

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0112-23_

SPONSOR: Danny Simpson

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 Danny Simpson's Delegate Region (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint)

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0112-23

DATE: May 17, 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 DANNY SIMPSON'S DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY, NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI, CROWNPOINT)

PURPOSE: This resolution, if approved, will enact Hon. Danny Simpson's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint).

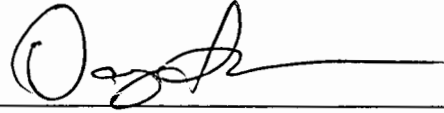
This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD
Website Posting Time/Date
Posting End Date: 05-24-23
Eligible for Action: 05-25-23

Naabik'iyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL — 1st Year, 2023

3
4 INTRODUCED BY

5 
6 _____

7 Primary Sponsor

8
9 TRACKING NO. 0112-23

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 DANNY
15 SIMPSON'S DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY,
16 NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI,
17 CROWNPOINT)

18
19 **BE IT ENACTED:**

20 **SECTION ONE. AUTHORITY**

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

1
2 **SECTION TWO. FINDINGS**

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

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

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

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. Danny Simpson's Delegate Region Projects Plan,
23 attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ.
24 In addition, Hon. Danny Simpson's Delegate Region Projects Plan does *not* exceed
25 the 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. Danny Simpson's Delegate Region Chapters and communities to
28 approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project
29 Plan for Hon. Danny Simpson's Delegate Region (Chapters: Becenti, Lake Valley,
30

1 Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint) as set
2 forth in **Exhibit A**.

3
4 **SECTION THREE. APPROVAL OF HON. DANNY SIMPSON'S DELEGATE**
5 **REGION PROJECT PLAN**

6 A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project
7 Plan for Hon. Danny Simpson's Delegate Region (Chapters: Becenti, Lake Valley,
8 Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint) set forth
9 in **Exhibit A**.

10 B. The Delegate Region Project Plan approved herein shall comply with all applicable
11 provisions of CJY-41-21, CJN-29-22, and BFS-31-21.

12 C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the
13 individual project appendix, shall be resolved in favor of the project appendix reviewed
14 by Department of Justice during their eligibility determination(s).

15
16 **SECTION FOUR. AMENDMENTS**

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

21
22 **SECTION FIVE. EFFECTIVE DATE**

23 This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C.
24 § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

25
26 **SECTION SIX. SAVING CLAUSE**

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