The NLTDS uses ColdFusion Architecture powered by the Equation® application.

**Features of NLTDS:**
- Database
- Document storage
- Secure cloud environment
- And integrated software (SaaS) for project management
- Customer record management
- Instant reporting
- Continuing improvement
- Training and audit

In 2005, the Navajo Nation began planning a certified/non-certified Land Title Status search capacity for the Navajo Nation; a Navajo Nation LTRO Office soon emerged as the most feasible course.

The Navajo Nation developed the Navajo Land Title Data System (NLTDS) from Navajo General Funds and in 2007, the initial design for a title plant for the Navajo Nation was completed.

In 2014 supplemental funding was obtained from Council and Presidents Office to purchase the system.
Phases of Development

- **Phase I** – Researching Various types of Data Management Systems and make Selection
- **Phase II** – Developing Data Policies and Procedures
- **Phase III** – Implement Data Structure and Work flow Test with Minimal amount of Data
- **Phase IV** – Populate with Live Data and Import Data from existing database and upload documents
- **Phase V** – Go Live to all Agencies

**NLTDS:**

Combines mapping, reporting, training, customer contact, improvement and auditing, document, data and records control, online forms, regulatory and work procedure reference, quality management, project management and scheduling, and documentation of memos and notifications – individualized by user, by document and by record and Training.
The NLTDS application is a comprehensive solution offering the following benefits:

- Provides cost-effective implementations of federal/tribal mandated leasing requirements;
- The use of the application will reduce the costs associated with traditional review processes;
- Provides web based systems for Corrective Actions for lease enforcement; Internal Audit; Records/Data/Document Tracking under FOIA and Navajo Nation/Federal Privacy Acts;
- Improves project continuity; project management tools allowing for continual progress on Zero-Based budget goals and Federal Contract reports and deliverables;
- Can be accessed by a PC with a web-browser and secured link to the web, with no additional IT installation required for users; All activity is conducted behind firewalls.

The NIST establishes the security level of the information on a sliding scale of 1, 2, 3 and 4; Level 3 is usually needed for information sets containing private information about individuals. NIST standards were in place for years (developed in 2006), but under-enforced. Directives for enforcement of NIST standards were issued in a series of publications from the Chief Information Officer of the federal government in 2010 and 2011.

Even the of the Department Interior faced challenges with FISMA and the NIST requirements. The requirements are the basis of processes now required in Federal Information Security Plans from: the development of information, to data processes, external firewalls, employee and contractor credentialing and other critical elements. The Office of Inspector General for the Department of the Interior reported in the Semiannual Report in 2011, that the DOI FISMA Evaluation revealed major inconsistencies:

Quality management, ANSI/ISO standards for document control, ANSI/ISO metadata standards and ISO 1400 environmental management, tribal regulation, FOIA requirements and digital privacy rules, are already incorporated into the application.
Premier Tier “4” Data Center

A side-by-side comparison of Trust Asset Accounting Management System (TAAMS) Bureau of Indian Affairs/Office of Special Trustee and The Navajo Land Title Data System (NLTDS) powered by Equation and adapted by the Navajo Nation
### TAMMS vs NLTDS

<table>
<thead>
<tr>
<th>Architecture</th>
<th>TAAMS</th>
<th>Navajo Land Title Data System powered by equation™ (NLTDS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIPOC TAMMS contains unlinked “chain of title” with neutral or existing parcel description documents</td>
<td>TAMMS - unconnected data. The BIA does not record erroneous in certain title and parcel description errors – legal descriptions of land interest are not always accurate.</td>
<td>NLTDS – connected data or entered data with attached auxiliary findings and correction plans. The Navajo Nation, federal realty services and the private sector are correcting the data on a &quot;case by case&quot; basis for new or remeasuring bases.</td>
</tr>
<tr>
<td>Integrate mapping with data and document control</td>
<td>TAMMS - at least a static GIS latitude and longitude data in flat files.</td>
<td>NLTDS has a geospatial map search function in development currently links documents to map points.</td>
</tr>
<tr>
<td>Self served transactions or provide records of amendments or self report audit criteria</td>
<td>TAMMS - no</td>
<td>NLTDS – yes</td>
</tr>
<tr>
<td>Track the location or the review status of a document</td>
<td>TAMMS – no</td>
<td>NLTDS – yes</td>
</tr>
<tr>
<td>Can access reference data and maps on the side of records, documents and maps</td>
<td>TAMMS - no</td>
<td>NLTDS – yes</td>
</tr>
<tr>
<td>Uniform standard practices for document control and security. In cost effective, reduces government cost without reducing accountability</td>
<td>TAMMS - no</td>
<td>NLTDS – yes; SAS process and tool review is paperless and much quicker. Reviews can take place at the same time; responses are documented, document distribution is automated.</td>
</tr>
<tr>
<td>System format is adaptable and accessible across all government divisions and tribal departments</td>
<td>TAMMS - no; several independent studies including one by NCIA called the learning curve for TAMMS challenging.</td>
<td>NLTDS – yes</td>
</tr>
</tbody>
</table>

