

RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
24<sup>th</sup> NAVAJO NATION COUNCIL - SECOND YEAR, 2020

AN ACTION RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; RESCINDING CO-47-12; RE-AFFIRMING CAP-11-11; AND RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS ENACT LEGISLATION CONSISTENT WITH THE PRINCIPLES STATED IN CAP-11-11 AND THE EASTERN NAVAJO AGENCY LAND CONSOLIDATION GOALS OF THE NAVAJO NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Navajo Nation Council established the Resources and Development Committee as a Navajo Nation Council Standing Committee empowered with oversight over land issues. 2 N.N.C. § 500 (C).
- C. The Navajo Nation Council established the Naabik'iyáti' Committee as a Navajo Nation Council Standing Committee. Proposed resolutions requiring the final authority of the Navajo Nation Council are to be assigned to the Naabik'iyáti' Committee. 2 N.N.C. § 164 (A) (9).

SECTION TWO. FINDINGS

- A. The Eastern Navajo Land Commission ("Commission") is established in the Legislative Branch with primary responsibility for the direction of the Navajo Nation's land acquisition and consolidation efforts in the Eastern Navajo Agency. 2 N.N.C. § 863 (J).
- B. The Commission passed resolution ENLCF-01-10 entitled *Requesting that the Navajo Nation Formally Seek, and that the United States Enact, Legislation to Consolidate Navajo Lands in the Eastern Navajo Agency, Re-convey Lands to Navajo Nation Trust Status that Were Unlawfully Restored to the Public Domain, Confirm The Trust Status Of Lands Purchased by the United States under Legislation Intended by Congress to be Held in Trust For The Navajo Nation, Preserve All Valid Existing*

*Rights, and Authorize the Conveyance of Navajo Nation Interests in Certain Lands of Extraordinary Archaeological Significance to the United States to Consolidate such Lands in Federal Ownership.* ENLCF-01-10 is attached as Exhibit D within **Exhibit 2**.

- C. The Navajo Nation Council agreed with the Commission's request and enacted Resolution CAP-11-11, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE, APPROVING AND REQUESTING THAT THE UNITED STATES CONGRESS TAKE INTO TRUST STATUS NAVAJO LANDS IN THE EASTERN NAVAJO AGENCY, RE-CONVEY LANDS TO NAVAJO TRUST STATUS, CONFIRM THE TRUST STATUS OF LANDS PURCHASE[D] BY THE UNITED STATES UNDER LEGISLATION INTENDED BY CONGRESS TO BE HELD IN TRUST FOR THE NAVAJO NATION, PRESERVE ALL VALID EXISTING RIGHTS, AND AUTHORIZED THE CONVEYANCE OF NAVAJO NATION INTERESTS IN CERTAIN LANDS OF EXTRAORDINARY ARCHAEOLOGICAL SIGNIFICAN[CE] TO THE UNITED STATES TO CONSOLIDATE SUCH LANDS IN FEDERAL OWNERSHIP. CAP-11-11 is attached as **Exhibit 2**.
- D. Navajo Nation Council Resolution CAP-11-11, Section 1, provides a history of the current land status of the Eastern Navajo Agency. See CAP-11-11 Section 1.
- E. A year and a half after the enactment of CAP-11-11, the Commission, through Eastern Navajo Land Commission resolution ENLCD-07-11 requested that the Navajo Nation Council include advocacy for the federal government's obligation to complete the Navajo Indian Irrigation Project in addition to land consolidation within the Eastern Navajo Agency. ENLCD-07-11 is attached as Exhibit 6 within CO-47-12, **Exhibit 3**.
- F. The Navajo Nation Council through Resolution CO-47-12 agreed with the inclusion of a statement regarding the federal government's obligation to complete the Navajo Indian Irrigation Project. CO-47-12 is attached as **Exhibit 3**.
- G. In 2019, almost seven years after the enactment of Navajo Nation Council Resolution CO-47-12, the Commission passed resolution ENLCD-07-19 entitled *Respectfully Requesting the Navajo Nation Council to Formally Readopt Its Resolution CAP-11-11 as It May Be Modified in Conformity with the Recommendations of this Commission.* ENLCD-07-19 is attached as **Exhibit 4**.
- H. The Eastern Navajo Land Commission through resolution ENLCD-07-19, **Exhibit 4**, has requested that the previously enacted Navajo Nation Council Resolution CO-47-12, **Exhibit 3**, be rescinded and that Navajo Nation Council Resolution CAP-11-11,



**Exhibit 2**, be readopted. The Commission through ENLCD-07-19 is requesting that the Navajo Nation refocus its efforts primarily on land consolidation in the Eastern Navajo Agency.

I. The Commission through resolution ENLCD-07-19, **Exhibit 4**, has further requested that the Navajo Nation Council advocate for three additional policies:

1. Adding an explicit request that Congress direct the Department of the Interior to take Navajo Nation fee lands in the Eastern Navajo Agency into trust or restricted fee status;
2. Authorizing a three-way exchange of New Mexico State trust lands in the Eastern Navajo Agency among the Bureau of Land Management, the State of New Mexico, and the Navajo Nation; and
3. Identifying specific Executive Order and other withdrawn federal lands to be taken into trust or restricted fee status for the Navajo Nation by the Department of Interior.

J. The three additional policies advocated for enactment by the United States Congress and the policies included in Navajo Nation Council Resolution CAP-11-11 are described in the proposed Congressional legislation attached as **Exhibit 1** (and its Exhibits A, B and C), entitled *Eastern Navajo Agency Land Exchange and Archeological Protection Act of 2020*.

### **SECTION THREE. RESCINDING CO-47-12**

The Navajo Nation hereby rescinds Navajo Nation Council Resolution CO-47-12.

### **SECTION FOUR. REAFFIRMING CAP-11-11**

The Navajo Nation hereby reaffirms Navajo Nation Council Resolution CAP-11-11.

### **SECTION FIVE. REQUESTING UNITED STATES CONGRESSIONAL ENACTMENT OF THE EASTERN NAVAJO AGENCY LAND EXCHANGE AND ARCHEOLOGICAL PROTECTION ACT OF 2020**

The Navajo Nation hereby respectfully requests the United States Congress approve *An Act to declare that certain land of the United States shall be held in trust for the Navajo Nation and be made a part of the Navajo Indian Reservation, to accept the conveyance of*

certain lands of and interests in land held by the Navajo Nation, to preserve valid existing rights in lands held in trust of the Navajo Nation hereunder, and for other purposes. The proposed language for the Congressional legislation is attached hereto as **Exhibit 1** with its Exhibits A, B and C.

**SECTION SIX. AUTHORIZATION TO THE NAVAJO NATION PRESIDENT**

The Navajo Nation hereby authorizes the President of the Navajo Nation to execute any and all documents and take any reasonable and proper steps necessary to effectuate the intent and purpose of this resolution.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by 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 21 in Favor, and 00 Opposed, on this 15<sup>th</sup> day of May 2020.

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

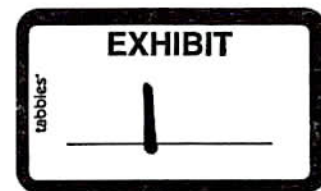
May 20, 2020  
DATE

Motion: Honorable Daniel E. Tso

Second: Honorable Paul Begay

Speaker Seth Damon not voting





H.R. \_\_\_\_/ S. \_\_\_\_

An Act to declare that certain land of the United States shall be held in trust for the Navajo Nation and be made a part of the Navajo Indian Reservation, to accept the conveyance of certain lands of and interests in land held by the Navajo Nation, to preserve valid existing rights in lands held in trust for the Navajo Nation hereunder, to effect an exchange of New Mexico State lands with the United States for the benefit of the Navajo Nation, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES/ / IN THE UNITED STATES SENATE

[[[date]]], 2020

Mr./Ms. \_\_\_\_\_, for himself/herself and for Mr./Ms. \_\_\_\_\_ introduced the following bill, which was referred to the Committee on \_\_\_\_\_.

\_\_\_\_\_  
**A BILL**

To declare that certain land of the United States shall be held in trust for the Navajo Nation and be made a part of the Navajo Indian Reservation, to accept the conveyance of certain lands of and interests in land held by the Navajo Nation, to preserve valid existing rights in lands held in trust for the Navajo Nation hereunder, to effect an exchange of New Mexico State lands with the United States for the benefit of the Navajo Nation, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*

**TITLE I**

**SECTION 1. SHORT TITLE.**

This Title I may be cited as the "Eastern Navajo Agency Land Exchange and Archeological Protection Act of 2020."

**SECTION 2. FINDINGS; PURPOSES.**

- (a) Congress finds as follows:
- (1) The Navajo people have used and occupied certain lands in northwest New Mexico and southeast Utah to the virtual exclusion of others since time immemorial;
  - (2) The Treaty with the Navajo Tribe, confirmed in 1868, set aside a small portion of the lands historically and presently occupied and used by the

Navajo people, and the United States has set aside for Navajo use and benefit much of the remainder through Executive Orders, Secretarial Orders, Public Land Orders, allotments under the General Allotment Act and other means;

- (3) Notwithstanding such efforts, only the part of Navajo Indian country known as the Eastern Navajo Agency is still characterized by Navajo tribal trust, Navajo tribal fee, individual Navajo trust allotments and other lands set apart for Navajo use and benefit mixed with federal lands administered by the Bureau of Land Management, the National Park Service, and State trust lands.
- (4) The Navajo Nation ceded lands in the vicinity of Page, Arizona to enable the United States to construct the Glen Canyon Dam and provide water and power to the American Southwest; in exchange, the United States transferred certain federal lands in southeast Utah, in an area known as McCracken Mesa, to the Navajo Nation in trust status, but the United States retained the mineral estate to these transferred lands, rendering them practically impossible to exploit commercially.
- (5) The Navajo Nation holds lands or interests in lands that are uniquely valuable for their cultural and archaeological resources, and the Navajo Nation is willing to convey those lands and interests to the United States in exchange for certain federal lands in the Eastern Navajo Agency and federal mineral interests in the McCracken Mesa area of southeast Utah.
- (6) The best interests of both the Navajo Nation and the United States would be served by exchanging and consolidating Navajo and federal lands as provided below, and by taking into trust for the Navajo Nation lands purchased in fee status in the Eastern Navajo Agency.

(b) Purposes. The purposes of this Title are

- (1) To effect a conveyance of certain lands more particularly described in Exhibit A held by the United States in the State of New Mexico to the Navajo Nation to be held by the United States in trust for the Navajo Nation;
- (2) To effect a conversion of certain lands more particularly described in Exhibit B held in fee by the Navajo Nation to trust status;
- (3) To effect a conveyance of certain withdrawn lands more particularly described in Exhibit C to the Navajo Nation in trust status;
- (4) To effect a conveyance of minerals held by the United States in the Utah portion of the Navajo Reservation in trust status for the Navajo Nation; and
- (5) Authorize the Secretary, upon written request by the Navajo Nation, to convey certain lands to the Navajo Nation in restricted fee status.



### SECTION 3. DEFINITIONS.

For the purpose of this Title, the following definitions apply:

- (1) BIA.---The term "BIA" means the Bureau of Indian Affairs of the Department of the Interior, or its successor agency.
- (2) BLM.---The term "BLM" means the Bureau of Land Management of the Department of the Interior or its successor agency.
- (3) EXISTING LEASES.---The term "existing leases" means all—
  - (A) mineral leases valid and in force on the date of the enactment of this Title, including oil and gas leases, which may have been issued or approved pursuant to the Mineral Leasing Act (30 U.S.C. 181 et seq.) or section 5 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.), or any other applicable Federal law;
  - (B) grazing leases valid and in force on the date of the enactment of this Title;
  - (C) rights-of-way and easements valid and in force on the date of the enactment of this Title;
  - (D) other grants issues and contracts entered into by the United States respecting the lands described in subsections (a) and (b) of section 3 of this Title that are valid and in force on the date of the enactment of this Title.
- (4) NAVAJO NATION.—The term "Navajo Nation" means the federally recognized Indian tribe also known as the Navajo Tribe of Indians.
- (5) ONRR.—The term "ONRR" means the Office of Natural Resources Revenue under the supervision of the Assistant Secretary of the Interior for Policy, Management, and Budget responsible for, among other things, the royalty and revenue management functions of the Department of the Interior, including the collection and distribution of revenue, auditing compliance, and asset management, or its successor agency.
- (6) REVENUES.—The term "revenues" means all gross receipts, including bonuses, rents, and royalties derived or other payments received by the United States from the existing leases.
- (7) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

### SECTION 4. CONVEYANCE OF LANDS TO THE NAVAJO NATION.

- (a) CONVEYANCE OF LANDS IN NEW MEXICO.--Except as hereinafter provided, all of the right title and interest of the United States of America in all of the land described in **Exhibit A** together with the improvements now thereon and all minerals underlying any such land, are hereby declared to be held by the United States in trust for the Navajo Nation, and shall be a part of the Navajo Reservation.

- (b) CONVERSION OF LANDS HELD IN FEE BY THE NAVAJO NATION TO TRUST STATUS.--The Secretary is directed to take into trust status for the Navajo Nation as part of the Navajo Reservation all of the Navajo Nation's right, title and interest in the lands purchased and owned in fee status by the Navajo Nation and described in **Exhibit B** without delay and without regard to the procedures set forth in 25 C.F.R. part 151 or otherwise.
- (c) CONVEYANCE OF CERTAIN WITHDRAWN LANDS TO THE NAVAJONATION IN TRUST STATUS.--The Secretary is directed to take into trust status for the Navajo Nation as part of the Navajo Reservation all of the United States' right, title and interest in the executive order or other withdrawn lands described in **Exhibit C**, without delay and without regard to the procedures set forth in 25 C.F.R. part 151 or otherwise.
- (d) CONVEYANCE OF MINERALS IN UTAH PORTION OF NAVAJO RESERVATION.--Except as hereinafter provided, all of the right, title and interest of the United States in all of the land conveyed, subject to a reservation of minerals by the United States, to the Navajo Nation pursuant to the Act of September 2, 1958, Pub. L. 85-868, 72 Stat. 1686, together with any Federal improvements thereon and all underlying minerals are hereby declared to be held in trust by the United States for the benefit of the Navajo Nation, and shall be a part of the Navajo Reservation.
- (e) OPTION OF THE NAVAJO NATION TO TAKE LANDS IN RESTRICTED FEE STATUS.—Notwithstanding any other provision of law, not later than 180 days after receipt by the Secretary of a written request adopted or approved by resolution of the Navajo Nation Council which provides legal descriptions of any of the lands described in subsections (a) through (d) of this section and seeks such lands to be conveyed to the Navajo Nation in restricted fee status, the Secretary shall convey, subject to a restriction imposed by the United States against alienation and taxation, convey to the Navajo Nation all right, title and interest in such lands in restricted fee status. Any such lands so conveyed in restricted fee status shall be a part of the Navajo Reservation, and shall be deemed, for all purposes, to be (i) Indian country as defined in section 1151 of Title 18, United States Code; (ii) lands of the Navajo Nation subject to the provisions of the Act of June 30, 1834, 25 U.S.C. 177, 4 Stat. 730; and (iii) lands subject to the authority of the Navajo Nation to grant easements or rights-of-way thereon and to grant business site, mineral, or other leases therefor, for any period of time without review and approval by the Secretary.
- (f) NOTICE OF CONVEYANCES IN FEDERAL REGISTER.--The Secretary shall cause to be published within 180 days of the enactment of this Act in the Federal Register the boundaries and descriptions of the lands conveyed or taken into trust for the Navajo Nation pursuant to subsections (a) through (d) of this section 3..



## **SECTION 5. PRESERVATION AND PROTECTION OF EXISTING RIGHTS.**

- (a) **IN GENERAL.**--Nothing in this Title shall deprive any person of any valid existing right of possession, contract right, interest, easement, or title he may have in the lands described in subsections (a) through (d) of section 3 of this Title, or of any existing right of access over and across such lands to public domain lands, whether such rights, interests, easement, or title was granted or approved under the public land laws of the United States or under any federal law related to Indian lands.
- (b) **PROTECTION OF RIGHTS OF FEDERAL LESSEES AND GRANTEES.**--All Existing Leases respecting the lands described in subsections (a) through (d) of section 3 of this Title (collectively, the "Existing Leases") shall remain in full force and effect in accordance with the provisions thereof; provided, however, that all Revenues derived by the United States from any such lease, easement or right-of-way, grant, or contract shall be administered in accordance with section 5 of this Title.
- (c) **TREATMENT OF PENDING APPLICATIONS FOR LEASES, RIGHTS-OF-WAY, OR EASEMENTS.**—
  - (1) **IN GENERAL.**--All applications under the public land laws for mineral leases, grazing leases, rights-of-way or easements, or other rights or interests in the lands described in subsections (a) through (d) of section 3 of this Title and pending on the date of enactment of this Act shall be rejected and the advance rental payments, bonuses, or other consideration tendered with or in connection with such applications returned to the applicants. All applications for such leases, rights-of-way or easements or other rights or interests in such lands made under the public land laws after the date of enactment of this Act shall be rejected.
  - (2) **EXCEPTION.**—Paragraph (1) shall not apply to applications if a rejection of the application would constitute a deprivation of property or an impairment of a contract between an applicant and the United States in violation of the United States Constitution.

## **SECTION 6. EXISTING LEASES – REVENUE ADMINISTRATION AND LEASE REGULATION.**

- (a) **REVENUE ADMINISTRATION.**--On and after the date of enactment of this Title and during the pendency of the Existing Leases:
  - (1) the Existing Leases shall continue to be administered solely under federal regulations applicable to the interests held under such Existing Leases promulgated under federal laws applicable to public domain lands;
  - (2) the payors under such Existing Leases shall continue to pay and to report

the payment of the Revenues exclusively to the ONRR in conformity with the terms of the Existing Leases and under federal regulations promulgated under federal laws applicable to public lands;

- (3) ONRR shall continue to audit Revenues on behalf of the United States, the Navajo Nation shall have no right to audit the payment of such Revenues but shall be entitled to review any ONRR audit and work papers and other information related thereto, and ONRR shall distribute the Revenues on a lease-by-lease basis as follows:
  - (A) The Federal percentage of the Revenues, which shall be based on the proportion of the acreage of each lease or easement or other interest in land which is not conveyed to the Navajo Nation under this Title to the total acreage held under such lease or easement or other interest, shall be distributed pursuant to section 35 of the Act of February 25, 1920, 30 U.S.C. § 191.
  - (B) The remainder of the Revenues shall be distributed 50% to the State of New Mexico (or to the State of Utah in the case of Existing Leases of the mineral interests conveyed to the Navajo Nation under subsection (d) of section 3 of this Title) and the remaining 50% to the Navajo Nation. Such payments shall create no other rights, disabilities or obligations in the Navajo Nation or in the owners or operators of the Existing Leases. The Secretary shall separately identify, account for, and distribute the Navajo Nation's share of revenues provided for in this Title in a manner which allows the Navajo Nation to identify the source and basis of determining the amount of such funds.
  - (C) If any Existing Leases are included in a unitized or communitized area, then royalties for primary recovery attributable to the lands conveyed to the Navajo Nation under this Title will be determined based on the ratio of the acreage of the land conveyed to the Navajo Nation under this Title to the total acreage of the unitized or communitized area. Apportionment of royalties for secondary or tertiary recovery will be established through negotiation and agreement consistent with accepted and customary standards within the oil and gas industry and any applicable BLM regulations.
- (4) the payments to the Navajo Nation provided for in this section shall create no other rights, disabilities or obligations in the Navajo Nation or the holders of the Existing Leases, nor shall such payments or right to payment create any trust responsibilities in the United States on behalf of the Navajo Nation as to the administration and regulation of the Existing Leases.



(b) REGULATION OF EXISTING LEASES UNAFFECTED.--

- (1) IN GENERAL.—The Existing Leases shall continue to be administered solely under Federal regulations applicable to the interests held under the Existing Leases promulgated under Federal laws applicable to public lands. Nothing in this Title modifies any express or implied obligation to the United States by the owners or operators of any Existing Lease to the United States under the terms of the Existing Leases and under applicable Federal laws and regulations applicable to Existing Leases.
- (2) NAVAJO NATION ASSURANCES.--During the term of the Existing Leases, the Navajo Nation shall be deemed to have conveyed to and confirmed in the holders of the Existing Leases exclusive discretion and control in the operations and marketing of products associated with the Existing Leases including--
  - (A) the nature and extent of all work and the time and manner in doing so;
  - (B) the nature and extent of all exploration, development, and mining operations and the time and manner in doing so;
  - (C) the right to determine the quantity of minerals or other products to be mined or extracted and to be left unmined under the Existing Leases; and
  - (D) the suspension or termination of operations.
- (3) NAVAJO NATION DISCLAIMERS.--The Navajo Nation shall be deemed to have
  - (A) disclaimed any such discretion or control, and to have confirmed that such discretion and control shall be in the sole judgment of the holders and operators of the Existing Leases;
  - (B) disclaimed any imposition on such holders and operators any express or implied obligations or any duty to divulge to the Navajo Nation any proprietary or confidential information pertaining to the Existing Leases; and
  - (C) disclaimed any executive rights (including good faith, diligence, fair dealing, prevention of waste, duty to market, and duty to establish a product price) as against such holders and operators.
- (4) JURISDICTION PRESERVED.--This Title shall not be construed to create or confirm Indian lands or Indian country jurisdiction over lands subject to Existing Leases and conveyed to the Navajo Nation under this Title, and the Navajo Nation shall have no regulatory or other jurisdiction over the Existing Leases, or the lands subject to the Existing Leases, or the owners or operators of the Existing Leases, to the extent that such jurisdiction is founded on this Title. Any jurisdiction of the Navajo

Nation based on other legal principles shall be unaffected by this Title.

- (5) **BLM REGULATION.**—Except as provided in subparagraph (v), or the terms of an applicable Existing Lease, BLM shall continue to regulate the Existing Leases under federal regulations applicable to the public domain notwithstanding any BLM regulations that exclude Indian lands from their application, including sections 3400.3-4 and 3400.0-5 of title 43, Code of Federal Regulations. The Navajo Nation shall not be entitled to interfere with BLM's regulation and administration of the Existing Leases.
- (6) **NO ADDITIONAL BIA REGULATION.**--The BIA shall have no regulatory role with respect to mineral extraction from or administration of or transportation through the Existing Leases. This Title shall not diminish BIA's pre-existing regulatory role with respect to any undisputed Indian surface ownership of any lands conveyed to the Navajo Nation under this Title and shall not affect BIA's authority to regulate such lands where that authority is not based on this Title.

## **SECTION 7. EXTINGUISHMENT OF NAVAJO NATION CLAIMS FOR PAST PAYMENTS ON CONVEYED LANDS.**

This Title shall be in full satisfaction of and shall extinguish any claim, right, title or interest of the Navajo Nation against the United States and any owner of any Existing Lease for past damages, rentals, royalties, bonus payments, or other payments that may have been paid, or should have been paid, to any person or entity, including the United States, with respect to the lands conveyed to the Navajo Nation under this Title based on any claim of legal or equitable title to such lands that might otherwise have been asserted by the Navajo Nation; provided, however, that nothing in this Title shall prejudice the right of the United States to enforce any right under a federal lease or grant of right-of-way or other instrument.

## **SECTION 8. SURFACE USE AGREEMENTS PRESERVED.**

This Act does not affect, modify, or supersede any valid surface use agreements in effect on the date of enactment of this Title.

## **SECTION 9. NAVAJO NATION LAND RIGHTS CONVEYED TO THE UNITED STATES.**

Upon the conveyance of the lands described in subsections (a) through (d) of section 4 of this Title and the publication of the notices of such conveyances in the Federal Register as provided in subsection (f) of section 4 of this Title, all right, title and interest of the Navajo Nation in the land described in the map entitled "Special Protection Areas Map" dated \_\_, 2020, including without limitation archeological resources, are hereby extinguished and conveyed to the United States. This Act shall not be construed to affect any rights of the Navajo Nation under other federal laws, including without limitation the Native American Graves Protection and



## TITLE II

**SECTION 1. SHORT TITLE** This Title II may be cited as the “New Mexico Schools and Land Exchange Study Act of 2020.”

### SECTION 2. DEFINITIONS.

For purposes of this Title:

- (1) “Consolidation Area” shall mean that area of land sought to be consolidated primarily in Navajo Nation land and mineral ownership and depicted on the map entitled “NELI” Navajo Nation Proposal ([[[date]]]).”
- (2) “Secretary” means the Secretary of the Interior.

### SECTION 3. FINDINGS.

The Congress finds the following:

- (1) The State of New Mexico owns approximately 153,930 acres of land, as well as approximately 191,705 acres of mineral interests within the Eastern Navajo Agency administered by the Bureau of Indian Affairs and more particularly within the Consolidation Area.
- (2) Approximately 95% of the people living in the Consolidation Area are Navajo tribal members and most of the non-Indians living there are employed by Government agencies to serve the Navajo people.
- (3) Such State lands are interspersed with lands held in trust by the United States for the Navajo Nation, lands withdrawn for the benefit of the Navajo Nation by Executive Order, Public Land Order, or Secretarial Order, individual Navajo allotment lands held in trust for individual Navajo tribal members, lands owned in fee status by the Navajo Nation and by individual Navajo tribal members, lands administered by the federal Bureau of Land Management, and other lands used by or held by or for the benefit of the Navajo Nation or its members.
- (4) The interspersed land ownership pattern in the Consolidation Area makes it extremely difficult for the State of New Mexico to either develop or administer those lands for the benefit of the State’s school children or otherwise.
- (5) The State of New Mexico has issued grazing leases to the Navajo Nation for its lands in the Consolidation Area, so that the Navajo Nation can collect rentals from individual Navajo ranchers and remit payment to the State of New Mexico.
- (6) The interspersed land ownership pattern in the Consolidation Area causes significant inefficiencies and difficulties for utility providers and pipeline owners to serve the people in the Consolidation Area and to transmit product through the Consolidation Area because the various categories of land are governed by different laws.
- (7) Similar problems were encountered and overcome in the Utah portion of the Navajo Nation through the Act of October 31, 1998, Pub. L. 105-335, 112 Stat.

3139 (the "Utah Schools and Lands Exchange Act of 1998") where Congress ratified a land exchange agreement between the State of Utah and the United States of America, acting through the Department of the Interior, where "[t]he State of Utah and the Department of the Interior agreed to exchange certain Federal lands, Federal mineral interest, and payment of money for lands and mineral interests managed by the Utah School and Institutional Trust Lands Administration, lands and mineral interests of approximately equal value inheld within the . . . Navajo Indian Reservation" among other federally administered areas, *id.* Section 3(a), and under which the Utah State lands, including mineral interests, within the Navajo Reservation ceded under that agreement were taken into trust for the Navajo Nation.

- (8) Congress has determined that the Utah Schools and Lands Exchange Act of 1998 provides a useful model for addressing the land tenure issues in the Consolidation Area and that it should direct the Secretary to seek an analogous agreement with the State of New Mexico.

#### **SECTION 4. NEGOTIATIONS AND REPORT**

- (a) The Secretary is hereby directed to use all good faith efforts to negotiate and reach agreement with the appropriate officials of the State of New Mexico on the terms and conditions of an exchange of State lands and mineral interests within the Consolidation Area for federal lands and mineral interests of approximately equal value outside of the Consolidation Area.
- (b) The Secretary is further directed to submit a report to Congress on the status of such negotiations and on any agreement(s) tentatively reached between the State and the Department of the Interior within one year of the enactment of this Act and each year thereafter until a tentative agreement is reached for its consideration by Congress.



CAP-11-11

RESOLUTION OF THE  
NAVAJO NATION COUNCIL

22ND NAVAJO NATION COUNCIL - First Year, 2011

## AN ACTION

RELATING TO THE NÁBIK'ÍYÁTI' COMMITTEE, APPROVING AND REQUESTING THAT THE UNITED STATES CONGRESS TAKE INTO TRUST STATUS NAVAJO LANDS IN THE EASTERN NAVAJO AGENCY, RE-CONVEY LANDS TO NAVAJO TRUST STATUS, CONFIRM THE TRUST STATUS OF LANDS PURCHASE BY THE UNITED STATES UNDER LEGISLATION INTENDED BY CONGRESS TO BE HELD IN TRUST FOR THE NAVAJO NATION, PRESERVE ALL VALID EXISTING RIGHTS, AND AUTHORIZE THE CONVEYANCE OF NAVAJO NATION INTERESTS IN CERTAIN LANDS OF EXTRAORDINARY ARCHAEOLOGICAL SIGNIFICANT TO THE UNITED STATES TO CONSOLIDATE SUCH LANDS IN FEDERAL OWNERSHIP

BE IT ENACTED:

Section 1. The Navajo Nation hereby finds the following with respect to this resolution:

1. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102; and
2. The Eastern Navajo Land Commission (ENLC) is established as a Commission of the Navajo Nation within the Legislative Branch of Government, 2 N.N.C. § 861; and
3. Among other authorities and duties under the amended ENLC Plan of Operation, the ENLC is charged with assuming primary responsibility for the direction of the Navajo Nation's land acquisition consolidation efforts in the Eastern Navajo Agency, 2 N.N.C. §863(I); and
4. Most lands in the Eastern Navajo Agency are either held in trust for the Navajo Nation or for Navajo allottees, or are held in fee status by the Navajo Nation; well over 90% of the people living in the area are Navajo citizens and most of the rest are either married into Navajo families or are government

officials and teachers who moved into the area for the purpose of assisting Navajo people and Navajo communities there; and the vast majority of government services and infrastructure provided for the people in the area are provided by the Navajo Nation, individual Navajo Chapters, and agencies of the United States of America; and

5. The predominance of the Navajo Nation and its citizens in life in the Eastern Navajo Agency reflects the fact that the Dineta, the site of Navajo emergence, is located at the northeast part of the Eastern Navajo Agency; the area is wholly within the aboriginal lands of the Navajo, as confirmed by the Indian Claims Commission, signifying that the Navajo People have occupied the area to the exclusion of others from time immemorial; no Act of Congress has ever extinguished the individual aboriginal occupancy rights of the Navajo people living in the area; and that non-Navajo settlement is discouraged by the distinctly Navajo character of the area, the crazy-quilt of land titles and governmental jurisdiction, and lack of basic services and infrastructure taken for granted in non-Indian areas; and
6. Although agencies of the United States act with the apparent understanding that some or all of the lands in the Eastern Navajo Agency not formally held in trust for or in fee by the Navajo Nation or Navajo allottees may be administered by the United States as public lands, that understanding is, if not obviously flawed, certainly subject to reasonable dispute, for the following reasons, among others:
  - A. After the Navajo internment at Fort Sumner, federal military officials authorized and encouraged Navajo people to return to their former homesteads in the area of the Eastern Navajo Agency and elsewhere in Navajo Indian Country notwithstanding the fact that a small reservation had been set aside for the Navajo Nation under the Treaty of June 1, 1868, and Navajo citizens have continued to live in the Eastern Navajo Agency area since that time, establishing their individual aboriginal occupancy rights to almost all of the area;



- B. Navajo rights and interests in a 1.9 million acre part of the Eastern Navajo Agency were recognized by President Theodore Roosevelt in 1907, when the President set aside that land as an addition to the Navajo Reservation; however, a typographical error in that Executive Order (No. 709) caused such set-aside to extend almost to Santa Fe, motivating non-Indian interests to vigorously seek the restoration of that land to the public domain;
- C. Congress enacted a law in 1908 that mandated allotments to be granted to all Navajos living in the E.O. 709 area (as amended by E.O. 744, correcting the typographical error) prior to any surplus lands being restored to the public domain, but the allotting process was little more than half finished when lands in the E.O. 709/744 area were restored to the public domain by Executive Orders 1000 and 1284, resulting in the invalidity of these restoration orders;
- D. Although the Navajo Nation's claim to such land was denied by the Tenth Circuit Court of Appeals in 1984, that decision was not a decision on the merits, such that the Navajo Nation retains its claim to beneficial title to all restored lands but is merely without a judicial forum to press them;
- E. Similarly, after decisions of the United States Supreme Court confirmed the validity of individual aboriginal occupancy rights even on lands patented by the United States to the Santa Fe Railroad, the Solicitor's Office of the United States Department of the Interior (including specifically Felix Cohen) urged for several years in the 1940's that the individual aboriginal occupancy rights of Navajos in the Eastern Navajo Agency be determined, observed in a letter to New Mexico Governor Seligman in 1933 that if federal laws were followed "virtually all" of the unallotted lands in the area would have been held in trust for the Navajos, the General Land Office (latter the Bureau of Land

Management) and the Bureau of Indian Affairs attempted to schedule meetings and hearings to determine those rights, but the effort was eventually abandoned when the GLO failed to cooperate;

- F. Immediately after the restoration orders and after the *Midwest Oil* decision in 1915 recognizing the validity of withdrawals of public lands by the President for Indian purposes and other public purposes, the President of the United States issued several Executive Orders (e.g., Nos. 1483, 2513) acquiring and reserving lands in the Eastern Navajo Agency for the Navajo Nation and its citizens and placing them in trust status, expressly for the purpose of securing Navajo ownership and control of all lands within the townships so acquired and withdrawn;
- G. In several enactments, Congress provided authority for further acquisitions or exchanges of lands in the Eastern Navajo Agency for the exclusive benefit of the Navajo Tribe, including the Act of March 3, 1921 and the Act of May 29, 1928;
- H. In the 1921 Act, Congress sought to add over 240,000 acres of former railroad land to the Navajo tribal trust land base, but the Department of the Interior did not put those lands into trust status for minor bureaucratic reasons, prompting Senator Wheeler to chastise the Department, as follows: "Let me understand you. [The 1921 Act] may not provide it, but if there was an exchange - for instance if the department exchanged public lands for white land, of course the white land would go to the Indians, there would not be any question about that, whether the rules and regulations provided for it or not, because that was the intent of the Congress of the United States". *Survey of Conditions of the Indians in the United States: Hearings Before a Subcomm. of Sen. Com. on Indian Affairs*, 71<sup>st</sup> Cong. 3d Sess. 9650 (1931);



- I. The 240,000 acres of land intended to be held in trust for the Navajo Nation were to be included in a New Mexico Navajo reservation boundary act, and were thus segregated from non-Indian entry under various land orders, but the Congress did not pass a New Mexico boundary bill so that the Department of the Interior ultimately withdrew those lands under Public Land Order 2198 in 1960 for Indian use and approximately 92,000 acres of that land remains in P.L.O 2198 status, the rest either having been conveyed to the Navajo Nation or, in minor instances, being conveyed to non-Navajos;
- J. Approximately 5,326 acres of land tracts known as the "Southwestern Range and Sheep Breeding Laboratory" (Sheep Lab Lands) transferred to the BIA after a 10-year experimental use period by the U.S. Department of Agriculture ended in 1965. The Sheep Lab Lands together with the adjacent Fort Wingate school tract of 1,145 acres, totaling approximately 6,471 acres are administered by the Navajo Region Bureau of Indian Affairs. Other scattered lands in the Eastern Navajo Agency are currently withdrawn for Navajo use under a host of Executive Orders and Public Land Orders, and the federal agencies (principally the Bureau of Indian Affairs) responsible for administering those lands for Navajo benefit acknowledged that those lands should typically be transferred to trust status;
- K. Additional conveyances of land within the Eastern Navajo Agency have been authorized more recently by Congress, including specifically in the Navajo and Hopi Land Settlement Act (35,000 acres) and more generally pursuant to exchange authorities in the Federal Land Policy and Management Act and amendments to legislation establishing Chaco Canyon National Historical Monument;

L. Virtually all of the lands in the Eastern Navajo Agency are designated in the BLM Resource Management Plan as in BLM's "disposal area". The land is impossible to administer productively given the existing land tenures and productive developments in the area are clouded by unextinguished Navajo rights to the land and minerals;

M. All of the lands of the Eastern Navajo Agency are within the only Secretarially-approved Indian Land Consolidation Area under the Navajo Land Consolidation Plan approved by the Navajo Nation Council and approved under the federal Indian Land Consolidation Act; and

7. As a result of this unique history and set of circumstances, there are non-Navajo interests in the Eastern Navajo Agency who have invested private funds, time, and effort under the apparent authority of leases and permits issued by the Bureau of Land Management (BLM), and both the BLM and the National Park Service (NPS) are interested in certain lands of extraordinary archaeological and cultural significance in the area owned or withdrawn for the use of the Navajo Nation; and

8. In conjunction with the Navajo Land Department, the ENLC has investigated possible means for addressing the intolerable conditions experienced by residents of the Eastern Navajo Agency, the inability of any government to administer and oversee productive development in the area under existing conditions, and to achieve some justice for the Navajo Nation and the Navajo residents in the Eastern Navajo Agency without prejudicing the rights and interests of others; and

9. The ENLC, upon analysis and recommendation of ENLC staff, has determined that, while earlier piecemeal efforts of the Congress and the Executive Branch of the United States have been valuable and successful in some communities in the Eastern Navajo Agency, only a comprehensive legislative approach is reasonably likely to result in a satisfactory solution to these unique issues and set of circumstances, that Congress should consolidate much of the Eastern Navajo Agency into trust status, that



all valid existing rights should be preserved in such legislation, and that the Navajo Nation should offer to convey archaeologically and culturally significant lands desired by the BLM and NPS to the Federal Government as part of the legislation; and

10. The Navajo Nation Council, by Resolution No. CJY-66-97 (July 24, 1997), has requested the United States to take certain fee lands in the Eastern Navajo Agency owned by the Navajo Nation into trust status, but neither Navajo Nation officials nor the Bureau of Indian Affairs have been able to satisfy the directives of such resolution, and the Navajo Nation Council has, in enacting the Navajo Land Consolidation Plan and in establishing and empowering the ENLC (among other acts of the Council), expressed repeatedly the high priority placed on land consolidation in the Eastern Navajo Agency; and

11. All 31 Chapters in the Eastern Agency, the Joint Eastern Agency Land Board, and the Eastern Navajo Agency Council support this legislative effort, as shown in the attached Chapter resolutions; and

12. The Navajo Nation believes it is in the best interest of the Navajo Nation to consolidate the Navajo lands in Eastern Navajo Agency.

**Section 2. The Navajo Nation hereby requests the United States Congress to consolidate Navajo lands in the Eastern Navajo Agency**

1. The Navajo Nation respectfully requests the United States Congress to enact legislation to consolidate Navajo lands in the Eastern Navajo Agency; and
2. The Navajo Nation respectfully requests that the United States Congress re-convey lands unlawfully restored to the public domain to the Navajo Nation in trust status; and
3. The Navajo Nation respectfully requests the United States Congress to confirm the trust status of lands purchased or exchanged by the United States under the 1921 Act; and

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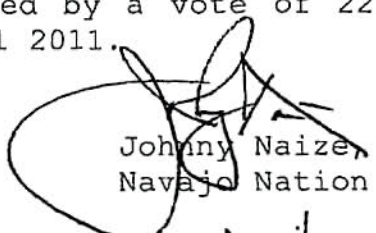


4. The Navajo Nation respectfully requests the United States Congress to preserve all valid existing rights in lands conveyed or confirmed in Navajo trust status; and
5. The Navajo Nation respectfully requests the United States Congress to authorize the conveyance of certain Navajo Nation lands desired by the Bureau of Land Management and/or the National Park Service to the United States; and
6. The Navajo Nation respectfully requests the United States Congress to enact such legislation in substantially the manner reflected in the draft legislation attached hereto as Exhibit 1.

**Section 3. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute any and all documents necessary to effectuate the intent and purpose of this resolution.**

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 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 22 in favor and 0 opposed, this 20<sup>th</sup> day of April 2011.

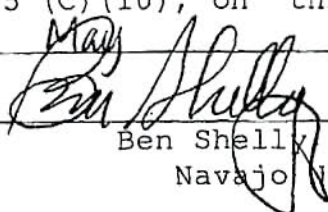
  
Johnny Naize, Speaker  
Navajo Nation Council

April 27, 11  
Date

Motion: Alton Shepherd  
Second: Katherine Benally

#### ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C)(10), on this 4<sup>th</sup> day of May 2011.

  
Ben Shelly, President  
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this \_\_\_\_\_ day of \_\_\_\_\_ 2011 for the reason(s) expressed in the attached letter to the Speaker.

---

Ben Shelly, President  
Navajo Nation



**An Act to declare that certain land of the United States shall be held in trust for the Navajo Nation and be made a part of the Navajo Indian Reservation, to accept the conveyance of certain lands of and interests in land held by the Navajo Nation, to preserve valid existing rights in lands held in trust for the Navajo Nation hereunder, and for other purposes.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*

Sec. 1. This Act may be cited as the "Eastern Navajo Agency Land Exchange and Archeological Protection Act of 2010."

Sec. 2. (a) Except as hereinafter provided, all of the right title and interest of the United States of America in all of the land described in **EXHIBIT A** together with the improvements now thereon and all minerals underlying any such land, are hereby declared to be held by the United States in trust for the Navajo Nation, also known as the Navajo Tribe of Indians, and shall be a part of the Navajo Reservation.

(b) The Secretary of the Interior shall cause to be published in the Federal Register the boundaries and descriptions of the lands conveyed by this Act.

Sec. 3. (a) Nothing in this Act shall deprive any person of any valid existing right of possession, contract right, interest, easement, or title he may have in the lands described in section 2(a) of this Act, or of any existing right of access over and across such lands to public domain lands, as determined by the Secretary of the Interior.

(b) All existing mineral leases, including oil and gas leases, which may have been issued or approved pursuant to the Mineral Leasing Act of 1920 (41 Stat. 437), or section 5 of the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913, 915), or any other applicable federal law; all existing valid grazing leases; all existing valid rights-of-way or easements; and all other grants issued and contracts validly entered into by the United States respecting the lands described in section 2(a) of this Act (collectively, the "Existing Leases") shall remain in full force and effect in accordance with the provisions thereof; provided, however, that all gross receipts (including but not limited to bonuses, rents, and royalties) (collectively, the "Revenues") derived by the United States from any such lease, easement or right-of-way, grant, or contract shall be administered in accordance with section 4 of this Act.

(c) All applications for mineral leases, grazing leases, rights-of-way or easements, or other rights or interests in the lands described in section 2(a) of this Act and pending on the date of enactment of this Act shall be rejected and the advance rental payments, bonuses, or other consideration tendered with or in connection with such applications returned to the applicants; provided, however, that no such application shall be rejected if such rejection would constitute a deprivation of property or an impairment of a contract between an applicant and the United States in violation of the United States Constitution, and, provided further, that this Act shall not

affect any determination of commercial quantities or other relevant factor in the adjudication by the Bureau of Land Management ("BLM") of any coal preference right lease application pending on the date of enactment of this Act. All applications for such leases, rights-of-way or easements or other rights or interests in such lands made under the public land laws after the date of enactment of this Act shall be rejected.

Sec. 4. (a) On and after the date of enactment of this Act and during the pendency of the Existing Leases:

(i) the Existing Leases will continue to be administered solely under federal regulations applicable to the interests held under such Existing Leases promulgated under federal laws applicable to public domain lands;

(ii) the payors under such Existing Leases will continue to pay and to report the payment of the Revenues exclusively to the Mineral Management Service ("MMS") or its successor agency in conformity with the terms of the Existing Leases and under federal regulations promulgated under federal laws applicable to public domain lands;

(iii) MMS shall continue to audit Revenues on behalf of the United States, the Navajo Nation shall have no right to audit Revenues but shall be entitled to review any MMS audit and work papers and other information related thereto, and MMS shall distribute the Receipts on a lease-by-lease basis as follows:

(A) the Federal percentage of the Revenues, which shall be based on the proportion of the acreage of each lease or easement or other interest in land which is not conveyed to the Navajo Nation under this Act to the total acreage held under such lease or easement or other interest, shall be distributed pursuant to 30 U.S.C. § 191; and

(B) the remainder of the Revenues shall be distributed 50% to the State of New Mexico and the remaining 50% to the Navajo Nation; provided, however, that such payments shall create no other rights, disabilities or obligations in the Navajo Nation or in the owners or operators of the Existing Leases.

(C) If any Existing Leases are included in a unitized or communitized area, then royalties for primary recovery attributable to the lands conveyed to the Navajo Nation under this Act will be determined based on the ratio of the acreage of the land conveyed to the Navajo Nation under this Act to the total acreage of the unitized or communitized area. Apportionment of royalties for secondary or tertiary recovery will be established through negotiation and agreement consistent with accepted and customary standards within the oil and gas industry and any applicable BLM regulations.

(iv) the payments to the Navajo Nation provided for in this section shall create no other rights, disabilities or obligations in the Navajo Nation or the holders of the Existing Leases, nor shall such payments or right to payment create any trust responsibilities in the United States on behalf of the Navajo Nation as to the administration and regulation of the Existing Leases.



(v) the Navajo Nation shall be deemed to have conveyed to and confirmed in the holders of the Existing Leases exclusive discretion and control in the operations and marketing of products associated with the Existing Leases including without limitation the nature and extent of all work and the time and manner in doing the same, the nature and extent of all exploration, development, and mining operations and the time and manner in performing the same, the right to determine the quantity of minerals or other products to be mined or extracted and to be left unmined under the Existing Leases, and the suspension or termination of operations; to have disclaimed any such discretion or control, and to confirm that such discretion and control shall be in the sole judgment of the holders and operators of the Existing Leases; to have disclaimed any imposition on such holders and operators any express or implied obligations or any duty to divulge to the Navajo Nation any proprietary or confidential information pertaining to the Existing Leases; and to have disclaimed any executive rights (including good faith, diligence, fair dealing, prevention of waste, duty to market, and duty to establish a product price) as against such holders and operators; provided, however, that nothing in this Act modifies any expressed or implied obligation to the United States by such holders and operators under the terms of the Existing Leases and under applicable federal law and federal regulations applicable to the Existing Leases.

(vi) This Act shall not be construed to create or confirm Indian lands or Indian country jurisdiction over lands subject to Existing Leases and conveyed to the Navajo Nation under this Act, and the Navajo Nation shall have no regulatory or other jurisdiction over the Existing Leases, or the lands subject to the Existing Leases, or the owners or operators of the Existing Leases, to the extent that such jurisdiction is founded on this Act; provided, however, that any jurisdiction of the Navajo Nation based on other legal principles shall be unaffected by this Act.

(vii) BLM shall continue to regulate the Existing Leases under federal regulations applicable to the public domain notwithstanding any BLM regulations that exclude Indian lands from their application, including 43 C.F.R. § 3400.3-4 and 43 C.F.R. § 3400.0-5, except as provided in subparagraph (viii) below, and where provided otherwise in the terms of the Existing Leases. The Navajo Nation shall not be entitled to protest any readjustment of the Existing Leases, or to interfere with BLM's regulation and administration of the Existing Leases.

(viii) The Bureau of Indian Affairs ("BIA") shall have no regulatory role with respect to mineral extraction from or administration of or transportation through the Existing Leases; provided, however, that this Act shall not diminish BIA's pre-existing regulatory role with respect to any undisputed Indian surface ownership of any lands conveyed to the Navajo Nation under this Act and shall not affect BIA's authority to regulate such lands where that authority is not based on this Act.

Sec. 5. This Act shall be in full satisfaction of and shall extinguish any claim, right, title or interest of the Navajo Nation against the United States and any owner of any Existing Lease for past damages, rentals, royalties, bonus payments, or other payments that may have been paid, or should have been paid, to any person or entity, including the United States, with respect to the lands conveyed to the Navajo Nation under this Act based on any claim of legal or equitable title to such lands that might otherwise have been asserted by the Navajo Nation.

Sec. 6. This Act does not affect, modify, or supersede any valid surface use agreements in effect on the date of enactment of this Act.

Sec. 7. All right, title and interest of the Navajo Nation in the land described in **EXHIBIT A, Pages 9, 10, and 11** including without limitation archeological resources, are hereby extinguished and conveyed to the United States; provided, however, that this Act shall not be construed to affect any rights of the Navajo Nation under other federal laws, including without limitation the Native American Graves Protection and Repatriation Act, 25 U.S.C. § 3013.

