

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE

24th NAVAJO NATION COUNCIL -- First Year, 2019

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; APPROVING AND ADOPTING
THE LEGISLATIVE PRIORITIES OF THE NAVAJO NATION AS DETERMINED
BY THE 24th NAVAJO NATION COUNCIL RELATING TO THE STATE OF
ARIZONA

WHEREAS :

- A. Statements of policy, enactment of positive law, intergovernmental agreements, budget resolutions, and reallocations, must be reviewed and approved by resolution by the appropriate standing committee(s) and the Navajo Nation Council except as otherwise provided herein. 2 N.N.C. § 164 (A).
- B. Statements of policy are written statements submitted to federal, state or local governments by a Navajo Nation official stating the official position of the Navajo Nation on proposed legislation or other action by that government. See 2 N.N.C. § 110(W).
- C. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'íyáti' Committee to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. See 2 N.N.C. §§ 700(A), 701(A)(6).
- D. The 2019 Arizona Legislative Priorities provides a list of topics addressed during the Naabik'íyáti' Committee's State Affairs Task Force Subcommittee meetings.
- E. The Navajo Nation's legislative priorities for the State of Arizona are as follows:
 - 1. Community Development
 - a. Pursue TPT equity, dual taxation or capital projects.

- b. Continue to protect Navajo gaming from private or state expansion
 - c. Support additional Highway User Revenue Fund (HURF) funding for counties.
 - d. Increase Navajo portion from Arizona Fuel Excise Tax from 12 cents to 16 cents.
 - e. Support the reintroduction and passage of SB 1086, which would have allowed Counties under 400,000 population to increase taxes for roads.
2. Economic Development
- a. Prioritize State funding for Navajo development between: (A) Capital Projects, (B) Dual Taxation, or (C) TPT Equity.
 - b. Oppose forms of gaming expansion that harm Navajo gaming.
 - c. Continue to support Navajo efforts to keep Navajo Generating Station and Four Coners Power Plant open.
3. Education
- a. Support Governor Ducey's plan for additional K-12 funding; 20% over three years.
 - b. Expand Code Writers Education Program for Navajo students.
 - c. Oppose any additional measure of Desegregation Phase Down, which cost Arizona schools, serving Navajo funding.
 - d. Continue to advocate for expanding Tribal College Dual Credit Program.
 - e. Advocate for increase funding for Office of Indian Education.
4. Public Safety
- a. Continue support for First Net implementation.

- b. Introduce Liquor Bill to limit liquor store placement close to the Navajo Nation.
5. Social Services
6. Health Care
- a. Continue to obtain appointment for Navajo to the Advisory Council for Indian Health Care.
 - b. Navajo initiative to publicize Kids Care availability.
 - c. Advocate for a CMS ruling that will allow the Arizona policy on eliminating work requirements and 5 year lifetime limits for tribal members on AHCCCS.
 - d. Support the reintroduction and passage of SB 1086 which would have allowed, if passed, increased provision of chiropractic services.
7. Natural Resources
- a. Continue to support the continued operation of Navajo Generating Station and Four Corners Power Plant.
 - b. Support LCR settlement process that Navajo initiates with Hopi and the State.
 - c. Prepare to oppose legislation next session, if harmful to Navajo, regarding ground water issues.
 - d. Monitor Colorado River negotiations for any impact on Navajo.
 - e. Monitor deregulations docket at the Arizona Corporation Commission.
8. Navajo Veterans
- a. Notify targeted qualified veterans for tax refund, application process, and the time limit to obtain funds.

- b. Ensure sufficient state budget funding for the Arizona Department of Veteran's Services to serve Navajo Veterans, as well.
- c. Work with Navajo Veterans Agency and State to ensure effective delivery service.
- d. Advocate for additional funding for Veterans Education Assistance and boost workforce opportunities for Veterans.
- e. Increase funding for services related to Social Services and Mental Health.
- f. Advocate for grants to fund community agencies to provide services for community and veterans cemeteries.

9. Transportation

- a. Support Arizona Department of Transportation's application for 2018 Competitive Highway Bridge Program: US 191 Bridge Bundle Project.
 - 1. Chinle Wash Bridge (Structure No. 1003) - Bridge Rehabilitation and repair;
 - 2. Agua Sal Wash - Southbound Bridge (Structure No. 1004) - Partial bridge deck replacement;
 - 3. Aqua Sal Wash - Northbound Bridge (Structure No. 1005) - Bridge Replacement;
 - 4. Lukachukai Creek (Structure No. 1006)- Bridge Replacement.
- b. Support State Right-of-Way.

