it is important to address the animal overpopulation to allow the land to rest and to allow communities to begin conservation and rangeland improvement activities.

The recent legislation as supported by the Navajo Nation government resulted from concerns expressed in every community regarding natural resources and the need to better protect and manage these resources. NNDA is pleased to work with each community in carrying out the goals and objectives of the legislation. We look forward to better protecting and managing Navajo natural resources for the use and enjoyment by current and future generations of Navajo people, animals and wildlife. For more information call (928) 871-6605.

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www.dnr.navajo-nsn.gov
FOR IMMEDIATE RELEASE
July 19, 2013

Navajo Nation Council approves indenture of lease agreement for the Navajo Generating Station

WINDOW ROCK – The Navajo Nation Council on Thursday, approved Legislation No. 0177-13, rescinding CAP-21-13, and approving amendment one to the indenture of lease for an additional 25 years, beginning in 2019 for the Navajo Generating Station.

On Apr. 29, the Council approved the indenture of lease under a previous bill, Legislation No. 0042-13. Terms of the amended legislation were deemed unacceptable by NGS owners.

Negotiations between NGS owners and the Navajo Nation continued, and Legislation No. 0177-13 was drafted to reflect the new terms of the negotiations.

Legislation sponsor Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood), urged the Council to approve the agreement to preserve hundreds of jobs for Navajo people employed by NGS and millions of dollars in annual revenue for the Nation.

Council initially considered the new legislation on Wednesday, and voted 11-10 to table the bill to provide clarification over an amendment proposed by Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill).

The proposed amendment sought to change outdated deadlines, to allow for the Navajo Nation to remain eligible for a signing bonus, contingent upon approval from the Council and President Ben Shelly, by the deadlines outlined in the legislation.

Council approved the amendment with a vote of 21-0.

Immediately following the passage of the first amendment, Council Delegate Russell Begaye (Shiprock) motioned for a second amendment to address potential water rights claims for the Navajo Nation.

Delegate Begaye’s amendment proposed adding language to the agreement, ensuring that NGS non-participating members will not oppose the Navajo Nation in its pursuit of claims to Arizona’s 50,000 acre-foot allocation of the Upper Colorado River Basin water.

“This will help our attorneys fight to get our water rights,” said Delegate Begaye. “We’re only asking that NGS not get in the way of our water claims, we’re not opposing the NGS.”

The majority of Thursday’s debate centered on Delegate Begaye’s proposed amendment, which drew opposition from several delegates who argued that passing the amendment would jeopardize the entire bill.
“If this is a deal killer, and if NGS closes down, then that water is up for grabs so remember that,” said Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland), referring to water currently used to operate the NGS.

Supporters of the proposed amendment argued that it would make the legislation stronger and assist future claims to water made by the Nation.

“We don’t want the owners of NGS opposing our water rights,” Delegate Tsosie said. “Let’s send this back to them, and make a strong stand once again.”

Although Council voted 12-11 in support of the amendment, Delegate Bates later motioned to remove the approved amendment which raised objections and questions from several delegates.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) urged delegates to vote down the amendment proposed by Delegate Bates.

“Why is it so hard to stand up for what is right?” asked Delegate Witherspoon of his Council colleagues. “Water is going to be gold in the future, and wars will be fought over it. We need to fight for our rights.”

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) spoke in favor of the amendment and the legislation as a whole.

“If the amendment was truly just for water I would stand in support, but this amendment is trying to kill the legislation,” said Delegate Benally. “I want this legislation to pass. I want my people to be employed. I want a good life for my people.”

Also speaking in support of the legislation was Council Delegate Joshua Lavar Butler (Tó Nanees Dizi), who advocated for jobs, economic development, and transition to green energy production.

“We are not creating jobs fast enough, and the unemployment rate is reaching close to 65 percent,” said Delegate Butler. “We don’t have a vibrant green economy to transition to right now.”

Delegate Bates continued to urge Council to remove Delegate Begaye’s amendment, stating that the Nation would be able to pursue water rights whether or not the NGS lease extension was approved.

After a lengthy discussion, Council members voted 12-11 to remove the previous amendment.

Near the end of the debate, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) proposed a fourth amendment to add six chapters to a list of “NGS Community Chapters” who will benefit from a chapter fund established and administered by the NGS owners.

The six chapters include Chilchinbeto, Dennehotso, Kayenta, Navajo Mountain, Oljato, and Ts’ah Bii Kin, in addition to the existing list that includes Bodaway/Gap, Cameron, Coalmine Mesa, Coppermine, K’ai’Biitó, LeChee, Shonto, Tonalea, and Tuba City.

Council voted 12-11 in favor of the amendment.

After six hours of debate and the approval of four amendments, Council members approved Legislation No. 0177-13 with a 16-6 vote.
FOR IMMEDIATE RELEASE
July 19, 2013

22nd Navajo Nation Council approves energy development agreement between the Navajo Nation and Nabeeho’ Power, L.L.C.

WINDOW ROCK – On the final day of the summer session, the 22nd Navajo Nation Council approved Legislation No. 0457-12, approving on an energy development agreement between Nabeeho’ Power, L.L.C. and the Navajo Nation.

Legislation No. 0457-12 permits the development of a solar power system and other infrastructure related to the capture, distribution, and transmission of solar energy on approximately 300 acres of land in the community of Iyanbito.

Legislation sponsor Council Delegate Charles Damon II (Bááháalí, Chichiltah, Manuelito, Tsé Lichíí’, Rock Springs, Tsayatoh) asked the Council to support the bill, noting that it received positive recommendations when considered by the Resources and Development Committee and Naabik’íyáti’ Committee.

“The solar system industry is really booming and we would like to be a part of it so the Navajo People can benefit,” said Delegate Damon.

Amber Schillinger, owner of Nabeeho’ Power, L.L.C., said that she aspires to help Navajo People by bringing employment and economic development opportunities to Iyanbito.

“I would like to have the chance to create jobs and keep our Navajo scholarships here on the Nation,” Schillinger said.

The bill is a contentious issue for the Iyanbito Chapter, resulting in the submission of eight chapter resolutions opposing the solar project.

Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) explained to his colleagues that chapter constituents had many unanswered questions regarding the solar project, and motioned to table the legislation until those questions were answered.

The motion to table the legislation failed with a vote of 6-9.

“There are many questions the chapter has brought fourth,” said Delegate Yazzie. “In all fairness, we need more clarification to make a solid decision.”
Several Council members questioned the solar project’s initial financing and requested assurance that the land would not sit undeveloped during the 25-year lifetime of the energy agreement.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) explained the challenges that entrepreneurs face when starting a business on the Nation.

“Often we have model projects that don’t move forward because their financing is not reputable,” said Delegate Witherspoon. “Projects like this also face opposition from chapters, tribal administration, the Navajo Department of Justice, and even our own Energy Task Force.”

Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) motioned for an amendment, requiring Nabeeho’ Power, L.L.C. to acquire and complete financing no later than 365 days after the signing of the bill. Failure to comply would require the energy agreement be reconsidered by the applicable oversight.

“I propose this amendment so that we are not sitting on this project 25-years down the road,” said Delegate Bates.

The amendment passed with a vote of 10-5.

Speaking in support of the bill, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) commended Nabeeho’ Power, L.L.C. for working through the administrative process to create an economic opportunity.

“We should encourage young Navajo People to come home with their new found knowledge and start businesses,” said Delegate Tsosie. “Our words are empty if we tell our children to work hard and then turn them away when they try to start business.”

Delegate Yazzie asked Council members to respect the wishes of the elders in Iyanbito.

“I am glad we are debating this, but I stand with the people of Iyanbito and will vote against this bill,” said Delegate Yazzie.

At the conclusion of the debate, Council members approved Legislation No. 0457-12 with a vote of 11-5.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 18, 2013

22nd Navajo Nation Council approves legislation allowing Navajo Technical College to be named a university

WINDOW ROCK – The 22nd Navajo Nation Council on Wednesday approved Legislation No. 0154-13, amending Title 15 §§ 1201 through 1209 of the Navajo Nation Code; changing ‘Navajo Technical College’ to ‘Navajo Technical University’ and establishing the Navajo Technical University Institutional Review Board.

Legislation sponsor Council Delegate Simpson previously introduced a similar bill, Legislation No. 0077-13, during the 2013 Spring Session, however it was voted down on Apr. 16 by the Council to allow time for the sponsor to develop an improved version.

Delegate Danny Simpson (Becenti, Crownpoint, Huervano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) asked the Council to support the enhancement of the quality of higher education offered on the Navajo Nation.

Delegate Simpson explained that the proposed IRB, would review and approve all social science and animal research conducted by students.

“Past leaders knew changes would be made to NTC, this is one of them,” said Delegate Simpson.

The legislation drew support from Council members, yet a majority of the discussion centered around concerns over how the IRB would work with the Navajo Nation IRB, established under the Navajo Division of Health.

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) said he thought the proposed IRB policies were inadequate and requested that the bill be tabled until sufficient policies were created.

“I support NTC becoming a university, however these policies are not ready,” said Delegate Witherspoon. “My concern is to protect the Nation from potentially detrimental research.”

Although there was apprehension about the function of the proposed IRB, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) argued that the Navajo Nation IRB’s process prolongs research efforts for students.
“It's my understanding that students don't want to conduct research on the Nation, because the Navajo Nation IRB does not regularly meet,” said Delegate Tsosie. “Prolonged research jeopardizes their schooling.”

Speaking in favor of the bill, Council Delegate Russell Begaye (Shiprock) stated that he believed the bill encourages students to develop research that impacts the entire world, not only the Nation.

Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) proposed an amendment to the bill, inserting ‘U.S.’ before the ‘Department of Health and Human Services’ on page 11, line 16 of the bill.

The amendment passed with a vote 17-0.

After a lengthy discussion, the Council approved Legislation No. 0154-13 with a vote of 21-0.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE  
July 18, 2013

22nd Navajo Nation Council votes down Junk Food Sales Tax of 2013

WINDOW ROCK – On Wednesday, the Navajo Nation Council voted down Legislation No. 0085-13, which sought to enact the Navajo Nation Junk Food Sales Tax Act of 2013 and to approve the elimination of the sales tax on fresh fruits and vegetables.

“This legislation is to address the obesity and diabetes problem on the Navajo Nation,” said bill prime sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Negeezi, Nahodishgish, Tse’ii’ahi, Whiterock).

The Junk Food Sales Tax would impose a two-percent sales tax on junk food, in addition to the regular five-percent sales tax already in place, stated Delegate Simpson. He added that the extra two-percent junk food tax would be allocated to health and wellness programs at the chapter level.

Prior to the discussion, Diné Community Advocacy Alliance representative Denisa Livingston gave a presentation to Council illustrating the effect junk food has had on the Navajo people.

“We have the right to have healthy foods that give us power, not unhealthy foods that make us powerless. The right to [healthy] food is a human right,” said Livingston.

“The education on these health issues is already out there through programs, advertisements, and media outlets, but this health epidemic still exists within our community,” stressed Delegate Simpson.

The legislation was met with concerned opposition by Council members in regards to the sales tax increase.

“I don’t believe increasing taxes of our Navajo people is the solution,” said Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta), insisting that there are other options to discourage Navajo people from buying unhealthy foods.

Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) raised further concern over fear that the tax increase would drive Navajo citizens to off-reservation businesses with lower sales tax on food.
“The increase of taxes will draw business away from the Navajo Nation,” said Delegate Begay, suggesting that the tax increase would drive the price of food up on the reservation in an attempt to recoup tax loss revenue due to the proposed elimination of the sales tax on fruits and vegetables.

Although some delegates opposed the increase in sales tax on junk food, several delegates commended the overall intent of promoting healthy living, and suggested other alternatives.

“We need to look into the federal government’s Farm Bill. We can find resources that will encourage Navajo people to start growing their own food again,” said Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tse Si’ani, Wide Ruins).

The federal Farm Bill of 2013 allows farmers and ranchers to have programs and funding available to them which assist in producing higher output of their farms, such as corn or livestock.

At the conclusion of the discussion, Delegate Benally praised the good intentions of DCAA, and said there needs to be further discussion on how to solve obesity and diabetes problems without increasing taxes on Navajo people.

The Council voted down Legislation No. 0085-13, with a 8-10 vote.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
DATE: Wednesday, July 17, 2013

NAVAJO REPORTER VOLUME 1 AND 2 NOW AVAILABLE

The Navajo Reporter Volumes 1 and 2 have been reprinted and combined into one book, which is now available for purchase through the Supreme Court of the Navajo Nation.

The Navajo Reporter includes the official reports of cases decided in the Navajo Nation Supreme Court and selected District Court decisions. The Volume 1 and 2 book contains cases from January 1969 through December 1979.

The Navajo Reporter Volume 1 and 2 is priced at $50 plus the current 5 percent Navajo Nation sales tax. There is an additional charge for shipping. The Navajo Reporter Volume 3, Volume 4, Volume 6, Volume 7 and Volume 8 are also available for purchase through the Supreme Court.

For more information, please contact Supreme Court Clerk Michael Smith at (928) 871-7010 or michaelsmith@navajo-nsn.gov.

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FOR IMMEDIATE RELEASE
DATE: Wednesday, July 17, 2013

PUBLIC COMMENT PERIOD BEGINS FOR JUSTICE ASSISTANCE GRANT

The Navajo Nation Judicial Branch is pursuing funding through the Edward Byrne Memorial Justice Assistance Grant that will expand on and improve the automated case management system that currently supports the Navajo Nation justice community.

The grant will provide $78,233 that will partly fund the purchase of JusticeWeb, an online application that will enable users to its features: E-Filing, E-View, E-Discovery and E-Payment. The online accessibility will allow users anywhere to make online payments, access necessary forms and view court documents.

The application is now on the www.navajocourts.org site for a 30 day public comment period ending August 17, 2013. Comments may be sent to Karen Francis, Government Relations Officer, at karenfrancis@navajo-nsn.gov.

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FOR IMMEDIATE RELEASE
July 16, 2013

22nd Navajo Nation Council affirms sovereignty by amending extradition and detention provisions for major crimes

WINDOW ROCK – On day two of the Summer Session, the Navajo Nation Council passed Legislation No. 0049-13, amending extradition and detention provisions under Title 7 and Title 17 of the Navajo Nation Code.

The legislation requires that non-Navajo authorities must provide proof of criminal charges against an accused individual, the accused individual be given the opportunity for a hearing in tribal court and notified of their right to legal counsel, and that the individual is provided due process in accordance with Navajo Nation laws, prior to their extradition.

Legislation co-sponsor Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) said the legislation was developed over the course of four years, in an effort to clarify extradition procedures and to assert Navajo sovereignty in such procedures.

Since the proposed legislation entailed amendments to the Navajo Nation Judicial Reform Act under Title 7, it required a two-thirds vote, or sixteen votes of approval, to pass the legislation.

Navajo Nation chief prosecutor Bernadine Martin, explained to members of the Council that confusion over extradition practices became apparent in 2009, when a Navajo individual suspected of murder was removed from a tribal jail and taken in to custody by federal authorities without the appropriate due process, in violation of Navajo Nation laws and the Treaty of 1868.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) spoke in support of the legislation, asserting that it would move the Nation forward in establishing its sovereignty.

“Congress, federal courts, and others do not take our Treaty seriously,” said Delegate Tsosie. “It’s important for us as Navajo leaders to stand up for the Treaty, and have it be recognized.”

Referencing the Treaty of 1868, Delegate Tsosie argued that the Navajo Nation should uphold specific language in the Treaty, which asserts the right of the Navajo Nation to refuse the extradition of individuals if specific procedures are not followed.

Also speaking in support of Navajo sovereignty, Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) expressed dissatisfaction with past incidences of federal authorities removing Navajo individuals suspected of major crimes, without adhering to Navajo laws.
“There’s a process, and that process was not honored in a government-to-government relationship,” said Delegate Smith. “A government actually crossed our borders, came into our land, and dictated our Nation.”

“When do we begin to stand up for the sovereignty of the Navajo Nation?” asked Delegate Smith of his Council colleagues.

Although the legislation was met with overwhelming support, several Council members questioned specific language and terminology in the legislation.

Council Delegates Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) and LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) inquired as to what the term “Indian” is defined as, in the language of the legislation.

“The word ‘Indian’ to us, is a registered first American who has a certificate of Indian blood, but other nations do not have a clear definition or requirement for membership. How would the courts define that definition?” asked Delegate Phelps.

Navajo Nation assistant attorney general Paul Spruhan, said the legislation uses the term “Indian” in the same context as the federal government, explaining that the broad definition was intentionally utilized to provide flexibility in addressing future cases involving Navajos who may not be an enrolled member, or an individual who is part Navajo and enrolled in a different tribe.

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) reminded Council members that the Nation has established numerous cross-commission agreements with various law enforcement agencies, and cautioned that the “hot pursuit” clause in such agreements, may allow non-Navajo authorities to take individuals into custody without following the extradition process in certain situations.

“I know there is a time frame, or some type of guidance that allows the state and the feds to come in, and due to the fresh pursuit clause, they don’t need any extradition signed if it’s in that time frame,” said Delegate Nez.

While several delegates praised the legislation, a few acknowledged that the extradition laws and procedures will need further amendments and adjustments in the future.

Council members also approved one amendment to address specific wording in the legislation, and also to allow for monetary compensation for individuals who are wrongfully detained and extradited.

At the conclusion of discussion, Council members voted 19-0 to approve Legislation No. 0049-13.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 15, 2013

Speaker Naize delivers report centered on energy issues to the 22nd Navajo Nation Council on the first day of the Summer Session

WINDOW ROCK – On the first day of the Navajo Nation Council Summer Session, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) delivered a written report to fellow Council colleagues highlighting progress on critical issues facing the Nation.

Speaker Naize’s report began with mentioning the need to address drought conditions as it pertains to livestock throughout the Navajo Nation.

“Water is becoming scarce in certain regions of our Nation so we must use extra precautions to protect the well-being of your livestock,” mentioned Speaker Naize in the report.

On June 28 during a special session, the Council approved Legislation No. 0190-13, allocating $3 million for the Navajo Department of Water to address severe drought conditions. However, President Ben Shelly issued a line-item veto for the funding, citing non-compliance with the Navajo Nation Appropriations Act, in a memo dated July 8.

A large portion of Speaker Naize’s report centered on energy issues, including ongoing negotiations between the Navajo Nation and SRP officials over the Navajo Generating Station lease extension.

“This lease amendment negotiation has been a long and arduous process,” stated Speaker Naize in his written report. “It is my feeling that we have provided the best opportunity given the circumstances to convey our perspective to this negotiation.”

Legislation No. 0042-13, the NGS lease extension passed by Council during a special session held on Apr. 29, was deemed unacceptable by SRP officials due to certain amendments added prior to the passage of the legislation.

As a result, Speaker Naize sponsored Legislation No. 0177-13, seeking an agreement between all parties regarding the indenture of lease.

Speaker’s report described the proposed legislation as, “an amicable agreement that provides a compromise that ensures adequate protection for SRP and the Navajo Nation, and provides a workable solution for the plant to continue its operations.”

The report also touched upon the pending acquisition of the BHP Navajo Mine by the Navajo Transitional Energy Company, LLC.
Speaker Naize explained in the report that the mine purchase has recently stalled due to the possible deregulation of the retail energy market in the state of Arizona, and remains hopeful that the deregulation issue will be resolved by Oct. of this year, and allow for the completion of the mine purchase.

Aside from energy issues, Speaker Naize’s report also focused on the negotiations between the Navajo Nation and Zuni Tribe over approximately 21,000 acres of parceled land known as the Fort Wingate Army Depot, located six-miles east of Gallup, NM.

Members of the Fort Wingate Task Force, the Eastern Navajo Land Commission, and Speaker Naize met with New Mexico Congressman Ben Lujan (District-3), New Mexico Congressman Steve Pearce (District-2), Alaska Congressman Don Young, and Pueblo of Zuni Governor Arlen Quetawki, Sr. on July 8, to negotiate a fair and equitable division of land with the Zuni Tribe, according to the report.

“I want to ensure my colleagues that the negotiation took into consideration all the perspectives of our people and we worked to gain the best division of land considering the situation,” stated Speaker Naize’s written report.

On the federal level, Speaker Naize noted that he along with President Ben Shelly, Navajo Nation Department of Justice, Eastern Navajo Land Commission, and personnel from the Navajo Land Department met with officials from the Cobell Land Buy-Back Program on June 19, to discuss a plan of action and development of the Navajo Nation’s Land Buy-Back Program.

Other topics addressed in Speaker Naize’s report included the newly opened Twin Arrows Navajo Casino Resort and the need to continue pursuing the needs of Navajo Veterans.

The Navajo Nation Council voted 10-3 to accept the report.

To view a copy of Speaker Naize’s Summer Council Session report, please visit: http://www.navajonationcouncil.org/pressReleases/2013/JUL/3rd%20Quarter%20Report.pdf

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly and Vice President Jim Deliver State of the Navajo Nation

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly and Vice President Rex Lee Jim jointly delivered the State of the Navajo Nation report during the opening day of Navajo Council’s Summer Session Monday afternoon.

President Shelly and Vice President delivered their speech almost entirely in the Navajo language and mostly followed the written report. The Council voted 17-1 and approved the report.

According to the written report, President Shelly and Vice President Jim outlined several ongoing projects from the most recent information regarding FEMA reimbursements, the 4G broadband project, Navajo Transitional Energy Company and a job training initiative in which Public Service Company of New Mexico will provide Navajo students $1 million through the next five years.

“Working with PNM, our goal is to provide funding directly to Navajo students in fall 2013 at both Navajo Technical College and San Juan College. We need to invest in our people and I believe this is an important way to do that,” the President’s report stated.

PNM plans to provide $200,000 a year to help pay for job training for Navajo students. PNM proposed the plan to President Shelly nearly a year ago after the U.S. EPA ruled that PNM owned San Juan Generating Station had to reduce emissions to reduce haze.

“Through this process, the Navajo Nation has been involved and worked actively with the U.S. EPA, New Mexico Governor Susana Martinez and the New Mexico Environment Department, and PNM,” the report stated.

The report also updated the Council about the 4G LTE broadband project which is expected to be completed soon. The project received more than $30 million through American Recovery and Reinvestment Act and when completed would bring a 4G LTE network to the Navajo Nation.
President Shelly also updated the Council about NTEC and the potential of a Navajo owned coalmine.

NTEC is a transitional company that was started to buyout BHP-Billiton’s Navajo Mine. When the mine is purchased, BHP-Billiton would manage the mine until 2016. Experts expect the mine to generate as much as $200 million annually for the Navajo Nation.

Though the deal isn’t finalized, President Shelly said previously signed Memorandums of Understanding with Lawrence Livermore and Sandia National Laboratories would help the Navajo Nation explore the future of coal energy for the Navajo Nation.

The President’s report stated that about $5.5 million has been reimbursed to the Navajo Nation from the Federal Emergency Management Agency. Some of the reimbursements have been nearly a decade in waiting.

“We are thankful that the Department of Emergency Management was able to complete tasks that were left undone for nearly a decade. They are now putting forth new uniform practices that will ensure that in the future, reimbursement payments will be processed in a much more efficient manner. This could not have been done without the assistance from the Chapters and administrative staff,” the President’s report stated.

Vice President Jim updated the Council about Na Nizhoozhi Center in Gallup and the work he and President Shelly have been doing.

NCI is schedule to close and reopen under a different name and the Navajo Nation has 25 weeks to finalize a plan that includes the Navajo Nation managing the detox facility.

###
Navajo President Shelly Vetoes $155 Million Bond Legislation

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly vetoed the $155 million bond legislation because the language in the legislation needs to be more defined.

“Overall, the bond would benefit our Navajo Nation, but we need to make sure that the language in the legislation reflects the needs of our banking institution. The bonds would help the Navajo Nation, but our plan must be solid,” President Shelly said.

“In order to make Legislation CJN 24-13 sufficient for any financial institution to offer, sell and issue a bond, necessary amendments are required,” President Shelly wrote in a justification memorandum to Navajo Council Speaker Johnny Naize.

President Shelly continued that the language in the legislation needed to be more expressed and defined regarding bond authorization of issuance and sale documents, project qualification language, and for the loan agreement with Navajo Tribal Utility Authority.

President Shelly also indicated “the Navajo Nation would benefit from the bond legislation,” however, the amount should be reduced from $155 million to $120 million.

President Shelly also attached a June 12 memorandum from Budget and Finance Committee Chairman LoRenzo Bates stating that the bond legislation needed to have language changes.

“While the 2013 Bond Legislation provides good, general, preliminary authorization for the Bond issue and for the Economic Development and Infrastructure Projects described therein, it does not address a number of critical matters necessary to offer, sell and issue the Bonds and is therefore insufficient to permit the Nation to proceed the issuance of Bonds and the financing of the Projects without either amendments or later action by the Council,” Chairman Bates wrote.
The memorandum was addressed to President Shelly, Speaker Naize and Council Delegate Katherine Benally.

Chairman Bates then writes in detail some of the needed amendments the legislation needed, much of which President Shelly stated in his veto memorandum.

###
Naabik’íyáti’ Committee approves supplemental funding from the UUFB for the Navajo Nation Employee Housing Program

Legend moves on to the Council for final consideration

WINDOW ROCK – On Thursday, the Naabik’íyáti’ Committee approved Legislation No. 0137-13 for supplemental funding in the amount of $420,000 for the Navajo Nation Employee Housing Program from the Undesignated, Unreserved Fund Balance.

The funding will be used for various purposes including renovation, asbestos clean-up, mold remediation, renovation equipment, and the disposal of supplies and renovation debris, for several employee housing units.

“We are looking for direction from this committee to finally initiate these critical issues regarding the state of our employee housing,” said legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels).

The Navajo Nation Employee Housing Committee is tasked with assigning housing units at the request of Navajo Nation employees including political appointees, judges, employees occupying professional positions, and regular-status employees.

The legislation was met with concerns and questions from several Naabik’íyáti’ Committee members.

“I cannot fathom the explanation as to why we have these types of problems when we have so much money” said Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tse Si’ani, Wide Ruins).

According to Delegate Hale, employee housing concerns have previously been brought to the attention of the Employee Housing Committee. However, funding has yet to be secured for such issues.

“The housing committee is comprised of members from the executive, legislative, and judicial branch, but it is difficult to get anything accomplished when we constantly do not make quorum to address these issues,” Delegate Hale stated.

“This issue is becoming very political regarding housing needs and committee members need to focus on renovating these houses and get the process going immediately,” added Delegate Hale.

In concurrence, Delegate Curley stated, “We need to get away from our own personal interests and address the needs of the Navajo Nation [employees].”
In reference to funding shortfalls, Council Delegate Russell Begaye (Shiprock), brought attention to and questioned the purpose of rental fees paid by employee housing tenants.

“When rent is collected from the tenants, where do those funds go?” asked Delegate Begaye.

In regard to the concerns raised by fellow committee colleagues, Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Da’a’Kaan, Upper Fruitland) requested that a report be provided to the Navajo Nation Council regarding employee housing revenues and expenditures.

Delegate Hale said that a report will be provided when the legislation is introduced to the Council.

Naabik’iyáti’ Committee members voted 9-0 to approve Legislation No. 0137-13.

The legislation is currently on the proposed agenda for the Navajo Nation Council Summer Session, scheduled to begin on July 15.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 12, 2013

Navajo Nation Council Summer Session to be streamed live on the web

WINDOW ROCK – The Navajo Nation Council Summer Session will once again be streamed live on the web through the Council’s designated USTREAM channel, beginning Monday, July 15.

“Once again, I am honored to invite Diné people from all corners of the world to tune into Council’s USTREAM channel to view Council’s proceedings throughout the duration of the Summer Session,” said Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood).

The live broadcast marks the fifth time a regular Council session has been streamed live since the first broadcast during the 2012 Fall Session.

This is a great opportunity to engage our veterans overseas, students living off the reservation, and many others and to provide them the opportunity to become informed on issues affecting our Nation, said Speaker Naize.

The purpose of this endeavor is to expand and diversify the ways in which Diné citizens participate in their government – an objective for which many Council Delegates have advocated.

The Office of the Speaker continues its partnership with the Navajo Nation Office of Broadcast Services to provide this regular service to the Diné people.

Visit http://www.ustream.tv/channel/navajo-nation-council to view the live-streamed proceedings of the Council’s Summer Session. Alternatively, viewers may log onto the USTREAM home page and search for ‘Navajo Nation Council’ in the search box.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Health, Education, and Human Services Committee 
approves legislation to amend the Navajo Nation Veterans Trust Fund

Legislation would allow for annual construction of 15 homes in each of the five Navajo agencies

DILKON, Ariz.– On Wednesday, the Health, Education, and Human Services Committee approved Legislation No. 0193-13, a bill seeking to amend the Navajo Nation Veterans Trust Fund, 12 N.N.C. §1171.

Proposed amendments would provide for the equal distribution of the annual comprehensive budgeted amount between the Navajo Nation Veterans Affairs Trust Fund and the Department of Navajo Veteran Affairs, to construct 15 homes and to provide minor renovations and repairs for Navajo Veterans in each of the five agencies for the next four years.

Legislation sponsor Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) explained that he has received support and recommendations from representatives of the five agencies.

“The chapters each have a waiting list of veterans, waiting to have a home built,” said Delegate Shepherd. “By utilizing the 2014 fiscal year revenue projections, we can start building 15 homes every year for the next four years, that’s 300 homes across the Navajo Nation.”

In order to begin the process of designating funds for the construction of homes, Delegate Shepherd is attempting to change the codification of veteran housing assistance.

Speaking in support of the bill, HEHSC member Council Delegate Kenneth Maryboy (Mexican Water, Aneth, Teecnospos, Tókan, Red Mesa) asked for Delegate Shepherd to revise the bill to prevent future inefficiencies.

“I work with veterans from my chapters, and they have grown extremely frustrated to the point where they don’t even come to meetings anymore,” said Delegate Maryboy. “This legislation is needed in each of my chapters.”

Delegate Maryboy noted that efforts to assist chapter veterans come to a halt once they reach the Local Governance Support Center, housed under the Navajo Nation Division of Community Development.
HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) also expressed his support for the bill, while questioning whether funds could be utilized for chapters located on Navajo partitioned lands.

“As a member of the Navajo-Hopi Land Commission, we have faced challenges when assisting those chapters due to the land status. It would be useful to also include language that allows for funds to be utilized by those chapters,” said Delegate Phelps.

Although HEHSC members said they believe the bill was drafted with the good intentions, HEHSC member Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) was concerned that the legislation would create unhealthy expectations among veterans.

“I would like to see veterans be encouraged to participate and qualify for the other housing programs, so that we might expand the amount we are able to assist,” said Delegate Witherspoon. “I also do not want these funds centralized in the individual agencies.”

At the conclusion of the discussion, HEHSC vice chair Council Delegate Charles Damon II (Bááháálií, Chichiltah, Manuelito, Tsé Lichíí’, Rock Springs, Tsayatoh) commended Delegate Shepherd for sponsoring the legislation.

It separates the Nation’s dependence on Navajo Housing Authority’s federal funding, according to Delegate Damon.

In response to the comments of HEHSC members, Delegate Shepherd assured his colleagues that the bill will address each of their concerns by the time the legislation reaches the Naabik’íyáti’ Committee.

HEHSC members approved Legislation No. 0193-13 with a vote of 3-1.

The bill now moves forward to the Budget and Finance Committee, Law and Order Committee, Naabik’íyáti’ Committee, and the 22nd Navajo Nation Council for final consideration.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 11, 2013

Resources and Development Committee votes to approve Navajo Housing Authority’s proposed 2014 Navajo Nation Housing Plan

WINDOW ROCK – The Resources and Development Committee on Tuesday, approved Legislation No. 0168-13, the fiscal year 2014 Navajo Nation Housing Plan for the Native American Housing Assistance and Self-Determination Act of 1996 Indian Housing Block Grant funding. The Navajo Nation Housing Plan, consisting of housing needs, budgets, audits, certifications, and program descriptions, serves as the official Indian Housing Plan for the Navajo Nation, an annual requirement of the U.S. Department of Housing and Urban Development.

Legislation sponsor Council Delegate Russell Begaye (Shiprock) emphasized the need to approve the Housing Plan prior to submitting the finalized document by the July 18 deadline set, by the U.S. Department of HUD.

“I am aware there are some questions about how this legislation that will affect development projects that chapters have submitted to Navajo Housing Authority,” said Delegate Begaye. “I believe many of those questions can be answered with the proposed housing plan.”

Aneva Yazzie, Navajo Housing Authority CEO, added that changes have been made to the U.S. Department of HUD Indian Housing Plan guidelines.

“U.S. Department of HUD has decided to consolidate prior year appropriations into one single grant,” said Yazzie. “The list of expenditures, reflect projects that need to be rolled over versus what was actually expended.”

RDC member Council Delegate Leonard H. Pete (Chinle) questioned NHA’s ability to thoroughly explain HUD processes and if the proposed plan would increase housing developments.

“I have requested information about some of these projects, that still hasn’t been provided or explained to me,” said Delegate Pete. “The Nation must solidify some of the housing plan’s deficiencies before we send this to U.S. Department of HUD.”

Council Delegate Leonard T sosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) was also displeased with the housing plan’s listing of projects and contractors and questioned if the proposed plan would fairly appropriate funds to chapters that do not have NHA housing developments.
“The way this [housing plan] is put together, we will be talking about the same things next year,” said Delegate Tsosie. “We aren’t going to be making any changes to the Nation’s number one issue – housing.”

RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) expressed concern over the growing number of families in need of a home.

“Two years ago, the RDC made housing a priority for the Nation, I think we need to get back on track to build homes,” said Delegate Benally. “We have young families reaching the age of 18 and they’re joining the group of 40,000 families still in need of a home.”

After a lengthy discussion, the RDC requested for NHA to further investigate the Ft. Defiance Housing Corporation debacle, provide the RDC with a copy of NHA’s project prioritization process, and a listing of chapters without NHA housing developments.

The RDC approved Legislation No. 0168-13 with a vote of 4-1.

The Resources and Development Committee serves as the final authority for the legislation.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
NASCHITTI, N.M.-On July 9, 2013, the New Mexico Department of Transportation opened the U.S. Route 491 temporary detour route to restore essential traffic on the roadway.

The detour route was opened late in the afternoon on the eastern side of the damaged roadway.

NMDOT encourages motorists to exercise extreme caution when traveling the detour route. Reduced speed limits are in place and will be enforced.

The speed limit for travel through the detour route is 25 mph.

Jermiah Herrera, technician supervisor for NMDOT, said motorists must remain vigilant when traveling the detour route. “Take the reduction in speed into consideration when you are traveling. Remain vigilant and mind the signage,” Herrera said.

“Have some consideration for others on the road because not everybody is a local.”

He said NMDOT is currently paving the detour route, which will be standard 12-feet lanes with 4-feet shoulders. Herrera did not have a timeframe for completion of the main U.S. Route 491 roadway.

“It’s going to be a while before it gets back to normal,” he said.

Information: www.navajodot.org or www.dot.state.nm.us
THE UNVEILING OF THE NEW ‘NAVAJO ZOO’ COFFEE

WINDOW ROCK, AZ. - During the past year, the Navajo Nation Zoo and Kachina Tea & Coffee Company have combined efforts to lay the ground work for the development of a line of strategically-sourced, artistically-roasted and respectfully hand-packaged coffees.

Today, it is with great pleasure, a genuine sense of pride and a humbling appreciation for the support of the Navajo Community at every level that we are proud to announce the fruits of our collective labor have successfully come to fruition, the Navajo Zoo Coffee blends.

In ‘Culturally Lateral Collaboration’ The Kachina Tea & Coffee Company and The Navajo Nation Zoo are now able to function under the terms of a signed Memorandum of Agreement having been approved by the Navajo Nation Council and Office of the President and Vice-President, through judicial resolution, on February 25, 2013.
This collaboration provides for an equal portion of the net proceeds from the sale of each coffee and Zoo related product to be shared by the Navajo Zoo and Kachina Tea and Coffee Company.

The revenue directed to the Navajo Zoo from coffee and product sales will greatly benefit the animals and the future development of the Zoo facility for the enjoyment and education of all its visitors in particular the children of the Southwest.

Those revenues realized by the Kachina Tea and Coffee Co. will be developmentally directed into the system with provisional intent. It is our objective to present, in a reasonable time frame, a proposal for consideration suggesting the development of a facility enabling the roasting of the coffee and production of a number of additional complimentary healthy culinary items in or near Window Rock under the terms described in the MOA rendering the project not only community supportive but community inclusive as well.

The Navajo Nation Zoo (www.navajozoo.org) in Window Rock, Arizona was dedicated as the only Native American owned-and-operated Zoo in the country on July 4, 1977. Today, we continue to operate as “A Sanctuary for Nature and the Spirit” as most of the Zoo residents make their home with us as a result of having been orphaned or injured and consequently unable to live in the wild. Most of the animals housed at the Navajo Nation Zoo are native to the Navajo Nation encompassing 17 million panoramic acres across the Southwest and all are reflective in a significant way of the traditions, legends and stories of The Navajo People.

Samantha Enos, Kachina Tea & Coffee Marketing Assistant talks about how you can buy the coffee and how it will benefit the Navajo Zoo, July 9, 2013. (Photo by Geri Hongeva, Division of Natural Resources)

Kachina Tea & Coffee Company (www.kachinatea.com) realized its beginnings in Malibu Canyon, California in the early 2000s, with the design of creating a line of natural botanical tea blends in an effort to lend nutritional and psychosocial support to friends and family experiencing certain types of functional inconveniences as well as those focused on a life style assisting in their objective to “Eat Healthy, Live Right and Stay Well”.

With 25 years of continuing clinical practice as a Respiratory Therapist and a carefully designed multifaceted support and information sharing network, Keith Duquito, the founder of Kachina Tea & Coffee Co. has enabled the company to slowly and strategically evolve into an extraordinary organizational system. With a diverse collection of healthcare professionals as colleagues and continuing associations with a number of major medical research and development centers around the country available for support, the best interests of a larger community being served has, and continues, to carefully develop over time.
The Navajo Zoo and Kachina Tea & Coffee Co. would like to announce the development and ongoing production of our first four carefully chosen, extraordinary coffee blends that proudly and appropriately feature four representative animals from the Navajo Zoo.

The first featured four include:

1) **Espresso Italiano** – a medium-strong espresso roast featuring the orphaned Kay-bah, the Navajo Zoo’s rugged lioness (cougar);

2) **An Elegant Kona Blend** – a simple and elegant roast blended with Hawaiian Kona beans with notes of tropical flowers and ripe persimmon featuring the orphaned Naabahi – one of the Navajo Zoo’s endearing male bobcats;

3) **Chuska Chai’s Hazelnut** – a fruity, smooth coffee with a hint of natural flavoring from Oregon-grown hazelnuts featuring the Navajo Zoo’s native tassel-eared squirrel; and

4) **A Regal Decaf** – a rich, deeply dimensioned and sweet decaffeinated blend perfectly represented by the Navajo Zoo’s male Ringtail.

Currently, these coffee blends are being artistically blended by a young master coffee roaster and good friend in Las Vegas, Nevada and a seasoned coffee importer and roaster in Northern California packaged and shipped from our Las Vegas store.

Each blend of coffee will be offered in a 7 oz. quantity, which is a perfect sample size to find your favorite, or function as a Zoo supportive gift for others.

Keith Duquitto, owner of Kachina Tea & Coffee shares his passion in helping the Navajo Zoo and using the best ingredients at his store. He also buys NAPI products for baking goods and ready to make popcorn, July 9, 2013. (Photo by Geri Hongeva, Division of Natural Resources)

Coffees will be available for sale at the Kachina Tea Company store in Las Vegas NV, and will be available on their website in time. In the Window Rock AZ area, coffee will be available at the Navajo Nation Zoo, The Navajo Nation Museum, and other locations in the future.

More information call David Mikesic at the Navajo Nation Zoo (928) 871-6574 or Samatha Enos, Kachina Tea & Coffee Co. Marketing Assistant (505) 686-3045, or visit www.NavajoZoo.org.

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FOR IMMEDIATE RELEASE
DATE: Tuesday, July 9, 2013

SUPREME COURT ISSUES OPINION IN HAUNGOOAH V. GREYEYES

On June 4, 2013, the Supreme Court issued its opinion in Dean Haungooah v. Delores Greyeyes, Director, Department of Corrections, No. SC-CV-06-13, regarding a petition for writ of habeas corpus filed by a homeless, non-Navajo Indian who had been arrested on a bench warrant without first being served with a probation revocation petition, then ordered to be incarcerated after his probation was revoked. The Court had previously granted the writ and ordered the petitioner's immediate release following an expedited hearing.

The Court found an illegal detention because the court had issued a bench warrant for the defendant's arrest without the petition for revocation of probation having been served, and without making a probable cause determination of futility that defendant would respond to service. The Court held that otherwise, a defendant must be properly served with a summons and notice of proceedings. Additionally, the Court did not find the defendant waived his right to an attorney, which the Court stated is a fundamental right. There must be meaningful notice and explanation of the right to the defendant before a waiver is accepted, and the circumstances were not present in this case. Finally, defendant was detained prior to trial. The Court stated that for a temporary commitment order to be issued, there must be specific findings why it is necessary, which were absent in this case.

In regards to the defendant's homelessness, the Court stated that pursuant to Diné beenahaz'áanii, the judicial and legal system has options and obligations to offer assistance and to apply restorative justice rather than strictly applying punitive justice. When it is known that a defendant is in need of assistance, the Navajo justice system should help defendants obtain rehabilitative services for treatment.

The period for reconsideration having ended, the opinion is now available on the www.navajocourts.org website.

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NASCHITTI, N.M.-U.S. Route 491 is closed to traffic both directions between Sheep Springs and Naschitti, near milepost 44, after heavy rains collapsed a portion of the roadway on night of July 5, 2013.

New Mexico Department of Transportation crews are onsite developing detours and scoping a permanent solution.

Jeremiah Herrera is the NMDOT supervisor on the scene.

Herrera said three channels of water undermined a 24-feet-by-15-feet rise culvert. The rushing water bent the western side of the culvert up and caused the roadway to drop approximately 2.5-feet.

NMDOT has a detour route in place for emergency vehicles and detour route for essential traffic could be completed as early as July 10. Crewmembers are currently installing pipe and grading the area.

In the interim, all other motorists are advised to travel the detour route on U.S. 371 for transportation in the Four Corners area.

For travelers headed to Window Rock, another route is available on Navajo Route 12 in Sheep Springs.

Navajo Division of Transportation Director Paulson Chaco met with NMDOT officials July 6 to assess the damage.

“I met with Larry Maynard, District 6 engineer, to offer our assistance from the Navajo Nation but he said New Mexico DOT crews had the situation under control, Chaco said.

Navajo DOT was contacted Friday night regarding the road collapse.

In an email to Chaco, Maynard stated, “Permanent structure should be designed and constructed within four weeks, plus a week for roadway features.”

The road collapse occurred on the old two-lane road segment of U.S. Route 491, south of Sheep Springs.

Navajo DOT and Senator John Pinto (D-Dist. 3) have been lobbying federal and state officials for the completion of the four-lane construction of U.S. Route 491, citing several safety considerations, including dilapidated infrastructure.

Four-lane construction remains to be completed from Sheep Springs, south to Twin Lakes, a distance of 26.1 miles and a cost of $102.9 million.

On the evening of July 6, the Navajo Nation Commission on Emergency Management convened at the Navajo Transportation Complex in Tse Bonito regarding the road closure.

The closure of U.S. Route 491 in the Eastern Navajo Agency occurred more than four months after a dry slide closed U.S. 89 in the Western Navajo Agency.
The importance of restoring traffic through this main artery of the Four Corners was not lost on the commission, which drafted an emergency declaration.

CEM-13-07-06 was passed by a vote of 3-0. Commissioner Benjamin Bennett made the motion to approve the declaration and was seconded by Commissioner Eugenia Quintana.

Chairman Herman Shorty signed the declaration and sent it to Navajo Nation President Ben Shelly for his concurrence.

The declaration states, “The Navajo Nation Commission on Emergency Management hereby declares a State of Emergency for the Navajo Nation along U.S. Highway 491 due to a culvert washout from torrential thunderstorms posing a substantial public safety risk to travelers traversing the route and thereby severing, interfering and disrupting public transportation, emergency transport, normal and commercial traffic to the traveling public.”

The declaration begins the process for appropriate Navajo Nation entities to immediately begin coordination with all relevant agencies for the use of resources to meet the accessibility needs of the traveling public.

This includes activation of available emergency resources such as funding to cover personnel, equipment, and other means as determined fit and feasible to restore and sustain vital community infrastructure.

Information: www.navajodot.org

-30-
FOR IMMEDIATE RELEASE  
July 5, 2013

Health, Education, and Human Services Committee discusses status report from the Navajo Area Agency on Aging

WINDOW ROCK – The Health, Education, and Human Services Committee received a report on Wednesday, related to the possible reorganization and regionalization of the Navajo Area Agency on Aging.

The Navajo Area Agency on Aging is housed under the Navajo Nation Division of Health, tasked with ensuring that Navajo elders receive all available benefits and services such as: Dine Elderly Protection, Foster Grandparents Program, Navajo Family Caregiver Program, Food Delivery, Nutrition Services, and Ombudsman.

Rosalyn Curtis, director of Navajo Area Agency on Aging, updated the HEHSC members on the agency’s progress to address a recommendation from the Navajo Nation Auditor General to revise the service mapping.

“NAAA was asked to increase employee work hours without the additional funds to do so,” said Curtis. “As an effort do that, we have made changes to the service mapping for food deliveries.”

HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) inquired as to whether the Nation’s senior citizen centers would be impacted by the mapping revisions.

“I am unsure how familiar council delegates are with the operation of senior citizen centers,” said Delegate Phelps. “However, we must continue being proactive in modifications to direct services for our elderly.”

Advocating for his chapter, Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) said Tuba City residents are unhappy with NAAA.

“I am unsure if NAAA has truly been proactive in improving services to the elderly in Tuba City,” said Delegate Butler. “I am going to request that NAAA secure a new accountant to ensure you are working to do so.”

Council Delegate Kenneth Maryboy (Mexican Water, Aneth, Teecnoapo, Tólikan, Red Mesa) said he was alarmed by the report and emphasized the importance of continuing food deliveries to very rural areas of the Nation.
“My chapters are experiencing a serious drought, NAAA employees must continue checking on the elderly to make sure they’re safe,” said Delegate Maryboy. “Unfortunately we have some elderly people who are not monitored at all.”

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) assured Curtis, that the HEHSC would work with NAAA throughout the budget process to ensure that the elderly are not neglected.

“It's very sad to know that we have elderly who rely on the visits from NAAA employees,” said Delegate Hale. “If the committee and NAAA continue communicating with each other during the budget season, we can secure funding for services like eye glasses, food delivery, and dentures.”

HEHSC members voted 2-2 on the report, requiring NAAA to provide a follow-up report with Larry Curley, director of Navajo Division of Health.

HEHSC’s next meeting is tentatively scheduled for July 10 at 1 p.m. at the Dilkon Chapter House.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 5, 2013

Budget and Finance Committee receives report from the Navajo Nation Department of Emergency Management

Status update of FEMA grants allocated to chapters

WINDOW ROCK – On Tuesday, the Budget and Finance Committee received a report from the Navajo Nation Department of Emergency Management. DEM director Rosalita Whitehair updated the BFC on the status of the Federal Emergency Management Agency grants that were allocated to chapters throughout the Navajo Nation.

BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) requested the report to be added to Tuesdays’ agenda, due to the urgent nature of the matter.

According to Whitehair, FEMA has allocated funds to chapters that were in need of emergency relief in their areas due to natural disasters that occurred over the last eight to nine years.

“Currently, we are working on the oldest emergency projects first, which date back to 2005,” said Whitehair.

When chapters submit emergency declarations, they receive assistance from FEMA in the form of a reimbursement check that covers 75-percent of the project costs. However, the chapters are responsible for a 25-percent match-cost to ensure the project is 100-percent complete, stated Whitehair.

BFC member Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) expressed concern regarding two deadlines on a memorandum sent to chapters from DEM, dated June 13.

“There are two dates on the memo, which I think might be confusing chapters as to when they need to complete their project,” said Delegate Simpson.

Whitehair explained that chapters receive checks up front when they receive FEMA funding. However, they must use the funds for the specific scope of work outlined in their project plan, and the actual physical construction must be completed by Aug. 1, 2013.

“Once the scope of work is completed, our department and chapters must have the reconciliation of financial paperwork completed by Sept. 30, 2013 for FEMA to review,” said Whitehair.
“Chapters have asked how these funds are to be used and some are even returning the checks for fear they are spending it in the incorrect manner,” said Delegate Nez regarding reimbursement checks.

In response to the confusion over FEMA policies, Whitehair explained that there are different emergency categories that chapters can refer to in the FEMA public funds policy handbook.

Category A and B, are funds for immediate use in emergencies and may be utilized as the chapter sees fit, said Whitehair. Category C through G, are for permanent projects that are funded when chapters have established a specific scope of work, which they cannot deviate from.

Whitehair added, “FEMA will not grant any more extensions to the deadline, although many requests have already been made.”

At the end of the discussion, Whitehair stressed that if chapters have any questions or need further clarification regarding FEMA grants, they need to contact the DEM office as soon as possible.

“I commend the partnership between DEM and the Office of the Controller for getting checks out to chapters quickly,” said Delegate Nez.

BFC voted 3-0 to accept the report.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 3, 2013

Law and Order Committee receives update regarding the Dilkon Justice Center

WINDOW ROCK – On Monday, the Law and Order Committee received an update regarding the development of the Dilkon Justice Center from Navajo Nation Design & Engineering Services, Navajo Nation Department of Corrections, Dilkon Judicial District, Dilkon Chapter officials, and Johnson Smithipong & Rosamond architecture firm.

Johnson Smithipong & Rosamond engineer Bill Draper said the development began in 2009 on a 10-acre site, which will encompass a judicial complex, police department, and corrections center.

“Thus far, we have completed a 15,000 square-foot court building, and hope to complete the detention center and police department,” said Draper, adding that the justice center is far along in the process and with additional funding the project could be completed in early 2015.

“We are trying to identify construction funds and at the same time, continue lobbying efforts to obtain additional monies for maintenance and operation of the facilities after completion,” said Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone). “They have been working on this [Justice Center] project for the past seven years.”

Navajo Nation Department of Corrections director Delores Greyeyes and Lt. Emerson Lee, provided LOC members with statistics showing the impact of the Twin Arrows Navajo Casino Resort has had on crime.

“The opening of Twin Arrows has impacted crime rates, which have increased in the Dilkon district,” said Greyeyes. “Not just for law enforcement, but for patrol, corrections, and investigations.”

According the Greyeyes, arrestees are transported to Tuba City or Window Rock for processing, which entails a three-to-four hour roundtrip for officers.

Greyeyes and Lt. Lee said they hope the LOC will amend the Judicial/Public Safety Complex Priority Listing to move Dilkon to the top of the list, referencing their report which states they are further along in the process than other districts on the Navajo Nation.
“The report you provided will help in deciding the final priority listing and how the committee will prioritize the projects,” said LOC vice chair Council Delegate Alton Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat).

“Other than the Navajo Nation as the primary funding source for this project, I hope you are looking for outside additional funding,” Delegate Shepherd added.

The majority of the project was funded by the Navajo Nation and 638 contract funds, but the Bureau of Indian Affairs needs to be held accountable to their treaty responsibility and assist financially to complete the justice center, said Greyeyes.

According to Greyeyes, a letter will be drafted asking for additional funding from the BIA.

At the conclusion of the report, Delegate Shepherd said the final priority listing will include information from the report, which is currently open for public comment.

The committee voted 3-0 to accept the report.

The legislation to finalize the priority listing will be considered at the next LOC meeting on July 8 at 10:00 a.m.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 3, 2013

Resources and Development Committee votes to approve the funding of Chapter Infrastructure Improvement Priority Projects

WINDOW ROCK – The Resources and Development Committee considered Legislation No. 0118-13, which seeks to approve the Navajo Nation Chapters’ Infrastructure Improvement Priority Projects for fiscal years 2013 through 2018.

Legislation No. 0118-13 was previously tabled by the RDC on Mar. 30, to allow for the collection of supporting chapter resolutions by the Navajo Nation Division of Community Development.

Legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels), said the legislation’s primary purpose is to use the interest from the Permanent Trust Fund to build proposed infrastructure projects.

