



THE NAVAJO NATION

OFFICE OF THE PRESIDENT & VICE PRESIDENT

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State of the Navajo Nation Address

Navajo President Joe Shirley, Jr., opposes \$50 million legislative complex, will establish Presidential Task Force on Government Reform this week

WINDOW ROCK, Ariz. – Navajo Nation President Joe Shirley, Jr., today called upon the Navajo Nation Council to reject a proposed \$50 million Legislative Complex, saying the needs of the people must come first, that no public hearings have been held, and that approval would waive a series of Navajo financial and employment laws enacted to ensure accountability.

with the requirements of the Navajo Nation Appropriations Act.

Since Fiscal Year 2004, he said, approximately \$82 million has been appropriated for supplemental funding, often added as amendments to legislation that is erroneously defined as an emergency.



Navajo Nation President Joe Shirley, Jr., today called upon the Navajo Nation Council to reject a proposed \$50 million Legislative Complex during his State of the Navajo Nation address. To his right is Navajo Nation Vice President Ben Shelly. The President said the needs of the people must come first, that no public hearings have been held about the complex, and that approval would waive a series of Navajo financial and employment laws enacted to ensure accountability.

“We need to mind the affairs of our government through the rule of law,” the President said. “We cannot enact laws and then not follow them. We have done that too many times by waiving the laws that have been put into place, and conducting business as if there are no laws, especially where Navajo Nation funds are involved.”

During his quarterly State of the Navajo Nation address, the President also announced that he would issue an executive order to prohibit Executive Branch employees from seeking supplemental appropriations inconsistent

The President also asked delegates to disapprove proposed amendments to the 2005 *Diné Sovereignty in Education Act* which

he said “would slash the number of board members from 11 to seven, unseating all of the elected members by legislative fiat rather than by the elective process.”

He also announced the establishment this week of a Presidential Task Force on Government Reform.

“Our people have said that the teachings they embrace in their daily lives should be applied to their government,” he said. “The people’s trust and confidence in their leaders has always depended upon adherence to the principles of *Diné bi beenahaz’ áanii*. Since the signing of the Treaty of 1868 and before, this fundamental principle has been dependent upon the consent and will of the people and, in turn, upon their leaders’ use of their wisdom and experience to always act in the people’s best interests.”

Sixteen minutes into his address, which was broadcast live on Navajo radio station KTNN, Council Delegate Ervin Keeswood interrupted the President to raise a point of order. Referring to the President’s comments about the proposed legislative complex, he said the President was debating legislation that hasn’t been introduced rather than presenting a report.

However, no council delegate had objected earlier when the President discussed his support for legislation to create the Navajo Nation Division of Diné Veterans Services, which is also on the spring session agenda.

President Shirley mentioned several reasons why he strongly opposes legislation to acquire a \$50 million loan – which he said may rise to \$125 million through a floor amendment – to build the proposed 79,000-square-foot legislative complex to replace the historic Navajo Nation Council Chamber, which last year underwent a \$7 million renovation.

He said the legislation waives the Navajo Nation Appropriations Act, the Navajo Nation Bond Financing Act, the Navajo Nation Procurement Act, and the Navajo Nation Business Opportunity Act.

“Putting aside for a moment the wisdom of serving ourselves before we serve the people who elected us, consider how this legislation was fast-tracked to come before you today, with no public discussion,” the President said.

In addition, he said the legislative complex proposal:

- Did not undergo the required “request for proposals” process.
- No due diligence was performed on the company selected to construct the building.

- No public advertisement or competitive bids were submitted from other lending institutions.

- No certification of debt was provided pursuant to the Bond Financing Act, and

- There was no compliance with Navajo preference regarding the selection of the construction company, architect, engineer, or the construction manager.

Any major capital project that would indebt the Nation for 20 years or longer should be for the purpose of providing a direct and essential government function, like public safety and judicial facilities would, he said.