F. These priorities were adopted and approved by the 23rd Navajo Nation Council in Resolution NABID-79-18, attached as **Exhibit A.**

G. The Navajo Nation finds it in the best interest of the Navajo People to support the approval and adoption of the Legislative Priorities of the Navajo Nation as determined by the 24th Navajo Nation Council and relating to the State of Arizona.

NOW, THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation hereby approves the Navajo Nation's Legislative Priorities relating to the State of Arizona as determined by the 24th Navajo Nation Council and authorizes the Navajo Nation President, the Navajo Nation Speaker, and their designees, and the Naabik'iyáti' Committee's State Affairs Task Force, to advocate the position of the Navajo Nation with the State of Arizona.

- B. The 24th Navajo Nation Legislative Priorities for the State of Arizona is as follows:
 - 1. Community Development
 - a. Pursue TPT equity, dual taxation of capital projects.
 - b. Continue to protect Navajo gaming from private or state expansion.
 - c. Support additional Highway User Revenue Fund (HURF) funding for Counties.
 - d. Increase Navajo portion from Arizona Fuel Excise Tax from 12 cents to 16 cents; maintenance and improvements on current/new school bus routes.
 - e. Support the reintroduction and passage of SB 1086, which would have allowed Counties under 400,000 population to increase taxes for roads.

 - 2. Economic Development
 - a. Prioritize State funding for Navajo development between: (A) Capital Projects, (B) Dual Taxation, or (C) TPT Equity.
 - b. Oppose forms of gaming expansion that harm Navajo gaming.
 - c. Continue to support Navajo efforts to keep Navajo Generating Station and Four Corners Power Plant open.
 - d. Upon the closure of the Navajo Generating Station, support the Navajo Nation in transitioning to

renewable energy for sustainable economic diversification.

- e. Support Navajo Nation Economic Development within the I-40 corridor.
- f. Support of immediate improvement of infrastructure, electricity, waterlines and roads in the Navajo Partition Lands-Former Bennett Freeze.

3. Education

- a. Support Governor Ducey's plan for additional K-12 funding; 20% over three years.
- b. Expand Code Writers Education Program for Navajo students.
- c. Oppose any additional measure of Desegregation Phase Down, which cost Arizona schools, serving Navajo funding.
- d. Continue to advocate for expanding Tribal College Dual Credit Program.
- e. Advocate for increase funding for Office of Indian Education.

4. Public Safety

- a. Continue support for First Net implementation.
- b. Introduce Liquor Bill to limit liquor store placement close to the Navajo Nation.
- c. Cross Commissioning/Training and Certification.
- d. Improve presence within their respective jurisdiction, being pro-active of the County Sheriff and the Arizona Department of Public Safety on the Navajo Nation.

5. Social Service

6. Health Care

- a. Continue to obtain appointment for Navajo to the Advisory Council for Indian Health Care.
- b. Navajo initiative to publicize Kids Care availability.
- c. Advocate for a CMS ruling that will allow the Arizona policy on eliminating work requirements and 5 year lifetime limits for tribal members on AHCCCS.
- d. Support the reintroduction and passage of SB 1086 which would have allowed, if passed, increased provision of chiropractic services.

7. Natural Resources

- a. Continue to support the continued operation of Navajo Generating Station and Four Corners Power Plant.
- b. Upon the closure of the Navajo Generating Station, support the Navajo Nation in transitioning to renewable energy for sustainable economic diversification.
- c. Support LCR settlement process that Navajo initiates with Hopi and the State.
- d. Prepare to oppose legislation next session, if harmful to Navajo, regarding ground water issues.
- e. Monitor Colorado River negotiations for any impact on Navajo.
- f. Monitor deregulations docket at the Arizona Corporation Commission.
- g. Continued protection of sites sacred to the Navajo Nation.
- h. The United States Department of Agriculture, Arizona Department of Agriculture, Natural Resources Conservation Services (NRCS) State Conservationist to work government-to-government with the Navajo Nation pursuant to the Memorandum of Agreement between the State and Navajo Nation to

assist the Navajo Nation Soil Water Conservation District Board of Supervisors, and the Navajo Nation District Grazing Committee plan of Operation to 1) Conserve water, dams, forage, and lands and 2) To rebuild areas where deteriorated.

8. Navajo Veterans

- a. Notify targeted qualified veterans for tax refund, application process, and the time limit to obtain funds.
- b. Ensure sufficient state budget funding for the Arizona Department of Veteran's Services to serve Navajo Veterans, as well.
- c. Work with Navajo Veterans Agency and State to ensure effective delivery service.
- d. Advocate for additional funding for Veterans Education Assistance and boost workforce opportunities for Veterans.
- e. Increase funding for services related to Social Services and Mental Health.
- f. Advocate for grants to fund community agencies to provide services for community and veterans cemeteries.

