



**Approved Agenda  
23<sup>rd</sup> NAVAJO NATION COUNCIL  
NAABIK'ÍYÁTI' COMMITTEE REGULAR MEETING**

**Navajo Nation Council Chambers  
Window Rock, Navajo Nation**

**Thursday, February 8, 2018 – 10:00 AM**

***PRESIDING CHAIR: Honorable LoRenzo C. Bates, Speaker, Navajo Nation Council***

Hon. LoRenzo C. Bates, Speaker				
BUDGET & FINANCE COMMITTEE		RESOURCES & DEVELOPMENT COM.	HEALTH, EDUCATION & HUMAN SERVICES COM	LAW AND ORDER COMMITTEE
Hon. Seth Damon (C)		Hon. Alton Joe Shepherd (C)	Hon. Jonathan L. Hale (C)	Hon. Edmund Yazzie (C)
Hon. Dwight Witherspoon (VC)		Hon. Benjamin L. Bennett (VC)	Hon. Norman M. Begay (VC)	Hon. Raymond Smith, Jr. (VC)
Hon. Tom T. Chee		Hon. Davis Filfred	Hon. Steven Begay	Hon. Kee Allen Begay, Jr.
Hon. Lee Jack, Sr.		Hon. Leonard H. Pete	Hon. Nelson BeGaye	Hon. Herman M. Daniels
Hon. Tuchoney Slim, Jr.		Hon. Jonathan Perry	Hon. Nathaniel Brown	Hon. Otto Tso
Hon. Leonard Tsosie		Hon. Walter Phelps	Hon. Amber Kanazbah Crotty	

**1. CALL MEETING TO ORDER; ROLL CALL; INVOCATION; ANNOUNCEMENTS**

**2. RECOGNIZE GUESTS AND VISITING OFFICIALS**

**3. REVIEW AND ADOPT THE AGENDA (With 6 Amendments):**

(m) *Honorable Raymond Smith Jr.* (s) *Honorable Steven Begay* (v)

**4. REVIEW AND ADOPT THE JOURNALS:**

January 11, 2018; January 17, 2018

(m) (s) (v)

**5. RECEIVE REPORTS:**

- A. Report on UUFBS/Síhasin Funding by Honorable LoRenzo C. Bates, Speaker, Navajo Nation Council

(m) (s) (v)

**6. OLD BUSINESS:**

- A. **LEGISLATION 0009-17:** An Action Relating to Law and Order, Budget and Finance, and Naabik'iyáti' Committees; Respectfully Requesting the Secretary of the Department of Interior to Adhere to the Annual Funding Agreement in Accordance with the Self-Determination Contract Under 25 U.S.C. § 450 *et. seq.*, for Law Enforcement-Patrol Services

**SPONSOR: Honorable Edmund Yazzie**  
**CO-SPONSOR: Honorable Nathaniel Brown**

(m) **Honorable Herman M. Daniels** (s) **Honorable Jonathan Perry** (v)

28 DECEMBER 2017 – Motion to Table to hold work session within 45 days to bring in appropriate personnel for discussion to increase funding with key officials, Bureau of Indian Affairs and Office of the President/Vice President; (M) Honorable Leonard Tsosie, (S) Honorable Walter Phelps, (V) 09 in Favor, 05 Opposed (Chairman Bates Not Voting)

- B. **LEGISLATION 0055-17:** An Act Relating to the Law and Order, Health, Education and Human Services, Budget and Finance and Naabik'iyáti' Committees, and the Navajo Nation Council; Enacting the "Navajo Nation Public Safety System Fund Act of 2017," Amending Title 12 of the Navajo Nation Code and Establishing the "Navajo Nation Public Safety System Fund" to include Moneys Received from the United States through Settlement of *Ramah Navajo Chapter, ET AL. v. Jewell*

**SPONSOR: Honorable Edmund Yazzie**  
**CO-SPONSOR: Honorable Kee Allen Begay, Jr.**  
**CO-SPONSOR: Honorable Herman M. Daniels**  
**CO-SPONSOR: Honorable Otto Tso**

(m) (s) (v)

20 APRIL 2017 – Motion to refer to Naabik'iyáti' Committee; (M) Honorable Leonard Tsosie, (S) Honorable Tuchoney Slim, Jr., (V) 10 In Favor, 07 Opposed (Speaker Bates Not Voting)