\* \* \*



# EXHIBIT A

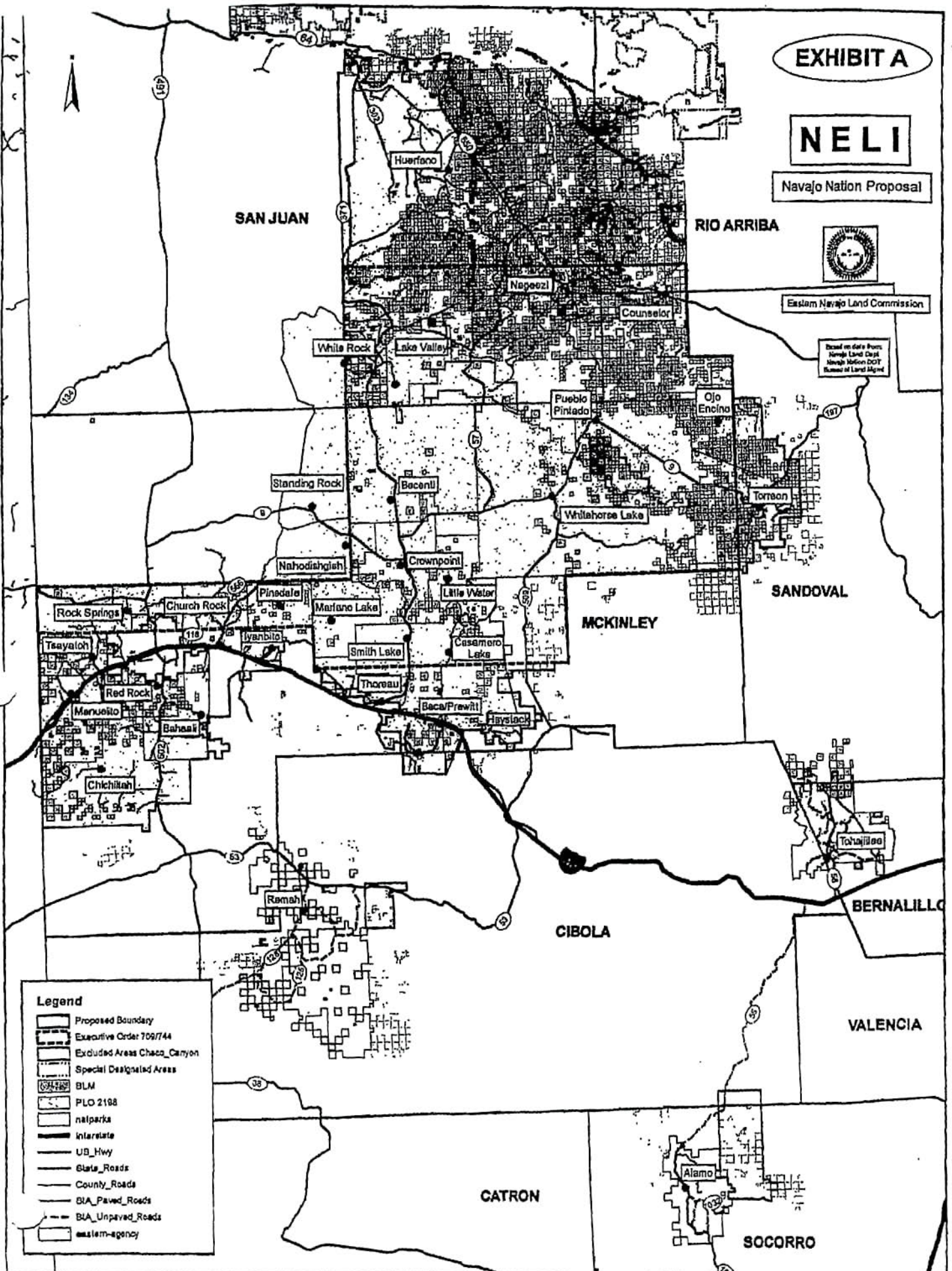
## NELI

Navajo Nation Proposal



Eastern Navajo Land Commission

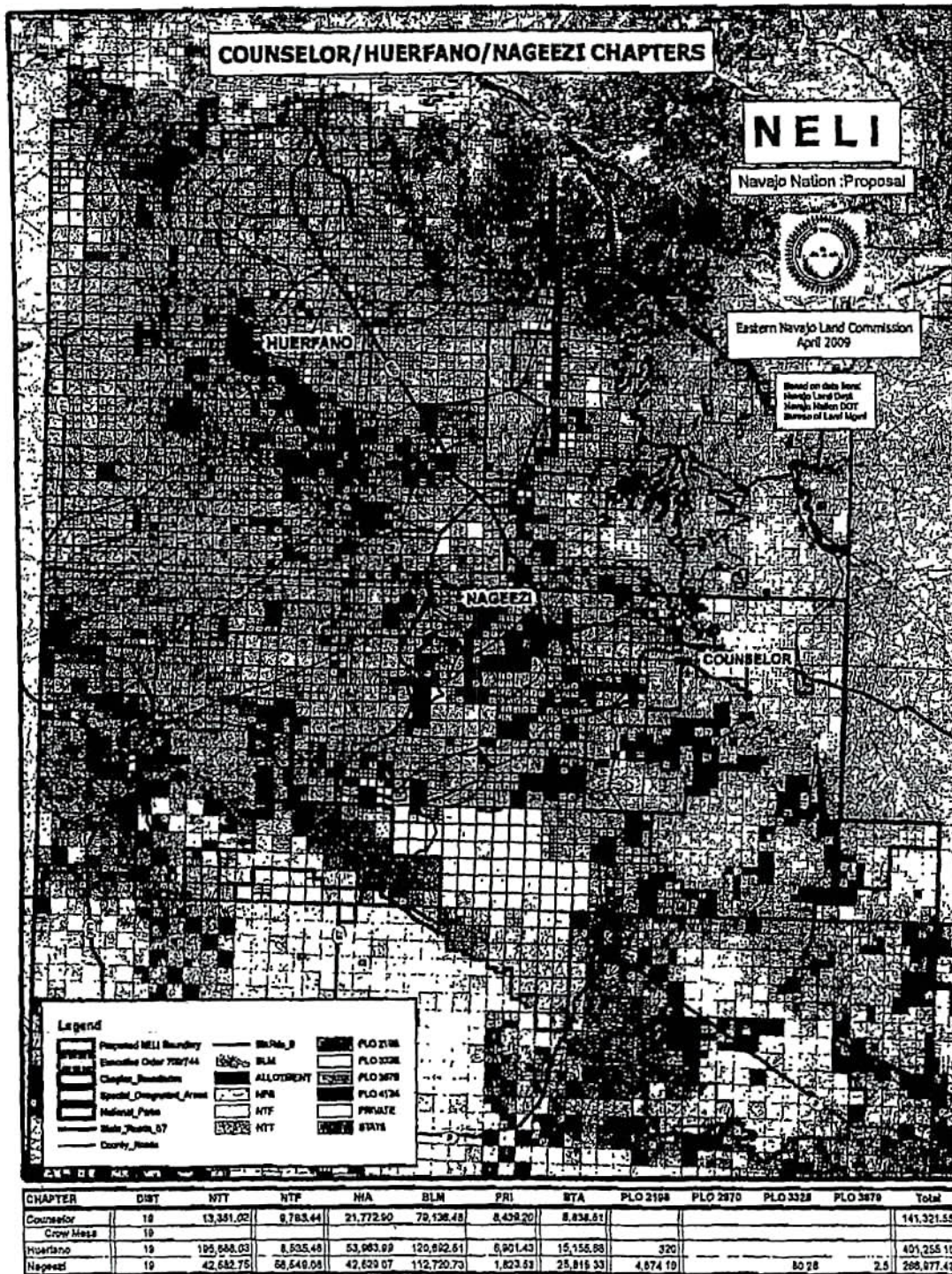
Based on data from:  
Navajo Land Dept.  
Navajo Nation DOT  
Bureau of Land Mgmt.



### Legend

- Proposed Boundary
- Executive Order 709/744
- Excluded Areas Chaco Canyon
- Special Designated Areas
- BLM
- PLO 2198
- natparks
- Interstate
- US Hwy
- State Roads
- County Roads
- BIA Paved Roads
- BIA Unpaved Roads
- eastern-agency

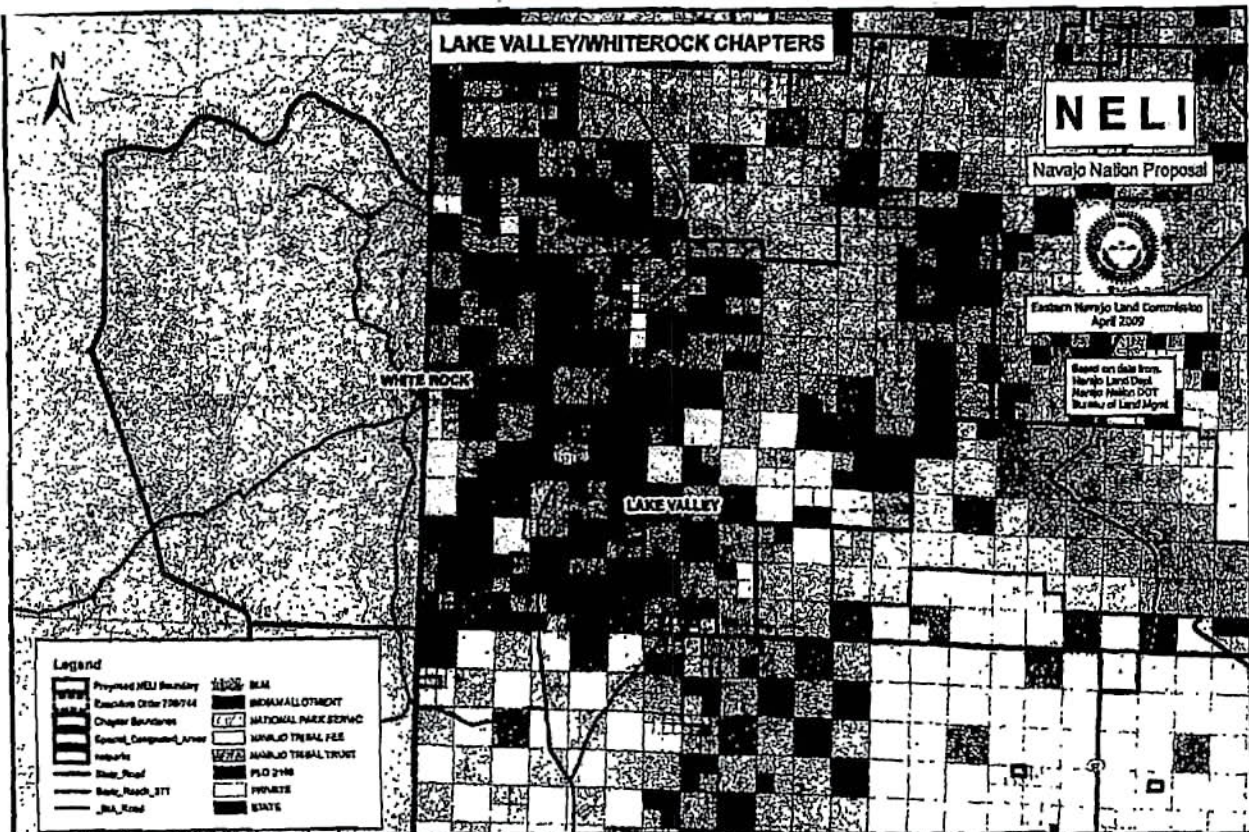




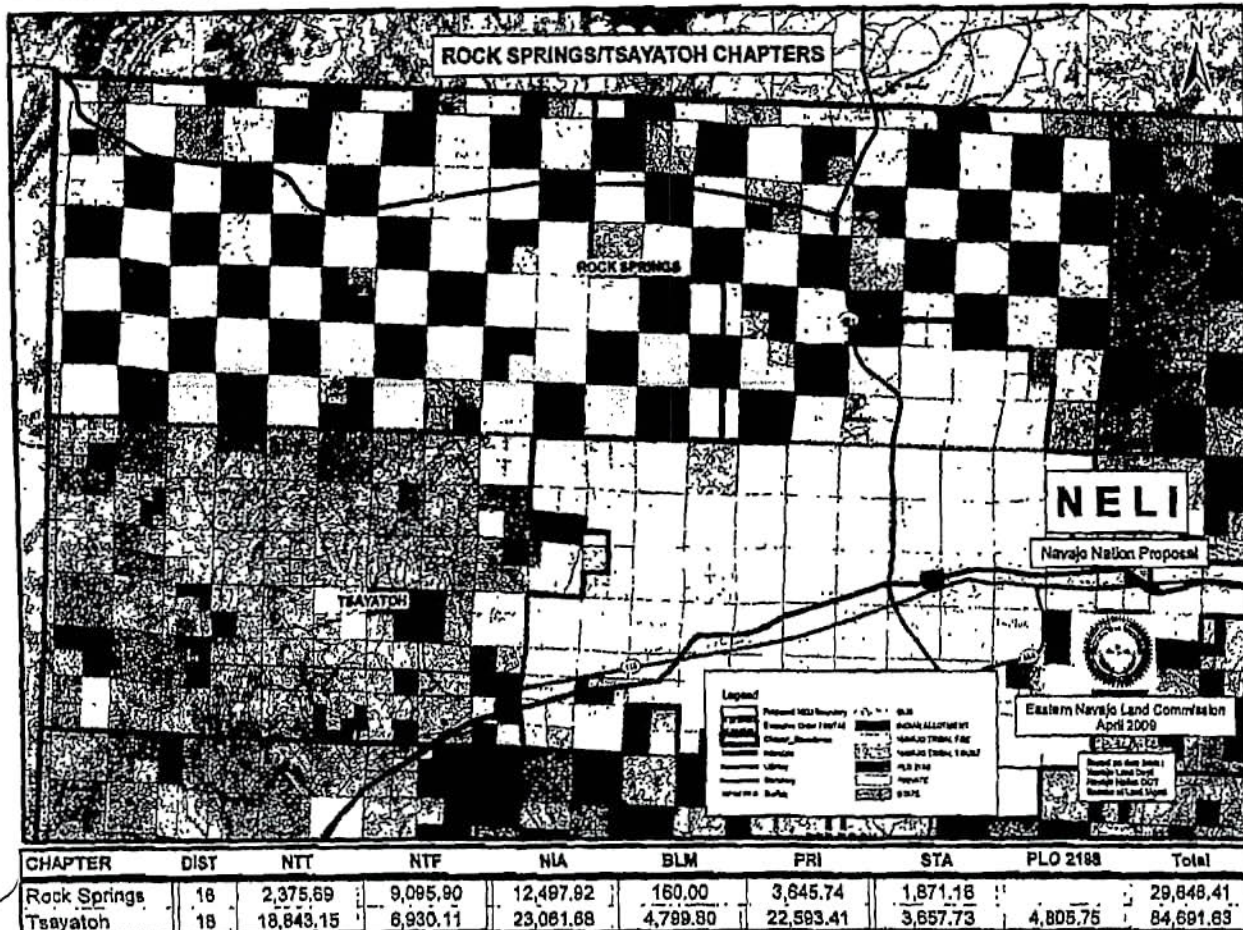








CHAPTER	DIST	NTT	NTF	NIA	BLM	PRI	STA	PLO 2198	Total
Lake Valley	20	22,207.52	5,437.08	13,558.51	320.00		3,000.00	1,452.49	45,975.60
Whiterock	15	79,005.89	2,578.35	12,162.08	480.00	320.00	3,521.40	12,338.08	110,404.79

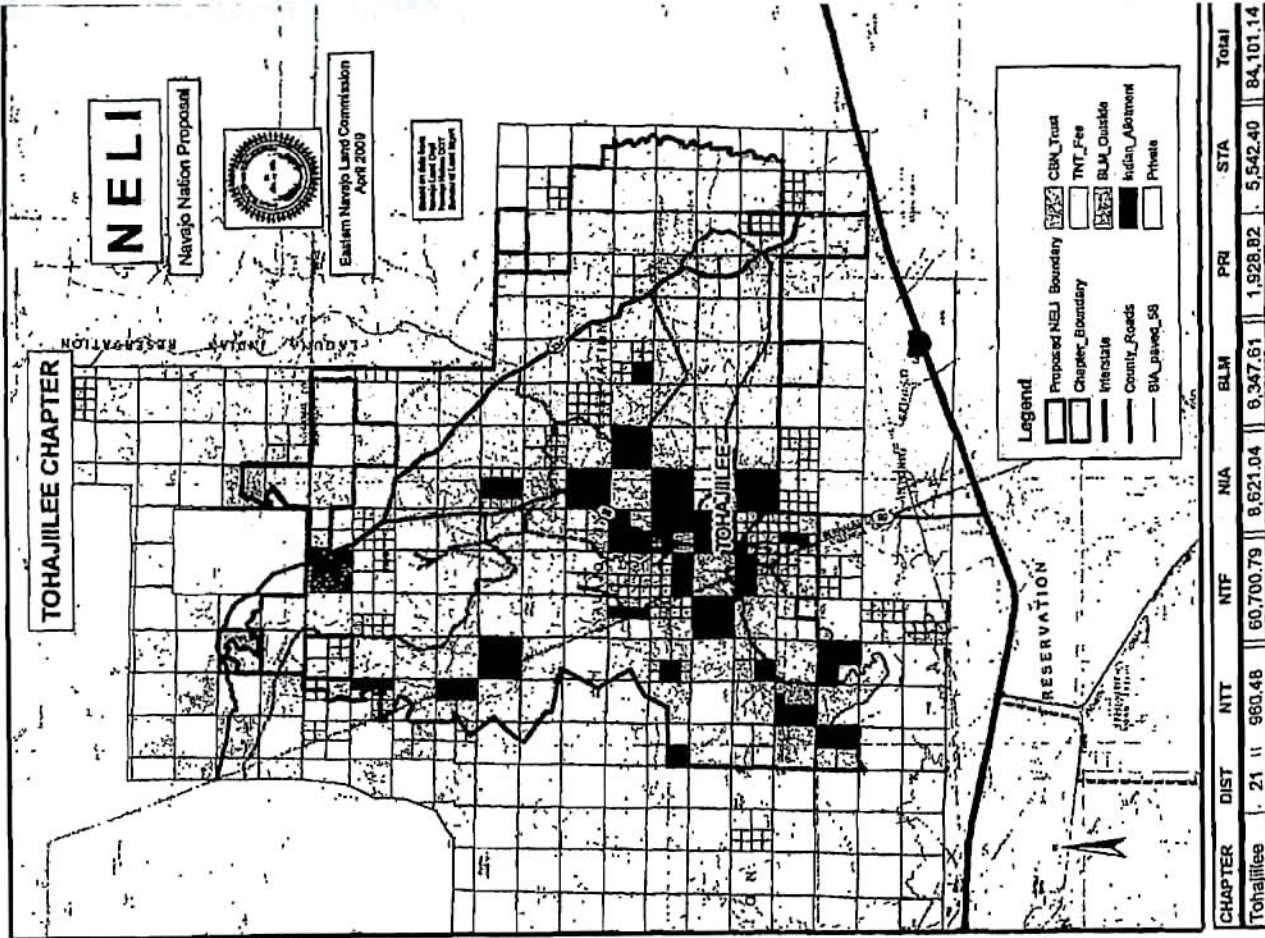
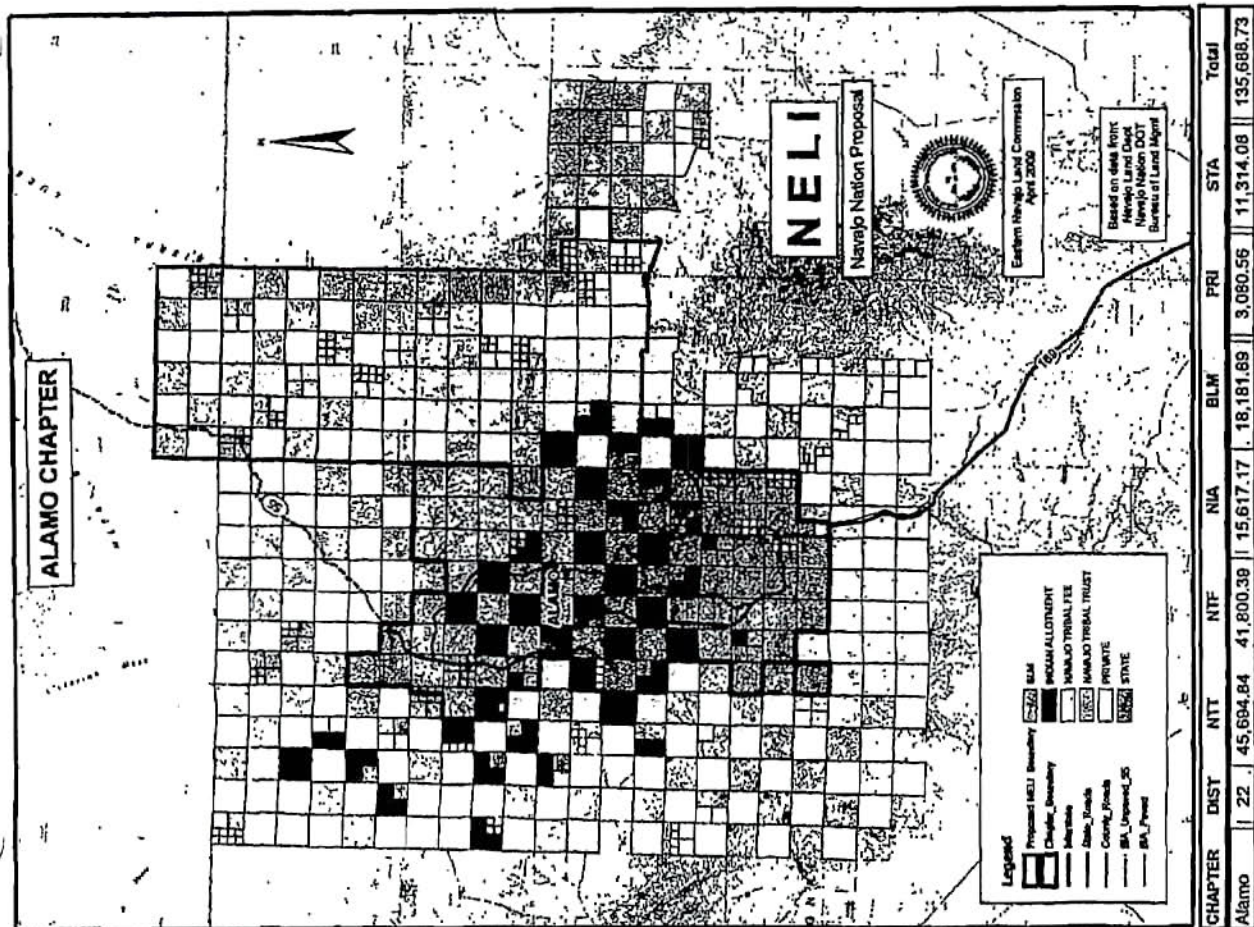


CHAPTER	DIST	NTT	NTF	NIA	BLM	PRI	STA	PLO 2198	Total
Rock Springs	18	2,375.69	9,095.90	12,497.82	160.00	3,645.74	1,871.18		29,648.41
Tsayatoh	18	18,843.15	6,930.11	23,061.68	4,789.80	22,593.41	3,657.73	4,805.75	84,691.63

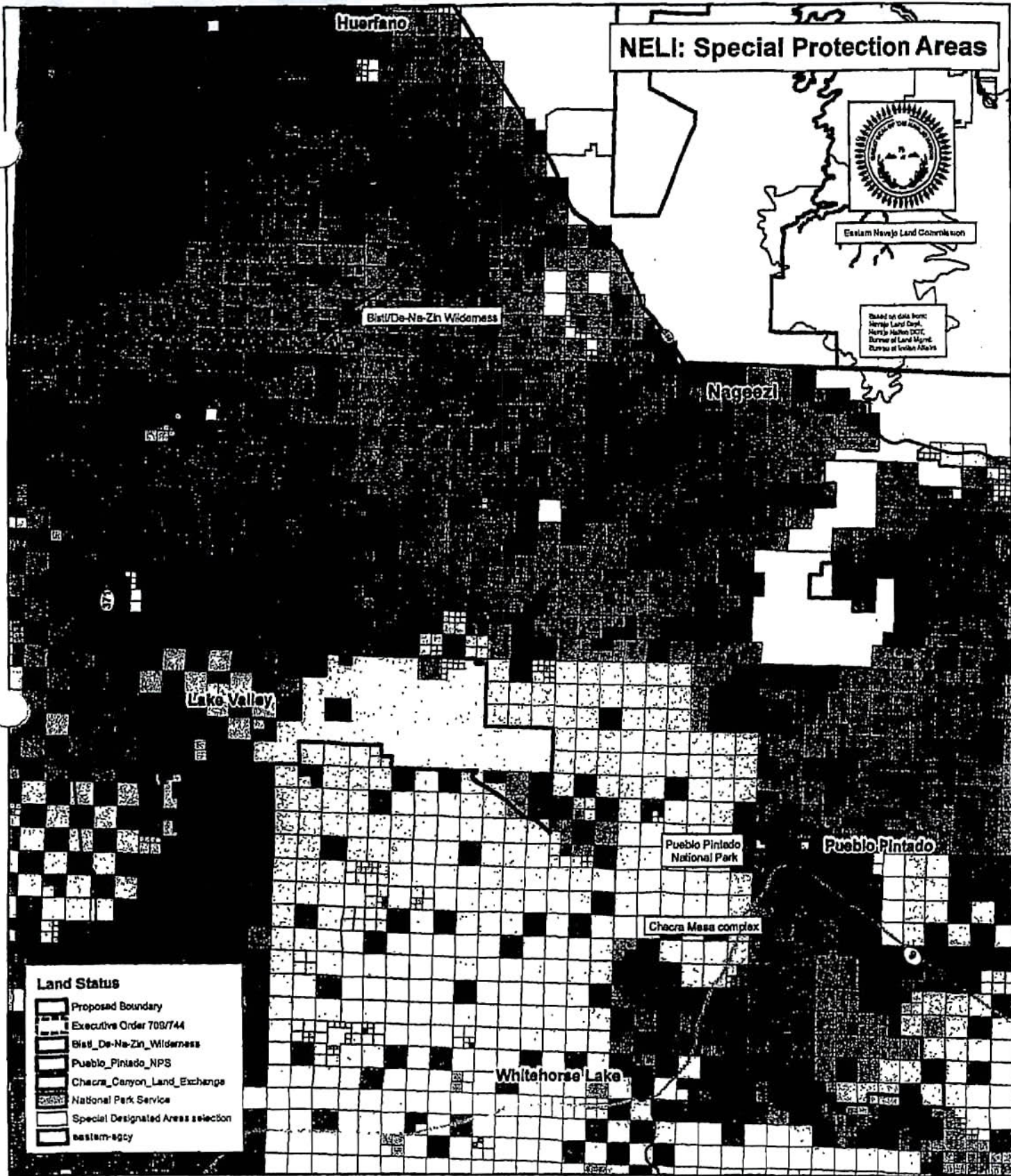




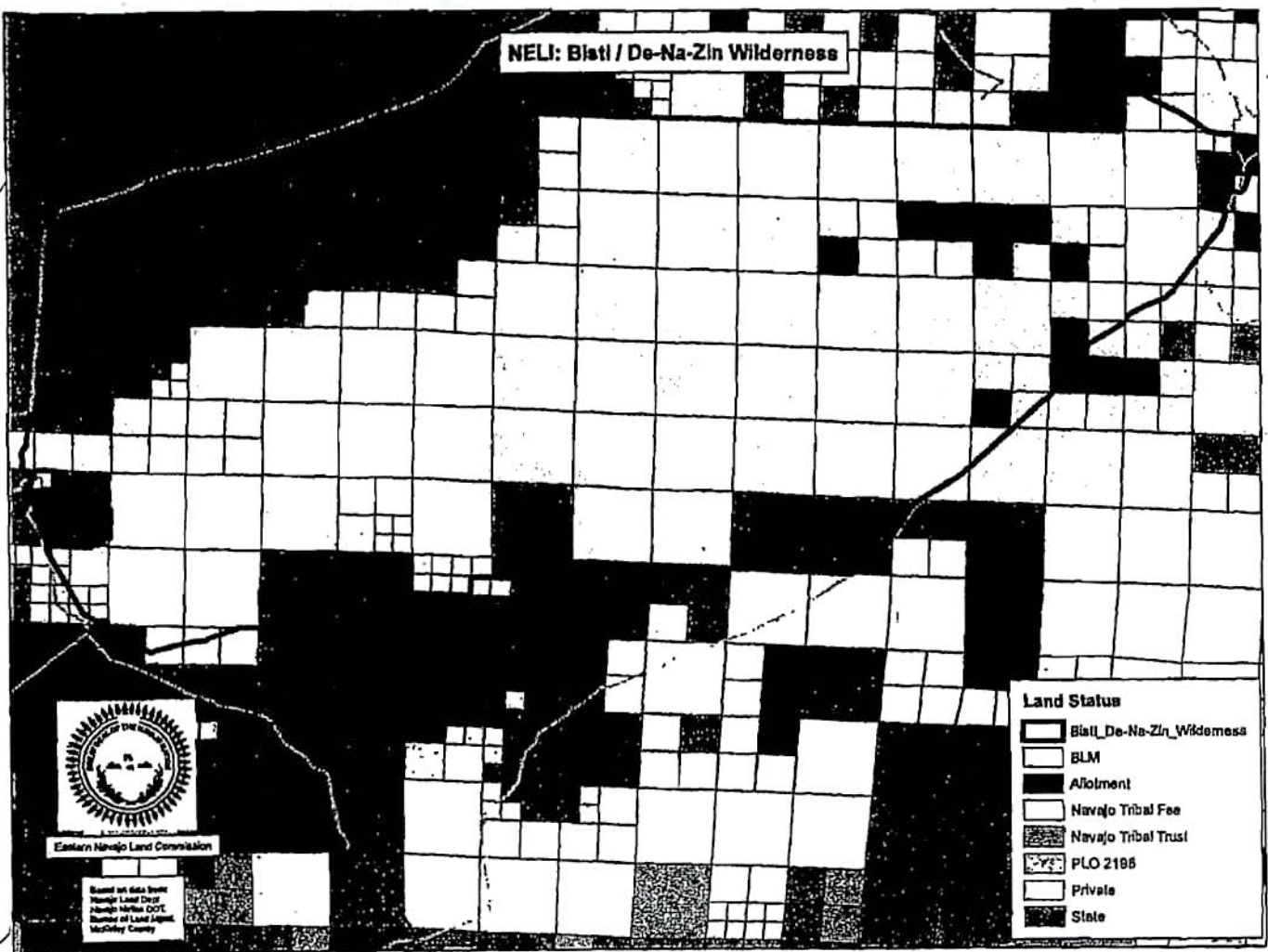




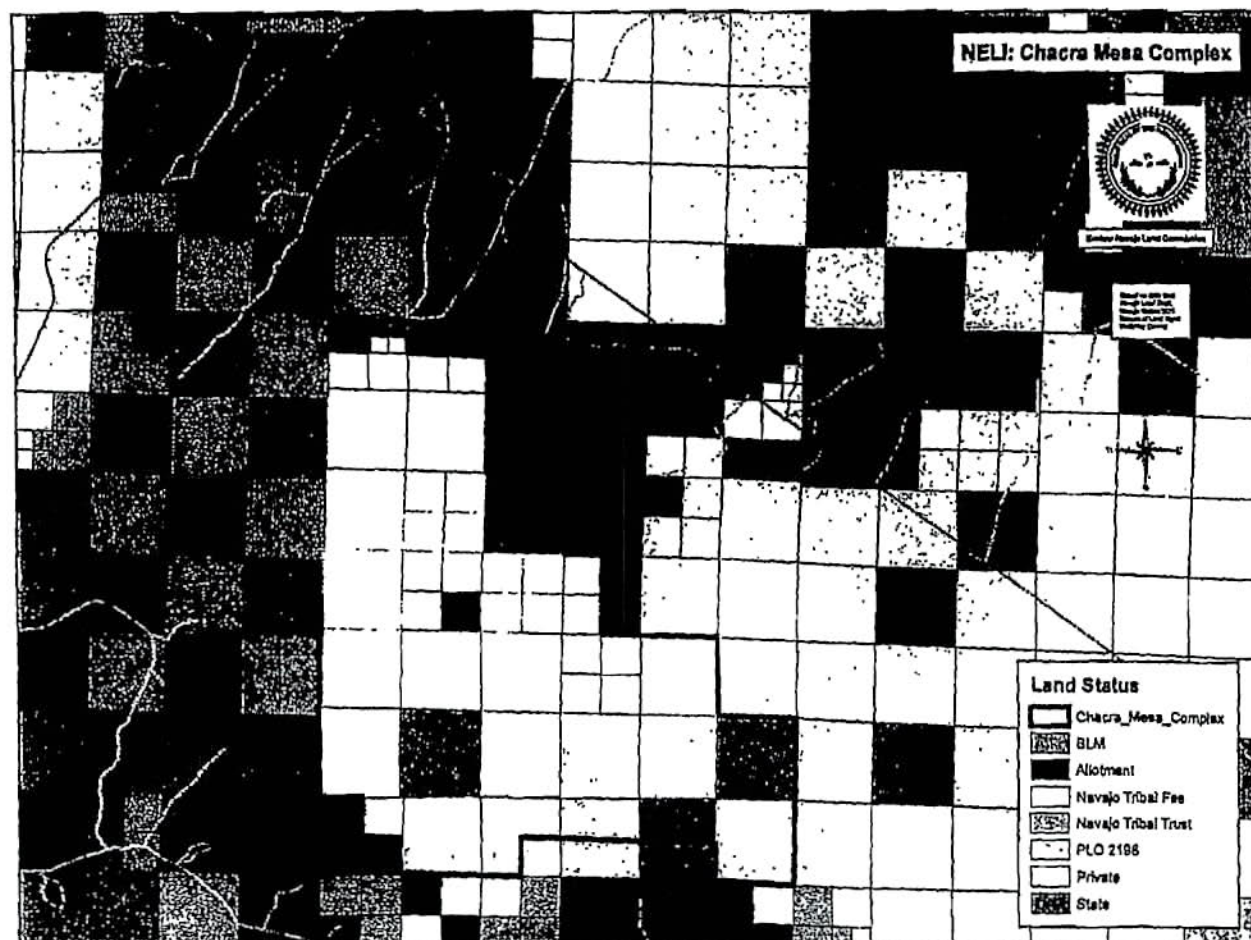
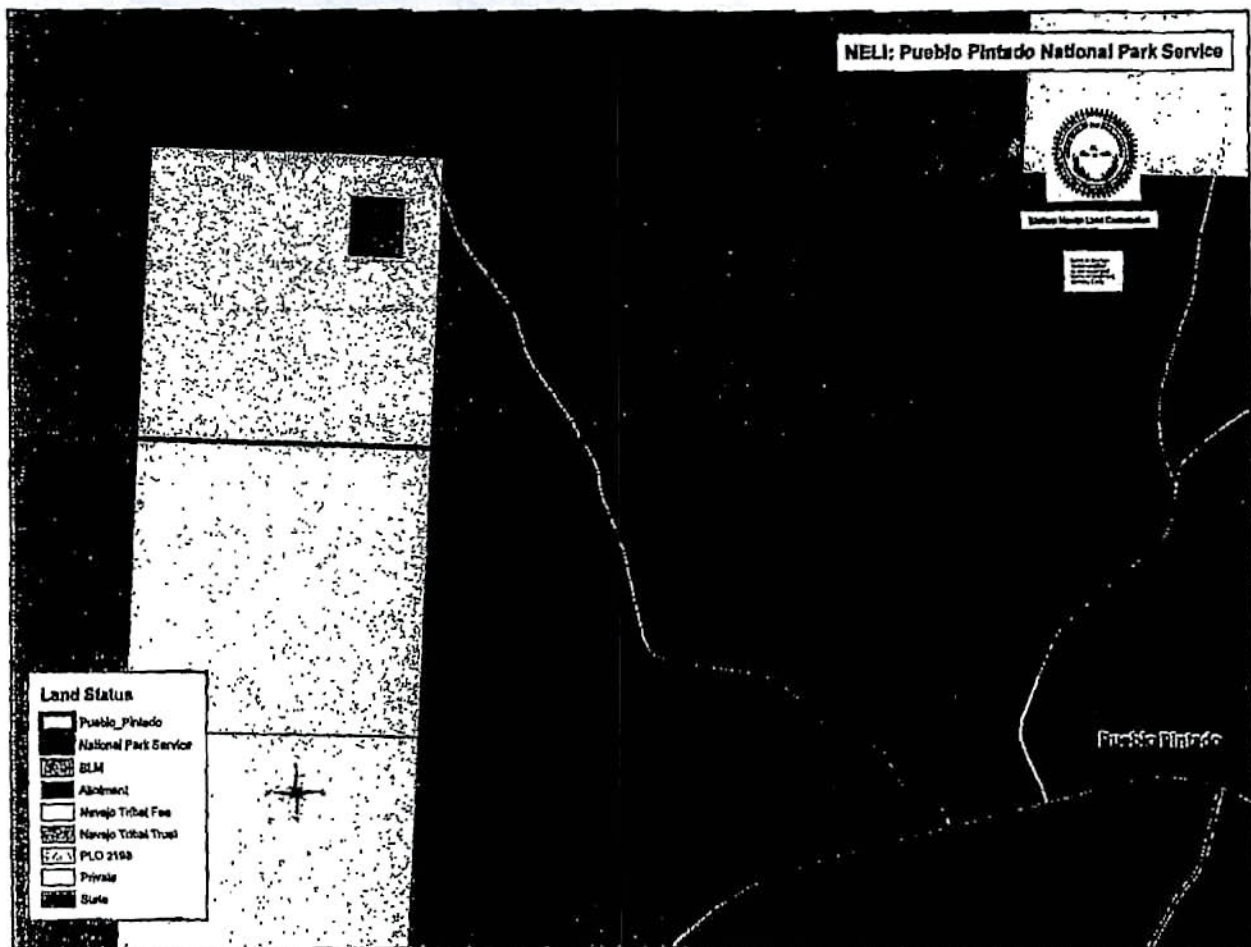




Land Exchange	BLM	Allotment	NTF	NTT	PL02198	Private	State	NPS	Total
Bisti / De-Na-Zin Wilderness	37,865.95	1,634.48		1,684.75			2,625.52		43,810.70
Pueblo Pintado-NPS				40.00				160.00	200.00
Chacra Mesa Complex	10,075.78	160.00	3,393.28	3,191.86	3,054.75		2,299.38		22,175.05
Total	47,941.73	1,794.48	3,393.28	4,916.61	3,054.75		4,924.90	160.00	66,185.75







## NELI Support &amp; Approval Resolutions

District /Chapter	CSC Mtg- Ramah *	OH	Date Presented	Resolution Passed
<b>DISTRICT 15</b>				
Nahodishgish	X	1	07/16/09	07/16/09
Standing Rock	X	1	07/13/09	07/21/09
White Rock	X	1	08/05/09	08/19/09
<b>DISTRICT 16</b>				
Baca/Prewitt	X	1		04/29/09
Bahaalii	X	1		07/14/09
Casamero Lake	X	1		06/11/09
Chichiltah	X	1	03/24/09	04/07/09
Church Rock	X	1		06/22/09
Iyanito	X	1		05/15/09
Manuelito		1	05/19/09	06/14/09
Mariano Lake	X	1		07/12/09
Pinedale	X	1	05/26/09	05/26/09
Red Rock	X	1		05/17/09
Rock Springs		1	07/15/09	08/19/09
Smith Lake	X	1		09/17/09
Thoreau	X	1		04/19/09
Tsayatoh		1		07/21/09
<b>DISTRICT 19</b>				
Counselor	X	1	04/09/09	04/07/09
Huerfano	X	1	04/09/09	04/05/09
Nageezi	X	1	04/09/09	06/05/09
<b>DISTRICT 20</b>				
Becenti	X	1	06/26/09	06/26/09
Crownpoint	X	1	05/12/09	05/12/09
Lake Valley		1		07/12/09
Littlewater	X	1	04/13/09	04/13/09
Ojo Encino	X	1	04/09/09	04/10/09
Pueblo Pintado		1		05/10/09
Torrean/Star Lake	X	1		05/06/09
White Horse Lake	X	1	04/21/09	05/19/09
<b>DISTRICT 21</b>				
Tohajilee	X	1	09/15/09	09/29/09
<b>DISTRICT 22</b>				
Alamo	X	1		04/19/09
<b>DISTRICT 23</b>				
Ramah	X	1	03/26/09	04/27/09
* Mar 26 09		31	Chapter Resolutions	
<b>AGENCY</b>				
East Agcy Jnt Ld Brd		1	03/23/09	05/26/09
East Nav Agcy Cncl		1	03/07/09	06/06/09
		33	ENA Resolutions	

OH = Originals "On-Hand" at Office of ENLC

<b>NAVAJO NATION</b>				
East Nav Land Cmsn		1	On-going	02/10/10
Resource Committee			On-going	
Intergov't Rltns Cmte				
Nav Nation Council				
		34	Total Resolutions	





## Alamo Navajo Chapter

Denise Canadontgro-Community Service  
Vivian Apache-Office Specialist  
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Scott Apachito  
Chapter President

Annabell Pino  
Vice-President

Angela Apache  
Secretary/Treasurer

George Apachito  
Council Delegate

Burton Apache  
Land Board Member

### RESOLUTION OF THE ALAMO NAVAJO CHAPTER RESOLUTION NO. ANC-04-16-09-VLB

Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### WHERE AS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10 (A) (2005), the Alamo Navajo Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing power, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 N.T.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and To'hajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and; and
5. The Chapter is strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange; and

#### THEREFORE BY IT RESOLVED THAT:

The Alamo Navajo Chapter, hereby, approves and supports the Navajo Nation's work and effort in federal legislation to restore certain BLM and POL-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

We hereby certify that the forgoing resolution was duly considered by the membership of Alamo Navajo Chapter at a duly called Chapter meeting in New Mexico, at which a quorum was presented and that the same was passed by a vote of 19 in favor, 1 opposed and 11 abstained, this 19 day of April 09

Scott Apachito  
Scott Apachito-Chapter President

Angela Apache  
Angela Apache-Secretary/Treasurer

George Apachito  
George Apachito-Council Delegate

Annabell Pino  
Annabell Pino-Vice President

Burton Apache  
Burton Apache-Land Board

Motion: Bill Herrera

Second: Able Pino



PHONE (505) 778-5788 or 778-5796  
FAX (505) 778-5915  
<http://breadsprings.nndes.org>



Isabelle Morgan  
Chapter President  
Benjamin Livingston  
Chapter Vice President  
Annie Descheny  
Chapter Secretary/Treasurer

Charles Damon II  
Council Delegate  
Ernest D. Yazzie Jr  
Council Delegate  
Emery Chee  
Land Board Member

BHC-07-09-03

# RESOLUTION OF THE BAAHAAALI CHAPTER

## Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

### WHEREAS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the BAAHAAALI Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajilee; and
4. The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals ; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

Gloria M Skeet de Cruz  
Chapter Manager

Guarena M Adeky Skeets  
Administrative Assistant

Gloria M Skeet de Cruz  
Chapter Manager

Guarena M Adeky  
Administrative Assistant

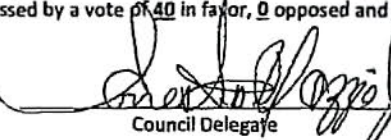
### NOW, THEREFORE BE IT RESOLVED THAT:

1. The BAAHAAALI Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

### CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by the BAAHAAALI Chapter at a duly called meeting in BAAHAAALI, Navajo Nation, New Mexico at which a quorum of Chapter Members was present and that the same was passed by a vote of 40 in favor, 0 opposed and 1 abstained this 14<sup>th</sup> day of July, 2009.

  
Chapter Official

  
Council Delegate

Motioned by: Ellen Jewelryman

Second by: Edison Brown

gms



BENJAMIN GALLY  
President  
MARJORIE LANTANA  
Vice - President  
CHARLES LONG  
Secretary/Treasurer



HARRY HUBBARD  
Council Delegate  
CLARA J. DAYE  
Community Service Coordinator  
CHRISTINA PLATERO  
Office Specialist

### BECENTI CHAPTER

P.O. BOX 708 CROWNPOINT, NM 87313 PHONE: (505) 768-2283/2284 FAX: (505) 768-2285 [www.becenti.nddes.org](http://www.becenti.nddes.org)

#### RESOLUTION OF THE BECENTI NAVAJO CHAPTER RESOLUTION NO: BNC-JUL-09-058

**TITLE: APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.**

#### WHEREAS:

1. Pursuant to Navajo Tribal Council Resolution CJ-20-55 Becenti Navajo Chapter is a duly certified Chapter of the Navajo Nation and is vested with the authority to address and resolve local matters and issues in the best interest of the Chapter and Community members and coordinate with or refer appropriate subject matters to the Navajo Nation, Federal, State, County and Municipal governments; and
2. By Resolution CAP-34-98 the Navajo Nation Council enacted the Navajo Nation Local Governance Act and is codified in Title Twenty Six (26) of the Navajo Nation Code; and
3. The Local Governance Act recognizes governance at the local level which consequently delegates to Chapters certain governmental authority to deal with local matters consistent with Navajo law, custom and tradition and the Act clearly defines the executive and legislative functions of the Chapter including the duties and responsibilities of Chapter officials and Chapter administrators which are uniform with the Navajo Nation's policy of separation of powers and checks and balances; and
4. The Local Governance Act promotes local autonomy with a desired outcome of improved community decision making, excelling and flourishing communities, enabling local Navajo leaders to guide the community towards a prosperous future and improving the supremacy and sovereignty of the Navajo Nation and concurrently governing with responsibility and accountability to the local citizens; and
5. Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county and other local authorities and private interests throughout the Eastern Navajo Agency; and
6. Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and
7. The Becenti Navajo Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and

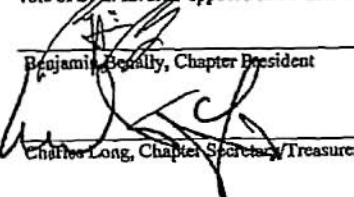
8. The Becenti Navajo Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department and appropriate Navajo Nation Council Standing Committees to work towards the land consolidation goal; and
9. The Becenti Navajo Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislation Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Becenti Navajo Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.


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


1. The Becenti Navajo Chapter approves and supports the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Status.

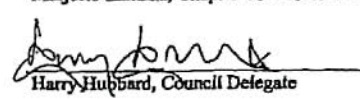
#### CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was considered by the people of the Becenti Navajo Chapter at a duly called meeting at Becenti, Navajo Nation, New Mexico at which a quorum was present and that the same was passed with a motion by *Peter Jordan*, seconded by *Jonathan Perry* with a vote of 21 in favor, 9 opposed and 5 abstention this 26<sup>th</sup> day of July 2009.

  
Benjamin Gally, Chapter President

  
Marjorie Lantana, Chapter Vice President

  
Charles Long, Chapter Secretary/Treasurer

  
Harry Hubbard, Council Delegate

AUG 10 2009

AUG 10 2009



**Canoncito**

**Canoncito Band of Navajos**

P.O. Box 3398, Canoncito, New Mexico 87026  
Phone (505) 908-2732 / 908-2730 \*\* Fax (505) 908-2731 Lawrence R. Platero, Council Delegate

Mark Begay, Vice President  
Yvette Platero, Secretary/Treasurer

RESOLUTION NO: TOH-09-09-09

**RESOLUTION OF THE CBN TOHAJILEE CHAPTER  
OF THE NAVAJO NATION**

Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Land to Navajo Tribal Trust and Canoncito Band of Navajos Tribal Trust Land.

**WHEREAS:**

1. Pursuit to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the To'Hajiilee Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Whereas, the Canoncito Band of Navajos was granted by the United States Government certain lands in New Mexico to be held in trust for CBN by, the Act of August 13, 1949 and through this recognition the CBN/To'Hajiilee Chapter Government has provided services to the To'Hajiilee Public
3. Pursuit to 2 NN § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
4. Pursuit to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservation of Alamo, Ramah, and To'Hajiilee; and
5. the Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law, and range enforcement, land use Right-of-Way approval, much needed other land use approvals; and
6. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goals; and
7. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative, or "NELI", involving conversion of BLM and Public Land Order 2198 into trust status. As some of these land types are situated within the CBN/To'Hajiilee area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange,

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

1. The To'Hajiilee Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust; and
2. Further, the CBN strongly recommends that the BLM Lands acquired in the Canoncito/To'Hajiilee geographical area be converted into trust as Canoncito Band of Navajo Lands.

**CERTIFICATION**

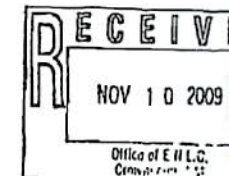
I hereby certify that the forgoing resolution was duly considered by the To'Hajiilee Chapter at a duly called meeting in To'Hajiilee, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of in 40 favor and 0 opposed, this 15<sup>th</sup> Day of September, 2009

Raymond Secatero, To'Hajiilee President

Yvette Platero, Secretary/Treasurer

Mark Begay, To'Hajiilee Vice-President

Lawrence Platero, Council Delegate





Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

WHEREAS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10 (A) (2005), the Chichiltah Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Commission Plan by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committee to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative: or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW THEREFORE BE IT RESOLVED THAT:

The Chichiltah Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Chichiltah Chapter at a duly called meeting in Chichiltah, Navajo Nation (NM), at which a quorum was present, and the same day was passed by a vote of 60 in favor, 00, opposed, 00 abstained this 7<sup>th</sup> day of April, 2009.

Motion: James Frandsco

Second: Marlene Carlston

Jess Kirwin, President

Tommy Nelson, Vice-President

Norma Muskett, Secretary/Treasurer  
R. John, CSC

Joe M. Lee  
Joe M. Lee, Council Delegate

Kathleen Arviso  
Kathleen Arviso



Samuel Sage, Chapter President  
Harry Domingo Sr., Vice President  
Laura C. Lopez, Secretary/Treasurer

Harry J. Wellito, Council Delegate  
Community Service Coordinator  
Martha A. Aragon, Office Specialist

**RESOLUTION OF COUNSELOR CHAPTER  
COUNSELOR, NEW MEXICO  
COUN# 2009-04-001**

**RESOLUTION OF COUNSELOR CHAPTER APPROVING AND SUPPORTING THE  
NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO  
RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.**

**WHEREAS:**

1. Pursuant to 26 NNC Section 3(A) the Counselor Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 NNC, part 1, section 10 and is delegated the authority to plan and implement community projects which will benefit the local residents; and
2. Pursuant to 26 NNC Section 861 *et seq.*, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act 1984, 25 U.S.C. 2201 *et seq.*, and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. Counselor Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
5. Counselor Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. Counselor Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the chapter's area, the is very supportive of NELI and thereby request federal authorities to act favorably of the exchange.

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

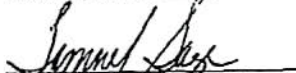
1. The Counselor Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo tribal trust.

