

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0044-24\_

SPONSOR: Amber Kanazbah Crotty

**TITLE: An Action Relating to the Naabik'iyáti' Committee; Supporting the Submission of the Navajo Nation's Written Testimony to the United States Department of Justice, Office of Violence, as part of the Annual Tribal Consultation regarding the Tribal Victims Set-aside formula Grant Program for Fiscal Year 2024**

*Date posted:* February 16, 2024 at 10:45AM

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Office of Legislative Services  
P.O. Box 3390  
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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0044-24

**DATE:** February 13, 2024

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING THE SUBMISSION OF THE NAVAJO NATION'S WRITTEN TESTIMONY TO THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF VIOLENCE, AS PART OF THE ANNUAL TRIBAL CONSULTATION REGARDING THE TRIBAL VICTIMS SET-ASIDE FORMULA GRANT PROGRAM FOR FISCAL YEAR 2024.

**PURPOSE:** This resolution, if approved, would support the submission of the Navajo Nation's Written Testimony to the United States Department of Justice, Office of Violence, related to the Tribal Victims Set-Aside Formula Grant Program for Fiscal Year 2024.

**Final Authority:** Naabik'íyáti' Committee

**Vote Required:** Simple Majority

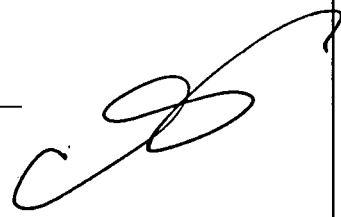
**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD Al Mike III  
Website Posting Time/Date \_\_\_\_\_  
Posting End Date: 02/21/24  
Eligible for Action: 02/22/24

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. 0044-24

10  
11 AN ACTION  
12 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE;  
13 SUPPORTING THE SUBMISSION OF THE NAVAJO NATION'S WRITTEN  
14 TESTIMONY TO THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE  
15 OF VIOLENCE, AS PART OF THE ANNUAL TRIBAL CONSULTATION  
16 REGARDING THE TRIBAL VICITIMS SET-ASIDE FORMULA GRANT  
17 PROGRAM FOR FISCAL YEAR 2024.

18  
19 WHEREAS:

- 20 A. The Navajo Nation Council, as the governing body of the Navajo Nation, is entrusted  
21 with the responsibility to safeguard the interests, rights, and traditions of the Navajo  
22 People. 2 N.N.C. § 102(A).
- 23 B. The Navajo Nation Council established the Naabik'iyati' Committee as a Navajo Nation  
24 Council standing committee with the delegated responsibility and authority to coordinate  
25 all requests for information, appearances and testimony related to proposed county, state  
26 and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 770 (A), 701 (A)(6).
- 27 C. The United States Department of Justice's Office of Victims of Crime ("OVC") held a  
28 virtual Tribal Consultation regarding the "Tribal Victims Services Set-Aside Formula  
29 Grant Program ("TVSSA") on January 17 and 18, 2024, discussing the administration of  
30 the TVSSA Program for Fiscal Year 2024. <https://ovc.ojp.gov/>

1 [program/tribal/tribal-victim-services-set-aside/framing-paper-2024-consultation.pdf](https://ovc.ojp.gov/program/tribal/tribal-victim-services-set-aside/framing-paper-2024-consultation.pdf)

2 D. In the “FY 2024 OVC Crime Victims Fund Tribal Set-Aside Formula Grant Program  
3 Tribal Consultation Framing Paper,” OVC sought feedback from Tribal Leaders on four  
4 issues:

- 5 1. Exploring options to optimize administration of TVSSA funding given the  
6 variation in the annual Tribal Set-Aside amount from the Crime Victims Fund;
- 7 2. Enhancing the application process for the FY 2024 TVSSA Formula Grant  
8 Program;
- 9 3. Improving outcomes for projects that involve major renovations or construction;  
10 and
- 11 4. Strengthening services for families of Missing or Murdered Indigenous Persons  
12 (“MMIP”).

13 E. The deadline for submitting official written testimony to the U.S. DOJ-OVC is  
14 Wednesday, February 28, 2024. [https://ovc.ojp.gov/program/tribal/tribal-victim-  
15 services-set-aside.](https://ovc.ojp.gov/program/tribal/tribal-victim-services-set-aside)

16 F. The Navajo Nation now provides the written testimony delivered by Honorable Amber  
17 Crotty, 25<sup>th</sup> Navajo Nation Council Delegate, Chair of the MMIP Taskforce and member  
18 of the Navajo Nation Budget and Finance Committee. **Exhibit A.**

19 G. The written testimony supports the Navajo Nation’s following recommendations, as  
20 requested in the FY 2024 OVC Crime Victims Fund Tribal Set-Aside Formula Grant  
21 Program Tribal Consultation Framing Paper:

