



# The Navajo Nation Council - Office of the Speaker

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**FOR IMMEDIATE RELEASE**



The 21<sup>st</sup> Navajo Nation Council presented Agnes Laughter with a plaque and pendleton shawl for her involvement in challenging the state of Arizona's Prop. 200. Pictured are Navajo Council Delegate Roy Laughter, Willie Begay and Speaker Lawrence T. Morgan. In right photo, horseback riders arrive in front of the Navajo Nation Council chamber. (Photos by Bronson Peshlakai and Joshua Lavar Butler)

## Summer session kicks off with questions to the president

*Council delegates demand radio air time to inform public of president's accountability*

**WINDOW ROCK, Ariz.** — The 21<sup>st</sup> Navajo Nation Council kicked off its 2008 Summer Session with a parade of horse riders who traversed from the four corners of the Navajo Nation to the historic Council Chambers in Window Rock today, July 21.

The session convened with a standing-room only crowd that overflowed to the front of the historic council chamber. The session began with the recognition of several state and county dignitaries and the special recognition of Agnes Laughter, a Navajo elderly woman who challenged the state of Arizona's Proposition 200 and won the lawsuit.

Laughter received a plaque commemorating her success in helping overturn a law that required strict identification protocol when casting a vote. Laughter was born in a hogan, never had an identification or birth certificate and was denied her right to vote in 2006.

The Honorable Speaker Lawrence T. Morgan praised Laughter for her courage and motivation to challenge the unfair ID system for all Native Americans. He presented her with a shawl as a token of appreciation from the 21<sup>st</sup> Navajo Nation Council.



Speaker Lawrence T. Morgan

President Joe Shirley Jr. addressed the Council with his quarterly State of the Navajo Nation speech. Several council delegates asked Speaker Morgan if they can be allowed to ask the president questions on his report. Following the president's address, which carried live on KTNN-AM and KHAC-AM radio stations, council delegates asked for equal representation on-the-air while they questioned the president on several issues of concern. The two stations already

switched programming by late morning.

Council Delegate Katherine Benally, Dennehotso, made a recommendation that the Council should pay for equal air time, in order to promote fairness and integrity of the Navajo Nation government. After a one-hour lunch recess, the council reconvened and continued discussion about the president's State of the Nation report.

Delegates asked questions on the president's travel spending, which some described as being excessive. Several council delegates questioned the president's government reform initiative and many wondered if streamlining of the government is actually occurring. Questions regarding the unethical use of executive staff members and tribal resources being utilized to promote the president's two initiatives to reduce the Council and to gain the line item veto power were asked as well. Many council delegates wondered if this was cost efficient with constant traveling to remote areas of the Navajo Nation to advocate for the president's initiatives.

Several council delegates also raised issues about executive staff being utilized to push President Shirley's two initiatives to reduce the Council and to gain the line item veto power. Kee Allen Begay asked, "why is executive staff being utilized to push your initiative when we have big concerns that need to be addressed, the government reform issue seems to be their main concern."

Several council delegates suggested that the utilization of executive branch staff could be used better and issues regarding loss revenues should be one of their main focuses.

After much debate over the topic of the president's initiative, Katherine Benally offered a directive to the president's office to provide an expenditure breakdown of how much the president's office is spending on promoting the two initiatives.

The Council also questioned the president's management of the a failed business venture BCDS, the Biochemical Decontamination Systems based in Shiprock, N.M., and the Council was very concerned about a \$2.2 million write-off that the Navajo Nation had to absorb financially.

In 2006, \$2.2 million from the Navajo Dam Escrow Fund was used to finance the expansion of BCDS, a commitment that the 20<sup>th</sup> Navajo Nation Council's Budget & Finance Committee approved — chaired by current Navajo Nation Vice President Ben Shelly. Almost immediately after the approval, President Shirley signed a pledge agreement with JP Morgan Chase Bank, which authorized the collateralization of the loan that resulted in a loan agreement being signed by JP Morgan Chase and BCDS the exact same day — the fast-tracked process was also brought into question by the Council.

