

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE
24th NAVAJO NATION COUNCIL -- Third Year, 2021

AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE; RESCINDING NABIO-48-20; ESTABLISHING THE NAABIK'ÍYÁTI' COMMITTEE TÓ NIŁTÓLÍ TASK FORCE

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

SECTION TWO. FINDINGS

- A. The Naabik'íyáti' Committee Resolution NABIO-48-20, attached as **Exhibit A**, created the Naabik'íyáti' Committee Quadrilateral Agreement Task Force with the purpose of "recommend[ing] whether the Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994 and Bridge Agreement dated January 13, 2003 should be renewed or amended. If the recommendation is to renew and/or amend the agreements, the Naabik'íyáti' Quadrilateral Agreement Task Force shall delineate the recommended amendments."
- B. The Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994 and Bridge Agreement dated January 13, 2003 expired by the terms of the three agreements on September 10, 2020.
- C. Given that the agreements expired on September 10, 2020, the purpose of the Naabik'íyáti' Committee Quadrilateral Agreement Task Force pursuant to NABIO-48-20 no longer exists; therefore, NABIO-48-20 should be rescinded.

- D. The Navajo Nation recognizes that Navajo Nation residents have concerns about the Glen Canyon Dam Recreation Area and the interpretation of Public Law 85-868 (72 Stat. 1688) (the federal resolution that exchanged Glen Canyon land for McCracken Mesa).
- E. The Navajo Nation determines that the Naabik'íyáti' Committee Tó Niłtólı́ (Crystal Clear Water) Task Force should be created to examine these issues.

SECTION TWO. RESCINDING NABIO-48-10

The Navajo Nation hereby rescinds NABIO-48-20.

SECTION THREE. ESTABLISHING THE NAABIK'ÍYÁTI' COMMITTEE TÓ NIŁTÓLÍ TASK FORCE

- A. The Navajo Nation hereby establishes the Naabik'íyáti' Committee Tó Niłtólı́ Task Force (Task Force).
- B. The Naabik'íyáti' Committee Tó Niłtólı́ Task Force's purpose:
 - 1. The Task Force shall examine the issues related to the Glen Canyon Dam Recreation Area and Public Law 85-868 (72 Stat. 1688) (the federal resolution that exchanged Glen Canyon land for McCracken Mesa).
 - 2. The Task Force shall make recommendations to the Naabik'íyáti' Committee as to the action the Nation should take regarding the Glen Canyon Dam Recreation Area and Public Law 85-868 (72 Stat. 1688).
- C. The Naabik'íyáti' Committee Tó Niłtólı́ Task Force shall consist of five (5) members. Four (4) members shall be Navajo Nation Council Delegates representing Navajo citizens affected by the Glen Canyon Dam Recreation Area and Public Law 85-868 (72 Stat. 1688). One (1) member shall be selected by the President of the Navajo Nation.
- D. The four (4) Navajo Nation Council members shall be selected by the Speaker of the Navajo Nation Council. The Navajo Nation Council Speaker appoints the following to the Naabik'íyáti' Committee Tó Niłtólı́ Task Force:
 - 1. Paul Begay, Jr. Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap Chapters;

2. Herman Daniels, Jr., Tsah Bii Kin, Navajo Mountain, Shonto, Oljato Chapters;
 3. Otto Tso, To' Nanees Dizi Chapter; and
 4. Thomas Walker, Jr., Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters.
- E. The members of the Task Force who are Navajo Nation Council delegates shall be compensated by the Office of the Speaker and their travel expenses and other expenses shall be paid by the Office of the Speaker. The members selected by the President of the Navajo Nation shall be compensated by the Office of the President and Vice-President and travel expenses and other expenses shall be paid by the Office of the President and Vice-President.
- F. The Task Force shall establish regular meeting day(s) of the month and shall set special meetings as needed.
- G. The Task Force shall operate using the Navajo Nation Council Standing Committee Rules of Order.
- H. The Task Force shall provide periodic reports to the Naabik'íyáti' Committee.
- I. The Task Force shall provide a final report to the Naabik'íyáti' Committee of the Task Force activities. The final report shall include a summary of the Task Force's activities and identify subject areas that were not completed. In addition, the report should identify subject areas that were outside of the Task Force's purpose which the Task Force would recommend that the Navajo Nation Council, Navajo Nation President and/or Navajo Nation Attorney General address.
- J. The Task Force shall expire when the term of the 24th Navajo Nation Council expires.

