

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0013-24_

SPONSOR: Amber Kanazbah Crotty

TITLE: An Action Relating to Naabik'iyáti' Committee; Amending NABIO-39-23 and CAU-75-23 and 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', Tse' Alnaozt'I'I, Beclabito, Gadiiahi/To'koi), To Include Additional Projects for this Delegate Region

Date posted: January 12, 2024 at 4:46PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0013-24

DATE: January 12, 2024

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-39-23 AND CAU-75-23 AND 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, TOO H HALTSOOI', 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', Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) enacted under NABIO-39-23 and CAU-75-23 and 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.

Website Posting Time/Date _____


Posting End Date: 01/17/24

Eligible for Action: 01/18/24

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL — Second Year, 2024

4 INTRODUCED BY

6 _____
7 Primary Sponsor

8 TRACKING NO. 0013-24 

11 AN ACTION
12 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-39-
13 23 AND CAU-75-23 AND 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', TSE' ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI), TO
18 INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

20 BE IT ENACTED:

22 SECTION ONE. AUTHORITY

- 23 A. The Naabik'iyáti' Committee is established as a standing committee of the Navajo
- 24 Nation Council. 2 N.N.C. §700(A).
- 25 B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23,
- 26 mandates that Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be
- 27 approved by two-thirds (2/3) vote of the Naabik'iyáti' Committee members in
- 28 attendance.
- 29 C. Navajo Nation Council Resolution No. CD-67-22, included and incorporated herein
- 30 by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund

1 Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate
2 Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi',
3 Tse'alnaozt'i'i')(Sheepsprings), Beclabito, Gadiiahi/To'Koi) be approved by a Navajo
4 Nation Council resolution and signed into law by the President of the Navajo Nation
5 pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

6 D. Navajo Nation Council Resolution No. CJY-57-23, included and incorporated herein
7 by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund
8 Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate
9 Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi'
10 (Sheepsprings), Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) be approved by a
11 Navajo Nation Council resolution and signed into law by the President of the Navajo
12 Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and
13 (12).

14 E. Navajo Nation Council Resolution No. CAU-75-23, included and incorporated herein
15 by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund
16 Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate
17 Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi'
18 (Sheepsprings), Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) be approved by a
19 Navajo Nation Council resolution and signed into law by the President of the Navajo
20 Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and
21 (12).

22 F. Navajo Nation Council Resolution No. CAU-74-23, which amended CJN-29-22 and
23 CJY-41-2, included and incorporated herein by reference, delegated the Naabik'iyáti'
24 Committee as the final approval authority for Delegate Region Project Plans funded
25 through Navajo Nation's Fiscal Recovery Funds.

26 G. Naabik'iyáti' Committee Resolution No. NABIO-39-23, included and incorporated
27 herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery
28 Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate
29 Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi'
30 (Sheepsprings), Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) be adopted and

1 approved by resolution of the Naabik'íyáti' Committee pursuant to two-thirds (2/3)
2 vote of the Naabik'íyáti' Committee members in attendance.

3
4 **SECTION TWO. FINDINGS**

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

19 B. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among
20 other things, that

21 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter
22 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal
23 Recovery Fund in the total amount of two hundred eleven million two
24 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)
25 to be divided equally between the twenty-four (24) Delegate Regions in the
26 amount of eight million eight hundred two thousand three hundred forty
27 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate
28 Region Project Plans approved by two-thirds (2/3) vote of the Naabik'íyáti'
29 Committee members in attendance. . . See CJN-29-22, as amended by
30 CAU-74-23, Section Three (B).

- 1 2. The Delegate Region Project Plan funding will be allocated to the Navajo
2 Nation Central Government, specifically the Division of Community
3 Development or other appropriate Navajo Nation Division or Department,
4 to implement the projects rather than directly to the Chapters. *See* CJN-29-
5 22, Section Three (D).
- 6 3. The Navajo Nation Central Government, specifically the Division of
7 Community Development or other appropriate Navajo Nation Division or
8 Department, shall manage and administer funds and Delegate Region
9 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation
10 Central Government may award funding to LGA-Certified Chapters through
11 sub-recipient agreements to implement and manage specific projects, but
12 shall maintain Administrative Oversight over such funding and Delegate
13 Region Project Plans. *See* CJN-29-22, Section Three (E).
- 14 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund
15 eligible projects within their Delegate Region to be funded by the NNFRF
16 Chapter and Regional Projects Expenditure Plan through a Delegate Region
17 Projects Plan. The total cost of projects selected by each Delegate shall not
18 exceed their Delegate Region distribution of eight million eight hundred two
19 thousand three hundred forty dollars (\$8,802,340). *See* CJN-29-22, Section
20 Three (F).
- 21 5. Each Delegate Region Project shall identify its Administrative Oversight
22 entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ
23 initial eligibility determination. *See* CJN-29-22, Section Three (L)(5) and
24 (L)(6).