“The chapters have taken the time to thoroughly re-assess their community needs and produce a chapter resolution,” said Delegate Hale. “The legislation will create capital for our chapters.”

RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) noted that 97 of the Nation’s 110 chapters submitted supporting resolutions, confirming their project proposals.

“The projects that were included in the original document are 2-years-old,” said Delegate Benally. “The RDC asked for resolutions to ensure current chapter needs are being addressed.”

Although a majority of Chapters submitted supporting resolutions for their projects, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) was skeptical of the proposed funding amounts.

“Some proposals concern me, $50 million for one project is not feasible,” said Delegate Tsosie. “We need to look at the true needs of the Nation, like the elder and youth sectors.”

Council Delegate Leonard H. Pete (Chinle) questioned if the proposals should require a funding limit to ensure funds are maximized to their full potential.

“These proposals need a funding ceiling and solid prioritization process to maximize the funds,” said Delegate Pete. “I don’t see much sense in adding the chapter resolutions to the legislation’s documents.”

Delegate Tsosie argued that the proposal listing neglected the true needs of the people, and questioned the relevance of the chapter resolutions.
“The people tell me they want the roads graded, not proposals for a chapter house parking lot,” said Delegate Tsosie. “When you only have 25 votes on a chapter resolution, and have a population of over 1000, that’s not democracy.”

Speaking in support of the legislation, Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) said he was excited to witness the Nation’s investments return in the form of capital development.

“Here is an opportunity for each chapter to build something tangible by utilizing the Permanent Trust Fund interest,” said Delegate Smith.

Council Delegate George Apachito (Alamo, Ramah, Tohajiilee) stressed that recommendations from each of the 24 Council Delegates to prioritize the proposals must be considered.

“We need to keep working on the prioritization process in order to be fair,” said Delegate Apachito. “I am optimistic of the legislation’s potential, my chapters will be happy to see additions to their communities.”

After a lengthy discussion, RDC members voted 2-2, requiring RDC chair Delegate Benally to cast a tie-breaking vote.

“I will support the addition of the chapter resolutions and the final legislation when it goes to the Council,” said Delegate Benally.

The RDC approved Legislation No. 0118-13 with a vote of 3-2.

The legislation now moves on to the Budget and Finance Committee and Naabik’íyáti’ Committee before it goes to the Navajo Nation Council for final consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 3, 2013

Speaker Naize encourages a safe and joyful Fourth of July celebration

WINDOW ROCK – Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) wishes all families throughout the Navajo Nation a joyful and safe Fourth of July weekend.

“I encourage our Navajo people to spend time with their family, friends, and loved ones and to take part in events scheduled throughout the Navajo Nation including in the Fourth of July celebrations in Window Rock and Kayenta, and please do so in a safe and responsible manner,” said Speaker Naize.

In reference to the recent loss of 19 firefighters in the Yarnell Hill wildfire, Speaker Naize said he urges the public to abide by the Navajo Nation’s ban on open fires and fireworks to prevent fires from occurring.

Speaker Naize also acknowledged the fact that some will partake in the consumption of alcohol in celebration of the holiday, and urged those individuals to do so responsibly and to have a designated driver.

“In recent years, we’ve seen an increase in accidents and fatalities involving alcohol and DUI,” said Speaker Naize. “I want everyone to enjoy the holiday and remain safe with their families.”

Throughout the weekend, Speaker Naize plans to attend several events including the premiere of Star Wars Episode 4, translated to the Navajo language. Public viewings of the film are scheduled throughout the weekend, beginning July 3 through July 5.

In addition to the Fourth of July and PRCA Rodeo in Window Rock, Speaker Naize will also attend the Kayenta Fourth of July events and rodeo currently underway.

For a complete listing of scheduled events please visit http://www.navajonationfair.com/ and http://kayentatownship.net/blog/.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
July 3, 2013

Navajo Nation Branch Chiefs give report on the impacts of sequestration
Discussion on the sequester and its effects on the Navajo Nation

WINDOW ROCK – Last Friday, the three-branch chiefs gave a comprehensive report to the Budget and Finance Committee on the impact of the sequester and discussed how it will affect each branch, in terms of funding.

The reports focused on the potential effects of the sequester once it is implemented by the federal government, which could be as early as this current fiscal year.

Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) reported that the legislative branch does not receive federal funds for personnel or operation costs.

“We do receive Indirect Cost funds, which at this time is subject to a decrease of five-to-eight percent,” said Speaker Naize. “IDC funds are also used by the Navajo Nation Council and its committees.”

Speaker Naize presented a FY2014 budget projection that included the potential financial state of the legislative branch with a five-percent decrease.

“If the sequester comes into effect, there will definitely be decreases in our branch,” Speaker Naize added in regards to the report.

Navajo Nation Chief Justice Herb Yazzie reported that the judicial branch would feel major effects of the sequester once it is implemented.

According to Chief Justice Yazzie’s written report, the judicial branch receives federal funding from the PL 93-638 contract, which will decrease due to the sequester.

“General funds will have to be relied on for continued operational costs,” according to Chief Justice Yazzie’s report.

“The level of service the judicial department provides will decrease, while the amount of caseloads will increase, and impact many other services the branch is responsible for,” stressed Chief Justice Yazzie.
The judicial branch impact report stated, “We will continue to challenge the federal government in meeting its federal trust responsibilities. We will continue to challenge the lack of adequate funding for contract support costs.”

Chief of Staff for the Navajo Nation Office of the President and Vice President Arbin Mitchell delivered a report on behalf of the executive branch.

“The sequester is going to cut deep into the [executive] budget,” said Mitchell.

According to Mitchell, the sequester will impact indirect costs, fixed costs, fringe benefits, administrative building repair and equipment.

Mitchell also reported that the executive branch projects a $13 million budget for FY2014, a $2 million decrease from FY2013.

Near the conclusion of the discussion, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) said, “The Council is ready for something new with the budgeting process,” pointing out that the process is in need of reform.

The BFC voted 4-0 to accept the report.

The BFC is scheduled to meet to further discuss the FY2014 budget on July 3 at 10 a.m. in the Budget and Finance Conference Room in Window Rock.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
IMMEDIATE RELEASE : July 2, 2013

“Bucky Covington gains new fans at Monument Valley”

MONUMENT VALLEY, UT- The Annual Tse’Bii Nidzisgai Community Celebration once again is a favorable event for all ages. On June 28th, Navajo Parks and Recreation organized an eventful day for the community of Monument Valley and Oljato area. Events included; a Horse Clinic, beach volleyball, fun walk, Navajo story telling, traditional Navajo songs and a concert by country music artist Bucky Covington.

The annual event is a team effort with Navajo Nation Special Diabetes, Navajo Agriculture, Monument Valley tour operators, the View Hotel, Goulding’s Lodge, Monument Valley High School, UT, Monument Valley Vendors Association and Navajo Parks and Recreation. Together, the community celebration was a good gathering, it reinforced friendships and initiated new connections.

Jimmy Cody, Dorothy Bigman, Davis Boys and Joe Tohonnie Jr. drew the crowd and kept the elders dancing despite the heat at the Monument Valley Welcome Center. Many elders came to the community celebration for the Navajo songs and social dancing, it is an opportunity to be with family and friends. Navajo social dances remains very popular.
The Horse Clinic allowed the owners to learn more about equine health and also an opportunity to have their horses cared for. “The clinic was great because the Navajo presenters incorporated traditional teachings they learned from their elders to share with the community,” stated Larry Holiday. Horses were brought to the event to get some dental work done and some hoof care.

A new event this year, was the beach volleyball. With sand being plentiful, it was easy to create a sand volleyball court. The Navajo Special Diabetes, Kayenta Indian Health Service and Educational Health from Kayenta all coordinated the volleyball tournament to promote physical activity for the youth. “We were proactive and approached Navajo Parks and Recreation to add this event,” explained Dorene Sullivan from Navajo Special Diabetes. Our goal is to prevent childhood obesity, added Sullivan. Champions of the beach volleyball tournament is a team named Coppertone.

The closing performer was an artist who is no stranger to the Navajo Nation, in 2009, country music artist Bucky Covington entertained the Navajo Nation Fair crowd in Window Rock, Az. It was Covington’s first time in Monument Valley but immediately gained new fans. “Wow! Look at that,” he exclaimed in between songs, as he stood on stage looking at the sunset. But you all see that everyday, added Covington, amazed by the beautiful Monument Valley horizon.

Martin L. Begaye, Department Manager stated “Navajo Parks and Recreation Department started the tradition of the Monument Valley Community Celebration about eleven years ago and we’re proud to continue the annual tradition of expressing our appreciation to the people of Oljato and Monument Valley through this event.”

More information please visit www.NavajoNationParks.org

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Speaker Naize expresses condolences for the families of the 19 firefighters who lost their lives fighting the Yarnell Hill wildfire

Photo: Speaker Johnny Naize (left) addresses mourners and the families of the 19 firefighters who lost their lives fighting the Yarnell Hill fire at a memorial service held in Prescott, Ariz.

PRESCOTT, Ariz. – On behalf of the 22nd Navajo Nation Council, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) expressed condolences for the community of Prescott and the families of the 19 firefighters who lost their lives fighting the Yarnell Hill wildfire, during a memorial service held in Prescott, on Monday.

“Our thoughts and prayers are with all of you as you mourn the loss of your husbands, sons, and fathers,” said Speaker Naize. “Their bravery and courage in the line of duty will always remain in our hearts and minds.”

The 19 young men were part of the elite group of firefighters known as the Granite Mountain Hotshots, who were killed battling a wildfire near the town of Yarnell, on Sunday.

“We pray that the site of the fallen firefighters will be a sacred place, and that the rain will come today, tomorrow — to restore the land, and the hearts and minds of all you,” said Speaker Naize to the approximately 1,000 people who attended the service.
Speaker Naize, whose son is currently battling the same fire that took the lives of the 19 firefighters, acknowledged and expressed appreciation for the Navajo Nation’s own hotshot firefighters, and thanked dozens of firefighters seated in the audience.


Near the conclusion of the memorial service, members of the Prescott Fire Department and hotshot crews joined together for a moment of silence to honor the fallen firefighters.

On Monday, Arizona Gov. Jan Brewer ordered that all state flags be flown at half-staff from sunrise on July 1 through sunset on July 3.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Declares Emergency Due to Drought Conditions

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly declared a State of Emergency for persisting drought conditions on the Navajo Nation.

“We recognize that much of our land is dry, our wells aren’t producing water like they have in the past, and now we must do what we can to help our people who are suffering in these dry conditions,” President Shelly said.

President Shelly signed the declaration on Monday. President Shelly also signed memorandum directing all executive branch divisions to formulate plans to assist in drought relief.

“I am directing all Executive Branch divisions to pull its resources together to immediately develop a plan to coordinate necessary service to the Nation,” President Shelly wrote.

Division directors are formulating a comprehensive plan that includes response and public education regarding drought land, livestock, and agricultural management.

According to tribal precipitation statistics, Western Agency is about 65 percent below normal precipitation amounts this year, while Fort Defiance Agency is about 63 percent below normal. Northern and Eastern Agency are about 55 percent below average, while Chinle Agency is about 30 percent below average precipitation levels.

The declaration allows chapters to use emergency funds to assist with drought conditions and also allows the Navajo Nation to seek a federal disaster from President Barack Obama.

“For every department, division and chapter that is working on the drought, please maintain all your records. If we get a federal disaster declaration, we will need those records for possible reimbursement,” President Shelly said.
President Shelly, however, cautioned against spending large amounts of money to combat drought conditions.

“We can’t fix every problem by throwing money at it. We have to be creative and think about new ways to get through this drought. We need long term solutions and practices,” President Shelly said.

The National Oceanic and Atmospheric Administration officials expect above normal temperatures to continue through the summer months with below average precipitation.

About 5,000 lakes and ponds exist on the Navajo Nation and as dry conditions prevail, pressure will be put on existing wells, the emergency declaration states.

“We are going to do everything we can to bring our people through this drought. We have many needs, and we are a strong people. Water is precious and we have to learn how to conserve and change our practices to make sure we prevail through these drought conditions,” President Shelly said.

###
FOR IMMEDIATE RELEASE
July 2, 2013

Navajo Nation Council votes down legislation to remove the Tribally Designated Housing Entity from the Navajo Housing Authority

WINDOW ROCK – The 22nd Navajo Nation Council considered Legislation No. 0011-13 last Friday, which sought to transfer the Tribally Designated Housing Entity from the Navajo Housing Authority to the proposed Navajo Nation Housing Commission.

Legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels), advocated for the establishment of the Navajo Nation Housing Commission to act as the manager of funding received through the Native American Housing Assistance and Self-Determination Act.

“I come forth with this legislation to address the growing frustration with Navajo Housing Authority,” said Delegate Hale. “NHA will still exist, but as a separate sub-contracting enterprise.”

The Native American Housing Assistance and Self Determination Act of 1996 reorganized housing assistance provided to Native Americans through the U.S. Department of Housing and Urban Development.

Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) expressed concern over the possibility of increased intervention by government entities in the affairs of the Nation’s enterprises.

“In order to start moving forward, we must stop this habit of always being in control,” Delegate Begay said. “The Council must think about what the chapters want.”

Although some delegates spoke in opposition of the legislation, others were not hesitant to express their frustration with NHA.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) expressed dissatisfaction with a lack of funding for housing in his chapters.

“Some chapters have been fortunate to receive housing. However my chapters have not received housing for 50 years,” said Delegate Tsosie. “NHA’s lack of performance has put the Nation in a funding crisis.”

Delegate Tsosie added that Navajo people have grown accustomed to inadequate NHA subdivisions, asserting his support for the legislation.
Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) cautioned that the removal of TDHE from NHA would signify instability within the Nation’s government.

“Some chapters are extremely proactive when working and planning with NHA,” Nez said. “We should not punish those chapters by jeopardizing these funds, especially during the sequestration.”

Council Delegate Leonard H. Pete (Chinle) stated that NHA is not creative when expending funds, noting that he has been waiting for such a legislation to come before the full Council.

“If we do not make change, it might be perceived as the Council approving the reversion of federal funds. I cannot allow that,” Delegate Pete said.

Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) inquired as to how the proposed housing commission would work with chapters to expend funds.

“NHA has worked with Northern Navajo Agency chapters to explain what they have to do to see development,” said Delegate Bates. “I’m unsure if the new commission can do that.”

Due to numerous concerns over the proposed plan of operation, Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) attempted to table the legislation. The motion failed with a 8-12 vote.

Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) encouraged her colleagues to support the proposed housing commission and to move forward in a positive direction, in light of the recent conflict with NHA.

“We have tried to work with NHA, but instead they choose to file lawsuits against the Council,” said Delegate Benally. “The Council has the power to do great things for our people; the commission is one of those things.”

After a lengthy discussion, Council voted down the legislation with a 9-11 vote.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
August 30, 2013

Resources and Development Committee accepts exit report from the Monument Valley Navajo Tribal Park

MONUMENT VALLEY, U.T. – The Resources and Development Committee approved an exit report on Tuesday, regarding the status of the Monument Valley Navajo Tribal Park from former interim park manager Edward Dee.

Dee managed the daily operations of the Monument Valley Navajo Tribal Park during the summer of 2013.

According to Dee’s report, he states that there were improprieties that took place at the park such as mishandling of funds by fee collectors and other staff.

“I am not going to beat around the bush, but let’s call it what it is — embezzlement,” said Dee. “Through a money receipt booklet and prewritten checks, staff was able to manipulate the funds in a manner to account for any money taken.”

“I am almost too angry to comment on this report,” stressed RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta). “There needs to be corrective action at the government level to address these problems.”

According to the written report provided by Dee, other problems include emergency services/response time, entrance fee collection, commercial filming/photography permits, Navajo market vendors, staff compensation, valley residents, and carrying capacity.

“One of our biggest problems at the park is emergency response services,” said Dee. “We had a tourist die due to an ill-equipped ambulance and the response time took over an hour before transporting the patient, who died on the way to the hospital. This isn’t the first time this has happened.”

In response to the report, RDC members were quite distressed upon hearing of the improprieties and embezzlement taking place, especially the slow response time of emergency services.

“All these years, no one has come forward to report these disturbing events that are taking place at our Navajo Nation park. It is time to do an audit of the entire park operation,” stated RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater,
Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake). “It is things like this that make the Navajo Nation look bad.”

RDC vice chair Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) also recommended that the Monument Valley Navajo Tribal Park go through a reorganization and restructuring of its entire operation, upon receipt of the audit.

At the conclusion of the discussion, Delegate Benally and Delegate Tsosie commended Dee for his courage and fortitude for bringing the issues to light.

RDC members voted 3-0 to accept the report.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
August 30, 2013

Speaker Naize expresses opposition to the proposed deregulation of the Arizona electric market

PHOENIX – On Tuesday, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) addressed representatives from various Arizona energy corporations and energy regulators at the Arizona State Capitol, to express opposition to the proposed deregulation of the electric market in the state of Arizona.

“The idea of deregulation has captured the attention of the Navajo Nation because the Navajo Nation is severely threatened by this proposal,” said Speaker Naize. “It will further deepen the unemployment rate which is already above 50 percent.”
Tuesday’s meeting was organized by the Arizona Residential Utility Consumer Office, established by the Arizona Legislature in 1983, to represent the interests of residential utility ratepayers in rate-related proceedings involving public service corporations before the Arizona Corporation Commission.

Earlier this year, the Arizona Corporation Commission who is charged with overseeing the quality of service and rates charged by public service utilities, opened up the debate regarding the possibility of deregulating the electric market.

Speaker Naize explained that if deregulation took effect, it would threaten jobs at the Four Corners Power Plant, Navajo Generating Station, Peabody Coal Co., and the BHP Navajo Mine, which would also have a negative impact on border town economies.

“The people who work at these plants live near border towns and rely on those border towns which include Flagstaff, Gallup, Winslow, and Page,” Speaker Naize said. “So it will have a tremendous impact on the entire state of Arizona.”

Supporters of deregulation suggest that a free electric market would provide consumers with options for utility service which could possibly drive down the price of electricity for consumers.

In a joint statement issued in July between Speaker Naize and Speaker of the Arizona House of Representatives Andy Tobin, the two pointed out that Arizona’s current electric regulatory low cost model has historically insulated electric and water user rates.

Speaker Naize also pointed out that deregulation has proven to be unsuccessful in other states and has in fact resulted in higher utility costs for consumers in those states.

“I truly believe what is good for the Navajo Nation is good for the state of Arizona, so I asked the Arizona Corporation Commission to carefully consider the Navajo Nation’s position,” said Speaker Naize.

The Arizona Corporation Commission is expected to decide whether or not to deregulate the electric market in the state of Arizona by Oct. of this year.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
For Immediate Release  
Aug. 29, 2013

President Shelly Tells U.S. EPA New Rule Must Consider Future Economic Impact

SAN FRANCISCO, Calif.— Navajo President Ben Shelly presented a seven-page letter and an agreement to the U.S. EPA, asserting the proposed emissions reductions rule will impede upon future gross revenue receipts to the Navajo Nation during a meeting with the EPA on Wednesday.

“I am asking for your agency to do a more than thorough study,” President Shelly said to EPA Region 9 Administrator Jared Blumenfeld.

The letter asks the EPA to consider an “Improved 5-Factor Analysis” of the EPA’s proposed rule to reduce emissions at Navajo Generating Station, taking into consideration the economic impact to the Navajo Nation.

“In July, I signed the Navajo Generating Station lease agreement which was not considered before your proposed rule was issued in January,” President Shelly said during the meeting.

The five factors in the study includes deal with compliance cost, energy and air quality impact, existing facility controls, remaining life at facilities, and visibility and improvement. No consideration is given to the impact of the local economies including the Navajo Nation. A study by the Arizona State University cites the economic impact to the minority low-income population. An annual loss to the Navajo Nation may be as high as $11 million per year.

President Shelly added that the Navajo Nation already faces existing policies that slow economic progress.

“We have to face the red tape of the federal government being in the way,” said the president. “It takes five, six years to get something going. There are six years of joblessness.”

In January, the U.S. EPA published a new proposed rule to reduce the nitrogen oxide emissions from the Navajo Generating Station near Page, Ariz. It is requirement of the Regional Haze Rule of the Clean Air Act for Class 1 areas including national parks for visibility.
“If your new rule forces us to shut down a unit from production, we will lose $300 million in our future revenue,” President Shelly said. The financial impact from years 2013 through 2044, are estimated at $295,421,819.00.

The U.S. EPA at the end of the meeting with the Navajo Nation proposed to hold five hearings, and to push the October 4 deadline to the public comment period to a new undetermined date to allow more time for review of the Navajo Nation’s agreement with the stakeholders.

The rule would force NGS to close one unit and Four Corners Power Plant is proposing to close three units to meet the requirements under the Regional Haze Rule.

Along with his letter to the U.S. EPA regional administrator, President Shelly presented an agreement reached by the Navajo Nation, the U.S. Department of the Interior, Gila River Indian Community, Salt River Project, Central Arizona Project, and two groups known as the Environmental Defense Fund and the Western Regional Advocates. The Technical Work Group (TWG) agreement is an alternative put together by affected stakeholders as a ‘Better than BART’ proposal to “achieving greater emission reductions,” as stated in the president’s letter.

“In fact, the TWG agreement was crafted to expressly allow for the Navajo Nation to continue communication with the U.S. EPA about the proposed rule, including our assertion that the current five-Factor Analysis is flawed,” President Shelly wrote.

The Navajo Nation’s meeting with EPA and the U.S. Department of the Interior was a government-to-government consultation, which the president emphasized the importance as he was joined by the Navajo Nation attorney general and the Navajo EPA director.

The EPA will hold five hearings, and extend the October 4 deadline.

Navajo Generating Station is a 2,250 megawatt generating station, one of four coal-fire plants in the contiguous Navajo Nation area, and employs 528 people and an additional 300 seasonal employees.

The final rule to the Clean Air Act will be issued by the U.S. EPA.

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FOR IMMEDIATE RELEASE
August 29, 2013

Health, Education, and Human Services Committee receives annual report from Utah Navajo Health System, Inc.

MONTEZUMA CREEK, UT – On Wednesday, the Health, Education, and Human Services Committee discussed the Utah Navajo Health System, Inc.’s annual report during their regular committee meeting, held at the Montezuma Creek Community Health Center.

The Utah Navajo Health System, Inc. is in its fourteenth year of operation as a 501(c)(3) non-profit health care system serving the “Utah Strip”, which includes the northern population of the Navajo Nation.

“The Navajo health care system is constantly transforming and progressing to meet the unique needs of our people,” said HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels). “On the Navajo Nation, we have former uranium workers, rural patients, and low-income families that require a dependable health care system.”

Currently the UNHS operates four healthcare facilities in Navajo Mountain, Monument Valley, Montezuma Creek, and Blanding, under a P.L.93-638 Title V Self Governance Compact with the federal government.

“UNHS has made monumental progress in meeting our patients needs,” said UNHS CEO Donna Singer. “Today patients have better access to dental care, they can schedule appointments from their iPhones, and we have purchased additional land for our future expansion.”

Singer presented the annual report with staff from the various departments within the UNHS, such as: human resources, methamphetamine & suicide prevention initiative, emergency medical services, clinical pharmacy, patient navigation, and accounting.

HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) was pleased to hear of UNHS’s quality service and questioned how the methamphetamine & suicide prevention initiative was funded.

“The MSPI is funded by our General Fund, grants, and a little from IHS. We are really trying to utilize our third party resources,” said Singer.

In light of the recent federal sequestration, Delegate Hale suggested that the UNHS board of directors create a resolution to protect the four clinic’s federal funding and grants.
“Programs like MSPI need to be protected. I urge the board of directors to provide the IHS with a list of budget priorities in the form of a resolution,” said Delegate Hale.

The UNHS stressed that they continue to improve patient services by covering tuition costs for employees who choose to attend medical or nursing school, maintaining the patient data navigation system, and working with the state and federal governments to continue contract support costs.

“Our patient navigation system allows UNHS clinics to review patient records and appointments to ensure each patient is receiving the right care regardless of which facility they go to,” said Singer. “Our staff is also working to secure contract support costs that allow us to provide specialty services.”

Following the presentation, HEHSC member Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) commended UNHS for their success in creating a detailed and progressive facility that maximizes both the patient and provider’s time.

“I am very impressed with the patient navigation system, this demonstrates that UNHS has developed into a successful P.L. 93‐638 healthcare system,” said Delegate Butler. “I believe that UNHS is a great representative for hospitals and clinics on the Navajo Nation.”

The HEHSC accepted the report with a vote of 3-0.

Public Law 93‐638, Indian Self-Determination and Education Assistance Act of 1975, authorizes the U.S. Secretaries of the Interior, Health, Education, and other government agencies to enter into contracts with federally recognized tribes. Tribes have the authority to administer the funds, giving them greater control over their welfare.

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
President Shelly Cuts Ribbon to Open Navajo Route 20

COPPERMINE, Ariz. – Navajo Nation President Ben Shelly delivered statements of teamwork and gratitude during a speech near Navajo Route 20 during a dedication and ribbon cutting ceremony Thursday morning.

“You have your new N20. It is complete,” President Shelly announced before a crowd of about 300 people.

President Shelly was a guest speaker at a dedication ceremony for the opening of N20 Thursday morning with other speakers from the local chapters, Navajo Division of Transportation, Arizona Department of Transportation, the Bureau of Indian Affairs and the Federal Highway Administration.
“This is all it takes,” President Shelly said about teamwork, “let’s work together and look at the future.”

Navajo Route 20 was designated the alternate route after U.S. Hwy. 89 was closed in February because a dry land slide caused portions of the road to collapse. U.S Hwy 89 is the main road between Flagstaff and Page, Ariz.

N20 was a 28-mile dirt road that for decades community members have been asked to be paved. The closure of U.S. Hwy. 89 sparked efforts to fast track the paving of N20 that took more than 750 workers and 79 days to complete.

“This project was completed as an emergency detour route and you did things properly, ensuring the safety of all who will travel this road,” President Shelly said.

President Shelly expressed gratitude for leaders and communities members who have been advocating for the paving of N20.

“Thank you from the bottom of my heart,” President Shelly said.

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FOR IMMEDIATE RELEASE
August 29, 2013

Budget and Finance Committee approves the Navajo Nation Fiscal Year 2014 comprehensive budget

TOHAJIILEE, N.M. – On Monday, the Budget and Finance Committee approved the Navajo Nation FY2014 comprehensive budget, including proposed financial plans from the executive, legislative, and judicial branches, as well as fixed costs and capital project budgets.

“As you are well aware, this is the 2014 budget we have had several hearings for and we are almost at the end of this grueling process to get where we are at today,” said BFC chair Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse‘Daa’kaa, Upper Fruitland).

The BFC is tasked with reviewing the proposed budgets from all branches of the Navajo government with the aid of the Office of Management and Budget, Office of the Controller, Department of Justice, and the Legislative Counsel.

“I have a number of amendments proposed for this legislation, but the intentions are to clean up and strengthen the language in the comprehensive budget, as well as add Conditions of Appropriations to a few more areas,” said Delegate Bates.

Delegate Bates recommended three amendments to the budgets, which included corrections and additional language to the legislation, COA’s, and the approval of carry-overs for the Navajo Nation Gaming Regulatory Office.

In regards to COA’s, OMB is responsible for monitoring the COA’s to ensure compliance and OOC imposes the sanctions.

“A lot depends on the way COA’s are written,” said executive director of OMB Dominic Beyal. “Sometimes the language is too general, too vague, non-specific, does not include time frames, and so forth.”

Beyal stated that the inconsistencies in the language are difficult for OMB and OOC to enforce, while recommending that COA’s be strengthened in the future to ensure compliance by all departments.
At the conclusion of the discussion, BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah bii Kin) commended the committee and aiding parties for the completion of the FY2014 comprehensive budget.

BFC voted 3-0 to pass Legislation No. 0247-13. The legislation now goes to the Naabik’íyáti’ Committee for consideration.

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FOR IMMEDIATE RELEASE
August 28, 2013

Law and Order committee discusses Chinle Judicial Public Safety Project

WINDOW ROCK – On Monday, the Law and Order Committee discussed progress regarding the Chinle Judicial Public Safety Facility.

The Navajo Division of Public Safety is currently working with the Navajo Department of Design and Engineering, Arcadis Consulting, and Arviso Oakland Construction to prepare for the construction of a new public safety facility.

LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone), said he was wants to ensure that the facility will apply to have operation and maintenance costs covered by the Bureau of Indian Affairs.

“Right now the BIA does not want to issue a Certificate of Occupancy or inspect the facility, but I want to make sure our facilities receive the needed O&M funding to maintain services after it is built,” said Delegate Begay.

The LOC requested for Arcadis Consulting senior project manager Al Francis, to explain how the BIA would work with the Navajo Department of Design and Engineering to ensure the project would be maintained after its completion date.

“Right now the BIA is saying that they are not a project sponsor, however the Chinle project will follow their requirements in case they decide to jump on board,” said Francis.

Delegate Begay said the LOC is looking at the tail-end of the project and even if the BIA is not currently involved, the building must be constructed to meet BIA standards.

Council Delegate Russell Begaye (Shiprock) said he previously witnessed the working relationship between Navajo Department of Design and Engineering, BIA, and contractors, and often there is confusion over which entity serves as the lead authority.

“Right now the BIA is telling everyone they are not apart of this project, and they will probably tell us the same message if we bring them here,” said Delegate Begaye. “We need to bring in each party to discuss this project, because this is creating a bottleneck from every direction.”

Following the discussion, LOC members requested a follow-up meeting with key stakeholders in Sept., at which time they will vote on the report.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
August 27, 2013

NAVAJO NATION HUMAN RIGHTS COMMISSION ANNOUNCES
COMMISSION MEETING FOR FRIDAY, SEPTEMBER 6, 2013

ST. MICHAELS, AZ. – The Navajo Nation Human Rights Commission (“Commission”) announced it will conduct its September meeting at the Navajo Nation Museum on Friday, September 6, 2013. The meeting will begin at 8:00 a.m. The Commission plans to facilitate a seminar concerning automobile sales and the potential repercussions Navajo consumers may face as a result of being unprepared when purchasing a vehicle.

The Commission encourages Navajo citizens who are considering purchasing a vehicle to attend this one day seminar that will be held at the Navajo Nation Museum located in Window Rock, Navajo Nation on Friday, September 6, 2013. Mr. Leonard Gorman, Executive Director for the Navajo Nation Human Rights Commission said, “this is a good opportunity for Navajo citizens to visit with state and federal agencies to address problems with vehicle purchasing and financing a new and used vehicle.” Mr. Gorman further states, “Navajo Human Rights office received many complaints about auto purchasing and assisted them to resolve the problem. Clearly there is a need for public education on purchasing an automobile.”

Should you have any questions please contact the Navajo Nation Human Rights Office at 928-871-7436 for further information.
President Shelly Honors Former Leaders and Meets about Navajo Mine

CHINLE, Ariz.—Navajo President Ben Shelly bestowed honor to Dr. Guy Gorman, and to former Speaker Nelson Gorman, declaring both gentlemen leaders taught him leadership during an honoring ceremony on Sunday.

“Dr. Gorman has given leadership in his years of service to the Navajo people,” President Shelly said at the Chinle chapter house on Sunday. "He's a man of honor, wisdom, and great dedication."

President Shelly bestowed Dr. Gorman with a Pendleton blanket, as he declared Dr. Gorman, a man whose leadership will always be known. He served with Dr. Gorman, as the two were members of the Diné Rights Association, a group dedicated to government accountability.

Dr. Guy Gorman was first elected to the Navajo Nation Council in 1974, and served concurrently with the late William D. Tsosie, as the two represented Chinle.

“Thank you Mr. Gorman for what you’ve done—I am a part of you, of what you have done,” President Shelly said as he gave honor to former Speaker Nelson Gorman. The former speaker served concurrently in the Council with President Shelly in 1991. Dr. Gorman and the former speaker are related by Navajo clan.

Sunday afternoon, President Shelly attended a public meeting regarding the proposed purchase of BHP Billiton’s Navajo Mine. The meeting was at the Shiprock chapter house and was attended by more than 200 people. A resolution “supporting the Diné citizenship against ruining our environment” was placed on the agenda, but not acted on.

“Give us four to five years to transition from coal to clean coal,” President Shelly said. “How do you close down a government," he asked referring to closure of the mine and the adverse affect it would have on the Nation’s gross revenue receipts.

“I will be prepared,” President Shelly said. “For the people who say no here, give me an alternative plan. Just don’t say no.”
Sunday’s meeting was co-sponsored by BHP-Billiton and Diné Care.

“President Obama is saying no to coal, but yet in China they’re still using coal,” President Shelly added.

The Navajo Nation is working with BSNF to build a railroad spur in Thoreau, New Mex. Plans call for an inland port authority for imports and exports. Ship coal on the transcontinental for export to foreign countries. The railroad spur is expected to be in project initiation by December. Coal from the Navajo mine can be used for the local power plants, and for foreign shipment.

The Navajo Nation is currently in the process of buying the Navajo coal mine operated by BHP-Billiton for an estimated $85 million.

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Navajo Route 20 soft dedication slated for August 29

Before paving began, right-of-way fencing was a major concern from community members, especially because of the open grazing land status. Arizona Department of Transportation and Federal Highway Administration eventually decided to include fencing in the project, which cost nearly $40 million to complete. (Photo by Rick Abasta)

BODAWAY GAP-It only took 79 days to pave Navajo Route 20. Finishing 11 days ahead of schedule, the crew from FNF Construction, Inc. paved the final mile of Navajo Route 20 on August 8, 2013. Construction officially began on May 21.

FNF was contracted by the Arizona Department of Transportation to pave 28 miles of N20. Assisting them was AZTEC Engineering and RUMCO.

The new road was completed just in time, as the Page Unified School District started the new school year. Hundreds of Navajo students attend school in Page and previously faced bumpy roads and lengthy drive times to get to school.

N20 is now designated as U.S. 89T and will be utilized to restore essential traffic from U.S. 89 for a period of three years, after which the road will revert back to the jurisdiction of the Bureau of Indian Affairs.

U.S. 89 was closed on Feb. 22, after a dry landslide damaged a portion of roadway near the Bitter Springs and Echo Cliffs area, south of the Big Cut.

The Navajo Division of Transportation, ADOT, BIA and Federal Highway Administration joined forces to pave N20 as a detour route.

“This was a game-changing collaboration,” said Paulson Chaco, director of NDOT. “Not only did ADOT get this paving done in such a short timeframe, but we all came together to expedite the project.”

Numerous meetings were hosted and included Navajo community members affected by the closure. Again and again, they voiced their concerns over right-of-way fencing and bus turnout lanes.

What originally began as an $18 million project blossomed into an almost $40 million paving construction effort that included 28 miles of paving, turnout lanes, right-of-way fencing, culverts, cattle guards, and shoulders for the roadway.

The FHWA’s Emergency Relief Program will reimburse ADOT for construction costs incurred on the project.

For months, travelers had to navigate U.S. 160 and State Route 98 for access to Page. U.S. 89T will provide the most direct route, saving 45 minutes of drive time and about 100 miles.

Construction crews worked 24 hours a day, seven days a week to get the project done quickly.

Dual hot plants and paving spreads on the northern and southern ends of N20 constructed the roadway simultaneously, in order to make the August 2013 deadline.

According to Jason Yazzie, senior planner for NDOT, now that the paving portion is completed, construction crews are focused on other facets of the project that need to be completed.

Right-of-way fencing, refining back slopes, reseeding, bus turnout lanes, and cattle guards are still in progress, he noted.

“All of these will be done within the next two weeks or so,” Yazzie said.

The official soft dedication celebration for the road will take place on August 29, at the junction of the Coppermine Chapter road and N20. Festivities will begin at 10 a.m. (DST)

Floyd Stevens, president of Coppermine Chapter, said ADOT’s road crew will continue working on finishing touches for the roadway through Sept.

“We’re very excited about the opening. The word is already out,” Stevens said.

Until the road is officially opened to the traveling public, motorists are encouraged to continue utilizing the detour route on U.S. 160 and State Route 98 for travel into Page.

Information: www.navajodot.org or www.azdot.gov/us89

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For Immediate Release  
Aug. 24, 2013

President Shelly Meets with U.S. House Appropriations Committee Staff to Keep ONHIR

LUEPP, Ariz. – Navajo Nation President Ben Shelly joined members of the Navajo Hopi Land Commission Thursday as they met with U.S. House of Representative Committee on Appropriations staff on the proposed defunding of the federally-funded Office of Navajo-Hopi Indian Relocation (ONHIR).

“If Congress shuts down ONHIR, then our Navajo families ought to move back to Hopi Partitioned Lands,” President Shelly said. “If they can’t fund us, we will allow our people to go back from where they were chased off. We’ll have to re-do the relocation policy all over again. ONHIR can do a 638 with BIA.”

“Our Navajo families rights’ are being violated. We need a House committee to come here and look into this,” President Shelly added.

The president read from a letter he wrote to Congress on the proposed defunding of ONHIR. “Not funding this program will deprive hundreds of Navajos the benefit and due process that they are entitled to under the law,” the president reiterated to the House staff.

“The Navajo Nation has hundreds of families who are still awaiting their relocation benefits,” President Shelly stated. “To base a funding decision on the statements of a now non-impacted party is flawed rationale for action.”

The House Appropriations Interior bill for fiscal year 2014 proposes to ‘zero out’ funding for the Office of Navajo-Hopi Indian Relocation. By federal law, the power to terminate the office rests with the United States president. Congress can effectively close the office by defunding ONHIR.

The Interior Appropriations Subcommittee, one of 12 subcommittees on appropriations, ordered a study to be conducted by the General Accountability Office.

More than 200 Navajo families are awaiting relocation benefits, and another 350 are appealing denials by the federal relocation office in Flagstaff, Ariz. More appeals may be filed for some 2,000 denied applications for relocation benefits.
The Navajo-Hopi Land Commission still has some 400,000 acres of land to put into trust under the 1980 amendment to the Settlement Act passed originally made into law in 1974. There are more than 9,000 acres of land the Navajo-Hopi Land Commission is needs to select and purchase under the Settlement Act, incumbent on congressional funding.

The House staff acknowledged the President Shelly’s statements at the meeting, and responded that they will return to Washington, D.C. with information and testimony they received from the Navajo Nation leadership, and individuals affected by relocation.

“It is up to the appropriators to make the decisions,” the House staff acknowledged.

In April, President Shelly testified before the House Appropriations Subcommittee on the Interior for fiscal year 2014, which begins Oct. 1, 2013. His testimony emphasized more vibrant self-sustained tribal economies, tribal consultation on the sequestration, empower infrastructure costs, and tax incentives for private industry development.

The Hopi tribal leadership offered testimony at the April House Appropriations Subcommittee hearing to “close” ONHIR. Relocation for Hopi families was completed in 2011.

Congress is currently in recess and will return on Sept. 3. They are expected to resume debates on the 12 annual appropriation bills. Appropriation amounts of proposed spending that differ between the House and Senate will be conferenced by both houses.

“If Congress passes the appropriation bill to zero out funding for ONHIR, we still have President’s Obama’s veto power we can pursue.” President Shelly said.


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FOR IMMEDIATE RELEASE  
August 23, 2013

Speaker Naize addresses Navajo leaders and healthcare officials at the Navajo Nation Affordable Care Act Summit

LEUPP, Ariz. - On Thursday, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) stood before a crowd of approximately 150 people to welcome them to the Navajo Nation Affordable Care Act Summit at the Twin Arrows Navajo Casino Resort.

The summit provided an opportunity for Navajo Nation Council Delegates, chapter officials, and health care leadership from Arizona, New Mexico, and Utah to discuss how the Affordable Care Act of 2010 will impact the Navajo People, healthcare facilities, and businesses.

“This room is filled with leaders in the Navajo health care system. I am happy to see that we have all come together to learn about the federal changes that will affect the health of our Navajo people,” said Speaker Naize.

The Affordable Care Act was signed into law by President Obama in Mar. 2010, aiming to provide affordable health care coverage for 32 million people over the next ten years, with implementation scheduled to begin on Oct. 1.

“The Affordable Care Act will affect each of us. It is important that leaders from the chapter level to those in the hospitals and clinics have a good understanding of this new complex system,” said Speaker Naize.

Along with the signing of the ACA, President Obama also permanently reauthorized the Indian Health Care Improvement Act, which provides services through the Indian Health Service, tribal organizations, and urban Indian health programs.

The ACA will provide for the establishment of an Office of Direct Service Tribes, recognition of tribal epidemiology centers as public health authorities, protection of IHS National Healthcare Facility Construction Priority System including five Navajo projects, and a mandate for a Navajo Medicaid Feasibility Study.

“The Navajo Nation covers three states. That is three healthcare systems our Nation must constantly remain updated and a part of,” said Speaker Naize.

The ACA gives states the option to participate in a health insurance exchange and Medicaid expansion.
Health insurance exchanges will vary by state and allows individuals to shop for health insurance similar to shopping for an airline ticket, choosing the right business, price, and benefits.

The Medicaid expansion allows for states to expand Medicaid coverage to adults ages 19 to 65 with an income up to $14,856 per person.

Currently, Arizona has declined to participate in a state-health insurance exchange, opting instead for the Medicaid expansion, New Mexico has opted into both the health-insurance exchange and the Medicaid expansion, and Utah has chosen to continue its own health-insurance exchange and remains undecided about the Medicaid expansion.

On Jan. 1, 2014, the ACA mandates that each U.S. citizen be enrolled in a qualified health plan, except for American Indians and Alaska Natives who will be exempt.

"We tell our children to get an education, help improve our Nation, and learn our language and culture, but in order for them to do that we must provide them with a healthy future," said Speaker Naize.

The Navajo Nation Affordable Care Act Summit was sponsored by the Navajo Nation Division of Health.

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FOR IMMEDIATE RELEASE
August 23, 2013

Health, Education, and Human Services Committee receives report highlighting academic achievement among Navajo students

WINDOW ROCK - On Wednesday, the Health, Education, and Human Services Committee received a report from the Central Consolidated School District concerning student testing data, and overall progress in their effort to improve academic success amongst their Native American student population.

Central Consolidated School District based in Shiprock, is a New Mexico state public school district serving 17 schools.

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) said HEHSC members are eager to review positive student data that reflects the collaboration between the Department of Dine Education and CCSD.

"Central Consolidated [School District] has taken the lead role in improving the futures of our Navajo children," said Delegate Hale. "When we know that Navajo students’ reading, math, and science scores are improving, this indicates we are each doing our job."

CCSD compliance & assessment coordinator of data James Lowe, said the entity serves the second highest Native American student population in the country.

"We are working to improve the educational quality for all of our students and we are seeing that with our methods and approach in education. We are making positives impacts for our Navajo students," said Lowe.

CCSD reported that Native American students have increased their proficiency percentages in mathematics by 10 percent, reading by 9 percent and science by 26 percent.

Nizhoni Elementary School, one of CCSD's nine elementary schools located in Shiprock, made monumental improvements in their overall school performance, going from an 'F' in 2012 to a 'B' in 2013.
Lowe also stated that Shiprock High School students performed at an 89 percent proficiency rate in the chemistry portion of the New Mexico ADC End of Course Exams.

HEHSC member Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) questioned how the district identifies student cohorts for data measurements.

"Student cohorts are identified by entry date. A cohort begins at the kindergarten level and is compared to two consecutive kindergarten cohorts," said Lowe. "At the high school level, students are tested at the tenth and eleventh grade [levels], and their scores are used in that state's comparative model."

HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) asked if the district was planning to support any congressional bills that would increase the funding for the district.

CCSD school board president Matthew Tso, said the district supports a bill that would prohibit the abolishment of federal Impact Aid, Johnson O'Malley, and Title Seven funding, noting that the district relies heavily on the various funds to provide special academic programs for its Native American students.

"That is good information for the Council to know. I believe there is a proposed senate education bill that would be more friendly to the school district," said Delegate Phelps. "The HEHSC is always interested in supporting congressional bills that will help improve education for Navajo students."

Following the report, Tso said the district will continue to work with the DODE to enhance their curriculum with Navajo cultural and language.

"We hope to continue to hear of the academic progress Navajo students are making in math, science, and reading," said Delegate Hale.

HEHSC members accepted the report with a vote of 3-0.

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FOR IMMEDIATE RELEASE
August 23, 2013

Resources and Development Committee receives update regarding the upcoming opening of Navajo Route 20

WINDOW ROCK - On Tuesday, the Resources and Development Committee received a report from the Arizona Department of Transportation and the Navajo Division of Transportation regarding the Aug. 29 opening of Navajo Route 20, a 28-mile stretch of road from Bodaway/Gap to Coppermine.

On Feb. 20, a landslide ripped through a section of U.S. Highway 89 approximately 25-miles south of Page. Due to significant damage, ADOT was forced to close a 23-mile stretch of U.S. 89, between mileposts 523 and 546.

RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) said RDC members were pleased to receive an update from the two entities, as many Navajo families were affected by the landslide.

"It is good to see divisions provide the RDC with useful information that directly affects the Navajo Western Agency," said Delegate Benally.

Since the closure, U.S. 89A, U.S. 160, and State Route 98 are being used as alternative travel routes.

ADOT representative Dallas Hammit, said ADOT took a three-pronged approach: completing a geotechnical investigation of the landslide, providing an interim detour paving of N-20, and repairing U.S. 89.

"The repair of U.S. 89 cost $35 million and we expect to open [N-20] on Aug. 29, with a ribbon cutting ceremony," said Hammit. "ADOT will continue to maintain the roadway until the repair of U.S. 89 is complete."

Hammit further explained that due to federal funding requirements, ADOT explored a wide variety of repair alternatives.

NDOT principal civil engineer Darryl Bradley, said the Nation was able to exercise its ability to respond to an emergency situation and did an exemplary job in working with ADOT to accommodate the transportation needs of local residents along U.S. 89.

"NDOT has worked intensively to secure the cultural integrity of the area throughout the repair of U.S. 89 and the paving of N-20," said Bradley.
Delegate Benally closed the discussion by thanking the presenters for taking the initiative to report to the RDC.

"Good job and good work, we appreciate individuals and agencies updating the RDC with news of progress," said Delegate Benally.

The RDC accepted the report with a vote of 3-0.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Telecommunication grows with Tourism and the Navajo Nation Fair

WINDOW ROCK, AZ. - Telecommunications is ever-evolving and has become an essential resource on the Navajo Nation that affects our people in their daily work and those traveling to Navajo country. A decade ago, we had limited access to basic phone service and telecommunication services was virtually nonexistent on some parts of the reservation. Today, our longstanding partnerships with carriers like Cellular One, NTUA Wireless, ComNet, Verizon Wireless and AT&T enable us to work together to bring advanced mobile technology to even some of the most remote areas of the Navajo Nation.

For example, by collaborating with Cellular One, the Navajo Nation has moved into a robust cellular network in remarkable short time. Cellular One is the pioneer, as they were the first provider to sit down with the Division of Natural Resources; the Navajo Land Department and the Department of Resource Protection Enforcement roughly 10 years ago to begin the process of building a network to bring reliable wireless coverage to our Navajo people, homes, and businesses. We continue to work together to balance their plans for the expansion of their mobile network and strategize towards land development with reliable network and proper placement of cell towers on Navajo Nation.

As we plan for the 67th Annual Navajo Nation Fair, with over 100,000 in attendance annually. The demand for strong and reliable mobile service is significant. This is a critical resource that our partners like Cellular One tirelessly work to provide for those living on Navajo Nation or visiting us from afar. During the Navajo Nation Fair, we rely on Cellular One to have enough wireless capacity to support the thousands of fair goers who will use their cell phones and to address any emergency situations if they arise. Many families visit and enjoy the Fair, as well as benefiting our local economy in the Window Rock area.

“With over two million visitors making Navajo Nation a top travel destination every year, we strive to have reliable wireless coverage and efficient internet to ensure safe travels to Navajo country,” stated Frederick H. White, Division Director of Natural Resources. Our program managers work very hard to assist the Navajo people, as well as meeting the needs of our visitors, added White. Division of Natural Resources and all its counterparts manage, protect, conserve and preserve the Navajo Nation’s natural and cultural resources for the benefit of the Navajo people.

Most importantly, it is our goal to collaborate and work strategically with our telecommunication partners to foster an environment in which technology continues to expand so that our own Navajo people can live and work better every day. For more information visit www.dnrrnavajo.org or call (928)871-6592/6593.

###
“Navajo Nation Gaming Enterprise supports Nizhoni Arts Market”

WINDOW ROCK, AZ – The Navajo Nation Museum staff works enthusiastically in recruiting artisans for the upcoming Nizhoni Arts Market during the 67th Annual Navajo Nation Fair “Honoring Navajo Language” in Window Rock, Arizona, from September 2nd to 8th, 2013.

Navajo Nation Museum initially began Nizhoni Arts Market five years ago at the museum, during the Navajo Nation Fair. Currently, this is the third year it will be at Gorman Hall and part of the Navajo Nation Fair. “The Nizhoni Arts Market benefits the Navajo Nation by providing a quality competition for artists who are up and coming as well as the professional artists,” stated Manuelito Wheeler, director of Navajo Nation Museum.

Nizhoni Arts Market invites a variety of artisans on Navajo country and surrounding areas. Navajo Nation Museum staff begins planning months before the Navajo Nation Fair. This involves five dedicated staff who are passionate about art and creative minds. Navajo Nation Museum’s curator, Clarenda Begay, coordinates the event from beginning to the end, with her fellow staff and volunteers, it entails promoting and networking with potential artisans.
With thousands, attending the Santa Fe Indian Market last weekend, the Navajo Nation Museum staff successfully advertised the Nizhoni Arts Market and will bring accomplished artists to Window Rock next week. “A lot of our Navajo people aren’t able to get to some of these big markets and Nizhoni Arts Market is an opportunity to see all these great artisans during the Navajo Nation Fair,” explained Clarenda Begay. This year we have more awards for the youth competition, added Begay.

Contemporary Artist, Patrick Hubbell, 27, from Navajo, NM is no stranger to the Nizhoni Arts Market and the Navajo Nation Fair. Alumni of Arizona State University with a Bachelor of Fine Arts degree, Hubbell has been painting for nine years and has been showing professionally for three years. “As a child, I grew up going to the Navajo Nation Fair every year, it is an opportunity to see friends and family, as well as new friends and I enjoy the competition there” said Hubbell.

Basket weaver, Sally Black, from Monument Valley, UT masters the skill of basketry. She is surrounded by a family of rug weavers, and basket makers. Today, basket weaving is disappearing among the Navajo people. She learned how to weave baskets from her mother at the age of eight years old, nearly 45 years ago and she has been weaving ever since. “I look forward to the Navajo Nation Fair, so we can see our relatives and find new relatives,” chuckled Black.

Silversmith, Tonya June Rapael from Black Water, NM creates innovative silver purses, jewelry, and recently an all silver chess set, inspired by her son who loves to play chess. Rapael plans to attend the Nizhoni Arts Market at the Navajo Nation Fair, collectors and admirers are excited to see her collection. This year, she will make her second appearance at Nizhoni Arts Market. “I love my Native customers, my Dine customers, it is also a chance to meet new relatives and make new friends,” stated Raphael.

Painter, Nani Chacoan, from Chinle, AZ currently has an exhibit at the Navajo Nation Museum, she will also attend the Nizhoni Arts Market for the third year. Chacoan says, “I want my art to be Navajo thoughts and I combine both traditional and contemporary images together.” An alumni of University of New Mexico with a degree in education, she enjoys designing her thoughts into art.

In conjunction with promoting Navajo artists, Wheeler and his staff are also organizing a Navajo ‘Star Wars’ screening on September 5th, Kids Day during the Navajo Nation Fair.

Nizhoni Arts Market wouldn’t be possible without the Navajo Nation Museum staff, eager volunteers and their generous sponsor, Navajo Nation Gaming Enterprise; Flowing Water Navajo Casino, Northern Edge Navajo Casino, Fire Rock Navajo Casino and Twin Arrows Navajo Casino. For more information, contact Clarenda Begay (928) 810-8540.

###
New Events Added to 2013 Navajo Nation Fair

WINDOW ROCK, AZ – A million dollar ride.

That’s a new event that will be added to this year’s Frazier Carnival during the Navajo Nation Fair here in the Navajo Nation capital.

According to Owner Steve Broetsky, the new ride is called Freak Out, which was invented in the Netherlands – it took almost two years to make and it cost approximately one million dollars to make. Broetsky explained there are only two dozen Freak Out rides in the world.

