

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0114-24_

SPONSOR: Danny Simpson

TITLE: An Action Relating to the Naabik'iyáti' Committee; Amending NABIF-12-24 and NABID-53-23 and NABIO-37-23 and CJY-65-23 and CMY-42-23, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Danny Simpson's Delegate Region (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint)

Date posted: May 17, 2024 at 5:48PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0114-24

DATE: May 17, 2024

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIF-12-24 AND NABID-53-23 AND NABIO-37-23 AND CJY-65-23 AND CMY-42-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE DANNY SIMPSON'S DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY, NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI, CROWNPOINT)

PURPOSE: This legislation, if approved, will add FRF-Eligible projects to Hon. Danny Simpson's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint) enacted under NABIF-12-24 and NABID-53-23 and NABIO-37-23 and CJY-65-23 and CMY-42-23.

FINAL AUTHORITY: Naabik'iyáti' 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.

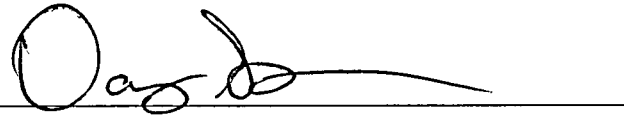
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Posting End Date: 05-22-24

Eligible for Action: 05-23-24

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

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0114-24

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING
NABIF-12-24 AND NABID-53-23 AND NABIO-37-23 AND CJY-65-23 AND CMY-
42-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE
REGION PROJECT PLAN FOR HONORABLE DANNY SIMPSON'S
DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY,
NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI,
CROWNPOINT)

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. CMY-42-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund

1 Delegate Region Project Plan for Hon. Danny Simpson's Delegate Region (Chapters:
2 Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi,
3 Crownpoint) be approved by a Navajo Nation Council resolution and signed into law
4 by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C.
5 §§ 1005 (C) (10), (11), and (12).

6 D. Navajo Nation Council Resolution No. CJY-65-23, included and incorporated herein
7 by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund
8 Delegate Region Project Plan for Hon. Danny Simpson's Delegate Region (Chapters:
9 Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi,
10 Crownpoint) be approved by a Navajo Nation Council resolution and signed into law
11 by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C.
12 §§ 1005 (C) (10), (11), and (12).

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

17 F. Naabik'iyáti' Committee Resolution No. NABIO-37-23, included and incorporated
18 herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery
19 Fund Delegate Region Project Plan for Hon. Danny Simpson's Delegate Region
20 (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano,
21 Nageezi, Crownpoint) be adopted and approved by resolution of the Naabik'iyáti'
22 Committee pursuant to two-thirds (2/3) vote of the Naabik'iyáti' Committee members
23 in attendance.

24 G. Naabik'iyáti' Committee Resolution No. NABID-53-23, included and incorporated
25 herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery
26 Fund Delegate Region Project Plan for Hon. Danny Simpson's Delegate Region
27 (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano,
28 Nageezi, Crownpoint) be adopted and approved by resolution of the Naabik'iyáti'
29 Committee pursuant to two-thirds (2/3) vote of the Naabik'iyáti' Committee members
30 in attendance.

1 H. Naabik'iyáti' Committee Resolution No. NABIF-12-24, included and incorporated
2 herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery
3 Fund Delegate Region Project Plan for Hon. Danny Simpson's Delegate Region
4 (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano,
5 Nageezi, Crownpoint) be adopted and approved by resolution of the Naabik'iyáti'
6 Committee pursuant to two-thirds (2/3) vote of the Naabik'iyáti' Committee members
7 in attendance.
8

9 **SECTION TWO. FINDINGS**

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

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

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

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

6 2. The Delegate Region Project Plan funding will be allocated to the Navajo
7 Nation Central Government, specifically the Division of Community
8 Development or other appropriate Navajo Nation Division or Department,
9 to implement the projects rather than directly to the Chapters. See CJN-29-
10 22, Section Three (D).

11 3. The Navajo Nation Central Government, specifically the Division of
12 Community Development or other appropriate Navajo Nation Division or
13 Department, shall manage and administer funds and Delegate Region
14 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation
15 Central Government may award funding to LGA-Certified Chapters through
16 sub-recipient agreements to implement and manage specific projects, but
17 shall maintain Administrative Oversight over such funding and Delegate
18 Region Project Plans. See CJN-29-22, Section Three (E).

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

26 5. Each Delegate Region Project shall identify its Administrative Oversight
27 entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ
28 initial eligibility determination. See CJN-29-22, Section Three (L)(5) and
29 (L)(6).
30

1 C. The Navajo Nation Council Resolution No. CMY-42-23, AN ACTION RELATING
2 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
3 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE
4 REGION PROJECT PLAN FOR HONORABLE DANNY SIMPSON'S DELEGATE
5 REGION (CHAPTERS: BECENTI, LAKE VALLEY, NAHODISHGISH,
6 STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI, CROWNPOINT),
7 was signed into law by the President of the Navajo Nation on June 8, 2023.

