

**LGA PROPOSED AMENDMENT PUBLIC COMMENTS
FIVE AGENCIES
FEBRUARY 6,8,9,10 & 13, 2012**

						COMMENTS
SECTION 1 - TITLE						
1				X		Explain what Local Empowerment means versus Local Government. What is the difference?
2				X		Recommend to keep Local Governance Act(LGA) Title, instead of Local Empowerment Act, it is wrong to appropriate funds directly to non-governance certified chapters.
3				X		SECTION D Purposes 4 - Does this imply that the Chapter is empowered to promote its own resources, such as minerals, agriculture development, water, and other natural resources? There is no other language within these amendments that refer to surface land(resources) other than under 26 N.N. C., subsection 101., part B: CLUP. Does the language need to be clarified in this amendment?
4				X		Should Service Area Boundaries be defined?
5				X		Does Service Area Boundaries need to be coded to provide a directive and /or authority for Chapters to enhance its jurisdiction in order to avoid delay and possible stagnation with administering the intent of this Act? For example, 26 N.N.C. Subsection 4, Part 4 states: "To ensure accountability, all Chapters are required to adopt and operate under a Five Management System..." This important language gives a directive for accountability; it would appear that the same type of credence language be provided for 'Service Area Boundaries'
6				X		No language exists as to how this "transitional" department is to be phased out once Chapters are certified to eliminate duplication and minimizing administrative cost regarding the Local Government Support Center as the Division of Community Development's department to provide technical support in implementing the LEA.
7				X		The exhorbitant costs to operate these five agency technical support departments can be diverted directly to the Chapters where it will be better served to the community. Once the LGSC has completed its task, the original intent of the framers of this Act was to terminate LGSC.
8				X		Chapter Governmental Requirements states that Chapters wanting to administer land, are required to develop a CLUP based upon results of community assessment: Does this language imply the empowerment of the Chapter under CLUP to promote surface land, above such lands, and below such lands?
SECTION 2 - DEFINITIONS						
1		X				Technical assistance, to my understanding is central government(NN) to help out chapters on technical matters.
2		X				Is "Chapter Certification" true definition for LGA Certified Chapters?
3			X			In reference to "Chapter Membership", how long should a person be registered to receive services from that chapter? Some people abuse it just to receive service and define timeline how long a person should be register to receive service.
4			X			"Chapter Membership" must be defined to prevent one spouse register with one chapter, and other spouse register with the another chapter. Married couples should register with one chapter. Residency requirement is not mentioned in the definition section.
5			X			"Attendance" means entirety of the meeting, it better than 80%.
6			X			Technical assistance is expanded to anybody within the Navajo Nation to be available to chapters for their expertise.
7			X			Membership is good and is freewill to move around, move from place to place.
8			X			Technical assistance affords LGSC as support staff to empower the people not the chapter.
9			X			How does a chapter determine resident or non-resident, does one have to live in chapter arear for six months to qualify for services? Definition should include residence.

10		X			"Allotment" means a parcel of land either own by the United States in trust for an Indian(trust allottee) and chapter resident is defined in the Code, having continuous or permanent resident.
11				X	Jurisdiction is a part of residence such be a subject matter jurisdiction. For example, an analogy of You are a resident of that jurisdiction then you are subject to the law.
12				X	"Chapter Membership" Need to change to recognize not only the vote of registered voters of the chapter, but Navajo Nation registered voters.
13				X	voters to establish a Quorum. Also nee clarification of the definition "Quorum, Chapter Membership and Technical Assistance."
14				X	"Attendance"- What is good time frame to be considered "entirety"?
15				x	"Ultra vires" - Not clear on definition, clarify this.
16				X	"Local Empowerment" - What is this? Seems to be taking power away from the Chapter. Shouldn't this be done by the Executive Government rather than Legislature Branch/DCD?
17				X	"Chapter Membership" - Recommends consistency by chapters in requiring 6 months membership in chapter in order to receive scholarships.
18				X	"Technical Assistance" - Need mechanism for certified and non-certified chapters for getting feedback from LGSC regarding requests for technical assistance. Need immediate feedback from LGSC.
19				X	"Attendance" - Staff and officials need to write written reports about trainings/meetings they have attended and report back to chapter membership. Should not get paid unless they provide reports. Need to enforce LGSC to do technical assistance and chapter membership needs to know what has been done.
