## LEGISLATIVE SUMMARY SHEET Tracking No. 0189-19

**DATE:** July 2, 2019

AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTÍ COMMITTEE;
AUTHORIZING AND REQUIRING NAVAJO NATION LEADERSHIP TO MEET WITH THE NEW MEXICO CONGRESSIONAL DELEGATION SPONSORS OF THE "CHACO CULTURAL HERITAGE AREA PROTECTION ACT OF 2019", (FEDERAL LEGISLATIONS S-1079 AND HR-2181) TO EXPRESS NAVAJO NATION CONCERNS WITH THE LEGISLATION AND TO REQUEST THE ENERGY AND NATURAL RESOURCES COMMITTEE OF THE UNITED STATES SENATE TO HOLD HEARINGS IN THE TARGET AREA TO RECEIVE TESTIMONY FROM ALL AFFECTED NAVAJO ALLOTTEES IMPACTED BY THE CHACO CULTURAL HERITAGE PROTECTION ACT OF 2019; SUCH ACTIONS TO TAKE PLACE BEFORE THE NAVAJO NATION ADOPTS AN OFFICIAL POSITION REGARDING THE "CHACO CULTURAL HERITAGE AREA AND PROTECTION ACT OF 2019

PURPOSE: Authorizing and requiring Navajo Nation leadership to meet with the New Mexico Congressional delegation regarding the Chaco Cultural Heritage Area Protection Act of 2019 and to request in addition that the Energy and Natural Resources Committee of the United States Senate hold hearings in the affected areas of Navajo Nation.

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 review the proposed resolution in detail.

E DAY BULL	LOUDDERING. ALS	
	OLD PERIOD: Resources & Development C	
Posting End	- tolia	Thence
Eligible for A	Naabik iyati U	ommittee
1	PROPOSED NAVAJO NATION COMMITTEE RESOLUTION	<u>ح</u> د.
2	24th NAVAJO NATION COUNCIL - First Year, 2019	
3	Thomas Galker William	
4	INTRODUCED BY	
5	When to Ma De -	
6	Withing More See	
7	(Prime Sponsor)	
8	0.100.10	
9	TRACKING NO. <u>0189-19</u>	
10		
11	AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE	
12	AND THE NAABIK'ÍYÁTÍ COMMITTEE;	
13	AUTHORIZING AND REQUIRING NAVAJO NATION LEADERSHIP TO MEET	
14	WITH THE NEW MEXICO CONGRESSIONAL DELEGATION SPONSORS OF THE	
15	"CHACO CULTURAL HERITAGE AREA PROTECTION ACT OF 2019", (FEDERAL	
16	LEGISLATIONS S-1079 AND HR-2181) TO EXPRESS NAVAJO NATION CONCERNS	
17	WITH THE LEGISLATION AND TO REQUEST THE ENERGY AND NATURAL	
18	RESOURCES COMMITTEE OF THE UNITED STATES SENATE TO HOLD	
19	HEARINGS IN THE TARGET AREA TO RECEIVE TESTIMONY FROM ALL	
20	AFFECTED NAVAJO ALLOTTEES IMPACTED BY THE CHACO CULTURAL	
21	HERITAGE PROTECTION ACT OF 2019; SUCH ACTIONS TO TAKE PLACE	
22	BEFORE THE NAVAJO NATION ADOPTS AN OFFICIAL POSITION REGARDING	
23	THE "CHACO CULTURAL HERITAGE AREA AND PROTECTION ACT OF 2019	
24		
25		
26	WHEREAS:	
27	2000 50 200 10 AND 20 AND 20 AND 21 A	
28	A. The Resources and Development Committee of the Navajo Nation Council exercises	
29	oversight authority over water, land, grazing, environment, economic and community	
30	development. 2 N.N.C. §500 (C).	
	Page 1 of 3	

