



FOR IMMEDIATE RELEASE  
November 27, 2013

## Navajo Nation President Ben Shelly shares Thanksgiving message



Navajo Nation President Ben Shelly addressed chapter officials and staff during the recent Navajo Division of Transportation Chapter Work Session in Albuquerque. President Shelly wishes all a happy and safe Thanksgiving holiday. (Photo by Rick Abasta)

WINDOW ROCK—Yá'át'ééh Keshmesh Yazhi!

Happy Thanksgiving. We are all truly blessed to celebrate this holiday season on the Navajo Nation.

Each year, we celebrate Thanksgiving with a big feast and reflect upon the many blessings in our lives. We are given time off from our jobs to celebrate the holiday with family. Thanksgiving is a time of family, friends, food and football.

Let us not forget the many brave Navajo men and women who cannot be with us today because they are out in the world, defending our freedom and standing up for our Navajo sovereignty. We salute these Veterans and may they be blessed with a safe return home to Diné bi Keyah. Let us also give thanks to our Navajo Code Talkers, true American heroes that saved the world from war and destruction.

Thanksgiving did not begin

with the pilgrims. Our Native American brothers and sisters have been celebrating the harvest season and its bounties for countless generations spanning back to time immemorial.

The same is true for the Navajo Nation. Our grandmothers and grandfathers gave thanks through sacred prayers and songs that have brought us to where we are today: a thriving tribal nation setting the bar for the rest of Indian Country.

We have much to be thankful for.

Let us give thanks to our Navajo Nation leaders that came before us – Manuelito, Barboncito, Ganado Mucho and others – for they brought our people home from the brink of extinction. Hwéeldi was a harsh experience for our Nation and we lost many lives, but we have persevered and survived the systematic attempt to terminate our language and culture.

Let us be thankful for our beautiful language – Diné bizaad – our shield and protector countering the countless incursions against our people and our land. Let us be thankful for our Navajo Nation, the largest tribal nation throughout Indian Country, at over 16 million acres. Our Navajo Nation grew more than five times the original 3.5 million acres granted to our ancestors, upon their return home from Hwéeldi to our traditional homelands between the Sacred Mountains.

Let us be thankful for the protection of our Sacred Mountains – Tsisnaasjini', Tsoodzil, Doko'ooliid, Dibe' Nitsaa – for keeping us safe and providing us with a point of reference of where we come from and who we are. Let us also be thankful for Dzil Na'oodilii, Ch'oolii, and Naatsis'aaan for guidance and reverence in our songs and prayers.

The Navajo people are survivors and we identify ourselves to our Navajo deities every morning when we rise to greet the day with exercise and reverence. Our songs and prayers have brought us from the time of Emergence into the 21<sup>st</sup> century of today and they will carry us well beyond into the future and guide our children and grandchildren with the ancient wisdom that could never be replaced.

Let us be thankful for our Treaty of 1868, Naltsoos Sani', outlining the trust responsibilities of the U.S. government to our Navajo Nation. We live in a time of sequestration and

budget cuts, but this living, breathing document guarantees the government responsibilities and obligations to our people, regardless of the current economic climate.

Before the conquest of discovery and invasion of the New World, over 100 million Native Americans from hundreds of tribes thrived and lived in North America. Today, there are only 5 million Native Americans in the country. Let us be thankful that we have survived and that we continue to survive the odds that have been stacked against us.

I wake up every day thankful for the Navajo people.

You give me reason to do my very best to represent our Navajo Nation with pride, honor and dignity. I am thankful for you, the voting body of the Navajo people, for electing me as your leader. We will continue down this road of innovation and elevation of our Navajo Nation for the generations to come.

Ahe'hee.

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**FOR IMMEDIATE RELEASE**  
November 27, 2013

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**Naabik'iyáti' Committee approves bill supporting and recommending an agreement to settle bus transportation issues affecting Navajo students**

**WINDOW ROCK** –During a meeting held on Tuesday, Naabik'iyáti' Committee members approved Legislation No. 0301-13, supporting and recommending a cooperative agreement between the Navajo Nation, McKinley County, San Juan County, and the New Mexico Public Education Department in an effort to resolve bus transportation disputes that have affected dozens of Navajo students living in or near the community of Naschitti.

Over the last few months, the Central Consolidated School District which includes Naschitti and the Gallup-McKinley County School District which includes Tohatchi, have met with state and tribal officials to resolve the boundary issues and have yet to come to an agreement to allow Gallup-McKinley buses to cross boundary lines to transport students living in San Juan County.

Legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels) explained that students living in the vicinity of Naschitti are often forced to walk miles to meet Gallup-McKinley County District buses at the county boundary line to be transported to their school in Tohatchi, located approximately 18 miles from Naschitti.

“Sometimes students had no ride from the drop-off point to their home so they walked,” said Delegate Hale. “That has been an issue that has been in existence with the State of New Mexico for over 30 years.”

Delegate Hale further explained that the legislation calls for action by the New Mexico State Legislature to bring this issue to a resolution.

According to the legislation, road construction is currently underway on U.S. Highway 491, making safety concerns a major problem for students walking to and from the county boundary.

Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) proposed an amendment to add language to the legislation for the inclusion of “other Navajo Nation chapters or communities” when addressing transportation issues that are found in other communities as well.

“We’re appreciative that Naschitti is raising the issue,” said Delegate Tsosie. “Here is an opportunity to work with the legislature and the school board to address transportation all over.”

Naabik'iyáti' Committee members voted 15-0 to approve the amendment.

Several delegates also voiced concerns over possible restrictions over the use of county bridges by school buses due to county boundaries and weight limits that cause parents and students to drive longer distances to meet their school buses.

Following the meeting, Delegate Hale who also chairs the Health, Education, and Human Services Committee said he is working with school officials to identify and address transportation policies that may help to resolve issues involving the usage of bridges in Navajo communities.

Naabik'iyátí' Committee members also approved an amendment by Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a') to add language to further outline and define the language and intent of the proposed cooperative agreement.

At the conclusion of the discussion, the Naabik'iyátí' Committee approved Legislation No. 0301-13 with 17 supporting and 0 opposing.

The Naabik'iyátí' Committee serves as the final authority for the bill.

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**FOR IMMEDIATE RELEASE**  
November 25, 2013

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**Budget and Finance Committee approves the restoration of  
Conditions of Appropriations to the Nation's 2014 Comprehensive Budget**

**WINDOW ROCK** – During a special meeting held on Monday, the Budget and Finance Committee approved Legislation No. 0337-13, to amend Resolution CS -47-13, the Navajo Nation's FY 2014 comprehensive budget by adding Conditions of Appropriations.

On Sept. 9, the Council adopted the Nation's FY 2014 comprehensive budget along with a total of 29 COA's. However on Sept. 27, President Ben Shelly line-item vetoed 21 of the 29 COA's, all of which stipulated that five-percent of specified individuals' salary be withheld if the COA's were not met by specified deadlines.

Legislation sponsor and BFC chair Council Delegate LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse'Daa'Kaan, Upper Fruitland) said President Shelly's main concern was the five-percent salary stipulation.

"The only concern that [President Shelly] had was as long as the five-percent didn't exist, he was good with the COA's," said Delegate Bates.

Language in the bill replaces the five-percent salary stipulation with new wording that restricts compensation for business travel outside of the Navajo Nation if the COA's are not met by the end of the second quarter of FY 2014.

BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts'ah Bii Kin) expressed caution as it relates to setting precedence, adding that more COA's are likely to be added to the bill.

"I take it this will set precedence for future budgets. Next year I would anticipate no COA's being attached to the comprehensive budget and COA's being done differently," said Delegate Nez. "We are opening the door again for additional COA's when this comes to Council."

Prior to voting on the main motion, Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tsé Ch' izhi) urged all parties to work together to develop a more efficient and effective method for developing the Nation's comprehensive budget.

At the conclusion of the discussion, BFC members approved the legislation with a vote of 3-0.

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**FOR IMMEDIATE RELEASE**  
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**Health, Education, and Human Services Committee discusses  
grant proposal with the New Mexico Secretary of Higher Education**

**TOHAJIILEE, N.M.** – On Wednesday, the Health, Education, and Human Services Committee met at the Tohajiilee Chapter to discuss a report on the Native American College Readiness Initiative from New Mexico Cabinet Secretary Dr. Jose Z. Garcia.

“The State of New Mexico is working to secure a grant that would help fund higher education, ultimately making the New Mexico work force globally competitive,” said Garcia. “The grant would allow for selected schools to identify and improve student weaknesses at the sixth grade level, while also making them [students] college ready.”

According to Garcia’s report, the initiative would also withhold ten percent of New Mexico state college budgets, if the college is successful in increasing the number of graduated students, they would be rewarded accordingly. If the college is unsuccessful in graduating the average number of students, they will experience a budget cut.

Garcia emphasized that New Mexico believes the support from tribal governments and families is a necessary component in securing the grant funding.

In response to the report, HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) requested for Garcia to provide a copy of the grant proposal to the HEHSC and explained that any kind of support would need to go through the legislative process.