20				X	It is the responsibility of chapter staff/membership to learn the process. LGSC is understaffed and need more staff; look at qualification and revisit knowledge/skills.
21				X	"Chapter Membership" - Recommend clarifying it more so that things like federal funding will fall into place better.
22				X	"Technical Assistance" - Need to have audit function at LGSC, not just in Window Rock. Need to have technical assistance with computers.
23				X	"Attendance" - It should be mandatory that CSC attends planning meetings and chapter meetings. Provisions should be made to record time officials show up for meetings. This chapter divided meetings up into 4 quarters of time for payment purposes.
24				X	"Technical Assistance" - TA to enhance transparency that involves advanced computer technology i.e. MIP, communication with banks to avoid long distance travels.
25				X	"Attendance" - Chapter officials don't go to LGSC meetings. They need to take advantage of trainings/meetings such as LGSC/WNA Council meeting. Need to be encouraged to attend these meetings and show their leadership skills.
26				X	"Technical assistance"- Need to develop a legal definition of Technical Assistance. Currently, Plan of Operation describes technical assistance in terms of FMS and land use planning. According to LGSC Plan of Operation only requires to provide technical assistance on management of Chapter on FMS and CLUP.
SECTION 3 - GENERAL CERTIFICATION OF EXISTENCE AS A CHAPTER OF THE NAVAJO NATION GOVERNMENT					
1		X			Population: The entire enrollment or the registered voters?
2			X		We have enough registered voters to create four chaptes and we can go with higher numbers of registered voters and have a CSC assigned for each chapter.
3			X		If we add another chapter to the current 110 chapters, it is wrong because we don't have enough funds to operate the chapters and funds are dwindling. Think clearly on changes.
4			X		We have to think about other areas that chapters might be created such as Phoenix or Albuquerque. We should leave this section alone to allow for initiative to take place for new chapter to be created.
5			X		If a chapter has less than a thousand members, what are we going to do with them?
6				X	Suggested an additional bullet be added to state "Must be within the boundaries of the Navajo Nation".

SECTION 4 - LOCAL EMPOWERMENT ACT CERTIFICATION ACT CERTIFICATION AND ACKNOWLEDGEMENT OF A CHAPTER'S ENHANCED AUTHORITIES, DUTIES, AND RESPONSIBILITIES						
1		X				Would our demographics cover the outside boundaries of the NN? Many of our children live outside the reservation.
2			X			If a chapter refuses to adopt the standard FMS, why wouldn't a chapter adopt the standard FMS? The FMS is one that runs the business, day to day operation. We worked on our FMS for 10 years to adopt it and now there is one format, leave it the way it is and change at the local level.
3				X		The "Standard" FMS should not be Law and should not be in the Local Empowerment Act (LEA).
SECTION 5 LEA CERTIFIED CHAPTERS RESPONSIBILITIES AND DUTIES TO NAVAJO NATION FISCAL MANAGEMENT OFFICES; NAVAJO NATION FISCAL MANAGEMENT OFFICES' RESPO						
1		X				The Chapter Audits done two years ago are not addressed by OAG, they should be penalized for not honoring timeline.
2		X				OAG finally got back with the Chapters after two years, within that years Chapter problems got worse and could have been prevented
3		X				LGSC are not auditors, What kind of audit? Single audit? Financial audit within 9 months? They should be certified auditors.
4		X				What would happen if Chapter members passed a resolution to obtain LGA Certification and nothing is happening? Some Chapter officials are discouraging Certification. Chapters have no money today and getting governance certified will make no difference.
5						If a chapter refuses to adopt the standard FMS, why wouldn't a chapter adopt the standard FMS? The FMS is one that runs the business, day to day
6			X			If the Navajo Nation is going to withhold fundings, how is chapter going to get out of sanction when they need full funding to correct those deficiencies?
7			X			Technical assistance from auditors is costly for audits. Why not utilized our own technical people to assist our own chapters.?
8					X	Audit - Can NN Chapters pay outside auditors at discount rate to get assistance? Need less cost at Chapter level.
9					X	Audit - Instead of every 2 years, have audit every year. Do the reporting as required and conduct audits annually.
