

S 1003

Navajo-Hopi Land Settlement Amendments of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Native Americans

Introduced: May 11, 2005

Current Status: Committee Hearings Held.

Latest Action: Committee Hearings Held. (Jun 20, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/1003>

Sponsor

Name: Sen. McCain, John [R-AZ]

Party: Republican • **State:** AZ • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Indian Affairs Committee	Senate	Reported By	Dec 12, 2005
Natural Resources Committee	House	Hearings By (full committee)	Jun 20, 2006

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

No related bills are listed.

Navajo-Hopi Land Settlement Amendments of 2005 - **Title I: Amendments to the Act of December 22, 1974** - (Sec. 101) Amends the Act of December 22, 1974, to repeal authority and requirements for appointment of Navajo and Hopi relocation negotiating teams, a Mediator, and related matters (because all such requirements have been fulfilled). Renames the Act, as revised, the Navajo-Hopi Land Settlement Act.

(Sec. 106) Revises requirements for the partition of the Navajo and Hopi Joint Use Area of the 1882 Reservation established by Executive Order on December 16, 1882.

(Sec. 107) Revises requirements for the exchange of land, at the discretion of the Secretary of the Interior, between the United States (under the jurisdiction of the Bureau of Land Management in Arizona and New Mexico) and the Navajo Tribe. (Currently, the Secretary is required to make such a land exchange.)

Terminates on September 30, 2008, the authority of the Commissioner of the Office of Navajo and Hopi Indian Relocation (ONHIR) to select lands to be transferred to or acquired by the Navajo Tribe.

Authorizes the Commissioner, in order to facilitate relocation of a member of a Tribe, to grant a homesite lease on land acquired under such Act to a member of the extended family of a Navajo Indian eligible to receive benefits under such Act. Prohibits the Commissioner, however, from using any available funds to provide housing to such an extended family member.

(Sec. 108) Terminates ONHIR on September 30, 2008, and transfers all remaining duties to the Secretary.

Allows the Secretary: (1) to consult with the Commissioner regarding the transfer of the responsibilities of the ONHIR to the Department of the Interior; and (2) take any action the Secretary determines to be necessary to assume the responsibilities of the Office on September 30, 2008.

(Sec. 110) Prohibits any payment of benefits under the Act to any head of household not certified eligible to receive payments by September 30, 2008.

(Sec. 111) Directs the Commissioner to notify the Secretary by September 30, 2008, of any head of household who: (1) is certified eligible to receive benefits; (2) does not reside on land partitioned to the Tribe of which the head of household is a member; and (3) has not received a replacement home. Directs the Commissioner also, by September 30, 2008, to transfer to the Secretary any funds not used to make payments to eligible heads of households. Requires the Secretary to hold such funds, for the benefit of each eligible head of household who has not received a replacement home, until receiving a request for them, at which time payments shall be made for such a home. Requires the Commissioner to notify each eligible head of household who has not entered into a lease with the Hopi Tribe to reside on land partitioned to the Tribe.

Requires the Commissioner, before July 1, 2008, but within 90 days after receiving notice of the imminent removal of a relocatee from land provided to the Navajo Tribe or the Hopi Tribe under this Act, to: (1) determine the relocatee's eligibility for a replacement home; and (2) begin construction of such a home for an eligible relocatee on any acquired land.

Requires the Commissioner to establish an expedited procedure for reaching a final determination on appeals of eligibility denials. Authorizes appeal of an eligibility denial to the U.S. Court of Appeals for the Ninth Circuit.

(Sec. 121) Authorizes appropriations to a discretionary fund of the Commissioner to carry out the relocation program for FY2006-FY2008 and beyond.

Title II: Transfer of Functions and Savings Provisions - (Sec. 202) Transfers to the Secretary any ONHIR function that has not been carried out in accordance with the Act of December 22, 1974, as amended by this Act. Prescribes related administrative requirements.

(Sec. 212) Requires the Commissioner to report annually to Congress and authorizes appropriations for such reports.

Title III: Personnel of the Office of Navajo and Hopi Relocation - (Sec. 301) Allows ONHIR to request funding for and offer voluntary separation incentive payments and voluntary early retirement to any ONHIR employee.

Actions Timeline

- **Jun 20, 2006:** Committee Hearings Held.
- **May 9, 2006:** Executive Comment Requested from Interior.
- **May 3, 2006:** Referred to the House Committee on Resources.
- **May 2, 2006:** Measure laid before Senate by unanimous consent. (consideration: CR S3918-3930; text of measure as reported: CR S3918-3924)
- **May 2, 2006:** Passed/agreed to in Senate: Passed Senate with amendments by Unanimous Consent.(text of measure as passed Senate: CR S3924-3930)
- **May 2, 2006:** Passed Senate with amendments by Unanimous Consent. (text of measure as passed Senate: CR S3924-3930)
- **May 2, 2006:** Received in the House.
- **May 2, 2006:** Message on Senate action sent to the House.
- **May 2, 2006:** Held at the desk.
- **Dec 12, 2005:** Committee on Indian Affairs. Reported by Senator McCain with amendments. With written report No. 109-206.
- **Dec 12, 2005:** Committee on Indian Affairs. Reported by Senator McCain with amendments. With written report No. 109-206.
- **Dec 12, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 324.
- **Oct 27, 2005:** Committee on Indian Affairs. Ordered to be reported without amendment favorably.
- **Jul 21, 2005:** Committee on Indian Affairs. Hearings held. Hearings printed: S.Hrg. 109-183.
- **May 11, 2005:** Introduced in Senate
- **May 11, 2005:** Sponsor introductory remarks on measure. (CR S4950)
- **May 11, 2005:** Read twice and referred to the Committee on Indian Affairs. (text of measure as introduced: CR S4950-4956)