**CERTIFICATION**


We hereby certify that the foregoing resolution was duly considered by the Counselor Chapter at a duly called meeting in Counselor, Navajo Nation, NM at which a quorum of chapter members was present and that the same passed by a vote of 27 in favor, 0 opposed, and 0 abstained this 7<sup>th</sup> day of April, 2009.

Motion: Samuel Julian

Second: Louise Herrera

  
Samuel Sage, Chapter President

  
Harry Domingo, Sr. Chapter Vice-President

  
Marlene Thomas, Chapter Secretary/treas.

  
Harry Wellito, Council Delegate

Elizabeth Stoney, Land Broad Member



## CROWNPOINT NAVAJO CHAPTER

Post Office Box 336  
Crownpoint, New Mexico 87313  
PHONE (505) 786-2130  
FAX (505) 786-2136  
WEBSITE: www.crownpoint.ndes.org



CHAPTER ADMINISTRATION  
Herman DeVore, Community Services Coordinator  
Delchena M. Dudley, Office Specialist  
EMAIL: crownpoint@navajo-chapters.org

MC GARRETT PABLO RITA M. CAPTAN  
PRESIDENT VICE PRESIDENT

HELEN M. MURPHY  
SECRETARY/TREASURER

ALICE W. BENALLY  
COUNCIL DELEGATE

HERBERT ENRICO  
LAND BOARD MEMBER

### RESOLUTION OF THE CROWNPOINT CHAPTER of the Navajo Nation

#### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

##### WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Crownpoint Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6) The Community of Crownpoint is confronted with numerous community land use problems due to historic land leasing and permitting and control of certain lands not in the control of the Navajo Nation for self-determination. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land

types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Crownpoint Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Crownpoint Chapter at a duly called meeting in Crownpoint, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of in 30 favor, 0 opposed and 4 abstained, this 12 day of May 2009.

Rita M. Capitán, Vice President

Helen M. Murphy, Secretary/Treasurer

Herbert Enrico, Land Board Member

Alice W. Benally, NN Council Delegate

Motion : Marcus Martin  
Second : Davey M. Morris



## HUERFANO CHAPTER # 91

P.O. BOX 968 • BLOOMFIELD, NEW MEXICO 87413 • (505) 325-1400 • FAX (505) 326-3044

### RESOLUTION OF HUERFANO CHAPTER

RESOLUTION # HUE-068-09

### APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 TO NAVAJO TRIBAL TRUST

#### WHEREAS:

1. Pursuant to 26 N.M.C. § 3(A) (2005) and 11 N.M.C. § 10(A) (2005), the Huerfano Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing power, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and /or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 N.M.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-98, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approval; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange know as the "Navajo Exchange Land Initiative", or "NEI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NEI and thereby requests federal authorities to act favorably of the exchange; and
7. Successful Land exchanges within respective chapter boundaries, shall be utilized by affected respective chapter communities.

BEN WOODY JR.  
CHAPTER PRESIDENT  
DANNY SIMPSON  
COUNCIL DELEGATE

PAULINE MCCAULEY  
CHAPTER VICE PRESIDENT  
LARRY J. BONNEY  
LAND BOARD

IRENE L. HARVEY  
SECRETARY & TREASURER  
VERONICA TSO  
LAND BOARD

PAGE 02 Resolution # HUE-068-09

NOW, THEREFORE BE IT RESOLVED THAT:

The Huerfano Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

C-E-R-T-I-F-I-C-A-T-I-O-N

I hereby certify that the foregoing resolution was duly considered by the Huerfano Chapter at a duly called meeting in Huerfano, Navajo Nation (NM), at which a quorum was present, and the same was passed by vote of 33 in favor, and 00 opposed, 03 abstentions, this 05<sup>th</sup> day of April, 2009.

Motion: Pauline McCauley  
Second: Dorothy Wero

*Ben Woody Jr.*  
Ben Woody Jr., Chapter President

*Pauline McCauley*  
Pauline McCauley, Vice-President

*Irene L. Harvey*  
Irene L. Harvey, Secretary/Treasurer

*Danny Simpson*  
Danny Simpson, Council Delegate



DOROTHY ROGERS  
PM  
CHARLENE DELAY  
VICE PRESIDENT  
LEONARD FRANCISCO, JR.  
SECRETARY/TREASURER



THE NAVAJO NATION



LAWRENCE T. MORGAN  
COUNCIL DEPUTY

WILBUR MURPHY, Sr.  
LAW BOARD

WILBUR MURPHY, Sr.  
LAW BOARD

P.O. Box 488, Ft. Wingate, New Mexico 87316 • Phone: (505) 905-3650 Fax: (505) 905-6113

RESOLUTION OF IYANBITO CHAPTER, #IC467-05/02-003

May 15, 2009

"APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON  
FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS OF THE  
NAVAJO NATION TRIBAL TRUST"

WHEREAS:

1. Pursuant to 2 N.T.C. Section 4002, The Iyanbito Chapter is a recognized Chapter of the Navajo Nation having the power and authority to approve and rescind resolutions enacted through its membership; and
2. Through the established Plan of Operation, the Iyanbito Chapter delegates its authority to the elected Chapter officers to enact plans that are in the best interest of the community; and
3. The Iyanbito Chapter has the authority to act on behalf of its community to recommend, support and approve community related projects; and
4. Pursuant to 2 NNC § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
5. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue to work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
6. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmable human services, land and range enforcement, land use Right-of-way approval, and much needed other land use approval; and
7. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
8. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversions of BLM and Public Land Order 2198 into Tribal Trust status. As some of these lands types are situated with the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

LOUISE M. MARIANO  
COMMUNITY SERVICE COORDINATOR

JOSEPHINE V. BAHR  
OFFICE SPECIALIST

NOW THEREFORE BE IT RESOLVED THAT:

1. The Iyanbito Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislative to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

We hereby certify that this foregoing resolution was duly considered by the Iyanbito Chapter at a duly called meeting at which a quorum was present and motion made by Arnold Collins and seconded by Martene Charley and approved was passed with a vote of 25 in favor, 00 opposed and 01 abstained this 15<sup>th</sup> day of May, 2009

Dorothy Rogers, President

Charlene J. Begay, Vice President

Leonard Francisco, Jr., Secretary/Treasurer

Lawrence T. Morgan, Council Delegate

Post Box 1898  
Crow, N.M. New Mexico 87313  
PHONE: (505) 786-2120  
FAX: (505) 786-2125

WEBSITE: [www.littlewaterchapter.ndes.org](http://www.littlewaterchapter.ndes.org)



CHAPTER ADMINISTRATOR  
Genevieve Castillo  
Chapter Manager  
Shanna A. Bebo  
Administrative Assistant  
Email: [littlewaterchapter@yahoo.com](mailto:littlewaterchapter@yahoo.com)

Page 2

## CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by an for adoption by Lathan Barbone, seconded by Peterson Enrico, thoroughly discussed and adopted by 30 in favor, 0 opposed and 0 abstained at a duly called meeting at Littlewater Chapter, Navajo (New Mexico) on this 13<sup>th</sup> day of April 2009.

George Jim  
George Jim, Chapter President

Thomas Barbone  
Thomas Barbone, Chapter Vice-President

June Barbone  
June Barbone, Secretary/Treasurer

George Jim President  
Thomas Barbone Vice President  
June Barbone Secretary/Treasurer  
Hoskie Koo Council Delegate  
Harbert Enrico, Sr. Land Board Member

### RESOLUTION OF

LITT-04-09-1184

### THE LITTLEWATER CHAPTER OF EASTERN NAVAJO AGENCY

### APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.

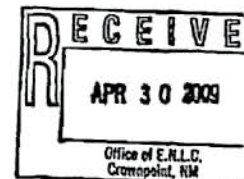
#### WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Littlewater Chapter is a duly recognized certified chapters of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10, and pursuant to 26 N.N.C., Section 1 (B) Littlewater Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions; and
2. Pursuant to 2 NNC § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout Eastern Navajo Agency; and
3. Pursuant to the Federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

1. The Littlewater Chapter of Eastern Navajo Agency, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

Exhibit B; Page 11







# MANUELITO (KIN HOZHONI) CHAPTER

Navajo Nation, State of New Mexico, County of McKinley  
c/o Manuelito Chapter • HCR57 Box 9069 • Gallup, NM 87301  
Chapter Phone: (505) 722-3073 • Fax: (505) 722-6060



## RESOLUTION OF THE MANUELITO CHAPTER Of the Navajo Nation

MANU-06-09- 46

### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

#### WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Manuelito Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Manuelito Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

I hereby certify that the forgoing resolution was duly considered by the Manuelito Chapter at a duly called meeting in Manuelito, New Mexico, Navajo Nation, McKinley County, at which a quorum was present, and the same was passed by a vote of 37 in favor, 0 opposed, 0 abstained this 14<sup>th</sup> day of June 2009.

First Motion: Mary Joe

Second Motion: Marilyn Roanhorse

Milton Davidson, Chapter President

Julia Ellison, Vice - President

Bertha Dahozy, Secretary/Treasurer

Harriett K. Becenti, Council Delegate

Kathleen Arviso, Land Board

Milton Davidson  
President

Julia Ellison  
Vice-President

Bertha Dahozy  
Secretary/Treasurer

Harriett K. Becenti  
Council Delegate

Paulene F. McCabe  
Community Service Coordinator

Kathleen Arviso  
Land Board Member



**MARIANO LAKE CHAPTER**

PO BOX 164  
Smith Lake, NM 87365  
Phone (505) 786-2180/2182 Fax (505) 786-2181  
Email: mario@lakechapter.com

**RESOLUTION OF THE  
MARIANO LAKE CHAPTER  
Of the Navajo Nation**

Approving and Supporting the Navajo Nation's Work and Effort on  
Federal Legislation to Restore Certain BLM and FLO-2198 Lands to Navajo Tribal Trust

**WHEREAS:**

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Mariano Lake Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human-services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Mariano Lake Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and FLO-2198 Lands to Navajo Tribal Trust.

Anthony Begay, President      Leandra K. Jones, Vice-President      Bessie Toole, Secretary/Treasurer  
Young J. Tom, Council Delegate      Edmund Henry, Land Board Member      Arthur J. Hood, Community Services Coordinator

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Mariano Lake Chapter at a duly called meeting at which a quorum was present, and move for adoption by Betty Johnson and seconded by Louise Mariano that same was passed by a vote of 29 in favor and 0 opposed, 3 abstained, this 12<sup>th</sup> day of July 2009.

Anthony Begay, Chapter President

**AUG 18 2009**



Or. Joe Shirley Jr., Navajo Nation President

Ben Shelly, Navajo Nation Vice-President

RESOLUTION FY 09 #75

SUPPORTING RESOLUTION OF NAGEEZI CHAPTER

Approving and supporting the Navajo Nation's Work and Effort on Federal Legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Nageezi Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861 *et seq.*, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 *et seq.*, and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW THEREFORE BE IT RESOLVED THAT;

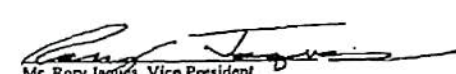
The Nageezi Chapter hereby approves and supports the Navajo nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.


CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING NAGEEZI CHAPTER RESOLUTION was thoroughly discussed at a duly called Chapter meeting at which a quorum was present and the same passed by a vote of 28 in favor, and 0 opposed, 3 abstained, this 5th day of June 2009

on a Motion by Eugene Harrison Second by: Charles Sylvestre

  
Mr. Ervin Chavez, Chapter President

  
Mr. Rory Jaques, Vice President

  
Mr. J. Platero, Chapter Secretary/Treas.  
cc: NC File, LGSC

  
Mr. Harry J. Wilfeto, Council Delegate

NAHODISHGISH  
LOCAL GOVERNMENT  
P.O. BOX 389  
CROWNFONT, NEW MEXICO 87313-0389  
PHONE: 505-786-2028  
FAX: 505-786-2370

NAVAJO NATION  
SUPPORT CENTER



ALICE W. BENALLY, COUNCIL DELEGATE  
LLOYD MORGAN, CHAPTER PRESIDENT  
ERVIN K. JOHNSON, CHAPTER VICE-PRESIDENT  
NELLIE BARBONE, CHAPTER SECRETARY/TREASURER  
CHEE B. THOMPSON, LAND BOARD MEMBER  
EDDIE MORGAN, COMMUNITY SERVICE COORDINATOR  
FELICIA A. JOHN, OFFICE SPECIALIST

Joe Shirley, Jr., PRESIDENT

Ben Shelly, VICE-PRESIDENT

RESOLUTION OF NAHODISHGISH CHAPTER OF THE NAVAJO NATION  
NO.: NAHO-JULY-09-33

APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL  
LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.

WHEREAS:

1. Pursuant to 26 N.N.C § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Nahodishgish Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and /or Federal, State and local agencies for the benefit of the chapter; and
2. Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main parts of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Chapter is informed about the potential and exchange known as the "Navajo Exchanged Legislative Initiative", or "NELI" involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and there by requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

The Nahodishgish Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

I hereby certify that the forgoing resolution was duly considered by the Nahodishgish Chapter at a duly called meeting in Nahodishgish, Navajo Nation (NM), at which a quorum was present, and the same was passed by of 26 in favor and 0 opposed, this 16<sup>th</sup> day of July 2009.

Motion: Chee Bobby Thompson

Second: Martha Morgan

*Lloyd Morgan*  
Lloyd Morgan, Chapter President  
*Nellie Barbone*  
Nellie Barbone, Secretary/Treasurer

*Ervin K. Johnson*  
Ervin K. Johnson, Vice President  
*Alice W. Benally*  
Alice W. Benally, Council Delegate





THE  
NAVAJO  
NATION

OJO ENCINO CHAPTER  
HCR 79, BOX 1500 CUBA NEW MEXICO 87011  
PHONE: (505) 731-2263 FAX: (505) 731-1516

**RESOLUTION OF THE OJO ENCINO CHAPTER OF THE NAVAJO NATION**  
**RESOLUTION OJO 10-04-09/003**

Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Nation Tribal Trust.

**WHEREAS:**

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), The Ojo Encino Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefitting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 N.N.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-Of-Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Ojo Encino Chapter, hereby, approves and supports the Navajo Nation's work and effort of federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

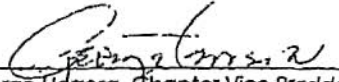
**CERTIFICATION**

We hereby certify that the forgoing Resolution was duly considered by the Ojo Encino Chapter at a duly called meeting in Ojo Encino Chapter, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 32 in favor, and 00 opposed, and 03 abstained, this 10<sup>th</sup> day of April, 2009.

MOTIONED BY: WATSON CASTILLO

SECOND BY: SUE BARBONE

  
Roger Toledo, Chapter President

  
George Herrera, Chapter Vice President

  
Brandon Sam Chapter Sec./Treasurer

  
Elizabeth Stoney, Chapter Land Board

RAMAH NAVAJO CHAPTER  
HCR 61, Box 13 Ramah, New Mexico 87321-9601  
(505) 775-7140/42  
FAX: (505) 775-7137



Cecil F. Enchacho  
Council Delegate  
Navajo Nation Council  
Member  
Roy Chap Martinez  
Eastern Navajo Land Board

Resolution of the Ramah Navajo Chapter

No. 040914

Approving the supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore  
certain BLM and PLO-2198 Lands to Navajo Tribal Trust

Rodger Martinez  
President  
Frank E. Paul  
Vice-President  
Dixie M. Begay  
Secretary/Treasurer

# CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Ramah Navajo Chapter at a duly called meeting in Ramah, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of in 32 favor and 0 opposed, this 27th day of April, 2009.

Frank E. Paul, Vice President

Cecil F. Enchacho, Council Delegate

Rodger Martinez, President

Dixie Begay, Secretary/Treasurer

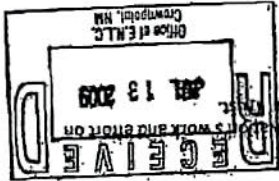
Motion: Douglas Hento  
Second: Clarence Bob

## WHEREAS:

- 1) Pursuant to 26 N.M.C. § 3(A) (2005) and 11 N.M.C. § 10 (A) (2005), the Ramah Chapter ("the chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the chapter; and,
- 2) Pursuant to 2 N.M.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and,
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo and Navajo Land Consolidation Plan approved by Resolution CMV-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservation of Alamo, Ramah, and Tohajiilee; and,
- 4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use right-of-way approval, and much needed other land use approvals; and,
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and,
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conveyance of BLM and Public Land Order 2198 into Tribal Trust status, as some of these land types are situated within the chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

The Ramah Navajo Chapter, hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.







**THE  
NAVAJO  
NATION**

**RED ROCK COMMUNITY CHAPTER**

(5 Miles South of Gallup)  
P.O. Box 2548  
Gallup, NM 87305  
(505) 726-8071/8135 FAX # (505) 726-1049

Charles Lee, President  
Ray Jack, Vice-President  
Grace Boyne, Secretary/Treasurer

**Resolution of the Red Rock Chapter**

Ida M. Nelson, Council Delegate  
Jimmie Yazzie, Community Service Coordinator  
Jostina Daye, Office Specialist

**RRC-016-2009- 16**

**Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to  
Restore Certain BLM and PLO 2198 Lands to Navajo Tribal Trust**

**WHEREAS:**

1. Pursuant to 26 N.N.C. Subsection 3(A) (2005) and 11 N.N.C. Subsection 19(A), the Red Rock Chapter ("The Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC Subsection 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights of Way approval, much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI" involving conversation of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

1. The Red Rock Chapter, hereby approves and supports the Navajo Nation's work and efforts on federal legislation to restore certain BLM and PLO 2198 Lands to Navajo Tribal Trust.

**CERTIFICATION**

**WE HEREBY CERTIFY** that the foregoing resolution was duly considered by the Red Rock Chapter at a duly called meeting in Red Rock, Navajo Nation, New Mexico at which a quorum was present and that the same was passed by a vote of 27 in favor, 0 opposed and 2 abstained, this May 17, 2009.

Motioned by: Alice Begay

Seconded by: Sadie Lewis

Charles B. Lee, Chapter President

Ray Jack, Chapter Vice President

Grace M. Boyne, Chapter Secretary/Treasurer

Ida M. Nelson, Council Delegate

**AUG 21 2009**

**AUG 12 2009**

**AUG 12 2009**









THE NAVAJO NATION  
STANDING ROCK CHAPTER  
PO BOX 247  
CROWNPOINT, NEW MEXICO 87313  
(505) 786-2247/2248  
FAX NO.: (505) 786-2249

STANDING ROCK CHAPTER  
RESOLUTION NO: STAN.0609.4000  
PAGE TWO (02)

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

The Standing Rock Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

RESOLUTION OF THE STANDING ROCK CHAPTER  
RESOLUTION NO.: STAN.0709.4000

**CERTIFICATION**

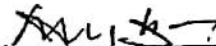
I HEREBY certify that the foregoing resolution was duly considered by the Standing Rock Chapter at which a quorum was present and that same was passed by a vote of 37 in favor, 00 opposed and 06 abstained, this 21<sup>st</sup> day of April, 2009.

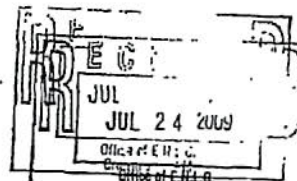
**WHEREAS:**

1. Pursuant to 26 NNC § 3(A) (2005), the Standing Rock Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the chapter community, and to make recommendations to the Navajo Nation and /or federal, state, and local agencies for the benefit of the chapter; and
1. Pursuant to 2NNC § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
2. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and
3. The Standing Rock Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
4. The Standing Rock Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo nation Council Standing committees to work towards the goals set forth in the land consolidation plan; and
5. The Standing Rock Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative" or "NELI" involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. The chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

Motion by: Jimson Joe

Second by: Marjorie Dodge

  
Johnny Johnson, Chapter President  
STANDING ROCK CHAPTER





President of The Navajo Nation  
Dr. Joe Shirley Jr.

**THE NAVAJO NATION  
THOREAU CHAPTER**

PO BOX 899 THOREAU NM 87323

Phone: (505) 862-0139 • Fax: (505) 862-7150  
thoreau@navajochapters.org

Vice President of The Navajo Nation  
Ben Shelly



Valerie Vigil-President  
Anita David-Vice President  
Virginia Yazzie-Secretary/Treasurer

Edmund Yazzie-Council Delegate  
Bobby Delgarto-Land Board  
Brenda Martinez-Office Specialist

**RESOLUTION OF THE THOREAU CHAPTER  
OF THE NAVAJO NATION**

TCH-074-09-67

**Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation  
To Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust**

**WHEREAS:**

1) Pursuant to 26 N.N.C. 3(A)(2005) and 11 N.N.C. 10(A)(2005), the Thoreau Chapter (the Chapter) is a recognized local government entity of the Navajo Nation established and duly certified by the Navajo Nation Council to exercise Certain local governing powers to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or Federal, State, and local agencies for the benefit of the Chapter; and

2) Pursuant to 2 MMC 861 et seq., the Eastern Navajo Land Commission was Established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county and other local authorities and private interests throughout the Eastern Navajo Agency; and

3) Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and

4) The Chapter is cognizant of the numerous problems created by the differing Land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and

5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and

6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Thoreau Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

**CERTIFICATION**

I hereby certify that the forgoing resolution was duly considered by the Thoreau Chapter at a duly called meeting in Thoreau NM, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 24 in favor 0 opposed this 19th day of April, 2009.

Motion: Tom Long Sr. Second: Charley Long Sr.

Valerie Vigil  
Valerie Vigil, Chapter President

Anita David  
Anita David, Vice President

Virginia Yazzie  
Virginia Yazzie, Secretary/Treasurer

Edmund Yazzie  
Edmund Yazzie, Chapter Council Delegate





# THE NAVAJO NATION

TORREON/STAR LAKE CHAPTER

P.O. BOX 1024 • CUBA, NEW MEXICO 87013 • (505) 731-2336 - Fax# 505-731-1514



Dave B. Rico Council Delegate	Leonard Tsoisic Council Delegate	Joe L. Cayadito, Jr. President	Marlene Waukazo Vice President	Evangeline Tachine Secretary/Treasurer	Sherwood Willets Landboard	Wally Toledo Coordinator	Alberta Bellant Office Specialist
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## RESOLUTION OF TORREON/STAR LAKE CHAPTER TSL 05/2009-059-086

### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

#### WHEREAS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Torreon/Star Lake Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local government powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC § 881 et seq., the Eastern Navajo Land Commission was established for purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, and identification of the Navajo Land Consolidation Plan approved by Resolution CMY -23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajilee; and
4. The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, from programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI". Involving conversion of BLM and Public Land Order 2198 in Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

1. The Torreon/Star Lake Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Torreon/Star Lake Chapter at a duly called meeting at Torreon Navajo Chapter house, of the Navajo Nation NM, at which quorum was present and that same was Motioned by: Ida Mae Jack and Seconded by: Marie Harold and adopted by: vote of 47 in favor and 0 opposed and 0 abstained on this 6<sup>th</sup> day of May, 2009.

Joe L. Cayadito Jr., President  
Torreon/Star Lake Chapter

Marlene R. Waukazo, Vice President  
Torreon/Star Lake Chapter

Evangeline Tachine, Secretary/Treasurer  
Torreon/Star Lake Chapter



# Tséyaat'ó Ałah Ná'ádleeh Nahat'a Bee Oonish

RESOLUTION OF THE  
TSAYATOH CHAPTER  
Of the Navajo Nation  
Resolution No. Tsay-07-09-01

## Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

### WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Tsayatoh Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tobajillee; and
- 4) The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

### NOW, THEREFORE BE IT RESOLVED THAT:

The Tsayatoh Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

### CERTIFICATION

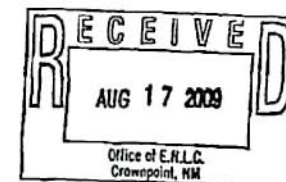
I hereby certify that the foregoing resolution was duly considered by the Tsayatoh Chapter at a duly called meeting in Tsayatoh Multipurpose Building, Navajo Nation  
Box 86 • Mentmore, New Mexico • Telephone: (505) 905-2649 • Facsimile: (505) 905-0537

(NM), at which a quorum was present, and the same was passed by a vote of in 29 favor and 00 opposed, this day of 21st day of July 2009.

  
David Lee, Presiding Chairperson

Motion: Charley Thomas  
Second: Lee Jim

Ref: Resolution No. Tsaya-07-09-01





WHITEHORSE LAKE CHAPTER  
EAST NAVAJO AGENCY  
HCR-1 BOX 4069  
CUBA, NEW MEXICO 87013  
PHONE NO.: (505) 655-5430/5431  
FAX NO.: (505) 655-5432  
Website: whitehorselake@nndes.org  
Joe Shirley Jr., Navajo Nation President



Leonard Tsosie, Council Delegate  
Howard Martinez, Board Member  
Andrew Jim, President  
Travis Begaye, Vice President  
Rosilyn Smith, Sec/Treasurer  
Bobby Tsosie, Chapter Coordinator  
Lena Calamity, Office Specialist  
Ben Shelly, Navajo Nation Vice President

THE RESOLUTION OF  
WHITEHORSE LAKE CHAPTER  
THE NAVAJO NATION

SUBJECT:

NO. RESWHL-05-19-09-080

APPROVING/SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON  
FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO  
THE NAVAJO NATION TRUST.

WHEREAS:

1. Pursuant to 26 N.N.C. & 3(A) (2005) and 11 N.N.C. & 10(A) (2005), the Whitehorse Lake Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and,
2. Pursuant to 2 N.N.C. & 861 et. seq. the Eastern Navajo Land Commission was established for the purpose of coordinating efforts resolving land related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and,
3. Pursuant to the Federal Indian Land Consolidation Act of 1984, 25 U.S.C. & 2201 et seq., and Navajo Land consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and,
4. The Whitehorse Lake Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Right of Way approval, and much needed other land use approvals; and,
5. The Whitehorse Lake Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and,
6. The Whitehorse Lake Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM

and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

The Whitehorse Lake Chapter hereby approves and supports the Navajo Nation's work and effort of federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY  
CONSIDERED BY THE WHITEHORSE LAKE CHAPTER, NAVAJO NATION (NM),  
AT WHICH A QUORUM WAS PRESENT, AND THE SAME WAS PASSED BY A  
VOTE OF 27 IN FAVOR, 00 OPPOSED, AND 00 ABSTAINED, ON THIS 19<sup>TH</sup> DAY  
OF MAY 2009.

MOTIONED BY CHEE SMITH, JR.

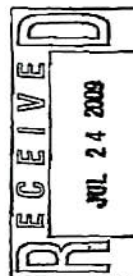
SECONDED BY ART CHAVEZ.

Andrew Jim, President

Travis Begaye, Vice President

Rosilyn Smith, Secretary/ Treasurer

Howard Martinez, Land Board Member







## Baca/Prewitt Chapter

Cecil Lewis Jr., President  
Hoskie Largo, Vice President  
Cindy V. Howe, Secretary-Treasurer  
Hoskie Kee, Council Delegate  
Reida Martinez, C.S.C.  
Bobby Delgarter, Land Board



### RESOLUTION OF THE BACA/PREWITT CHAPTER

8/20/09/04/267

### APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST

#### WHEREAS:

1. The Baca/Prewitt Chapter is a certified Chapter local Government unit of the Navajo Nation and is authorized by N.M.C. 4001 and 4028(g) to review and promote matters that effect the local community and to ensure appropriate recommendations are made to the Navajo Nation, Federal, State, County and local agencies for consideration and/or approval; and
2. Pursuant to 2 N.M.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with Federal, State, County and other local authorities and private interest throughout the Eastern Navajo Agency; and
3. Pursuant to the Federal Indian Land Consolidation Act of 1984, 25 USC § 2001 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and
4. The Baca/Prewitt Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Right-of-Way approval, and much needed other land use approvals; and
5. The Baca/Prewitt Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Baca/Prewitt Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests Federal authorities to act favorably of the exchange.

#### NOW THEREFORE BE IT RESOLVED:

1. The Baca/Prewitt Chapter hereby approves and supports the Navajo Nation's work and effort on Federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Baca/Prewitt Chapter at a duly called meeting in Prewitt, NM, Navajo Nation, at which a quorum was present and moved for adoption by Kathy Evans seconded by Delores Delgarter, and the was same passed a vote of 25 in favor 0 opposed 0 abstained on this 29th day of April, 2009.

Cecil Lewis Jr., President

Cindy Howe, Secretary/Treasurer

Post Office Box 563 Prewitt, New Mexico 87045  
Phone: (505) 876-9917 Fax: (505) 285-4221



P.O. BOX 549

PREWITT, NEW MEXICO 87045

PH: (505) 786-2457 • FAX: (505) 786-2455



PRESIDENT: Fannie Yazzie

VICE PRESIDENT: Lambert Largo, III

SECRETARY/TREASURER: Ken Garcia

COORDINATOR: Sharon Wellito

COUNCIL DELGATE: Hoskie Kee

LANO: Bobby

### Resolution of the Casamero Lake Chapter Of Navajo Nation

### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

#### WHEREAS:

- (1) Pursuant to 26 N.M.C. & 3(A) (2005) and 11 N.M.C. & 10(A), the Casamero Lake Chapter is a recognized local government entity of the Navajo Nation established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- (2) Pursuant to 2 N.M.C. & 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interest throughout the Eastern Navajo Agency; and
- (3) Pursuant to the Federal Indian Land Consolidation Act of 1984, 25 U.S.C. & 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservation of Alamo, Ramah, and Tohajiilee; and
- (4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Right-of-Way approval, and much needed other land use approvals; and
- (5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
- (6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby request federal authorities to act favorably of the exchange.

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

The Casamero Lake Chapter hereby, approves and supports the Navajo Nation's work and efforts on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Casamero Lake Chapter at a duly called meeting in Casamero Lake, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 26 in favor and 0 opposed, on this day of June 11, 2009.

Fannie Yazzie President

Lambert Largo Vice President

Ken Garcia Secretary/Treasurer

Sharon Wellito Coordinator





CHURCHROCK CHAPTER

P.O. Box 549 • CHURCHROCK, NEW MEXICO 87311  
Phone: (505) 905-5949 • Fax: (505) 905-6561  
Email: Churchrock@nndns.org  
www.churchrock.nndns.org

Isabelle Henry Jr., PRESIDENT  
Robinson Kelly, VICE PRESIDENT  
Louise Jim, SECRETARY/TREASURER

Brian H. Choe, COMMUNITY SERVICES COORDINATOR

RESOLUTION OF THE CHURCHROCK CHAPTER  
CRC-09719-C

APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.

WHEREAS:

- 1.) Pursuant to Sections 1.B and 2.11 of the Navajo Nation Local Governance Act, the Churchrock Chapter is established to make decisions about local government matters, to conduct local government operations and to provide for the general health, safety and welfare of its membership; and
- 2.) Pursuant to 2 NNC Sec. 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3.) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4.) The Churchrock Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-Of-Way approval, much needed other land use approvals; and
- 5.) The Churchrock Chapter strongly encourages the ENLCL, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6.) The Churchrock Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative" or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust Status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW THEREFORE IT BE RESOLVED THAT:

The Churchrock Chapter hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

I, the undersigned, hereby certify that the foregoing resolution was presented to the Churchrock Chapter, at a duly called meeting at which a quorum was present, and it was approved by a vote of 54 in favor, 02 opposed, with 04 abstaining at Churchrock (Navajo Nation), New Mexico on the 22<sup>nd</sup> of June 2009.

Main Motion: Larry King Seconded by: Elizabeth Whitman

Isabelle Henry Jr., President



Ernest D. Yuzia II, COUNCIL DELEGATE  
Charles S. Denson II, COUNCIL DELEGATE  
Emery Choe, LAND BOARD MEMBER

Doreen Walker, OFFICE SPECIALIST

RESOLUTION OF THE CHURCHROCK CHAPTER  
CRC-09719-C

APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.

WHEREAS:

- 1.) Pursuant to Sections 1.B and 2.11 of the Navajo Nation Local Governance Act, the Churchrock Chapter is established to make decisions about local government matters, to conduct local government operations and to provide for the general health, safety and welfare of its membership; and
- 2.) Pursuant to 2 NNC Sec. 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3.) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4.) The Churchrock Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-Of-Way approval, much needed other land use approvals; and
- 5.) The Churchrock Chapter strongly encourages the ENLCL, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6.) The Churchrock Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative" or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust Status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW THEREFORE IT BE RESOLVED THAT:

The Churchrock Chapter hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

I, the undersigned, hereby certify that the foregoing resolution was presented to the Churchrock Chapter, at a duly called meeting at which a quorum was present, and it was approved by a vote of 54 in favor, 02 opposed, with 04 abstaining at Churchrock (Navajo Nation), New Mexico on the 22<sup>nd</sup> of June 2009.

Main Motion: Larry King Seconded by: Elizabeth Whitman

Isabelle Henry Jr., President



LAKE VALLEY CHAPTER

P.O. Box 189  
Crownpoint, NM 87313  
Phone No.: 505/766-2190  
Fax No.: 505/766-2192  
E-mail: lakevalley@nndns.org  
Website: www.lakevalley.nndns.org

Joe Staley Jr., President

Joe Staley, Vice President

LVC-JUL-12-541

RESOLUTION OF LAKE VALLEY CHAPTER

APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE LAKE VALLEY COMMUNITY BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.

WHEREAS:

1. Lake Valley Chapter is a certified Navajo Nation Chapter Government, pursuant to Navajo Nation Council Resolution CA-20-55, pursuant to 26 N.N.C., Section 3 (A) and listed at 11 N.N.C., part 1, section 10(A) (2005);
2. Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission (ENLCL) was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency (ENA); and
3. Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the ENA area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Lake Valley Chapter is cognizant of the numerous problems created by the differing land statuses in the ENA from programmatic human services, law and range enforcement, land use Rights-Of-Way approval, much needed other land use approvals; and
5. Lake Valley Chapter strongly encourages the ENLCL, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Lake Valley Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW THEREFORE BE IT RESOLVED THAT:

1. Lake Valley Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore Lake Valley Community BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Lake Valley Chapter at a duly called chapter meeting at Lake Valley (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a vote of 28 in favor, 1 opposed and 1 abstained on this 12<sup>th</sup> day of July 2009.

Motion by: Tabitha Harrison and seconded by: Latoya Eagle Feather.

Tony Padilla, Chapter President

Edison P. Tso, Vice President

Betty S. Demington, Secretary/Treasurer

Harry Hubbard, Council Delegate



RESOLUTION OF PINEDALE CHAPTER  
of the Navajo Nation  
PDC-04-09--080

Approving and Supporting the Navajo Nation's Work and Effort on  
Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Nation Tribal Trust

WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3 (A) (2005) and 11 N.N.C. § 10(A) (2005), the Pinedale Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue to work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these lands types are situated with the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.


NOW, THEREFORE BE IT RESOLVED THAT:

The Pinedale Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislative to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Pinedale Chapter at a duly called meeting in Pinedale, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 42 in favor and 00 opposed, 04 abstained, this 27<sup>th</sup> day of April 2009.

Motion: Willie Norton  
Second: Roger B. Johnson

  
Anselm Morgan, Pinedale Chapter President

DELEGATES, LEADERS, ADVISORS:  
Leonard Tsosie, Council Delegate  
Frank Chee Willetto, President  
Frankie Lopez, Vice-President  
Rena Murphy, Secretary/Treasurer  
Sammie Jim, Community Services Coordinator  
Pauline Joe, Office Specialist  
Joe Shirley Jr., President

Pueblo Pintado Chapter  
HCR 79 Box 3026  
Cuba, New Mexico 87013  
Phone#: 505-655-3221  
Fax#: 505-655-5410

Ben Shelly, Vice-Pres

PPC-05-09-056

RESOLUTION OF  
PUEBLO PINTADO CHAPTER  
EASTERN NAVAJO AGENCY  
DISTRICT #15

APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION  
TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST

WHEREAS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Pueblo Pintado Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 N.N.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interest throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Right-of-Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

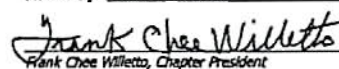
1. The Pueblo Pintado Chapter, hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

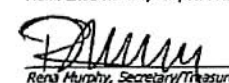
WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by the Pueblo Pintado Chapter at a duly called meeting in Pueblo Pintado, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 16 in favor, 00 opposed and 00 abstained, this 10<sup>th</sup> day of May 2009.

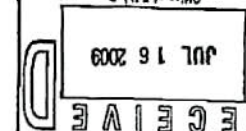
Motion by: Herbert Antonio

Seconded by: Annie Elchiv

  
Frank Chee Willetto, Chapter President

  
Frankie Lopez, Vice-President

  
Rena Murphy, Secretary/Treasurer







# SMITH LAKE CHAPTER The Navajo Nation

P.O. Box 60 Smith Lake, New Mexico 87366 Phone: 505.785.2138/2141 Fax: 505.785.2143 Email: smithlakechapter@yahoo.com

Joe Shirley, Jr., NN President

Ben Shelly, NN Vice President

Young J. Tam, Sr., Council Delegate

## RESOLUTION OF THE SMITH LAKE CHAPTER 073-09-0057

"THE SMITH LAKE APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST"

### WHEREAS:

1. Pursuant to 26 N.N.C. 3 (A) (2005) and 11 N.N.C. 10 (A) (2005), the Smith Lake Chapter is a recognized local government entity of the Navajo Nation established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the Federal Indian Land Consolidation Act of 1984, 25 U.S.C. 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and ranger enforcement, land use Right-of-Way approval, and much needed other land use approvals; and
5. the Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably on the exchange.

### NOW THEREFORE BE IT RESOLVED THAT:

1. The Smith Lake Chapter supports the Navajo Nation's work and effort on Federal Legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.
2. The Smith Lake Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goal set forth in the Land consolidation

### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered at a duly called Chapter Meeting by the Smith Lake chapter Navajo Nation, New Mexico at which a quorum was present that same was passed by a vote of 1 in favor 0 opposed 0 abstained on the 17th day of Sept. 2009

*Bobby J. Willie*  
Bobby J. Willie, President  
*Pearl T. (Wagner) Henry*  
Pearl T. (Wagner) Henry, Vice President  
*Irene Marble*  
Irene Marble, Secretary/Treasurer

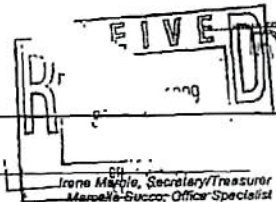
Motioned by: Paul Ration

Seconded by: Darren Moses

Bobby J. Willie, President  
Edmund J. Henry Jr., Land Board Member

Pearl T. (Wagner) Henry, Vice-President  
Rachel Billy, Community Services Coordinator

Irene Marble, Secretary/Treasurer  
Marvella-Succor, Office Specialist



White Rock Chapter  
P.O. Box 680  
Crownpoint, New Mexico 87313  
Phone: 505.785.2444/2443  
Fax: (505) 788-2447  
Email: whiterockchapter@73131@yahoo.com  
Website: http://Whiterock.ndes.org/

Harry Hubbard, Council Delegate  
Lucinda Henry, President  
Herbert Benally, Vice President  
Corrine Johnson, Secretary/Treasurer  
Norman Henry, Grazing Committee  
Gibert Roger, Community Services Coordinator  
Jerald R. Manuvello, Office Specialist

Joe Shirley, Jr.  
President

Ben Shelly  
Vice President

## RESOLUTION OF THE WHITE ROCK CHAPTER

WRC-009-157

### Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

### WHEREAS:

1. White Rock Chapter is a duly recognized and certified local government of the Navajo Nation Government, pursuant to 2 N.N.C., Section 4001; and
2. White Rock Chapter is vested with the authority to review and the responsibilities to address and act on the best interest and welfare of its residents, pursuant to 2 N.N.C., Section 4028(a); and
3. Pursuant to 2 N.N.C., Section 861, The Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
4. According to the Federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo nation has made efforts and intends to continue working towards consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and
5. White Rock Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
6. White Rock strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
7. White Rock Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative" or "NELI" involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

### NOW THEREFORE BE IT RESOLVED THAT:

1. White Rock Chapter hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

### CERTIFICATION

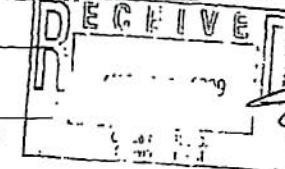
We hereby certify that the foregoing resolution was duly considered by White Rock Chapter at a duly called meeting at White Rock Chapter, Navajo Nation, at which a quorum was present and that the same was passed by a vote of 27 favor, 00 opposed and 00 abstained on this 19th day of August 2009.

*Lucinda Henry*  
Lucinda Henry, President

Harry Hubbard, Council Delegate

*Herbert Benally*  
Herbert Benally Vice President

*Corrine Johnson*  
Corrine Johnson, Sec/Treasurer





NAVAJO NATION DEPARTMENT OF AGRICULTURE  
EASTERN LAND BOARD OFFICE  
EASTERN NAVAJO AGENCY

P.O. Box 1873 • Crownpoint, New Mexico 87313 • (505) 786-2150 FAX (505) 786-2017

Emery Choe  
Chairperson

Henry Hudson  
Vice-Chairperson

Veronica Pablo-Tso  
Secretary

RESOLUTION OF THE  
EASTERN AGENCY JOINT LAND BOARD

Approving and Supporting the Navajo Nation's Work and Effort on  
Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

WHEREAS:

1) The Eastern Agency Joint Land Board was duly established as a representative entity of the Navajo Nation by the Navajo Nation Council and comprised of the members of the District Land Boards for each of the land management districts in the Eastern Navajo Agency. Pursuant to 3 NNC §§ 232, 234, 241-242 (2005), the District Land Boards and the Eastern Agency Joint Land Board are empowered to oversee and provide management guidance for grazing and range lands in the Eastern Navajo Agency; and

2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and

3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and

4) The Board is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and

5) The Board strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and

6) The Board is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. The Board, itself, has been involved with Navajo Nation-BLM-BIA Tri-Party Agreement talks since the 1980s to resolve land use issues as well as work out exchange measures so the consolidation efforts could be realized, and to that end, the Board is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

The Eastern Agency Joint Land Board, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

I hereby certify that the forgoing resolution was duly considered by the Eastern Agency Joint Land Board at a duly called meeting in Crownpoint, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of in 17 favor, 0 opposed, and 1 abstained, this 26th day of May, 2009.

Henry Hudson, Presiding Chairperson

Motion : Bobby Delgarito  
Second : Elizabeth W. Stoney



RESOLUTION OF THE  
EASTERN NAVAJO AGENCY COUNCIL  
ENAC - 06-09-007

Approving and Supporting the Navajo Nation's Work and Effort of Federal Legislation to Restore  
Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

WHEREAS:

1) The Eastern Navajo Agency Council (the "Council") is comprised of duly elected officials among the thirty-one chapters of the Eastern Navajo Agency having the power and authority to consider, approve, and support by resolution activities and proposals benefiting the people of and communities of the Eastern Navajo Agency; and

2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and

3) Pursuant to the Federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and

4) The Council is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and

5) The Council strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and

6) The Council is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. The Council has been aware of the Navajo Nation-BLM-BIA Tri-Party Agreement talks since the 1980s to resolve land use issues as well as work out exchange measures so the consolidation efforts could be realized, and to that end, the Council is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

The Eastern Navajo Agency Council, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Eastern Navajo Agency Council at a duly called meeting in Lybrook School, Counselors, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 10 in favor, 02 opposed, and 01 abstained, this 6th day of June, 2009.

Motioned by: David Lee

Johnny Johnson, ENAC President

Dorothy Rogers, Secretary/Treasurer

Seconded by: Charles Long  
Charles Long, ENAC Vice-President

**NAVAJO EXCHANGE LEGISLATIVE INITIATIVE  
(NELI)**

**A Summary by the  
EASTERN NAVAJO LAND COMMISSION**

**I. INTRODUCTION**

The Eastern Navajo Land Commission ("Commission") is an entity created by the Navajo Nation Council and comprised of six Council delegates and a professional person selected by the Navajo Nation President. See 2 N.N.C. § 862 (2005). The Navajo Nation Council has formally delegated powers and established duties of the Commission, specifically dealing with the unique issues in the Eastern Navajo Agency ("Eastern Agency"), an area of approximately 2.9 million acres under the jurisdiction of the Navajo Regional Director of the Bureau of Indian Affairs ("BIA"). The Commission's staff includes an Executive Director (Larry Rodgers), land specialists, and administrative personnel.

The Commission has been working on the NELI project for over four years. It has gathered information about the history of the Eastern Agency and the history of particular categories of land in the Eastern Agency. Based on that history, current land status and uses, and applicable law, the Commission has adopted a position regarding desired federal legislation to confirm or restore Navajo Nation rights to much of the land in the Eastern Agency, while protecting the interests of those doing business in the area with federal permission. Such federal legislation would recognize the legal and equitable interests of the Navajo Nation in the area, the profound ties to the land of the resident Navajo people, and the interests of all other parties doing business there.

**II. HISTORY**

All of the land in the Eastern Navajo Agency is within the aboriginal territory of the Navajo Nation, as determined by the Indian Claims Commission. This determination means, in essence, that the Navajo people have occupied the area from time immemorial to the exclusion of others.

After Navajo leaders negotiated and signed the Treaty of 1868, federal officials permitted those who survived the internment at Fort Sumner to return to their former homesteads. Navajo people thus returned to live in the area of the Eastern Agency, largely undisturbed by others. That began to change at the turn of the last century, when wealthy livestock owners from northern New Mexico began using the area for seasonal forage, driving flocks of over 100,000 sheep into the area and damaging the water holes and reservoirs there. As a result, the BIA proposed and, on November 9, 1907, President Theodore Roosevelt signed an Executive Order (no. 709) adding much of the area to the Navajo Reservation. But the Executive Order contained a typographical error ("range 5 east" rather than "range 5 west"), so that the area extended almost to Santa Fe and encroached on Jicarilla Apache lands. That error was corrected by



Executive Order no. 744 (Jan. 28, 1908), but the damage had been done. The usual forces sought and obtained legislation that mandated that all Navajos living in the area be granted allotments, and that the surplus lands be restored to the public domain. Act of May 29, 1908, Ch. 215, § 25, 35 Stat. 444, 457 ("1908 Act").

Political pressure caused the allotment process to be truncated prematurely. Perhaps only about 50% of the eligible Navajos received allotments before unallotted lands were restored to the public domain. Those restoration orders thus violated the 1908 Act, but, because of the passage of time, the Navajo Nation has no forum in which to assert its tribal title to these lands. In any event, those Navajos who did not receive allotments and their descendants have unextinguished individual aboriginal rights to the lands they use and occupy, including those now administered by the Bureau of Land Management ("BLM"). Such rights extend over the areas where Navajos have customarily grazed their livestock, are as "sacred as the fee title" of non-Indians under Supreme Court decisions, and are not extinguished even by the issuance of a federal patent to others.

Congress sought to add over 240,000 acres of land in the Eastern Agency to the Navajo Nation's land base in the Act of March 3, 1921, ch. 119, 41 Stat. 1225, 1239 (the "1921 Act"). The Department of the Interior did acquire these lands from the Santa Fe Railroad, but failed to put them in trust, for bureaucratic reasons, to the evident consternation of one of the key Senators, Senator Wheeler. "Let me understand you," he said to a Department witness. "[The 1921 Act] may not provide it, but if there was an exchange, - for instance if the department exchanged public lands for white land, of course the white land would go to the Indians, there would not be any question about that, whether the rules and regulations provided for it or not, because that was the intent of the Congress of the United States."<sup>1</sup> The Department then set aside these lands in expectation that they would be included in the Navajo Reservation in boundary bills introduced in Congress in the 1930s, but, although similar legislation passed in Arizona, the New Mexico boundary bills failed to be enacted. The lands were later set aside by the Department under Public Land Order 2198 in 1960 to stabilize land uses on those lands, and those land users were almost all Navajo Indians.

During the deliberations over the boundary bills, the Department urged (and conceded) that the boundary legislation would be beneficial to all New Mexicans, because, if the allotment laws were followed, "individual Navajo Indians could be given practically all of the vacant public domain in San Juan County and other counties to the complete exclusion of white people."<sup>2</sup> And after the boundary bills failed, BIA and the General Land Office ("GLO," predecessor to the BLM) were assigned the task of determining those individual Navajo land rights. That effort was thwarted by the GLO, as contemporaneous documents show.

After the erroneous restoration orders, both the Executive and Congress set aside some of the lands in the Eastern Agency for the Navajo Nation, under, for example, the Acts of May 29,

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<sup>1</sup> *Survey of Conditions of the Indians in the United States: Hearings Before a Subcomm. of Sen. Comm. on Indian Affairs*, 71st Cong., 3d Sess. 9650 (1931).

<sup>2</sup> Letter (Aug. 31, 1933) from Secretary Harold Ickes to New Mexico Governor Seligman at 3.



1928, ch. 853, 45 Stat. 883, 899-900 (lands in Church Rock Chapter and nearby Chapters);<sup>3</sup> June 20, 1950, ch. 320, 64 Stat. 248 (Fort Wingate); October 17, 1975, Pub. L. 94-114, 89 Stat. 577 (Submarginal Lands Act); August 29, 1980, Pub. L. 96-333, 94 Stat. 1060 (Ramah); October 6, 1982, Pub. L. 97-287, 96 Stat. 1225 (El Malpais exchange); and by Executive Orders nos. 1359 (May 24, 1911); 1483 (Feb. 17, 1912); 1700 (May 6, 1913); and 2513 (Jan. 15, 1917). These actions have been beneficial, but the continuing crazy-quilt land patterns and unadjudicated rights of the Navajo Nation and individual Navajos makes organized development and consistent governance in the area impossible.

