LEGISLATION NO: 0093-19

SPONSOR: Nathaniel Brown

TITLE: An Action Relating To The Resources And Development Committee And
The NAABIK’IYATI’ Committee; Supporting The Navajo Nation’s Request To
Call Upon The United States Federal Government To Facilitate The Further
Development Of The Economic Sovereignty Of The Navajo Nation Including The
Maximization Of The Autonomy Of Its Energy Resources For The Benefit Of The
Navajo Nation And Its People

Date posted: April 18, 2019 at 8:20 PM

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tampering with public records are punishable by Navajo Nation law pursuant to 17
N.N.C. §374 et. seq.
DATE: April 18, 2019


PURPOSE: Requesting Federal Government to facilitate further development of the Navajo Nation’s energy resources.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.
PROPOSED NAVAJO NATION COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0093-19

AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE
AND THE NAABIK'ÍYÁTI COMMITTEE;

SUPPORTING THE NAVAJO NATION'S REQUEST TO CALL UPON THE UNITED
STATES FEDERAL GOVERNMENT TO FACILITATE THE FURTHER
DEVELOPMENT OF THE ECONOMIC SOVEREIGNTY OF THE NAVAJO NATION
INCLUDING THE MAXIMIZATION OF THE AUTONOMY OF ITS ENERGY
RESOURCES FOR THE BENEFIT OF THE NAVAJO NATION AND ITS PEOPLE

WHEREAS:

A. The Resources and Development Committee of the Navajo Nation Council exercises
oversight authority over water, land, grazing, environment, economic and community
development. 2 N.N.C. §500 (C).
B. The Naabik'íyáti Committee of the Navajo Nation Council is the standing committee
empowered to coordinate and pronounce the official position of the Navajo Nation
before non-Navajo government federal, state or other entities. 2 N.N.C. § 700 (A).
C. The Navajo Nation has a government-to-government relationship with the United
States of America as evidenced by the Treaty of 1868.
D. This legislation is a necessary response to current developments involving Navajo
Transitional Energy Company’s (NTEC) independent acquisition of Navajo
Generating Station (NGS) and Kayenta Mine.

E. NTEC is a limited liability company organized pursuant to the Navajo Nation Limited
Liability Company Act, 5 N.N.C. § 3600 et seq., created and enabled by Navajo
Nation Council Resolution No. CAP-20-13. See Exhibit A.

F. The negotiations between NGS Owners and NTEC stalled due to the demands by the
NGS Owners.

G. Recent support legislation offering support to NTEC’s acquisition of NGS and
Kayenta Mine was narrowly defeated.

H. The Navajo Nation approved the 2013 Navajo Nation Energy Policy (CO-50-13)
which states, in part, that the United States is the trustee of the resources of the
Navajo Nation and has a duty to protect the Nation’s energy resources and to assist
the Nation to manage such resources for the benefit of the Diné.

I. Given the importance of this issue to the Navajo Nation, the Navajo Nation finds it to
be in the best interest of the Diné to request the United States Government to discuss
further development of the Navajo Nation’s economic sovereignty including
maximization of its energy resources.

THEREFORE, BE IT RESOLVED:

A. The Navajo Nation fully supports the further discussion with the United States
Government to discuss and provide options to enhance the economic sovereignty of the
Navajo Nation.

B. The Navajo Nation calls upon the United States Department of the Interior and the
Bureau of Reclamation to discharge the federal trust obligations owed to the Navajo
Nation and the Hopi Tribe by taking action necessary to ensure that the acquisition of
NGS and Kayenta Mine is completed and to support both tribes.

C. The Navajo Nation fully supports the tribe’s rejection of the demand that the Navajo
Nation directly guarantee and assume all liabilities associated with NGS.
D. The Navajo Nation hereby requests the United States Government to discuss further
development of the Navajo Nation’s economic sovereignty including maximization of its
energy resources.

E. The Navajo Nation hereby authorizes the Navajo Nation President, and the Navajo
Nation Speaker of the 24th Navajo Nation Council, and their designees, to further initiate
discussions with the United States Government on a government-to-government basis to
carry out the intent of this resolution.