



25TH NAVAJO NATION COUNCIL

## 25TH NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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**Naabik'iyáti' Committee approves extension of limited waiver of  
sovereign immunity to support HUD-funded housing projects**



**WINDOW ROCK, Ariz.** — On Thursday, August 21, the Naabik'iyáti' Committee voted to approve Legislation No. 0178-25, extending a limited waiver of the Navajo Nation's sovereign immunity through September 30, 2029.

The legislation permits the Navajo Nation to be sued in federal district court solely for compliance with the National Environmental Policy Act (NEPA), as required by the U.S. Department of Housing and Urban Development (HUD) for grant-funded housing projects.

The extension is a continuation of long-standing Navajo Nation policy, first established by resolution in 2000, and reaffirmed through subsequent Council actions. It enables the Navajo Nation President to lawfully sign HUD Form 7015.15, a legal requirement for releasing funds under NEPA for tribal housing construction and rehabilitation projects.

Without this waiver, HUD cannot release project funds, which would stall critical development that address the nation's urgent housing needs.

This legal mechanism does not diminish the sovereignty of the Navajo Nation in general matters. It is a targeted and time-limited provision intended exclusively to satisfy federal legal requirements for environmental compliance under NEPA. By accepting limited jurisdiction of federal courts solely for environmental review matters related to HUD grants, the Nation can maintain control over housing projects while ensuring timely access to federal funding.

Delegate Brenda Jesus, who sponsored the legislation, emphasized the direct connection between this action and the well-being of Navajo families.

“This is about delivering homes to our people. HUD requires NEPA compliance to fund these projects, and that compliance requires this limited waiver. It’s not a surrender of our sovereignty — it’s an exercise of it. We are choosing to take on these responsibilities so that our communities don’t wait years for the housing they need now,” said Council Delegate Jesus.

The Navajo Housing Authority (NHA), which administers the Nation’s federal housing grants, strongly supported the resolution through its own Board action, recognizing the waiver as essential to its mission. Without it, projects to build, rehabilitate, and modernize homes across the Navajo Nation would be delayed, leaving families in overcrowded or inadequate housing for longer periods.

The resolution also authorizes the Navajo Nation President to serve as the certifying official under NEPA, which ensures a streamlined process to secure drawdowns from HUD and implement housing programs without federal delays.

The Naabik’íyáti’ Committee approved Legislation No. 0178-25 on a consent agenda with 15 in favor and two opposed.

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