



23rd NAVAJO NATION COUNCIL LEGISLATION SPONSORSHIP WITHDRAWAL

I, Leonard Bosre, Primary
Sponsor of proposed legislation hereby withdraw my
sponsorship of the proposed legislation. The legislation
tracking number is 0021-16.

If there are any co-sponsors, they may re-sponsor the same
bill by beginning a new legislation.

SPONSOR SIGNATURE:

A handwritten signature in black ink, appearing to read "Leonard Bosre", written over a horizontal line.

DATE:

1/25/2016

LEGISLATIVE SUMMARY SHEET

Tracking No. 0021-16

DATE: January 13, 2016

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL; POSTPONING THE 2016 NAVAJO NATION CHAPTER ELECTIONS AND EXTENDING TERMS OF OFFICE FOR ELECTED OFFICIALS

PURPOSE: This bill, if approved, will postpone the 2016 Navajo Nation Chapter Elections and permit term extensions for current officials pending approval of a new chapter reorganizational plan.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 11/19/2016
Website Posting Time/Date: 4:33pm 11/14/16
Posting End Date: 1/19/2017
Eligible for Action: 1/20/2017

Naa'bik'íyáti' Committee
THENCE
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL -- Second Year, 2016

INTRODUCED BY



(Sponsor)

TRACKING NO. 0021-

AN ACTION

RELATING TO NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL;
POSTPONING THE 2016 NAVAJO NATION CHAPTER ELECTIONS AND
EXTENDING TERMS OF OFFICE FOR ELECTED OFFICIALS

Section One. Findings

A. Pursuant to 2 N.N.C. §164(A)(9), "a proposed resolution that requires final action by the Navajo Nation Council [must] be assigned to standing committee(s) have authority over the subject matter at issue and the Naabik'íyáti' Committee."

B. The Navajo Nation Council, pursuant to 2 N.N.C. §102(A), is the governing body of the Navajo Nation... "

C. Filing periods for the Navajo Nation 2016 Chapter Elections are scheduled to open March 3, 2016. Elective offices up for elections include positions for Chapter Officials, positions under the various Alternative Form of Governments, Farm Board, District Grazing Committees, School Boards, Land Boards, Navajo Board of Election Supervisors and Kayenta Township Commission. Primary elections will be conducted August 30, 2016, followed by the general elections on November 8, 2016. See attached calendar schedule, marked as Exhibit "A."

D. The Navajo Nation is currently in the process chapter reorganization. There are hearings being conducted on regionalizing chapters. It is anticipated that a reorganizational plan, once formulated, will be presented to voters of the Navajo Nation for final approval.

1
2 **Section Two. Postponing 2016 Chapter Elections**

3 The Navajo Nation hereby postpones the 2016 Chapter Elections, both the primary and
4 general. The process for these elections shall resume upon the approval of a Navajo Nation
5 Chapter reorganizational plan. In the interim, current officials whose terms were scheduled
6 to end upon the 2016 Chapter Election shall remain in office pending the approval of a plan
7 and upon elections.
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

A

2016 Navajo Nation Election Calendar

March 3
CANDIDATE
FILING OPEN

Chapter Officers:
~President
~Vice-President
~Secretary-
Treasurer

AFOG Officers

Farm Board
Members

Grazing
Committee
Members

School Board
Members

Land Board
Members

Election Board

Kayenta
Township
Commissioners

June 1
Filing Deadline

June 2
Begin recruiting
poll officials from
chapters

July 21
Last day for
chapters to submit
recommenda-
tions for poll
officials

July 31
Voter registration
close for Primary
Election

July 31
Absentee ballot
becomes available
upon request

August 15
Mailed absentee
application must
be physically in
NEA offices

August
Poll official training
throughout the
Navajo Nation

August 26
Last day to vote on
walk-in basis at
NEA offices

August 29
Chief Poll Judges
meeting

AUGUST 30
PRIMARY
ELECTION
Absentee Ballot
Return Deadline

August 31
Begin primary
election grievance
period of 10 days

September 9
Grievance Deadline

September 9
Voter registration
reopens

September 9
Deadline for
candidates to file
their Campaign
Expense
Statements

September 12
Primary Election
results to be
certified after this
date

October 9
Voter registration
close for the
General Election

October 9
Absentee ballot
becomes available
upon request

October 24
Mailed absentee
application must be
physically in NEA
offices

October
Poll official training
throughout the
Navajo Nation

November 4
Last day to vote on
walk-in basis at NEA
offices

November 7
Chief Poll Judges
meeting

NOVEMBER 8
GENERAL
ELECTION
Absentee Ballot
Return Deadline

November 9
Begin general
election grievance
period of 10 days

November 9
Candidates to
begin submitting
Campaign
Expense
Statements

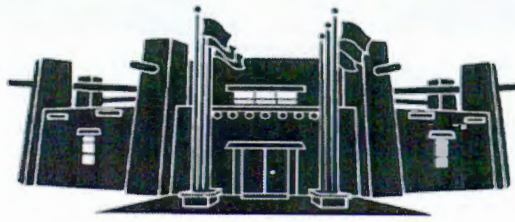
November 18
Grievance
Deadline

November 18
Voter registration
reopens

November 18
Deadline for
candidates to file
their Campaign
Expense
Statements

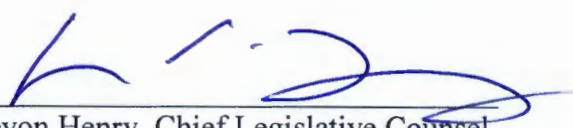
November 21
General Election
results to be
certified after this
date

January 9-13
Oath of Office



MEMORANDUM

To : Hon. Leonard Tsosie, Council Delegate
Navajo Nation Council

From : 
Levon Henry, Chief Legislative Counsel
Office of Legislative Counsel

Date : January 13, 2016

Re : Legislation - AN ACTION RELATING TO NAABIK'ÍYÁTI' AND THE
NAVAJO NATION COUNCIL; POSTPONING THE 2016 NAVAJO
NATION CHAPTER ELECTIONS AND EXTENDING TERMS OF
OFFICE FOR ELECTED OFFICIALS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of challenge. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. Please ensure the exhibits referenced are within the attachments and are all in order. Also, the Speaker, in his discretion and as permitted by law, may decide to have additional committees review and consider this proposed resolution (besides those suggested in the draft resolution).

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 16-142-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0021-16_____ SPONSOR: Leonard Tsosie

TITLE: An Action Relating To Naabik'iyati' and the Navajo Nation Council; Postponing the 2016 Navajo Nation Chapter Elections and Extending Terms of Office for Elected Officials

Date posted: January 14, 2016 at 4:33pm

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0021-16

SPONSOR: Honorable Leonard Tsosie

TITLE: Relating To Naabik'iyati' And The Navajo Nation Council; Postponing The 2016 Navajo Nation Chapter Elections And Extending Terms Of Office For Elected Officials.

Posted: January 14, 2016 at 4:33pm

5 DAY Comment Period Ended: January 19, 2015

Digital Comments received:

Comments Supporting (1)	1. Glenna Manymules
Comments Opposing (20)	1. Joe Ben, Jr.; Shiprock Farm Board, Shiprock Chapter Government of the Navajo Nation. 2. David Randolph 3. Al Kee 4. Jerry Chavez; Secretary/ Treasurer Tohajiilee Community School Board 5. Gil Harrison; Gadiiahi/ Tokoi Chapter 6. Martha Tate 7. Faye Blueeyes 8. George Murphy, TseDaakaan Chapter 9. Mary Rose John 10. R. Lee; Nageezi 11. To'Hajiilee Chapter Resolution No. TOH-16-01-007 12. Angela Barney Nez, Executive Director; Dine Bi Olta' School Board Association Inc. 13. Betsy S. Dennison, Chapter Secretary-Treasurer; Lake Valley

	Chapter 14. Ojo Encino Chapter 15. Upper Fruitland Chapter Petition 87 signatures 16. Lake Chapter Resolution No. LVC-DEC20-034 17. Blaine Wilson, Crystal Farm Board 18. Rosalita M. Whitehair 19. Herlinda D. Mann 20. Western Navajo Agency (Kaibeto Chapter)
Inclusive Comments (1)	1. Vincent Yazzie



Executive Director
Office of Legislative Services



Date/Time

Legislation No. 0021-16

Glenna Manymulesbitsoi <ngm971@gmail.com>

Tue 1/19/2016 8:23 AM

To: comments <comments@navajo-nsn.gov>;

Good Morning,

I fully support for a smaller government! I supported smaller number of the Navajo Nation Council; therefore it's fitting for my support for a regionalized government at the chapter level. Commissioners at the chapter level might decrease reliance on the chapter as a financial assistance or welfare office, where only a few benefit from the annual allocations, but rather as an institution to improve the economy as a whole to encourage our children to pursue education beyond high school to better their lives and the communities.

I hear that chapters' concerns are that they would loss jobs but I believe that these jobs could be privatized and would still be available for watering station and such.

Our Navajo Government is very old, it needs to be better developed to keep up with the national government for the survival of the nation.

Thank you,
Glenna Manymules



Shiprock Chapter Government of the Navajo Nation

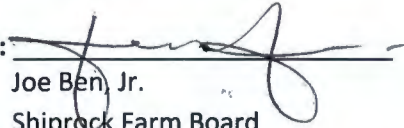
P.O. Box 3810 • Shiprock, New Mexico 87420-3810



Email: shiprock@navajochapters.org • (505) 368-1081 • Fax (505) 368-1092 • Website: www.shiprock.nndes.org

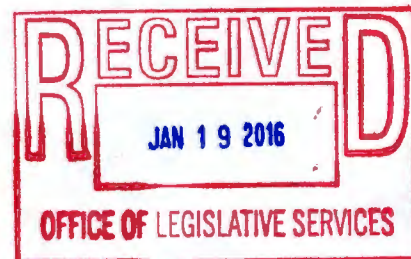
MEMORANDUM

TO : Executive Director
Office of Legislative Services
NAVAJO NATION

FROM : 
Joe Ben Jr.
Shiprock Farm Board
Shiprock Chapter Government
NAVAJO NATION

DATE : January 18, 2016

RE : (5) FIVE DAY COMMENT PERIOD ON LEGISLATION 0021-16



Dear Mr. Executive Director,

Respectfully, responding to Navajo Nation 23rd Council, to standing committee(s) and Naabikiyati Committee members, on Legislation 0021-16, because the rights and privileges of the Navajo Nation Voters are jeopardized by this proposed legislation.

As An elected official I swore to up hold the Treaties and Tribal Codes of Navajo Nation and I swear to four (4) years of service in honor of the vote of the people. I see nowhere in the Codes that says otherwise. Therefore, the Codes do not support Legislation 0021-16. The creation of a law for a reorganization plan that is still in planning stages and has no legislation is absolutely incorrect.

This proposed legislation would exclude the voter's right to elect chapter officials indefinitely; because there is no deadline date outlined in this Legislation 0021-16.

I have attached a Shiprock Chapter Resolution, by Chapter membership, on their stance against the proposed Legislation; Sixty-seven (67) voters saying, No to your Legislation 0021-16.

XC: 23rd NN Council member, Tom Chee;
Shiprock Chapter President, D. Chilli Yazzie and SR V-P, Tommy Yazzie
Government Dev. Committee;
Resource & Development Committee;
Naabikiyati Committee;
NN President, Russell Begaye and NN Vice-President, Jonathan Nez.

CHAPTER OFFICIALS
Duane H. Yazzie, President
Tommie Yazzie, Vice-President
J. Kalbah C. Begay, Secretary-Treasurer

DISTRICT 12 GRAZING COMMITTEE
Robert Hayes, Member

SHIPROCK FARM BOARD
Joe Ben Jr., Member

COUNCIL DELEGATE
Tom Chee



RESOLUTION OF THE SHIPROCK CHAPTER

SHIPROCK, NAVAJO NATION



EXPRESSING OPPOSITION TO LEGISLATION 0021-16

WHEREAS:

1. The Shiprock Chapter of the Navajo Nation acts on this resolution pursuant to the authority conferred on the Chapter through Navajo Nation Code Title 26, Chapter 1, B. Purpose which states, "Through adoption of this Act, the Navajo Nation Council Delegates to Chapters governmental authority with respect to local matters consistent with Navajo Nation laws, including customs and tradition" and the inclusivity provided by the Dine' Fundamental law" that " it is entirely appropriate for the government itself to openly observe these fundamental laws", and
2. The Resources Development Committee of the Navajo Nation Council submitted proposed legislation 0021-16 to the five (5) day comment period on January 14, 2016 and it was assigned to the Naa'bik'iyati Committee, the proposed resolution is entitled, "Postponing the 2016 Navajo Nation Chapter elections and extending terms of office for elected officials: refers to Chapter Presidents, Vice-Presidents, Secretary/Treasurer, as well as membership on farm, schools, and land boards, grazing committees and other offices", and
3. In the 2012 elections the Navajo electorate, in good faith voted and elected the current set of local officials to a term of four (4) years to serve through January 10, 2017, and
4. The Office of Navajo Government Development is only now sharing information on a referendum that would ask voters to approve the changes to the chapter government structure with no legislation in place to this effect and there is no legislation on a regionalization plan, and
5. Legislation 0021-16 has no active or standing legislation to show cause for action and if enacted would be an infringement on the voting rights and authority of the Navajo people.

NOW THEREFORE BE IT RESOLVED THAT;

1. The Shiprock Chapter membership hereby officially expresses opposition to Legislation 0021-16, and
2. The Shiprock Chapter membership hereby recommends that the Navajo Nation Council and its Committees follow the initiative process and honor the peoples' voice and vote.

Motioned by: Barbara Goodluck Morgan

Seconded by: Tommy C. Begay

CERTIFICATION

We hereby certify that the foregoing resolution was presented and considered at a duly called Chapter meeting at which a quorum was present and that the same was approved by a vote of 61 in favor, 0-opposed and 0-abstention on this 17th day of January 2016.

Duane H. Yazzie, President

Dr. J. Kaibah Begay, Secretary/Treasurer

Tommie Yazzie, Vice-President

Tom Chee, Council Delegate

SHIPROCK CHAPTER INFORMATION MEETING
MEETING AGENDA
JANUARY 17, 2016

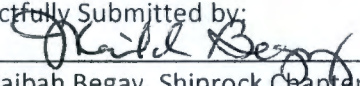
1. Call Meeting to Order
2. Invocation
3. Review/Adopt Agenda
4. Review/Approve Last Minutes
5. Announcements
6. Unfinished Business
7. New Business
 - a. Approve 2016 Chapter Meeting Schedule
 - b. Reaffirm Declaration of the Shiprock Chapter
 - c. Request Consideration of Proposal to First Nations Foundation
 - d. Request Consideration of Proposal to Notah Begay III Foundation
 - e. Approve Amendments to FY2016 Budget for Hay Purchase
 - f. Request Navajo Auditor General to Conduct Re-visit Audit
8. Reports
9. Others/Announcements/January 31, 2016 Chapter Business Meeting
10. Adjournment

Shiprock Chapter Information Meeting
January 17, 2016

1. Call Meeting to Order by Tommie Yazzie @ 12:44 pm
2. Invocation by Chili Yazzie
3. Review/Adopt Agenda by J Kaibah Begay
Motion: Donald Benally
Second: Cecelia Bitah
Discussion: Joe Ben, Jr: Request to add on Resolution to agenda:
G. Expressing Position on: Legislation 0021-16 within the five (5) Day Comment Period.
H. Accepting APS Operation Yellow Water Foundation Pledge Funds, in the A
Motioning parties approve to add the two to the agenda
Vote: 60-0-0 (Approved)
4. Review/Approve Last Minutes (Written)
Motion: Albert Lee
Second: Sarah Frank
Discussion: Correction should be:
Item #9 should be January 17, 2016
New Business 7B: Second: Elsie Nabahe
Vote: 64-0-0 (Approved)
5. Announcements
 - A. Glo-Jean Todacheene: She announced that she will be running for State Representation for Santa Fe for the Democratic Party.
 - B. Marian John: Proposed Regional Change- Saturday this was shared with the community.
 - C. Joe Ben, Jr.: There is a meeting schedule for January 20 and 23 regarding the Gold Mine Spill. They are saying that we have til February 03 to file for compensation.
6. Reports (this was moved)
 - A. Sam Ahkeah: Navajo Election office: There are major changes within the Dine Education School Board issue. March 3- Filing date for tribal election, but this may change.
 - B. Lula Sandoval: The Farmer Revitalization Meeting will be schedule for January 20. The Peace Making Meeting January 20, 2016.
 - C. Robert Hayes: 345 Bales of Hay was bought last week. Need to pick up hay. February 5- District Grazing Committee meeting at BIA office at 9 am.
 - D. Tom Chee: Council Delegate- Provided updates from the Navajo Nation Council. Shared the process of what his job he does in Window Rock. In February 16, 2016 the Budget and Finance Committee will be meeting here at Shiprock Chapter to share what they do as a committee. January 25-29, 2016 The Navajo Nation Council will be starting their Winter Session. We will be given emergency funds. The budget (Undesignated) needs to be addressed. Oil and Gas funds are very low, we will have a low budget funds due to low oil. In Utah Water Settlement, asked to come to an agreement. The Sisin Funds we will have a meeting at 8 am tomorrow.
 - E. Chili Yazzie: This is our last year as Chapter Officials, March 3, 2016 are interested people who want to run for the positions. Shared what changes that were made with Chairman's and Presidents of Navajo Nation, that's on the East wall of the chapter.
 - F. Joe Ben Jr.: Update with Gold Mine Status.

