

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0199-23\_

SPONSOR: Amber Kanazbah Crotty

**TITLE: An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CJY-57-23 and 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:* August 09, 2023 at 5:21PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0199-23

DATE: August 9, 2023

**TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CJY-57-23 AND 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**

**PURPOSE:** This resolution, if approved, will add 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 CJY-57-23 and 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:   A1    
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date:   08/14/23    
Eligible for Action:   08/15/23  

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

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4                   INTRODUCED BY

5                     
6  
7                   Primary Sponsor

8  
9                   TRACKING NO.   0199-23  

10  
11                   AN ACTION

12                   RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION  
13                   COUNCIL; AMENDING CJY-57-23 AND CD-67-22, THE NAVAJO NATION  
14                   FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR  
15                   HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION  
16                   (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH  
17                   HALTSOOI' (SHEEPSRINGS), TSE' ALNAOZT'I'P', BECLABITO,  
18                   GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS  
19                   DELEGATE REGION

20  
21                   BE IT ENACTED:

22  
23                   SECTION ONE. AUTHORITY

- 24                   A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C.  
25                   §102(A).
- 26                   B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council  
27                   with the delegated responsibility to hear proposed resolution(s) that require final  
28                   action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- 29                   C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference,  
30                   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 E. Navajo Nation Council Resolution No. CJY-57-23, herein by reference, mandates that  
12 amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan  
13 for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove,  
14 Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings),  
15 Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) be approved by a Navajo Nation Council  
16 resolution and signed into law by the President of the Navajo Nation pursuant to 2  
17 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

18  
19 **SECTION TWO. FINDINGS**

20 A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO  
21 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
22 ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY  
23 FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND  
24 EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC  
25 SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL  
26 ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS;  
27 HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS;  
28 BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND  
29 ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND  
30 MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION

1 PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED  
2 ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo  
3 Nation on July 15, 2022.

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

- 5 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter  
6 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal  
7 Recovery Fund in the total amount of two hundred eleven million two  
8 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)  
9 to be divided equally between the twenty-four (24) Delegate Regions in the  
10 amount of eight million eight hundred two thousand three hundred forty  
11 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate  
12 Region Project Plans approved by Navajo Nation Council resolution and  
13 signed into law by the President of the Navajo Nation . . . . *See* CJN-29-22,  
14 Section Three (B).
- 15 2. The Delegate Region Project Plan funding will be allocated to the Navajo  
16 Nation Central Government, specifically the Division of Community  
17 Development or other appropriate Navajo Nation Division or Department,  
18 to implement the projects rather than directly to the Chapters. *See* CJN-29-  
19 22, Section Three (D).
- 20 3. The Navajo Nation Central Government, specifically the Division of  
21 Community Development or other appropriate Navajo Nation Division or  
22 Department, shall manage and administer funds and Delegate Region  
23 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation  
24 Central Government may award funding to LGA-Certified Chapters through  
25 sub-recipient agreements to implement and manage specific projects, but  
26 shall maintain Administrative Oversight over such funding and Delegate  
27 Region Project Plans. *See* CJN-29-22, Section Three (E).
- 28 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund  
29 eligible projects within their Delegate Region to be funded by the NNFRF  
30 Chapter and Regional Projects Expenditure Plan through a Delegate Region

1 Projects Plan. The total cost of projects selected by each Delegate shall not  
2 exceed their Delegate Region distribution of eight million eight hundred two  
3 thousand three hundred forty dollars (\$8,802,340). *See* CJN-29-22, Section  
4 Three (F).

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

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

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

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

22 E. The Navajo Nation Council Resolution No. CJY-57-23, AN ACTION RELATING TO  
23 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
24 AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND  
25 DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER  
26 KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE,  
27 TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI'  
28 (SHEEPSRINGS), TSE' ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI), TO  
29 INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was  
30 signed into law by the President of the Navajo Nation on August 4, 2023.

1 F. CJY-57-23, Section Four, states that:

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

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

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

18  
19 **SECTION THREE. AMENDING CJY-57-23 AND CD-67-22, THE NAVAJO**  
20 **NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**  
21 **FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION**  
22 **(CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOO**  
23 **HALTSOOI' (SHEEPSRINGS), TSE' ALNAOZT'I'I', BECLABITO,**  
24 **GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS**  
25 **DELEGATE REGION**

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

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

3 C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the  
4 individual project appendix, shall be resolved in favor of the project appendix reviewed  
5 by Department of Justice during their eligibility determination(s).  
6

7 **SECTION FOUR. AMENDMENTS**

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

13 **SECTION FIVE. EFFECTIVE DATE**

14 This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C.  
15 § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).  
16

17 **SECTION SIX. SAVING CLAUSE**

18 If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,  
19 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,  
20 those provisions of this legislation not determined invalid shall remain the law of the Navajo  
21 Nation.  
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