9. Transportation

- a. Support Arizona Department of Transportation's application for 2018 Competitive Highway Bridge Program: US 191 Bridge Bundle Project.
 - 1. Chinle Wash Bridge (Structure No. 1003) - Bridge Rehabilitation and repair;
 - 2. Agua Sal Wash - Southbound Bridge (Structure No. 1004) - Partial bridge deck replacement;
 - 3. Aqua Sal Wash - Northbound Bridge (Structure No. 1005) - Bridge Replacement;
 - 4. Lukachukai Creek - (Structure No. 1006) - Bridge Replacement.

- b. Support State Right-of-Way.
 - c. Highway 89, 160, and 191 (highway improvement, expansion, and safety corridors).
 - d. Continued studies on all relevant planned improvements of Highway 264 from mile marker 476 to 442.
10. Uranium Exposure/Remediation.

Demanding immediate assistance from the State of Arizona and Apache, Coconino, and Navajo Counties for assistance in addressing uranium contamination in the water supply near Sanders, Arizona (see CAP-18-17, **Exhibit B**) and other affected areas.

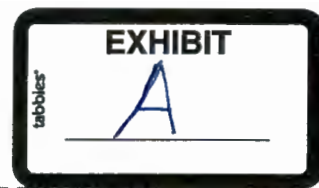
CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 18 in Favor, and 00 Opposed, on this 30th day of January 2019.


Honorable Seth Damon, Chairman
Naabik'iyáti' Committee

Motioned: Honorable Pernell Halona
Second : Honorable Raymond Smith, Jr.

Chairman Seth Damon not voting



NABIN-79-18

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE
23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018
AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; APPROVING THE POSITION OF THE
NAVAJO NATION RELATING TO THE LEGISLATIVE PRIORITIES FOR 2019 IN
THE STATE OF ARIZONA

WHEREAS:

- A. Statements of policy, enactment of positive law, intergovernmental agreements, budget resolutions, and reallocations must be reviewed and approved by resolution by the appropriate standing committee(s) and the Navajo Nation Council except as otherwise provided herein. 2 N.N.C. § 164 (A).
- B. Statements of policy are written statements submitted to federal, state or local governments by a Navajo Nation official stating the official position of the Navajo Nation on proposed legislation or other action by that government. See 2 N.N.C. § 110 (W).
- C. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council standing committee and as such empowered the Naabik'iyáti' Committee to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. See 2 N.N.C. §§ 700 (A) and 701(A)(6).
- D. The 2019 Arizona Legislative Priorities provides a list of topics addressed during the Naabik'iyáti' Committee's State Affairs Task Force Subcommittee meetings.
- E. The Navajo Nation's legislative priorities for the State of Arizona are as follows:
 - 1. Community Development
 - a. Pursue TPT equity, dual taxation or capital projects.
 - b. Continue to protect Navajo gaming from private or state expansion.

- c. Support additional Highway User Revenue Fund (HURF) funding for counties.
 - d. Increase Navajo portion from Arizona Fuel Excise Tax from 12 cents to 16 cents.
 - e. Support the reintroduction and passage of SB 1086, which would have allowed Counties under a 400,000 population to increase taxes for roads.
2. Economic Development
- a. Prioritize state funding for Navajo development between: (A) capital projects, (B) dual taxation, or (C) TPT equity.
 - b. Oppose forms of gaming expansion that harm Navajo gaming.
 - c. Continue to support Navajo efforts to keep Navajo Generating Station and Four Corners Power Plant open.
3. Education
- a. Support Governor Ducey's plan for additional K-12 funding; 20% over three years.
 - b. Expand Code Writers Education Program for Navajo students.
 - c. Oppose any additional measure of Desegregation Phase Down, which cost Arizona schools, serving Navajo funding.
 - d. Continue to advocate for expanding Tribal College Dual Credit Program.
 - e. Advocate for increase funding for Office of Indian Education.
4. Public Safety
- a. Continue support for First Net implementation.

