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For Immediate Release
May 11, 2011

President Shelly Signs Title 2 Amendment Legislation

St. Michaels, AZ—Before an audience of young children and senior citizens, Navajo Nation President Ben Shelly today signed the 2011 Amendments to Title 2 at St. Michaels Senior Center. Invited guests included Navajo Nation Speaker Johnny Naize, several council delegates, members of the Title 2 Subcommittee, St. Michael's senior citizens, and Head Start children from Fort Defiance.



President Shelly issued the following message regarding the Title 2 Legislation No. CAP-10-11:

“Pursuant to 2 N.N.C. § 1005 (C) (10), legislation CAP-10-11, Amending Certain Sections of the Navajo Nation Code, Title 2 § 101 through 835, is being submitted to the Navajo Nation Council, through the Office of the Speaker, within the ten (10) days requirement. 2 N.N.C. § 1005 (C) (11) establishes the Navajo Nation President’s authority to veto legislation passed by the Navajo Nation Council. I will not exercise my veto authority with this Legislation.

First of all, I would like to express my deep appreciation to the Navajo Nation Council, the Title 2 Sub-committee, and all those whom worked diligently and long hours in order to provide the Title 2 document. The task to re-organize the Legislative Branch is momentous and historic.

I am choosing not to exercise my veto authority because of the progress the Council and others have achieved with this Legislation. I support the Council’s charge to re-establish the Legislative Branch’s structure in order to adapt to the reduction of the 88 to 24 council delegates, establish committees, and to consider limiting administrative oversight over Executive Divisions and programs.

I understand that this Title 2 Legislation is still a working document, I would encourage the Council to continue to work persistently with this Legislation, in order to make it a solid foundation that our Navajo People can believe in, and other sovereigns can see the strength of our Navajo Nation. Pursuant to 2 N.N.C. § (C) 1005 (8), I recommend the following to this Legislation in progress:

1. It is important that Title 2 confirms the power and authority of the Navajo People over the Navajo Nation Government. I appreciate that the Council committed to take the language of 2 N.N.C. § 101 and 102, and other sections of Title 2 that require the voice of the Navajo People back to the Navajo People for a referendum vote. Its imperative a plan is established on how this

process will take place, and how the Navajo people will be informed of this process. I intend to hold Council to its commitment.

2. I applaud the commitment each of the new Oversight Committees have made to exercise the delegation of authority to the Executive divisions and programs and to the Judicial Branch. The



divisions and programs are eager to work with their Committees to establish a reasonable and efficient working relationship and institute appropriate delegations of authority. The divisions and programs and the Judicial Branch have the expertise and understanding of the day-to-day administrative processes and resources that are required to provide efficient services to the Navajo People. They also have the specialized understanding and commitment to make the technical decisions that are required to maximize the Navajo Nation's resources

(i.e. financial, as well as land and natural resource leases), and to administer the requirements for funding. I request that the Committees stick firm to the goal of streamlining government processes and recognize the expertise of the Executive Branch and the Judicial Branch as Committee powers and authority are further discussed and considered for delegation.

3. In the spirit of streamlining government processes, I specifically urge the Committees to delegate the authority to the Executive and Judicial Branches to fully administer the application for and acceptance of external contracts and grants. Once the contracts and grants are received and implemented, I pledge that the Budget and Finance and appropriate Oversight Committee will receive full report and disclosure on how the funding is utilized.
4. Although the intent to statutorily require notice to the Navajo public of pending legislation is commendable, proposed 2 N.N.C. § 164 (A) (7) only allows five (5) calendar days for the Executive Branch and Chapter Governments to submit comments on proposed resolutions. Five calendar days is not enough time. I understand the Council's intent to act efficiently. However, it is important that the Chapters are able have more time to submit their comment. I suggest at least ten (10) days. I would urge the Council to consider the Navajo Department of Justice's suggestion that not all resolutions be given the extended comment period. Allow the extended comment period for resolutions that creates new law or considers amendments to existing law, such as government reform.
5. It is important that the current Judges and Justices appointment process be reviewed. I understand that the Law and Order Committee and the Navajo Nation Council committed to study this process for revision and amendments at the Council's Summer Session. I intend to hold the Committee to this commitment.
6. In Section 5 (E), The Office of Hearings and Appeals is delegated the hearing functions and other administrative functions of the previous Ethics and Rules Committee. The Office of Hearings and Appeals is an appropriate venue to handle ethics hearings. However, currently the Office of Hearings and Appeals lacks the funding to accomplish the added responsibility. It currently only staffs one (1) hearing officer and one (1) office assistant. I would expect the

Council to assist the Office of Hearings and Appeals with the required funding to hire additional Hearing Officers and staff.

Again, thank you for all your work and dedication, and willingness to work cooperatively to achieve balance and harmony within the Nation's internal government relations for the benefit of the Navajo People.”

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