TITLE: An Action Relating To An Emergency; Submission Of The Navajo Nation Heritage And Historic Preservation Department's Proposal Entitled "Chaco Canyon Cultural Resources Investigations" To The United States Department Of Interior Office Of The Secretary

Date posted: September 4, 2020 at 4:35PM

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DATE: September 4, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY; SUBMISSION OF THE NAVAJO NATION HERITAGE AND HISTORIC PRESERVATION DEPARTMENT'S PROPOSAL ENTITLED "CHACO CANYON CULTURAL RESOURCES INVESTIGATIONS" TO THE UNITED STATES DEPARTMENT OF INTERIOR OFFICE OF THE SECRETARY

PURPOSE: The purpose of the resolution is to approve the submission to the United States Department of Interior of the Navajo Nation Heritage and Historic Preservation Department's proposal regarding the Chaco Canyon and the Navajo: An Ethnographic Study. The United States Department of Interior invited the Navajo Nation “to submit a proposal to conduct a cultural resources investigation to identify culturally and historically significant areas and sites in the Chaco Canyon area.”

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 to review each proposed resolution in detail.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0218-20

AN ACTION

RELATING TO AN EMERGENCY; SUBMISSION OF THE NAVAJO NATION HERITAGE AND HISTORIC PRESERVATION DEPARTMENT'S PROPOSAL ENTITLED "CHACO CANYON CULTURAL RESOURCES INVESTIGATIONS" TO THE UNITED STATES DEPARTMENT OF INTERIOR OFFICE OF THE SECRETARY

WHEREAS:

A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).

B. Pursuant to 2 N.N.C. §164 (A)(16) “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.”

C. The Navajo Nation has received an invitation from the United States Department of the Interior to “submit a proposal to conduct a cultural resources investigation to identify culturally and historically significant areas and sites in...
the Chaco Canyon area.” Letter dated July 27, 2020 from the Secretary of the Interior to the President Jonathan Nez is attached as Exhibit A.

D. The deadline for submissions to be received is no later than 12:00 pm on September 8, 2020. Exhibit A.

E. The Requirements for the Cultural Resources Investigation include that it “Be performed by Tribal cultural experts; Consist of a comprehensive review of available cultural resource materials, consultation with cultural experts, and other appropriate non-invasive means necessary to identify sites that are culturally affiliated; Give special emphasis to areas of high oil and gas development potential within the Mancos-Gallup Resource Management Plan Amendment (RMPA) Planning Area, as required by the Conference Report authorizing this study and; Culminate in a comprehensive report identifying culturally and historically significant areas and sites.” Exhibit A.

F. The Navajo Nation Heritage and Historic Preservation Department has developed the proposal entitled, the Chaco Canyon and the Navajo: An Ethnographic Study, which is attached as Exhibit B.

G. The proposal, the Chaco Canyon and the Navajo: An Ethnographic Study, states that the Navajo Nation intends to: Promote and protect the sovereignty of the Navajo Nation; Assist in the participation in the Farmington Mancos-Gallup Resource management Plan Amendment (RMPA) concerning the oil and gas development in the Chacoan landscape through the collection of ethnographic information from local Navajo communities; Preserve the material and cultural remains of the Navajo past, present, and future; Correct 100+ years of misinformation by anthropologists and archaeologists about Navajo history and origins in the Southwest; Strengthen Navajo ties to the Chacoan landscape; Encourage respect for Navajo traditional history (songs and ceremonies); Involve the Navajo public, including the youth, in the management of their cultural resources. Exhibit B page 1.

H. The proposal, the Chaco Canyon and the Navajo: An Ethnographic Study, states that “[t]he Navajo Nation intends to base our study based on its cultural
traditions, primarily our clan system which is evidence of our presence in the in
the Chacoan landscape since time immemorial, and the development and
practices of Navajo ceremonialism.” Exhibit B page 2.

I. The Navajo Nation Heritage and Historic Preservation Department has
developed the “Chaco—Proposed Budget for FY’2021 (A17AV00262)—
08/11/20” which is attached as Exhibit C. The Proposed Budget specifies the
expenditure of $434,356.07.

J. The Chaco Canyon and the Navajo: An Ethnographic Study states: “The
Navajo people are the individuals primarily affected by any and all
development activities in the greater Chacoan Landscape. Navajo people live
throughout the project area on Navajo Nation Trust Lands, Individual Indian
Allotments (IIA) and on lands that have different statuses. The Navajo Nation
Cultural Resources Protection Act (NNCRPA, 1988) governs any ethnographic
and archaeological work on any lands under the jurisdiction of the Navajo
Nation through the issuance of permits. For all of the reasons mentioned above,
we reiterate our request for funds to be given directly to the Navajo Nation to
conduct this work so important to our history and maintain our culture and
traditions for our children and grandchildren.” Exhibit B page 4.

K. The Navajo Nation Council hereby finds that the submission of the proposal
developed by the Navajo Nation Heritage and Historic Preservation
Department, entitled the Chaco Canyon and the Navajo: An Ethnographic
Study, will promote and protect the sovereignty of the Navajo Nation. The
submittal of this proposal to the Secretary of the Interior by the September 8,
2020 deadline is, therefore, an emergency requiring action by the Navajo
Nation Council.

NOW THEREFORE BE IT RESOLVED:

The Navajo Nation Council hereby approves the submission to the United States
Department of Interior of the Navajo Nation Heritage and Historic Preservation
Department's proposal regarding the Chaco Canyon and the Navajo: An Ethnographic Study.