- 22 1. Stable and sufficient funding for victim services programs;
- 23 2. TVSSA funding for construction and renovation of victim services facilities;
- 24 3. Expanding TVSSA funding to include long-term support services to families of  
25 MMIP;
- 26 4. Establishing a MMIP coordinator within the TVSSA program;
- 27 5. Creation of a TVSSA technical assistance for capacity-building in development  
28 and implementation of policies and procedures for addressing MMDI cases; and  
29  
30

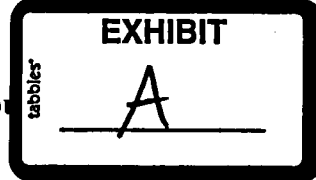
1           6. Expanding TVSSA funding provisions to include support for community-based  
2           efforts to raise awareness about MMIP issues including, but not limited to,  
3           educational programs, community watches, or rapid response protocols.

4           H. For the reasons stated above, it is in the best interest of the Navajo Nation to submit the  
5           written testimony, attached as **Exhibit A**, to the Office of Victims of Crimes for the Tribal  
6           Victim Services Set-Aside Fiscal Year 2024 funding consultation.

7  
8           **THEREFORE, BE IT RESOLVED:**

9           The Navajo Nation hereby submits the Testimony of the Honorable Amber Crotty, Delegate  
10          25<sup>th</sup> Navajo Nation Council, as the Navajo Nation’s written testimony for the TVSSA Fiscal  
11          Year 2024 Tribal Consultation and authorizes its submission to the United States Department  
12          of Justice Office of Violence Against Women.

**Testimony of The Honorable Amber Crotty, Delegate 25<sup>th</sup> Navajo Nation Council  
Office of Victims of Crime Tribal Victim Services Set-Aside Funding  
January 17, 2023**



Yá'át'ééh Tribal Leaders and our Federal partners. My name is Amber Kanazbah Crotty, and I am honored to speak before you today as a delegate for the 25th Navajo Nation Council. I come before you to discuss the profound impact that the administration of the Tribal Victim Services Set-Aside ("TVSSA") funds has had on the Navajo Nation, and to offer recommendations on how to ensure these funds continue to support the critical needs of crime victims within our community.

In Fiscal Year 2023, the Navajo Nation experienced a sharp decrease in TVSSA funds, amounting to \$2,101,695 less than the prior year. This significant cut threatened the very fabric of our victim services and the staff who work tirelessly to offer support to those in need. Although we were able to cover the gap for FY23, the unpredictability and insufficiency of funding year to year pose a grave threat to the sustainability of these essential services.

Furthermore, the proposed set-aside amount of \$60 million for FY 2024, which is \$35 million less than the prior year's set-aside, would result in a devastating 40% reduction in award amounts for Tribes. For the Navajo Nation, this reduction is not only unacceptable but also in direct conflict with the trust responsibilities and treaty obligations that the federal government has to our people, as set forth in the Treaty of 1868, including the "bad man clause" mandating justice for wrongs committed against Navajos.

Our recommendations for establishing a minimum award amount include adopting a revised allocation formula that accounts for the population, land base, and rurality of each tribe. The current formula does not adequately consider the unique challenges of rural, geographically isolated communities like ours. By considering these factors, we can ensure a more equitable distribution of TVSSA resources, allowing us to better support crime victims in the most underserved areas.

The proposed reduction in funding for FY 2024 would severely impact our ability to provide consistent services and retain qualified staff. Our 21 advocates across three states would be at risk, jeopardizing the critical support we offer, including our 24/7 hotline and crisis response.

Equally distributing funding among all participating tribes, as suggested, would disproportionately harm larger tribes like the Navajo Nation, which have developed extensive victim service programs based on the expectation of funding commensurate with their needs and population size.

Furthermore, to enhance the TVSSA application process in FY 2024, we recommend that OVC consider a more thorough clarification process when multiple applications are submitted from within the same Tribal Nation. This would ensure that the entities best equipped to administer the funds are the ones receiving them, particularly when prior awardees are at risk of not receiving funds.

In addressing the issue of major renovations and construction, it is imperative to acknowledge that, while these are vital components of a comprehensive victim services program, the Navajo Nation has found it financially imprudent to pursue such projects given the current funding levels. The lack of sufficient funding means that the Nation cannot afford to embark on construction projects

that would establish or improve permanent facilities, such as safe shelters, counseling centers, or service hubs for victims. This limitation directly impacts our ability to serve victims effectively.

Without proper facilities, services are often delivered in less than ideal conditions, which can further traumatize victims and impede their recovery. Victims of crime require a safe, confidential, and healing environment to receive services, and without the ability to fund construction or major renovations, the Navajo Nation is unable to provide spaces that fully meet these needs. The lack of dedicated, purpose-built facilities also hampers our ability to attract and retain skilled professionals who are essential to delivering high-quality services.