7. Unfinished Business
8. New Business
 - A. Approving the Shiprock Chapter Meeting Schedule for Calendar Year 2016
Motion: Charlie P Joe
Second: Lula Sandoval
Discussion: None
Vote: 56-0-0 (Approved)
 - B. Reaffirm Declaration of the Shiprock Chapter
Motion: Gary Jay
Second: Bessie Phillip
Discussion: None
Vote: 67-0-0 (Approved)
 - C. Authorizing and Supporting the Proposal Entitled "Shiprock Food Security Project" Proposal Submitted to the First Nations Foundation.
 - D. Authorizing and Supporting the Proposal Entitled "Shiprock Food Security Project" Project submitted to the Notah Begay III Foundation.
 - E. Approving Amendments to the FY2016 Shiprock Chapter Budget
 - F. Requesting the Office of the Navajo Auditor General to Schedule a Re-visit to Review the Status of the Shiprock Chapter Corrective Action Plan.
(Items C, D, E & F approval as a group.)
Motion: Cindy Bates
Second: Michelle Ben
Discussion: None
Vote: 65-0-0 (Approved)
 - G. Expressing Position on: Legislation 0021-16 within the five (5) Day Comment Period.
Motion: Barbara Goodluck-Morgan
Second: Tommy C Begaye
Discussion: Dan Smith: Our Council Delegate Tom Chee is not voicing our concerns at Window Rock. I wish he was sitting here to listen to me. We need to stand up to our leaders.
Barbara Goodluck-Morgan: We need to change Window Rock, we need to put people in there that listen to the people. We need a plan, we need to speak up.
Bernadette Goodluck-Todacheene: I support the resolution. It's your right to vote who you want in the elected officials.
Vote: 61-0-0 (Approved)
 - H. Accepting APS Operation Yellow Water Foundation Pledge Funds
Motion: Tommy C Begaye
Second: David Shorthair
Discussion: None
Vote: 57-0-0 (Approved)
9. Others/Announcements/January 31, 2016 Chapter Business Meeting
10. Adjournment @ 4:35 pm
Motion: Glo-Jean Todacheene
Second: Bessie Phillips
Vote: ALL

Respectfully Submitted by:


Dr. J Kaibah Begay, Shiprock Chapter Secretary/Treasurer

1-17-16
Date



Shiprock Chapter Government of the Navajo Nation

P.O. Box 3810 • Shiprock, New Mexico 87420-3810



Email: shiprock@navajochapters.org • (505) 368-1081 • Fax (505) 368-1092 • Website: www.shiprock.nndes.org

SIGN IN SHEET SHIPROCK CHAPTER GOVERNMENT "A Legal Quorum is 25 Registered Voters"

Type of Meeting: INFORMATION Meeting

Date: January 17, 2016

1. PRESIDENT : Duane H. Yazzie
2. VICE PRESIDENT : Tommie Yazzie
3. SECRETARY/TEASURER : Kaihah C. Begay
4. GRAZING MEMBER : Robert Hayes
5. FARM BOARD MEMBER : Joe Ben Jr.
6. COUNCIL DELEGATE : Tom Chee
7. CSC : _____
8. AMS : _____
9. Sarah Frank
10. Rufus Hottel
11. Gary Jay
12. Frank Yazzie
13. Alice Yazzie
14. Lorraine Clauschee
15. Yvonne Baca

16. Albert A. Lee
17. Alfred Modacheena
18. Michael Mitchell
19. Roland Mitchell
20. Wynellita Begay
21. Steven Antonio
22. Lorelyn Antonio
23. Lerie Trujillo ?
24. Victoria Dixon
25. Alfred Ben Jr.
26. Benall
27. Edward C. Clark
28. Reba Tashorse
29. William R. Sperry
30. Norman Jensen

CHAPTER OFFICIALS

Duane H. Yazzie, President
Tommie Yazzie, Vice-President
Kaihah C. Begay, Secretary-Treasurer

DISTRICT 12 GRAZING COMMITTEE

Robert Hayes, Member

SAN JUAN RIVER FARM BOARD

Joe Ben Jr., Member

COUNCIL DELEGATE

Tom Chee



Shiprock Chapter Government of the Navajo Nation

P.O. Box 3810 • Shiprock, New Mexico 87420-3810



Email: shiprock@navajochapters.org • (505) 368-1081 • Fax (505) 368-1092 • Website: www.shiprock.nndes.org

31. Dee Dee B. B. B.
32. William K. K. K.
33. Ruthie C. Thomas
34. Elmer Curley
35. Tessie Curley
36. Sam H. Gray
37. Marian John
38. Frankie L. Johnson
39. Gloria Tucker
40. Andrew Nathaniel
41. Sam Allen
42. Tommy J. J.
43. Wilson Phillips
44. M. Tadaachung
45. Sam Henry
46. Almie Henry
47. Ann Horse
48. Sarah K. Denally
49. Elsie Tucker
50. James H. H.
51. Midella C. Ben

53. James H. H.
54. Barbara Goodluck Morgan
55. Roseann John
56. Edgar
57. Rose Ben
58. Maryann Manggart
59. Sybilie Yazzie
60. Vincent J. J.
61. Earl Stokely
62. Bessie Phillips
63. Neddy Chee
64. Robert Hayes
65. Rosemary Rose-John
66. Lily Rose Smith
67. Walter A. John
68. Thomas Dick
69. Lucky Dick
70. Conce Billie
71. Cindy Bates Begay
72. Henry H. H.
73. James H. H.

CHAPTER OFFICIALS

Duane H. Yazzie, President

Tommie Yazzie, Vice-President

Kathleen C. Begay, Secretary-Treasurer

DISTRICT 12 GRAZING COMMITTEE

Robert Hayes, Member

SAN JUAN RIVER FARM BOARD

Joe Ben Jr., Member

COUNCIL DELEGATE

Tom Chee



Shiprock Chapter Government of the Navajo Nation

P.O. Box 3810 • Shiprock, New Mexico 87420-3810



Email: shiprock@navajochapters.org • (505) 368-1081 • Fax (505) 368-1092 • Website: www.shiprock.nndes.org

52. *Virgil Kne*
53. *[Signature]*
54. *[Signature]*
55. *Guadalupe Hanel*
56. *Bertha Etsitty*
57. *Allen E. Etsitty*
58. *Maya John*
59. *Roy Begay*
60. *EMMETT KINSON*
61. *TC George*
62. *Roger Shaggy*
63. *Elsie K. Chee*
64. *Janella Kuse*
65. *Cheryl A. Joe*
66. *Maxine G. Joe*
67. *[Signature]*
68. *[Signature]*
69. *[Signature]*
70. *Benjamin Todachment*
71. *Daniel Suta*
72. *[Signature]*
73. *Mary Marycatt*
74. *Annie G. Begay*
75. *Raymond H. Curfey*

74. *[Signature]*
75. *[Signature]*
76. *[Signature]*
77. *[Signature]*
78. *[Signature]*
79. *[Signature]*
80. *[Signature]*
81. *[Signature]*
82. *[Signature]*
83. *[Signature]*
84. *[Signature]*
85. *[Signature]*
86. *[Signature]*
87. *[Signature]*
88. *[Signature]*
89. *[Signature]*
90. *[Signature]*
91. *[Signature]*
92. *[Signature]*
93. *[Signature]*
94. *[Signature]*
95. *[Signature]*
96. *[Signature]*
97. *[Signature]*
98. *[Signature]*
99. *[Signature]*
100. *[Signature]*
101. *[Signature]*
102. *[Signature]*
103. *[Signature]*
104. *[Signature]*
105. *[Signature]*
106. *[Signature]*
107. *[Signature]*
108. *[Signature]*
109. *[Signature]*
110. *[Signature]*
111. *[Signature]*
112. *[Signature]*
113. *[Signature]*
114. *[Signature]*
115. *[Signature]*
116. *[Signature]*
117. *[Signature]*

CHAPTER OFFICIALS

Duane H. Yazzie, President
Tommie Yazzie, Vice-President
I Kaihah C. Begay, Secretary-Treasurer

DISTRICT 12 GRAZING COMMITTEE

Robert Hayes, Member

SAN JUAN RIVER FARM BOARD

Joe Ben Jr., Member

COUNCIL DELEGATE

Tom Chee

0021-16

David Randolph <dvrdsr491@hotmail.com>

Fri 1/15/2016 11:12 AM

To: comments <comments@navajo-nsn.gov>;

I don't agree with this legislation, extending the terms of Chapter Official, there are some chapters that need new leadership, with my chapter we need to replace our vice-president and my neighboring chapters have situations like this. What makes you think that this reorganization would pass.

Sent from my Verizon 4G LTE Smartphone

0021-16

Al Kee <keevalvis@hotmail.com>

Fri 1/15/2016 4:37 PM

To:comments <comments@navajo-nsn.gov>;

As a voting member of the Navajo Nation, I am opposed to this piece of legislation.
Such a measure is not in the best interest of the Upper Fruitland Chapter or other Chapters for that matter.
Respectfully,
Alvis Kee

0021-16

Jerry Chavez <chavez.jerry45@yahoo.com>

Sun 1/17/2016 11:26 AM

To: comments <comments@navajo-nsn.gov>;

Navajo Nation Delegates,

It brings great concern on the direction you are taking our Nation too. It is important that we should be reminded of, that we as elected officials are vote by the people and for the people. As a member of our great Navajo nation and a elected school board official, I strongly oppose this reorganization of all officials from each chapter to consolidate our local control government.

The questions I have for our delegates is:

How will this benefit the people?

Will this bring grow to our people? Or

Who or what group will this change benefit?

Let's listen to the people.

Sincerely

Jerry Chavez

Secretary/Treasurer

Tohajiilee Community School Board

Sent from my iPhone

Legislation 0021-16 POSTPONING THE 2016 NN CHAPTER ELECTIONS AND EXTENDING TERMS OF OFFICE FOR ELECTED OFFICIALS

Gilbert Harrison <gil.harrison@yahoo.com>

Mon 1/18/2016 8:01 PM

To: comments <comments@navajo-nsn.gov>; Amber K. Crotty <acrotty@navajo-nsn.gov>;

This is an ill-conceived legislation that has no merit or need. It has taken the Navajo People many years to adjust to and accept the present form of Chapter government. Additionally, the Chapters are just now adjusting to the 24 member council. To institute a new massive change at this time would again unnecessarily confuse and create hardship on the voting public. A change of this magnitude should start with the general public demanding change, and the type of change. Not to have it pushed down our throats!!! Maybe this action should be tried as a "Pilot Project" on the chapter(s) of the sponsor or the champion of this legislation and see how it works, if after a decade, it is proven a good form of NN government, the NN can adopt this form of reorganization. In general this not good legislation !!

Gil Harrison
Gadiiahi/Tokoi Chapter

Postponement of Elections for local officials

Martha Tate <martha.tate1835@gmail.com>

Tue 1/19/2016 9:52 AM

To: comments <comments@navajo-nsn.gov>;

At the request of the following individuals who vehemently state the opposition of legislation # 0021-16 and most especially to Honorable Council Delegate Leonard Tsosie, the following Ts'ah Bii Kin Chapter registered voters have sent the following statements.

1. This legislation is "last minute" action by the Navajo Nation Council is deem to be lacking in standing up for the people. Using unsavory methods to convince the Navajo people is unprofessional on behalf of the individuals who support this legislation. This is self centered legislation by Council Delegate L. Tsosie, we wouldn't be surprised to know that Council Delegate Seth Damon in support of this legislation.
2. There is no foresight of planning in this legislation! If this was to be implemented, this should have been proposed more than a year ago. Last minute decisions by the Navajo Nation Council make the Navajo Nation Council inapt, tactless and displays inappropriate decision making power.
3. We depend on our local chapter officials, our school board members, our grazing representatives to be our voice, to be our connection to the Navajo Nation central government!
4. If budgetary cuts are to be made, CUT DOWN the excessive workforce at Window Rock/Fort Defiance level, too many employees, the department directors, the Executive/Legislative/Judicial assistants are making extremely high salaries, we the local constituency do not reap the benefits of these high salary impact on the Navajo Nation budget.
5. The hearings are held during the week, for those of us that work regular business hours are unable to attend these hearings. Especially for those of us that have to drive more than 2 hours to our workplace, we get paid for the hours we work. We do not receive frivolous benefits such as personal leave, vacation leave, sick leave, or just "free days off" when the Navajo Nation President signs a declaration.

WE THE UNDERSIGNED BELOW HEREBY OPPOSE LEGISLATION # 0021-16, this legislation is NOT in the best interest of the local constituency and this legislation takes away our votes, our choice for OUR ELECTED local leaders at the chapter and school levels.

Christianna Tate-Laughter

Susan Tate

Roy Tate

Daniel Tate

Dale Tate

Erica Tate

David Tate

Florence Tate

Jeremiah Tate

Stephan Tate

Racheal Curley

Franklin Shepard

Leo Andre Shepard

Elaine Manheimer

Herbert Tate

Lorena Tate

Louise Adson

Paul Tate

Amos Tate

Emmanuel Tate

Emerson Tate

Tashina Chee Uejo

Elizabeth T.Chee

Danny Chee

Micah Chee

Jacob Chee

Rebecca Chee

Janthina Maiva

Staniel Benally

Anastacia Tate-Russell

Jherrika Tate

Felix Curley

Rose Shepard

Fannie Crank

A. Manheimer

Laura Tate

Alvin Adson

Trevia Adson

Alice Tate

Deserae Tate

Allan Tate

Anna Austin

Legislation 0021-16

Faye BlueEyes <fayeblueeyes13@gmail.com>

Tue 1/19/2016 10:48 AM

To:comments <comments@navajo-nsn.gov>;

Please DO NOT postpone the elections for 2016. Many of us do not support such a plan that will cause confusion and dissention among our people. The 5 days posting of comments to Legislations does not allow enough time for people to respond and counting the weekends and holidays and posting late in the week like Thursdays appears to be a set up to limit the time allowed for comments. This is one of the reasons there is distrust of our NN Council.

RE: Chapter Official-election extension

GEORGE MURPHY <gmurphy02@msn.com>

Tue 1/19/2016 11:13 AM

To: comments <comments@navajo-nsn.gov>;

Cc: Walter Phelps <nakaidinee@yahoo.com>; James Pioche <jpioche@navajochapters.org>; Winston Benally <zobaone@live.com>; lyndaylovejoy <lyndaylovejoy@yahoo.com>; Phillip Kinlichee <pkinlichee@yahoo.com>; ricknez@hotmail.com <ricknez@hotmail.com>;

Honorable Council, Nation

We are moving too fast on this proposal (regionalization). I think the people need to be educated properly initially then the proposal presented. Yesterday, 01/15, I heard pros and cons in the chamber. I did not appreciate Mr. Tsosie's comments about constituents being stupid. He must remember how he got into office and who he represents. He must be reminded that this is not Sante Fe.

I do not feel that this is going to solve the problem of budgetary concerns. It will only consolidate it. There will be much opposition to this, simply because of poor presentation. When you have a new idea and the management agrees with it the rest of the company has to come on board. You have to sell a new concept, by covering all the bases. A good narrative of a proposal, the solution and what the benefits will be.

One council member was asked how one of the pilot regional program was doing. I do not remember which area it was. The response was "It is doing fine". That does not make for a good report. It is just like saying our Hud Program is doing fine, (really).

I mentioned that we are only consolidating and on going problem and placing the blame on the wrong entities. The problems we are experiencing at present it is not a nation, or chapter issue. The problem I see is at the heart of the Navajo. Our government.

This regionalization is a good concept but are we really ready to undertake such a daunting task. I do not think so.

If we cannot institute a federal program, and make it successful, how in the world do we think we are going to be successful with this referendum.

We here at Tse Daa Kaan chapter have been waiting for the release of State funding so we can upgrade our irrigation pump. It has been a disaster to say the least. Lack of follow up, lack of follow through, lack of feedback etc., has held up our project and now we are told that we will not have it until maybe this July. Our State Representative and our delegate Honorable Bates have been working to get this process going. Without their help, we would not know where this appropriation would be now. So we are out of the loop of the bigger project we are part of. Meaning the work goes on and we are missing out.

So my point is this. If we cannot run our house efficiently, if we cannot be good stewards of our people's monies, if we cannot run our government department efficiently and reliably how do we expect to make a change we know will not work.

Make the changes at the house and then the rest will fall into place. Then we can make adjustments such as regionalization.

Listen to the voice of the people, not the select who think they know what is best for the people based on Book knowledge and theories, not reality.

George Murphy
TseDaaKaan Chapter.

> From: ricknez@hotmail.com
> Date: Fri, 15 Jan 2016 16:03:37 -0700
> To: ekeeswood@dnalegalservices.org; twilson@navajochapters.org; swauneka@navajochapters.org; gracechavez99@yahoo.com; aabavaro@navajochapters.org; normb21@netscape.net; pjjohnson15@yahoo.com; jdbegay0712@yahoo.com; neeshjizhi@yahoo.com; hdodge2006@yahoo.com; keealvis@hotmail.com; hhh_hugh@yahoo.com; fayebblueeyes13@gmail.com; laurence.bekise1031@gmail.com; ahayes@navajochapters.org; jbpioche@gmail.com; cj67trojans@yahoo.com; cheryljones78@yahoo.com; gmurphy02@msn.com; zobaone@live.com; juanitadennison514@yahoo.com; PJOHNB79@hotmail.com; sr_nbegay@yahoo.com; lcjohn@navajochapters.org; dvrdsr491@hotmail.com; igleaso@yahoo.com; benally_d@yahoo.com; djohn@fisi.net; mkelly@navajochapters.org; ybenally@yahoo.com; benallyaa@gmail.com; KTSO75@gmail.com
>
> Ya'a't'eeh,
> Legislation No.0021-16, in regards to the upcoming Chapter Officials Election extension is on the five (5) day comment period which was posted yesterday @ 4:30 pm. Please take the time to submit your comments to:
>
> comments@navajo-nsn.gov
>
> After the 5-day comment period it is ready for committee action, HEHSE, Law&Order, RDC, BFC, Naabik'iyatí Committee and finally the NNC Session. I don't know if it will make it thru the committees next week to place it on the NNC Winter Session, January 25-29, 2016. If signed by NNPres. it's extended for the next Election Referendum. Which is the Title 26 & Chapter Regionalization Proposition. If approved by the DINÉ PEOPLE then it becomes law. Chapter Official positions will be replaced by Commissioners from your communities. Also the Chapter Managers & CSC positions will be eradicated.
> For your information.
>
>
> Sent from my iPhone

School Board Officials

Mary Rose John <maryrjohn19@outlook.com>

Tue 1/19/2016 11:53 AM

To:comments <comments@navajo-nsn.gov>;

My vote is "NO".

Comment Regarding legislation #0021-16

R Lee <reclee07@gmail.com>

Tue 1/19/2016 2:09 PM

To: comments <comments@navajo-nsn.gov>;

1 attachment

RLEECCommentLetter.pdf;

Good Afternoon,

Attached is a comment letter regarding the delay of elections for Navajo Nation Chapters.

Thanks,

R.Lee

PO Box 455

Nageezi, Navajo Nation 87037

reclee07@gmail.com

January 18, 2016

Navajo Nation Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

RE: An Action Relating To Naabik'iyati' and the Navajo Nation Council; Postponing the 2016 Navajo Nation Chapter Elections and Extending Terms of Office for Elected Officials

I am writing this letter in response to the postponing of the 2016 Navajo Nation Chapter Elections in regards to the upcoming Title 26 amendments. As a member of the Navajo Nation, I am not in favor of the Title 26 amendments which calls for the abolishment of Local Chapter Governments. Local Chapters are vital to our communities and the people who reside in them. If Chapters are regionalized/ reorganized our local governments as well as the voice and concerns of the people within our respected 110 communities will be underrepresented. As this reorganization will cause the reduction of 110 chapters into 24 or so regions, this will cause chaos as communities will no longer receive responsive services as these new regional facilities will have to cover a much larger land base.

The point I want to bring up is the importance of serving the Navajo people and encouraging the growth of our communities. After all Title 26 was developed to recognize governance at the local level and to *"improve community decision making, allow communities to excel and flourish, enable Navajo leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation¹."* The Navajo people were given the opportunity to participate in the development of their local governments and to take this right away from us would be undemocratic and go against traditional Navajo philosophy of K'é.