Therefore, when Congress passed the Indian Land Consolidation Act in 1983, the Navajo Nation Council adopted the Navajo Land Consolidation Plan. That Plan contemplates the consolidation of all lands in the Eastern Agency for the Navajo Nation. It was approved by the Department in 1989. Notably, the BLM lands in the Eastern Agency are all within the BLM's "disposal zone" under its Resource Management Plan.

### III. THE NELI INITIATIVE

The NELI initiative is an outgrowth of prior agreements among the Navajo Nation, the BIA and the BLM. Memoranda of Understanding were signed by these three parties in June 1976 and February 1979 to provide for an expeditious and effective land exchange program so that Navajo occupants of lands administered by BLM would be able to have potable water and electricity. The parties signed the "Tri-Party Agreement for the Navajo Occupancy Resolution and Land Consolidation Program Objectives" in September 1987, and followed that with a Land Exchange Agreement in May 1991. Those exchanges were largely accomplished, to the benefit of the federal Government (which received lands of inestimable value for their archaeological resources) and the Navajo occupants. The Navajo Nation, BLM and BIA then executed an "Addendum No. 1 to Tri-Party Cooperative Agreement" in September 2003 and agreed that they would seek to pursue land exchanges and consolidations so that "conditions under which New Mexico boundary legislation would be both politically and practically attractive may result. In such a case, the Parties understand that the Navajo Nation will urge such boundary legislation, and, to the extent consistent with their other statutory and regulatory obligations, the BLM and BIA will support such legislation."

The Navajo Nation believes the time is right for such legislation. The Commission has adopted the so-called "April 8th Plan," and the Resources Committee of the Navajo Nation Council approved it and directed Navajo staff to process it toward federal legislation. The Navajo Nation has involved the BIA's Navajo Regional Office in all key meetings.

The Commission obtained support resolutions from all of the 31 Chapters in the Eastern Navajo Agency. We now seek to involve the Department at the Assistant Secretary level, so that we may obtain appropriate guidance and support for this historic initiative.

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<sup>3</sup> See *HRI, Inc. v. EPA*, 198 F.3d 1224, 1251 (10th Cir. 2000).



**RESOLUTION OF THE  
EASTERN NAVAJO LAND COMMISSION**

Requesting that the Navajo Nation Formally Seek, and that the United States Congress Enact, Legislation to Consolidate Navajo Lands in the Eastern Navajo Agency, Reconvey Lands to Navajo Nation Trust Status that Were Unlawfully Restored to the Public Domain, Confirm the Trust Status of Lands Purchased by the United States under Legislation Intended by Congress to be Held in Trust for the Navajo Nation, Preserve All Valid Existing Rights, and Authorize the Conveyance of Navajo Nation Interests in Certain Lands of Extraordinary Archeological Significance to the United States to Consolidate such Lands in Federal Ownership

**WHEREAS:**

1. The Eastern Navajo Land Commission ("ENLC") is established as a Commission of the Navajo Nation within the Legislative Branch, 2 N.N.C. § 861 (2005), as amended by Navajo Nation Council Legislation No. 0589-07 (Apr. 22, 2008); and

2. Among other authorities and duties under the amended ENLC Plan of Operation, the ENLC is charged with assuming primary responsibility for the direction of the Navajo Nation's land acquisition consolidation efforts in the Eastern Navajo Agency, 2 N.N.C. § 863(I), as amended; and

3. Most lands in the Eastern Navajo Agency are either held in trust for the Navajo Nation or for Navajo allottees, or are held in fee status by the Navajo Nation; well 90% of the people living in the area are Navajo citizens and most of the rest are either married into Navajo families or are government officials and teachers who moved into the area for the purpose of assisting Navajo people and communities there; and the vast majority of government services and infrastructure provided for people in the area are provided by the Navajo Nation, individual Navajo Chapters, and agencies of the United States of America; and

4. The predominance of the Navajo Nation and its citizens in life in the Eastern Navajo Agency reflects the facts that the Dinétah, the site of Navajo emergence, is located at the northeast part of the Eastern Navajo Agency; the area is wholly within the aboriginal lands of the Navajo, as confirmed by the Indian Claims Commission, signifying that the Navajo People have occupied the area to the exclusion of others from time immemorial; no Act of Congress has ever extinguished the individual aboriginal occupancy rights of the Navajo people living in the area; and that non-Navajo settlement is discouraged by the distinctly Navajo character of the area, the crazy-quilt of land titles and governmental jurisdiction, and lack of basic services and infrastructure taken for granted in non-Indian areas; and

5. Although agencies of the United States act with the apparent understanding that some or all of the lands in the Eastern Navajo Agency not formally held in trust for or in fee by the Navajo Nation or Navajo allottees may be administered by the United States as public lands, that understanding is, if not obviously flawed, certainly subject to reasonable dispute, for the following reasons, among others:



A. After the Navajo internment at Fort Sumner, federal military officials authorized and encouraged Navajo people to return to their former homesteads in the area of the Eastern Navajo Agency and elsewhere in Navajo Indian country notwithstanding the fact that a small reservation had been set aside for the Navajo Nation under the Treaty of June 1, 1868, and Navajo citizens have continued to live in the Eastern Navajo Agency area since that time, establishing their individual aboriginal occupancy rights to almost all of the area;

B. Navajo rights and interests in a 1.9 million acre part of the Eastern Navajo Agency were recognized by President Theodore Roosevelt in 1907, when the President set aside that land as an addition to the Navajo Reservation; however, a typographical error in that Executive Order (No. 709) caused such set-aside to extend almost to Santa Fe, motivating non-Indian interests to vigorously seek the restoration of that land to the public domain;

C. Congress enacted a law in 1908 that mandated allotments to be granted to all Navajos living in the E.O. 709 area (as amended by E.O. 744, correcting the typographical error) prior to any surplus lands being restored to the public domain, but the allotting process was little more than half finished when lands in the E.O. 709/744 area were restored to the public domain by Executive Orders 1000 and 1284, resulting in the invalidity of these restoration orders;

D. Although the Navajo Nation's claim to such land was denied by the Tenth Circuit Court of Appeals in 1984, that decision was not a decision on the merits, such that the Navajo Nation retains its claim to beneficial title to all restored lands but is merely without a judicial forum to press them;

E. Similarly, after decisions of the United States Supreme Court confirmed the validity of individual aboriginal occupancy rights even on lands patented by the United States to the Santa Fe Railroad, the Solicitor's Office of the United States Department of the Interior (including specifically Felix Cohen) urged for several years in the 1940s that the individual aboriginal occupancy rights of Navajos in the Eastern Navajo Agency be determined, observed in a letter to New Mexico Governor Seligman in 1933 that if federal laws were followed "virtually all" of the unallotted lands in the area would have been held in trust for the Navajos, the General Land Office (later the Bureau of Land Management) and the Bureau of Indian Affairs attempted to schedule meetings and hearings to determine those rights, but the effort was eventually abandoned when the GLO failed to cooperate;

F. Immediately after the restoration orders and after the *Midwest Oil* decision in 1915 recognizing the validity of withdrawals of public lands by the President for Indian purposes and other public purposes, the President of the United States issued several Executive Orders (e.g., Nos. 1483, 2513) acquiring and reserving lands in the Eastern Navajo Agency for the Navajo Nation and its citizens and placing them in trust status, expressly for the purpose of securing Navajo ownership and control of all lands within the townships so acquired and withdrawn;

G. In several enactments, Congress provided authority for further acquisitions or exchanges of lands in the Eastern Navajo Agency for the exclusive benefit of the Navajo Tribe, including the Act of March 3, 1921 and the Act of May 29, 1928;



H. In the 1921 Act, Congress sought to add over 240,000 acres of former railroad land to the Navajo tribal trust land base, but the Department of the Interior did not put those lands into trust status for minor bureaucratic reasons, prompting Senator Wheeler to chastise the Department, as follows: "Let me understand you. [The 1921 Act] may not provide it, but if there was an exchange - for instance if the department exchanged public lands for white land, of course the white land would go to the Indians, there would not be any question about that, whether the rules and regulations provided for it or not, because that was the intent of the Congress of the United States." *Survey of Conditions of the Indians in the United States: Hearings Before a Subcomm. of Sen. Comm. on Indian Affairs, 71st Cong. 3d Sess. 9650 (1931);*

I. The 240,000 acres of land intended to be held in trust for the Navajo Nation were to be included in a New Mexico Navajo reservation boundary act, and were thus segregated from non-Indian entry under various land orders, but the Congress did not pass a New Mexico boundary bill so that the Department of the Interior ultimately withdrew those lands under Public Land Order 2198 in 1960 for Indian use and approximately 92,000 acres of that land remains in P.L.O. 2198 status, the rest either having been conveyed to the Navajo Nation or, in minor instances, being conveyed to non-Navajos;

J. Other scattered lands in the Eastern Navajo Agency are currently withdrawn for Navajo use under a host of Executive Orders and Public Land Orders, and the federal agencies (principally the Bureau of Indian Affairs) responsible for administering those lands for Navajo benefit acknowledge that those lands should typically be transferred to trust status;

K. Additional conveyances of land within the Eastern Navajo Agency have been authorized more recently by Congress, including specifically in the Navajo and Hopi Land Settlement Act (35,000 acres) and more generally pursuant to exchange authorities in the Federal Land Policy and Management Act and amendments to legislation establishing the Chaco Canyon National Historical Monument;

L. Virtually all of the lands in the Eastern Navajo Agency are designated in the BLM Resource Management Plan as in BLM's "disposal area." The land is impossible to administer productively given the existing land tenures and productive developments in the area are clouded by unextinguished Navajo rights to the land and minerals;

M. All of the lands of the Eastern Navajo Agency are within the only Secretari ally-approved Indian Land Consolidation Area under the Navajo Land Consolidation Plan approved by the Navajo Nation Council and approved under the federal Indian Land Consolidation Act; and

6. As a result of this unique history and set of circumstances, there are non-Navajo interests in the Eastern Navajo Agency who have invested private funds, time, and effort under the apparent authority of leases and permits issued by the Bureau of Land Management ("BLM"), and both the BLM and the National Park Service ("NPS") are interested in certain lands of extraordinary archeological and cultural significance in the area owned or withdrawn for the use of the Navajo Nation; and



7. In conjunction with the Navajo Land Department, the ENLC has investigated possible means for addressing the intolerable conditions experienced by residents of the Eastern Navajo Agency, the inability of any government to administer and oversee productive development in the area under existing conditions, and to achieve some justice for the Navajo Nation and the Navajo residents in the Eastern Navajo Agency without prejudicing the rights and interests of others; and

8. The ENLC, upon analysis and recommendation of ENLC staff, has determined that, while the earlier piecemeal efforts of the Congress and the Executive Branch of the United States have been valuable and successful in some communities in the Eastern Navajo Agency, only a comprehensive legislative approach is reasonably likely to result in a satisfactory solution to these unique issues and set of circumstances, that Congress should consolidate much of the Eastern Navajo Agency in trust status, that all valid existing rights should be preserved in such legislation, and that the Navajo Nation should offer to convey archeologically and culturally significant lands desired by the BLM and NPS to the federal Government as part of the legislation; and

9. The Navajo Nation Council, by Resolution no. CJY-66-97 (July 24, 1997), has requested the United States to take certain fee lands in the Eastern Navajo Agency owned by the Navajo Nation into trust status, but neither Navajo Nation officials nor the Bureau of Indian Affairs have been able to satisfy the directives of such resolution, and the Navajo Nation Council has, in enacting the Navajo Land Consolidation Plan and in establishing and empowering the ENLC (among other acts of the Council), expressed repeatedly the high priority placed on land consolidation in the Eastern Navajo Agency;

10. All 31 Chapters in the Eastern Navajo Agency, the Joint Eastern Agency Land Board, and the Eastern Navajo Agency Council support this legislative effort, as shown in the attached Chapter resolutions; and

11. The ENLC believes that the draft legislation attached hereto accomplishes all of those objectives in a fair and just manner, and that it should recommend that the Navajo Nation Council formally seek, and the United States Congress enact, such legislation in substantially the manner reflected in the attached Exhibit "A."

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

1. The Eastern Navajo Land Commission respectfully requests the Navajo Nation Council to seek, and the United States Congress to enact, legislation to consolidate Navajo lands in the Eastern Navajo Agency, reconvey lands unlawfully restored to the public domain to the Navajo Nation in trust status, confirm the trust status of lands purchased or exchanged by the United States under the 1921 Act, preserve all valid existing rights in lands conveyed or confirmed in Navajo trust status, and authorize the conveyance of certain Navajo Nation lands desired by the Bureau of Land Management and/or the National Park Service to the United States, in substantially the manner reflected in the draft legislation attached hereto as Exhibit "A."



2. The Executive Director and the Chairman of the Eastern Navajo Land Commission are hereby authorized and directed to take all necessary, desirable and proper steps to effect the intent of this Resolution.

### CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Eastern Navajo Land Commission at a duly called meeting at which a quorum was present at Crownpoint, New Mexico, and that the same was passed by vote of 6 in favor, 0 opposed, and 0 abstained, this 10th day of February, 2010.

  
Charles Damon, II, Chairperson  
EASTERN NAVAJO LAND COMMISSION

Motion: Kee Hoskie

Second: Ida Nelson

CJY-66-97

**RESOLUTION OF THE  
NAVAJO NATION COUNCIL**

**Requesting the United States To Take Into Trust Status  
Certain Lands Owned In Fee Status By the Navajo Nation**

**WHEREAS:**

1. The Navajo Nation Council is the recognized governing body of the Navajo Nation pursuant to Resolution CD-68-89 (December 15, 1989), 2 N.N.C. §101; and Kerr-McGee v. Navajo Tribe of Indians, 471 U.S. 195,201 (1985); and

2. The Resources Committee of the Navajo Nation Council, by Resolution RCAP-69-97, approved and recommended to the Navajo Nation Council to seek trust status for Navajo Nation Fee Lands in the Eastern Navajo Agency and Satellite Reservations; and

3. The Eastern Navajo Agency Council, by Resolution ENAC-95-02-269 (February 4, 1995), requested that the Navajo Nation pursue an application to the Department of the Interior requesting the Navajo Nation Fee lands be taken into trust status to resolve jurisdictional uncertainties and to provide the corresponding predictability for law and order and for civil and regulatory matters; and

4. The Navajo Land Department, in cooperation with the Bureau of Indian Affairs, has presented a listing by legal description of Navajo Nation Fee Lands which would appropriately be transferred to trust status, such list attached hereto as Exhibit "A" and subject to be amended to the best interest of the Navajo Nation and incorporated by reference as if fully set out herein; and

5. The Navajo Nation Council has reviewed the justification supporting the above-referenced resolution of the Resources Committee of the Navajo Nation Council and fully concurs in the position that Navajo self-governance and self-sufficiency would be enhanced by the proposed fee-to-trust transfer, that stability and predictability in the areas of law and order and civil and regulatory jurisdiction would be served by such transfer, that statutory and regulatory authority exists for such transfer, that negative impacts on other governments will be insignificant and that any additional responsibilities for the Navajo Area Office and/or the Eastern Navajo Agency will be more than offset by the consistency of administration throughout these areas of Navajo Indian country.



**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Navajo Nation Council hereby requests the United States to acquire in trust status the Navajo Nation Fee Lands listed in the attached Exhibit "A".

2. The Navajo Nation Council hereby authorizes and directs the President of the Navajo Nation to take all necessary and proper actions to effectuate the fee-to-trust transfer, including, but not limited to, the following:

- (a) submitting and signing a proposal for the fee-to-trust transfer, including the legal description of the affected property;
- (b) stating in the proposal statutory and regulatory authority authorizing the fee-to-trust transfer;
- (c) explaining in detail in the proposal the need for the proposed fee-to-trust transfer and the expected purposes for which the lands shall be used;
- (d) sending notices to and receiving responses from state and local governments to resolve possible conflicts over taxation, and including such notices and responses with the proposal;
- (e) analyzing in the proposal possible jurisdictional conflicts or problems and the means of resolving them;
- (f) stating in the proposal the impact, if any, on any added responsibilities for the Navajo Area Office or Eastern Navajo Agency of the Bureau of Indian Affairs;
- (g) stating in the proposal that the fee-to-trust transfer is requested under the provisions of 25 C.F.R. §151.3 (a) (1) and (2), and to the extent appropriate, 25 C.F.R. §151.3 (a) (3);
- (h) including in the proposal a request for the fee-to-trust transfer pursuant to 25 C.F.R. §151.9 and discussing, among other things, the factors set forth in 25 C.F.R. §151.10 (a) - (c) and (e) - (g), as set forth above; and
- (i) seeking formal acceptance of the land in trust status as provided for in 25 C.F.R. §151.13.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 56 in favor, 0 opposed and 0 abstained, this 24th day of July 1997.

  
Kelsey A. Begaye, Speaker  
Navajo Nation Council

7-28-97  
Date Signed

Motion: Edward T. Begay  
Second: George Tolth



Class "B" Resolution  
Area Approval Required

RESOLUTION OF THE  
NAVAJO TRIBAL COUNCIL

Approving the Navajo Land Consolidation Act of 1988

WHEREAS:

1. The Navajo Tribal Council is the governing body of the Navajo Nation; and
2. On 19 April 1988, the Advisory Committee of the Navajo Tribal Council recommended that the Navajo Tribal Council adopt the Navajo Land Consolidation Plan, as further described in Exhibit "B" attached hereto; and
3. On 31 March 1988, the Eastern Navajo Joint Land Board approved a resolution recommending adoption of the proposed Navajo Land Consolidation Plan, as described in Exhibit "B" attached hereto; and
4. On 9 March 1988, the Resources Committee of the Navajo Tribal Council approved a resolution (attached hereto as Exhibit "B") recommending adoption of the Navajo Land Consolidation Plan by the Navajo Tribal Council; and
5. On 6 February 1988, the Eastern Navajo Council adopted a resolution (attached hereto as Exhibit "B") which supports the consent of the Navajo Land Consolidation Plan; and
6. By Resolution ACMY-115-87, the Advisory Committee of the Navajo Tribal Council directed the Department of Justice of the Navajo Nation and the Navajo Division of Resources to develop a Navajo Land Consolidation Plan for adoption by the Navajo Tribal Council as soon as possible; and
7. The Eastern Navajo Agency is composed of a complex mixture of Indian trust, allotment, state, federal and private lands situated in a "checkerboard" fashion within northwestern New Mexico; and
8. In 1983, Congress enacted the Indian Land Consolidation Act (January 13, 1983; P.L. 97-459, Title II; 96 Stat. 2517; amended October 30, 1984; P.L. 98-608; 98 Stat. 3171, codified at 25 U.S.C. 2201, et seq.) to consolidate ownership of Indian land into a uniform block. The Indian Finance Act (April 12, 1974; P.L. 93-262, Title I, 88 Stat. 78, codified at 25 U.S.C. Section 1466 [1983]) and the Federal Property and Administration Services Act of 1949, as amended (codified at 40 U.S.C. Section 483

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(a)[Supp. 1987]), provide further authority for taking land and improvements into trust for the Navajo Nation; and

9. These Acts provide for, among other things, the promulgation of a Tribal land consolidation plan, approved by the Secretary of the Interior, to provide for: consolidation of Indian land through exchange or purchase; elimination of undivided fractional interests in tribal trust or allotted land situated in the designated consolidation area (25 U.S.C. 2203 [1987 Supp.]); and, provision for the transfer of excess federal property in trust to the Navajo Nation; and

10. The Navajo Nation Department of Justice has drafted a Land Consolidation Plan to facilitate the acquisition and consolidation of lands for the use of the Navajo people in the States of Arizona, New Mexico and Utah; and

11. The Navajo people desire to consolidate the "checkerboard" pattern of land tenure in the eastern portion of the Navajo Indian Reservation and the Eastern Navajo Agency for the use of the Navajo people; and

12. The Navajo Land Consolidation Plan, attached hereto as Exhibit "A", will serve the best interests of the Navajo Nation and should be adopted; and

13. Since February of 1988, the Navajo Nation has presented the draft Navajo Land Consolidation Plan to various Chapters and Navajo allottee organizations throughout the Eastern Navajo Agency. Based upon comments received from various Federal agencies, the Department of Justice of the Navajo Nation, and the general public, the plan has been amended from time to time as described in Exhibit "C", attached hereto; and

14. Various chapters throughout the Eastern Navajo Agency have adopted resolutions supporting the Navajo Land Consolidation Plan, as further described in Exhibit "D" attached hereto; and

15. The Department of Justice of the Navajo Nation has recommended additional language to the proposed consolidation plan (as described on pages 1, 3, 4, 6, 7, 8 of Exhibit "A") since the Advisory Committee reviewed and recommended adoption of the plan.

NOW THEREFORE BE IT RESOLVED THAT:

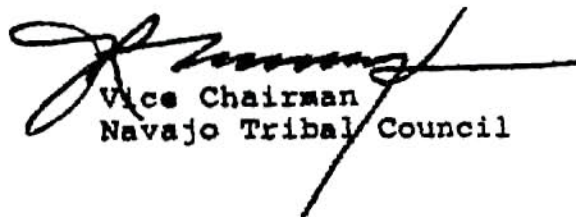
1. The Navajo Tribal Council hereby approves the Navajo Land Consolidation Act of 1988 by adopting the Navajo Land Consolidation Plan attached hereto as Exhibit "A".

2. The Navajo Tribal Council further requests the Secretary of the Interior to delegate his authority to approve the Navajo Land Consolidation Plan to the Area Director, Navajo Area, Bureau of Indian Affairs.



# CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Navajo Tribal Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 49 in favor and 0 opposed, this 4 day of May, 1988.

  
Vice Chairman  
Navajo Tribal Council

Class "B" Resolution  
Area Approval Required.

RESOLUTION OF THE  
NAVAJO TRIBAL COUNCIL

Approving Amendments to the Navajo Land Consolidation Plan

WHEREAS:

1. The Navajo Tribal Council is the governing body of the Navajo Nation; and

2. In 1983, Congress enacted the Indian Land Consolidation Act, Act of January 13, 1983, Public Law 97-459, Title II, 96 Stat. 2517, codified as amended at 25 U.S.C., Section 2201 et seq., to consolidate ownership of Indian land into a uniform block; and

3. On May 4, 1988, by Navajo Tribal Council Resolution CMY-23-88, the Navajo Tribal Council enacted the Navajo Land Consolidation Plan, codified at Title 16 of the Navajo Tribal Code, Section 501 et seq.; and

4. Sections 503(C) and 503.1(C) of the Navajo Land Consolidation Plan provide that all proceeds derived from the Navajo Land Consolidation Plan transactions shall be deposited into a tribally-created interest bearing account established under the supervision of the Director of the Navajo Office of Financial Services; and

5. Federal law, the Indian Land Consolidation Plan Act, 25 U.S.C., Section 2203(a)(4), requires that the Secretary of the Interior, rather than the Tribe, maintain a separate trust account consisting of the proceeds of land consolidation transactions made pursuant to the said Act; and

6. The Field Solicitor for the Department of the Interior, Navajo Area Office, has informed the Navajo Department of Justice that Sections 503(C) and 503.1(C) of the Navajo Land Consolidation Plan are inconsistent with the federal statutes at 25 U.S.C., Section 2203(a)(4) and that the Area Director will not approve said Plan unless and until it is amended to comply with federal law; and

7. Pursuant to 25 U.S.C., Section 2203(a) the Navajo Land Consolidation Plan must be approved by the Secretary of the Interior or his designee, the Area Director of the Navajo Area Office; and

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8. The Department of Justice of the Navajo Nation has recommended amendatory language to the Navajo Land Consolidation Plan in order to bring it into compliance with federal law, which amendments are attached hereto as Exhibit "A".

9. On 20 October 1988, the Advisory Committee of the Navajo Tribal Council recommended that the Navajo Tribal Council adopt the proposed Amendments to the Navajo Land Consolidation Plan, as further described in Exhibit "B" attached hereto.

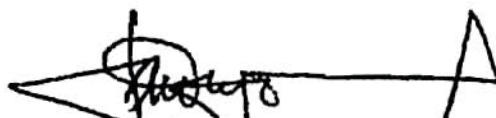
NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribal Council hereby approves the Amendments to Sections 503(C) and 503.1(C) of the Navajo Land Consolidation Plan Act, pursuant to Exhibit "A", attached hereto and incorporated herein by this reference, in order to bring the said Plan into compliance with federal law.

2. The Navajo Tribal Council further requests that the Area Director, Navajo Area, Bureau of Indian Affairs, approve the Navajo Land Consolidation Plan as herein amended.

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 46 in favor and 0 opposed, this 25th day of October 1988.

  
Chairman  
Navajo Tribal Council



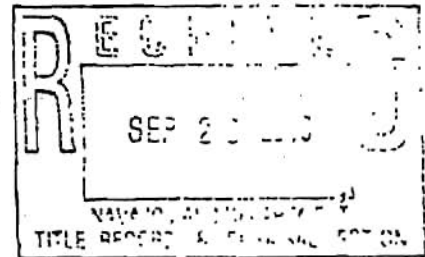
United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
NAVAJO AREA OFFICE

P. O. Box M  
Window Rock, Arizona 86515-0714

TAKE  
PRIDE IN  
AMERICA

IN REPLY  
REFER TO  
ARPM/3325



Mr. Peter MacDonald  
Chairman, Navajo Tribal Council

Dear Mr. MacDonald:

Reference is made to Navajo Tribal Council Resolution No. CMY-23-88 entitled "Approving the Navajo Land Consolidation Act of 1988", as amended by Resolution No. CO-43-88 entitled "Approving Amendments to the Navajo Land Consolidation Plan."

The Plan has been concurred in by the Eastern Navajo Agency Council and various Navajo chapters. At the request of the Albuquerque Area Director, the Plan was presented to the Ramah Navajo Chapter for comment. The Chapter expressed a desire that the lands escheat to the Band rather than the Navajo Tribe. However, this is not permissible under law and the point is moot. You have informed my office that the Ramah Tribal Council delegate voted in favor of the resolution when it was adopted on May 4, 1988, by a vote of 49 in favor and 0 opposed. The office of the Albuquerque Area Office was consulted on this matter and a decision has been made to approve the resolution and plan, which has been amended to deal with our objections.

Although the resolution and plan cite various statutes which could give authority to take lands in trust, approval of the resolution should not be interpreted as blanket authority to acquire lands in trust. Each trust acquisition will be dealt with on its own merits in accordance with appropriate law and 25 CFR 152.

The above resolutions are hereby approved under authority delegated to the Area Director by Secretarial Redlegation Order 209 DM 8 and 230 DM 3.

Sincerely,

*James H. Steven*  
Area Director

Frye Law Firm, P.C.

Paul E. Frye  
Attorney at Law

0 Academy Rd. N.E.  
310  
Albuquerque, N.M. 87111

Tel. 505-296-9400  
Fax: 505-296-9401  
e-mail: pef@fryelaw.us

Exhibit F; Page 6



RESOLUTION  
NAVAJO NATION COUNCIL

22<sup>nd</sup> NAVAJO NATION COUNCIL - Second Year, 2012



AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI' COMMITTEES, APPROVING AND REQUESTING THAT THE UNITED STATES CONGRESS ENACT LEGISLATION TO TAKE INTO TRUST STATUS NAVAJO LANDS IN THE EASTERN NAVAJO AGENCY, CONVEY OR RE-CONVEY LANDS TO THE NAVAJO NATION IN TRUST STATUS, CONFIRM THE TRUST STATUS OF LANDS PURCHASED BY THE UNITED STATES UNDER LEGISLATION INTENDED BY CONGRESS TO BE HELD IN TRUST FOR THE NAVAJO NATION, PRESERVE ALL VALID EXISTING RIGHTS, AUTHORIZE THE CONVEYANCE OF NAVAJO NATION INTERESTS IN CERTAIN LANDS OF EXTRAORDINARY ARCHAEOLOGICAL SIGNIFICANCE TO THE UNITED STATES TO CONSOLIDATE SUCH LANDS IN FEDERAL OWNERSHIP, AND, SUBJECT TO COMPLIANCE WITH SUCH PROPOSED FEDERAL LEGISLATION, TO OBTAIN THE NECESSARY FUNDS AND AUTHORITY FROM THE UNITED STATES SO THAT THE NAVAJO NATION WILL HAVE THE SOLE AUTHORITY FOR FUTURE CONSTRUCTION, MAINTENANCE AND REHABILITATION OF THE NAVAJO INDIAN IRRIGATION PROJECT

BE IT ENACTED:

Section 1. The Navajo Nation hereby finds the following with respect to this resolution:

1. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102; and

2. The Eastern Navajo Land Commission ("ENLC") is established as a Commission of the Navajo Nation within the Legislative Branch of Government, 2 N.N.C. §861; and

3. Among other authorities and duties under the amended ENLC Plan of Operation, the ENLC is charged with assuming primary responsibility for the direction of the Navajo Nation's land acquisition consolidation efforts in the Eastern Navajo Agency, 2 N.N.C. §863(I); and

4. Most lands in the Eastern Navajo Agency are either held in trust for the Navajo Nation or for Navajo allottees, or are held in fee status by the Navajo Nation; well over 90% of the people living in the area are Navajo citizens and most of the rest are either married into Navajo families or are government officials and teachers who moved into the area for the purpose of assisting Navajo people and Navajo communities there; and the vast majority of government services and infrastructure provided for the people in the area are provided by the Navajo Nation, individual Navajo Chapters, and agencies of the United States of America; and

5. The predominance of the Navajo Nation and its citizens in life in the Eastern Navajo Agency reflects the facts that the Dinetah, the site of Navajo emergence, is located at the northeast part of the Eastern Navajo Agency; the area is wholly within the aboriginal lands of the Navajo, as confirmed by the Indian Claims Commission, signifying that the Navajo People have occupied the area to the exclusion of others from time immemorial; no Act of Congress has ever extinguished the individual aboriginal occupancy rights of the Navajo people living in the area; and non-Navajo settlement is discouraged by the distinctly Navajo character of the area, the crazy-quilt of land titles and governmental jurisdiction, and lack of basic services and infrastructure taken for granted in non-Indian areas; and

6. Although agencies of the United States act with the apparent understanding that some or all of the lands in the Eastern Navajo Agency not formally held in trust for or in fee by the Navajo Nation or Navajo allottees may be administered by the United States as public lands, that understanding is, subject to reasonable dispute, for the following reasons, among others:

A. After the Navajo internment at Fort Sumner, federal military officials authorized and encouraged Navajo people to return to their former homesteads in the area of the Eastern Navajo Agency and elsewhere in Navajo Indian Country notwithstanding the fact that a small Reservation had been set aside for the Navajo Nation under the Treaty of June 1, 1868, and Navajo citizens have continued to live in the Eastern Navajo



Agency area since that time, having established and preserved their individual aboriginal occupancy rights to almost all of the area;

- B. Navajo rights and interests in a 1.9 million acre part of the Eastern Navajo Agency were recognized by President Theodore Roosevelt in 1907 through Executive Order no. 709, when the President set aside that land as an addition to the Navajo Reservation; however, a typographical error in that Executive Order caused such Reservation addition to extend almost to Santa Fe, motivating non-Indian interests to vigorously seek the restoration of that land to the public domain;
- C. Congress enacted a law in 1908 that mandated allotments to be granted to all Navajos living in the Executive Order 709 area (as amended by E.O. 744, correcting the typographical error) prior to any surplus lands being restored to the public domain, but the allotting process was little more than half finished when lands in the E.O. 709/744 area were restored to the public domain by Executive Orders 1000 and 1284, resulting in the invalidity of these restoration orders;
- D. Although the Navajo Nation's claim to such restored land was denied by the Tenth Circuit Court of Appeals in *Navajo Tribe v. State of New Mexico*, 809 F. 2d 1455 (10<sup>th</sup> Cir. 1987), that decision was not a decision on the merits, such that the Navajo Nation retains its claim to beneficial title to all restored lands but is merely without a judicial forum to press them, see also *United States v. Gammache*, 713 F. 2d 588, 591 - 92 & n. 9 (10<sup>th</sup> Cir. 1983), *Block v. North Dakota*, 461 U.S. 273, 291 (1983), and *North Dakota ex rel Bd. Of Univ. v. Block*, 789 F.2d 1308, 1314 (8<sup>th</sup> Cir. 1986);
- E. Similarly, after decisions of the United States Supreme Court confirmed the validity of individual aboriginal occupancy rights even on lands patented by the United States to the Santa Fe Railroad, the Solicitor's Office of the United States Department of

Interior (including specifically Felix Cohen) urged for several years in the 1940s that the individual aboriginal occupancy rights of Navajos in the Eastern Navajo Agency be determined, observed in a letter to New Mexico Governor Seligman in 1933 that if federal laws were followed "virtually all" of the unallotted lands in the area would have been held in trust for the Navajos, the General Land Office (later the Bureau of Land Management) and the Bureau of Indian Affairs attempted to schedule meetings and hearings to determine those rights, but the effort was eventually abandoned when the GLO failed to cooperate;

- F. Immediately after the restoration orders and after the *Midwest Oil* decision in 1915 recognizing the validity of withdrawals of public lands by the President for Indian purposes and other public purposes, the President of the United States issued several Executive Orders (e.g., Nos. 1483, 2513) acquiring and reserving lands in the Eastern Navajo Agency for the Navajo Nation and its citizens and placing them in trust status, expressly for the purpose of securing Navajo ownership and control of all lands within the townships so acquired and withdrawn;
- G. In several enactments, Congress provided authority for further acquisitions or exchanges of lands in the Eastern Navajo Agency for the exclusive benefit of the Navajo Tribe, including the Act of March 3, 1921 and the Act of May 29, 1928;
- H. In the 1921 Act, Congress sought to add over 240,000 acres of former railroad land to the Navajo tribal trust land base, but the Department of the Interior did not put those lands into trust status for minor bureaucratic reasons, prompting Senator Wheeler to chastise the Department, as follows: "Let me understand you. [The 1921 Act] may not provide it, but if there was an exchange - for instance if the department exchanged public lands for white land, of course the white land would go to the Indians, there would not be any question about that, whether the rules and regulations provided for it or not, because



that was the intent of the Congress of the United States." *Survey of Conditions of the Indians in the United States: Hearings Before a Subcomm. of Sen. Com. on Indian Affairs, 71<sup>st</sup> Cong. 3d Sess. 9650 (1931);*

- I. The 240,000 acres of land intended to be held in trust for the Navajo Nation were to be included as part of the Navajo Reservation in federal legislation proposed in the 1930s to establish the boundaries of the Navajo Reservation in New Mexico, and were thus segregated from non-Indian entry under various land orders, but the Congress did not pass a New Mexico boundary bill for the Navajo Reservation and the Department of the Interior ultimately withdrew those lands under Public Land Order 2198 in 1960 for Indian use, and approximately 92,000 acres of that land remains in P.L.O. 2198 status, the rest either having been conveyed to the Navajo Nation or, in minor instances, conveyed to non-Navajos;
- J. Approximately 5,326 acres of land tracts known as the "Southwestern Range and Sheep Breeding Laboratory" ("Sheep Lab Lands") were transferred to the BIA after a 10-year experimental use period by the U.S. Department of Agriculture ended in 1965. The Sheep Lab Lands together with the adjacent Fort Wingate school tract of 1,145 acres, totaling approximately 6,471 acres, are administered by the Navajo Region Bureau of Indian Affairs. Other scattered lands in the Eastern Navajo Agency are currently withdrawn for Navajo use under a host of Executive Orders and Public Land Orders, and the federal agencies (principally the Bureau of Indian Affairs) responsible for administering those lands for Navajo benefit have acknowledged that those lands should typically be transferred to the Navajo Nation in trust status;
- K. Additional conveyances of land within the Eastern Navajo Agency have been authorized more recently by Congress, including specifically in the Navajo and Hopi Land Settlement Act (35,000 acres) and more generally pursuant to exchange authorities in the

Federal Land Policy and Management Act and amendments to legislation establishing Chaco Canyon National Historical Monument;

L. Virtually all of the lands in the Eastern Navajo Agency are designated in the BLM Resource Management Plan as in BLM's "disposal area". The land is impossible to administer productively given the existing land tenures and productive development in the area is hindered or foreclosed by unextinguished Navajo rights to the land and minerals;

M. All of the lands of the Eastern Navajo Agency are within the Navajo Land Consolidation Area pursuant to the Navajo Land Consolidation Plan approved by the Navajo Nation Council pursuant to Resolution No. CMY-23-88 (May 4, 1988) and approved by the Secretary of the Interior under the federal Indian Land Consolidation Act, see composite Exhibit 2; and

7. As a result of this unique history and set of circumstances, there are non-Navajo interests in the Eastern Navajo Agency who have invested private funds, time, and effort under the apparent authority of leases, and both the BLM and the National Park Service (NPS) are interested in certain lands of extraordinary archaeological and cultural significance in the area owned or withdrawn for the use of the Navajo Nation; and

8. In conjunction with the Navajo Land Department, the ENLC has investigated possible means for addressing the intolerable conditions experienced by residents of the Eastern Navajo Agency, the inability of any government to administer and oversee productive development in the area under existing conditions, and to achieve some justice for the Navajo Nation and the Navajo residents in the Eastern Navajo Agency without prejudicing the rights and interests of others; and

9. The ENLC, upon analysis and recommendation of ENLC staff, has determined that, while earlier piecemeal efforts of the Congress and the Executive Branch of the United States have been valuable and successful in some communities in the Eastern Navajo Agency, only a comprehensive legislative approach is reasonably likely to result in a satisfactory solution to these unique issues and set of circumstances, that Congress should consolidate much of the Eastern Navajo Agency into trust status,



that all valid existing rights should be preserved in such legislation, and that the Navajo Nation should offer to convey archaeologically and culturally significant lands desired by the BLM and NPS to the Federal Government as part of the legislation; and

10. The Navajo Nation Council, by Resolution No. CJY-66-97 (July 24, 1997) (Exhibit 3, attached hereto), has requested the United States to take certain fee lands in the Eastern Navajo Agency owned by the Navajo Nation into trust status, but neither Navajo Nation officials nor the Bureau of Indian Affairs have been able to satisfy the directives of such resolution, and the Navajo Nation Council has, in enacting the Navajo Land Consolidation Plan and in establishing and empowering the ENLC (among other acts of the Council), expressed repeatedly the high priority placed on land consolidation in the Eastern Navajo Agency; and

11. All 31 Chapters in the Eastern Agency, the Joint Eastern Agency Land Board, and the Eastern Navajo Agency Council support this legislative effort, as shown in the Chapter resolutions attached hereto as composite Exhibit 4; and

12. By legislation CAP-11-11 (Apr. 27, 2011), the Navajo Nation Council formally approved the NELI initiative and requested Congress to enact legislation effectuating its terms; and

13. Congress authorized the Navajo Indian Irrigation Project ("NIIP") in 1962, adopting an agreement among the State of New Mexico, the United States of America and the Navajo Nation providing that the United States would construct a 110,630-acre irrigated farm on lands to be held in trust for the Navajo Nation and would shoulder the burden of Operations and Maintenance ("O&M") through ten years after project completion, such project intended by Congress to be completed within approximately 15 years; and

14. In the same authorizing legislation, Congress authorized construction of the San Juan-Chama Diversion Project ("SJCDP"), and the NIIP and the SJCDP were expected to be completed contemporaneously; however, the SJCDP was completed many years ago and the NIIP is still only approximately 80% complete; and

15. The Navajo Nation has complied with its promises leading to the NIIP legislation and seeks to secure the benefit of its bargain with the United States and the State of New Mexico, i.e., a completed, functional 110,630-acre NIIP and federal support for O&M through ten years after project completion, and supports creative ways to accomplish this objective; and

16. Pursuant to the Act of September 2, 1958, Pub. L. 85-868, 72 Stat. 1686, the Navajo Nation conveyed lands to the United States in the vicinity of what is now Page, Arizona to permit the construction and operation of the Glen Canyon Dam and related power-producing facilities in exchange for federal lands within the Navajo Reservation in the McCracken Mesa area, subject to reservations of minerals in the conveyed lands by the Navajo Nation and the United States; however, the Navajo Nation's minerals are now legally and practically inaccessible, and the minerals that the United States reserved at McCracken Mesa are largely undeveloped; and

17. The Navajo Nation believes that the federal share of mineral royalties from lands administered in the Eastern Navajo Agency by the Bureau of Land Management, potential mineral royalties from the subsurface of Navajo trust lands in the McCracken Mesa area, and an appropriation of money for a permanent NIIP OM&R Trust Fund to be administered by the Navajo Nation may suffice to permit the Navajo Nation to complete the NIIP and operate and maintain it properly for the benefit of the Navajo people; and

18. The Navajo Nation established the Navajo Agricultural Products Industry ("NAPI") as a wholly owned Navajo enterprise to operate and manage a commercial farm on the NIIP, and its Board of Directors, by Resolution No. BDO-36-11 (Oct. 28, 2011) (Exhibit 5, attached hereto) has expressed its support for federal legislation that would both consolidate lands in the Eastern Navajo Agency for the benefit of the Navajo Nation, convey the mineral estate to the McCracken Mesa area within the Navajo Reservation to the Navajo Nation, and resolve the federal Government's obligations to complete the NIIP and perform O&M through ten years after project completion; and

19. Similarly, the Eastern Navajo Land Commission resolved, by Resolution No. ENLCO-07-11 (Oct. 28, 2012) (Exhibit 6, attached hereto), to support such revision to the original NELI concept, and requested the Navajo Nation Council to express



its support for such revised initiative by appropriate legislation, and has provided an executive summary of the initiative attached hereto as Exhibit 7; and

20. The Navajo Nation believes it is in the best interest of the Navajo Nation to consolidate the Navajo lands in Eastern Navajo Agency, to obtain the mineral estate under Navajo Nation trust lands in the McCracken Mesa area of the Navajo Reservation, and to resolve creatively the federal Government's obligations to complete the NIIP and to provide for O&M of the NIIP through ten years after project completion, all as provided in appropriate federal legislation.

Section 2. The Navajo Nation hereby requests the United States Congress to consolidate Navajo lands in the Eastern Navajo Agency, to convey the mineral estate of the McCracken Mesa area underlying the surface estate now held in trust by the United States for the Navajo Nation and within the Navajo Reservation to the Navajo Nation, to appropriate money to establish a permanent NIIP OM&R Trust Fund, and to resolve the United States' obligations to complete construction of the NIIP and provide for OM&R of the NIIP.

1. The Navajo Nation respectfully requests the United States Congress to enact legislation to consolidate Navajo lands in the Eastern Navajo Agency; and
2. The Navajo Nation respectfully requests that the United States Congress re-convey lands prematurely restored to the public domain to the Navajo Nation in trust status; and
3. The Navajo Nation respectfully requests the United States Congress to confirm the trust status of lands purchased or received in exchanges by the United States under the 1921 Act; and
4. The Navajo Nation respectfully requests the United States Congress to convey to the Navajo Nation in trust status the mineral estate of lands in the McCracken Mesa area within the Navajo Reservation, the surface estate of which is held in trust for the Navajo Nation by the United States; and

5. The Navajo Nation respectfully requests the United States Congress to preserve all valid existing rights in lands conveyed or confirmed in Navajo trust status; and
6. The Navajo Nation respectfully requests the United States Congress to appropriate sufficient monies, to the Navajo Nation for the establishment of a permanent "NIIP OM&R Trust Fund" to be administered by the Navajo Nation; and
7. The Navajo Nation respectfully requests the United States Congress to authorize the conveyance of certain Navajo Nation lands desired by the Bureau of Land Management and/or the National Park Services to the United States; and
8. Upon the conveyance, reconveyance, or confirmation of such lands in trust status for the benefit of the Navajo Nation, the dedication of mineral revenues from such lands to a NIIP Construction account to be administered by the Navajo Nation, and the appropriation of such amount for the NIIP OM&R Trust Fund, the Navajo Nation shall consider the United States to be relieved of further obligations for the construction and operations and maintenance of the NIIP; provided, however, that the United States will retain the obligation to remedy deficiencies in the design and construction of the NIIP to date, all as provided more specifically in draft legislation attached hereto as Exhibit 1; and
9. The Navajo Nation respectfully requests the United States Congress to enact such legislation that is substantially consistent with the principles reflected in the draft legislation attached hereto as Exhibit 1.
10. The Navajo Nation shall also support any additional federal legislation that permits or mandates the exchange by the State of New Mexico through the State Land Office of State lands in the Eastern Navajo Agency for federal lands of comparable value elsewhere in New Mexico and the reconveyance of such State lands from the United States to the Navajo Nation in trust status in substantially the manner accomplished in the Utah



portion of the Navajo Reservation as provided in the Acts of October 1, 1993, Pub. L. 103-93, 107 Stat. 995 and October 31, 1998, Pub. L. 105-335, 112 Stat. 3139, and as may be agreeable to the New Mexico State Land Commissioner.

Section 3. The Navajo Nation hereby creates a NELI / NIIP Committee with the authority to negotiate with the United States all appropriate terms and conditions that are consistent with this Resolution that would authorize the Navajo Nation the authority to construct, rehabilitate, and maintain the NIIP in the future and that would grant the Navajo Nation the necessary sums of money for future construction, rehabilitation, and maintenance of the NIIP and creates a NELI / NIIP Technical Support Team to provide substantive technical support to the NELI / NIIP Committee.

1. The Navajo Nation Council recognizes that negotiating the terms and conditions necessary so that the Nation can obtain the authorization and funding necessary for future construction, rehabilitation, and maintenance of the NIIP is a critical endeavor that demands special attention. The Nation's ability to provide special attention to this critical endeavor is ensured by creating a NELI / NIIP Committee of Navajo Nation officials. The Council hereby appoints the following officials to the NELI / NIIP Committee: all Council Delegates who officially serve on the Eastern Navajo Land Commission and all Council Delegates who represent Chapters that contain NIIP lands:
2. The NELI / NIIP Committee shall sunset on the last day of the 22<sup>nd</sup> Navajo Nation Council. If there continues to be a need for a NELI / NIIP Committee, at its first meeting, regular or special, the 23<sup>rd</sup> Navajo Nation Council shall appoint a NELI / NIIP Committee. That NELI / NIIP Committee shall sunset on the last day of the 23<sup>rd</sup> Navajo Nation Council. This appointment process for the NELI/NIIP Committee shall continue in a like manner through successive Navajo Nation Councils until the Council determines that the final terms and conditions necessary for the Nation to obtain authorization and funding for the construction and rehabilitation of the NIIP are

reached or that a NELI / NIIP Committee is no longer needed.

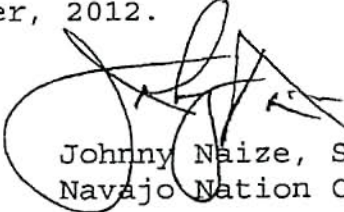
3. The NELI / NIIP Committee is authorized to negotiate the terms and conditions necessary for the Nation to obtain authorization and funding for future construction, rehabilitation, and maintenance of the NIIP. The NELI / NIIP Committee is authorized to recommend approval of final terms and conditions to the Navajo Nation Council. While the Navajo Nation Council reserves to itself the authority to give final approval to any terms and conditions, if in the judgment of the NELI / NIIP Committee, circumstances outside the control of the NELI / NIIP Committee arise such that it should be delegated the authority to approve a final resolution, the NELI / NIIP Committee shall seek such delegated authority from the Navajo Nation Council as soon as the NELI / NIIP Committee becomes aware of such circumstances.
4. The Navajo Nation's approval of final terms and conditions shall be made only after appropriate due diligence.
5. The Navajo Nation Council recognizes that reaching the necessary terms and conditions will involve many complex issues and that the NELI / NIIP Committee must have substantive technical support in order to effectively negotiate and recommend final terms and conditions. The Navajo Nation Council hereby creates the NELI / NIIP Technical Support Team. The NELI / NIIP Technical Support Team will consist of the Assistant Attorney General for the Department of Justice Natural Resources Unit, the Eastern Navajo Land Commission legal counsel, and Navajo Nation employees and consultants who have expertise in the substantive areas of finance, oil and gas production, large irrigation farming projects, and any other substantive areas deemed necessary to provide substantive technical support to the NELI/NIIP Team. At its first meeting, the NELI/NIIP Committee will identify by position title all other persons who shall serve on the NELI/NIIP Technical Support Team.



Section 4. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute any and all documents and take any reasonable and proper steps necessary to effectuate the intent and purpose of this resolution.

# CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 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 14 in favor and 1 opposed, this 17<sup>th</sup> day of October, 2012.

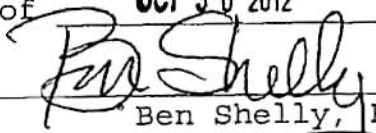
  
Johnny Naize, Speaker  
Navajo Nation Council

Oct 23, '12  
Date

Motion: Honorable Walter Phelps  
Second: Honorable Danny Simpson

# ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C)(10), on this \_\_\_\_\_ day of OCT 30 2012 2012.

  
Ben Shelly, President  
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this \_\_\_\_\_ day of \_\_\_\_\_ 2012 for the reason(s) expressed in the attached letter to the Speaker.

\_\_\_\_\_  
Ben Shelly, President  
Navajo Nation

**An Act to declare that certain land and interests in land of the United States be held in trust for the Navajo Nation as a part of the Navajo Indian Reservation, to accept the conveyance of certain land and interests in land of the Navajo Nation, to preserve valid existing rights, to fulfill the obligations of the United States under the Act of June 13, 1962, Pub. L. 87-483, 76 Stat. 96, and for other purposes.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:*

Sec. 1. Short Title. This Act may be cited as the "Navajo Land Exchange and Archeological Protection Act of 2012."