8 D. CMY-42-23, Section Four, states that:

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

13 E. The Navajo Nation Council Resolution No. CJY-65-23, AN ACTION RELATING TO
14 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
15 AMENDING CMY-42-23, THE NAVAJO NATION FISCAL RECOVERY FUND
16 DELEGATE REGION PROJECT PLAN FOR HONORABLE DANNY SIMPSON'S
17 DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY,
18 NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI,
19 CROWNPOINT), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGTE
20 REGION was signed into law by the President of the Navajo Nation on August 4,
21 2023.

22 F. CJY-65-23, Section Four, states that:

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

27 G. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING
28 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
29 AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22;
30 DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL

1 AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH
2 THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the
3 President of the Navajo Nation on September 6, 2023.

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

- 6 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter
7 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal
8 Recovery Fund in the total amount of two hundred eleven million two
9 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)
10 to be divided equally between the twenty-four (24) Delegate Regions in the
11 amount of eight million eight hundred two thousand three hundred forty
12 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate
13 Region Project Plans approved by two-thirds (2/3) vote of the Naabik'íyáti'
14 Committee members in attendance. . . See CJN-29-22, as amended by
15 CAU-74-23, Section Three (B).

16 I. The Naabik'íyáti' Committee Resolution No. NABIO-37-23, AN ACTION
17 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-65-23
18 AND CMY-42-23, THE NAVAJO NATION FISCAL RECOVERY FUND
19 DELEGATE REGION PROJECT PLAN FOR HONORABLE DANNY SIMPSON'S
20 DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY,
21 NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI,
22 CROWNPOINT), TO INCLUDE ADDITIONAL PROJECTS FOR THIS
23 DELEGATE REGION, was signed into law by the Chairperson of the Naabik'íyáti'
24 Committee on October 18, 2023.

25 J. NABIO-37-23, Section Four, states that:

- 26 1. Amendments to this legislation or to the Delegate Region Project Plan approved
27 herein shall only be adopted and approved by resolution of the Naabik'íyáti'
28 Committee.

29 K. The Naabik'íyáti' Committee Resolution No. NABID-53-23, AN ACTION
30 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-37-23

1 AND CJY-65-23 AND CMY-42-23, THE NAVAJO NATION FISCAL RECOVERY
2 FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE DANNY
3 SIMPSON'S DELEGATE REGION (CHAPTERS: BECENTI, LAKE VALLEY,
4 NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO, NAGEEZI,
5 CROWNPOINT), TO INCLUDE ADDITIONAL PROJECTS FOR THIS
6 DELEGATE REGION, was signed into law by the Chairperson of the Naabik'iyáti'
7 Committee on January 5, 2024.

8 L. NABID-53-23, Section Four, states that:

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

12 M. The Naabik'iyáti' Committee Resolution No. NABIF-12-24, AN ACTION
13 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABID-53-23
14 AND NABIO-37-23 AND CJY-65-23 AND CMY-42-23, THE NAVAJO NATION
15 FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR
16 HONORABLE DANNY SIMPSON'S DELEGATE REGION (CHAPTERS:
17 BECENTI, LAKE VALLEY, NAHODISHGISH, STANDING ROCK,
18 WHITEROCK, HUERFANO, NAGEEZI, CROWNPOINT) was signed into law by
19 the Chairperson of the Naabik'iyáti' Committee on February 15, 2024.

20 N. NABIF-12-24, Section Four, states that:

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

24 O. All projects listed in the Hon. Danny Simpson's Delegate Region Projects Plan,
25 attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ.
26 In addition, Hon. Danny Simpson's Delegate Region Projects Plan does *not* exceed
27 the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

28 P. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo
29 Nation and the Hon. Danny Simpson's Delegate Region Chapters and communities to
30 approve and adopt the projects as part of the Navajo Nation Fiscal Recovery Fund

1 Delegate Region Project Plan for Hon. Danny Simpson's Delegate Region (Chapters:
2 Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi,
3 Crownpoint) as set forth in **Exhibit A**.

4
5 **SECTION THREE. AMENDING NABIF-12-24 AND NABID-53-23 AND NABIO-37-**
6 **23 AND CJY-65-23 AND CMY-42-23, THE NAVAJO NATION FISCAL**
7 **RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE**
8 **DANNY SIMPSON'S DELEGATE REGION (CHAPTERS: BECENTI, LAKE**
9 **VALLEY, NAHODISHGISH, STANDING ROCK, WHITEROCK, HUERFANO,**
10 **NAGEEZI, CROWNPOINT)**

- 11 A. The Navajo Nation hereby approves the projects as part of the Navajo Nation Fiscal
12 Recovery Fund Delegate Region Project Plan for Hon. Danny Simpson's Delegate
13 Region (Chapters: Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock,
14 Huerfano, Nageezi, Crownpoint) set forth in **Exhibit A**.
- 15 B. The Delegate Region Project Plan approved herein shall comply with all applicable
16 provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- 17 C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the
18 individual project appendix, shall be resolved in favor of the project appendix reviewed
19 by Department of Justice during their eligibility determination(s).

20
21 **SECTION FOUR. AMENDMENTS**

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

24
25 **SECTION FIVE. EFFECTIVE DATE**

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

28
29 **SECTION SIX. SAVING CLAUSE**

1 If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,
2 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,
3 those provisions of this legislation not determined invalid shall remain the law of the Navajo
4 Nation.

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