“The Department of Diné Education has been successful in obtaining the federal S.T.E.P. grant, and the committee has witnessed its success,” said Delegate Hale. “I appreciate your effort to include the Nation in this initiative. It is not often that we are included in anything concerning public schools.”

Garcia responded by mentioning that he believes Nation building is an essential part of improving higher education, and this can be taught to New Mexico’s Native American students.

“We have a similar program at Pinon Unified School District, and I have seen how successful it can be,” said HEHSC member Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill). “I truly believe that if you offer a Navajo student the opportunity to experience what it means to be a college student, they will make that vision a reality.”

Delegate Witherspoon further mentioned that the federal government could be much more innovative in assisting states fund higher education, by means of grants and student programs.

The HEHSC accepted the report with a vote of 4-0.

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**FOR IMMEDIATE RELEASE**  
November 21, 2013

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**Resources and Development Committee approves  
legislation establishing a negotiating team for the Peabody water use lease**

**WINDOW ROCK** – On Tuesday, the Resources and Development Committee discussed Legislation No. 0308-13, which seeks to establish a negotiating team for the purpose of setting a water rate for the Peabody Western Coal Company lease.

If approved, the six-member negotiating team would consist of a member from the Resources and Development Committee, and the Health, Education, and Human Services Committee, a council delegate from the region where Peabody Coal Company operates, the Navajo Nation attorney general, director of Water Management, and the department manager for the Navajo Minerals Department.

“Today the water lease allows for Peabody to only pay \$460 per acre-feet, for close to 1,200 water acre-feet per year. Others pay nearly \$1,300 per acre feet,” said legislation sponsor Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill). “I would like for the negotiating team to make the new terms retroactive to 2007.”

Delegate Witherspoon emphasized the significant lost revenue for the Nation and requested for the RDC to consider two amendments that would further clarify the language within the legislation.

The RDC approved the amendments to the legislation with a vote of 3-0.

RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) questioned how the revenue would be used.

According to Nabik’iyati’ Committee Resolution NABIAP-23-12, upon approval of the lease a sufficient amount of the water revenue will be directed to primary and secondary education, in a manner to be determined by the Navajo Nation Council.

Delegate Tsosie recommended that the Council discuss the future use of the proposed revenue in the near future.

“I would like for the collected revenue to be funneled towards Head Start and elementary level programs, that is where our focus needs to be,” said RDC chair Council Delegate Katherine Benally

(Chilchinbeto, Dennehotso, Kayenta). “We need to put money into the basics, so our student don’t start off failing.”

The RDC approved Legislation No. 0308-13 with a vote of 3-0.

Legislation No. 0308-13 now moves forward to the Health, Education and Human Services Committee followed by the Naabik’iyati’ Committee for final consideration.

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**FOR IMMEDIATE RELEASE**  
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**Resources and Development Committee  
discusses road conditions in the former Bennett Freeze area**

**HARDROCK, Ariz.** – On Tuesday, the Resources and Development Committee met at the Hardrock Chapter, to discuss the road conditions in the former Bennett Freeze area with members of the Dzil Yijiin Regional Council.

Comprised of several chapter including: Black Mesa, Blue Gap, Hardrock, Forest Lake, Pinon, and Whippoorwill, the DYRC serves as an advocate for community project support and to assist in local chapter governments to develop their five management system for governance certification.

RDC members also toured N8031, a 20-mile stretch of dirt road from Pinon to Hardrock frequently used by local residents.

“We would like to work on legislation that could help fund paving the road,” said RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta). “From what we saw there is a lot of work that needs to be done for the safety of those living here.”

The DYRC explained to the RDC that the road is a serious safety hazard for first responders during emergency situations, which has continued to worsen even after the lift of the Bennett Freeze enactment.

In 1966, former BIA commissioner Robert L. Bennett enacted a development freeze due to land disputes between the Navajo Nation and Hopi Tribe.

Development of any sort was strictly prohibited throughout the area until 2009, when President Obama signed a bill that repealed the law that created the freeze.

Representatives from the DYRC said they are working to set up meetings with the Hopi Tribe, to discuss improvements and the paving of N8031.

The Navajo Division of Transportation continues to work with the RDC to review jurisdictional and geographical challenges associated with the existing road.

The RDC is scheduled to hold their next meeting on Nov. 19 in Window Rock, Ariz.

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**FOR IMMEDIATE RELEASE**  
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**Law and Order Committee approves amendments to the Election Code**

**WINDOW ROCK** – The Law and Order Committee on Monday discussed Legislation No. 0336-13, which seeks to amend Title 11 of the Navajo Nation Code to authorize the Navajo Board of Election Supervisors to set polling times in special elections only.

