

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0093-22_

SPONSOR: Otto Tso

TITLE: An Act Relating to the Naabik'iyáti' Committee and the Budget & Finance Committee; Approving the Fund Management Plan for the Diné Relocatee Fund

Date posted: May 06, 2022 at 5:00PM

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0093-22

DATE: April 28, 2022

TITLE OF RESOLUTION: AN ACT RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND THE BUDGET AND FINANCE COMMITTEE; APPROVING THE FUND MANAGEMENT PLAN FOR THE DINÉ RELOCATEE FUND

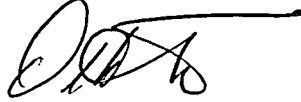
PURPOSE: This resolution, if approved, enact the Fund Management Plan for Diné Relocatee Fund.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Admission
Website Posting Time/Date: _____
Posting End Date: 05-11-22
Eligible for Action: 05-12-22

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL - Fourth Year, 2022

3 Introduced by:

4 
5 _____
6 OTTO TSO
(Sponsor)

7
8 Tracking No. 0093-22

9
10 AN ACT
11 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND THE
12 BUDGET AND FINANCE COMMITTEE; APPROVING THE FUND
13 MANAGEMENT PLAN FOR THE DINÉ RELOCATEE FUND
14

15 BE IT ENACTED:

16
17 SECTION ONE. AUTHORITY

- 18 A. The Naabik'ya'ti' Committee is a standing committee of the Navajo Nation Council
19 with delegated authority as the oversight authority for commissions under the
20 Legislative Branch of the Navajo Nation, which includes the Navajo-Hopi Land
21 Commission ("Commission"). 2 N.N.C. §701(5).
22 B. The Navajo-Hopi Land Commission is the delegated authority to "[s]peak and act on
23 behalf of the Navajo Nation and advocate at the local, regional, and national levels on
24 issues related to Navajo Partitioned Lands (NPL), Hopi Partitioned Lands (HPL) (on
25 behalf of Navajo families living on HPL), Former Bennett Freeze Area (Navajo-Hopi
26 land issues), Nahata Dziil, lands acquired using P.L. 96-305, and the Southern Paiute
27 Tribe." 2 N.N.C. § 851 (B)(3), as amended by CO-82-20 with veto override by CD-91-
28 20.
29
30

- 1 C. The Navajo-Hopi Land Commission also has the delegated authority to “(e)stablish
2 Rehabilitation Trust Fund and Escrow Fund program budget policies.” 2 N.N.C. § 851
3 (B)(4), as amended by CO-82-20 with veto override by CD-91-20.
- 4 D. The Budget and Finance Committee is a standing committee of the Navajo Nation
5 Council with the delegated authority to approve fund management plans, after
6 recommendation by the appropriate oversight committee and the affected Navajo
7 Nation division or branch. 2 N.N.C. §301(B)(14).
- 8

9 **SECTION TWO. FINDINGS**

- 10 A. The Navajo Nation Council established the Diné Relocatee Fund in Resolution No.
11 CJA-13-22, adopted on January 27, 2022, and signed into law by President Nez on
12 February 13, 2022. CJA-13-22 is incorporated herein as **Exhibit 1**.
- 13 B. The Diné Relocatee Fund was created for the collection of all revenue, income, net
14 proceeds from pending litigation, and payments from the Arizona New Lands received
15 by the Navajo Nation. Such funds are to be used solely for the benefit of Navajo
16 families residing on Hopi-partitioned lands as of December 22, 1974. 12 N.N.C. § 2801
17 and § 2801 (A), as amended by CJA-13-22.
- 18 C. In addition, the net proceeds of all settlement or judgment awards from litigation
19 brought by the Navajo Nation on behalf of Navajo families residing on Hopi-
20 partitioned lands as of December 22, 1974 (the “Relocatees”) against the United States
21 in the United States Court of Federal Claims shall be deposited into the Diné Relocatee
22 Fund. 12 N.N.C. § 2801 (B), as amended by CJA-13-22.
- 23 D. The purposes of the Diné Relocatee Fund are to provide financial support to Navajo
24 families who resided on the Hopi-Partitioned lands as of December 22, 1974 through
25 the provision of housing assistance, infrastructure assistance, and education assistance.
26 *See* 12 N.N.C. § 2802 (A), as amended by CJA-13-22.
- 27 E. The Diné Relocatee Fund Principal and Income shall be expended in a manner
28 consistent with a Fund Management Plan, subject to approval of the Budget and
29 Finance Committee of the Navajo Nation Council, which shall incorporate the priorities
30 identified by the Navajo-Hopi Land Commission in the Diné Relocatee Fund Policy,

1 as may be amended by the Commission consistent with governing federal and Navajo
2 laws. § 2805 (C), as amended by CJA-13-22.

3 F. CJA-13-22, Section Four, requires the Navajo Hopi Land Commission Office to
4 finalize a proposed Fund Management Plan (“FMP”) for consideration by the Navajo
5 Hopi Land Commission, which by resolution shall make a recommendation to the
6 Budget and Finance Committee for enactment pursuant to 2 N.N.C. § 301(B)(14).

7 **Exhibit 1.**

8 D. The Navajo Hopi Land Commission adopted Resolution No. NHLCMA-02-2022,
9 incorporated herein as **Exhibit 2**, recommending that the Fund Management Plan,
10 attached as **Exhibit 2 (Sub-Exhibit A)**, for the Dine’ Relocatee Fund be approved by
11 the Budget and Finance Committee.

12
13 **SECTION THREE. APPROVAL**

14 The Navajo Nation hereby approves the Diné Relocatee Fund Management Plan
15 recommended by the Navajo-Hopi Land Commission as set forth in NHLCMA-02-22 and
16 attached as **Exhibit 2 (Sub-Exhibit A)**.

17
18 **SECTION FIVE. EFFECTIVE DATE**

19 This legislation shall become effective in accordance with 2 N.N.C. §301(B)(14) and
20 certification by presiding chairperson of the Budget and Finance Committee.

21
22 **SECTION SIX. SAVING CLAUSE**

23 If any provision of this legislation is determined invalid by the Supreme Court of the
24 Navajo Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation
25 Supreme Court, the remainder of this legislation shall be the law of the Navajo Nation.