- C. **LEGISLATION 0042-17:** An Action Relating to the Budget and Finance and Naabik'iyáti' Committees and Navajo Nation Council; Designating that the Net Proceeds Received from the United States Through Settlement of Navajo Ramah Chapter, ET AL., v. Jewell, No. 90-CV-957 (D.N.M.), Be Deposited in the Síhasin Fund Pursuant to CD-68-14 and 12 N.N.C. § 2501

**SPONSOR: Honorable Walter Phelps**  
**CO-SPONSOR: Honorable Lee Jack, Sr.**  
**CO-SPONSOR: Jonathan Perry**  
**CO-SPONSOR: Leonard Tsosie**

(m)

(s)

(v)

20 APRIL 2017 – Motion to Refer to Naabik'iyáti' Committee; (M) Honorable Dwight Witherspoon, (S) Honorable Steven Begay, (V) 09 In Favor 08 Opposed (Pro Tem Speaker Hale Not Voting)

- D. **LEGISLATION 0438-17:** An Action Relating to the Naabik'iyáti' Committee; Supporting the Claims Brought by the Plaintiffs in the YAZZIE ET. AL. v. STATE OF NEW MEXICO  
**SPONSOR: Honorable Jonathan L. Hale**  
**CO-SPONSOR: Honorable Nelson S. BeGaye**

(m) **Honorable Norman M. Begay** (s) **Honorable Steven Begay** (v)

21 DECEMBER 2017 – Motion to Table Legislation 0438-17 no longer than four (4) weeks; (M) Honorable Davis Filfred, (S) Honorable Walter Phelps, (V) 12 in Favor, 00 Opposed (Chairman Bates Not Voting)

- E. **LEGISLATION 0476-17:** An Action Relating to Naabik'iyáti' Committee; Concurring with the Navajo Nation President's Donation Acceptance from BNSF Railway Foundation on Behalf of the Navajo Nation Veterans Administration; and Directing the Navajo Nation Veterans Administration to Record the Donation with the Ethics and Rules Office  
**SPONSOR: Honorable Raymond Smith, Jr.**

(m) **Honorable Davis Filfred** (s) **Honorable Leonard Tsosie** (v)

TABLING MOTION: Motion to table Legislation 0476-17 to next Naabik'iyáti' Meeting (12/28/2017) and to get written response from Veterans Administration if check was already cashed; (M) Honorable Kee Allen Begay, Jr., (S) Honorable Tuchoney Slim, Jr., (V) 09 in Favor, 04 Opposed (Chairman Bates Not Voting)

PENDING DIRECTIVE MOTION: Have \$10,000 donation divided to each of the five (5) Veterans agencies (\$2,000 per agency) (M) Honorable Kee Allen Begay, Jr., (S) Honorable Steven Begay, (V) VOTE PENDING

## 7. NEW BUSINESS:

- A. **LEGISLATION 0365-16:** An Action Relating to Resources and Development Committee, Budget and Finance Committee, Naabik'iyáti' Committee, and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$66,628.13 for the Joe Family Power Line Extension Project; Waiving 12 N.N.C. §§ 820 (I) and 860 (C) Relating to the Capital Improvement Process  
**SPONSOR: Honorable Davis Filfred**  
**CO-SPONSOR: Honorable Jonathan Perry**

(m)

(s)

(v)

- B. **LEGISLATION 0368-17:** An Action Relating to Resources and Development, Budget and Finance, Naabik'iyáti', and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of One Million Six Hundred Thirty-Four Thousand and Forty-Seven Dollars (\$1,634,047.00) for the Mexican Water

Power Line Extension Project Within the Mexican Water Chapter; Waiving 12 N.N.C. § 820 (l) and 860 (C) Relating to the Capital Improvement Process

**SPONSOR: Honorable Davis Filfred**

(m)

(s)

(v)

- C. **LEGISLATION 0435-17:** An Action Relating to Health, Education and Human Services, Budget and Finance, Naabik'iyáti' and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Two Hundred Thousand Dollars (\$200,000.00) to the Navajo Nation Office of Navajo Uranium Workers to Make Repairs to the Existing Modular

**SPONSOR: Honorable Amber Kanazbah Crotty**

**CO-SPONSOR: Honorable Norman M. Begay**

**CO-SPONSOR: Honorable Nelson S. BeGaye**

**CO-SPONSOR: Honorable Nathaniel Brown**

**CO-SPONSOR: Honorable Tom T. Chee**

**CO-SPONSOR: Honorable Jonathan L. Hale**

(m)

(s)

(v)

