



## NAVAJO NATION HUMAN RIGHTS COMMISSION

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FOR IMMEDIATE RELEASE:  
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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.

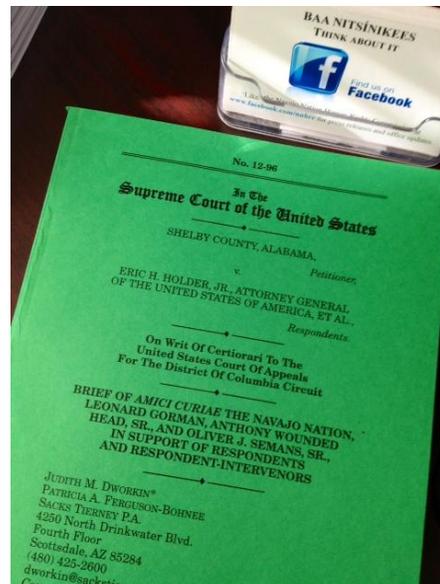
The brief was filed with the U.S Supreme Court on February 1, 2013, according to the U.S. Supreme Court docket which also lists many briefs.

“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.

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Amici Curiae brief filed on February 1, 2013, with the U.S. Supreme Court.

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).

***Indians in both Arizona and South Dakota have been subject to voting schemes that aim to dilute or pack the Indian vote. ... Litigation to enforce voting rights is not a sufficient alternative to Section 5 coverage.”***

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.)

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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.

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

Window Rock – On Tuesday afternoon, Council Delegate Duane Tsinigine (Bodaway/Gap, Coppermine, K’ai’Bii’To, LeChee, Tonalea/Red Lake) held a press conference to provide an update on the closure of U.S. Highway 89 south of Page, Ariz.

“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)



THURSDAY 28, FEBRUARY 2013

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*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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## **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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## **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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## **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 68<sup>th</sup> 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 łichíí', 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.

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



Navajo Nation President Ben Shelly met with chapters affected by the closure of U.S. 89 on Feb. 24, 2013, at Gap Chapter. Shelly signed a Declaration of Emergency sponsored by the Navajo Nation Commission on Emergency Management. (Photo by Rick Abasta)

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 juris-

dition,” 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 Gvern 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 Coun-

plaining 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 Division of Transportation Director Paulson Chaco said NDOT crews are currently assisting the BIA and Coconino County with road maintenance activities on Navajo Route 20, stretching from Bodaway-Gap to LeChee. Chaco said NDOT executed an IGA with Coconino County over a year ago, earmarking \$250,000 for road maintenance of N20 by the county. (Photo by Rick Abasta)

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## “ When you go to Page Walmart, who’s working there? Navajos. When you go to Page School District, who do you see teaching? Navajos. ”

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ty 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, ex-

He lauded the efforts of NDOT working with the BIA for road improvements in the area. Both NDOT and the BIA will be meeting with ADOT this week to discuss the road closure and possible improvements for N20.

“We want the Navajo Nation as a partner and we want to know what the Navajo Nation thinks,” Becenti said. “The decision is not entirely BIA’s decision, but we’re part of the solution.”

Information:  
[www.navajodot.org](http://www.navajodot.org)

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Road maintenance activities continue on Navajo Route 20, a dirt road connecting Bodaway-Gap and LeChee. NDOT is working with crews from the BIA and Coconino County on maintaining this stretch of road for local traffic use for the next eight months to a year, until U.S. 89 is repaired by ADOT. (Photo by Rick Abasta)



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## **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 13<sup>th</sup> Navajo member of the armed forces to be killed in action in the wars in Iraq and Afghanistan.

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## Commission of Emergency Management prepares emergency declaration



Arizona State Police and Arizona Department of Transportation discuss the damaged roadway on U.S. 89, approximately 25 miles south of Page. Navajo residents in the area are affected by the road closure and have to travel alternative roads for school and emergency services. NDOT crews are working with the BIA and Coconino County to maintain alternate routes in the area. (Photo by Leonard Williams)

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 to 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](http://www.navajodot.org)



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For Immediate Release  
February 20, 2013

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## Navajo President Shelly Signs Letter to Obama Asking for Disaster Declaration



President Ben Shelly (center) signs the letter directed to Obama. Standing in support (left to right) Navajo Emergency Management Director Rose Whitehair, Council Delegate Jonathan Nez, Council Delegate Elmer Begay, and Council Delegate Dwight Witherspoon.

