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THE NAVAJO NATION

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Navajo Nation President Joe Shirley, Jr., calls for true consultation with tribes at BIA budget meeting

WASHINGTON, D.C. – Navajo Nation President Joe Shirley, Jr., went off-script Thursday to question the lack of true tribal consultation on funding while challenging the federal government to live up to its responsibilities to tribes a fraction as much as it has to the agencies handling the Hurricane Katrina response and the Iraq War.

President Shirley spoke during the second day of the Bureau of Indian Affairs' National Budget Meeting here, and following a day listening to federal officials meekly justify President Bush's proposed \$65 million in cuts for tribal programs for FY 2007. He said that

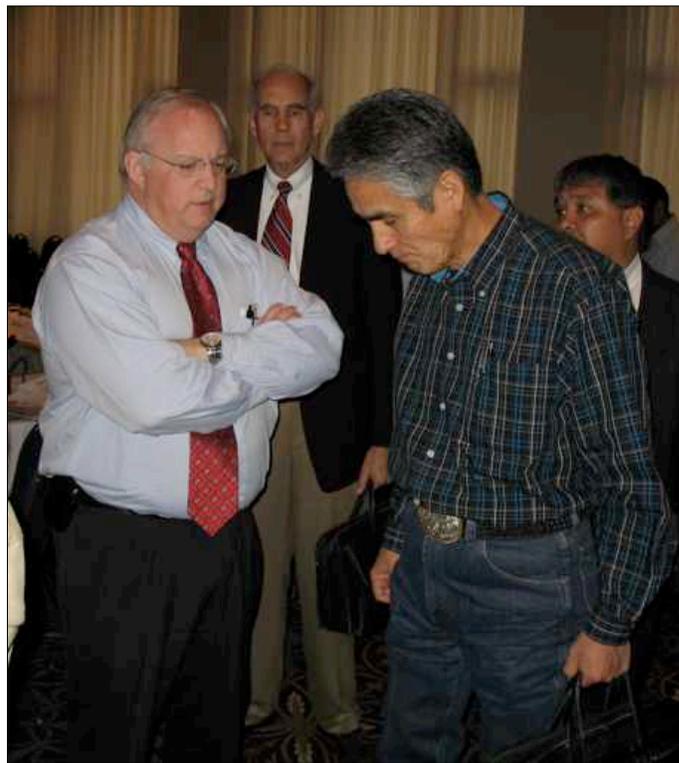
what passed for tribal consultation instead appeared to be a meaningless notion.

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“Where is this meaningful consultation?” he asked. “I really don't see that and I'd really like to see it addressed. Because, Heaven knows, tribes need to be consulted. We need input as to what the U.S. government is doing out there in Indian country.”

The President had a morning meeting with staff to discuss two versions of testimony that was prepared for him. However, by the time it came for him to present it before the few federal officials who remained, he was so irritated with the process that he spoke from the heart, using his written testimony only as a guideline.



BIA Director Jim Cason and Navajo President Joe Shirley, Jr., share a few private thoughts following the first morning session of the BIA National Budget Meeting in Washington, D.C. Behind them is Office of Special Trustee head Ross Swimmer and Navajo Division of Community Development Director Arbin Mitchell.

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Attending the meeting with President Shirley was Navajo Nation Council Speaker Lawrence T. Morgan, the council's Budget & Finance Committee and staff from the Navajo Nation Washington Office.

Like the two dozen other tribal leaders from 12 regions who make up the Tribal Budget Advisory Council, which came to meet with the BIA, President Shirley was frustrated after BIA Director Jim Cason and Office of Special Trustee head Ross Swimmer left the long-scheduled meeting for other appointments on the first day and didn't return.



Leaders from the nation's 12 regions who are members of the Tribal Budget Advisory Council gathered this week in Washington, D.C., for the BIA's National Budget Meeting. Attending from the Navajo Nation was President Shirley, Speaker Morgan, the Budget & Finance Committee, staff and the Navajo Nation Washington Office.

On Wednesday, Mr. Cason and Mr. Swimmer said they had to leave because it was the only day they could take Senate Indian Affairs Committee staffers on a tour of the vault containing Native trust records. Numerous tribal leaders interpreted their decision to go as an intentional snub, saying the meeting had been scheduled far in advance and they traveled great distances to attend.

The President expressed annoyance that although tribal leaders have met as a council for four years, their recommendations for tribal program funding are consistently ignored and top leaders of the Bush Administration consistently fail to attend or leave early.

"If we're going to be self-determining, we need help," President Shirley told the group. "We need financial help in order to really go back to our independence and to standing on our own two feet. It's not good."