- D. **LEGISLATION 0026-18:** An Action Relating to Budget and Finance, Naabik'iyáti', and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Three Hundred Ninety-Six Thousand, Six Hundred Twenty-One Dollars (\$396,621.00) to the Navajo Election Administration to Carry Out Elections for the Navajo Nation

**SPONSOR: Honorable Tom T. Chee**

(m)

(s)

(v)

- E. **LEGISLATION 0027-18:** An Action Relating to Resources and Development, Budget and Finance, Naabik'iyati', and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of Three Hundred and Fifty Thousand Dollars (\$350,000.00) to the Navajo Nation Museum for the Navajo Treaty Exhibit

**SPONSOR: Honorable Alton Joe Shepherd**

**CO-SPONSOR: Honorable Davis Filfred**

**CO-SPONSOR: Honorable Tom T. Chee**

**CO-SPONSOR: Honorable Norman M. Begay**

**CO-SPONSOR: Honorable Nelson S. BeGaye**

**CO-SPONSOR: Honorable Nathaniel Brown**

**CO-SPONSOR: Honorable Jonathan L. Hale**

**CO-SPONSOR: Honorable Dwight Witherspoon**

**CO-SPONSOR: Honorable Jonathan Perry**

**CO-SPONSOR: Honorable Tuchoney Slim, Jr.**

**CO-SPONSOR: Honorable Benjamin Bennett**

**CO-SPONSOR: Honorable LoRenzo C. Bates**

**CO-SPONSOR: Honorable Raymond Smith, Jr.**  
**CO-SPONSOR: Honorable Leonard H. Pete**  
**CO-SPONSOR: Honorable Otto Tso**  
**CO-SPONSOR: Honorable Kee Allen Begay**  
**CO-SPONSOR: Honorable Edmund Yazzie**  
**CO-SPONSOR: Honorable Seth Damon**  
**CO-SPONSOR: Honorable Leonard Tsosie**  
**CO-SPONSOR: Honorable Lee Jack, Sr.**

(m)

(s)

(v)

- F. **LEGISLATION 0034-18:** An Action Relating to Resources and Development Committee, Budget and Finance Committee; Naabik'iyati' Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of \$1,455,000.00 (One Million Four Hundred and Fifty-Five Thousand Dollars) for the Chee's Store Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820(I) AND 860(C) Relating to the Capital Improvement Process

**SPONSOR: Honorable Dwight Witherspoon**

(m)

(s)

(v)

- G. **LEGISLATION 0036-18:** An Action Relating to Resources and Development Committee, Budget and Finance Committee; Naabik'iyati' Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of \$400,000.00 (Four Hundred Thousand Dollars) for the Round Rock Trading Post Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820(I) and 860(C) Relating to the Capital Improvement Process

**SPONSOR: Honorable Dwight Witherspoon**

(m)

(s)

(v)

- H. **LEGISLATION 0037-18:** An Action Relating to Resources and Development, Budget and Finance Committee; Naabik'iyati' Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of \$400,000.00 (Four Hundred Thousand Dollars) for the Bond and Bond Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820(I) and 860(C) Relating to the Capital Improvement Process

**SPONSOR: Honorable Dwight Witherspoon**

(m)

(s)

(v)

- I. **LEGISLATION 0035-18:** An Action Relating to Resources and Development Committee, Budget and Finance Committee; Naabik'iyati' Committee and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the

amount of \$2,215,000.00 (Two Million Two Hundred and Fifteen Thousand Dollars) for the Jim's Business Site Redevelopment Project; Waiving 12 N.N.C. §§ 820(I) and 860(C) Relating to the Capital Improvement Process

**SPONSOR: Honorable Dwight Witherspoon**

(m) (s) (v)

- J. **LEGISLATION 0016-18:** An Action Relating to Resources and Development, Budget and Finance, Naabik'iyati', and Navajo Nation Council; Approving supplemental funding from the Unreserved, Undesignated Fund Balance in the Amount of One Hundred Thousand Dollars (\$100,000) to the Navajo Nation Division of Community Development for Housing Assessments

**SPONSOR: Honorable Dwight Witherspoon**

(m) (s) (v)

- K. **LEGISLATION 0335-17:** An Act Relating to Law and Order, Budget and Finance, Naabik'iyati' and the Navajo Nation Council; Amending *Per Diem* Provision of 2 N.N.C. § 874 (F)

**SPONSOR: Honorable Davis Filfred**

**CO-SPONSOR: Honorable Benjamin L. Bennett**

**CO-SPONSOR: Honorable Tom T. Chee**

(m) (s) (v)

