



## Navajo Nation CARES Fund Act legislation introduced

**FOR IMMEDIATE RELEASE:** May 7, 2020

**WINDOW ROCK, Ariz.** — [Legislation](#) to lay the groundwork for the Navajo Nation's expenditure of more than \$600 million in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funding was introduced into the Navajo Nation Council's legislative process on Thursday. Legislation No. 0115-20 creates the legal framework that restricts any use of the federal funding given to the Navajo Nation for COVID-19 relief efforts to only those activities that are allowed under the CARES Act.

The proposed Navajo Nation CARES Fund Act and the expedited procurement rules and procedures are not final until the Navajo Nation Council approves Legislation No. 0115-20 and the Navajo Nation President signs it into law.

24th Navajo Nation Council Speaker Seth Damon sponsored the legislation in consultation with members of the 24th Navajo Nation Council and preliminary public comments. "Now that the Navajo Nation Council has legislation to consider, the Navajo People have every opportunity to speak to the proposed Navajo Nation CARES Fund Act. We invite the people of the Navajo Nation to submit their input through the official public comment process," said Speaker Damon.

The legislation is open for the statutory 5-day public comment period and will become eligible for action by the Budget and Finance and Law and Order Committees of the Navajo Nation Council on Wednesday, May 13. The two committees and the 24-member Naabik'iyáti' Committee will consider the Navajo Nation CARES Fund Act legislation before it is considered by the full Navajo Nation Council. The committees will consider the legislation and can act to recommend amendments, or changes, to the text of the legislation.

Under the proposed Navajo Nation CARES Fund Act, organizations, Navajo Nation programs, Chapters and related entities may develop coronavirus-related projects and expenditure plans for CARES funding, if the legislation is approved. Those proposed expenditure plans will be considered as attachments to future legislation and will become part of the public record.

The legislation is comprised of 9 sections that detail authorities, findings, the Navajo Nation CARES Fund Act at 2 N.N.C. §2601 et seq., expenditure plan requirements and administration, the CARES Fund Expedited Procurement Rules and Procedures, directives to Navajo Nation programs, and related sections.

"Through the proposed Navajo Nation CARES Fund Act, the Navajo Nation Council will consider new rules that allow participation by communities, programs and leadership towards developing an ongoing pipeline of projects that accomplish the intent of the COVID-19 relief funding the Navajo Nation has received in the time we have," said Speaker Seth Damon.

The federal CARES Act Coronavirus Relief Fund allows funding to be used for costs that: Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; were not accounted for in the Tribal budget most recently approved as of Mar. 27, 2020; and are incurred from Mar. 1, 2020 through Dec. 30, 2020.

On Apr. 22, 2020, the United States Department of the Treasury published CARES Act relief funding guidance for state, territorial, local and tribal governments that outlined the allowable uses for the federal funding. This guidance has been included in the initial legislative packet for the proposed Navajo Nation CARES Fund Act.

The legislation includes proposed directives to Navajo Nation programs to develop procedures that further streamline the process. The directives are intended to increase the capacity of the Office of the Controller to handle the increased workload, streamline the budget procedures by the Office of Management and Budget and to establish a template for use in developing expenditure plans.

The legislation also includes expedited procurement rules and procedures for any COVID-19 related expenses. The COVID-19 procurement rules would replace the normal Navajo Nation procurement process in order to expedite coronavirus-related expenditures. The existing procurement process was immediately noted by council delegates and public commenters as a major foreseeable issue in expending funding by the Dec. 30 deadline.

The proposed expedited procurement rules further establish the requirement that all Navajo Nation CARES Act Fund expenses comply with federal requirements. The rules, labeled in the legislation packet as "Exhibit E", also set the requirement for procurement to comply with the Navajo Business Opportunity Act and the [source list](#) maintained by the Business Regulatory Department of the Division of Economic Development. The rules also address sourcing products or services not found on the business source list.

Though the statutory 5-day hold on legislation for the public comment period expires Tuesday, public comment will continue to be collected until the legislation advances from the committees to the full Navajo Nation Council for final vote.

Public comment on topics and legislation under consideration by the Navajo Nation Council may be submitted in written form to:

- Email: comments@navajo-nsn.gov; or
- Regular mail: Executive Director, Office of Legislative Services, P.O. Box 3390, Window Rock, AZ 86515.

Comments may be:

- Chapter resolutions;
- Letters;
- Position papers;
- Written statement in the body of an email.

Comments must include:

1. Your name;
2. Title or position (if commenting as part of an organization or entity);
3. Mailing address (for written comments);
4. Valid email address (for emailed comments).

Anonymous comments will not be included in the legislation packet. Comments on social media posts are not considered as part of the legislative process unless submitted through the above methods.

The full text of Legislation No. 0115-20 can be found on the Navajo Nation Council's website at the URL: <http://www.navajonationcouncil.org/legislation.html>.

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