---

### TAMMS vs NLTDS

<table>
<thead>
<tr>
<th>Architecture</th>
<th>TAAMS</th>
<th>Navajo Land Title Data System powered by equation™ (NLTDS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>String TAMMS contains unabridged “chain of title” without correcting or existing parcel description documents</td>
<td>TAMMS - unconnected data. The BIA has not recorded erroneous in certain title and parcel description errors – legal descriptions of land interest are not always accurate.</td>
<td>NLTDS – connected data or entered data with attached auxiliary findings and correction plans. The Navajo Nation, federal realty services and the private sector are correcting the data on a &quot;case by case&quot; basis for new or remeasuring bases.</td>
</tr>
<tr>
<td>Integrate mapping with data and document control</td>
<td>TAMMS - at least a static GIS latitude and longitude data in flat files.</td>
<td>NLTDS has a geospatial map search function in development currently links documents to map points.</td>
</tr>
<tr>
<td>Self served transactions or provide records of amendments or self report audit criteria</td>
<td>TAMMS - no</td>
<td>NLTDS – yes</td>
</tr>
<tr>
<td>Track the location or the review status of a document</td>
<td>TAMMS – no</td>
<td>NLTDS – yes</td>
</tr>
<tr>
<td>Can access reference data and maps on the side of records, documents and maps</td>
<td>TAMMS - no</td>
<td>NLTDS – yes</td>
</tr>
<tr>
<td>Uniform standard practices for document control and security. In cost effective, reduces government cost without reducing accountability</td>
<td>TAMMS - no</td>
<td>NLTDS – yes; SAS process and tool review is paperless and much quicker. Reviews can take place at the same time; responses are documented, document distribution is automated.</td>
</tr>
<tr>
<td>System format is adaptable and accessible across all government divisions and tribal departments</td>
<td>TAMMS - no; several independent studies including one by NCIA called the learning curve for TAMMS challenging.</td>
<td>NLTDS – yes</td>
</tr>
</tbody>
</table>
### TAMMS vs NLTDS

<table>
<thead>
<tr>
<th>Architecture</th>
<th>TAMMS</th>
<th>NLTDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offsite backup of data, images and documents</td>
<td>TAMMS - unclear</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Mapped Data Structure</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Tribal Land may include several different legal status types: fee simple, tribal trust land; State trust land; public lands - forests, grazing, National Park; individual allotment or Land corporations such as tribal ranches, enterprises. Each type has a different process, different users, different requirements. Complexity requires adaptability.</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Static mapping with data and document control</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Bulk Load Transactions or Records</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Interactive records of amendments, self report and auditing</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Include an automated multi-dimensional index of reporting in both graphic analysis and text</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Unique tagging of documents, data and maps</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Unique index of digital native applications: Word, Auto CADD, GIS or Excel</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Includes unique version control for documents, data and maps</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Emergency Bounded en banc notification to all users</td>
<td>TAMMS - yes</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Track the location or the review status of a document(s)</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Track change to data</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Track an approval process</td>
<td>TAMMS - no</td>
<td>NLTDS - no</td>
</tr>
<tr>
<td>Self-audit transactions or records</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Provide records of amendments to records, documents and maps</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Integration with core applications: Word, Auto CADD, GIS, Excel, PDF and image files. Each file has metadata capture.</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Process documents to records</td>
<td>TAMMS - no</td>
<td>NLTDS - no</td>
</tr>
<tr>
<td>Automated Distribution of documents to other users</td>
<td>TAMMS - no</td>
<td>NLTDS - no</td>
</tr>
<tr>
<td>Automated application security to certain individuals</td>
<td>TAMMS - no</td>
<td>NLTDS - no</td>
</tr>
<tr>
<td>Automated Application Security for every document, user or category of collaborators from basic to multiple tools, including local government and consensus tribal processes. Same for all users.</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Self-audit transactions or records</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Layered Architecture, with complex, multi-screen data entry</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Advanced and Dynamic Searching</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Automated application security to certain individuals</td>
<td>TAMMS - no</td>
<td>NLTDS - no</td>
</tr>
<tr>
<td>Automated Security restricts users allowed to access or alter documents/data</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
<tr>
<td>Initial project management, customer records management, policy reference and project management services: Integration of ongoing improvements with audit logs, documents, databases and maps</td>
<td>TAMMS - no</td>
<td>NLTDS - yes</td>
</tr>
</tbody>
</table>

