

106TH CONGRESS  
1ST SESSION

# H. R. 151

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

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. HAYWORTH 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 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—

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

1           (2) the Bennett Freeze, named after former  
2 Bureau of Indian Affairs Commissioner Robert Ben-  
3 nett, was administratively issued in 1966 to restrict  
4 the Navajo tribe from constructing and repairing  
5 their dwellings on land that was subject to a land  
6 dispute with the Hopi Tribe;

7           (3) the Bennett Freeze has affected 1,500,000  
8 acres of land, approximately 9 percent of the total  
9 acreage of the Navajo Nation, covering 10 chapters  
10 and affecting nearly 8,000 people;

11           (4) only 3 percent of the families affected by  
12 the Bennett Freeze have electricity and only 10 per-  
13 cent have running water;

14           (5) since 1966, the population has increased by  
15 approximately 65 percent in the Bennett Freeze  
16 area, forcing several generations of families to live  
17 together in dwellings that have been declared unfit  
18 for human habitation;

19           (6) members of the medical community confirm  
20 that overcrowding and the absence of running water,  
21 refrigeration, and adequate sewage disposal ad-  
22 versely impact the mental and physical health of  
23 Navajos residing in the Bennett Freeze area;

24           (7) the Bennett Freeze has halted essential con-  
25 struction, including power line extensions, waterline

1 extensions, road improvements, and community fa-  
2 cilities improvements;

3 (8) when the Bennett Freeze was temporarily  
4 lifted in 1992, an ambitious \$20,000,000 construc-  
5 tion plan for new dwellings was proposed that would  
6 have raised living conditions and increased the eco-  
7 nomic viability of the Bennett Freeze area, however,  
8 the plan did not become a reality because a Federal  
9 judge reinstated the freeze;

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

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

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

16 Section 10(f) of Public Law 93-531 (25 U.S.C.  
17 640d-9(f)) is repealed.

○