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HOUSE MEMORIAL 91

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Ray Begaye

A MEMORIAL

RELATING TO THE UTAH NAVAJO PEOPLE; REQUESTING THE UNITED STATES CONGRESS TO PLACE TRUSTEESHIP OF THE UTAH NAVAJO TRUST FUND IN THE HANDS OF UTAH NAVAJOS; REQUESTING THE UNITED STATES CONGRESS TO ACKNOWLEDGE HUMAN RIGHTS INJUSTICES.

WHEREAS, the Navajo or Diné people have lived throughout Diné Bikéyah, or Navajoland, embracing the four corners of the current states of New Mexico, Colorado, Arizona and Utah, for many, many generations; and

WHEREAS, the government of the United States of America laid claim to the lands of the southwestern United States after the Mexican-American war, which ended in 1848; and

WHEREAS, the Treaty of Guadalupe Hidalgo that the United States and Mexico signed to end the Mexican-American war guaranteed the rights of the Navajo people, whose ancestral

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1 homeland is in southeastern Utah, west of the Colorado river;
2 and

3 WHEREAS, in 1864, two-thirds of the Navajo population, or
4 approximately eight thousand souls, were forced on the long
5 walk from their Navajo homeland, three hundred miles across New
6 Mexico, to Fort Sumner, many of them dying of exposure and
7 starvation during the walk and upon arrival; and

8 WHEREAS, some Navajo people, such as the K'aayellii Dineh
9 band of southeastern Utah, fled captivity at that time; and

10 WHEREAS, the Utah Navajo people who evaded the surrender
11 and long walk of 1848 did not enter into the treaties that the
12 other Navajo people entered in 1868, when they returned from
13 Fort Sumner; and

14 WHEREAS, the United States congress passed a law in 1933
15 that was to set aside permanently certain lands in southeastern
16 Utah for the benefit of the Utah Navajo people; and

17 WHEREAS, despite the 1933 law, the United States
18 government conveyed Utah Navajo lands in southern Utah and in
19 northern Arizona to the United States government, taking fifty-
20 three thousand acres of tribal land while restricting access to
21 territory belonging in the Navajo homeland; and

22 WHEREAS, when the Utah Navajo people were deprived of
23 their land and mineral rights, the state of Utah was named as
24 trustee of thirty-seven and one-half percent of royalties from
25 oil and gas extraction on their lands, to be held in trust on

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1 their behalf; and

2 WHEREAS, the Utah Navajo people have realized little
3 benefit from the property held in trust on their behalf; and

4 WHEREAS, the Utah Navajo people have a right to
5 acknowledgment of the human rights injustices against them, the
6 theft of their land and the misuse of their rightful property;

7 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
8 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico
9 delegation to the United States congress be requested to
10 acknowledge the right to self-determination of the Utah Navajo
11 people by turning over trusteeship of the trust held in their
12 name; and

13 BE IT FURTHER RESOLVED that the egregious abuses of the
14 human rights of the Utah Navajo and all Navajo people be
15 acknowledged and atoned for publicly by the United States
16 congress; and

17 BE IT FURTHER RESOLVED that copies of this memorial be
18 transmitted to the governor of the state of New Mexico, the
19 governor of Utah, the president of the Navajo Nation, the
20 members of the New Mexico and Utah congressional delegations,
21 the United States secretary of energy, the United States
22 secretary of defense, the director of the federal bureau of
23 land management, the chairman of the United States senate
24 committee on Indian affairs and the chairman of the United
25 States house of representatives committee on natural resources.

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