SECTION THREE. EXECUTIVE BRANCH ADVISORS

- A. The Naabik'íyáti' Committee Tó Níłtóli Task Force shall request assistance, as needed, from Executive Branch Divisions and Offices to complete its task. Advisors from the Executive Branch Divisions and Offices may include:
1. The Navajo Nation Department of Justice,
 2. The Navajo Nation Division of Natural Resources,

3. The Navajo Nation Division of Economic Development,
 4. The Navajo Washington Office;
 5. Other Navajo Nation offices, departments or divisions.
- B. The Executive Branch Advisors shall be compensated by their respective Executive Branch offices.
- C. The Executive Branch Advisors shall have non-voting status with regard to the Task Force.

SECTION FOUR. ESTABLISHING THE NAABIK'ÍYÁTI' COMMITTEE TÓ NIŁTÓLÍ TASK FORCE


- A. The Navajo Nation hereby establishes the Naabik'íyáti' Committee Tó Niłtólí Task Force Advisory Committee (Advisory Committee).
- B. The Advisory Committee members shall be selected by the Western Agency Council and shall consist of three (3) members composed of Navajo Nation Chapter Officials and/or community members from the Chapters affected by the Glen Canyon Dam Recreation Area and Public Law 85-868 (72 Stat. 1688).
- C. The Advisory Committee shall advise the Task Force on matters concerning the Glen Canyon Dam Recreation Area and Public Law 85-868 (72 Stat. 1688).
- D. The Advisory Committee shall have non-voting status with regard to the Task Force.
- E. The Advisory Committee members shall be compensated by the particular Chapter from which the member is from.
- F. The first Advisory Committee shall be composed of the three members who were selected by the Western Agency Council for service on the former Naabik'íyáti' Committee Quadrilateral Task Force.
- G. If there is a vacancy on the Advisory Committee, the position shall be filled by the Western Council in the manner described in Paragraph "B" above.

SECTION FIVE. DIRECTIVES

- A. The Speaker's Chief of Staff shall assign one policy analyst to assist the Naabik'íyáti' Committee Tó Niltóli Task Force. The policy analyst shall prepare the final report to the Naabik'íyáti' Committee.
- B. The Legislative Services Executive Director shall assign one Office of Legislative Services staffer to assist the Naabik'íyáti' Committee Tó Niltóli Task Force.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 24th 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 16 in Favor, and 00 Opposed, on this 12th day of August 2021.


Honorable Seth Damon, Chairman
Naabik'íyáti' Committee
Aug 23, 2021
Date

Motion: Honorable Edison J. Wauneka

Second: Honorable Jimmy Yellowhair

Chairman Seth Damon not voting



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

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

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

SECTION TWO. FINDINGS

- A. The Navajo Nation entered into a Memorandum of Agreement, hereinafter referred to as the "Quadrilateral Agreement," with the National Park Service, the Bureau of Reclamation, and the Bureau of Indian Affairs on September 11, 1970.
- B. The Quadrilateral Agreement preserves the Navajo Nation's rights, privileges, and remedies available by law; authorizes the Navajo Nation to construct, contract for, and manage the Rainbow Bridge Concession Area, subject to approval by the National Park Service; and outlines rights and responsibilities relating to the development, maintenance and management of Antelope Point.