10					X	Reporting and Audit - Navajo Nation should conduct audit because they are familiar with Policy and Procedures whether Certified or Non Certified. Every 2 years is okay as long as Chapters meet deadlines. No procrastination.
11					X	Budget - Chapters only have 2 staff, NN needs to fund capacity building i.e.financial accounting classes and other training. Need NN departments to provide direct services.
12					X	Audit - Community perspective needs to be taken into account. Transparency and access by community to financial records are important. Monitoring is good idea, but chapter members need access to financial reports, resolutions etc. Accountability and oversight must be stressed.
13					X	Audit - Need more oversight/transparency about finances via computers.
14					X	Grazing Officials Stipend - Need to include grazing officials stipend with regular chapter officials, they can start a meeting. Need accountants at chapter level.
15					X	Honesty is number one in the workforce.
16					X	Qualified person from one chapter could serve one or more chapters to educate chapter membership about how to develop proposals, how to allocate resources for initiatives, how to collaborate with non-tribeal entities, and fundraising.
SECTION 101 CHAPTER GOVERNMENT REQUIREMEN						
1		X				CLUPC to administered Land? Where does the grazing members come in? They are authorized under Fed. CFR does
2		X				Change language: Begin with "However, if....." where it says "Chapter to comply with NN Laws...."
3		X				In Eastern Navajo Agency, we have 13 different land bases.
4		X				At Tohajilee, we have 86,000 acres of land that belongs to the Chapter and 9 acres of TNT Land. We have 5 Land Commission and use our own Land Use Code. There might be some conflicting situation.

5		X				It only make reference to CLUP, where is "C" for committee?
6		X				Change language from "intentionally" , some are not "intentional" as stated.
7			X			Navajo Nation determines what type of penalty or sanction it will impose when chapters are not in compliance. The committees determines penalties and with hold of fundings, etc.
8				X		Outside Navajo Nation, only the perpetrator is punished, entire business is not shut down. Doesn't make sense to penalize the entire community/chapter. How is a chapter to operate when funds are withheld?
9				X		Adopting and operating under FMS should be explained to chapter officials.
10				X		Why is it that laws only apply to Chapter, why are chapters the only ones forced to work by NN Policy and Procedures? NN employees need to comply with NN Law, as well, but it seems like they can do what ever they want, I.e. PCard.
11				X		Need more studies, research and planning on non-governance and governance certified status. There is much unknown when you attain governance certified status. Some officials have more experience than others in accounting and coordinating, qualifications need to change, and there is a need for a transparent government all the way from the local government to the central government. Need support form LGSC to not just depend on computer/electronic communication, no email.
12				X		Need assistant from the LGSC staff who works w/ CLUP. Compliance should not affect chapter stipend,
13				X		Funds - If funds are withheld, it should go back to Chapters. It shouldn't be up to the Delegates.
14				X		Administer Land - what does this mean?
15				X		Homesite /Business Site Lease - Is it up to CLUP?
16				X		Chapter Government Requirement - shouldn't it say "LEA Chapter Government" , in order for chapter to administer land (HS/BSL) then maybe the language needs to be changed.
SECTION 102 LEA - CERTIFIED CHAPTER AUTHORITY						
1		X				Chapter President refuse to sign chapter checks due to unforeseen problem, administration seeks for other officials' signatures. Those that signed the checks should be held responsible, not the Chapter President that refused the signature. LGSC should not hire former staff with fraud and theft history and assigned to Chapters. It is hard to remove them and we had that problem at our chapter and we are finally back on efficient standards.
2			X			Citing reference made to "exclude allotments " should read "excluding allotted lands" read into the subject of land.
3			X			Include bonus if that is appropriate, to be included in your Five Management System.
4			X			When your chapter become LGA Certified, it can input into their policy how their registered members can be provided services.
5				X		Reference to Technical Assistance, will the Navajo Nation also be able to help with Design and Engineer issues? Is Design and Engineering Department aware that they are suppose to provide technical assistance?
6				X		Bullet one - "All" doesn't make sense, not all laws are applicable to Chapter, need to clarify which laws apply to chapters.
7				X		Bullet two - Why does this say Chapters may operate only under the Fiscal and Records Manual?
8				X		Bullet two - Not in agreement, this contradicts to LGSC current monitoring of non-certified chapters. Non-certified chapters need to implement and operate under all Five Management Systems Policies and Procedures , not only the two.
