



FOR IMMEDIATE RELEASE
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Law and Order Committee receives report from the Ethics and Rules Office

WINDOW ROCK – On Monday, the Law and Order Committee approved a report by the Navajo Nation Ethics and Rules Office, regarding the misuse of tribal purchase cards. Much of Monday’s discussion centered on the statute of limitations outlined in the Nation’s ethics code.

Currently in subsection 3769 of Title II of the Navajo Ethics in Government Law, it states “no action shall be brought under this chapter four years after cause of action has accrued,” in regards to the statute of limitation. In other words, by law, cases can go back only four years “based on discovery.”

LOC member Council Delegate Russell Begaye (Shiprock) expressed his support to change the law by stating that the statute of limitations should begin at the “point of discovery.”

“We need to modify and reword this legislation because there is a lot of P-card abuse that is happening. Right now, there are neither policies nor procedures in place. Transactions are not being reported and documentation from different departments do keep track of some records but not all transactions are recorded. Some departments even refuse to give us their records, so we have to issue subpoenas,” stated executive director of the Ethics and Rules Office, Vernon Roanhorse.

Roanhorse has worked with the Ethics and Rules Office for over a year and said his staff has been working on backlogged cases with statute of limitations dating back to 2009.

“Our biggest obstacle is trying to get documentation from these departments. They keep some of their records but not all the records that they should. This is the number one reason why we aren’t able to get these cases fully investigated,” stated Roanhorse.

Currently, the Ethics and Rules Office is investigating 133 active cases with only two investigators for the entire Navajo Nation, according to Roanhorse.

Delegate Begaye advocated to make the “statute of limitation” retroactive.

“Give us the part of the law that we need to change to make that happen because just making that change is significant. If you used the P-cards in a way that was disallowable in the past, then you should be held accountable for it,” stated Delegate Begaye.

According to Roanhorse, there have also been some cases in which employees are being forced to sign documents that do not justify the documentation of transactions.

“A lot of these transactions have no supporting documents which leave us to believe that they are fraudulently done,” said Roanhorse.

“We are working with the IRS as well. We may be the first Indian tribe to start intercepting tax returns. The IRS is really working with us because a lot of chapter houses are not reporting their income to the IRS. They are available and they are offering training but several of these chapter houses are not reaching out for help,” added Roanhorse.

LOC members accepted the report with a vote of 2-0.

Last week, Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) introduced Legislation No. 0028-14, seeking approval of purchase card policies and procedures.

Legislation No. 0028-14 is currently in the five-day comment period and will be available for committee action on Feb. 6.

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