### TAMMS vs NLTDS

<table>
<thead>
<tr>
<th>TAMMS</th>
<th>NLTDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indexing is facilitated through the document's contents. Indexing allows one to subsequently retrieve documents from repositories that contain thousands of documents. Of critical importance is the ability to quickly retrieve documents on the basis of the documents' contents. Indexing exists to aid in retrieval from the documents' contents.</td>
<td>NLTDS - yes, advanced indexes can use a variety of methods to retrieve data. New indexes can be built without changing existing indexes. XML language allows unique tagging of documents, data and maps</td>
</tr>
<tr>
<td>Architecture</td>
<td>TAMMS - unclear</td>
</tr>
<tr>
<td>Integration with core applications: Word, Auto CADD, GIS, Excel, PDF and image files. Each file has metadata capture.</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Emergency Bounded en banc notification to all users</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Track the location or the review status of a document(s)</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Track change to data</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Track an approval process</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Self-audit transactions or records</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Provide records of amendments to records, documents and maps</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Integration with core applications: Word, Auto CADD, GIS, Excel, PDF and image files. Each file has metadata capture.</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Process documents to records</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Automated Distribution of documents to other users</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Automated application security to certain individuals</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Automated Application Security for every document, user or category of collaborators from basic to multiple tools, including local government and consensus tribal processes. Same for all users.</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Self-audit transactions or records</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Layered Architecture, with complex, multi-screen data entry</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Advanced and Dynamic Searching</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Automated Security restricts users allowed to access or alter documents/data</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Initial project management, customer records management, policy reference and project management services: Integration of ongoing improvements with audit logs, documents, databases and maps</td>
<td>TAMMS - no</td>
</tr>
</tbody>
</table>

### TAMMS vs NLTDS

<table>
<thead>
<tr>
<th>TAMMS</th>
<th>NLTDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indexing is facilitated through the document's contents. Indexing allows one to subsequently retrieve documents from repositories that contain thousands of documents. Of critical importance is the ability to quickly retrieve documents on the basis of the documents' contents. Indexing exists to aid in retrieval from the documents' contents.</td>
<td>NLTDS - yes, advanced indexes can use a variety of methods to retrieve data. New indexes can be built without changing existing indexes. XML language allows unique tagging of documents, data and maps</td>
</tr>
<tr>
<td>Architecture</td>
<td>TAMMS - unclear</td>
</tr>
<tr>
<td>Integration with core applications: Word, Auto CADD, GIS, Excel, PDF and image files. Each file has metadata capture.</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Emergency Bounded en banc notification to all users</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Track the location or the review status of a document(s)</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Track change to data</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Track an approval process</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Self-audit transactions or records</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Provide records of amendments to records, documents and maps</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Integration with core applications: Word, Auto CADD, GIS, Excel, PDF and image files. Each file has metadata capture.</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Process documents to records</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Automated Distribution of documents to other users</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Automated application security to certain individuals</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Automated Application Security for every document, user or category of collaborators from basic to multiple tools, including local government and consensus tribal processes. Same for all users.</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Self-audit transactions or records</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Layered Architecture, with complex, multi-screen data entry</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Advanced and Dynamic Searching</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Automated Security restricts users allowed to access or alter documents/data</td>
<td>TAMMS - no</td>
</tr>
<tr>
<td>Initial project management, customer records management, policy reference and project management services: Integration of ongoing improvements with audit logs, documents, databases and maps</td>
<td>TAMMS - no</td>
</tr>
</tbody>
</table>
The Navajo Land Title Data Systems meets standards for Land Title Records. It can also be used for Specialized Business Architecture.