Sec. 2. Definitions. For the purpose of this Act –

- (a) "BIA" means the Bureau of Indian Affairs of the Department of the Interior or its successor agency.
- (b) "BLM" means the Bureau of Land Management of the Department of the Interior or its successor agency.
- (c) "Existing Leases" means all existing mineral leases, including without limitation oil and gas leases, which may have been issued or approved pursuant to the Mineral Leasing Act of 1920 (41 Stat. 437), or section 5 of the Mineral Leasing Act for Acquired Lands of August 7, 1947 (61 Stat. 913, 915), or any other applicable federal law; all existing valid grazing leases; all existing valid rights-of-way or easements; and all other grants issued and contracts validly entered into by the United States respecting the lands described in subsections 3(a) and 3(b) of this Act.
- (d) "Navajo Nation" means the federally recognized Indian Tribe also known as the Navajo Tribe of Indians.
- (e) "NIIP" means the Navajo Indian Irrigation Project authorized under the Act of June 13, 1962, Pub. L. 87-483, 76 Stat. 96.
- (f) "NIIP Construction Account" means the account to be established by the Navajo Nation for the administration of the Navajo Nation's share of Revenues to complete the construction of the NIIP or for other purposes to be determined by the Navajo Nation in its discretion.
- (g) "NIIP O&M Trust Fund" means the fund to be established under section 7(a) of this Act to be administered by the Navajo Nation, or in its discretion, any entity of the Navajo Nation, including but not limited to any enterprise of the Navajo Nation, to



ensure the proper operation and maintenance of the NIIP by the Navajo Nation following the enactment of this Act and the establishment of such Fund as provided in this Act.

- (h) "ONRR" means the Office of Natural Resources Revenue under the supervision of the Assistant Secretary of the Interior for Policy, Management and Budget responsible for, among other things, the royalty and revenue management function of the Department of the Interior, including the collection and distribution of Revenue, auditing compliance and asset management, or its successor agency.
- (i) "Revenues" means all gross receipts, including without limitation bonuses, rents, and royalties derived or other payments received by the United States from the Existing Leases.
- (j) "Secretary" means the Secretary of the Interior.

### Sec. 3. Conveyance of Federal Lands to the Navajo Nation

(a) Conveyance of Lands in New Mexico. Except as hereinafter provided and except for any lands described in **EXHIBIT B**, all of the right, title and interest of the United States in all of the land described in **EXHIBIT A** together with any federal improvements now thereon and all minerals underlying any such land, are hereby declared to be held by the United States in trust for the Navajo Nation, and shall be a part of the Navajo Reservation.

(b) Conveyance of Minerals in Utah Portion of Navajo Reservation. Except as hereinafter provided, all of the right, title and interest of the United States in all of the land conveyed subject to a reservation of minerals to the Navajo Nation pursuant to the Act of September 2, 1958, Pub. L. 85-868, 72 Stat. 1686, by the United States of America, together with any federal improvements now thereon and all minerals underlying such land, are hereby declared to be held by the United States in trust for the Navajo Nation, and shall be a part of the Navajo Reservation.

(c) Notice of Conveyance in Federal Register. The Secretary shall cause to be published expeditiously in the Federal Register the boundaries and descriptions of the lands conveyed by this Act.

### Sec. 4. Preservation and Protection of Existing Rights.

(a) In general. Nothing in this Act shall deprive any person of any valid existing right of possession, contract right, interest, easement, or title he may have in the lands described in subsections 3(a) or 3(b) of this Act, or of any existing right of access over and across such lands to public domain lands, as determined by the Secretary.

(b) Jurisdiction Preserved. This Act shall not be construed to create or confirm "Indian lands" or "Indian Country" jurisdiction over lands subject to Existing Leases and conveyed to the Navajo Nation under this Act, and the Navajo Nation shall have no regulatory or other

jurisdiction over the Existing Leases, or the lands subject to the Existing Leases, or the owners or operators of the Existing Leases, to the extent that such jurisdiction is founded on this Act; provided, however, that any jurisdiction of the Navajo Nation based on other legal principles shall be unaffected by this Act.

(c) Preservation and Protection of Existing Leases, Rights-of-Way, and Easements. All Existing Leases shall remain in full force and effect in accordance with the provisions thereof; provided, however, that all Revenues from the Existing Leases shall be administered in accordance with section 5 of this Act.

(d) Treatment of Pending Applications for Leases, Rights-of-Way, or Easements.

(i) In general. All applications for mineral leases, grazing leases, rights-of-way or easements, or other rights or interests in the lands described in subsections 3(a) or 3(b) of this Act and pending on the date of enactment of this Act shall be rejected and the advance rental payments, bonuses, fees, or other consideration tendered with or in connection with such applications returned to the applicants. All applications for such leases, rights-of-way, or easements or other rights or interests in such lands made under the public land laws after the date of enactment of this Act shall be rejected.

(ii) Exception. No such application shall be rejected if such rejection would constitute a deprivation of property or an impairment of a contract between an applicant and the United States in violation of the United States Constitution.

(iii) Preference Right Coal Lease Applications. This Act shall not affect any determination of commercial quantities or other relevant factor in the adjudication by the BLM of any coal preference right lease application pending on the date of enactment of this Act. The BLM's decision to approve any such coal lease application shall be unaffected by this Act, and any such validly approved coal lease shall be an "Existing Lease" under this Act.

## Sec. 5. Existing Leases – Revenue Administration and Lease Regulation.

(a) Revenue Administration. On and after the date of enactment of this Act and during the pendency of the Existing Leases:

(i) the payors under such Existing Leases will continue to pay and to report the payment of the Revenues exclusively to the ONRR in conformity with the terms of the Existing Leases and under Federal regulations promulgated under Federal laws applicable to public domain lands;

(ii) ONRR shall continue to audit Revenues on behalf of the United States, the Navajo Nation shall have no right to audit the payment of Revenues but shall be entitled to review any ONRR audit and work papers and other information related thereto, and ONRR shall distribute the Revenues on a lease-by-lease basis as follows:



(A) the Federal percentage of the Revenues, which shall be based on the proportion of the acreage of each lease or easement or other interest in land which is not conveyed to the Navajo Nation under this Act to the total acreage held under such lease or easement or other interest, shall be distributed pursuant to 30 U.S.C. § 191; and

(B) the remainder of the Revenues shall be distributed 50% to the State of New Mexico and the remaining 50% to the Navajo Nation; provided, however, that such payments shall create no other rights, disabilities or obligations in the Navajo Nation or in the owners or operators of the Existing Leases.

(C) If any Existing Leases are included in a unitized or communitized area, then royalties for primary recovery attributable to the lands conveyed to the Navajo Nation under this Act will be determined based on the ratio of the acreage of the land conveyed to the Navajo Nation under this Act to the total acreage of the unitized or communitized area. Apportionment of royalties for secondary or tertiary recovery will be established through negotiation and agreement consistent with accepted and customary standards within the oil and gas industry and any applicable BLM regulations.

(D) The Secretary shall separately identify, account for and distribute the Navajo Nation's share of Revenues provided for in this Act in a manner to permit the Navajo Nation to segregate such funds in the NIIP Construction Account.

(iii) the payments to the Navajo Nation provided for in this section shall create no other rights, disabilities or obligations in the Navajo Nation or the holders of the Existing Leases, nor shall such payments or right to payment create any trust responsibilities in the United States on behalf of the Navajo Nation as to the administration and regulation of the Existing Leases.

(b) Regulation of Existing Leases Unaffected.

(i) In general. The Existing Leases will continue to be administered solely under Federal regulations applicable to the interests held under such Existing Lease promulgated under Federal laws applicable to public domain lands.

(ii) BLM Regulation. BLM shall continue to regulate the Existing Leases under Federal regulations applicable to the public domain notwithstanding any BLM regulations that exclude Indian lands from their application, including 43 C.F.R. § 3400.3-4 and 43 C.F.R. § 3400.0-5, except as provided in subparagraph (iii) below, and where provided otherwise in the terms of the Existing Leases. The Navajo Nation shall not be entitled to protest any readjustment of the Existing Leases, or to interfere with BLM's regulation and administration of the Existing Leases.

(iii) No Additional BIA Regulation. The BIA shall have no regulatory role with respect to mineral extraction from or administration of or transportation through the Existing Leases; provided, however, that this Act shall not diminish BIA's pre-existing regulatory role with respect to any undisputed Indian surface ownership of any lands conveyed to the Navajo



Nation under this Act and shall not affect BIA's authority to regulate such lands where that authority is not based on this Act.

Sec. 6. Confirmation of Lessee Rights. The Navajo Nation shall be deemed to have conveyed to and confirmed in the holders of the Existing Leases exclusive discretion and control in the operations and marketing of products associated with the Existing Leases including, without limitation, the nature and extent of all work and the time and manner in doing the same, the nature and extent of all exploration, development, and mining operations and the time and manner in performing the same, the right to determine the quantity of minerals or other products to be mined or extracted and to be left unmined under the Existing Leases, and the suspension or termination of operations; to have disclaimed any such discretion or control, and to confirm that such discretion and control shall be in the sole judgment of the holders and operators of the Existing Leases; to have disclaimed any imposition on such holders and operators any express or implied obligations or any duty to divulge to the Navajo Nation any proprietary or confidential information pertaining to the Existing Leases; and to have disclaimed any executive rights (including good faith, diligence, fair dealing, prevention of waste, duty to market, and duty to establish a product price) as against such holders and operators; provided, however, that nothing in this Act modifies any expressed or implied obligation to the United States by such holders and operators under the terms of the Existing Leases and under applicable Federal law and Federal regulations applicable to the Existing Leases.

Sec. 7. Extinguishment of Navajo Claims for Past Payments on Conveyed Lands. This Act shall be in full satisfaction of and shall extinguish any claim, right, title or interest of the Navajo Nation against the United States and any owner of any Existing Lease for past damages, rentals, royalties, bonus payments, or other payments that may have been paid, or should have been paid, to any person or entity, including the United States, with respect to the lands conveyed to the Navajo Nation under this Act based on any claim of legal or equitable title to such lands that might have been asserted by the Navajo Nation.

Sec. 8. Settlement of Federal Obligations for NIIP Construction, Operations and Maintenance.

(a) Mandatory Appropriations. Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out activities related to the planning, engineering, design, environmental compliance, construction, operations and maintenance of the NIIP an amount equal to \$\_\_\_\_\_.

(b) The amounts transferred pursuant to subsection (a) shall include the sum of \$\_\_\_\_\_ million to fund the NIIP O&M Trust Fund. Pending such disbursement, the United States shall have and retain enforceable statutory and trust duties to perform such operations and maintenance.

(c) NIIP Facilities – Documentation. The Secretary shall, upon the request of and at no cost to the Navajo Nation, provide the Navajo Nation with all documentation, plans, designs, estimates, and other materials (the "Documentation") generated by any bureau or agency of the Department of the Interior or contractor thereof relating to the construction, rehabilitation, operations, maintenance, and/or correction of deficiencies of the NIIP.



(d) Extinguishment of Navajo Claims – NIIP Completion. The enactment of this Act, the conveyances of lands as provided herein, the receipt of such Documentation by the Navajo Nation, and the receipt by the Navajo Nation of such appropriation of \$\_\_\_ million shall be in full satisfaction of and shall extinguish any claim, right, title, or interest of the Navajo Nation against the United States for completion of construction and for Operations and Maintenance of the NIIP; provided, however, that the Secretary shall have a continuing enforceable duty to correct all deficiencies in the design and/or construction of the NIIP identified through the effective date of this Act at no cost to the Navajo Nation. The United States, upon the request of the Navajo Nation, shall expeditiously convey the NIIP facilities, works, equipment, infrastructure, and other improvements, together with the lands where such are located, to the Navajo Nation in trust status.

Sec. 9. Surface Use Agreements Preserved. This Act does not affect, modify, or supersede any valid surface use agreements in effect on the date of enactment of this Act.

Sec. 10. Navajo Land Rights Conveyed to the United States. Upon the conveyance of the lands described in subsections 3(a) and 3(b) of this Act to the Navajo Nation, all right, title and interest of the Navajo Nation in the land described in **EXHIBIT B**, including without limitation archeological resources, shall be extinguished and conveyed to the United States; provided, however, that this Act shall not be construed to affect any rights of the Navajo Nation under other Federal laws, including without limitation the Native American Graves Protection and Repatriation Act, 25 U.S.C. § 3013.

\* \* \*

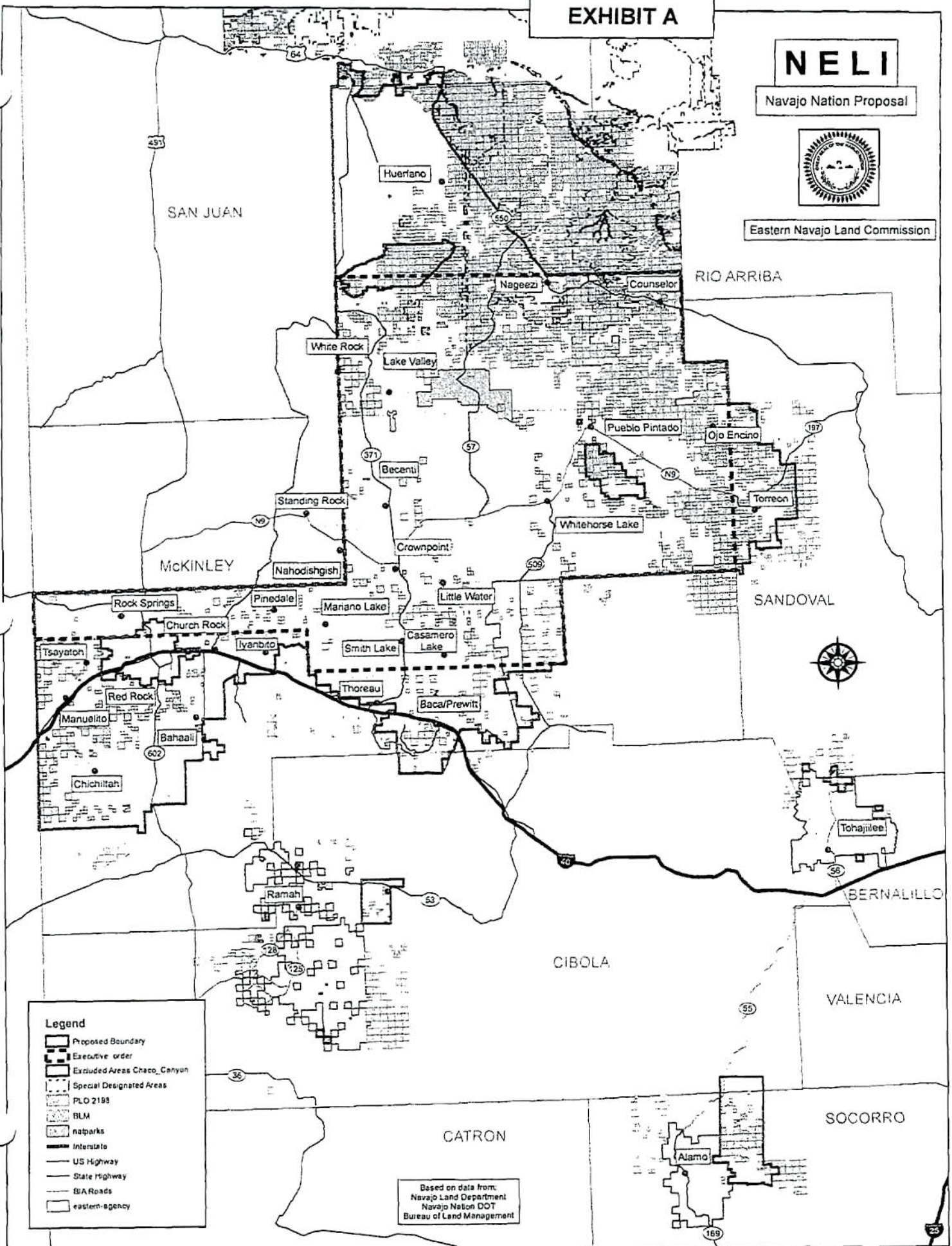
# EXHIBIT A

## NELI

Navajo Nation Proposal



Eastern Navajo Land Commission

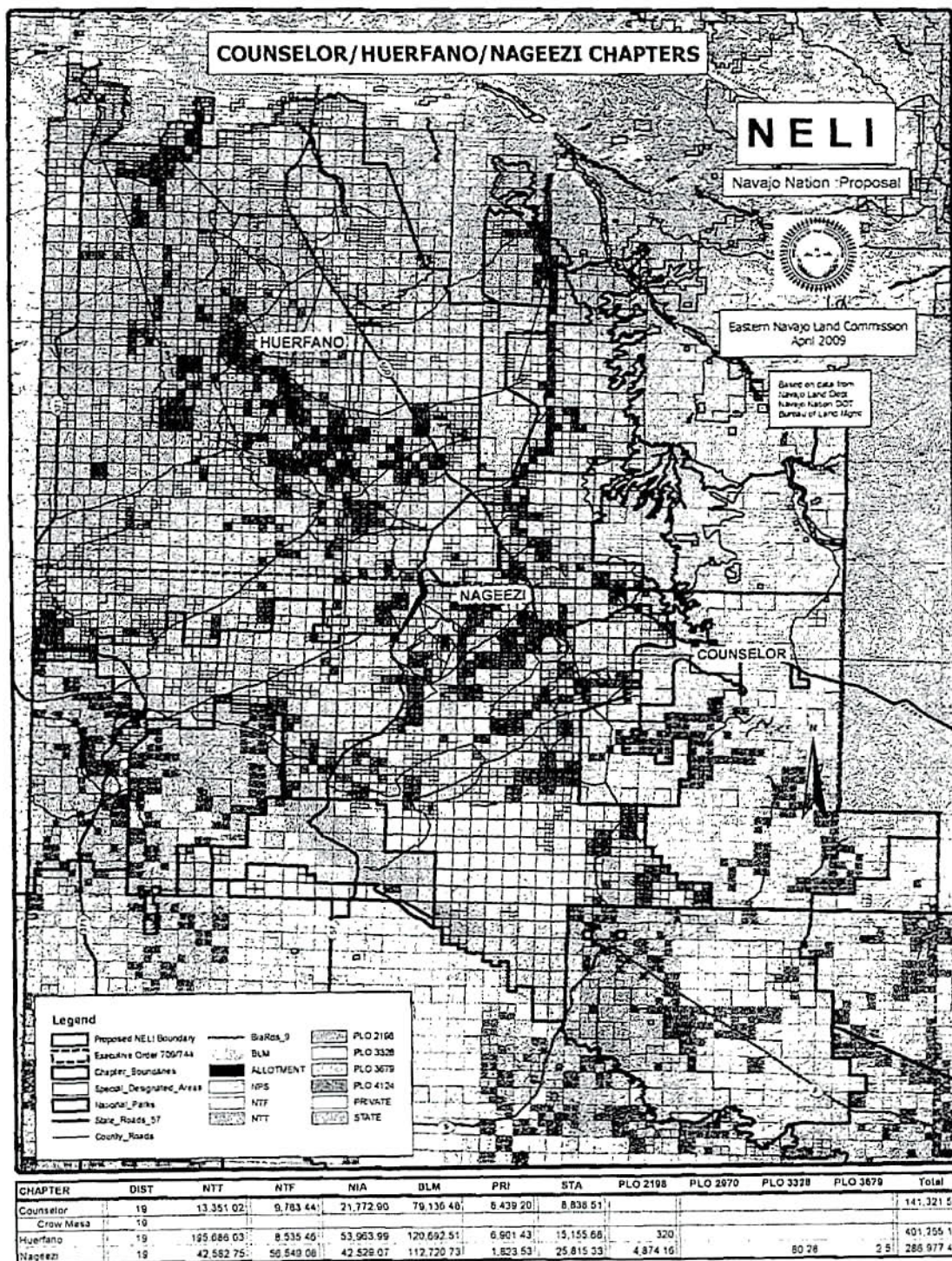


### Legend

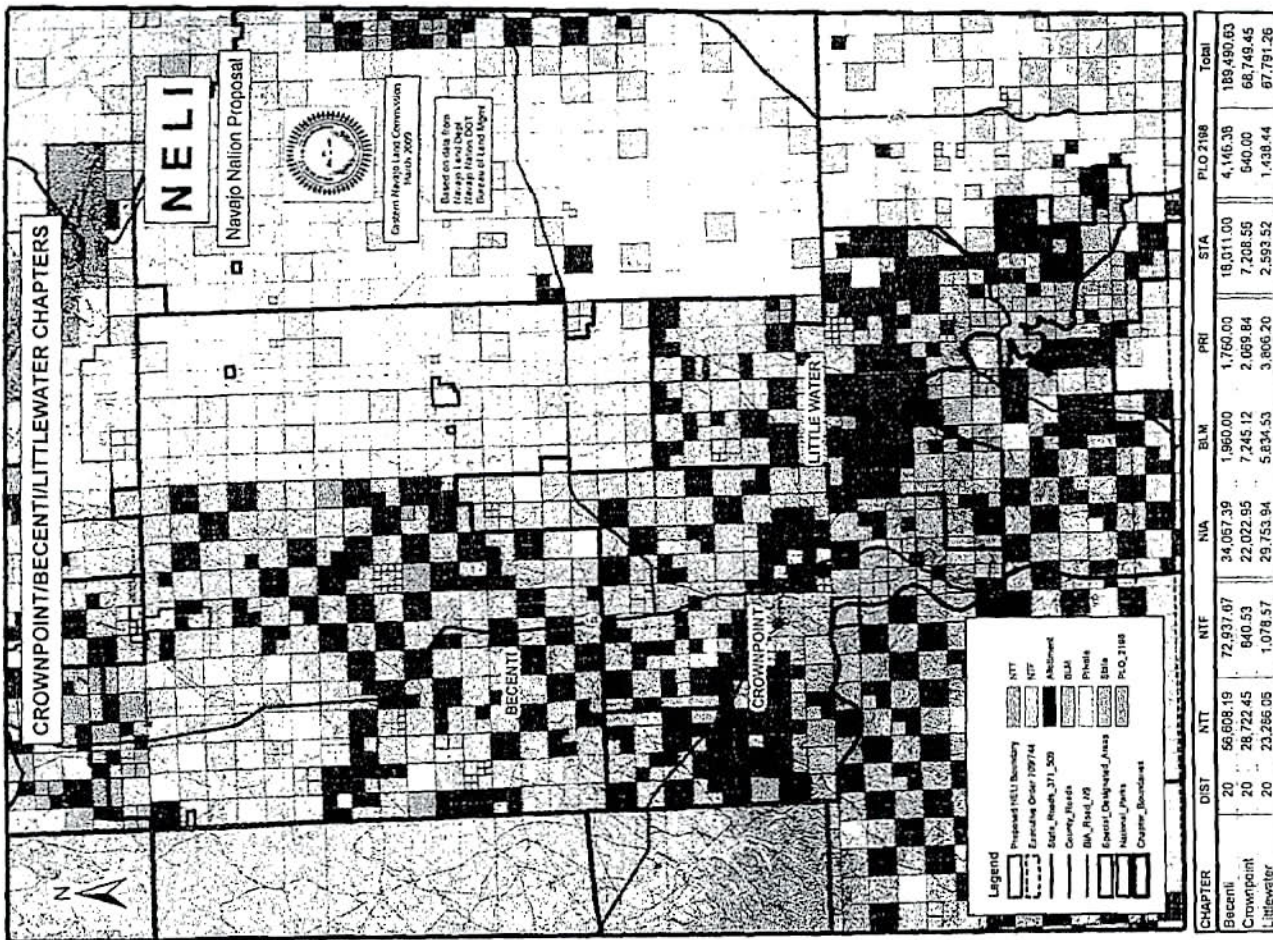
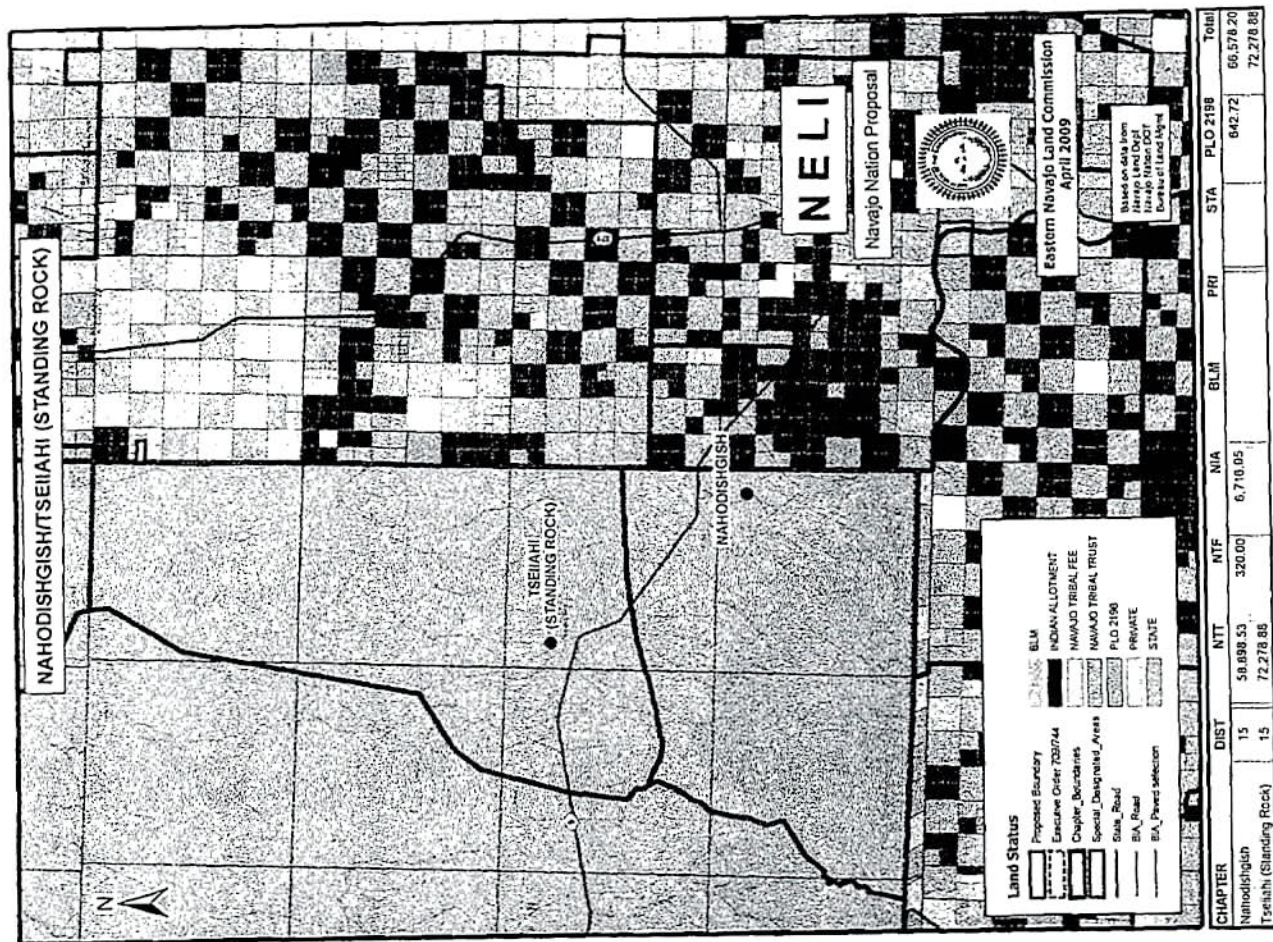
- Proposed Boundary
- Executive Order
- Excluded Areas Chaco Canyon
- Special Designated Areas
- PLO 2198
- BLM
- Nat Parks
- Interstate
- US Highway
- State Highway
- BIA Roads
- eastern agency

Based on data from:  
Navajo Land Department  
Navajo Nation DOT  
Bureau of Land Management

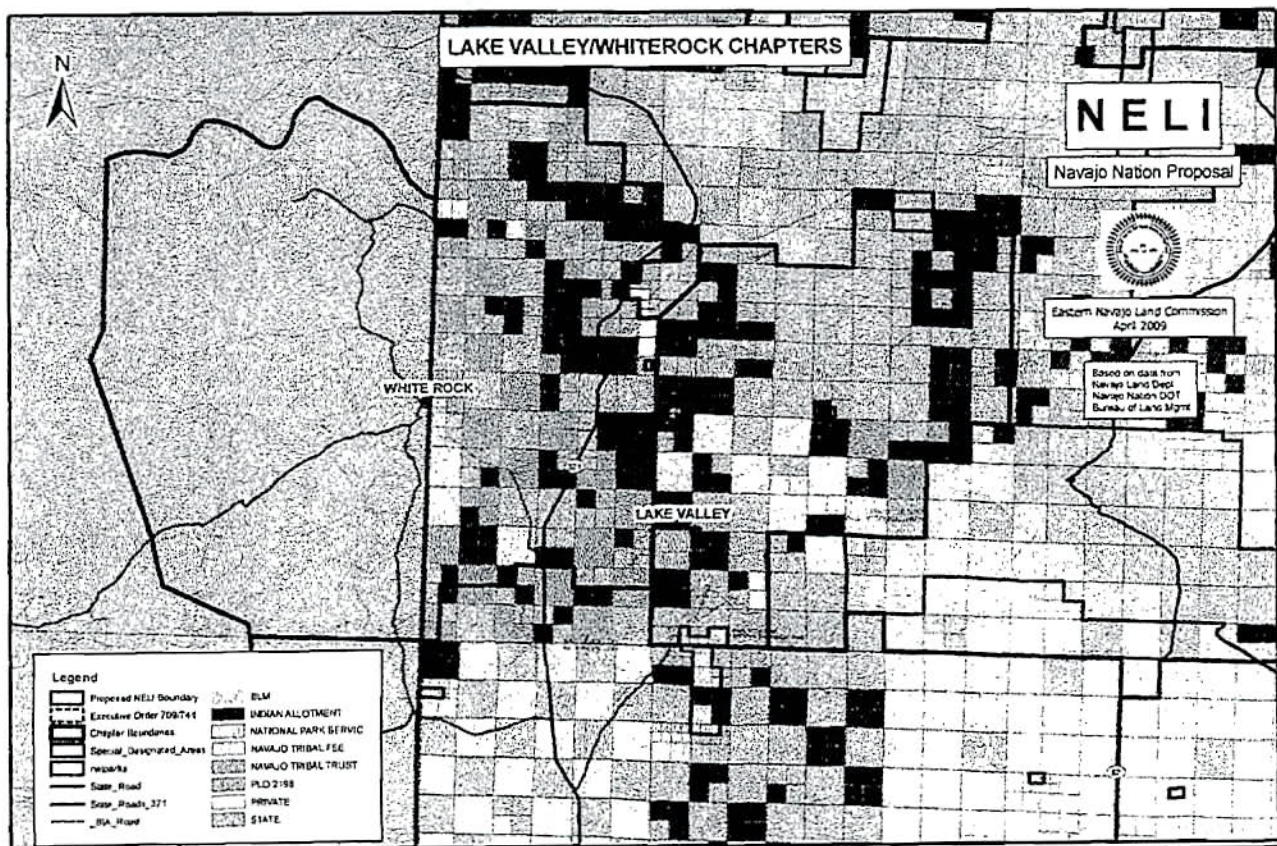




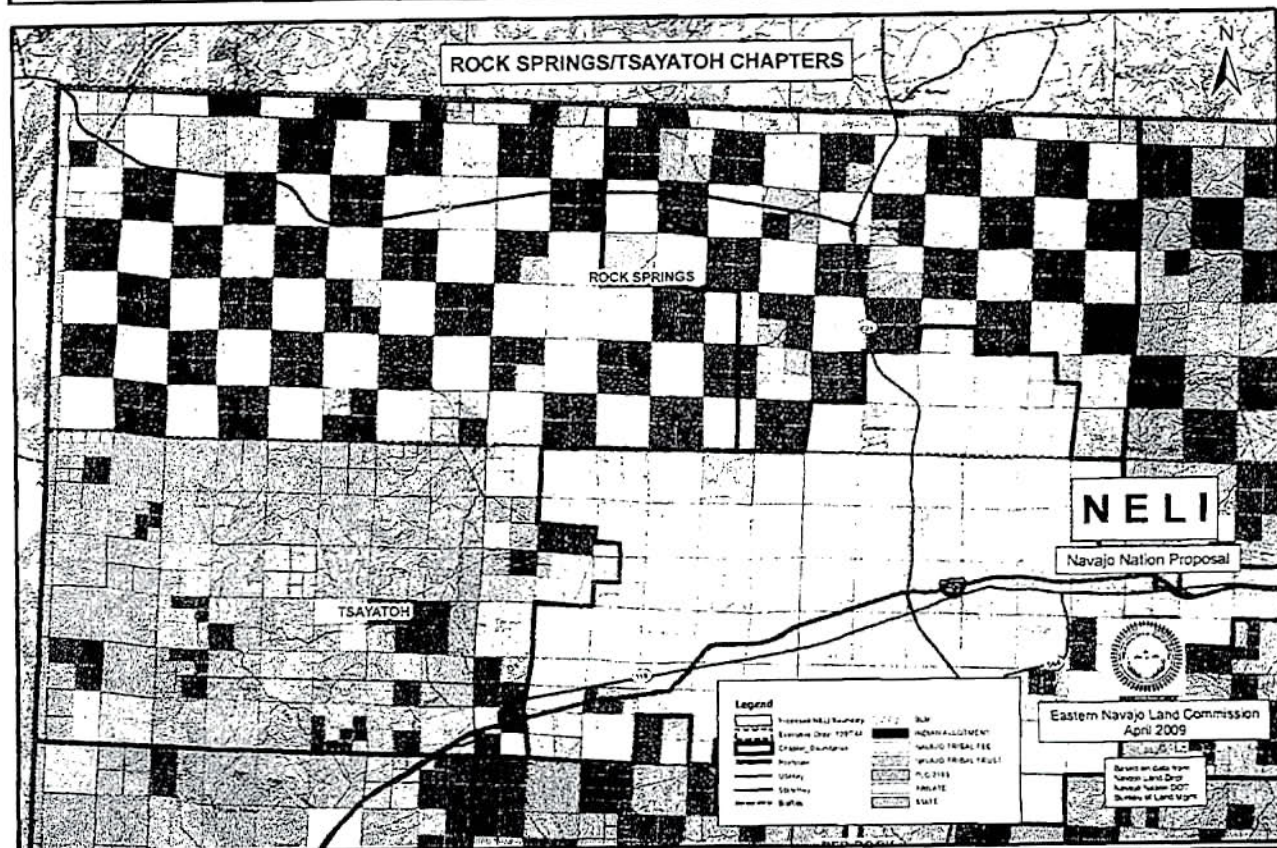






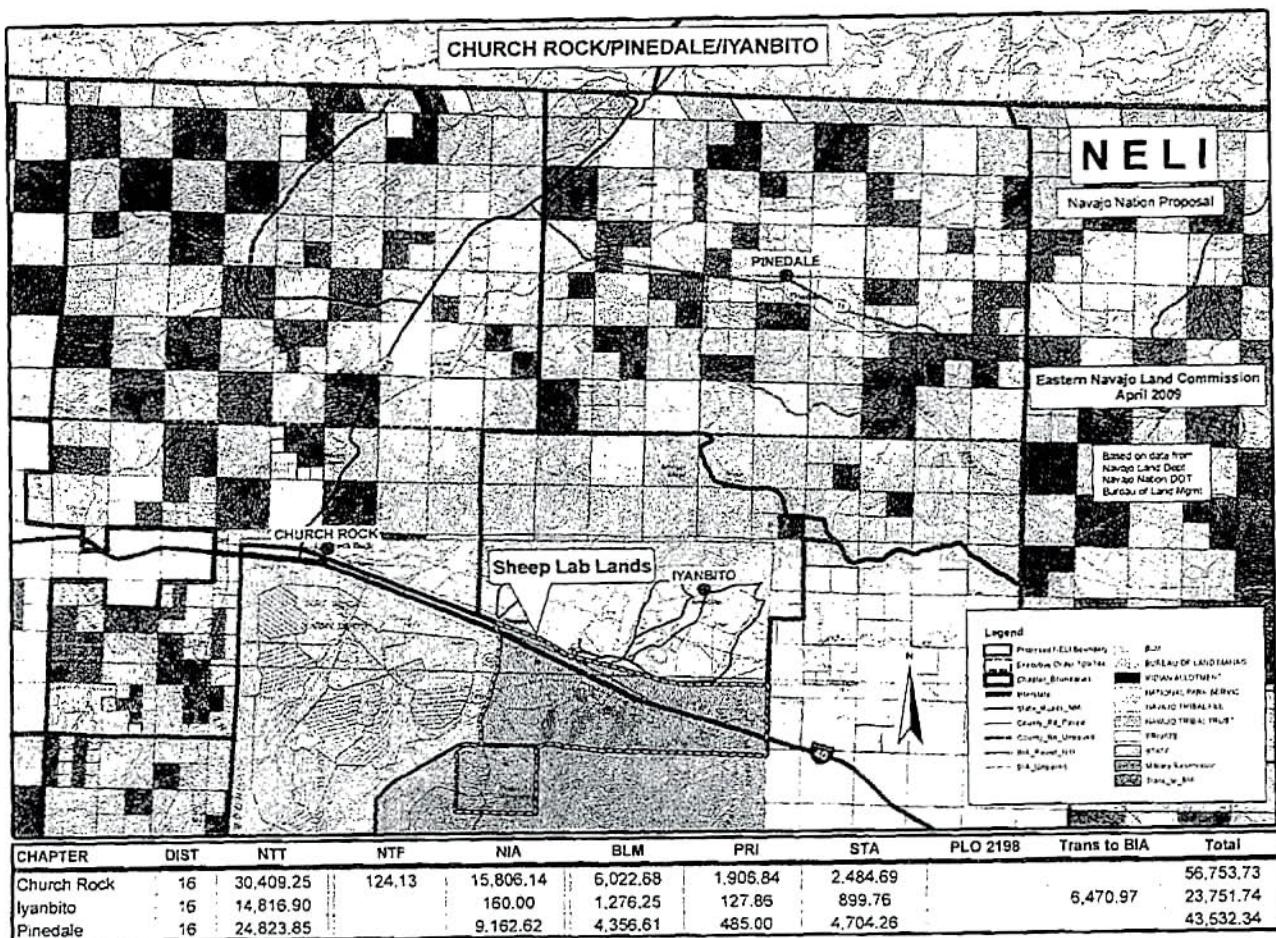
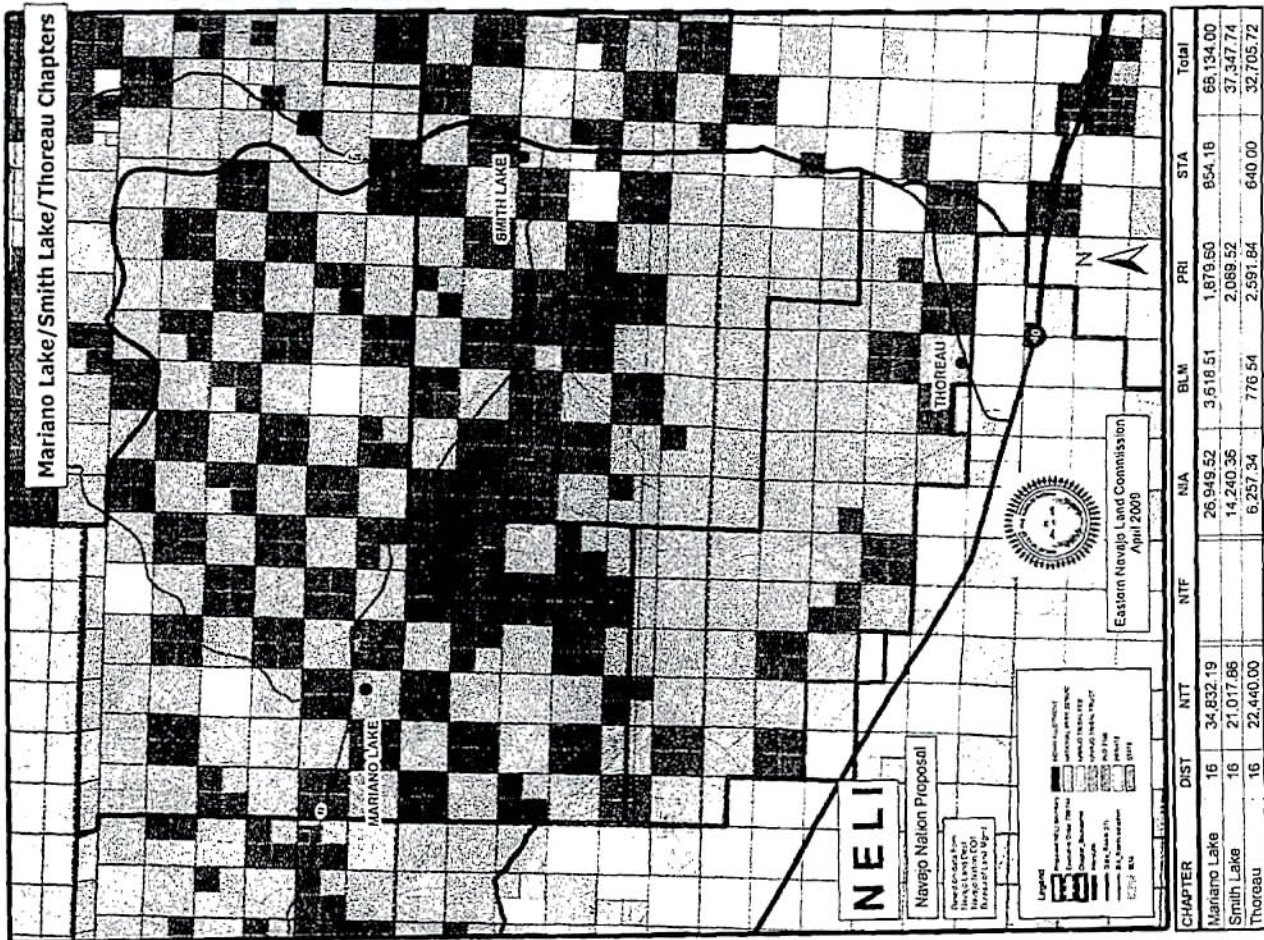


CHAPTER	DIST	NTT	NTF	NIA	BLM	PRI	STA	PLO 2198	Total
Lake Valley	20	22,207.52	5,437.08	13,558.51	320.00		3,000.00	1,452.49	45,975.60
Whiterock	15	79,006.89	2,576.35	12,162.06	480.00	320.00	3,521.40	12,338.09	110,404.79

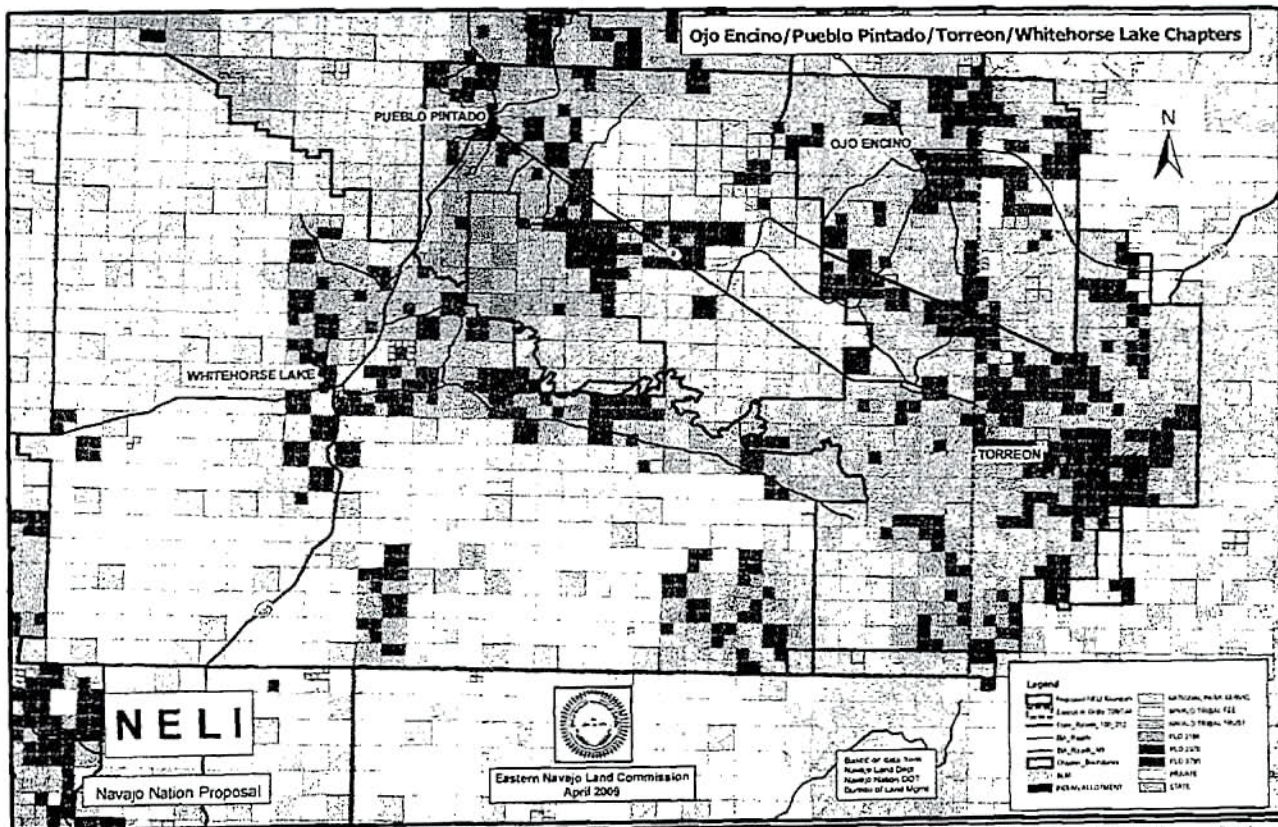


CHAPTER	DIST	NTT	NTF	NIA	BLM	PRI	STA	PLO 2198	Total
Rock Springs	16	2,375.69	9,095.90	12,497.92	160.00	3,645.74	1,871.16		29,646.41
Tsayatoh	16	18,843.15	6,930.11	23,061.68	4,799.80	22,593.41	3,657.73	4,805.75	84,691.63

