

November 17, 2016

Attention State Director,

I'm reaching out to you with my opposition of the leasing of lands to oil and gas companies in the Chaco area. I do not have any land invested, nor own any land in the area. I do have a family to take care of and it is my duty to help preserve the culture for future generations. Being a Dine' (Navajo), Anasazi sites are deemed sacred and should not be disturbed.

According to the Archaeological Resources Protection Act of 1979 (P.L. 96-95; 93 Stat. 721; 16 U.S.C. 470aa et seq.) as amended (P.L. 100-555; P.L. 100-588) provides felony-level penalties, more severe than those of the Antiquities Act of 1906 (see O3A), for the unauthorized excavation, removal, damage, alteration, defacement, or the attempted unauthorized removal, damage, alteration, or defacement of any archaeological resource, more than 100 years of age, found on public lands or Indian lands. The act also prohibits the sale, purchase, exchange, transportation, receipt, or offering of any archaeological resource obtained from public lands or Indian lands in violation of any provision, rule, regulation, ordinance, or permit under the act, or under any Federal, State, or local law.

In addition, the American Indian Religious Freedom Act of 1978 (P.L. 95-431; 92 Stat. 469; 42 U.S.C. 1996) resolves that it shall be the policy of the United States to protect and preserve for the American Indian, Eskimo, Aleut, and Native Hawaiian the inherent right of freedom to believe, express, and exercise their traditional religions, including but not limited to access to religious sites, use and possession of sacred objects, and freedom to worship through ceremonials and traditional rites. Federal agencies are directed to evaluate their policies and procedures to determine if changes are needed to ensure that such rights and freedoms are not disrupted by agency practices. The act, a specific expression of First Amendment guarantees of religious freedom, is not implemented by regulations. A U.S. Court of Appeals has determined that there is a compliance element in the American Indian Religious Freedom Act, requiring that (1) the views of Indian leaders be obtained and considered when a proposed land use might conflict with traditional Indian religious beliefs or practices, and that (2) unnecessary interference with Indian religious practices be avoided during project implementation, but specifying that (3) conflict need not necessarily bar Federal agencies from adopting proposed land uses in the public interest.

It is our civic duty to protect and preserve the land from future desecrations; To allow our people to pray in peace at our sacred areas which lie between four sacred mountains: Mount Blanca, Mount Taylor, San Francisco Peaks, and Mount Hesperus. Including the Sacred Mountain of the Center, Dził Na'oodííí, is considered to be the "lungs" of Navajo country, which precisely lies in the contested Chaco area for fracking. Our heritage is at stake, and the destruction of these sacred sites will only help deteriorate our cultural beliefs. Not only for now, but for future generations to come.

Thank you in advance for reading my written opposition.

Sincerely,

  
Cher Roanhorse, Dine' Tribal Citizen