**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.



A Phoenix based crew from Salt River Project work to restore water to a home near Navajo, New Mex.

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.



A three-inch water pipe had frozen water. The pipe was replaced.

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 as 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.

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## NAVAJO NATION HUMAN RIGHTS COMMISSION

P.O. Box 129 - St. Michaels, Navajo Nation (Arizona) 86511

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FOR IMMEDIATE RELEASE:

February 20, 2013

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### **NNHRC to meet on March 1<sup>st</sup> 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.

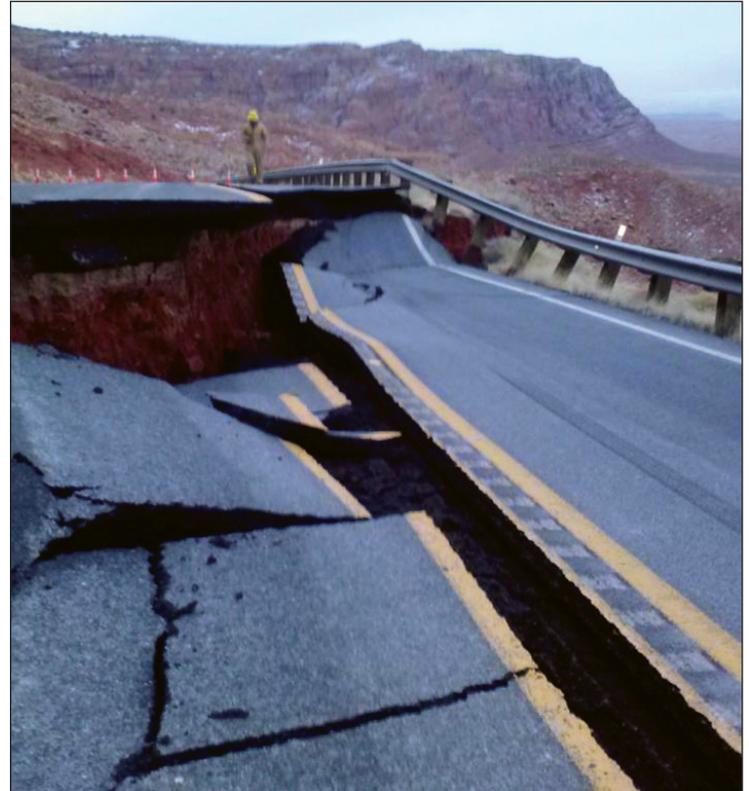
NNHRC advocates for the recognition of Navajo human rights and addresses discriminatory actions against the citizens of the Navajo Nation. For more information, call the NNHRC office at (928) 871-7436 or visit the NNHRC website at [www.nnhrc.navajo-nsn.gov](http://www.nnhrc.navajo-nsn.gov).

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



Above, U.S. 89 has been closed due to buckled road conditions 25 miles south of Page. Top right, Navajo Division of Transportation advises motorists in the area to travel alternative routes for safety reasons. Bottom right, the Arizona Department of Transportation issued a press release stating the damaged road was due to a geologic event and not the weather. (Courtesy photos)



