



THE NAVAJO NATION

OFFICE OF THE PRESIDENT & VICE PRESIDENT

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Navajo President Joe Shirley, Jr., urges Navajo Nation Council to disapprove legislation to dismiss Navajo Attorney General

WINDOW ROCK, Ariz. – Navajo Nation President Joe Shirley, Jr., on Wednesday cautioned the Navajo Nation Council against firing Navajo Nation Attorney General Louis Denetsosie.

“The Nation is at a critical phase in several legal areas,” President Shirley wrote in a memo to each of 88 delegates. “The dismissal of its Attorney General could cause much of the progress our Nation has achieved in several sensitive legal areas to be lost.”

The proposed legislation is sponsored by Young Jeff Tom and co-sponsored by Lawrence Platero and is scheduled to be considered in a special session on Monday.

The President said it provides no substantive information to support the removal of Mr. Denetsosie.

“This proposed legislation is indisputably a reaction to the April 29, 2008, legal opinion I sought while evaluating government reform options,” the President wrote. “As the Nation’s Chief Legal Officer and in accordance with the Nation’s Department of Justice plan of operation, Mr. Denetsosie has a duty to review and evaluate all legal possibilities when a legal opinion is sought.

“In this case, and as required by law, he had a duty to analyze the question based upon Diné Fundamental Laws. If there is any concern about the Attorney General’s analysis, the Courts of the Navajo Nation is the rightful venue to settle such issues rather than the legislative body.”

The President said Mr. Denetsosie “fulfilled his obligation and performed his duty in a proper, impartial and professionally indifferent way.”

The proposed legislation includes no information to indicate a failure in the performance of his duties, and cites nothing that he has done wrong, he writes.

“Mr. Denetsosie has an exemplary record as our Attorney General,” the President wrote. “Through his guidance and oversight, the Nation has successfully negotiated the San Juan River Settlement agreement, the settlement of the 1934 litigation that resulted in the lifting of the 40-year-old Bennett Freeze, negotiated terms and conditions for the right-of-way with El Paso Natural Gas Company, negotiated the Navajo Western Pipeline, put into place an Agreement-in-Principle with Arizona Water Users, and provided leadership to reinstate the Navajo Head Start program after its summary suspension by the U.S. Department of Health and Human Services.”

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– Navajo Nation President Joe Shirley, Jr.

President Shirley said Mr. Denetsosie has supervised critically-important water litigation and settlement negotiations in Arizona, New Mexico and Utah as a member of Navajo Nation Water Rights Commission, is supervising the *Navajo Nation v. Peabody* lawsuit involving interference with the trustee and racketeering, *Navajo Nation v. United States* involving breach of trust and inverse condemnation for imposing the Bennett Freeze, *Navajo Nation v. United States* involving the trust asset mismanagement litigation, uranium cleanup issues at Churchrock and Tuba City, Radiation Exposure Compensation Act amendments, and many other critically important matters that have strengthened the Nation’s sovereignty and protected the Navajo Nation’s interests.

“I am certain you will agree that this is a very serious matter that should not be taken lightly,” he wrote.

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