28

29

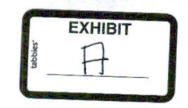
30

- B. The Naabik'íyáti Committee of the Navajo Nation Council is the standing committee empowered to coordinate and pronounce the official position of the Navajo Nation before non-Navajo government federal, state or other entities. 2 N.N.C. § 700 (A).
- C. This legislation is a necessary response to current developments involving actions of the New Mexico Congressional Delegation and the "Chaco Cultural Heritage Area Protection Act of 2019" (Act); Legislation S. 1079 and H.R. 2181. See Exhibit A.
- D. These bills, S.1079 and its companion bill H.R. 2181, both sharing the common title "Chaco Cultural Heritage Area Protection Act of 2019", have been sponsored by the New Mexico Congressional delegation.
- E. The "Chaco Cultural Heritage Area Protection Act of 2019" in an effort to protect the archeological, sacred and historic resources located throughout the Greater Chaco region severely restricts, prohibits in effect, any extraction operations from occurring on lands within the Act's expansive impact area. See Exhibit A.
- F. The Act will have a major and severe impact on the lands rightly owned by the numerous Navajo Nation allottees in that affected area. See Exhibit B.
- G. The Navajo Nation finds it is in the best interest of the Diné that the Navajo Nation, through its leadership, including the Speaker of the Navajo Nation or his designee, the President of the Navajo Nation or his designee and other selected members of leadership as they may choose to meet with and communicate to the New Mexico Congressional delegation, the concerns of the Navajo Nation regarding "Chaco Cultural Heritage Area Protection Act of 2019".
- H. The Navajo Nation finds it is in the best interest of the Diné that the Navajo Nation leadership formally request and make best efforts to ensure that the Energy and Natural Resources Committee of the United States Senate hold on-site hearings on the impact of the "Chaco Cultural Heritage Protection Act of 2019" on the Navajo Nation.

### THEREFORE, BE IT RESOLVED:

A. The Navajo Nation hereby requires and so authorizes the Navajo Nation leadership, including the Speaker of the Navajo Nation or his designee, and the President of the Navajo Nation or his designee and other selected members of leadership as they may choose, to meet with and communicate to the New Mexico Congressional delegation, the concerns of the Navajo Nation regarding "Chaco Cultural Heritage Area Protection Act of 2019".

- B. The Navajo Nation hereby directs the Speaker of the Navajo Nation Council or his designee and the President of the Navajo Nation or his designee to formally request and make their best efforts to ensure, that the Energy and Natural Resources Committee of the United States Senate hold on-site hearings on the impact of the "Chaco Cultural Heritage Protection Act of 2019" on the Navajo Nation.
- C. It is the intent of this legislation that no official position of the Navajo Nation regarding the "Chaco Cultural Heritage Protection Act of 2019" be adopted until the meetings and hearings directed by this legislation have occurred.



П

116TH CONGRESS 1ST SESSION

## S. 1079

To provide for the withdrawal and protection of certain Federal land in the State of New Mexico.

### IN THE SENATE OF THE UNITED STATES

APRIL 9, 2019

Mr. UDALL (for himself and Mr. Heinrich) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

### A BILL

To provide for the withdrawal and protection of certain Federal land in the State of New Mexico.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Chaco Cultural Herit-
- 5 age Area Protection Act of 2019".
- 6 SEC. 2. FINDINGS.
- 7 Congress finds that—
- 8 (1) there are archeological, sacred, and historic
- 9 resources located throughout the Greater Chaco re-

1	gion, which spans the States of New Mexico, Ari-
2	zona, Utah, and Colorado;
3	(2) the Chaco Culture National Historical Park,
4	a unit of the National Park System and a United
5	Nations Educational, Scientific and Cultural Organi-
6	zation World Heritage Site, is known around the
7	world—
8	$(\Lambda)$ for multi-story buildings constructed
9	by the Chacoan people that are still standing;
10	and
11	(B) as the nerve center of a culture that
12	spread throughout and dominated the Four
13	Corners area during the 9th, 10th, and 11th
14	centuries;
15	(3) the Chacoan people built hundreds of miles
16	of roads and a network of villages, shrines, and com-
17	munications sites, many of which are still visible;
18	(4) many Pueblos and Indian Tribes in the
19	Four Corners area claim cultural affiliation with,
20	and are descended from, the Chacoan people;
21	(5) the landscape around the Chaco Culture
22	National Historical Park includes hundreds of inter-
23	nationally and nationally significant cultural re-
24	sources, including prehistoric roads, communities,
25	and shrines—