According to the report, voting hours in the regular and special elections are from 7 a.m. to 6 p.m. on election day. The concern is that it may not be compatible with state and county election times that often take place on the same day as a special election.

“The Navajo Nation is located in three states and election times vary, so our office is proposing that under rules and regulations, the election board can choose the opening and closing of voting times,” said Navajo Nation Election Administration program and project specialist Kimmeth Yazzie.

LOC committee members voiced their support, as well as concerns regarding the polling times.

“I think that controlling the polling times might control the voting and how the voters vote,” said LOC member Council Delegate Russell Begaye (Shiprock).

Delegate Begaye explained that if polling times were set only during the day, then the majority of the voters would be individuals that are generally older and retired, whereas younger voters who work during the day might not have a chance to vote.

In response to Delegate Begaye’s concern, Yazzie said that the election board would be able to regulate the polling times to fit the schedule of all the voters and synchronize polling times with state and county elections, if need be.

For instance, if a Navajo special election were to end at 7 p.m. and a state election ended at 8 p.m., the polling site would remain open until all elections have ended.

Yazzie said another issue regarding special elections is single-candidate elections, in which they are presumably guaranteed the winning seat, which poses a detrimental effect on financial resources.

LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) suggested an amendment to the legislation for the election board to also create rules and regulations for single-candidate special elections.

LOC voted 2-0 to approve the amendment.

“This legislation would allow NNEA to save costs on special elections, as well as give Navajo citizens an opportunity to exercise their right to vote,” said Delegate Shepherd.

At the conclusion of the meeting, LOC voted 2-0 to approve Legislation No. 0336-13. The legislation now goes to the Naabik’iyáti’ Committee for consideration.

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# Public Service Announcement



**Navajo Nation Division of Community Development will present a proposed decentralization plans to the public, staff and chapters officials seeking public comments and input during the week of November 18-22, 2013.**

**Meeting will be held at the following locations:**

**Crownpoint Agency      November 18, 2013    Smith Lake  
Veterans Building, Smith Lake, NM**

**Fort Defiance Agency    November 19, 2013    Whitecone  
Multipurpose Building**

**Tuba City Agency        November 20, 2013    To'Nanees'Dizi  
Chapter House**

**Chinle Agency            November 21, 2013    Chinle Chapter  
House**

**Shiprock Agency         November 22, 2013    Nenahnezad  
Chapter House**

All meetings will be promptly at 9 am. For additional information, please contact the Ms. Shirlene Jim, Legislative Associate with the Division of Community Development at (505) 371-8468.



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## Navajo President Shelly Releases Statement for Veterans Day

**WINDOW ROCK, Ariz.** – Navajo Nation President Ben Shelly released the following statement to commemorate Veterans Day.

“As Navajo people, we have always honored our warriors through ceremonies and prayers. We have long been a people who cherished our warriors.

Since World War I, as Americans, we have celebrated the courage of our veterans on the 11th day of the 11th month. As Navajo people, we have adopted Veterans Day to show our continued gratitude and support for our veterans.

Our veterans have given our people much to be proud of. From the Navajo Code Talkers of World War II, the Korean War, the Vietnam War and the Iraq War, to our current battles in Afghanistan and other parts throughout the world, we have Navajo servicemen and women who continuously bring great pride to the Navajo Nation. Our servicemen and women bring freedom and safety to our homeland.

On behalf of the Navajo people, I say thank you for your dedication and service. Your service is so greatly appreciated that words can never fully express our gratitude for your sacrifices. We welcome you home and honor you by remembering your service each day as we live and pray.

For our active servicemen and women, we pray for your safe return home.

I urge our Navajo people to thank our veterans as we rejoice in their heroic deeds. From the days of Narbona to our returning veterans of today, our warriors have been a part of who we are as Navajo people. Let us continue to honor and recognize our veterans not only on Veterans Day, but each day we walk Mother Earth. Let us pray for our veterans, and offer them kind encouraging words.”

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**FOR IMMEDIATE RELEASE**  
November 8, 2013

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**Naabik'iyátí' Committee approves the Healthy Diné Nation Act of 2013**  
*Legislation moves on to the Navajo Nation Council for final consideration*

**WINDOW ROCK** – Naabik'iyátí' Committee members on Thursday approved Legislation No. 0289-13, amending Title 24 of the Navajo Nation Code by enacting the Healthy Diné Nation Act of 2013.

If approved by the Navajo Nation Council and signed into law, the Healthy Diné Nation Act of 2013 would assess a two-percent sales tax on various “junk foods” on the Navajo Nation with tax revenue to be used for community wellness projects.