“We’re very excited to bring Freak Out to the Navajo Nation,” Broetsky said. “Freak Out will make its premier during the Navajo Nation Fair.”

The Navajo Nation Fair will be held September 2-8th. Frazier Carnival will begin its rides on Wednesday, September 4th and end at 10 p.m. on Sunday, September 8th.

Navajo Nation Parks and Recreation Department Manager Martin L. Begaye said “We’re trying to add new events, attractions and activities to make the Navajo Nation Fair a week full of adventure and fun for the entire family. We hope individuals who enjoy carnivals will enjoy Frazier’s new ride and we pray for everyone’s safety at the carnival and at the entire Navajo Nation Fair.”

Unlike previous years, Begaye said there will be three straight days of concerts and fireworks. Moreover, the public will have a chance to win a horse trailer or win $1,000 or $5,000. Raffle tickets will be sold for $10 to give fairgoers a chance to win $1,000 on September 4-7th and a chance to win $5,000 on September 8th. Individuals must be at the Indian rodeo in order to win the cash give away.

Begaye said in year’s past, “The only way a person could win anything is if he or she was entered as a contestant or participant. However, this year’s fair will be an opportunity for anyone to become a winner.”

Navajo Nation Fair Manager Genevieve Tsouhlarkis echoed Begaye’s comments, and noted, “I would like to invite everyone to come out and enjoy the Navajo Nation Fair. We have an action-pack week of events and activities. The Navajo Nation Fair is the grand daddy of all tribal fairs and it is the premier Native American festival in North America. This is how we show our appreciation to the Navajo people and how we showcase our cultural pride and beauty to the world.”
No matter what genre you enjoy, the Navajo Nation Fair is the ideal place to experience Navajo culture. Some of the Navajo Nation Fair highlights will include an Indian rodeo for the young and seniors, roping, a wild horse race, song and dance, pow wow, a arts and crafts competition, a free barbecue, concerts, fireworks, a golf tournament, a fry bread contest, a parade, a half marathon, a livestock show, a hot air balloon night glow, a baby contest and much more.

For more information about the Navajo Nation Fair, contact the special events staff at (928) 871-6478 or via the internet at www.navajonationfair.com
For Immediate Release  
Aug. 22, 2013

President Shelly Lists Concerns About the Affordable Care Act

TWIN ARROWS, Ariz. – Navajo Nation President Ben Shelly said he was concerned about the health care Navajo people may receive under the Affordable Care Act and the health insurance exchanges the act creates.

"The federal and state governments need to make their Exchanges easier to understand and follow. They need Navajo speaking individuals on staff to help implement their plans," President Shelly said during his opening remarks at the Affordable Care Act Summit at Twin Arrows on Thursday.

The ACA states that eligible people have to enroll in a health insurance exchange by Jan. 1, 2014, but not all states are going to have exchanges like Arizona and some portions of Utah are not planning to implement health exchanges or marketplaces.

“I’m afraid the Health Insurance Exchange will divide our Navajo people into three different systems - Federal, Federal-State, or State Health Insurance Exchange depending on where one lives. This is similar to how the State Medicaid programs are currently administered,” President Shelly said.

Federal and state health officials were on hand during President Shelly’s speech.

President Shelly added that he has asked Utah and federal officials for a tribal consultation regarding the exchange system.

“Last week, we requested the State of Utah and the U.S. Department of Health and Human Services to provide adequate tribal consultation with the Navajo Nation regarding its Split Agreement for Utah Health Insurance Exchange as soon as possible, because open enrollment in the Marketplace begins October 1,” President Shelly said.

The summit is scheduled to end on Friday.

###
NAVAJO, N.M. – Navajo Nation President Ben Shelly toured the former Navajo Forest Products Industry site today where clean up will start Monday, Aug. 26, 2013, of the buildings which once housed the Navajo logging and lumber industry.

“I want to get this cleaned up,” said the president. “It is unsafe and a hazard which has been here much too long. This is something I have been wanting to do for years.”

The former NFPI location is under Navajo Nation Environmental Protection Agency control and listed as a Brownfield site. The Navajo Nation EPA has conducted site inspections and environmental investigations to determine the extent of contamination. Soil samples and well monitoring to the groundwater are routinely conducted on the 70-acre site.

“By cleaning this site up, we’re going to create jobs,” said the president. “We want to hire workers from here, those who are familiar with the site.”
Preference will be given to residents from Navajo and the Red Lake chapter, as agreed by the construction contractor, Economic Development, and local chapter officials.

Accompanying the president on the site tour were Albert Damon, economic development director, and Stephen Etsitty, EPA director, and staff from the Navajo Nation EPA.

According to the U.S. Environmental Protection Agency, Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and takes development pressures off greenspaces and working lands.

The clean up work will start with the deconstruction of the buildings in the northeast corner. The concrete will be crushed and turned into road base for road projects. The larger buildings along Navajo Route 12 will be last to be deconstructed. The project period is anticipated to take one year.

The Division of Economic Development will be proceeding with plans to re-develop the site with business and commercial use.

Navajo Forest Products Industry began in 1951, and was then the Wood Products Industry Enterprise. The operation originally began as a pilot plant to obtain cost analysis and profit margin, but as orders exceeded $43,000, the operation was well underway. It was shut down in the early 1990s as the industry changed, and over concerns raised by an environmental group of Navajo forests being a habitat of the endangered Mexican Spotted Owl.

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FOR IMMEDIATE RELEASE
August 20, 2013

Law and Order Committee approves the implementation and management of a 9-1-1 emergency response system

WINDOW ROCK – On Monday, the Law and Order Committee approved amending Title 2 and 21 of the Navajo Nation Code, authorizing the Navajo Nation Telecommunications Regulatory Commission to implement and manage a 9-1-1 emergency response system on the Navajo Nation.

“There is no proper 9-1-1 system on the Navajo Nation and this legislation is giving the responsibility to NNTRC,” said legislation co-sponsor and LOC member Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat).

Legislation No. 0212-13 authorizes NNTRC to develop a 9-1-1 emergency response program and the authority to manage and make changes to the program in the best interest of the Navajo Nation.

“NNTRC accepted the challenge of instituting a regulatory framework to address the lack of a true 9-1-1 public safety answering system and to deter further endangerment of the public,” stated NNTRC executive director Brian Tagaban.

According to NNTRC’s report, a Technical Advisory Committee and Intergovernmental Advisory Committee will be created to oversee daily operations and report back to the Commission.

“The goal of the committees is to develop and create guidelines for the program, as it will begin to progress into a more efficient emergency response program that will meet the needs of the [Navajo] public,” said Tagaban.

LOC member Council Delegate Russell Begaye (Shiprock) expressed a few concerns regarding the Commission’s development of the program.

“I do not want to see the [9-1-1 emergency response] program evolve into a bureaucratic-type system that becomes complicated,” said Delegate Begaye. “I hope NNTRC will find a way to streamline the emergency response process effectively.”

Tagaban stated that advisory committees will be established to ensure that the emergency response program runs efficiently and improves response time to emergency calls by addressing concerns such as jurisdictional boundaries, service plans, and recommendations.
“In dead areas where cell service is non-existent, I do hope we see the emergency response program address this issue because the Navajo Nation is mostly rural,” said Delegate Begaye.

At the end of the discussion, Tagaban said NNTRC will do its best to ensure that the LOC member’s concerns are taken into account, and that the program will seek additional funding at the state and federal level to safeguard against any potential problems that may arise.

The LOC voted 2-0 to approve Legislation No. 0212-13. The legislation will now go to the Naabik’íyáti Committee for consideration.

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FOR IMMEDIATE RELEASE
August 20, 2013

Health, Education, and Human Services Committee
discusses miscommunication between Navajo schools and the BIE

WINDOW ROCK – Last Thursday, the Health, Education, and Human Services Committee received a report from the Dine Bi Olta School Board Association relating to the ongoing reorganization of the Bureau of Indian Education.

In light of the recent school board elections held in January, HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michael’s) requested an update from the designated school board officials regarding their perspectives about reorganization.

"We have school boards that are sometimes confused about their authority as a governing body for community schools and how the reorganization will affect them," said Delegate Hale.

According to DBOSBA administrative director Angie Barney-Nez, there is a high level of miscommunication between the school boards and the goals of the BIE.

"We hear one message from the regional office in Albuquerque and another from Washington, D.C.," said Barney-Nez. "We find there is a lot of disconnect with the BIE restructuring itself and we haven’t received any clarification about restructuring here in the Navajo Area."

Delegate Hale said he believes the BIE and DODE also need to work together to further clarify how Title 10 of the Navajo Nation Code is to be implemented in the Nation’s BIE schools.

"DBOSBA is being told that the schools do not need to follow Title 10. The federal government says it is not a federal requirement and it is not a requirement to spend our allocations," said Nez.

Following the report, Delegate Hale said he was displeased to hear that BIE officials were not working with the school board or schools to interpret the school’s functions and authorities.

"The committee needs to fix this immediately. We cannot have the Nation’s schools derailing from Navajo laws," said Delegate Hale.

The HEHSC voted to accept with a vote of 3-0.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
August 20, 2013

Council Delegates share knowledge of Navajo government and current issues with students from Canadian Tribes

Photo: H.O.P.E. Scholars students from Canada by the Navajo Nation Council Chambers. The group is from the Plains Cree in Maskwacis in Alberta, Canada, consisting of 4 First Nations (Tribes) including the Samson Cree Nation, Ermineskin Cree Nation, Louis Bull Tribe, and Montana Cree Nation.

WINDOW ROCK – On Monday, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin), Council Delegate Jonathan Hale (Oak Springs, St. Michaels), and Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), took time to share their perspective on Navajo government and current issues with H.O.P.E Scholars students, representing four tribes in Canada.

The H.O.P.E. Scholars group is from the Plains Cree in Maskwacis in Alberta, Canada, consisting of four First Nations including the Samson Cree Nation, Ermineskin Cree Nation, Louis Bull Tribe, and Montana Cree Nation.
Delegate Hale who serves as the chair of the Health, Education, and Human Services Committee, shared knowledge of a wide range of issues including health care, education, and gaming, while emphasizing the need for young people to learn and utilize their language and to participate in their government, specifically at the local level.

“Being able to speak your language is a blessing, but sometimes those teachings are not handed down,” said Delegate Hale. “It’s important to exercise your language, especially in your local government because it’s your families that will benefit from your community moving forward.”

H.O.P.E. group leader Mario Swampy from the Samson Cree Nation, explained that he wanted to broaden the minds of the participants and empower them to become leaders and actively contribute to the development of their own communities.

When encouraging the group to overcome obstacles and pursue their goals, Delegate Yazzie who chairs the Law and Order Committee, drew from his own experiences serving as a Council Delegate and from his passion for music.

“Don’t let anyone tell you that you can’t accomplish something,” said Delegate Yazzie. “If you put your heart to it, and your mind to it, you can do a lot for your people.”

Prior to meeting with the delegates, the group of 21 high school students had the opportunity to sit in on budget hearings conducted by the Budget and Finance Committee.

Vice chair of the Budget and Finance Committee Delegate Nez, stressed the importance of being involved in one’s local government and giving back to your community.

“Be involved in your local government because that’s one thing that a lot of young people don’t do these days,” said Delegate Nez. “Learn all you can and take it back to your people because a lot of them look up to you as young people.”

The group’s visit marks the first time the H.O.P.E. Scholars have visited the Navajo Nation.

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FOR IMMEDIATE RELEASE  
August 16, 2013

Law and Order Committee approves report from Navajo Nation Division of Public Safety regarding improvements to their fleet management

WINDOW ROCK – The Law and Order Committee approved a report during a special meeting on Thursday, from the Navajo Nation Division of Public Safety, regarding its initiative to make improvements to their fleet management administration.

According to the report, NDPS purchases fleet vehicles in addition to paying rental fees to the Navajo Nation Fleet Management Department, which is used for services/repairs of all tribally owned vehicles.

“Annually, fleet management costs deplete 59-percent of NDPS General Fund Allocations, and does not include applicable insurance costs and the 5-percent general sales tax,” said Billison. “Why should we be paying rental fees on top of a vehicle that we flat out purchase and own?”

Billison stated that NDPS is proposing an amendment to the Navajo Nation Budget Instructions and Policies Manual, seeking to add new language that would benefit Navajo divisions that currently purchase and own their program vehicles.

“NDPS is proposing an amendment that would exempt program-owned vehicles from being bound to Fleet Management Department rental fee rates,” said Billison. “And the programs would be able to negotiate procurement of any FMD services and rates through outsourcing cost-efficient services.”

LOC members praised Billison and NDPS for spearheading the proposed cost-saving plan.

“The amendment will save the Navajo Nation additional yearly funds, which can go towards other Navajo agencies and will maximize the Nation’s dollars,” said LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat).

Billison presented a Business Case Analysis for the NDPS vehicle fleet that proposes to address financial concerns and said he hopes this progressive initiative will evolve the administration into a more independent and autonomous business that specializes in fleet services.
“Once the BIPM has been amended, we can expect to save more than half of what we spend from the General Fund allocations we receive each year,” said Billison. “Then we can begin to hire additional police personnel and save mileage costs.”

LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) stated, “I commend NDPS for addressing these financial concerns that have been plaguing the department for many years, and we look forward to seeing this initiative implemented.”

At the conclusion of the discussion, Billison stated, “We need your help to push this forward, and this committee will be recognized as one of the driving forces that will assist us in its success.”

At the conclusion of the discussion, LOC voted 2-0 to accept the report.

# # #

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FOR IMMEDIATE RELEASE
August 16, 2013

Resources and Development Committee approves proposed FY14 comprehensive budget for 3 Navajo divisions, 1 agency

WINDOW ROCK – On Tuesday, the Resources and Development Committee approved and recommended to the Budget and Finance Committee the proposed Fiscal Year 2014 budgets for three Navajo divisions and one Navajo agency: Navajo Nation Environmental Protection Agency, Division of Economic Development, Division of Community Development, and Division of Transportation.

RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) sponsored the four legislations relating to division budgets for the upcoming fiscal year.

“After some significant work, we have come back with the directives of the RDC and have changed some budget figures,” said Delegate Benally.

Legislation No. 0238-13, pertaining to the Navajo Nation EPA FY14 budget of $9.4 million, passed unanimously with a vote of 3-0.

“We have always worked well with the RDC and have always done our best to work with the budget we’ve been allocated,” said EPA executive director Stephen Etsitty. “We have been receiving annual grants with little reductions, but we have heard that reductions are going to start happening in 2015.”

Legislation No. 0235-13, pertaining to the Navajo Nation DED FY14 budget of $6.02 million, passed with one amendment to include two conditions of appropriation.

According to 12 N.N.C §810, a condition of appropriation places a specific contingency on an appropriation by the Navajo Nation Council. Appropriated funds or any other funds received by the Navajo Nation by which a condition of appropriation is place, may not be lawfully expended until the condition of appropriation is met.

The first COA requires the DED to submit a plan of operation, which provides for more technical and financial resources to regional offices, while maintaining essential regulatory and administrative offices at their central offices, to RDC by the end of the FY14 first quarter.

The second COA approves the carry-over of the FY13 Navajo Land Title Data System budget for the Navajo Real Estate Department.

The RDC voted 3-0 to approve the Division of Economic Development FY14 budget.
Legislation No. 0237-13, pertaining to the Navajo Division of Community Development FY14 budget of $44.8 million, passed unanimously with one amendment to include two COA’s.

RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake), said he believes chapter staff neglect their main responsibilities due to excessive travel and training.

The first COA requires the division to implement a process where chapter officials and employees sign necessary consent forms, authorizing banks to permit the Navajo Office of Auditor General and the agency Local Governance Support Center “view-only” access, for the purpose of enabling the OAG and LGSC to continue audit and monitoring responsibilities.

The second COA requires the division to implement a policy that will cap training and traveling expenses at $10,000 for elected officials and administrative staff at each respective chapter within the first quarter.

“I like the new language of the budget, we definitely need to always take care of the Navajo people’s money,” said Delegate Tsosie. “It seems that training is becoming a way to make money off the chapters.”

The RDC voted 3-0 to approve the FY14 budget for the Division of Community Development.

Legislation No. 0234-13, pertaining to the Navajo Division of Transportation FY14 budget of $19.7 million, passed unanimously with an amendment to include two COA’s for the division to fulfill within the first quarter of FY14.

The first COA requires NDOT to receive technical assistance from the Navajo Tax Commission in order to develop a plan to receive all Fuel Excise Taxes collected without Navajo Nation set-aside, and to meet wit the Speaker of the Arizona State Legislature to revisit the $4 million tax agreement.

The second COA requires NDOT to select two civil engineers for an Intergovernmental Personnel Act assignment with the Bureau of Indian Affairs Roads Department for Navajo Nation capacity building, to assume certain responsibilities of the BIA roads. Sections for the positions will be made in the first quarter and shall not exceed two years.

“I would like chapter planners to be better qualified to truly do the chapter some good,” said RDC member Council Delegate Leonard H. Pete (Chinle). “I’m concerned with how much training it would take to get our planners up-to-date. The second COA should help our communities.”

The RDC voted 3-0 to approve the NDOT FY14 budget.

The four approved budgets now move on to the Budget and Finance Committee for consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Delegate Yazzie advocates for local youth’s musical aspirations

GALLUP, N.M. – On Tuesday, Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) met with the Gallup City Council during their regular city council meeting to discuss the reopening of the local nightclub known as FUEL.

FUEL is a local café and music venue that has opened its doors to local bands of all genres.

During Delegate Yazzie’s address to the city council, he expressed his appreciation for local youth bands and the benefits they receive while writing music and performing.

“Gallup has always catered to rodeo, basketball, and track and now Gallup is well known for those activities,” said Delegate Yazzie. “When it comes to music, our kids don’t have that outlet anymore.”

Due to fire code violations, including an inadequate sprinkler system and lack of maximum room occupancy, Gallup zoning officials were forced to close FUEL.

Several local musicians were in attendance to support Delegate Yazzie, and to advocate for the need of a non-alcohol serving music venue in Gallup.

“Currently city zoning ordinances only allow for night clubs adjoined to an existing hotel or restaurant,” said Gallup Planning and Zoning director C.B. Strain. “City ordinances do not allow for stand alone night clubs.”

Gallup Mayor Jackie McKinny, said he is an avid supporter of the city’s youth and music, however he could not ignore fire code violations, as they could lead to fatalities during an emergency.

“The city council would be more than willing to work with Mr. Yazzie to find a place for the youth to perform, we have Red Rock Park,” said city councilor Cecil E. Garcia.

Delegate Yazzie said he supports the city in amending zoning ordinances and finding a suitable facility that can house local musical performances.

At the conclusion of the discussion, the Gallup City Council agreed to explore the possibility of amending city codes that would allow for non-alcohol music venues to be established in non-residential areas.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Says NECR Mine Site Cleanup Must Continue

GALLUP, N.M. – Navajo Nation President Ben Shelly during a meeting with U.S. EPA Region 6 Administrator Ron Curry said cleanup of the North East Church Rock mine site needs to continue.

“What effect will the sequestration and budget have on the clean up and disposal of contaminated materials? We need to stick with the Five Year Plan and make sure the Obama administration doesn't lose focus of the long term goal,” President Shelly said.

President Shelly and other staff from the Navajo EPA met with Curry Thursday morning.

“We need to find another place to put the contaminated material, I just don’t want them covering it up. I don't want to contaminate the water,” President Shelly added.

President Shelly has continuously stressed the importance of the 5 Year Plan to both federal agencies and local residents.

“One of the critical lessons we learned early on was to listen to the people who live in the impacted areas,” President Shelly said.

The 5 Year Plan was released in 2008 that outlined steps to clean up the Northeast Church Rock uranium mine site. The plan has seven federal agencies involved.

President Shelly added that U.S. EPA Region 6 and Region 9 need to work together with the Navajo Nation and keep the Nation informed about any prospected changes in policy, since both regions cover the Navajo Nation.

Another discussed item was the State Implementation Plan for San Juan Generating Station near Farmington N.M. SJGS has proposed to close two units to meet the requirements of the Regional Haze Rule.

“I am not completely happy with the impending early retirement of Units 2 and 3 by year end 2017, but I do support it as the best scenario for meeting BART (Best Available Retrofit...
Technology). I understand the need to find a course towards an agreement that will result in some paths for meeting the Regional Haze Rule, mitigate job losses and impacts to the regional economy,” President Shelly said.

President Shelly added that the PNM-Navajo Work Force Training Program is welcomed to help train workers in the region.

“Understanding my concerns about the impacts to the work force, PNM offered $1 million dollars to assist with training to offset lay-offs and other job-related challenges that some workers will face. I am very optimistic about this effort,” President Shelly said.

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FOR IMMEDIATE RELEASE
August 15, 2013

Speaker Naize pays tribute to the Navajo Code Talkers

Photo: Speaker Johnny Naize addresses hundreds of spectators at an annual event to commemorate the Navajo Code Talkers in Window Rock, Ariz.

WINDOW ROCK – Speaking before a crowd of approximately 300 people on Wednesday at Veteran’s Memorial Park, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) honored and thanked the Navajo Code Talkers for their dedicated service and sacrifice during World War II.

“You have made us a proud people with your sacrifices and all that you achieved for Diné people, and you have gained us recognition through your courage and achievements,” said Speaker Naize.

Seated in the front row of the event were 20 Navajo Code Talkers, who traveled from various parts of the Navajo Nation to represent the distinguished group of veterans that developed the Navajo Code used to help the United States win World War II.
Speaker Naize also expressed appreciation for the Diné language and stressed the importance of teaching the language to young Navajo children.

“As mothers and fathers, we have to teach our children about the love, compassion, and power that characterize our language,” said Speaker Naize. “The power of our language cannot be expressed through English words, and that’s something we have to hold on to.”

Also in attendance were representatives from the State of New Mexico, Navajo County, the United States Marine Corp., and the Navajo Code Talkers Association.

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) who also serves as chairman of the Navajo County Board of Supervisors, expressed his gratitude and presented an official proclamation on behalf of Navajo County, declaring the month of August as “Navajo Code Talkers Month.”

“On behalf of Navajo County, it is an honor to present to the Navajo Code Talkers Association with this proclamation,” said Delegate Nez.

Former Navajo Nation Chairman and current president of the Navajo Code Talkers Association, Peter MacDonald was also on hand and urged current Navajo leaders to advocate for the establishment of a museum to honor the Navajo Code Talkers.


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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
Navajo President Shelly Help Opens New Data Center

SHIPROCK, N.M.—Navajo Nation President Ben Shelly yesterday opened a tier three data and network operating center as part of the broadband initiative he began in 2009.

“Today, we celebrate our very first data center of many to come,” said President Shelly at NTUA-Wireless’ new 6,400 square foot facility. “We are a technology nation just as much as we are an energy nation.”

The technology center will be operated by NTUA-Wireless, LLC., a for profit company created three years ago as the Navajo Nation headed the broadband effort for a Broadband Technology Opportunities Program, BTOP, grant.

“The day following the field hearing in Flagstaff, our Navajo staff formed a broadband work group,” said the president. “They brought together telephone companies, Internet Service Providers. government offices. enterprises. hospitals. schools. citv and county
governments. They even reached out to the Hopi tribe, and the Hopi Telecommunications Inc.”

The tier three site is a secure facility that relies on card keys and bio metrics for staff access, with 30 inch raised floors, and security cameras. There is one uplink through a fiber backbone to Albuquerque, with another pathway being negotiated through Gallup creating redundancy. The facility has two power feeds, and one Cummings diesel generator with storage batteries on site.

“With the cloud, we are inviting companies, corporation, large groups across America to store their data here on the Navajo Nation,” said the president. It is a smart move.”

U.S. Senators Tom Udall, D-NM, and Martin Heinrich, D-NM were represented by staff, along with U.S. Congressman Ben Lujan, D-3-NM. Governor Susana Martinez was represented by Indian Affairs Department Arthur Allison. State Representative Sharon Clahchischilliage, R-Dist. 4 said that President Shelly led the effort in Washington, D.C. during the American Recovery and Reinvestment Act period in which the Navajo Nation received more than $500 million for infrastructure projects.

NTUA General Manager Walter Haase acknowledged that 70 percent of the workforce at the new facility are Navajo.

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Navajo President Shelly Expressed Gratitude for Navajo Code Talkers

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly expressed his gratitude for the service of the Navajo Code Talkers during Navajo Code Talkers Day celebration today.

“On behalf of First Lady Martha Shelly, Vice President Rex Lee Jim, and I, we salute our Navajo Code Talkers, who turned the tide of the war in the Pacific Theater, and brought our county to victory,” President Shelly said in his welcoming address.

Approximately 20 Navajo Code Talkers and 200 people attended the welcoming ceremony at the Window Rock Navajo Tribal Park and Veteran’s Memorial.

President Shelly read a Loyalty Pledge to the United States that was passed by the Navajo Nation Council in 1940 as World War II escalated.

“Now therefore, we resolve that the Navajo Indians stand ready as they did in 1918 to aid and defend our Government and its institutions against all subversive and armed conflict.
and pledge our loyalty to the system which recognizes minority rights and a way of life that has placed us among the greatest people of our race,” President Shelly stated.

President Shelly cited Congressional reports that more than 5,000 American Indians served in the armed forces during World War II and about half of them were Navajo.

“We welcome you to this day, whereupon we will bestow honor to you, and to the spirit of the ones who have passed. This day shall forever be set aside in your tribute and honor,” President Shelly said.


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FOR IMMEDIATE RELEASE
August 12, 2013

Naabik’íyáti’ Committee approves
amending Absentee Voting by Rules and Regulations

WINDOW ROCK – The Naabik’íyáti’ Committee on Thursday approved Legislation No. 0166-13, which seeks to amend Title 11 of the Navajo Nation Code to authorize the Navajo Board of Election Supervisors to implement absentee voting by rules and regulations.

“What we are trying to do is separate the procedural process from Title 11 by adding them to our current rules and regulations and allowing our office to manage them,” said Navajo Election Administration director Edison Wauneka.

Wauneka explained that allowing the election supervisors to oversee the rules and regulations would streamline the process of absentee voting.

“I want to clarify that we are not getting rid of absentee voting,” said Wauneka.

Committee members requested further clarification from Wauneka in regards to the proposed changes in the absentee voting rules and regulations.

“In the [absentee voting] policy and procedures, what exactly does the Election Board want to change?” asked Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill).

“We are requesting the authority to amend the policy through our Board to make the absentee voting process more efficient,” said Wauneka, while noting that currently changes made to the policy requires approval by the Navajo Nation Council.

Wauneka said that any changes made to the rules and regulations are to ensure that Navajo voters can exercise their right to vote if they are unable to be present at their designated polling site.

“If the rules and regulations in absentee voting does not accommodate our voters and prevents them from exercising their right to vote, the Board can make proper amendments to remedy any issues,” said Wauneka.
Council Delegate Russell Begaye (Shiprock) cautioned the Election Board to protect against voters attempting to vote more than once.

“We need to make sure that those who choose to submit absentee voting ballots do not also vote in person at the polls,” said Delegate Begaye.

At the conclusion of the discussion, Wauneka acknowledged the committee’s concerns and stated that the election supervisors will do everything in their power to uphold the integrity of the absentee voting rules and regulations, while protecting the rights of Navajo voters.

The Naabik’íyátí Committee voted 12-0 to approve Legislation No. 0166-13. The legislation now goes to Council for final consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Releases Back To School Statement

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly released the following back-to-school message.

“Every year as the summer starts to cool, we send our children back to start a new school year. We have the opportunity for our young people to learn and better their future.

Today’s world is changing so fast and we must encourage our children to learn how to navigate through this complex world and create a good life for themselves. Education has long been a pillar for a strong productive life.

As our children continue to maximize their educational goals, they establish a new founded knowledge to enhance their lives, which is to say, they are enhancing our lives.

With each educational success comes enhanced definitions of prosperity and that raises the quality of life for our people.

Young people, please learn all you can and take advantage of the opportunities that are in front of you. You are going to be successful and we believe in each and everyone one of you.

My challenge to you is learn new ways to move our Navajo Nation forward. We have to change our thinking that the government is a place of employment in the future. We need start businesses on the Navajo Nation and create new jobs. This is the need of the future.

My people please join the First Lady, the Vice President and myself and let us all pray for our children as they return to school. Let’s pray for their positive thinking, their health, and their safe journeys. Our children are our most precious resource because they are the ones who hold our dreams for to make our Navajo Nation stronger. “

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FOR IMMEDIATE RELEASE
August 9, 2013

NAVAJO NATION HUMAN RIGHTS COMMISSION, FEDERAL AND STATE AGENCIES POSE TO CONDUCT SEMINAR ON FINANCING AND PURCHASING OF VEHICLES

ST. MICHAELS, AZ. — The Navajo Nation Human Rights Commission ("Commission") announced it will host a one-day seminar on financing and purchasing vehicles on Friday, September 6, 2013 from 8:00 a.m. to 5:00 p.m.. The Commission along with representatives from the Consumer Financial Protection Bureau, Arizona and New Mexico Attorney General’s Offices, DNA Peoples Legal Services and the Navajo Nation Credit Services office will provide information concerning, credit scores, financing a vehicle, terminology used in contract negotiation, legal terms in the vehicle contract and laws that protect consumers when your purchase goes wrong are among some of the topics to be discussed.

The Commission encourages Navajo citizens who are considering purchasing a vehicle or had purchased one to attend this one day seminar that will be held at the Navajo Nation Museum located in Window Rock, Navajo Nation on Friday, September 6, 2013. Mr. Leonard Gorman, Executive Director for the Navajo Nation Human Rights Commission said, “this is a good opportunity for Navajo citizens to visit with state and federal agencies to address problems with purchasing and financing a new and used vehicle.” Mr. Gorman further states, “Navajo Human Rights office received many complaints about auto purchasing and assisted them to resolve the problem. Clearly there is a need for public education on purchasing an automobile.”

The Commission urges Navajo consumers to - Save the date – and mark your calendars now. Navajo consumers can contact the Navajo Nation Human Rights Office at 928-871-7436 for further information.
FOR IMMEDIATE RELEASE

Navajo Nation Fair
An Opportunity to Win

WINDOW ROCK, AZ. – Contestants aren’t going to be the only winners during the 67th Annual Navajo Nation Fair.

That’s because five individuals will be $1,000 or $5,000 richer during the Largest American Indian Fair in North America.

Raffle tickets will be sold for $10 at the Navajo Nation Fair grounds and at various outlets – buyers will have five opportunities to win a cash drawing, however, there is a catch. Buyers must be present at the Indian rodeo where a nightly winner will be announced, which is scheduled to be held on September 4-8th at the Navajo Nation Fairgrounds. Fairgoers will have an opportunity to win $1,000 on Wednesday through Saturday and a chance to win $5,000 on Sunday during the last Indian rodeo performance.

Navajo Nation Parks and Recreation Department Manager Martin L. Begaye, said, “The Navajo Nation Fair is a great opportunity for visitors to learn about Navajo culture. We are very pleased that many visitors enjoy our scenery, but we also want them to know that the true beauty of the Navajo Nation is our unique language, culture and way of life.”

In fact, the theme for the 67th Annual Navajo Nation Fair is “Dine Bizaad Dilzin,” which means Honoring the Navajo Language in Navajo.

Navajo Nation Fair Manager Genevieve Tsouhlarkis, said, “The Navajo Nation Fair is also a great time to visit family and friends. It is a prime venue for the Navajo people and other tribes to showcase their skills whether that be through songs, dances, art, food, livestock or during one of the many different athletic events such as rodeo to a half-marathon.”

Tsouhlarkis added, “The Navajo language is the foundation of who we are as a people. That is why we want to honor all the silent Navajo heroes who are using the Navajo language to help preserve and protect it.”

Such Navajo heroes include Navajo medicine men and women who use the Navajo language in their prayers, songs and ceremonies; the Navajo Code Talkers who used the Navajo language in World War II, Navajo teachers and professors who teach Navajo, Navajo translators, Navajo entertainers who
sing in Navajo, Navajo authors, Navajo story tellers and our Navajo elders who are our living cultural treasures.

The 67th Annual Navajo Nation will begin on Monday, September 2, 2013 and kick off with an open junior rodeo and baby contest and slowly pick up during the week with such activities and events as a 4-H horse show, a daily Indian rodeo, two country western concerts, a rock and roll concert, an inter-tribal pow wow, fireworks, a traditional Navajo song and dance, Nizhoni arts market, a fry bread contest, a golf tournament, a night performance and other events.

For more information about the Navajo Nation Fair, call (928) 871-6647 or 6478 or at www.navajonationfair.com
FOR IMMEDIATE RELEASE
August 9, 2013

HEHSC approves an enabling legislation which seeks to implement a 9-1-1 emergency response system within the Navajo Nation

WINDOW ROCK – The Health, Education, and Human Services Committee met on Wednesday, and approved Legislation No. 0212-13, which proposes to amend Title 2 and Title 21 of the Navajo Nation Code, authorizing the Navajo Nation Telecommunications Regulatory Commission to implement and manage a 9-1-1 emergency response system within the Navajo Nation.

Legislation sponsor Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) said the legislation would allow for the NNTRC to begin developing a framework for a sustainable and adequate 9-1-1 system.

“There are many areas on the Nation that have no way to call emergency authorities and, we are losing lives as a result of it,” said Delegate Phelps. “This is something that needs to be done. We will have to work with the Federal Communications Commission to do this.”

The legislation developed from a joint meeting between the Law and Order Committee and HEHSC on Mar. 13, where residents of the rural community of Black Falls, Ariz. gave testimony about accidents that resulted in fatalities due to the lack of emergency services and response.

NNTRC executive director Brian Tagaban, said the legislation would allow for the NNTRC to be the lead agency in establishing the three main necessary components for a 9-1-1 system: public safety answering point (PSAP), location information system, and rural addressing.

“Arizona, New Mexico, and Utah all have a 9-1-1 program which funds their PSAP system, this is what this legislation begins to do for the Nation,” said Tagaban.

A PSAP is responsible for answering emergency calls for police, fire fighting, and ambulance services. Trained telephone operators are usually responsible for dispatching emergency services.

“When you have an emergency here on Navajo, you call 9-1-1 and the county sheriffs office gives you another phone number to call for Navajo Police,” said HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels). “This legislation will bring a better system for the Nation.”

The HEHSC approved Legislation No. 0212-13 with a vote of 3-0.

The legislation now moves on to the Law and Order Committee and the Naabik’íyáti’ Committee for final consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
August 8, 2013

The Budget and Finance Committee approves the Navajo Nation Chapter’s Infrastructure Improvement Priority Projects list

WINDOW ROCK – On Tuesday, the Budget and Finance Committee approved the Navajo Nation Chapter’s Infrastructure Improvement Priority Projects list for FY2013-2018. The Capital Improvement Project list consists of projects from most of the 110 chapters on the Navajo Nation.

“This legislation was introduced in April 2013 and resulted in work sessions with chapter officials discussing proposed capital projects in their areas,” said legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels).

According to Delegate Hale, all chapters that requested a capital project to be added to the priority list had to submit chapter resolutions, including project proposals.

“At this point, we have the majority of chapters that have already submitted their chapter resolutions with the exception of 13 chapters,” said Delegate Hale.

Included in the presentation, Chief Justice Herb Yazzie explained the importance of the CIP priority list and spoke on behalf of the Judicial Branch in regards to the construction of a new Supreme Court building.

“About six years ago, we started on a dream to obtain a judicial complex to house the Supreme Court, court administration, peacemaking, and probation programs,” said Chief Justice Yazzie. “We are construction ready and ask that we be put at the top of the priority list.”

Currently, the list includes 105 projects from each of the Nation’s five agencies and the Navajo Nation Capital, according to the CIP report.

“How many of these projects are actually project-ready?” asked BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tse Chi’zhi).

Delegate Hale responded, “The FY2014 priority list is project-ready and is awaiting funding to begin construction. Every year until FY2018, the list will be reevaluated to reflect project-ready sites only.”

The funding of the capital projects was a concern posed by BFC members.
“I do not see any language in this legislation that authorizes a bond [to finance these projects],” said BFC member Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tse Si’ani, Wide Ruins). “There needs to be language or another legislation that addresses how the Nation will fund these developments.”

BFC member Council Delegate Danny Simpson (Becenti, Crownpoint, Huervano, Lake Valley, Nageesi, Nahodishgish, Tse’ii’ahi, Whiterock) stated, “The stock market has been good to us and we should use the Navajo Nation Permanent Trust Fund to finance these projects and get them completed as soon as possible.”

Delegate Hale explained that the capital projects were originally to be funded by the interest of the Navajo Nation’s Permanent Trust Fund, but the goal now is to approve the priority listing first. He also noted that creating a concurrent legislation for funding the projects would cause confusion, but will be initiated after the priority listing is finalized.

“If the CIP list is not approved soon, it will only cause further delay. If we opt to finance, we will lose money on interest rates because the money will end up sitting there and interest will add up,” said Delegate BeGaye.

At the end of the discussion, BFC voted 3-0 to approve Legislation No. 0118-13 and will move on to the Naabik’íyáti’ Committee for consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
RDC modifies Chinle business site lease for Navajo Code Talker

WINDOW ROCK – The Resources and Development Committee approved Legislation No. 0211-13 on Tuesday, which modifies a Chinle business site lease for a Navajo Code Talker, Fleming D. Begaye.

Legislation sponsor Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izhi) said the legislation would amend a business site lease belonging to Fleming D. Begaye, and replace his name with his daughter, Veronica Walters.

“Mr. Fleming owns one of the more successful businesses in Chinle and he’s ready to pass it onto the next generation,” said Delegate BeGaye. “The business does not owe anything and has a letter from the Bureau of Indian Affairs approving the lease renewal.”

Begay owns and operates a laundromat, gas station, convenience store, fast food facility, and automotive service within a single facility in Chinle.

In 2012, Fleming was denied a lease renewal by Navajo Area BIA director Sharon Pinto, however after Fleming filed an appeal his request was approved in May 2013.

Following the presentation, RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) questioned the location of establishment and if the business was subleasing to outside entities.

“The business is located at the major intersection in Chinle, where State Route 191 and Navajo Route 7 meet,” said Delegate BeGaye. “They are working with the Four Corners Giant Corporation for their gas station.”

Delegate Tsosie said that he does not believe business leases should permit lessees to sublease land, as it could possibly deter much needed tax revenue from the Nation.

“In my opinion there should be no subleasing because everything goes haywire when we try to collect sales taxes for the Nation,” said Delegate Tsosie. “However, I am going to support this legislation and trust that this is helping local economic development.”

The RDC approved Legislation No. 0211-13 with a vote of 3-0.

The Resources and Development Committee serves as the final authority for the legislation.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Says Overregulation Hurts Housing Development

ST. MICHAELS, Ariz. – Navajo Nation President Ben Shelly said the Navajo Nation is overregulated by the federal government and that creates problems for housing development on the Navajo Nation.


President Shelly added he is advocating for more Navajo autonomy in his meetings with federal officials.

The GAO was tasked by Congress to investigate barriers in Indian Country to housing development. A three-person panel was on hand visiting the Navajo Nation Monday with plans to visit other communities throughout the week.

President Shelly said land status was an issue and Land Department Manager Mike Halona said that federal laws apply to all federal lands, regardless if there are people living on federal land.

“I think that is where a big change and an easy change would need to be made, when all of these federal environmental lands were enacted, they just put federal lands across the board, not thinking there is actually people living on it. That’s the big problem,” Halona said.

President Shelly said the Navajo government is making changes to help speed up development, like the expedited 164 process that puts deadlines to documents needing signatures from key Navajo government officials.

“We are making progress, but we need new solutions that consider all options,” President Shelly said.
FOR IMMEDIATE RELEASE
August 6, 2013

The Law and Order Committee receives a report from the Title 17 Sentencing Provision Review Task Force

WINDOW ROCK — On Monday, the Law and Order Committee accepted a report from the Title 17 Sentencing Provision Review Task Force, which is charged with reviewing and updating the Navajo Nation Criminal Code to impose stricter penalties for certain crimes.

According to the report, in Jan. 2000, the Navajo Nation Council eliminated jail terms and fines for a number of offenses, in part because the Nation had limited resources to prosecute and jail criminal offenders. Portions of the Code are outdated and should be revised to reflect the current needs of the Navajo Nation and people.

“The initial task was to look at the criminal code because much of it was decriminalized all at once and it is time that we revise this to reflect individual criminal accountability,” said LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat).

The task force was formed in July 2012, and began conducting bi-weekly meetings in Jan. 2013, to review all criminal penalties, and held public hearings in May to receive input and field questions from the public.

“I reviewed the offenses listed in the task force’s recommendations, but I do not see assault on a police officer or establishment of street gangs in this report,” said Delegate Shepherd. “I believe they need to be added to the code and be criminalized.”

Delegate Shepherd also recommended that crimes be classified to reflect the level of the crime, such as distinguishing between different levels of misdemeanor crimes.

“Currently, the recommended changes we made for LOC is to implement classifications for the crimes, but not all of them need them,” responded Renner.

Renner explained that drug offenses will be based off of the amount that is seized upon arrest, thus the penalty and sentencing will reflect the seriousness of the offense.

“Another suggestion I would like to make is to implement the Tribal Law and Order Act regarding these crimes,” stated LOC member Russell Begaye (Shiprock).
The Tribal Law and Order Act of 2010 was signed into law by President Obama to support tribal public safety efforts to enforce stringent prosecution of offenders on reservations for sexual assault and violence against women, as well as other crimes plaguing Indian Country.

“At this time, we do not have enough resources to implement the TLOA because it would require a state-licensed attorney and law-trained judges, which we do not have at this time,” said Office of the Public Defender director Kathleen Bowman.

Delegate Shepherd suggested that LOC members meet for a two-day work session to make appropriate changes to the criminal codes.

“Title 17 needs to be revised to strengthen the laws and that is our goal,” concluded Delegate Shepherd.

At the conclusion of the discussion, LOC chair Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) said the two-day work session will begin on Aug. 27.

LOC voted 3-0 to accept the report.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
For Immediate Release
Aug. 5, 2013

President Shelly Vetoes Title 2 Amendments

WINDOW ROCK, Ariz.—Navajo Nation President Ben Shelly vetoed a bill that would have reduced the comment period for newly introduced bills to the Navajo Council and given the Navajo Nation Speaker power to move council meeting places.

President Shelly vetoed CJY-31-13 Monday.

President Shelly applauded the intention of the first amendment to Title 2, which would have reduced the time period for public comment for newly introduced bills from five days to four days.

“It is clear the Navajo Nation Council’s motive is government efficiency,” President Shelly wrote in his veto memorandum to Navajo Nation Council Speaker Johnny Naize.

“I would respectfully request the Navajo Nation Council to continue the discussion regarding the comment period in order to find a balance to assure the Navajo People their comments can be received and continue to promote efficacy within our government legislative process,” President Shelly wrote.

The other amendment would have given the Navajo Nation Council Speaker the authority to designate alternative meeting sites for Navajo Council meetings.

President Shelly stated that he understands the idea of bringing the government to the people but he wants a cost analysis for moving meetings from Window Rock even though most of the council meetings are webcasted.

“The Navajo Nation Council provided the opportunity for millions to access the Navajo government through the Internet. This achievement is applauded. However, the possibility to designate an alternative meeting place will be at greater financial cost to the Navajo Nation. In order to consider this additional authority a cost analysis should be provided,” President Shelly wrote.

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Officials from Navajo Division of Transportation, Navajo Nation Council, New Mexico Department of Transportation, San Juan County and URS Corporation met in Albuquerque on July 31, 2013, to discuss the replacement of the Huerfano bridge. NDOT is contributing $1.5 million toward the replacement of the bridge, estimated to cost $2.3 million. (Photo by Rick Abasta)

After 20 years of waiting, Huerfano bridge to be replaced

ALBUQUERQUE-Officials from the Navajo Division of Transportation, San Juan County, New Mexico Department of Transportation, URS Corporation, and Navajo Nation Council met on July 31, to discuss the replacement of the Huerfano Bridge.

Community members from Huerfano have been asking for a bridge replacement for over 20 years.

The PS&E (plans, specifications and estimates review) meeting took place at the URS corporate headquarters. PS&E review meetings are typically conducted when the plans, specifications and construction cost estimate are approximately 99 percent complete.

URS is the consulting engineer under contract with San Juan County to design the bridge and overall project, prepare construction documents, and monitor construction.

Bridge No. 8105, which carries San Juan County Road 7150 over the Gallegos wash, is in desperate need of repair, especially now with monsoon season in full swing. Commercial vehicles and trucks weighing over 10 tons must travel the detour access route through the wash for crossing.

The bridge is located approximately 6.3 miles south of Highway 550. Although community members regularly travel on the bridge to get home, the rusty and deteriorating condition of the structure cannot be underscored enough.

The entire structure vibrates whenever vehicles travel across. Although this region of New Mexico is suffering from drought conditions, monsoon rains could easily complicate the bridge matter exponentially if water began flowing through the Gallegos Wash.

The cost estimate to replace the bridge is at $2.3 million. NDOT, NMDOT, Federal Highway Administration, San Juan County and the New Mexico Gross Receipts Tax are all contributing agencies for the project. NDOT will provide $1.5 million in funds to replace the aging structure.

Paulson Chaco, director of NDOT, said the Huerfano bridge project is the first project funded by the direct funding agreement between NDOT and the FHWA, which was cemented in Feb. 2013.
“This is the first time NDOT is taking over the reins from the Bureau of Indian Affairs to complete this project from start to finish. We are utilizing funds from the direct funding agreement for this project,” Chaco said.

In 2013, NDOT became partners with the FHWA and BIA to complete road projects on the Navajo Nation, receiving annual appropriations of $10 million from the FHWA. BIA receives $44 million annually for services on Navajo Nation roads.

Finding the funding for the Huerfano bridge project was the biggest challenge stakeholders had to overcome. To date, development for the bridge has taken over five years, most of the time spent identifying potential funding sources.

Peter Hinckley, principal transportation engineer for URS, said construction of the project is slated to begin Jan. 2014, with construction finished in Oct. 2014.

“The span of the bridge is 356-feet. The average height of bridge deck above natural channel is 11 to 12-feet,” Hinckley said. “The bridge will be constructed of pre-stressed concrete girders on drilled shaft foundations, with a cast-in-place concrete deck.”

During the construction period, the existing bridge bypass will remain open for traffic.

“Bridges are a very important element of our national, regional and local infrastructure that warrant increased funding and upgrading,” Hinckley said.

He said the new bridge will provide a safe route for local residents, school buses and the general public to cross the Gallegos Wash, which is one of the largest ephemeral waterways in San Juan County.

“The new bridge will carry two lanes of traffic instead of the one lane on the old bridge. It will also have shoulders that can be used by pedestrians or bicyclists,” Hinckley said. “The new bridge barrier rail will meet current design standards for both automobile and truck traffic.”

Information: www.navajodot.org

-30-
“Native Plant Garden Cultivates Fort Defiance, Arizona”

FORT DEFIANCE, ARIZ – Navajo Forestry Department nurtures one of the most beautiful gardens near the capital of Navajo Nation, for nearly 30 years the ‘Native Plant Garden’ has flourished in Fort Defiance adjacent to the Forestry Administration Building.

In 1986, Amanullah K. Arbab, manager of Navajo Forestry Reforestation & Disease Control transported the first pine tree from the Chuska Mountains to the ‘Native Plant Garden’ in Fort Defiance, Arizona. Arbab arrived to Navajo Nation in 1979 with only $0.10, with an educational background in Plant Painology and Botanical studies from Purdue University, he gravitated to Navajo Forestry Department and began his adventure as a botanist among the Navajo people.

The greenhouses at the Native Plant Garden maintained by Navajo Forestry Department, provides one of the best botanical environments to grow healthy seedlings year round. Currently, Navajo Forestry...
Department already has a commitment from U.S. Forest Service to grow over 31,000 seedlings to help with replenishing the Coconino National Forest.

Northern Arizona University also utilizes the greenhouses in Fort Defiance for seed processing and transported for planting. Arbab works with many organizations to encourage native plant growth across the southwest region, he is a firm believer in having a healthy garden to keep the mind, spirit and body healthy.

Arbab welcomes the community to visit the Native Plant Garden and thankful for all the Navajo elders who have guided him thus far. “I envisioned a garden for young people to come and think, to find peace. This garden is unique because it holds a Native American ambience as you walk around here,” said Arbab. Each plant is useful to Navajo, either for medicinal use, to eat, basketry, making weapons or ceremonial use.

“This is a Native Plant Garden built by Navajo people and Navajo companies, I simply wanted to put my knowledge about plants to use by establishing a garden for the Navajo People,” explained Arbab. I am originally from Pakistan, living here among the Navajos is quite rewarding and I enjoy my work everyday, this is my office, added Arbab.

With over 110 plants at the Navajo Forestry’s Native Plant Garden, visitors will be amazed to see the years of dedication and planning sculpted by the Reforestation & Disease Control for future generations to enjoy. Species include; Ponderosa Pine, Douglas Fir, Alligator Juniper, Apache Plume, Currleaf Mountain Mahogany, Russian Sage, Wolfberry, Santa Rosa Plum, Fendler Bush, Utah Service Berry, Aspen Tree, Wax Currant, Sumac, Sagebrush, Joint Fir, Yucca, Cinque Foil, Creeping Mahonia, Cliff Rose and Peteria Scoparia known as the “Potato Medicine.”
Future plans include adding sculptures and gardening workshops for those seeking landscaping skills. Arbab envisions a small play area for school-age children near the courtyard, as he looks forward to the new school year and the many young people who will be visiting the Native Plant Garden, either for educational reasons or to simply find a quiet place to think, and meditate.

“The Native Plant Garden is a place where people, of all ages, can go and gain an understanding of all the native plant species that can be found on the Navajo Nation. Our main focus is educating our young people and anyone interested in learning more about each plant,” stated Alexious Becent Sr., Navajo Forestry Department Manager.

Currently, the Navajo Forestry greenhouses have grown over 4 million seedlings, which have been replanted to rejuvenate the forest around Navajo Nation and over 1 million native plants seedlings for coalmine reclamation. For more information about the Native Plant Garden, visit www.dnrnavajo/forestry or call 928-729-4007.

###
For Immediate Release  
Aug. 2, 2013

President Shelly Line Item Vetoes $2.5 Million Bill for Summer Youth Employment

WINDOW ROCK, Ariz.—Navajo Nation President Ben Shelly line item vetoed a bill that would’ve provided $2.5 million for Chapter Summer Youth Employment programs. He vetoed the measure Friday morning.

President Shelly stated three primary reasons he line item vetoed the CJY-4213. Firstly, President Shelly stated the Undesignated Unreserved Fund Balance already below the amount he has been advocating for, he needs a more thorough evaluation of chapter level finances and that he intends to find solutions within the government to help expand resources for chapters who do need extra financial help for summer youth workers.

“The majority of chapters have a high amount of unspent money within their budgets. I am aware of a few chapters that are in need of additional funding for their summer youth employment accounts,” President Shelly wrote.

President Shelly added that he plans to meet with the Division of Community Development, Local Governance Support Center and other chapter programs to discuss long-term solutions to fund summer youth employment.

In addition, President Shelly said the UUFB is below the $20 million he has been advocating as a minimum balance above the mandatory minimum fund balance of 10 percent of the prior year’s fiscal budget.

After about $16.8 million of allocations since the spring, the UUFB sits at about $9.5 million, though President Shelly indicated that the allocations were for necessary projects, federal financial uncertainty hasn’t gone away.

“The financial uncertainty still looms over us,” President Shelly wrote.

###
EQUINE ADVISORY – FOR IMMEDIATE RELEASE

The Navajo Veterinary & Livestock Program is encouraging horse owners to ensure that their horses are vaccinated against West Nile Virus. West Nile vaccinations should be an annual vaccination along with your spring 4-way vaccination and deworming schedule especially since WNV is endemic (naturally in the environment) since it arrived to the Navajo Nation in 2003. West Nile, the disease, is spread by the bite of an infected mosquito carrying the virus, which may develop into a brain inflammation disease in humans, horses and birds.

Presently, the Navajo Nation has one (1) area of where a positive horse has been confirmed with the West Nile Virus: the Chinle Valley. This animal was never vaccinated against West Nile. The animal began showing signs of the disease on July 21, the disease progressed until the horse was unable to balance and was euthanized at the Chinle Veterinary Clinic, July 23, 2013. Laboratory confirmation of West Nile virus was received August 1, 2013.