1	$(\Lambda)$ many of which are related to the re-
2	sources found in the Chaco Culture National
3	Historical Park, including the resources recog-
4	nized by the amendment made by section 3 of
5	the Chacoan Outliers Protection Act of 1995
6	(16 U.S.C. 410ii note; Public Law 104-11)
7	providing for additional Chaco Culture Archeo-
8	logical Protection Sites;
9	(B) a significant number of which are con-
10	centrated within the immediate area sur-
11	rounding the Chaco Culture National Historical
12	Park; and
13	(C) that are commonly recognized by ar-
14	cheologists;
15	(6) long considered one of the best places for
16	stargazing in the world, Chaco Culture National
17	Historical Park—
18	(A) in 1991, established a night skies pro-
19	tection initiative and interpretive program to
20	protect the night sky in the area of the Chaco
21	Culture National Historical Park; and
22	(B) in 2013, was certified as an Inter-
23	national Dark Sky Park:

1	(7) the Greater Chaco landscape in the State of
2	New Mexico extends beyond Chaco Culture National
3	Historical Park and encompasses—
4	(A) local communities, including Pueblos
5	and Indian Tribes; and
6	(B) public land, which includes additional
7	cultural resources and sacred sites;
8	(8) for over 110 years, the Federal Government
9	has recognized the importance of the area in which
10	the Chacoan people lived and has acted to protect
11	historic and sacred sites in the area, including—
12	(A) Chaco Canyon, which was designated
13	as a National Monument in 1907 and as the
14	Chaco Culture National Historical Park in
15	1980;
16	(B) the Aztee Ruins, which was designated
17	as a National Monument in 1923 and expanded
18	in each of 1928, 1930, 1948, and 1988; and
19	(C) the 39 Chaco Culture Archeological
20	Protection Sites designated in 1995;
21	(9) recognizes that the standard for Tribal con-
22	sultation is outlined in Executive Order 13175 (25
23	U.S.C. 5301 note; relating to consultation and co-
24	ordination with Indian Tribal governments);

1	(10) extensive natural gas development has oc-
2	curred in the Greater Chaco region that affect the
3	health, safety, economies, and quality of life of local
4	communities;
5	(11) renewed interest in oil exploration and pro-
6	duction within the Mancos/Gallup Shale play has in-
7	creased the potential for—
8	(A) significant impacts on resources and
9	visitor experiences at the Chaco Culture Na-
10	tional Historical Park; and
11	(B) additional impacts on local commu-
12	nities in the Greater Chaco region, including
13	Pueblos and Indian Tribes;
14	(12) a mineral withdrawal in the landscape
15	around the Chaco Culture National Historical Park
16	would prevent leasing and development in the imme-
17	diate area surrounding the Chaco Culture National
18	Historical Park, which would protect resources and
19	visitor experiences at the Chaco Culture National
20	Historical Park; and
21	(13) additional studies and protective measures
22	should be undertaken to address health, safety, and
23	environmental impacts on communities and interests
24	of Pueblos and Indian Tribes in the Greater Chaco
25	landscape.

1	SEC. 3. DEFINITIONS.
2	In this Act:
3	(1) COVERED LEASE.—The term "covered
4	lease" means any oil and gas lease for Federal
5	land—
6	$(\Lambda)$ on which drilling operations have not
7	been commenced before the end of the primary
8	term of the applicable lease;
9	(B) that is not producing oil or gas in pay-
10	ing quantities; and
11	(C) that is not subject to a valid coopera-
12	tive or unit plan of development or operation
13	certified by the Secretary to be necessary.
14	(2) Federal Land.—
15	(A) IN GENERAL.—The term "Federal
16	land" means—
17	(i) any Federal land or interest in
18	Federal land that is within the boundaries
19	of the Chaco Cultural Heritage Withdrawal
20	Area, as depicted on the Map; and
21	(ii) any land or interest in land lo-
22	cated within the boundaries of the Chaco
23	Cultural Heritage Withdrawal Area, as de-
24	picted on the Map, that is acquired by the
25	Federal Government after the date of en-
26	actment of this Act.