9				X		Did Blue Gap Chapter practice only Fiscal and Record Manual in to be qualified or considered for certification?
10				X		In reference to Chapter Official qualification, do certified chapters also have to be qualified to fill new titles/positions? Increase of Chapter Officials qualification will take a lot of funds to change.
11				X		Peacemaking - If disputes are resolved at chapter level; a courtesy copy needs to be filed with district court.
12				X		How is chapter jurisdiction determined?
13				X		Per Title 26, certified chapters will receive the full 4% Sales Tax from their local business. What about chapters that have no business. Will LEA Certified Chapters get all the Sales Tax revenue of 4%?
14				X		Allocation of Sales Tax needs to be fair like Tuba City's and Tuba City Tax Code should be the template for all governance chapters.
15			X			My chapter does not provide financial reports or have not seen chapter meeting minutes for several months.

16				X		Title 26 is chartered only to the chapters; not their personal interests, like homesite leases, business site leases, farm leases - Treaty of 1868 Article 10 says we have to give consent; I am against Title 26 on this page; we have to give consent, Section C - Chapter authorities.
17				X		Chapter service boundaries and boundaries have to be clarified.
18				X		In community townships, there are NHA, schools, BIA, etc, in some places, BIA has land leases and are not using them, buildings are fallen down, and these land leases which are no longer being used should be reverted back to the community.
19				X		Enter into an agreement - what happened with the county? Cities? And other tribes?
20				X		Service area - when we set a tax, where would the tax go first to Window Rock?
21				X		If chapter gets grants or funds from other sources, will NN central government not want their share of it?
22					X	#1 - change to all applicable laws i.e. fair labor laws. "Excluding" is wrong word. Does that mean going thru the long SAS Process?
23					X	Change the allotments to Federal Allotments.
24					X	Personnel - Chapters are struggling to pay personnel and should stay with Navajo Nation and continue to pay the benefits.
25					X	Business Site Lease, homesite leasing and others in this section need to be spelled out with regards to AFOG.
26					X	Language should be change to distinguish between certified and non-certified chapters.
27					X	Land withdrawals - Unless you withdraw land properly, ordinance won't work. Land assigned for another purpose i.e. farming needs to be return to grazing before withdrawn for another purpose. It just can't be converted from farming to BSL.
28					X	Checks and Balance - Who has checks and balances over decisionmaking at chapter level? Trust and accountability is needed in this section for LEA to work.
29					X	Ordinances - All NN, federal, and state laws need to be more cohesive. In this document, do we need to distinguish between chapter service area and the rest of chapters in order to develop ordinances?
30					X	"Procurement" and "....shall not enter into intergovernmental agreements-subject to NN approval" - Why do certified chapters have to go through NN SAS process and is too time consuming.
31					X	Need to address the issue of nepotism by chapter president and others. Title 26 needs to spell it out. What are some solutions to this problems? Are there any penalties?
32					X	How can we handle complaints about financial mismanagement. There is no direction about where to go such as to LGSC.
33					X	Checks and Balance - more detailed information that CSC shall oversee the checks and balances Need clarification.
34					X	Decision-making chain of command needs to be clarified; inherent power lies with the people. This particular language needs to be clarified.
35					X	Financial investigation - need to clarify the chain of command. Who do we talk to?
36					X	Need proper procedures clarified about check payments. Need to protect the community.

SECTION 103 CHAPTER EMPLOYMENT ADMINISTRATION					
1		X			In reference to CSC/AMS, AMS is supervised by CSC and CSC is supervised by the Chapter president.
2		X			In cases where SPPS have conflict of interest only then they should not supervise the staff. Department of Justice reference chain-of-command, SPPS should be responsible over hiring of chapter administration.
3		X			Conflict may arise in hiring of CSC/AMS where SPPS may want to hire one applicant and the chapter president wants to hire another. The three officials and the SPPS(four people) have to ensure the responsibilities are carried out, conflicting information or personalities may play a part in supervision.
