

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0166-22\_

SPONSOR: Daniel E. Tso

**TITLE: An Action Relating to Resources and Development Committee, and Naabik'iyáti' Committee; Supporting United States Congressional Bill H.R. 8109 Titled "Tribal Cultural Areas Protection Act"**

***Date posted:*** September 20, 2022 at 5:04PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0166-22

**DATE:** September 16, 2022

**TITLE OF RESOLUTION:** PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, AND NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING UNITED STATES CONGRESSIONAL BILL H.R. 8109 TITLED "TRIBAL CULTURAL AREAS PROTECTION ACT"

**PURPOSE:** The purpose of this legislation is support H.R. 8109 titled "Tribal Cultural Areas Protection Act." Supporting H.R. 8109 assists the Navajo Nation in protecting and preserving the San Francisco Peaks because the San Francisco Peaks is one of the Navajo Nation's sacred mountains, *Dook'o'ooslíid*; medicine men of several tribes collect herbs for healing ceremonies. This legislation would also authorize the Speaker of the Navajo Nation Council, President of the Navajo Nation, and their designees, to advocate the Navajo Nation's support of the Tribal Cultural Areas Protection Act.

**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.**

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 09-25-22  
Eligible for Action: 09-26-22

Resources & Development Committee  
Thence  
Naabik'iyáti' Committee

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL—Fourth Year, 2022

3 INTRODUCED BY

4 Daniel G. In  
5

6 Primary Sponsor

7  
8 TRACKING NO. 01166-22  
9

10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, AND  
12 NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING UNITED STATES  
13 CONGRESSIONAL BILL H.R. 8109 TITLED "TRIBAL CULTURAL AREAS  
14 PROTECTION ACT"  
15

16 **WHEREAS:**

- 17 A. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation  
18 Council standing committee and as such empowered the Naabik'iyáti' Committee to  
19 coordinate all requests for information, appearances and testimony relating to proposed  
20 county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 700  
21 (A), 701 (A)(6).
- 22 B. The Navajo Nation established the Resources and Development Committee as a  
23 standing committee of the Navajo Nation Council. 2. N.N.C. § 500(A). The Committee  
24 exercises oversight authority over cultural resources. 2 N.N.C. § 500(C).
- 25 C. The Navajo Nation has a government-to-government relationship with the United  
26 States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- 27 D. On June 16, 2022, Arizona Representative Raul M. Grijalva, along with seventeen (17)  
28 cosponsors, introduced to the 117<sup>th</sup> Congress H.R. 8109 titled the "Tribal Cultural  
29 Areas Protection Act." See H.R. 8109 attached hereto as **Exhibit A**.  
30

1 E. Rep. Grijalva introduced the Tribal Cultural Areas Protection Act because “efforts to  
2 commercially develop or transfer ownership of public land often ignore the rights and  
3 protections of Indian Tribes and have resulted in – (A) the desecration of sacred sites;  
4 (B) the diminishment of Tribal treaty rights; and (C) the mismanagement of sacred  
5 sites, including the looting of sacred objects and burial sites and the diminishment of  
6 harvests of traditional native plants used in religious ceremonies and for other  
7 purposes.” H.R. 8109 at §3(4).

8 F. On June 15, 2021, the Navajo Nation authorized the Navajo Nation President and  
9 Navajo Nation Speaker “to affirm [the Navajo Nation’s] position of protecting and  
10 preserving the San Francisco Peaks, a sacred mountain and cultural property, for the  
11 Navajo people and other Indigenous relatives.” Naabik’íyáti’ Committee Resolution  
12 NABIJN-12-21.

13 G. Supporting H.R. 8109 assists the Navajo Nation in protecting and preserving the San  
14 Francisco Peaks because the San Francisco Peaks is one of the Navajo Nation’s sacred  
15 mountains, *Dook’o’ooslíid*; and, medicine men of several tribes collect herbs for  
16 healing ceremonies. “Protection of the San Francisco Peaks will preserve its cultural  
17 and historic legacy and maintain its diverse array of natural and religious significance  
18 and values for the benefit of Native Americans and all Americans”. Naabik’íyáti’  
19 Committee Resolution NABIJN-12-21.

20 H. The Navajo Nation finds it in the best interest of the Navajo People to support passage  
21 of H.R. 8109 titled “Tribal Cultural Areas Protection Act.”  
22

23 **THEREFORE, BE IT RESOLVED:**

24 A. The Navajo Nation hereby supports H.R. 8109 titled “Tribal Cultural Areas Protection  
25 Act” attached hereto as **Exhibit A**.

26 B. The Navajo Nation hereby authorizes the Speaker of the Navajo Nation Council,  
27 President of the Navajo Nation, and their designees, to advocate the Navajo Nation’s  
28 support of the Tribal Cultural Areas Protection Act.  
29  
30