

LEGISLATIVE SUMMARY SHEET

Tracking No. 0227-20

DATE: September 11, 2020

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE NAABIK'ÍYÁTI' QUADRILATERAL AGREEMENT TASK FORCE

PURPOSE: The purpose of this legislation is to establish a six member the Naabik'iyáti' Quadrilateral Agreement Task Force to negotiate with the United States National Park Service, the Bureau of Reclamation, and the Bureau of Indian Affairs regarding the regarding the possible renewal and amendment of the Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994 and Bridge Agreement dated January 13, 2003

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: 4:57pm 09-14-20
Posting End Date: 09-19-20
Eligible for Action: 09-20-20

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL—Second Year, 2020

INTRODUCED BY

(Primary Sponsor)



TRACKING NO. 0227-20

AN ACTION
RELATING TO NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE
NAABIK'ÍYÁTI' QUADRILATERAL AGREEMENT TASK FORCE

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council established the Naabik'iyáti' as a Navajo Nation standing committee and empowered the committee to “[t]o coordinate all federal, county and state programs with other standing committees and branches of the Navajo Nation government to provide the most effective delivery of services to the Navajo Nation. 2 N.N.C. §§ 700(A) and 701(A)(4).
- B. The Navajo Nation Council gave Naabik'iyáti' Committee the authority to delegate its authority as appropriate for efficiency and streamlining of government process to appropriate entities. 2 N.N.C. § 701(B).

Section Two. Findings

- A. The Navajo Nation entered into a Memorandum of Agreement, hereinafter referred to as the “Quadrilateral Agreement,” with the National Park Service, the Bureau of Reclamation, and the Bureau of Indian Affairs on September 11, 1970.

- 1 B. The Quadrilateral Agreement preserves the Navajo Nation's rights, privileges, and
2 remedies available by law; authorizes the Navajo Nation to construct, contract for,
3 and manage the Rainbow Bridge Concession Area, subject to approval by the
4 National Park Service; and outlines rights and responsibilities relating to the
5 development, maintenance and management of Antelope Point.
- 6 C. In order to further the Quadrilateral Agreement, on September 16, 1994, the Navajo
7 Nation, National Park Service, and the Bureau of Indian Affairs entered into a
8 Memorandum of Understanding (MOU) to implement the Development Concept Plan
9 for Antelope Point. The MOU allowed the Navajo Nation and National Park Service
10 to develop a Concession Contract and Business Site Lease for Antelope Point
11 Holdings (developer selected for Antelope Point).
- 12 D. Based on the Quadrilateral Agreement, the MOU, and execution of the Concession
13 Contract and Business Site Lease, Navajo Nation and National Park Service entered
14 into a Bridge Agreement on January 13, 2003.
- 15 E. The Navajo Nation Council through Resolution CS-70-20 "request[ed] that the
16 National Park Service, the Bureau of Reclamation, and the Bureau of Indian Affairs
17 extend the expiration of the Quadrilateral Agreement, Memorandum of
18 Understanding dated September 16, 1994, and Bridge Agreement dated January 13,
19 2003 for one year such that the Quadrilateral Agreement, Memorandum of
20 Understanding, and Bridge Agreement expire on September 10, 2021."
- 21 F. The Navajo Nation understands the need to examine whether the Quadrilateral
22 Agreement, Memorandum of Understanding dated September 16, 1994, and Bridge
23 Agreement Dated January 13, 2003 should be renewed or amended. Therefore, the
24 Navajo Nation determines that the Naabik'íyáti' Quadrilateral Agreement Task Force
25 should be created to examine the issues involved with renewal or amendments of
26 these agreements. If the Naabik'íyáti' Quadrilateral Agreement Task Force
27 determines that the agreements should be renewed or amended, the Quadrilateral
28 Agreement Task Force shall enter into negotiations with the United States National
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1 Park Service, the Bureau of Reclamation, and the Bureau of Indian Affairs. Reports
2 on negotiation efforts shall be presented to the Naabik'iyáti' Committee on a periodic
3 basis. Renewal or amendment of the Quadrilateral Agreement, Memorandum of
4 Understanding dated September 16, 1994 and Bridge Agreement dated January 13,
5 2003 shall be presented to the Navajo Nation Council for action.
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7 **Section Two. Naabik'iyáti' Quadrilateral Agreement Task Force Establishment**
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- 9 A. The Navajo Nation hereby establishes the Naabik'iyáti' Quadrilateral Agreement
10 Task Force.
11 B. The Naabik'iyáti' Quadrilateral Agreement Task Force shall recommend whether the
12 Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994
13 and Bridge Agreement dated January 13, 2003 should be renewed or amended. If the
14 recommendation is to renew and/or amend the agreements, the Naabik'iyáti'
15 Quadrilateral Agreement Task Force shall delineate the recommended amendments.
16 C. The Naabik'iyáti' Quadrilateral Agreement Task Force shall:
17 1. Meet with and otherwise consult with the affected Chapters regarding the
18 possible renewal and amendment of the Quadrilateral Agreement,
19 Memorandum of Understanding dated September 16, 1994 and Bridge
20 Agreement dated January 13, 2003;
21 2. Negotiate with the United States National Park Service, the Bureau of
22 Reclamation, and the Bureau of Indian Affairs regarding the regarding the
23 possible renewal and amendment of the Quadrilateral Agreement,
24 Memorandum of Understanding dated September 16, 1994 and Bridge
25 Agreement dated January 13, 2003;
26 3. Report bimonthly to the Naabik'iyáti' Committee the Quadrilateral
27 Agreement Task Force activities;
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1 4. Provide a final report to the Naabik'iyáti' Committee of the Naabik'iyáti'
2 Quadrilateral Agreement Task Force findings, conclusions and
3 recommendations.