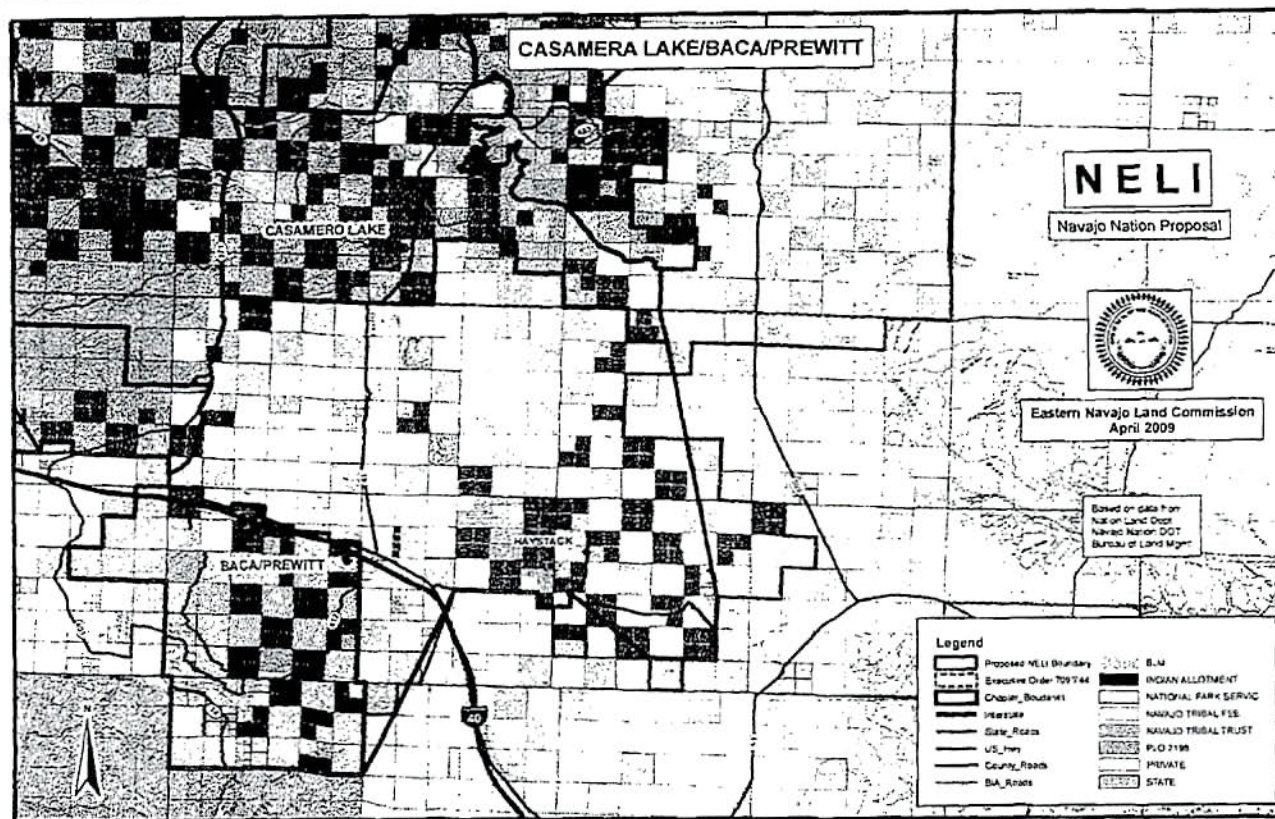






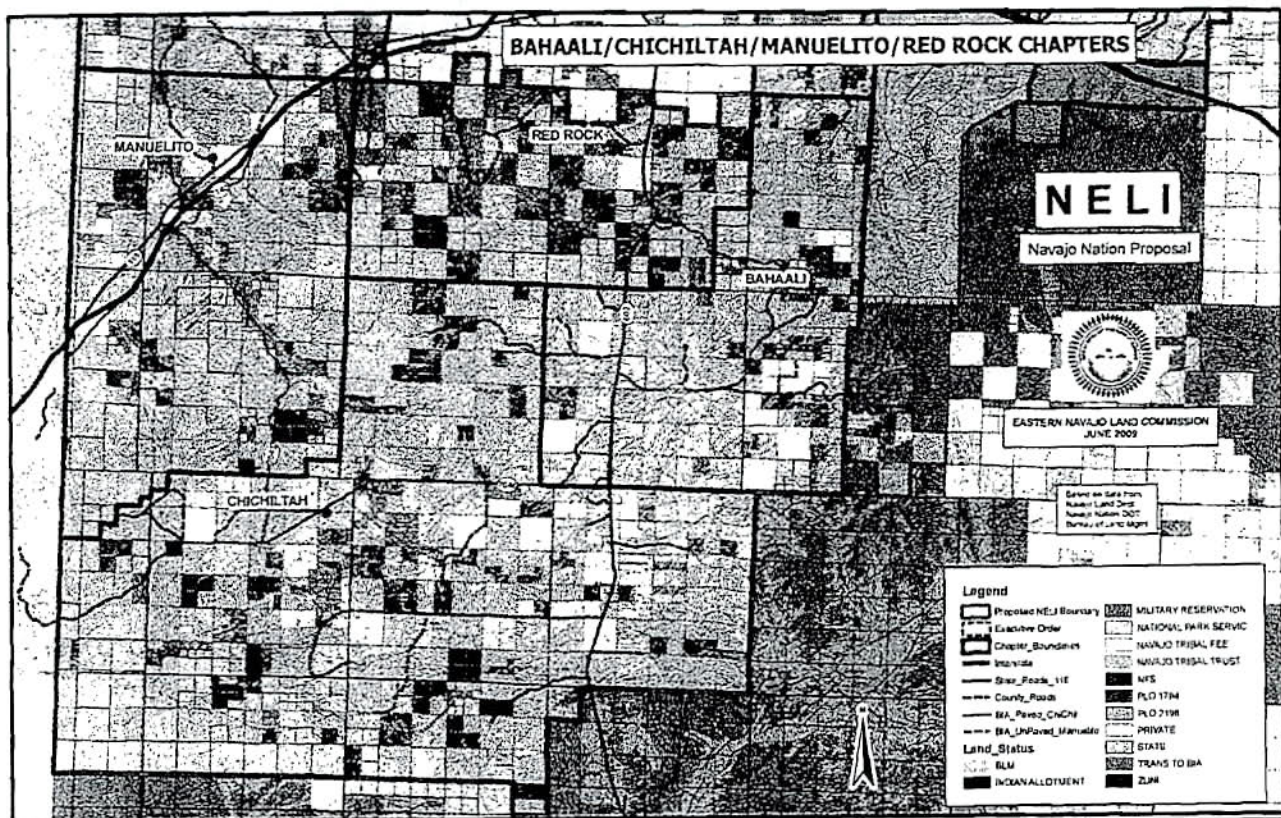


CHAPTER	DIST	NTT	NTF	NIA	BLM	PRI	STA	PLO 2198	PLO 2970	PLO 3790	Total
Ojo Encino	20	6,298.05		16,511.34	33,743.80	4,184.43	2,880.00		50.00	30.00	63,807.62
Pueblo Pintado	20	15,841.16	37,235.30	17,890.33	17,736.25	4,324.08	14,926.91	9,540.64			117,494.67
Torreón/Star Lake	20	13,213.21	10,741.68	35,461.08	49,276.75	3,400.00	5,600.51	5,121.08			122,814.31
Whitehorse Lake	20	22,468.78	87,692.42	29,052.38	14,612.23	123,145.80	28,322.52	12,636.62			317,930.75

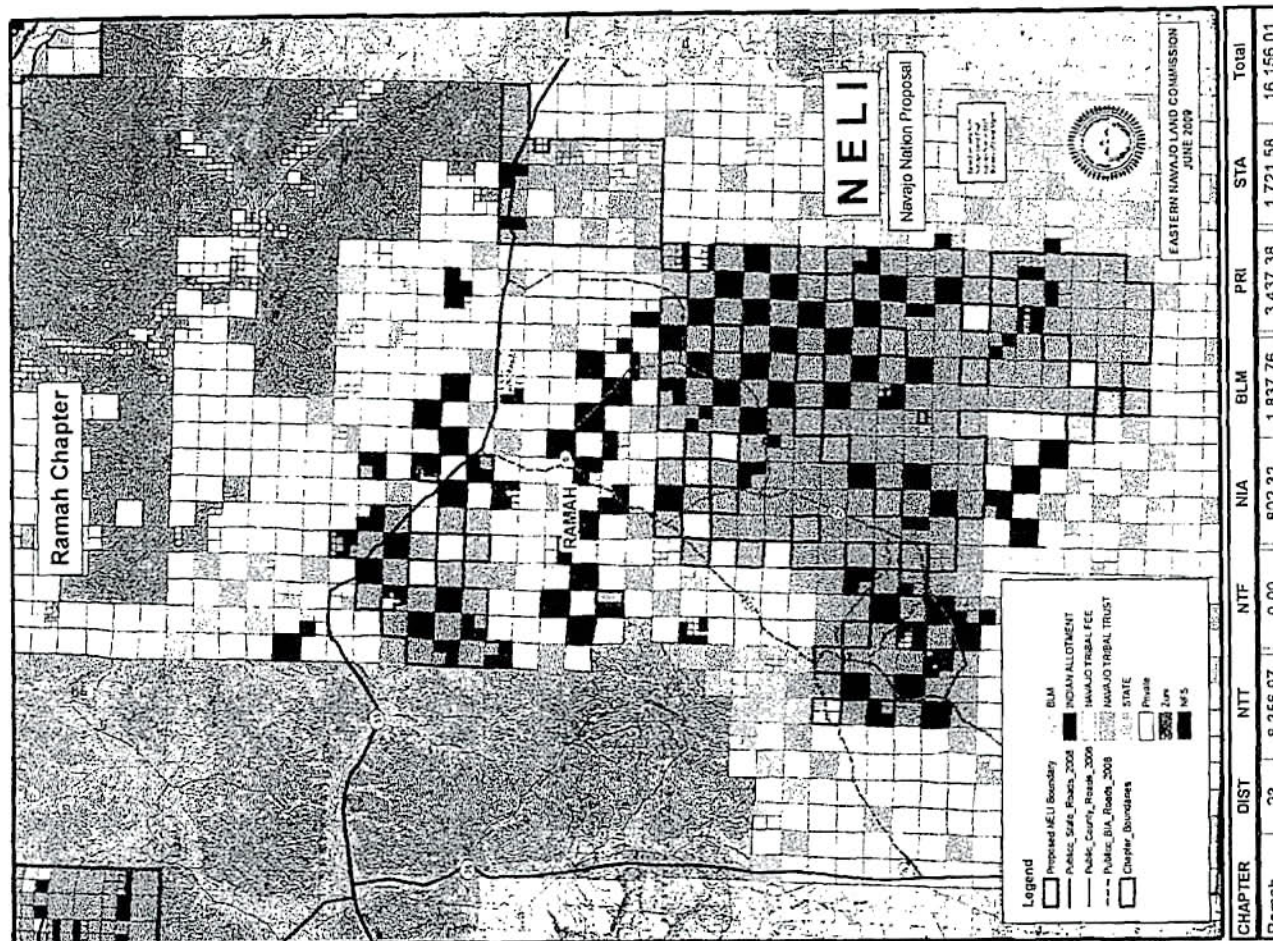


CHAPTER	DIST	NTT	NTF	NIA	BLM	PRI	STA	PLO 2198	Total
Baca/Prewitt	16	1,566.20	11,841.04	8,725.12	5,262.44	2,852.54	4,565.61		34,812.95
Haystack	16	1,760.00	1,244.99	13,939.54	12,414.68	57,589.98	10,407.98	2,082.14	102,157.39
Casamero Lake	16	14,592.51		15,451.99	1,932.43	2,544.71	1,920.00	2,500.00	38,941.64



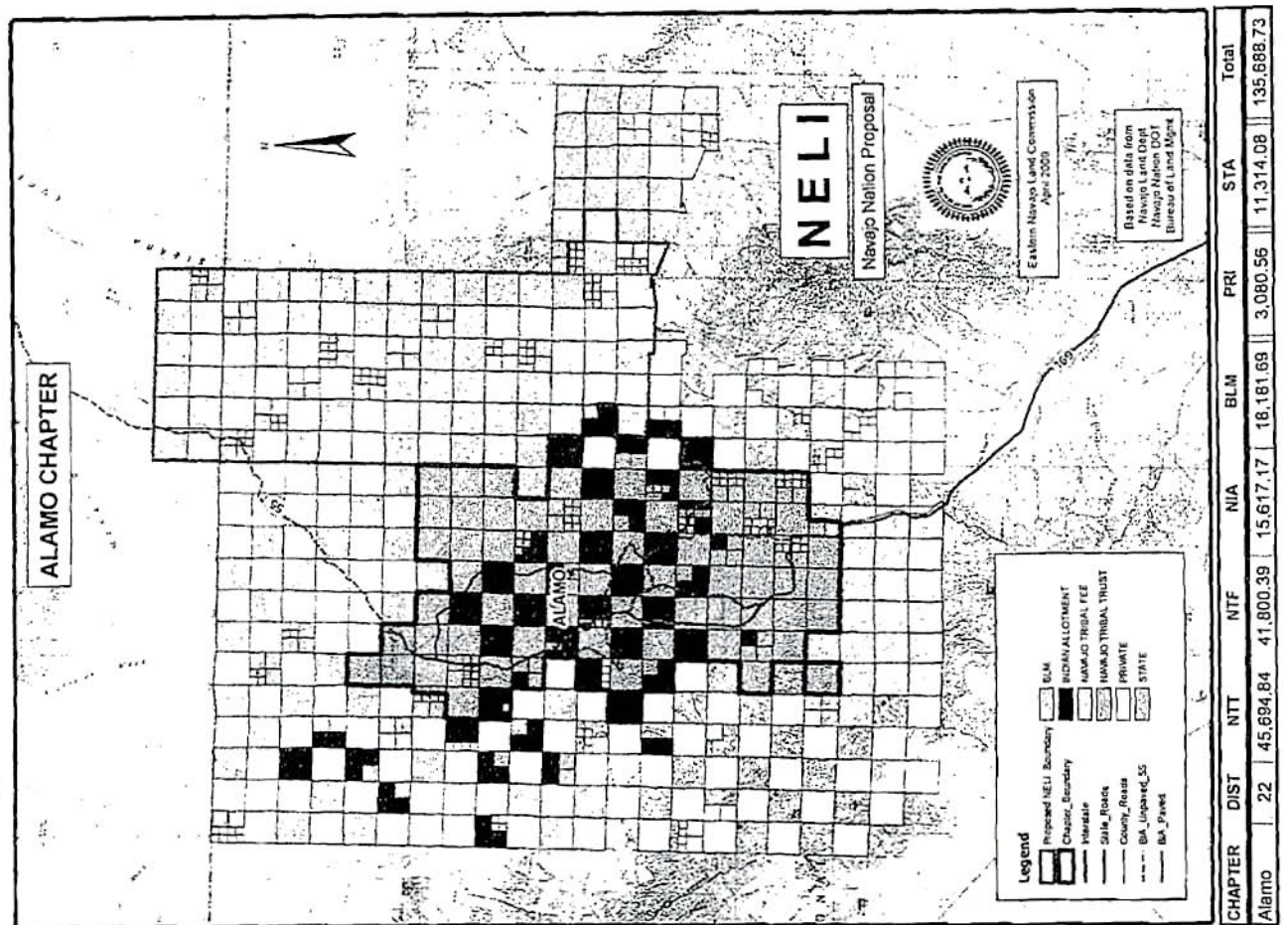
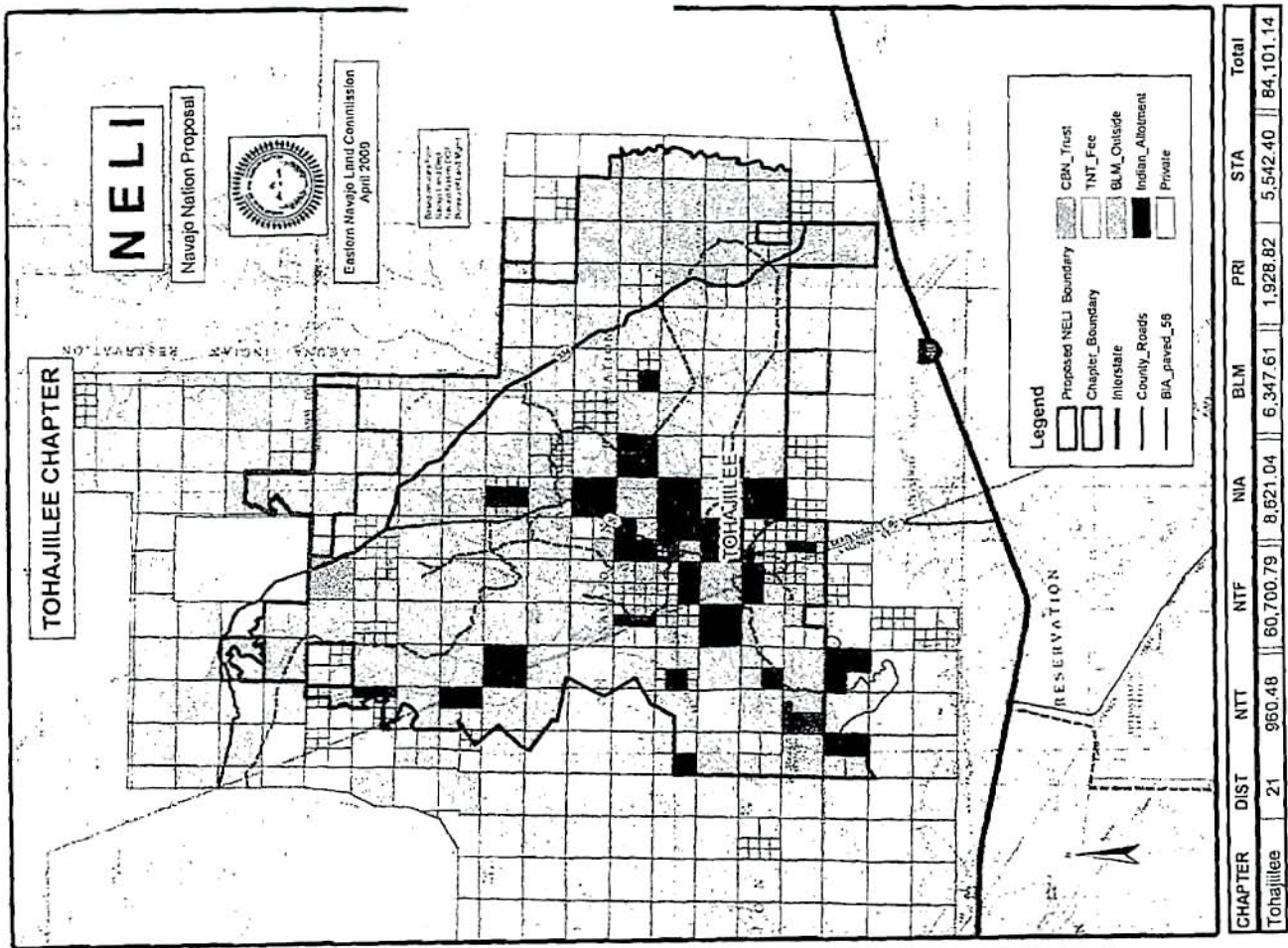


CHAPTER	DIST	NTT	NTF	NIA	BLM	PRI	STA	PLO 1794	PLO 2198	Total
Bahaali	16	46,807.11	480.00	6,168.02	2,402.94	6,404.08	3,200.00	40.00	1,205.76	66,707.91
Chi Chil Tah	16	71,964.58	2,689.78	20,137.31	5,270.55	7,614.14	11,228.16		9,167.38	128,071.90
Manuelito	16	35,339.22		10,314.16	160.00	2,483.07	4,226.61		13,205.51	65,728.57
Red Rock	16	10,956.31		16,634.41	2,238.04	958.54	1,440.00		10,562.10	42,789.40



CHAPTER	DIST	NTT	NTF	NIA	BLM	PRI	STA	Total
Ramah	23	8,356.97	0.00	802.32	1,837.76	3,437.38	1,721.58	16,156.01

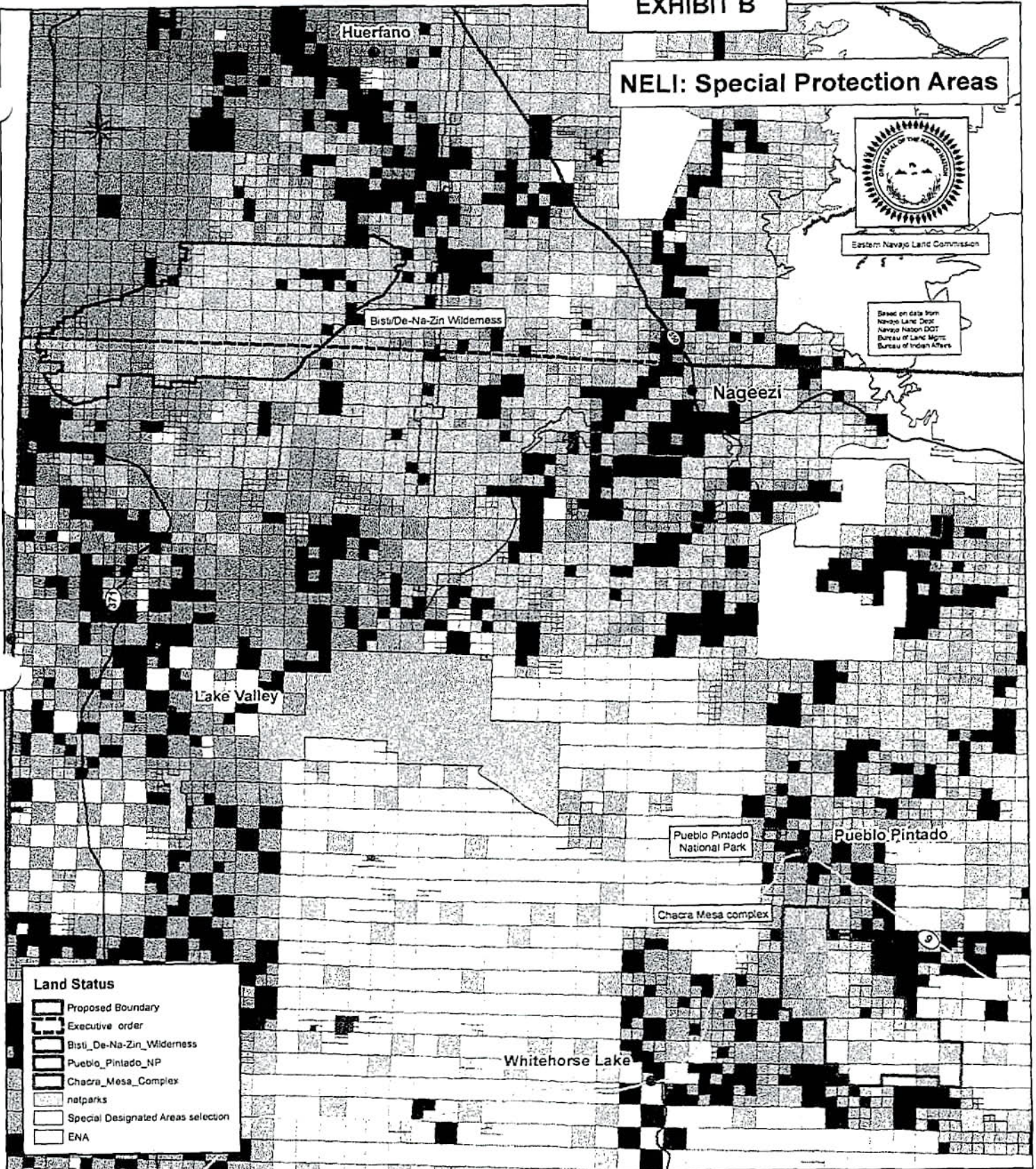






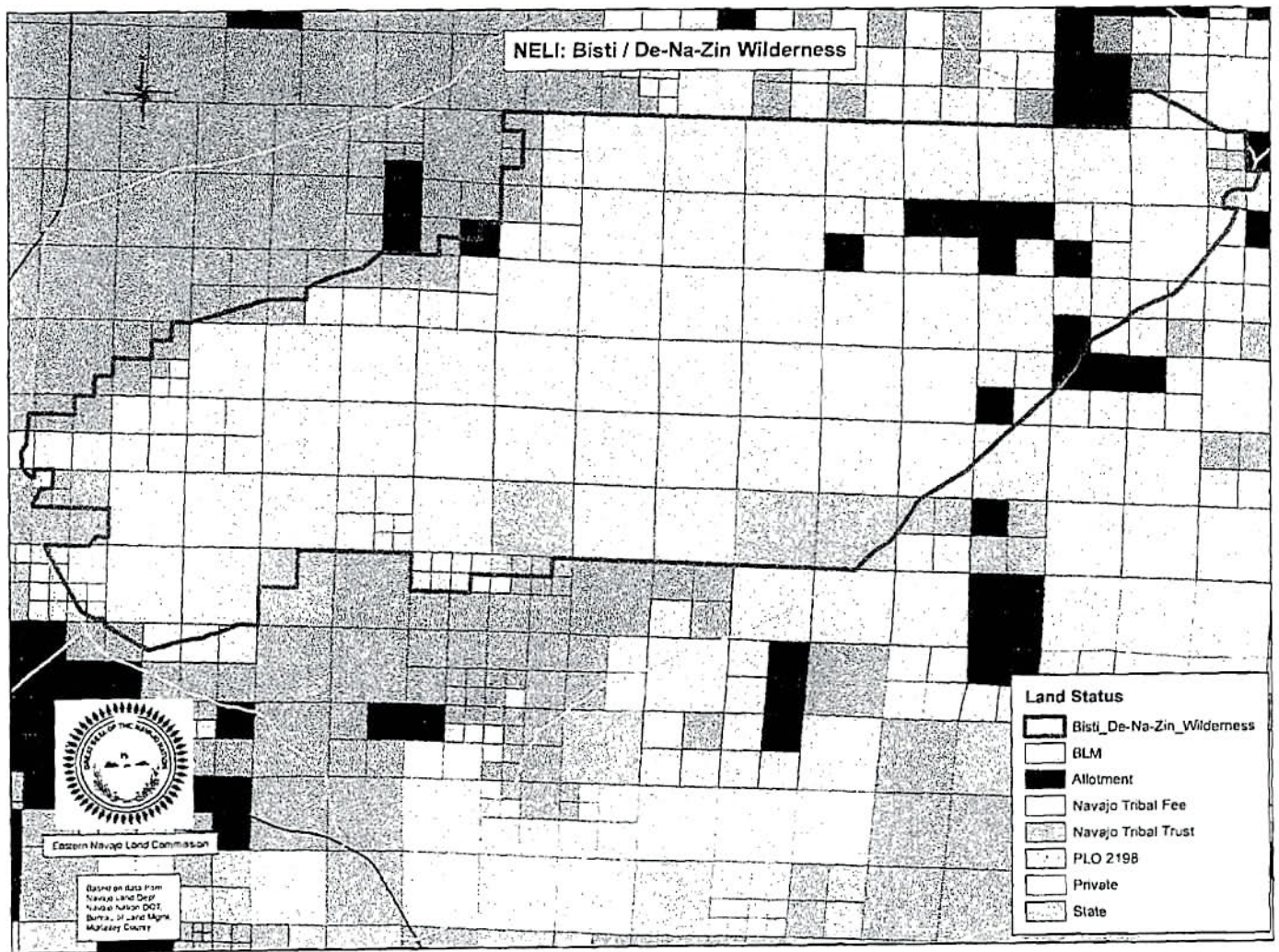
# EXHIBIT B

## NELI: Special Protection Areas

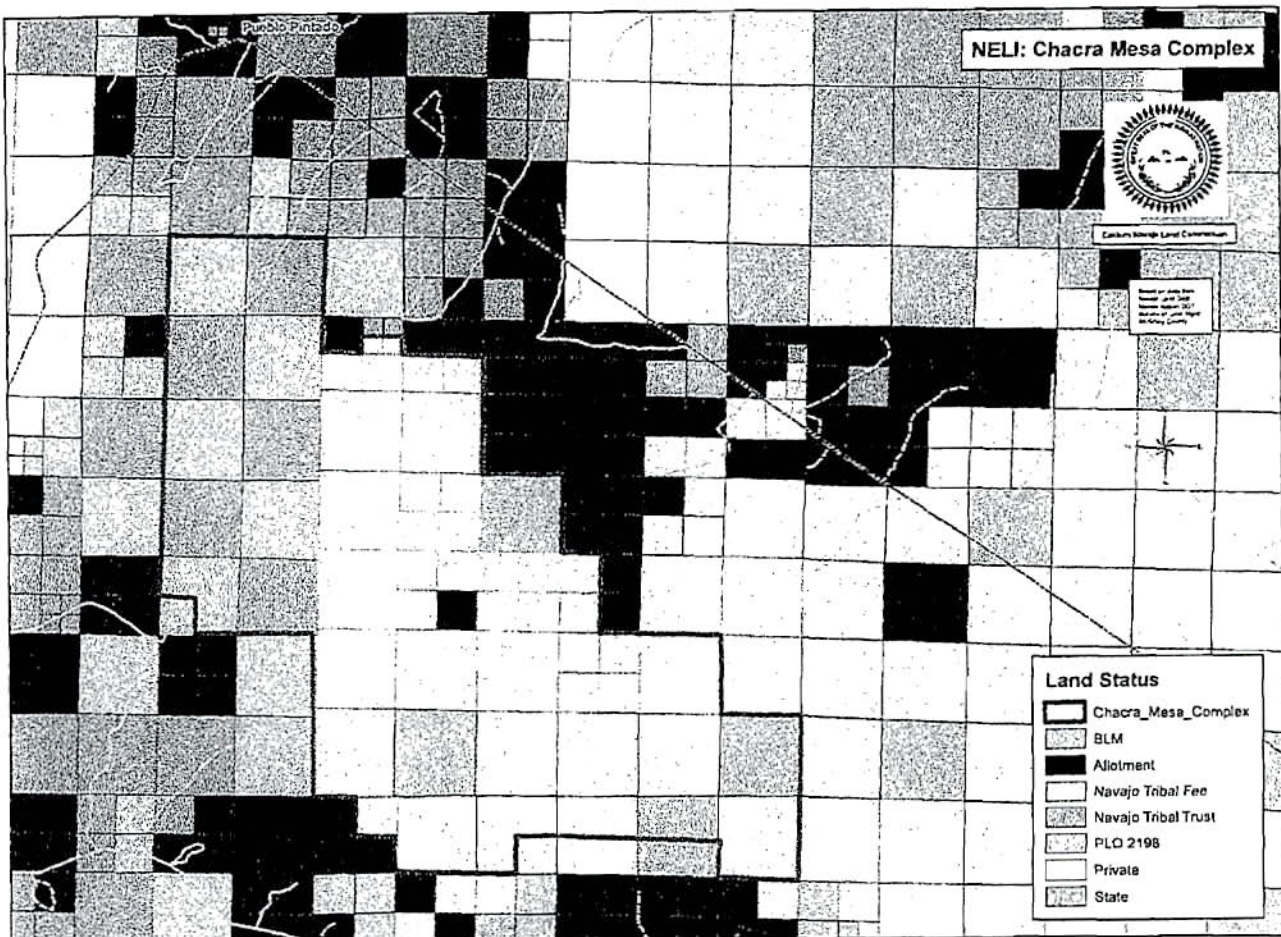
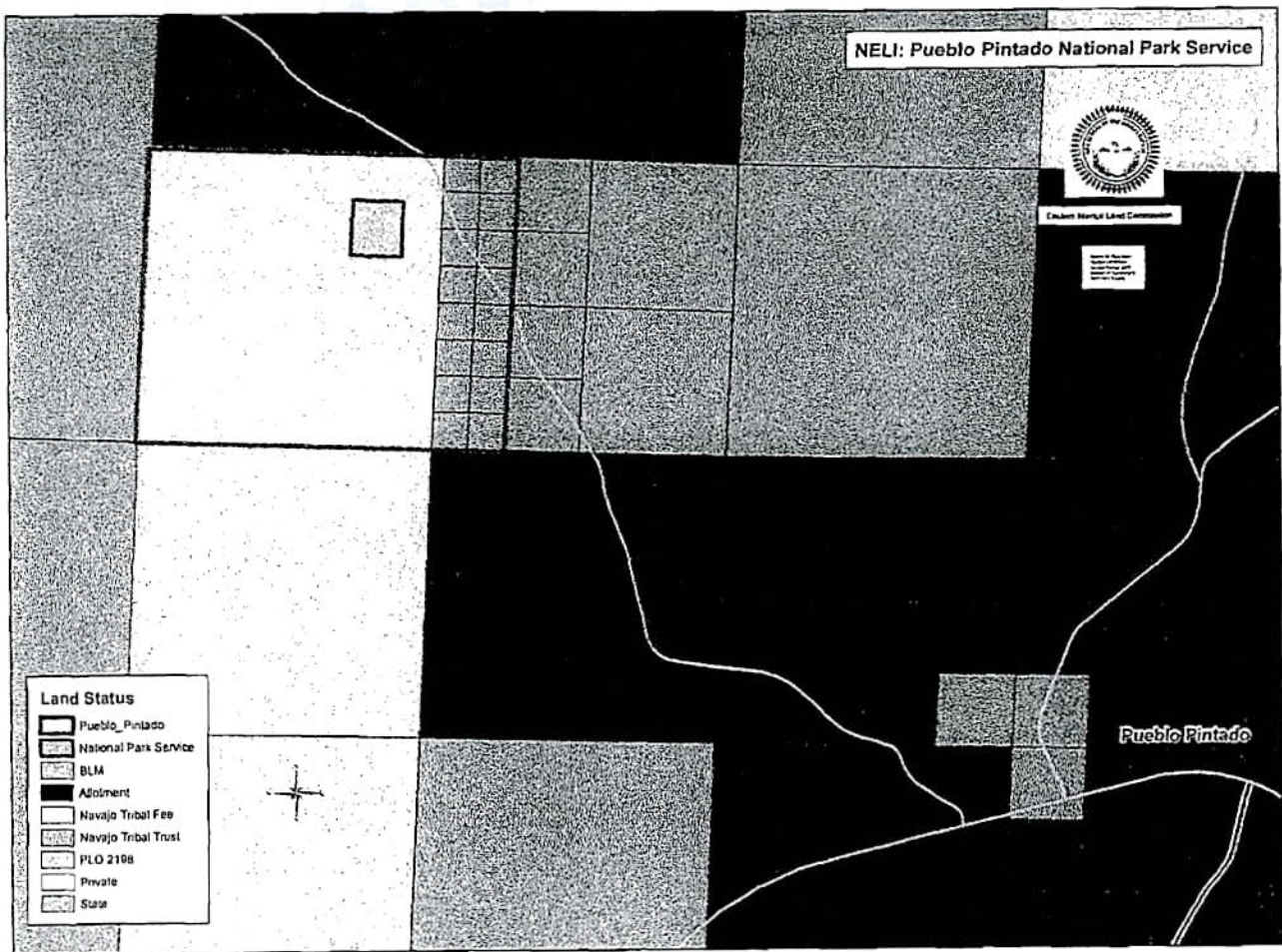


Land Exchange	BLM	Allotment	NTF	NTT	PLO2198	Private	State	NPS	Total
Bisti / De-Na-Zin Wilderness	37,865.95	1,634.48		1,684.75			2,625.52		43,810.70
Pueblo Pintado-NPS				40.00				160.00	200.00
Chacra Mesa Complex	10,075.78	160.00	3,393.28	3,191.86	3,054.75		2,299.38		22,175.05
Total	47,941.73	1,794.48	3,393.28	4,916.61	3,054.75		4,924.90	160.00	66,185.75











Class "B" Resolution  
Area Approval Required

RESOLUTION OF THE  
NAVAJO TRIBAL COUNCIL

Approving the Navajo Land Consolidation Act of 1988

WHEREAS:

1. The Navajo Tribal Council is the governing body of the Navajo Nation; and

2. On 19 April 1988, the Advisory Committee of the Navajo Tribal Council recommended that the Navajo Tribal Council adopt the Navajo Land Consolidation Plan, as further described in Exhibit "B" attached hereto; and

3. On 31 March 1988, the Eastern Navajo Joint Land Board approved a resolution recommending adoption of the proposed Navajo Land Consolidation Plan, as described in Exhibit "B" attached hereto; and

4. On 9 March 1988, the Resources Committee of the Navajo Tribal Council approved a resolution (attached hereto as Exhibit "B") recommending adoption of the Navajo Land Consolidation Plan by the Navajo Tribal Council; and

5. On 6 February 1988, the Eastern Navajo Council adopted a resolution (attached hereto as Exhibit "B") which supports the consent of the Navajo Land Consolidation Plan; and

6. By Resolution ACMY-115-87, the Advisory Committee of the Navajo Tribal Council directed the Department of Justice of the Navajo Nation and the Navajo Division of Resources to develop a Navajo Land Consolidation Plan for adoption by the Navajo Tribal Council as soon as possible; and

7. The Eastern Navajo Agency is composed of a complex mixture of Indian trust, allotment, state, federal and private lands situated in a "checkerboard" fashion within northwestern New Mexico; and

8. In 1983, Congress enacted the Indian Land Consolidation Act (January 13, 1983; P.L. 97-459, Title II, 96 Stat. 2517; amended October 30, 1984; P.L. 98-608; 98 Stat. 3171, codified at 25 U.S.C. 2201, et seq.) to consolidate ownership of Indian land into a uniform block. The Indian Finance Act (April 12, 1974; P.L. 93-262, Title I, 88 Stat. 78, codified at 25 U.S.C. Section 1466 [1983]) and the Federal Property and Administration Services Act of 1949, as amended (codified at 40 U.S.C. Section 483

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(a)[Supp. 1987]], provide further authority for taking land and improvements into trust for the Navajo Nation; and

9. These Acts provide for, among other things, the promulgation of a Tribal land consolidation plan, approved by the Secretary of the Interior, to provide for: consolidation of Indian land through exchange or purchase; elimination of undivided fractional interests in tribal trust or allotted land situated in the designated consolidation area (25 U.S.C. 2203 [1987 Supp.]); and, provision for the transfer of excess federal property in trust to the Navajo Nation; and

10. The Navajo Nation Department of Justice has drafted a Land Consolidation Plan to facilitate the acquisition and consolidation of lands for the use of the Navajo people in the States of Arizona, New Mexico and Utah; and

11. The Navajo people desire to consolidate the "checkerboard" pattern of land tenure in the eastern portion of the Navajo Indian Reservation and the Eastern Navajo Agency for the use of the Navajo people; and

12. The Navajo Land Consolidation Plan, attached hereto as Exhibit "A", will serve the best interests of the Navajo Nation and should be adopted; and

13. Since February of 1988, the Navajo Nation has presented the draft Navajo Land Consolidation Plan to various Chapters and Navajo allottee organizations throughout the Eastern Navajo Agency. Based upon comments received from various Federal agencies, the Department of Justice of the Navajo Nation, and the general public, the plan has been amended from time to time as described in Exhibit "C", attached hereto; and

14. Various chapters throughout the Eastern Navajo Agency have adopted resolutions supporting the Navajo Land Consolidation Plan, as further described in Exhibit "D" attached hereto; and

15. The Department of Justice of the Navajo Nation has recommended additional language to the proposed consolidation plan (as described on pages 1, 3, 4, 6, 7, 8 of Exhibit "A") since the Advisory Committee reviewed and recommended adoption of the plan.

NOW THEREFORE BE IT RESOLVED THAT:

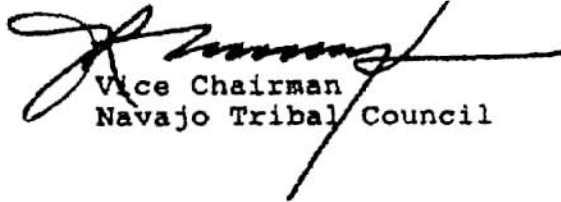
1. The Navajo Tribal Council hereby approves the Navajo Land Consolidation Act of 1988 by adopting the Navajo Land Consolidation Plan attached hereto as Exhibit "A".

2. The Navajo Tribal Council further requests the Secretary of the Interior to delegate his authority to approve the Navajo Land Consolidation Plan to the Area Director, Navajo Area, Bureau of Indian Affairs.



CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Navajo Tribal Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 49 in favor and 0 opposed, this 4 day of May, 1988.

  
Vice Chairman  
Navajo Tribal Council

Class "B" Resolution  
Area Approval Required.

RESOLUTION OF THE  
NAVAJO TRIBAL COUNCIL

Approving Amendments to the Navajo Land Consolidation Plan

WHEREAS:

1. The Navajo Tribal Council is the governing body of the Navajo Nation; and
2. In 1983, Congress enacted the Indian Land Consolidation Act, Act of January 13, 1983, Public Law 97-459, Title II, 96 Stat. 2517, codified as amended at 25 U.S.C., Section 2201 et seq., to consolidate ownership of Indian land into a uniform block; and
3. On May 4, 1988, by Navajo Tribal Council Resolution CMY-23-88, the Navajo Tribal Council enacted the Navajo Land Consolidation Plan, codified at Title 16 of the Navajo Tribal Code, Section 501 et seq.; and
4. Sections 503(C) and 503.1(C) of the Navajo Land Consolidation Plan provide that all proceeds derived from the Navajo Land Consolidation Plan transactions shall be deposited into a tribally-created interest bearing account established under the supervision of the Director of the Navajo Office of Financial Services; and
5. Federal law, the Indian Land Consolidation Plan Act, 25 U.S.C., Section 2203(a)(4), requires that the Secretary of the Interior, rather than the Tribe, maintain a separate trust account consisting of the proceeds of land consolidation transactions made pursuant to the said Act; and
6. The Field Solicitor for the Department of the Interior, Navajo Area Office, has informed the Navajo Department of Justice that Sections 503(C) and 503.1(C) of the Navajo Land Consolidation Plan are inconsistent with the federal statutes at 25 U.S.C., Section 2203(a)(4) and that the Area Director will not approve said Plan unless and until it is amended to comply with federal law; and
7. Pursuant to 25 U.S.C., Section 2203(a) the Navajo Land Consolidation Plan must be approved by the Secretary of the Interior or his designee, the Area Director of the Navajo Area Office; and

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8. The Department of Justice of the Navajo Nation has recommended amendatory language to the Navajo Land Consolidation Plan in order to bring it into compliance with federal law, which amendments are attached hereto as Exhibit "A".

9. On 20 October 1988, the Advisory Committee of the Navajo Tribal Council recommended that the Navajo Tribal Council adopt the proposed Amendments to the Navajo Land Consolidation Plan, as further described in Exhibit "B" attached hereto.

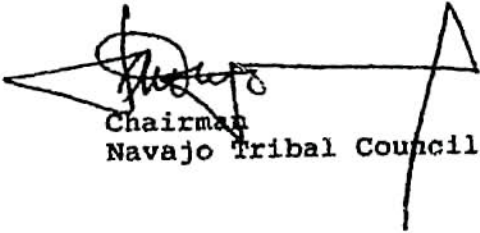
NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribal Council hereby approves the Amendments to Sections 503(C) and 503.1(C) of the Navajo Land Consolidation Plan Act, pursuant to Exhibit "A", attached hereto and incorporated herein by this reference, in order to bring the said Plan into compliance with federal law.

2. The Navajo Tribal Council further requests that the Area Director, Navajo Area, Bureau of Indian Affairs, approve the Navajo Land Consolidation Plan as herein amended.

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 46 in favor and 0 opposed, this 25th day of October 1988.

  
Chairman  
Navajo Tribal Council



IN REPLY  
REFER TO:  
ARPM/332B

## United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
NAVAJO AREA OFFICE

P. O. Box M  
Window Rock, Arizona 86515-0714



JUN 2 3 1988

Mr. Peter MacDonald

Chairman, Navajo Tribal Council

Dear Mr. MacDonald:

Reference is made to Navajo Tribal Council Resolution No. CMY-23-88 entitled "Approving the Navajo Land Consolidation Act of 1988", as amended by Resolution No. CO-43-88 entitled "Approving Amendments to the Navajo Land Consolidation Plan."

The Plan has been concurred in by the Eastern Navajo Agency Council and various Navajo chapters. At the request of the Albuquerque Area Director, the Plan was presented to the Ramah Navajo Chapter for comment. The Chapter expressed a desire that the lands escheat to the Band rather than the Navajo Tribe. However, this is not permissible under law and the point is moot. You have informed my office that the Ramah Tribal Council delegate voted in favor of the resolution when it was adopted on May 4, 1988, by a vote of 49 in favor and 0 opposed. The office of the Albuquerque Area Office was consulted on this matter and a decision has been made to approve the resolution and plan, which has been amended to deal with our objections.

Although the resolution and plan cite various statutes which could give authority to take lands in trust, approval of the resolution should not be interpreted as blanket authority to acquire lands in trust. Each trust acquisition will be dealt with on its own merits in accordance with appropriate law and 25 CFR 152.

The above resolutions are hereby approved under authority delegated to the Area Director by Secretarial Redlegation Order 209 DM 8 and 230 DM 3.

Sincerely,

  
Area Director



CJY-66-97

**RESOLUTION OF THE  
NAVAJO NATION COUNCIL**

**Requesting the United States To Take Into Trust Status  
Certain Lands Owned In Fee Status By the Navajo Nation**

**WHEREAS:**

1. The Navajo Nation Council is the recognized governing body of the Navajo Nation pursuant to Resolution CD-68-89 (December 15, 1989), 2 N.N.C. §101; and Kerr-McGee v. Navajo Tribe of Indians, 471 U.S. 195, 201 (1985); and

2. The Resources Committee of the Navajo Nation Council, by Resolution RCAP-69-97, approved and recommended to the Navajo Nation Council to seek trust status for Navajo Nation Fee Lands in the Eastern Navajo Agency and Satellite Reservations; and

3. The Eastern Navajo Agency Council, by Resolution ENAC-95-02-269 (February 4, 1995), requested that the Navajo Nation pursue an application to the Department of the Interior requesting the Navajo Nation Fee lands be taken into trust status to resolve jurisdictional uncertainties and to provide the corresponding predictability for law and order and for civil and regulatory matters; and

4. The Navajo Land Department, in cooperation with the Bureau of Indian Affairs, has presented a listing by legal description of Navajo Nation Fee Lands which would appropriately be transferred to trust status, such list attached hereto as Exhibit "A" and subject to be amended to the best interest of the Navajo Nation and incorporated by reference as if fully set out herein; and

5. The Navajo Nation Council has reviewed the justification supporting the above-referenced resolution of the Resources Committee of the Navajo Nation Council and fully concurs in the position that Navajo self-governance and self-sufficiency would be enhanced by the proposed fee-to-trust transfer, that stability and predictability in the areas of law and order and civil and regulatory jurisdiction would be served by such transfer, that statutory and regulatory authority exists for such transfer, that negative impacts on other governments will be insignificant and that any additional responsibilities for the Navajo Area Office and/or the Eastern Navajo Agency will be more than offset by the consistency of administration throughout these areas of Navajo Indian country.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Navajo Nation Council hereby requests the United States to acquire in trust status the Navajo Nation Fee Lands listed in the attached Exhibit "A".

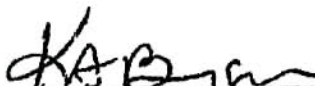
2. The Navajo Nation Council hereby authorizes and directs the President of the Navajo Nation to take all necessary and proper actions to effectuate the fee-to-trust transfer, including, but not limited to, the following:

- (a) submitting and signing a proposal for the fee-to-trust transfer, including the legal description of the affected property;
- (b) stating in the proposal statutory and regulatory authority authorizing the fee-to-trust transfer;
- (c) explaining in detail in the proposal the need for the proposed fee-to-trust transfer and the expected purposes for which the lands shall be used;
- (d) sending notices to and receiving responses from state and local governments to resolve possible conflicts over taxation, and including such notices and responses with the proposal;
- (e) analyzing in the proposal possible jurisdictional conflicts or problems and the means of resolving them;
- (f) stating in the proposal the impact, if any, on any added responsibilities for the Navajo Area Office or Eastern Navajo Agency of the Bureau of Indian Affairs;
- (g) stating in the proposal that the fee-to-trust transfer is requested under the provisions of 25 C.F.R. §151.3 (a) (1) and (2), and to the extent appropriate, 25 C.F.R. §151.3 (a) (3);
- (h) including in the proposal a request for the fee-to-trust transfer pursuant to 25 C.F.R. §151.9 and discussing, among other things, the factors set forth in 25 C.F.R. §151.10 (a) - (c) and (e) - (g), as set forth above; and
- (i) seeking formal acceptance of the land in trust status as provided for in 25 C.F.R. §151.13.



**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 56 in favor, 0 opposed and 0 abstained, this 24th day of July 1997.



Kelsey A. Begaye, Speaker  
Navajo Nation Council

7-28-97  
Date Signed

Motion: Edward T. Begay  
Second: George Tolth

## NELI Support &amp; Approval Resolutions

District / Chapter	CSC Mtg- Ramah*	OH	Date Presented	Resolution Passed
<b>DISTRICT 15</b>				
Nahodishgish	X	1	07/16/09	07/16/09
Standing Rock	X	1	07/13/09	07/21/09
White Rock	X	1	08/05/09	08/19/09
<b>DISTRICT 16</b>				
Baca/Prewitt	X	1		04/29/09
Bahaalii	X	1		07/14/09
Casamero Lake	X	1		06/11/09
Chichiltah	X	1	03/24/09	04/07/09
Church Rock	X	1		06/22/09
Iyanito	X	1		05/15/09
Manuelito		1	05/19/09	06/14/09
Mariano Lake	X	1		07/12/09
Pinedale	X	1	05/26/09	05/26/09
Red Rock	X	1		05/17/09
Rock Springs		1	07/15/09	08/19/09
Smith Lake	X	1		09/17/09
Thoreau	X	1		04/19/09
Tsayatoh		1		07/21/09
<b>DISTRICT 19</b>				
Counselor	X	1	04/09/09	04/07/09
Huerfano	X	1	04/09/09	04/05/09
Nageezi	X	1	04/09/09	06/05/09
<b>DISTRICT 20</b>				
Becenti	X	1	06/26/09	06/26/09
Crownpoint	X	1	05/12/09	05/12/09
Lake Valley		1		07/12/09
Littlewater	X	1	04/13/09	04/13/09
Ojo Encino	X	1	04/09/09	04/10/09
Pueblo Pintado		1		05/10/09
Torrean/Star Lake	X	1		05/06/09
White Horse Lake	X	1	04/21/09	05/19/09
<b>DISTRICT 21</b>				
Tohajiilee	X	1	09/15/09	09/29/09
<b>DISTRICT 22</b>				
Alamo	X	1		04/19/09
<b>DISTRICT 23</b>				
Ramah	X	1	03/26/09	04/27/09
	* Mar 26 09	31	Chapter Resolutions	
<b>AGENCY</b>				
East Agcy Jnt Ld Brd		1	03/23/09	05/26/09
East Nav Agcy Cncl		1	03/07/09	06/06/09
		33	ENA Resolutions	

OH = Originals "On-Hand" at Office of ENLC

<b>NAVAJO NATION</b>				
East Nav Land Cmsn		1	On-going	02/10/10
Resource Committee			On-going	
Intergov't Rltns Cmte				
Nav Nation Council				
		34	Total Resolutions	





## Alamo Navajo Chapter

Danise Ganadonegro-Community Service  
Vivian Apache-Office Specialist  
P.O. Box 827  
Magdalena, NM 87825  
(575) 854-2686  
(575) 854-2685 - Fax

Scott Apachito  
Chapter President

Annabell Pino  
Vice-President

Angela Apache  
Secretary/Treasurer

George Apachito  
Council Delegate

Burton Apache  
Land Board Member

### RESOLUTION OF THE ALAMO NAVAJO CHAPTER RESOLUTION NO. ANC-04-16-09-III

Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### WHERE AS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10 (A) (2005), the Alamo Navajo Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local Governing power, to review and support activities benefitting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 N.T.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and To'hajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and;
5. The Chapter is strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange; and

#### THEREFORE BY IT RESOLVED THAT:

The Alamo Navajo Chapter, hereby, approves and supports the Navajo Nation's work and effort in federal legislation to restore certain BLM and POL-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

We hereby certify that the forgoing resolution was duly considered by the membership of Alamo Navajo Chapter at a duly called Chapter meeting in New Mexico, at which a quorum was presented and that the same was passed by a vote of 19 in favor, 1 opposed and 11 abstained, this 19 day of April, 09

Scott Apachito  
Scott Apachito-Chapter President

Angela Apache  
Angela Apache-Secretary/Treasurer

George Apachito  
George Apachito-Council Delegate

Annabell Pino  
Annabell Pino-Vice President

Burton Apache  
Burton Apache-Land Board

Motion: Bill Herrera

Second: Able Pino



**BAAHAAALI CHAPTER**  
P.O. Box 6118, Gallup, New Mexico 87805  
PHONE (505) 778-5788 or 778-5796  
FAX (505) 778-5916  
<http://breadsprings.nndes.org>



Isabelle Morgan  
Chapter President  
Benjamin Livingston  
Chapter Vice President  
Annie Descheny  
Chapter Secretary/Treasurer

Charles Damon II  
Council Delegate  
Ernest D. Yazzie Jr  
Council Delegate  
Emery Chee  
Land Board Member

BHC-07-09-03

**RESOLUTION OF THE BAAHAAALI CHAPTER**

**Approving and Supporting the Navajo Nation's Work and Effort on  
Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust**

**WHEREAS:**

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Baa'haali Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

Gloria M Skeet de Cruz  
Chapter Manager

Guarena M Adeky Skeets  
Administrative Assistant

Gloria M Skeet de Cruz  
Chapter Manager

Guarena M Adeky Skeets  
Administrative Assistant

Page 2: NELI

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

1. The Baa'haali Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

**CERTIFICATION**

We, hereby, certify that the foregoing resolution was duly considered by the Baa'haali Chapter at a duly called meeting in Baa'haali, Navajo Nation, New Mexico at which a quorum of Chapter Members was present and that the same was passed by a vote of 40 in favor, 0 opposed and 1 abstained this 14<sup>th</sup> day of July, 2009.