4		X			Reference to hiring CSC/AMS, the community should establish an Interview Committee to do the hiring. Supervision as stated may have a reason why micro-management is not addressed. The question of interview committee, would they be okay to
5		X			The hiring of CSC/AMS by SPPS should be for non-certified chapters and they are able to do background check may be reason why CSC/AMS should be supervise by the chapter president. Supervision should only be supervisor. The people should have the authority to have a say. Why do we have FMS? Alternative Forms of Government should include the people's responsibility to govern itself.
6		X			There is an evolution (a process) that happen to AMS; starting from clerk typist to office specialist, then accounts maintenance specialist. In the same line that accounting managers are being accountable, the AMS was created to take care of the money.
7		X			We hire by the point system. Should an official have a conflict of interest, that official is replaced.
8				X	There is a problem with the set-up, the SPPS is not always available and the chapter officials are not always available. Stipends are only for meetings, stipends is not an employee type salary so chapter officials work regular jobs. There is no supervisor available 100% of the time.
9				X	Why go back to LGSC and/ or Department of Personnel Management to enter into an agreement, chapter attain governance certification status on their own and should have personnel policies in place to handle chapter government. Why are they relying on Navajo Nation Programs?
10				X	This section need to be made clear, develop a policy for employment after a chapter attains LGA certification.
11				X	The supervision of CSC, the chapter president has work to do, the people trust the president; if you do not supervise it weakens the office; the president should be in charge. It should just be mandated the the Chapter President be the supervisor.
SECTION 104 - ALTERNATIVE FORMS OF GOVERNMENT; BUSINESS SITE LEASING AUTHORITY; TAXING AUTHORITY					
1		X			If we clearly define AFOG in Title 26, we are tying ourselves up without room to exit. It should be put before the people. If we amend it from here, we will not have ordinances.
2		X			Whiterock Chapter had ther Alternative Forms Of Government approved, why not accept all the language from their AFOG, or any language the Resource Development Committee approved already, why reinvent the wheel?
3				X	After obtaining a business site lease, what does the chapter (CLUP) do from there? Cornfield Chapter is certified and what do we do about business site leasing, is it another step to hurdle?
4				X	Alternative Forms of Government is used to take away power from the people and this has given power to a select few called the Commissioners.
5				X	Recommend that language be changed to say, approval of AFOG ordinance by a simple majority rather than majority of the votes cast by registered chapter voters. What is the majority of votes based on? U.S. Census? Registered voters?
6					Alternative Forms of Government - people are confused and not sure where they are being led.
7				X	What if a chapter wants to have it's own form of government?
8				X	How do ordinances figure in to the decision about AFOG? What kind of ordinances are there? How do they get approved?
SECTION 1001 DUTIES AND RESPONSIBILITIES OF CHAPTER OFFICIALS					

1				X	A State of Emergency was declared by Klagetoh and Wide Ruins Chapters a while back, is it in the LEA? Need clarity on "direct involvement", it can be misinterpreted. Chapter officials do not have direct involvement in chapter administration. Can't an officials come into the chapter to do their duty?
2				X	Can Chapter Vice-President declare emergency in absence of Chapter President?
3				X	Direct involvement or micro management, where is the line? Conflict.
4				X	How can Chapter Officials discipline when law prohibits micromanaging.
5				X	Where is the imaginary line for chapter officials to be micromanaging? Is it when Chapter Officials write Resolution? Letter Writing? Supervising?
6				X	Direct supervision needs to be firm and precise. Staff and Officials work for the people.
7				X	Who is the "boss" when certified. Once certified, no longer just a Chapter, it will be a business.
8			X		Monitor as directed but receives complaints of micro-managing from staff. Now, as Chapter President, he refuses to do further monitoring.
9			X		Attending 80% should also mean physically present, we had our chapter president somewhere and attended meeting through teleconference.
10			X		Meeting through teleconference, if they attend by phone, listened in 80%, should be acceptable.
11			X		Sometimes at our chapter meeting, we have other people come and vote, even though they are not members of the chapter.
12			X		If a resolution was passed last year and people's name were listed. Now it's new year, the official says it is no longer valid, the money have disappeared, so these resolutions are voided. Is that correct?
SECTION 1002 MEETINGS; MEETING NOTICE REQUIREMENT; COMPENSATION OF CHAPTER OFFICIALS					
1	X				Highly recommend that attend meetings, some officials come in a half way through the meeting and want compensation.
2	X				DOJ: In AFOG for Certified Chapters, they can put in time limitation for Chapter Officials meeting attendance in their policy.
