LEGISLATION NO: _0366-19_____ SPONSOR: Mark A. Freeland

TITLE: An Action Relating to Resources and Development and Naabik’íyáti’ Committees: Opposing H.R. 2181 and S. 1079, “The Chaco Heritage Area Protection Act of 2019”, until such time as the buffer zone surrounding Chaco Cultural National Historical Park is reduced to five (5) miles.

Date posted: November 27, 2019 at 2:06pm

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Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

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DATE: November 25, 2019


PURPOSE: This resolution, if approved, will provide Navajo Nation support to Congress and Senate to amend the ten (10) mile buffer zone as currently stated in H.R. 2181 and S. 1019 (The Chaco Heritage Area Protection Act of 2019) to a five (5) mile buffer zone surrounding the Chaco Cultural National Historical Park.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.
PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL—FIRST YEAR, 2019

INTRODUCED BY

[Signature]

Primary Sponsor

TRACKING NO. 03160-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK’IYÁTI’ COMMITTEES; OPPOSING H.R. 2181 AND S. 1079, “THE CHACO HERITAGE AREA PROTECTION ACT OF 2019”, UNTIL SUCH TIME AS THE BUFFER ZONE SURROUNDING CHACO CULTURAL NATIONAL HISTORICAL PARK IS REDUCED TO FIVE (5) MILES

WHEREAS:

A. The Navajo Nation established the Resources and Development Committee as a Navajo Nation Council standing committee and as such empowered the Resources and Development Committee with authority to establish Navajo Nation policy with respect to the optimum utilization of all Navajo Nation resources and to protect the rights, interests, sacred sites and freedoms of the Navajo Nation and People to such resources, now and for future generations. 2 N.N.C. §§ 500 (A) and (C)(1).

B. The Navajo Nation established the Naabik’íyáti’ Committee as a Navajo Nation Council standing committee and as such empowered Naabik’íyáti’ Committee to coordinate all federal programs and to assist and coordinate all requests for information, appearances and testimony relating to federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 700 (A), 701 (A)(4), 701(A)(6).

D. H.R. 2181 and S. 1079, are identical pieces of legislation in the House and Senate of the United States 116th Congress, 1st Session, that are intended to enact the Chaco Cultural Heritage Area Protection Act of 2019 ("Act") for the purpose of protecting archeological, sacred, and historic resources located throughout the Greater Chaco region, which spans the States of New Mexico, Arizona, Utah, and Colorado. H.R. 2181 attached as Exhibit A. S. 1079 attached as Exhibit B.

E. H.R. 2181 was introduced by a New Mexico delegation of Congressman Luján, with Congresswomen Torres-Small and Haaland and Congressman Grijalva; S. 1079 was introduced by New Mexico Senators Udall and Heinrich.

F. To further its purpose of protecting archeological, sacred, and historic resources located throughout the Greater Chaco region, the Act will severely restrict, prohibits in effect, any extraction operations from occurring on lands within a ten (10) mile buffer zone surrounding the Chaco Culture National Historical Park. See Chaco Cultural Heritage Withdrawal Area attached as Exhibit C.

G. The Act’s restrictions on extraction operations within the ten mile buffer will have a severe negative economic impact on Navajos owning allotted lands within the buffer zone whose livelihood is derived from royalty payments for oil and gas development on their individually-owned lands.

H. Navajo Nation local governments in and near the Act’s impact area, i.e., Huerfano Chapter, Lake Valley Chapter, Nageezi Chapter, Pueblo Pintado Chapter, White Rock Local Government, all fear the severe negative economic consequences to their Navajo members livelihood, sustainability and well-being that will be imposed on their communities by the Act’s 10 mile buffer zone; and have passed resolutions, attached as Exhibit D, imploring that the buffer zone to be reduced to five (5) miles.

I. The Navajo Nation finds it in the best long-term interests of the Navajo People and their communities that the Act’s buffer zone surrounding the Chaco Culture National Historical Park be reduced to 5 miles.

J. The Navajo Nation finds it in the best long-term interests of the Navajo People and their communities to oppose the Act until such time as the buffer zone surrounding the Chaco Culture National Historical Park is reduced to 5 miles.
NOW THEREFORE, BE IT RESOLVED:

A. The Navajo Nation respectfully opposes "The Chaco Heritage Area Protection Act Of 2019", H.R. 2181 and S. 1079, until such time as the buffer zone surrounding Chaco Cultural National Historical Park is reduced to five (5) miles.

B. The Navajo Nation respectfully requests the United States Congress and Senate, specifically Congressmen Luján and Grijalva, Congresswomen Torres-Small and Haaland, and Senators Udall and Heinrich, to take all steps necessary to amend H.R. 2181 AND S. 1079 so that the buffer zone surrounding Chaco Cultural National Historical Park is reduced to five (5) miles.