

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0366-19_____

SPONSOR: Mark A. Freeland

TITLE: 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

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

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Office of Legislative Services
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LEGISLATIVE SUMMARY SHEET
Tracking No. 0366-19

DATE: November 25, 2019

TITLE OF RESOLUTION: 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

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.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: _____
Posting End Date: 12-02-19
Eligible for Action: 12-03-19

Resources & Development Committee
Thence
Naabik'iyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL—FIRST YEAR, 2019

INTRODUCED BY

[Signature]

Primary Sponsor

TRACKING NO. 0366-19

[Signature]

[Signature]
[Signature]
[Signature]
Thomas Daniels

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

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'iyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'iyáti' 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).
- C. The Navajo Nation has a government-to-government relationship with the United States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.

- 1 D. H.R. 2181 and S. 1079, are identical pieces of legislation in the House and Senate of the
2 United States 116th Congress, 1st Session, that are intended to enact the Chaco Cultural
3 Heritage Area Protection Act of 2019 (“Act”) for the purpose of protecting archeological,
4 sacred, and historic resources located throughout the Greater Chaco region, which spans
5 the States of New Mexico, Arizona, Utah, and Colorado. H.R. 2181 attached as **Exhibit**
6 **A.** S. 1079 attached as **Exhibit B.**
- 7 E. H.R. 2181 was introduced by a New Mexico delegation of Congressman Luján, with
8 Congresswomen Torres-Small and Haaland and Congressman Grijalva; S. 1079 was
9 introduced by New Mexico Senators Udall and Heinrich.
- 10 F. To further its purpose of protecting archeological, sacred, and historic resources located
11 throughout the Greater Chaco region, the Act will severely restrict, prohibits in effect,
12 any extraction operations from occurring on lands within a ten (10) mile buffer zone
13 surrounding the Chaco Culture National Historical Park. *See* Chaco Cultural Heritage
14 Withdrawal Area attached as **Exhibit C.**
- 15 G. The Act’s restrictions on extraction operations within the ten mile buffer will have a
16 severe negative economic impact on Navajos owning allotted lands within the buffer
17 zone whose livelihood is derived from royalty payments for oil and gas development on
18 their individually-owned lands.
- 19 H. Navajo Nation local governments in and near the Act’s impact area, i.e., Huerfano
20 Chapter, Lake Valley Chapter, Nageezi Chapter, Pueblo Pintado Chapter, White Rock
21 Local Government, all fear the severe negative economic consequences to their Navajo
22 members livelihood, sustainability and well-being that will be imposed on their
23 communities by the Act’s 10 mile buffer zone; and have passed resolutions, attached as
24 **Exhibit D,** imploring that the buffer zone to be reduced to five (5) miles.
- 25 I. The Navajo Nation finds it in the best long-term interests of the Navajo People and their
26 communities that the Act’s buffer zone surrounding the Chaco Culture National
27 Historical Park be reduced to 5 miles.
- 28 J. The Navajo Nation finds it in the best long-term interests of the Navajo People and their
29 communities to oppose the Act until such time as the buffer zone surrounding the Chaco
30 Culture National Historical Park is reduced to 5 miles.

1 NOW THEREFORE, BE IT RESOLVED:

2 A. The Navajo Nation respectfully opposes “The Chaco Heritage Area Protection Act Of
3 2019”, H.R. 2181 and S. 1079, until such time as the buffer zone surrounding Chaco
4 Cultural National Historical Park is reduced to five (5) miles.

5 B. The Navajo Nation respectfully requests the United States Congress and Senate,
6 specifically Congressmen Luján and Grijalva, Congresswomen Torres-Small and
7 Haaland, and Senators Udall and Heinrich, to take all steps necessary to amend H.R.
8 2181 AND S. 1079 so that the buffer zone surrounding Chaco Cultural National
9 Historical Park is reduced to five (5) miles.

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