3	X				When our chapter becomes LGA Certified, membership should vote on it and put in policy.
4	X				The main intent of LGA is accountability and 80% is to run a meeting in general, if you become to restrictive, how will it work for the people.
5	X				Attending the entirety of the meeting is good for chapter officials. What about the CSC? How can we fix the attendance issues at these meetings?
6		X			Too many people are getting paid for non-attendance of meetings.
7		X			Reference to 80% of meeting to be compensated needs clarity, do we look at our agenda and see where we are on the agenda? When we get to reports, that's about 20% left of the meeting. If certain requirement in agenda items, then there is a
8			X		The question of grazing and farm board members, are they Officials? Officials are defined at Definition #12.
9			X		Attendance - Chapter Officials should be allowed to be excused for emergency cases beyond their control and still be compensated. Recommend leniency in attendance of Chapter Officers, like Council Delegates. How much time is acceptable?
10			X		Other concerns and question is: Is it allowable to pay bonuses to Chapter Officials?
11			X		What policy is in place for compensation of Chapter Officials for Special Meetings, need to include in the Law.
12			X		Any meeting - does it mean all meetings, chapter meetings, agency meetings, district meetings, make it specific. We have had chapter meetings for 15 meetings and gotten paid for it. Put policies & procedures into the Budget Instruction Policy Manual - laws are rigid; policies & procedures are workable, flexible. You will see the stipend payment in there.
13			X		Grazing Officials and Farm Boards do not get paid for attending chapter meetings. They travel long distances to attend meetings, how about their mileage?
14			X		Chapter meeting attendance - people are confused and now do not go to the meeting. They are told here is the money, then they are told where's your minute, etc.

15							A body can recommend no compensation, if you have a resolution enacted, the officials are in charge of moving that resolution forward(The officials hide that resolution). Who is there to enforce what actions are taken b the communities.
SECTION 1003 ORDER OF BUSINESS							
1							NO COMMENTS
2							
3							
SECTION 1004 - CHAPTER ADMINISTRATION							
1					X		Mismanagement of money can be steep if reporting financial statements is not in place. The law is not enforced and the CSC are not afraid of the law.
2					X		There are inconsistencies in the Chapter Official Monitoring Tool, Chapter President/Vice President has one form and the Chapter Secretary/Treasurer has a different form, recommend the the forms be the same for all three Chapter Officials.
SECTION 2001 - CHAPTER ORDINANCE PROCEDURE							
1				X			Can you explain ordinance, what do you mean?
3			X				We want to execute our own contracts. Department of Justice said it does not have to go through the 164 review, we want to shorten that process for LGA Certified Chapters. Provide a safety net so such cases as the Shiprock Home for Women and Children do not happen on the Navajo Nation.
4			X				Reference to contracting, the CLUPC want to contract a Planner, if they wish to contract a planner, they should be able to do so.

5						Construction takes a lot of money, these types of contracting should go through the 164 Review Process. Capital Outlay projects as bathroom additions and house wiring should have a lesser process. If any projects is less than \$10,000.00, it should have a shorter process.
SECTION 2003 - CHAPTER ACCOUNTING SYSTEM; CHAPTER APPROPRIATIONS; BUDGET PROCESS; CHAPTER INSURANCE; "MISFEASANCE, MALFEASANCE, AND NON FEASEANCE"						
1		X				Consider Civil and Criminal prosecution
2		X				Sanction only hurts innocent people, officials should be remove immediately.
3		X				Agree with Civil and Criminal prosecutions. Ethics/Rules have no enforcement powers. Chapter Administration should be included.
4		X				Change language to "immediate removal".
5		X				Liabilities are created from these wordings of "feasance". We are talking about Federal jurisdiction where penalties imposed can be serve. LEA could mean "all powers" and is the Navajo Nation giving all powers to the Chapters. Is this decentralization?
6		X				Include the non-LGA Chapters too. Why not put them on immediate probation. I know administration that stole money and sitting at home collecting unemployment and what kind of controls is that? Delegates should refrain from begging the committee not to impose sanctions.
7		X				Most embarrassing is my Chapter - Crownpoint. 3 incidents where funds were misused by officials and administration staff and they are still Chapter officials today. They should come before a judge. I believe in sanctions. The Election Office should make "recall" simple and is hard on recalling an officials. I know an official on restraining order and he is still authorize, what kind of government is that?