- Partners may view the Land Title Records + GIS and Survey Maps and/or
- Partners may additionally run separate systems adapted to their own business architecture.
The NLTDS Business Architecture contains:

• project planning and tracking;
• instant reporting in charts and graphic format;
• employee on-line training management records;
• document control, indexing, and archival storage and retrieval;
• data collection and data record management, information security features;
• emergency response notification, staff communication, management and
• business continuity features.
First window has your Notifications

Contact Information and Project Status
The first time it took three years to get my lease. How long will it take this time? How many places will my family have to drive me?

Jane M. Yazzie

The first step is to find you in the C.R.M. database Mrs. Yazzie. May I have your current contact information?

If you have the time - let’s do everything Today!

My traditional home isn’t hooked up to tribal utilities. I live with my sister, just down the road. She has running water and electricity.

I can update your information and link it all information and documentation in our system. Including your old lease.

The NLTDS is a One Stop Shop.
Customer Service is tracked

Improvements or corrections have a schedule

The Navajo Land Title Data System

Mrs. Yazzie must close a loan on her new home.

Under the BIA system, Mrs. Yazzie must: Visit several offices and wait for years for a status report, mortgage underwriting or lease.

The NLTDS can:
Track all documents and data
Holds ANY type of Federal Trust Transaction and issue reports
Remembers and automatically update Mrs. Yazzie’s information - to all files.

Mrs. Yazzie can do many things in just one step and at one place.
Load and View Document Page

Upload all types of Documents and Assign Authorization
Search by Chapter, Agency, Name, Location, Census Number, Township, Range, Lots, etc…

Results can export list to Excel or PDF
Glance at the NLTDS
Map view of Land Parcels with Utilities

Clicking on a land parcel to get the Documents for that parcel
Click on Document and View

Scanning of Documents in Mass
The NLTDS Contains:

- Applications, Requests for services
- Site selection and field clearance
- Application Searches for “Chain of Title”
- Field Clearance
- Technical studies such as EA and Archaeology
- Surveys, Maps and GIS Shape files
- Compliance Documents
- Tribal Consent
- Land Title Status Reports
The Navajo Nation sees advantages in developing its own systems and security plan outside of the BIA. The most important reasons the Navajo Nation has developed its own data system are: the Navajo Nation has the ability to direct its own path, create its own timelines for full regulatory compliance while protecting critical data, and can participate fully in the economic benefits of owning and operating an IT system.
ININDIAN REALTY NEWS
“PROTECTING THE LAND OF OUR ELDERS”

Navajo Land Title System. Tribes need to move away from the government TAAMS system and contact Michael Halona to get onto the Navajo Land Title System. TAAMS capability is very limited. Progressive tribes will be held back if they continue with TAAMS.

Probate Administration
March 20 - 4th
ending at noon on
Wednesday. $350

Constitutional Law Titled and Research Office, LTBO can work but will need

Navajo Nation General Leasing Regulation of 2013
The Navajo Leasing Act of 2000; allowed the Navajo Nation to develop a general leasing regulation and primary review process for surface land leasing without the prior approval of the Bureau of Indian Affairs.

The Purposes of the Navajo Leasing Act of 2000 was; “To establish a streamlined process for the Navajo Nation to lease trust lands.” The length of time required for a BIA - LTRO to produce a certified title search on tribal trust land remains 12 to 18 months.
The General Leasing Regulation of 2013 was pass by the Tribal Council on October 22, 2013. The Bill is a enabling legislation requesting the Secretary of Interior to give the Navajo Nation the authorization to approve all Surface Leases and Permits (excluding minerals) Secretary of Interior signed on May 16, 2014.

These regulations apply to all leases and permits on Navajo Nation Trust Lands authorized under 25 U.S.C. §§ 415(a) and 415(e) and 635(a), including leases for the development or utilization of natural resources, renewable energy leases for wind and solar and agricultural leases, telecommunications site leases, and leases for public, religious, educational, recreational, or residential purposes, and business site leases which is authorized pursuant to separate regulations approved by the Secretary.
RESOLUTION OF THE
NAVAJO NATION COUNCIL

22nd NAVAJO NATION COUNCIL - Third Year, 2013

AN ACT

RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK’IYÁTI”; APPROVING
THE NAVAJO NATION GENERAL LEASING REGULATIONS OF 2013 AND ENACTING
THE SAME AT 16 N.M.C. §§2301 ET SEQ.