- L. **LEGISLATION 0490-17:** An Action Relating to Resources and Development, Budget and Finance, Naabik'iyati' Committees and the Navajo Nation Council; Approving and Authorizing the Navajo Transitional Energy Company to Pledge 100% of the Equity Interest of the Navajo Nation in the Navajo Transitional Energy Company for Securing Credit or Financing; Consenting to the United States Bureau of Indian Affairs' Approval of the Mortgage as Allowed by Applicable Federal Regulations, 25 C.F.R. Part 162, for the Mine Plant Lease and Part 211 for the Mine Lease and Navajo Transitional Energy Company's Rights-of-Way; and Rescinding CS-55-17

**SPONSOR: Honorable Seth Damon**

**CO-SPONSOR: Honorable Tuchoney Slim, Jr.**

(m) (s) (v)

- M. **LEGISLATION 0492-17:** An Action Relating to Law and Order and Naabik'iyati' Committee; Confirming the Appointment of Loretta J. Danzuka to the Navajo Nation Labor Commission

**SPONSOR: Honorable Dwight Witherspoon**

**CO-SPONSOR: Honorable Herman M. Daniels**

(m) (s) (v)

- N. **LEGISLATION 0500-17:** An Action Relating to Law and Order, Naabik'iyáti' Committee and the Navajo Nation Council; Amending Rule 6 of the Navajo Nation Council Rules of Order Such That Announcements are Moved to Item 1 on the Agenda  
**SPONSOR: Honorable Steven Begay**
- (m) (s) (v)
- O. **LEGISLATION 0502-17:** An Action Relating to Resources and Development and Naabik'iyáti'; Confirming the Appointment of Reuben H. Mike as an Appointed Shareholder Representative to the Naat'aanii Development Corporation  
**SPONSOR: Honorable Alton Joe Shepherd**
- (m) (s) (v)
- P. **LEGISLATION 0504-17:** An Action Relating to Naabik'iyáti' Committee; Confirming the Reappointment of Mr. Mark Graham to Serve on the Navajo Tax Commission for a Term of Three Years  
**SPONSOR: Honorable Dwight Witherspoon**
- (m) (s) (v)
- Q. **LEGISLATION 0028-18:** An Action Relating to Law and Order Committee, Naabik'iyáti' Committee and the Navajo Nation Council; Amending Rule 6 of the Navajo Nation Council Rules of Order such that the Report from the Controller is listed as Item 6  
**SPONSOR: Honorable Steven Begay**
- (m) (s) (v)
- R. **LEGISLATION 0022-18:** An Action Relating to Budget and Finance and Naabik'iyati' Committees and Navajo Nation Council; Designating the Net Proceeds From the Settlement of *Navajo Ramah Chapter, ET AL., V. JEWELL*, No. 90-CV-957 (D.N.M.) Be Deposited in the Unreserved, Undesignated Fund Balance of the General Fund  
**SPONSOR: Honorable Otto Tso**
- (m) (s) (v)
- S. **LEGISLATION 0045-18:** An Action Relating to Naabik'iyati' Committee; Approving the Position of the Navajo Nation Relating to the Legislative Priorities for 2018 in the State of Utah  
**SPONSOR: Honorable Steven Begay**  
**CO-SPONSOR: Honorable Jonathan L. Hale**
- (m) (s) (v)
- T. **LEGISLATION 0046-18:** An Action Relating to Naabik'iyati' Committee; Approving the Position of the Navajo Nation Relating to the Legislative Priorities for 2018 in the State of Arizona  
**SPONSOR: Honorable Steven Begay**

**CO-SPONSOR: Honorable Jonathan L. Hale**

(m)

(s)

(v)

- U. **LEGISLATION 0032-18**: An Action Relating to Resources and Development, and Naabik'iyati' Committees; Confirming the Appointment of Nate Lee as an Appointed Shareholder Representative to the Naat'aanii Development Corporation for a Term of Five Years  
***SPONSOR: Honorable Dwight Witherspoon***

(m)

(s)

(v)

- V. **LEGISLATION 0018-18**: An Action Relating to Resources and Development and Naabik'iyati' Committees Respectfully Requesting the Department of the Interior Bureau of Indian Affairs to Designate the Old Fort Wingate which includes the Old Vocational School, Military Barracks, Original Post Cemetery, Horse- Shoe Shaped Centennial Memorial and "Shush Bi Toh," as a National Monument

***SPONSOR: Honorable Edmund Yazzie***

(m)

(s)

(v)

## **8. CLOSE OF MEETING; ANNOUNCEMENTS; ADJOURNMENT**