

RESOLUTION OF THE  
NAABIK'ÍYÁTI' STANDING COMMITTEE  
24<sup>th</sup> NAVAJO NATION COUNCIL -- Second Year, 2020

AN ACTION RELATING TO NAABIK'ÍYÁTI'; SUPPORTING REQUEST OF THE  
NAVAJO-HOPI LAND COMMISSION REQUESTING PRESIDENT DONALD TRUMP TO  
APPOINT A COMMISSIONER TO OVERSEE THE OFFICE OF NAVAJO AND HOPI  
INDIAN RELOCATION

WHEREAS:

- A. The United States Congress on December 22, 1974 enacted the Navajo and Hopi Indian Land Settlement Act of 1974 (P.L. 93-531). The impact of this act has been devastating as the law ultimately required in the relocation of residents from ancestral lands.
- B. The Navajo Nation Council created the Navajo-Hopi Land Commission in 1980. The commission was delegated the authority to oversee land selection and land exchange activities mandated under federal law
- C. Litigation between the Navajo and Hopi Tribes resulted in development restrictions on 1.5 million acres of land under dispute. The acreage became known as the "Bennett Freeze Area." In 2009, after 43 years, this restriction on development was lifted.
- D. The Office of Navajo and Hopi Indian Relocation (ONHIR) was established through federal law for purposes of overseeing the relocation of approximately 16,000 Navajos from their ancestral lands. Through federal act establishing ONHIR, the federal government promised that the implementation of relocation would be "generous, ... minimiz[ing] the adverse social, economic, and cultural impacts of relocation on affected tribal members, ... avoid[ing] any repetition of the unfortunate results of a number of early, official Indian relocation efforts....". See NHLCAU-7-19, resolution of the Navajo-Hopi Land Commission, attached as **EXHIBIT A**. In spite of these promises, the federal program of relocation has been

and continues to be harsh and devastating on families and communities affected.

- E. Furthermore, the federal government, for the past 25 years, has failed to appoint a commissioner as required under the act creating the commission. A commissioner is necessary for purposes of coordinating a multi-agency approach addressing the continuing harsh realities caused by the federal government's program in relocating Navajo families.

**NOW, THEREFORE BE IT RESOLVED THAT:**

The Navajo Nation supports the Navajo-Hopi Land Commission in its urgent request that Donald Trump, through his authority as President of the United States, and pursuant to federal law, appoint a Commissioner to oversee the Office of Navajo and Hopi Indian Relocation.

**CERTIFICATION**

I, hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 24<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 12 in Favor, and 00 Opposed, on this 13<sup>th</sup> day of February 2020.



Honorable Seth Damon, Chairman  
Naabik'iyáti' Committee

Motion: Honorable Daniel E. Tso

Second: Honorable Rickie Nez

Chairman Seth Damon not voting





RESOLUTION OF THE  
NAVAJO-HOPI LAND COMMISSION

24<sup>th</sup> NAVAJO NATION COUNCIL - - First Year 2019

**The Navajo-Hopi Land Commission of the Navajo Nation Council Requests  
President Trump to Appoint a Commissioner to Oversee the Office of Navajo and  
Hopi Indian Relocation and to Ensure that All Federal Promises are Kept**

**WHEREAS:**

1. Pursuant to 2 N.N.C. §851(A), the Navajo-Hopi Land Commission (NHLC) is established within the Legislative Branch of the Navajo Nation Government; and
2. Pursuant to 2 N.N.C. § 853 (B)(I), the Navajo-Hopi Land Commission of the Navajo Nation Council ("NHLC") is authorized to advise the President of the Navajo Nation concerning all matters relating to land use conflicts between the Navajo Nation and the Hopi Tribe, and any claimants in and to lands within the areas described in the Act of June 14, 1934 (48 Stat. 960); and
3. Pursuant to Navajo Nation Council Resolution CN-69-80, the Navajo Nation Council delegated to the NHLC authority to speak and act for the Navajo Nation with respect to the land selections and land exchange provisions of Navajo-Hopi Indian Relocation Amendments Act of 1980, Public Law 96-305 (hereinafter referred to as "Act"); and
4. On December 22, 1974, the United State Congress passed the Navajo and Hopi Indian Land Settlement Act of 1974, P.L. 93-531, as amended, which authorized litigation between the Tribes and ultimately resulted in the division of the Former Joint Use Area between the Navajo Nation and the Hopi Tribe; and
5. The Act established an agency, now known as the Office of Navajo and Hopi Indian Relocation ("ONHIR"), responsible for carrying out the relocation of some 16,000 Navajos off their ancestral lands, and for the fulfillment of promises made by the United States that this would be a "generous relocation program to minimize the adverse social, economic, and cultural impacts of relocation on affected tribal members and to avoid any repetition of the unfortunate results of a number of early, official Indian relocation efforts...."; and
6. The relocation process and the construction freezes caused great harm to the Relocates, their families and the impacted communities, which continues to this day; and

7. ONHIR is authorized to call upon any department or agency of the United States to assist in carrying out the relocation plan, but has failed to do so despite noting in its 1983 Report and Plan Update, its intention to "[i]nitiate coordination efforts to establish joint governmental agency involvement for future relocation to deal with such areas as employment, roads, utilities, and like areas of need"; and

8. The Act provides that ONHIR shall be overseen by a Commissioner, but there has been no commissioner in place for the past 25 years and, as a result, the agency has failed to carry out its mission.

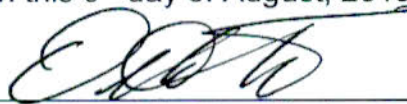
**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Navajo-Hopi Land Commission of the Navajo Nation Council calls upon President Trump to nominate a Commissioner for the Office of Navajo and Hopi Indian Relocation as mandated by the Navajo-Hopi Indian Relocation Amendments Act.

2. The Commissioner must be tasked with addressing the unmet needs and unfulfilled promises of the Navajo and Hopi Indian Land Settlement Act of 1974, P.L. 93-531, as amended, including coordinating a multi-agency effort to address the ongoing harsh impacts of the relocation process and related construction freezes.

**CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Navajo-Hopi Land Commission at a duly called meeting at Twin Arrows-Leupp, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 4 in favor, 0 opposed, and 0 abstained on this 9<sup>th</sup> day of August, 2019.

  
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Honorable Otto Tso, Chairperson

Motioned: Honorable Vince R. James

Seconded: Honorable Jimmy Yellowhair

# NAVAJO NATION

443

2020 WINTER SESSION

2/13/2020  
03:22:20 PM

Amd# to Amd#

Consent Agenda: Legislations

PASSED

MOT Tso, D

0017-20, 0022-20, 0027-20,

SEC Nez, R

0031-20, 0032-20, 0033-20

Yeas : 12

Nays : 0

Excused : 9

Not Voting : 2

Yea : 12

Begay, E

Brown

Nez, R

Tso, D

Begay, K

Charles-Newton

Stewart, W

Walker, T

Begay, P

Crotty

Tso, C

Wauneka, E

Nay : 0

Excused : 9

Daniels

Henio, J

Slater, C

Tso, E

Freeland, M

James, V

Smith

Yellowhair

Halona, P

Not Voting : 2

Tso, O

Yazzie

Presiding Speaker: Damon