

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0025-25

SPONSOR: Rickie Nez

TITLE: An Action Relating to the Resources and Development, Budget and Finance, and Naabik'iyáti' Committees and the Navajo Nation Council; Approving the Navajo Nation Water Resources Development Trust Fund Expenditure Plan Pursuant to P.L. 111-11 § 10702

Date posted: March 06, 2025 at 4:59PM.

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Office of Legislative Services
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LEGISLATIVE SUMMARY SHEET
Tracking No. 0025-25

DATE: March 4, 2025

TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION WATER RESOURCES DEVELOPMENT TRUST FUND EXPENDITURE PLAN PURSUANT TO P.L. 111-11 §10702

PURPOSE: The purpose of this proposed resolution is to approve the Navajo Nation Water Resources Development Trust Fund Expenditure Plan for funds appropriated by Congress as a part of the Nation's water rights settlement for claims in the San Juan River in New Mexico.

Final Authority: Navajo Nation Council

Vote Required: Simple Majority

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

5-DAY BILL HOLD PERIOD:
Website Posting Time/Date:
Posting End Date: 03-11-25
Eligible for Action: 03-12-25

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL – Third Year, 2025

INTRODUCED BY

 (Rick Nez)
(Prime Sponsor)

TRACKING NO. 0025-25

AN ACTION
RELATING TO THE RESOURCES AND DEVELOPMENT,
BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES AND
THE NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION
WATER RESOURCES DEVELOPMENT TRUST FUND EXPENDITURE
PLAN PURSUANT TO P.L. 111-11 §10702

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with oversight of the Navajo Nation Department of Water Resources. 2 N.N.C. § 500(C)(1).
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council empowered with the authority to review and recommend the budgeting, appropriation, investment and management of all funds to the Navajo Nation Council. 2 N.N.C. §§ 300 (A) and 301(B)(2).
- C. The Naabik'iyáti' Committee is established as a standing committee of the Navajo Nation Council empowered to review proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. §§ 164(A)(9), 700 (A), and 701 (A)(7).

- 1 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C.
2 §§ 102 (A).
3

4 **SECTION TWO. FINDINGS**

- 5 A. On April 19, 2005, the Navajo Nation (the “Nation”) entered into a settlement
6 agreement to resolve its water rights claims in the San Juan River in New Mexico.
7 Congress ratified the Nation’s settlement agreement in the Omnibus Public Land
8 Management Act of 2009, P.L. 111-11 (the “Act”).
- 9 B. Section 10702(a) of the Act established the Navajo Nation Water Resources
10 Development Trust Fund (“Trust Fund”) to be held in the United States Treasury with
11 its trust management delegated to the Secretary of the Interior (the “Secretary”) in
12 accordance with the Act and the American Indian Trust Fund Management Reform
13 Act of 1994, 25 U.S.C. §§ 4001, *et seq.*
- 14 C. Section 10702 (f) of the Act authorized the appropriation of \$6,000,000 for each of
15 fiscal years 2010 through 2014 and \$4,000,000 for each of fiscal years 2015 through
16 2019. Pursuant to Section 10702 (e)(7)(A) of the Act, the Trust Fund became
17 available for expenditure on December 31, 2019.
- 18 D. As set forth in Section 10702 (b)(1) of the Act, the Trust Fund may be expended to
19 (1) investigate, construct, operate, maintain, or replace water project facilities,
20 including facilities conveyed to the Nation under the settlement agreement and
21 facilities owned by the United States for which the Nation is responsible for
22 operation, maintenance, and replacement costs; and (2) to investigate, implement, or
23 improve a water conservation measure (including a metering or monitoring activity)
24 necessary for the Nation to make use of a water right under the settlement agreement.
- 25 E. Section 10702 (e) of the Act requires an Expenditure Plan that describes the purposes
26 and manner for which the Trust Fund will be used, the Expenditure Plan must be
27 approved by a resolution from the Navajo Nation Council, and the Nation must send
28 the approved Expenditure Plan to the Secretary for approval.
- 29 F. The Navajo Nation Department of Water Resources developed and recommends for
30 approval the Navajo Nation Water Resources Development Trust Fund Expenditure
Plan attached as **Exhibit A**.

1 **SECTION THREE. APPROVAL OF THE NAVAJO NATION WATER**
2 **RESOURCES DEVELOPMENT TRUST FUND EXPENDITURE PLAN**

3 A. The Navajo Nation hereby approves the Navajo Nation Water Resources
4 Development Trust Fund Expenditure Plan attached as **Exhibit A** pursuant to the
5 requirements of the Act and the American Indian Trust Fund Management Reform
6 Act of 1994.

7 B. The Navajo Nation authorizes the President of the Navajo Nation to submit the
8 Navajo Nation Water Resources Development Trust Fund Expenditure Plan attached
9 as **Exhibit A** to the Secretary for approval.

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