There have been so-called "educational" presentations given at Chapters across the reservation. Most of these presentations are skewed towards abolishing Local Chapters. These presentations should be neutral, not opinionated in favor of the amendments, and they should only state what the amendment entails and not promise the people what they might get, only present what they will get. Also, Window Rock needs to take into consideration and ask the opinion of local Chapters that are on the ground within their own respective communities about what they think of abolishing their Chapters and the impacts that it will have within their communities. Allow local officials to sit on the Task Force and not just Window Rock policy makers. Our government needs to finally realize that it needs to start representing its people in the rural areas of the Navajo Nation and stop crippling us from the ability to govern ourselves and our communities.

In conclusion, the 2016 Navajo Chapter Elections should remain as planned and should not be delayed. To delay the 2016 Chapter Elections comes with implications. Implications that revolve around the notion that central governmental policy makers, central government employees, and Navajo Nation Council delegates want to take away power from local governments. This is a usurpation of traditional Navajo governance and Navajo Law. In addition, Window Rock policy makers have had a bad track record of implementing programs and amending policies without completely planning, researching, and

1. Navajo Nation Code: Title 26 Navajo Nation Local Governance Act
(http://aneth.navajochapters.org/Title_26.pdf)

asking for public input. This inability has been evident during the LGSC to ASC transition. The Navajo people are affected by the decisions that Window Rock makes, and this proposed legislation is no exception. The People should not have their ability to participate directly in their governance at the local level removed. Stronger local governments will create a stronger Nation. This has been true in the past and will continue to be true into the future.

A concerned Navajo Nation member,
R. Lee
PO Box 455
Nageezi, Navajo Nation (NM) 87037
reclee07@gmail.com

1. Navajo Nation Code: Title 26 Navajo Nation Local Governance Act
(http://aneth.navajochapters.org/Title_26.pdf)

To'Hajiilee Chapter's opposition to NNC Legislation No. 0021-16

CBN Health Center, Inc <cbn_hc@yahoo.com>

Tue 1/19/2016 3:14 PM

To: comments <comments@navajo-nsn.gov>; Raymond Secatero <raysecatero@yahoo.com>; Turqhoganjc02 <turqhoganjc02@aol.com>; Virginia Platero <platerovirginia@yahoo.com>; Lindsay Naas <lrnaas@aol.com>; Lester Secatero <sgene@aaihb.org>;

1 attachment

To'Hajiilee's position on Legsltn 0021-16.pdf;

To whom it may concern:

Attached is the Chapter resolution from the Canoncito Band of Navajos/To'Hajiilee Chapter regarding NNC Legislation No. 0021-16.

Thank you, Jim Platero, ED

CBN Health Center Inc.

PO Box 3338

Canoncito NM 87026

Ph:(505)908-2037

Fax(505)908-2074

CBN_HC@yahoo.com



To'Hajiilee

Canoncito Band of Navajos

Raymond Secatero, President

John Chavez, Vice - President

Virginia Platero, Secretary/Treasurer

Norman M Begay, Council Delegate

CBN/To'Hajiilee Chapter Resolution No. TOH-16-01-007

Resolution of the Canoncito Band of Navajos (CBN)/To'Hajiilee Chapter opposing proposed Navajo Nation Council (NNC) Legislation No. 0021-16 [AN ACTION RELATING TO NAABIK'IYATI' AND THE NAVAJO NATION COUNCIL; POSTPONING THE 2016 NAVAJO NATION CHAPTER ELECTIONS AND EXTENDING TERMS OF OFFICE FOR ELECTED OFFICIALS].

WHEREAS:

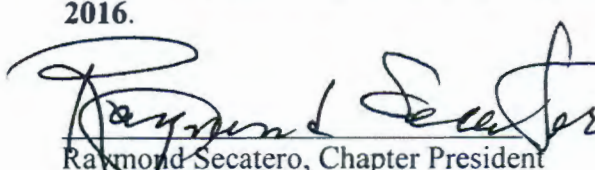
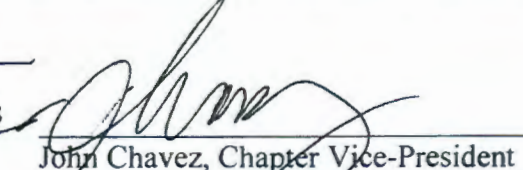
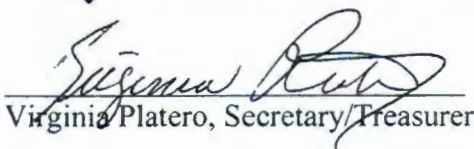
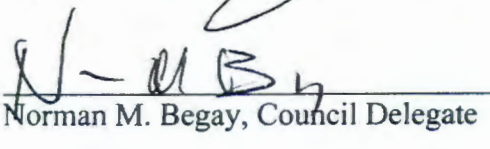
1. The Canoncito Band of Navajos (CBN) was granted certain lands in New Mexico to be held in trust by the United States Government by the Act of August 13, 1949 and with this Act and recognition of CBN, the CBN government has provided services to the CBN people; and
2. The To'Hajiilee Chapter is a certified Chapter of the Navajo Nation pursuant to 2 N. N. C. §§ 4001 and 4006, and is thereby authorized to address and act on the needs and concerns of the Canoncito Band of Navajos; and
3. The Canoncito Band of Navajos/To'Hajiilee Chapter opposes proposed NNC Legislation No. 0021-16 because it is not in the best interest of the Navajo Nation or individual Chapters, including the Canoncito Band of Navajos/To'hajiilee Chapter, to rush the consideration of a Navajo Nation Chapter Reorganization Plan. The Navajo Nation has been in operation since 1932 with a good Chapter organization. Any Chapter Reorganization Plan will have a major impact on this year's Chapter election and the NNC Delegate election in 2018 and must be carefully considered and acted on; and
4. The Canoncito Band of Navajos/To'Hajiilee Chapter opposes proposed NNC Legislation No. 0021-16 because the proposed Chapter Reorganization Plan has not been presented to the Canoncito Band of Navajos/To'Hajiilee Chapter, and sufficient information is not currently available regarding Reorganization and its effect on the Canoncito Band of Navajos/To'Hajiilee Chapter. The Canoncito Band of Navajos/To'Hajiilee Chapter requests reasonably sufficient time to evaluate any proposed Reorganization Plan, including any redistricting if redistricting will also be involved with any proposed Chapter Reorganization; and
5. The Canoncito Band of Navajos/To'Hajiilee Chapter opposes proposed NNC Legislation No. 0021-16 because any Chapter Reorganization Plan may take 2-4 years to be approved by the Navajo people. In the meantime, the civil rights of the people to vote for and be represented by the people they choose will be denied. The Canoncito Band of Navajos/To'Hajiilee Chapter recommends proceeding with Chapter election filing deadlines and elections without delay or postponement.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Canoncito Band of Navajos/To'Hajiilee Chapter hereby opposes proposed Navajo Nation Council Legislation No. 0021-16 for the above-stated reasons, and recommends proceeding with Chapter filing deadlines and elections without delay or postponement.

CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by the CBN/To'Hajiilee Chapter in To'Hajiilee, NM and that same was passed by a vote of **32** in Favor, **0** Opposed and **0** Abstained this **19 day of January 2016**.

 Raymond Secatero, Chapter President	 John Chavez, Chapter Vice-President
 Virginia Platero, Secretary/Treasurer	 Norman M. Begay, Council Delegate

Legislation No 0021-16

Daphne Thomas <dashkaythomas@yahoo.com>

Tue 1/19/2016 3:22 PM

To: comments <comments@navajo-nsn.gov>;

Cc: Angela Barney Nez <barneynezangela@yahoo.com>; Fernie Yazzie <fernie.yazzie@yahoo.com>;

1 attachment

Legislation #0021-16 011916.pdf;

Good afternoon,

Please see attachment.

Any other questions, please call/email the DBOSBA office.

*Thank you,
Daphne Betone, Administrative Assistant
DBOSBA, Inc.
(928) 871-5225*



DINÉ BI OLTA SCHOOL BOARD ASSOCIATION, INC.

DBOSBA

P. O. Box 3719
WINDOW ROCK, ARIZONA 86515
TELEPHONE (928) 871-5225 / 5226
FAX (928) 871-5148

January 19, 2016

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, Arizona 86515

RE: Legislation # 0021-16

Dear Sir (s);

This letter is to address Legislation Number 0021-16 sponsored by the Honorable Leonard Tsosie, entitle "An Action to the Naabik'ivati' and the Navajo Nation Council; Postponing the 2016 Navajo Nation Elections and Extending Terms of Office for Elected Officials."

The Diné BiOlta School Board Association (DBOSBA) has met numerous times since August 2016 to address the upcoming 2016 school board elections as contained in the overall 2016 Chapter Elections.

- 1) The DBOSBA hereby submits Resolution # DBOSBA-15-10-0-04 "Requesting the Navajo Board of Elections to Hold School Board Elections in Accordance with Navajo Nation Code and to Apportion School Board Seats Pursuant to Chapter Representation of Students Attending Bureau of Indian Education school on the Navajo Nation ": adopted on October 5, 2015, which requests that the 2016 Chapter Elections – School Board Elections be conducted in accordance to tribal law, meaning that Elections are due in 2016 and are to be held in 2016.

The DBOSBA opposes Legislation Number 0021-16 and requests that there be NO Postponement to the 2016 Chapter Election-School Board Elections for any reason.

A related matter to the School Board Apportionment Plan of the 2016 School Board Elections; these are part of the 2016 Chapter Elections which include an Apportionment Plan, DBOSBA approves the use of PLAN "A":

- 2) The DBOBSA submits Resolutions # DBOSBA 16-01-003, "Requesting The Navajo Board of Election Supervisors, the Navajo Nation Council's Health Education and Human Services Committee, and the Full Navajo Nation Council to Hold School Board Elections in Accordance with the timelines codified in the Navajo Nation Code; and to Authorize the Apportion of School Board Seats Pursuant to the Proposed PLAN "A", as Plan "A" provides for a Fair and Equal Representation of the Students Attending BIE funded Schools on the Navajo Nation."

2

The DBOSBA opposes Legislation Number 0021-16, as the Navajo People have a fundamental right to their Chapter Elections; they have a right to choose the leaders of their choice as prescribed by various rights codified in the Navajo Nation Laws.

The DBOSBA opposes Legislation Number 0021-16, as there needs to be a change in the leadership of community chapters, school boards and other community level offices since the Oath of Office will expire and the duties are to be relinquished. The DBOSBA finds that there several officials who are desire to complete their terms ending January 2017 as prescribed to them by their Oath of Office.

Thank You.

Sincerely;

A handwritten signature in dark ink, appearing to read 'Angela Barney Nez', with a stylized flourish at the end.

Angela Barney Nez, Executive Director
Diné BiOlta School Board Association, Inc.



DBOSBA-15-10-004 (amended)
DINÉ BI OLTA SCHOOL BOARD ASSOCIATION, INC.

DBOSBA

P. O. Box 3719
WINDOW ROCK, ARIZONA 86515
TELEPHONE (928) 871-5225 / 5226
FAX (928) 871-5148

RESOLUTION OF THE DINÉ BI OLTA SCHOOL BOARD ASSOCIATION

Requesting The Navajo Board of Elections to Hold School Board Elections in Accordance with Navajo Nation Code and to Apportion School Board Seats Pursuant to Chapter Representation of Students attending Bureau of Indian Affairs Funded schools on the Navajo Nation

WHEREAS:

1. Pursuant to NNC10§301, The Navajo Nation has established the Diné Bi Olta School Board Association (DBOSBA) to represent local community school boards at the Navajo Nation. This Association is the only school board association recognized by the Navajo Nation to represent local community school boards; and
2. Pursuant to NNC10§ 302. the Diné Bi Olta School Board Association (DBOSBA) is authorized to consider educational programs, problems and issues of a Navajo Nation-wide significance; and to make recommendations concerning all BIE-funded schools and local community school boards; and
3. The Diné BiOlta School Board Association, (DBOSBA) through the Navajo Area School Board Association (NASBA) came into existence in 1969, created by the Navajo Nation Council to strengthen the control of local school boards over the operations of Navajo schools in the BIA / BIE system. From the first day, the purpose was to build the skills and reinforce the strengths of locally elected Navajo school boards and to put Navajo people in charge of the education of their children; and
4. The Diné BiOlta School Board Association has learned that the Navajo Nation Superintendent of Schools has unnecessarily requested for a postponement of school board elections, however, DBOSBA finds that it is in the best interests of the Navajo schools and the Chapters represented to hold school board elections in accordance with Navajo Nation Code Title 11 and to apportion school board seats pursuant to chapters represented by students attending BIE funded schools on the Navajo Nation.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Diné Bi Olta School Board Association (DBOSBA) hereby respectfully requests the Health, Education and Human Services Committee of the Navajo Nation Council and the Navajo Board of Elections Supervisors to hold School Board Elections in accordance with Navajo

Nation Code and to apportion School Board Seats pursuant to Chapter Representation of Students and parents attending Bureau of Indian Affairs funded schools on the Navajo Nation.

2. The Diné BiOlta School Board Association further asserts that school board seats are established by the chapters of the Navajo Nation pursuant to Navajo Nation law 10NNC§201; and that any change as proposed by the Navajo Superintendent of Schools are in draft form and contain far-reaching needs of legal reviews and approval by the Navajo Nation pursuant to 10NNC§497. There is no such tribal approval currently in existence.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Diné Bi Olta School Board Association, Inc. (DBOSBA) at a duly called Meeting at which a quorum was present and that the same was adopted by a vote of 6 in favor, 0 opposed, and 1 abstaining, on this 5th day of October, 2015.



Fernie Yazzie, President

DINÉ BI OLTA SCHOOL BOARD ASSOCIATION, INC.

Motion: Ervin Chavez

Second: Marge RS Begay

ATTACHMENTS: 10NNC§201; 10NNC§497

DBOSBA 15-10-004 (amended)
ATTACHMENT "A"

1. Construction and application

It is therefore obvious that while the schools remain minimally self-sufficient, they have been inextricably intertwined with the Navajo Nation government and their local Navajo communities from their inception. The Appellant schools have characteristics of both public and private schools; therefore, we agree with the District Court that the schools are "local community schools," or "other schools" under the meaning of Section 2(EE) of the Election Code. We hold that the Election Code applies to the Appellants. *Rough Rock Community School Board, Inc. v. Navajo Nation*, 7 Nav. R. 168, 171-172 (1996).

2. Consent to policies

"We note, for example, that there are 'Navajo Educational Policies' which apply to all schools within the Navajo Nation, and to which the School District agreed in its lease." *Office of Navajo Labor Relations v. Central Consolidated School District No. 22*, No. SC-CV-13-98, slip op. at 8 (Nav. Sup. Ct. June 5, 2000).



§ 201. Establishment

The Chapters of the Navajo Nation are authorized to establish such local Navajo Community School Boards as are suitable for their respective areas. Such local community school boards shall govern the schools funded by the Bureau of Indian Affairs for the education of Navajo students. The elections of such local community school board members shall be conducted in accordance with the Navajo Nation Election Code, Title 11 of the Navajo Nation Code.

History

CJY-37-05, July 19, 2005. The Navajo Sovereignty in Education Act of 2005 generally amended Title 10 of the Navajo Nation Code.

CN-61-84, November 14, 1984.

CAU-87-69, August 8, 1969.

Cross References

Qualifications for office, see 11 N.N.C. § 8(D) (4).

United States Code

Self-determination and Education Assistance, see 25 U.S.C. § 450 et seq.

Tribally Controlled School Grants, see 25 U.S.C. § 2501 et seq.

Annotations

1. Construction and application

It is therefore obvious that while the schools remain minimally

Chapter 4. Programs and Facilities

§ 496. Compliance with requirements of Navajo Nation law

DBOSBA 15-10-004 (amended)
ATTACHMENT "A"

All educational programs in operation on the Navajo Nation will comply with all of the applicable requirements of the Navajo Nation education laws as well as applicable state and federal requirements.

History

CJY-37-05, July 19, 2005. The Navajo Sovereignty in Education Act of 2005 generally amended Title 10 of the Navajo Nation Code.

Note. This § 496 amends and renumbers previous § 1 adopted by CN-61-84, November 14, 1984. See also, 1922-1951 Res. p. 114, February 20, 1947.

*

§ 497. Changes in educational program or operation; discussion; approval

A. It shall be the policy of the Navajo Nation that any agency, organization, or group proposing and planning a new school facility, expansion or change-over of an existing facility, including post secondary institutions, a change in school site, a transfer from Bureau to public school operation, a change from boarding school to day school, grant or contract operations, a creation of a charter school or other schools, closure or consolidation of schools, establishment or changes of bus routes, or any other change in educational policy or operation, which may affect the lives of local citizens and Navajo students, shall consult with the Navajo Nation for full discussion of such proposed changes.

B. Further, any agency, organization or group proposing such changes shall consult and discuss such plans with the Navajo Nation Superintendent of Schools, the Bureau of Indian Affairs, the Education Committee of the Navajo Nation Council, the people of the communities to be affected, either directly or indirectly, and with local school boards.

C. It shall also be the policy of the Navajo Nation that official endorsement of such changes or proposals by the Navajo Nation shall be withheld until every effort has been made by the responsible agency, organization, or group to obtain the approval and endorsement of the Navajo people affected, and such Navajo Nation laws regarding the planning and undertaking of such change or proposal have been complied with. Such endorsement of proposed plans or changes shall be obtained prior to the implementation of such educational programs.

History

CJY-37-05, July 19, 2005. The Navajo Sovereignty in Education Act of 2005 generally amended Title 10 of the Navajo Nation Code.

Note. This § 497 amends and renumbers previous § 2 adopted by CN-61-84, November 14, 1984. See also, 1922-1951 Res. p. 114, February 20, 1947.

§ 498. Size and locations of facilities

A. It is the declared policy of the Navajo Nation, in every instance and to the fullest extent possible, for the Education Committee of the Navajo Nation Council, the Navajo Nation Board of Education, and the Department of Diné Education to work closely with all appropriate education providers and governmental entities on the size and location of all educational facilities to be constructed for Navajo students in order that maximum benefit can be obtained from them by the Navajo people.

B. The Education Committee is authorized to approve and recommend to the appropriate standing committee(s) of the Navajo Nation Council, the approval of



DINÉ BI OLTA SCHOOL BOARD ASSOCIATION, INC. DBOSBA 16-01-003

DBOSBA

P. O. Box 3719
WINDOW ROCK, ARIZONA 86515
TELEPHONE (928) 871-5225 / 5226
FAX (928) 871-5148

RESOLUTION OF THE DINÉ BI OLTA SCHOOL BOARD ASSOCIATION

Requesting The Navajo Board of Election Supervisors, the Navajo Nation Council's Health Education and Human Services Committee, and the Full Navajo Nation Council to Hold School Board Elections in Accordance with the timelines codified in the Navajo Nation Code; and to Authorize the Apportion of School Board Seats Pursuant to the Proposed PLAN "A", as Plan "A" provides for a Fair and Equal Representation of the Students Attending BIE funded Schools on the Navajo Nation.