Problems with BCDS arose after questions from an audit resulted in BDCS's former chief executive officer Hak Ghun disappearing after mismanaging money, which left the Navajo Nation in an awkward position to absorb costs associated with Ghun's financial mismanagement.

The Navajo Nation took a big loss with the \$2.2 million BCDS fiasco, in addition to nearly \$5.6 million in collectible grant money and up to \$12 million in possible revenues from indirect costs funds paid to the Navajo Nation by the federal government — all of which will have a severe financial impact on the upcoming fiscal year's budget.

Lorenzo C. Bates, Upper Fruitland, explained that the Navajo Nation will end up absorbing the cost of this mess. Bates said that the Intergovernmental Relations Committee took a position and he felt that the division directors that are involved are avoiding the Council.

"We have uncollectible grants that should have been used to provide services for the Nation, what are the division directors doing to solve this problem," Bates asked President Shirley. "We have no funds, during this cycle, going into the grant fund. It's a concern and more of a concern that these are federal dollars. We ask that you address these concerns to your division directors, I am asking you to deal with it — how are you doing to deal with this?"

In response to questions concerning the loss of funds, President Shirley admitted wrong-doing in this case, he responded “we admit that we did lose funding, even though we were careful in how we approached this economic venture. We suffered a loss as a result, I want you to know that we are still working on it and I feel that we have not suffered the loss just yet. We are investigating and hoping to retrieve those funds, I am hopeful that we will be able to — because we are”

Nelson Begaye, Lukachukai/Tsaile/Wheatfields, asked President Shirley about the Desert Rock power plant project, specifically about the studies done on its emissions. Begaye said that “the Navajo Nation is getting a lot of slack for this project, what are we doing?”

Questions regarding President Shirley's handling of the Utah Navajo Trust Fund were also asked. Recently, President Shirley testified in Washington, D.C. and the Council has concerns about who should actually be the trustee of the funds.

Katherine Benally said that the majority of the chapters feel that the investment committee of the Navajo Nation should be the trustee, not the Council — which would be a separate committee. She explained that that particular committee is responsible for investing funds for such purposes and they will address the situation. Benally pointed out that this was not stated in President Shirley's report.

Many council delegates told the president that his report was not a State of the Nation address, the council wanted to hear the actual “state” of the nation, which should address the Navajo Nation's standing in regards to public safety, social services, economic development and its financial standings amongst other topics.

Kee Allen Begay Jr., council delegate for Many Farms/Round Rock, raised concerns about the Navajo Nation Washington Office — which is operated under the executive branch. Begay explained to President Shirley that his Judiciary Committee is currently working on its current operating budget for its programs and a \$2 million request was forwarded to the Washington Office for assistance. Begay further explained that “it appears that the legislation may be gathering dust up there.”

Begay expressed his frustrations in working with the Navajo Nation's Washington Office, particularly the delayed response in expediting service requests. Begay said that advocacy and follow-ups on these matters are often referred to as micromanaging, but council delegates are only doing the work that they were elected to do.

Ida Nelson, who represents the Red Rock Chapter, had concerns about vacancies of key positions that have not been filled yet, particularly the superintendent of Diné Education. “We need these positions filled, because there are some major issues in regards to the Navajo people that need to be addressed — including the Head Start issue.” Nelson requested that President Shirley do a follow up on these concerns as soon as possible.

Nelson also pleaded with President Shirley regarding the Council's reduction initiative, she said “I want to plead with you to stop these actions; we need to continue as one Nation to represent our people.”

The Council session adjourned at nearly 9 p.m. after hearing an oral report from Henry Howe, attorney of the Navajo Nation Department of Justice.

Other reports from the Bureau of Indian Affairs Regional Director; John Hubbard with Navajo Area Indian Health Services; Alvin H. Warren with the state of New Mexico Indian Affairs Department and a report regarding the Navajo Nation Supreme Court decision from acting Chief Legislative Counsel Frank Seanez were not heard. Reports are usually heard on the first day of the session and the rest of the session is reserved for the deliberation of legislation.

You can access a complete copy of the summer session agenda and supporting documents on the Navajo Nation Council's website at [www.navajonationcouncil.org](http://www.navajonationcouncil.org) — click on downloads.