

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0114-23_

SPONSOR: George H. Tolth

TITLE: An Action Relating to the Resources and Development Committee and the Naabik'iyáti' Committee; Establishing the Naabik'iyáti' Reservation Roads Task Force

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0114-23

DATE: May 22, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE NAABIK'ÍYÁTI' RESERVATION ROADS TASK FORCE

PURPOSE: The purpose of this legislation is to establish the Naabik'íyáti' Reservation Roads Task Force whose main responsibility is to develop and recommend a long-term, prioritized transportation plan for reservation roadways.

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

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 05-29-23
Eligible for Action: 05-30-23

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL - First Year, 2023

3 INTRODUCED BY

4 
5 _____
6 (Primary Sponsor)

7
8 TRACKING NO. 0114-23

9
10 AN ACTION

11 RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND
12 THE NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE NAABIK'ÍYÁTI'
13 RESERVATION ROADS TASK FORCE

14
15 BE IT ENACTED:

16
17 SECTION ONE. AUTHORITY

- 18 A. The Resources and Development Committee is a standing committee of the Navajo
19 Nation Council empowered with oversight authority over roads and transportation
20 and the responsibility “[t]o oversee planning and coordinating of all roads and
21 transportation activities of the Navajo Nation.” 2 N.N.C. §§ 500 (C) and (C)(6).
- 22 B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council
23 empowered “[t]o coordinate all federal, county and state programs with other
24 standing committees and branches of the Navajo Nation government to provide the
25 most effective delivery of services to the Navajo Nation. 2 N.N.C. §§ 700 (A) and
26 701 (A)(4).
- 27 C. The Naabik'iyáti' Committee is also empowered to delegate its authority as
28 appropriate for efficiency and streamlining of government processes to appropriate
29 entities. 2 N.N.C. § 701(B).
- 30

1 **SECTION TWO. FINDINGS**

- 2 A. The Navajo Division of Transportation (“Navajo DOT”) coordinates with and
3 assists federal, state, and county agencies with maintaining approximately eleven
4 thousand two hundred (11,200) miles of roads, one hundred ninety-five (195)
5 bridges, and 5 airports; 58% or nine thousand four hundred twenty-six (9426) miles
6 are identified as Navajo Nation roads, 32% or five thousand one hundred ninety-
7 four (5194) miles are identified as Bureaus of Indian Affairs (“BIA”) roads, 5% or
8 eight hundred sixteen (816) miles are identified as county roads, and 5% or eight
9 hundred eighty-one (881) are identified as state roads.
- 10 B. Navajo DOT established a direct programmatic agreement with the Federal
11 Highway Administration in 2013 (updated in 2022) and also receives funding from
12 other federal agencies, state agencies, and the Navajo Nation General Funds and
13 Roads Fund.
- 14 C. Navajo DOT and the Navajo Nation face numerous challenges with improving and
15 maintaining the Navajo Nation’s transportation system and providing a safe and
16 well-functioning system, including, but not limited to, dual NEPA Compliance,
17 right-of-way acquisition delays, location and distance to projects, and limited
18 funding.

19
20 **SECTION THREE. NAABIK’ÍYÁTI’ RESERVATION ROADS TASK FORCE**
21 **ESTABLISHMENT**

- 22 A. The Naabik’iyáti’ Reservation Roads Task Force is hereby established by the
23 Naabik’iyáti Committee. The Task Force shall exist until its assigned tasks are
24 completed.
- 25 B. The primary mission of the Naabik’iyáti Reservation Roads Task Force is to develop
26 a long-term, prioritized transportation plan for reservation roadways that identifies the
27 location of vulnerable reservation roads, projects future challenges related to erosion
28 and storms, as well as refines and recommends location-specific solutions. The
29 transportation plan shall also identify funding strategies and timeline(s) for
30 implementation of identified priorities.