- C. In order to further the Quadrilateral Agreement, on September 16, 1994, the Navajo Nation, National Park Service, and the Bureau of Indian Affairs entered into a Memorandum of Understanding (MOU) to implement the Development Concept Plan for Antelope Point. The MOU allowed the Navajo Nation and National Park Service to develop a Concession Contract and Business Site Lease for Antelope Point Holdings (developer selected for Antelope Point).
- D. Based on the Quadrilateral Agreement, the MOU, and execution of the Concession Contract and Business Site Lease, Navajo Nation and National Park Service entered into a Bridge Agreement on January 13, 2003.
- E. The Navajo Nation Council through Resolution CS-70-20 "request[ed] that the National Park Service, the Bureau of Reclamation, and the Bureau of Indian Affairs extend the expiration of the Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994, and Bridge Agreement dated January 13, 2003 for one year such that the Quadrilateral Agreement, Memorandum of Understanding, and Bridge Agreement expire on September 10, 2021."
- F. The Navajo Nation understands the need to examine whether the Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994, and Bridge Agreement Dated January 13, 2003 should be renewed or amended. Therefore, the Navajo Nation determines that the Naabik'íyáti' Quadrilateral Agreement Task Force should be created to examine the issues involved with renewal or amendments of these agreements. If the Naabik'íyáti' Quadrilateral Agreement Task Force determines that the agreements should be renewed or amended, the Quadrilateral Agreement Task Force shall enter into negotiations with the United States National Park Service, the Bureau of Reclamation, and the Bureau of Indian Affairs. Reports on negotiation efforts shall be presented to the Naabik'íyáti' Committee on a periodic basis. Renewal or amendment of the Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994 and Bridge Agreement dated January 13, 2003 shall be presented to the Navajo Nation Council for action.

SECTION THREE. NAABIK'ÍYÁTI' QUADRILATERAL AGREEMENT TASK FORCE ESTABLISHMENT

- A. The Navajo Nation hereby establishes the Naabik'íyáti' Quadrilateral Agreement Task Force.
- B. The Naabik'íyáti' Quadrilateral Agreement Task Force shall recommend whether the Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994 and Bridge Agreement dated January 13, 2003 should be renewed or amended. If the recommendation is to renew and/or amend the agreements, the Naabik'íyáti' Quadrilateral Agreement Task Force shall delineate the recommended amendments.
- C. The Naabik'íyáti' Quadrilateral Agreement Task Force shall:
 - 1. Meet with and otherwise consult with the affected Chapters regarding the possible renewal and amendment of the Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994 and Bridge Agreement dated January 13, 2003;
 - 2. Negotiate with the United States National Park Service, the Bureau of Reclamation, and the Bureau of Indian Affairs regarding the possible renewal and amendment of the Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994 and Bridge Agreement dated January 13, 2003;
 - 3. Report bimonthly to the Naabik'íyáti' Committee the Quadrilateral Agreement Task Force activities;
 - 4. Provide a final report to the Naabik'íyáti' Committee of the Naabik'íyáti' Quadrilateral Agreement Task Force findings, conclusions and recommendations.
- D. The Naabik'íyáti' Quadrilateral Agreement Task Force shall consist of eight (8) members.
- E. Four (4) members shall be members of the Navajo Nation Council selected by the Speaker of the Navajo Nation Council. The

Navajo Nation Council Speaker appoints the following to the Naabik'íyáti' Quadrilateral Agreement Task Force:

1. Paul Begay, Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap Chapters
 2. Herman Daniels, Jr., Tsah Bii Kin, Navajo Mountain, Shonto, Oljato Chapters
 3. Otto Tso, To' Nanees Dizi Chapter
 4. Thomas Walker, Jr., Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters
- F. One (1) member of the Naabik'íyáti' Quadrilateral Agreement Task Force shall be the Division Director of the Division of Economic Development or his designee.
- G. One (1) member of the Naabik'íyáti' Quadrilateral Agreement Task Force shall be the Division Director of the Division of Natural Resources or his designee.
- H. One (1) member of the Naabik'íyáti' Quadrilateral Agreement Task Force shall be an attorney from the Navajo Nation Department of Justice selected by the Navajo Nation Attorney General.
- I. One (1) member of the Naabik'íyáti' Quadrilateral Agreement Task Force shall be an individual selected by the President.
- J. The Naabik'íyáti' Quadrilateral Agreement Task Force by majority vote shall select a chairperson and vice-chairperson at its first meeting. The chairperson and vice-chairperson shall serve at the pleasure of the Naabik'íyáti' Quadrilateral Agreement Task Force; replacement shall be by majority vote.
- K. The Naabik'íyáti' Quadrilateral Agreement Task Force shall establish a regular meeting day(s) of the month and shall set special meetings as needed.

