

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0145-23_

SPONSOR: Amber Kanazbah Crotty

TITLE: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CD-67-22, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tse' alnaozt'i'i', Beclabito, Gadiiahi/To'Koi, to Include Additional Projects for this Delegate Region

Date posted: July 06, 2023 at 7:07PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0145-23

DATE: July 6, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOHALTSOOI' (SHEEPSRINGS), TSE' ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI , TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

PURPOSE: This resolution, if approved, will include additional FRF-Eligible projects to Hon. Amber Kanazbah Crotty's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi enacted under CD-67-22.

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: 07-11-23
Eligible for Action: 07-12-23

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL — First Year, 2023

INTRODUCED BY

Primary Sponsor



TRACKING NO. 0145-23

AN ACTION
RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION
COUNCIL; AMENDING CD-67-22, THE NAVAJO NATION FISCAL
RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR
HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION
(CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH
HALTSOOI' (SHEEPSRINGS), TSE' ALNAOZT'I'I', BECLABITO,
GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS
DELEGATE REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region

1 Project Plans be approved by Navajo Nation Council resolution and signed into law
2 by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C.
3 §§ 1005 (C) (10), (11), and (12).

4 D. Navajo Nation Council Resolution No. CD-67-22, herein by reference, mandates that
5 amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan
6 for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove,
7 Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings),
8 Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) be approved by a Navajo Nation Council
9 resolution and signed into law by the President of the Navajo Nation pursuant to 2
10 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

11
12 **SECTION TWO. FINDINGS**

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

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

- 28 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter
29 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal
30 Recovery Fund in the total amount of two hundred eleven million two

1 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)
2 to be divided equally between the twenty-four (24) Delegate Regions in the
3 amount of eight million eight hundred two thousand three hundred forty
4 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate
5 Region Project Plans approved by Navajo Nation Council resolution and
6 signed into law by the President of the Navajo Nation *See* CJN-29-22,
7 Section Three (B).

- 8 2. The Delegate Region Project Plan funding will be allocated to the Navajo
9 Nation Central Government, specifically the Division of Community
10 Development or other appropriate Navajo Nation Division or Department,
11 to implement the projects rather than directly to the Chapters. *See* CJN-29-
12 22, Section Three (D).
- 13 3. The Navajo Nation Central Government, specifically the Division of
14 Community Development or other appropriate Navajo Nation Division or
15 Department, shall manage and administer funds and Delegate Region
16 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation
17 Central Government may award funding to LGA-Certified Chapters through
18 sub-recipient agreements to implement and manage specific projects, but
19 shall maintain Administrative Oversight over such funding and Delegate
20 Region Project Plans. *See* CJN-29-22, Section Three (E).
- 21 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund
22 eligible projects within their Delegate Region to be funded by the NNFRF
23 Chapter and Regional Projects Expenditure Plan through a Delegate Region
24 Projects Plan. The total cost of projects selected by each Delegate shall not
25 exceed their Delegate Region distribution of eight million eight hundred two
26 thousand three hundred forty dollars (\$8,802,340). *See* CJN-29-22, Section
27 Three (F).
- 28 5. Each Delegate Region Project shall identify its Administrative Oversight
29 entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ
30

1 initial eligibility determination. See CJN-29-22, Section Three (L)(5) and
2 (L)(6).

3 C. The Navajo Nation Council Resolution No. CD-67-22, AN ACTION RELATING TO
4 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
5 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE
6 REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S
7 DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS,
8 RED VALLEY, TOO H HALTSOOI' (SHEEPSRINGS), TSE' ALNAOZT'I'I',
9 BECLABITO, GADIIAHI/TO'KOI), was signed into law by the President of the
10 Navajo Nation on January 6, 2023.

11 D. CD-67-22, Section Four, states that:

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

16 E. All additional projects listed in the Hon. Amber Kanazbah Crotty's Delegate Region
17 Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible
18 by NNDOJ. In addition, Hon. Amber Kanazbah Crotty's Delegate Region Projects
19 Plan does *not* exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section
20 Three (F).

21 F. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo
22 Nation and the Hon. Amber Kanazbah Crotty's Delegate Region Chapters and
23 communities to approve and adopt the additional projects as part of the Navajo Nation
24 Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah
25 Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley,
26 Tooh Haltsooi' (Sheepsprings), Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) as set
27 forth in **Exhibit A**.

28
29 **SECTION THREE. AMENDING CD-67-22, THE NAVAJO NATION FISCAL**
30 **RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE**

1 **AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE,**
2 **TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI'**
3 **(SHEEPSRINGS), TSE' ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI), TO**
4 **INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION**

5 A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation
6 Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's
7 Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh
8 Haltsooi' (Sheepsprings), Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) set forth in
9 **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.