25 C. The Navajo Nation Council Resolution No. CD-67-22, AN ACTION RELATING TO
26 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
27 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE
28 REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S
29 DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS,
30 RED VALLEY, TOO H HALTSOOI' (SHEEPSPRINGS), TSE' ALNAOZT'I'I',

1 BECLABITO, GADIIAHI/TO'KOI), was signed into law by the President of the
2 Navajo Nation on January 6, 2023.

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

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

8 E. The Navajo Nation Council Resolution No. CJY-57-23, AN ACTION RELATING TO
9 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
10 AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND
11 DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER
12 KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE,
13 TOADLENA/TWO GREY HILLS, RED VALLEY, TOOHALTSOOI', TSE'
14 ALNAOZT'I'I' (SHEEPSPRINGS), BECLABITO, GADIIAHI/TO'KOI), TO
15 INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was
16 signed into law by the President of the Navajo Nation on August 4, 2023.

17 F. CJY-57-23, 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 G. The Navajo Nation Council Resolution No. CAU-75-23, AN ACTION RELATING
23 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
24 AMENDING CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL
25 RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE
26 AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE,
27 TOADLENA/TWO GREY HILLS, RED VALLEY, TOOHALTSOOI'
28 (SHEEPSPRINGS), TSE' ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI), TO
29 REMOVE PROJECTS AND INCLUDE ADDITIONAL PROJECTS FOR THIS

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1 DELEGATE REGION was signed into law by the President of the Navajo Nation on
2 August 30, 2023.

3 H. CAU-75-23, Section Four, states that:

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

8 I. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING
9 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
10 AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22;
11 DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL
12 AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH
13 THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the
14 President of the Navajo Nation on September 6, 2023.

15 J. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among
16 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 two-thirds (2/3) vote of the Naabik'iyáti'
25 Committee members in attendance. . . See CJN-29-22, as amended by
26 CAU-74-23, Section Three (B).

27 K. The Naabik'iyáti' Committee Resolution No. NABIO-39-23, AN ACTION
28 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CAU-75-23
29 AND CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY
30 FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER

1 KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE,
2 TOADLENA/TWO GREY HILLS, RED VALLEY, TOO H HALTSOOI'
3 (SHEEPSPRINGS), TSE' ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI), TO
4 INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was
5 signed into law by the Chairperson of the Naabik'iyáti' Committee on October 17,
6 2023.

7 L. NABIO-39-23, Section Four, states that:

8 1. Amendments to this legislation or to the Delegate Region Project Plan approved
9 herein shall only be adopted and approved by resolution of the Naabik'iyáti'
10 Committee.

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

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

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24 **SECTION THREE. AMENDING NABIO-39-23 AND CAU-75-23 AND CJY-57-23**
25 **AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE**
26 **REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S**
27 **DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS,**
28 **RED VALLEY, TOO H HALTSOOI', TSE' ALNAOZT'I'I', BECLABITO,**
29 **GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS**
30 **DELEGATE REGION**

- 1 A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation
2 Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's
3 Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh
4 Haltsooi', Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) set forth in **Exhibit A**.
- 5 B. The Delegate Region Project Plan approved herein shall comply with all applicable
6 provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- 7 C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the
8 individual project appendix, shall be resolved in favor of the project appendix reviewed
9 by Department of Justice during their eligibility determination(s).
- 10

11 **SECTION FOUR. AMENDMENTS**

12 Amendments to this legislation or to the Delegate Region Project Plan approved herein
13 shall only be adopted and approved by resolution of the Naabik'iyáti' Committee.

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15 **SECTION FIVE. EFFECTIVE DATE**

16 This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the
17 Naabik'iyáti' Committee members in attendance.

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19 **SECTION SIX. SAVING CLAUSE**

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

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