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Released on behalf of Council delegates Leonard Chee, Amos Johnson and Hope MacDonald-LoneTree:

Today during a report on KTNN, Navajo President Joe Shirley incorrectly told the Navajo people that Navajo Nation Council Delegates Leonard Chee, Amos Johnson and Hope MacDonald LoneTree do not support lifting the Bennett Freeze because of their vote during Council deliberations of the Bennett Freeze Intergovernmental Compact. President Shirley is wrong on his position on the Bennett Freeze Compact and he is wrong again on Delegates' Chee, Johnson, and MacDonald-Lone-Tree's vote. Delegates Chee, Johnson, and MacDonald-Lone Tree want the freeze to be lifted, but not at the cost of individual and human rights of our people.

Delegates Chee, Johnson and MacDonald-LoneTree emphasize to the Navajo people that they support lifting the Bennett Freeze. However, because President Shirley did not consult with Navajo people impacted by the Bennett Freeze when his Administration drafted the still secret settlement, and because the settlement was not conducted in good faith, Delegates Chee, Johnson, and MacDonald-Lone Tree cannot support the secret settlement of the Bennett Freeze.

The concerns the three Delegates attempted to raise yesterday before the Navajo peoples' Council were on several provisions in the compact itself. The compact as it is currently written is restrictive and greatly accommodates the Hopi claims as opposed to what rightfully belongs to Navajo people.

An example of the compact's restrictive condition was displayed, when Mr. Johnson offered an amendment to delineate for a clarifying definition of Navajo traditional religion to include "other religious practices" to a provision within the Compact. The Council defeated the amendment, citing that no amendments can be made to the Hopi Compact and that such semantic clarification would be deemed to void the Hopi Compact.

Additionally, the Navajo Department of Justice attorneys who presented the compact did not allow for any amendments. Wise amendments from the Council could have easily addressed the concerns of the people and would have protected Navajo rights and the integrity of the Navajo Nation.

Further, new maps outlining where the Hopi sacred sites and corridors are located were not reviewed by Council. There may be several sites and corridors located in areas that will restrict Navajo people's human rights to the land. Navajo people have yet to be informed on the exact location of the sites and corridors, and the exact impact those sites and corridors have on Navajo people who may be negatively impacted by the secret settlement.

It was also not explained how Navajo residents would be notified of Hopi sites and corridors within their legally protected grazing lands. The secret compact states that new construction would be "irrevocably" restricted in those new Hopi sacred sites and corridors. Therefore it's possible that while attempting to lift the Bennett Freeze participants of the secret settlement are creating new freeze areas on Navajo land that may be just as devastating as the Bennett Freeze.

It was conveyed to the Council yesterday that the compact legislation has far reaching, precedent-setting and irreversible affects on our Navajo people, our land, and the integrity our Navajo Nation.

Navajo community resolutions respectfully requested that more time be devoted to informing Navajo people on the compact before a vote was taken. Sadly, this did not occur.

On a question to the presenters, the presenters did not delineate the amount of Navajo land that is being conceded to the Hopi.

Navajo people were not informed that settlement language in the compact forever binds future Navajo generations to the provisions; Our Navajo children impacted by the Bennett Freeze cannot make any changes when they come of age to understand the secret settlement displaced them from the cultural use of their land. They are irrevocably bound to the secret settlement with no recourse what so ever.

Furthermore, there is nothing in the compact that states that the Freeze would be lifted. This is very important. All the secret settlement states is that the Hopi "promise" not to object when the Navajo Nation asks Congress to repeal the Freeze. There is no language in the compact that

protects the Navajo Nation if the Hopi Tribe does not honor their promise and lobbies Congress to not lift the Bennett Freeze.

Another concern is a provision in the compact that gives the Hopi Tribe 50% of all royalties and income derived from the Bennett Freeze since 1966 (payments from coal, power-lines, pipelines, natural gas-lines, and other rights of way). What was the standard employed to come to this amount? Will these royalties be taken from Navajo people who have suffered from Bennett Freeze restriction for decades? These are the questions that needed to be answered.

In the compact, Navajo also agrees to waive the fair market value of property rights. It was not explained to the Council or the Navajo people why the Navajo Nation would agree to waive the fair market value of property rights and possibly allow the Hopi Tribe or the Federal Government to determine what they feel is the right price for our land or property.

Another negative consequence in approving the compact is that the Navajo Nation waived all claims and litigation against the Hopi Tribe. The compact also stipulates that the Secretary of the Interior's approval of the compact does not create any new claim against the United States for monetary damages. The Navajo Nation, essentially, has let the United States off the hook for any legal claims that may arise from the loss of land, resources, and Navajo rights. The concern is that this poorly drafted provision will forever tie the Navajo Nation hands behind its back and not pursue the redress of the grave wrong that is done to our people by this secret and ill-drafted settlement.

The Navajo people and Nation deserved time to discuss, understand and modify the document, just as the Shirley Administration, its attorneys, and Hopi Tribe have had. This is only fair. Before they make this once in a lifetime, irrevocable decision for themselves, their children and their children's children, Navajo people need more time to understand this very important document.

Leadership should not threaten the Navajo people with threats that "The Bennett Freeze will never be resolved if the compact is not approved," or with threats that "Litigation is a loser." Those remarks are inappropriate and extort approval from the People through fear.

Delegates Chee, Johnson, and MacDonald Lone Tree did not support the secret compact because they believed in protecting the individual and human rights of Navajo people, the sovereignty of the Navajo Nation,

and they believe in truthfully informing the Navajo people.

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"What is rightfully ours, we must protect. What is rightfully due us, we must claim. What we depend on from others, we must replace with the labor of our own hands, and the skills of our own people. What we do not have, we must bring into being. We must create for ourselves." Navajo Nation Chairman Peter MacDonald, Sr., 1971