



The 22nd Navajo Nation Council — Office of the Speaker
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Navajo Nation Council Blasts Newly Filed Complaint from Special Prosecutor

Action causes concern whether Alan Balaran has overstepped his authority

Window Rock, AZ – Flanked by members of the Navajo Nation Council, Speaker Johnny Naize, with several of his colleagues, voice outrage at the latest complaint that was filed by Navajo Nation Special Prosecutor Alan Balaran charging members of the 21st Navajo Nation Council, members of the Executive Branch and 50 other tribal employees and the general public with a “Breach of Fiduciary Duty.”

“Mr. Balaran contends that the Legislative Branch has conspired in the misuse and redirection of tribal discretionary funds,” said Speaker Naize. “After reading the complaint, Mr. Balaran has cast a net of allegation so broad that he believes that anyone who has done any business with the Navajo Nation government, including constituents, is guilty of corruption.”

“In reality, the 22nd Navajo Nation Council is demonstrating a new wave of thinking that encompasses responsibility, change, transparency, and accountability, as evidenced through the Title II Amendments. These principles will carry over to the development of a more financially accountable nation, one with a strong regulatory policy on all financial activities,” said Speaker Naize.

Balaran alleges, in a complaint that list more than 130 people, that hundreds of millions of dollars in Federal and State grant and contract funds were lost, causing a cutback in services and programs for children, the elderly, and the indigent. Balaran contends that those monies were unlawfully appropriated to 21st Council Delegates, their families, and friends from 2005 to 2009.

“What Balaran is not telling the public is the \$1.1 million he has charged the Nation since starting his failed investigations in 2009,” continued Naize. “His first attempt at alleging the Legislative and Executive Branches of wrongdoing resulted in a filing that was eventually reduced from criminal to civil charges. So far no court tribal or federal has acted on them and now it appears he’s throwing darts again to see if something sticks.”

“He’s found a deep pocket in charging the Nation with civil suits that could take years to resolve, if ever, at the real expense of the Navajo people.”

Besides the added distraction the new allegations bring while the current Navajo Nation Council contends with running the Nation, there are fears the suit will damage the appearance of the government’s ability to manage and administrate its programs and financial responsibilities.

“Mr. Balaran’s actions could lead to unnecessary federal and state scrutiny that will slow the delivery of needed services and programs for the Navajo people,” said Council Delegate and Budget &

Finance Chairman LoRenzo Bates (T'iistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan). "We also are concerned how these accusations will appear to the outside financial institutions we are working with regarding bond financing. Our economic development depends on ability to attract investors and this frivolous lawsuit threatens that."

Council Delegate Leonard Tsosie (Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) expressed dismay regarding the attempt to tear apart the Navajo Nation government during a time of reorganization after the Council was reduced from 88 members to 24 Delegates.

"The Council originally brought Mr. Balaran on board to help us identify ways to make the government more effect and help it become more streamlined. Instead we have a very vague and shoddy document that is more about opinion than proof that the former leadership defrauded everyone."

"He said that every Council Delegate used \$250,000 for uses other helping the Navajo people, I know that is false because I never requested that amount for assistance," said Tsosie.

Likewise, Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) accused Mr. Balaran of taking political vengeance.

"I refuse to let him demonize me and those who received assistance for scholarships, housing improvements, or funeral expenses."

"Last week I had the honor of joining a group of young bicyclists who rode across the Navajo Nation, said Council Delegate Jonathan Nez (Tсах Bii Kin, Navajo Mountain, Shonto, Oljato). "They look up to our leaders and this attack hurts all of us. This attack is an attack on our sovereignty."

The Balaran complaint regarding Navajo Nation Council involved the flawed system that administered discretionary funds. In 2005, there was an attempt to regulate how the funds were distributed but by last year it was determined that the policy was not working and thus the program was ended. Since December of 2010 there has been no distribution of funds from the Legislative Branch.

"Our new generation of the Council is doing what is necessary to address the discretionary funds problem," said Speaker Naize. "However while this suit remains an unnecessary distraction, I want to assure the Navajo people that the Council is operating and will continue to operate on schedule. As a matter of fact our standing committees will begin budget hearings next week regarding the Fiscal Year 2012 Tribal operating budget."

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