- b. Introduce Liquor Bill to limit liquor store placement close to the Navajo Nation.
5. Social Services
6. Healthcare
- a. Continue to obtain appointment for Navajo to the Advisory Council for Indian Healthcare.
 - b. Navajo initiative to publicize Kids Care availability.
 - c. Advocate for a CMS ruling that will allow the Arizona policy on eliminating work requirements and 5 year lifetime limits for tribal members on AHCCCS.
 - d. Support the reintroduction and passage of SB 1086 which would have allowed, if passed, increased provision of chiropractic services.
7. Natural Resources
- a. Continue to support the continued operation of Navajo Generating Station and Four Corners Power Plant.
 - b. Support LCR settlement processes that Navajo initiates with Hopi and the State.
 - c. Prepare to oppose legislation next session, if harmful, to Navajo regarding ground water issues.
 - d. Monitor Colorado River negotiations for any impact on Navajo.
 - e. Monitor deregulations docket at the Arizona Corporation Commission.
8. Navajo Veterans
- a. Notify targeted qualified veterans for tax refund, application process, and the time limit to obtain funds.

- b. Ensure sufficient state budget funding for the Arizona Department of Veteran's Services to serve Navajo Veterans, as well.
- c. Work with Navajo Veterans agency and State to ensure effective delivery service.
- d. Advocate for additional funding for Veterans Educational Assistance, boost workforce opportunities for Veterans;
- e. Increase funding for services related to Social Services, and Mental Health.
- f. Advocate for grants to fund community agencies to provide services for community and veterans cemeteries.

9. Transportation

- a. Support Arizona Department of Transportation's application for 2018 Competitive Highway Bridge Program: US 191 Bridge bundling project.
 - 1. Chinle Wash Bridge (Structure No. 1003) - Bridge rehabilitation and repair;
 - 2. Agua Sal Wash - Southbound Bridge (Structure No. 1004) - Partial bridge deck replacement;
 - 3. Agua Sal Wash - Northbound Bridge (Structure No. 1005) - Bridge Replacement;
 - 4. Lukachukai Creek - (Structure No. 1006) - Bridge Replacement
- b. Support State Rights-Of-Ways.

F. The Navajo Nation finds it in the best interest of the Navajo People to support the approval and adoption of the position of the Navajo Nation's legislative priorities regarding the State of Arizona for 2019.

NOW, THEREFORE, BE IT RESOLVED:

The Navajo Nation hereby approves the Navajo Nation's legislative priorities regarding the State of Arizona for 2019 and authorizes

the Navajo Nation President, the Speaker of the Navajo Nation Council, and their designees, and the Naabik'iyáti' Committee to advocate the position of the Navajo Nation with the State of Arizona Legislature, the Arizona Corporation Commission, Arizona State Agencies, and the State of Arizona Governor's Office for the preservation of funding and policies in the Navajo Nation's priority areas.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 10 in Favor, and 02 Opposed, on this 29th day of November 2018.


Amber Kanazbah Crotty, Pro Tem Chairwoman
Naabik'iyáti' Committee

Motioned: Honorable Lee Jack, Sr.
Second : Honorable Edmund Yazzie

Pro Tem Chairwoman Amber Kanazbah Crotty not voting

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL - Third Year, 2017

AN ACTION



RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL DEMANDING IMMEDIATE ASSISTANCE AND ATTENTION FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, THE OFFICE OF NAVAJO-HOPI INDIAN RELOCATION, THE NAVAJO NATION ENVIRONMENTAL PROTECTION AGENCY, THE STATE OF ARIZONA, AND APACHE COUNTY, ARIZONA FOR ASSISTANCE IN ADDRESSING URANIUM CONTAMINATION IN THE WATER SUPPLY NEAR SANDERS, ARIZONA

WHEREAS:

- A. The Health, Education and Human Services, Resources and Development, Law and Order, and Naabik'íyáti' Committees are established as standing committees of the Navajo Nation Council. 2 N.N.C. §§ 400(A), 500(A), 600(A), and 700(A).
- B. The Law and Order Committee is empowered to review and recommend resolutions regarding coordination between the Navajo Nation and the federal government. 2 N.N.C. §§ 601(B)(1)(a) and 601(B)(13).
- C. The Health, Education, and Human Services Committee is empowered to review and recommend "Resolutions relating to social services, health, environmental health, education, veterans and veterans services, employment and labor." 2 N.N.C. § 401(B)(6)(a).
- D. The Resources and Development Committee (RDC) exercises oversight authority over water, land, the environment, and environmental protection to establish optimum utilization of all Navajo Nation resources. RDC is empowered to promulgate rules and regulations governing environmental protection. 2 N.N.C §§ 500(C)(1) and 501(B)(1).
- E. The Naabik'íyáti' Committee is empowered to coordinate all federal programs and to assist and coordinate all requests for information, appearances and testimony relating to federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 701(A)(4) and 701(A)(7).

