

The Navajo Nation Council — Office of the Speaker

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Navajo delegation lobbies the United States Congress on the official position of the Navajo Nation relating to the new trustee designation of the Utah Navajo Trust Fund

Washington, D.C. – The Task Force on State Affairs of the Inter-Governmental Relations (IGR) Committee of the 21st Navajo Nation Council sent a delegation to Washington, D.C. to lobby the United States Congress on the official position of the Navajo Nation as it relates to impending new trustee designation over the Utah Navajo Trust Fund (UNTF). On October 7 – 8, 2009, Honorable Delegates Katherine Benally (Dennehotso), Francis Redhouse (Teec Nos Pos), and Young Jeff Tom (Mariano Lake/Smith Lake), met with Congressional membership in both the House and Senate, including Senator Bob Bennett (R-UT), Senator Tom Udall (D-NM), and Representative Raul Grijalva (D-AZ), as well as the offices of Senator Jeff Bingaman (D-NM), Senator John McCain (R-AZ), Representative Ann Kirkpatrick (D-AZ), Representative Ben Lujan (D-NM), and the Senate Committee on Indian Affairs.

The official position of the Navajo Nation rendered on May 19, 2008 by the members of the Inter-Governmental Relations (IGR) Committee assert that "Federal legislation amending or repealing the 1933 Act and designating a new trustee for the Utah Navajo Trust Fund should be the result of good faith government to government negotiations between the Navajo Nation, the State of Utah, and the United States Government. Consistent with the Navajo Nation's status as an independent sovereign nation, any federal legislation that affects royalties generated by Navajo Nation Trust Lands must be made with the consent of the Navajo Nation". Further, the IGR Committee asserts that the status quo remain in terms of who the beneficiaries are and how much: "the beneficiaries of the Utah Navajo Trust shall continue to receive the benefit of 37.5 percent of all royalties generated by oil and gas production from leases on Reservation lands added in 1933. Sixty-two point five percent of all royalties generated by oil and gas production from leases on Reservation lands added in 1933 shall continue to go the Navajo Nation."

On September 21, 2009 Senator Bob Bennett (R-UT) introduced Senate Bill 1690 which names the "Utah Dineh Corporation", a newly created non-profit entity with no affiliation to the Navajo Nation, as the new designated trustee of the Utah Navajo Trust Fund. This received immediate disapproval and opposition from the 21st Navajo Nation Council and Navajo Nation President Joe Shirley, Jr. On October 7, 2009, Senator Bennett received the position of the Navajo Nation from the Navajo Delegation, but offered little in

response to concerns expressed other than his question on whether the Navajo Nation could guarantee that the trust funds would remain in Utah.

In response, Council Delegate Katherine Benally assured Senator Bennett that the guarantee comes through the fact that this is a matter of federal law, and contrary to unproven innuendo, the Navajo Nation has no history of distributing or siphoning off of Navajo Nation or federal funds in violation of federal law. Redhouse pointed out, "the Navajo Nation, as an independent sovereign nation, has the right to self-determination, to freely determine its own political status and to freely pursue its economic, social, and cultural development. It would be inconsistent with the centuries old federal trust responsibility and historical commitment of the United States to go against the development of self determination of all Indian people. In this particular instance, it is appropriate and imperative that Congress designate the Navajo Nation as the new trustee of this trust fund."

Currently, Senate Bill 1690 rests with the Senate Committee on Indian Affairs of the United States Congress.

The IGR Task Force, created on Jan 8, 2009, is comprised of six committee members appointed by Speaker Lawrence T. Morgan to cover state issues in Arizona, New Mexico and Utah. Council Delegates Kee Allen Begay Jr. (Many Farms/Round Rock) and Leonard Chee (Birdsprings/Leupp/Tolani Lake) cover Arizona affairs, Council Delegates LoRenzo C. Bates (Upper Fruitland) and Young Jeff Tom cover New Mexico affairs; and Katherine Benally (Dennehotso) and Francis Redhouse (Teecnospos) cover Utah affairs. The task force is chaired by Council Delegate Young Jeff Tom and is created to advance the positions, priorities, and strategies of the Navajo Nation Council on state related matters.