

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0094-23\_

SPONSOR: Brenda Jesus

**TITLE: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Brenda Jesus' Delegate Region (Chapters: Oak Springs, St. Michaels)**

*Date posted:* May 3, 2023 6:28 PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 00914-23

**DATE: May 1, 2023**

**TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE BRENDA JESUS' DELEGATE REGION (CHAPTERS: OAK SPRINGS, ST. MICHAELS)**

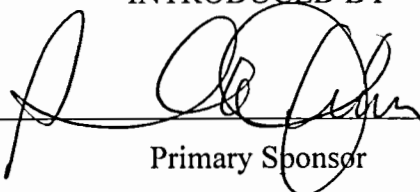
**PURPOSE:** This resolution, if approved, will enact Hon. Brenda Jesus' Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Oak Springs, St. Michaels)

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

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 05-08-23  
Eligible for Action: 05-09-23

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 25th NAVAJO NATION COUNCIL — 1<sup>st</sup> Year, 2023

3  
4 INTRODUCED BY

5   
6 \_\_\_\_\_  
7 Primary Sponsor

8  
9 TRACKING NO. 0094-23

10  
11 AN ACTION

12 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION  
13 COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND  
14 DELEGATE REGION PROJECT PLAN FOR HONORABLE BRENDA JESUS'  
15 DELEGATE REGION (CHAPTERS: OAK SPRINGS, ST. MICHAELS)

16  
17 BE IT ENACTED:

18  
19 SECTION ONE. AUTHORITY

- 20 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C.  
21 §102(A).  
22 B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council  
23 with the delegated responsibility to hear proposed resolution(s) that require final  
24 action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).  
25 C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference,  
26 mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region  
27 Project Plans be approved by Navajo Nation Council resolution and signed into law  
28 by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C.  
29 §§ 1005 (C) (10), (11), and (12).  
30

1 **SECTION TWO. FINDINGS**

2 A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO  
3 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
4 ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY  
5 FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND  
6 EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC  
7 SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL  
8 ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS;  
9 HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS;  
10 BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND  
11 ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND  
12 MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION  
13 PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED  
14 ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo  
15 Nation on July 15, 2022.

16 B. CJN-29-22, Section Three, states, in part and among other things, that

- 17 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter  
18 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal  
19 Recovery Fund in the total amount of two hundred eleven million two  
20 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)  
21 to be divided equally between the twenty-four (24) Delegate Regions in the  
22 amount of eight million eight hundred two thousand three hundred forty  
23 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate  
24 Region Project Plans approved by Navajo Nation Council resolution and  
25 signed into law by the President of the Navajo Nation . . . See CJN-29-22,  
26 Section Three (B).
- 27 2. The Delegate Region Project Plan funding will be allocated to the Navajo  
28 Nation Central Government, specifically the Division of Community  
29 Development or other appropriate Navajo Nation Division or Department,  
30

1 to implement the projects rather than directly to the Chapters. *See* CJN-29-  
2 22, Section Three (D).

3 3. The Navajo Nation Central Government, specifically the Division of  
4 Community Development or other appropriate Navajo Nation Division or  
5 Department, shall manage and administer funds and Delegate Region  
6 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation  
7 Central Government may award funding to LGA-Certified Chapters through  
8 sub-recipient agreements to implement and manage specific projects, but  
9 shall maintain Administrative Oversight over such funding and Delegate  
10 Region Project Plans. *See* CJN-29-22, Section Three (E).

11 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund  
12 eligible projects within their Delegate Region to be funded by the NNFRF  
13 Chapter and Regional Projects Expenditure Plan through a Delegate Region  
14 Projects Plan. The total cost of projects selected by each Delegate shall not  
15 exceed their Delegate Region distribution of eight million eight hundred two  
16 thousand three hundred forty dollars (\$8,802,340). *See* CJN-29-22, Section  
17 Three (F).

18 5. Each Delegate Region Project shall identify its Administrative Oversight  
19 entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ  
20 initial eligibility determination. *See* CJN-29-22, Section Three (L)(5) and  
21 (L)(6).

22 C. All projects listed in the Hon. Brenda Jesus' Delegate Region Projects Plan, attached  
23 as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In  
24 addition, Hon. Brenda Jesus' Delegate Region Projects Plan does *not* exceed the  
25 amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

26 D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo  
27 Nation and the Hon. Brenda Jesus' Delegate Region Chapters and communities to  
28 approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project  
29 Plan for Hon. Brenda Jesus' Delegate Region (Chapters: Oak Springs, St. Michaels)  
30 as set forth in **Exhibit A**.

1  
2 **SECTION THREE. APPROVAL OF HON. BRENDA JESUS' DELEGATE REGION**  
3 **PROJECT PLAN**

- 4 A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project  
5 Plan for Hon. Brenda Jesus' Delegate Region (Chapters: Oak Springs, St. Michaels) set  
6 forth in **Exhibit A**.
- 7 B. The Delegate Region Project Plan approved herein shall comply with all applicable  
8 provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- 9 C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the  
10 individual project appendix, shall be resolved in favor of the project appendix reviewed  
11 by Department of Justice during their eligibility determination(s).
- 12

13 **SECTION FOUR. AMENDMENTS**

14 Amendments to this legislation or to the Delegate Region Project Plan approved herein  
15 shall only be adopted by resolution of the Navajo Nation Council and approval of the  
16 President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005  
17 (C) (10), (11), and (12).

18

19 **SECTION FIVE. EFFECTIVE DATE**

20 This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C.  
21 § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

22

23 **SECTION SIX. SAVING CLAUSE**

24 If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,  
25 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,  
26 those provisions of this legislation not determined invalid shall remain the law of the Navajo  
27 Nation.

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