- E. A proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'iyáti' Committee before it is heard by the Navajo Nation Council. 2 N.N.C. § 164 (A)(9).
- G. The water supply in the area in and around Sanders, Arizona is contaminated with Uranium. See the news article, "Research into Arizona town's uranium-contaminated water supply sparks change." The article is attached as Exhibit A.
- H. The Puerco-Little Colorado River Watershed Navajo Community-Based Uranium Water Quality Assessment Project, through To Lani Enterprises and the Southwest Research and Information Center has determined wells located in the Park Estates area of Sanders and the Sanders School District contain unsafe levels of uranium. See Exhibit B, Slide Presentation from September 2015.
- I. The United States has prepared a plan to address uranium contamination within the Navajo Nation entitled, "Federal Actions to Address Impacts of Uranium Contamination in the Navajo Nation." The report is attached as Exhibit C.
- J. Water to Sanders Park Estates community is now being supplied by Navajo Tribal Utility Authority (NTUA). Although NTUA is providing water from a different source than the previous supplier, Arizona Windsong Water Company (AWWC), NTUA is using AWWC's water lines. Since the existing water lines are being used to supply water to Park Estates residents, the likelihood of contamination remains. See Navajo Times article dated April 14, 2016, attached as Exhibit D.
- K. The Sanders Unified School District tested the uranium levels in its water supply and received notice on August 10, 2016, that the sample collected exceeded the maximum contaminate level for uranium. See Exhibit E.
- L. Both the Sanders Park Estates and the Sanders School need new water lines to avoid additional contamination from the water delivery system.

M. The Nahata Dził Commission Governance passed a Resolution on July 30, 2015, requesting the United States Environmental Protection Agency, the Navajo Nation Environmental Protection Agency, the Office of Navajo-Hopi Indian Relocation, the state of Arizona, and Apache County, Arizona take the following actions: (1) declare a state of emergency due to uranium contamination in the public water system in Sanders, (2) that these entities collaborate to provide short-term and long-term alternative water supplies to the Sanders Unified Elementary School, (3) provide new lines for both Park Estates and Sanders Unified Elementary School, (4) that these entities provide for ongoing monitoring, documentation, and reporting of uranium, radioactivity, and heavy metals in surface water, (5) these entities support a policy of no new uranium mining and processing in the watershed of the Colorado and Rio Grande, (6) that Sanders, Arizona be included in the federal plan to address contamination in the Navajo Nation, and (7) amend existing State of Arizona laws on water monitoring reporting for the subject on "non-transit wells." See Nahata Dził Commission Governance Resolution attached as Exhibit F.

N. The Tse Si Ani Chapter passed resolution TSA-2016-10-048 on October 13, 2016 which supports this legislation. TSA-2016-10-048 is attached as Exhibit G.

NOW THEREFORE, BE IT RESOLVED:

The Navajo Nation hereby demands immediate assistance and attention from the United States Environmental Protection Agency, the Navajo Nation Environmental Protection Agency, the Office of Navajo-Hopi Indian Relocation, the state of Arizona, and Apache County, Arizona: (1) declare a state of emergency due to uranium contamination in the public water system in Sanders, (2) that these entities collaborate to provide short-term and long-term alternative water supplies to the Sanders Unified Elementary School, (3) provide new lines for both Park Estates and Sanders Unified Elementary School, (4) that these entities provide for ongoing monitoring, documentation, and reporting of uranium, radioactivity, and heavy metals in surface water, (5) these entities support a policy of no new uranium mining and processing in the watershed of the Colorado and Rio Grande, (6) that Sanders, Arizona be included in the federal plan to address contamination in the Navajo Nation, and (7) amend

existing State of Arizona laws on water monitoring reporting for the subject on "non-transit wells.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 17 in favor and 0 opposed, this 18th day of April, 2017.



LoRenzo C. Bates, Speaker
Navajo Nation Council

4/18/17

Date

—Motion: Honorable Davis Filfred
Second: Honorable Benjamin Bennett

NAVAJO NATION

RCS# 31

1/30/2019

Naa'bik'iyati Committee

03:28:54 PM

Amd# to Amd#

Legislation 0005-19: Approving
and Adopting the Legislative
Priorities of the NN as
Determined by the 24th...

PASSED

MOT Halona, P
SEC Smith

Yea : 18

Nay : 0

Excused : 1

Not Voting : 4

Yea : 18

Begay, E
Begay, K
Begay, P
BeGaye, N
Charles-Newton

Freeland, M
Henio, J
James, V
Nez, R
Smith

Stewart, W
Tso, C
Tso, D
Tso, E

Tso, O
Wauneka, E
Yazzie
Yellowhair

Nay : 0

Excused : 1

Daniels

Not Voting : 4

Walker, T

Halona, P

Crotty

Brown