1	(B) Exclusion.—The term "Federal
2	land" does not include trust land (as defined in
3	section 3765 of title 38, United States Code).
4	(3) Map.—The term "Map" means the map
5	prepared by the Bureau of Land Management enti-
6	tled "Chaco Cultural Heritage Withdrawal Area"
7	and dated April 2, 2019.
8	(4) Secretary.—The term "Secretary" means
9	the Secretary of the Interior.
10	SEC. 4. WITHDRAWAL OF CERTAIN FEDERAL LAND IN THE
11	STATE OF NEW MEXICO.
12	(a) In General.—Subject to any valid existing
13	rights, the Federal land is withdrawn from—
14	(1) all forms of entry, appropriation, and dis-
15	posal under the public land laws;
16	(2) location, entry, and patent under mining
17	laws; and
18	(3) operation of the mineral leasing, mineral
19	materials, and geothermal leasing laws.
20	(b) AVAILABILITY OF MAP.—The Map shall be made
21	available for inspection at each appropriate office of the
22	Bureau of Land Management.
23	(e) Conveyance of Federal Land to Indian
24	Tribes.—Notwithstanding subsection (a), the Secretary
25	may convey the Federal land to, or exchange the Federal

1	land with, an Indian Tribe in accordance with a resource
2	management plan that is approved as of the date of enact-
3	ment of this Act, as subsequently developed, amended, or
4	revised in accordance with the Federal Land Policy and
5	Management $\Lambda ct$ of 1976 (43 U.S.C. 1701 et seq.) and
6	any other applicable law.
7	SEC. 5. OIL AND GAS LEASE MANAGEMENT.
8	(a) Termination of Non-Producing Leases.—A
9	covered lease—
10	(1) shall automatically terminate by operation
11	of law pursuant to section 17(e) of the Mineral
12	Leasing Act (30 U.S.C. 226(e)) and subpart 3108
13	of title 43, Code of Federal Regulations (or suc-
14	cessor regulations); and
15	(2) may not be extended by the Secretary.
16	(b) WITHDRAWAL OF TERMINATED, RELINQUISHED,
17	OR ACQUIRED LEASES.—Any portion of the Federal land
18	subject to a covered lease terminated under subsection (a)
19	or otherwise or relinquished or acquired by the United
20	States on or after the date of enactment of this $\Lambda ct$ is
21	withdrawn from—
22	(1) all forms of entry, appropriation, and dis-
23	posal under the public land laws;
24	(2) location, entry, and patent undermining

laws; and

25

1	(3) operation of the mineral leasing, mineral
2	materials, and geothermal leasing laws.
3	SEC. 6. EFFECT.
4	Nothing in this Act—
5	(1) affects the mineral rights of an Indian
6	Tribe or member of an Indian Tribe to trust land
7	or allotment land; or
8	(2) precludes improvements to, or rights-of-way
9	for water, power, or road development on, the Fed-
10	eral land to assist communities adjacent to or in the
11	vicinity of the Federal land.



# 116TH CONGRESS H. R. 2181

To provide for the withdrawal and protection of certain Federal land in the State of New Mexico.

### IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2019

Mr. Luján (for himself, Ms. Torres Small of New Mexico, Ms. Haaland, and Mr. Grijalva) introduced the following bill; which was referred to the Committee on Natural Resources

### A BILL

To provide for the withdrawal and protection of certain Federal land in the State of New Mexico.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Λct may be cited as the "Chaco Cultural Herit-
- 5 age Area Protection Act of 2019".
- 6 SEC. 2. FINDINGS.
- 7 Congress finds that—
- 8 (1) there are archeological, sacred, and historic
- 9 resources located throughout the Greater Chaco re-

1	gion, which spans the States of New Mexico, Ari-
2	zona, Utah, and Colorado;
3	(2) the Chaco Culture National Historical Park,
4	a unit of the National Park System and a United
5	Nations Educational, Scientific and Cultural Organi-
6	zation World Heritage Site, is known around the
7	world—
8	(A) for multi-story buildings constructed
9	by the Chacoan people that are still standing;
10	and
11	(B) as the nerve center of a culture that
12	spread throughout and dominated the Four
13	Corners area during the 9th, 10th, and 11th
14	centuries;
15	(3) the Chacoan people built hundreds of miles
16	of roads and a network of villages, shrines, and com-
17	munications sites, many of which are still visible;
18	(4) many Pueblos and Indian Tribes in the
19	Four Corners area claim cultural affiliation with,
20	and are descended from, the Chacoan people;
21	(5) the landscape around the Chaco Culture
22	National Historical Park includes hundreds of inter-
23	nationally and nationally significant cultural re-
24	sources, including prehistoric roads, communities,
25	and shrines—

