



THE NAVAJO NATION

OFFICE OF THE PRESIDENT & VICE PRESIDENT

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Comprehensive government reform agreement jeopardized by Speaker’s inaction to place legislation before the council

Petition signature collection continuing at Navajo fairs, flea markets, door to door

WINDOW ROCK, Ariz. – Seven weeks of silence and inaction by Navajo Nation Council Speaker Lawrence T. Morgan has fatally jeopardized the chance to bring comprehensive government reform to the Navajo government through legislation as the Speaker proposed repeatedly throughout the summer.

Today marks 50 days since the Speaker and Navajo Nation President Joe Shirley, Jr., concluded six weeks of “talking things through” and then signed a memorandum of agreement to seek comprehensive government reform, a reform convention, the drafting of a reform document and, ultimately, a referendum vote of the people.

President Shirley said he was willing to talk to the Speaker in the spirit *k’e*, compromise and harmony, as the Speaker requested, and to seek government reform through legislation, and halt the Presidential initiatives to reduce the council to 24 delegates and give line budget item veto authority to the President.

On Aug. 13, the President, Speaker and their attorneys signed a memorandum of agreement to that effect.

“This legislation shall be presented at the next special session of the Navajo Nation Council,” the agreement states.

Also, at an Aug. 13 press conference to announce that the agreement had been reached and signed, the Speaker told reporters that a special session could be held by the end of August.

www.gallupindependent.com/2008/08august/081408nreform.html

However, despite a Sept. 2 budget session and a Sept. 11 special session to try to override three Presidential vetoes, Speaker Morgan did not move the proposed legislation forward

as he agreed, and has neglected to advocate for the agreement that he helped to negotiate.

In the meantime, in advance of the special session, Council Delegate Leonard Tsosie tried in vain to get reform legislation sponsored by him and Delegate Raymond Maxx on the special session agenda when it was scheduled.



Speaker Lawrence T. Morgan and President Joe Shirley, Jr., signed a memorandum of agreement on Aug. 13 to seek comprehensive government reform through legislation. The agreement called for a special session of the Navajo Nation Council to adopt legislation to get the process started with the creation of a body to explore options and submit them by the end of September. However, the Speaker never scheduled the session, and never communicated his intentions to the President.

President Shirley said he was aware in June when the Speaker sought discussions with him that it may have been a strategy to slow or stop the collection of petition signatures. But he said he chose to take the Speaker at his word and give the effort the benefit of the doubt.

“As the leader of the Navajo Nation, laying aside politics, and in the spirit of compromise, resolution and *k’è*, I wanted to give this effort the chance it deserved,” President Shirley said. “As we can now see, reform is not really what the Speaker wants.”

The President said the collection of signatures to place two initiative questions before the people never stopped and will continue in earnest now through the Nov. 6 deadline.

He said his talks with the Speaker have ended where they began in June, with little to show for it.

Once the Speaker began talks with the President, political pressure started from council delegates staunchly opposed to government reform, and the Speaker acquiesced.

That led to the ultimate demise of participation in government reform by the Legislative Branch, and gives credence to the public perception since 2000 that the Legislative Branch wants to avoid any reform.

The recitals of fact in the agreement signed by the President and the Speaker say that since 1990, the Navajo Nation Council has had “a number of opportunities to reform the structure of the Navajo Nation government” including reforms sought by and through the President’s initiatives this year.

“In light of the Navajo Nation Council not taking action to make changes to the structure of the Navajo Nation government,” the agreement says, “another alternative is for the Navajo People to make changes through election initiatives.”

In signing the agreement, the Speaker acknowledged that since 1989 the balance of power within the three-branch Navajo government has shifted to the Legislative Branch.

“Despite having as its goal the creation of a more balanced system of checks and balances, the governmental structure established through CD-68-89 had the actual effect of tilting the balance of authority toward the Council,” the agreement states. “Because this temporary government structure was never re-examined as stated in and intended by CD-68-89, the government structure created by that resolution had the unintended effect of concentrating power in the hands of a single entity, the Legislative Branch, in a manner that the Navajo Nation Council had actually sought to avoid in 1989.”

