



The Navajo Nation
Office of the President and Vice President

CONTACTS:

Jared Touchin, Communications Director
(928) 274-4275

Crystalyne Curley, Sr. Public Information Officer
(928) 274-2758

nnopvp.communications@gmail.com

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President Nez meets with U.S. Transportation Secretary Buttigieg and proposes policy changes to improve Navajo Nation's transportation system

WINDOW ROCK, Ariz. – On Tuesday, Navajo Nation President Jonathan Nez, Navajo Division of Transportation Executive Director Garret Silversmith, and Navajo Nation Washington Office Executive Director Santee Lewis met virtually with U.S. Sec. of Transportation Pete Buttigieg and U.S. Deputy Asst. Sec. for Tribal Affairs Arlando Teller, to discuss the Nez-Lizer Administration's transportation white paper titled, "Diné Atiin Bahane: Navajo Road Emergence," which requests the federal government to enact seven specific policy changes to improve the Navajo Nation's transportation system. The document, which was submitted to Secretary Buttigieg on March 30, also outlines specific challenges and successes related to transportation projects and initiatives in support of the recommended policy changes.

"Our administration developed the Diné Atiin Bahane: Navajo Road Emergence white paper to demonstrate that the Navajo Nation has built up our capacity over many years to administer our own transportation programs, to fulfill our self-governance agreement with the U.S. Department of Transportation, and to put forth specific policy changes that would deliver a safer and more efficient transportation system that supports economic opportunities, emergency response services, access to education, and enhance the Navajo Nation's overall ability to be more self-sufficient in the long-term. The Biden-Harris Administration recently proposed a \$2 trillion infrastructure plan that our administration is strategizing for and the transportation white paper is a key part of it," said President Nez.

In total, there are currently 14,167 miles of roadway within the Navajo Nation, which includes nearly 9,400 miles of earthen roads, 1,700 miles of paved highways, approximately 179 bridges, and five airports. The Navajo Area BIA owns 42-percent of the roads, the Navajo Nation owns 34-percent, the state of Arizona owns 12-percent, and respective counties own 12-percent.

The white paper puts forth seven requests for federal agencies, the White House, and other federal government offices including:

- Resolve conflicts in agency authority and jurisdictions in order to protect our people, the environment, and indigenous cultural resources.
- Harmonize agency guidance with federal law to make Diné roads safe.
- Provide flexibility to the Tribal Priority Allocations (TPA) that the BIA uses for road maintenance so that TPA funds may also be used to fund tribal roads.
- Ensure agency practices are consistent with policies to make the Navajo road system equitable.
- Protect the integrity of tribal roads funds so that they do not subsidize non-tribal roads.
- Recognize that tribal bridges and roads present different exigencies of circumstance that require complimentary, not competitive funding sources.
- Promote tribal sovereignty by retroceding Secretarial approval over tribes who have demonstrated their own capacity for federal regulatory compliance.

In 1995, the Navajo Nation established the Navajo Nation Environmental Protection Agency and adopted the Navajo Nation Environmental Policy Act that guides the protection of air, water, and land resources. Many of the Navajo Nation's environmental policies, regulations, and standards are more stringent than the federal EPA standards to protect the environment. Still, the federal government requires the Navajo Nation to comply with federal requirements for nearly any type of development on the Navajo Nation.

"There is a saying on the Navajo Nation that you can't move a shovel of dirt without triggering NEPA, and this is true for almost any infrastructure development or improvement in our communities. To fund a road project with federal funds, the Navajo Division of Transportation is required to complete two separate environmental documents to meet the requirements of the U.S. DOT and the Navajo Area BIA because the BIA claims that the U.S. DOT's document does not comply with BIA's formatting requirements. These types of duplicated efforts result in major delays in completing projects. The Navajo Nation EPA and Division of Transportation have hundreds of well-educated and well-qualified professionals that are fully capable of expediting projects while fulfilling and exceeding our own environmental standards and federal standards," added President Nez.

Another challenge included in the white paper highlights the federal government's failure to maintain and improve roads due to the BIA's definition of the word "maintenance." The BIA defines "maintenance" so narrowly that graveling a dirt road is considered "construction," making blading a road the only option for temporary improvement.

The white paper also notes that larger tribes such as the Navajo Nation, do not include state or county roads in their roads inventory that is used in the federal Tribal Transportation Program funding formula, which results in inequitable and disproportionate allocation of funds. In addition, some tribes also expend federal highway funds, originally intended for BIA and tribal inventoried routes, on state and county roads that are not located on tribal trust land, thereby using limited tribal transportation funds for non-tribal roads that already receive highway funds from other sources. This is most common among tribes with small land bases and few roads.

“The Navajo Nation has great potential for economic development, tourism, and with the ever-growing number of well-educated Navajo professionals. If we have the opportunity to make these changes in policies and requirements, we can advance many more projects to help build our Nation even more and empower our people to improve their quality of life for generations to come. With President Biden’s \$2 trillion infrastructure plan, the Diné Atiin Bahane: Navajo Road Emergence white paper will be key to advancing our transportation priorities for the Navajo Nation,” said Vice President Myron Lizer.

The Diné Atiin Bahane: Navajo Road Emergence white paper is available online at:

<https://www.opvp.navajo-nsn.gov/News-Media/Latest-News>.

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