“It appears that this bill has prioritized the desire for convenience and expedience over the needs of our people and our government,” the President said. “The Navajo people cried out when the Council spent \$50,000 for rings. This expenditure is one thousand times that.”

To pay for the building, he said the legislation would set aside 10 percent of all revenues coming to the Nation in order to retire the debt, seriously impacting the operating budgets of the three branches of government.

Based upon the Nation’s current operating budget, he said that cost would be \$19.7 million per year, most of which would be taken from the Executive Branch and translates into a reduction of direct services to Navajos.

Not only could the impact result in employee layoffs, he said, it “contradicts the very reason the people sent us here in the first place – to serve *their* needs.”

By way of cost comparison, he said the 91,000-square-foot Seba Delkai School was built for only \$16 million, the 148,000-square-foot Shiprock Alternative School cost \$20 million, and the Pete V. Domenici Courthouse in Albuquerque – three times the size of this proposed building at 254,000-square-feet – cost \$43.7 million.

Regarding legislation to amend the *Diné Sovereignty in Education Act*, he said the proposed changes “would strip all substantive authority to make decisions from the Navajo Nation Board of Education and hand over that authority to the Education Committee.”

Cutting the number of board members from 11 to seven by unseating all five elected members would disenfranchise voters about who they want as their representatives on education-related matters, he said.

“This proposal would rescind those votes cast in good faith by Navajo voters,” he said. “Taking this action is wrong. It leads this body down a path fraught with hazards and inevitable heartache. It tampers with our democratic process and violates the people’s trust.”

The President spoke in support of legislation to create the Navajo Nation Division of Diné Veterans Services.

“The Navajo Nation is grateful to our warriors who sacrifice so much to protect our freedom and our Diné way of life,” he said. “As a grateful Nation, we must do all we can to provide assistance to our veterans, soldiers, and their families, in the way they want.”

The Division of Dine’ Veterans Services would target improved housing services, education and training, and the implementation of an aggressive grant management program to identify and obtain crucial funding for veterans services, he said.

Regarding renewed interest in uranium mining near the Navajo Nation, the President said that although applications have been submitted to permit exploratory drilling for uranium on Mount Taylor, the Navajo Nation Historic Preservation Department sought and received an emergency nomination from the New Mexico State Cultural Properties Review Committee to list the sacred mountain as a traditional cultural property on the State of New Mexico’s registry of historic places.

“*Tsoodzil* is the home of the sacred jewel, *Dootlizhii*, which is the precious stone of the south,” he said. “*Tsoodzil* makes up the essence of what it means to have a Navajo identity, to be a Navajo person. For the Diné, our sacred mountains are honored as the place where we make our prayers for a good life for ourselves and our children, for our elders and for our Nation.”

He said uranium exploration by drilling would have tremendous detrimental effects on Navajo culture and ceremonies. Consequently, in order to obtain a permanent classification of the mountain as a traditional cultural property, additional information must be collected to reflect the full scope of its importance to Navajo culture.

“This effort will require resources to collect the data and, if necessary, to litigate against any decision that will adversely affect our interests and our Diné way of life,” he said.

In other matters, the President thanked the Citizens Energy Corporation for a \$429,000 energy assistance grant to help needy Navajo families with high cost of heating their homes.

The grant is being administered by the Navajo Nation Division of Social Services. It provides payments directly to propane vendors, wood and coal vendors, the Navajo Tribal Utility Authority, and other utility companies on behalf of eligible individuals and institutions in need.

So far, he said, the grant has provided relief to more than 262 individuals, 540 Navajo families and 15 institutions.

Citizens Energy is a leading innovator in petroleum, natural gas, and electricity delivery. Last month, the Navajo Nation signed an agreement-in-principle with Citizens to explore wind energy development on the Navajo Nation with the Diné Power Authority, local communities, and the Resources and Economic Development Committees of the Navajo Nation Council.

The President also thanked Navajo Nation Gaming Enterprise Chief Executive Officer Robert Winter for his commitment to developing the Navajo Nation’s first casino, which is expected to break ground next month in Church Rock, N.M.

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