Prior to the discussion, legislation sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse'ii'ahi, Whiterock) introduced a group of high school students from Navajo Preparatory School, Inc. who shared health statistics and personal testimonies about loved ones living with diabetes and other health issues.

“How do we address the epidemic of diabetes and obesity on our reservation?” asked Delegate Simpson. “This is one way to combat what is happening today. This two-percent [tax] isn't going to make a lot of money, but it's a start.”

Although Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said he supports “healthy living”, he opposed the legislation comparing it to the Nation's pawning industry which deteriorated after heavy policies were instituted to regulate the industry.

“When the Navajo Nation and the federal government started the pawning regulations all the pawning businesses went off and they went to the border towns and there's nothing much we can do in regulating pawning now,” said Delegate Tsosie. “This is going to benefit border towns.”

Speaking in favor of the legislation, Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) drew attention to the two-percent tax, saying the proposed tax would not be a substantial increase in terms of dollars and cents and called it an “investment in our communities.”

“A 12-pack of soda is about \$5.99 and if you do the math it's just an increase of 11 cents,” said Delegate Shepherd. “We're talking about going to the border towns, but yet we're investing more tax dollars into something that doesn't come back here to the Navajo Nation.”

Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts'ah Bii Kin) said he supports the intent of the legislation. However, he also said he believes healthy living is a personal choice

and that the decision over the two-percent tax increase should be left to the people in the form of a referendum.

“Let the people decide whether they impose a tax on themselves. All it is is a self-choice. Get out there and run. Get out there and measure your food intake,” said Delegate Nez. “We got to start somewhere and this is a good start.”

Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill) questioned if the two-percent increase would be enough to impact behavior, while providing examples of other taxes imposed by states to discourage the use of alcohol and tobacco.

“For tobacco, Arizona charges \$2.00 per pack and in New Mexico it’s \$1.66 per pack and the tax for tobacco on Navajo is \$1.00 so two-percent is not going to make a behavioral change that we’re seeking,” said Delegate Witherspoon.

Delegate Witherspoon continued on to say that if the Nation truly wanted to make a behavioral change, a 20-percent increase would be necessary at the minimum.

Prior to voting on the main motion, Naabik’iyátí’ Committee members approved two amendments including adding swimming pools to the list of potential “community wellness projects” that would be funded by the tax revenue.

The second amendment establishes a sunset clause for the proposed tax increase, set to expire at the end of calendar year 2018, unless extended by the Council.

Naabik’iyátí’ Committee members voted 12-6 to approve Legislation No. 0289-13. The legislation now moves on to the Navajo Nation Council for final consideration.

Prior to considering Legislation No. 0289-13, the Naabik’iyátí’ Committee also approved Legislation No. 0213-13, the proposed bond financing bill to authorize the issuance of bonds for \$220 million to fund certain debts and to finance economic development and infrastructure projects.

The bond financing legislation also moves on to the Navajo Nation Council for final consideration.

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**FOR IMMEDIATE RELEASE**

November 7, 2013

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**Budget and Finance Committee receives report on proposed controlled environment agricultural green house on the Navajo Nation**

**WINDOW ROCK** – On Tuesday, the Budget and Finance Committee approved a report regarding a proposed controlled environment agricultural green house that would be located near Winslow on Navajo Nation fee land and will be operated by VFT Global, LLC.

VFT Global specializes in controlled environment agriculture using hydroponics as a form of growing produce. CEA controls all elements in planting such as the water temperature, air, and nutrients in the water that the plants are grown in.

“This type of growing is a very clean and natural process that does not require soil, and uses 90 percent less water than regular agriculture,” said VFT Global Chief Operating Officer RJ Brot. “All produce is considered beyond organic, GMO-free, as well as free of pesticides and herbicides.”

VFT Global Sr. Vice President and Chief Financial Officer Joshua Abramson stated that the project would cost approximately \$20 million. The Navajo Nation is asked to provide \$15 million in capital investment into the project and to authorize a land lease to VFT Global, who will also invest \$5 million or the remainder of the construction costs of the facility.

BFC members expressed their support for the initiative, while questioning the cost of construction, ownership, and operations.

“Why Winslow? Why not truly invest in within Navajo [land], rather than cater to the outskirts border towns and cities? There are places in Navajo land such as Wheatfields or Crystal that are prime locations and have sufficient water sources,” said BFC member Council Delegate Nelson BeGaye (Lukachukai, Rock Point, Round Rock, Tsaile/Wheatfields, Tse Ch’izhi).

In response to Delegate BeGaye’s concerns, Brot explained that the Winslow tract had been surveyed and would meet the environmental and transporting needs of the CEA operation.