Meanwhile, one tribal leader after another decried proposed cuts to programs they say are critically important to their tribes.

Edward Thomas, President of the Central Council of Tlingit & Haida Indian Tribes of Alaska, noted that the Federal Emergency Management Agency and the Pentagon "totally screwed up on Katrina and Iraq and got more money."

Governor Arturo Sinclair of the Ysleta Del Sur Pueblo in Texas said, "Tribes submit their priorities year after year and yet we're not being heard."

Chickasaw Nation Governor Jefferson Keel said that by the time his tribe has trained staff using federal dollars, the program they work for is cut.

"Our people are hurting and are in pain," said Oglala Sioux Chairwoman Cecelia Fire Thunder. "There are many, many people in my home who are not addicted to drugs. It's not the drugs or alcohol, it's the human condition."

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And so it went as several tribal leaders wondered why they bothered prioritizing their needs when the federal Office of Management and Budget appears not to take those recommendations into consideration.

Among the programs slated for elimination and reductions are:

- The federal Johnson O'Malley Program, which has long provided funding to school districts on military and native lands, faces elimination.

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- School construction faces a proposed cut of \$49.3 million, however Dennehotso Boarding School will receive full funding for replacement.
- Elementary, secondary and post-secondary education faces proposed reductions amounting to \$16.3 million while the BIA Office of Indian Education Programs was increased \$9.1 million for administrative restructuring.
- Tribal welfare assistance faces an \$11 million reduction. In December 2005, the BIA told the Navajo Nation it had a national \$15 million shortfall for welfare assistance with Navajo’s shortfall being \$2.9 million. Rather than have recipients go without, the Navajo Nation covered the federal obligation. Now, President Shirley said, there is concern the Nation won’t be reimbursed because of a cap on federal spending.
- Indian Child Welfare Act was reduced by \$742,000.
- Community and economic development faces a \$12.6 million reduction.

Despite these cuts, the Bush Administration proposes increasing the Office of Special Trustee by \$21.7 million to \$244.5 million annually – up 9.7 percent. It also requested \$59.5 million for the Indian Land Consolidation Program – an increase of \$25.4 million.

Meanwhile, tribes received a “Dear Tribal Leader” letter in January from Mr. Cason informing them that the BIA was “contributing” \$3 million toward the court-ordered payment to the lawyers who brought the Cobel Trust Reform lawsuit on behalf of Individual Indian Account holders.

In the face of such budget cuts and apparent disrespect of the tribes’ needs and efforts to work within the federal budget process, President Shirley said he was trying to understand what is actually meant by trust responsibility, treaty rights and entitlements.

“It seem like these words are just ringing hollow at this juncture,” he said. “It’s just not good.”

The President noted that the Navajo Nation, like other tribes, has numerous soldiers serving in the U.S. military in Iraq and Afghanistan defending the United States as well as Native America, and that seven Navajos have lost their lives in the war.

“That’s our contribution as Navajo people,” he said. “We’ve paid a lot. We’ve given a lot. But where is the appreciation? It seems like the appreciation is not there. The least that the government can do is fund these programs that serve Indian Country adequately. But we don’t see that, and I think that’s what tribal leaders are talking about here, this lack of meaningful consultation.”

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President Shirley said that even contracting of federal programs through the Indian Self-Determination Act appears to be failing because the government does not live up to its part of the contract. Of several programs the Navajo Nation has contracted – social services, law enforcement, vital statistics and forestry – every one has experienced problems, he said.

“Contracting is supposed to be of the utmost importance,” the President said. “But it seems like anymore when a tribe contracts a federal program, it’s not contracting self-determination, it’s contracting termination.”

When it came time to list the Navajo Nation’s budget priorities for economic development, education, law enforcement, natural resources and tribal courts, President Shirley took the bold step of calling on the federal government to give Navajo a billion dollar interest-free loan so it can deal with its own problems once and for all.

“That’s going in a totally new direction as far as having a relationship to help a nation,” he said. “I know that the U.S. government does it all the time, lends money to other countries. Why can’t it lend monies to Indian Country, to tribes? That’s what I’d like to see.”

He also called on the government to allow tribes to conduct international relations with other countries.

“That should be allowed,” he said. “If you could listen to us, work with us, and advocate for us for adequate funding for some of these programs, we’d go a long ways towards working together and trying to get tribes back on their own feet and be self-sufficient. I think that’s all we’re asking for.”

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ADDITIONAL INFORMATION:

President Shirley’s Oral Statement to the BIA National Budget Meeting, Feb. 23, 2006

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