

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0093-24\_

SPONSOR: Helena Nez Begay

**TITLE: An Action Relating to the Naabik'íyáti' Committee; Amending NABID-54-23 and CMY-38-23 and CAP-10-23, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Helena Nez Begay's Delegate Region (Chapters: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap)**

*Date posted:* April 25, 2024 at 4:00PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0093-24

**DATE:** April 24, 2024

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABID-24-23 AND CMY-38-23 AND CAP-10-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE HELENA NEZ BEGAY'S DELEGATE REGION (CHAPTERS: COPPERMINE, K'AIBII'TO, LECHEE, TONALEA/RED LAKE, BODAWAY/GAP)

**PURPOSE:** This legislation, if approved, will add FRF-eligible projects to Hon. Helena Nez Begay's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap) enacted under CAP-10-23 and CMY-38-23 and NABID-54-23.

**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.**

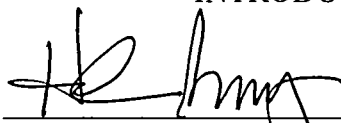
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Posting End Date: 04-30-24

Eligible for Action: 05-01-24

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

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0093-24

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING  
NABID-54-23 AND CMY-38-23 AND CAP-10-23, THE NAVAJO NATION  
FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR  
HONORABLE HELENA NEZ BEGAY'S DELEGATE REGION  
(CHAPTERS: COPPERMINE, K'AIBII'TO, LECHEE, TONALEA/RED LAKE,  
BODAWAY/GAP)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Naabik'iyáti' Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. §700(A).
- B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23, mandates that Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by two-thirds (2/3) vote of the Naabik'iyáti' Committee members in attendance.
- C. Navajo Nation Council Resolution No. CAP-10-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Helena Nez Begay's Delegate Region

1 (Chapter: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap) be  
2 approved by a Navajo Nation Council resolution and signed into law by the President  
3 of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C)  
4 (10), (11), and (12).

5 D. Navajo Nation Council Resolution No. CMY-38-23, included and incorporated herein  
6 by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund  
7 Delegate Region Project Plan for Hon. Helena Nez Begay's Delegate Region  
8 (Chapter: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap) be  
9 approved by a Navajo Nation Council resolution and signed into law by the President  
10 of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C)  
11 (10), (11), and (12).

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

16 F. Naabik'íyáti' Committee Resolution No. NABID-54-23, included and incorporated  
17 herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery  
18 Fund Delegate Region Project Plan for Hon. Helena Nez Begay's Delegate Region  
19 (Chapter: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake, Bodaway/Gap) be  
20 adopted and approved by resolution of the Naabik'íyáti' Committee pursuant to two-  
21 thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

22  
23 **SECTION TWO. FINDINGS**

24 A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO  
25 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
26 ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY  
27 FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND  
28 EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC  
29 SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL  
30 ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS;

1 HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS;  
2 BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND  
3 ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND  
4 MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION  
5 PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED  
6 ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo  
7 Nation on July 15, 2022.

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

- 10 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and  
11 Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery  
12 Fund in the total amount of two hundred eleven million two hundred fifty-six  
13 thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally  
14 between the twenty-four (24) Delegate Regions in the amount of eight million  
15 eight hundred two thousand three hundred forty dollars (\$8,802,340) per  
16 Delegate Region . . . and allocated through Delegate Region Project Plans  
17 approved by two-thirds (2/3) vote of the Naabik'íyáti' Committee members in  
18 attendance. . . . *See* CJN-29-22, as amended by CAU-74-23, Section Three (B).
- 19 2. The Delegate Region Project Plan funding will be allocated to the Navajo  
20 Nation Central Government, specifically the Division of Community  
21 Development or other appropriate Navajo Nation Division or Department, to  
22 implement the projects rather than directly to the Chapters. *See* CJN-29-22,  
23 Section Three (D).
- 24 3. The Navajo Nation Central Government, specifically the Division of  
25 Community Development or other appropriate Navajo Nation Division or  
26 Department, shall manage and administer funds and Delegate Region Project  
27 Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central  
28 Government may award funding to LGA-Certified Chapters through sub-  
29 recipient agreements to implement and manage specific projects, but shall  
30

1 maintain Administrative Oversight over such funding and Delegate Region  
2 Project Plans. *See* CJN-29-22, Section Three (E).

