



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

FOR IMMEDIATE RELEASE

April 14, 2015

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Law and Order Committee approves Navajo Nation owned enterprises and corporations to be reclassified as Priority One businesses

WINDOW ROCK – On Monday, the Law and Order Committee considered Legislation No. 0100-15, which seeks to amend language in the Navajo Nation Business Opportunity Act in Title 5 of the Navajo Nation Code. If approved by Council, the bill would reclassify Navajo Nation owned business enterprises and corporations from a Priority Two to a Priority One classification.

Legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels) informed LOC members that the current bidding process creates a disadvantage to Navajo Nation owned business enterprises and corporations, and may threaten future financial growth.

“Why were the enterprises created in the first place? They service the whole Navajo population, and what we are trying to do here is promote our Navajo owned enterprises to work for the Navajo people,” said Delegate Hale.

Delegate Hale added that reclassification would allow the business enterprises and corporations to receive a fair opportunity in the bidding process.

According to the legislation, it states that contracts were not granted to Navajo Nation owned business enterprises or corporations despite submitting the lowest bids in some instances. It also suggests that the Nation’s businesses have exhibited the capacity, expertise, and experience for proposed projects on the Navajo Nation, yet their proposals are seldom considered.

Speaking in support of the legislation, Arizona State Rep. Albert Hale (Dist. 7 – D), said that allowing the Navajo Nation owned enterprises to be reclassified as Priority One, would establish and encourage competitive bidding between the Navajo Nation and Navajo owned businesses.

“Navajo law requires bidding if we are putting money out there for business. If you bid, you only open Priority One company proposals, and not even bother to look at the [Priority] Two’s, which is where the [Navajo Nation] enterprises are. If we continue to go down this route, the financial viability of the enterprises will be adversely affected and there will be little return of benefits to the Navajo people,” said Rep. Hale.

LOC member Council Delegate Otto Tso (Tó Nanees Dizi) urged his committee colleagues to support the legislation and to put the Navajo enterprises at the forefront to improve economic development by increasing revenues on the Navajo Nation.

“I support this legislation because I wouldn’t want our Navajo Nation owned businesses to go down, I want to see them flourish,” said Delegate Tso. “We can’t let this idle or pass by.”

Attached to the legislation are supporting resolutions from governing boards of Navajo Nation owned enterprises including Navajo Engineering and Construction Authority, Navajo Times Publishing Company, Inc., Navajo Tribal Utility Authority, Navajo Oil and Gas Company, Inc., and the Navajo Nation Hospitality Enterprises.

In a separate bill, Legislation No. 0113-15, seeks to obtain a recommendation from the Resources and Development Committee in support of Legislation No. 0100-15, the reclassification of Navajo Nation owned business enterprises and corporations as Priority One. The bill was tabled by the RDC on April 13 pending a work session.

According to Legislation No. 0113-15, it states “The Resources and Development Committee, pursuant to 5 NNC § 215 may recommend to the Navajo Nation Council amendments to the Navajo Business Opportunity Act.”

Following the meeting, Delegate Hale said he intends to include the RDC’s recommendation as an exhibit to Legislation No. 0100-15, upon consideration and possible approval by the RDC.

LOC members voted 4-0 to approve Legislation No. 0100-15, which moves forward to the Naabik’yátí’ Committee for consideration. The Navajo Nation Council serves as the final authority on the legislation.

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