The NNVLP urges the public to take precautions against the bite of mosquitoes; once again the “Fight the Bite” prevention for people and horses is stressed. Prevent mosquitoes from multiplying by decreasing the incidence of standing water around your home and stables. Use insect repellants to prevent bites to horses and make sure all horses have WNV vaccinations in place. People should utilize your DEET products to prevent mosquito bites and limit early morning and evening hours outside when mosquito activity is the highest; wear protective clothing if you need to be outside during these times.

For additional information to protect yourself from West Nile contact:

- Division of Health – Health Education Program (928) 871-7967
- Community Health Representative Program (928) 729-4027

For more information call the nearest NNVLP clinic: Chinle (928) 674-2069, Shiprock (505) 368-1007 and Tse Bonito (505) 371-5214.
West Nile Virus in Horses
Spring 2003-2013
Navajo Nation Veterinary and Livestock Program

What is West Nile Virus?
West Nile Virus is a mosquito-spread disease that affects birds, humans, and horses. West Nile Virus is carried by birds and spread to other animals by mosquitoes. West Nile virus infections generally occur during warm weather months when mosquitoes are active. WNV is presently endemic within the area. Annual precautions are recommended such as vaccinating your horse to prevent the impact of the disease.

How is it spread?
Horses are the main animals susceptible to the West Nile Virus. West Nile Virus does not usually affect animals other than horses and other equine. West Nile Virus is not a contagious disease from horse to horse so there is no quarantine issued for this disease.

Signs and symptoms of WNV infection in horses may include:
One of the first signs usually is head droop, loss of coordination, stumbling, or staggering, circling, weakness or paralysis of limbs, inability to stand, muscle twitches or tremors, apparent blindness, lip droop, grinding teeth, and death. These signs are not specific for WNV infection, and may be caused by other diseases including rabies. WNV vaccine protects horses against the West Niles Virus. Horse owners should contact their local Navajo veterinary clinic for any additional questions:

- Two doses of the vaccine given three weeks apart are required, if the horse has never been vaccinated before. Following the second dose, it will be about three weeks until the immunity reaches protective levels. Plan 6 weeks in advance to gain the appropriate protection levels.
- Horse(s) vaccinated last spring will require an annual injection for protection. Remember it will be about three weeks until the immunity reaches the highest level of protection.
- Use an insect repellant for horses. Premise sprays for stables.

Mosquitoes become infected with WNV by feeding on infected birds. There is no evidence that a person can acquire the disease by handling live or dead birds or other infected animals. The NNVLP encourages the public to take precautions such as utilizing insect repellant and limiting standing water around homes to cut down on mosquito breeding sites.

To reduce the risk of becoming infected with WNV, people should:
Take precautions for yourselves and your horses. Should your horse have any of the previously described signs and symptoms, they need veterinary attention and should be taken to veterinary clinic. Please call ahead to the veterinary clinic, in case our vet staff is in the field. The Navajo Veterinary & Livestock Program would like to prevent the likelihood of this disease – VACCINATE YOUR HORSES EVERY SPRING.

For more information:
- Navajo Veterinary & Livestock Program: Chinle clinic (928) 674-2069, Shiprock clinic (505) 368-1007 and Tse Bonito clinic (505) 371-5214
- NN Health Education Program (928) 871-7967
- NN Community Health Representative (CHR) Program (928) 729-4027
FOR IMMEDIATE RELEASE
August 1, 2013

NAVAJO NATION HUMAN HOSTS FOLLOW-UP MEETING ON THE WORLD CONFERENCE ON INDIGENOUS PEOPLES' ALTA, NORWAY OUTCOME DOCUMENT

ST. MICHAELS, A.Z. – On Monday, July 29th, the Office of Navajo Nation Human Rights Commission and Office of the Navajo Nation Speaker held an Indigenous Leaders preparatory meeting on the World Conference on Indigenous Peoples' Alta, Norway Outcome Document at the Twin Arrows Navajo Casino Resort. The preparatory meeting was hold in-advance of the listening session to be hosted by the United States Department of State and Department of Interior.

The purpose of the preparatory meeting was to discuss and review the United Nations approving the 2014 World Conference on Indigenous Peoples to be held in September 2014 in New York City, New York at the U.N. Headquarters and the Alta, Norway Outcome Document which will be the document used at the 2014 World Conference on Indigenous Peoples.

The Department of State will be inviting Indigenous Leaders of the United States to meet in Washington, DC at the Department of Interior’s Sidney R. Yates Auditorium in the Fall 2013 to discuss issues to be presented at the World Conference. The goal of the Commission is to formulate unified recommendations with Indigenous elected Leaders for the meeting with the United States and U.N. members who will be present at the 2014 World Conference.

The listening session by the Department of State and Interior is tentatively focusing on topics which will impact Indigenous Nations and Peoples. Topics such as: addressing violence against Indigenous women and children; establishing a new U.N. monitoring body to implement the Declaration on the Rights of Indigenous Peoples; or the protection and preservation of Sacred Sites.

"The World Conference on Indigenous Peoples will be a historic event. The Navajo Human Rights Commission does not want this conference to be just another gathering but a vehicle to see real change in domestic policies," said Leonard Gorman, Executive Director of the Office of Navajo Nation Human Rights Commission.
Gorman also stated, "the Navajo Human Rights Commission has several initiatives in the world human rights forums. The World Conference is another vehicle to ensure the world community recognizes the Navajo people's human rights."

"I look forward to building upon the progress made by the Navajo Human Rights Commission in addressing human rights issues such as, violence and abuse of Dine women and the protection of our sacred sites throughout our land," said Navajo Nation Speaker Johnny Naize.

Speaker Naize also states, "I will continue to advocate for the human rights of the Dine people and will continue to work with the Commission and other entities to address such issues, and I look forward to what will result from the 2014 World Conference on Indigenous Peoples."

###
FOR IMMEDIATE RELEASE
August 1, 2013

HEHSC discusses health care conditions at Kayenta Health Care Clinic with local residents and I.H.S. representative

WINDOW ROCK – The Health, Education, and Human Services Committee received a report on Wednesday, from Kayenta residents regarding their concerns with the current health care conditions at the Kayenta Health Care Clinic.

Kayenta resident Annalita Osif, informed the HEHSC that she is part of a group of constituents who are disappointed with the clinic’s administration and services.

Due to a shortage of staff at the Kayenta Clinic, constituents often have to travel to other hospitals in Tuba City, Monument Valley, Shiprock, and Phoenix, said Osif.

“The HESHC understands your frustrations with the facility, but we also need to hear how IHS is addressing these issues,” said HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels).

The Kayenta Health Care Clinic currently operates for 40 hours during the week and provides services which including, general medical care, pediatrics, internal medicine, mental health, and women’s health to approximately 20,000 people.

Navajo Area IHS chief medical officer Dr. Douglas Peter, explained the actions the Navajo Area office has taken to improve services and address local concerns.

“We are tackling the biggest challenge of the clinic, which is recruitment, by implementing the Federal Direct Hire Authority,” said Dr. Peter. “Now we can hire the staff we need, like doctors, nurses, and techs, the same day without going through the entire HR process.”

The Federal Direct Hire Authority enables an agency to hire any qualified applicant by eliminating competitive rating and raking, veterans, and “rule of three” procedures during a critical hiring need or severe shortage of candidates.

Dr. Peter also added that patients cannot be turned away from other IHS clinics and hospitals even if they are not apart of their service unit population.

HEHSC member Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) said the HEHSC can only provide guidance in this situation and that the local community needs to make IHS an active member in their dialogue in order to address their concerns over the clinic’s administration.
“We are dealing with a federal agency and it can be very complicated when dealing with their funding. You have to access the situation from a broad perspective,” said HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii).

Delegate Phelps also suggested that the community consider pursuing a P.L. 93-638 Title 1 contract so the facility would operate under local governance control.

Public Law 93-638, Indian Self-Determination and Education Assistance Act of 1975, authorizes the U.S. Secretaries of the Interior, Health, Education, and other government agencies to enter into contracts with federally recognized tribes. Tribes have the authority to administer the funds, giving them greater control over their welfare.

“We can solve these problems by unifying the health care system and needs of our people,” said Delegate Hale. “Working against each other on different sides doesn’t help anything.”

After a lengthy discussion, Delegate Hale advised Dr. Peter to present IHS’s work to the Kayenta Chapter, to prevent future confusion and demonstrate the area office’s commitment to providing quality health care.

HEHSC members voted 4-0 to accept the report.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly to Congress: Do Your Job

WINDOW ROCK, Ariz. — Speaking out against a potential federal government shutdown, Navajo Nation President Ben Shelly expressed his dismay that Congress is failing to honor its trust responsibility to Native American tribes.

"It is unconscionable that the federal government will come to a complete halt due to a few unreasonable members of Congress. They have one primary role, to fund the government, and they need to do their job. By failing to provide funding, Congress is once again failing to honor its trust responsibility to America’s first people," President Shelly said.

The Navajo people will see an immediate impact in their communities. Hospitals, law enforcement and social services will remain operational. Social Security benefits (both Supplemental Security Income and Social Security Disability Insurance) will continue to be disbursed uninterrupted. Other programs such as tribal colleges, some Indian Health Service units, and Head Start are not forward funded and will operate only if funds are currently available. There is no guarantee of federal reimbursement if tribes choose to self-fund.

"Much like sequester, once again Congress is placing ideology before the basic needs of American people," added President Shelly.

President Shelly also reiterated the Navajo Nation’s need for fiscal restraint in uncertain economic environments.

"The Navajo Nation Council has repeatedly attempted to use up our reserves. I have sought to ensure that we have sufficient dollars to weather these types of crises through veto of budget line items. I recently vetoed more than $8.7 million in unnecessary spending. I urge the Council to keep federal budget uncertainties, like the current possible shutdown, in mind when appropriating the Navajo people's money," President Shelly said.

###
Rock Point Chapter was hit especially hard by monsoon rains in mid-Sept. 2013. This aerial photo south of Rock Point shows the flooding on both sides of U.S. Route 191. (Photo by Rick Abasta)

WINDOW ROCK-The flood waters have finally receded.

For over a month, the Navajo Nation received several inches of rainfall from the monsoon rains, giving life to the high desert plants and challenges for reservation travelers in the process. According to the National Oceanic and Atmospheric Administration, the Navajo Nation received over 150 percent of the normal amount of precipitation. Portions of Coconino and Navajo County received almost double the normal monsoon rainfall.

“We have been working the two months to address washouts and flooding across the Navajo Nation,” said Paulson Chaco, director of Navajo Division of Transportation. Chaco said NDOT staff worked late into the night and on weekends to get the roadways cleared.

“The storms first hit the Eastern Agency in mid-August and continued through into the month of September for the Chinle Agency,” Chaco said. “We utilized funds that were earmarked for FY 2014 road maintenance projects to address the flooding.

“The Navajo Nation needs to do a mitigation plan for these flood plains,” he added. On August 21, 2013, the Navajo Nation Commission on Emergency Management met at the Navajo Transportation Center Emergency Operations Center and declared a state of emergency due to damages from and in response to torrential monsoonal flooding throughout the Navajo Nation. The declaration was passed by a vote of 4-0.

The Commission stated the Navajo Nation sustained damages exceeding the one million dollar threshold for the Federal Emergency Management Agency’s major disaster declaration.

Tribal programs suffering damages from the storm included Fleet Management, Motor Pool, Body Shop, Navajo Environmental Protection Agency, Department of Justice, Navajo Nation Council Chamber, Navajo Nation Zoo, Navajo Tribal Utility Authority, and Bureau of Indian Affairs offices.

The declaration listed 21 Arizona chapters that sustained damages, plus 26 chapters in New Mexico with similar damages, and six chapters in Utah that were also adversely affected by the weather conditions.

In addition, 50 earthen dams, excluding federally-listed dams under the Safety of Dams, were breached from the heavy rainfall.

Signed by CEM Commissioner Herman Shorty and Navajo Nation President Ben Shelly, the declaration allowed the Navajo Nation to coordinate emergency and disaster relief with non-tribal entities.

Chaco said although NDOT was not in the business of maintaining dams, his crew worked feverishly on Sept. 14 to prevent the Crownpoint
Lyneve Begaye, an archaeologist with the NDOT Project Planning Department, said she assisted with emergency services in Crownpoint.

"Crownpoint Dam needed monitoring for environmental and archaeological services. We also took out water and supplies for residents," Begaye said.

NDOT staff utilized a six-inch pump owned by the division to begin pumping water out of the dam to relieve pressure. Begaye and others also began filling and stacking sandbags to hold back the water.

Begaye said, “We ended up sandbagging and clearing an area for our blade and loader to cut a spillway into the dam to relieve the pressure.

With assistance from the Department of Water Resources, a deep spillway was cut into the dam and a flooding disaster for the community was averted.

On Sept. 16, President Shelly requested for assistance from FEMA to address the damages from the storm.

Recently, NDOT Department of Roads released a report titled “Operation Storm Surge,” which tracked their efforts with flood road maintenance activities from the past month.

The eight-page report detailed the scope of work provided by NDOT road crews during recent rain storms and floods across the Navajo Nation.

For the Chinle Agency, 27 routes were cleared. The six washouts and one sinkhole in the area resulted in 81.6 miles of road that was bladed and reshaped and 2,024 cubic yards of road that was backfilled.

Crews cleared the area in four days.

Interstate 40 near Tohajiilee was temporarily closed to one lane by New Mexico Department of Transportation on Sept. 13, after a 20-foot sinkhole was discovered in the center of the freeway.

Another area of concern was U.S. Route 491, which was momentarily closed, after the rainstorms flooded the damaged roadway between Naschitti and Sheep Springs.

NDOT worked with the BIA Force Account crew to address flooding in the San Juan Chapter area, which had five routes that were flooded and three sinkholes.

Crews cleared the area in four days.

Information:
www.navajodot.org
FOR IMMEDIATE RELEASE
September 27, 2013

Resources and Development Committee discusses Navajo
Agriculture Products Incorporated audit report and farming ventures

WINDOW ROCK – On Tuesday, the Resources and Development Committee discussed a report from Navajo Agricultural Products Incorporated regarding their 2012-2013 audit.

NAPI is a Navajo Nation owned farming enterprise that produces Navajo Pride brand agricultural products such as potatoes, alfalfa, beans, small grains, and corn. NAPI is located near Farmington, operating one of the largest ranges of farmland in the country.

The NAPI audit report included an extensive review of 2012-2013 financial statements, a listing of capital and assets, expenditures, and summaries of single audits.

NAPI chief financial officer Darryl Maltine, reviewed the audit report with RDC members and explained that NAPI’s newest venture is aimed at strengthening the Navajo Pride flour brand.

Maltine added that in the past NAPI sold a large quantity of its wheat crop to the Blue Bird Flour Company, and are now redirecting those efforts to increase the familiarity of Navajo Pride flour brand amongst the Navajo People.

“I am unsatisfied with the audit report,” said RDC member Council Delegate Leonard H. Pete (Chinle). “We should hear that you are helping our Navajo people with a fair price of hay and other NAPI products.”

Delegate Pete added that although financial information is important, he had hoped to receive a report regarding NAPI’s efforts to assist Navajo communities with farming and providing them with a fair price for NAPI products.

“Right now, we are strengthening NAPI’s stance in the flour mill market. We are getting people to know the Navajo Pride brand of flour,” said Maltine. “As a board and management we would like to provide some type of return to accommodate and help our Navajo People.”

“We would like to see NAPI create an Arizona expansion plan for NAPI II,” said RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake). “We need a way to give back to the Navajo people so they can be proud of it.”
Delegate Tsosie also mentioned the need for NAPI to work with rural Navajo farmers to share their expertise and knowledge of modern farming.

The RDC approved the report with a vote of 4-0.

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FOR IMMEDIATE RELEASE
September 27, 2013

Speaker Naize and Delegate Bates push for the approval of the Navajo Nation’s Gaming Compact with the New Mexico Indian Affairs Committee

Photo: Speaker Johnny Naize, President Ben Shelly, and Council Delegate Lorenzo Bates discuss the proposed gaming compact between the Navajo Nation and the State of New Mexico with the New Mexico Indian Affairs Committee on Wednesday.

CHURCH ROCK, N.M. – On Wednesday afternoon, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) and chair of the Naabik’íyátí Committee’s Gaming Task Force Subcommittee Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Ts oh Sikaad, Tse’Daa’Ka an, Upper Fruitland), met with the New Mexico Indian Affairs Committee to advocate for the state’s approval of the proposed gaming compact between the Navajo Nation and the State of New Mexico.

Currently, the Nation is one of five tribes signed onto the 2001 Gaming Compact which is scheduled to expire on June 30, 2015. The Nation entered into the Compact in 2003.

In his address to the Indian Affairs Committee, Speaker Naize stressed the economic importance of the compact for the Navajo Nation, and urged the approval of the compact.

“The Navajo Nation needs this compact approved in order for the Nation to continue developing its economy,” said Speaker Naize. “These terms are consistent and fulfill the intent of the Indian Gaming Regulatory Act, while promoting economic development and creating self-sufficiency and allowing for a stronger tribal government.”
In May 2012, the Navajo Nation began initial discussions with Gov. Susana Martinez’s Lead Negotiator and after nine months of tough negotiating, an agreement was reached on the terms of the Compact.

On Mar. 8, Gov. Martinez submitted the Navajo Nation Compact to the Committee on Compacts which later recommended the approval of the Compact and submission of a joint resolution to the New Mexico Legislature for a vote.

Although the New Mexico Compact Negotiation Act requires the legislature to act without delay, the gaming compact was not placed on the Senate floor for a vote during the 2013 State Legislature’s regular session.

“We have patiently followed the process outlined in the Compact Negotiations Act,” said Delegate Bates to Indian Affairs Committee members. “There has been a question over whether or not the compact should go back to the Committee on Compacts. However, it is the Navajo Nation’s position that this does not go back to the Committee on Compacts and should be moved to the House and the Senate floor at the 2014 [State Legislature session].

Speaker Naize and Delegate Bates also emphasized that the proposed Compact is an agreement between the Navajo Nation and the State of New Mexico and does not bind any other tribe.

Also in attendance were representatives from the four other tribes currently operating under the 2001 Gaming Compact, which include the Pueblo of Acoma, Jicarilla Apache Nation, Mescalero Apache Tribe, and the Pueblo of Pojoaque.

During the discussion, representatives from the Jicarilla Apache Nation and the Mescalero Apache Tribe expressed support for the Navajo Nation’s proposed gaming compact.

“I am pleased that other New Mexico gaming tribes are supportive of Navajo’s proposed gaming compact which has not always been the case,” said Speaker Naize following the meeting. “It is the first time the other tribes have publicly stated their support and it strengthens our Nation’s gaming endeavors.”

The New Mexico State Legislature is scheduled to convene for its regular session on Jan. 21, 2014.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
September 26, 2013

Law and Order Committee receives report on the update of operation and maintenance of the Navajo Nation Judicial/Public Safety complexes

WINDOW ROCK – On Monday, the Law and Order Committee approved several reports on the operation and maintenance activities of the Navajo Nation judicial/public safety complexes from the Navajo Nation Department of Corrections, Judicial Branch, Navajo Nation Design and Engineering, and the Bureau of Indian Affairs regional office.

Each entity provided an update report regarding the operation and maintenance of the justice centers, including the certificate of occupancy, inspections, and construction related activities.

“This meeting was called because of the outcry from the Crownpoint [corrections] facility being shut down recently,” said LOC chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau). “There is a lack of communication between all the entities here.”

Each entity discussed issues ranging from funding shortfalls, lack of personnel, and the need to improve operation and maintenance of the justice centers to function efficiently.

Navajo Nation Department of Corrections director Dolores Greyeyes stated she strongly supports the development of the justice centers, however, the most critical issue DOC is facing are funding shortfalls that directly affect the hiring of additional corrections staff.

“According to the 1992 Consent Decree requirements, we must be fully staffed in order to operate at an optimum capacity,” said Greyeyes. “However, we are no where near the fulfillment of this agreement, and the Bureau of Indian Affairs have not provided sufficient dollars to aid the shortfalls.”

The 1992 Consent Decree stems from a lawsuit in which DNA Legal Services sued the Navajo Nation over alleged mistreatment and health safety concerns of inmates. In response, the Navajo Nation set forth a decree to enhance medical care services, improve carrying capacity, and to have proper staffing to handle inmate population.
“Crownpoint is only operating with eight corrections officers and [recently] a part of the jail was shut down,” said LOC member Council Delegate Russell Begaye (Shiprock), “how do we avoid this from occurring at the other new jail facilities?”

Greyeyes stated that in order to avoid the shut down of any portion of the jail facilities, Navajo Nation policy makers need to advocate for more funding from the federal government to ensure they fulfill their trust responsibility to the Nation, which would aid in avoiding future shortfalls.

Navajo Nation Chief Justice Herb Yazzie was in agreement with Greyeyes, saying that much of the issues plaguing the justice centers is the lack of funding at all levels, mainly law enforcement and the courts.

LOC vice chair Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) stressed that all entities involved need to improve their communication and partnerships, and recognize that the goal of the justice centers is to provide safety for the Navajo people.

At the conclusion of the meeting, Delegate Yazzie suggested that all entities meet annually, prior to the finalization of their budgets to discuss funding needs and areas for improvement.

LOC voted 3-0 to accept the report.

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FOR IMMEDIATE RELEASE
September 26, 2013

Health, Education, and Human Services Committee
discusses the Navajo Birth Cohort Study progress and funding

WINDOW ROCK – On Wednesday, the Health, Education, and Human Services Committee discussed an update report from the Navajo Birth Cohort study, which examines the relationship between uranium exposures, birth outcomes, and child development on the Navajo Nation.

After decades of uranium mining across the Navajo Nation, the cohort study team is currently recruiting Navajo participants, who live near or have been exposed to uranium mines and contaminated areas.

“The cohort study is a part of a Congressionally mandated plan to address the effects of uranium mining,” said UNM director of community environmental health program Dr. Johnnye Lewis. “Some of our sites have started recruiting participants in Feb., while other sites have kicked-off recruitment earlier this month.”

Dr. Lewis added that the study is funded in three ways. The University of New Mexico, Navajo Area Indian Health Services, and Navajo Nation Division of Health have each received funding from the U.S. Centers for Disease Control for data analysis and community outreach.

The birth cohort study has recently sent blood and urine samples to the CDC, which will be analyzed this week. According to previous samples have returned with traces arsenic, lead, chrome, and manganese.

“We want to work with WIC, the Office of Uranium Workers, the Office of Health Education, and the First Born Program to get people really involved,” said NNDOH CHR program director Mae-Gilene Begay. “We are heavily involved [in] getting out to the chapters and have made presentations at the agency councils.”

Presenters also reported that the hiring of recruiters was delayed due to Navajo Department of Personnel Management’s administrative process.

“I want to let the committee know that the reason we were late applying for the project was because it took over a year to get the project manager and research specialist positions approved by DPM,” said Begay. “It was an uphill battle getting staff hired for this project. Five of the CHR staff had to be assigned to the project.”
Following the presentation, HEHSC vice chair Council Delegate Charles Damon II (Bááháálí, Chichiltah, Manuelito, Tsé Lichíí’, Rock Springs, Tsayatoh) asked for Dr. Lewis to provide with data relative to the Churchrock area.

“In Churchrock we have URI, Inc. and I would like to see the data so that the people have an understanding about what is going on,” said Delegate Damon. “We need to educate the people about these studies. They do no good if the people never hear them.”

Dr. Lewis explained that the cohort studies do not have any concrete data yet, while offering to share and explain the data from a previous study called the “Diné Project”.

“The ‘Diné Project’ includes water data, and it says there is about 8-10% that is contaminated from uranium and arsenic,” said Dr. Lewis. “There are also some homes that have been built with rocks and materials from the mining sites. After the blastings, workers would take home contaminated materials and use them to build their homes.”

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) requested for a written report to share with chapters and constituents.

“We want to be sure to educate them immediately,” said Delegate Hale.

The HEHSC voted to accept the report with a vote of 3-0.

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September 7, 2013, Navajo Nation President Ben Shelly and Director of Division of Natural Resources, Frederick H. White congratulates Tayshaun Dale for a job well done at the Energy Expo Youth Science Technology Competition at the 67th Annual Navajo Nation Fair in Window Rock, Az. (Photo by Geri Hongeva)

WINDOW ROCK, AZ. – The 67th Annual Navajo Nation Fair brings a variety of family fun, including the Energy Expo and the Youth Science Technology Competition. Division of Natural Resources and its sponsors coordinate five days of educating the public about potential energy development and current operations on Navajo Nation.

The Energy Expo provides an opportunity for the public to learn from energy leaders around the Navajo Nation. It also brings energy awareness, to educate the public about potential energy development from local energy sources. The energy companies brought representatives to answer any inquiries about their organizations and expand on some energy solutions for Navajo.

Division of Natural Resources collaborated with Office of the President and Vice President to introduce the Energy Expo three years ago. Together, they hope to form enough interest for Navajo youth to learn more about traditional, renewable and sustainable energy resources. Launching new ideas and moving towards a sustainable and environmentally friendly industry for Navajo country.

“Our future lies within the young minds and hearts of the new generation, we want to inspire them to be proactive when it comes to preserving and managing Navajo’s Natural Resources,” explained
Frederick H. White, Director for Division of Natural Resources. My team works very hard to plan for the Energy Expo, I commend them for their positive spirit to make this happen, they have done an excellent job working closely with our sponsors, added White.

The Youth Science Competition includes four grade levels; 1st-3rd, 4th-6th, 7th-9th and 10th-12th. The project categories are: Science, Math & Statistics, Natural Resources (Energy), Technology/Engineering, and Computer Applications. There were 30 entries from schools including: Navajo Preparatory School, Tsehootsoi Intermediate Learning Center, Kirtland Middle School, Tsehootsoi Middle School, St. Michael Indian School, Tsohootsoi Dine Bi’Olta and Window Rock High School.

The Youth Science Competition Winners are:
Category 1 – Grades 1st to 3rd
1st Kaydee Watchman, 3rd Grade, Tsehootsoi Dine Bi’Olta
2nd Loxitawny Campbell, 2nd Grade, Tsehootsoi Dine Bi’Olta
3rd Tayshaun Dale, 3rd Grade, St. Michael Indian School

Category 2 – Grades 4th to 6th
1st Jacob Harvey, N/A
2nd Kylie Watchman, 5th Grade, Tsehootsoi Dine Bi’Olta
3rd Eli Yazzie, 4th Grade, Tsehootsoi Intermediate Learning Center

Category 3 – Grades 7th to 9th
1st Taylor Yazzie, 7th Grade, Kirtland Middle School
2nd Jacob Martinez, 8th Grade, Tsehootsoi Middle School
3rd Jaden Redhair, 8th Grade, Tsehootsoi Middle School

Category 4 – Grades 10th to 12th
1st Deshina Joe, 10th Grade, Navajo Preparatory School
2nd Tyler Bahe, 10th Grade, Navajo Preparatory School
3rd Krystelle Boyd, 10th Grade, Navajo Preparatory School

The winners received Nikon Coolpix S3500 digital cameras, $250 Best Buy Gift Cards, Samsung Galaxy Note 10.3 and the Grand Prize Winner received a MacBook Pro. These prizes would not have been possible without the Energy Expo Sponsors: Navajo Generating Station, Resolute, Peabody Energy, Arizona Public Service, Abandon Mine Lands (AML), NTUA, Navajo Nation Oil & Gas, Public Service of New Mexico, Water Management, Nova Corporation, NTUA /NTUA Wireless, Navajo Technical Energy Co, Department of Water Resources, Forestry Department and Navajo Land Department.

The overall winner, Brayden Watchman, 5th grader of St. Michaels School won the MacBook Pro by scientifically explaining “the Life Cycle of a Duck.” The ten-year old scientist did an outstanding job displaying his observation and did a remarkable job verbally explaining the life cycle of a duck to the judges. He showed enthusiasm and demonstrated confidence throughout the competition.
Brayden Watchman, 10 years old with his father and aunt at the Navajo Nation Fair Energy Expo, September 7, 2013. (Photo by Geri Hongeva)

“It was exciting to see the students bringing in their projects, this competition has grown since our first year with only three entries. We look forward to next year’s competition at the 68th Annual Navajo Nation Fair in September 2014,” stated Michelle Henry, Division of Natural Resources Energy Expo Coordinator. Special appreciation to Energy Expo Committee members: Irma Roanhorse, Hope Wilson, Charlene Roanhorse, Everytt Begay, Mike Halona and Alyssa Roanhorse.

On Friday, September 6th, the Energy Expo highlighted the ‘Faces of Navajo Achievers.’ The Faces of Achievers are Navajo Professionals who have contribute their services in the areas of Science, Technology, Engineering and Natural Resources for demonstrating leadership, authenticity and innovation to lead their colleagues and programs by achieving excellence in moving the Navajo Nation forward, one step at a time.

Navajo Achievers for this year’s Energy Expo are: Stephen Etsitty from Navajo Nation EPA, Virgil Coriz from Jemez Mountain Electric Cooperative Inc., Keith Keetso from Red Gap Engineering, Ryan James from Navajo Nation Land Department, Rita Whitehorse-Larsen from Navajo Nation EPA, Robert Kirk from Navajo Nation Water Management, Darryl Bradley from Navajo Division of Transportation, Eugenia Quintana from Navajo Nation EPA, Howard Draper from Navajo Land Department, Pam Kyselka from Navajo Fish & Wildlife, and Harrison Tsosie from Navajo Department of Justice.

During the event, we had two guest speakers that shared their knowledge and experiences in the areas of Science, Engineering, Technology and Natural Resources. Guest speakers were: Steve Gundersen with Tallsalt Advisors and Navajo Transitional Energy Company Managing Chair, and Theresa Becenti-Aguilar with the New Mexico Public Regulation Commission.

The Energy Expo brings innovative ideas together and promotes an energy conscious society and initiates effective networks for students, educators, businesses, government and community leaders to plan for energy development here on Navajo Nation. Division of Natural Resources is one of the largest divisions within the Navajo tribe, managing and supervising twelve departments which strives to preserve and protect the natural resources of Navajo Nation is an immense duty.

For more information visit Division of Natural Resources website at: www.dnrnavajo.org or call (928) 871-6592.

###
For Immediate Release
Sept. 25, 2013

President Shelly Commemorates Fallen Code Talker and Orders Navajo Flag Lowered

WINDOW ROCK, Ariz.—Navajo President Ben Shelly commemorated a fallen Navajo Code Talker Nelson Draper Sr., 96, who passed away early Sunday morning at his home in Barstow, Calif.

President Shelly also ordered the Navajo Nation flag be lowered in honor of Code Talker Draper beginning Thursday, Sept. 26 through Sept. 30.

“The Navajo Nation is saddened to learn about the passing of Code Talker Draper. We have lost another modern day hero whose deeds have brought great pride to the Navajo Nation because the Code Talkers used our language to help win World War II. Code Talker Draper’s deeds will be remembered and that of all the other Navajo Code Talkers. The Navajo Nation will eternally be grateful for their service to our country and our people,” President Shelly said.

“I urge all Navajo people to join First Lady Martha Shelly, Vice President Rex Lee Jim and myself to join us in prayers for the family of Code Talker Draper during their time of need.”

In 2001, Draper was honored for his service as one of 228 Navajo Code Talkers to receive the Congressional Silver Medal.

Services for Code Talker Draper are scheduled to take place on Friday in Barstow, Calif. At 9 a.m., a rosary and mass is planned at St. Joseph’s Catholic Church at 505 E. Mountain View Street. At 10 a.m., a memorial service is scheduled at High Desert Word Center, 30918 Soapmine Road.

###
FOR IMMEDIATE RELEASE  
DATE: Tuesday, September 24, 2013

CALL FOR SUBMISSIONS

The Judicial Branch of the Navajo Nation announces a contest to design the official seal of the Judicial Branch. Submissions of original artwork are now being sought for this contest. The artist of the winning entry will receive an award of $1,700 for all rights to the design (the winner gives up all rights to his or her design).

This call for submissions allows for the public to be involved in creating a symbol for the Judicial Branch of the Navajo Nation that reflects its purpose, goals and services. The Judicial Branch includes 11 judicial districts with 12 District Courts, the Supreme Court of the Navajo Nation, the Peacemaking Program, and the Office of Probation and Parole Services. The branch operates with the policy that the traditional value system of the Diné is to be reflected in all its work.

The following rules will apply:

- The contest is open to all individuals except for Judicial Branch executive staff, court administrators and judicial conference. Entries must include entrant’s name, age, postal address, phone number and e-mail address (if available). If entrant is under 18 years old, entry must also include a signed statement of parental consent to enter contest.

- Original artwork may be hand drawn or digitally generated and must be created by submitting individual.

- By submitting an entry, the entrant attests that the artwork submitted is his or her own property and is able to transfer the rights to the property to the Judicial Branch of the Navajo Nation.

- Hard copies or digital copies may be accepted. Hard copies may be delivered to the Administrative Office of the Courts in Window Rock, Navajo Nation (Arizona), or mailed to Administrative Office of the Courts, ATTN: Karen Francis, P.O. Box 520, Window Rock, Navajo Nation (Arizona), 86515. Digital copies must be in high resolution jpeg or PDF format and may be e-mailed to Karen Francis, Government Relations Officer, at karenfrancis@navajo-nsn.gov.
Relations Officer, at karenfrancis@navajo-nsn.gov with JUDICIAL BRANCH SEAL in the e-mail subject line.

- All submissions must be received by 12 p.m., on October 25, 2013. The Judicial Branch is not responsible for entries that are lost in transmission or late.

- The seal should be clear and visible at a small size; however, the entry must be large enough to be easily reproduced digitally and in print. The entry should also be reproducible in black and white. Entries should be at least 300 dpi.

- The Supreme Court of the Navajo Nation has the final authority to adopt the seal. All entries shall be reviewed by the Administrative Office of the Courts, court administrators and the judicial conference. They shall make a recommendation by consensus to the Supreme Court for adoption.

- Upon payment of the award, the Judicial Branch shall retain all rights to the design selected as the winning entry from that day forward. The Judicial Branch reserves the right to change, alter and/or reformat the winning design as necessary.

- Participation in the contest constitutes agreement and acceptance of rules. The Judicial Branch reserves the right to disqualify any entry that does not conform to these rules.

For more information on the Judicial Branch, please visit www.navajocourts.org.

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FOR IMMEDIATE RELEASE
September 24, 2013

Health, Education, and Human Services Committee members advocate for the continuation of AHCCCS benefits for Navajos

PHOENIX – Last Thursday, members from the Health, Education, and Human Services Committee attended the Arizona Health Care Cost Containment System Tribal Consultation, which was conducted to clarify to Arizona’s tribal leaders and tribal health entities about the proposed contingency plan known as the 1115 waiver.

Due to the recession, in July 2011 AHCCCS implemented an eligibility freeze that would close enrollment to all individuals until additional funds became available for the AHCCCS Care program, according to the AHCCCS assistant director of intergovernmental affairs Monica Coury, AHCCCS was also forced to make cuts to several benefits such as emergency dental, podiatry, and wellness visits previously covered by AHCCCS.

Following the benefit cuts and enrollment freeze, AHCCCS submitted a waiver to the federal Centers for Medicare and Medicaid Services (CMS), which allowed for AHCCCS to reimburse Indian Health Services and 638 facilities for providing uncompensated care to patients, on Dec. 31 this waiver expires.

“The need for such services and benefits is essential. The Navajo health care system is working to provide such services along with preventative measures,” said HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels).

Following the signing of Arizona Gov. Jan Brewer’s health care plan, which expands health coverage up to 133% of the federal poverty level, a group of 36 Arizona legislators working with the Goldwater Institute filed lawsuits against both Governor Brewer and AHCCCS director Tom Betlach, calling the Governor’s plan unconstitutional.

AHCCCS is currently working to submit the proposed of the 1115 waiver to CMS that would allow for the continuation of reimbursements to I.H.S. and 638 health facilities.

The implementation of the 1115 waiver is dependent on the outcome of the lawsuit. A decision in favor of the Goldwater Institute would cause the waiver to take effect.

“This is a complex issue, and I want to be confident moving forward. What remains is a lot of ‘what if’s’ and I’m uncomfortable with those unknowns in our health system,” said Council Delegate Joshua Lavar Butler (Tó Nanees Dizi).
In an effort to prevent any disruption to benefits, HEHSC members strongly advocated for the approval of the 1115 waiver.

Although AHCCCS representatives remain confident that the lawsuit’s outcome will be in their favor, and that Gov. Brewer’s health care plan will be sufficient to restore benefits and end the enrollment freeze, the Nation has requested further details to explain such.

The AHCCCS plans to develop a proposal for the 1115 waiver to be submitted to the federal CMS by the end of this week.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
September 24, 2013

Budget and Finance Committee approves U.S. Environmental Protection Agency grant application

WINDOW ROCK – The Budget and Finance Committee held a special meeting on Monday and approved a U.S. Environmental Protection Agency grant application for approximately $177,000 for FY2014, which would not require a cash match by the Navajo Nation.

Currently, the Navajo Nation Environmental Protection Agency is conducting cleanups of abandoned uranium mines throughout the Navajo Nation through the General Assistance Program funded by grants from the U.S. EPA.

“The EPA General Assistance Program focuses on outreach for abandoned uranium mines in Navajo communities,” said NNEPA Agency Sr. Public Information Officer Lillie Lane. “Now, we want to add job development in our upcoming budget through this grant.”

Legislation prime sponsor Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) asked to waive the Indirect Cost of the grant because an IDC rate has yet to be determined for FY2014, which is a requirement by the U.S. EPA.

The Nation is then entitled to collect IDC recovery costs from the federal government through an approved IDC rate, which applies to federal grants, contracts, and agreements.

Although the legislation’s intent was met with support, the request to waive the IDC rate for the U.S. EPA grant drew skepticism from several BFC members.

“No cost match [for the grant] is great, but why are we waiving IDC rates?” asked BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tse Ch’izhi).

In response, Office of Contracts and Grants contracting manager Cordell Shorty said that the U.S. EPA is allowing the Navajo Nation to collect 10 percent in IDC recovery costs for salaries only.

“We should not be granting IDC waiver requests, even if we are recovering 10 percent because the [U.S. EPA] program is not paying its fair share and that should be a huge concern for the committee,” said BFC member Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil,
Delegate Shepherd explained that the Navajo Nation has the ability to collect the full Indirect Cost amount at a later time when an IDC rate has been negotiated and implemented for FY2014.

At the conclusion of the discussion, Delegate BeGaye requested a directive to have Shorty develop a memorandum to clarify the future of the grant and IDC recovery costs.

BFC voted 3-0 to approve Legislation No. 0253-13. The legislation now goes to the Naabik’íyáti’ Committee for final consideration.

The Resources and Development Committee initially considered the legislation on Sept. 12, which referred it to the Budget and Finance Committee with a “do pass” recommendation with no amendments.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
September 23, 2013

NAVAJO NATION HUMAN RIGHTS COMMISSION ANNOUNCES
OCTOBER MEETING LOCATION

ST. MICHAELS, NAVAJO NATION – The Navajo Nation Human Rights Commission will host the October meeting on Friday, October 4, 2013 at the St. Michaels, Arizona office location. The meeting is to begin at 10:00 a.m. Should you need any further information please contact the Office of the Navajo Nation Human Rights Commission at 928-871-7436.
Health, Education, and Human Services Committee discusses report about Smoke-Free Policies on the Navajo Nation

LEUPP, Ariz. – On Wednesday, the Health, Education, and Human Services Committee received a report from Networks Among Tribal Organizations for Clear Air Policies about the Smoke-Free Polices on the Navajo Nation: preliminary findings of focus group data.

The report was presented by NATO CAP research assistant Alfred Yazzie, who explained that the Nation currently does not have a Commercial Tobacco-Free law and that the implementation of such a law would promote a healthier Navajo Nation.

“When I travel across Navajo, I see high school students smoking on their lunch break. The focus of the research should be to help the youth,” said HEHSC member Council Delegate Joshua Lavar Butler (Tó Nanees Dizi). “I really do support this initiative, with the exception of gaming [facilities].”

The report included an array of information related to implementing smoke-free policies on the Nation such as: economic structures, American Indian health data, ethics, and an analysis of the study’s focus groups.

Yazzie stated that NATO CAP recruited study participants at chapter houses, faith-based locations, schools, social service agencies, and government offices. The study’s data collectors consisted of a bi-cultural team who used a collaborative consensus approach to analyze the data.

The study found that participants were confused about the concept of health care costs, that tobacco-related health care costs were unknown, and that many were unaware that the Navajo Nation did not already have a smoke-free law.

“Our people travel off the reservation quite frequently. They are exposed to off-reservation businesses, and assume we have non-smoking laws here on the Navajo Nation,” said Yazzie.

According to Yazzie’s presentation, survey questions were categorized into three sections: economic impacts of smoking in the workplace, health effects of second hand smoke, and blending economic and health effects of second hand smoke.

“I am going to support your work, but do not forget to include the Diné concept of health and wellness,” said HEHSC member Council Delegate Kenneth Maryboy (Mexican Water, Aneth,
Teecnospos, Tółikan, Red Mesa). “Our Navajo philosophy is what we should carry in all of our policies.”

Delegate Butler asked if NATO CAP referenced the Arizona or New Mexico non-smoking laws and requested that the group consider the smoke filtration system that the Navajo Nation Gaming Enterprise has invested in.

“The Gaming Enterprise has installed smoke filters in our casinos, it helps take out a lot of the smoke from public areas,” said Delegates Butler. “I cannot stress anymore that I support you cause.”

In response, Yazzie said the group is using its knowledge and research to prevent Navajo people from smoking commercial tobacco, which includes the teaching of Sa’ah Naaghai Bik’eh Hoozhoo within the realms of family, economics, environment and ethics.

The HEHSC voted to accept the report with a vote of 3-0.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR immediate release
September 20, 2013

Resources and Development Committee discusses feral horse round up and reviews the proposed Navajo Rangeland Improvement Act

TSE BONITO, N.M. – On Tuesday, the Resources and Development Committee discussed an expenditure and progress report from the Navajo Department of Agriculture department manager Leo Watchman regarding the feral horse round up.

“The prime time to act was as soon as the legislation was signed, before the rainy season and when these horses were gathering at the water holes,” said RDC member Council Delegate Leonard H. Pete (Chinle), referencing Legislation No. 0202-13 which was passed by the Navajo Nation Council and signed by President Ben Shelly on July 25.

Watchman stated that approximately 1,100 horses have been captured at a cost close to $700 per horse and that laborers have covered over 7,000 miles of terrain.

Although the cost per horse is relatively high, the department is still awaiting the delivery of essential equipment needed for the capture of horses. Watchman also stated that the initiative has educated livestock owners about feral horses, livestock permitting, and effective management.

“According to the report, there is 64,000 horses out there. That means the Nation will need to spend $40 million just to capture them,” said Delegate Pete. “Maybe we should offer $90 per head, no questions. If you chase it down, just drop it off and we’ll pick it up. That might be a better way to spend the budget.”

Council Delegate David Tom (Beclabito, Cove, Gadi’i’áhi/To’Koi, Red Valley, Sheepsprings, Toadlena/Two Grey Hills, Tsé álnáoz’t’í’) questioned the round up efforts in the Eastern Navajo Agency and asked if the department was being sensitive to complaints by local residents.

In response, Watchman said his employees follow the department’s policies and procedures while interacting with the public to deter and subside any confrontation. He also added that the Eastern Navajo Agency has created challenges due to checkerboard land status areas.

“In Eastern Agency there is a different land status. They have Bureau of Land Management lands, Indian allotments and trust land,” said Watchman. “This makes our efforts a little more difficult due to jurisdictional agreements.”

At the conclusion of the discussion, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake)
recommended that the department pause the round up operation until the end of winter and after an assessment of current practices and expenditures is completed.

The RDC accepted the report with a vote of 4-0.

The RDC also held a special meeting in Window Rock on Thursday, regarding the proposed Navajo Rangeland Improvement Act, formerly known as the Navajo Grazing Act.

The proposed NRIA, presented by Navajo Department of Justice attorney Bidtah Becker and Ray Castillo with the Navajo Department of Agriculture, seeks to revise and improve grazing permit guidelines and procedures to strengthen grazing laws.

“We need to identify the goals and implementation process of this proposed draft,” said RDC vice chair Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill).

Watchman stated that the Navajo Department of Agriculture is working to dissolve the grazing board system and implement Range Conservation Officers.

RCO’s would be full-time employees charged with the same responsibilities as grazing officials, in addition to protecting the ecological health of the land by emphasizing the proper management of rangelands from a scientific perspective.

“I found that almost 8,000 grazing permit holders do not use their permits properly,” said RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamer Lake, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake). “Instead, they use it as an excuse to tell others ‘This is my land,’ and prevent young Navajo families from moving back to Navajoland.”

Delegate Tsosie added that permit holders often do not allow families to obtain homesite leases on their grazing areas, and recommended that permits being used improperly be cancelled to allow families to begin the process of obtaining homesite leases.

“The problem is we do not have strong enforcement of the grazing laws,” said Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageez, Nahodishgish, Tse’ii’ahi, Whiterock). “[Grazing] officials are more worried about getting elected than enforcing grazing laws.”

At the conclusion of the discussion, Delegate Smith asked the department to continue working on the Navajo Rangeland Improvement Act and to incorporate the RDC’s concerns and recommendations.

The RDC voted 3-0 to accept the report.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
Navajo President Shelly Applauds Timely Response to Emergency Calls

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly applauded the timely response from various law enforcement agencies as authorities dealt with two suspicious packages that were treated as possible improvised explosive devices.

About 8 a.m., Navajo police were summoned to the Prosecutors Office in the Window Rock Police Station because of a suspicious package that was found. The package was wrapped in duct tape and was the size of a shoebox.

Authorities treated the package as a possible IED and evacuated the Navajo Police Department that housed nearly 300 people shortly after authorities arrived on scene.

Workers from the Department of Public Safety, the Navajo Police Department, the Prosecutor’s Office, Window Rock District Court and inmates were all evacuated and authorities closed Window Rock Blvd. to create a safe zone.

A bomb inspector from the Arizona Department of Public Safety, agents from the Federal Bureau of Investigations, and the New Mexico State Police Bomb Squad, were called to investigate the first package at the police department.

Bomb squads arrived in Window Rock shortly before 11 a.m. Using x-ray technology; bomb experts determined the package was not explosive in nature.

However, another call regarding a suspicious package was responded to shortly after 12 p.m. at the Navajo Arts and Crafts Enterprise store in Window Rock. Authorities quickly determined the package was non-explosive.

“I want to thank all the responding authorities who put the safety of people first. We always need to exercise caution when suspicious activity is involved, especially when it means putting the lives of people on the line. We can’t be too safe in those situations,” President Shelly said.
Navajo Nation Public Safety Division Director John Billison added that he was thankful that law enforcement agents responded quickly.

“We train to respond to incidents in a timely manner. Today, we did so. Though the packages were found to be non-explosive, the responding officers did an excellent job at helping where they were needed,” Billison said.

“Navajo Tribal Utility Authority, Navajo Housing Authority and the Navajo Government also need to be commended for their help and coordination as we redirected traffic through local neighborhoods, as well as other local law enforcement agencies,” Billison added.

Deputies from Apache County Sheriff’s Office and McKinley County Sheriff’s Office also responded and helped direct traffic and create a safe zone.

Authorities are actively investigating the incident.

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Airport Management hosts air medical transport groups

Navajo Division of Transportation Department of Airport Management is hosting a “Meet and Greet with Air Transportation Companies” at the Navajo Transportation Complex today. The public is welcome to attend. The discussions are available via live streaming, view link below. (Photo by Rick Abasta)

WHAT : Meet and Greet with Air Transportation Companies
WHERE : Navajo Transportation Complex
        Tse Bonito, New Mexico
WHEN : Wednesday, September 18, 2013
        9:00 a.m. to 3:30 p.m.
ONLINE : http://www.ustream.tv/channel/navajo-dot
FOR IMMEDIATE RELEASE
September 17, 2013

Naabik’íyáti’ Committee approves enabling legislation to implement a 911 emergency response system

WINDOW ROCK – During a special meeting held on Monday afternoon, Naabik’íyáti’ Committee members approved Legislation No. 0212-13, to amend Title 2 and Title 21 of the Navajo Nation Code to authorize the Navajo Nation Telecommunications Regulatory Commission to implement and manage a 911 emergency response system within the Navajo Nation.

Council Delegate Jonathan Hale (Oak Springs, St. Michaels), legislation co-sponsor, presented the legislation and asked for support to begin the long-awaited establishment of a 911-system.

“Many of our rural communities do not have access to 911 services and we need to begin this process to save lives,” said Delegate Hale.

According to the legislation, emergency calls are currently handled through administrative telephone lines that do not identify the caller and do not provide their address, making it difficult for first responders to locate victims in an emergency.

Also speaking in support of the legislation was Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat), who offered clarification regarding questions over whether the legislation was a duplication of a previous legislation brought before the 21st Council.

“That resolution was basically identifying [NNTRC] to help coordinate,” explained Delegate Shepherd. “Now we want to take it to the next step which is giving them the authority to manage and implement this system.”

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) addressed the need for cell phone towers to provide phone services, specifically for the elderly, living in remote areas.

“If we do the bond finance, we should put a bunch of money in there for towers that Navajo Nation will own,” said Delegate Tsosie. “You see the United States owning towers, the state of New Mexico owning towers, and we need to do the same for these types of communications. “

Delegate Tsosie urged his committee colleagues to work beyond the enabling legislation and to produce tangible results.
“The true needs of Navajo people are not being tended to. Instead we’re funding more stipends, rather than funding these types of set-ups,” said Delegate Tsosie. “These aren’t cheap, they’re going to cost money, but it is worth it to protect Navajo People in time of emergencies.”

After nearly an hour of discussion, Naabik’iyáti’ Committee members voted to approve the legislation with a vote of 11-0.

Legislation No. 0212-13 now moves on to the Navajo Nation Council for final consideration.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
September 17, 2013

**Law and Order Committee approves report on public safety activities at the Twin Arrows Navajo Casino Resort**

**WINDOW ROCK** – On Monday, the Law and Order committee approved a report regarding the public safety activities taking place at the Twin Arrows Navajo Casino Resort, located approximately 24-miles east of Flagstaff, Ariz.

According to the report, Navajo Nation Gaming Enterprise legal counsel Michelle Dodson, states that the Arizona State Gaming Compact between the Navajo Nation and the Arizona Department of Gaming requires that a law enforcement, fire safety/suppression, medical emergency, and security operation plan be implemented at gaming sites.

“We have entered into a Memorandum of Agreement with the Navajo Nation Division of Public Safety to be present at the casino at all times and respond to all local calls,” said Dodson.

“Currently, with the shortage of manpower, police coverage has been lacking and is costing us $25,000 per month.”

LOC vice chair and former law enforcement officer, Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) sympathized with the NNGE regarding the lack of manpower and shift rotation of police officers.

“We can develop an improved rotating shift schedule of Navajo officers and ask for assistance from the Coconino County Police Department, to ensure efficient coverage of the gaming site,” said Delegate Shepherd.

Delegate Shepherd also recommended that the LOC meet with Coconino County officials to develop a cross-commissioning agreement between the county and the Navajo Nation.

Dodson said in order to comply with Arizona gaming laws, law enforcement and fire safety must be on the gaming premises 24/7, while noting that the majority of public safety calls are criminal and alcohol-related incidents.

“As a committee, we want to tax alcohol in the casino so that funding revenue can be diverted to public safety and social services programs,” said LOC chair Council Delegate Edmund Yazzie.
(Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau). “This will improve cost-sharing between NNGE and NNDPS.”

Other concerns for NNGE include transporting offenders from the casino to jail facilities, emergency response time, developing a future plan for a police/fire substation, and getting support to propose a fire safety fund management plan that would begin the process of obtaining resources for fire personnel, said Dodson.

“I see that NNGE has submitted or will submit an application to the Navajo Nation Capital Improvement Office to be added to the capital projects list, but how soon were you hoping to obtain a substation?” asked LOC member Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’bii’to, LeChee, Tonalea/Red Lake).

Dodson said NNGE hopes to be included in the FY2015 CIO funding list, however, the substation is needed as soon as possible. Going through a private developer is too expensive and completing a capital projects proposal with the aid of NNDPS would move the project forward, added Dodson.

“We have not heard from the fire department and I think it is important to involve them in these discussions to better develop and implement these public safety plans so the Nation is in compliance with the ADOG,” said Delegate Yazzie.

