



25TH NAVAJO NATION COUNCIL

25TH NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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25th Navajo Nation Council approves legislation to prevent the reversion of ARPA funds



During a special session of the Navajo Nation Council, Speaker Crystalyne Curley and Budget and Finance Committee Chair Shaandiin Parrish highlighted the Council's commitment to expending ARPA funding.

WINDOW ROCK, Ariz. – On Monday, the 25th Navajo Nation Council passed Legislation No. 0264-24, an emergency measure to ensure that Navajo Nation Fiscal Recovery Funds (NNFRF) are fully obligated and expended before the U.S. Treasury's deadlines of December 31, 2024, and December 31, 2026.

Speaker Crystalyne Curley, who sponsored the legislation, and Chair Shaandiin Parrish, who co-sponsored, highlighted the Council's commitment to expending ARPA funding, emphasizing that the 25th Navajo Nation Council worked diligently to address funding oversight.

"We gathered updated information, held work sessions, and reviewed ARPA reports during Naabik'iyáti' Committee meetings," Speaker Curley said. "The Budget and Finance Committee and the Office of the Speaker dedicated significant time and effort to creating solutions, and as a result of that work, this legislation ensures that no funds will be sent back to the federal government."

Legislation No. 0264-24 addresses the \$5.6 million of NNFRF that was not obligated by the Navajo Nation's internal deadline of November 1, 2024. In Resolution No. CMY-28-24, the Council previously decided that any unobligated funds as of November 1, 2024, would automatically revert to the Comprehensive Economic Relief Program, previously known as the NNFRF Hardship Assistance Expenditure Plan.

Moving forward under the agreement, the Controller will be able to secure contractors to implement the program and assess how these funds will be used for “hardship assistance.” According to Interagency Agreement, a Memorandum of Agreement will be entered into between the Navajo Nation Council and the Office of the Controller to implement the program.

The legislation establishes a comprehensive Interagency Agreement to streamline decision-making and simplify processes for all recipient agencies of NNFRF. This agreement ensures that NNFRF funds are used as intended and minimizes the risk of unspent funds being returned to the federal government.

By approving this Interagency Agreement, the Council aims to ensure effective management of ARPA funds, meeting federal deadlines, and protecting critical resources for the Navajo Nation’s future. Transferring administrative oversight to the Office of the Controller helps to ensure compliance with Treasury deadlines and timeliness of modifications to Expenditure Plans as necessary.

“The key challenge is finding ways to reallocate these funds within the existing master plan, ensuring they’re used effectively and where needed before the deadlines expire,” McCabe added. “Currently, we face delays due to bureaucracy, and removing these hurdles is crucial. The Nation has not spent all its original ARPA allocation, and with the deadline looming, all remaining funds must be obligated and expended. But we lack the flexibility to use them outside the contracts already in place.”

The agreement provides the flexibility needed to move funds within the master scope of work, allowing for effective reallocation across various projects.

Controller Sean McCabe explained, “It’s almost certain we won’t spend the ARPA funds exactly as we originally planned. After December 31, 2024, Treasury guidelines prevent changes to the Scope of Work (SOW) or contract terms. However, if the scope of work in the Interagency Agreement is in place, funds can be moved within that framework even after December 31, 2024. This flexibility will allow spending on projects that will benefit the Navajo Nation and meet federal requirements and deadlines.”

The legislation also amends resolution CJN-29-22 to accelerate modifications to NNFRF Expenditure Plans and re-assign oversight of the NNFRF Office to the Office of the Controller. “For improved program efficiency and to enhance fund monitoring and reporting, the decision has been made to transition the NNFRF office to a new department, ensuring streamlined operations and greater accountability,” added Speaker Curley.

The agreement allows the Controller to approve modifications to NNFRF Expenditure Plans administratively. This change speeds up the approval process by removing the need for Standing Committee and Navajo Nation Council approval that could take months.

Budget and Finance Chair Shaandiin Parrish emphasized the legislation’s goal of ensuring no NNFRF dollars are returned to the federal government. She explained that the shift is also due to updates in U.S. Treasury guidelines. “The Treasury changed their guidelines. This agreement consolidates all remaining Navajo Nation funds, ensuring we won’t be sending any money back to the federal government,” Parrish said.



The Budget and Finance Committee is joined by Controller Sean McCabe (second left) and Speaker Crystalyne Curley (right) after the passing of Legislation 0264-24. The BFC and Controller McCabe were integral in formulating the legislation.

The 25th Navajo Nation Council passed Legislation No. 0264-24 unanimously with a vote of 20 in favor and none opposed. Once certified and delivered to the Office of the President and Vice President, Navajo Nation President Buu Nygren will have up to ten calendar days to consider the resolution.

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