Chapter Official

Council Delegate

Motioned by: Ellen Jewellrman

Second by: Edison Brown

gmat



THE NAVAJO NATION



BENJAMIN BEGALLY  
President  
MARJORIE LANTANA  
Vice-President  
CHARLES LONG  
Secretary/Treasurer

HARRY HUBBARD  
Council Delegate  
CLARA J. DATE  
Community Services Coordinator  
CHRISTINA PLATERO  
Office Specialist

BECENTI CHAPTER

P.O. BOX 708 CROWNPOINT, NM 87313 PHONE: (505) 786-2283/2284 FAX: (505) 786-2285 www.becenti.nndes.org

RESOLUTION OF THE BECENTI NAVAJO CHAPTER  
RESOLUTION NO: BNC-JUL-09-058

TITLE: APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND  
EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND  
P.L.O-2198 LANDS TO NAVAJO TRIBAL TRUST.

WHEREAS:

1. Pursuant to Navajo Tribal Council Resolution CI-20-55 Becenti Navajo Chapter is a duly certified Chapter of the Navajo Nation and is vested with the authority to address and resolve local matters and issues in the best interest of the Chapter and Community members and coordinate with or refer appropriate subject matters to the Navajo Nation, Federal, State, County and Municipal governments; and
2. By Resolution CAP-34-98 the Navajo Nation Council enacted the Navajo Nation Local Governance Act and is codified in Title Twenty Six (26) of the Navajo Nation Code; and
3. The Local Governance Act recognizes governance at the local level which consequently delegates to Chapters certain governmental authority to deal with local matters consistent with Navajo law, custom and tradition and the Act clearly defines the executive and legislative functions of the Chapter including the duties and responsibilities of Chapter officials and Chapter administrators which are uniform with the Navajo Nation's policy of separation of powers and checks and balances; and
4. The Local Governance Act promotes local autonomy with a desired outcome of improved community decision making, excellent and flourishing communities, enabling local Navajo leaders to guide the community towards a prosperous future and improving the supremacy and sovereignty of the Navajo Nation and concurrently governing with responsibility and accountability to the local citizens; and
5. Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county and other local authorities and private interests throughout the Eastern Navajo Agency; and
6. Pursuant to the Federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and
7. The Becenti Navajo Chapter is cognizant of the numerous problems created by the differing land statutes in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and

8. The Becenti Navajo Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department and appropriate Navajo Nation Council Standing Committees to work towards the land consolidation goal; and
9. The Becenti Navajo Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislation Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Becenti Navajo Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Becenti Navajo Chapter approves and supports the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and P.L.O-2198 Lands to Navajo Tribal Status.

CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was considered by the people of the Becenti Navajo Chapter at a duly called meeting at Becenti, Navajo Nation, New Mexico at which a quorum was present and that the same was passed with a motion by *Peter Jordan*, seconded by *Jonathan Perry* with a vote of 21 in favor, 0 opposed and 5 abstention this 26<sup>th</sup> day of July 2009.

*Benjamin Begally*  
Benjamin Begally, Chapter President  
*Marjorie Lantana*  
Marjorie Lantana, Chapter Vice President  
*Charles Long*  
Charles Long, Chapter Secretary/Treasurer  
*Harry Hubbard*  
Harry Hubbard, Council Delegate

AUG 10 2009

AUG 10 2009



# Canoncito

## Canoncito Band of Navajos

P.O. Box 3398, Canoncito, New Mexico 87026  
Phone (505) 908-2732 / 908-2730 \*\* Fax (505) 908-2731

Raymond Secatero, President

Mark Begay, Vice President

Yvette Platero, Secretary/Treas.

Lawrence R. Platero, Council Delegate

RESOLUTION NO: TOH-09-09-09

### RESOLUTION OF THE CBN TOHAJILEE CHAPTER OF THE NAVAJO NATION

Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Land to Navajo Tribal Trust and Canoncito Band of Navajos Tribal Trust Land.

#### WHEREAS:

1. Pursuit to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the To'Hajiilee Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Whereas, the Canoncito Band of Navajos was granted by the United States Government certain lands in New Mexico to be held in trust for CBN by, the Act of August 13, 1949 and through this recognition the CBN/To'Hajiilee Chapter Government has provided services to the To'Hajiilee Public
3. Pursuit to 2 NN § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
4. Pursuit to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservation of Alamo, Ramah, and To'Hajiilee; and
5. the Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law, and range enforcement, land use Right-of-Way approval, much needed other land use approvals; and
6. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goals; and
7. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative; or "NELI", involving conversion of BLM and Public Land Order 2198 into trust status. As some of these land types are situated within the CBN/To'Hajiilee area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange,

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

1. The To'Hajiilee Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust; and
2. Further, the CBN strongly recommends that the BLM Lands acquired in the Canoncito/To'Hajiilee geographical area be converted into trust as Canoncito Band of Navajo Lands.

#### CERTIFICATION

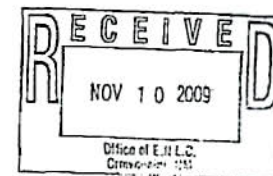
I hereby certify that the forgoing resolution was duly considered by the To'Hajiilee Chapter at a duly called meeting in To'Hajiilee, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of in 40 favor and 0 opposed, this 15<sup>th</sup> Day of September, 2009

Raymond Secatero, To'Hajiilee President

Yvette Platero, Secretary/Treasurer

Mark Begay, To'Hajiilee Vice-President

Lawrence Platero, Council Delegate





RESOLUITON OF THE CHICHILTAH CHAPTER  
030-04-09

Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

WHEREAS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10 (A) (2005), the Chichiltah Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC § 861 *et seq.*, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 *et seq.*, and Navajo Land Commission Plan by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committee to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative: or "NELI", involving conversion of BLM and Public Land Order 2198 Into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

RESOLUITON OF THE CHICHILTAH CHAPTER  
030-04-09

NOW THEREFORE BE IT RESOLVED THAT:

The Chichiltah Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

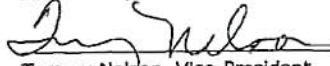
CERTIFICATION

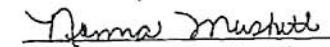
We hereby certify that the foregoing resolution was duly considered by the Chichiltah Chapter at a duly called meeting in Chichiltah, Navajo Nation (NM), at which a quorum was present, and the same day was passed by a vote of 60 in favor, 00 opposed, 00 abstained this 7<sup>th</sup> day of April, 2009.

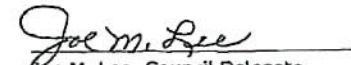
Motion: James Francisco


Second: Marlene Carlston

Jess Kirwin, President

  
Tommy Nelson, Vice-President

  
Norma Muskett, Secretary/Treasurer  
R. John, CSC

  
Joe M. Lee, Council Delegate

  
Kathleen Arviso



The Navajo Nation, Counselor Chapter House, Box #209, Counselor, NM 87018  
Phone and Fax #: (505)568-4311

Samuel Sage, Chapter President  
Harry Domingo Sr., Vice President  
Laura C. Lopez, Secretary/Treasurer

Harry J. Wellito, Council Delegate  
Community Service Coordinator  
Martha A. Aragon, Office Specialist

**RESOLUTION OF COUNSELOR CHAPTER  
COUNSELOR, NEW MEXICO  
COUN# 2009-04-001**

**RESOLUTION OF COUNSELOR CHAPTER APPROVING AND SUPPORTING THE  
NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO  
RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.**

**WHEREAS:**

1. Pursuant to 26 NNC Section 3(A) the Counselor Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at 11 NNC, part 1, section 10 and is delegated the authority to plan and implement community projects which will benefit the local residents, and
2. Pursuant to 26 NNC Section 861 *et seq.*, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian land Consolidation Act 1984, 25 U.S.C.2201 *et seq.*, and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. Counselor Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
5. Counselor Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. Counselor Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the chapter area, the is very supportive of NELI and thereby request federal authorities to act favorably of the exchange.

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

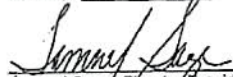
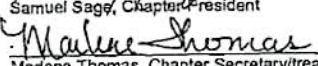
1. The Counselor Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo tribal trust.


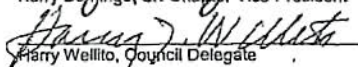
**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by the Counselor Chapter at a duly called meeting in Counselor, Navajo Nation, NM at which a quorum of chapter members was present and that the same passed by a vote of 27 in favor, 0 opposed, and 0 abstained this 7<sup>th</sup> day of April, 2009.

Motion: Samuel Julian

Second: Louise Herrera

  
Samuel Sage, Chapter President  
  
Marlene Thomas, Chapter Secretary/treas.

  
Harry Domingo, Sr. Chapter Vice-President  
  
Harry Wellito, Council Delegate

Elizabeth Stoney, Land Broad Member



## CROWNPOINT NAVAJO CHAPTER

Post Office Box 336  
Crownpoint, New Mexico 87313  
PHONE (505) 786-2130  
FAX (505) 786-2136  
WEBSITE: www.crownpoint.ndes.org



CHAPTER ADMINISTRATION  
Herman DeVore, Community Services Coordinator  
Delchena M. Dudley, Office Specialist  
EMAIL: crownpoint@navajo-chapters.org

MCGARRETT PABLO  
PRESIDENT

RITA M. CAPITAN  
VICE PRESIDENT

HELEN M. MURPHY  
SECRETARY/TREASURER

ALICE W. BENALLY  
COUNCIL DELEGATE

HERBERT ENRICO  
LAND BOARD MEMBER

### RESOLUTION OF THE CROWNPOINT CHAPTER of the Navajo Nation

#### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

#### WHEREAS:

1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Crownpoint Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and

2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and

3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and

4) The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and

5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and

6) The Community of Crownpoint is confronted with numerous community land use problems due to historic land leasing and permitting and control of certain lands not in the control of the Navajo Nation for self-determination. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land

types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Crownpoint Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

I hereby certify that the forgoing resolution was duly considered by the Crownpoint Chapter at a duly called meeting in Crownpoint, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of in 30 favor, 0 opposed and 4 abstained, this 12 day of May 2009.

McGarrett Pablo, President

Rita M. Capitan, Vice President

Helen M. Murphy, Secretary/Treasurer

Herbert Enrico, Land Board Member

Alice W. Benally, NN Council Delegate

Motion : Marcus Martin  
Second : Davey M. Morris



## HUERFANO CHAPTER # 91

P.O. BOX 968 • BLOOMFIELD, NEW MEXICO 87413 • (505) 325-1400 • FAX (505) 326-3044

### RESOLUTION OF HUERFANO CHAPTER

RESOLUTION # HUE-068-09

#### APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 TO NAVAJO TRIBAL TRUST

##### WHEREAS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Huerfano Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing power, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 N.N.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of Way approval, and much needed other land use approval; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange know as the "Navajo Exchange Land initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange; and
7. Successful Land exchanges within respective chapter boundaries, shall be utilized by affected respective chapter communities.

BEN WOODY JR.  
CHAPTER PRESIDENT  
  
DANNY SIMPSON  
COUNCIL DELEGATE

PAULINE McCAULEY  
CHAPTER VICE PRESIDENT  
  
LARRY J. BONNEY  
LAND BOARD

IRENE L. HARVEY  
SECRETARY & TREASURER  
  
VERONICA TSO  
LAND BOARD

PAGE 02 Resolution # HUE-069-09

NOW, THEREFORE BE IT RESOLVED THAT:

The Huerfano Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

C-E-R-T-I-F-I-C-A-T-I-O-N

I hereby certify that the foregoing resolution was duly considered by the Huerfano Chapter at a duly called meeting in Huerfano, Navajo Nation (NM), at which a quorum was present, and the same was passed by vote of 33 in favor, and 00 opposed, 03 abstentions, this 05<sup>th</sup> day of April, 2009.

Motion: Pauline McCauley  
Second: Dorothy Wero

Ben Woody Jr., Chapter President

Irene L. Harvey, Secretary/Treasurer

Pauline McCauley, Vice-President

Danny Simpson, Council Delegate



DOROTHY ROGERS  
PRESIDENT

CHARLENE J. BEGAY  
VICE PRESIDENT

LEONARD FRANCISCO, JR.  
SECRETARY / TREASURER



THE NAVAJO NATION

## IYANBITO CHAPTER



LAWRENCE T. MORGAN  
COUNCIL DELEGATE

WILBUR MURPHY, SR.  
LAND BOARD

P.O. Box 498, Ft. Wingate, New Mexico 87316 • PHONE: (505) 905-5650 FAX: (505) 905-6115

### RESOLUTION OF IYANBITO CHAPTER, #ICH67-05/09-003

May 15, 2009

#### "APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS OF THE NAVAJO NATION TRIBAL TRUST"

#### WHEREAS:

1. Pursuant to 2 N.T.C. Section 4002, The Iyanbito Chapter is a recognized Chapter of the Navajo Nation having the power and authority to approve and rescind resolutions enacted through its membership; and
2. Through the established Plan of Operation, the Iyanbito Chapter delegates its authority to the elected Chapter officers to enact plans that are in the best interest of the community; and
3. The Iyanbito Chapter has the authority to act on behalf of its community to recommend, support and approve community related projects; and
4. Pursuant to 2 NNC § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
5. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue to work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
6. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, land and range enforcement, land use Right-of-way approval, and much needed other land use approval; and
7. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
8. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversions of BLM and Public Land Order 2198 into Tribal Trust status. As some of these lands types are situated with the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

LOUISE M. MARIANO  
COMMUNITY SERVICE COORDINATOR

JOSEPHINE V. BAHE  
OFFICE SPECIALIST

#### NOW THEREFORE BE IT RESOLVED THAT:

1. The Iyanbito Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislative to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

We hereby certify that this foregoing resolution was duly considered by the Iyanbito Chapter at a duly called meeting at which a quorum was present and motion made by Arnold Collins and seconded by Merlene Charley and approved was passed with a vote of 25 in favor, 00 opposed and 01 abstained this 15<sup>th</sup> day of May, 2009

Dorothy Rogers, President

Charlene J. Begay, Vice President

Leonard Francisco, Jr., Secretary/Treasurer

Lawrence T. Morgan, Council Delegate

# LITTLEWATER CHAPTER

Post Office Box 1898  
Crownpoint, New Mexico 87313  
PHONE: (505) 786-2120  
FAX: (505) 786-2125



**CHAPTER ADMINISTRATION**  
Genevieve Castillo  
Chapter Manager  
Shauna A. Bebo  
Administrative Assistant  
Email: littlewaterchapter@yahoo.com

WEBSITE: [www.littlewaterchapter.ndes.org](http://www.littlewaterchapter.ndes.org)

George Jim  
President

Thomas Barbone  
Vice President

June Barbone  
Secretary/Treasurer

Hoskie Koo  
Council Delegate

Herbert Enrico, Sr.  
Land Board Member

## RESOLUTION OF

LITT-04-09-1184

### THE LITTLEWATER CHAPTER OF EASTERN NAVAJO AGENCY

#### APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLQ-2198 LANDS TO NAVAJO TRIBAL TRUST.

#### WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A) the Littlewater Chapter is a duly recognized certified chapters of the Navajo Nation Government, as listed at 11 N.N.C., part 1, section 10, and pursuant to 26 N.N.C., Section 1 (B) Littlewater Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions, and
2. Pursuant to 2 NNC § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout Eastern Navajo Agency; and
3. Pursuant to the Federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

1. The Littlewater Chapter of Eastern Navajo Agency, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

LITT-03-09-1184  
LITTLEWATER CHAPTER  
Page 2

## CERTIFICATION

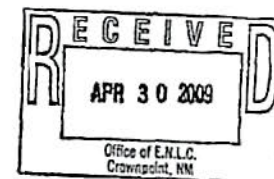
WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by and moved for adoption by Lathan Barbone, seconded by Peterson Enrico, thoroughly discussed and adopted by a vote of 30 in favor, 0 opposed and 0 abstained at a duly called meeting at Littlewater Chapter, Navajo Nation (New Mexico) on this 13<sup>th</sup> day of April 2009.

George Jim, Chapter President

Thomas Barbone, Chapter Vice-President

June Barbone, Secretary/Treasurer

Exhibit 4; Page 11







# MANUELITO (KIN HOZHONI) CHAPTER

Navajo Nation, State of New Mexico, County of McKinley  
c/o Manuelito Chapter - HCR57 Box 9069 • Gallup, NM 87301  
Chapter Phone: (505) 722-3073 • Fax: (505) 722-6060



## RESOLUTION OF THE MANUELITO CHAPTER Of the Navajo Nation

MANU-06-09- 46

### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

#### WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Manuelito Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Manuelito Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

Milton Davidson President  
Julia Ellison Vice-President  
Bertha Dahozzy Secretary/Treasurer  
Harriett K. Becenti Council Delegate  
Paulene F. McCabe Community Service Coordinator  
Kathleen Arviso Land Board Member

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Manuelito Chapter at a duly called meeting in Manuelito, New Mexico, Navajo Nation, McKinley County, at which a quorum was present, and the same was passed by a vote of 37 in favor, 0 opposed, 0 abstained this 14<sup>th</sup> day of June 2009.

First Motion: Mary Joe

Milton Davidson  
Milton Davidson, Chapter President

Second Motion: Marilyn Roanhorse

Julia Ellison  
Julia Ellison, Vice - President

Bertha Dahozzy  
Bertha Dahozzy, Secretary/Treasurer

Harriett K. Becenti  
Harriett K. Becenti, Council Delegate

Kathleen Arviso  
Kathleen Arviso, Land Board



**MARIANO LAKE CHAPTER**  
 PO BOX 164  
 Smith Lake, NM 87365  
 Phone (505) 786-2180/2182 Fax (505) 786-2181  
 Email: [marianolakechapter@yahoo.com](mailto:marianolakechapter@yahoo.com)

**RESOLUTION OF THE  
 MARIANO LAKE CHAPTER  
 Of the Navajo Nation**

**Approving and Supporting the Navajo Nation's Work and Effort on  
 Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust**

**WHEREAS:**

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Mariano Lake Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tóhajiilee; and
- 4) The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Mariano Lake Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

Anthony Begay, President

Leandra K. James, Vice-President

Bessie Trosie, Secretary/Treasurer

Young J. Tom, Council Delegate Edmund Henry, Land Board Member. Arthur J. Hood, Community Services Coordinator

**CERTIFICATION**

I hereby certify that the forgoing resolution was duly considered by the Mariano Lake Chapter at a duly called meeting at which a quorum was present, and move for adoption by Betty Johnson and seconded by Louise Mariano that same was passed by a vote of 29 in favor and 0 opposed, 3 abstained, this 12<sup>th</sup> day of July 2009.

Anthony Begay, Chapter President

**AUG 18 2009**



NAGEEZI CHAPTER  
Eastern Navajo Agency  
District 19

Dr. Joe Shirley Jr., Navajo Nation President

Ban Shelly, Navajo Nation Vice-President

RESOLUTION FY 09 #75

SUPPORTING RESOLUTION OF NAGEEZI CHAPTER

Approving and supporting the Navajo Nation's Work and Effort on Federal Legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Nageezi Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861 *et seq.*, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 *et seq.*, and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW THEREFORE BE IT RESOLVED THAT;

The Nageezi Chapter hereby approves and supports the Navajo nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

SUPPORTING RESOLUTION FY 09 #75, Page 2

CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING NAGEEZI CHAPTER RESOLUTION was thoroughly discussed at a duly called Chapter meeting at which a quorum was present and the same passed by a vote of 28 in favor, and 0 opposed, 3 abstained, this 5th day of June 2009

on a Motion by Eugene Harrison, Second by: Charles Sylvester

Ervin Chavez  
Mr. Ervin Chavez, Chapter President

Rory Jaques  
Mr. Rory Jaques, Vice President

J. Platero  
Ms. J. Platero, Chapter Secretary/Treas.  
cc: NC File, LGSC

Harry J. Willetto  
Mr. Harry J. Willetto, Council Delegate

NAHODISHGISH CHAPTER-NAVAJO NATION  
LOCAL GOVERNANCE SUPPORT CENTER  
P.O. BOX 369  
CROWNPPOINT, NEW MEXICO 87313-0369  
PHONE: 505-786-2028  
FAX: 505-786-2370



ALICE W. BENALLY, COUNCIL DELEGATE  
LLOYD MORGAN, CHAPTER PRESIDENT  
ERVIN K. JOHNSON, CHAPTER VICE-PRESIDENT  
NELLIE BARBONE, CHAPTER SECRETARY/TREASURER  
CHEE B. THOMPSON, LAND BOARD MEMBER  
EDDIE MORGAN, COMMUNITY SERVICE COORDINATOR  
FELICIA A. JOHN, OFFICE SPECIALIST

Joe Shirley, Jr., PRESIDENT

Ben Shelly, VICE-PRESIDENT

RESOLUTION OF NAHODISHGISH CHAPTER OF THE NAVAJO NATION  
NO.: NAHO-JULY-09-33

APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL  
LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.

WHEREAS:

1. Pursuant to 26 N.N.C § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Nahodishgish Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and /or Federal, State and local agencies for the benefit of the chapter; and
2. Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main parts of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Chapter is informed about the potential and exchange known as the "Navajo Exchanged Legislative Initiative", or "NELI" involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and there by requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

The Nahodishgish Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

I hereby certify that the forgoing resolution was duly considered b the Nahodishgish Chapter at a duly called meeting in Nahodishgish, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 26 in favor and 0 opposed, this 16<sup>th</sup> day of July 2009.

Motion: Chee Bobby Thompson

Second: Martha Morgan

*Lloyd Morgan*  
Lloyd Morgan, Chapter President

*Ervin K. Johnson*  
Ervin K. Johnson, Vice President

*Nellie Barbone*  
Nellie Barbone, Secretary/Treasurer

*Alice W. Benally*  
Alice W. Benally, Council Delegate





**THE  
NAVAJO  
NATION**

OJO ENCINO CHAPTER  
HCR 79, BOX 1300, CUBA, NEW MEXICO 87013  
PHONE: (505) 731-2263 FAX: (505) 731-1516

**RESOLUTION OF THE OJO ENCINO CHAPTER OF THE NAVAJO NATION  
RESOLUTION OJO 10-04-09/003**

**Approving and Supporting the Navajo Nation's Work and Effort on Federal  
Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Nation Tribal  
Trust.**

**WHEREAS:**

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), The Ojo Encino Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 N.N.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-Of-Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Ojo Encino Chapter, hereby, approves and supports the Navajo Nation's work and effort of federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

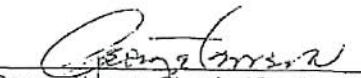
**CERTIFICATION**

We hereby certify that the foregoing Resolution was duly considered by the Ojo Encino Chapter at a duly called meeting in Ojo Encino Chapter, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 32 in favor, and 00 opposed, and 03 abstained, this 10<sup>th</sup> day of April, 2009.

MOTIONED BY: WATSON CASTILLO

SECOND BY: SUE BARBONE

  
Roger Toledo, Chapter President

  
George Herrera, Chapter Vice President

  
Brandon Sam Chapter Sec./Treasurer

  
Elizabeth Stoney, Chapter Land Board

RAMAH NAVAJO CHAPTER  
HCR 61, Box 13 Ramah, New Mexico 87321-9601  
(505) 775-7140/42  
FAX: (505) 775-7137

Rodger Martinez  
President

Frank E. Paul  
Vice-President

Dixie M. Begay  
Secretary/Treasurer



Resolution of the Ramah Navajo Chapter  
No. 040914

Cecil F. Eriacho  
Council Delegate  
Navajo Nation Council

Roy Chap Martinez  
Member  
Eastern Navajo Land Board

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Ramah Navajo Chapter at a duly called meeting in Ramah, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of in 32 favor and 0 opposed, this 27th day of April, 2009.

Rodger Martinez, President

Dixie M. Begay, Secretary/Treasurer

Frank E. Paul, Vice President

Cecil F. Eriacho, Council Delegate

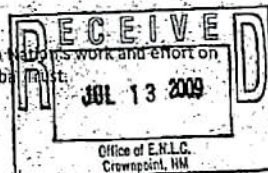
Approving the Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore  
Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10 (A) (2005), the Ramah Chapter ("the chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the chapter; and,
- 2) Pursuant to 2 N.N.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and,
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservation of Alamo, Ramah, and Tohajiilee; and,
- 4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Right-of-Way approval, and much needed other land use approvals; and,
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and,
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

The Ramah Navajo Chapter, hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.



Motion: Douglas Henio  
Second: Clarence Bob





**THE  
NAVAJO  
NATION**

## RED ROCK COMMUNITY CHAPTER

(5 Miles South of Gallup)  
P.O. Box 2548  
Gallup, NM 87305  
(505) 726-8071/8135 FAX # (505) 726-1049

Charles Lee, President  
Ray Jack, Vice-President  
Grace Boyne, Secretary/Treasurer

### Resolution of the Red Rock Chapter

Ida M. Nelson, Council Delegate  
Jimmie Yazzie, Community Service Coordinator  
Justina Daye, Office Specialist

RRC-016-2009- 16

#### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO 2198 Lands to Navajo Tribal Trust

#### WHEREAS:

1. Pursuant to 26 N.N.C. Subsection 3(A) (2005) and 11 N.N.C. Subsection 19(A), the Red Rock Chapter ("The Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC Subsection 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights of Way approval, much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI" involving conversation of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

1. The Red Rock Chapter, hereby approves and supports the Navajo Nation's work and efforts on federal legislation to restore certain BLM and PLO 2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Red Rock Chapter at a duly called meeting in Red Rock, Navajo Nation, New Mexico at which a quorum was present and that the same was passed by a vote of 27 in favor, 0 opposed and 2 abstained, this May 17, 2009.

Motioned by: Alice Begay

*Alice Begay*

Charles B. Lee, Chapter President

*Grace M. Boyne*

Grace M. Boyne, Chapter Secretary/Treasurer

Seconded by: Sadie Lewis

*Sadie Lewis*

Ray Jack, Chapter Vice President

*Ida M. Nelson*

Ida M. Nelson, Council Delegate

AUG 21 2009

AUG 12 2009





# ROCK SPRINGS CHAPTER

(TSA - CHIZZIE)  
P.O. BOX 4608 YAH-TA-HEV, NEW MEXICO 87375  
PHONE: (505) 371-5100 FAX: (505) 371-5103  
E-mail: rocksprings@navajochapters.org



RSC-08-19-287

## RESOLUTION OF THE ROCK SPRINGS CHAPTER Eastern Navajo Agency District # 16

### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and BPO-2198 Lands to Navajo Tribal Trust

#### WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3(A)(2005) and 11 N.N.C. § 10(A)(2005), the Rock Springs Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 N.N.C. § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of restoring land related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the Federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMV-23-88, which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the multiphase of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramoth, and Tobiinille; and
- 4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency of non-tribal human services, law and range, agriculture, and the Agency of Navajo land, which needed other land use approvals; and
- 5) The Chapter strongly encourages the United States and Commission, the Navajo Land Department, and approve the Navajo Nation Council standing committees to work towards the land consolidation; and
- 6) The Chapter is informed about the potential land exchange known as the Navajo Exchange 1 legislative initiative, for NEPA, involving conversion of BLM and Public Land Order 2198 into Tribal Trust Lands (ATL) some of these land types are situated within the Chapter area. The Chapter is very supportive of NEPA and thereby requests federal authorities to act in favor of the exchange.

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

The Rock Springs Chapter hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and BPO-2198 Lands to Navajo Tribal Trust.

<b>TULLY KAYWOOD</b> PRESIDENT	<b>DEBRA RICHIE</b> VICE PRESIDENT	<b>JUSTELONG</b> SECRETARY/TREASURER	<b>HARVEY RICHIE</b> COUNCIL SECRETARY
<b>BENAY RICHIE</b> LAND BOARD MEMBER	<b>TONY K. WATSON</b> COMMITTEE SERVICE COORDINATOR		<b>BLANCKE DAVIS</b> OFFICE SPECIALIST

## CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Rock Springs Chapter at a duly called meeting in Rock Springs, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 12 in favor, 2 opposed, and 0 abstentions on this 19<sup>th</sup> day of August, 2009.

Dale Haswood  
Dale Haswood, Presiding Chamberlain

Monte Tuley  
Motion

Tony Hood  
Second

AUG 21 2009





THE NAVAJO NATION  
STANDING ROCK CHAPTER  
PO BOX 247  
CROWNPOINT, NEW MEXICO 87313  
(505) 786-2247/2248  
FAX NO.: (505) 786-2249

STANDING ROCK CHAPTER  
RESOLUTION NO: STAN.0609.4000  
PAGE TWO (02)

NOW, THEREFORE BE IT RESOLVED THAT:

The Standing Rock Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

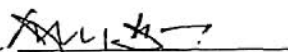
RESOLUTION OF THE STANDING ROCK CHAPTER  
RESOLUTION NO.: STAN.0709.4000

CERTIFICATION

I HEREBY certify that the foregoing resolution was duly considered by the Standing Rock Chapter at which a quorum was present and that same was passed by a vote of 37 in favor, 00 opposed and 06 abstained, this 21<sup>st</sup> day of April, 2009.

Motion by: Jimson Joe

Second by: Marjorie Dodge

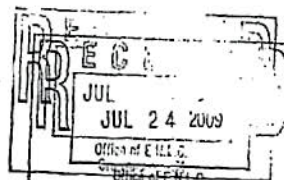
  
Johnny Johnson, Chapter President  
STANDING ROCK CHAPTER

Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

WHEREAS:

1. Pursuant to 26 NNC § 3(A) (2005), the Standing Rock Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the chapter community, and to make recommendations to the Navajo Nation and /or federal, state, and local agencies for the benefit of the chapter; and
1. Pursuant to 2NNC § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
2. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajilee; and
3. The Standing Rock Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
4. The Standing Rock Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo nation Council Standing committees to work towards the goals set forth in the land consolidation plan; and
5. The Standing Rock Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative" or "NELI" involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. The chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

Exhibit 4; Page 20





President of The Navajo Nation  
Dr. Joe Shirley Jr.

**THE NAVAJO NATION  
THOREAU CHAPTER**

PO BOX 899 THOREAU NM 87323  
Phone: (505) 862-0139 • Fax: (505) 862-7150  
thoreau@navajochapters.org

Vice President of The Navajo Nation  
Ben Shelly



Valerie Vigil-President  
Anita David-Vice President  
Virginia Yazzie-Secretary/Treasurer

Edmund Yazzie-Council Delegate  
Bobby Delgario-Land Board  
Brenda Martinez-Office Specialist

**RESOLUTION OF THE THOREAU CHAPTER  
OF THE NAVAJO NATION**

TCH-074-09-67

Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation  
To Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

**WHEREAS:**

1) Pursuant to 26 N.N.C. 3(A)(2005) and 11 N.N.C. 10(A)(2005), the Thoreau Chapter (the Chapter) is a recognized local government entity of the Navajo Nation established and duly certified by the Navajo Nation Council to exercise Certain local governing powers to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or Federal, State, and local agencies for the benefit of the Chapter; and

2) Pursuant to 2 MMC 861 et seq., the Eastern Navajo Land Commission was Established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county and other local authorities and private interests throughout the Eastern Navajo Agency; and

3) Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and

4) The Chapter is cognizant of the numerous problems created by the differing Land statuses in the Eastern Navajo Agency, such as for programmatic human Services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and

5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and

6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are Situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Thoreau Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

**CERTIFICATION**

I hereby certify that the forgoing resolution was duly considered by the Thoreau Chapter at a duly called meeting in Thoreau NM, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 24 in favor 0 opposed this 19th day of April, 2009.

Motion: Tom Long Sr. Second: Charley Long Sr.

Valerie Vigil  
Valerie Vigil, Chapter President

Anita David  
Anita David, Vice President

Virginia Yazzie  
Virginia Yazzie, Secretary/Treasurer

Edmund Yazzie  
Edmund Yazzie, Chapter Council Delegate





# THE NAVAJO NATION

TORREON/STAR LAKE CHAPTER

P.O. BOX 1024 • CUBA, NEW MEXICO 87013 • (505) 731-2336 - Fax# 505-731-1514



Dave B. Rico Council Delegate Leonard Tsoic Council Delegate Joe L. Cayaditto, Jr. President Marlene Waukazoo Vice President Evangeline Tachine Secretary/Treasurer Sherwood Willets Landboard Wally Toledo Coordinator Alberta Ballard Office Specialist

## RESOLUTION OF TORREON/STAR LAKE CHAPTER TSL 05/2009-059-086

### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

#### WHEREAS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Torreon/Star Lake Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local government powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC § 861 et seq., the Eastern Navajo Land Commission was established for purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, and identification of the Navajo Land Consolidation Plan approved by Resolution CMY -23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajilee; and
4. The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, from programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative" or "NELI", involving conversion of BLM and Public Land Order 2198 in Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

1. The Torreon/Star Lake Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Torreon/Star Lake Chapter at a duly called meeting at Torreon Navajo Chapter house, of the Navajo Nation NM, at which quorum was present and that same was Motioned by: Ida Mae Jack and Seconded by: Marie Harold and adopted by: vote of 47 in favor and 0 opposed and 0 abstained on this 6<sup>th</sup> day of May, 2009.

Joe L. Cayaditto Jr., President  
Torreon/Star Lake Chapter

Marlene R. Waukazoo, Vice President  
Torreon/Star Lake Chapter

Evangeline Tachine, Secretary/Treasurer  
Torreon/Star Lake Chapter



# Tséyaat'ó Ałah Ná'ádleeh Nahat'á Bee Oonish

RESOLUTION OF THE  
TSAYATOH CHAPTER  
Of the Navajo Nation  
Resolution No. Tsay-07-09-01

## Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

### WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Tsayatoh Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

### NOW, THEREFORE BE IT RESOLVED THAT:

The Tsayatoh Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

### CERTIFICATION

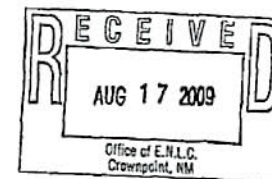
I hereby certify that the forgoing resolution was duly considered by the Tsayatoh Chapter at a duly called meeting in Tsayatoh Multipurpose Building, Navajo Nation  
Box 86 • Mentmore, New Mexico • Telephone: (505) 905-2649 • Facsimile: (505) 905-0537

(NM), at which a quorum was present, and the same was passed by a vote of in 29 favor and 00 opposed, this day of 21st day of July 2009.

David Lee, Presiding Chairperson

Motion: Charley Thomas  
Second: Lee Jim

Ref: Resolution No. Tsaya-07-02-01





WHITEHORSE LAKE CHAPTER  
EASTERN NAVAJO AGENCY  
HCR-79 BOX 4069  
CUBA, NEW MEXICO 87013  
PHONE NO.: (505) 655-5430/5431  
FAX NO.: (505) 655-5432

Website: [whitehorselake@nndes.org](mailto:whitehorselake@nndes.org)

Joe Shirley Jr., Navajo Nation President



THE RESOLUTION OF  
WHITEHORSE LAKE CHAPTER  
THE NAVAJO NATION

David Rico, Delegate  
Leonard Tsosie, Council Delegate  
Howard Martinez, Land Board Member  
Andrew Jim, President  
Travis Begaye, Vice President  
Roslyn Smith, Sec/Treasurer  
Bobby Tsosie, Chapter Coordinator  
Lana Celamity, Office Specialist  
Ben Shelby, Navajo Nation Vice President

SUBJECT:

NO. RESWHL-05-19-09-080

APPROVING/SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON  
FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO  
THE NAVAJO NATION TRUST.

WHEREAS:

1. Pursuant to 26 N.N.C. & 3(A) (2005) and 11 N.N.C. & 10(A) (2005), the Whitehorse Lake Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and,
2. Pursuant to 2 N.N.C. & 861 et. seq. the Eastern Navajo Land Commission was established for the purpose of coordinating efforts resolving land related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and,
3. Pursuant to the Federal Indian Land Consolidation Act of 1984, 25 U.S.C. & 2201 et seq., and Navajo Land consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and,
4. The Whitehorse Lake Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Right of Way approval, and much needed other land use approvals; and,
5. The Whitehorse Lake Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and,
6. The Whitehorse Lake Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM

and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

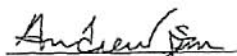
The Whitehorse Lake Chapter hereby approves and supports the Navajo Nation's work and effort of federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.


CERTIFICATION

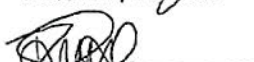
WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY  
CONSIDERED BY THE WHITEHORSE LAKE CHAPTER, NAVAJO NATION (NM),  
AT WHICH A QUORUM WAS PRESENT, AND THE SAME WAS PASSED BY A  
VOTE OF 27 IN FAVOR, 00 OPPOSED, AND 00 ABSTAINED, ON THIS 19<sup>TH</sup> DAY  
OF MAY 2009.


MOTIONED BY CHEE SMITH, JR.

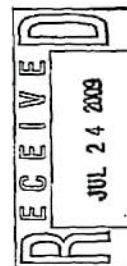
SECONDED BY ART CHAVEZ.

  
Andrew Jim, President

  
Travis Begaye, Vice President

  
Roslyn Smith, Secretary/ Treasurer

  
Howard Martinez, Land Board Member





## Baca/Prewitt Chapter

Cecil Lewis Jr., President  
Hoskie Largo, Vice President  
Cindy V. Howe, Secretary-Treasurer  
Hoskie Kee, Council Delegate  
Relda Martinez, C.S.C.  
Bobby Delgarito, Land Board



## CASAMERO LAKE CHAPTER

P.O. BOX 549  
PREWITT, NEW MEXICO 87045  
PH: (505) 786-2457 \* FAX: (505) 786-2455



PRESIDENT: Femle Yozzie	VICE PRESIDENT: Limbert Largo, III	SECRETARY / TREASURER: Ken Garcia	COORDINATOR: Sharon Wellito	COUNCIL DELGATE: Hoskie Kee	LAND BO: Bobby Del
----------------------------	---------------------------------------	--------------------------------------	--------------------------------	--------------------------------	-----------------------

### RESOLUTION OF THE BACA/PREWITT CHAPTER

BPC/09/04/267

### APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST

#### WHEREAS:

1. The Baca/Prewitt Chapter is a certified Chapter local Government unit of the Navajo Nation and is authorized by N.N.C. 4001 and 4028(a) to review and promote matters that effect the local community and to ensure appropriate recommendations are made to the Navajo Nation, Federal, State, County and local agencies for consideration and/or approval; and
2. Pursuant to 2 NNC § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with Federal, State, County and other local authorities and private interest throughout the Eastern Navajo Agency; and
3. Pursuant to the Federal Indian Land Consolidation Act of 1984, 25 USC § 2001 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Baca/Prewitt Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Right-of-Way approval, and much needed other land use approvals; and
5. The Baca/Prewitt Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Baca/Prewitt Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests Federal authorities to act favorably of the exchange.

#### NOW THEREFORE BE IT RESOLVED:

1. The Baca/Prewitt Chapter hereby approves and supports the Navajo Nation's work and effort on Federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Baca/Prewitt Chapter at a duly called meeting in Prewitt, NM, Navajo Nation, at which a quorum was present and moved for adoption by Kathy Evans seconded by Delores Delgarito, and the was same passed a vote of 25 in favor 0 opposed 0 abstained on this 29<sup>th</sup> day of April, 2009.

Cecil Lewis Jr., President

Cindy Howe, Secretary/Treasurer

Post Office Box 563 Prewitt, New Mexico 87045  
Phone: (505) 876-9917 Fax: (505) 285-4221

### Resolution of the Casamero Lake Chapter Of Navajo Nation

### Approving and Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

#### WHEREAS:

- (1) Pursuant to 26 N.N.C. & 3(A) (2005) and 11 N.N.C. & 10(A), the Casamero Lake Chapter is a recognized local government entity of the Navajo Nation established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- (2) Pursuant to 2 N.N.C. & 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interest throughout the Eastern Navajo Agency; and
- (3) Pursuant to the Federal Indian Land Consolidation Act of 1984, 25 U.S.C. & 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservation of Alamo, Ramah, and Tohajiilee; and
- (4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Right-of-Way approval, and much needed other land use approvals; and
- (5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
- (6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby request federal authorities to act favorably of the exchange.

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

The Casamero Lake Chapter hereby, approves and supports the Navajo Nation's work and efforts on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Casamero Lake Chapter at a duly called meeting in Casamero Lake, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 26 in favor and 0 opposed, 11 this day of June 11, 2009.

Femle Yozzie President

Limbert Largo Vice President

Ken Garcia Secretary/Treasurer

Sharon Wellito Coordinator



Dr. Joe Henry  
NN President

# THE NAVAJO NATION

NN Vice-President

## CHURCHROCK CHAPTER

P.O. Box 549 • CHURCHROCK, NEW MEXICO 87311

Phone: (505) 905-5949 • Fax: (505) 905-6561

Email: Churchrock@ndes.org

www.churchrockandco.org

Johannie Henry Jr., PRESIDENT  
Robbison Kelly, VICE-PRESIDENT  
Louise Jim, SECRETARY/TREASURER

Emert D. Yazzie Jr., COUNCIL DELEGATE  
Charles S. Damon II, COUNCIL DELEGATE  
Emery Chee, LAND BOARD MEMBER

Brian H. Chee, COMMUNITY SERVICES COORDINATOR

Desanna Washee, OFFICE SPECIALIST

### RESOLUTION OF THE CHURCHROCK CHAPTER CRC-090719-C

#### APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.

##### WHEREAS:

- 1.) Pursuant to Sections 1.B and 2.22 of the Navajo Nation Local Governance Act, the Churchrock Chapter is established to make decisions about local government matters, to conduct local government operations and to provide for the general health, safety and welfare of its membership; and
- 2.) Pursuant to 2 NNC Sec. 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3.) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution No. CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4.) The Churchrock Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, land and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5.) The Churchrock Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Standing Committees to work towards the land consolidation goal; and
- 6.) The Churchrock Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative initiative" or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust Status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

##### NOW THEREFORE IT BE RESOLVED THAT:

The Churchrock Chapter hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

##### CERTIFICATION

I, the undersigned, hereby certify that the foregoing resolution was presented to the Churchrock Chapter, at a duly called meeting at which a quorum was present, and it was approved by a vote of 54 in favor, 00 opposed, with 04 abstaining at Churchrock (Navajo Nation), New Mexico on the 22<sup>nd</sup> of June 2009.

Main Motion: Larry King

Seconded by: Elizabeth Whitman

Johannie Henry Jr., President

6002 Q.I. 8



The  
Navajo  
Nation

## LAKE VALLEY CHAPTER

P.O. Box 190

Crownpoint, NM 87313

Phone No.: 505/786-2190

Fax No.: 505/786-2192

E-mail: lakevalley@navajochapters.org

Website: www.lakevalley.ndes.org

Tony Padilla, President  
Edison P. Tso, VP  
Betty S. Dennison, STJ  
Milanda C. Yazzie, CBL  
Harold Ponder, OS  
Harry Hubbard, CD  
Lay Clayton, LB

Joe Shirley, Jr., President

Ben Shelly, Vice President

LVC-JUL12-541

### RESOLUTION OF LAKE VALLEY CHAPTER

#### APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE LAKE VALLEY COMMUNITY BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.

##### WHEREAS:

1. Lake Valley Chapter is a certified Navajo Nation Chapter Government, pursuant to Navajo Nation Council Resolution CJ-20-55, pursuant to 26 N.N.C., Section 3 (A) and listed at 11 N.N.C., part 1, section 10(A) (2005);
2. Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission (ENLC) was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency (ENA); and
3. Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the ENA area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Lake Valley Chapter is cognizant of the numerous problems created by the differing land statuses in the ENA from programmatic human services, law and range enforcement, land use Rights-Of-Way approval, much needed other land use approvals; and
5. Lake Valley Chapter strongly encourages the ENLC, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
6. The Lake Valley Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

##### NOW THEREFORE BE IT RESOLVED THAT:

1. Lake Valley Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore Lake Valley Community BLM and PLO-2198 Lands to Navajo Tribal Trust.

##### CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Lake Valley Chapter at a duly called chapter meeting at Lake Valley (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a vote of 26 in favor, 1 opposed and 1 abstained on this 12<sup>th</sup> day of July 2009.

Motion by Tabitha Harrison and seconded by Latoya Eagle Feather.

Tony Padilla, Chapter President

Edison P. Tso, Vice President

Betty S. Dennison, Secretary/Treasurer

Harry Hubbard, Council Delegate



RESOLUTION OF PINEDALE CHAPTER  
of the Navajo Nation  
PDC-04-09-080

Approving and Supporting the Navajo Nation's Work and Effort on  
Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Nation Tribal Trust

WHEREAS:

- 1) Pursuant to 26 N.N.C. § 3 (A) (2005) and 11 N.N.C. § 10(A) (2005), the Pinedale Chapter is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
- 2) Pursuant to 2 N.N.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue to work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Rights-of-Way approval, and much needed other land use approvals; and
- 5) The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
- 6) The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these lands types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.


NOW, THEREFORE BE IT RESOLVED THAT:

The Pinedale Chapter, hereby, approves and supports the Navajo Nation's work and effort on federal legislative to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Pinedale Chapter at a duly called meeting in Pinedale, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 42 in favor and 00 opposed, 04 abstained, this 27<sup>th</sup> day of April 2009.

Motion: Willie Norton  
Second: Roger B. Johnson

  
Anselm Morgan, Pinedale Chapter President

Dave Rico, Council Delegate  
Leonard Tsosie, Council Delegate  
Frank Chee Willetto, President  
Frankie Lopez, Vice-President  
Rena Murphy, Secretary/Treasurer  
Sammie Jim, Community Services Coordinator  
Pauline Joe, Office Specialist  
Joe Shirley Jr., President

THE NAVAJO NATION  
Pueblo Pintado Chapter  
HCR 79 Box 3026  
Cuba, New Mexico 87013  
Phone#: 505-655-3221  
Fax#: 505-655-5410

Ben Shelly, Vice-President

PPC-05-09-056

RESOLUTION OF  
PUEBLO PINTADO CHAPTER  
EASTERN NAVAJO AGENCY  
DISTRICT #15

APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION  
TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST.

WHEREAS:

1. Pursuant to 26 N.N.C. § 3(A) (2005) and 11 N.N.C. § 10(A) (2005), the Pueblo Pintado Chapter ("the Chapter") is a recognized local government entity of the Navajo Nation, established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 N.N.C. § 861 et seq., the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interest throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land Consolidation Act of 1984, 25 U.S.C. § 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and range enforcement, land use Right-of-Way approval, and much needed other land use approvals; and
5. The Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:

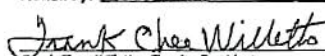
1. The Pueblo Pintado Chapter, hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION


WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION was duly considered by the Pueblo Pintado Chapter at a duly called meeting in Pueblo Pintado, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of 16 in favor, 00 opposed and 00 abstained, this 16<sup>th</sup> day of May 2009.

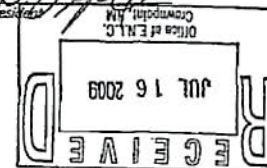
Motion by: Herbert Antonio

Seconded by: Annie Elcity

  
Frank Chee Willetto, Chapter President

  
Frankie Lopez, Vice-President

  
Rena Murphy, Secretary/Treasurer







# **SMITH LAKE CHAPTER** **The Navajo Nation**

P.O. Box 60 Smith Lake, New Mexico 87365 Phone: 505.785.2138/2141 Fax: 505.785.2143 Email: smithlakechapter@yahoo.com

Joe Shirley, Jr., NN President

Ben Shelly, NN Vice President

Young J. Tom, Sr., Council Delegate

## **RESOLUTION OF THE SMITH LAKE CHAPTER** **073-09-0059**

"THE SMITH LAKE APPROVING AND SUPPORTING THE NAVAJO NATION'S WORK AND EFFORT ON FEDERAL LEGISLATION TO RESTORE CERTAIN BLM AND PLO-2198 LANDS TO NAVAJO TRIBAL TRUST"

### **WHEREAS:**

1. Pursuant to 26 N.N.C. 3 (A) (2005) and 11 N.N.C. 10 (A) (2005), the Smith Lake Chapter is a recognized local government entity of the Navajo Nation established and duly certified by the Navajo Nation Council to exercise certain local governing established and duly certified by the Navajo Nation Council to exercise certain local governing powers, to review and support activities benefiting the Chapter community, and to make recommendations to the Navajo Nation and/or federal, state, and local agencies for the benefit of the Chapter; and
2. Pursuant to 2 NNC 861 et seq., the Eastern Navajo Land commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
3. Pursuant to the federal Indian Land consolidation Act of 1984, 25 U.S.C. 2201 et seq., and Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
4. The Chapter is cognizant of the numerous problems created by the differing land statuses in the Eastern Navajo Agency, such as for programmatic human services, law and ranger enforcement, land use Right-of-Way approval, and much needed other land use approvals; and
5. The Chapter Strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goals set forth in the land consolidation plan; and
6. The Chapter is informed about the potential land exchange known as the "Navajo Exchange Land Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably o the exchange.

