

FOR IMMEDIATE RELEASE
July 28, 2006

NAVAJO PRESIDENT JOE SHIRLEY, JR., EXPRESSES THANKS
TO WESTERN NAVAJO CHAPTERS FOR THEIR SUPPORT
OF BENNETT FREEZE INTERGOVERNMENTAL COMPACT

WINDOW ROCK, Ariz. Five western Navajo chapters impacted by the 40-year-old Bennett Freeze have passed resolutions showing overwhelming support of the Intergovernmental Compact between the Navajo Nation and the Hopi Tribe to end litigation and lift the freeze.

This follows unanimous support of the compact by the Navajo-Hopi Land Commission on July 21 and the Navajo Nation Council's Education Committee today.

Today, Navajo Nation President Joe Shirley, Jr., offered his thanks to the chapters for their support of the agreement.

³I want to express my appreciation to the people of Coppermine, Cameron, Tolani Lake, Tonalea (Red Lake Chapter), and Gap-Bodaway for passing resolutions unanimously to support the Navajo-Hopi Intergovernmental Compact,² President Shirley said.

He said if everybody agrees to it in the way it is drafted, including the Navajo Nation Council and the Hopi Tribal Council, the compact will thaw out the Bennett Freeze.

The Bennett Freeze, named after former Bureau of Indian Affairs Commissioner Robert L. Bennett, was administratively imposed in 1966. Congress enacted its own freeze into law in 1986. The law restricted Navajo residents from constructing and repairing homes within approximately 1.5 million acres of land, later reduced to 800,000 acres. Attempts to end the Freeze include failed Congressional legislation and a failed appeal to the U.S. Supreme Court.

The Cameron Chapter recently approved its resolution in support of the Intergovernmental Compact with a vote of 62-0. Bodaway/Gap supported it with a vote of 38-5-5. Coppermine Chapter unanimously supported it 31-0. Tolani Lake and Tonalea also supported it unanimously.

Navajo Nation Attorney General Louis Denetsosie said residents of the area have stated they have experienced continual problems trying to get power line extensions because Arizona Public Services says it is unable to connect them because of the freeze.

He said residents have taken note of more than 100 reported deaths in California because of heat and power shortages but that they have lived out of ice chests for their food and without electricity for a fan for more than 40 years.

He said they say they want the freeze lifted so their children can come back to Navajoland, and so that the Navajo Nation's western area can remain strong as a tribe by having their children live on the land.

"One woman said she's lived in the freeze area all of her life, and has lobbied in Washington against it,"² he said. ³She said she has the scars, the pain and suffering to show that she fought against the taking of her property. They say they have paid their dues and want to be rid of the freeze.²

³She said she was voting to support approval of the settlement agreement because she wanted to get a good night's sleep tonight," Mr. Denetsosie said.

Many of the people supporting the compact said they were seeking the lifting of the freeze for the sake and benefit of their children.

The President said he hopes to attend the Tuba City Bennett Freeze meeting on Aug. 4. He said the chance to end this hardship for thousands of people should be greeted with celebration.

The Bennett Freeze originally included nine percent of the Navajo Nation's land base, affected 10 chapters and kept nearly 8,000 people in living conditions that have not changed in half a century. Since 1966, the population of the area has increased by 65 percent and has forced generations of families to live together in homes that have been declared unfit for human habitation. Only three percent of the families affected by the Bennett Freeze have electricity. Only 10 percent have running water. Practically none have natural gas.

In 1992, the hopes of the Navajo residents of the area were buoyed when the Arizona District Court ruled that the Hopi Tribe had legal title to 64,000 acres in the freeze area and awarded the balance of the Hopi land claim to the Navajo Nation. This had the effect of lifting the freeze on such lands.

After four years of negotiations and many more years of litigation between the tribes, the Compact was reviewed on June 9, 2006, by the Solicitor's Office of the U.S. Interior Department and the Acting Assistant Secretary for Indian Affairs.

Approval and adoption of the Intergovernmental Compact by the Arizona District Court would end all litigation between the tribes, establish the boundaries of the Navajo and Hopi reservations in Arizona, and permanently end the 40-year-long prohibition on development of lands of Western Navajo Agency, including providing water, electricity and business development. It would also ensure that the religious practices of both tribes are protected.