



## THE NAVAJO NATION

OFFICE OF THE PRESIDENT & VICE PRESIDENT

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# Navajo President Joe Shirley, Jr., convenes first meeting of new Presidential Task Force on Government Reform

**WINDOW ROCK, Ariz.** – Navajo Nation President Joe Shirley, Jr., convened the first meeting of the Presidential Task Force on Government Reform here Friday.

Its function, he said, is to present two initiative questions to Navajo voters in the November election, and to provide information to the people about the history and necessity of Navajo government reform.

The first question will ask whether the Navajo people would like to reduce the Navajo Nation Council from 88 to 24 members. The second will ask whether they approve granting presidential line item veto authority in order to protect tribal financial resources.

“It will be a big accomplishment, but that’s our goal,” President Shirley said. “The people should have the opportunity to bring significant government reform to the Navajo Nation, but we know there are going to be challenges.”

The President announced the formation of the task force during his State of the Navajo Nation address on April 21.

Among the first seven members of what is expected to be a 15-member task force is the President, Eddie Arthur of Many Farms, Bessie Allen of Piñon, OPVP Chief of Staff Patrick Sandoval, OPVP Legal Counsel Michelle Dotson, and OPVP staff assistants Jim Store and Clinton Jim.

Although the creation of a three-branch Navajo government in 1989 sought to prevent the concentration of power in one individual or one branch, the President said that never in the history of the Navajo Nation has the Navajo Nation Council wielded so much power, waived law so often, shirked the annual budgeting process so indifferently, and spent tribal funds so freely.

With a smaller council and the line item veto, the Legislative Branch would work cooperatively with future Navajo presidents, and true checks and balances would be restored to the three-branch government as it was originally envisioned, he said.

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– Navajo Nation President Joe Shirley, Jr.,

“There are no real checks and balances in the system as we have it today,” President Shirley said. “That’s why an override is so easy.”

The initiatives to reduce the council to 24 members and give the chief executive officer line item veto authority are not a response to recent spending overrides or of some delegates’ consideration of a \$125 million loan to build a new legislative complex, the President said. But these are two excellent examples of why the initiatives are needed and the people’s voice should be heard, he added.

“Under Fundamental Law, if the people come in with a mandate, the Navajo Nation Council can’t reject it,” he said. “This is the consent of the people to be governed. We’re doing this for the people, and the people must speak out.”

Navajo Nation Election Administration Executive Director Edison J. Wauneka said in an interview Friday that his office had verified that the necessary documentation was in order for petitions to begin circulating for signature collection.

He said 16,530 petition signatures – or 15 percent of the 110,202 registered Navajo voters – are required to qualify the two questions for the Nov. 4, 2008, ballot.

“Everything has to be in compliance, and everything that has been submitted is complete now,” he said.

By Friday, the petition committee had grown from 30 to 46 members, and the collection of signatures had started.

Despite criticism of the presidential initiative in the media by Navajo Nation Council Speaker Lawrence T. Morgan and a few council delegates, Mr. Wauneka confirmed that as of close-of-business Friday, neither the Speaker nor the legislative counsel’s office had made any inquiries nor sought any information from his office about it.

President Shirley said petition signers need to be registered voters when they sign or their signatures will be declared invalid. Petition carriers will gather 25,000 signatures within 90 days, he said.

The President told the task force that the history of Navajo government reform goes back before 1990 when the Navajo Nation Council amended Title II of the Navajo Nation Code to form the three branches of Navajo government, and created the Commission on Navajo Government Development to develop alternative forms of government.

The Commission was established with quasi-independent authority to institute reforms that would ensure an accountable and responsible government. It was composed of representatives from each of the five Navajo agencies, the three branches of government, and specialty areas like the Medicine Men’s Association, the Women’s Commission, a graduate student

representative, as well as a student representative from Diné College. When the Council established the commission, it understood the need to diversify its representation, President Shirley said.

*Only a simple majority will be required for each of the two measures to succeed. That is because they are being sought through an initiative process brought by the people rather than by a referendum referred by the council.*

Despite President Shirley’s caution that dismantling the Commission would undermine the intent of reforms that were supported by and reflected the will of the Navajo people, the Council abolished the Commission last December and moved the Government Development Office under the administrative control of Speaker Morgan.

Since then, neither the Speaker’s office nor the Government Development Office has shared what it is doing or what its plans are with the President, he said.

“More needs to be going on than what is happening today,” he said.

Mr. Wauneka said reapportionment plans to accommodate a reduction of the council to 24 delegates have been available for more than seven years.

In the 2000 primary election to reduce the council, Navajo voters were given the option of re-sizing the council to 110, 88, 72, 48, 44, 32 or 24 delegates. In preparation, the Navajo Board of Election Supervisors approved reapportionment plans accordingly, he said. Voters selected 24.

Then, in the Sept. 5, 2000, general election, more than 70 percent of those who cast ballots – 22,081 Navajo voters – approved reducing the council to 24 delegates.

The referendum failed because the law required a majority vote in all of the 110 chapter precincts.

This time, however, only a simple majority will be required for each of the two measures to succeed. That is because they are being sought through an initiative process brought by the people through petition rather than by a referendum referred by the council.

The Navajo Board of Election Supervisors already has reapportionment plans prepared from the 2000 referendum, Mr. Wauneka said. All that will be necessary to do to update them is to re-calculate increased populations, he said.

Nevertheless, it has already been determined how many chapters would be represented by each delegate in a council of 24 members, he said.

The President said representation of chapters by fewer delegates would strengthen Navajo democracy, sovereignty, and representation at both the chapter and national levels rather than weaken it because every chapter is already represented by chapter officials and their voting membership.

If anything, he added, a reduction in the number of council delegates would be in accordance with the wishes

already expressed by Navajo voters and the goals envisioned by the 10-year-old Local Governance Act.

Signed into law on April 27, 1998, the LGA was designed to improve chapter government by increasing local governmental authority over local matters. According to the Navajo Government Development Office, its purpose is to decentralize much decision-making authority and increase accountability to local citizens by adhering to the principles of checks and balances and the separation of powers – all which would be accomplished by the two initiative measures.

“This authority,” the Local Governance Act states, “in the long run, will improve community decision-making, allow communities to excel and flourish, enable Navajo leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation.”

Mr. Wauneka said that when he announced the presidential initiative at the *Standards of Conduct for Elected Officials* conference in Albuquerque this week, people in the audience responded with applause.

“Quite a few people are concerned about the number of delegates,” he said.

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