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

1. The Smith Lake Chapter supports the Navajo Nation's work and effort on Federal Legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.
2. The Smith Lake Chapter strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the goal set forth in the Land consolidation

### **CERTIFICATION**

We hereby certifies that the foregoing resolution was duly considered at a duly called Chapter Meeting by the Smith Lake chapter Navajo Nation, New Mexico at which a quorum was present that same was passed by a vote of In favor 20 opposed 0 abstained 4 on the 17<sup>th</sup> day of Sept. 2009

*Bobby J. Willie*  
Bobby J. Willie, President  
*Pearl T. (Wagner) Henry*  
Pearl T. (Wagner) Henry, Vice President  
*Irene Marble*  
Irene Marble, Secretary/Treasurer

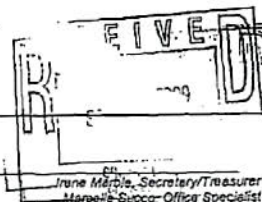
Motioned by: *Rachel Ration*

Seconded by: *Darren Moses*

Bobby J. Willie, President  
Edmund J. Henry Jr., Land Board Member

Pearl T. (Wagner) Henry, Vice-President  
Rachel Billy, Community Services Coordinator

Irene Marble, Secretary/Treasurer  
Marcelle Suoco, Office Specialist



White Rock Chapter  
P.O. Box 680  
Crownpoint, New Mexico 87313  
Phone: 505.785.2444/2443  
Fax: (505) 785-2447  
Email: whiterockchapter@7313@yahoo.com  
Website: http://WhiteRock.ndes.org/

Harry Hubbard, Council Delegate  
Lucinda Henry, President  
Herbert Benally, Vice President  
Corrine Johnson, Secretary/Treasurer  
Norman Henry, Grazing Committee  
Gilbert Roger, Community Services Coordinator  
Jerold R. Manuella, Office Specialist

Joe Shirley, Jr.  
President

Ben Shelly  
Vice President

## **RESOLUTION OF THE WHITE ROCK CHAPTER**

**WRC-009-157**

### **Supporting the Navajo Nation's Work and Effort on Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust**

### **WHEREAS:**

1. White Rock Chapter is a duly recognized and certified local government of the Navajo Nation Government, pursuant to 2 N.N.C., Section 4001; and
2. White Rock Chapter is vested with the authority to review and the responsibilities to address and act on the best interest and welfare of its residents, pursuant 2 N.N.C., Section 4028(a); and
3. Pursuant to 2 N.N.C., Section 861, The Eastern Navajo Land commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
4. According to the Federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88, the Navajo nation has made efforts and intends to continue working towards consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah and Tohajiilee; and
5. White Rock Chapter is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
6. White Rock strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
7. White Rock Chapter is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative" or "NELI" involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. As some of these land types are situated within the Chapter area, the Chapter is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

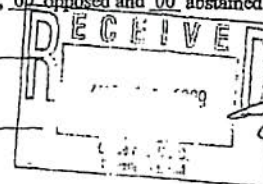
1. White Rock Chapter hereby approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

### **CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by White Rock Chapter at a duly called meeting at White Rock Chapter, Navajo Nation, at which a quorum was present and that the same was passed by a vote of 27 favor, 00 opposed and 00 abstained on this 19<sup>th</sup> day of August 2009.

*Lucinda Henry*  
Lucinda Henry, President

Harry Hubbard, Council Delegate



*Herbert Benally*  
Herbert Benally Vice President

Corrine Johnson, Sec/Treasurer



NAVAJO NATION DEPARTMENT OF AGRICULTURE  
EASTERN LAND BOARD OFFICE  
EASTERN NAVAJO AGENCY

P.O. Box 1873 • Crownpoint, New Mexico 87313 • (505) 786-2150 FAX (505) 786-2017

Emory Chee  
Chairperson

Henry Hudson  
Vice-Chairperson

Vernica Pablo-Tso  
Secretary

RESOLUTION OF THE  
EASTERN AGENCY JOINT LAND BOARD

Approving and Supporting the Navajo Nation's Work and Effort on  
Federal Legislation to Restore Certain BLM and PLO-2198 Lands to Navajo Tribal Trust

WHEREAS:

- 1) The Eastern Agency Joint Land Board was duly established as a representative entity of the Navajo Nation by the Navajo Nation Council and comprised of the members of the District Land Boards for each of the land management districts in the Eastern Navajo Agency. Pursuant to 3 NNC §§ 232, 234, 241-242 (2005), the District Land Boards and the Eastern Agency Joint Land Board are empowered to oversee and provide management guidance for grazing and range lands in the Eastern Navajo Agency; and
- 2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Board is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5) The Board strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6) The Board is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. The Board, itself, has been involved with Navajo Nation-BLM-BIA Tri-Party Agreement talks since the 1980s to resolve land use issues as well as work out exchange measures so the consolidation efforts could be realized, and to that end, the Board is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

NOW, THEREFORE BE IT RESOLVED THAT:  
The Eastern Agency Joint Land Board, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Eastern Agency Joint Land Board at a duly called meeting in Crownpoint, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of in 17 favor, 0 opposed, and 1 abstained, this 26th day of May, 2009.

  
Henry Hudson, Presiding Chairperson

Motion : Bobby Delgarito  
Second : Elizabeth W. Stoney



**RESOLUTION OF THE  
EASTERN NAVAJO AGENCY COUNCIL  
ENAC - 06-09-007**

**Approving and Supporting the Navajo Nation's Work and Effort of Federal Legislation to Restore  
Certain BLM and PLO-2198 Lands to Navajo Tribal Trust**

**WHEREAS:**

- 1) The Eastern Navajo Agency Council (the "Council") is comprised of duly elected officials among the thirty-one chapters of the Eastern Navajo Agency having the power and authority to consider, approve, and support by resolution activities and proposals benefiting the people of and communities of the Eastern Navajo Agency; and
- 2) Pursuant to 2 NNC § 861, the Eastern Navajo Land Commission was established for the purpose of coordinating efforts of resolving land-related issues with federal, state, county, and other local authorities and private interests throughout the Eastern Navajo Agency; and
- 3) Pursuant to the federal Indian Land Consolidation Act of 1984 and identification of the Navajo Land Consolidation Plan approved by Resolution CMY-23-88 which was further approved by the BIA, the Navajo Nation has made efforts and intends to continue work toward consolidating lands within the main part of the Eastern Navajo Agency area and the satellite reservations of Alamo, Ramah, and Tohajiilee; and
- 4) The Council is cognizance of the numerous problems created by the differing land statuses in the Eastern Navajo Agency from programmatic human services, law and range enforcement, land use Rights-of-Way approval, much needed other land use approvals; and
- 5) The Council strongly encourages the Eastern Navajo Land Commission, the Navajo Land Department, and appropriate Navajo Nation Council standing committees to work towards the land consolidation goal; and
- 6) The Council is informed about the potential land exchange known as the "Navajo Exchange Legislative Initiative", or "NELI", involving conversion of BLM and Public Land Order 2198 into Tribal Trust status. The Council has been aware of the Navajo Nation-BLM-BIA Tri-Party Agreement talks since the 1980s to resolve land use issues as well as work out exchange measures so the consolidation efforts could be realized, and to that end, the Council is very supportive of NELI and thereby requests federal authorities to act favorably of the exchange.

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

The Eastern Navajo Agency Council, hereby, approves and supports the Navajo Nation's work and effort on federal legislation to restore certain BLM and PLO-2198 Lands to Navajo Tribal Trust.

**CERTIFICATION**

I hereby certify that the forgoing resolution was duly considered by the Eastern Agency Navajo Council at a duly called meeting in Lybrook School, Counselors, Navajo Nation (NM), at which a quorum was present, and the same was passed by a vote of in 80 favor, 02 opposed, and 01 abstained, this 6th day of June, 2009.

Motioned by: David Lee

Johnny Johnson  
Johnny Johnson, ENAC President

Dorothy Rogers  
Dorothy Rogers, Secretary/Treasurer

Seconded by: Charles Long

Charles Long  
Charles Long, ENAC Vice-President



**RESOLUTION OF THE  
NAVAJO AGRICULTURAL PRODUCTS INDUSTRY  
BOARD OF DIRECTORS**

**SUPPORTING THE NAVAJO NATION'S LAND CONSOLIDATION INITIATIVE IN THE  
EASTERN NAVAJO AGENCY AS IT MAY BE MODIFIED IN THE BEST INTEREST OF  
NAPI AND THE NAVAJO NATION**

**WHEREAS:**

1. The Navajo Agricultural Products Industry ("NAPI") is a wholly owned enterprise of the Navajo Nation charged with operating and managing a commercial farm on land held in trust by the United States for the Navajo Nation under legislation authorizing the Navajo Indian Irrigation Project ("NIIP"); and

2. Federal appropriations for completing the NIIP to the acreage promised to the Navajo Nation has been inadequate in recent years, much of the money that has been appropriated for the NIIP has been wasted by federal agencies, and NAPI and the Navajo Nation have been encouraged to think of creative ways to complete the NIIP without relying on direct federal appropriations; and

3. The Coordinated Report of the Commissioners of Reclamation and Indian Affairs incorporated by reference in section 1 of the 1962 NIIP legislation indicates that the United States agreed to shoulder the burden of Operations and Maintenance ("O&M") for the NIIP until ten years after project completion, but federal funding to satisfy that obligation has also lagged, such that there is significant deferred maintenance of the NIIP that could continue in the future; and

4. The federal government and the Navajo Nation have for more than a century sought to consolidate Navajo lands in the Eastern Navajo Agency, and the Navajo Nation Council passed legislation earlier this year (the so-called "NELI" initiative) urging the United States Congress to pass a law that, among other things, would confirm Navajo Nation trust title to various lands now administered by either the Bureau of Land Management or the Bureau of Indian Affairs, confirm such title to lands now administered under Public Land Order 2198, preserve all valid existing rights, and convey to the federal government the Navajo Nation's interests in lands desired for archaeological resources and to complement federal wilderness areas and other special management areas; and

5. The NAPI Board of Directors has met with the Eastern Navajo Land Commission ("ENLC"), an entity authorized by the Navajo Nation Council to take the lead on such land consolidation efforts, has become informed about the NELI initiative, and has determined that it should be supported; and



6. The NAPI Board and the ENLC also discussed possible modifications to the NELI initiative under which the federal government would convey in trust status the subsurface of the McCracken Mesa area within the Utah portion of the Navajo Reservation to the Navajo Nation and federal royalties from leasing and permitting in the affected part of the Eastern Navajo Agency and royalties from such McCracken Mesa area (collectively, "Royalties") and the remaining amount of the authorized "ceiling" for NIIP construction would be paid to the Navajo Nation in exchange for the Navajo Nation's agreement that the federal government would be relieved of all of its construction and O&M obligations for the NIIP; and

7. The ENLC and NAPI Board have only preliminary estimates of the amount of such Royalties; they would likely be marginally sufficient, at best, to complete construction of the NIIP in a reasonable period of time; but could be more efficiently spent by the Navajo Nation than NIIP appropriations have been utilized by federal agencies; and

8. This Board, upon careful reflection, has determined that if the Navajo Nation, through the Navajo Nation Council, determines that such modifications to the NELI initiative are in the best interest of NAPI and the Navajo Nation, that such Royalties are reasonably likely to be sufficient to complete the construction of the NIIP, and that the combination of the Royalties and the amount of the remaining NIIP appropriation ceiling dedicated to the Nation will also likely be reasonably sufficient to remedy the existing deferred maintenance and to provide a self-generating fund for future NIIP O&M through ten years after project completion, then the NAPI Board of Directors should support such modifications to the NELI initiative and corresponding federal legislation.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The NAPI Board of Directors fully supports the Navajo Nation's NELI initiative as it is presently formulated.

2. If the Navajo Nation, through the Navajo Nation Council, determines that such modifications to the NELI initiative are in the best interest of NAPI and the Navajo Nation, that the Royalties (as defined above) are reasonably likely to be sufficient to complete the construction of the NIIP, and that the combination of the Royalties and the amount of the remaining NIIP appropriation ceiling dedicated to the Nation will also likely be reasonably sufficient to remedy the existing deferred maintenance and to provide a self-generating fund for future NIIP O&M through ten years after project completion, then the NAPI Board of Directors shall support the modifications to the NELI initiative and corresponding federal legislation generally described in Whereas ¶ 6, and this Resolution shall constitute confirmation of such support.

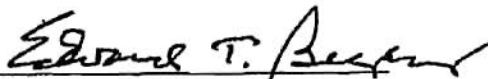
3. The Chairman of the Board and the Chief Executive Officer are hereby authorized to communicate the substance of this Resolution to appropriate officials and entities of the Navajo Nation and to monitor the NELI initiative to ensure that, if it is modified, NAPI's best interests are served by such modifications.

**CERTIFICATION**

I hereby certify that the foregoing resolution was considered by the Navajo Agricultural Products Industry Board of Directors at a regularly called meeting at which a quorum was present at Albuquerque, New Mexico, and that the same was passed by vote of 5 in favor, 0 opposed, and 0 abstained, this 28th day of October, 2011.

Motion: Elfonzo Nephew

Second: Lyndon Chee

  
Edward T. Begay, Chairman  
Board of Directors



**RESOLUTION OF THE  
EASTERN NAVAJO LAND COMMISSION**

Supporting the Efforts of the Navajo Nation and the Navajo Agricultural Products Industry ("NAPI") to Secure Compliance with Federal Legislation Authorizing the Navajo Indian Irrigation Project ("NIIP"), Expressing Conditional Support for Certain Modifications to the NELI Initiative, and Urging the Navajo Nation President and Speaker to Work to Achieve the Ends Identified in Navajo Nation Council Resolution CAP-11-11 (Apr. 27, 2011) and to Accomplish the Completion of the NIIP and Related Objectives in Concert, if Determined to Be in the Best Interest of the Navajo Nation and NAPI by the Navajo Nation Council

**WHEREAS:**

1. The Eastern Navajo Land Commission ("ENLC") is established as a Commission of the Navajo Nation within the Legislative Branch, 2 N.N.C. § 861 (2005), as amended by Navajo Nation Council Legislation No. 0589-07 (Apr. 22, 2008); and
2. Among other authorities and duties under the amended ENLC Plan of Operation, the ENLC is charged with assuming primary responsibility for the direction of the Navajo Nation's land acquisition and consolidation efforts in the Eastern Navajo Agency, 2 N.N.C. § 863(I), as amended; and
3. Pursuant to such authority, the ENLC and its Executive Director and staff, initiated a new legislative initiative (the "NELI") to rationalize and settle finally the complicated and unmanageable land situation in the Eastern Navajo Agency, including supporting legal analyses, maps, draft federal legislation, and resolutions of all of the affected thirty-one Chapters; and
4. This Commission, by Resolution no. ENLCF-01-10, requested that the Navajo Nation Council formally seek federal legislation to effectuate the NELI initiative; and
5. By legislation CAP-11-11 (Apr. 27, 2011), the Navajo Nation Council formally approved the NELI initiative, including the draft federal legislation, and requested Congress to enact legislation effectuating its terms; and
6. Congress authorized the Navajo Indian Irrigation Project ("NIIP") in 1962, adopting an agreement among the State of New Mexico, the United States of America and the Navajo Nation providing that the United States would construct a 110,630-acre irrigated farm on lands to be held in trust for the Navajo Nation and would shoulder the burden of Operations and Maintenance ("O&M") through ten years after project completion, such project intended by Congress to be completed within approximately 15 years; and
7. The Navajo Nation Council established the Navajo Agricultural Products Industry ("NAPI") as a wholly owned enterprise of the Navajo Nation to operate and manage a commercial farm on the NIIP, to be governed by a Board of Directors; and



8. Much of the NIIP is located within Navajo Nation Chapters in the Eastern Navajo Agency, such that this Commission's potential cooperation with NAPI and its Board of Directors is an appropriate exercise of this Commission's discretion; and

9. Both the NELI initiative at the federal level and the completion of the NIIP by the United States appear to need new impetus, the NAPI Board of Directors and the ENLC have complementary interests, and both the NAPI Board of Directors and the ENLC believe that there may be advantages to combining the NELI initiative with terms and conditions related to completion and O&M of the NIIP; and

10. One potentially promising approach may be to include in the proposed federal legislation provisions that, respecting all valid existing rights, (a) would transfer the right to federal royalties and other revenue from BLM-administered lands in the affected part of the Eastern Navajo Agency to the Navajo Nation for use by the Nation in completing construction of the NIIP; (b) would transfer the mineral estate underlying an area called McCracken Mesa, within the Utah portion of the Navajo Nation, to the Navajo Nation and similarly devote royalties from mineral development there to completing construction of the NIIP (the royalties and other revenues in clauses (a) and (b) termed the "Royalties"); (c) would provide for the payment to the Navajo Nation of all or part of the remaining NIIP authorization for deposit into a fund to cover NIIP O&M through ten years after project completion; and (d) would relieve the United States of any further NIIP construction and O&M responsibilities upon such transfers and payment; and

11. This Commission has considered the recommendations of staff and the views of the NAPI Board of Directors and has determined that it should recommend to the Navajo Nation Council that – if the Council determines that the modifications to the NELI initiative generally described in Whereas ¶ 10, above, are in the best interest of NAPI and the Navajo Nation, that the Royalties (as defined above) are reasonably likely to be sufficient to complete the construction of the NIIP, and that the combination of the Royalties and the amount of the remaining NIIP authorization paid to the Nation will be reasonably likely to remedy existing deferred maintenance of the NIIP and to provide a self-generating fund for future NIIP O&M through approximately ten years after project completion – the Navajo Nation Council should support such modifications to the NELI initiative and the corresponding proposed federal legislation generally described in Whereas ¶ 10.

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

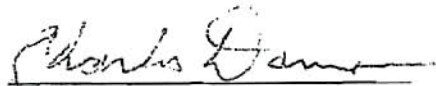
1. The Eastern Navajo Land Commission respectfully recommends to the Navajo Nation Council that – if the Council determines that the modifications to the NELI initiative generally described in Whereas ¶ 10, above, are in the best interest of NAPI and the Navajo Nation, that the Royalties are reasonably likely to be sufficient to complete the construction of the NIIP, and that the combination of the Royalties and the amount of the remaining NIIP authorization paid to the Nation will be reasonably likely to remedy existing deferred maintenance of the NIIP and to provide a self-generating fund for future NIIP O&M through approximately ten years after project completion – the Navajo Nation Council express its support by appropriate legislation such modifications to the NELI initiative and the corresponding proposed federal legislation generally described in Whereas ¶ 10, above.



2. The Chairperson of the Commission is hereby authorized to communicate this Resolution to the Speaker of the Navajo Nation Council, appropriate Committees of and delegates to the Navajo Nation Council, the President of the Navajo Nation, the Navajo Nation's NIIP Policy Group, and other appropriate Navajo Nation officials, and to initiate any legislation that may be necessary and proper to effect its intent.

#### CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Eastern Navajo Land Commission at a duly called meeting at which a quorum was present at Tohajiilee, New Mexico and that the same was passed by vote of 3 in favor and 0 opposed, this 28th day of October, 2011.



Charles Damon, II, Chairperson  
EASTERN NAVAJO LAND

#### COMMISSION

Motion: Danny Simpson  
Second: George Apachito

**NAVAJO LAND EXCHANGE (NEL) AND  
NAVAJO INDIAN IRRIGATION PROJECT (NIIP)  
PROPOSED COUNCIL RESOLUTION**

**SUMMARY**

July 2012

The Eastern Navajo Land Commission ("ENLC") and the Navajo Agricultural Products Industry ("NAPI") Board have both urged, by formal resolutions, the Navajo Nation Council to consider a creative solution to two vexing problems confronting the Navajo Nation: (1) the consolidation of lands as trust lands within the Eastern Navajo Agency and (2) the completion of the Navajo Indian Irrigation Project ("NIIP"). A proposed Council Resolution has been crafted as a creative solution to address these two problems.

The ENLC is an entity of the Navajo Nation Council comprised of four delegates to the Navajo Nation Council. It is responsible for recommending solutions to land issues in the Eastern Navajo Agency under the Navajo Nation Code. *See* 2 N.N.C. § 863 (2005). The Navajo Nation established the NAPI to operate and manage a commercial farm on lands served by the NIIP, and its Board of Directors is charged with overall management of NAPI. *See* 5 N.N.C. § 1602-1603 (2005). The NIIP is a federal irrigation project authorized by federal legislation in 1962 and signed into law by President Kennedy ("1962 Legislation") after ten years of negotiation among the State of New Mexico, the United States and the Navajo Nation. The 1962 Legislation also authorized the construction of the San Juan-Chama Diversion Project ("SJCDP") in exchange for a 110,630-acre irrigated farm. The SJCDP, which takes water out of the San Juan River Basin and transports it to the Rio Grande Basin, has been completed. The NIIP remains about 80% complete.

The Eastern Navajo Agency is within the adjudicated aboriginal lands of the Navajo. The Navajo Nation has used its own money to buy up many of the ranches in the Eastern Agency, and Congress itself has tried for decades to effect rational land consolidation that recognizes Navajo rights in the area since the beginning of the last century, enacting laws in 1904, 1908, 1921, 1928, 1950, 1975, 1980, and 1982 that have ameliorated the problem, but not solved it. For example, the Act of March 3, 1921, ch. 119, 41 Stat. 1225, 1239, sought to add over 240,000 acres in the Eastern Agency to the Navajo land base through exchanges with the Santa Fe Railroad, but the Department of the Interior never took those lands into trust, much to the consternation of Senator Wheeler.<sup>1</sup> Secretary Ickes acknowledged in a 1933 letter to New Mexico Governor Seligman that if the Department followed the allotment laws, "individual Navajo Indians could be given practically all of the vacant public domain in San Juan County and other counties to the complete exclusion of [others]."<sup>2</sup> All of the Eastern Navajo Agency is in the Secretarially-approved Navajo Land Consolidation Area under the federal Indian Land Consolidation Act. Almost all of that land is in the area designated by the federal Bureau of Land Management for disposal. Navajo rights to the Eastern Agency are undeniable, and the current situation discourages investment and development.



## EXHIBIT 7

Similarly, the completion of the NIIP has proved problematic. The Navajo Nation has consistently taken the position that completion of the NIIP is a solemn federal responsibility. The New Mexico delegation strongly urged Secretary Salazar to devote his attention to this federal commitment, while recognizing that other budget priorities have pushed funding for the NIIP to the back burner in recent years.<sup>3</sup> Both the administration and members of the delegation have suggested that creative steps must be taken to accomplish that end.

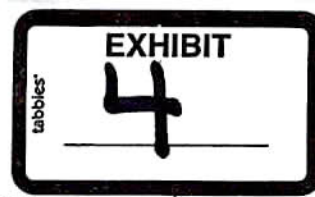
The ENLC and the NAPI Board have both urged, by formal resolutions, the Navajo Nation Council to consider a creative solution to both of these vexing problems. The proposal would consolidate most BLM lands in the Eastern Agency in trust status, convey subsurface interests of the BLM within the Navajo Reservation in Utah to the Nation, convey Navajo interests in lands of critical cultural or environmental concern there to the BLM, establish a NIIP O&M trust fund using the unexpended NIIP authorization, and relieve the United States of further NIIP obligations. The Navajo Nation Council is requested to promptly act upon the recommendation of the ENLC and NAPI.

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1. "Let me understand you," Sen. Wheeler said to a Department witness, "[the 1921 Act] may not provide it, but if there was an exchange – for instance if the department exchanged public lands for white land, of course the white land would go to the Indians, there would not be any question about that, whether the rules and regulations provided for it or not, because that was the intent of the Congress of the United States." *Survey of Conditions of the Indians in the United States: Hearings Before a Subcomm. of Sen. Comm. on Indian Affairs*, 71st Cong. 3d Sess. 9650 (1931).

2. Letter from Secretary Ickes to Governor Seligman (Aug. 31, 1933) at 3.

3. Letter from delegation to Secretary Salazar (Apr. 24, 2012).



**RESOLUTION OF THE  
EASTERN NAVAJO LAND COMMISSION**

Respectfully Requesting the Navajo Nation Council to Formally Readopt Its  
Resolution CAP-11-11 as It May Be Modified in Conformity with  
the Recommendations of this Commission

**WHEREAS:**

1. The Eastern Navajo Land Commission ("ENLC" or "Commission") is established as a Commission of the Navajo Nation with the Legislative Branch, 2 N.N.C. § 861 (2005), as amended by Navajo Nation Council Legislation No. 0589-07 (Apr. 22, 2008); and
2. Among other authorities and duties under the amended ENLC Plan of Operation, the ENLC is charged with assuming primary responsibility for the direction of the Navajo Nation's land acquisition consolidation efforts in the Eastern Navajo Agency, 2 N.N.C. § 863(I), as amended; and
3. In furtherance of its duties, the Commission carefully considered and passed Resolution No. ENLCF-01-10 (Feb. 10, 2010), entitled "Requesting that the Navajo Nation Formally Seek, and that the United States Enact, Legislation to Consolidate Navajo Lands in the Eastern Navajo Agency, Re-convey Lands to Navajo Nation Trust Status that Were Unlawfully Restored to the Public Domain, Confirm the Trust Status of Lands Purchased by the United States under Legislation Intended by Congress to be Held in Trust for the Navajo Nation, Preserve All Valid Existing Rights, and Authorize the Conveyance of Navajo Nation Interests in Certain Lands of Extraordinary Archaeological Significance to the United States to Consolidate such Lands in Federal Ownership" (the "2010 ENLC Resolution"); and
4. The 2010 ENLC Resolution provided detailed historical and demographic justifications for the requested federal legislation, and appended resolutions from all the affected thirty-one (31) Navajo Nation Chapters supporting that Resolution, prior Navajo Nation Council resolutions relating to lands sought to be consolidated in trust status, and maps depicting the lands to be consolidated in either federal or Navajo ownership; and
5. The Navajo Nation Council accepted the Commission's recommendation and enacted Resolution No. CAP-11-11 (Apr. 20, 2011) (the "2011 Council Resolution"); and
6. After the enactment of the 2011 Council Resolution, Navajo Nation leaders determined that coupling the land consolidation effort with creative solutions for potentially completing the Navajo Indian Irrigation Project ("NIIP") should be considered; and
7. As a result, the Commission and the Board of Directors of the Navajo Agricultural Products Industry ("NAPI") collaborated on a revised proposal and revised proposed federal legislation intended to achieve both increased funding to be devoted to the completion of the NIIP and also the Navajo and federal land consolidation in the Eastern Navajo Agency; and



8. The NAPI Board of Directors, by Resolution No. BDO-36-11 (Oct. 28, 2011), formally agreed to such revised proposal; and

9. This Commission memorialized the revised approach and the agreement of the NAPI Board of Directors and the Commission in Commission Resolution No. ENLCO-07-11 (Oct. 28, 2012), and in that resolution recommended that, if the Council determined that the revised approach was in the Nation's best interest and was reasonably likely to achieve the completion of the NIIP, the Council adopt new legislation and recommend to Congress that it pass revised legislation to accomplish the land consolidation and NIIP objectives; and

10. The Navajo Nation Council determined that it should support the revised approach of the Commission and the NAPI Board of Directors, and it passed Resolution No. CO-47-12 (Oct. 17, 2012) (the "2012 Council Resolution") which adopted the recommendation of this Commission; and

11. During the 23rd Navajo Nation Council, although the New Mexico congressional delegation was prepared to introduce the legislation sought in the 2012 Council Resolution, no effort was made by Navajo Nation officials to lobby Congress to enact the NELI legislation approved by the 2012 Council Resolution; and

12. Since the passage of the 2012 Council Resolution, NAPI support for the revised approach has seemed to waver, and the Commission has been informed by Representative Ben Ray Lujan that the land consolidation effort should be decoupled from the NIIP, which is considered controversial; and

13. This Commission respects the recommendations of Representative Lujan and has determined that it should adhere to its original land consolidation plan as reflected in the 2010 ENLC Resolution, but that a few refinements to the federal legislation are justified in light of input from Commission members, the Bureau of Indian Affairs, and Commission staff; and

14. These refinements consist of a) adding an explicit request that Congress direct the Department of the Interior to take Navajo Nation fee lands in the Eastern Navajo Agency into trust or restricted fee status; b) authorizing a three-way exchange of New Mexico State trust lands in the Eastern Navajo Agency among the Bureau of Land Management, the State of New Mexico, and the Navajo Nation; and c) identifying specific Executive Order and other withdrawn federal lands to be taken into trust or restricted fee status for the Navajo Nation by the Department of the Interior; and

15. Such refinements are reflected in the attached revised proposed federal legislation and attached maps, appended hereto as: Exhibits A (overall NELI), B (Special Protection Areas), C (Navajo Tribal Fee Lands) and D (New Mexico State Lands); and

16. This Commission has considered the recommendations of its Executive Director and has determined that it should recommend to the Navajo Nation Council that it rescind Resolution No. CO-47-12 and reaffirm the Council's Resolution No. CAP-11-11 as it may be amended to conform to this Resolution.

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

1. The Eastern Navajo Land Commission respectfully requests that the Navajo Nation Council rescind Resolution No. CO-47-12 (Oct. 17, 2012) and formally readopt Resolution No. CAP-11-11 (Apr. 20, 2011), as it may be amended to include the following refinements and any other terms and conditions deemed beneficial by the Navajo Nation Council:

A. Requesting that the Department of the Interior be directed to take Navajo Nation fee lands in the Eastern Navajo Agency and identified in the attached Exhibit C into trust or restricted fee status for the Navajo Nation;

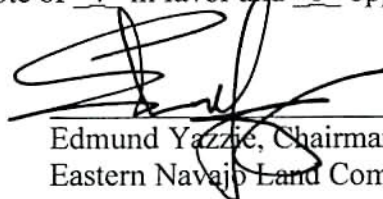
B. Authorizing a land exchange between the State of New Mexico and the federal Bureau of Land Management in the manner provided for in prior federal legislation involving the transfer of Utah State trust lands, resulting in Navajo Nation ownership of such New Mexico State trust lands and the conveyance to the State of New Mexico of BLM lands of equal value; and

C. Requesting that the Department of the Interior be directed to take into trust or restricted fee status for the Navajo Nation executive order and other lands, including the mineral estates and structures thereon, withdrawn by Secretarial Order, Public Land Order, school or administrative withdrawals or otherwise, within the area to be consolidated primarily for the benefit of the Navajo Nation or its members as shall be identified by the records of the Bureau of Indian Affairs.

2. The Chairman of this Commission is hereby authorized to take such reasonable and appropriate steps to effectuate the letter and intent of this Resolution with the Navajo Nation Council and the Office of the President and Vice President, and to take such other related steps as may be authorized by the Navajo Nation Council.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was considered at a duly called meeting of the Eastern Navajo Land Commission at which a quorum was present at Church Rock, Navajo Nation (NM) and that the same was passed by vote of 4 in favor and 0 opposed, this 23rd day of December 2019.



Edmund Yazzie, Chairman  
Eastern Navajo Land Commission

Motion: Daniel Tso  
Second: Mark Freeland



**EXHIBIT A**

NELI

## Navajo Nation Proposal



Eastern Navajo Land Commission

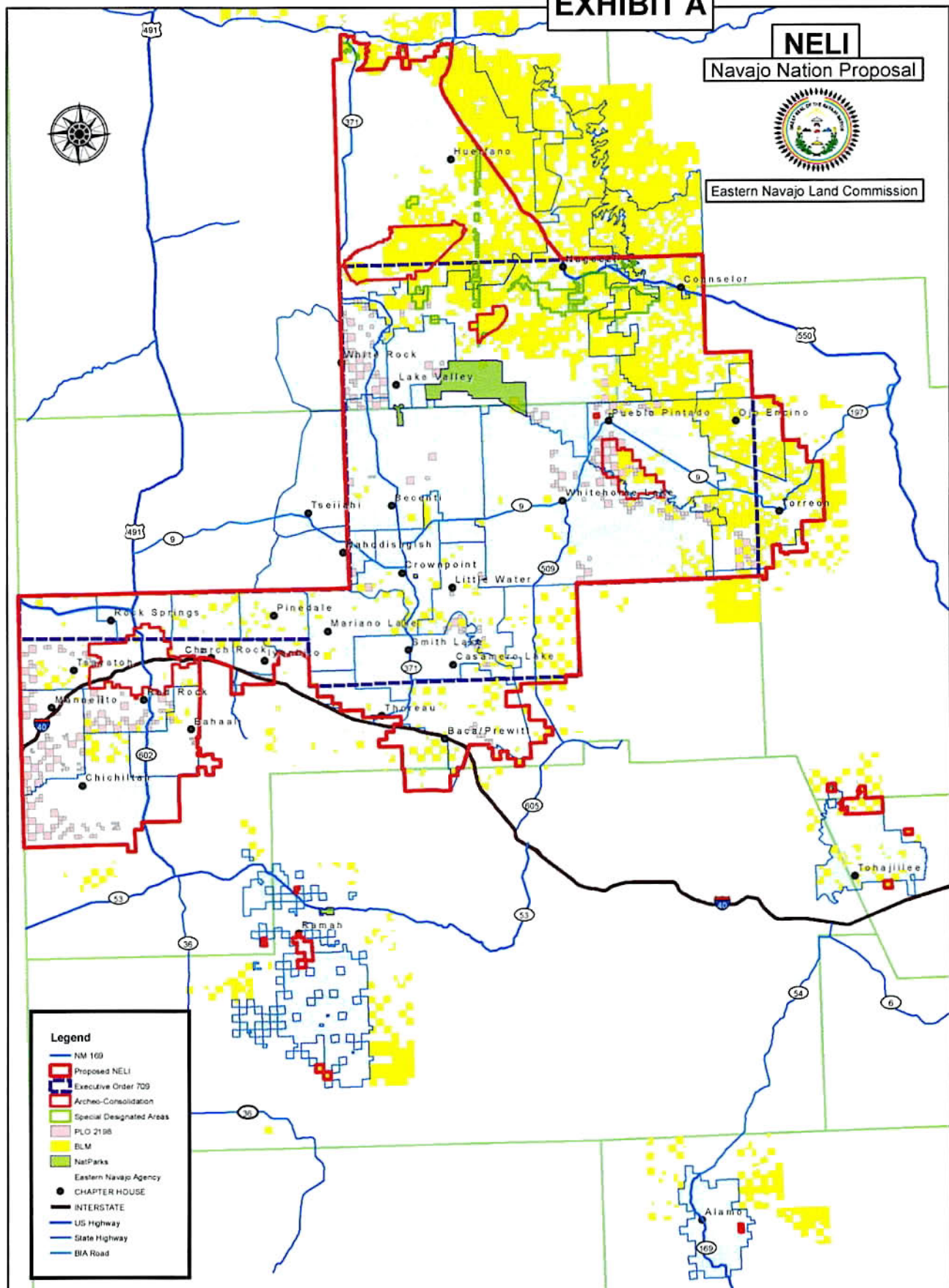
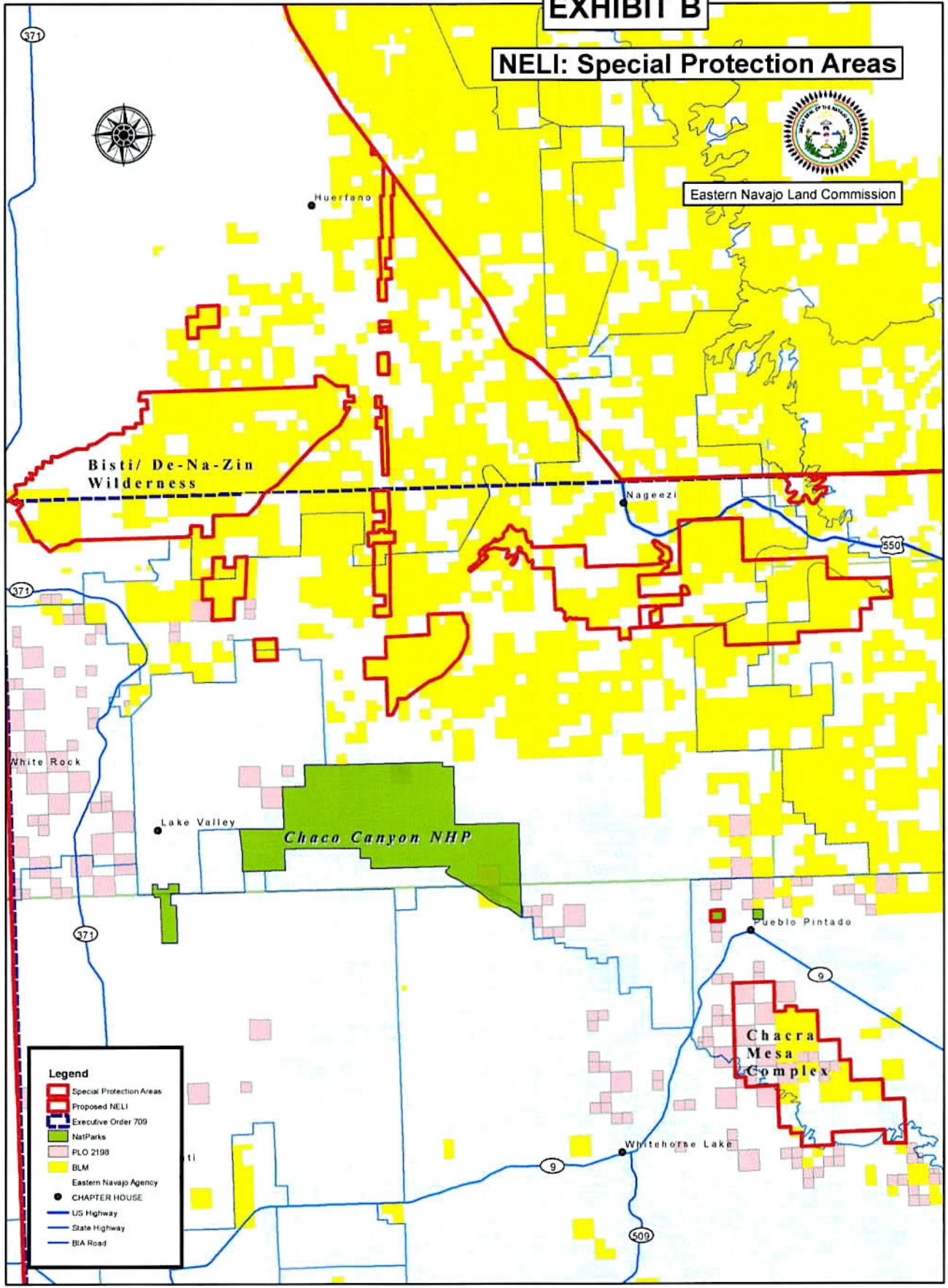


EXHIBIT B

NELI: Special Protection Areas





# EXHIBIT C

## NELI: Navajo Tribal Fee (Tribal Ranches)

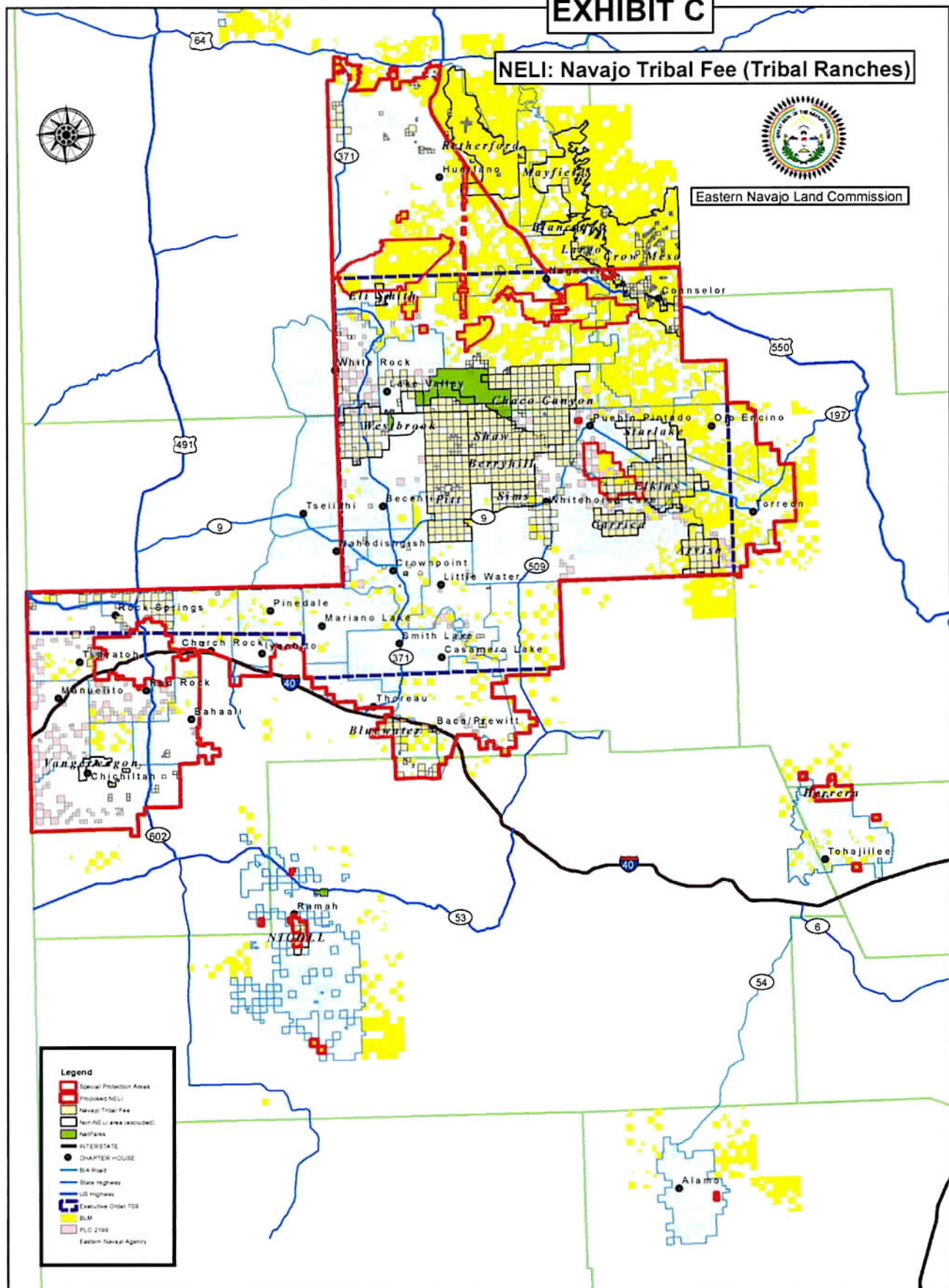
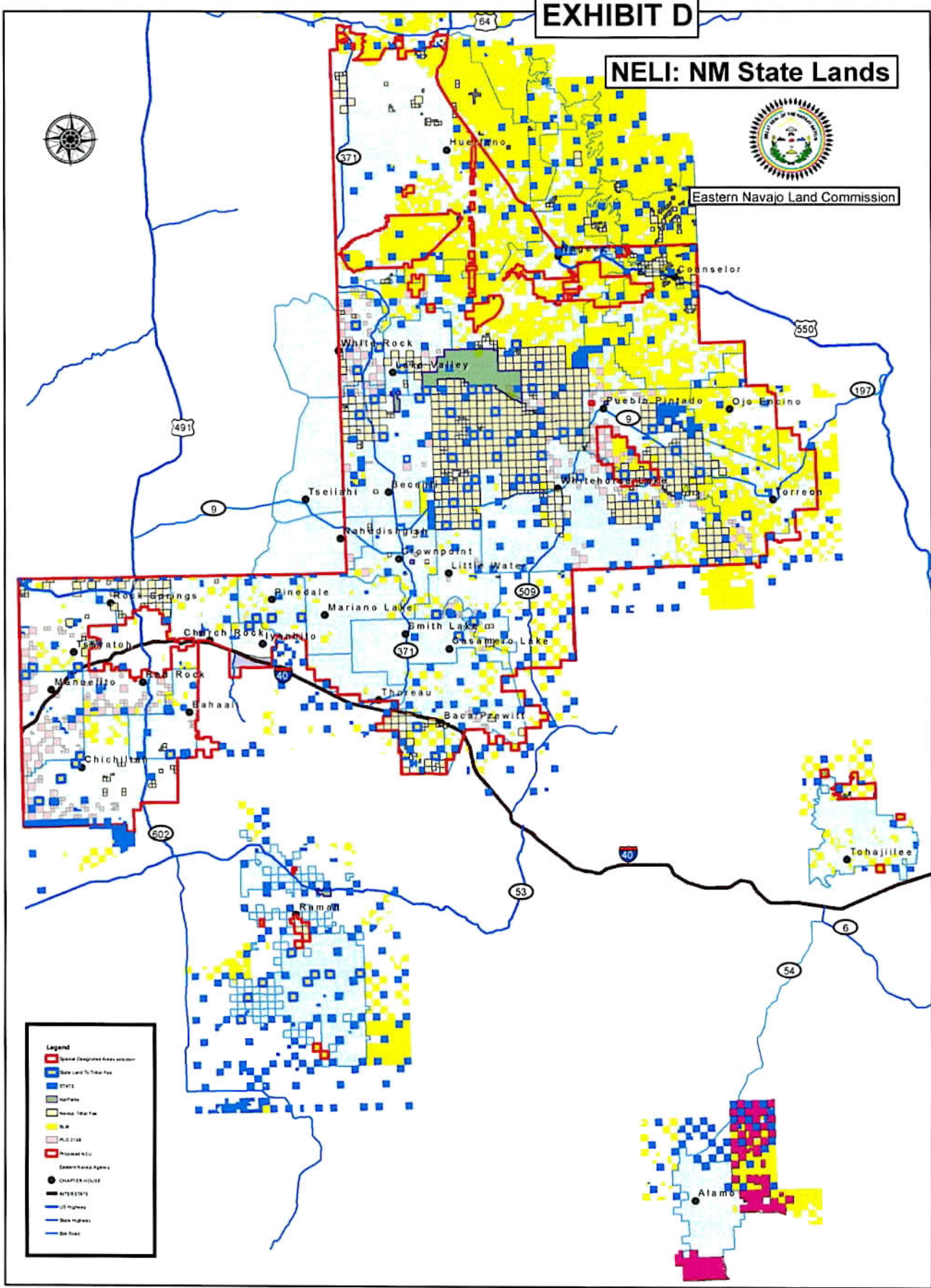


EXHIBIT D

NELI: NM State Lands



Eastern Navajo Land Commission



**Legend**

- Special Designated Areas, including:
- State Land To Tribal Fee
- BLM
- BLM 2108
- Proposed NELI
- Eastern Navajo Agency
- CHAPTER HOUSE
- INTERSTATE
- US Highway
- State Highway
- State Road



**24th Navajo Nation Council  
Special Session  
Teleconference**

ACTION: Legislation 0049-20

MOTION: Daniel E. Tso

SECOND: Paul Begay

	<u>Yea</u>	<u>Nay</u>
1. Elmer P. Begay	<u>✓</u>	<u>      </u>
2. Kee Allen Begay, Jr.	<u>✓</u>	<u>      </u>
3. Paul Begay	<u>✓</u>	<u>      </u>
4. Nathaniel Brown	<u>✓</u>	<u>      </u>
5. Eugenia Charles-Newton	<u>✓</u>	<u>      </u>
6. Amber Kanazbah Crotty	<u>✓</u>	<u>      </u>
7. Herman M. Daniels	<u>✓</u>	<u>      </u>
8. Seth Damon	<u>      </u>	<u>      </u>
9. Mark A. Freeland	<u>✓</u>	<u>      </u>
10. Pernell Halona	<u>✓</u>	<u>      </u>
11. Jamie Henio	<u>✓</u>	<u>      </u>
12. Vince R. James	<u>✓</u>	<u>      </u>
13. Rickie Nez	<u>✓</u>	<u>      </u>
14. Carl R. Slater	<u>✓</u>	<u>      </u>
15. Raymond Smith, Jr.	<u>✓</u>	<u>      </u>
16. Wilson C. Stewart, Jr.	<u>✓</u>	<u>      </u>
17. Daniel E. Tso	<u>✓</u>	<u>      </u>
18. Charlaine Tso	<u>✓</u>	<u>      </u>
19. Eugene Tso	<u>      </u>	<u>      </u>
20. Otto Tso	<u>✓</u>	<u>      </u>
21. Thomas Walker, Jr.	<u>      </u>	<u>      </u>
22. Edison J. Wauneka	<u>✓</u>	<u>      </u>
23. Edmund Yazzie	<u>✓</u>	<u>      </u>
24. Jimmy Yellowhair	<u>✓</u>	<u>      </u>
TOTAL:	<u>21</u>	<u>0</u>

CERTIFICATION:

  
Honorable Speaker Seth Damon

5-15-2020  
Date