

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0023-24\_

SPONSOR: Lomardo Aseret

**TITLE: An Action Relating to the Naabik'íyáti' Committee; Amending CJY-54-23 and CMY-41-23, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Lomardo Aseret's Delegate Region (Chapters: Klagetoh, Wide Ruins, Houck, Lupton, Nahata Dziil)**

*Date posted:* January 25, 2024 at 3:57PM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7586

**Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.**

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

LEGISLATIVE SUMMARY SHEET

Tracking No. 0023-24

**DATE:** January 22, 2024

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE NAABIK'ÍYÁTI'; AMENDING CJY-54-23 AND CMY-41-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE LOMARDO ASERET'S DELEGATE REGION (CHAPTERS: KLAGETOH, WIDE RUINS, HOUCK, LUPTON, NAHATA DZIIL)

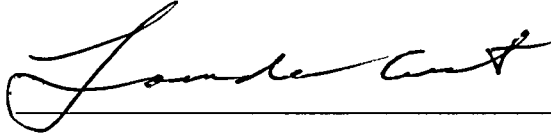
**PURPOSE:** This resolution, if approved, will add FRF-Eligible projects to Hon. Lomardo Aseret's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Klagetoh, Wide Ruins, Houck, Lupton, Nahata Dziil) enacted under CMY-41-23 and CJY-54-23.

**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: 01-30-24  
Eligible for Action: 01-31-24

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

3  
4                                    INTRODUCED BY

5   
6 \_\_\_\_\_

7                                    Primary Sponsor

8  
9                                    TRACKING NO. 0023-24

10  
11                                    AN ACTION

12                                    RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-54-23  
13                                    AND CMY-41-23, THE NAVAJO NATION FISCAL RECOVERY FUND  
14                                    DELEGATE REGION PROJECT PLAN FOR HONORABLE LOMARDO  
15                                    ASERET'S DELEGATE REGION (CHAPTERS: KLAGETOH, WIDE RUINS,  
16                                    HOUCK, LUPTON, NAHATA DZIIL)

17  
18                                    BE IT ENACTED:

19  
20                                    SECTION ONE. AUTHORITY

- 21                                    A. The Naabik'iyáti' Committee is established as a standing committee of the Navajo  
22                                    Nation Council. 2 N.N.C. §700(A).
- 23                                    B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23,  
24                                    mandates that Fiscal Recovery Fund (“NNFRF”) Delegate Region Project Plans be  
25                                    approved by two-thirds (2/3) vote of the Naabik'iyáti' Committee members in  
26                                    attendance.
- 27                                    C. Navajo Nation Council Resolution No. CMY-41-23, included and incorporated herein  
28                                    by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund  
29                                    Delegate Region Project Plan for Honorable Lomardo Aseret's Delegate Region  
30                                    (Chapters: Klagetoh, Wide Ruins, Houck, Lupton, Nahata Dziil) be approved by a

1 Navajo Nation Council resolution and signed into law by the President of the Navajo  
2 Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and  
3 (12).

4 D. Navajo Nation Council Resolution No. CJY-54-23, included and incorporated herein  
5 by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund  
6 Delegate Region Project Plan for Honorable Lomardo Aseret's Delegate Region  
7 (Chapters: Klagetoh, Wide Ruins, Houck, Lupton, Nahata Dziil) be approved by a  
8 Navajo Nation Council resolution and signed into law by the President of the Navajo  
9 Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and  
10 (12).

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

15  
16 **SECTION TWO. FINDINGS**

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

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

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

13 2. The Delegate Region Project Plan funding will be allocated to the Navajo  
14 Nation Central Government, specifically the Division of Community  
15 Development or other appropriate Navajo Nation Division or Department,  
16 to implement the projects rather than directly to the Chapters. See CJN-29-  
17 22, Section Three (D).

18 3. The Navajo Nation Central Government, specifically the Division of  
19 Community Development or other appropriate Navajo Nation Division or  
20 Department, shall manage and administer funds and Delegate Region  
21 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation  
22 Central Government may award funding to LGA-Certified Chapters through  
23 sub-recipient agreements to implement and manage specific projects, but  
24 shall maintain Administrative Oversight over such funding and Delegate  
25 Region Project Plans. See CJN-29-22, Section Three (E).

26 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund  
27 eligible projects within their Delegate Region to be funded by the NNFRF  
28 Chapter and Regional Projects Expenditure Plan through a Delegate Region  
29 Projects Plan. The total cost of projects selected by each Delegate shall not  
30 exceed their Delegate Region distribution of eight million eight hundred two

1 thousand three hundred forty dollars (\$8,802,340). *See* CJN-29-22, Section  
2 Three (F).

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

7 C. The Navajo Nation Council Resolution No. CMY-41-23, AN ACTION RELATING  
8 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
9 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE  
10 REGION PROJECT PLAN FOR HONORABLE LOMARDO ASERET'S  
11 DELEGATE REGION (CHAPTERS: KLAGETOH, WIDE RUINS, HOUCK,  
12 LUPTON, NAHATA DZIIL), was signed into law by the President of the Navajo  
13 Nation on June 8, 2023.

14 D. CMY-41-23, Section Four, states that:

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

19 E. The Navajo Nation Council Resolution No. CJY-54-23, AN ACTION RELATING TO  
20 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
21 AMENDING CMY-41-23, THE NAVAJO NATION FISCAL RECOVERY FUND  
22 DELEGATE REGION PROJECT PLAN FOR HONORABLE LOMARDO  
23 ASERET'S DELEGATE REGION (CHAPTERS: KLAGETOH, WIDE RUINS,  
24 HOUCK, LUPTON, NAHATA DZIIL), TO INCLUDE ADDITIONAL PROJECTS  
25 FOR THIS DELEGATE REGION was signed into law by the President of the Navajo  
26 Nation on August 4, 2023.

27 F. CJY-54-23, Section Four, states that:

- 28 1. Amendments to this legislation or to the Delegate Region Project Plan approved  
29 herein shall only be adopted by resolution of the Navajo Nation Council and  
30

1 approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17)  
2 and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

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

10 H. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among  
11 other things, that

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

22 I. All projects listed in the Hon. Lomardo Aseret's Delegate Region Projects Plan,  
23 attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ.  
24 In addition, Hon. Lomardo Aseret'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 J. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo  
27 Nation and the Hon. Lomardo Aseret's Delegate Region Chapters and communities  
28 to approve and adopt the projects as part of the Navajo Nation Fiscal Recovery Fund  
29 Delegate Region Project Plan for Hon. Lomardo Aseret's Delegate Region (Chapters:  
30 Klagetoh, Wide Ruins, Houck, Lupton, Nahata Dziil) as set forth in **Exhibit A**.

1  
2 **SECTION THREE. AMENDING CJY-54-23 AND CMY-41-23, THE NAVAJO**  
3 **NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**  
4 **FOR HONORABLE LOMARDO ASERET'S DELEGATE REGION (CHAPTERS:**  
5 **CHAPTERS: KLAGETOH, WIDE RUINS, HOUCK, LUPTON, NAHATA DZIIL)**

6 A. The Navajo Nation hereby approves the projects as part of the Navajo Nation Fiscal  
7 Recovery Fund Delegate Region Project Plan for Hon. Lomardo Aseret's Delegate  
8 Region (Chapters: Klagetoh, Wide Ruins, Houck, Lupton, Nahata Dziil) 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 and approved by resolution of the Naabik'iyáti' Committee.

19  
20 **SECTION FIVE. EFFECTIVE DATE**

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

23  
24 **SECTION SIX. SAVING CLAUSE**

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