Paradoxically, Speaker Morgan criticized President Shirley in a July 28 news release – nine weeks ago – for delaying a single meeting until the following week because the President was scheduled to be in Washington, D.C.

Speaker Morgan did not move the proposed legislation forward as he agreed, and has neglected to advocate for the agreement that he helped to negotiate.

The Speaker bemoaned how disappointed he supposedly was by the delay of the talks. He warned that delay “will put all of that in jeopardy.”

(www.navajonationcouncil.org/Press%20Release/072908_Speaker_President_mtg_s_lowing_down.pdf)

“We were really close to wrapping up a settlement that would have been good for all Navajo people,” the Speaker said at the time. “It would have given us a real opportunity to address all of the problems of the Navajo Nation government; not just how many people sit in the council chambers.”

Ironically, the Speaker said he wished the settlement meetings “could have been given a much higher priority for the sake of the Navajo people and their government.”

That sense of urgency was written into the agreement.

“The parties agree that meaningful restructuring of the Navajo Nation government is a matter of the highest priority,” it says. “The parties agree to actively and in good faith pursue the negotiations outlined in this agreement.”

To read the agreement, go to:

(www.navajonationcouncil.org/Downloads/Speaker%20and%20President's%20MOU.pdf)



PRESIDENT SHIRLEY'S STATEMENT ON GOVERNMENT REFORM AGREEMENT

AUG. 13, 2008

As Navajo people, it is always good to come together with *k'e* to talk about the challenges which come our way each day. Certainly government reform is a big challenge. My prayer and hope is that, using *k'e*, we are setting a good example of working together to take on the challenges which befall us and our people daily.

I hope that the agreement we have put in place will be acted upon in an affirmative manner and brought to fruition by the Navajo Nation Council. There is a real dire need to address government reform at this time, and I'm glad that we have actually begun to do something about it. What we are talking about today should have been addressed within three years after the 1990 Title 2 amendments had been put in place. It did not happen, and is the reason why we are still talking about government reform today.

What I like about coming to a settlement agreement, using *k'e*, is that it proposes to do a comprehensive government reform, and certainly our Navajo Nation government needs the complete reformation and overhaul. A comprehensive government reform has been a long time coming. And, again, I hope we can put it in place. Yes, there is very serious interest by the majority of our people in reducing the Navajo Nation Council to 24 members judging by the garnering of over 10,000 signatures thus far. The drive for signatures for the two initiatives will continue, and we have until November 6, 2008, to get 16,800 signatures. Certainly, the two initiatives we had started and are continuing to work on – reducing the size of the Navajo Nation Council and the line-item-veto authority for the President – many of us feel and believe in is a good start toward government reform, albeit it's only two issues.

The initiatives can be stopped by the Navajo Nation Council taking affirmative action on the proposed settlement agreement legislation. As Navajo people, we cannot forget our way of life, especially *k'e*. It does not matter the differences of opinion we have. We are a sacred people and our ways are also sacred. The use of our way of life saves us as a people. When we leave it, it is when we put our way of life to the side. I believe that Delegate and Speaker of the Navajo Nation Council, Lawrence Morgan, and delegates Leonard Tsosie and Raymond Maxx are to be commended for stepping forward to suggest using *k'e* to see if we can come to a settlement agreement about how to proceed with government reform.

As it were, we have come to an agreement, and all that is lacking now is for the whole of the Navajo Nation Council to acquiesce in the agreement. If and when they do, I believe we are well on our way to reforming our Navajo Nation government in a more comprehensive and wholesome way.

Mr. Albert Hale, Mr. Steve Boos, and those who have worked on the agreement document, and proposed legislation that goes with it, are also to be thanked for their tireless effort in getting an agreement in place.