BE IT ENACTED:

Section 1. Findings and Purposes

A. Except for mineral leases, the Navaajo Nation Trust Land
Act"), authorizes the Navaajo Nation to issue leases without the
approval of the Secretary of the Interior. Regulations for issuance
of such leases must be consistent with the Leasing Act and approved
by the Secretary of the Interior.

B. The process on the Navaajo Nation for agriculture, public
religions, educational, recreational and residential leases must be
streamlined.

C. The review and approval of the Secretary of the Interior is
not necessary for leases authorized and approved by the Navaajo Nation
under the Leasing Act and Navaajo Nation law and regulations.

Section 2. Approving the Navaajo Nation General Leasing Act of 2013

The Navaajo Nation hereby approves and enacts the Navaajo Nation
General Leasing Act of 2013, as provided below. Such enactment
shall be codified at 16 N.M.C. §§2301 et seq. as follows:

§ 2302. Purpose

The purposes of the Navaajo Nation General Leasing Regulations of
2013 are to:

A. Implement the authority of the Navaajo Nation to issue
Leases and Permits pursuant to the Navaajo Leasing Act, as amended,
and to establish streamlined procedures for environmental review,
approval, management and enforcement of Leases;

B. Develop a framework for future Navaajo Nation regulations that
cover specific areas of leasing referenced in § 2105 as required by
the Navaajo Leasing Act and which are consistent with these General
Leasing Regulations. The General Leasing Regulations must be in place
prior to any Leases or Permits being approved under the authority of
the Navaajo Leasing Act;

C. Promote self-determination, encourage self-sufficiency, and
improve efficiency of leasing of Navaajo Nation Trust Lands;

D. Identify and implement processes to protect and preserve
Navaajo Nation Trust Land, including provisions for trust asset
accounting, modern leasing practices, and accurate record keeping and
title recording.
§ 2304. Definitions

For purposes of these Regulations:

D. Categorical Exclusion or CATEX means a category of actions which do not individually or cumulatively have a significant effect on human health or the environment and is therefore not subject to the Environmental Review Process under Subchapter 8 of these Regulations.

E. Delegation of Authority means, where, upon approval of the Resources and Development Committee of the Navajo Nation Council, or its successor in authority, a political subdivision of the Navajo Nation assumes leasing authority for leases described within these Regulations that are also delegable pursuant to the Local Governance Act, 26 U.S.C. §§ 1-2009, as amended, or other relevant Navajo Nation law.

F. Lease means a written agreement between the lessor and a lessee, issued under these Regulations as authorized by 25 U.S.C. §§ 415 (a) and (e), wherein the lessee is granted a right to possess Navajo Nation Trust Land for a specific purpose and limited duration.

G. Navajo Nation Trust Land means the surface estate of land or any interest therein held by the United States in trust for the Navajo Nation; land held by the Navajo Nation and subject to federal restrictions against alienation or encumbrance; land held by the United States in trust for a Navajo Nation corporation chartered under Section 17 of the Indian Reorganization Act.

H. Permit means a written authorization or license granted by the Navajo Nation whereby the permittee is granted a use or revocable use privilege to use Navajo Nation Trust Land for a specified purpose and limited duration.

I. Significant Impact means a determination that an action will have a significant effect on the quality of the human environment after considering the following:

i) effects on public health and safety;

ii) effects on the unique characteristics of the geographic areas, including its historic or cultural resources, park lands or ecologically critical areas;

iii) highly controversial effects on the human environment;

iv) highly uncertain or unknown effects on the human environment;

v) effects in terms of precedent for future actions with significant effects;

vi) effects that may be individually insignificant, but when considered with other projects, have a significant impact on the environment;

vii) effects that cause loss or destruction of scientific, cultural, or historical resources; and

viii) effects on endangered or threatened species or habitat protected under Navajo Nation or federal law.

