

105TH CONGRESS
1ST SESSION

H. R. 2934

To repeal the Bennett Freeze thus ending a gross treaty violation with the Navajo Nation and allowing the Navajo Nation citizens to live in habitable dwellings and raise their living conditions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 1997

Mr. HAYWORTH (for himself, Mr. REDMOND, Mr. McINNIS, and Mr. CANNON) introduced the following bill; which was referred to the Committee on Resources

A BILL

To repeal the Bennett Freeze thus ending a gross treaty violation with the Navajo Nation and allowing the Navajo Nation citizens to live in habitable dwellings and raise their living conditions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress finds that—

1 (1) the Navajo Nation is one of the largest and
2 most economically depressed Indian reservations in
3 the United States;

4 (2) the Bennett Freeze, named after former
5 Bureau of Indian Affairs Commissioner Robert Ben-
6 nett, was administratively issued and enforced in
7 1966 to restrict the Navajo tribe from constructing
8 new dwellings or repairing existing dwellings on
9 some of the acreage involved in the land dispute
10 with the Hopi Tribe;

11 (3) the Bennett Freeze has affected 1,500,000
12 acres, or approximately 9 percent of the total acre-
13 age of the Navajo Nation, covering 10 chapters and
14 affecting nearly 8,000 people;

15 (4) only 3 percent of the families affected by
16 the Bennett Freeze have electricity and only 10 per-
17 cent have running water;

18 (5) since 1966, the population in the Bennett
19 Freeze area has increased by approximately 65 per-
20 cent, forcing several generations to cohabitate in
21 dwellings that have been declared unfit for human
22 habitation;

23 (6) doctors have concluded that overcrowding
24 and the absence of running water, refrigeration, and
25 adequate sewage disposal adversely impact the men-

1 tal and physical health of Navajos residing in the
2 Bennett Freeze area;

3 (7) the Bennett Freeze has halted essential con-
4 struction such as power line extensions, waterline ex-
5 tensions, road improvements, and community facili-
6 ties improvements;

7 (8) when the Bennett Freeze was temporarily
8 lifted in 1992, an ambitious \$20,000,000 construc-
9 tion plan for new dwellings was proposed that would
10 have raised living conditions and increased the eco-
11 nomic viability of the Bennett Freeze area, however,
12 the plan was halted when a Federal judge reinstated
13 the freeze;

14 (9) the Federal Government has not taken the
15 steps necessary to end the Bennett Freeze in this al-
16 ready economically depressed community; and

17 (10) the Bennett Freeze is a gross violation of
18 treaty obligations to the Navajo Nation.

19 **SEC. 2. REPEAL OF THE BENNETT FREEZE.**

20 Section 10(f) of Public Law 93-531 (25 U.S.C.
21 640d-9(f)) is repealed.

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