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July 18, 2013

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22nd Navajo Nation Council votes down Junk Food Sales Tax of 2013

WINDOW ROCK – On Wednesday, the Navajo Nation Council voted down Legislation No. 0085-13, which sought to enact the Navajo Nation Junk Food Sales Tax Act of 2013 and to approve the elimination of the sales tax on fresh fruits and vegetables.

“This legislation is to address the obesity and diabetes problem on the Navajo Nation,” said bill prime sponsor Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Negeezi, Nahodishgish, Tse’ii’ahi, Whiterock).

The Junk Food Sales Tax would impose a two-percent sales tax on junk food, in addition to the regular five-percent sales tax already in place, stated Delegate Simpson. He added that the extra two-percent junk food tax would be allocated to health and wellness programs at the chapter level.

Prior to the discussion, Diné Community Advocacy Alliance representative Denisa Livingston gave a presentation to Council illustrating the effect junk food has had on the Navajo people.

“We have the right to have healthy foods that give us power, not unhealthy foods that make us powerless. The right to [healthy] food is a human right,” said Livingston.

“The education on these health issues is already out there through programs, advertisements, and media outlets, but this health epidemic still exists within our community,” stressed Delegate Simpson.

The legislation was met with concerned opposition by Council members in regards to the sales tax increase.

“I don’t believe increasing taxes of our Navajo people is the solution,” said Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta), insisting that there are other options to discourage Navajo people from buying unhealthy foods.

Council Delegate Mel Begay (Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl’a’a’) raised further concern over fear that the tax increase would drive Navajo citizens to off-reservation businesses with lower sales tax on food.

“The increase of taxes will draw business away from the Navajo Nation,” said Delegate Begay, suggesting that the tax increase would drive the price of food up on the reservation in an attempt to recoup tax loss revenue due to the proposed elimination of the sales tax on fruits and vegetables.

Although some delegates opposed the increase in sales tax on junk food, several delegates commended the overall intent of promoting healthy living, and suggested other alternatives.

“We need to look into the federal government’s Farm Bill. We can find resources that will encourage Navajo people to start growing their own food again,” said Council Delegate Lorenzo Curley (Houck, Klagetoh, Nahata Dził, Tse Si’ani, Wide Ruins).

The federal Farm Bill of 2013 allows farmers and ranchers to have programs and funding available to them which assist in producing higher output of their farms, such as corn or livestock.

At the conclusion of the discussion, Delegate Benally praised the good intentions of DCAA, and said there needs to be further discussion on how to solve obesity and diabetes problems without increasing taxes on Navajo people.

The Council voted down Legislation No. 0085-13, with a 8-10 vote.

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