At the end of the discussion, LOC members commended NNGE for their diligence and strive to improve public safety for casino and resort guests, and for establishing a helipad for medical emergencies.

At the conclusion of the discussion, LOC voted 3-0 to accept the report.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
EFFORTS TO RELIEVE PRESSURE AT CROWNPOINT DAM SUCCESSFUL

Water has been pumped out of the Old PHS Dam and the water levels have lowered. However, flash flood warnings remain for the area and residents are advised to be prepared for more rain until Wednesday.

The dam in the northeast part of town was stabilized due to immediate response from Navajo interagency efforts of Navajo Division of Transportation, Navajo Water Resources, BIA Eastern Navajo Agency, Navajo Police Department, Crownpoint Fire Department, Department of Emergency Management, Division of Health, Office of the President and the Local Governance Service Committee, Indian Health Service, Navajo Tribal Utility Authority and Navajo Technical University.

The area of concern for flash flooding from the dam is the old hospital housing area and mobile homes north of the Old PHS Dam. Other potential areas of water run-off are Crownpoint Elementary School, NHA Housing, Navajo Technical University, Fleet Management, NTUA sewer lagoons and businesses near NM Hwy 371 and Navajo Route 9.

The Navajo Nation is working with the New Mexico Emergency Operations Center, McKinley County Emergency Management, McKinley County Sheriff’s Office and the American Red Cross to provide assistance. We are actively pumping the water out and breaching parts of the dam to relieve pressure. Local volunteers and the New Mexico Department of Corrections are also on scene filling sandbags as quickly as possible.

Emergency Personnel are on-site actively stabilizing and continue to monitor the situation. At this time we are advised that the dam is stabilized. Continue to listen to the radio and television for weather updates.

For precautionary measures:

- Please instruct children to stay out of the canals/washes.
- If you are directed by authorities to evacuate your area, please do so.
- Do not attempt to drive across creeks or flooded roads.
- Be prepared and have a Family Emergency Plan and Go-Kit.

###
Navajo President Shelly Assures People Navajo Nation is Responding to Flood Emergencies

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly said the Navajo Nation is responding to flash flooded areas throughout the Navajo Nation.

“Though we are thankful for the rain we have received, I want our people to know that the Navajo Nation programs and departments are responding to calls regarding flash flooding. Please be careful and don’t drive or cross flooded roadways. We want everyone to make through the rains safely,” President Shelly said.

President Shelly has been getting regular updates about flooded communities throughout the week.

Since July nearly 60 chapters have reported to the Navajo Department of Emergency seeking assistance for damages occurred as a result of flooding. Issues have been from road washouts, road closures, rescue operations, shelter for flood victims and road clearing.
President Shelly signed a declaration of emergency in August regarding the flooding and plans are to update the declaration for recent flood events.

“We need everyone to exercise caution and be alert to their surroundings. Though it might not be raining in your area, it can be raining in areas upstream,” said Navajo Department of Emergency Management Director Rose Whitehair.

Whitehair added that it is difficult to predict what areas would experience flash flooding since most of the flooding happens after short bursts of intense rain.

“And with the long term drought, the ground is hard so there is no where for the water to go,” Whitehair said.

Since Monday, nearly 50 chapters have called for assistance in Arizona, New Mexico and Utah. Chinle was hardest hit by the floods as 22 people had to be evacuated from their homes. The flood continued downstream to Many Farms and Rock Point where another 40 people were either evacuated or rescued. In Tonalea, Ariz, officials reported that 20 homes were damaged due to flooding.

“I want our people to know we are working with several different agencies to ensure that our people are safe and their basic needs are met,” President Shelly said.

County and state emergency departments have all been coordinating efforts with the Navajo Department of Emergency Management along with the Red Cross, the Hopi Tribe and the Bureau of Indian Affairs.

“I want to thank all the first responders and agencies for working together. I know you are all working hard but remember the work you are doing is for the good of all the people in need. We are a strong nation and we will endure through these difficult times,” President Shelly said.

Navajo DEM and chapters are working according to a declaration of emergency that President Shelly signed in August.

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In Rock Point, Ariz., flood waters cut off several homes from U.S. Hwy. 191 Wednesday afternoon. People with critical health conditions were air lifted from their homes.
FOR IMMEDIATE RELEASE
September 13, 2013

Resources and Development Committee approves legislation to take an 85 acres of land in Tse Bonito into Trust

TOHAJIILEE, N.M. – On Thursday, the Resources and Development Committee approved Legislation No. 0255-13 which proposes to sign the general warranty deed for 85 acres of land, in Tse Bonito to the United States to be held in trust for the Navajo Nation, pursuant to P.L. 93-531 and P.L. 96-305.

“This legislation is very simple, this property is another piece of land that the Navajo Division of Transportation was able to obtain through a land exchange with the state of New Mexico,” said legislation sponsor Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii). “We would like to take this land into trust and lease it to NDOT.”

Delegate Phelps further explained that the land would be taken into trust through a provision of the Navajo-Hopi Settlement Act. According to the Act, the lands taken into trust shall be used solely for the benefit of Navajo families residing on Hopi-partitioned lands.

“No proceeds that we receive from the lease will be directed to the relocatee funds,” said Delegate Phelps. “The Navajo-Hopi Land Commission is working to develop a fund management plan for the leasing revenue.”

NDOT division director Paulson Chaco explained that leasing the land to NDOT would create revenue for the relocatee fund as well as save NDOT rental fees.

“If we were to lease this land from the space, we would have to make a bid close to $10 million along with state fees and taxes,” said Chaco. “This is a deal we are both comfortable with. The funds will be coming from our budget.”

Following the presentation, RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) asked if the Nation was still capable of taking an additional 9,000 acres into trust under the NHSA.

Delegate Phelps explained that the NHLC was exploring various properties to acquire and that NHLC members also determined that the NHSA process was the most feasible way to place the land into trust.

“It is my understanding that Congress is proposing to do away with the Office of Navajo Hopi Indian Relocation. We need to discuss how to take the remaining 9,000 acres into trust,” said
Delegate Tsosie. “If they do away with the ONHIR office, the Navajo Hopi Settlement Act will be an empty law. Without the office we will not have this process.”

Prior to voting on the main motion, Delegate Phelps added that the NHLC is working tediously to inform members of Congress that the ONHIR is a necessary tool for the Navajo Nation, and that there is still work to be done to assist relocates.

The RDC approved Legislation No. 0255-13 with a vote of 4-0.

Legislation No. 0255-13 is now goes on to the Naabik’íyáti’ Committee for final consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
September 13, 2013

Delegates attend signing ceremony for legislation that will provide funding to construct homes for Navajo Veterans


WINDOW ROCK – On Friday afternoon, several Council Delegates including Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) attended a signing ceremony at President Ben Shelly’s office for resolution CS-48-13, amending 12 N.N.C. §1171, the Navajo Nation Veterans Trust Fund to provide funding for the construction of 15 homes and to provide minor repairs and renovations for Navajo Veterans in each of the Nation’s five agencies, over the course of four years.

Legislation prime sponsor Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) expressed appreciation for each of the entities involved in developing and approving the legislation.
“I’m very thankful that the President saw the importance of this legislation,” said Delegate Shepherd. “I also want to thank the Vice President [Rex Lee Jim], who was instrumental in the beginning along with the Department of Veterans Affairs and above all, we want to thank the Veterans who have given their input and helped us reach this point.”

Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) who co-sponsored the legislation, thanked previous and current delegates for helping Navajo Veterans and urged all parties to continue to work together to make the project a success.

“Today, we’ve taken a major step toward bringing homes to our Navajo Veterans,” said Speaker Naize. “This signifies years of work and progress by various parties on behalf of Veterans who served and protected our Diné People.”

The legislation will divert two-percent of the Trust Fund’s set-aside to the Department of Navajo Veterans Affairs to fund the construction of the homes.

Army Veteran and legislation co-sponsor, Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) said the legislation was made possible by 20th Navajo Nation Council, which established the Nation’s Veterans Trust Fund.

“I want to thank members of the 20th Council for establishing the Trust Fund,” said Delegate Simpson. “Bringing homes to our Veterans would not be possible without their efforts.”

Following the signing ceremony, Council Delegate Jonathan Hale (Oak Springs, St. Michaels) expressed his appreciation for the passage of the legislation and said he will continue to advocate for Navajo Veterans.

“It’s a long time coming to build homes for our warriors,” Delegate Hale said.

The legislation was approved by the Navajo Nation Council during a special session held on Monday, with a vote of 13-2.

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FOR IMMEDIATE RELEASE
September 13, 2013

Budget and Finance Committee approves corrective action plan for the Northern Navajo Nation Fair Board

WINDOW ROCK - The Budget and Finance Committee on Thursday, approved the corrective action plan for the Northern Navajo Nation fair board, after an audit report was conducted and completed by the Navajo Nation Office of the Auditor General, for the 2012 Northern Navajo Nation Fair.

“One of the main reasons the audit was conducted was because the public requested for it when allegations and concerns were brought up to our committee regarding the fair,” said BFC chair Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland).

According to the audit report provided by Auditor General Elizabeth Begay, it was found that the fair lacked proper management of funds, event planning, and accountability measures.

“The intent of the CAP is to correct the deficiencies we uncovered during the 2012 NNNF,” said Begay. “The fair board is now responsible for developing, implementing, and the outcome of the CAP.”

The CAP aims to improve the overall management of the fair’s events, namely the Indian market, parade, rodeo, vendor relations, and all financial related expenses such as spending, payouts, vendor fees, application fees, admissions, etc.

BFC member Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ashi, Whiterock) requested clarification as to which parties are responsible for the coordination and management of the fair, and who will assist with the CAP.

“It is hard for me to support this CAP because it is unclear which entities are involved with running the fair and who should be responsible for assisting in the plan,” said Delegate Simpson.

Begay said the audit focused on the fair events, which were managed by the NNNFB and the Navajo Nation Museum.
“Since the Navajo Nation Museum put money into the [2012] fair and agreed to help manage the fair, they need to be included in incorporating the CAP,” said Delegate Simpson. “They have to take some responsibility for the deficiencies found in the audit report.”

Delegate Bates stated that he was not opposed to the Museum being incorporated into the CAP, and asked how the Museum would assist in carrying out the plan when they are no longer an entity involved with managing the fair.

“I think it is doable for the Museum to assist in the CAP, but we need language to allow for a transition plan which would move all responsibilities in an effective manner from the Museum to the NNNFB,” said BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin).

Delegate Simpson motioned for an amendment to add a new paragraph to the corrective action plan that directs the Navajo Nation Museum to assist the Northern Navajo Nation Fair Board in implementing the CAP.

BFC voted 3-0 to pass the amendment.

At the conclusion of the BFC meeting, Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tse Ch’izhi) said, “The Navajo Nation should keep their hands away from running the fairs and leave it up to the fair boards, and allow them to manage/coordinate the fairs.”

BFC voted 3-0 to approve Legislation No. 0150-13.

The Budget and Finance Committee is the final authority for the legislation.

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
September 13, 2013

Health, Education, and Human Services Committee discusses future Navajo Head Start employee lay-offs, re-assignments, and new hires

WINDOW ROCK – On Wednesday, the Health, Education, and Human Services Committee received a report from the Navajo Head Start Agency, regarding the projected lay-offs, employee re-assignments, and their struggles to hire qualified employees due to the lack of candidates with federally mandated credentials.

In August 2008, the National Head Start Office notified the Navajo Head Start Agency that teachers, teacher aides, and assistants must possess specified credentials, and requiring that at least 50-percent of head start teachers have at least a bachelors degree in early childhood education, by Sept. 30 of this year.

“These lay-offs are due to the National Head Start regulations, which require employees to acquire certain credentials by the given deadlines,” said HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels). “These regulations are written in the Head Start grant we accepted. We must comply with the agreement.”

In Oct. 2011, each Head Start classroom teacher was required to have at least an associates degree in early childhood education. Since then, Head Start credentials have increased in order to build a more qualified workforce.

Navajo Head Start assistant superintendent Sharon H. Singer, addressed the committee to clarify the agency’s actions.

“In order to be in compliance with federal requirements, the Navajo Head Start Agency is proactively working to build a highly-qualified workforce,” said Singer. “Head Start pays 100-percent of the training and tuition necessary for employees to obtain the required credentials like a bachelors degree or child development associate.”

In May 2012, the Navajo Head Start Office commenced a three-year restructuring process to address specific issues of non-compliance with the federal Head Start Act.

In response to the report, HEHSC member Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) stated that the report clearly explained why the projected lay-offs are necessary.
“We cannot put our Head Start program in jeopardy,” said Delegate Butler. “Unfortunately it has come to this, but it is clear that the staff were well informed of what was expected of them in order to maintain this program for our Navajo children.”

HEHSC members Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To’ii) and Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) requested details about the number of employees expected to be laid off and employee salary.

In response, Singer said 24 teaching positions would soon be vacant and that all employees will continue to be properly compensated for their work time leading up to Sept. 30.

“I appreciate this report from Navajo Head Start. With the September 30 deadline soon approaching, it is clear we understand the requirements set forth by the National Head Start Office,” said Delegate Butler.

The HEHSC accepted the report with a vote of 4-0.

Following the report, Delegate Hale suggested that Head Start also provide a thorough report to the Naabik’íyáti’ Committee for all delegates to have a clear understanding of changes soon to occur in their local Head Start centers.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Signs Veterans’ Trust Fund Amendments

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed legislation Friday afternoon that provides funding for as many as 75 new homes for Navajo veterans on the Navajo Nation.

“Today, we recognize the needs of our warriors, our veterans on the Navajo Nation,” said President Shelly before he signed legislation CS-48-13.

The legislation, co-sponsored by Navajo Council Speaker Johnny Naize and Council Delegate Alton Shepard, amends the allocations to the Navajo Veterans Trust Fund. The bill allocates four percent of Navajo revenue to be equally split between the Navajo Veterans Trust Fund and the Department of Navajo Veterans’ Affairs.
The money going to the Department of Navajo Veterans’ Affairs would be for housing. The DNVA office would split their allocated money equally with the five agencies on the Navajo Nation and each agency would be responsible to use the money to build as many as 15 homes for Navajo veterans.

“We have to take care of our veterans. They risked their lives for our freedom and to defend our people,” President Shelly said.

The revenue distribution would need to be reauthorized in 2017. Until then, the trust fund and the DNVA would split as much as $7 million depending upon revenue forecasts. Revenues from taxes, oil and gas mining and minerals, timber, land rentals and other revenue producing activity would be shared with the trust fund and the DNVA office.

Speaker Naize, Council Delegates Shepard, Jonathan Hale, and Danny Simpson were all present during the signing ceremony.

“I appreciate the signing of this legislation,” Speaker Naize said after President Shelly signed the legislation.

“To our veterans, I want to thank each and every one of you for the sacrifices you made for our country and our people. You helped make this Navajo way of life possible,” President Shelly said.

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FOR IMMEDIATE RELEASE;
Contact: Sonlatsa Jim-Martin
Navajo Division of Health
(928) 871-6968
September 13, 2013 – 11:30 am

Operation Storm Surge in effect on Navajo Nation
Volunteers Needed

CHINLE, AZ – Operation Storm Surge 2013 has been in effect on the Navajo Nation due to flooding caused by heavy rain in the Central Agency area. Arizona communities impacted include Chinle, Many Farms, Rock Point, Tselani/Cottonwood, Dennehotso, and Tonalea. Other regions of the Navajo Nation may be at risk with more flash flood warnings expected into the weekend.

There are approximately 50 to 80 homes within the flash flood areas and many families are out of their homes. The Navajo Nation opened a shelter in Chinle with the help of the American Red Cross Grand Canyon Chapter. Red Cross volunteers will provide meals, snacks, bottled water and coffee, as well as cots and blankets to flooding victims, however, more volunteers are needed in these communities. Navajo families with children are sleeping outside due to mud, rain, mold and infestation. Volunteers can contact the Navajo Nation Department of Emergency Management EMERGENCY OPERATION CENTER at the following numbers: 505-371-8415, 505-371-8416, 505-371-8417.

Navajo Nation officials caution residents to be aware of floods and flooded roadways. Observe road closures and follow orders of local law enforcement personnel on scene. “This is for everyone’s safety,” Erny Zah states from the Office of the President and Vice President. Even if you feel you live in a community with a low risk of flooding, remember that anywhere it rains, it can flood. Just because you haven’t experienced a flood in the past, doesn’t mean you won’t in the future.

In addition to the flash flood warnings, the Navajo Division of Health cautions people to be aware of mosquitoes after the rain storms. West Nile Virus (WNV) causes an infection that is spread by mosquitoes. WNV infections generally occur during warm weather months when mosquitoes are active. Puddles or open water allow for mosquitoes to breed in standing water. Mosquitoes spread the virus when they bite people or other animals, such as horses. For prevention, use mosquito repellent and wear long-sleeved shirts and pants when outdoors.

Navajo residents should pay particular attention to water crossings and areas of heavy water flow including the following tips from www.ready.gov:

• Listen to the radio or television for information.
• Be aware that flash flooding can occur. If there is any possibility of a flash flood, move immediately to higher ground. Do not wait for instructions to move.
• Be aware of stream, drainage channels, canyons and other areas known to flood suddenly. Flash floods can occur in these areas with or without typical warnings such as rain clouds or heavy rain.
• Do not walk through moving water. Six inches of moving water can make you fall. If you have to walk in water, walk where the water is not moving. Use a stick to check the firmness of the ground in front of you.
• Do not drive into flooded areas. If floodwaters rise around your car, abandon the car and move to higher ground if you can do so safely. You and the vehicle can be swept away quickly.
•Do not camp or park your vehicle along streams, rivers or creeks, particularly during threatening conditions.

**Although floodwaters may be down in some areas, many dangers still exist. Here are some things to remember in the days ahead:**

•Use local alerts and warning systems to get information and expert informed advice as soon as available.
•Avoid moving water.
•Stay away from damaged areas unless your assistance has been specifically requested by police, fire, or relief organization.
•Emergency workers will be assisting people in flooded areas. You can help them by staying off the roads and out of the way.
•Play it safe. Additional flooding or flash floods can occur. Listen for local warnings and information. If your car stalls in rapidly rising waters, get out immediately and climb to higher ground.
•Return home only when authorities indicate it is safe.
•Roads may still be closed because they have been damaged or are covered by water. Barricades have been placed for your protection. If you come upon a barricade or a flooded road, go another way.
•If you must walk or drive in areas that have been flooded. Stay on firm ground. Moving water only 6 inches deep can sweep you off your feet. Standing water may be electrically charged from underground or downed power lines.

Flooding may have caused familiar places to change. Floodwaters often erode roads and walkways. Flood debris may hide animals and broken bottles, and it's also slippery. Avoid walking or driving through it.
•Be aware of areas where floodwaters have receded. Roads may have weakened and could collapse under the weight of a car.
•Stay out of any building if it is surrounded by floodwaters.
•Use extreme caution when entering buildings; there may be hidden damage, particularly in foundations.

**A flood can cause physical hazards and emotional stress. You need to look after yourself and your family as you focus on cleanup and repair.**

•Avoid floodwaters; water may be contaminated by oil, gasoline or raw sewage.
•Service damaged septic tanks, cesspools, pits and leaching systems as soon as possible. Damaged sewer systems are serious health hazards.
•Listen for news reports to learn whether the community’s water supply is safe to drink
•Clean and disinfect everything that got wet. Mud left from floodwaters can contain sewage and chemicals.
•Rest often and eat well.
•Keep a manageable schedule. Make a list and do jobs one at a time.
•Discuss your concerns with others and seek help. Contact Red Cross for information on emotional support available in your area.

For prevention of West Nile Virus, use mosquito repellent and wear long-sleeved shirts and pants when you go outdoors in flooded areas.

###
STATE OF EMERGENCY DECLARATION

THE NAVAJO NATION COMMISSION ON EMERGENCY MANAGEMENT DECLARES A STATE OF EMERGENCY DUE TO DAMAGES FROM AND RESPONSE TO TORRENTIAL MONSOONAL FLOODING THROUGHOUT THE NAVAJO NATION

WHEREAS:

1. Pursuant to 2 N.N.C. §§ 881 and 883 (A) and (C), the Navajo Nation Council established the Navajo Nation Commission on Emergency Management (CEM) to coordinate emergency and disaster relief service by Navajo Nation and non-tribal entities in conjunction with the Department of Emergency Management; and to recommend to the Navajo Nation Council legislation or other appropriate activity regarding natural and man-made emergencies; and

2. Pursuant to 2 N.N.C. § 884 (B) (1), the Navajo Nation Commission on Emergency Management (CEM) is responsible for declaring a Navajo Nation state of emergency with the concurrence of the President of the Navajo Nation; and

3. Pursuant to 2 N.N.C. § 884 (B) (2), the Navajo Nation Commission on Emergency Management will assist in seeking assistance from federal, state, and other tribal governments, local and private agencies to address emergency and disaster related situations; and

4. Navajo Nation wide, the on-going drought has intensified adverse impacts related to the significantly dry conditions and the monsoonal torrential rains have further compounded the dual drought and flooding conditions; and

5. The Navajo Nation has sustained damages exceeding the million dollar threshold for a FEMA major disaster declaration for incidents occurring; and

6. Twenty-one chapters in Arizona have sustained damages; they are, but not limited to: Dilkon, Fort Defiance, Kaibeto, Cap/Bodaway, LeChee, Kayenta, Coppermine, Shonto, Rough Rock, Dennehotso, Chilchinbeto, Indian Wells, White Cone, Lower Greasewood Springs, Mexican Water, Pinon, St. Michaels, Wide Ruins, Steamboat, Window Rock, and Wheatfields, and
7. Twenty-six chapters in New Mexico have sustained damages; they are, but not limited to: Becenti, Bread Springs, Churchrock, Red Lake, Red Rock, Rock Springs, Iyanbito, Burnham, Lake Valley, Mexican Springs, Casamero Lake, Smith Lake, Twin Lakes, Tohatchi, Naschitti, Newcomb, Whitehorse Lake, Ojo Encino, Torreon, White Rock, Crownpoint, Baca-Prewitt, Ramah, Tohajiilee, and Counselor; and

8. Six chapters or areas in Utah have sustained damages; they are, but not limited to: Aneth, Oljato, Navajo Mountain, Paiute Mesa, Red Mesa, and Sweetwater; and

9. Approximately 50 earthen dams, excluding those Federally listed dams under the Safety of Dams, that exist on the Navajo Nation were breached due to torrential rainfall causing massive erosion downstream impacting community infrastructure; and

10. The following Navajo Nation programs have sustained damages; they are, but not limited to: Navajo Division of General Service’s Fleet Management (Window Rock); Motor pool and Body Shop (Window Rock); Navajo Environmental Protection Agency (Window Rock); Department of Justice (Window Rock); Navajo Council Chambers (Window Rock); Navajo Nation Zoo (Window Rock); Navajo Tribal Utility Authority; and Bureau of Indian Affairs administratively withdrawn areas (Window Rock HQ), and

11. The following Navajo Nation programs and non-tribal entities have responded or provided emergency protective measures; they are, but not limited to: Navajo Division of General Service (Navajo Nation-wide); Navajo Division of Health; Navajo Division of Transportation (Navajo Nation-wide); Department of Water Development, Navajo Tribal Utility Authority; Navajo Law Enforcement/DEM (Navajo Nation-wide); Navajo Engineering and Construction Authority; Navajo Housing Authority; Indian Health Services; Bureau of Indian Affairs; Arizona State and respective counties therein: Apache and Navajo; New Mexico State and respective counties therein: McKinley, San Juan, Bernalillo and Cibola; Utah State and respective county therein: San Juan; and

12. The National Oceanic and Atmospheric Administration (NOAA) indicates that much of the Navajo Nation has received over 150% of the normal amount of precipitation so far, with a significant portion of Coconino County and Navajo County receiving almost 200% (double) the normal monsoonal rainfall; and

NOW, THEREFORE BE IT RESOLVED:

1. The Navajo Nation Commission on Emergency Management declares a state of emergency due to damages from and response to torrential monsoonal flooding throughout the Navajo Nation; and

2. The Navajo Nation Commission on Emergency Management finds it is necessary for appropriate Navajo Nation entities continue and/or immediately begin and maintain coordination and collaboration with relevant agencies for use of resources to meet the needs of the Navajo Nation public; and
3. The Navajo Nation shall activate available emergency resources such as funding, community education, assistance, and other means as determined fit and feasible to restore and sustain vital community infrastructure.

CERTIFICATION

We hereby certify that the foregoing declaration was duly considered by the Navajo Nation Commission on Emergency Management at a duly called meeting in Window Rock, Arizona, Navajo Nation, at which a quorum was present and the same was passed by a vote of 4 in favor and 0 opposed and 0 abstained, this 21st day of August 2013.

Herman Shorty, Chairperson
Commission on Emergency Management

Motion: Lt. Emerson Lee
Second: Eugenia Quintana

CONCURRENCE:

BEN SHELLY, President
THE NAVAJO NATION
FOR IMMEDIATE RELEASE
September 11, 2013

Rock Point Chapter declares emergency due to severe flooding

Rock Point, Ariz.—On Wednesday morning, Rock Point Chapter declared an emergency due to heavy rains in surrounding communities which have led to severe flooding and damaged roadways in the rural community, located approximately 50-miles north of Chinle.

Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izhi) who represents the rural community of approximately 700 people, said the flooding began Tuesday night and left some residents stranded and unable to return to their homes.

“Last night, they got hit hard by the flooding from heavy rains in Lukachukai, Chinle, Round Rock, Wheatfields, Nazlini, and Sawmill,” said Delegate BeGaye, explaining that Rock Point receives much of the rain water from surrounding communities, resulting in downstream flooding.

Although the chapter has received assistance from the Chinle Police Department and Apache County, Delegate BeGaye said he is seeking the help of President Ben Shelly in declaring an emergency on behalf of the Navajo Nation.

“An emergency has to be declared by President Shelly in order to pursue [Federal Emergency Management Agency] funds,” Delegate BeGaye stated.

Rock Point Chapter president Janice Jim, said the chapter is in need of food and water for local residents and for the volunteers who are helping to sandbag the flooded areas.

“The chapter will be open 24/7 tonight and most likely tomorrow,” said Jim. “We have some food and water for tonight, but we don’t have other supplies.”

Jim also noted that the Rock Point Community School was closed on Wednesday due to the flooding, and will likely be closed again on Thursday.

According to Delegate BeGaye, the Rock Point Chapter has one grader that is currently being used to fix damaged roads in the area, and expects additional equipment from the Navajo Division of Transportation to reach the area on Thursday morning.

“We’ve had a lot of residents calling the chapter for assistance,” said Delegate BeGaye. “We need all the help we can get.”

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FOR IMMEDIATE RELEASE
September 11, 2013

Navajo Nation Council amends the Veterans Trust Fund for the construction of homes for Navajo Veterans

WINDOW ROCK – On Monday, the 22nd Navajo Nation Council approved Legislation No. 0193-13, amending the Navajo Nation Veterans Trust fund, 12 N.N.C. §1171.

The amendments provide for the equal distribution of the annual comprehensive budgeted amount between the Navajo Nation Veterans Affairs Trust Fund and the Department of Navajo Veteran Affairs, to construct 15 homes and to provide minor renovations and repairs for Navajo Veterans in each of the five agencies for the next four years.

“This is the final stage and I am asking for your support to implement a seed that will help foster providing homes for the veterans,” said legislation sponsor Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichií, Steamboat). “With this legislation we are amending the laws to allow for the mechanism to take place.”

Following the sponsor’s presentation, Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruittland) introduced an amendment to maximize the use of funds.

“If they are not able to spend the dollars before a fiscal year ends, those unexpended dollars will go back into the Veterans Trust Fund and we are unable to use them,” said Delegate Bates. “This amendment would allow for those [unexpended] dollars to go back into the construction of those houses.”

Delegate Shepherd added that the legislation assigns a business unit number to each of the 15 recipients to ensure accountability.

“I support this amendment because I know that if we are using nine individuals to build fifteen homes, this will help keep the funds moving on to the following year,” said Council Delegate Russell Begaye (Shiprock). “It’s going to be difficult to build these homes within the time line and we need to finish each project in a timely manner.”

The Council approved the amendment with a vote of 13-0.

Although the Council unanimously supported the amendment, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon,
Whitehorse Lake) expressed concern about the number of chapters that would be assisted in the Eastern Navajo Agency.

“If fifteen chapters get assistance and homes, that means 4 chapters won’t,” said Delegate Tsosie.

Speaking in support of the legislation, Council Delegate Jonathan Hale (Oak Springs, St. Michaels) said the current veterans housing services available through the Navajo Housing Authority are inadequate and that the legislation would help to alleviate the high need for housing across the Nation.

“We need to take a risk in order to see the benefits of veterans housing. If we sit here and ridicule the legislation we will only wish from the sidelines with our veterans,” said Delegate Hale. “I think we need to vote on this, support it, and give it a chance.”

Before the vote on the main motion, Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izhi) stated, “The veterans need to be notified that this is their money, this does not belong to the central government or even the agencies. We are doing this for them.”

Council members voted to approved Legislation No. 0193-13 with a vote of 13-2.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
September 10, 2013

Law and Order Committee approves report regarding the partial closure of the Department of Corrections Crownpoint District facility

WINDOW ROCK – On Monday, the Law and Order Committee accepted an update report from the Navajo Nation Department of Corrections Crownpoint District supervisor David Charles.

“I am disappointed to report that I had to shut down a portion of the jail and only intake is operating, which is the drunk tank,” said Charles.

LOC chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) expressed frustration regarding the lack of funding to staff the new jail facility, as well as a lack of involvement from public safety division leaders.

“Obviously, there is a lack of interest by supervisors because [LOC] has always asked division directors what assistance they need, and they would always tell us everything is fine,” said Delegate Yazzie.

“We build this beautiful building in Crownpoint and we are already shutting it down,” said Delegate Yazzie. “The lack of preparedness for this new building should have been addressed before it was even built and it frustrates the committee that leadership did not bring this to our attention sooner.”

LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) expressed skepticism regarding the public safety administration, adding that there needs to be an immediate response to the partial shut-down from Navajo Nation Department of Corrections director Delores Greyeyes and Navajo Nation Public Safety Division director John Billison.

The Crownpoint District corrections facility shut down its male holding pod due to the funding shortfall, stated Charles. Inmates with non-alcohol related crimes are being held in the same area, but the majority of them are booked and then released.

“I only have 8 officers currently staffing the jail in Crownpoint and this facility needs 51 officers to be fully operational at an effective level,” said Charles.
To avoid a complete shut down of the facility, LOC member Council Delegate Russell Begaye (Shiprock) suggested seeking funding during the Council Budget Session.

“We can get a budget form to try and get the facility operational again because we know the money is there on an emergency basis,” said Delegate Begaye.

Delegate Shepherd added that DOC would be a priority in the FY2014 Navajo Nation budget.

At the conclusion of the LOC meeting, members voted 3-0 to accept the report.

During Council’s budget session, Delegate Begaye motioned to consider emergency legislation, seeking to obtain a supplemental appropriation for approximately $16,000 from the Nation’s Personnel Lapse fund.

Delegate Begaye’s motion to add the item to Council’s agenda failed to garner enough supporting votes, or two-thirds of Council’s approval, resulting with a vote of 13-4.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
September 10, 2013

Speaker Naize takes part in dedication of a new U.S. Post Office in Nazlini

Photo: From left to right, Phneiltra Beyale (postmaster), Judy Donaldson (Community Services Coordinator), Charlene Wallace (Accounts Maintenance Specialist), Nathan Sam (custodian), Johnson Claw (Nazlini Chapter President), Speaker Johnny Naize, Esther Shorty (postmaster), JoAnn Dedman (Chapter secretary/treasurer), Ruth Brenner (community member), Andy Mann (CLUP member), and community members Roy Nells and Leroy Belin.

Nazlini, Ariz. – On Monday morning, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) welcomed chapter officials, staff, and community members to the newly opened U.S. Post Office in Nazlini, located approximately 19-miles north of Ganado, Ariz.

Speaker Naize praised the efforts of current and previous Nazlini Chapter staff who overcame many obstacles over the course of nearly a decade to establish the new 896 square-foot facility.

“This is a small rural community, but it took a lot of time and effort to work through the red tape just to get to this stage,” said Speaker Naize.
According to Nazlini Chapter Secretary and Treasurer JoAnn Dedman, the post office was once housed in a local trading post until the owner closed the business in 2002, forcing community members to travel to the nearest post office in Ganado.

Nazlini chapter officials then agreed to a contract with the U.S. Postal Service that temporarily returned postal services to Nazlini residents at their chapter house. However, following an audit conducted by the Navajo Nation Auditor General’s Office, the contract was deemed unlawful.

Dedman said Speaker Naize played an instrumental role in bringing together the Navajo Nation Department of Justice and the U.S. Postal Service to negotiate a new contract and also in obtaining funds to enable the establishment of the new post office.

“Mr. Naize was able to secure $150,000 through the [Resources and Development Committee] to fund the construction of the new post office,” said Dedman.

Nazlini Chapter President Johnson Claw, said the U.S. Postal Service’s ongoing financial losses will not impact the Nazlini Post Office because it is mostly a self-sustaining entity.

“We only receive a little over $600 a month from the U.S. Postal Service and most of that goes toward the salary of the postmaster,” said Claw. “Due to limited funding, the postmaster is only able to operate the post office for four hours a day.”

Chapter officials sought donations and held fundraising events to make the facility fully-functional, explained Dedman.

Desks, carts, and other items were donated by Chinle Indian Health Services, added Dedman, noting that the chapter also plans to purchase vending machines to create additional revenue for the post office.

“We have to learn to be self-sustaining, that’s the goal,” said Dedman. “So that’s what those vending machines will do. There’s no store nearby and people are always looking for snacks, so that will generate a lot of money which we can invest back into operating this place.”

The post office provides 500 mailboxes and other postal services for residents of Nazlini, Chinle, Wood Springs, and several other surrounding areas.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE

Navajo Nation Board of Education is the Governing Body for Navajo Head Start

Window Rock, Arizona. On September 4th, 2013, at the special meeting held at the North Conference Room of the Council Chamber, the Health Education and Human Service Services Committee (HEHSC) approved Legislation No. 0252-13 which designates the Navajo Nation Board of Education as the Governing Body for the Navajo Head Start. After the reading of the legislation into the legislative record, Honorable Dwight Witherspoon motioned to approve the Legislation followed by Honorable Walter Phelps seconded the motion to begin committee discussion. Members of the Navajo Board of Education attended the HEHSC special meeting. Dr. Lamont Yazzie, Principal Education Specialist, Navajo Head Start, was also available at the HEHSC special meeting.

Based on its plan of operation approved by Resolution GSCMY-19-07, the Navajo Head Start is a program under the Department of Diné Education; however, the Navajo Nation has never specifically designated a “governing body” for Navajo Head Start. During the 2010 Administration of Children and Families (ACF) federal monitoring review, the ACF stipulated that Navajo Head Start is required to conduct regular reporting to its governing body.

The federal Head Start Act stipulates that the governing body may be an entity composed of “members who oversee a public entity and are selected to their positions with the public entity by public election of political appointment”. The Navajo Nation Board of Education is composed of elected and appointment officials; thus, meeting the requirement of the federal Head Start Act.

On January 8, 2013, during a work session, a discussion surfaced concerning the need to identify and designate a “governing body for the Navajo Head Start”. It was in that discussion that participants (members of the Parent Policy Council and members of the Health, Education and Human Services Committee) unanimously agreed that the Navajo Nation Board of Education (NNBOE) is best and able to serve as the governing body.

After thorough discussion, the Committee approved Legislation No. 0252-13 by a unanimous vote of five in favor and zero opposed. The Legislation is supported by resolutions from Navajo Head Start Policy Council and NNBOE, and by a Memorandum of Agreement between the Navajo Nation and Office of Head Start. For additional information on the Navajo Head Start’s governing body, contact Ms. Dawn Yazzie (928) 871-6902.

END
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FOR IMMEDIATE RELEASE

Navajo Nation Vice President, Rex Lee Jim, Exhort Use of Information Technology at Conference: Grant Schools Meet with Department of Dine Education and the Bureau of Indian Education

Window Rock, Arizona, September 3, 2013. Department of Diné Education convened an informational conference meeting with Grant Schools, including School Board Members and Grant School Principals and Administrators. Over 150 participants attended the one-day conference which was held Friday, August 30th, 2013, at the Wingate High School Gymnasium from 8:00 AM to 4:00 PM.

Conference attendees included Navajo Nation Board of Education members: Jimmie C. Begay, President; Dr. Bernadette Todacheene and Gloria Johns, member. Vice President Rex Lee Jim was on hand and including Andrew Tah, the Navajo Nation Superintendent of Schools. Dr. Charles M. Roessel, Acting BIE Director, was also in attendance and sitting at the front table next to the podium. As participants arrived to the conference, Department of Diné Education staffs distributed to registered participants conference packets that contained memos, flow charts, Resolutions, and Diné Language Standards. Documents not distributed were presented to the audience using the power point presentation.

The emcee was provided by Darrick Franklin, Senior Education Specialist. At the beginning of the conference and dressed in standard military uniform, the Wingate High School ROTC Program marched across the stage in single line posting the colors of the United States Flag, the New Mexico Flag and the Navajo Nation Flag. As show of respect for the flag, the audience remained standing during the posting of the colors.

Immediately after the welcome addresses, Mr. Andrew Tah presented update information on the feasibility study. He stated: “With all the Resources that are being reduced, we all have to share some of the costs, time, and staffs, to discuss some of these needs to work with each other. That is the way to work together. Let’s work together. On this way, we can open a lot of educational opportunities for our children.” In a duel presentation, Dr. Charles Roessel and Mr. Andrew Tah informed the audience of the status of the NNDODE and BIE partnership activities and projects.

In another joint-team presentation, Darrick Franklin, Senior Education Specialist, and Dr. John McIntosh, Associate Superintendent of BIE School Improvement, presented update information on the “Turn Around Project”. The “Turn Around Project” includes several key components, such as:

- UDP – Using Date Process in the “Turn Around Project” Collaboration which as eloquently presented by Dr. Kalvin White, Program Manager;
- Enhancement Funds was presented by Dr. Charles Roessel; and

-More-
• Elements of an Effective School, was presented by Dr. John McIntosh.

Right before noon, the Bureau of Indian Education took over the podium with four update reports, which included:

- Administrative Cost Funds and ISEP Funds a presentation by David Talayumptewa, BIE Assistant Deputy Director of Administration;
- AYP Determination for Federally Funded Schools for 2013-2014 by Dr. John McIntosh;
- Facilities Update Report by Victor Puente, BIE Facilities Management, Fort Defiance Agency; and
- Professional Development Calendar was presented by Jacqueline Wade, Associate Superintendent BIE Navajo Region.

In the Afternoon when the conference reconvened, Vice President Rex Lee Jim entered the gymnasium with executive bodyguards at his side. Vice President addressed the audience emphasizing that the Sovereignty in Education Act was approved by the Navajo Nation Council. He further stressed that:

“We have the authority to educate our children. The Navajo Nation needs to take the lead authority on our education. We need to behave like a sovereign Nation. We need to accredit our own schools. We need to certify our own teachers and school administrators. We need our own curriculum. This already states in the Navajo Nation Sovereignty in Education Act.”

Toward the end of his address, Vice President Jim spoke on the importance and use of technology in classrooms on the Navajo Nation and that schools on the Navajo Nation should take advantage of information technology, like computers and Ipads in schools. The conference concluded with an update report from Angela Barney-Nez, Executive Director of the Diné Bi Ołta School Board Association.

For additional information on the Information Conference, contact Mr. Victor Benally and Mr. Darrick Franklin at (928) 871-7466.
Navajo DOT road crews addressing flooded roadways

While heavy rains battered the Navajo Nation and caused flooding in all five agencies, sunflowers bloomed in the storm’s wake. Green fields of sunflowers and other vegetation covered the normal sparse landscape of the reservation. (Photo by Rick Abasta)

The Navajo Division of Transportation encourages motorists to use extreme caution when traveling Navajo Nation roadways this week.

According to the seven-day forecast from National Weather Service, the Navajo Nation and northern Arizona are expecting thunderstorms and heavy rains for the week.

This means flooded roadways and dangerous driving conditions.

Ray Russell, department manager for NDOT Roads Department, said his crews are focused on clearing debris and sediments from paved roadways this week.

“We understand that the Bureau of Indian Affairs Roads Department is on training this week, so NDOT is covering all roads,” Russell said. “We will not be grading dirt roads due to the saturated soil from the major storms we received yesterday afternoon and last night.”

Russell said the potential of getting NDOT equipment stuck is high, which could further impact and restrict crews from conducting road assessments and operations.

“We will begin routine maintenance and repairs on those roads when things dry up and get back to normal,” he said.

Including the BIA roads triples the NDOT workload.

Russell cautioned drivers to use their best judgment when traveling in rainy conditions. He said more rain is expected throughout the Navajo Nation today and tonight.

Drivers need to slow down to avoid hydroplaning. Never attempt to cross a flooded roadway. Instead, find an alternative route or do not attempt to travel, if at all possible.

Senior heavy equipment operator Roscoe Tsosie said his road maintenance crews are on the road this week, providing direct services to flooded areas.

Tsosie said, “We have crews out on N15, near Cornfields and Sunrise area. Other areas include Route 12 near Indian Wells and N64 and N59, headed out to Kayenta from Many Farms.”

As of this morning, he said other areas of concern were in the communities of Chinle, Red Valley, Tonalea, Cow Springs, Sweetwater, Two Grey Hills, Toadlena, Sheep Springs, Newcomb, and Shiprock.

Flash floods occur unexpectedly and quickly, often covering roadways within minutes or hours of excessive rainfall.

If you see a flooded roadway, turn around. Otherwise, find higher ground and wait for water to subside.

Six-inches of water will reach the bottom of most passenger cars, causing loss of control or stalled engines. One-foot of water will float many vehicles. Two-feet of rushing water can sweep away most vehicles, including pickups and sport utility vehicles.

The following tips for driving in thunderstorms are courtesy of the Federal Emergency Management Agency:

- Tune in to your radio to stay informed of approaching storms
- If you see a tornado or hear a tornado warning, don’t try to outrun it
- Turn on your headlamps (low beams) and slow down
- Allow extra distance for braking
- Don’t drive unless necessary
- Stay in the car and turn on emergency flashers until the heavy rains subside
- Automobiles provide better insulation against lightning than being in the open
- Avoid contact with any metal services inside your car or outside
- Avoid flooded roadways
- Avoid down power lines
- Approach intersections with caution

Flooding in the Huerfano area damaged dirt roads and eroded large portions of earth near the roadbed. This channel began eroding into the roadway as well. (Photos by Rick Abasta)
FOR IMMEDIATE RELEASE
September 9, 2013

Council adopts the Navajo Nation FY 2014 Comprehensive Budget

WINDOW ROCK – This evening, the Navajo Nation Council concluded its annual budget session by approving the Navajo Nation Fiscal Year 2014 comprehensive budget, which was tabled last Friday, including a total of 34 amendments.

Early in the discussion, legislation sponsor Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) explained that failure to approve the budget would possibly initiate a continuing resolution and a waiver of Navajo Nation law, which mandates the adoption of a comprehensive budget 20 days prior to the end of the current fiscal year.

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) expressed the importance of passing the legislation to avoid hindering services to Diné people.

“You know what happened the last time we had a continuing resolution,” said Delegate Nez to fellow Council colleagues. “It brought hardship to our people, the chapters, and the services provided.”

Moments before Council voted on the main motion, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) expressed his disapproval of the budget and urged Council to vote against it.

“We put a lot of things in this budget that lack accountability,” said Delegate Tsosie. “We need to begin looking at funding the true needs of Navajo people.”

After nearly five hours of discussion, Council voted 16-1 in support of the legislation.

The budget now goes to President Ben Shelly for review. President Shelly will have ten days to sign the bill, veto it, or use his line-item veto authority.

A report detailing the condition of appropriations and amendments if forthcoming and will be available by the end of this week.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
September 9, 2013

Health, Education, and Human Services Committee designates Navajo Nation Board of Education as governing body for Navajo Head Start

WINDOW ROCK – The Health, Education, and Human Services Committee met last Wednesday, to consider designating the Navajo Nation Board of Education as the new governing body for the Navajo Head Start program.

“This legislation addresses deficiencies within the Head Start program,” said legislation sponsor and HEHSC chairman Council Delegate Jonathan Hale (Oak Springs, St. Michaels). “Later on down the road, I think Head Start will have to move outside of the Nation and fully function on its own.”

Legislation No. 0252-13 gives the Navajo Nation Board of Education the authority to serve as the governing body, which shall have the legal and fiscal responsibility for the Head Start agency.

The legislation outlines several of the responsibilities that NNBOE shall uphold as the governing body such as: ensuring compliance with federal laws, establishing criteria for enrollment of children, and reviewing and approving all major policies of the agency.

“This transfer of accord is not giving NNBOE sole power that you have as legislators. What this does is requiring them to carry out the work that is identified in the roles and responsibilities of the Head Start Act,” said Department of Diné Education principal education specialist Lamont Yazzie.

HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) said he would like for the legislation to explain the difference between the “governing body” and “legislative oversight”, which the HEHSC will maintain.

“In the future, we don’t want to have a discussion about the governing body versus legislative oversight,” said Delegate Phelps. “We’re the final committee to make this determination, but first we need some clarification.”

HEHSC member Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) questioned if the committee could rescind governing body authority from NNBOE, if the HEHSC saw such action to be necessary in the future.

Acting chief legislative counsel Marianna Kahn, said that the legislation distinguished the role of the governing body and that at any time the committee could propose legislation to rescind the
governing body authority, unless in the future the Navajo Nation Council amended Title 2 of the Navajo Nation Code.

The HEHSC voted 5-0 to approve Legislation No. 0252-13.

The HEHSC serves as the final authority for this legislation.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
September 6, 2013

Council tables the Navajo Nation FY 2014 Comprehensive Budget

WINDOW ROCK – Friday evening, the Navajo Nation Council tabled Legislation No. 0247-13, the Navajo Nation Fiscal Year 2014 comprehensive budget.

After lengthy discussions and the approval of 30 amendments over the course of three days, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Ojato, Ts’ah Bii Kin) motioned to table the legislation and requested for a special session, noting that the FY 2014 comprehensive budget requires two-thirds majority approval, or sixteen supporting votes, by Council.

“The legislation requires super majority and we need full membership here,” said Delegate Nez.

Legislation sponsor Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) supported the tabling motion, adding that he would not seek a continuing resolution.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) urged his Council colleagues to support a continuing resolution.

“If the vote is not here then it should be deemed that this legislation failed and we should start off with a continuing resolution on Monday,” stated Delegate Tsosie. “The wise thing to do is have a continuing resolution.”

At the conclusion of the debate, Council members voted 15-1 in support of the tabling motion.

A special session to address the FY 2014 comprehensive budget is scheduled to begin on Monday, at 1 P.M. at the Council Chambers in Window Rock.

If the budget is approved on Monday, Council will remain in compliance with a requirement which mandates that Council adopt a comprehensive budget 20 days prior to the new fiscal year, which begins Oct. 1.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Supports State Plan to Reduce Nitrogen Oxide at SJGS

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly stated his support for a New Mexico state plan that was recently approved by the New Mexico Environmental Improvement Board regarding cleaner emissions for San Juan Generation Station near Farmington, New Mexico.

“I support this plan because jobs are going to be protected and Navajo workers are going to get job training. I am thankful the Environmental Improvement Board passed the plan, though I still am advocating to the federal government to consider the economic impacts of the Regional Haze Rule. The Navajo Nation needs time to transition from our revenue dependency upon coal,” President Shelly said.

President Shelly testified at a public hearing in Farmington on Thursday stating his support of the state’s plan to comply with federal Environmental Protection Agency polices to cut emissions according to the Regional Haze Rule. The EIB unanimously approve the state plan late yesterday evening.

The state plan calls for the closure of two of four units at SJGS, a coal fired power plant, by the end of 2017, while installing nitrogen oxide reducing technology on the remaining units by 2016. The plan would still need federal EPA approval.

“This state plan addresses my concerns and perspectives regarding impacts to the Navajo Nation and our region. This plan is an important step forward in meeting the requirements of the federal visibility rule and minimizes the economic impacts to the region,” President Shelly said at the hearing.

San Juan Generating Station employs nearly 90 Native American workers and nearby San Juan mine, which is the sole supplier of coal to SJGS, employs about 230 Native American workers, most of which are presumed to Navajo.

President Shelly has been meeting with Public Service Company of New Mexico, SJGS primary owner, to ensure that Navajo workers aren’t laid off as a result of closing two units at the power plant.
In addition to no workers at the plant being laid off, PNM is providing $1 million for job training for Navajo workers. The job training funding has been made available to students at Navajo Technical University in Crownpoint and at San Juan Community College in Farmington.

“I am thankful that we are protecting Navajo jobs and providing opportunities for Navajo workers. We need to secure and grow the Navajo middle class to create a stronger Navajo economy and these workers are a vital part of that vision,” President Shelly said.

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Press Release
For Immediate Release

Contact: Christina Tsosie, Media Production Specialist
Navajo Nation Office of Broadcast Services
928.871.7826
christina.tsosie@navajo-nsn.gov

NNTV5 to provide live webcast of Miss Navajo Nation Pageant and Navajo Nation Parade

Window Rock, AZ – The Navajo Nation TV5 (NNTV5), in partnership with the Navajo Nation Department of Information Technology and Navajo Arts and Craft Enterprise, will be providing a live webcast of the following events.

Miss Navajo Nation Pageant:

- September 5, 2013 @ 1:30 p.m. - Traditional Skills & Talent Competition
- September 6, 2013 @ 9:00 a.m. - Contemporary Skills & Talent Competition
- September 6, 2013 @ 6:00 p.m. - Evening Gown Competition
- September 7, 2013 @ 5:00 p.m. - Coronation of Miss Navajo Nation 13'-14'

Navajo Nation Parade

- September 7, 2013 to begin at 8:00 a.m.

The webcast can be found on the NNTV5 channel: www.ustream.tv/channel/nnobs. All fair event information can be found on the Navajo Nation Fair website: www.navajonationfair.com. Thank you.
FOR IMMEDIATE RELEASE
September 04, 2013

AUTOMOBILE PURCHASING SEMINAR SLATED TO HELP NAVAJO
CONSUMERS AVOID PREDATORY TACTICS

ST. MICHAELS, AZ – Purchasing an automobile could become an extensive and
complicated process. If you are properly prepared you can walk away with a valuable and
worry-free investment. The Navajo Nation Human Rights Commission (Commission)
would like to inform Navajo consumers about credit and information protection by
providing Automobile Sales and Financing Practice seminar on September 6, 2013 at the
Navajo Nation Museum. This one-day consumer protection seminar will begin at 8:30
a.m.

The Commission received over a hundred written complaints and testimonies
from three public hearings and came to the conclusion that automobile sales and lending
practices in border towns verge on predatory tactics. These tactics leave the buyer more
in debt and wondering how they are going to meet other family financial obligations.
During a nine month period the Commission examined the sales, lending and finance
maneuvers local dealerships engage into when dealing with non-English speaking Navajo
consumers.

This seminar will address issues that should help Navajo consumers understand
how a credit score determines a person’s annual percentage rate (APR) and how a
consumer can improve to correct their credit score. Expert presenters from the Consumer
Finance Protection Bureau, the Arizona and New Mexico Attorney General Office’s and
the Navajo Nation Credit Services will also provided information pertaining to fraudulent
practices and how you can protect yourself. Consumers will be aware of the types of
information dealerships collect and organize. Detail information will be provided on
warranties when a consumer starts to have problems with vehicle parts and repairs.
Moreover, laws concerning “cool down” provision, lemon laws, arbitration clauses and
unwinding a sales contract will also be discussed.

The Commission urges new or existing automobile consumers to attend this
seminar before contemplating buying a vehicle in the near future. To ensure the public is
properly informed, intermittent Navajo language service will be available to assist non-
English speaking consumers with information disseminated by the presenters.

For more information please contact the Office of the Navajo Nation Human Rights
Commission at 928-871-7436.
FOR IMMEDIATE RELEASE
DATE: Tuesday, September 3, 2013

TUBA CITY JUDICIAL DISTRICT TO HOST FEDERAL TRIAL

The Tuba City Judicial District is hosting a federal trial of the United States District Court for the District of Arizona September 11-12. U.S. District Judge G. Murray Snow will preside.

