

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0063-24\_

SPONSOR: Amber Kanazah Crotty

**TITLE: An Action Relating to the Naabik'iyáti' Committee; Amending NABIJA-05-24 and 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 Kanazah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi', Tse' alnaozt'i'i', Beclabito, Gadiiahi/To'Koi)**

***Date posted:*** March 19, 2024 at 5:10PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0063-24

**DATE:** March 19, 2024

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIJA-05-24 AND 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, TOOHALTSOOI', TSE'ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI)

**PURPOSE:** This legislation, if approved, will increase the funding amount of one-project and 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 NABIJA-05-24 and NABIO-39-23 and CAU-75-23 and CJY-57-23 and CD-67-22.

**FINAL AUTHORITY:** Naabik'íyáti' Committee

**VOTE REQUIRED:** 2/3 Vote

**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: 03-24-24  
Eligible for Action: 03-25-24

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. 0063-24

10  
11                                    AN ACTION  
12                                    RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIJA-05-  
13                                    24 AND NABIO-39-23 AND CAU-75-23 AND CJY-57-23 AND CD-67-22, THE  
14                                    NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION  
15                                    PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S  
16                                    DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS,  
17                                    RED VALLEY, TOOHALTSOOI', TSE' ALNAOZT'I'I', BECLABITO,  
18                                    GADIIAHI/TO'KOI)

19  
20                                    BE IT ENACTED:

21  
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 Hon. Amber Kanazbah Crotty's Delegate Region  
2 (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 Hon. Amber Kanazbah Crotty's Delegate Region  
9 (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 Hon. Amber Kanazbah Crotty's Delegate Region  
17 (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). *See Exhibit AA* (without project exhibits).

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 H. Naabik'íyáti' Committee Resolution No. NABIJA-05-24, included and incorporated  
4 herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery  
5 Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate  
6 Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi'  
7 (Sheepsprings), Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) be adopted and  
8 approved by resolution of the Naabik'íyáti' Committee pursuant to two-thirds (2/3)  
9 vote of the Naabik'íyáti' Committee members in attendance.

10  
11 **SECTION TWO. FINDINGS**

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

26 B. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among  
27 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 two-thirds (2/3) vote of the Naabik'iyáti'  
6 Committee members in attendance. . . See CJN-29-22, as amended by  
7 CAU-74-23, 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' (SHEEPSPRINGS), 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. The Navajo Nation Council Resolution No. CJY-57-23, AN ACTION RELATING TO  
17 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
18 AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND  
19 DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER  
20 KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE,  
21 TOADLENA/TWO GREY HILLS, RED VALLEY, TOO H HALTSOOI', TSE'  
22 ALNAOZT'I'I' (SHEEPSPRINGS), BECLABITO, GADIIAHI/TO'KOI), TO  
23 INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was  
24 signed into law by the President of the Navajo Nation on August 4, 2023.

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

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

30

1 G. The Navajo Nation Council Resolution No. CAU-75-23, AN ACTION RELATING  
2 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
3 AMENDING CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL  
4 RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE  
5 AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE,  
6 TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI'  
7 (SHEEPSPRINGS), TSE' ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI), TO  
8 REMOVE PROJECTS AND INCLUDE ADDITIONAL PROJECTS FOR THIS  
9 DELEGATE REGION was signed into law by the President of the Navajo Nation on  
10 August 30, 2023. **Exhibit AA.**

11 H. CAU-75-23, 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 I. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING  
17 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
18 AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22;  
19 DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL  
20 AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH  
21 THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the  
22 President of the Navajo Nation on September 6, 2023.

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

25 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter  
26 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal  
27 Recovery Fund in the total amount of two hundred eleven million two  
28 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)  
29 to be divided equally between the twenty-four (24) Delegate Regions in the  
30 amount of eight million eight hundred two thousand three hundred forty



1           dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate  
2           Region Project Plans approved by two-thirds (2/3) vote of the Naabik'iyáti'  
3           Committee members in attendance. . . . See CJN-29-22, as amended by  
4           CAU-74-23, Section Three (B).

5           K. The Naabik'iyáti' Committee Resolution No. NABIO-39-23, AN ACTION  
6           RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CAU-75-23  
7           AND CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY  
8           FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER  
9           KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE,  
10          TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI'  
11          (SHEEPSPRINGS), TSE' ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI), TO  
12          INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was  
13          signed into law by the Chairperson of the Naabik'iyáti' Committee on October 17,  
14          2023.

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

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

19          M. The Naabik'iyáti' Committee Resolution No. NABIJA-05-24, AN ACTION  
20          RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-39-23  
21          AND CAU-75-23 AND CJY-57-23 AND CD-67-22, THE NAVAJO NATION  
22          FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR  
23          HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION  
24          (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH  
25          HALTSOOI' (SHEEPSPRINGS), TSE' ALNAOZT'I'I', BECLABITO,  
26          GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS  
27          DELEGATE REGION was signed into law by the Chairperson of the Naabik'iyáti'  
28          Committee on January 22, 2024.

29          N. NABIJA-05-24, Section Four, states that:

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

4 O. The Hon. Amber Kanazbah Crotty has requested to amend CAU-75-23 to **increase**  
5 the project's funding amount for the *Sanostee Chapter Purchase of Bull-Dozer* project  
6 (originally under NNDOJ Review No. HK0540) by **\$186,010** to her Delegate Region  
7 Projects Plan enacted under CAU-75-23, which *originally* appropriated **\$300,000.00**  
8 for this project. A *revised* Navajo Nation Department of Justice Eligibility Determination  
9 (now under NNDOJ Review No. HK540-2) increased the project's funding amount and  
10 **adjusted** the project's funding amount to **\$486,010.00**.

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

16 Q. 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 projects as part of the Navajo Nation Fiscal  
19 Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's  
20 Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh  
21 Haltsooi', Tse'alnaozt'i'i', Beclabito, Gadiiahi/To'Koi) as set forth in **Exhibit BB**.

22  
23 **SECTION THREE. AMENDING NABIJA-05-24 AND NABIO-39-23 AND CAU-75-**  
24 **23 AND CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY**  
25 **FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER**  
26 **KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE,**  
27 **TOADLENA/TWO GREY HILLS, RED VALLEY, TOO H HALTSSOOI', TSE'**  
28 **ALNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI)**

29 A. The Navajo Nation hereby approves the **increase** to the project's funding amount for  
30 the *Sanostee Chapter Purchase of Bull-Dozer* project (*originally* under NNDOJ

1 Review No. HK0540) by **\$186,010.00** in Hon. Amber Kanazbah Crotty's Delegate  
2 Region Projects Plan enacted under CAU-75-23, which *originally* appropriated  
3 **\$300,000.00** for this project and this **increase is identified in Exhibit BB**. A *revised*  
4 Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ  
5 Review No. HK0540-2-2) increased the project's funding amount and **adjusted** the  
6 project's funding amount to **\$486,010.00**.

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

16  
17 **SECTION FOUR. AMENDMENTS**

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

20  
21 **SECTION FIVE. EFFECTIVE DATE**

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

24  
25 **SECTION SIX. SAVING CLAUSE**

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