8		X				I worked for Indian Health Service and quite embarrassed about the Navajo Nation government system and NN employees regarding stealing money, getting away with it and not paying back. They should be remove immediately.
9		X				All chapters are different and not all are bad people. In some cases, Chapter Official is not aware of what goes on inside the administration until its too late. Staff with bad reputation should not be hired at another chapter. I don't agree with sanctions.
10		X				We are only given two options(Sanctions and De-certifications) should have more options. All criminal must pay based on due process.
11		X				Recommend to change Law, remember, only 1 or 2 people make entire community suffer for their illicit behavior.
12		X				I am not in favor of Sanctions.
13		X				Not all chapters use Wells Fargo Bank and Bank of America does not have the CEO set up as mandated for chapters to set up with their bank. Is it mandatory to bank with Wells Fargo Bank?
14		X				We have come a long way to establish our communities, with election coming up put people that do not steal or do wrong. Hire CSC that do no wrong, but the Programs rehires the same one and do not attend chapter meetings. They should teach ethic to people that do wrong.
15			X			Navajo Nation employees are governed by laws and those who do wrong should not be passed onto another, same way with Chapter Officials. Community Service Coordinators work for the chapter and they moved around from chapter to chapter.
16			X			A legislation is approved to make it a mandate for chapters to use MIP software as their accounting software.
17			X			When someone is not in agreement with certain actions then they state their purpose. When a chapter has the capacity to use other software, it may do so. Why didn't we hear about this before it was mandated? We can't push MIP on the Chapters and mandate it. If it does not work(MIP), why push it?

18			X			What does misfeasance, malfeasance and nonfeasance mean? Put it definition form.
19			X			RDC has assigned this task to each agency--to solicit public comment. The project was given to DCD, there are some discrepancies on the Review Process about sanctioning Chapters . For example, one chapter not being sanctioned because the Council Delegate pleaded not to have his chapter sanctioned. Then came the question of whether or not chapters should be sanctioned or de-certified? How do we discipline the Chapters? The Council wants to hear what the Chapters think about sanction and de-certifying.
20			X			Analogy: when we were kids, we were spanked for doing something wrong , why are you not dealing with the situation?
21			x			Should chapter be sanctioned or de-certified? Yes, they should be dealt with individually.
22			X			Yes, they should be sanctioned ,not just a slap on the hand. Place some enforcement behind the Law.
23			X			Yes, sanction the chapter . Designee should be de-certified, it should not be the chapter itself, but the officials who run the chapter should be de-certified.
24			X			No, what happen to government for the people , the chapter functions as an entity and it was here before us and will be here after us.
25			X			MIP mandated to be used by chapters, it is a good system but it costs too much. Chapters have to have training, maintenance has to be budget annually and technical assistance is costly. If the council is mandating it, then put a budget aside for it.
26			X			No, de-certifying the chapters is not the way to go. The people are the ones who want certification and chapter should not be punished for what on person does. Those individuals who do it should be punished, not the chapter.

27			X			No, the chapter should not be punished for what one person does wrongly. Make the person deal with what they did wrong. New language inserted to define how the chapter will deal with those types of actions. It does not sound right to de-certify the chapter for what an individual does.
28			X			No sanction or de-certification, the people are being punished. Individuals should be dealt with individually using Navajo Nation and Federal Laws.
29			X			No, why punish the people? The people worked hard to get certified. The individual who do wrong should be dealt with individually.
30			X			Yes, Chapters should be sanctioned but given time to correct those deficiencies. Chapter misuse of funds not only applies to chapter officials, it applies to administration as well, but the administration have a say on which funds are to be used. The membership do not know which are restricted and non-restricted funds, officials tend to override the decision by the people. Community education must prevail.
31					X	Yes, the people who deal with funds are officials and staff. If we are going to revise do it right.
32					X	Bullet six - Entire chapter being penalized is unfair. Penalize only the perpetrator. Bullet four - Chapters do follow this. Bullet five - Emergency Fund is utilized as per capita distribution. This needs to stop.
33					X	Bullet six - Laws are too weak and laws are not enforced. Perpetrators are allowed to work at another chapter after they commit crime at previous chapter.