4 D. The Naabik'iyáti' Quadrilateral Agreement Task Force shall consist of six members.

5 E. Three (3) members shall be members of the Navajo Nation Council selected by the
6 Speaker of the Navajo Nation Council. The Navajo Nation Council Speaker appoints
7 the following to the Naabik'iyáti' Quadrilateral Agreement Task Force:

- 8 1. _____
9 2. _____
10 3. _____

11 F. One (1) member of the Naabik'iyáti' Quadrilateral Agreement Task Force shall be the
12 Division Director of the Division of Economic Development or his designee.

13 G. One (1) member of the Naabik'iyáti' Quadrilateral Agreement Task Force shall be the
14 Division Director of the Division of Natural Resources or his designee.

15 H. One (1) member of the Naabik'iyáti' Quadrilateral Agreement Task Force shall be an
16 attorney from the Navajo Nation Department of Justice selected by the Navajo Nation
17 Attorney General.

18 I. The Naabik'iyáti' Quadrilateral Agreement Task Force by majority vote shall select a
19 chairperson and vice-chairperson at its first meeting. The chairperson and vice-
20 chairperson shall serve at the pleasure of the Naabik'iyáti' Quadrilateral Agreement
21 Task Force; replacement shall be by majority vote.

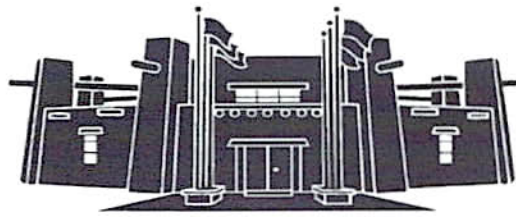
22 J. The Naabik'iyáti' Quadrilateral Agreement Task Force shall establish a regular
23 meeting day(s) of the month and shall set special meetings as needed.

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26 **Section Three. Naabik'iyáti' Quadrilateral Agreement Task Force Term**

27 The Naabik'iyáti' Quadrilateral Agreement Task Force shall exist until its assigned
28 tasks are completed.

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30 **Section Four. Directives**

- 1 A. The Speaker's Chief of Staff shall assign one policy analyst to assist the
2 Naabik'iyáti' Quadrilateral Agreement Task Force.
- 3 B. The Legislative Services Executive Director shall assign one Office of Legislative
4 Services staffer to assist the Naabik'iyáti' Quadrilateral Agreement Task Force.
- 5 C. The Speaker shall determine a Naabik'iyáti' Quadrilateral Agreement Task Force
6 budget and identify the funds.
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MEMORANDUM

To : Hon. Seth Damon, Speaker
Navajo Nation Council

From : Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

Date : September 11, 2020

Re : PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION
RELATING TO NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE
NAABIK'ÍYÁTI' QUADRILATERAL AGREEMENT TASK FORCE

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution drafted is legally sufficient. However, as with all legislation, it can be subject to review by the courts in the event of proper challenge. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0227-20__

SPONSOR: Seth Damon

TITLE: An Action Relating To Naabik'iyáti' Committee; Establishing The Naabik'iyáti' Quadrilateral Agreement Task Force

Date posted: September 14, 2020 at 4:57 PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*