J. Sublease means a written agreement by which the lessee grants a right of possession no greater than that held by the lessor under the Lease.
§ 2305. Scope

A. These Regulations apply to all Leases and Permits for use or possession of Navajo Nation Trust lands authorized under 25 U.S.C. §§ 415(a), 415(e) and 431(a), including leases for the development or utilization of natural resources, including renewable energy Leases and agricultural Leases, telecommunications site leases, and leases for public, religious, educational, recreational, or residential purposes, except business site leases which are authorized pursuant to Navajo Nation Business Leasing Regulations of 2009 approved by the Secretary on July 12, 2009. These Regulations shall not apply to mineral Leases. Nothing herein shall be construed to affect the terms and conditions of an existing Lease.

B. Leases are mandatory for any short or long term use of Navajo trust land or where any permanent structure is fixed or located on Navajo trust land. Failure to comply with this section shall be addressed pursuant to Navajo Nation law.

§ 2308. Duration and Renewal

No Lease shall be approved more than twelve (12) months prior to the commencement of the term of the Lease. A Lease for public, religious, educational, recreational, or residential purposes may provide for a term up to and not to exceed seventy-five (75) years. The term of a Lease for any other purpose shall not exceed twenty-five (25) years except that any such Lease may include an option to renew for up to two additional terms, each of which may not exceed twenty-five (25) years on such terms and conditions as may be specified in such Lease, or such greater term as may be authorized by Congress. Unless the term of a Lease is for less than one year, a lessee shall notify the Navajo Nation of its intent to renew a lease at least one year prior to the end of the lease term.

§ 2321. Lease Application Supporting Documents

A. A final Lease application requires the following documents for processing: (1) a fully completed Lease form, (2) an appraisal, if applicable; (3) a certified site survey, survey plat and legal description; (4) documentation of environmental review made pursuant to subsection 8 of these Regulations; and (4) other documents as may be required pursuant to Navajo Nation law or policies, or applicable federal law.

B. The NIZ or its successor shall not process the Lease or Permit application for final approval until all the required documents under this section have been provided for review and consideration by the authorized approving authority.
§ 2322. Records
A. The Navajo Nation shall record all Leases, Permits (except Permits that do not involve any land disturbance), Subleases, Assignments, amendments, encumbrances, renewals, modifications and cancellations, made, issued or otherwise authorized pursuant to these Regulations, with the:

Land Title and Records Office
Southwest Regional Office
Bureau of Indian Affairs
P.O. Box 26567
Albuquerque, NM 87125-6567

§ 2323. Ownership of Records
Records of activities taken pursuant to these Regulations are the property of the United States and the Navajo Nation and its delegated political subdivisions. Records compiled, developed or received by the Navajo Nation in the course of business with the Secretary are the property of the Navajo Nation.

Subchapter 3. Lease Requirements

§ 2330. Terms and Conditions
Leases shall be in a form approved by the Navajo Nation in accordance with applicable law and shall include standard terms and conditions. The standard terms and conditions may be modified only with the approval of the Navajo Nation. Leases may contain a provision that requires a lessee to consent to the jurisdiction of the Navajo Nation to address all issues arising out of the Lease.

§ 2335. Insurance
A lessee shall secure insurance from a nationally accredited insurance company with a financial strength rating of "A" or equivalent, and must be authorized to do business in the state where the premises is located, or authorized by the Navajo Nation according to applicable Navajo Nation law. It shall cover general liability and casualty. The amount shall be sufficient to cover the improvements, personal injury or death, and any reasonably potential foreseeable loss of the lessor and the United States. The insurance shall expressly identify the lease and the United States as additional named insured parties. The insurance requirements shall not apply to Lease #546 Leases or when the Navajo Nation is the lessor. The Navajo Nation may waive the insurance requirement for any lessee that is an entity or enterprise of the Navajo Nation.

§ 2337. Improvements
A. Improvements to the premises shall become the property of the Navajo Nation at the termination of the leasehold unless otherwise provided for in the lease. If the lease authorizes the improvements to be removed by the lessee, the lease shall specify the time allowed for such removal.
B. If provided for in the Lease, a lessee may develop equity value in the improvements, and sell its interest in the lease based on the equity value. The Navajo Nation shall have a right of first refusal to purchase such interest.
§ 2338. Subleases, Assignments, Amendments and Encumbrances

A. All Subleases, Assignments, amendments or encumbrances of any Lease shall require the written consent of the Navajo Nation as well as any others, unless otherwise provided herein.

B. A lease may authorize Subleases, in whole or in part. The lessee shall remain liable for its duties under the Lease notwithstanding any subleasing of the leasehold or any part thereof.