WHEREAS:

1. Pursuant to NNC10§301, The Navajo Nation has established the Diné Bi Olta School Board Association (DBOSBA) to represent local community school boards at the Navajo Nation. This Association is the only school board association recognized by the Navajo Nation to represent local community school boards; and
2. Pursuant to NNC10§ 302. the Diné Bi Olta School Board Association (DBOSBA) is authorized to consider educational programs, problems and issues of a Navajo Nation-wide significance; and to make recommendations concerning all BIE-funded schools and local community school boards; and
3. The Diné BiOlta School Board Association, (DBOSBA) through the Navajo Area School Board Association (NASBA) came into existence in 1969, created by the Navajo Nation Council to strengthen the control of local school boards over the operations of Navajo schools in the BIA / BIE system. From the first day, the purpose was to build the skills and reinforce the strengths of locally elected Navajo school boards and to put Navajo people in charge of the education of their children; and
4. The Diné BiOlta School Board Association was afforded a copy of School Board Apportionment plans developed by the Department of Diné Education (DODE) on December 21, 2015, provided by the Health, Education and Human Services Committee (HEHSC) in which there were Four Options, Plan A, Plan B , Plan C, and Plan D; and
5. Pursuant to HEHSC instructions of their December 21, 2015 meeting, Public hearings were to be conducted with a comprehensive review of each of the proposed Apportionment Plans; and
6. The Diné BiOlta School Board Association reviewed each of the Apportionment Plans and finds that it is in the best interests of the Navajo schools and the Chapters represented to

forward with school board elections in accordance with the proposed Plan A as it provides for a fair and equal representation of the students attending BIE funded schools on the Navajo Nation.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Diné Bi Olta School Board Association (DBOSBA) hereby respectfully requesting the Navajo Board of Election Supervisors, the Navajo Nation Council's Health, Education and Human Services Committee, and the full Navajo Nation Council to hold school board elections in accordance with the timelines codified in the Navajo Nation Code; and to authorize the apportion of school board seats pursuant to the proposed Apportionment **PLAN "A"** as it provides for a Fair and Equal Representation of the Students Attending BIE funded Schools on the Navajo Nation.
2. The Diné BiOlta School Board Association further asserts that school board seats are established by the chapters of the Navajo Nation pursuant to Navajo Nation law 10NNC§201; and that any change such as those proposed by the Navajo Superintendent of Schools are in draft form and contain far-reaching needs of legal reviews and approval by the Navajo Nation pursuant to 10NNC§497. There is no such tribal approval currently in existence.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Diné Bi Olta School Board Association, Inc. (DBOSBA) at a duly called Meeting at which a quorum was present and that the same was adopted by a vote of 6 in favor, 0 opposed, and 1 abstaining, on this 7th day of January , 2016.



Fernie Yazzie, President

DINÉ BI OLTA SCHOOL BOARD ASSOCIATION, INC.

Motion: Ervin Chavez
Second: Marge RS Begay

ATTACHMENTS: 10NNC§201; 10NNC§497

Legislation No. 0021-16

betsyanabah <betsyanabah@yahoo.com>

Tue 1/19/2016 12:21 PM

To: comments <comments@navajo-nsn.gov>;

Cc: Betsy Dennison <betsyanabah@yahoo.com>;

1 attachment

Postponing 2016 Chapter Elections.doc;

Attention: Thomas Platero, Director of Legislative Services

I hope this email will reach you fine. I couldn't access the website that is set up on the Internet public review publication. So here goes my comment. Thank you, Betsy Dennison

Date: January 19, 2016

To the Attention of: Thomas Platero, Director of Legislative Services

Subject: Comment Relating to Legislative No. 0021-16, Postponing the 2016 Navajo Nation Chapter Elections and Extending Terms of Office for Elected Officials

I would like to address that the five-day (5) comment period is a short notice especially counting weekends and holiday; however, here is my comment on behalf of my community people:

As elected School Board and Chapter Official (Secretary-Treasurer) from Lake Valley Chapter, this Legislation to postpone 2016 NN Chapter Elections & extend terms of office for elected positions for the School Boards & Chapter Officials is not followed according to the Navajo Nation Election Laws that regulates the four-year (4) period to have NN Chapter Elections. It should be followed accordingly.

The 2016 NN Chapter Elections should not be interrupted and should proceed as scheduled with August 30, 2016 Primary Election and November 8, 2016 General Election. The real purpose of postponing election isn't clearly clarify to the local grass root level Chapter community people because they are very confused and are stressing out not knowing what will become of their community Chapter. As elected School Board and Chapter official I see this and hear concerns from community members (elderly people, parents, community members).

Lake Valley Chapter community people are being provided with information regarding downsizing 110 Navajo Nation Chapters to 24 Chapters and now with a short notice of postponing 2016 Election of Navajo Nation Chapter Officials. The local community people are worried because it will affect their Chapter deeply that will not benefit smaller Chapters like Lake Valley due to competition with bigger Chapters lacking equalization. It will take away the dire need of immediate assistance which are providing locally at the present time, instead of delaying the process of assistance if handle by the five regions being proposed. The outcomes of proposed plan will most likely not provide assistance to the local smaller Chapter(s). It will also take away the local Chapter authority which will place a burden upon the local community because of a dire need of funding to establish power and water lines project including road maintenance and infrastructures locally, and without funding, projects and economic developments will not be accomplished within Chapter locations.

Thank you,

Betsy S. Dennison
Chapter Secretary-Treasurer
Lake Valley Chapter
betsyanabah@yahoo.com

Comments

Ojo Encino Chapter <ojoencino@navajochapters.org>

Tue 1/19/2016 3:05 PM

To: comments <comments@navajo-nsn.gov>;

2 attachments

Exhibit_A_Ojo_Encino_0021_16_Comment_Letter_OjoEncinoResolution.pdf, SCN_0002.pdf,

Good Afternoon, here are our comments on Legislation#0021-16, pertaining to delaying Navajo Nation Chapter Elections.



OJO ENCINO CHAPTER

HCR 79 BOX 1500, OJO ENCINO, NEW MEXICO 87013
PHONE (505)731-2263 or 731-2262 FAX (505)731-1516
EMAIL: ojoencino@navajochapters.org

Ojo Encino Chapter "the Chapter" is very concerned about the current legislation numbered 0021-16 which would delay Navajo Nation Chapter elections. The Chapter has passed a resolution a few days prior to this legislation's public review posting as being against the delay of any elections (OJOE-01-13-16/003 Whereas #4). The Chapter has a number of concerns specific to this legislation which includes the following: Governance Stability, Legislative Authority, wording of the legislation, and the purpose of the legislation.

Ojo Encino Chapter Resolution OJOE-01-13-16/003:

On January 13, 2016 the Chapter passed resolution OJOE-01-13-16/003 which is attached as "Exhibit A". In this resolution many concerns are laid out regarding the Resource Development Committee's activities via its Title 26 Task Force (the "task force"). A major concern is that the task force has operated outside of its purpose:

RDCMY-21-15 Section 2 (A):

1. A mechanism of establishing accountability at the Chapter level through recommendations for changes in Title 26;
2. To explore ways to amend Title 26 so that Chapters may become locally empowered;
3. To work towards establishing policies and possible Title 26 amendments to streamline the Five Management Plan System;

The Chapter when presented to by the task force was presented mostly erroneous information about how Chapter governments are failing and how the task force is proposing the abolishment of Chapter Governments. There was nothing presented that would have fulfilled any of the purposes set out for the task force. However, what was presented is very concerning because of the following reasons:

1. The Title 26 Task Force is directly undermining Tribal Governance via false information presented during their "public education" forums.
2. The Resource Development Committee via it's task force is now acting against its own legislated purpose.

2 N.N.C. §500.(C)(4)

To promote local community land use plans which support community infrastructural development and development of Local Government Units which enhances local self-government.

3. The RDC has been directing Navajo Nation Governmental Entities to expend a great deal of funds/resources to act against its own legislated purpose and to undermine tribal governance.

A fuller argument relating to these elements is presented in Ojo Encino Chapter resolution OJOE-01-13-16/003 which is attached as exhibit A and is the core of this letter's creation.

George Werito Jr., Chapter President
Jeanette Vice, Chapter Vice President
Brandon Sam, Chapter Secretary/Treasurer

Gloria Chiquito, Chapter Manager
Leonard Tsosie, Council Delegate
Elizabeth Stoney, Land Board Member

Governance Stability

Chapter governments represent the foundation of Navajo Governance both historically and culturally. This foundational status is confirmed in the Navajo Nation Code and via Navajo Nation Council Resolutions:

2 N.N.C. §4021 Purpose: (Repealed by CAP-34-98(Title 26))

A. The Chapters of the Navajo Nation represent the foundation of the Navajo Nation government. They are designed to provide a forum in which local needs may be addressed and in which concerns of the Navajo Nation may be explored and considered by each constituent part of the Navajo Nation.

Although 2 N.N.C. §4021 was repealed by CAP-34-98 its intent was codified by the enactment of Title 26 and is found in the Whereas language of the resolution CAP-34-98:

CAP-34-98 Whereas:

#2: Navajo Nation Chapters are the foundation of the Navajo Nation Government...

The importance of local Chapter governance is also expressed in the ethnographic/anthropological literature as well:

The Navajo Political Process (Aubrey W. Williams)

"The Chapters were integrated into preexisting, local sociopolitical structures which had at their core the extended family structure that functioned as the basic unit of social control among the Navajo" (Page 37).

Williams, Aubrey W., and Smithsonian Institution. *Navajo Political Process*. Washington: Smithsonian Institution, 1970. Print. Smithsonian contributions to anthropology, volume 9.

The Navajo Nation (Peter Iverson)

"The Navajos did not claim one supreme leader but rather acted in smaller, relatively autonomous groups..." (Page 4)

Iverson, Peter. *The Navajo Nation*. Westport, Conn.: Greenwood Press, 1981. Print.

The Navajo Political Experience (David E. Wilkins)

"When the Spanish arrived in the late 1500s, the fundamental political entity in Navajo Society was the natural community. This collective unit of government was basically economic in nature, geographically determined, and distinct from other local units. Population figures for the communities vary, but most informed accounts estimate that a natural community contained 10 to 40 families" (Page 69).

Wilkins, David E. *The Navajo Political Experience*. Rev. ed. Lanham, Md.: Rowman & Littlefield, 2003. Print. Pages: 68, 69, 147.

The Navajo Nation Reform Project (Diné Policy Institute):

"...the Chapter House movement, in its nascence at the time, was immediately absorbed by the Navajo people as a local form of governance for regional self-determination. Meaning, the Navajo people, based on the matrilineal land-use policy, and cluster living style, were more adept to localized decision-making rather than thinking for a broader, more abstract nation-state as a whole"(Page 14-15).

"The Navajo peoples rejection of this large-scale government reform demonstrates the significance of local politics in the Navajo political orientation, and the lessons learned from this effort are still applicable to today's political context.." (Page16).

"Therefore, it is reasonable to assume that principles and values currently characterized as "tradition" is rooted in these times during decentralized, localized governance and small-scale pastoral and agricultural forms of economy" (Page 28).

Diné Policy Institute. *The Navajo Nation Reform Project*. Tsaille, NN. Accessed 1/18/2016 via: [<http://www.dinecollege.edu/institutes/DPI/Docs/GovernmentReformDraft.pdf>]

The Chapter feels it has demonstrated the importance of local governance and chapters in regard the Navajo Government both through the academic literature and through Navajo Nation Code and Resolution. Since local governments are foundational to Navajo Governance, the chapter feels that any unnecessary (non-emergency) imposition on the governing abilities of the Chapter governments could have negative and destabilizing effects upon the Nation as a whole. Thus, any delay of Chapter elections should not be allowed.

Legislative Authority

The Chapter is interested to know where the authority to delay Chapter elections stem from. It is understandable that in emergency situations that Chapter elections could be delayed via the Navajo Nation Council. However, there appears to be no emergency situation as defined:

2 N.N.C. §164 (A)

16. Matters constituting an emergency shall be limited to the cessation of law enforcement services, disaster relief services, fire protection services, or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such legislation and must be a matter requiring final action by the Council.

Of course, the current situation surrounding the proposed legislation to delay elections does not constitute an emergency situation. There is language that does allow for the delay of elections by the

Navajo Board of Election Supervisors

11 N.N.C. §3

E. The Board of Election Supervisors is authorized to postpone for a maximum of 60 days any Navajo election for the purpose of printing new ballots required because of changed circumstances.

However, this election postponement authority does not seem to apply regarding this legislation either. The Chapter would like to note that the proposed legislation may actually require the Navajo Board of Election Supervisors to act against its own purpose. In particular the following:

2 N.N.C. §871 (B)

2. Provide the opportunity for each qualified elector to exercise his or her right to vote for a candidate of his or her choice.
3. Provide the opportunity for all qualified person(s) to serve the Navajo public by seeking office.
6. Guard against abuse of the electoral system in the Navajo Nation.

By delaying Chapter elections it will effectively prevent Navajos from participating in their governance. It will effectively prevent electors from choosing candidates for office. It will also prevent potentially qualified candidates from running for office. This is against 2 N.N.C. §871 (B) (2) & (3). Lastly, it does appear that this legislation is attempting to interfere with Navajo Chapter elections to achieve an, as of yet, amorphous objective of abolishing Chapter governments. The chapter feels that this could have implications relating to 2 N.N.C. §871 (B) (6).

Finally, the Chapter does recognize that this matter is reviewable by the Naa'bik'iyáti Committee via the following:

2 N.N.C. §164 (A)

9. A proposed resolution that requires final action by the Navajo Nation Council shall be assigned to standing committee(s) having authority over the subject matter at issue and the Naa'bik'iyáti Committee with amendments and committee reports. The Naa'bik'iyáti Committee may develop proposed amendments to the Council or may refer a resolution or memorial back to the appropriate standing committee(s).

However, the Chapter also feels that this proposed legislation needs to be put before the Resource Development Committee as well since it has oversight authorities over chapters as designated:

2 N.N.C. §501 ©

The Committee shall serve as oversight committee of the Division of Natural Resources, including District Grazing Officers, Eastern Navajo Land Board, Farm Boards, Soil

and Water Conservation Districts, including grazing issues to accomplish duties set forth in 3 N.N.C. §§832 and 852; Division of Community Development; Chapters; Division of Economic Development; Division of Transportation; Environmental Protection Agency; except as otherwise delegated by Navajo Nation law; and legislative oversight to the Gaming Regulatory office.

(Emphasis Was Added)

The Chapter does feel that there is sufficient issues relating to this proposed legislation that need to be addressed. The chapter would like to be informed of where exactly the authority to delay Chapter elections for non-emergency purposes stems from and would like to ensure that the proposed legislation is properly reviewed.

Wording and Purpose of Legislation

The Chapter feels that the wording of the legislation is inherently vague and also prevents Chapter elections from occurring until a "Navajo Nation Chapter reorganizational plan" is approved.

Legislation #0021-16 Section 2:

The Navajo Nation hereby postpones the 2016 Chapter Elections, both primary and general. The process for these elections shall resume upon the approval of a Navajo Nation Chapter reorganizational plan. In the interim, current officials whose terms were scheduled to end upon the 2016 Chapter Election shall remain in office pending the approval of a plan and upon elections.

This legislation would require that a reorganizational plan is approved before Chapter elections can take place. This essentially would create a situation in which voters or the Council would be forced to approve a plan before they could select new Chapter officials. This seems to be a dangerous situation that could have destabilizing effects upon the Nation.

Additionally, there is currently no plan in place that is actionable or reviewable beyond a powerpoint presentation by the Title 26 Task force (a task force of the RDC). The RDC has now twice extended the Title 26 task force from its original 90 day existence to 210 days then to 300 days via RDCS-64-15 and RDCD-94-15. To be able to complete its purpose and directives which includes a written report and proposed draft of Title 26. The task force has been unable to complete this, and from the presentations shown the Chapter believes that the task force will be unable to produce a plan which would be stabilizing and realistic.

The vagueness extends to which elections are to be delayed. The assumption by the Chapter by reading Section 1 (C) along with Section 2 seems to indicate that potentially all local level elections are to be delayed. This will need to be clarified.

Finally, in Section 1(D) states that there are "hearings being conducted on regionalizing chapters". The Chapter is aware of public education sessions that have been scheduled. These sessions are to educate

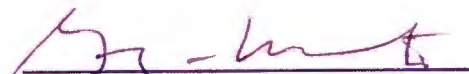
the public regarding the "purpose and proposed plans of the task force" (Exhibit "B"). However, this fails to meet the idea of hearings. The language in this part of the legislation also states: "It is anticipated that a reorganizational plan, once formulated, will be presented to voters of the Navajo Nation for final approval". This language does not connote any definite that a plan will be constructed in the time-frame allotted or that it will be put before the voters.

Conclusion

The Chapter passed resolution OJOE-01-13-16/003 which details many concerns regarding the activities of the Resource Development Committee and its Title 26 Task Force. This resolution should be reviewed in full by the Naa'bik'iyáti Committee as it does have implications regarding the proposed legislation 0021-16 in both sections 1 & 2.

Ojo Encino Chapter would also like to have a minimum of a 72 hour notice regarding any meetings that will be discussing legislation 0021-16 and related legislation or resolutions regarding Title 26 Task Force and Chapter Reorganization.

The Ojo Encino Chapter via resolution OJOE-01-13-16/003 (Resolved #4) is against the delay of any Chapter elections. The Chapter also feels that it has laid out sufficient issues via this letter and resolution OJOE-01-13-16/003 to not pass this proposed legislation.



George Werito
Ojo Encino Chapter President

1/13/16
Date

HCR 79 Box 1500
Ojo Encino, Navajo Nation 87013
P: (505) 731-2263 / 2262
F: (505) 731-1516
ojoencino@navajochapters.org

Exhibit "B"
Ojo Encino Chapter Legislation 0021-16 Comment Letter



Local Governance Act Reform Public Education

December Schedule
(January Schedule will be forthcoming with more locations)



The Title 26 Task Force invites you

...to an educational seminar on the purpose and plans of the task force.
 Agenda Items: Title 26 Revisions & the Proposed Chapter Regional Government System

Date:	Location:	Time:
December 1	Navajo Nation Museum	5 - 9 PM
December 3	Many Farms Chapter	10 - 3 PM
December 4	Pinon Chapter	10 - 3 PM
December 7	Pueblo Pintado Chapter	10 - 3 PM
December 8	Casamero Lake Chapter	10 - 3 PM
December 9	Tuba City Chapter	10 - 3 PM
December 10	Cameron Chapter	10 - 3 PM
December 11	Birdsprings Chapter	10 - 3 PM
December 15	Shiprock Chapter	10 - 3 PM
December 16	Naageezi Chapter	10 - 3 PM
December 29	Ganado Chapter	10 - 3 PM

Contact for Information:
 Office of Navajo Government Development
 Visit our website: <http://www.onagd.navajonation.gov>
 Find us on Facebook: <https://www.facebook.com/ONAGD>

(928) 871-7214



LOCAL GOVERNANCE ACT REFORM PUBLIC EDUCATION

The Navajo Nation Title 26 Task Force invites you to an educational session on the purpose and proposed plans of the task force.