BFC member Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a) said he supports the initiative, and voiced his concern regarding the proposed \$15 million investment by the Nation.

“We are very appreciative of VFT Global having interest in our land and resources, but does the Department of Economic Development or the Navajo Nation President’s Office have an alternative plan for other funding options?” asked Delegate Begay.

Brot and Abramson said they want to ensure the relationship between the Navajo Nation and VFT Global is transparent, and assured the committee they would receive a very positive return on their investment, as well as donating a percentage of their produce to the Navajo school systems annually.

According to the report, the Navajo Nation’s investment would allow for 99 percent ownership over the facility, and one percent ownership by VFT Global. However, VFT Global would own and control operations of the produce plant, and the Nation would receive a royalty of \$.01 per head of lettuce, which would increase every year by two percent.

“We appreciate the presentation and the global picture of what this initiative can do for the Navajo Nation, and I think the next stage is to present this to the Nation’s investment committee for further assessment of this project,” said BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin).

Delegate Nez urged the committee to keep the due diligence process in mind and to research the background of VFT Global’s proposal, while emphasizing the importance of protecting the Navajo Nation and its capital, as well as to develop recommendations and potential alternative funding options.

At the conclusion of the BFC meeting, the committee voted 4-0 to accept the report.

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November 7, 2013

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**Health, Education, and Human Services Committee discusses report from Department of Navajo Veterans Affairs regarding home construction**

**WINDOW ROCK** – The Health, Education, and Human Services Committee met on Wednesday and discussed an update report from the Department of Navajo Veterans Affairs, regarding the progress of construction of 15 homes in each of the Nation’s five agencies.

On Sep. 9, the Navajo Nation Council passed Legislation No. 0193-13, amending the Navajo Nation Veterans Trust Fund, allowing for the construction of 15 homes and to provide minor renovations and repairs, for Navajo Veterans in each of the five agencies annually, for the next four years.

“We are working with several of the Navajo Nation’s departments to acquire a vendor inventory and maintaining expenditures so that we can make the most of our money,” said DNVA executive director David Nez. “Right now we are in the hiring process of the construction teams. This is being done through the agencies.”

According to Nez, the department is doing everything possible to ensure the homes are built on-time by reviewing shovel ready sites, identifying vendors that can deliver materials on schedule, and recruiting reliable plumbing and electrical services.

HEHSC chair Council Delegate Jonathan Hale (Oak Springs, St. Michaels) suggested that the department provide clear communication between DNVA and Navajo Veterans.

“There needs to be clear communication about the entire process. Who will get these homes, who will be building these homes, and how the money is being spent,” said Delegate Hale. “The Council will want to know the cost savings, so they know the money is not being spent on administrative costs and travel.”

Nez added that DNVA has recently submitted a proposal to the State of Arizona requesting matching funds that could increase the number of homes constructed and renovations.

“There are a lot of veterans out there that need this assistance. Clear information is always useful because the chapters are very excited about this,” said HEHSC vice chair Council Delegate Charles Damon II (Bááháálí, Chichiltah, Manuelito, Tsé Lichíí, Rock Springs, Tsayatoh). “People have been inquiring about who will be hired as laborers. This is the information the chapters need.”

Delegate Hale suggested that DNVA develop a report for the Navajo Nation Council, inclusive of blue prints, costs, and hiring processes.

The HEHSC will vote whether to accept the report at their next meeting, scheduled for Nov. 12 in Leupp, Ariz.

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## Navajo President Shelly Signs 911 Legislation, Leasing Act and Vetoes NHA Improvement Act

**WINDOW ROCK, Ariz.** – Navajo Nation President Ben Shelly signed legislation that gives the Navajo Nation Telecommunications Regulatory Commission (NNTRC) authority to implement and manage a 911 emergency response system on the Navajo Nation.

“I am pleased to sign this legislation. We have to give our Navajo Nation residents the opportunity to call for help in emergency situations. We have been working to create the infrastructure to enable a 911 emergency response system on the Navajo Nation. We look forward to making more progress in this area,” President Shelly said.

Legislation CO-51-13, which enabled the NNTRC to implement a 911 system, was one of the pieces of legislation from the fall session of the Navajo Nation Council that was signed on Wednesday. President Shelly also signed a bill that updated Navajo leasing regulations and he vetoed a Navajo Housing Authority reform measure.

President Shelly signed the Navajo Nation General Leasing Regulations Act of 2013, legislation CO-53-13, into law. The act streamlines current leasing approvals by establishing procedures to approve all land leases with the exception of mineral leases.

“The Navajo Nation needs to create opportunities for growth. One of the ways we can do that is to streamline land lease procedures. This will allow businesses and homes a streamlined process to have leases approved. I welcome these changes,” President Shelly said.

