

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0241-26

SPONSOR: Brenda Jesus

TITLE: An Action Relating to the Naabik'iyáti' Committee; Opposing President Trump's Reduction of the Bears Ears Monument, Disbanding of the Bears Ears Commission, and Removal of Federal Agencies Obligation to Consult with Tribes Under Section 106 of the National Historic Preservation Act

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0241-26

DATE: October 8, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; OPPOSING PRESIDENT TRUMP'S REDUCTION OF THE BEARS EARS MONUMENT, DISBANDING OF THE BEARS EARS COMMISSION, AND REMOVAL OF FEDERAL AGENCIES OBLIGATION TO CONSULT WITH TRIBES UNDER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT

PURPOSE: This legislation, if approved, would formally oppose the July 13, 2026, proclamation issued by President Donald J. Trump diminishing the Bears Ears Monument and disbanding the Bears Ears Commission.

FINAL AUTHORITY: Naabik'íyáti' Committee

VOTE REQUIRED: Simple Majority

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: 10-17-26
Eligible for Action: 10-18-26

PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL - Fourth Year, 2026

Introduced by:


(Prime Sponsor)

Tracking No. 0241-26

AN ACTION
RELATING TO THE NAABIK'YÁTI' COMMITTEE;
OPPOSING PRESIDENT TRUMP'S REDUCTION OF THE BEARS EARS
MONUMENT, DISBANDING OF THE BEARS EARS COMMISSION,
AND REMOVAL OF FEDERAL AGENCIES OBLIGATION TO
CONSULT WITH TRIBES UNDER SECTION 106 OF THE NATIONAL
HISTORIC PRESERVATION ACT

WHEREAS:

- A. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council empowered to coordinate all request for information, appearances, and testimony related to proposed county, state, and federal legislation impacting the Navajo Nation. 2. N.N.C. §§ 700 (A) and 701 (A)(6).
- B. The Navajo Nation Council, as the governing body of the Navajo Nation, is entrusted with the responsibility to safeguard the interest, rights, and traditions of the Navajo people. 2 N.N.C. § 102 (A).
- C. The Navajo Nation is a sovereign Tribal Nation with a government-to-government relationship with the United States, as recognized under the Treaty Between the United States of America and the Navajo Tribe of Indians, June 1, 1868, 15 U.S. Stat. 667, and has an enrolled membership of over 420,000.

- 1 D. Bears Ears is a sacred landscape that has been important to the Navajo People since
2 time immemorial. Bears Ears is living cultural landscape, a protector in the north of the
3 Navajo people. It is a holy place our ancestors and relatives live in alongside the *Diyin*
4 *Dine'e'* – the Holy People. Its stories, teachings, plants, animals, firewood, and
5 ceremonial knowledge and lessons are etched into the land left behind by our ancestors
6 to the present day. Bears Ears gives Navajo People everything they need to keep their
7 bodies, minds, and spirits healthy and well to restore them as Navajo People back to
8 *hózhó*.
- 9 E. Lands within the Bears Ears region are culturally significant to the Navajo People. It is
10 culturally rich with more than 100,000 archaeological artifacts on the landscape and
11 hundreds of remarkably preserved structures, petroglyphs, burials, and ancient villages.
12 It is the birthplace of Navajo Headman Manuelito, otherwise known as Chief
13 Manuelito, and a symbol of Navajo survival, culture, life, and resistance.
- 14 F. Since time immemorial, multiple indigenous cultures have peacefully inhabited Bears
15 Ears. Navajo People have cohabited the land with Ute and Pueblo peoples for hundreds
16 of years. It is said Bears Ears is where Navajos first met the Pueblo tribal nations for
17 the first time in peaceful and harmonious contact without conflict, making efforts to
18 co-exist with each other in the same lands respecting the sacred nature of the Bears
19 Ears. Today the area is alive with Navajo and Ute communities who share the landscape
20 and call it home. Pueblo people are regular visitors to Bear Ears, have extensive
21 knowledge of the landscape, and continue to maintain a connection to their ancestors
22 and the landscape.
- 23 G. Before the Bears Ears Monument was established in 2016, these lands were open to
24 mineral extraction and subject to illegal looting. In the 1950s parts of the Bear's ear
25 was mined for uranium prospecting. In 2009, the US Federal Bureau of Investigation
26 conducted the "Operation Cerberus" raid. The raid targeted two dozen residents in San
27 Juan County, with dozens more implicated in a nation-wide black market artifact ring,
28 who were involved in the desecration of burial sites, plunder, and rampant disrespect
29 of archaeological sites in Bears Ears.
- 30