Agenda Items: Title 26 Revisions & the Proposed Chapter Regional Governments

January Schedule
(February Schedule will be forthcoming with more locations)

Date:	Location:	Time:
January 12	LeChee Chapter	10 - 3 PM
January 13	Inscription House Chapter	10 - 3 PM
January 14	Aneth Chapter	10 - 3 PM
January 15	Nenahnezad Chapter	10 - 3 PM
January 20	Dilkon Chapter	10 - 3 PM
January 21	Houck Chapter	10 - 3 PM
January 22	Tolikaan Chapter	10 - 3 PM
January 26	Nazlini Chapter	10 - 3 PM
January 27	Shonto Chapter	10 - 3 PM
January 28	Navajo Technical University	1 - 5 PM

Contact for Information:
 Office of Navajo Government Development
 Visit our website: <http://www.onagd.navajonation.gov>
 Find us on Facebook: <https://www.facebook.com/ONAGD>

(928) 871-7214



OJO ENCINO CHAPTER
HCR 79 BOX 1500, OJO ENCINO, NEW MEXICO 87013
PHONE (505)731-2263 or 731-2262 FAX (505)731-1516
EMAIL: ojoencino@navajochapters.org

RESOLUTION OF THE OJO ENCINO CHAPTER
OF THE NAVAJO NATION

Resolution of Concern and Input regarding Title 26 Task Force of the Navajo Nation Council Resource Development Committee

WHEREAS,

1. The Ojo Encino Chapter (the "Chapter") is a political subdivision of the Navajo Nation under 11 N.N.C. § 10 and a local governance certified chapter pursuant to 26 N.N.C. § 102, and the Chapter is responsible for the health and safety of its local residents and for stewardship of its Chapter lands and resources; and
2. The chapter has recently been made aware of the Title 26 Task Force (the "task force") which was created by the Navajo Nation Council's Resource Development Committee via resolution RDCMY-21-15 (Exhibit A) along with extension resolutions RDSC-64-15 (Exhibit B) and RDSCD-94-15 (Exhibit C); and
3. Although Office of Navajo Government Development (ONGD) and Navajo Nation Division of Community Development (NNDCCD) stated at public "education" meetings regarding the task force that task force meetings were open and available to the public, no efforts were made to share the meeting times and location for the public to participate, thus negating any potential public input directly regarding Title 26 task force sessions. Even when this issue was raised it has still been difficult to gain access to this information; and
4. The Chapter believes that local governance is the foundation of Navajo governance both traditionally and currently; and
5. This belief is backed by Navajo Nation Law and Custom which is verified before Title 26 was enacted by the following:

2 N.N.C. §4021 Purpose: (Repealed by CAP-34-98(Title 26))
A. The Chapters of the Navajo Nation represent the foundation of the Navajo Nation government. They are designed to provide a forum in which local needs may be addressed and in which concerns of the Navajo Nation may be explored and considered by each constituent part of the Navajo Nation.

and;

6. The Chapter believes that 2 N.N.C. §4021 underlies to the creation and intent of Title 26 which:

George Werito Jr., Chapter President
Jeanette Vice, Chapter Vice President
Brandon Sam, Chapter Secretary/Treasurer

Gloria Chiquito, Chapter Manager
Leonard Tsosie, Council Delegate
Elizabeth Stoney, Land Board Member

26 N.N.C. §1 (B)

1. The purpose of the Local Governance Act is to recognize governance at the local level. Through adoption of this Act, the Navajo Nation Council delegates to chapters governmental authority with respect to local matters consistent with Navajo law, including custom and tradition...

and;

7. The chapter also believes local governance is the foundation of Navajo governance traditionally and is in the historic ethnographic data regarding Navajo societal structure (Exhibit D); and
8. The task force has operated outside of its purpose and has also now caused the Resource Development Committee (RDC) to operate outside of its purpose; and

8.1. The Title 26 task force was established by the Resource Development Committee for the following purposes:

RDCMY-21-15 Section 2 (A):

1. A mechanism of establishing accountability at the Chapter level through recommendations for changes in Title 26;
2. To explore ways to amend Title 26 so that Chapters may become locally empowered;
3. To work towards establishing policies and possible Title 26 amendments to streamline the Five Management Plan System;

a) Chapter is defined in Title 2 by the following

Title 2 §110(D)

Chapter, as stated in 26 N.N.C. §2(6), means units of local government which are political subdivisions of the Navajo Nation.

26 N.N.C. §2(6)

"Chapters" are units of local government which are political subdivisions of the Navajo Nation.

b) Local Government Unit is defined in Title 2 as follows:

Title 2 §110(K)

Local Government Units means political subdivisions of the Navajo Nation including, Chapters, Townships, or other municipal forms of government for purpose of §500 to §503.

(Note: Title 2 §500 to §503 refers to the Resource Development Committee)

c) The chapter was presented with information from the task force about its recommendations; however, the chapter failed to see any recommendations which "established accountability at the chapter level", enable Chapters to "become locally

empowered", or any policy or Title 26 amendments which would "streamline the Five Management Plan System". All presented information promoted the idea of abolishing local governments and governance.

d) Also, the "public education" activities of the task force is outside of its mandated purpose.

8.2. The task force as an official entity of the Resource Development Committee (RDC) has caused the committee to act outside of its legislated purpose which in regards to local governments is to:

2 N.N.C. §500.(C)(4)

To promote local community land use plans which support community infrastructural development and development of Local Government Units which enhances local self-government.

(Note: See 8.1(b) of this resolution which shows the definition of Local Government Unit according to Title 2)

a) RDC by extension of its task force has begun the process to abrogate local government and local self-government as defined by the Navajo Nation Code and has promoted and allocated Navajo Nation resources and funds for such a manner contrary to its legislated purpose.

9. In addition to the task force acting outside of its purpose, the task force is not properly constituted to provide balanced planning to fulfill its purpose. The following constitutes the task force membership; and

RDCMY-21-15 Section 2 (B)(1)

1. The Task Force shall consist of the named Navajo Nation employee or designee:

- i. Shirleen Jumbo-Rintila, Legislative Associate, Division of Community Development;
- ii. Robert Begay, Department Director, DCD Administrative Service Centers;
- iii. Raymond Tsosie, Senior Planner, Division of Community Development;
- iv. Robert Jumbo, Associate Auditor, Office of the Auditor General;
- v. Michael Halona, Department Director, Navajo Nation Land Department;
- vi. Reycita Toddy, Department of Personnel;
- vii. Dominic Beyal, Director, Office of Management and Budget;
- viii. Rodger Martinez, Director, Navajo Nation Retirement Services;
- ix. Clarence Chee, Division of Community Development;

- x. Leonard Benally, Director, Navajo Office of Vital Records;
- xi. Martin Ashley, Director, Navajo Nation Tax Commission ;
- xii. Vernon Roanhorse, Director, Office of Ethics and Rules; and
- xiii. Rodgerick Begay, Esq. , Navajo Nation Department of Justice

9.1. The Chapter feels that while the task force is composed of many very talented, dedicated, and experienced Navajo Nation employees, a fundamental flaw exists in the task force's membership composition. All of the task force is composed officially of central government employees. This flaw leads to issues that contradict Nitsáhákees-Nahat'á-líná-Siihasin and creates issues which are contradictory to local governance.

a) The following are defined in Title 2:

2 N.N.C. §110(Q)

Nitsáhákees is the part of the process of Nitsáhákees-Nahat'á-líná-Siihasin which involves critical thinking, and more broadly, to give direction and guidance to the issue at hand, in a constant cycle of examining and analyzing issues for growth and development.

2 N.N.C. §110(P)

Nahat'á is the part of the process of Nitsáhákees-Nahat'á-líná-Siihasin to strategically plan while utilizing Diné beehaz'aanii Bitsé Siléi (foundation of Diné law), statutory laws, informed research and public input (through use of the Naabik'iyáti' process) in a constant cycle of examining and analyzing issues for growth and development.

2 N.N.C. §110(I)

líná is the part of the process of Nitsáhákees-Nahat'á-líná-Siihasin to collaboratively make and implement a decision, which must be dynamic and vibrant to accomplish effective and efficient outcomes, for sustaining life, in a constant cycle of examining and analyzing issues for growth and development.

2 N.N.C. §110(V)

Siihasin is the part of the process of Nitsáhákees-Nahat'á-líná-Siihasin to ensure resilience through evaluation of decision making and outcomes in a constant cycle of examining and analyzing issues for growth and development.

- Although public input sessions have been conducted over the years regarding Title 26, the context of these sessions were not generally in the spirit of abolishment of

local governments but in their reform. Thus, task force composition heavily influences how collected input is interpreted to derive public policy. Thus it would seem that by not having a balanced task force which includes local governmental employees or designees not only would yield incorrect public policy suggestions from public input but would also go against elements of Nitsáhákees-Nahat'á-líná-Siihasin.

9.2. The chapter also understands from the academic literature regarding decentralization in developing nations (such as the Navajo Nation) the central governmental employees tend to be hostile towards authorities being granted to local level governments. This is illustrated in a document named "Navajo Nation LGA Post Certification: *The Path Forward in Self-Governance. A policy analysis of the Navajo Nation Local Governance Act*" written by Smullins & Tsosie, Harvard University Kennedy School of Government (**Exhibit E**). The following are excerpts illustrating central government employee reluctance towards local governance empowerment regarding Navajo LGA:

As chapter responsibilities increase, it is possible that some Window Rock jobs will disappear. This possibility encourages Window Rock employees to stall rather than support local governance because they are scared of its consequences. One Window Rock program staff member said in an interview, "I'm not sure about LGA. I'll probably lose my job." (Page 15)

Also indicating the importance of central government employee support:

Local governance requires the political support of both local citizens and the central government. Central government support is often the most difficult to gain because decentralization often means a loss in responsibility for central government employees. These employees may be reluctant to give up power or worry about losing their jobs. (Page 6)

- a) Considering this information, the likelihood of the task force being capable of fulfilling its original mandated purpose is in doubt. It also becomes understandable, considering the reluctance of central government employees to embrace Title 26 and the complete central governmental makeup of the task force, that the suggested solution (which is against the task force's purpose) is to dissolve local governments.

10. Misleading information presented during the task force's "Public Outreach" sessions; and

10.1. The task force's "public outreach" sessions have inferred that Navajo Nation Code does not allow for the existence of chapters with less than 1,000 people. However, this is misleading the public of the actual language contained in Title 26:

- a) Title 26 provides language regarding the establishment of new chapters worded as such:

26 N.N.C. §3

C. Additional chapters may be certified only if all of the following are met:

1. Upon presentation of evidence to the Navajo Nation Council that the proposed chapter represents a community group which has existed and functioned as a community for four continuous years.
 2. Upon presentation of evidence that the population of the area exceeds 1,000 persons for each of the existing chapters and that there is a need to establish others.
 3. Upon presentation of evidence that the topography or the unique demography of the chapter area makes it necessary to have more than one chapter to allow residents access to chapter meetings.
- The language in 26 N.N.C. §3(C) has been misrepresented by the task force, to the public, to infer that current chapters with populations of less than 1,000 should not exist according to Navajo Nation Code. This portion of Title 26 only applies to the establishment of new chapters **(Exhibit F)**.

10.2. Administrative versus Direct Costs

- a) The task force has stated that the average chapter spends 55% of its total budget on "administrative costs. Administrative Cost is defined by the task force in their presentation as being the sum of the following budget items: Personnel & Fringe and Chapter Agency Council Meetings (Stipends). The percent is then calculated by placing the total administrative cost over the total chapter budget **(Exhibit F)**.
- b) The task force even includes a statistic indicating that a single chapter has an 80% administrative cost, but the evidence for this is stated to be by word of mouth or anecdotal. Even so, the task force still includes this statistic.
- c) **Upon analysis of the FY2015 budget the following was calculated: Administrative Cost is composed of Personnel & Fringe, Chapter Agency Council Meetings (Stipends), and General Funds I. The highest administrative percentage is 54.2% with a minimum of 23.3% with an average of 44.2%. (Exhibit G)**
- d) Chapters, on average, are nearly 20% more efficient than what the task force has been telling the public.

10.3. Cost Savings

- a) The task force indicates in their presentation that there will be a cost savings by dissolving chapters and having 24 regions instead. Unfortunately, since the task force does not have an actual plan in place it is difficult for them to do an accurate cost savings analysis. The current proposed structure includes the following positions for each region: Regional Manager, Administrative Assistant, Extension Agent, Maintenance Technician, Heavy Equipment Operator, Accountant, Senior Planner, Proposal Writer, and Compliance Officer (Constable). These positions are estimated to have a total cost of \$510,426 per region with a total cost of \$12,250,220 nationwide **(Exhibit F)**.
- b) However, other costs are not accounted for which includes travel (General Fund I) and stipends or pay for the commissioners. Additionally, each chapter is proposed to remain open as a community center which will require personnel to be present. This cost has not

been accounted for. If commissioners receive a \$24,000 stipend per year and an administrative assistant is hired to operate each "community center" the actual total yearly Navajo Nation wide cost balloons to \$20,340,273. Current chapter direct administrative costs are \$14,475,993. (Exhibits F & H)

- c) Additionally the task force advertises other cost savings from chapter operations (such as heating and cooling) and trash; however, if the chapters remain open as community centers these savings would not be realized. Also, the task force indicated that current chapter buildings which are closed due to structural issues would not have to be repaired or rebuilt, leaving those communities without a community center.
- d) It is misleading for the task force to present a plan to the public showing what appears to be solid cost savings while also promising the public increased services. This is not possible and is over-promising the public of what can actually be delivered within certain budgets. Additionally, if the administrative assistants are not to take care of local level direct services (such as housing) it will require residents to travel further to access these services. Thus, regionalization could possibly shift costs onto the public.

10.4. Misleading Questionnaire

- a) Finally, the task force has discussed a questionnaire that it has conducted asking the Navajo Nation public on its opinions about various governmental related questions at the Navajo Nation Fair. Two questions of interest are:
 - Do you think there is a need for a Vice-President at the local chapter government?
 - 60% Yes; 39% No; 1% Undecided
 - If local chapter governments were to be merged into regional governments to promote better service to the Navajo People, would you vote to support this idea?
 - 77% Yes; 22% No; 1% Undecided
- b) Regarding the question about merging chapters should not be surprising it has support because the question is not neutral. It infers to the person answering the question that better services will follow. Thus, people are agreeing that if better services will be offered that they would be willing to merge chapters. Since the question is not neutral it does not tell policy makers much in the way of whether the public would like to see chapters dissolved.
- c) The majority of people feel that the Vice-President position should be retained. If the vast majority of people would like to dissolve chapters it would seem unlikely that they would also still feel that the Vice-President position is useful. Thus the survey questions mislead the public into thinking that the survey results indicate public support for dissolving chapters, but in reality the questions do not reflect this sentiment.
- d) Lastly, the sample of people is skewed and likely to small. Although the Navajo Nation Fair is a major Navajo event which draws Navajos from all over, it is likely that a larger percentage of individuals represented in the survey will live in closer proximity to Window Rock. Thus the survey results are likely skewed and have a relatively high margin of error.

NOW THEREFORE BE IT RESOLVED THAT,

1. The Chapter believes that the Title 26 Task force has acted outside of its intended and mandated functions and has caused the RDC to also act against its legislated intent. Thus, the task force should be dissolved; and
2. The Chapter requests that the RDC cease expending Navajo Nation resources/funds in a manner inconsistent with RDC's legislated purpose; and

3. That while the chapter sees that the Title 26 Task Force as no longer viable, its initial intended purpose of suggesting reforms to Title 26 (as defined in RDCMY-21-15 Section 2 (A)) is good and consistent with the RDC's legislated purpose; and
4. The Chapter also believes that elections of local governance units should not be delayed for any referendum. This could interrupt local governing processes and cycles and may not be in keeping with Navajo Nation Code and with the provision of stable governance; and
5. Although Title 26 task force did not work collaboratively with Local Governmental Units in the construction of its proposals and interpretation of collected public input, the Chapter does believe in Nitsáhákees-Nahat'á-Iiná-Siihasin and would like to make the following suggestions regarding future planning and local governance:

5.1. Local Governance Planning

- a) A new planning task force composed of a balanced group of locally minded governance individuals and central governance individuals should be established; and
 - The central government shall furnish travel funds for Local Government Units that participate in this process since meetings are generally held bi-weekly in the Window Rock area. These meetings would increase chapter travel costs and indirect service costs.
- b) That a similar purpose such as currently existing in RDCMY-21-15 Section 2(A) should guide the new task force; and
- c) The meetings shall be both open to the public and advertised to the public to ensure governmental transparency and public input. Although public input has been gathered over the years it was not specific to the dissolution of chapter governments, thus it is important that this process is open to the public for additional input; and
- d) That the public is given a constructed plan to discuss and vote upon. The People should know what the actual structure of any referendum is. The "Public Education" outreach by the Title 26 task force has presented confusing and misleading information regarding their plan. Many times misleading and showing generally positive proposed elements that are not linked with actual financial costs, which are not being shown and accounted for. Thus an actual plan with real financial and governance analysis shall be proposed for the people to be able to discuss, debate, and vote upon; and
- e) Any referendum vote should occur on a general election (either during Chapter elections or Council elections) to ensure the greatest number of registered voters participate;
 - Any amendments to Title 26 shall be consistent with 26 N.N.C. §1(E)

5.2. Fundamental Elements of Navajo Governance

- a) Navajo tradition and custom recognizes that governance is derived from the people and at the local level. This precedes the establishment of chapters and the central Navajo Nation government, thus the preservation of small local units of governance similar to chapters shall be maintained; and

- b) The protection of governance at the local level is paramount. Local governance allows individual citizens to directly participate in their government and local governance and should remain an inalienable right of the People at the local level and may only be extinguished by the People at each local governing unit and should not be extinguished by other entities outside of the local governing unit.

5.3. Local Governance Structure Elements

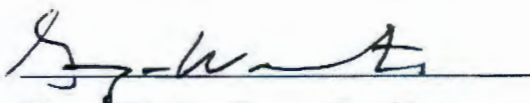
- a) The Chapter does not see the idea of regional/county governments and chapter governments as an either/or proposition. The two governmental entities coexist across many nations and states with each having defined powers. The same should be true on the Navajo Nation. This would protect local level democratic processes and services while also creating regional entities that are capable of handling higher level governance needs for the people. Thus, any legislation/referendum shall not dissolve chapters as local governing units, although their authorities, structure, and functions could be modified. This would be in keeping with 1 N.N.C. § 203 (J); and
- b) The chapter supports the idea of establishing Navajo Nation county governments not regional governments. This can be done through amending Title 26 to include language regarding the establishment of Navajo county governments; and
- c) Any legislation/referendum shall include legislative language which will transition over time (no more than 7 years) departmental and other monies from the central Navajo government to the regional/county governments. The language of such an element shall be very clear and specific such that administrative interpretation of such language shall not frustrate or prevent such process and transition from occurring.

CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Members of the Ojo Encino Chapter at a duly called meeting at the Ojo Encino Chapter House at which a quorum was present, and that the same was passed by vote of in 18 in-favor, 00 opposed, and 03 abstaining, this 13 day of January, 2016.

Motion: Olsen Juan

Second: Cora Yazzie


George Werito, Chapter President

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
OF THE 23rd NAVAJO NATION COUNCIL --- FIRST YEAR, 2015

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; ESTABLISHING A TASK FORCE
TO REVIEW TITLE 26 OF THE NAVAJO NATION CODE AND RECOMMEND
APPROPRIATE AND NECESSARY AMENDMENTS

BE IT ENACTED:

Section One. Findings

- A. The Resources and Development Committee has the authority to grant final approval of resolutions to develop and improve Local Governance Units and has oversight authority over Chapters. 2 N.N.C. §501(B)(2)(c); 2 N.N.C. §501(C)(1).
- B. The Resources and Development Committee met with the Division of Community Development and Administrative Service Centers and discussed issues and concerns pertaining to Title 26 during a recent work session.
- C. Pursuant to those discussions, it is necessary to review Title 26 for possible amendments to improve the overall process as pertains to Chapter functioning and Management.

Section Two. Task Force Establishment; purposes; membership

A Task Force for purposes of:

- 1. A mechanism of establishing accountability at the Chapter level through recommendations for changes in Title 26;
- 2. To explore ways to amend Title 26 so that Chapters may become locally empowered;

3. To work towards establishing policies and possible Title 26 amendments to streamline the Five Management Plan System;

B. The Task Force membership; meetings

1. The Task Force shall consist of the named Navajo Nation employee or designee:

- i. Shirleen Jumbo-Rintila, Legislative Associate, Division of Community Development;
- ii. Robert Begay, Department Director, DCD-Administrative Service Centers;
- iii. Raymond Tsosie, Senior Planner, Division of Community Development;
- iv. Robert Jumbo, Associate Auditor, Office of the Auditor General;
- v. Michael Halona, Department Director, Navajo Nation Land Department;
- vi. Reycita Toddy, Department of Personnel
- vii. Dominic Beyal, Director, Office of Management and Budget;
- viii. Rodger Martinez, Director, Navajo Nation Retirement Services;
- ix. Clarence Chee, Division of Community Development;
- x. Leonard Benally, Director, Navajo Office of Vital Records;
- xi. Martin Ashley, Director, Navajo Nation Tax Commission;
- xii. Vernon Roanhorse, Director, Office of Ethics and Rules; and

xiii. Rodgerick Begay, Esq., Navajo Nation
Department of Justice

2. The Task Force shall meet biweekly.
3. Rules governing meetings, including selection of a Chairperson shall be determined by the Task Force. Provided every member of the Task Force shall be allowed to participate, debate and vote on all matters.

Section Three. Reimbursement

The members of the Task Force, for its meeting attendance and in fulfilling its delegated functions, shall be compensated (where permitted by law, rule or regulation) and reimbursed for expenses from the respective programs they are employed with.

Section Four. Directives

A. The Task Force shall provide to the Resources and Development Committee a written report and proposed draft of Title 26 no later than 90 days after the establishment of the Task Force.

B. The Speaker's Chief of Staff shall assign one staff assistant to assist the Title 26 Task Force with completing the report.

Section Five. Approval

The Navajo Nation Council's Resources and Development Committee hereby authorizes the creation of a Task Force to develop, recommend appropriate and necessary amendments to Title 26 of the Navajo Nation Code.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Navajo Nation Department of Transportation Conference Room, Tse Bonito, Navajo Nation (New Mexico), at which quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, 0 abstain this 20th day of May, 2015.



Benjamin Bennett, Vice-Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council

Motion: Honorable Davis Filfred
Second: Honorable Leonard Pete
Vote: 4-0 (Vice- Chairman Not Voting)

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
Of the 23rd Navajo Nation Council---First Year 2015

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCMY-21-15
WHICH ESTABLISHED THE TITLE 26 TASK FORCE TO EXTEND THE
EXISTENCE OF THE TASK FORCE FROM 90 DAYS TO 210 DAYS

Section One. Findings

- A. The Resources and Development Committee has the authority to grant final approval of resolutions to develop and improve Local Governance Units and has oversight authority over Chapters. 2 N.N.C. § 501(B)(2)(c); 2 N.N.C. § 501(C)(1).
- B. The Resources and Development Committee met with the Division of Community Development and Administrative Service Centers and discussed issues and concerns pertaining to Title 26 during a recent work session.
- C. Pursuant to those discussions, the Resources and Development Committee determined it necessary to review Title 26 for possible amendments to improve the overall process as pertains to Chapter functioning and management.
- D. The Resources and Development Committee, through RDCMY-21-15, established the Title 26 Task Force to address review of the Title 26 of the Navajo Nation Code.
- E. RDCMY-21-15 created the Title 26 Task Force and stated that the Task Force was to function for 90 days. The Resources and Development Committee heard a report from the Chairperson of the Title 26 Task Force on August 11,

2015 and the Committee decided that the Task Force needed 120 additional days to complete its task.

- F. The Resources and Development Committee finds it in the best interest of the Navajo Nation for the Title 26 Task Force to complete its task within 210 days from the date it was created by RDCMY-21-15.

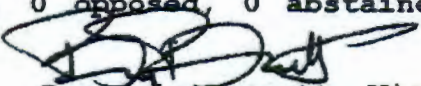
Section Two. The Resources and Development Committee amends Section Four of RDCMY-21-15 by increasing the number of days for the Title 26 Task Force to complete its work from 90 days to 210 days. The amendment to RDCMY-21-15 is made as written below:

Section Four. Directives

- A. The Task Force shall provide to the Resources and Development Committee a written report and proposed draft of Title 26 no later than ~~90~~ 210 days after the establishment of the Task Force.
- B. The Speaker's Chief of Staff shall assign one staff assistant to assist the Title 26 Task Force with completing the report.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Navajo Department of Transportation, Tse Bonito, Navajo Nation (New Mexico), at which quorum was present and that same was passed by a vote of 4 in favor, 0 opposed, 0 abstained this 1st day of September, 2015


Benjamin Bennett, Vice- Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council

Motion: Honorable Leonard Tsosie
Second: Honorable Leonard Pete

RESOLUTION OF THE
RESOURCES AND DEVELOPMENT COMMITTEE
Of the 23rd Navajo Nation Council---First Year 2015

AN ACTION
RELATING TO RESOURCES AND DEVELOPMENT; AMENDING RDCMY-21-15
WHICH ESTABLISHED THE TITLE 26 TASK FORCE TO EXTEND THE
EXISTENCE OF THE TASK FORCE FROM 210 DAYS TO 300 DAYS

Section One. Findings

A. The Resources and Development Committee has the authority to grant final approval of resolutions to develop and improve Local Governance Units and has oversight authority over Chapters. 2 N.N.C. § 501(B)(2)(c); 2 N.N.C. § 501(C)(1).

B. The Resources and Development Committee met with the Division of Community Development and Administrative Service Centers and discussed issues and concerns pertaining to Title 26 during a recent work session.

C. Pursuant to those discussions, the Resources and Development Committee determined it necessary to review Title 26 for possible amendments to improve the overall process as pertains to Chapter functioning and management.

D. The Title 26 Task Force has held a number of educational seminars on the purpose and plans of the Task Force, and the Title 26 Task Force continues its educational work.

E. The Resources and Development Committee, through RDCMY-21-15, established the Title 26 Task Force to address review of the Title 26 of the Navajo Nation Code.

F. RDCMY-21-15 created the Title 26 Task Force and stated that the Task Force was to function for 90 days. The Resources and Development Committee heard a report from the Chairperson of the Title 26 Task Force on August 11, 2015 and the Committee decided that the Task Force needed 120 additional days to complete its task. See RDCS-64-15 attached as Exhibit A.

G. The additional 120 days, approved by Resolution RDCS-64-15, for the Title 26 Task Force to complete its work is not sufficient time to finalize the voluminous record and document review to complete the Task Force's work.

H. The Resources and Development Committee finds it in the best interest of the Navajo Nation for the Title 26 Task Force to complete its task within 300 days from the date it was created by RDCMY-21-15.

Section Two. The Resources and Development Committee amends Section Four of RDCMY-21-15 by increasing the number of days for the Title 26 Task Force to complete its work from 210 days to 300 days. The amendment to RDCMY-21-15 is made as written below:

Section Four. Directives

A. The Task Force shall provide to the Resources and Development Committee a written report and proposed draft of Title 26 no later than 300 days after the establishment of the Task Force.

B. The Speaker's Chief of Staff shall assign one staff assistant to assist the Title 26 Task Force with completing the report.

C. Navajo Nation Divisions or Departments shall give recognition to the Task Force and allow its employees to carry out the Task Force's work as described herein.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Resources and Development Committee of the 23rd Navajo Nation Council at a duly called meeting at Tohajiilee Chapter, Tohajiilee, (Navajo Nation) New Mexico, at which quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 1 abstained this 29th day of December, 2015.



Benjamin Bennett, Vice-Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council

Motion: Honorable Davis Filfred
Second: Honorable Leonard Pete

Exhibit D

Literature indicating evidence of Navajo historic/traditional governance at the local level.

Wilkins, David E. *The Navajo Political Experience*. Rev. ed. Lanham, Md.: Rowman & Littlefield, 2003. Print. Pages: 68, 69, 147.

Williams, Aubrey W., and Smithsonian Institution. *Navajo Political Process*. Washington: Smithsonian Institute, 1970. Print. Smithsonian contributions to anthropology, volume 9. Page: 37.

Iverson, Peter. *The Navajo Nation*. Westport, Conn.: Greenwood Press, 1981. Print. Page: 4.

Shepardson, Mary. *Navajo Ways in Government: A Study in Political Process*. Menasha, Wis: American Anthropological Association, 1963. Print. American Anthropological Association. Memoir 96; American anthropologist, v. 65, no. 3, pt. 2, June, 1963; Memoirs of the American Anthropological Association, no. 96. Pages: Pages: 33, 34, 48

Exhibit E

Smullin, Rebecca, and Lester K. Tsosie. 2003. "Navajo Nation LGA Post Certification: The Path Forward in Self-Governance. A Policy Analysis of the Navajo Nation Local Governance Act." Report to the Speaker, Navajo Nation Council. Harvard Project on American Indian Economic Development, John F. Kennedy School of Government, Harvard University. Accessed 12/15/2015: [<http://www.ongd.navajo-nation.gov/Portals/0/Files/nnlgapc.pdf>]

Exhibit F

Excerpts of Interest from the task force presentation

43 Chapters With Population Under 1000

Whiterock	60	Eastern	15	105430.5551	YES	12/21/2010
Burnham	240	Shiprock	13	207943.1549	YES	7/11/2011
Manuelito	350	Eastern	16	52343.36451		
Coalmine Mesa	365	Tuba City	3	412280.6093		
Black Mesa	396	Chinle	4	167755.1948		
Nahodishgish	404	Eastern	15	36044.69546		
Pueblo Pinarado	436	Eastern	20	106421.8014		
Gadiali	439	Shiprock	12	111845.9862		
Lake Valley	439	Eastern	20	134088.2769		
Becenti	498	Eastern	20	127651.7454		
Cove	499	Shiprock	12	50198.48535	YES	5/5/2015
Bodahito	522	Shiprock	12	87657.84395	YES	1/10/2012
Whitehorse Lake	542	Eastern	20	374233.8588		
Casimero Lake	547	Eastern	16	27799.25532	YES	4/15/2015
San Juan	563	Shiprock	13	14452.57945	YES	3/7/2007
Lillemwater	567	Eastern	20	69917.04937	YES	11/15/2007
Forest Lake	570	Chinle	4	142686.0664		
Oak Springs	607	Fort Defiance	18	98396.43398		
Navajo Mountain	636	Tuba City	2	359829.8966		
Coppermine	658	Tuba City	1	291095.5489		
Standing Rock	678	Eastern	15	87506.05526		
Ojo Encino	699	Eastern	20	53006.68735	YES	3/6/2012
Newcomb	705	Shiprock	12	83834.63166	YES	6/18/2004

Tasavab	731	Eastern	16	70826.80779		
Tolani Lake	752	Tuba City	5	217798.9967		
Crystal	767	Fort Defiance	18	100569.8948		
McQueen Water	808	Shiprock	9	197008.3425	YES	2/7/2011
Sheep Springs	810	Shiprock	12	8191.07817	YES	8/24/2007
Bird Springs	823	Tuba City	5	201324.5082	YES	7/11/2011
Cornfields	835	Fort Defiance	17	93184.99527	YES	7/14/2010
Martiano Lake	865	Eastern	16	6800.63425	YES	12/22/2014
Roca/Prewitt	879	Eastern	16	127868.0969	YES	
Sawmill	886	Fort Defiance	18	75494.04693		
Rough Rock	901	Chinle	10	79123.26145		
Low Mountain	911	Fort Defiance	7	71182.04554		
Teesto	925	Fort Defiance	7	84941.0735	YES	7/11/2011
Covote Canyon	941	Fort Defiance	14	133518.2447		
Lupton	948	Fort Defiance	18	69910.9998	YES	11/14/2010
Indian Wells	958	Fort Defiance	7	225078.5971		
Rock Springs	966	Eastern	16	38297.78935		
Nagetz	986	Eastern	19	231602.1095		
Naahali	990	Eastern	16	46676.82928	YES	12/11/2008
Counselor	999	Eastern	19	115564.975		

ADMINISTRATIVE & DIRECT SERVICES

Fiscal Year 2013 – 2015

Overall 110 Chapters (average)

55% Administrative Cost

45% Direct Services

Individual Chapter (sample)

80% Administrative Cost

20% Direct Services

COST COMPARISON OF SAMPLE REGION

- Current Chapter Staff
Allocation

- \$108,390 x 7 chapters =
\$758,730

- Proposed Regional Staff
Allocation

- \$510,426.00
- (7 chapters combined)

- \$758,730 - \$510,426 =

\$248,304

\$270,000

(Current LGA Chapter Staff and operating
Allocations)

-

\$108,390

(Current LGA Chapter Staff Cost)

-

\$37,800

(Current Chapter Official Stipends)

=

\$123,810.00

(Operating & Service Delivery Cost)

(46% of chapter allocation is used for direct
services)

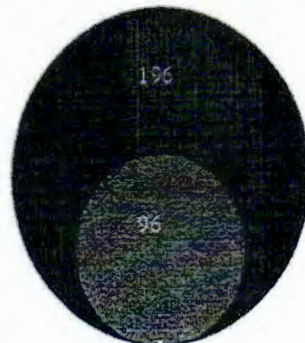
REGIONAL COST

PROPOSED POSITION TITLE AND SALARIES FOR OPTION 3

Position Title	Hrly Rate	Salary	Fringe Amt	Total
Regional Manager	31.25	65,000.00	29,640.00	94,640.00
Administrative Assistant	16.36	34,028.80	15,517.13	49,545.93
Extension Agent	12.63	26,170.40	11,933.70	38,104.10
Maintenance Technician	13.75	28,660.00	13,041.60	41,641.60
Heavy Equipment Operator	14.99	31,179.20	14,217.72	45,396.92
Accountant	17.82	37,065.60	16,901.91	53,967.51
Senior Planner	21.18	44,054.40	20,088.81	64,143.21
Proposal Writer	21.18	44,054.40	20,088.81	64,143.21
Compliance Officer	19.43	40,414.40	18,428.97	58,843.37
Commissioners	???	350,567.20	159,858.64	510,425.84

NAVAJO NATION FAIR

Currently there are 110 chapter governments. would you support the merging of smaller nearby chapters to make a larger chapter?



■ YES ■ NO Undecided

Do you think there is a need for a Vice-President position at the local chapter government?



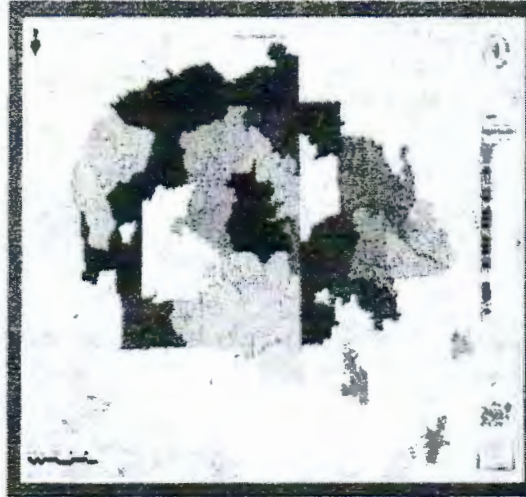
■ YES (80%) ■ NO (39%) ■ Undecided (1%)

CONSOLIDATION OF CHAPTERS

If local chapter governments were to be merged into regional governments to promote better service to the Navajo People, would you vote to support this idea?



■ YES 77% ■ NO (22%) ■ Undecided (1%)



COMMUNITY CENTER CHAPTER HOUSES

- Chapter houses will remain open as community centers
- Office Hours 8:00 am – 5:00 pm
- Office Personnel – handle daily operation to meet concern
- Other usage: community function, office rental, etc.

Commissioner Compensation

• Question: Should Regional

• Commissioners be Salary,

• Non-Salary,

• Volunteers, or

• Stipend Pay?