1	(A) many of which are related to the re-
2	sources found in the Chaco Culture National
3	Historical Park, including the resources recog-
4	nized by the amendment made by section 3 of
5	the Chacoan Outliers Protection Act of 1995
6	(16 U.S.C. 410ii note; Public Law 104-11)
7	providing for additional Chaco Culture Archeo-
8	logical Protection Sites;
9	(B) a significant number of which are con-
10	centrated within the immediate area sur-
11	rounding the Chaco Culture National Historical
12	Park; and
13	(C) that are commonly recognized by ar-
14	cheologists;
15	(6) long considered one of the best places for
16	stargazing in the world, Chaco Culture National
17	Historical Park—
18	(A) in 1991, established a night skies pro-
19	tection initiative and interpretive program to
20	protect the night sky in the area of the Chaco
21	Culture National Historical Park; and
22	(B) in 2013, was certified as an Inter-
23	national Dark Sky Park;

1	(7) the Greater Chaco landscape in the State of
2	New Mexico extends beyond Chaco Culture National
3	Historical Park and encompasses—
4	(Λ) local communities, including Pueblos
5	and Indian Tribes; and
6	(B) public land, which includes additional
7	cultural resources and sacred sites;
8	(8) for over 110 years, the Federal Government
9	has recognized the importance of the area in which
10	the Chacoan people lived and has acted to protect
11	historic and sacred sites in the area, including—
12	(A) Chaco Canyon, which was designated
13	as a National Monument in 1907 and as the
14	Chaco Culture National Historical Park in
15	1980;
16	(B) the Aztec Ruins, which was designated
17	as a National Monument in 1923 and expanded
18	in each of 1928, 1930, 1948, and 1988; and
19	(C) the 39 Chaco Culture Archeological
20	Protection Sites designated in 1995;
21	(9) recognizes that the standard for Tribal con-
22	sultation is outlined in Executive Order 13175 (25
23	U.S.C. 5301 note; relating to consultation and co-
24	ordination with Indian Tribal governments);

1	(10) extensive natural gas development has oc-
2	curred in the Greater Chaco region that affect the
3	health, safety, economies, and quality of life of local
4	communities;
5	(11) renewed interest in oil exploration and pro-
6	duction within the Mancos/Gallup Shale play has in-
7	creased the potential for—
8	(A) significant impacts on resources and
9	visitor experiences at the Chaco Culture Na-
10	tional Historical Park; and
11	(B) additional impacts on local commu-
12	nities in the Greater Chaco region, including
13	Pueblos and Indian Tribes;
14	(12) a mineral withdrawal in the landscape
15	around the Chaco Culture National Historical Park
16	would prevent leasing and development in the imme-
17	diate area surrounding the Chaco Culture National
18	Historical Park, which would protect resources and
19	visitor experiences at the Chaco Culture National
20	Historical Park; and
21	(13) additional studies and protective measures
22	should be undertaken to address health, safety, and
23	environmental impacts on communities and interests
24	of Pueblos and Indian Tribes in the Greater Chaco
25	landscape

1	SEC. 3. DEFINITIONS.
2	In this Act:
3	(1) COVERED LEASE.—The term "covered
4	lease" means any oil and gas lease for Federal
5	land—
6	(A) on which drilling operations have not
7	been commenced before the end of the primary
8	term of the applicable lease;
9	(B) that is not producing oil or gas in pay-
10	ing quantities; and
11	(C) that is not subject to a valid coopera-
12	tive or unit plan of development or operation
13	certified by the Secretary to be necessary.
14	(2) Federal Land.—
15	(A) IN GENERAL.—The term "Federal
16	land" means—
17	(i) any Federal land or interest in
18	Federal land that is within the boundaries
19	of the Chaco Cultural Heritage Withdrawal
20	Area, as depicted on the Map; and
21	(ii) any land or interest in land lo-
22	cated within the boundaries of the Chaco
23	Cultural Heritage Withdrawal Area, as de-
24	picted on the Map, that is acquired by the
25	Federal Government after the date of en-
26	actment of this Act.

