



Navajo-Hopi Land Commission receives update on the Forgotten People vs. Navajo Nation Case

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WINDOW ROCK, Ariz. — Earlier this month, the Navajo-Hopi Land Commission (NHLC) of the 24th Navajo Nation Council received updates and recommendations from NHLC Director Robert Black, NHLC Attorney Greg Smith and Navajo Hopi Legal Services Attorney Susan Eastman regarding the pending Forgotten People vs. The Navajo Nation case.

NHLC Chairman Otto Tso (Tónaneesdizí) applauded Eastman and the Navajo Nation Department of Justice for their advocacy in reopening the case stating, “The Case brought forth by the Forgotten People against the NHLC was dismissed earlier and I am glad this decision was made because the Forgotten People’s voice needs to be heard. We have the potential to solidify new changes in Congress, but we only have a year and a half to get the policy changed.”

After a brief reopening, the case was dismissed in 2016 by Judge Malcolm Begay and most recently reopened May 18.

According to Delegate Tso, the Federal Government delayed resolution to the Forgotten People’s 48 years after issues were found with the Former Bennett Freeze Area (FBFA), which directly impacts 1.6 million acres of land.

With recommendations from NHLC attorney Greg Smith, Chairman Tso recommended lobbying to amend Congressional Public Law 93-531 to readdress FBFA agreements between the Navajo Nation and Hopi Nation.

“Moving forward, we [NHLC] need to bring more education and public information to the Navajo People who were directly affected by the FBFA,” added Chairman Tso.

Council Delegate Elmer Begay (Dilcon, Indian Wells, Teesto, Whitecone, Greasewood Springs) also suggested meeting with the Office of Navajo and Hopi Indian Relocation (ONHIR) to generate more details about the alleged \$15 million in funding under their office.

During the May 20 meeting, Smith had indicated the NHLC is awaiting a response from US President Joe Biden and the US Secretary of the Interior Deb Haaland, after Navajo Nation President Jonathan Nez submitted a letter asking for the appointment of an ONHIR commissioner.

After a recent meeting with Chairwoman of the Congressional Appropriations Committee Chair Rosa DeLauro, Smith said the ONHIR has not been audited due to its non-compliance with federal standards.

NHLC Director Black agreed that a meeting with ONHIR officials would be beneficial to discuss their intentions with the \$15 million.

Black indicated the NHLC did not receive any of the Navajo Nation’s \$714 million in Coronavirus

Aid, Relief, and Economic Security Act Funding and asked for support in potentially receiving American Rescue Plan Act (ARPA) funds.

Barring the Navajo Nation's \$1.9 ARPA Allocation, Black added his intentions to develop a proposal for the NHLC's 10 chapters that will include funding for Navajo Partition Land projects and hiring additional staff.

"We also would like to replace homes in Nahata Dziil community with ARPA money, but we would like the ONHIR to assist in the replacement of those homes too," added Black. "Our Native Builders Team had been pretty active the last several weeks already with Chapter President's huddle in Flagstaff at Northern Arizona University."

At the conclusion of the meeting, Smith urged the NHLC to submit a draft set of resolutions to present to Congressional leadership before the 2022 mid-term elections.

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