SECTION FOUR. NAABIK'ÍYÁTI' QUADRILATERAL AGREEMENT TASK FORCE TERM

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

SECTION FIVE. NAABIK'ÍYÁTI' QUADRILATERAL AGREEMENT ADVISORY COMMITTEE ESTABLISHMENT

- A. The Navajo Nation hereby establishes the Naabik'íyáti' Quadrilateral Agreement Advisory Committee (Advisory Committee).
- B. The Advisory Committee members shall be selected by the Western Agency Council and shall consist of three (3) members composed of Navajo Nation Chapter Officials and/or community members from the Chapters affected by the Quadrilateral Agreement.
- C. The Advisory Committee shall advise the Naabik'íyáti' Quadrilateral Agreement Task Force on matters affecting Chapters regarding the possible renewal and amendment of the Quadrilateral Agreement, Memorandum of Understanding dated September 16, 1994 and Bridge Agreement dated January 13, 2003.
- D. The Advisory Committee shall have non-voting status with regard to the Naabik'íyáti' Quadrilateral Agreement Task Force.
- E. The Advisory Committee members shall be compensated by the particular Chapter from which the Advisory Committee member is from.

SECTION SIX. DIRECTIVES

- A. The Speaker's Chief of Staff shall assign one policy analyst to assist the Naabik'íyáti' Quadrilateral Agreement Task Force.
- B. The Legislative Services Executive Director shall assign one Office of Legislative Services staffer to assist the Naabik'íyáti' Quadrilateral Agreement Task Force.

- C. The Speaker shall determine a Naabik'iyáti' Quadrilateral Agreement Task Force budget and identify the funds.

CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 24th 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 20 in Favor, and 00 Opposed, on this 29th day of October 2020.


Honorable Seth Damon, Chairman
Naabik'iyáti' Committee

10/30/2020
Date

Motion: Honorable Daniel E. Tso
Second: Honorable Mark A. Freeland

Chairman Seth Damon not voting

NAVAJO NATION

1038

8/12/2021

Naa'bik'iyati' Committee Regular Meeting

04:50:27 PM

Amd#1 to Amd#

In Every Place in Legislation

PASSED

MOT Yellowhair

0116-21 Where.....

SEC Tso, D

Yeas : 14

Nays : 0

Excused : 4

Not Voting : 5

Yea : 14

Begay, K

Daniels

Nez, R

Wauneka, E

Begay, P

Freeland, M

Tso, D

Yazzie

Charles-Newton

Henio, J

Walker, T

Yellowhair

Crotty

James, V

Nay : 0

Excused : 4

Stewart, W

Brown

Slater, C

Halona, P

Not Voting : 5

Begay, E

Tso, C

Tso, E

Tso, O

Smith

Presiding Speaker: Damon

NAVAJO NATION

1039

8/12/2021

Naa'bik'iyati' Committee Regular Meeting

04:56:55 PM

Amd# to Amd#	Legislation 0116-21:Rescinding	PASSED
MOT Wauneka, E	NABIO-48-20; Establishing the	
SEC Yellowhair	Naabikiyati Committee Dadeestl	
	in Hotsaa Hoolyehidi Task Force	

Yeas : 16

Nays : 0

Excused : 4

Not Voting : 3

Yea : 16

Begay, K	Daniels	Nez, R	Walker, T
Begay, P	Freeland, M	Tso, C	Wauneka, E
Charles-Newton	Henio, J	Tso, D	Yazzie
Crotty	James, V	Tso, E	Yellowhair

Nay : 0

Excused : 4

Stewart, W	Brown	Slater, C	Halona, P
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Not Voting : 3

Begay, E	Tso, O	Smith
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Presiding Speaker: Damon