C. The lease may authorize encumbrances to the leasehold interest for the purpose of financing to develop and improve the premises, subject to the approval of the Navajo Nation. If a sale or foreclosure occurs and the encumbrancer is the purchaser, the encumbrancer may assign the Lease without approval of the Navajo Nation or lessee, provided the encumbrancer/assignee must agree in writing to be bound by all the terms and conditions of the Lease. If the purchaser is a party other than the encumbrancer, approval by the Navajo Nation shall be required, and any approved purchaser must agree in writing to be bound by all the terms and conditions of the lease.

Subchapter 4. Lease Administration

§ 2350. Administration

A. The Navajo Nation shall administer Leases executed pursuant to these Regulations and may administer existing Leases previously approved by the Secretary as may be provided for under P.L. 93-438 self-determination contracts or compact or under other applicable authority.

B. The Navajo Nation shall employ sound real estate management practices in exercising its authority under these Regulations, including without limitation, accounting, collections, monitoring, enforcement, relief, and remedies.

C. Political subdivisions of the Navajo Nation may issue Leases pursuant to a Delegation of Authority provided they do so in accordance with these Regulations and Navajo Nation law. Administration by a political subdivision of Leases executed prior to such political subdivision obtaining such authority shall require an Assignment of the Navajo Nation's duties and rights as lessor and consent of the lessee. Such Delegation of Authority shall be recommendable by the Resources and Development Committee of the Navajo Nation Council upon recommendation of the Navajo Nation Department of Justice.

Subchapter 5. Enforcement

§ 2360. Enforcement

The Navajo Nation and its delegated political subdivisions shall have the authority to enforce the terms and conditions of Leases and permits issued under these Regulations in accordance with applicable Navajo Nation and federal law.
To Predict the Future, you have to Invent it.

NAVAJO LAND DEPARTMENT
W. Mike Halona
928-871-6401
m_halona@frontiernet.net

“Do not let circumstances control you, Control your circumstances”
The Navajo Leasing Act of 2000; allowed the Navajo Nation to develop a general leasing regulation and primary review process for surface land leasing without the prior approval of the Bureau of Indian Affairs.

The General Leasing Regulation of 2013 is currently waiting for Tribal Council to approve the enabling legislation requesting the Secretary of Interior to delegate the Navajo Nation authorization to approve all Surface Leases and Permits (not including ROW and minerals)
The General Leasing Regulation of 2013 was passed by the Tribal Council on October 22, 2013. The Bill is a enabling legislation requesting the Secretary of Interior to give the Navajo Nation the authorization to approve all Surface Leases which was approved May 16, 2014. (excluding minerals)

These regulations apply to all leases and permits on Navajo Nation Trust Lands authorized under 25 U.S.C. §§ 415(a) and 415(e) and 635(a), including leases for the development or utilization of natural resources, renewable energy leases for wind and solar, agricultural leases, telecommunications site leases, and leases for public, religious, educational, recreational, or residential purposes, and business site leases which is authorized pursuant to separate regulations approved by the Secretary.
Eastern Grazing Units

Examples:
Grazing Management Plans
Grazing Districts

The Growth of the Navajo Nation
“District 6 Joint Council”
Strategic Work Session

- History of Navajo Nation
- Land Impacts
- Community Land Use Planning

W. Mike Halona, Department Director
Navajo Land Department

October 2010
GIS maps are linked to data and documents and can open with all metadata and links...

Also CADD survey applications.

BIA/Navajo Nation forms can be complete in the field and automatically saved to documents and data bases.

1. An existing backlog of lease request reviews;
2. Tribal base maps in the Public Land Survey System are protracted not cadastral (only 30% of the townships and sections in the Navajo Nation, Public Land Survey have been confirmed by cadastral survey by BLM), though the Navajo Nation supports federal cadastral cost with a Navajo survey team.
3. GIS does not properly overlay the historic title records and these discrepancies have not been resolved by BIA or BLM;
4. The Navajo Nation and other tribal land are still described in BIA files with historic special meridians like the Navajo Special meridian and don’t line up with the PLS;
5. The title chains describing ownership interests are missing or incomplete;
6. Conveyance documents are on every type of medium; there are many conveyance formats.
7. An existing backlog of requested land appraisals;
8. Conveyance records are located within the Regional LTRO Offices (the regional LTRO serving Navajo is in Albuquerque) and in tribal files. There is no master list of file locations. Few records have been digitally reproduced; if reproduced digitally, many are of poor quality or in unusable file formats.
NLTDS is completely automated with computer-generated reports, computer-generated graphics, and time/date signatures of all data. Document/record audits, documents/records loading, approval and document/record changes are auto-generated. All activities are recorded and linked.