The case is United States v. Edsel A. Badoni, No. CR-12-8262-PCT-GMS. Mr. Badoni is charged with (1) assault with a dangerous weapon, (2) assault resulting in serious bodily injury, and (3) discharging a firearm during a crime of violence.

The hosting of this proceeding on the Navajo Nation will give local students and the general public the opportunity to witness a federal trial first-hand and to learn about the justice system.

The trial will begin at on September 11, 2013, and is expected to continue on September 12, 2013. Seating will be limited.

For more information, please contact the Tuba City Judicial District at (928) 283-3140.

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FOR IMMEDIATE RELEASE
September 3, 2013

Council approves the Navajo Nation Audit Report for FY 2011

WINDOW ROCK – Today, the Navajo Nation Council approved Legislation No. 0251-13, the audit report from KPMG LLP on the primary government of the Navajo Nation, for fiscal year 2011.

The majority of Council’s discussion centered on the need for more comprehensive reporting regarding the Nation’s Permanent Trust Fund investments and the need for in-depth audits at the chapter level.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) stressed the need to include the 110 chapters in the annual audit to gain a clearer picture of the Nation’s finances.

“I think the [Budget and Finance] Committee and this Council should take responsibility and have all audits be combined during budget season, so we can get a bigger and better picture of the state of Navajo Nation finances — meaning the chapters, the enterprises, and the primary government,” said Delegate Tsosie.

Council Delegate Jonathan Hale (Oak Springs, St. Michaels) also voiced the need for in-depth chapter audits, aside from current performance audits conducted by the Navajo Nation Office of the Auditor General.

“The only time we hear of chapter financial situations is through investigations when money is missing,” said Delegate Hale. “We need to be proactive in order to negate such happenings.”

Council members were also provided with information regarding the Nation’s Permanent Trust Fund, which showed that as of June 30, 2013, the Nation’s investments were valued at approximately $1.4 billion.

The Nation’s Permanent Trust Fund was established in 1985 by the Council, mandating that 12 percent of the Nation’s annual revenue be invested in the fund each year.

Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) asserted that the Nation’s trust fund has grown, contrary to suggestions that the Nation is subsidizing its own investment growth.

“We made a contribution of $400 million as of June 30, 2013 and the balance sheet shows $1.4 billion, so money is being made,” said Delegate Simpson.
Delegate Tsosie also questioned the increase in personnel expense for the Nation in FY 2011 and urged his Council colleagues to re-evaluate personnel costs.

“Why is it that everyone’s pay is going up and nothing is happening out there?” asked Delegate Tsosie. “We need to shake our budget upside down, get rid of those that are not working, and identify those that we need.”

At the conclusion of the two hour discussion, Council members voted 12-4 in support of Legislation No. 0251-13.

During a Naabik’íyáti’ Committee meeting held last Friday, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Ojájato, Ts’ah Bii Kín) explained to fellow committee colleagues that the FY 2012 and 2013 audits have yet to be completed due to a court order that blocked access to Administration Buildings One and Two, which contained financial documents necessary to complete the audits.

As a result, the FY 2011 audit was the only item discussed at today’s Council’s session.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
October 31, 2013

Health, Education, and Human Services Committee approves legislations to tax “junk foods” and eliminating tax on fresh fruits and vegetables

WINDOW ROCK – The Health, Education, and Human Services Committee met on Wednesday, to discuss Legislation No. 0289-13 and Legislation No. 0290-13, a conjoined effort to implement a two-percent tax on certain “junk foods” and beverages and to eliminate the sales tax on fresh fruits and vegetables on the Navajo Nation.

On Oct. 15, the HEHSC voted to delete both legislations from their agenda, to allow for the legislation sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) to work with various Navajo Nation entities to improve the language of both legislations.

“Every single day we face health issues like cancer and diabetes. The taxation of junk food is one way we can go about addressing this issue,” said Delegate Simpson. “We have worked with the Navajo Tax Commission, Navajo Division of Health, and Division of Community Development to improve this legislation according to the HEHSC’s recommendations.”

Following the presentation, HEHSC member Council Delegate Kenneth Maryboy (Mexican Water, Aneth, Teecnospos, Tólikan, Red Mesa) said he supported both legislations, but would consider the needs of people already living with such health conditions.

“In our [Navajo] culture, we use food as a way to celebrate during traditional ceremonies, revivals, and peyote meetings. I would like to know if anyone is monitoring the soda we drink and the mutton stew we eat after those gatherings,” said Delegate Maryboy. “We need to help educate our people about making healthy choices everyday.”

HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) said he believes there is a better to influence food choices besides imposing taxes, add that he would support the legislation if the proposed tax was instead decreased to one-percent.

Speaking in favor of the legislation, HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) suggested that the sponsor work with the Indian Health Service to coordinate a study that evaluates “junk food” purchases on the Nation.

“If this legislation passes, I would like for us to monitor its progress within the first three years of its implementation,” said HEHSC vice chair Council Delegate Charles Damon II ( Bááháállí, }
Delegate Damon proposed an amendment to attach additional supporting exhibits to the legislation and to include language that requires a review of the taxation process in three years.

HEHSC members approved the amendment with a vote of 3-0, and passed Legislation No. 0289-13 with a vote of 2-1.

Following the vote, the HEHSC unanimously passed Legislation No. 0290-13 with a vote of 3-0.

The legislations will be considered by the Navajo Nation Council for final approval.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly States Support for NTEC Purchase of Mine

WINDOW ROCK, A.Z. – Navajo Nation President Ben Shelly stated his support for Navajo Energy Transitional Company’s purchase agreement of Navajo Mine from BHP-Billiton. The two companies signed a purchase agreement earlier today.

“I support NTEC and their agreement to purchase Navajo Mine from BHP-Billiton. We have to preserve existing jobs on the Navajo Nation and today NTEC is taking a step in the saving more than 800 jobs and revenue for the Navajo general fund.

With the Navajo Nation Energy Policy and Navajo Mine ownership, we are solidifying a Navajo energy future that includes coal, solar, wind, gas, oil, and other forms of energy. Our future is stronger with the Energy Policy, and that strength secures the future of Navajo Mine.

We have much work before us for NTEC to become full owners of Navajo Mine. We have intelligent and competent Navajo people leading the charge for the Navajo Nation’s newest venture into energy.

For the Navajo Nation, we must remain vigilant to protect our vested interests in Navajo energy, and keep our eyes on the future because the work we do today is for our grandchildren. Our future children are our most precious resource.”

Navajo Mine has approximately 430 employees, 85 percent of whom are Native American, and has supplied fuel to the Four Corners Power Plant for 50 years. The mine supplied the Navajo Nation more than $40 million in revenue in 2011.

NTEC is the newest enterprise of the Navajo Nation.

###
NDOT partners with chapter and county for paving projects

ALBUQUERQUE—Partnership is the future of transportation.
In an industry where paving one mile of roadway at a cost of $1 million is not uncommon, stretching that transportation dollar is more important than ever in this age of sequestration and budget cuts.

Navajo Division of Transportation teamed up with Bernalillo County Public Works Division and the Tohajiilee Chapter to pave two miles of road in the community. The paving project is for access roads connecting the community with healthcare facilities and the chapter house.

On Oct. 25, 2013, all three entities met at the Public Works Division in Albuquerque to discuss progress on the project and to prepare for the final phase of paving.

NDOT director Paulson Chaco said the collaboration with the chapter and county was crucial to providing residents with accessibility to their facilities.

“Partnering with the chapter and county, we provided asphalt, which was utilized to pave two miles of road in Tohajiilee,” Chaco said. “There is still another mile that will be paved.”

Bernalillo County matched NDOT and the chapter dollar for dollar, with in-kind services to pave the roadway, utilizing their own equipment and manpower.

NDOT contributed 7,360.26 tons of warm mix asphalt at a cost of $441,785.75 which was paid in Sept. 2013. Tohajiilee Chapter contributed 4,432 tons of warm mix asphalt at a cost of $295,000 which was paid in July 2013.

The two Navajo entities contributed a total of $736,785.75 toward the project, which was matched by Bernalillo County for a total project cost of $1,473,571.50 to pave two miles of road in Tohajiilee and one mile of road owned by the county.

The symbiotic nature of the agreement allowed Bernalillo County to use a portion of the asphalt surplus to pave a one mile segment of a frontage road in their jurisdiction, just off I-40, near the casino owned by Laguna Pueblo.

Laguna Pueblo recently acquired lands in the area outside the Tohajiilee reservation boundaries, near the improved roadway in the county’s jurisdiction.

After the one mile portion of the county road was paved, Laguna Pueblo approached the Mid-Region Council of Governments of...
New Mexico to take over the road.

David Mitchell is the department director for Bernalillo County Operations and Maintenance.

Mitchell said the Bureau of Indian Affairs needed to be involved with the project to clear up jurisdictional issues that may arise in the future.

“BIA needs to get involved to say that’s a public road,” Mitchell said. “Of course (Laguna is) interested in taking over the road, we just finished paving it.” Mitchell said.

Chaco said NDOT would share design plans on the chapter access road with Bernalillo County before next paving effort in Tohajiilee.

The partnership formula is gaining traction and becoming more popular, because the cost of construction is divided between all the entities involved.

NDOT has long advocated for partnerships with the tribal, county, state and federal entities for road maintenance and construction.

“The counties have been doing this kind of work for a long time, especially McKinley County and Apache County in Arizona,” Chaco said. “You’ve got to be innovative with stretching that dollar.”

Tohajiilee community services coordinator Nora Morris was not satisfied with recent developments and demanded more roads be paved for her chapter.

“That’s not my only road. Remember, there’s 68 miles on my reservation that needs to be paved,” Morris said.

For now, NDOT plans on finalizing the Tohajiilee paving project and begin preparation for the snow removal activities that will undoubtedly have the Department of Roads busy for the winter season.

In addition to manpower, Bernalillo County utilized a bulldozer, two motor graders, a compactor, water truck, and several county trucks to complete the paving project near the Tohajiilee health centers.

During recent flooding in Sept., Bernalillo County road crews had to ensure the newly-paved road was not negatively impacted by flood waters.

Mitchell said, “They build a detention basin right in here. It traps the water that’s flowing down. Then it meters out and goes into a 24-inch culvert that’s under the road now.”

If weather permits, Bernalillo County road crews will be back out in Tohajiilee in two to three weeks to finalize the partnership project, paving the chapter house access road and hopefully connecting it to Medicine Horse Road near the medical clinic.

Information: www.navajodot.org

-30-
FOR IMMEDIATE RELEASE
October 30, 2013

NAVAJO NATION HUMAN RIGHTS COMMISSION TO CLOSE OFFICE FOR WORKSESSION ON STATUS OF NAVAJO WOMEN, GENDER VIOLENCE AND THE RIGHTS OF INDIGENOUS PEOPLES

ST. MICHAELS, NAVAJO NATION - The Navajo Nation Human Rights Commission will close the office on Thursday, October 31, 2013 beginning at 8:00 a.m. through Friday, November 1, 2013 ending at 5:00 pm. The Commission and staff will host a work session on The Status of Navajo Women, Gender Violence and the Rights of Indigenous Peoples at the Ft. Defiance Chapter House both days. The Commission will also conduct its November meeting on Friday, November 1, 2013 at the Ft. Defiance chapter house. Please contact the Legislative Branch, Office of the Navajo Nation Speaker at 928-871-7160 to leave a message for the Commission or staff. NNHRC will resume its regular hours on Monday, November 4, 2013 at 8:00 a.m.
FOR IMMEDIATE RELEASE
October 29, 2013

Resources and Development Committee approves financial audit and corrective action plan for Navajo Mountain Chapter

LECHEE, Ariz. – On Tuesday, the Resources and Development Committee approved the financial audit and corrective action plan for the Navajo Mountain Chapter.

The audit was conducted and submitted by the Navajo Nation Office of the Auditor General and the Navajo Mountain Chapter submitted the corrective action plan with the assistance of the Local Governance Support Center.

“In collaboration between the new chapter officials, LGSC, and the auditor general, they were able to develop a corrective action plan in response to the findings in the audit report,” said legislation sponsor Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Olijato, Ts’ah Bii Kin).

According to the audit report, there were three major findings: chapter internal controls were deficient, chapter did not consistently comply with applicable laws and funding guidelines, and $129,000 in unauthorized checks were issued by the former Community Services Coordinator.

Auditor General Elizabeth Begay, stated that the audit findings are a result of the previous chapter administration that did not correctly account for spending, debauched reconciliation, lack of financial reports, misappropriation of funds, and other budget related issues.

“I am very surprised these sort of things are going on at such a small chapter because they are not dealing with large amounts of money or transactions. However, I am glad the current administration is doing their best to correct the problems,” said RDC member Leonard Pete (Chinle).

RDC member Council Delegate David Tom (Beclabito, Cove, Gad’i’ahí/Tó’koi, Red Valley, Sheep Springs, Toadlena/Two Grey Hills, Tsé Alnáoz’tl’i) asked what would occur if the chapter did not implement the CAP.

“At this point, if the CAP is not implemented by the Navajo Mountain Chapter, or they do not adhere to the guidelines, there will be consequences and sanctions,” said Begay. “For instance, the official’s stipends could be withheld, or a 10 percent withholding of the operating budget.”
At the conclusion of the meeting, RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) stressed the importance of financial check off sheets, reports, and other budget monitoring tools that are available to all chapters and programs for efficient record-keeping.

“The long-range vision of the CAP is for the Navajo Mountain Chapter to be government certified, and after approval of this legislation, they are closer in achieving this goal,” said Delegate Nez.

RDC voted 4-0 to approve Legislation 0259-13. The legislation now goes to the Budget and Finance Committee for consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
October 25, 2013

Speaker Naize and Delegate Bates continue to advocate for the approval of the Nation’s Gaming Compact with the State of New Mexico

Photo: Speaker Johnny Naize, President Ben Shelly, and Council Delegate Lorenzo Bates discuss the proposed Gaming Compact between the Navajo Nation and the State of New Mexico with the New Mexico Legislative Finance Committee, on Oct. 25.

SANTA FE, N.M. – Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) and chair of the Naabik’íyáti Committee’s Gaming Task Force Subcommittee Council Delegate LoRenz’o Bates (Nenahnezad, Newcomb, San Juan, Tiis Ts’oh Sikaad, Tse’Daa’Ka’an, Upper Fruitland), met with the New Mexico Legislative Finance Committee on Friday morning, to advocate for the approval of the proposed Gaming Compact between the Navajo Nation and the State of New Mexico.

Currently, the Nation is one of five tribes signed onto a 2001 Gaming Compact which is scheduled to expire on June 30, 2015. The Nation entered into the Compact in 2003.

“The Navajo Nation’s current unemployment rate stands at 50-percent,” said Speaker Naize. “We are struggling and in need of economic development. This is why the jobs and revenue from our casinos are more important than ever before.”
Speaker Naize concluded his statements by assuring the state legislators that the proposed compact is fair and reasonable and will continue to benefit both parties.

In May 2012, the Navajo Nation began initial discussions with Gov. Susana Martinez’s Lead Negotiator and after nine months of tough negotiating, an agreement was reached on the terms of the Compact.

On Mar. 8, Gov. Martinez submitted the Navajo Nation Compact to the Committee on Compacts which later recommended the approval of the Compact and submission of a joint resolution to the New Mexico Legislature for a vote.

Although the New Mexico Compact Negotiation Act requires the legislature to act without delay, the Gaming Compact was not placed on the Senate floor for a vote during the 2013 State Legislature’s regular session.

In response to questions from the Legislative Finance Committee, Navajo Nation Department of Justice attorney Karis Begaye, explained that failure to approve the proposed Compact at the 2014 State Legislature’s regular session would terminate the Compact and require a new one to be negotiated, in accordance with the New Mexico’s Compact Negotiation Act.

We would have to issue another letter the Governor requesting for negotiations to open and begin the process again, said Begaye.

“For five years, we have patiently followed the process provided by the Compact Negotiation Act. It is the Nation’s position that this Compact does not go back to the Committee on Compacts and should be moved to the House and Senate floor for a ‘yes’ or ‘no’ vote,” Delegate Bates stated.

Delegate Bates also emphasized that the proposed Compact is an agreement between the Navajo Nation and the State of New Mexico and does not bind any other tribe.

The Navajo Nation Gaming Enterprise currently owns and operates two Class III gaming facilities and one Class II gaming facility in the State of New Mexico.

The New Mexico State Legislature is scheduled to convene for its regular session in January.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
October 24, 2013

Speaker Naize signs several key legislations including the Navajo Energy Policy of 2013 and amendments to NTEC

WINDOW ROCK – On Thursday afternoon, in the presence of dozens of legislative staff, media reporters, and spectators, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) signed and certified several significant legislations recently passed by the Navajo Nation Council.

During the signing ceremony, Speaker Naize addressed the passage of the Navajo Energy Policy of 2013, and expressed appreciation to members of the Resources and Development Committee for their active roles in developing the policy.

“It serves as guidance — a reference for bringing energy development to our Nation,” said Speaker Naize.

Also speaking at the ceremony was Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill), who sponsored the Navajo Energy Policy of 2013.

“This is a major initiative in which the Navajo Nation has entered, one is to develop a format that allows the Navajo Nation to engage in its own resources,” said Delegate Smith.

Speaker Naize also signed two separate legislations concerning the Nation’s possible acquisition of the BHP Navajo Mine, including authorizing $4.1 million for the Navajo Transitional Energy Company, LLC for costs associated with the acquisition of the mine, and another legislation that amends the initial enabling resolution that established NTEC.

“As a leader of this Nation, we have to be very careful about how we manage our resources, in particular coal,” Speaker Naize said. “At the same time, the signing of the NTEC legislation does allow setting aside 10 percent of its profit for renewable energy so the Navajo Nation doesn’t concentrate only on burning coal, but we also look at renewable energy — solar, wind, and so forth.”

Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’), who served as Speaker Pro Tem during several discussions and votes over the course of the Council’s Fall Session, extended his appreciation to his fellow Council colleagues for approving the NTEC legislations.

“I certainly want to express my appreciation to the Council for giving their support for the Nation to progress ahead and move forward to identify itself through its utilities and also through mineral development in an effort to bring prosperity to the Nation,” said Delegate Begay.

Also included in the signing ceremony, were the Navajo Housing Authority Reform Act of 2013 and an enabling legislation that authorizes the Navajo Nation Telecommunications Regulatory Commission to implement and manage a 911 emergency response system for the Nation.

Immediately following the signing ceremony, the legislations were sent to President Ben Shelly’s office for his signature.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Signs Legislation for Energy Policy and Another for NTEC Funding

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed legislation enacting the Navajo Nation Energy Policy of 2013 during a signing ceremony this afternoon at his office.

President Shelly also signed legislation allocating about $4.1 million to Navajo Transitional Energy Company (NTEC) and a third legislation that changed the operating policies of NTEC.

“This is a great day for the Navajo Nation,” President Shelly said after he signed the documents.
For three years, President Shelly has been advocating to update the Navajo Energy Policy, which was created in 1980. The Energy Advisory Committee that was chaired by Fred White, Natural Resources division director, created the updated Energy Policy and submitted the policy to the Navajo Council to initiate the legislative process.

“I am happy the Council passed the Energy Policy,” White said shortly after the legislation passed earlier this week.

Navajo Council Speaker Johnny Naize, who sponsored the bill, called the Energy Policy “a basic framework for which our Nation can work with other entities to effectively use our resources for energy development.”

The policy will allow for the Navajo Nation to have direction and guidance for energy development and other initiatives. In addition, President Shelly has stated the Energy Policy puts the Navajo Nation in a better position to advocate for funding from federal sources for energy studies, projects and other projects.

“I want to thank the Navajo Nation Council for the cooperation and the spirit of working together to pass the energy policy. It’s been a long journey. Much work from both branches of government went into today’s ceremony. Now we can move ahead with our future of renewable and non-renewable energy,” President Shelly said before he signed the legislation.

The legislation pertaining to NTEC allocated $4.1 million to the company for costs relating to start up and expenses acquired during the due diligence investigation.

The other legislation amends the operating policies for NTEC.

###
Navajo President Shelly Signs Agreement with Gallup and McKinley County for Detox Center

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed an agreement Thursday morning making way for the Navajo Nation to operate the Gallup Detox center.

“Today, we come together as three governments to partner and provide a basic service for people who walk that lonely road of alcohol abuse and addiction,” President Shelly said before he signed the Memorandum of Agreement with the city of Gallup and McKinley county.

The MOA created a basic structure to fund the detox and aftercare treatment facility and gave the Navajo Nation the authority to operate the program. Plans call for the Navajo Nation Department of Behavioral Health to oversee the operation.
Gallup and the Navajo Nation also agreed to provide $670,000 to improve the property to meet any codes and standards by Jan. 1. The Navajo Nation will provide $350,000 of the funding while Gallup will provide $320,000.

In addition, the MOA also stated that Gallup and McKinley County would use 10 percent of revenues from the alcohol excise tax to go toward funding the detox facility on an annual basis.

 McKinley County Commissioner Genevieve Jackson signed the agreement on behalf of McKinley County and Gallup Mayor Jackie McKinney signed on behalf of Gallup.

“We’re really grateful that the three agencies came together to address this matter because it is our responsibility,” Commissioner Jackson said.

Mayor McKinney expressed his gratitude for the agreement.

“This is a great venture and I am so happy and proud to be a part of this,” Gallup Mayor Jackie McKinney said.

The agreement comes after the Na Nizhoozhi Center Inc. closed its operations in June. Since then the three governments have been formulating an agreement to keep the detox and treatment center open.

“We are going to work together to help people escape the grips of alcoholism and alcohol abuse, so people may make their lives better for themselves and their families,” President Shelly said. “Thank you all for your hard work and dedication to make this possible.”

###
FOR IMMEDIATE RELEASE
October 24, 2013

Navajo Nation Council approves NHA Reform Act of 2013

WINDOW ROCK – On Wednesday, the Navajo Nation Council approved the Navajo Housing Authority Reform Act of 2013, amending Title 6 of the Navajo Nation Code.

The initial legislation allowed the Navajo Nation President to appoint Commissioners to the NHA board with the Resources and Development Committee having the authority to confirm the selected candidates.

According to the legislation, if the President does not appoint a Commissioner within 60 days, then the oversight committee will select and confirm the candidate.

Legislation prime sponsor Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said he hopes commissioners are selected and confirmed on a merit basis, adding that it is important that candidates possess qualifications and expertise in business practices and the housing industry.

“One of the main concerns regarding this legislation is whether or not RDC should have the authority to oversee the NHA board," said Delegate Tsosie.

Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) motioned for an amendment to replace the oversight committee from RDC to the Naabik’íyáti’ Committee.

Delegate Simpson’s amendment included 11 changes within the language of the legislation to replace RDC as oversight with the Naabik’íyáti’ Committee.

The Council voted 18-0 to pass the amendment.

Upon approval of the amendment, the Council expressed their support in allowing the Naabik’íyáti’ Committee to oversee the NHA board.

“I am glad this amendment passed because now it allows all delegates to advocate on behalf of their chapters and we can all have equal input regarding the NHA board,” said Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau).
Delegate Yazzie added that this legislation could open the doors for the Naabik’íyáti’ Committee to become the oversight committee for other boards to allow each delegate to advocate on behalf of their chapters.

Other components of the legislation address basic qualifications, removal of commissioners, exercise of powers, and terms of office. It also states that at least three of the Commissioners will each reside in Arizona, New Mexico, and Utah.

Council voted 21-0 to pass Legislation No. 0006-13.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
October 23, 2013

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


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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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
October 22, 2013

Council approves the Navajo Energy Policy of 2013

WINDOW ROCK – On the second day of the Council’s Fall Session, Council members approved Legislation No. 0276-13, the Navajo Energy Policy of 2013.

If signed into law, the Navajo Energy Policy of 2013 would rescind the 1980 Navajo Nation Energy Policy, established under former Chairman Peter MacDonald and update and amend language within the original energy act.

In a written report provided to Council on Monday, Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) described the policy as, “a basic framework for which our Nation can work with other entities to effectively use our resources for energy development.”

Speaker Naize, who co-sponsored the legislation, also emphasized that the policy is subject to future amendments and should not be considered “set in stone.”

“It is our hope that the energy policy will remain a working document as we begin to further define the process for dealing with energy related projects and programs,” wrote Speaker Naize.

The bill was previously considered by Council during a special session held last Wednesday. However, as a result of Council losing quorum prior to the vote on the main motion, the item was placed on the Fall Session agenda.

During last week’s special session, Council Delegates Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) and Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) urged Council members to vote down the legislation to allow additional time to make the bill “stronger” by including more definitive language.

Council also approved three amendments during the special session, which included adding language to ensure that the Council can amend the energy policy in the future, and another amendment stating that the executive and the legislative branches shall be involved in the negotiation and approval of energy agreements.

Following a debate over floor rules and questions over whether the legislation should be the first item discussed at today’s session, Speaker Naize called for a vote on the main motion.

Council members approved Legislation No. 0276-13 with a vote of 13-6.
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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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
Navajo Nation Council authorizes the NNTRC to implement and manage the Nation’s 9-1-1 emergency response system

WINDOW ROCK – The 22nd Navajo Nation Council voted today to approve Legislation No. 0212-13, an enabling legislation that amends Title 2 and Title 21 of the Navajo Nation Code, and authorizes the Navajo Nation Telecommunications Regulatory Commission to implement and manage a 9-1-1 emergency response system within the Navajo Nation.

“We need this legislation to lay the foundation to build a sustainable 9-1-1 system. We are losing lives without it,” said legislation sponsor Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii). “Emergency response is a major challenge for our isolated Navajo communities.”

The legislation was previously approved by the Health, Education, and Human Services Committee, Law and Order Committee, and the Naabik’iyati’ Committee.

During the discussion, Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) raised concern over whether the Nation would need to waive its sovereignty to obtain funding from the federal and state governments.

NNTRC acting executive director Brian Tagaban, said the legislation would not require the Nation to waive its sovereignty, but would require the Nation to comply with the guidelines of each funding source. He also added that the bill would allow the Nation to exercise its sovereignty by authorizing the NNTRC to design and plan the 9-1-1 system guidelines and regulations.

“Developing this system is a lengthy process, and unfortunately I don’t see any other agency or department taking on this authority,” said Tagaban. “We will now be in the position where the Navajo Nation can make a 9-1-1 system a reality by designating jurisdiction, developing a service plan, and obtaining eligibility for funding.”

Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahast’la’a’) questioned if the NNTRC was capable of taking on the additional responsibility, as they are already tasked with regulating all of the Nation’s telecommunication services.

In response, Tagaban explained that the NNTRC requested for additional personnel and listed this initiative as an administrative shortcoming in the NNTRC’s 2014 Fiscal Year budget.
Additional personnel would allow for the NNTRC to complete rural addressing and additional requirements necessary for obtaining funding, according to Tagaban.

“This legislation is the first step to creating a safer Navajo Nation. The next step will be to address the need for more Navajo Nation police officers,” said Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau).

Prior to the Council’s vote, Delegate Phelps said he has encouraged President Ben Shelly to support future funding for the 9‐1‐1 system, and has received support from U.S. Rep. Ann Kirkpatrick of Arizona.

The Council approved Legislation No. 0212-13 with a vote of 19-0.

President Ben Shelly will have 10 calendar days to consider the legislation once the legislation is sent to the Office of the President and Vice-President.

# # #
For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Applauds the Passage of Navajo Nation Energy Policy

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly applauds the Navajo Nation Council for passing the Navajo Nation Energy Policy earlier today in the Council’s Fall Session in Window Rock.

“I applaud the Navajo Nation Council for passing the Navajo Nation Energy Policy. This policy was created after many town hall meetings that were held throughout the Navajo Nation. We heard directly from the communities and the Shelly/Jim administration put forth the effort to update the Energy Policy of 1980. We have new energy platforms to consider as we look to the future of Navajo energy. We have the opportunity to purchase a coalmine and attain partial ownership of a power plant, but yet, we must keep a strong grasp on renewable energy sources as well. We have to be more diverse with our energy portfolio in the future and the Energy Policy will help guide us to that future,” President Shelly said.

The Navajo Nation Council passed legislation 0276-13, the 2013 Navajo Energy Policy, with a vote of 13 in favor and 6 opposed. Once the legislation is received at the Office of the President and Vice President, President Shelly will have 10 calendar days to review the legislation.

###
Navajo President Shelly Makes Case for Navajo Energy Policy During State of Nation Address

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly, during an energy focused State of the Navajo Nation address to the Navajo Nation Council, said the Navajo Nation Energy Policy needs to be passed by the Council.

The Council also heard about the 911 program, data center opening, update regarding the former Bennett Freeze area, and the Veterans Trust Fund.

Speaking mostly in Navajo, President Shelly iterated that the Navajo Nation Energy Policy would bring forth future direction as the Navajo Nation expands its energy portfolio. The president based his speech on the written report he submitted to the Council, which was passed 13 in favor and one opposed.

“(The Energy Policy) is a comprehensive document in which we poured nearly three years of work into, in order to set the stage and the future for energy,” the President stated in a written report to the Council.

“With our abundance of resources, both natural and renewable, it makes perfect sense to have a policy to guide us in decades to come. Our partnership with the U.S. Department of Energy’s two national laboratories has given us direction,” President Shelly wrote.
The written report also stated that Navajo Nation’s future with coal is in clean coal technology such as carbon sequestration and the use of carbon credits acquired through cleaner coal technology.

“We have been advised, with our new direction in clean coal, we will shore carbon credits, which hold a value. We will sell them to other power producing companies in North America as they do their part in coming into compliance,” President Shelly wrote.

President Shelly also talked about renewable energy.

“Renewable energy is also our destiny. In September, we opened a 45,000 square foot facility in Fort Defiance, the very first solar (panel) manufacturing and assembly plant in Indian country,” President Shelly stated.

Nabeeho Power is recruiting workers and plans to have as many as 400 workers in Fort Defiance, Ariz. when fully operational. In addition, President Shelly, said Paragon Ranch in New Mexico is undergoing a feasibility study for a solar energy project.

The report also updated the Council about the Navajo Nation’s 911 program.

“Our Telecommunication Regulatory Commission will create a way to bring a next generation 911, responsive to emergencies where 911 calls are handled here, and not from far away locations,” President Shelly wrote. He added that the Heath, Education and Human Services Committee and the Law and Order Committee have worked with the Telecommunications Regulatory Commission to make the legal changes to make way for the Navajo Nation to regulate the 911 program.

President Shelly also updated the Council about the first tier three data center that opened in August in Shiprock. He said that the Navajo Nation has the opportunity to be a prime location for future data centers because of the climate and stable environment.

Another point President Shelly made was about his line item veto of $3 million legislation for Bennett Freeze development. He said that a proper plans need to be in place so most of the money would directly benefit the residents.

“I have asked for the legislation to be done correctly. We will ensure that the land status be solely under Navajo Nation jurisdiction, and that a comprehensive plan for the prudent use of the $3 million be made before I reconsider,” President Shelly wrote.

The president added that the Veteran’s Trust amendments made last month will help Navajo veterans gain access to new homes and repairs to existing homes.

“Funds will be equally distributed to the five agencies to build 15 homes per agency using the existing waiting list," President Shelly wrote.

The Navajo Nation Council is expected to discuss the Energy Policy legislation on Tuesday.

###
FOR IMMEDIATE RELEASE
October 21, 2013

Speaker Naize delivers report to the Navajo Nation Council on the first day of the Fall Session

WINDOW ROCK—Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood) provided a written report to the Council highlighting progress on core issues and initiatives on the first day of the Navajo Nation Council’s Fall Session.

Speaker Naize began by commending the Council for passing the Nation’s FY2014 Comprehensive Budget and shared his disappointment with President Ben Shelly’s line-item veto of certain allocations, including $3 million for projects in the Former Bennett Freeze area, approved by Council during its annual budget hearings held in September.

“This funding had the potential to benefit many of our Diné citizens living in this particular area,” said Speaker Naize in the written report. “The veto power granted to President Shelly by the people is very general in its definition and questions still remain as to how the veto power can and should be used.”

Concerning the Nation’s energy issues, Speaker Naize advocated for the possible purchase of the BHP Navajo Mine through the Nation’s wholly owned subsidiary, Navajo Transitional Energy Company, LLC.

“We have invested a tremendous amount of human and financial resources to bear on the solution to this dilemma, and I believe we are nearing a successful end to this epic challenge,” stated Speaker Naize in his report.

Speaker Naize continued on to state that NTEC will not only provide immediate economic stability, but it will also allow the Nation to transition to renewable energy resources by devoting 10 percent of its annual net income to developing new technology for clean energy development.

“NTEC represents a pragmatic path of transition to an era of cleaner and renewable energy by expanding the Navajo economy, rather than disrupting the economy by abandoning its coal assets,” Speaker Naize stated in his report to Council.

The report also touched upon the proposed Navajo Energy Policy of 2013, which is an item currently on the Council’s Fall Session agenda.

“The policy outlines a basic framework for which our Nation can work with other entities to effectively use our resources for energy development,” stated Speaker Naize. “I understand that
delegates have questions and concerns and I encourage each of you to voice your recommendations and amendments as we discuss the legislation.”

The proposed policy was discussed during a special session held last Wednesday, however, Council lost quorum prior to the vote on the main motion.

Other topics included in Speaker Naize’s report include the Fort Wingate Military Depot negotiations with the Zuni Tribe, the Nation’s proposed Gaming Compact with the State of New Mexico, the Cobell Land Buy-Back Program, and the ongoing “regionalization” initiative.

At the conclusion of the report, Speaker Naize outlines key issues that his administration plans to focus on in the next quarter including, the Navajo Area Agency on Aging, Navajo Housing Authority, the Former Bennett Freeze area, water rights, and sacred sites.

The Navajo Nation Council voted 13-1 to accept the report.


# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Vice President Jim Invites Everyone to Participate in 3rd Annual Health Run

WINDOW ROCK, Ariz. – Navajo Nation Vice President Rex Lee Jim invites everyone to participate in the 3rd Annual Running for a Stronger and Healthier Navajo Nation that is slated to begin on Sunday, Oct. 20 in LeChee, Ariz.

“The goal is to improve the quality of health for our people, and hopefully reduce health care costs associated with obesity, diabetes, cancer, substance abuse, and mental health issues,” Vice President Jim said.
Beginning Sunday, in coordination with the Navajo Nation Special Diabetes Project, people will trek across the Navajo Nation and are expecting to travel nearly 400 miles. The event is scheduled to close on Saturday, Oct. 26, in Ojo Encino, N.M.

Along the route, 20 communities have been identified to host a health fair that is open to the public. The fairs will include free health screenings and wellness education booths from local and surrounding health programs.

“I would like to see all health programs participate this year by taking responsibility for a certain section of the run between chapters by recruiting runners and walkers; and by working with chapters for health fairs and informing the local people about living healthy lives,” Vice President Jim said.

President Ben Shelly appointed Vice President Jim to lead the Shelly/Jim Administration with health and education initiatives on the Navajo Nation.

“Vice President Jim is a well known leader in education and health issues. He is making our nation stronger with new educational goals. He leads our health initiatives by example. I am asking everyone to participate this year in the Running for a Stronger and Healthier Navajo Nation,” President Shelly said.

Vice President Jim added that running builds strength of character.

“We are a strong people and have endured through many trials, but in looking at the future, we want our people to be stronger and healthier. We have many strong runners on the Navajo Nation, but we want people of all ages participating in this run to improve their health.”

The following is a schedule of communities that will be on the run route:

October 20, 2013:
LeChee Chapter, Coppermine Chapter, Kaibeto Chapter, and Inscription House.

October 21, 2013:
Inscription House Chapter, Shonto Chapter, Black Mesa Market and Forest Lake Chapter.

October 22, 2013:
Forest Lake, Black Mesa Chapter, Rough Rock Chapter, Many Farms Chapter and Round Rock Chapter.

October 23, 2013:
Round Rock Chapter, Lukachukai Chapter, Red Valley Chapter and Sanostee Chapter.

October 24, 2013:
Sanostee Chapter, Two Grey Hills Chapter, Newcomb Chapter, and Burnham Chapter.
October 25, 2013:
Burnham Chapter, Huerfano Chapter, and Nageezi Chapter.

October 26, 2013:
Nageezi Chapter, Counselor Chapter, and Ojo Encino Chapter.

For more information please visit http://nnsdp.org/RSHNN.aspx.

###
FOR IMMEDIATE RELEASE
October 18, 2013

Health, Education, and Human Services Committee discusses taxing junk foods and eliminating tax on fresh fruits and vegetables

WINDOW ROCK – The Health, Education, and Human Services Committee on Tuesday, discussed Legislation No. 0289-13 and Legislation No. 0290-13, a joined effort to implement a two-percent tax on certain “junk” foods and beverages and to eliminate the sales tax on fresh fruits and vegetables on the Navajo Nation.

During the 2013 Summer Session, Council voted down a similar legislation, which aimed to enact the Navajo Nation Junk Food Sales Tax Act of 2013.

In lieu of the legislation’s failure, Council offered recommendations to the sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huervano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ah, Whiterock) and agents to improve the bills language and enforcement.

On Sept. 23, Delegate Simpson introduced Legislation No. 0289-13 which aims to impose a two-percent tax on the sale of junk food such as: chips, candy, cookies, and pastries, with the proceeds going toward funding community wellness projects.

“This legislation basically implements a tax on unhealthy foods that will eventually lead to healthy food purchases on the Nation,” said co-sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels).

Although HEHSC members expressed support for the legislation’s intent to improve the quality of health by decreasing diabetes and obesity, several members were skeptical over specific definitions and language included in the legislation.

“This legislation essentially says we know you can’t make good decisions, so we want to tax you to help you make good choices,” said HEHSC member Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill). “I am concerned with the enforcement and what provisions you have made with the help of the [Navajo Nation] Tax Commission.”

HEHSC member Council Delegate Joshua Lavar Butler (Tó Nanees Dizi) also asked if the Tax Commission was involved in writing the legislation and insisted that Navajo People should decide whether to implement the tax.
“The Navajo People need to be involved in this initiative. Have you explored a referendum vote?” said Delegate Butler. “The people need to have an input on this. If this is really what they want and if it is coming from the people, they will vote on it.”

HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To ii) agreed with his colleagues and requested for the Tax Commission to provide their insight about the impacts of the legislation.

HEHSC vice chair Council Delegate Charles Damon II (Bááhááíí, Chichiltah, Manuelito, Tsé Lichíí’, Rock Springs, Tsayatoh) requested for the sponsor and agents to consult with the Navajo Tax Commission, Office of Management and Budget, Office of the Controller, Elections Administration, and Navajo Division of Health.

HEHSC voted 4-0 to delete Legislation No. 0289-13 from the agenda.

Following the vote, the HEHSC considered Legislation No. 0290-13 which aims to amend Title 24 of the Navajo Nation Code by approving the elimination of the sales tax on fresh fruits, fresh vegetables, water, nuts, seeds and nut butters.

The HEHSC voted to delete the item from the agenda with a vote of 3-0, to allow for the sponsor to work with the various Navajo Nation entities to improve the language of both legislations.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo Nation Council approves $4.1 million to fund costs associated with the acquisition of BHP Navajo Mine

WINDOW ROCK – During a special session held on Wednesday, Council members voted 17-2 in favor of Legislation No. 0305-13, approving $4.1 million from the Navajo Nation’s Unreserved, Undesignated Fund Balance to fund initial and immediate costs and obligations associated with the completion of ongoing negotiations and to close on the transactions for the acquisition of Navajo Mine from BHP Billiton.

Legislation sponsor Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) provided assurances that the mine acquisition would be a successful venture, including the proven track record of BHP Billiton and the Four Corners Power Plant to generate and burn coal for electricity, the “dedicated” and “skilled” workforce already in place at both sites, the Nation’s nearly one-hundred years of coal supply, and that technology will continue to advance to provide cleaner methods of coal energy production.

“Technology will show that in some point in time, coal will become a much more valuable resource. There is a future for coal,” said Delegate Bates.

Voicing opposition to bill, Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins) expressed disappointment in President Ben Shelly’s veto of $3 million from the Nation’s UUFB for projects in the Former Bennett Freeze Area which was approved by Council during the budget session held in September.

“The president vetoed money for Bennett-Freeze because he wanted money for this,” said Delegate Curley. “What I see is that we sacrificed housing interests for the Bennett Freeze.”

Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) said he supports “green” energy development, while noting that the Nation would lose $70-$80 million annually, including one-third of revenues for each of the Nation’s 110 chapters if the Navajo Mine and FCPP closed.

“I’m pro-green but there has to be a transition,” said Delegate Simpson. “It’s not going to happen overnight and it’s not going to happen two years from now.”

Also speaking in favor of the legislation, Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) described the proposed mine acquisition as a way of maximizing the Nation’s revenue based on its resources, while providing the opportunity to transition to renewable energy.
“I don’t like coal in terms of its health impacts,” said Delegate Witherspoon. “The creation of NTEC has within its parameters that they have to use their profits to transition, specifically at least 10-percent of their profit revenue, to renewable energy development. It costs money to make that kind of transition, as well. “

At the conclusion of the two hour discussion, Council members voted 17-2 to approve Legislation No. 0305-13.

The bill now goes to President Ben Shelly for review and consideration.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
For Immediate Release
Oct. 17, 2013

Navajo President Shelly States Navajo Nation Needs to Recognize Navajo Act for Disabled

FARMINGTON, N.M. – Navajo Nation President Ben Shelly, during a meeting on Tuesday, stated the need to recognize the Vocational Rehabilitation and Opportunities for the Handicap Act of 1984 on the Navajo Nation. The law was passed six years before the Americans with Disabilities Act and created similar standards as the ADA for the Navajo Nation.

President Shelly made his statement at a meeting held by the Navajo Nation Advisory Council on Disability on Tuesday at the Farmington Civic Center.

“This law further recognizes that our disabled Navajo community is a valued part of our society,” President Shelly said about the Vocational Rehabilitation and Opportunities for the Handicap Act. “All public and private entities within the Navajo Nation need to work with the Navajo Nation Council on the Handicapped in implementing the Vocational Rehabilitation and Opportunities for the Handicap Act.”

The law was passed in 1984 and requires that both public and private entities provide reasonable accommodations for the special needs of persons with a disability, including the need to site accessibility in regards to employment, housing, public accommodations, social services, transportation, recreation, educational and training opportunities, and ensure the availability of these services on an equitable and non-discriminatory basis.

“All Navajo People are entitled to make the life they want for themselves. Each of us has the basic right to an economic, social, cultural and political life in the Navajo Nation without regard to any handicapping condition,” President Shelly said.

The president also expressed his support for the Americans with Disabilities Act.

“I support the ADA and we need to recognize and implement that law on the Navajo Nation,” he said.

###
Navajo President Shelly Breaks Ground for New Apartment Complex

Navajo Nation President Ben Shelly and Navajo First Lady Martha Shelly (left center) participated in a groundbreaking ceremony on Wednesday for a new apartment complex that is expected to have 10 two bedroom apartments for employees of the Chinle Nursing Home.

CHINLE, Ariz. – Navajo Nation President Ben Shelly helped break ground for a new apartment complex during a ceremony in Chinle Wednesday morning.

“We need to take care of our elderly. They are important and we need to keep them happy,” President Shelly said, “With this building we have to make the foundation strong, like that of our elders. They have a strong foundation and this building must be like that.”

When complete, the complex will have 10 two-bedroom apartments available for employees of the Chinle Nursing Home. Nearly 40 people attended the groundbreaking.

“We need to take care of our elders because they hold the knowledge of our culture and language. We have to make sure we keep them on the Navajo Nation so I support the efforts of the Chinle Nursing Home,” President Shelly said during his speech, which was mostly in Navajo.
Weller Architects of Albuquerque, N.M. designed the apartment complex.

“It takes a lot of effort, a lot of work to do this,” Chinle Chapter President Andy Ayze said, “You have good leadership.”

###
FOR IMMEDIATE RELEASE
October 15, 2013

Navajo Nation Council Special Session and Fall Session to be streamed live on the web

WINDOW ROCK – The Navajo Nation Council’s special session on Oct. 16 and the fall session which begins on Oct. 21, will each be streamed live on the web through the Council’s designated USTREAM channel.

“Once again, I am honored to invite Diné people from all corners of the world to tune into Council’s USTREAM channel to view Council’s proceedings during the Council’s special session and throughout the duration of the fall session,” said Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood).

The live broadcast of the fall session marks the sixth time a regular Council session has been streamed live since the first broadcast during the 2012 Fall Session.

This is a great opportunity to engage our veterans overseas, students living off the reservation, and many others and to provide them the opportunity to become informed on issues affecting our Nation, said Speaker Naize.

The purpose of this endeavor is to expand and diversify the ways in which Diné citizens participate in their government – an objective for which many Council Delegates have advocated.

The Office of the Speaker continues its partnership with the Navajo Nation Office of Broadcast Services to provide this regular service to the Diné people.

Visit http://www.ustream.tv/channel/navajo-nation-council to view the live-streamed proceedings of the Council’s special session and fall session. Alternatively, viewers may log onto the USTREAM home page and search for ‘Navajo Nation Council’ in the search box.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
October 15, 2013

Law and Order Committee approves legislation urging BIA and IHS to fund routine infectious disease screenings in Navajo Nation jails

WINDOW ROCK – The Law and Order Committee on Monday, approved legislation urging the Bureau of Indian Affairs and the Indian Health Service to provide funding for routine infectious disease screening and control program in all Navajo Nation jails.

Legislation No. 0310-13 seeks to ensure that the Navajo Nation adheres to the required federal guidelines to operate tribal jail facilities.

The Indian Self-Determination Contract P.L. 93-638 with the U.S. Department of the Interior implemented the Bureau of Indian Affairs Adult Detention Facility Guidelines, which aims to provide a safe environment within the correctional facilities for the community, staff, volunteers, and inmates.

“Infectious diseases is not a problem unique to just the Navajo Nation, but is widespread and affects corrections staff that are in contact with the inmates on a daily basis,” said legislation prime sponsor Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To’ii).

According to the report, the Navajo Nation currently does not have official protocol procedures to administer medical screenings for infectious diseases to inmates, upon intake into the correctional facilities. The three prevalent high-risk infectious diseases that are found in most jail facilities are tuberculosis (TB), Hepatitis C, and HIV/AIDS.

Navajo Nation Department of Corrections administrative service officer Stephanie Baldwin, stated that tribal jails currently use a self-reporting health questionnaire that is given to inmates to identify health problems to the corrections staff.

“NNDOC does not have certified medical personnel to administer official infectious disease screenings, but we ensure that our staff have annual physical exams and obtain up-to-date shots to avoid contracting any diseases,” said Baldwin.

Delegate Phelps said a TB outbreak occurred in the Tuba City Detention Center between March and April of this year.
“We are here today because of an incident at the Tuba City [detention] facility where 44 inmates and staff were affected by a TB outbreak due to an undiagnosed inmate that came into contact with these individuals,” said Delegate Phelps.

LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) requested for additional data and statistics regarding infectious diseases to illustrate the significant need for funding from the BIA and IHS.

LOC voted 2-0 to approve Legislation No. 0310-13. The legislation now goes to the Health, Education and Human Services Committee for consideration.

# # #
For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Naabik’íyáti’ Committee approves $4.1 million for the Navajo Transitional Energy Company, LLC and the Navajo Energy Policy of 2013

WINDOW ROCK – Naabik’íyáti’ Committee members last Thursday approved Legislation No. 0305-13, approving $4.1 million from the Navajo Nation’s Unreserved, Undesignated Fund Balance to fund initial and immediate costs and obligations associated with the acquisition of Navajo Mine from BHP Billiton, and Legislation No. 0276-13, the proposed Navajo Energy Policy of 2013.

Prior to the Naabik’íyáti’ Committee meeting, the Budget and Finance Committee held a special meeting in which members voted 4-0 in favor of Legislation No. 0305-13, which was then added to the Naabik’íyáti’ Committee’s agenda along with Legislation No. 0276-13 at the start of the meeting.

Following an approximately four hour discussion over a report provided to Naabik’íyáti’ Committee members from representatives of the Navajo Transitional Energy Company, LLC during an executive session, committee members immediately approved Legislation No. 0305-13 with a 13-1 vote.

Committee members then discussed the proposed Navajo Energy Act of 2013, which seeks to rescind the 1980 Navajo Nation Energy Policy established under former Chairman Peter MacDonald, and to update and amend language within the energy act.

The bill drew opposition from several delegates including Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) who argued that the legislation is in need of more definitive wording.

“This is one of those [legislations with] feel-good language and it really doesn’t have teeth,” said Delegate Tsosie.

Council Delegate Leonard H. Pete (Chinle) also expressed skepticism over the proposed energy policy and questioned why it took 33 years for the Council to update the original policy.

“The world is advancing very fast and I think there will be gaps in this policy if we do this right away,” said Delegate Pete. “Are we going to wait another 33 years to update this policy again?”

During the course of the two hour discussion, committee members approved two amendments including removing a section of the legislation that expresses disappointment with current federal policies regarding the use of coal, and another amendment to remove language stating that the Navajo would adapt to the future federal regulatory environment.
Naabik’iyáti’ Committee members voted 8-4 to approve Legislation No. 0276-13.

A special session has been scheduled for Oct. 16 at 10 a.m. to consider both legislations.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
PRESS RELEASE
Navajo Nation Human Rights Commission
October 14, 2013

The Status of Navajo Women, Gender Violence, & the Rights of Indigenous Peoples

The Navajo Nation Human Rights Commission (NNHRC) and the University of New Mexico’s American Studies Department will host two conversations with Diné medicine people on the status of Navajo women and gender violence on October 31st and November 1st, 2013. Both will be held at the Fort Defiance Chapter House, 8:30-5:00 PM. The discussions will also explore how the well-being of women and Navajo LGBTQ can be addressed within the framework of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

These sessions with Diné medicine people will outline traditional Navajo gender roles and explore the current status of Diné women and the extent to which their roles have shifted. Also, recognition and discussion of Navajo LGBTQ and their roles in Navajo culture and society as well as violence against LGBTQ communities will be explored. In an effort to understand how the Navajo Nation has shifted in its treatment of gender, this working session will also explore how the imposition of a modern Western-style government has contributed to gender violence in the form of gender inequalities in the work place and within the Navajo government. For more information, contact the NNHRC at (928) 871-7436.
The Status of **Navajo Women & Gender Violence** is a **Human Rights** Issue

Conversations with **Diné Medicine People**

**Medicine people:**
Marle Salt, Kayenta, AZ
Philmer Bluehouse, Fort Defiance, AZ
Rita Gilmore, Chinle, AZ
Henry Barber, Bread Springs, AZ

**When:** October 31 & November 1, 2013
**Where:** Fort Defiance Chapter House, Ft. Defiance, Arizona
**Time:** 8:30 am - 5:00 pm daily

The Navajo Nation Human Rights Commission & the University of New Mexico’s American Studies Dept. invites you to participate in dialogues with Diné medicine people on traditional gender roles and the epidemic violence against Navajo women that we are currently seeing on the Navajo Nation, in our communities, and the surrounding bordertowns. We begin by articulating Navajo traditional gender roles and then consider how modern governance has transformed these roles. We include Navajo LGBTQ in our forum. We ask, how is the status of Navajo women and gender violence a human rights issue?

**Discussion, Dialogue, & Small Groups:**
- Human Rights
- Navajo Women & Government
- Traditional Leadership
- Traditional Stories
- LBTQ
- Civil Rights
- Gender Discrimination
- Nation & Government

Sponsored by the Navajo Nation Human Rights Commission and the University of New Mexico American Studies Department
FOR IMMEDIATE RELEASE
October 9, 2013

Resources and Development Committee approves $4.1 million for the Navajo Transitional Energy Company, LLC and the Navajo Energy Policy

WINDOW ROCK – On Tuesday, the Resources and Development Committee considered and approved two significant legislations related to energy issues on the Navajo Nation: Legislation No. 0305-13 and Legislation No. 0276-13.

Legislation No. 0305-13 is sponsored by Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) and seeks approval for a $4.1 million from the Undesignated Unreserved Fund Balance for Navajo Transitional Energy Company, LLC, to cover expenses associated with the acquisition of BHP Navajo Mine.

“I believe that with a united front between Speaker Naize and President Shelly, the acquisition of this mine will take place,” said Delegate Bates.

According to the legislation, in order to close on the transactions for the acquisition of the Navajo Mine from BHP Billiton, NTEC requires an initiative capital infusion from the Nation in the amount of $4.1 million.

