



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

FOR IMMEDIATE RELEASE

March 24, 2016

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Resources and Development Committee receives report regarding Intergovernmental Compact between the Navajo Nation and Hopi Tribe

CHINLE, Ariz. – The Resources and Development Committee received a report from the Navajo Nation Department of Justice and the Navajo Nation Department of Fish and Wildlife regarding concerns with the Intergovernmental Compact between the Navajo Nation and Hopi Tribe, which was signed by both tribes and approved by then U.S. Secretary of the Interior Dirk Kempthorne in Nov. 2006.

According to the Intergovernmental Compact, both sides agreed to allow the other tribe access to sacred sites on their respective land areas for religious and traditional purposes. The Hopi Tribe is allowed access to Navajo land areas to collect golden eagle hatchlings for traditional ceremonial purposes.

Navajo Nation Department of Justice attorney Allison Parks said an Eagle Advisory Board was created to study the golden eagles on the Navajo Nation and present their findings to tribal leaders. In addition to the advisory board, the U.S. Fish and Wildlife Service was to fund and carry out a study on the effects of taking golden eagle hatchlings from the area and its effect on the eagle population for sustainability reasons. However, the study has not been initiated and has not received funding yet.

Parks added that the Hopi Tribe is allowed to take up to 18 golden eagle hatchlings from only one area on Navajo land each year through an approved permit issued by the U.S. Fish and Wildlife Service and with permission from the Navajo Nation. Overall, the Hopi Tribe can collect up to 40 eagle hatchlings throughout northern Arizona, less the 18 eagle hatchlings, if taken from the Navajo Nation.

RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) raised concerns regarding the regulation of the actual number of eagle hatchlings the Hopi Tribe collects each year and the U.S. Fish and Wildlife's failure to carry out the study.

“Why don't we just terminate the compact if there is no study being done? If the federal government doesn't want to fund it, then we should ask for a termination of this contract. This is

a bad agreement to begin with,” said Delegate Tsosie, adding that the compact only benefits the Hopi Tribe and that there is no real record system that tracks the number of eagle hatchlings taken from Navajo land.

Delegate Tsosie said that the committee could draft legislation to begin the process of revising or terminating the compact because there are no provisions to adequately regulate the collection of eagle hatchlings by the Hopi Tribe due to an article in the compact stating that each party “shall not observe or intrude upon religious activities or impede, search, inspect, or interfere with any person traveling to or from such activities.”

Parks informed the committee that the compact must recognize and respect the religious and traditional practices of each tribe, per the agreement.

RDC chair Council Delegate Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Łichíí, Steamboat) suggested to the committee that they begin looking into the concerns regarding the Intergovernmental Compact and set a timeline to address the issues.

“I think we need to start preparing a timeline on this and begin to address these issues. The compact does need to be revised and we need recommendations [from the Navajo Nation Department of Justice]. We certainly need to send a letter to the Office of the President and Vice President and see if they are addressing these concerns yet,” said Delegate Shepherd.

At the conclusion of the discussion, RDC members issued a directive to the Navajo Nation Department of Justice to provide recommendations to the committee within 30-days, as well as to inform other Navajo entities involved with the Intergovernmental Compact.

RDC members unanimously accepted the report with a vote of 5-0.

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