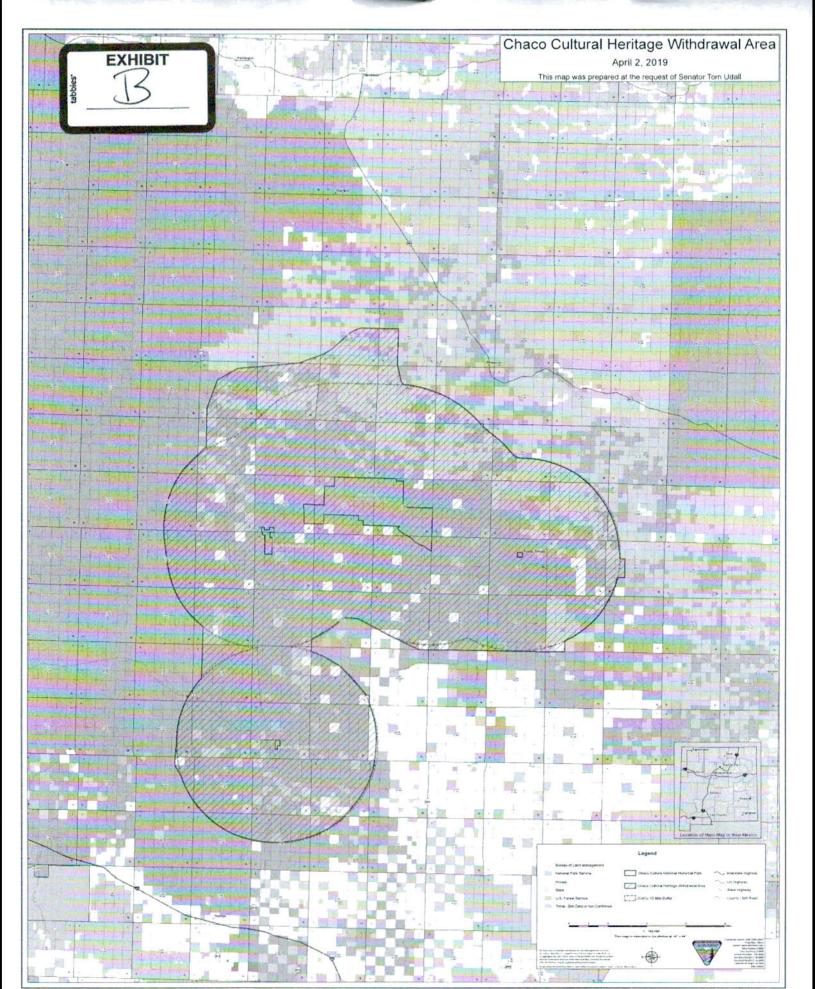
1	(B) Exclusion.—The term "Federal
2	land" does not include trust land (as defined in
3	section 3765 of title 38, United States Code).
4	(3) Map.—The term "Map" means the map
5	prepared by the Bureau of Land Management enti-
6	tled "Chaco Cultural Heritage Withdrawal Area"
7	and dated April 2, 2019.
8	(4) Secretary.—The term "Secretary" means
9	the Secretary of the Interior.
10	SEC. 4. WITHDRAWAL OF CERTAIN FEDERAL LAND IN THE
11	STATE OF NEW MEXICO.
12	(a) In General.—Subject to any valid existing
13	rights, the Federal land is withdrawn from—
14	(1) all forms of entry, appropriation, and dis-
15	posal under the public land laws;
16	(2) location, entry, and patent under mining
17	laws; and
18	(3) operation of the mineral leasing, mineral
19	materials, and geothermal leasing laws.
20	(b) Availability of Map.—The Map shall be made
21	available for inspection at each appropriate office of the
22	Bureau of Land Management.
23	(e) Conveyance of Federal Land to Indian
24	Tribes.—Notwithstanding subsection (a), the Secretary
25	may convey the Federal land to, or exchange the Federal

- 1 land with, an Indian Tribe in accordance with a resource
- 2 management plan that is approved as of the date of enact-
- 3 ment of this Act, as subsequently developed, amended, or
- 4 revised in accordance with the Federal Land Policy and
- 5 Management Act of 1976 (43 U.S.C. 1701 et seq.) and
- 6 any other applicable law.