• Full time part-time

Exhibit G

Calculated FY2015 Administrative Percentage

Chapters	Total Fixed Cost - Gen Fundsl	Total	Admin Cost %	Chapters	Total Fixed Cost - Gen Fundsl	Total	Admin Cost %
Black Mesa	\$123,099.00	\$261,587.00	47.1%	Tsaila/Whesa	\$124,807.00	\$305,309.00	40.9%
Hardrock	\$123,212.00	\$280,333.00	44.0%	Ganado	\$124,768.00	\$298,839.00	41.8%
Hazlini	\$123,219.00	\$281,482.00	43.8%	Red Valley	\$124,744.00	\$294,789.00	42.3%
Rough Rock	\$123,197.00	\$277,914.00	44.3%	St. Michaels	\$125,786.00	\$362,549.00	34.7%
Round Rock	\$123,203.00	\$278,882.00	44.2%	Heurano	\$125,543.00	\$322,456.00	38.9%
Tsalani/Cott	\$123,343.00	\$301,923.00	40.9%	Wide Ruins	\$125,698.00	\$278,312.00	45.2%
Whippoorwill	\$123,249.00	\$286,381.00	43.0%	Chichiltah	\$125,840.00	\$301,894.00	41.7%
Coyote Cany	\$123,257.00	\$287,712.00	42.8%	Tsayatoh	\$126,201.00	\$282,000.00	44.8%
Crystal	\$123,170.00	\$273,439.00	45.0%	Many Farms	\$126,391.00	\$313,205.00	40.4%
Houck	\$123,312.00	\$296,903.00	41.5%	Alamo	\$126,283.00	\$295,125.00	42.8%
Indian Wells	\$123,185.00	\$275,799.00	44.7%	Ojito	\$126,641.00	\$324,816.00	39.0%
Jeddito	\$123,194.00	\$277,370.00	44.4%	Counselor	\$126,276.00	\$264,584.00	47.7%
Klagetoh	\$123,182.00	\$275,374.00	44.7%	Cameron	\$127,802.00	\$282,880.00	45.2%
Low Mounts	\$123,164.00	\$272,351.00	45.2%	Lake Valley	\$129,200.00	\$255,249.00	50.6%
Mexican Sp	\$123,188.00	\$276,342.00	44.6%	Coppermine	\$129,826.00	\$274,264.00	47.3%
Oak Springs	\$123,126.00	\$266,182.00	46.3%	Casamero L	\$130,865.00	\$266,829.00	49.0%
Red Lake	\$123,149.00	\$269,872.00	45.6%	Pueblo Pint	\$130,836.00	\$261,991.00	49.9%
Sawmill	\$123,273.00	\$290,492.00	42.4%	Toneon	\$131,066.00	\$300,088.00	43.7%
Tahatchi	\$123,330.00	\$299,866.00	41.1%	Tesc Nos Po	\$131,104.00	\$296,340.00	44.2%
Twin Lakes	\$123,413.00	\$313,592.00	39.4%	Aneth	\$135,698.00	\$334,293.00	40.6%
Whitecone	\$123,216.00	\$280,939.00	43.9%	Nenahnezad	\$136,839.00	\$333,811.00	41.0%
Cove	\$123,104.00	\$262,434.00	46.9%	Chinle Chap	\$148,087.00	\$496,289.00	29.8%
Cudell (Gad	\$123,112.00	\$263,885.00	46.7%	Pinon	\$147,259.00	\$359,438.00	41.0%
Red Mesa	\$123,350.00	\$303,192.00	40.7%	Cornfields	\$146,898.00	\$299,752.00	49.0%
Rock Point	\$123,325.00	\$299,019.00	41.2%	Dikou	\$147,004.00	\$317,289.00	46.3%
Sanostes (T	\$123,453.00	\$320,125.00	38.6%	Kinlichee	\$147,116.00	\$335,854.00	43.8%
Shiprock	\$124,751.00	\$534,775.00	23.3%	Lower Greas	\$146,886.00	\$297,756.00	49.3%
Coalmine M	\$123,191.00	\$276,886.00	44.5%	Lupton (Tse	\$146,861.00	\$293,584.00	50.0%
Inscription H	\$123,200.00	\$278,337.00	44.3%	Naschitti	\$147,051.00	\$325,030.00	45.2%
Kaibeto	\$123,274.00	\$290,613.00	42.4%	Nahata Dril	\$146,947.00	\$307,854.00	47.7%
Navajo Mou	\$123,124.00	\$265,760.00	46.3%	Steamboat	\$147,037.00	\$322,792.00	45.6%
Tolani Lake	\$123,116.00	\$264,429.00	46.6%	Teesto	\$146,900.00	\$300,054.00	49.0%
Tonalea/Re	\$123,412.00	\$313,351.00	39.4%	Reclabito	\$146,821.00	\$286,991.00	51.2%
Baca	\$123,264.00	\$288,861.00	42.7%	Burnham (T)	\$146,801.00	\$283,726.00	51.7%
Recenti	\$123,140.00	\$268,480.00	45.9%	Hogback (Ts	\$147,045.00	\$324,061.00	45.4%
Churchrock	\$123,580.00	\$341,169.00	36.2%	Mexican Wa	\$146,869.00	\$296,035.00	49.8%
Crownpoint	\$123,315.00	\$297,386.00	41.5%	Newcomb	\$146,831.00	\$288,686.00	50.9%
Ivanbito	\$123,167.00	\$272,835.00	45.1%	San Juan	\$146,806.00	\$284,572.00	51.6%
Manuelito	\$123,170.00	\$273,439.00	45.0%	Sheepspring	\$146,853.00	\$292,254.00	50.2%
Mariano Lak	\$123,183.00	\$275,496.00	44.7%	Sweetwater	\$146,927.00	\$304,468.00	48.3%
Nageezi	\$123,237.00	\$284,506.00	43.3%	Two Gray Hi	\$146,948.00	\$308,036.00	47.7%
Nahodishgis	\$123,048.00	\$253,307.00	48.6%	Upper Fruit	\$147,237.00	\$355,810.00	41.4%
Pinedale	\$123,299.00	\$294,786.00	41.8%	Birdsprings	\$146,863.00	\$293,947.00	50.0%
Ramah	\$123,322.00	\$298,475.00	41.3%	Bodaway-Ga	\$147,072.00	\$328,476.00	44.8%
Red Rock	\$123,382.00	\$308,394.00	40.0%	Chilchinbeto	\$146,910.00	\$301,748.00	48.7%
Rock Springs	\$123,381.00	\$308,332.00	40.0%	Dennehotso	\$146,986.00	\$314,265.00	46.8%
Smith Lake	\$123,123.00	\$265,698.00	46.3%	Kayenta	\$147,498.00	\$398,868.00	37.0%
Standing Ro	\$123,122.00	\$265,516.00	46.4%	Lechee	\$146,923.00	\$303,864.00	48.4%
To'hajilee	\$123,224.00	\$282,269.00	43.7%	Leupp	\$147,104.00	\$333,858.00	44.1%
Thoreau	\$123,358.00	\$304,402.00	40.5%	Shonto	\$147,060.00	\$326,480.00	45.0%
Whitehorse	\$123,072.00	\$257,173.00	47.9%	To'hanees'd	\$147,844.00	\$456,767.00	32.4%
Tachee/Blue	\$124,268.00	\$280,668.00	44.3%	Baahsali	\$146,887.00	\$297,937.00	49.3%
Ft. Defiance	\$125,034.00	\$407,358.00	30.7%	Little Water	\$146,842.00	\$290,560.00	50.5%
Forest Lake	\$124,530.00	\$259,533.00	48.0%	Ojo Encino	\$146,805.00	\$284,391.00	51.6%
Lukachukai	\$124,767.00	\$298,597.00	41.8%	Whiterock	\$146,722.00	\$270,613.00	54.2%

Exhibit H

Calculated cost of proposed structure

Number of Region/Counties	24					
Number of Chapters	110					
Position	Hrly Rate	Salary	Fringe	Total	Total #	Nationwide Cost
Regional Manager	\$31.25	\$65,000.00	\$29,640.00	\$94,640	24	\$2,271,360
Administrative Assistant	\$16.36	\$34,028.80	\$15,517.13	\$49,546	24	\$1,189,102
Extension Agent	\$12.63	\$26,170.40	\$11,933.70	\$38,104	24	\$914,498
Maintenance Technician	\$13.75	\$28,600.00	\$13,041.60	\$41,642	24	\$999,398
Heavy Equipment Operator	\$14.99	\$31,179.20	\$14,217.72	\$45,397	24	\$1,089,526
Accountant	\$17.82	\$37,065.60	\$16,901.91	\$53,968	24	\$1,295,220
Senior Planner	\$21.18	\$44,054.40	\$20,088.81	\$64,143	24	\$1,539,437
Proposal Writer	\$21.18	\$44,054.40	\$20,088.81	\$64,143	24	\$1,539,437
Compliance Officer	\$19.43	\$40,414.40	\$18,428.97	\$58,843	24	\$1,412,241
Commissioners				\$24,000	110	\$2,640,000
Chapter Administrator	\$16.36	\$34,028.80	\$15,517.13	\$49,546	110	\$5,450,052
						\$20,340,273

The Navajo Nation
Upper Fruitland Chapter
PO BOX 1257
Fruitland, New Mexico 87416
(505) 960-5032/9811
Fax (505) 960-5033



Lorenzo Bates, Council Delegate
Hubert T. Harwood, President
Lenora Williams, Vice-President
Faye BlueEyes, Secretary/Treasurer
Robert Harris, Farm Board
Laurence Bekise, Grazing Representative

www.navajochapters.com

PHONE: 505-960-5032

FAX: 505-960-5033

DATE: 01/19/2016

NUMBER OF PAGES: 10w/cover

TO: Council Delegates

FAX#: (928) 871-7259

DEPT: _____

PHONE#: (928) 871-6380

FROM:

☐ Chapter manager _____
☐ Office Aide _____
☐ Faye Blueeyes, Sec/Treas. _____
☐ Admin. Asst. _____

☐ Hubert Harwood, President _____
☒ Lenora Williams, Vice Pres. _____
☐ Lorenzo Bates, Council Del. _____
☐ Other _____

☐ Urgent
☐ Please Process
☒ Please Distribute
to Council
Delegates

☐ Please Revise
☐ As you Requested
☐ For your Signature



Comments/ Message:

Do to high volume of our people without
computers and emails a petition was
Created. Please accept & acknowledge the
documents. More documents are ~~forth~~ fourth
Coming.

①

Petition to Oppose

Petition summary and background	[Enter background reasons for and details of petition]
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and we oppose the following: 1. Postpone the Election for Chapter Officials. 6021-16 2. Reduction of the Navajo Nation Chapters (Regionalization) 3. Reduction of the Navajo Nation School board.

Printed Name	Signature	Address	Comment	Date
SHANTA PROCHE	<i>Shanta Proche</i>	PO Box 200 Fruitland, NM	—	01/18/2016
Anita Proche	<i>Anita Proche</i>	PO Box 206 Fruitland, NM	Against	01/18/2016
Cheylene Goldbach	<i>Cheylene Goldbach</i>	PO Box 206 Fruitland, NM	—	01/18/2016
Shandie Proche Sr.	<i>Shandie Proche Sr.</i>	PO Box 206 Fruitland, NM	Against	01/18/16
EDWARD BYRD	<i>Edward Byrd</i>	P.O. box 822 Fruitland, NM	against	1-19-16
Colleen Begaye	<i>Colleen Begaye</i>	PO Box 424 Fruitland	against	1-19-16
Ronda J. Willie	<i>Ronda J. Willie</i>	P.O. Box 2972 Kirtland	against	1-19-16
Ronald Smith	<i>Ronald Smith</i>	Box 51, Fruitland	against	1/19/2016
Danny Tully	<i>Danny Tully</i>	P.O. Box #3502 Farmington, NM	Against	1-19-16
Andrew Barber	<i>Andrew Barber</i>	Box 1382 Kirtland, NM	"	1-19-2016
Lucy Beker	<i>Lucy Beker</i>	P.O. Box 147 Fruitland	against	1-19-2016

Petition to Oppose

Petition summary and background	[Enter background reasons for and details of petition]
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and we oppose the following: 1. Postpone the Election for Chapter Officials. 2. Reduction of the Navajo Nation Chapters (Regionalization) 3. Reduction of the Navajo Nation School board.

Printed Name	Signature	Address	Comment	Date
Kerron Bekise	Kerron Bekise	Box 147, Fruitland	Against	1-19-16
Tyreene Bekise	Tyreene Bekise	Box 147 Fruitland	Against	1-19-16
Theene Bekise	Theene Bekise	P.O. Box 147, Fruitland	Against	1-19-16
Kim Bekise	Kim Bekise	PO Box 1251 Fruitland	Against	1-19-16
Therron Bekise	Therron Bekise	PO Box 1251 Fruitland	Against	1-19-16
ALBERT LEE Albert Lee	Albert Lee	Box 561 Fruitland	Against	1-19-16
Darlene A. Lee	Darlene A. Lee	Box #561 Fruitland	against	1-19-16
ARNOLD R. JOE	Arnold R. Joe	P.O. Box 2151, Fruitland	Against	1-19-16
Randall Jim	Randall Joe	P.O. Box 1141 Farmington	Against	1-19-16
Ray A. Jim	Ray Jim	Box 1141 Farmington	Against	1/19/16
Janette M. M. M.	Janette M. M. M.	Fruitland NM	against	1/19/16

Petition to Oppose

Petition summary and background	[Enter background reasons for and details of petition]
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and we oppose the following: 1. Postpone the Election for Chapter Officials. 2. Reduction of the Navajo Nation Chapters (Regionalization) 3. Reduction of the Navajo Nation School board.

Printed Name	Signature	Address	Comment	Date
Judith Bedonie	Judith Bedonie	Farmington NM	AGAINST	1.19.16
Dion Bekis	Dion Bekis	- " "	Against	1.19.16
LAURENCE BAKER	LAURENCE BAKER	26016A PCTTA HILL FARMINGTON NM 87416	AGAINST	1/19/16
Rose Kellywood	Rose Kellywood	Kirtland, NM	Against	1/19/16
DENISE JOSE	Berniece Jose	P.O. Box 102 Jarrington, D.M.	against	1/19-16
Ricky Willie	Ricky J. Willie	Box 2972 Kirtland	Against	1/19/16
Albert Kellywood	Albert Kellywood	Box 422 Fruitland	Against	1-19-16
Margaret Snowland		Box 1013-87416	against	1/19/16
Robert Golbe	Robert Golbe	Box 277 fruitland 87416	against	1/19/16
Eva Golbe	Eva Golbe	Box #277, Fruitland 87416	against	1-19-16
Jerry Kurie	Jerry Kurie	Box #71 Fruitland	Against	1-19-16

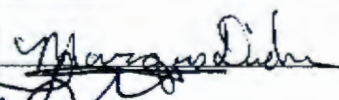
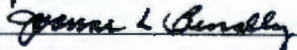
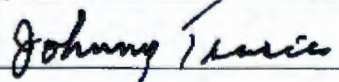
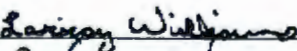
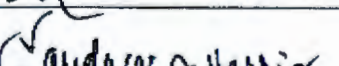
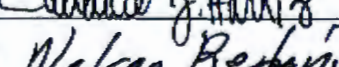
Petition to Oppose

Petition summary and background	[Enter background reasons for and details of petition]
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and we oppose the following: 1. Postpone the Election for Chapter Officials. 2. Reduction of the Navajo Nation Chapters (Regionalization) 3. Reduction of the Navajo Nation School board.

Printed Name	Signature	Address	Comment	Date
Al Preike Hatch	<i>[Signature]</i>	PO Box 8 Fruitland		1/19/16
Mary Hatch	<i>[Signature]</i>	P.O. Box 64 Fruitland	Against!	1/19/16
Cecelia Kee	<i>[Signature]</i>	P.O. Box 562 Fruitland NM	Against!!!	1/19/16
Johnny Isosie	<i>[Signature]</i>	P.O. Box 240 Fruitland	Against	1-19-16
K.C. Miller	<i>[Signature]</i>	Box 2244 Kirtland, NM		1-19-16
Louise Canuto	<i>[Signature]</i>	Bx 2273 Fruitland NM 87416		1-19-16
Vivian R. Yarnie	<i>[Signature]</i>	POB 991 Fruitland, NM 87416	"No"	1-19-16
Richard Howard	<i>[Signature]</i>	P.O. Box #1624 Kirtland NM	"No"	1-19-16
Robert B. B.	<i>[Signature]</i>	PO Box 127 Fruitland NM	NO	1-19-16
Willard Lee	<i>[Signature]</i>	P.O. Box 1001 Kirtland	"Oppose"	1-19-16
Patricia Pinto	<i>[Signature]</i>	P.O. Box 2506 Kirtland	"No"	1-19-16

Petition to Oppose

Petition summary and background	[Enter background reasons for and details of petition]
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and we oppose the following: 1. Postpone the Election for Chapter Officials. 2. Reduction of the Navajo Nation Chapters (Regionalization) 3. Reduction of the Navajo Nation School board.

Printed Name	Signature	Address	Comment	Date
Marques Dickson		P.O. Box 1096 Fruitland, NM 87416		1/19/2016
Lenora Williams		P.O. Box 984 Fruitland, NM 87416		1/19/2016
Joanne L. Benally		Box 182 Fruitland, NM 87416		1/19/16
Grace Arthur		Box 425 Fruitland, NM 87416		1-19-16
JOHNNY TARRIE		Box 2401 Farmington, NM		1-19-16
KENNETH MILLER		Box 2244 Kirtland, N.M.		1-19-16
Larroy Williams		Box 2202 Fruitland NM 87416		1/19/2016
Harvey Harris		P.O. Box 772 Kirtland NM		1-19-2016
Lena M. Harris		P.O. Box 772 Kirtland NM		1-19-2016
Candace J. HARRIS		P.O. Box 772 Kirtland, NM 87416		1-19-16
Nelson Bedon		P.O. Box 3502 Farmington, NM 87499		1-19/16

Petition to Oppose

Petition summary and background	[Enter background reasons for and details of petition]
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and we oppose the following: 1. Postpone the Election for Chapter Officials. 2. Reduction of the Navajo Nation Chapters (Regionalization) 3. Reduction of the Navajo Nation School board.

Printed Name	Signature	Address	Comment	Date
Nelson Becenti	Nelson Becenti	P.O. Box # 362 Kirtland, New Mex. 87411	I am against.	1/19/16
Jerome Deschillie	Jerome Deschillie	Box 845 Fruitland, NM 87416	I'm against it	1/19/16
Elizabeth King	Elizabeth King	Upper Fruitland	"	1/19/16
Anna T. Johnson	Anna T. Johnson	Box 162 U.F. Chapter # Fruitland, N.M.	I'm against it	1/19/16
AARON KING	Aaron King	PO Box 3702 Fruitland, NM 87411	I'm AGAINST	1/19/16
Arlene Collins	Arlene Collins	Box 2173 Kirtland	I'm against	1/19/16
Inez Bancroft	Inez Bancroft	Box 751 Fruitland Fruitland NM	I'm against	1/19/16
Marilyn Gavin	Marilyn Gavin	Box 8001 Fruitland, NM 87420	Against	1/19/16
Harry Brownlot	Harry Brownlot	Box 860 Fruitland NM 87420	Against	1/19/16
Louise R. Matchers	Louise R. Matchers	Box 1142 Fruitland, N.Mex. 87416	I'm against	1-19-16
Shirley Redhouse	Shirley Redhouse	Box 72 Fruitland N.M. 87416	I'm against	1-19-16
Toniya Mason	Toniya Mason	PO Box 304 Fruitland, NM 87416	Against!!	1-19-16

Petition to Oppose

Petition summary and background	[Enter background reasons for and details of petition]
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and we oppose the following: 1. Postpone the Election for Chapter Officials. 2. Reduction of the Navajo Nation Chapters (Regionalization) 3. Reduction of the Navajo Nation School board.

Printed Name	Signature	Address	Comment	Date
Herbert Willco	Herbert Willco	Box 336 Fruitland NM 87416	Against	1/19/16
Lorraine Max	Lorraine Max	Box 71 Fruitland NM	against	11-17
Larry Dickie	L.D. Dickie	P.O. Box 2476 Kirtland, N.M.	Against	11-18-16
Winifred Dickie	Winifred Dickie	P.O. Box 2476 Kirtland, N.M.	Against	11-19-16
Anita Morgan	Anita Morgan	P.O. Box # 2926 Kirtland, New Mexico 87417	against	01-19-16
Jones Morgan	Jones Morgan	P.O. Box # 2926 Kirtland, New Mexico 87417	Against	1-19-16
TESS DECKER	Tess Decker	P.O. Box 1753 Fruitland, NM 87416	Against	01-19-16
Mary J Harrison	Mary J Harrison	3005 Yale Dr Farmington	against	1-19-16
JAMES MASON	James Mason	Box 304 Fruitland	against	1-19-16
Kenneth C. Miller	Kenneth C. Miller	Box 2244 Kirtland, N.M.	against	1-19-16
Christine Proche	Christine Proche	Box 1005 Fruitland, NM 87416	Against/oppose	1-19-16
Virginia M. Kellywood	Virginia M. Kellywood		against	1-19-16

Petition to Oppose

Petition summary and background	[Enter background reasons for and details of petition]
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and we oppose the following: 1. Postpone the Election for Chapter Officials. 2. Reduction of the Navajo Nation Chapters (Regionalization) 3. Reduction of the Navajo Nation School board.

