

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0175-22_

SPONSOR: Daniel E. Tso

TITLE: An Action Relating to Resources and Development Committee, and Naabik'iyáti' Committee: Supporting United States Congressional Bill H.R. 8108 Titled "Advancing Tribal Parity on Public Land Act"

Date posted: September 26, 2022 at 8:55PM

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Office of Legislative Services
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LEGISLATIVE SUMMARY SHEET
Tracking No. 0175-22

DATE: September 19, 2022

TITLE OF RESOLUTION: 22-330-1: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO SUPPORTING UNITED STATES CONGRESSIONAL BILL H.R. 8108 TITLED “ADVANCING TRIBAL PARITY ON PUBLIC LAND ACT”

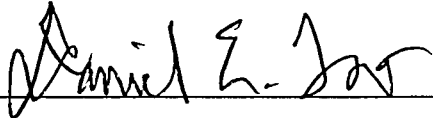
PURPOSE: The purpose of this legislation is to support H.R. 8108 titled “Advancing Tribal Parity on Public Land Act.” H.R. 8108 would prohibit public land sales containing a tribal cultural site, where a tribal nation retains a treaty or other reserved rights, or that contains a former reservation; require the U.S. Forest Service and Bureau of Land Management to offer the land at fair market value first to tribal governments with a historical connection to the land; require public land management agencies to provide tribal governments with meaningful public involvement opportunities in land use planning; include in the criteria, the presence of cultural sites and fulfillment of treaty obligations when public land managers consider land acquisition; and require a public land advisory board include at least one tribal representative. 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:
Website Posting Time/Date:
Posting End Date: 10-01-22
Eligible for Action: 10-02-22

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

3 INTRODUCED BY

4 
5

6 Primary Sponsor

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8 TRACKING NO. 0175-22

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10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, AND
12 NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING UNITED STATES
13 CONGRESSIONAL BILL H.R. 8108 TITLED "ADVANCING TRIBAL PARITY
14 ON PUBLIC LAND 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. *See* 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
24 Committee 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 introduced to the 117th
28 Congress H.R. 8108 titled the "Advancing Tribal Parity on Public Land Act." *See* H.R.
29 8108 attached hereto as **Exhibit A**.
- 30

- 1 E. Rep. Grijalva introduced the Advancing Tribal Parity on Public Lands Act “[t]o protect
2 Native cultural sites located on Federal land, to improve consultation with Indian
3 Tribes, to bring parity to Indian Tribes with regard to Federal public land management
4 laws, and for other purposes.” H.R. 8108.
- 5 F. On June 15, 2021, the Navajo Nation authorized the Navajo Nation President and
6 Navajo Nation Speaker “to affirm [the Navajo Nation’s] position of protecting and
7 preserving the San Francisco Peaks, a sacred mountain and cultural property, for the
8 Navajo people and other Indigenous relatives.” Naabik’íyáti’ Committee Resolution
9 NABIJN-12-21.
- 10 G. On September 27, 2018, the Navajo Nation supported H.R. 4518 titled “Bears Ears
11 National Monument Expansion Act” which expanded the Bears Ears National
12 Monument and restored protection to countless cultural, natural, and sacred objects.
13 Naabik’íyáti’ Committee Resolution NABIS-57-18.
- 14 H. The Navajo Nation supports H.R. 8108 for the following reasons:
- 15 1. The Act would prohibit public land sales containing a tribal cultural site, where
16 a tribal nation retains a treaty or other reserved rights, or that contains a former
17 reservation.
 - 18 2. The Act requires, when selling public land, the U.S. Forest Service and Bureau
19 of Land Management must offer the land at fair market value first to tribal
20 governments with a historical connection to the land.
 - 21 3. The Act requires public land management agencies to provide tribal
22 governments with meaningful public involvement opportunities in land use
23 planning.
 - 24 4. The Act includes in the criteria, the presence of cultural sites and fulfilment of
25 treaty obligations when public land managers consider land acquisition.
 - 26 5. The Act requires a public land advisory board include at least one tribal
27 representative.
- 28 I. For the reasons stated above, the Navajo Nation finds it in the best interest of the Navajo
29 People to support passage of H.R. 8108 titled “Advancing Tribal Parity on Public Land
30 Act”.

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THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation hereby supports H.R. 8108 titled “Advancing Tribal Parity on Public Land Act” attached hereto as **Exhibit A**.
- B. The Navajo Nation hereby authorizes the Speaker of the Navajo Nation Council, President of the Navajo Nation, and their designees, to advocate the Navajo Nation’s support of the Advancing Tribal Parity on Public Land Act.