President Shelly vetoed legislation CO-57-13, which would have updated Navajo Housing Authority board selection approvals. He vetoed the legislation stating that the language in the legislation needed to be clearer and that the Naabik’iyati’ Committee doesn’t have to approve assigned or appointed commissioners.

President Shelly outlined his reasons for his veto in a memo to Navajo Nation Council Speaker Johnny Naize.

In Section 606 and 607 of the bill was “confusing and not clear” about how many commissioners would serve on the board that oversees NHA.

In addition paragraphs in Section 606 and 607 restate the need to appoint a commissioner within 90 days, and since the two paragraphs state the same need, one paragraph was not necessary.

Thirdly, Section 614 would have gave the Naabik’iyati’ Committee to approve appointed and assigned commissioners. However, President Shelly, in his veto memo, stated this practice could infringe upon NHA’s efficiency.

“The NHA, like other tribal entities, was created and delegated to carry out administrative function efficiently, without the cumbersome process of governmental bureaucracy. Requiring NHA to go through the legislative process negates the efficiency objective,” President Shelly wrote.

Earlier this week, President Shelly signed legislation CO-56-13 that would have reduced fees for voter-based initiatives to be place on voter ballots.

Signed on Nov. 4, in his memo to Speaker Naize, President Shelly wrote the Navajo Council should consider other referendum measures recommended by the Office of Government Development and the Commission on Navajo Government Development based from a 2012 convention.

“We ask that the Navajo Nation Council reconsider the referendum measures on lowering the initiative signatures requirements; amendment laws approved by initiative/referendum; amending N.N.C. (subsection) 102,” Andrew Curley, commission vice-chairman, wrote in a letter addressed to President Shelly and Speaker Naize.

President Shelly cited Curley’s letter in his veto memo to Speaker Naize.

“I robustly urge the Navajo Nation Council to reconsider remaining referendum measures,” President Shelly wrote. “We need to listen to our Navajo people entirely.”

Other legislation signed from the fall session included the Navajo Nation Energy Policy of 2013, Navajo Transitional Energy Company operating amendments enabling the purchase agreement for Navajo Mine near Farmington, N.M., and an allocation of nearly \$4.1 million to NTEC as company start up costs.

“We are making progress on the Navajo Nation. We must continue to work hard for the Navajo people and ensure that the Navajo Nation is progressing toward positive changes for our people,” President Shelly said.

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**Resources and Development Committee supports  
the Cornfields Chapter alternative form of government**

**CORNFIELDS, Ariz.** – On Tuesday, the Resources and Development Committee approved Legislation No. 0277-13, authorizing the “Council and Chapter Manager” form of government as an alternative form of government for Cornfields Chapter, a Local Governance Act certified chapter.

Legislation sponsor Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichíí, Steamboat) said the legislation would allow the community to further strive for self-sufficiency by implementing a governance model that promotes autonomy.

“Our chapter has received a lot of participation from the community, as we have incorporated the teachings of our elders,” said Delegate Shepherd. “As we are moving forward with this process, we want to bring up the younger generation with economic development. With this new structure, they will be apart of their local government.”

According to the legislation, Chapters have the option of adopting one of three governance models: the Chapter Council-President, the Commission-Manager, or the Council of Nat’aa and Atsilasdai Executive. Chapters also have the option to propose an alternative form of government separate from the models.

The Cornfields Chapter created an alternative model known as the “Cornfields Chapter Council and Chapter Manager,” consisting of a president, vice-president, secretary/treasurer, and a chapter manager to assume administration functions of the chapter.

The Cornfields Alternative Form of Government committee chair Tom Toadecheenie, said the community would like to experience the livelihood of being self-sufficient by empowering the people of Cornfields to become more active in their local government.

“The new ordinance includes goals that will reflect the progress of the AFOG. We will see if this is really making an impact in the community,” said Delegate Shepherd. “In the ordinance we have included a section that allows for necessary amendments to be made every two years. The community will be constantly involved so the ordinance always fits to the community’s needs.”

Following the presentation, RDC members had a few concerns regarding the meeting rules of order such as: quorum requirements, meeting pro tem, and who would have authority to make a motion on chapter business.

Delegate Shepherd, the Cornfields AFOG committee, and legislative counsel developed a list of amendments that further clarify the responsibilities of a president pro tem, quorum requirements for planning meetings, and to ensure that the council would be the only body capable of motioning on chapter business.

“You are blazing the trail and opening our eyes to what chapters are capable of,” said RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta). “I can see that these amendments are minor and do not change the intent of the legislation.”