During an Oct. 4 press conference at Upper Fruitland chapter house, President Shelly stated that he would only sign Legislation No. 0305-13 if the Council approved the Navajo Energy Policy.

RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) expressed disappoint with President Shelly’s statements at the Oct. 4 press conference and recommended that a work session be held to address concerns of purchasing the mine.

In response, Delegate Bates recommended that the President’s Office work with the Legislative Branch to ensure both are on the same page regarding the Navajo Energy Policy.

“The Nation has resources, in this case it is coal. In the past, the Nation brought in an outside entity to develop that resource and we have benefited from the economic stimulus,” said RDC member Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill). “I understand how important this is, but we need to make use of an investment that’s already there.”

The RDC approved Legislation No. 0305-13 with a vote of 5-0.
The legislation now moves on to the Budget and Finance Committee, Naabík’iyáti’ Committee, and Navajo Nation Council for consideration.

Following the vote, the RDC considered Legislation No. 0276-13, which would rescind the 1980 Navajo Nation Energy Policy and approve the Navajo Nation Energy Policy of 2013.

“The energy policy took a lot of time and effort by the committee, chair, and task force. When you look at the policy you will see your [RDC] input,” said legislation sponsor Delegate Smith.

Navajo Division of Natural Resources executive director Fred White, said the policy directs the Nation to be an energy distribution system that benefits not only the Navajo, but also its neighbors.

“The energy policy draft was taken to the public, then we came back to the committee and redeveloped after several work sessions,” said White. “We address how to handle renewables and coal fire power plants. The policy states that these are areas we need to go into.”

RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) commended the RDC for their work to craft the policy to the needs of the Navajo people, by ensuring the right wording and ideas of the People were included throughout the process.

The RDC approved Legislation No. 0276-13 with a vote of 4-0.

The legislation now moves on to the Naabík’iyáti’ Committee and Navajo Nation Council for consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
October 9, 2013

Law and Order Committee receives report regarding the possible reversion of federal funds from the Navajo Nation Special Diabetes Project

WINDOW ROCK – On Monday, the Law and Order Committee received a report from the Navajo Nation Office of the Controller regarding the possible reversion of federal funds for the Navajo Nation Special Diabetes Project.

According to the report, NNOOC identified approximately $14.3 million in potential federal carryovers for NNSDP dating back to FY2003. However, the U.S. Department of Health and Human Services authorized carryovers in the amount of $3.5 million, at the request of NNSDP.

“NNOOC is not quite sure why NNSDP did not request to carry forward the full amount of $14.3 million,” said NNOOC project manager Laura Johnson. “They are also having difficulty fully expending their annual awarded funds.”

Johnson also said that NNSDP was previously given the opportunity to claim the additional $10.8 million difference of the total federal carryover.

LOC members expressed disappointment and questioned the large amount of unspent funds by NNSDP.

“The need for a special diabetes program is there, the money is there, so why aren’t these monies being used?” asked LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone).

In response, Johnson stated that there may be confusion at the management level of the program over guidelines for spending the awarded amounts, and ultimately funds are not being spent, possibly as a result of precautionary measures.

“It is shameful that we have a diabetes epidemic in our Nation, and we have the money, but we are not even utilizing these funds to fully address these issues,” said LOC member Council Delegate Russell Begaye (Shiprock).

After further reviewing the past carry over amounts, LOC chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) recommended having a joint work session with NNSDP, NNOOC, Navajo Nation Office of Management and Budget, Navajo
Nation Division of Health, Indian Health Service, and the Health, Education and Human Services Committee.

“The unspent funds are money the Navajo Nation is in much need of, and it should not be reverted back to the U.S. Dept. of HHS,” said Delegate Yazzie. “We need to assist NNSDP to develop a spending plan to ensure that all the federal funding is expended to avoid reversion of these funds.”

At the conclusion of the meeting, LOC voted 2-0 to accept the report.

The joint meeting is tentatively scheduled for Oct. 28.

# # #
For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Health, Education, and Human Services Committee approves two legislations to enhance Social Services funding and foster home regulations


Legislation No. 0271-13, approves the Navajo Division of Social Services Title IV-E Eligibility Handbook and Guidelines, while Legislation No. 0280-13 amends the Navajo Nation Regulations for Family Foster Home Standards.

On Sep. 25, HEHSC members requested additional time to review the two legislations to gain a better understanding, as well as to participate in a full orientation of the legislative documents.

Representatives from the Navajo Division of Social Services and Navajo Department of Justice conducted the orientation, explaining that each legislation is a critical segment of an overall master plan for the Division of Social Services that has been developed over a four-year period.

“With this legislation we can move forward to create a master plan that will help improve and streamline services provided to our families,” said HEHSC member and legislation sponsor Council Delegate Joshua Lavar Butler (Tó Nanees Dizi). “With this approval, we will reduce out-of-home care, reunite children, require permanency planning and receive direct funding.”

Division of Social Services executive director Sharon Begay-McCabe, said the approval of the “IV-E” legislations would allow the Nation to receive and administer reimbursement payments directly, without going through the three neighboring states.

“The Nation does not receive reimbursements from Arizona or Utah, only New Mexico,” said Department of Justice acting assistant attorney general Kandis Martine. “The handbooks are part of a package that would allow for Navajo to receive the reimbursement of maintenance and administration costs.”

Currently, the Division of Social Services expends its own funds to cover many case costs such as: food, shelter, clothing, necessary personnel training, case management, and travel for children to case reviews.
HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) asked if other tribes were participating in Title IV-E and requested a timeline detailing when the policies would be implemented.

“Navajo is the leader with Title IV-E, because we are taking on every segment of the program. Only two other tribes have been approved, but they are only taking on certain segments of Title IV-E,” said Martine. “The legislation will need to be reviewed by President Shelly and DOJ once more, after that it will be sent to the federal government for approval.”

“Who gives the final certification for licensing foster homes? Is that given by the BIA or did the tribe develop its own certification guidelines?” questioned HEHSC member Council Delegate Walter Phelps (Cameron, Coalmile Canyon, Leupp, Tolani Lake, Tsidi To ii). “Will families that live in the rural parts of the Nation, in hogans, be able to pass the guidelines for licensure?”

In response, Martine explained that licensures and regulations are a mandatory part of the Title IV-E process and have been included in Legislation No. 0280-13. Martine added that the handbooks are inclusive to Navajo culture and values, where as a Hogan would be considered safe for a child and acceptable by the foster home standards.

“The approval of these legislations will help between 200-250 Navajo children,” said Begay-McCabe. “The focus of this initiative is to focus on our Navajo Children and Families.”

The HEHSC approved Legislation No. 0271-13 with a vote of 3-0, followed by the approval of Legislation No 0280-13 with a vote of 3-0.

HEHSC serves as the final authority for both legislations.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Council Delegate Jonathan Nez discusses decentralization initiative

MONUMENT VALLEY, Utah – Last Wednesday, Budget and Finance Committee vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) discussed the Navajo Nation’s regionalization/decentralization initiative to clarify its intent to constituents at the Navajo Mountain, Oljato, Shonto, Ts’ah Bii Kin Regional Council meeting.

The NOST Regional Council was formally established and recognized by the Resources and Development Committee in Oct. 2011, through the passage of resolution RDCO-38-11.

In August, the BFC allocated $3 million to fund the regionalization/decentralization project, which was later approved by the Navajo Nation Council during the FY2014 budget hearings.

“The [Navajo Nation] regionalization project now has $3 million available, but we need to implement a successful plan of action to begin creating regional agencies throughout the Nation to create councils, such as this one,” said Delegate Nez.

According to Delegate Nez’s report, current decentralization efforts focus on providing services to chapters at an agency level to avoid the lengthy bureaucratic process of the central government.

Delegate Nez said that decentralization is a systematic delegation of authority to the middle and lower level management. However, framing policies and major decisions related to the Nation as a whole, will remain the responsibility of the central government.

“We are transitioning from the Local Governance Support Centers to regional agencies that will add a planner, attorney, and accountant, and they will assist the chapters with more technical and complicated issues that can be handled at the local level,” said Delegate Nez.

The regionalization/decentralization initiative would not remove chapter officials, because it is still important that each Navajo community is represented at the local level, stated Delegate Nez.

Delegate Nez also discussed phasing out LGSC, explaining that staff will not be laid off. Instead, their positions will transition to the new regional agency offices to continue working at the middle government level and to provide direct services such as chapter budgets, accounting, regional planning, etc. to chapters.
“The keyword we need to keep in mind through the regionalization process is ‘transition,’” said Delegate Nez. “I want to clarify to the chapters and community that their officials and staff will still be available, but services will soon be provided closer to your areas without having to wait for action at the central government level.”

Navajo Nation Division of Community Development senior project/program specialist Peggy Sue Nez, stated that her office is currently working on proposals to finalize the number of regional agencies, staffing, and services that will be offered to the chapters.

She said that a summit for leaders at the local level would take place to further clarify the regionalization/decentralization efforts.

Delegate Nez commended the NOST Regional Council for being one of the first functioning regional organizations currently established.

“A lot of the regionalization discussion originated here at these four chapters, and you should be proud that you are a model to other agencies who will soon follow suit,” said Delegate Nez.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
October 8, 2013

Law and Order Committee approves bill to eliminate sales tax on fresh food items on the Navajo Nation and tables bill to impose sales tax on junk food

SHIPROCK, N.M. – Last Friday, the Law and Order Committee approved Legislation No. 0290-13, seeking to eliminate sales tax on fresh food items such as fruits, vegetables, water, nuts, seeds, and nut butters.

“We are in pursuit of a healthy Navajo Nation and to improve the health of our Diné people,” said health advocate Denisa Livingston with the Diné Community Advocacy Alliance.

According to the report, the elimination of sales tax on fresh foods would encourage Diné citizens to purchase healthier food items and alleviate grocery costs.

“We have an epidemic of diabetes on the Navajo Nation,” stated prime legislation sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock). “Eliminating the sales tax on fresh foods shows that we are working toward a healthier Navajo community.”

Delegate Simpson stated that the legislation is being introduced in conjunction with Legislation No. 0289-13, which seeks to amend Title 24 of the Navajo Nation Code by enacting the Healthy Diné Nation Act of 2013.

The Healthy Diné Nation Act of 2013 aims to impose an additional two percent sales tax on various junk food items, with proceeds going towards funding Community Wellness Projects. The current sales tax rate is five percent.

LOC members voted 2-0 to table Legislation No. 0289-13 to obtain further clarification of the bill.

“Both legislations will work together to discourage the purchase of junk food items,” said Delegate Simpson.

LOC members commended the efforts of DCAA and Delegate Simpson, and made recommendations pertaining to the legislation.
“When this legislation goes to the Naabik’íyáá’í’ Committee, I will make the recommendation to insert that a signed tax-exempt notice be posted on the fresh food items, so it is clear to consumers which foods are sales tax-free,” said LOC member Council Delegate Russell Begaye (Shiprock).

LOC member Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’bii’tó, LeChee, Tonalea/Red Lake) expressed his concern regarding the lack of representation from the Office of the Navajo Nation Tax Commission, and stated that they need to be a part of the discussion regarding the sales tax exemptions.

At the conclusion of the discussion, LOC members praised the legislation’s intent to decrease diabetes on the Navajo Nation and promote healthy living among Diné people.

LOC voted 2-0 to pass Legislation No. 0290-13. The legislation now goes to the Resources and Development Committee for consideration.

Legislation No. 0085-13, a similar bill that was previously introduced by Delegate Simpson during the Council’s Summer Session, sought to impose a junk food sales tax and eliminate tax on fresh foods. However, it was voted down by the Council due to confusion over language in the legislation. Council members recommended that the bill be presented as two separate legislations to address both issues respectively.

# # #
For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly and Former New Mexico Gov. Richardson Form Agreement about Navajo Horses

FARMINGTON, N.M. – Navajo Nation President Ben Shelly met with former New Mexico Governor Bill Richardson to continue discussions on feral horse solutions as part of President Shelly’s initiative to address what many chapters have deemed a critical land management issue. President Shelly has remained committed to meeting chapter needs while seeking humane solutions to dealing with feral horses. Both the President and the Governor have reached an agreement in principle in which the Navajo Nation would suspend horse round ups making way to halting the sale of Navajo horses to horse processing plants.

The two leaders reached the agreement in a meeting over the weekend.

“Over the last several months since chapters have requested assistance with curbing uncared for horse populations I have been meeting with federal officials and animal advocacy groups to approach this matter in a sustainable and humane way. I have met with Gov. Richardson and we have come to an agreement to find long term solutions to manage our feral horse issue on the Navajo Nation. We will suspend horse round ups and forfeit support for horse slaughtering and horse slaughtering facilities. We have maintained an all of the above approach to managing our horse population and our land. I am thankful for the input we have received from various groups from within the Navajo Nation and throughout the United States. We are now using that input in formulating innovative initiatives to address this issue. I have always advocated for strong long-term solutions and partnerships. I believe the MOU will serve as a gateway for more resources to assist our local communities,” President Shelly said.

Gov. Richardson represents the Foundation to Protect New Mexico Wildlife, which he founded with actor, director and conservationist Robert Redford. The foundation is working to stop the slaughter of horses, including actively fighting efforts to reopen horse slaughterhouses in the United States. The foundation is committed to finding humane alternatives to horse slaughter to deal with the nation’s wild horse population and is working with advocacy groups such as Return to Freedom headed by world-renowned horse advocate Neda DeMayo.
“I commend President Shelly for calling for an immediate end to horse roundups and for making it clear that moving forward the Navajo Nation will not support horse slaughter or the return of horse slaughter facilities,” Governor Richardson said. “This is exactly the outcome horse advocates, such as myself, had hoped for.”

The two leaders agreed to develop a Memorandum of Understanding that would suspend horse roundups on the Navajo Nation while the Foundation to Protect New Mexico Wildlife and other horse advocacy groups, including Animal Protection of New Mexico, work with the Navajo Nation to develop and implement alternative policies to manage feral horse populations. Possible solutions that will be explored include equine birth control, adoption, land management and public education.

“Our land is precious to the Navajo people as are all the horses on the Navajo Nation. Horses are sacred animals to us. Both the land and the animals must be responsibly managed. For too long this issue has gone unaddressed putting us in the situation we are today where chapters are facing real problems with uncared for animals damaging local land and domestic livestock. I am thankful we can partner with agencies that have resources to help us find real long-term solutions,” President Shelly said.

President Shelly added that the Navajo Nation Division of Natural Resources and the Navajo Department of Agriculture will cooperate with Gov. Richardson and the Foundation to Protect New Mexico Wildlife.

“I look forward to getting to work partnering with President Shelly and the Navajo Nation to help find and develop policies that are not only humane, but offer long-term solutions to managing the Navajo Nation’s horse population,” Governor Richardson added. “I hope that federal agencies, such as the Bureau of Land Management and the Department of Agriculture, as well as horse advocacy groups will also support our efforts with funding.

The MOU is expected to be signed within two weeks.

###
Navajo President Shelly States Support for NTEC and Navajo Nation Energy Policy

UPPER FRUITLAND, N.M. – Navajo Nation President Ben Shelly stated his support for Navajo Energy Transitional Company and advocated for the passage of the Navajo Nation Energy Policy.

“We have an outdated energy policy that needs to be updated,” President Shelly said during a Friday morning press conference.

President Shelly added that the new energy policy would give policy direction to the Navajo Nation for all energy projects.

“I ask the energy policy be passed,” President Shelly said adding that he supports NTEC and their acquisition of Navajo Mine.

In an earlier released statement, President Shelly stated, “I am committed to supporting NTEC in order to keep paychecks going to our Navajo people. I have asked the council to ensure that the financial mechanism used will pay back any monies appropriated to the process.”

At the press conference, President Shelly used his time to iterate the need for an updated energy policy on the Navajo Nation, which was formed in 1980.

President Shelly said he plans to work with the Navajo Council Johnny Naize to pass the Navajo Nation Energy Policy.

The Navajo Nation formed Navajo Transitional Energy Company to enable the Navajo Nation to acquire BHP Billiton’s Navajo Mine. Negotiations are still ongoing, however, Council Delegate LoRenzo Bates introduced a bill to provide seed money for the new company to finalize the purchase of Navajo Mine.

This would be the first coal mine solely owned by a Navajo Nation enterprise.

###
Joint Press Release

Navajo Nation Office of the President and the Vice President and Navajo Nation Office of the Speaker

FOR IMMEDIATE RELEASE

October 4, 2013

Jared Touchin (OOS) 928-221-9253
Erny Zah (OPVP) 928-380-0771

President Shelly and Speaker Naize pledge full support for NTEC in its efforts to purchase BHP Navajo Mine

FARMINGTON, N.M. – Navajo Nation President Ben Shelly and Speaker Johnny Naize pledged their full support for the Navajo Transitional Energy Company—NTEC—and a funding resolution now making its way through the legislative process, during a meeting of the Navajo Nation’s leadership yesterday.

"I am committed to supporting NTEC in order to keep paychecks going to our Navajo people. I have asked the council to ensure that the financial mechanism used will pay back any monies appropriated to the process," President Shelly stated.

President Shelly and Speaker Naize encouraged NTEC’s officers and representatives to remain diligent in closing on the transactions now being negotiated with BHP Billiton.

"It is important for Navajo leadership to work collaboratively together and to respect the lines of authority during negotiations, for the success of this important project. We must keep lines of communication open between the parties involved," said Speaker Naize at yesterday's meeting.

Leaders in attendance further pledged the Nation’s support for this endeavor, which has been made a top priority for both offices.

With this encouragement, President Shelly and Speaker Naize issued a joint letter directing several of the Nation’s officers and personnel to allocate and contribute the full measure of their efforts to supporting NTEC in resolving any issues necessary to close on pending transactions.

The Nation’s leadership has remained committed to the acquisition in order to preserve nearly 800 jobs and millions in revenue for the local economy and the Navajo Nation, in the form of taxes and lease payments.

On Wednesday, Council Delegate Lorenzo Bates introduced Legislation No. 0305-13, seeking funding from the Navajo Nation’s Unreserved, Undesignated Fund Balance to fund initial and immediate costs and obligations associated with the completion of ongoing negotiations and to close on the transactions for the acquisition of Navajo Mine from BHP Billiton. The legislation will be available for committee consideration on Oct. 8.

# # #
FOR IMMEDIATE RELEASE
October 4, 2013

Health, Education, and Human Services Committee discusses report from Rough Rock Community School and academic program enhancements

WINDOW ROCK – On Wednesday, the Health, Education, and Human Services Committee discussed a report from the Rough Rock Community School regarding efforts to improve their Diné language programs and to establish a new horsemanship program.

The Rough Rock Community School is a tribally controlled school, offering a residential program for students from kindergarten through high school.

“It is my hope and dream to improve services at Rough Rock Community School. There are three areas I would like to come before the council,” said RRCS executive director Elvira Largie. “I would like for the HEHSC to sponsor a resolution which would exempt school educational programs from the sequestration and possibly secure funds from the Navajo Nation to enhance programs.”

Largie also asked for the HEHSC’s support in acquiring permanent funding for the enhancement of their Diné Studies, residential, and horsemanship programs.

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) briefly explained the budget and fiduciary process and expressed support for of the school’s effort to teach the children the significance of horsemanship and its role in Navajo culture.

“Our school’s interest in horsemanship is greatly supported. These are animals that cherish the soul and strengthen the resiliency to any sorrow or depression,” said Delegate Hale.

Largie added that RRCS currently serves 98 students and have experienced a 23% decrease in their budget since 2010.

“You have my support. You should be proud to come from a community where a lot of our Navajo language materials came from,” HEHSC member Council Delegate Joshua Lavar Butler (Tó Nanees Dizi). “The school has done great things for our language and we are always happy to hear of RRSC creativity.”

The HEHSC will vote to accept their report at their next scheduled meeting on Oct. 9.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
October 3, 2013

Delegate Bates sponsors legislation seeking $4 million
For costs associated with the acquisition of BHP Navajo Mine

WINDOW ROCK – Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) introduced Legislation No. 0305-13, seeking approximately $4 million from the Navajo Nation’s Unreserved, Undesignated Fund Balance to fund initial and immediate costs and obligations associated with the completion of ongoing negotiations and to close on the transactions for the acquisition of Navajo Mine from BHP Billiton.

On Apr. 29, the Council approved the formation of the Navajo Transitional Energy Company, LLC to carry out necessary business actions on behalf of the Nation in its endeavors for the possible acquisition of the BHP Navajo Mine.

“When the Council formed NTEC, it empowered the NTEC board to carry out the purchase of Navajo Mine, but there was no funding behind it,” said co-sponsor Speaker Johnny Naize (Low Mountain, Many Farms, Nazlini, Tachee/Blue Gap, Tselani/Cottonwood). “It is critical that NTEC be funded to carry out the next step in this process.”

Among other economic impacts, Speaker Naize pointed out that the purchase of Navajo Mine would preserve over 800 jobs at the Four Corners Power Plant and Navajo Mine, and preserve $40 million of annual taxes and royalties to the Navajo Nation.

According to the legislation, if the proposed bill is approved by Council and executed by President Ben Shelly, the $4 million will be released in three disbursements to NTEC.

The first disbursement totaling approximately $1.6 million will be for NTEC’s pre-closing operating expenses and for outstanding invoices for transaction expenses.

In the second disbursement, approximately $1.3 million will be released for additional estimated transaction expenses to closing, upon the signing of the Equity Interest Purchase Agreement between NTEC and BHP Billiton.

The final disbursement, totaling approximately $1.1 million will be used for NTEC’s post-closing operating expenses, upon the closing of the Coal Supply Agreement between NTEC and the Four Corners Power Plant.
Initially, the Mine Management Agreement with BHP Billiton and a Coal Supply Agreement with APS, were scheduled to be completed by July of this year. However, due to several setbacks, NTEC’s timeframe for completing the potential purchase has lessened.

Delegate Bates said the Arizona Corporation Commission’s decision earlier this year to open an inquiry, which was closed in September, into the possible deregulation of the electric market in the State of Arizona was a major setback.

“Now that the ACC decision came down we can move, but what it has done is it has tightened up the calendar and timeline for the purchase,” said Delegate Bates. “The Navajo Nation, APS, and BHP have to make decisions to stay within that timeline.”

The cost of the mine is estimated to be $85 million, for which a funding source has yet to be determined.

According to the assignment of legislation memorandum, the bill will be considered by the Resources and Development Committee, Budget and Finance Committee, Naabik’iyáti’ Committee, and the Navajo Nation Council.


# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
The Navajo Transportation Complex located in Tse Bonito, N.M., was constructed on 85.6 acres of land that was exchanged with the New Mexico State Land Office on Nov. 27, 2012. The Navajo Division of Transportation purchased a 3.6 acre tract of land in Silver City of equivalent value and exchanged it with NMSLO. Legislation No. 0255-13 was approved by the Naa’biki’yati’ Committee on Sept. 26 and authorizes President Shelly to sign the general warranty deed for the land to be held in trust for the Navajo Nation. (Photo by Rick Abasta)

WINDOW ROCK-Legislation No. 0255-13 was approved by the Naa’biki’yati Committee by a vote of 12-0 on Sept. 26, 2013.

Paulson Chaco, Navajo Division of Transportation director, said the legislation’s passage was a good move for the Navajo Nation.

Chaco said, “We are moving quickly to take this land into trust for the benefit of the Navajo Nation.”

The land exchange process was a true demonstration of government-to-government relations, he said, and that the land in Tse Bonito, N.M. will also benefit the Navajo Nation with the potential for economic development.

A parcel of exchanged land adjacent to State Route 264 remains open for development.

Sponsored by delegate Walter Phelps (Bird Springs, Cameron, Coalmine Canyon, Leupp, Tolani Lake), the legislation approved and authorized Navajo Nation President Ben Shelly to sign the general warranty deed for 85.68 acres of land in Tse Bonito, to be held in trust for the Navajo Nation, pursuant to Public Law 93-531 and Public Law 96-305.

To expedite the process for converting the land into trust, NDOT is utilizing the authorities of the Navajo Hopi Land Commission.

Phelps explained the land was exchanged with the state of New Mexico.

“NDOT acquired that land and the land is fee simple land right now,” Phelps said. “We’re in the process of taking the land into trust, using the Navajo Hopi Relocation Act, as amended.”

On Nov. 27, 2012, the Indian Affairs Committee of the New Mexico Legislature convened at the State Capitol for a land exchange signing ceremony between the Navajo Nation and the New Mexico State Land Office.

NDOT purchased 3.6 acres of land in Silver City, which was exchanged with the NMSLO for 85.6 acres of land in Tse Bonito. Both parcels of land were valued at $200,000.

Initiating this land exchange process in March 2011 was N.M. Senator John Pinto’s Senate Memorial 45, which requested the NMSLO to begin studying the land exchange with the Navajo Nation.

The memorial stated, “It may be in the best interests of the Navajo Nation to own the
land upon which the transportation center is to be located rather than to lease the land from the state.”

With the land exchange complete, NDOT has focused on taking the land into trust by the NHLC on behalf of the Navajo Nation.

NDOT will pay $25,000 per year in rent to the NHLC.

Included in the agreement with the commission is the initial $200,000 purchase price of the land in Silver City, a one-time payment of $25,000 and the first year’s $25,000 rental cost for a total of $250,000.

The legislation reached the floor for debate.

One committee member did not think the arrangement was fair.

Delegate Katherine Benally (Chilchinbeto, Denehoto, Kayenta) raised the issue of NDOT being double charged by the commission for leasing the land.

“NDOT will be paying twice,” Benally said.

She said such costs would take away funding from the NDOT road projects.

“I don’t think NDOT should be paying twice for the purchase of the land and then trying to lease it out again. That’s ridiculous,” Benally said.

Her colleague Dwight Witherspoon (Black Mesa, Forest Lake, Hard Rock, Piñon, Wippecorwill) countered that the NHLC’s first year payment of $250,000 was still less than the $260,000 in taxes that could be imposed by N.M. if the land was not taken into trust.

“We as a Commission, have a responsibility that in any of our future land purchases, we want to try to select for potential economic development so we can try to assist those families, individuals and communities that have been impacted by relocation,” Witherspoon said.

Leonard Tsosie (Baca-Prewitt, Casmero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) likened the insistence on rent as “a double shakedown.”

He admitted that the complications to take the land into trust could have easily been averted by constructing the building upon tribal lands to begin with.

“See, the bad way of doing it started when somebody planned the NDOT building over there. That should have been built in Window Rock, I don’t know why they did that,” Tsosie said. “But that was in the days before Mr. Chaco.”

He said members of the NHLC shouldn’t view their authority as being landlords over the money, but rather, looking at the process for the benefit of all Navajos.

“I’d like to use the Relocation Act to buy some lands in Colorado, south of Fort Lewis College, so we could build college dorms for Navajo kids,” Tsosie said.

Benally proposed an amendment to the legislation to cap the $25,000 annual rental fee for a period of 10 years, but it was voted down by 5-7.

Witherspoon, who also sits on the NHLC, said the rent was fair deal and that the commission was benefitting the Navajo Nation $2.3 million over a 10-year period.

He maintained the funds would benefit people impacted by relocation.

The same day, the committee also approved Legislation No. 0268-13, which was for approval of the Intergovernmental Agreement between the Navajo Nation and San Juan County, N.M. for the road maintenance and road improvement projects.

The legislation passed again with a vote of 12-0.

-30-
For Immediate Release
Oct. 2, 2013

President Shelly Issues Statement Regarding Government Shutdown

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly released a statement today about the status of the Navajo Nation government since the Oct. 1 shutdown of the U.S. Government.

“Nearly all of our offices remain open for the Navajo Nation government. Although many of our programs receive federal funds, our government is open and continues to serve the Navajo people, including all Navajo Nation Tribal Parks.

However, we urge lawmakers in Washington to come to a solution because the Navajo Nation will eventually begin to experience effects if the shutdown continues.

I assure the Navajo people that we are continually preparing ourselves for future situations that may arise from the federal government closure. As president, I have continually pushed for fiscal responsibility because we cannot always depend on the federal government to solve issues we can solve for ourselves.

The federal government shutdown is an opportunity for the Navajo Nation to begin to exercise true sovereignty. Though we need our federal partners to assist us, we can continue to establish and practice governmental policies that strengthen the Navajo Nation.

The Navajo Nation recognizes that many people have been planning vacations to experience America's great outdoors. Although all U.S. National Parks are closed due to the federal government shutdown, I extend a special invitation to family vacationers and visitors to experience the beauty of the Navajo Nation in our tribal parks in Northern Arizona and the Four Corners region. Come experience the majestic scenery of Monument Valley, the vibrant colors of Antelope Canyon, or experience one of our casinos hotel resorts. We welcome all visitors to the Navajo Nation.”

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FOR IMMEDIATE RELEASE
October 2, 2013

Budget and Finance Committee approves the Gaming Development Fund budget for FY2014

TOHAJIILEE, N.M. – The Budget and Finance Committee on Tuesday, approved the Gaming Development Fund budget for FY2014 for approximately $6.1 million, including one amendment. The original proposed budget amounted to approximately $8 million.

The Navajo Nation Office of the Controller, Navajo Nation Gaming Enterprise, and Navajo Nation Gaming Regulatory Office recommended the following appropriations: $566,000 to the development fund, $1.9 million to NNGE, and $5.6 million to the NNGRO.

“It takes a lot of resources to monitor and manage the [gaming] funds, and we request to keep the personnel line item as is [for gaming development],” said Controller Mark Grant. “And the line item for contractual services in the amount of $469,000 for financial advisors, legal counsel, and feasibility studies as well.”

NNGRO is responsible for the daily operations and personnel for all gaming sites on the Navajo Nation, and will be allocated the majority of the funding in the amount of $5.6 million.

“I see detailed budgets from OOC and NNGRO, but I do not see one for NNGE,” said BFC member Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock).

In response to Delegate Simpson’s concern, BFC chair LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’kaa, Upper Fruitland) stated that the NNGE appropriation would be used for operations and any new developments.

“It sounds like there is additional information that committee is going to need,” said BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin). “NNGE needs to clarify what their budget will be used for.”

Delegate Simpson motioned to amend the legislation by deleting NNGE’s $1.9 million budget, meaning that NNGE will have to submit a detailed budget proposal under a new legislation.

BFC members voted 3-0 to pass the amendment. The amendment does not impact the gaming development fund and NNGRO budget.
“Initially, I was against putting all this money into gaming,” said BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tse Ch’izhi). “At this point, they should already be self-sufficient and able to fund their own operations because we were told they were on their feet now.”

At the conclusion of the discussion, the BFC voted 3-0 to pass Legislation No. 0281-13 with one amendment.

The BFC initially considered and tabled the legislation on Sept. 23 to allow the OOC, NNGE, and NNGRO to further discuss and clarify the budget forms and line items.

BFC is the final authority for the legislation.

# # #
For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
October 2, 2013

Naabik’iyáti’ Committee tables bond financing bill aiming to fund economic development and infrastructure projects on the Navajo Nation

WINDOW ROCK – After nearly nine hours of debate, the Naabik’iyáti’ Committee tabled Legislation No. 0213-13, the Navajo Nation’s intent to reimburse itself with proceeds of the General Obligation Bonds and/or the Draw-Down General Obligation Bonds for prior expenditures relating to the bond project list and to authorize the issuance of bonds for $220 million to fund certain debts and to finance economic development and infrastructure projects.

The legislation aims to allow the Navajo Nation to issue bonds to investors, and in the form of bank loan(s), to finance certain infrastructure projects in each of the Nation’s five agencies, outlined in the Navajo Nation Division of Economic Development’s five-year economic development plan.

“We will be taking a loan or a bond out to fund the projects that were recommended by the seven Regional Business Development [Offices] under Division of Economic Development,” said legislation prime sponsor Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta).

A similar resolution, Legislation CJN-24-13, was passed by the Council during a special session held on June 28. However, on July 12 President Ben Shelly vetoed the legislation, stating that the language in the bill needed to be further defined.

Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) spoke in support of the bill and provided a timeline for his committee colleagues.

“There are deadlines that have to be met. The deadline we have before us is in January to be able to issue the bonds,” said Delegate Bates. “If for some reason, we as a Nation miss that deadline, we have to go through this entire process again.”

The majority of Monday’s discussion centered on a proposed amendment to a portion of the bill that grants a limited waiver of sovereign immunity of the Navajo Nation and consents to the arbitration of disputes and the jurisdiction of the courts of the Navajo Nation, the state of New York, and the federal courts of the United States located in New York.

Supporters of the waiver argued that in order to issue bonds in the State of New York, and to fully participate and reap the full economic benefits, the Nation must grant the limited waiver and allow for other courts to possibly have jurisdiction in the event of future litigations.
“A lot of you are not satisfied with what the current system gives you. It’s not paying for projects at your chapters,” said Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dziil, Tsé Si áni, Wide Ruins). “We don’t have the kind of money to pay for these projects. This is the alternative.”

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) argued that the waiver would jeopardize the Nation’s assets in the event of future litigations.

“States issue bonds too. If state courts are allowed in litigation, what is the difference?” asked Delegate Tsosie. “The only thing I could see is the color of the skin. State of Arizona, State of New Mexico — they freely do this and I’m pretty sure this kind of language is not being sought from those states.”

Following a lengthy debate, committee members voted 9-7 to approve the amendment.

During the course of discussion, several delegates expressed frustration and confusion over the project listing distributed at the start of the discussion, which did not contain specific projects that were included in a previous listing.

Delegate Tsosie eventually motioned to table the legislation, along with a directive to conduct a work session to clarify and further discuss the project listing within 30 days.

Naabik’iyáti’ Committee members voted 13-2 to table the legislation.

Legislation No. 0213-13 requires a two-thirds vote, or sixteen votes of approval, to pass the bill.

The Navajo Nation Council serves as the final authority for the legislation.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
For Immediate Release  
Oct. 1, 2013

Navajo President Shelly Signs Navajo Nation FY 2014 Budget

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed the 2014 fiscal year comprehensive budget into law and line item vetoed at least $8.7 million in supplemental appropriations passed by the Navajo Nation Council earlier this month, which would have left $107 in the Undesignated Unreserved Fund Balance (UUFB).

President Shelly signed the budget with the line item vetoes Friday late afternoon.

“As leaders, we have an obligation to act fiscally responsible,” President Shelly said. “When the Shelly/ Jim administration took office, the Navajo Nation was more than $20 million in the red. I took the strong position that the UUFB should maintain $20 million above the minimum UUFB balance mandated by Navajo law, which could be used for emergencies and other unforeseen budget cutbacks.”

As part of the comprehensive budget, all general funded Navajo Nation employees are scheduled for a three percent wage increase; the Navajo Nation Area Agency on Aging budget will minimize layoffs; decentralization planning to bring more services to local communities was funded at $3 million and $2.9 million was budgeted for the Land Department to establish a registry of land records on the Navajo Nation.

“It is important to weigh and thoroughly consider all appropriations that utilize the Navajo People’s money. Especially with the current environment in Washington, D.C. it is important for us to make these wise decisions,” President Shelly said.

President Shelly line item vetoed about $5 million in proposed spending from the UUFB and about $994,000 from the Personnel Savings Fund.

“The Personnel Savings Fund and the UUFB are sources that depend on external conditions for funding. Those conditions can fluctuate each year and change the amount of money we have in those accounts. Therefore, we must exercise great caution when budgeting money from these sources and follow all applicable Navajo laws regarding spending of the Navajo People’s money,” President Shelly.
Most of the line items were vetoed because of failures to comply with budgetary processes outline by an executive order or the Appropriations Act, or the budget instruction manual.

The following supplemental requests were line item vetoed:

- $3 million from proposed infrastructure spending for the former Bennett Freeze area in the Western portion of the Navajo Nation.

- $3 million for Public Employment Funds for the 110 chapters.

- $1.2 million for chapter improvements.

- A $500,000 fuel cost supplemental appropriation.

- $550,000 for General Activity Fund Balance to be split with all 110 chapters.

“The total amount returned to the UUFN is about $8.7 million,” said President Shelly.

“It is important that the budget supplement requests comply with the Navajo Nation Appropriations Act, all policies and procedures created by FY 2014 Budget Instructions and Policies Manual and other pertinent Navajo laws,” President Shelly wrote.

The Navajo Council cannot override the line item vetoes exercised by the Navajo Nation president.

###
Navajo Nation President Ben Shelly shares Thanksgiving message

Let us be thankful for our beautiful language — Diné bizaad – our shield and protector countering the countless incursions against our people and our land. Let us be thankful for our Navajo Nation, the largest tribal nation throughout Indian Country, at over 16 million acres. Our Navajo Nation grew more than five times the original 3.5 million acres granted to our ancestors, upon their return home from Hwéeldi to our traditional homelands between the Sacred Mountains.

Let us be thankful for the protection of our Sacred Mountains – Tsisnaasjini’, Tsoodzil, Dok’oooolid, Dibe’ Nitsaa – for keeping us safe and providing us with a point of reference of where we come from and who we are. Let us also be thankful for Dzil Na’ooodilii, Ch’oolii, and Naatsis’aan for guidance and reverence in our songs and prayers.

The Navajo people are survivors and we identify ourselves to our Navajo deities every morning when we rise to greet the day with exercise and reverence. Our songs and prayers have brought us from the time of Emergence into the 21st century of today and they will carry us well beyond into the future and guide our children and grandchildren with the ancient wisdom that could never be replaced.

Let us be thankful for our Treaty of 1868, Naltsoos Sani’, outlining the trust responsibilities of the U.S. government to our Navajo Nation. We live in a time of sequestration and budget cuts, but this living, breathing document guarantees the government responsibilities and obligations to our people, regardless of the current economic climate.

Before the conquest of discovery and invasion of the New World, over 100 million Native Americans from hundreds of tribes thrived and lived in North America. Today, there are only 5 million Native Americans in the country. Let us be thankful that we have survived and that we continue to survive the odds that have been stacked against us.

I wake up every day thankful for the Navajo people. You give me reason to do my very best to represent our Navajo Nation with pride, honor and dignity. I am thankful for you, the voting body of the Navajo people, for electing me as your leader. We will continue down this road of innovation and elevation of our Navajo Nation for the generations to come.

Ahe’hee.

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FOR IMMEDIATE RELEASE
November 27, 2013

Naabik’iyátí’ Committee approves bill supporting and recommending an agreement to settle bus transportation issues affecting Navajo students

WINDOW ROCK – During a meeting held on Tuesday, Naabik’iyátí’ Committee members approved Legislation No. 0301-13, supporting and recommending a cooperative agreement between the Navajo Nation, McKinley County, San Juan County, and the New Mexico Public Education Department in an effort to resolve bus transportation disputes that have affected dozens of Navajo students living in or near the community of Naschitti.

Over the last few months, the Central Consolidated School District which includes Naschitti and the Gallup-McKinley County School District which includes Tohatchi, have met with state and tribal officials to resolve the boundary issues and have yet to come to an agreement to allow Gallup-McKinley buses to cross boundary lines to transport students living in San Juan County.

Legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels) explained that students living in the vicinity of Naschitti are often forced to walk miles to meet Gallup-McKinley County District buses at the county boundary line to be transported to their school in Tohatchi, located approximately 18 miles from Naschitti.

“Sometimes students had no ride from the drop-off point to their home so they walked,” said Delegate Hale. “That has been an issue that has been in existence with the State of New Mexico for over 30 years.”

Delegate Hale further explained that the legislation calls for action by the New Mexico State Legislature to bring this issue to a resolution.

According to the legislation, road construction is currently underway on U.S. Highway 491, making safety concerns a major problem for students walking to and from the county boundary.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) proposed an amendment to add language to the legislation for the inclusion of “other Navajo Nation chapters or communities” when addressing transportation issues that are found in other communities as well.

“We’re appreciative that Naschitti is raising the issue,” said Delegate Tsosie. “Here is an opportunity to work with the legislature and the school board to address transportation all over.”

Naabik’iyátí’ Committee members voted 15-0 to approve the amendment.
Several delegates also voiced concerns over possible restrictions over the use of county bridges by school buses due to county boundaries and weight limits that cause parents and students to drive longer distances to meet their school buses.

Following the meeting, Delegate Hale who also chairs the Health, Education, and Human Services Committee said he is working with school officials to identify and address transportation policies that may help to resolve issues involving the usage of bridges in Navajo communities.

Naabik’iyáti’ Committee members also approved an amendment by Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) to add language to further outline and define the language and intent of the proposed cooperative agreement.

At the conclusion of the discussion, the Naabik’iyáti’ Committee approved Legislation No. 0301-13 with 17 supporting and 0 opposing.

The Naabik’iyáti’ Committee serves as the final authority for the bill.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
FOR IMMEDIATE RELEASE
November 25, 2013

Budget and Finance Committee approves the restoration of Conditions of Appropriations to the Nation’s 2014 Comprehensive Budget

WINDOW ROCK – During a special meeting held on Monday, the Budget and Finance Committee approved Legislation No. 0337-13, to amend Resolution CS -47-13, the Navajo Nation’s FY 2014 comprehensive budget by adding Conditions of Appropriations.

On Sept. 9, the Council adopted the Nation’s FY 2014 comprehensive budget along with a total of 29 COA’s. However on Sept. 27, President Ben Shelly line-item vetoed 21 of the 29 COA’s, all of which stipulated that five-percent of specified individuals’ salary be withheld if the COA’s were not met by specified deadlines.

Legislation sponsor and BFC chair Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) said President Shelly’s main concern was the five-percent salary stipulation.

“The only concern that [President Shelly] had was as long as the five-percent didn’t exist, he was good with the COA’s,” said Delegate Bates.

Language in the bill replaces the five-percent salary stipulation with new wording that restricts compensation for business travel outside of the Navajo Nation if the COA’s are not met by the end of the second quarter of FY 2014.

BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Olijato, Ts’ah Bii Kin) expressed caution as it relates to setting precedence, adding that more COA’s are likely to be added to the bill.

“I take it this will set precedence for future budgets. Next year I would anticipate no COA’s being attached to the comprehensive budget and COA’s being done differently,” said Delegate Nez. “We are opening the door again for additional COA’s when this comes to Council.”

Prior to voting on the main motion, Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch’izihi) urged all parties to work together to develop a more efficient and effective method for developing the Nation’s comprehensive budget.

At the conclusion of the discussion, BFC members approved the legislation with a vote of 3-0.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Health, Education, and Human Services Committee discusses grant proposal with the New Mexico Secretary of Higher Education

TOHAJIILEE, N.M. – On Wednesday, the Health, Education, and Human Services Committee met at the Tohajiilee Chapter to discuss a report on the Native American College Readiness Initiative from New Mexico Cabinet Secretary Dr. Jose Z. Garcia.

“The State of New Mexico is working to secure a grant that would help fund higher education, ultimately making the New Mexico work force globally competitive,” said Garcia. “The grant would allow for selected schools to identify and improve student weaknesses at the sixth grade level, while also making them [students] college ready.”

According to Garcia’s report, the initiative would also withhold ten percent of New Mexico state college budgets, if the college is successful in increasing the number of graduated students, they would be rewarded accordingly. If the college is unsuccessful in graduating the average number of students, they will experience a budget cut.

Garcia emphasized that New Mexico believes the support from tribal governments and families is a necessary component in securing the grant funding.

In response to the report, HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) requested for Garcia to provide a copy of the grant proposal to the HEHSC and explained that any kind of support would need to go through the legislative process.

“The Department of Diné Education has been successful in obtaining the federal S.T.E.P. grant, and the committee has witnessed its success,” said Delegate Hale. “I appreciate your effort to include the Nation in this initiative. It is not often that we are included in anything concerning public schools.”

Garcia responded by mentioning that he believes Nation building is an essential part of improving higher education, and this can be taught to New Mexico’s Native American students.

“We have a similar program at Pinon Unified School District, and I have seen how successful it can be,” said HEHSC member Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill). “I truly believe that if you offer a Navajo student the opportunity to experience what it means to be a college student, they will make that vision a reality.”
Delegate Witherspoon further mentioned that the federal government could be much more innovative in assisting states fund higher education, by means of grants and student programs.

The HEHSC accepted the report with a vote of 4-0.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
November 21, 2013

Resources and Development Committee approves legislation establishing a negotiating team for the Peabody water use lease

WINDOW ROCK – On Tuesday, the Resources and Development Committee discussed Legislation No. 0308-13, which seeks to establish a negotiating team for the purpose of setting a water rate for the Peabody Western Coal Company lease.

If approved, the six-member negotiating team would consist of a member from the Resources and Development Committee, and the Health, Education, and Human Services Committee, a council delegate from the region where Peabody Coal Company operates, the Navajo Nation attorney general, director of Water Management, and the department manager for the Navajo Minerals Department.

“Today the water lease allows for Peabody to only pay $460 per acre-feet, for close to 1,200 water acre-feet per year. Others pay nearly $1,300 per acre foot,” said legislation sponsor Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill). “I would like for the negotiating team to make the new terms retroactive to 2007.”

Delegate Witherspoon emphasized the significant lost revenue for the Nation and requested for the RDC to consider two amendments that would further clarify the language within the legislation.

The RDC approved the amendments to the legislation with a vote of 3-0.

RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) questioned how the revenue would be used.

According to Nabik’iyati’ Committee Resolution NABIAP-23-12, upon approval of the lease a sufficient amount of the water revenue will be directed to primary and secondary education, in a manner to be determined by the Navajo Nation Council.

Delegate Tsosie recommended that the Council discuss the future use of the proposed revenue in the near future.

“I would like for the collected revenue to be funneled towards Head Start and elementary level programs, that is where our focus needs to be,” said RDC chair Council Delegate Katherine Benally.
(Chilchinbeto, Dennehotso, Kayenta). “We need to put money into the basics, so our student don’t start off failing.”

The RDC approved Legislation No. 0308-13 with a vote of 3-0.

Legislation No. 0308-13 now moves forward to the Health, Education and Human Services Committee followed by the Naabik’iyati’ Committee for final consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
November 14, 2013

Resources and Development Committee discusses road conditions in the former Bennett Freeze area

HARDROCK, Ariz. – On Tuesday, the Resources and Development Committee met at the Hardrock Chapter, to discuss the road conditions in the former Bennett Freeze area with members of the Dzil Yijiin Regional Council.

Comprised of several chapter including: Black Mesa, Blue Gap, Hardrock, Forest Lake, Pinon, and Whippoorwill, the DYRC serves as an advocate for community project support and to assist in local chapter governments to develop their five management system for governance certification.

RDC members also toured N8031, a 20-mile stretch of dirt road from Pinon to Hardrock frequently used by local residents.

“We would like to work on legislation that could help fund paving the road,” said RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta). “From what we saw there is a lot of work that needs to be done for the safety of those living here.”

The DYRC explained to the RDC that the road is a serious safety hazard for first responders during emergency situations, which has continued to worsen even after the lift of the Bennett Freeze enactment.

In 1966, former BIA commissioner Robert L. Bennett enacted a development freeze due to land disputes between the Navajo Nation and Hopi Tribe.

Development of any sort was strictly prohibited throughout the area until 2009, when President Obama signed a bill that repealed the law that created the freeze.

Representatives from the DYRC said they are working to set up meetings with the Hopi Tribe, to discuss improvements and the paving of N8031.

The Navajo Division of Transportation continues to work with the RDC to review jurisdictional and geographical challenges associated with the existing road.

The RDC is scheduled to hold their next meeting on Nov. 19 in Window Rock, Ariz.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
November 13, 2013

Law and Order Committee approves amendments to the Election Code

WINDOW ROCK – The Law and Order Committee on Monday discussed Legislation No. 0336-13, which seeks to amend Title 11 of the Navajo Nation Code to authorize the Navajo Board of Election Supervisors to set polling times in special elections only.

According to the report, voting hours in the regular and special elections are from 7 a.m. to 6 p.m. on election day. The concern is that it may not be compatible with state and county election times that often take place on the same day as a special election.

“The Navajo Nation is located in three states and election times vary, so our office is proposing that under rules and regulations, the election board can choose the opening and closing of voting times,” said Navajo Nation Election Administration program and project specialist Kimmeth Yazzie.

LOC committee members voiced their support, as well as concerns regarding the polling times.

“I think that controlling the polling times might control the voting and how the voters vote,” said LOC member Council Delegate Russell Begaye (Shiprock).

Delegate Begaye explained that if polling times were set only during the day, then the majority of the voters would be individuals that are generally older and retired, whereas younger voters who work during the day might not have a chance to vote.

In response to Delegate Begaye’s concern, Yazzie said that the election board would be able to regulate the polling times to fit the schedule of all the voters and synchronize polling times with state and county elections, if need be.

For instance, if a Navajo special election were to end at 7 p.m. and a state election ended at 8 p.m., the polling site would remain open until all elections have ended.

Yazzie said another issue regarding special elections is single-candidate elections, in which they are presumably guaranteed the winning seat, which poses a detrimental effect on financial resources.
LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) suggested an amendment to the legislation for the election board to also create rules and regulations for single-candidate special elections.

LOC voted 2-0 to approve the amendment.

“This legislation would allow NNEA to save costs on special elections, as well as give Navajo citizens an opportunity to exercise their right to vote,” said Delegate Shepherd.

At the conclusion of the meeting, LOC voted 2-0 to approve Legislation No. 0336-13. The legislation now goes to the Naabik’íyáti’ Committee for consideration.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Public Service Announcement

Navajo Nation Division of Community Development will present a proposed decentralization plans to the public, staff and chapters officials seeking public comments and input during the week of November 18-22, 2013.

Meeting will be held at the following locations:

Crownpoint Agency  November 18, 2013  Smith Lake
Veterans Building, Smith Lake, NM

Fort Defiance Agency  November 19, 2013  Whitecone
Multipurpose Building

Tuba City Agency  November 20, 2013  To'Nanees'Dizi
Chapter House

Chinle Agency  November 21, 2013  Chinle Chapter
House

Shiprock Agency  November 22, 2013  Nenahnezad
Chapter House

All meetings will be promptly at 9 am. For additional information, please contact the Ms. Shirlene Jim, Legislative Associate with the Division of Community Development at (505) 371-8468.
Navajo President Shelly Releases Statement for Veterans Day

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly released the following statement to commemorate Veterans Day.

“As Navajo people, we have always honored our warriors through ceremonies and prayers. We have long been a people who cherished our warriors.

Since World War I, as Americans, we have celebrated the courage of our veterans on the 11th day of the 11th month. As Navajo people, we have adopted Veterans Day to show our continued gratitude and support for our veterans.

Our veterans have given our people much to be proud of. From the Navajo Code Talkers of World War II, the Korean War, the Vietnam War and the Iraq War, to our current battles in Afghanistan and other parts throughout the world, we have Navajo servicemen and women who continuously bring great pride to the Navajo Nation. Our servicemen and women bring freedom and safety to our homeland.

On behalf of the Navajo people, I say thank you for your dedication and service. Your service is so greatly appreciated that words can never fully express our gratitude for your sacrifices. We welcome you home and honor you by remembering your service each day as we live and pray.

For our active servicemen and women, we pray for your safe return home.

I urge our Navajo people to thank our veterans as we rejoice in their heroic deeds. From the days of Narbona to our returning veterans of today, our warriors have been a part of who we are as Navajo people. Let us continue to honor and recognize our veterans not only on Veterans Day, but each day we walk Mother Earth. Let us pray for our veterans, and offer them kind encouraging words.”

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Naabik’iyátí’ Committee approves the Healthy Diné Nation Act of 2013

For immediate release
November 8, 2013

WINDOW ROCK – Naabik’iyátí’ Committee members on Thursday approved Legislation No. 0289-13, amending Title 24 of the Navajo Nation Code by enacting the Healthy Diné Nation Act of 2013.

If approved by the Navajo Nation Council and signed into law, the Healthy Diné Nation Act of 2013 would assess a two-percent sales tax on various “junk foods” on the Navajo Nation with tax revenue to be used for community wellness projects.

Prior to the discussion, legislation sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock) introduced a group of high school students from Navajo Preparatory School, Inc. who shared health statistics and personal testimonies about loved ones living with diabetes and other health issues.

“How do we address the epidemic of diabetes and obesity on our reservation?” asked Delegate Simpson. “This is one way to combat what is happening today. This two-percent [tax] isn’t going to make a lot of money, but it’s a start.”

Although Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said he supports “healthy living”, he opposed the legislation comparing it to the Nation’s pawning industry which deteriorated after heavy policies were instituted to regulate the industry.