34					X	Perpetrators need to be held accountable and penalized. Why is LGSC allowing them to be hired at another chapter? Penalizing chapter is a disservice to all.
35					X	Need to develop procedures for the perpetrators.
36					X	Need to penalize perpetrator, not incoming staff that inherit the issue. Prosecutors need to become involved immediately when crime is discovered.
37					X	Sanction is appropriate. Having no law is very difficult.
38					X	No law in place to decertify a chapter, make it a law.
39					X	FMS is for 3 officials and staff only.
40					X	Sanctions will continue, decertification may be the best solution.
41					X	Issue should be left in the hand of the people/community, they are the ones to be certified and they are the quorum.
42					X	Community members not at fault. Law does not enforce payback/punishment. Need to make laws tougher.
43					X	Crime/Mishandling of funds continues due to lax laws. May not be an ongoing issue if punished immediately.
44					X	Blame game at the chapter administration level.
45					X	Let a prosecutor handle mishandling of chapter funds.
46					X	In favor of Sanction and Decertification, this will be a learning lesson which needs to be part of life.
47					X	Do you have any language to decertify chapters; I know the nation likes to use mandatory, demand, sanction, etc; do you have language- after so many language.
47					X	Title 26 should be an annual review, instead of waiting 4 to 5 years, make it easy and simple to amend.
48					X	As a community, this is what bothers me, we have a small chapter - someone took the money, we are not talking about money, property, office supplies, chairs, etc. Went somewhere else. How do we get that back? They turn around and work for some other tribal program, something has to be done. Restitution and garnishment - no one is working together and coordinating. Local LGSC office, they do not look at it. Sometimes, fund misuse is discovered only through the audit process.
49					X	This seriously concerns us, it has to be fixed. Some people say I'm going to run for chapter, money is stolen at chapters, it's like a loan, they just pay back. I support this - due to the malfeasance part.

50				X		People stealing- you should prosecute them. Officials and staff-some staff then go to the chapters and work there.
51				X		If people steal \$15,000 or so, banish them from the reservation and the four sacred mountains.
52				X		When you made an entry into your ledger, that is entry is binding until it is cleared; journal entry is cleared.
53					X	Certified Chapters - run behind the hill, and say I don't have to give you anything. LGSC has a certain responsibility whether they are certified or not; does this cover that problem?
54					X	Jail the individuals taking funds.
55					X	Our Chapter has recently been certified. Once certified, why go back. We worked hard to get our Chapter certified.
56					X	3 terms need to be spelled out specifically (misfeasance, malfeasance, non-feasance).
57					X	As a former official at Nahata' Dził chapter (Chapter President) we worked hard to get Nahata' Dził Chapter certified.
58					X	Sanction or de- centralization!
59					X	Good comments on Title 26. If you have a good leadership everything will work out. Need something stronger so former officials will not return. They do something wrong, they pay the consequences and will return after 5 years For a while, I was against the LGA.
60					X	They don't need to run again, giving them another chance to run.
61					X	Be honest, jeopardize ourselves.
SECTION 2004 - ZONING; COMMUNITY LAND USE PLAN; LAND USE VARIATION						
1					X	Only when a chapter is LGA Certified, they should have Community Land Use Plan.
2					X	Request that Navajo Nation Addressing Authority be uniform, do we use road names? Road numbers? How about GPS?
3					X	There needs to be qualifications for CLUP members also, we need expertise and funding for development, irrigation, farming, trash dump, and sanitation. Without funds there is no sense planning.
4					X	CLUP are giving up lands, like ceremonial grounds, etc.
SECTION 2005 - EMINENT DOMAIN REQUIREMENTS						
1					X	Title 26 pertaining to land withdrawal have problem. Grazing permits do not allow for growth or development where Navajo Nation supports economic development. Land appraisal should be taken care of using Eminent Domain where Bureau of Indian Affairs, grazing officers and others get involve, who is the responsible party? Clarification must be made under this section of Eminent Domain and it can be fixed.
2					X	Eminent Domain - can it be in-kind like a house or something like that? Can be negotiated with the family, right?
SECTION 2006 - INTERPRETATIONS AND 2007 - SEVERABILITY AND SURVIVABILITY						
NO COMMENTS						