Additionally, the crisis of Missing and Murdered Indigenous Persons (MMIP) is a dire issue that the Navajo Nation faces with increasing urgency. For the victims of MMIP who thankfully return home and seek support, we provide services on par with those offered to other victims. However, the scope and scale of the MMIP crisis require us to enhance our program policy and the technical support provided to Tribal communities.

One of the greatest needs to support tribal communities in the situation of a missing or murdered tribal member is the provision of support services for the families of the victim. When a loved one goes missing or is murdered, the family experiences profound trauma, often compounded by the systemic challenges in seeking justice and support. The pain and suffering inflicted upon these families are immense, and they require specialized services to navigate their grief, legal complexities, and the pursuit of justice.

Enabling TVSSA funds to support the families in their grief would significantly enhance our community's capacity to respond to these crises. This would include the provision of counseling services, legal assistance, and other forms of support that are critical during such a devastating time. Expanding the scope of TVSSA to include these services would not only provide much-needed relief to families but would also be a step towards addressing the broader issues surrounding MMIP.

In light of these issues, I offer the following recommendations:

1. To ensure the sustainability of our victim services programs, we strongly advocate for stable and sufficient funding, reflecting the federal government's trust responsibilities and the vital needs of the Navajo Nation.
2. We propose the development of a specific funding stream within TVSSA dedicated to construction and major renovation projects, allowing tribes to create and maintain facilities that are conducive to healing and supportive of victim services.
3. In light of the MMIP crisis, we urge the expansion of the TVSSA funding scope to explicitly include support services for the families of missing or murdered Indigenous persons. The scope should encompass not only immediate crisis intervention but also long-term support mechanisms, such as grief counseling, legal advocacy, and community-based healing programs tailored to the cultural context of each tribe. It is essential to recognize the lasting impact on families and the community at large when a loved one goes missing

or is murdered. The trauma does not vanish with the resolution of a case—it lingers, affecting generations, and our response must be equally enduring and comprehensive.

4. We recommend establishing a dedicated MMIP coordinator within the TVSSA program to ensure focused attention on the crisis and facilitate coordination among tribal, federal, and state agencies. This coordinator would play a pivotal role in bridging gaps in communication, streamlining support services, and advocating for families at the highest levels of government.
5. The TVSSA program should provide technical assistance and capacity-building resources specifically designed to help tribes develop and implement policies and procedures for addressing MMIP cases. This should include training for law enforcement, victim advocates, and community members on culturally sensitive approaches to supporting victims and families.
6. We suggest that TVSSA funding include provisions to support community-based efforts to raise awareness about MMIP issues and to prevent further tragedies. This includes educational programs, community watches, and the development of rapid response protocols when someone is reported missing.

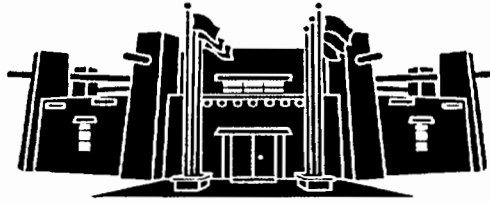
In closing, I wish to reiterate the Navajo Nation's commitment to working collaboratively with the OVC and Congress to address these pressing issues. The TVSSA funding is more than a financial resource—it is a lifeline for victims of crime and their families. As we look ahead to FY 2024 and beyond, we must make every effort to ensure that these funds are allocated in a way that honors our sacred trust obligations, respects the sovereignty of Tribal Nations, and most importantly, provides justice and healing for the victims we are all here to serve. Your consideration of these recommendations is not only appreciated but also crucial to the well-being of our people and the fulfillment of your commitments to them.

Thank you for your attention to these matters and for your dedication to the safety and welfare of all Indigenous communities. The Navajo Nation will follow-up with written comments.

Ahéhee' (Thank you).



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Honorable Crystalyn Curley  
Speaker  
25<sup>th</sup> Navajo Nation Council

**MEMORANDUM**

TO: Hon. Amber Kanazbah Crotty, Council Delegate  
25<sup>th</sup> Navajo Nation Council

FROM:   
Loya M. Honaghaahnii Henderson, Attorney  
Office of Legislative Counsel

DATE: February 13, 2024

SUBJECT: **AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE;  
SUPPORTING THE SUBMISSION OF THE NAVAJO NATION'S  
WRITTEN TESTIMONY TO THE UNITED STATES DEPARTMENT OF  
JUSTICE, OFFICE OF VIOLENCE, AS PART OF THE ANNUAL TRIBAL  
CONSULTATION REGARDING THE TRIBAL VICTIMS SET-ASIDE  
FORMULA GRANT PROGRAM FOR FISCAL YEAR 2024.**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees' powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.