“When the Navajo Nation and the federal government started the pawning regulations all the pawning businesses went off and they went to the border towns and there’s nothing much we can do in regulating pawning now,” said Delegate Tsosie. “This is going to benefit border towns.”

Speaking in favor of the legislation, Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) drew attention to the two-percent tax, saying the proposed tax would not be a substantial increase in terms of dollars and cents and called it an “investment in our communities.”

“A 12-pack of soda is about $5.99 and if you do the math it’s just an increase of 11 cents,” said Delegate Shepherd. “We’re talking about going to the border towns, but yet we’re investing more tax dollars into something that doesn’t come back here to the Navajo Nation.”

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) said he supports the intent of the legislation. However, he also said he believes healthy living is a personal choice.
and that the decision over the two-percent tax increase should be left to the people in the form of a referendum.

“Let the people decide whether they impose a tax on themselves. All it is is a self-choice. Get out there and run. Get out there and measure your food intake,” said Delegate Nez. “We got to start somewhere and this is a good start.”

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) questioned if the two-percent increase would be enough to impact behavior, while providing examples of other taxes imposed by states to discourage the use of alcohol and tobacco.

“For tobacco, Arizona charges $2.00 per pack and in New Mexico it’s $1.66 per pack and the tax for tobacco on Navajo is $1.00 so two-percent is not going to make a behavioral change that we’re seeking,” said Delegate Witherspoon.

Delegate Witherspoon continued on to say that if the Nation truly wanted to make a behavioral change, a 20-percent increase would be necessary at the minimum.

Prior to voting on the main motion, Naabik’iyáti’ Committee members approved two amendments including adding swimming pools to the list of potential “community wellness projects” that would be funded by the tax revenue.

The second amendment establishes a sunset clause for the proposed tax increase, set to expire at the end of calendar year 2018, unless extended by the Council.

Naabik’iyáti’ Committee members voted 12-6 to approve Legislation No. 0289-13. The legislation now moves on to the Navajo Nation Council for final consideration.

Prior to considering Legislation No. 0289-13, the Naabik’iyáti’ Committee also approved Legislation No. 0213-13, the proposed bond financing bill to authorize the issuance of bonds for $220 million to fund certain debts and to finance economic development and infrastructure projects.

The bond financing legislation also moves on to the Navajo Nation Council for final consideration.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
November 7, 2013

Budget and Finance Committee receives report on proposed controlled environment agricultural green house on the Navajo Nation

WINDOW ROCK – On Tuesday, the Budget and Finance Committee approved a report regarding a proposed controlled environment agricultural green house that would be located near Winslow on Navajo Nation fee land and will be operated by VFT Global, LLC.

VFT Global specializes in controlled environment agriculture using hydroponics as a form of growing produce. CEA controls all elements in planting such as the water temperature, air, and nutrients in the water that the plants are grown in.

“This type of growing is a very clean and natural process that does not require soil, and uses 90 percent less water than regular agriculture,” said VFT Global Chief Operating Officer RJ Brot. “All produce is considered beyond organic, GMO-free, as well as free of pesticides and herbicides.”

VFT Global Sr. Vice President and Chief Financial Officer Joshua Abramson stated that the project would cost approximately $20 million. The Navajo Nation is asked to provide $15 million in capital investment into the project and to authorize a land lease to VFT Global, who will also invest $5 million or the remainder of the construction costs of the facility.

BFC members expressed their support for the initiative, while questioning the cost of construction, ownership, and operations.

“Why Winslow? Why not truly invest in within Navajo [land], rather than cater to the outskirt border towns and cities? There are places in Navajo land such as Wheatfields or Crystal that are prime locations and have sufficient water sources,” said BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tse Ch’izhi).

In response to Delegate BeGaye’s concerns, Brot explained that the Winslow tract had been surveyed and would meet the environmental and transporting needs of the CEA operation.

BFC member Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a) said he supports the initiative, and voiced his concern regarding the proposed $15 million investment by the Nation.
“We are very appreciative of VFT Global having interest in our land and resources, but does the Department of Economic Development or the Navajo Nation President’s Office have an alternative plan for other funding options?” asked Delegate Begay.

Brot and Abramson said they want to ensure the relationship between the Navajo Nation and VFT Global is transparent, and assured the committee they would receive a very positive return on their investment, as well as donating a percentage of their produce to the Navajo school systems annually.

According to the report, the Navajo Nation’s investment would allow for 99 percent ownership over the facility, and one percent ownership by VFT Global. However, VFT Global would own and control operations of the produce plant, and the Nation would receive a royalty of $.01 per head of lettuce, which would increase every year by two percent.

“We appreciate the presentation and the global picture of what this initiative can do for the Navajo Nation, and I think the next stage is to present this to the Nation’s investment committee for further assessment of this project,” said BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin).

Delegate Nez urged the committee to keep the due diligence process in mind and to research the background of VFT Global’s proposal, while emphasizing the importance of protecting the Navajo Nation and its capital, as well as to develop recommendations and potential alternative funding options.

At the conclusion of the BFC meeting, the committee voted 4-0 to accept the report.

# # #
For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
November 7, 2013

Health, Education, and Human Services Committee discusses report from Department of Navajo Veterans Affairs regarding home construction

WINDOW ROCK – The Health, Education, and Human Services Committee met on Wednesday and discussed an update report from the Department of Navajo Veterans Affairs, regarding the progress of construction of 15 homes in each of the Nation’s five agencies.

On Sep. 9, the Navajo Nation Council passed Legislation No. 0193-13, amending the Navajo Nation Veterans Trust Fund, allowing for the construction of 15 homes and to provide minor renovations and repairs, for Navajo Veterans in each of the five agencies annually, for the next four years.

“We are working with several of the Navajo Nation’s departments to acquire a vendor inventory and maintaining expenditures so that we can make the most of our money,” said DNVA executive director David Nez. “Right now we are in the hiring process of the construction teams. This is being done through the agencies.”

According to Nez, the department is doing everything possible to ensure the homes are built on-time by reviewing shovel ready sites, identifying vendors that can deliver materials on schedule, and recruiting reliable plumbing and electrical services.

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) suggested that the department provide clear communication between DNVA and Navajo Veterans.

“There needs to be clear communication about the entire process. Who will get these homes, who will be building these homes, and how the money is being spent,” said Delegate Hale. “The Council will want to know the cost savings, so they know the money is not being spent on administrative costs and travel.”

Nez added that DNVA has recently submitted a proposal to the State of Arizona requesting matching funds that could increase the number of homes constructed and renovations.

“There are a lot of veterans out there that need this assistance. Clear information is always useful because the chapters are very excited about this,” said HEHSC vice chair Council Delegate Charles Damon II (Bááhááli, Chichiltah, Manuelito, Tsé Lichíí’, Rock Springs, Tsayatoh). “People have been inquiring about who will be hired as laborers. This is the information the chapters need.”

Delegate Hale suggested that DNVA develop a report for the Navajo Nation Council, inclusive of blue prints, costs, and hiring processes.
The HEHSC will vote whether to accept the report at their next meeting, scheduled for Nov. 12 in Leupp, Ariz.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Signs 911 Legislation, Leasing Act and Vetoes NHA Improvement Act

WINDOW ROCK, Ariz. – Navajo Nation President Ben Shelly signed legislation that gives the Navajo Nation Telecommunications Regulatory Commission (NNTRC) authority to implement and manage a 911 emergency response system on the Navajo Nation.

“"I am pleased to sign this legislation. We have to give our Navajo Nation residents the opportunity to call for help in emergency situations. We have been working to create the infrastructure to enable a 911 emergency response system on the Navajo Nation. We look forward to making more progress in this area," President Shelly said.

Legislation CO-51-13, which enabled the NNTRC to implement a 911 system, was one of the pieces of legislation from the fall session of the Navajo Nation Council that was signed on Wednesday. President Shelly also signed a bill that updated Navajo leasing regulations and he vetoed a Navajo Housing Authority reform measure.

President Shelly signed the Navajo Nation General Leasing Regulations Act of 2013, legislation CO-53-13, into law. The act streamlines current leasing approvals by establishing procedures to approve all land leases with the exception of mineral leases.

“The Navajo Nation needs to create opportunities for growth. One of the ways we can do that is to streamline land lease procedures. This will allow businesses and homes a streamlined process to have leases approved. I welcome these changes,” President Shelly said.

President Shelly vetoed legislation CO-57-13, which would have updated Navajo Housing Authority board selection approvals. He vetoed the legislation stating that the language in the legislation needed to be clearer and that the Naabik’iyati’ Committee doesn’t have to approve assigned or appointed commissioners.

President Shelly outlined his reasons for his veto in a memo to Navajo Nation Council Speaker Johnny Naize.
In Section 606 and 607 of the bill was “confusing and not clear” about how many commissioners would serve on the board that oversees NHA.

In addition paragraphs in Section 606 and 607 restate the need to appoint a commissioner within 90 days, and since the two paragraphs state the same need, one paragraph was not necessary.

Thirdly, Section 614 would have gave the Naabik’iyati’ Committee to approve appointed and assigned commissioners. However, President Shelly, in his veto memo, stated this practice could infringe upon NHA’s efficiency.

“The NHA, like other tribal entities, was created and delegated to carry out administrative function efficiently, without the cumbersome process of governmental bureaucracy. Requiring NHA to go through the legislative process negates the efficiency objective,” President Shelly wrote.

Earlier this week, President Shelly signed legislation CO-56-13 that would have reduced fees for voter-based initiatives to be place on voter ballots.

Signed on Nov. 4, in his memo to Speaker Naize, President Shelly wrote the Navajo Council should consider other referendum measures recommended by the Office of Government Development and the Commission on Navajo Government Development based from a 2012 convention.

“We ask that the Navajo Nation Council reconsider the referendum measures on lowering the initiative signatures requirements; amendment laws approved by initiative/referendum; amending N.N.C. (subsection) 102,” Andrew Curley, commission vice-chairman, wrote in a letter addressed to President Shelly and Speaker Naize.

President Shelly cited Curley’s letter in his veto memo to Speaker Naize.

“I robustly urge the Navajo Nation Council to reconsider remaining referendum measures,” President Shelly wrote. “We need to listen to our Navajo people entirely.”

Other legislation signed from the fall session included the Navajo Nation Energy Policy of 2013, Navajo Transitional Energy Company operating amendments enabling the purchase agreement for Navajo Mine near Farmington, N.M., and an allocation of nearly $4.1 million to NTEC as company start up costs.

“We are making progress on the Navajo Nation. We must continue to work hard for the Navajo people and ensure that the Navajo Nation is progressing toward positive changes for our people,” President Shelly said.

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FOR IMMEDIATE RELEASE
November 6, 2013

Resources and Development Committee supports the Cornfields Chapter alternative form of government

CORNFIELDS, Ariz. – On Tuesday, the Resources and Development Committee approved Legislation No. 0277-13, authorizing the “Council and Chapter Manager” form of government as an alternative form of government for Cornfields Chapter, a Local Governance Act certified chapter.

Legislation sponsor Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichííí, Steamboat) said the legislation would allow the community to further strive for self-sufficiency by implementing a governance model that promotes autonomy.

“Our chapter has received a lot of participation from the community, as we have incorporated the teachings of our elders,” said Delegate Shepherd. “As we are moving forward with this process, we want to bring up the younger generation with economic development. With this new structure, they will be apart of their local government.”

According to the legislation, Chapters have the option of adopting one of three governance models: the Chapter Council-President, the Commission-Manager, or the Council of Nat’aa and Atsilasdai Executive. Chapters also have the option to propose an alternative form of government separate from the models.

The Cornfields Chapter created an alternative model known as the “Cornfields Chapter Council and Chapter Manager,” consisting of a president, vice-president, secretary/treasurer, and a chapter manager to assume administration functions of the chapter.

The Cornfields Alternative Form of Government committee chair Tom Toadecheenie, said the community would like to experience the livelihood of being self-sufficient by empowering the people of Cornfields to become more active in their local government.

“The new ordinance includes goals that will reflect the progress of the AFOG. We will see if this is really making an impact in the community,” said Delegate Shepherd. “In the ordinance we have included a section that allows for necessary amendments to be made every two years. The community will be constantly involved so the ordinance always fits to the community’s needs.”
Following the presentation, RDC members had a few concerns regarding the meeting rules of order such as: quorum requirements, meeting pro tem, and who would have authority to make a motion on chapter business.

Delegate Shepherd, the Cornfields AFOG committee, and legislative counsel developed a list of amendments that further clarify the responsibilities of a president pro tem, quorum requirements for planning meetings, and to ensure that the council would be the only body capable of motioning on chapter business.

“You are blazing the trail and opening our eyes to what chapters are capable of,” said RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta). “I can see that these amendments are minor and do not change the intent of the legislation.”

RDC member Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) commended the chapter for their hard work and efforts to pursue autonomy in the community.

The RDC accepted the amendments with a vote of 2-1.

Although the RDC was in support of the legislation, members also suggested that the chapter develop a way to engage people with the chapter process.

“I see that the new ordinance reduces the necessary quorum to conduct chapter business. I believe that you also need to bring people back into the process, that is how you have a democracy,” said RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake).

The RDC approved the Legislation No. 0277-13 with a vote of 2-1.

The legislation is now referred to the Navajo Nation Board of Elections to be considered for a referendum vote by the Cornfields Chapter.

# # #

For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
November 6, 2013

Law and Order Committee approves follow-up report on operation and maintenance of judicial facilities

WINDOW ROCK – On Monday, the Law and Order Committee approved a follow-up report on the operation and maintenance of the judicial facilities on the Navajo Nation.

Judicial Branch director of Special Projects M. Theresa Hopkins, stated that her office and the Navajo Nation Office of Management and Budget are currently developing proposals for supplemental funding for operation and maintenance costs from the Bureau of Indian Affairs.

“In addition to the operation and maintenance costs, we are finding that the new facilities are equipped with advanced high-tech software that manages systems such as heating, ventilation, air conditioning, and electronic locking systems in the detention facilities,” said Hopkins, “and we need additional funding to maintain the servers and software.”

LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) urged LOC members to advocate for additional funding from Congress.

“We need to develop a list of needs for the judicial complexes and advocate for federal funding from Congress,” said Delegate Begay.

According to the report, four packet proposals were submitted to the BIA for operation and maintenance costs for the Dilkon judicial center. However, Hopkins stated that her office is still awaiting information as to when the funds will be received and released.

The current request for additional funding can compensate for the operation and maintenance shortfalls for the other judicial complexes that are completed or near completion.

LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) said it is important that the supplemental funding come from the federal government to hold them accountable to their trust responsibility with the Navajo Nation.

“After we lobby for funding from Congress, it is important that we all come back to the table to prepare for the funding and its finalization if we receive any awards,” said Delegate Shepherd.
At the conclusion of the LOC meeting, Delegate Shepherd reminded committee members that the FY2016 federal funding proposal deadline is in Feb. 2014 and the needs of the judicial complexes need to be kept in mind.

LOC voted 2-0 to accept the report.

# # #
For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Navajo President Shelly Praises Courts Decision Regarding Navajo Water Rights

WINDOW ROCK, A.Z. – Navajo President Ben Shelly praised a New Mexico appeals court decision that determines water rights for the Navajo Nation in the San Juan River Basin.

On Friday, Nov. 1, 2013, Judge James Wechsler, presiding over the general stream adjudication for the San Juan River in New Mexico, entered the final judgment and decrees that quantify the water rights of the Navajo Nation in the San Juan River Basin. Those rights were the product of a negotiated settlement the court previously determined to be "fair, reasonable and consistent with law and public policy."

President Shelly hailed the decision as a major triumph for the Navajo Nation. The President observed that, “Water is a sacred element that is needed for life. This decision recognizes the Navajo rights to water from the San Juan River. We can now focus on the future of water needs for our residents in New Mexico.”

In 2009, Congress approved a settlement agreement between the Navajo Nation and the State of New Mexico recognizing the water rights of the Navajo Nation in the San Juan River Basin that includes agricultural water for the Navajo Indian Irrigation Project and the Hogback and Fruitland projects, drinking water to be delivered to eastern Navajo communities through the Navajo-Gallup Water Supply Project, as well as water for livestock and other historic uses. The Northwest New Mexico Rural Water Projects Act established a number of milestones that must be met for the settlement agreement to be finally effective. Under the Act, entry of the final decrees of Navajo Nation water rights in the San Juan River Basin adjudication is required by the end of 2013. The Act also requires that Congress appropriate the funding necessary to build the Navajo-Gallup Water Supply Project and that construction be completed by the end of 2024. The final decrees conclude the litigation of the rights of the Navajo Nation that began in 1975, although it is possible that other water users who have opposed the settlement and entry of the decrees will file an appeal.

Benjamen Cowboy, Chair of the Navajo Nation Water Rights Commission, noted that “this historic milestone could not have been achieved without the courage and foresight demonstrated by the Navajo Nation Council in approving the settlement, and the persistence and tenacity of our entire water rights team as they work to ensure that the rights agreed to in the settlement become legally enforceable.”
FOR IMMEDIATE RELEASE  
December 23, 2013

Navajo Nation Council tables legislation seeking to obtain performance and reclamation bonds for the possible acquisition of BHP Navajo Mine

WINDOW ROCK – During a special session held on Monday, the Navajo Nation Council voted to table Legislation No. 0367-13, which seeks to grant a limited waiver of the Nation’s sovereign immunity to allow the Navajo Transitional Energy Company, LLC to obtain performance and reclamation bonds to bring the company a step closer to acquiring BHP Navajo Mine.

In his opening remarks to Council, legislation sponsor Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) urged the approval of the bill to allow Council to fulfill its “original intent” by allowing NTEC to move forward with the purchase of the mine and to make the Nation a “player” in the energy industry.

“It does not change the intent of what we as Council voted on and that was to gain control — to become a player in the energy field,” stated Delegate Bates. “For 54 years, this Nation has sat on the bench and collected [royalties] and has had no say in a resource that we have a hundred years’ worth of.”

NTEC board chairman Steve Gunderson, later explained that the legislation seeks the approval of two separate bonds or “insurance contracts”, which also require the First Judicial District Court of the State of New Mexico to enforce arbitration between the Nation and the insurers in the event of a dispute.

Gunderson said the reclamation bond, required by the U.S. Office of Surface Mining, insures that funding needs will be met to reclaim the mining site, in accordance with federal law.

The performance bond is required by the Four Corners Power Plant to insure a source of funding in case of an interruption in the coal supply such as flooding, according to Gunderson.

“NTEC does not have a track record today, and because NTEC does not have the assets is the reason we’re here today,” said Delegate Bates, explaining the need for the bonds on the basis that NTEC is a newly established company with no “track record” or current assets.

The majority of Monday’s discussion centered on a question raised by Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) over whether the legislation required a simple majority vote or two-thirds vote.

In accordance with Navajo Nation law, a limited waiver of sovereign immunity requires two-thirds approval of Council, or sixteen supporting votes.
Council Delegate Russell Begaye (Shiprock) expressed strong opposition in regard to a memo from Navajo Nation Attorney General Harrison Tsosie addressed to members of the Council, in which he stated that the legislation only required a simple majority for passage.

Delegate Begaye also opposed the requirement to have the First Judicial District Court of the State of New Mexico serve as the enforcer in the event of arbitration, referring to the mandate as a breach of trust between the insurance companies and the Nation.

“These guys don’t trust our courts so that’s why they are wanting us to move out of Navajo Nation court and move it into Arizona or New Mexico,” said Delegate Begaye. “As I’ve said before, if they were doing business in a place like Thailand or Vietnam or China, they would not hesitate to use the courts of those countries because they respect it and so in this case, we’re not being respected by not utilizing our courts.”

After a lengthy discussion, Council members voted 10-7 to approve a motion made by Delegate Begaye to require a two-thirds majority approval for the proposed legislation.

Immediately following the approval of Delegate Begaye’s motion, Council members voted 10-7 to table Legislation No. 0367-13.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
December 19, 2013

Budget and Finance Committee approves the Navajo Nation Economic Development Fund Management Plan

WINDOW ROCK – On Tuesday, the Budget and Finance Committee approved the Navajo Nation Economic Development fund management plan, which allocates one-half percent of the Navajo Nation sales tax for economic development purposes.

According to Legislation No. 0242-13, the fund management plan will be utilized towards stimulating economic development to improve the Nation’s economy through small business, commercial, industrial, and tourism sectors of the Navajo Nation.

Legislation co-sponsor and BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Ojato, Ts’ah Bii Kin) said the Division of Economic Development would execute the fund management plan for the economic development initiative.

“The half-percent of the one-percent sales tax will go towards infrastructure projects, feasibility studies, and other services that promote the sustainment of Navajo businesses,” said Delegate Nez.

In 2012, the Navajo Nation Council approved the one-percent sales tax increase from four-percent, in which one half-percent would go towards economic development and the other half-percent would go towards the Navajo Nation Scholarship Fund.

Delegate Nez proposed an amendment recommending that the sales tax allocated for economic development be distributed equitably among the Nation’s five agencies for future projects.

BFC voted 3-0 to pass the amendment.

At the conclusion of the meeting, BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tse Ch’izhi) requested that the legislation sponsors provide an update after the funds have been expended to monitor the progress of the economic development initiative.

BFC voted 3-0 to approve Legislation No. 0242-13. BFC serves as the final authority for the legislation.

# # #
For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Council Delegate Edmund Yazzie promotes domestic violence awareness

Thoreau, N.M. – Last Thursday, Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau) presented to a group of his constituents at a Domestic Violence Prevention Awareness Conference at the Thoreau Chapter House.

The event was part of a series of conferences hosted by Navajo Nation Department of Behavioral Health Services, focusing on the impacts of domestic violence on children, married couples, and families.

Delegate Yazzie shared his personal experiences with life choices, prayer, and family.

Speaking before a crowd of approximately 40 community members, Delegate Yazzie shared a story of his wife’s pregnancy years ago which nearly resulted in the loss of her life due to complications during labor.

“That day to actually hear the doctor say ‘do you have a pastor to be with you right now?’ just killed me. My wife had a really slim chance of making it.” said Delegate Yazzie.

Delegate Yazzie explained that the overall message of the story is the importance of prayer and human life.

“You have got to believe in your prayers and you have got to believe in your family. This is why I say pray in your own way. Believe in yourself and continue your prayers and be as strong as you can.” said Yazzie.

As a former police officer, Yazzie dealt with a lot of situations involving domestic violence and said he understands the negative impacts it has on children and their families.

“I’ve seen firsthand the detrimental affects of domestic violence and I felt it was important to share my experiences with my community to tell them that they can overcome adversity and live a positive life,” Delegate Yazzie said.

Also in attendance was Davina Segay with the Navajo Nation Department of Behavioral Health Services, who serves as the coordinator for the Domestic Violence Prevention Initiative.

“What we are trying to do is go into the communities and put up Domestic Violence Prevention activities and conferences for the awareness and self-prevention education. A lot of times we have community members who do not know that they are in a domestic violence relationship because it may be considered normal behavior to them and something that they grew up in their own homes,” said Segay.

DVPI has previously hosted domestic violence conferences in Sanders, Luepp, Thoreau, and Crownpoint. The next scheduled conference will be held in Tuba City, on Feb. 4.
DVPI works with domestic violence shelters within the Navajo Nation at sites located in Chinle, Keyenta, Shiprock and Gallup.

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FOR IMMEDIATE RELEASE  
December 19, 2013

Law and Order Committee receives report regarding the  
Sex Offender Registration and Notification Act on the Navajo Nation

WINDOW ROCK – The Law and Order Committee, on Monday, received a report from the Navajo Department of Public Safety regarding the Sex Offender Registration and Notification Act that was implemented on the Navajo Nation in 2012.

SORNA is Title I of the Adam Walsh Child Protection and Safety Act of 2006 that aims to enforce minimum standards for sex offender registration while extending jurisdiction of the registrations across the 50 states, District of Columbia, principal U.S. territories, and federally recognized tribes.

“Currently, we require all sex offenders, Navajo and non-Navajo, that choose to live on the Navajo reservation to register with NDPS,” said NDPS police officer Pamela Hurley.

Hurley said that for the past one and a half years, the Navajo Nation has implemented its version of SORNA, which is the Navajo Nation Sex Offender Registration and Notification Act of 2012 to better serve the safety and protection of Navajo people, especially children.

LOC members expressed their support for the initiative and inquired as to why the Navajo Nation has yet to implement some of SORNA’s key principles.

“What is holding the Nation back from using all the latest technologies to register and maintain up-to-date data on sex offenders?” asked LOC member Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’bii’tó, LeChee, Tonalea/Red Lake).

In response, Hurley said the lack of implementation is due to the shortage of funding and resources of NDPS. She further explained that NDPS plans to seek additional funding from the Navajo Nation and future grants, adding that NDPS is in the process of drafting legislation to amend the NNSORNA to strengthen the law.

Important amendments in the proposed legislation would allow for the immediate apprehension of sex offenders that fail to register or abscond, require registration of all sex offenders that were convicted prior to 2006, extend all sex offender requirements to apply to all convicted sex
offenders regardless of where they were convicted, and more stringent penalties for sex offenders that fail to register.

LOC member Council Delegate Russell Begaye (Shiprock) said he is in support of the proposed amendments to the 2012 Act and offered to sponsor the legislation.

“I think it is important that we strengthen the NNSORNA of 2012 to protect our people and children, so I am in support of the proposed legislation for the added amendments,” said Delegate Begaye.

At the end of the discussion, Delegate Begaye suggested that the proposed legislation should also address non-Navajos to ensure that it applies to all sex offenders residing on the Navajo Nation.

LOC voted 3-0 to approve the report.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
Health, Education, and Human Services Committee approves legislation to amend policy manual for Low Income Energy Assistance Program

LEUPP, Ariz. - Last Wednesday, the Health, Education and Human Services Committee approved Legislation No. 0358-13, amending the policy manual for the Low Income Energy Assistance Program, housed under the Navajo Nation Division of Social Services.

The purpose of LIHEAP is to provide assistance to low income households by assisting with the cost of heating and cooling in their homes to meet their home energy needs. In order to help those in need, major adjustments to the financial process were necessary, according to the DSS.

“What we are trying to do is consolidate all the financial opponents. One of the things we did is, we took out any financial assistance out of Public Family Services and put it under the Program for Self Reliance,” said legislative analyst with the DSS, Thomas Cody.

Under the Program of Self Reliance, clients are ensured that the managing of funds and customer due of process is fairly regulated, added Cody.

In response to complaints over the delay in receiving checks, the Program of Self Reliance has implemented the use of debit cards in place of financial services and plans are underway to use this type of method for LIHEAP.

“So, in this process, do you keep [the Office of the Controller and the Office of Management and Budget] in the loop because this will relate back to the subcommittee on external funds?” asked legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels).

Cody said that all financial entities are well aware of these changes.

“Are applicants provided summary sheets that outline their qualifications? Are they provided information that is simple for the clientele to understand?” Delegate Hale questioned.

According to the LIHEAP policy manual, it is the responsibility of eligible clients to understand program requirements in order to receive sufficient assistance in a timely manner.

Also, it is the responsibility of clients to attend a mandated two-hour orientation to determine eligibility requirements as well to discuss energy conservation.

Orientations will be conducted at various sites, including chapter houses, throughout Navajo Nation.
HEHSC voted 3-0 to approve Legislation 0358-13. The HEHSC serves as the final authority for the legislation.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
Navajo Nation prevails in bankruptcy court case
Anadarko Petroleum and Kerr-McGee Corporation to repay billions in settlement

The Navajo Nation is one of a number of claimants in the case. Other claimants include the U.S., 22 states, four environmental response trusts and a trust for the benefit of certain tort plaintiffs. Prior to the trial this group of environmental and tort claimants reached an agreement on how they would allocate any recovery in the lawsuit.

While the proceeds distribution formula is rather complicated, Tsosie noted that 88 percent of all proceeds go to the group of environmental creditors, including the Navajo Nation. The remaining 12 percent will go to private tort creditors and for administrative expenses. Of the 88 percent distributed to environmental creditors, 23 percent will be available for use in cleaning up former Kerr-McGee abandoned uranium mines located on the Navajo Nation and the former Shiprock Mill site.

Judge Gropper’s decision finds that Anadarko and Kerr-McGee are liable to the plaintiffs for damages, setting a range for such damages between $5.1 and $14.1 billion. The exact amount of damages will be determined after briefing by the parties.

Tsosie stated, “While we recognize the uncertainties of the appeal process and the long road that may be ahead of us, this is still a day of celebration for the Navajo Nation. A federal judge has issued a ruling that could result in over a billion dollars being made available for cleaning up some of the uranium contamination from past uranium mining and processing on the Navajo Nation. We want to thank our outstanding litigation team, which included attorneys from the Chicago-based firm of Kirkland & Ellis, John Hueston of the Irell and Manella Firm from Los Angeles, the Office of the U.S. Attorney for the Southern District of New York and representatives of the U.S. Department of Justice in Washington, D.C.”

Other recognition for the court case included David Taylor, Navajo DOJ attorney; Navajo trial witnesses, Navajo EPA; Perry Charley, an instructor at Diné College Shiprock Campus; and the U.S. EPA Region 9 San Francisco Office of Regional Counsel.
WINDOW ROCK-Navajo Nation President Ben Shelly has authorized early payroll release on Dec. 23, 2013 for tribal employees. Additionally, he has authorized early release on Dec 24 and 31 for the holiday season.

“In recognition of the Christmas and New Year’s Day holidays, I hereby authorize early payroll and early release for all Navajo Nation employees,” President Shelly said.

Executive Branch employees are authorized four hours of administrative leave from 1:00 to 5:00 p.m. on Dec. 24 and 31. Emergency personnel and essential on-call personnel are exempt, unless authorized by immediate supervisors.

The Navajo Nation Office of the President and Vice President wishes all employees and families a happy holiday season. We thank you for your dedicated service to the Navajo Nation.

“Be safe and remember your elders during this time of caring and giving in respect of K’é. Ahéhee,” President Shelly said.

-30-
The Navajo Nation mourns the loss of the late Navajo Code Talker Wilfred E. Billey. Billey left us on Dec. 12, 2013. His funeral is scheduled for Dec. 21, at the First United Methodist Church in Farmington, N.M.

Billey was 90 years old and lived in Farmington, N.M. His clans are Táchii’ii (Red Running Into the Water) and Tl’aashchi’i (Red Cheek People). His maternal grandparents are Naasht’ézhí Dine’é (Zuni) and his paternal grandparents are Hooghan łání (Many Hogans).

On Dec. 13, Navajo Nation President Ben Shelly signed a proclamation to have all flags on the Nation to be flown at half-mast in honor of Billey’s passing, from Dec. 13 to 20.

“The Navajo Nation is greatly saddened by the loss of the late Wilfred E. Billey, who served in the U.S. Marine Corps,” President Shelly said. “The Navajo Nation unites and offers prayers for his family and friends during this time of grief.

Billey’s daughter, Barbara, said she was working on a biography of her father before his passing.

“My dad was an educator and assisted educating the Elderhostel, Inc. Road Scholar program from around the world. He really pushed for education, especially for scholarships for the children of Navajo Code Talkers,” she said.

Billey also worked for the Navajo Methodist Mission School, Central Consolidated School District and Farmington municipal schools. He informed the youth and world about the role the Navajo Code Talkers played in the fight for freedom during World War II.

The following account is from Barbara Billey’s conversations with her father on his memories of the war.

Born on Dec. 28, 1922, Wilfred E. Billey was raised by his grandparents and lived a simple life. They spent summers in the Chuska Mountains above Sanostee, N.M., herding sheep and farming. The family lived in a traditional forked stick hogan.

Billey attended Toadlena Boarding School and was taken to school on horseback by his grandfather. For junior high, he attended school at Shiprock. Eventually, he became friends with William Yazzie, who later changed his name to William Dean Wilson, one of the Original 29 Code Talkers.

In 1941, Billey was enrolled at Navajo Methodist Mission School in Farmington, a boarding school providing a strong Methodist background for young Navajos.

One day, the school superintendent informed students that the U.S. Marine Corps was looking for a few good men fluent in Navajo and English. He asked for volunteers and 11 students stepped forward, including Billey.

Of the 11 men, eight passed their physical examinations and were inducted into the Marine Corps. Billey’s daughter said military records state he was drafted, but that was untrue because he volunteered for service.

The young recruits were sent to Camp Elliot, north of present-day Camp Pendleton, to undergo 13-weeks of basic training. They coalesced into USMC Platoon 297, the second all-Navajo platoon, comprised of 56 men.

The Navajos were trained as radiomen and Platoon 297 was shipped out to New Calendonia, aboard the USS
Corporal Wilfred Billey proudly served as a Navajo Code Talker in the United States Marine Corps. He fought in the Battle of Tarawa, the Battle of Saipan, Tinian and Okinawa in the Pacific Theater during World War II. He also served in the Marine occupation of Nagasaki after Japan surrendered. (Courtesy photo)

Mount Vernon. Howard Billiman, a member of the original 29 Code Talkers, accompanied the men and served as code instructor.

While aboard the ship, the platoon was split up and radiomen were sent to various Marine divisions in the Pacific. Billey was sent to the 2nd Marine Division at Wellington, New Zealand with eight others, including David Tsosie.

The men shipped out with their new division and began practicing island hopping. This involved the landing of amphibious landing tractors, or amtracs, on island beaches in preparation for the battles to come.

On Nov. 19, 1943, around 10 p.m., the Marines were fed steaks and ice cream. Several hours later, on Nov. 20, at 4:30 a.m., the men invaded the island of Tarawa, the site of one of the bloodiest battles in the Pacific Theater.

The Marines needed to secure the airport on the island. The Japanese were prepared for the invasion and fired at amtrac engines, resulting in countless explosions and loss of life.

Billey would later say he never saw so many dead men. The 6th Marine Division landed on the southeast portion of the island to flank the enemy and met up with the men of the 2nd Marine Division. As the island was secured, Billey would see and talk to his friend Billiman, who had arrived from the Battle of Guadalcanal.

On June 15, 1944, the 2nd Marine Division invaded Saipan in the Mariana Islands. Billey and the rest of his communications group made it to the jungle and radioed U.S. ships to fire upon enemy locations.

The island was covered with caves and the Japanese hid inside them. Billey said many of the Japanese soldiers committed suicide in the face of defeat, either by gunshot or jumping off Suicide Cliff or Banzai Cliff.

During the Battle of Saipan, Billey communicated with Howard Billiman and called in artillery strikes upon the enemy. Billey fought again on the island of Okinawa, where ships were under constant attack by Kamikaze pilots.

Billey’s daughter said her father would recall these experiences during World War II with humility and said, “I’m not a hero. The heroes are the ones we left behind.”

Billey leaves behind six children, eight grandchildren and three great-grandchildren. His legacy as a Navajo Code Talker will live on for the generations to come.
FOR IMMEDIATE RELEASE
December 10, 2013

Navajo Nation Council votes down bond financing bill

WINDOW ROCK – During a special session held on Tuesday, the Navajo Nation Council voted down Legislation No. 0213-13, which would have allowed the Navajo Nation to issue bonds in the form of long-term fixed rate bonds and in the form of bank loans, to finance various projects totaling approximately $220 million.

The bill aimed to finance certain infrastructure projects in each of the Nation’s five agencies, outlined in the Navajo Nation Division of Economic Development’s five-year economic development plan.

Legislation sponsor Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) urged approval of the bill to promote economic development and employment for communities throughout the Nation.

“It provides the opportunity to the small business people, entrepreneurs, and even bigger entities and enterprises a chance to make a difference in our Navajo Nation economy,” stated Delegate Benally to her Council colleagues. “As we provide the entrepreneurs the opportunity, they in turn will provide yours and my constituents the opportunity to gain full employment.”

Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) expressed concern over the impacts of the proposed projects on existing small businesses while referring to development within Dilkon, a community represented by Delegate Begay.

“At one time, the people wanted a shopping center there and when we developed it, there was no study done on how it impacted the small stores that were there since my grandma and grandpa’s time,” said Delegate Begay. “So with this bond financing we’re overlooking these people who have been providing goods and services for a long time.”

Although Council Delegate Leonard Tsosie (Baca/Prewitt, Casamera Lake, Counselor, Littletwater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said he supports economic development, he urged his colleagues to seek alternative methods of economic development that do not require the Nation to waive its sovereign immunity, referring to a portion of the bill that would have required the Nation to be subject to New York laws in order to issue bonds in the State of New York.

“Wall street doesn’t respect Navajo sovereignty,” Delegate Tsosie stated. “These are the people that want us to expose ourselves to New York law and I really continue to believe today that we shouldn’t do that.”
Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) said that certain chapters have been very proactive in planning for economic development in their communities and encouraged all chapters to continue planning at the local level, noting that many were not included in the DED’s five-year plan due to lack of planning at the chapter level.

“The list highlights many of the proactive chapters throughout the Nation. I see many of the chapters that have been doing much of the groundwork and developing their projects to this level,” said Delegate Nez.

At the conclusion of the discussion, Council members voted down the legislation with nine supporting and seven opposing. The legislation required a two-thirds vote, or sixteen votes of approval.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
FOR IMMEDIATE RELEASE
December 10, 2013

Law and Order Committee receives report on proposed Navajo Nation Alcohol Sales Tax

WINDOW ROCK – On Monday, the Law and Order Committee received a report regarding a proposed alcohol sales tax that would help fund the Navajo Nation’s public safety and social services programs.

According to the Office of the Navajo Tax Commission executive director Martin Ashley, the proposed alcohol tax would be an additional tax on top of the five-percent sales tax currently implemented on the Navajo Nation. The alcohol tax would only apply to alcoholic beverages served in the Nation’s casinos.

“ONTC is presently charged with regulating liquor licensing to the casinos and alcohol distributors, but we are finding that it is costly and we need additional funding to carry out these responsibilities efficiently,” said Ashley.

Ashley stated that ONTC’s duty is to regulate taxes on the Navajo Nation and that the responsibility of regulating liquor licensing should be separate from their original entity obligations.

Ashley suggested that two offices should be created to alleviate the burden on ONTC by designating one office for regulation of liquor licensing/sales, and the other for collecting alcohol sales taxes.

LOC committee members posed questions to Ashley regarding the management of liquor taxing and licensing at the state level.

“Do the states [AZ and NM] have their own alcohol tax?” asked LOC chair Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau).

In response to Delegate Yazzie’s question, Ashley said that alcohol taxation occurs at the distributor level and is paid to the states. He added that distributors sell to the Navajo casinos, but conduct business off-reservation to avoid buying a Navajo Nation liquor license and only pay license fees to the states.
ONTC’s staff attorney Chad Yazzie, informed the committee that an intergovernmental agreement between the Navajo Nation and the states could be drafted to cover the loopholes that distributors are taking advantage of through off-reservation sales.

“Does the Navajo Nation have a liquor sales permit already in place?” asked LOC member Council Delegate Russell Begaye (Shiprock).

Ashley said the Commission currently has seven approved statutes already in place since the opening of the Nation’s first casino five years ago, which regulate liquor licensing and sales in casinos.

At the closing of the discussion, Delegate Yazzie suggested that legislation be drafted soon to allow Council members the opportunity to contribute input and advice on the proposed alcohol sales tax.

LOC voted 3-0 to accept the report.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org
Budget and Finance Committee receives report on Indirect Cost Training

WINDOW ROCK – The Budget and Finance Committee received a report on Friday regarding indirect cost training that will be provided to Navajo Nation division directors and program managers that receive grants and awards from federal funding.

According to Office of Management and Budget executive director Dominic Beyal, the training is intended to educate upper management personnel the purpose and function of IDC.

“The IDC is to reimburse the [Navajo Nation] General Fund for costs supporting a program’s activity, such as OMB, Office of the Controller, personnel, Department of Justice, etc. and this training will reinforce the IDC policies we currently use,” said Beyal.

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

In agreement with the IDC training, BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) said it is time to clear the confusion regarding IDC’s.

“It is very important to get all the programs on the same page that deal with IDC’s and convey the responsibilities they should be adhering to, and this training is a step towards that goal,” said Delegate Nez.

BFC chair Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse’Daa’Kaan, Upper Fruitland) said the BFC would do everything within their authority to assist with the training and hope that its potential success will be a model for future IDC trainings.

At the conclusion of the BFC meeting, Beyal said there has been no date set for the training, but they intend to have it in the latter part of Jan. 2014. The training would be about 1-2 days and the venue is still to be decided, however Beyal said the training would take place within Window Rock.

BFC Voted 4-0 to accept the report.

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The Navajo Nation Office of the President and Vice President send their sincere condolences to the families of Dr. Guy Gorman, Sr. and Harry Tome, two influential Navajo leaders that recently passed. (Photo by Rick Abasta)

WINDOW ROCK, Ariz. — Navajo Nation President Ben Shelly respectfully offered condolences to the family of Dr. Guy Gorman, Sr., on his recent passing on Dec. 4, 2013. Gorman was 91.

“We extend our sincere condolences to the family of Dr. Guy Gorman, Sr. The Navajo Nation mourns the loss of a great leader and statesman. We appreciate Gorman’s dedication and service to our Nation and to the community of Chinle, which he served,” President Shelly said.

Gorman was recently honored at a dinner hosted by the Chinle Chapter. He served the chapter for many years.

“We joked about the days in office and involvement we both had in the organization called Diné Bidziil,” said the president. Gorman was also a veteran and proudly served in the U.S. Army during World War II, where he spent the majority of his service in the European Theatre.

A proponent of education, he assisted in the formation of the first community-controlled schools on the Navajo Nation, focused on Navajo language, culture and history. Through his efforts, the Rough Rock Demonstration School was established in 1969, through an incorporation process with the state of Arizona. Additionally, he testified in Congress with others for the creation of the American Indian Higher Education Consortium (AIHEC).

AIHEC was crucial component for the creation of tribally owned and operated institutions in the country. The consortium cleared the way for the creation of Diné College, formerly Navajo Community College, as the first tribal college in the country. Gorman is known as one of the founding fathers of tribal colleges. Diné College subsequently bestowed an honorary doctorate upon Gorman for his service to higher education.

Earlier in the same week, the Navajo Nation lost another influential leader and statesman who stood up to the federal government and protected the Navajo Nation. Former Navajo Nation Council Delegate Harry Tome passed on Nov. 30.

Tome served on the Navajo Nation Council for 16 years, from 1971 to 1987, representing the Red Valley (formerly Red Rock) and Cove Chapters. He served on the Advisory Committee and Resources Committee.

“The Navajo Nation is indebted to Mr. Tome, whose leadership a generation ago remains a part of us today,” President Shelly said. “His contributions to the Navajo Nation Council were given in an era of unprecedented growth.”

“For 16 years, he gave to the growth and development of the Navajo Nation in the beginning years of a new U.S. Indian policy period of self-determination,” he added.

A man of integrity, Tome, a Native American Church Roadman, labored in prayer for the people, their wellness and advancement, sacrificing and always putting others first. He was a former uranium miner and shed light on the plight of Navajo uranium miners and brought these issues to the national stage. His work resulted in changes to national policy regarding compensation for miners and families exposed to the harmful impacts of radium and uranium.

Tome, working along with the late Dr. Fred Begay and his late brother Marshall Tome, worked with the National Academy of Science and the U.S. Nuclear Regulatory Commission to bring awareness to the reclamation of uranium mines in Cove and Red Valley.

Subsequently, these efforts unspooled a string of mine clean ups on the Navajo Nation, eventually leading to the creation of the Radiation Exposure and Compensation Act, which began compensating miners and their families suffering from the effects of radiation exposure.

“Both of these distinguished leaders’ spirit shall forever endure through their children and grandchildren, and their names added to the annals of history of the Navajo Nation, and for future generations to come,” President Shelly said. “The First Lady and I, along with Vice President Rex Lee Jim, bestow the honor of the Navajo Nation upon these great leaders – Naat’áaniis.”

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FOR IMMEDIATE RELEASE
December 5, 2013

Health, Education, and Human Services Committee receives report on overall progress of Navajo Nation Head Start

WINDOW ROCK – On Wednesday, the Health Education and Human Services Committee received a report on the progress of the Navajo Nation Head Start program.

“We have spent the last nine months working diligently to restructure this multi-million dollar program and improve the quality of it for our Nation’s youngest children,” said Navajo Nation Head Start assistant superintendent Sharon Singer.

According to the report, Navajo Head Start has been working to correct deficiencies that have been identified, such as lack of certified staff, restructuring of the program, curriculum improvement, building maintenance, transportation, and other related issues that once plagued the program.

HEHSC member Council Delegate Joshua Lavar Butler (Tó Nanees Díizí) expressed his support for the efforts the Head Start program is currently undertaking and stressed the importance of their services to the Navajo Nation.

“I believe that Head Start is finally back on track and the leadership has demonstrated their capabilities of the program,” said Delegate Butler. “The people you serve are the children and you have given them a voice.”

Singer stated that in conjunction with the overhaul of the Head Start program, it has allowed for the expansion of 20 additional service centers by the end of next week. McKinley County Schools also gave the program 90 modular buildings for additional classrooms and teacher housing.

The written report also includes the current data for the program, which includes: 69 service centers currently open, 1,703 enrolled students, 439 total staff members, 70 percent of the teachers are certified as “high-quality” in their teaching abilities, according to Head Start Performance Standards, and the remaining 30 percent of the teachers hold a bachelor’s degree.

HEHSC member Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To'ii) said he was elated at the continued improvements of the program, and asked Singer what protocols the program follows when there has been a declaration of emergency.
“Our program is unique because the location of our schools is very rural and a large majority of our transportation is on dirt roads. We have an internal alert system that our staff uses that provides recommendations so we can get approval to close centers, if need be,” said Singer.

At the conclusion of the meeting, Delegate Butler said the Navajo Head Start program has strong support from tribal leaders and are eager to see the fruition of the program’s enhancements that will benefit Navajo children.

HEHSC voted 3-0 to accept the report.

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For news on the latest legislative branch activities, please visit [www.navajonationcouncil.org](http://www.navajonationcouncil.org)
President Shelly speaks at International Uranium Film Festival

WINDOW ROCK—On Monday, Navajo Nation President Ben Shelly addressed the audience at the International Uranium Film Festival (IUFF) at the Navajo Nation Museum.

The Navajo Nation banned uranium in 2005. In March 2013, President Shelly signed into law the Uranium Ore Transportation Protection Act, which banned transportation of uranium on the Navajo Nation.

In its third year, the IUFF was the brainchild of founder Norbert Suchanek and executive director Marcia Gomes de Oliveira. Forty documentaries from 15 countries were screened, exploring both the uranium and nuclear industries impact on the global community.

“This year, there are at least 10 films about the Navajo Nation and uranium, including some films by Navajo filmmakers,” President Shelly said.

Films depicting uranium mining on the Navajo Nation include “Dii’go To’ Baahaane: Four Stories About Water,” “Poison Wind” and “The Four Corners: A National Sacrifice Area?”

President noted that sharing the Navajo story on uranium was critical and that books like “If You Poison Us” and “Yellow Dirt” brought awareness of the uranium legacy on the Navajo Nation to the forefront of the national consciousness.

In Navajo, uranium is referred to as “łeézh łitso,” or yellow dirt.

President Shelly said, “The Northeast Church Rock Mine is the largest abandoned uranium mine on the Navajo Nation. It is approximately 145 acres.”

On July 16, 1979, an earthen dam at the United Nuclear Corporation uranium mill tailings facility collapsed, releasing 1,100 tons of radioactive tailings and 94 million gallons of toxic wastewater into the Puerco River.

The spill is the largest release of radioactive waste by volume in U.S. history and ranks second only to the Chernobyl nuclear reactor accident in total radiation release. It contaminated the river for 80 miles, affecting Navajo communities like Church Rock, Pinedale, Tseyah, and Ariz. communities as far away as Chambers.

Initial cleanup of the mine began in 2006. Residents living near the mine had their homes and yards screened and cleaned up. Additionally, contaminated soils were reconsolidated back to the former mine site. Land areas in the drainage east and north...
of the site were also screened and cleaned up.

On Sept. 29, 2011, the U.S. Environmental Protection Agency announced its commitment to transport one million cubic yards of radium and uranium contaminated soil and waste from Church Rock to the nearby UNC mill site. The cost of the cleanup was $44 million.

The mill site land is owned by the UNC and General Electric. It is a Superfund site undergoing remediation and will eventually be turned over to the U.S. Department of Energy’s Office of Legacy Management for long-term surveillance and remediation.

The U.S. EPA warned that exposure to elevated levels of radium over a long period of time can result in anemia, cataracts, and cancer, especially bone cancer.

“The Navajo Nation and the people living closest to this former uranium mine are resolved to see this clean up action completed,” Shelly said. “Since 1985, we have been building our own technical capacity.”


In April 2013, the Navajo Nation expressed appreciation for the completion of the first multiagency Five-Year Plan from 2008 to 2012. President Shelly met with the U.S. EPA and the U.S. Nuclear Regulatory Commission in Feb., April and August 2013 for the timely approval of the final remedy for clean up of the Church Rock mine site.

President Shelly said the Navajo Nation received word in 2012 that the federal government would commit to a second Five-Year Plan to span from 2013 to 2017. The Navajo Nation submitted eight objectives and three recommendations for the new plan in April 2013, at the Uranium Stakeholders Workshop.

President formed a Uranium Task Force in 2012 to establish an advisory board or commission to assist the Navajo Nation in developing recommendation for disposal options and other policy issues.

President Shelly said the second Five-Year Plan will span from 2013 to 2017. He explained the Navajo Nation submitted eight objectives and three recommendations for the multiagency effort. (Photo by Rick Abasta)

Robert Tohe from the Sierra Club addressed the audience as well and spoke of the need to educate the public on the repercussions of uranium mining on the Navajo Nation. He said coordinators envisioned the film festival to allow for dialogue with the public through a question and answer session. (Photo by Rick Abasta)

The negative impact of uranium mining has effects native tribes from across the globe. The International Uranium Film Festival originally began in Brazil over three years ago. (Photo by Rick Abasta)
FOR IMMEDIATE RELEASE

December 02, 2013

Contact: Albert Wallace, Public Information Officer
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Division of Community Development Task Group ended weeklong public meetings on decentralizing Local Government Support Centers

Window Rock, AZ - The Division of Community Development Decentralization Task Group ended a weeklong series of public meetings on the proposed decentralization plan. This proposed plans will transition the 5 Agency Local Government Support Center (LGSC) into 15 regionalized service support centers by FY’ 2014.

Leonard Chee, Division Director of Community Development and the task group members presented the plans at Smith Lake, N.M., White Cone, Ariz., Tuba City, Chinle and Nenahnezad, N.M. during the week of November 18-22, 2013.

On average, approximately 100 individuals attended each meeting. A diverse group of community members, chapter officials and staff offered their recommendations.

The task group accepted oral and written comments. The comments were recorded and transcribed for a summary report to be provided to the Navajo Nation Budget and Finance Committee and the general public.

These comments reflected the strong public support, practically from the youth, who were pleased with the proposed jobs and economic opportunities.

These meeting were intended to provide information on the proposed plan and offer the public a forum for individuals in each Agency, to offer their recommendation and concerns.

The support for this plan was not evident at first, however as questions were asked and answered, the support increased. “The first misconception of the effort, was that this was government reform, this is only the
establishment of the proposed 15 services center, staff and their administrative functions,” said Leonard Chee.

“This proposal would streamline the administrative functions and bring much needed technical support closer to chapters, practically those 22 chapters who are in the process of LGA certification,” said Mr. Chee.

“Finally, I would like to thank all those who participated and offered their recommendations, these comments will be shared at the highest level.

These meetings are a result of a B&F Committee directive issued on July 05, 2013, to Division of Community Development to develop decentralization plans. The B&F allocated funds in the amount of 3.0 million dollars to establish regional service centers by fiscal year 2014.

Public comments will be accepted until December 06, 2013. They can be made by phone, 505-371-8466 or 8464; by email: lchee@nndcd.org or infor@nndcd.org; by mail to Division of Community Development, P.O. Box 1904, Window Rock, AZ 86515.

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WINDOW ROCK, ARIZ.—Today, Navajo Nation President Ben Shelly appointed Rick Abasta to communications director, a role vacated by Erny Zah. Abasta begins today.

Abasta previously worked as public information officer for the Navajo Division of Transportation.

“The Navajo Nation has challenges facing us on many fronts and I have appointed Rick Abasta as our spokesperson, in whom I have confidence to bring our message to the Navajo people,” President Shelly said this morning from his office.

“The Navajo people need to know what projects we are working to bring to completion. Rick is that person to do so,” President Shelly said.

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