1 C. The tasks assigned to the Naabik'iyáti Reservation Roads Task Force are:

- 2 1. Identify the current condition of all roads throughout the Navajo Nation,
3 including the roads and bridges that need replacement;
- 4 2. Identify how many reservation roads are paved and unpaved;
- 5 3. Identify how many bus routes are within Navajo Nation roads, including state,
6 county and BIA state roads used for school bus transportation;
- 7 4. Identify which entity or agency has responsibility for maintaining each road or
8 roadway within the Navajo Nation;
- 9 5. Determine the best method to improve Navajo Nation roads within the
10 reservation, e.g., Asphalt-Pave, Chip Seal, Gravel, etc.;
- 11 6. Determine the projected costs to pave and maintain all main roads within the
12 110 Chapters;
- 13 7. Develop short-term and long-term prioritized plans, including funding
14 strategies, to improve and maintain reservation roads throughout the 110
15 chapters of the Navajo Nation; such plans should ensure sustainable access for
16 residents, property owners, and visitors to the Navajo Nation.

17 D. The Naabik'iyáti' Reservation Roads Task Force shall report its progress on its
18 assigned tasks to the Resources and Development Committee, Naabik'iyáti'
19 Committee, and Office of the President & Vice-President at the end of each quarter;
20 the report to the Committees shall be both written and oral.

21 E. The Naabik'iyáti' Reservation Roads Task Force shall present its short-term and
22 long-term plans to improve and maintain reservation roads throughout the 110
23 chapters to the Resources and Development Committee, Naabik'iyáti' Committee,
24 and Office of the President & Vice-President by no later than March 1, 2024; the
25 report to the Committees shall be both written and oral.

26 F. The Naabik'iyáti' Reservation Roads Task Force shall consist of fourteen members:

- 27 1. One member from each Standing Committee of the Navajo Nation Council;
- 28 2. One member appointed by the President of the Navajo Nation;
- 29 3. The Director of the Navajo Department of Transportation or his designee;
- 30 4. One member from the Bureau of Indian Affairs Eastern Agency Administration;

1 5. One member from the Bureau of Indian Affairs Navajo Region Administration;
2 and

3 6. One member from each of the five (5) Counties situated within the Navajo
4 Nation.

5 G. The Naabik'iyáti' Reservation Roads Task Force, by majority vote, shall select a
6 Navajo Nation official or employee as chairperson and vice-chairperson at its first
7 meeting. The chairperson and vice-chairperson shall serve at the pleasure of the
8 Naabik'iyáti' Reservation Roads Task Force; replacement shall be by majority vote.

9 H. The Naabik'iyáti' Reservation Roads Task Force shall establish a regular meeting day
10 of the month and shall set special meetings as needed; meetings may be in-person or
11 virtual at the discretion of the chairperson.

12 I. The Naabik'iyáti' Reservation Roads Task Force shall establish its own meeting
13 rules.

14 J. Navajo Nation law, policies, and regulations shall apply to the Naabik'iyáti'
15 Reservation Roads Task Force.

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17 **SECTION FOUR. DIRECTIVES**

18 A. The Speaker's Chief of Staff shall assign one policy analyst to assist the
19 Naabik'iyáti' Reservation Roads Task Force.

20 B. The Office of Legislative Services Executive Director shall assign one Office of
21 Legislative Services staff to assist the Naabik'iyáti' Reservation Roads Task
22 Force.

23 C. The Attorney General shall assign one Department of Justice attorney to assist the
24 Naabik'iyáti' Reservation Roads Task Force.

25 D. Chief Legislative Counsel shall assign one Office of Legislative Counsel attorney
26 to advise the Naabik'iyáti' Reservation Roads Task Force and develop
27 recommended legislation.

28 E. The Navajo Nation Contracting Officer, OMB's Contracts and Grants Section,
29 shall assign one budget analyst to assist the Naabik'iyáti' Reservation Roads Task
30 Force.

1 F. The Speaker of the Navajo Nation Council shall determine a Naabik'iyáti'
2 Reservation Roads Task Force budget and identify the necessary funds.
3

4 **SECTION FIVE. EFFECTIVE DATE; AMENDMENTS**

5 A. This Action and the establishment of the Naabik'iyáti' Reservation Roads Task Force
6 shall be effective upon certification by the Naabik'iyáti' Committee Chairperson.

7 B. This Action shall only be amended by majority vote of the Naabik'iyáti' Committee.
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