The National Institute of Standards and Technology (NIST) developed the current federally adopted standards for IT security requirements. These requirements include redundant systems for power lines, information lines, energy systems and physical security.

The Federal government recognized that massive liability would crush the research, development and use of anti-terror technologies, and passed the “SAFETY Act” as part of the Homeland Security Act of 2002, Pub. L. 107-296. The aim of the SAFETY Act is to “encourage the development and deployment of anti-terrorism technologies that will substantially enhance the protection of the nation.”
Indian Nations now enjoy the greatest freedom to determine their own social and economic destinies using their own homelands to assist in creating a sustainable economy and better quality of life for themselves and future generations to preserve their culture forever. Tribes no longer need to ask the Federal government for permission in advance, but make these strategic decisions within a framework that protects the trust duties of the United States of America to the American Indian people.

In 2005, the Navajo Nation began planning a certified/non-certified Land Title Status search capacity for the Navajo Nation; a Navajo Nation LTRO Office soon emerged as the most feasible course. The Navajo Nation developed the Navajo Land Title Data System (NLTDS) from Navajo General Funds and in 2007, the initial design for a title plant for the Navajo Nation was completed.

NLTDS meets the American National Standard Institute (ANSI) and International Standards Organization (ISO) document control requirements; these voluntary standards are approved by federal regulation to meet requirements for: privacy, document control, digital records and tribal trust documents.
The NLTDS application is a comprehensive solution offering the following benefits:

- Provides cost-effective implementations of federal/tribal mandated leasing requirements;
- The use of the application will reduce the costs associated with traditional review processes;
- Provides web based systems for Corrective Actions for lease enforcement; Internal Audit; Records/Data/Document Tracking under FOIA and Navajo Nation/Federal Privacy Acts;
- Improves project continuity; project management tools allowing for continual progress on Federal Contract reports and deliverables;
- Can be accessed by any PC with a web-browser and secured link to the web, with no additional IT installation required for users; All activity is conducted behind firewalls.
October 30, 2014

Ms. Elizabeth Appel,
Office of Regulatory Affairs and Collaborative Action
U.S. Department of the Interior
1849 C Street NW, MS 4141
Washington, DC 20240
Email: consultation@bia.gov

RE: Navajo Nation Comments Concerning Proposed Rule for Rights-of-Way on Indian Land; RIN 1076-AF20

Dear Ms. Appel:

The Navajo Nation is supportive of the proposed amendments to 25 C.F.R. Part 169. We appreciate the BIA’s move to strengthen tribal sovereignty, as well as taking the time to listen to and address our concerns. After reviewing the proposed rule for rights-of-way (“ROW”) on Indian land, we have the following comments and questions:

1. As a general matter, the regulations should include language acknowledging that ROWs must be issued in accordance with any pertinent treaty provisions. Also, while the regulations do distinguish between tribal trust land and allotments, they do so in a confusing manner. It would be helpful if the regulations clearly delineated the rules that apply to tribal trust land from those that apply to allotments. Perhaps the two categories should be divided into separate sections within the regulations.
Right-of-Way – Service Line Agreements - Lease - Permits

**Right-of-Way:**
- Roads
- Waterlines
- Gas Lines
- Transmission Lines
- Distribution Lines (utility-fiber)
- Temporary Construction Easement

**Service Line Agreements:**
- Utility Connection for (1) one Customer (Electric, Water, Gas, Sewer & Fiber)

**Lease:**
- Residential (HSL)
- Renewable energy Wind
- Solar
- Agricultural
- Telecommunications sites
- Public use areas
- Religious
- Educational
- Recreational
- * Business site leases

**Permits:**
- Mission sites
- Revocable Use
- Cell Phone Antennas

**Mineral Lease:**
- Sand and Gravel

*Business Site Lease is for Commercial Operation Compensation is Assessed*
Tier 3 Data Center

The Navajo Nation System