RDC member Council Delegate Roscoe Smith (Crystal, Fort Defiance, Red Lake, Sawmill) commended the chapter for their hard work and efforts to pursue autonomy in the community.

The RDC accepted the amendments with a vote of 2-1.

Although the RDC was in support of the legislation, members also suggested that the chapter develop a way to engage people with the chapter process.

“I see that the new ordinance reduces the necessary quorum to conduct chapter business. I believe that you also need to bring people back into the process, that is how you have a democracy,” said RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake).

The RDC approved the Legislation No. 0277-13 with a vote of 2-1.

The legislation is now referred to the Navajo Nation Board of Elections to be considered for a referendum vote by the Cornfields Chapter.

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## **Law and Order Committee approves follow-up report on operation and maintenance of judicial facilities**

**WINDOW ROCK** – On Monday, the Law and Order Committee approved a follow-up report on the operation and maintenance of the judicial facilities on the Navajo Nation.

Judicial Branch director of Special Projects M. Theresa Hopkins, stated that her office and the Navajo Nation Office of Management and Budget are currently developing proposals for supplemental funding for operation and maintenance costs from the Bureau of Indian Affairs.

“In addition to the operation and maintenance costs, we are finding that the new facilities are equipped with advanced high-tech software that manages systems such as heating, ventilation, air conditioning, and electronic locking systems in the detention facilities,” said Hopkins, “and we need additional funding to maintain the servers and software.”

LOC member Council Delegate Elmer Begay (Dilkon, Greasewood Springs, Indian Wells, Teesto, Whitecone) urged LOC members to advocate for additional funding from Congress.

“We need to develop a list of needs for the judicial complexes and advocate for federal funding from Congress,” said Delegate Begay.

According to the report, four packet proposals were submitted to the BIA for operation and maintenance costs for the Dilkon judicial center. However, Hopkins stated that her office is still awaiting information as to when the funds will be received and released.

The current request for additional funding can compensate for the operation and maintenance shortfalls for the other judicial complexes that are completed or near completion.

LOC vice chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat) said it is important that the supplemental funding come from the federal government to hold them accountable to their trust responsibility with the Navajo Nation.

“After we lobby for funding from Congress, it is important that we all come back to the table to prepare for the funding and its finalization if we receive any awards,” said Delegate Shepherd.

At the conclusion of the LOC meeting, Delegate Shepherd reminded committee members that the FY2016 federal funding proposal deadline is in Feb. 2014 and the needs of the judicial complexes need to be kept in mind.

LOC voted 2-0 to accept the report.

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## Navajo President Shelly Praises Courts Decision Regarding Navajo Water Rights

**WINDOW ROCK, A.Z.** – Navajo President Ben Shelly praised a New Mexico appeals court decision that determines water rights for the Navajo Nation in the San Juan River Basin.

On Friday, Nov. 1, 2013, Judge James Wechsler, presiding over the general stream adjudication for the San Juan River in New Mexico, entered the final judgment and decrees that quantify the water rights of the Navajo Nation in the San Juan River Basin. Those rights were the product of a negotiated settlement the court previously determined to be "fair, reasonable and consistent with law and public policy."

President Shelly hailed the decision as a major triumph for the Navajo Nation. The President observed that, "Water is a sacred element that is needed for life. This decision recognizes the Navajo rights to water from the San Juan River. We can now focus on the future of water needs for our residents in New Mexico."

In 2009, Congress approved a settlement agreement between the Navajo Nation and the State of New Mexico recognizing the water rights of the Navajo Nation in the San Juan River Basin that includes agricultural water for the Navajo Indian Irrigation Project and the Hogback and Fruitland projects, drinking water to be delivered to eastern Navajo communities through the Navajo-Gallup Water Supply Project, as well as water for livestock and other historic uses. The Northwest New Mexico Rural Water Projects Act established a number of milestones that must be met for the settlement agreement to be finally effective. Under the Act, entry of the final decrees of Navajo Nation water rights in the San Juan River Basin adjudication is required by the end of 2013. The Act also requires that Congress appropriate the funding necessary to build the Navajo-Gallup Water Supply Project and that construction be completed by the end of 2024. The final decrees conclude the litigation of the rights of the Navajo Nation that began in 1975, although it is possible that other water users who have opposed the settlement and entry of the decrees will file an appeal.

Benjamin Cowboy, Chair of the Navajo Nation Water Rights Commission, noted that "this historic milestone could not have been achieved without the courage and foresight demonstrated by the Navajo Nation Council in approving the settlement, and the persistence and tenacity of our entire water rights team as they work to ensure that the rights agreed to in the settlement become legally enforceable."

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