### 7 SEC. 5. OIL AND GAS LEASE MANAGEMENT.

- 8 (a) Termination of Non-Producing Leases.—A
- 9 covered lease—
- 10 (1) shall automatically terminate by operation
- of law pursuant to section 17(e) of the Mineral
- 12 Leasing Act (30 U.S.C. 226(e)) and subpart 3108
- of title 43, Code of Federal Regulations (or suc-
- 14 cessor regulations); and
- 15 (2) may not be extended by the Secretary.
- 16 (b) Withdrawal of Terminated, Relinquished,
- 17 OR ACQUIRED LEASES.—Any portion of the Federal land
- 18 subject to a covered lease terminated under subsection (a)
- 19 or otherwise or relinquished or acquired by the United
- 20 States on or after the date of enactment of this Act is
- 21 withdrawn from—
- 22 (1) all forms of entry, appropriation, and dis-
- posal under the public land laws;
- 24 (2) location, entry, and patent undermining
- 25 laws; and

1	(3) operation of the mineral leasing, mineral			
2	materials, and geothermal leasing laws.			
3	SEC. 6. EFFECT.			
4	Nothing in this Act—			
5	(1) affects the mineral rights of an Indian			
6	Tribe or member of an Indian Tribe to trust land			
7	or allotment land; or			
8	(2) precludes improvements to, or rights-of-way			
9	for water, power, or road development on, the Fed-			
10	eral land to assist communities adjacent to or in the			
11	vicinity of the Federal land.			





Honorable Seth Damon Speaker 24<sup>th</sup> Navajo Nation Council

#### **MEMORANDUM**

TO: Honorable Seth Damon

Honorable Mark Freeland 24<sup>th</sup> Navajo Nation Council

FROM:

Edward A. McCool, Acting-Chief Legislative Counsel

Office of Legislative Counsel

**DATE:** July 2, 2019

AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTÍ COMMITTEE:

AUTHORIZING AND REQUIRING NAVAJO NATION LEADERSHIP TO MEET WITH THE NEW MEXICO CONGRESSIONAL DELEGATION SPONSORS OF THE "CHACO CULTURAL HERITAGE AREA PROTECTION ACT OF 2019", (FEDERAL LEGISLATIONS S-1079 AND HR-2181) TO EXPRESS NAVAJO NATION CONCERNS WITH THE LEGISLATION AND TO REQUEST THE ENERGY AND NATURAL RESOURCES COMMITTEE OF THE UNITED STATES SENATE TO HOLD HEARINGS IN THE TARGET AREA TO RECEIVE TESTIMONY FROM ALL AFFECTED NAVAJO ALLOTTEES IMPACTED BY THE CHACO CULTURAL HERITAGE PROTECTION ACT OF 2019; SUCH ACTIONS TO TAKE PLACE BEFORE THE NAVAJO NATION ADOPTS AN OFFICIAL POSITION REGARDING THE "CHACO CULTURAL HERITAGE AREA AND PROTECTION ACT OF 2019

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 as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

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.

# THE NAVAJO NATION LEGISLATIVE BRANCH INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0189-19 SPONSOR: Mark Freeland

TITLE: An Action Relating To The Resources And Development Committee And The NAABIK'IYATI' Committee; Authorizing And Requiring Navajo Nation Leadership To Meet With The New Mexico Congressional Delegation Sponsors Of The "Chaco Cultural Heritage Area Protection Act Of 2019", (Federal Legislations S-1079 And HR-2181) To Express Navajo Nation Concerns With The Legislation And To Request The Energy And Natural Resources Committee Of The United States Senate To Hold Hearings In The Target Area To Receive Testimony From All Affected Navajo Allottees Impacted By The Chaco Cultural Heritage Protection Act Of 2019; Such Actions To Take Place Before The Navajo Nation Adopts An Official Position Regarding The "Chaco Cultural Heritage Area And Protection Act Of 2019

Date posted: July 3, 2019 at 7:30 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.

