

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL—FIRST YEAR, 2015

AN ACT

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; APPROVING GRAZING FEES FOR
EASTERN NAVAJO AGENCY OF THE NAVAJO NATION; AND REQUESTING
APPROVAL BY THE FEDERAL GOVERNMENT

BE IT ENACTED:

Section One. Findings

- A. Upon the 23rd Navajo Nation Council's swearing in, Naabik'íyáti' Committee exists with all its powers and duties; even though other Navajo Nation standing committees cannot be appointed prior to the 2015 Winter Session. Memorandum from the Office of Legislative Counsel to the Navajo Nation Speaker Pro Tem (Jan. 12, 2015).
- B. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'íyáti' Committee to coordinate all federal programs, i.e. United State Bureau of Indian Affairs, to provide efficient services to Navajo members. 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(4) (2012) *see also* CO-45-12.
- C. On a regular basis, U.S. Bureau of Indian Affairs (BIA), in cooperation with Navajo Nation, and other governmental entities, renews grazing permits for hundreds of grazing permittees pursuant to laws and regulations governing the unique status of grazing in Eastern Navajo Agency; BIA is required to reissue grazing permits to Navajo permittees on a regular basis. Before reissuance of grazing permits, BIA caused a carrying capacity study and an appraisal study to be performed. Based on this information, a recommendation was made to BIA to adopt a fee of \$9.00 Animal Unit per Month (AUM).
- D. The 22nd Navajo Nation Council Resources and Development Committee, the Eastern Navajo Land Board, and the Eastern Navajo Agency Council have participated in discussion with or about the grazing fee and/or negotiated to reduce the

grazing fees due to the low income status of many grazing permittees and the fact that \$9 AUM was based on the amount paid by ranchers.

- E. Eastern Navajo Agency is located in an area where the family income is one of the lowest in the United States as shown by U.S. Census reports. This is due to lack of infrastructure, employment and other reasons. Despite this, many Navajo families continue to reside in Eastern Navajo Agency and continue the traditional practice of raising and caring for livestock. Many permittees are elders who substantially rely on their livestock for subsistence.
- F. BIA collects grazing fees and it, cooperatively with the Navajo Nation, makes payments to the U.S. Bureau of Land Management (BLM) and the State of New Mexico for the use of BLM-leased lands and State-leased lands located in checkerboard areas of Eastern Navajo Agency; these payments by Navajo Nation will continue.

Section Two. Approving Grazing Fees For Eastern Navajo Agency Grazing Permits

The Naabik'íyáti' Committee hereby approves a fee of \$2.00 AUM to be paid by Navajo grazing permittees for the use of Navajo Nation trust lands within Eastern Navajo Agency and recommends to BIA to adopt this same fee schedule.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of 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 19 in favor and 0 opposed, this 22nd day of January 2015.


Mel R. Begay, Pro Tem Chairperson
Naabik'íyáti' Committee

Motion: Honorable Seth Damon
Second: Honorable Otto Tso