3 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund  
4 eligible projects within their Delegate Region to be funded by the NNFRF  
5 Chapter and Regional Projects Expenditure Plan through a Delegate Region  
6 Projects Plan. The total cost of projects selected by each Delegate shall not  
7 exceed their Delegate Region distribution of eight million eight hundred two  
8 thousand three hundred forty dollars (\$8,802,340). *See* CJN-29-22, Section  
9 Three (F).

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

13 C. The Navajo Nation Council Resolution CAP-10-23, AN ACTION RELATING TO  
14 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
15 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE  
16 REGION PROJECT PLAN FOR HONORABLE HELENA NEZ BEGAY'S  
17 DELEGATE REGION (CHAPTERS: COPPERMINE, K'AIBII'TO, LECHEE,  
18 TONALEA/RED LAKE, BODAWAY/GAP), was signed into law by the President of  
19 the Navajo Nation on May 5, 2023.

20 D. CAP-10-23, Section Four, states that:

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

25 E. The Navajo Nation Council Resolution No. CMY-38-23, AN ACTION RELATING  
26 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
27 AMENDING CAP-10-23, THE NAVAJO NATION FISCAL RECOVERY FUND  
28 DELEGATE REGION PROJECT PLAN FOR HONORABLE HELENA NEZ  
29 BEGAY'S DELEGATE REGION (CHAPTERS: COPPERMINE, K'AIBII'TO,  
30 LECHEE, TONALEA/RED LAKE, BODAWAY/GAP), TO INCLUDE

1 ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law  
2 by the President of the Navajo Nation on June 8, 2023.

3 F. CMY-38-23, 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 G. 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 H. 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'íyáti'  
25 Committee members in attendance. . . See CJN-29-22, as amended by  
26 CAU-74-23, Section Three (B).

27 I. The Naabik'íyáti' Committee Resolution No. NABID-54-23, AN ACTION  
28 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CMY-38-23  
29 AND CAP-10-23, THE NAVAJO NATION FISCAL RECOVERY FUND  
30 DELEGATE REGION PROJECT PLAN FOR HONORABLE HELENA NEZ

1 BEGAY'S DELEGATE REGION (CHAPTERS: COPPERMINE, K'AIBII'TO,  
2 LECHEE, TONALEA/RED LAKE, BODAWAY/GAP), TO REMOVE A PROJECT  
3 AND INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was  
4 signed into law by the Chairperson of the Naabik'íyáti' Committee on January 5, 2024.

5 J. NABID-54-23, Section Four, states that:

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

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

13 L. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo  
14 Nation and the Hon. Helena Nez Begay's Delegate Region Chapters and communities  
15 to approve and adopt the additional projects as part of the Navajo Nation Fiscal  
16 Recovery Fund Delegate Region Project Plan for Hon. Helena Nez Begay's Delegate  
17 Region (Chapters: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake,  
18 Bodaway/Gap) as set forth in **Exhibit A**.

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20 **SECTION THREE. AMENDING NABID-54-23 AND CMY-38-23 AND CAP-10-23,**  
21 **THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION**  
22 **PROJECT PLAN FOR HONORABLE HELENA NEZ BEGAY'S DELEGATE**  
23 **REGION (CHAPTERS: COPPERMINE, K'AIBII'TO, LECHEE, TONALEA/RED**  
24 **LAKE, BODAWAY/GAP)**

25 A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation  
26 Fiscal Recovery Fund Delegate Region Project Plan for Hon. Helena Nez Begay's  
27 Delegate Region (Chapters: Coppermine, K'aibii'to, LeChee, Tonalea/Red Lake,  
28 Bodaway/Gap) set forth in **Exhibit A**.

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



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

5 **SECTION FOUR. AMENDMENTS**

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

9 **SECTION FIVE. EFFECTIVE DATE**

10 This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the  
11 Naabik'iyáti' Committee members in attendance.  
12

13 **SECTION SIX. SAVING CLAUSE**

14 If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,  
15 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,  
16 those provisions of this legislation not determined invalid shall remain the law of the Navajo  
17 Nation.  
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