# THE NAVAJO NATION LEGISLATIVE BRANCH INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0189-19

SPONSOR: Honorable Mark AFreeland

TITLE: An Action Relating To The Resources And Development Committee And The Naabik'íyáti' Committee; Authorizing And Requiring Navajo Nation Leadership To Meet With The New Mexico Congressional Delegation Sponsors Of The "Chaco Cultural Heritage Area Protection Act Of 2019", (Federal Legislations S-1079 And HR-2181) To Express Navajo Nation Concerns With The Legislation And To Request The Energy And Natural Resources Committee Of The United States Senate To Hold Hearings In The Target Area To Receive Testimony From All Affected Navajo Allottees Impacted By The Chaco Cultural Heritage Protection Act Of 2019; Such Actions To Take Place Before The Navajo Nation Adopts An Official Position Regarding The "Chaco Cultural Heritage Area And Protection Act Of 2019

Posted: July 3, 2019 at 7:30 PM

5 DAY Comment Period Ended: July 08, 2019

Digital Comments received:

Comments Supporting	None
Comments Opposing	None
Inconclusive Comments	None

Legislative Tracking Secretary Office of Legislative Services

Date/Time

## RESOURCES AND DEVELOPMENT COMMITTEE 24th NAVAJO NATION COUNCIL

### FIRST YEAR 2019

### COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

Legislation # 0189-19: An Action Relating to the Resources and Development Committee and the Naabik'Iyati Committee; Authorizing and Requiring Navajo Nation Leadership to Meet With The New Mexico Congressional Delegation Sponsors of the "Chaco Cultural Heritage Area Protection Act of 2019", (Federal Legislations S-1079 and HR-2181) To Express Navajo Nation Concerns With The Legislation and to Request the Energy and Natural Resources Committee of the United States Senate to Hold Hearings In the Target Area to Receive Testimony From All Affected Navajo Allottees Impacted By the Chaco Cultural Heritage Protection Act of 2019; Such Actions to Take Place Before the Navajo Nation Adoptions an Official Position Regarding the "Chaco Cultural Heritage Area and Protection Act of 2019". Sponsor: Mark A. Freeland

Has had it under consideration and reports a DO PASS with no amendment

and thereafter the legislation was referred to Naabik' Iyati Committee.

Respectfully submitted,

Rickie Nez, Presiding Chairperson Resources and Development Committee of the 24th Navajo Nation Council

July 10, 2019 – Regular Meeting

Meeting Location: NDOT Administrative Complex, Tse Bonito, NM

### MAIN MOTION:

M: Thomas Walker, Jr. S: Herman M. Daniels Vote: 5-0-1 (CNV)

Yeas: Mark A. Freeland, Wilson C. Stewart, Jr., Kee Allen Begay, Jr., Thomas Walker, Jr., and

Herman M. Daniels

Nays: None Excused: None

### RESOURCES AND DEVELOPMENT COMIMTTEE 24<sup>th</sup> Navajo Nation Council Regular Meeting

### ROLL CALL VOTE TALLY SHEET:

Legislation # 0189-19: An Action Relating to the Resources and Development Committee and the Naabik' Iyati Committee; Authorizing and Requiring Navajo Nation Leadership to Meet With The New Mexico Congressional Delegation Sponsors of the "Chaco Cultural Heritage Area Protection Act of 2019", (Federal Legislations S-1079 and HR-2181) To Express Navajo Nation Concerns With The Legislation and to Request the Energy and Natural Resources Committee of the United States Senate to Hold Hearings In the Target Area to Receive Testimony From All Affected Navajo Allottees Impacted By the Chaco Cultural Heritage Protection Act of 2019; Such Actions to Take Place Before the Navajo Nation Adoptions an Official Position Regarding the "Chaco Cultural Heritage Area and Protection Act of 2019". Sponsor: Mark A. Freeland

Date: July 10, 2019

Meeting Location: NDOT Administrative Complex, Tse Bonito, NM

#### MAIN MOTION:

M: Thomas Walker, Jr. S: Herman M. Daniels Vote: 5-0-1 (CNV)

Yeas: Mark A. Freeland, Wilson C. Stewart, Jr., Kee Allen Begay, Jr., Thomas Walker,

Jr., and Herman M. Daniels

Nays: None Excused: None

Honorable Rickie Nez, Presiding Chairman Resources and Development Committee

Shammie Begay, Legislative Advisor

Office of Legislative Services