**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.

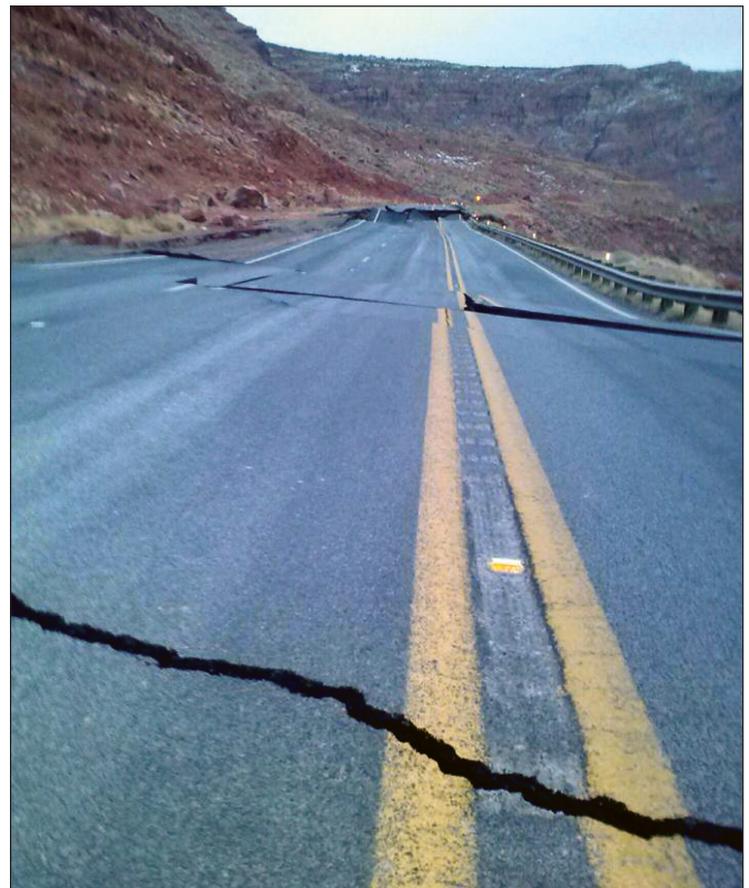
A 150-foot section of the road buckled this morning about 25 miles south of Page, according to a press release from the ADOT.

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](http://www.az511.gov) or call 5-1-1.





**FOR IMMEDIATE RELEASE**  
February 19, 2013

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## **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, Bahast'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 (Tсах 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.

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



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For Immediate Release  
February 19, 2013

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## 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 Sherriff 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.

###



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For Immediate Release  
February 17, 2013

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## **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 foot 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.

###



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For Immediate Release  
February 16, 2013

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## **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 extended 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>.

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For Immediate Release  
February 14, 2013

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## **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.

###



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For Immediate Release  
February 10, 2013

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## **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.

###



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For Immediate Release  
February 7, 2013

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## **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



*Navajo Division of Transportation Director Paulson Chaco reports to the San Juan County Commission about the memorandum of understanding between the county and the Navajo Nation. Standing to the left of Chaco is Dave Keck, San Juan County Public Works administrator. (Photo by Rick Abasta)*

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 intergovernmental

agreements that resulted in projects benefiting both the Navajo Nation and county.

“I worked with Dave in the past and I know how hard he works for our constituents,” Chaco said. “We confirm that the Navajo Nation will contribute \$1.5 million for a county bridge on the reservation that serves the community of Huerfano.”

He noted that any specific projects between both governments would go through the intergovernmental agreement process, to ensure both parties approved project-specific work.

NDOT’s request to use the county’s rock crushing capabilities would be for chapter projects located within San Juan County, he added.

“(Partnerships) is also one of the platforms of Navajo Nation President Ben Shelly and he is very supportive of this legislation,” Chaco said.

County commissioner Glo-Jean Todacheene commended NDOT on their fleet of advanced equipment and said working together was the key.

“I hope this MOU will do a great collaboration so we can get these roads fixed,” Todacheene said.

County commissioner Margaret McDaniel agreed with her colleague and said she held vested interest in the MOU because most of the proposed activities are in her district.

“Anytime that we can work together for the benefit of all the citizens, that’s a really good thing. This is important for all of us and I’m really anxious to work together on this,” McDaniel said.

Information:  
[www.navajodot.org](http://www.navajodot.org)



FOR IMMEDIATE RELEASE  
February 6, 2013

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**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 22<sup>nd</sup> 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), Ansem 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.”

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## **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 22<sup>nd</sup> 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 ii’ahi, 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.

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## NAVAJO NATION HUMAN RIGHTS COMMISSION

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### **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.

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## **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.

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### **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](http://www.edmunds.com). It’s good for researching new vehicles, as well as the Kelly Blue Book website at [www.kbb.com](http://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 salesman 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 financier, as well as the written response by the financier. 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.*

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## **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.

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## **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.

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## Navajo Nation Council confirms appointment of three probationary district court judges

WINDOW ROCK – The 22<sup>nd</sup> 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,



L-R: Leonard Livingston, Council Delegate Russell Begaye, Victoria R. Yazzie, Council Delegate Edmund Yazzie, and Roy Tso, Jr. Background: Speaker Johnny Naize.

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.

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