



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO: THE NAVAJO NATION
Executive Branch Divisions

FROM:

A handwritten signature in black ink, reading "Russell Begaye", is written over a horizontal line.

Russell Begaye, *President*
THE NAVAJO NATION

DATE: August 12, 2015

SUBJECT: Directive to immediately cease any promotion of Standard Form No. 95 regarding Gold King Mine

The Office of the President and Vice-President hereby directs all Divisions to immediately cease promotion of Standard Form No. 95 regarding the Gold King Mine spill unless expressly authorized by the President or Vice-President or as authorized pursuant to Operation Tó hitso.

The Navajo Nation Attorney General has advised that Standard Form No. 95 contains offending language that will waive future claims for individuals that sign the form and preclude our People from seeking full compensation for injuries suffered from the spill.

Standard Form No. 95 states the following:

I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM

The U.S. EPA has stated that this disaster will take decades for full remediation of the spill. Once the claim is made it will only be for the claims suffered to date and precludes future claims. Currently, the Attorney General is attempting to negotiate with U.S. EPA to modify the forms to remove the offending language. Until done, we must ensure the public understands and

is fully aware of the meaning of the language in the Form. If the person signs or not is the individual's decision, but it must be an informed decision.

The President's Executive Team under Operation Tó łitso has been educated on this Form and instructed to begin educating the public within the Chapters and Communités impacted on this Form. The President has been adamant, the Navajo people deserve to be fully compensated.

Thank you for your cooperation in this matter.

CC: Robert Joe, Acting Chief of Staff
Office of the President and Vice-President