- 1 H. In order to save this sacred space from further desecration, Utah Diné Bikèyah was a
2 Native American conservation non-profit consisting of local San Juan County tribal
3 citizens focusing on keeping Bears Ears intact and protected in 2012. Then, this
4 organization gave their research data, local leadership, and Navajo grassroots
5 community and support to the Bears Ears Inter-Tribal Coalition which was formed in
6 July 2015 to bring together representative from five tribal nations together, including
7 the Navajo Nation, to advocate for the protection of the Bears Ears to guard the
8 spiritual, cultural, and ceremonial nature of the Bears Ears landscape for future
9 generations. While only five official nations are joined in this coalition, many more
10 acknowledge and offer their own support, encouragement, and connection to the
11 coalition
- 12 I. As a result of the Coalition's lobbying efforts and widespread local support, President
13 Obama on December 28, 2016, invoked the Antiquities Act of 1906 to establish the
14 Bears Ears.
- 15 J. Since 2016, the Monument has been diminished by President Trump on December 4,
16 2017 and restored by President Biden on October 8, 2021. On July 13, 2026, President
17 Trump issued a proclamation, attached as **Exhibit A**, to once again diminish Bears Ears
18 by more than 90%. It also disbands and terminated the Bears Ears Commission and
19 states the Secretaries have "no obligation to engage, consult, or coordinate" with the
20 Commission or comparable entity under the prior proclamations.
- 21 K. These actions, to diminish Bears Ears and disband the Commission, have direct tribal
22 implications including directly affecting Navajo ancestral lands, sacred places, cultural
23 landscapes and resources, traditional use areas, waters, plants, wildlife, and ongoing
24 Tribal-federal stewardship efforts. They treat cultural and scientific resources as
25 isolated objects on a map while Navajo Peoples relationships to these places are not
26 limited to individual sites, artifacts, panels, springs, plants, or viewsheds. However,
27 these are living cultural landscapes whose significance comes from its relationship with
28 the Navajo People.
- 29 L. Even though the Navajo Nation and the Navajo People are directly affected by the
30 diminishment of Bears Ears, no meaningful pre-decisional government-to-government

1 consultation was conducted with the Navajo Nation. The Navajo Nation should not
2 have to respond to after-the-fact to decisions made without us. Consultation is not a
3 procedural courtesy that can be added after a map is drawn, a Tribal Commission is
4 terminated, and lands are open to new uses. The Navajo Nation should have been
5 consulted early enough to shape the decision itself.

6 M. Over 107,000 acres of the Bears Ears National Monument was impacted by fires in the
7 Summer of 2026, and has yet to intentionally and meaningfully implement Native
8 American stewardship practices of fire prevention, control, and management of these
9 forests and the wildlife therein, clearly outlined in the original Obama Proclamation of
10 2016, that have yet to see full inclusion of Native American traditional knowledge and
11 Western knowledge science practices flourish together working collaboratively for the
12 health of the landscape.

13 N. The Navajo Nation has invested years of work in federal planning for these landscapes.
14 The federal government's actions waste public resources, undermines trust, exhausts
15 agency staff, confuses the public, and prevents actual land management from maturing.

16 O. Bears Ears is the Navajo Peoples' sanctuary and home. We are obligated and charged
17 with the duty to protect and steward the beautiful and sacred lands of the Bears Ears.

18 P. With the diminishment of the Monument there is again a need to protect Bears Ears
19 from looting, desecration, resource extraction, mining claims, and the sale of land to
20 private owners that are interested, and waiting, to buy the land. This land that is still
21 culturally and naturally intact from thousands of years of Native contact, caretaking,
22 and continued presence.

23
24 **NOW, THEREFORE, BE IT RESOLVED:**

25 A. The Navajo Nation hereby opposes the July 13, 2026 proclamation, attached as **Exhibit**
26 **A**, diminishing the Bears Ears National Monument and abolishing the Bear Ears
27 Commission;

28 B. The Navajo Nation demands the Monument be restored to its 2021 boundaries and the
29 Bears Ears Commission be reinstated; and
30

- 1 C. The Navajo Nation demands government-government consultation occur between the
2 Federal government and the Nation occur before any further action is taken to open the
3 lands to new disposition, natural resource extraction, mining claims, or rights-of-ways.
4 D. The Navajo Nation hereby authorizes the Navajo Nation President, Navajo Nation
5 Vice-President, and the Speaker of the Navajo Nation Council and their designees to
6 take all steps necessary to advocate for the Navajo Nation's position with respect to
7 this resolution.
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