

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0093-19

SPONSOR: Nathaniel Brown

**TITLE: An Action Relating To The Resources And Development Committee And The NAABIK'IYATI' Committee; Supporting The Navajo Nation's Request To Call Upon The United States Federal Government To Facilitate The Further Development Of The Economic Sovereignty Of The Navajo Nation Including The Maximization Of The Autonomy Of Its Energy Resources For The Benefit Of The Navajo Nation And Its People**

***Date posted:*** April 18, 2019 at 8:20 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0093-19

**DATE:** April 18, 2019

AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTÍ COMMITTEE; SUPPORTING THE NAVAJO NATION'S REQUEST TO CALL UPON THE UNITED STATES FEDERAL GOVERNMENT TO FACILITATE THE FURTHER DEVELOPMENT OF THE ECONOMIC SOVEREIGNTY OF THE NAVAJO NATION INCLUDING THE MAXIMIZATION OF THE AUTONOMY OF ITS ENERGY RESOURCES FOR THE BENEFIT OF THE NAVAJO NATION AND ITS PEOPLE

**PURPOSE:** Requesting Federal Government to facilitate further development of the Navajo Nation's energy resources.

**This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: 2019  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 4-23-19  
Eligible for Action: 4-24-19

Resources & Development Committee  
Thence  
Naa'bik'iyáti' Committee

1 PROPOSED NAVAJO NATION COMMITTEE RESOLUTION  
2 24th NAVAJO NATION COUNCIL – First Year, 2019

3  
4 INTRODUCED BY

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6 \_\_\_\_\_

7 (Prime Sponsor)

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9 TRACKING NO. 0093-19

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11 AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE  
12 AND THE NAABIK'ÍYÁTÍ COMMITTEE;  
13 SUPPORTING THE NAVAJO NATION'S REQUEST TO CALL UPON THE UNITED  
14 STATES FEDERAL GOVERNMENT TO FACILITATE THE FURTHER  
15 DEVELOPMENT OF THE ECONOMIC SOVEREIGNTY OF THE NAVAJO NATION  
16 INCLUDING THE MAXIMIZATION OF THE AUTONOMY OF ITS ENERGY  
17 RESOURCES FOR THE BENEFIT OF THE NAVAJO NATION AND ITS PEOPLE

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19  
20 WHEREAS:

- 21  
22 A. The Resources and Development Committee of the Navajo Nation Council exercises  
23 oversight authority over water, land, grazing, environment, economic and community  
24 development. 2 N.N.C. §500 (C).  
25 B. The Naabik'iyáti Committee of the Navajo Nation Council is the standing committee  
26 empowered to coordinate and pronounce the official position of the Navajo Nation  
27 before non-Navajo government federal, state or other entities. 2 N.N.C. § 700 (A).  
28 C. The Navajo Nation has a government-to-government relationship with the United  
29 States of America as evidenced by the Treaty of 1868.

- 1 D. This legislation is a necessary response to current developments involving Navajo  
2 Transitional Energy Company's (NTEC) independent acquisition of Navajo  
3 Generating Station (NGS) and Kayenta Mine.
- 4 E. NTEC is a limited liability company organized pursuant to the Navajo Nation Limited  
5 Liability Company Act, 5 N.N.C. § 3600 *et seq.*, created and enabled by Navajo  
6 Nation Council Resolution No. CAP-20-13. See Exhibit A.
- 7 F. The negotiations between NGS Owners and NTEC stalled due to the demands by the  
8 NGS Owners.
- 9 G. Recent support legislation offering support to NTEC's acquisition of NGS and  
10 Kayenta Mine was narrowly defeated.
- 11 H. The Navajo Nation approved the 2013 Navajo Nation Energy Policy (CO-50-13)  
12 which states, in part, that the United States is the trustee of the resources of the  
13 Navajo Nation and has a duty to protect the Nation's energy resources and to assist  
14 the Nation to manage such resources for the benefit of the Diné.
- 15 I. Given the importance of this issue to the Navajo Nation, the Navajo Nation finds it to  
16 be in the best interest of the Diné to request the United States Government to discuss  
17 further development of the Navajo Nation's economic sovereignty including  
18 maximization of its energy resources.

19  
20 **THEREFORE, BE IT RESOLVED:**

- 21 A. The Navajo Nation fully supports the further discussion with the United States  
22 Government to discuss and provide options to enhance the economic sovereignty of the  
23 Navajo Nation.
- 24 B. The Navajo Nation calls upon the United States Department of the Interior and the  
25 Bureau of Reclamation to discharge the federal trust obligations owed to the Navajo  
26 Nation and the Hopi Tribe by taking action necessary to ensure that the acquisition of  
27 NGS and Kayenta Mine is completed and to support both tribes.
- 28 C. The Navajo Nation fully supports the tribe's rejection of the demand that the Navajo  
29 Nation directly guarantee and assume all liabilities associated with NGS.
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- D. The Navajo Nation hereby requests the United States Government to discuss further development of the Navajo Nation's economic sovereignty including maximization of its energy resources.
- E. The Navajo Nation hereby authorizes the Navajo Nation President, and the Navajo Nation Speaker of the 24<sup>th</sup> Navajo Nation Council, and their designees, to further initiate discussions with the United States Government on a government-to-government basis to carry out the intent of this resolution.