Printed Name	Signature	Address	Comment	Date
Nelson J. Badrai	Nelson J. Badrai	P.O. Box 3502 Farming ton N.M. 87499		1/19/2016
Andrew Johnson	Andrew Johnson	P.O. Box 85 Fruitland, N.M. - 87416		1/19/16
Lena Harwood-Johnson	Lena Harwood-Johnson	P.O. Box 67 Fruitland, N.M. 87416		1/19/2016
Verna Selestene	Verna Selestene	P.O. Box 494 Fruitland NM 87416		1-19-16
Lynlana Dixon	Lynlana Dixon	P.O. Box 1086 Fruitland, NM 87416		1-19-16
Elizabeth Pioche	Elizabeth Pioche	P.O. Box 1316 Fruitland NM 87416	I like the Chapt. gov't system; No changes	1-19-16

Petition to Oppose

Petition summary and background	{Enter background reasons for and details of petition}
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now and we oppose the following: 1. Postpone the Election for Chapter Officials. 2. Reduction of the Navajo Nation Chapters (Regionalization) 3. Reduction of the Navajo Nation School board.

Printed Name	Signature	Address	Comment	Date
Patrick Howard	<i>Patrick Howard</i>	PO Box 1133 Fruitland, NM 87416	Against change	1-19-16
Jovita Kee	<i>Jovita Kee</i>	Box 81701 Fruitland, NM 87416	Against change	1-19-16
Kyle Kee	<i>Kyle Kee</i>	Box 562 Fruitland, NM 87416	<u>AGAINST CHANGE!</u>	1-19-16
Harriet Dodge	<i>Harriet Dodge</i>	P.O. Box 1738, Fruitland N.M 87417	Against change	1-19-16



Russell Begaye, President
Jonathan Nez, Vice President

NAVAJO NATION
LAKE VALLEY CHAPTER

P.O. Box 190

Crownpoint, NM 87313

Phone: (505) 786-2190/2191

Fax: (505) 786-2192



Jonathan Perry, NNC
Tony Padilla, Pres.
Edison P. Tso, VP
Betty S. Dennison, S/T
Milanda C. Yazzie, CSC
Harriet Pioche, AMS
Lucy Cayatineto, LB

Facsimile Transmittal Sheet

TO: Thomas Platero

Director of Legislative Services

Office of Legislative Services

COMPANY:

FROM:

Lake Valley Chapter

Betty S. Dennison S/T

DATE: betsy.anabah@yahoo.com

January 19, 2016

928-871-7259

FAX NO.:

3
TOTAL NUMBER OF PAGES:

COMMENTS: Re: Legislation # 0021-16

Attached please find our Chapter Resolution that relates to our opposition of downsizing - See #5. This resolution also speaks for itself about our comments "opposing" postponing 2016 NN Chapter Elections & extending Terms of Office for elected Officials as we need to follow election law that addresses 4-year period to have NN Chapter Elections.





THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

LAKE VALLEY CHAPTER

Tony Padilla, President; Edison Tso, VP; Betty Dennison, S/T; Jonathan Perry, NNC; Milanda Yazzie, CSC; Harriet Pioche, AMS; Lucy Cayatineto, LB

LVC-DEC20-034

RESOLUTION OF LAKE VALLEY CHAPTER

APPROVING RESOLUTION "OPPOSING" PLAN TO DOWNSIZE OR REDUCE THE NAVAJO NATION CHAPTERS FROM 110 CHAPTERS TO 24 CHAPTERS ACCORDING TO THE OFFICE OF NAVAJO GOVERNMENT DEVELOPMENT PLAN; AND DIRECTIVE GIVEN BY THE 23RD NAVAJO NATION COUNCIL SUB-COMMITTEE OF RESOURCE AND DEVELOPMENT COMMITTEE FOR THE PROCESS.

WHEREAS:

1. Pursuant to Navajo Nation Council Resolution CJ-20-55, Lake Valley Chapter is a duly certified chapter of the Navajo Nation and is vested with the authority to address and resolve local matters and issues in the best interest of the Chapter and Community members and coordinate with or refer appropriate subject matters to the Navajo Nation, Federal, State, County, and Municipal governments; and
2. Lake Valley Chapter is empowered by the Navajo Nation Council to review all matters affecting the community to make favorable decisions in the best interest for the general health, safety and welfare of chapter membership through implementation solutions for economic development, cultural preservation, recreation, solid waste management, elderly care, quality housing, public safety, road maintenance; and
3. Lake Valley Chapter community were provided with information regarding the downsizing of Navajo Nation Chapters and understands that the Chapter Officers downsize will be sponsored by a bill through NN Council in January to consider for a special-referendum election before March 3, 2016 in order to be put on the voting ballot to downsize from 110 Chapters to only 24 Chapters; and
4. Lake Valley Chapter community understands that this is being implemented by Mike Halona, Director with the NN Land Department who does not know all the community people locally. He is with the Land Department and he should advocate only on land issues for community people. It was report that Mr. Halona made a presentation to the Commission of Government Development for approval of having the Navajo people vote on the plan. The Navajo Nation Council selected individuals to work on amending Title 26 and they are Mike Halona, DOJ Robert Begay, Alton Shepherd, Leonard Tsosie, and James Henio. Lake Valley Chapter community understands that the selected group are working on a plan to reduce the 110 Chapters to 24 Chapters thus revamping Title 26; and
5. Lake Valley Chapter community were again recently provided with information regarding downsizing 110 Navajo Nation Chapters to 24 Chapters that worried the local people because it will affect their Chapter deeply which will not benefit smaller Chapters like Lake Valley due to competition with bigger Chapters lacking equalization. It will take away the dire need of immediate assistance which are providing locally at the present time, instead of delaying the process of assistance if handle by the five regions being proposed. The outcomes of proposed plan will most likely not provide assistance to the local smaller Chapter(s). It will also take away the local Chapter authority which will place a burden upon the local community because of a dire need of funding to establish power and water lines project including road maintenance and infrastructures locally, and without funding, project and economic developments will not be accomplished within Chapter locations; and
6. Lake Valley Chapter adopted Resolution No. LVC-DEC20-034 on December 20, 2015 requesting through resolution by keeping 110 Chapters as is to benefit smaller chapters and equal distribution of assistance & funding within all Chapters in order to continue community projects in meeting the health and safety requirements need for local community people.

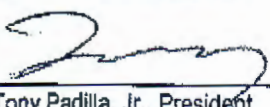
NOW THEREFORE BE IT RESOLVED THAT:

1. Lake Valley Chapter of the Navajo Nation hereby approves and accepts in full support opposing the reduction of the Navajo Nation Chapters from 110 to 24 Chapters according to the Office of Navajo Government Development Plan and directive given by the 23rd Navajo Nation Council Sub-committee of Resource and Development Committee.

Page 2 LVC-DEC20-034

Opposing of 110 to 24 Chapters**CERTIFICATION**

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Lake Valley Chapter at a duly called Chapter meeting at Lake Valley (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a vote of 47 in favor, 2 opposed and 1 abstained on this 20TH day of December 2015. Motion by Tanise Padilla and seconded by Tacque Shorty.



Tony Padilla, Jr., President

Edison P. Tso, Vice President

Betty S. Dennison, Secretary/Treasurer

Jonathan Perry, Council Delegate

0021-16; 2016 Chapter Elections

Blaine Wilson <blaine.wilson@yahoo.com>

Tue 1/19/2016 4:58 PM

To: comments <comments@navajo-nsn.gov>;

Dear Delegates,

I am writing this in opposition of the legislation 0021-16 which would postpone the 2016 election for chapter officials, grazing officials, farm boards, etc.. First is The Navajo Nation has already been through turmoil with the election of 2014 for the Navajo Nation President and Mr. Leonard Tsosie is doing the exact same thing. Next is Mr. Leonard Tsosie has a direct conflict of interest in this matter as his brother Mr. Raymond Tsosie is a senior planner employed by the Office of Navajo Government Development. Leonard Tsosie is only interested in assisting his brother and making the reform seem feasible. Mr. Raymond Tsosie is presenting the Title 26 as a public forum, which is incorrect, as they are only for information. Leonard Tsosie is quoted in the press and has the legislation state that the Office of Navajo Government Reform is holding "public hearings". At these informational forums, there are hardly any Navajo citizens which does not count as population sample. Another point is that the Navajo Nation Council was downsized to save money and it did not work, Administrative Service Centers were created to provide assistance to chapters; I have not seen any assistance from these centers. And yet again Leonard Tsosie is reinventing the wheel. I would urge that this legislation be rejected and upcoming election resume to allow citizens to express their freedom of democracy to vote. The Navajo Nation did not elect Leonard Tsosie to speak as president, instead he is dictating to the Navajo people to pass his government reform which will remove the democratic process which Navajo elders enjoy, Navajo veterans sacrifice for and which the Navajo Nation and the United States of America stand for. Please vote against this legislation as it is undemocratic and do not divide the Navajo Nation again.

Thank you,
Blaine Wilson
Crystal Farm Board
Crystal, New Mexico

Legislation 0021-16 - postpone elections and extend terms of office - VOTE AGAINST

Rose Whitehair <rmwhitehair@gmail.com>

Tue 1/19/2016 5:36 PM

To: comments <comments@navajo-nsn.gov>;

LEGISLATION NO: _0021-16____ SPONSOR: Leonard Tsosie

TITLE: An Action Relating To Naabik'iyati' and the Navajo Nation Council; Postponing

the 2016 Navajo Nation Chapter Elections and Extending Terms of Office for Elected Officials

Have we not learned? We know the politics of representation do not work. Look at the national level and how their regulations and legislative choices favor a select few. Also, the legislation reads, "The process for these elections shall resume upon the approval of a NN chapter re-organizational plan." It takes YEARS to get something approved through all the red tape. NO. Not good at all.

There are several reasons why. We know with past election issues, they were all taken to court. And here is another current issue:

<http://navajotimes.com/reznews/navajo-utah-commission-joins-fight-against-redistrict-plans-in-san-juan-county/>: "There are currently three issues before U.S. district court, all having to do with suppressing the rights of Navajo voters. Districting of both the county commission and school board were challenged by the Navajo Nation, along with the practice of mail-in ballots, which the Nation alleges violates the rights of Navajo speakers who do not speak English well."

We will hear the same rhetoric; "The plan is unequal," "Voter rights discrimination,"

Redistricting needs to provide equal protection for Navajo voters and their input, yes. But it will take years to re-design and reorganize. Vote against. This appears to be a vain attempt to stay in power.

Respectfully,

Rosalita M. Whitehair

Legislation No: 0021-16

Herlinda Mann <herlindamann@yahoo.com>

Wed 1/20/2016 7:03 AM

To: comments <comments@navajo-nsn.gov>;

1 attachment

DISPROVING LEGISLATION NO.docx;

Find the attached document to show as an exhibit to disapprove or oppose legislation 0021-16.

DISPPROVING LEGISLATION NO: 0021-16

My children, I and several extended family members solely disagreed on the current implementation of "regionalization" or "reorganization" the current chapter and its structure.

First of all, your legislation clearly defines and used the word "reorganization" not "regionalization".

- Regionalization is to separate into or arrange by regions
- Reorganization is the act or process of reorganizing; state of being reorganized

Second of all, if the current system and policies are not adhered, remove or consolidate the mini programs that is causing the disarray.

Finally, upon mapping and diligent planning in the future, we will be able to understand and accept changes as deemed necessary with collaboration on the task force to include:

- several representation from all agencies and not pick and choose at your leisure
- have Navajo Business owners be part of the task force
- Encourage or recruit younger generations who will be affected by this drastic changes
- Many other validity factors consist of planning to implement changes

Thank you,

Herlinda D. Mann

Western Navajo Agency (Kaibeto Chapter)

herlindamann@yahoo.com

cell no:(505) 609-7038

Attachment you will find my children, relatives and I census number to oppose and disagree with the current legislation introduced.

Name

Census No

Chapter

Herlinda Mann

111,111

Kaibeto

Blaine Yazzie

111,111

Kaibeto

Hermicia Wooten

111,111

Kaibeto

Ferndale Lopez

111,111

Kaibeto

Evelyn Begay

111,111

Kaibeto

Tracy Begay

111,111 3

Kaibeto

Priscilla Mann

111,111

Kaibeto

Comments 0021-16

Vincent Yazzie <vinceyazzie@yahoo.com>

Sun 1/17/2016 9:12 PM

To: comments <comments@navajo-nsn.gov>;

4 attachments

hopi_exodus.JPG; hopi_government_shut_down.JPG; hopi_statement_ngs.JPG; ngs_hopi_economy.JPG;

January 17, 2016

Vincent Yazzie
10080 Palomino Road
Flagstaff, Arizona 86004

(928) 380-3198

e-mail: vinceyazzie@yahoo.com

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515

Subject: 0021-16 promotes local dictatorship

Dear Honorable Delegates,

No to 0021-16. Halting local elections for an indefinite time promotes an indefinite local dictatorship.

Present central government (3 branch) is designed to pass US policy and corporate interest on its local inhabitants with cooperating exploiters.

Attorney-client privilege has virtually stopped all communications with its constituents.

No to 0021-16. Elections must be held for a free democracy at the local level until government reform. Exploiting people for a lease stipulation tends to backfire as Peabody is near bankruptcy and their lease will be no good. No more Kayenta Mine. Regional government will stall with no money. British imperialism and colonies were brutally destroyed by the Japanese empire. It was the locals that created new government after the Japanese were defeated. With no money to run the Navajo government after exploiting its own people, the exploiters will leave. Local unpaid people will re-establish a new government. In the Hopi Brief in the NGS case.

We are people of the earth. Grow food, raise sheep, and propagate without the need of the US government or coal. As those that forgot how to live with the land will dilute into the melting pot to self termination.

Those that know the land will determine the future of the Navajo government. Organize defeat. From defeat will spring the revolution. From revolution to victory.

Sincerely,

Vincent Yazzie

ment. It would also deprive the Hop of its revenue, which could cause it to curtail environmental services and lay off those that achieve employment with the tribal government, loss of jobs, and revenues would have been brought [sic] the Reservation economy to a halt, force tribal members and their families to leave their communities in droves, in search of employment and needs.

to EPA (Mar. 5, 2010) at 1 (ER208).

Without the coal revenues from NGS the Hopi Tribe
be shut down as a Tribal government, ICF International
9 (ER201-02); NREL Report at 98-99 (ER176-77), and
le will plunge deeper into poverty. The impact of the I
nulgated by the United States, which will curtail produ
ciated coal use) from NGS by a third within the next four
pletely by 2044 will have a devastating and permanent
Hopi people.

STATEMENT OF THE CASE

A. The Hopi Tribe and the United States

The Hopi Tribe has occupied what is now the Hopi Reservation since time immemorial. Indeed “[n]o Indians in this country have a longer authenticated history than the Hopis. As far back as the Middle Ages the ancestors of the Hopis occupied the area between Navaho Mountain and the Little Colorado River, and between the San Francisco Mountains and the Luckachukas.” *Healing v. Jones*, 210 F. Supp. 125, 134 (D. Ariz. 1962). When the Spanish first explored Arizona, they “found the Hopis living in villages on mesa tops, cultivating adjacent fields, and tending their flocks and herbs.” *Id.*

The Hopi Tribe and the United States have a long and peaceful history. *See generally, Healing*, 210 F. Supp. at 133-38. The United States officially recognizes the Hopi Tribe, acknowledging that the Hopi Tribe is entitled to “the immunities and privileges available to federally recognized Indian tribes by virtue of [its] government-to-government relationship with the United States” *See Notice, Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs*, 80 Fed. Reg. 1,943, 1,944 (Jan. 14, 2015). The

The United States also designed the NGS and Kayenta Mine as the pillar of the Hopi economy. The United States plainly admits that NGS "anchors the local economies of the Navajo and Hopi Indian tribes in northeastern Arizona." NREL Report at 1 (ER159).

Activities related to NGS account for 88 percent of the total budget of the Hopi Nation. The Hopi Nation operates the Kayenta Mine, which supplies the fuel for the NGS. The Mine is geographically isolated, and there are no existing means to supply potential alternative purchasers with coal produced from that mine in the event of the closure of the NGS. In addition, the Kayenta Mine employs approximately 400 people from both the Navajo and Hopi Nations, in an area where Navajo and Hopi unemployment averages nearly 50 percent.

Letter from DOI to EPA (Mar. 5, 2010) at 1 (ER208).

23rd NAVAJO NATION COUNCIL
Naabik'íyáti' Committee
Second Year 2016

Mr. Speaker:

The **Naabik'íyáti' Committee** to whom has been assigned:

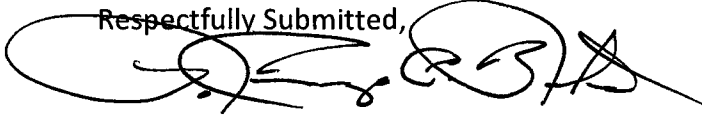
NAVAJO LEGISLATIVE BILL #0021-16

An Action Relating to Naabik'íyáti' Committee and the Navajo Nation Council; Postponing the 2016 Navajo Nation Chapter Elections and Extending Terms of Office for Elected Officials

Sponsored by: Honorable Leonard Tsosie

Has had it under consideration and reports the same with the recommendation that it **FAILED WITH NO AMENDMENTS**

And therefore, referred to the **NAVAJO NATION COUNCIL**

Respectfully Submitted,

Honorable LoRenzo C. Bates, Chairman
Naabik'íyáti' Committee

21 JANUARY 2016

MAIN MOTION:

Motioned: Honorable Amber K. Crotty

Seconded: Honorable Edmund Yazzie

VOTE: 04 in Favor and 16 Opposed (Chairman Bates not voting)

NAVAJO NATION

RCS# 263

Naa'bik'iyati Committee

1/21/2016

05:42:41 PM

Amd# to Amd#

Legislation No. 0021-16

FAILED

MOT Crotty

Postponing the 2016 NN

SEC Yazzie

Chapter Election & Extending
Terms

Yea : 4

Nay : 16

Not Voting : 4

Yea : 4

Damon

Filfred

Phelps

Tsosie

Nay : 16

Begay, K

Bennett

Daniels

Slim

Begay, M

Brown

Hale

Smith

Begay, NM

Chee

Perry

Witherspoon

BeGaye, N

Crotty

Pete

Yazzie

Not Voting : 4

Jack

Shepherd

Tso

Bates