

RESOLUTION OF THE  
NAABIK'ÍYÁTI' STANDING COMMITTEE  
24<sup>th</sup> NAVAJO NATION COUNCIL -- Fourth Year, 2022

AN ACT RELATING TO THE RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI' COMMITTEES; AMENDING CJA-01-21 AND NABIS-36-21 TO EXTEND THE DEADLINES FOR THE EXPENDITURE OF SÍHASIN FUNDS FOR CHAPTER HEAVY EQUIPMENT PURCHASES AND FOR THE DEPARTMENT OF WATER RESOURCES EMERGENCY PROJECTS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council empowered to exercise oversight over matters involving water, land, environment, economic and community development, public utilities, and the 110 Navajo Nation Chapters, among other responsibilities. 2 N.N.C. § 500(B); 2 N.N.C. § 500(C)(1).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the authority to hear proposed resolutions requiring final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9); 2 N.N.C. § 700(A); 2 N.N.C. § 701(A)(3).
- C. In Resolution No. CJA-01-21 the Navajo Nation Council allocated money from the Síhasin Fund to the Division of Community Development for heavy equipment purchases for the 110 Chapters, and to the Division of Natural Resources/Department of Water Resources for the Department's Emergency Projects. Also, in CJA-01-21, the Council delegated to the Resources Committee and the Naabik'íyáti' Committee the authority over the deadline for the expenditure of the allocated Síhasin funds. Resolution No. CJA-01-21 is incorporated herein by this reference.

SECTION TWO. FINDINGS

- A. As stated above, CJA-01-21 allocated money from the Síhasin Fund for the Division of Community Development to purchase of certain heavy equipment for the 110 Chapters, and for the Department of Water Management to purchase needed equipment and pay for waterline projects and other projects listed in Exhibit B of CJA-01-21 ("DWR Emergency Projects"). Although CJA-01-21 was line-item vetoed by President Nez, the veto did not affect the allocated funds for the heavy equipment

purchases, and it affected only a portion of the funds for the DWR Emergency Projects.

- B. CJA-01-21 established a deadline for the use of the approved Síhasin funds for the heavy equipment purchases and the DWR Emergency Projects. These original deadlines have been extended, most recently by the Naabik'íyáti' Committee in Resolution No. NABIS-36-21. Currently, the deadline for the heavy equipment purchases is December 30, 2021 and the deadline for the DWR Emergency Projects is March 31, 2022. NABIS-36-21 is incorporated herein by this reference.
- C. At this time, both the Division of Community Development and the Department of Water Resources need more time to complete all purchases of heavy equipment for the 110 Chapters, and to fully expend the Síhasin funds for the DWR Emergency Projects.
- D. Because of the Chapters' need for the heavy equipment, and the dire need for the DWR Emergency Projects that will provide clean running water in many Navajo Nation communities, the Navajo Nation finds it to be in the best interest of the Navajo Nation and the Navajo People to extend the deadlines set forth in NABIS-36-21 for the expenditure of the Síhasin funds approved in CJA-01-21.

### SECTION THREE. APPROVING THE EXTENSION OF DEADLINES

- A. The Navajo Nation hereby approves an extension of the deadline for the expenditure of the Síhasin funds approved in CJA-01-21 for the DWR Emergency Projects, from March 31, 2022 to the new deadline of December 31, 2023.
- B. The Navajo Nation hereby approves an extension of the deadline for the expenditure of the Síhasin funds approved in CJA-01-21 for the 110 Chapters' heavy equipment purchases from December 30, 2022 to the new deadline of December 31, 2023.
- C. Any Síhasin funds approved in CJA-01-21 that are not spent or encumbered in accordance with the approved Expenditure Plans by the new deadlines set forth in Section Three (A) and Section Three (B) herein shall revert to the Síhasin Fund, unless otherwise recommended by the Resources and Development Committee of the Navajo Nation Council and otherwise approved by the Naabik'íyáti' Committee.

**SECTION FOUR. EFFECTIVE DATE**


This Act shall become effective in accordance with 12 N.N.C. § 2505 and 2 N.N.C. § 189.

**SECTION FIVE. SUPERSEDING AND SAVING CLAUSES**

- A. The new deadlines set forth in Section Three (A) and Three (B) of this Act shall supersede inconsistent provisions in any previous resolution of the Navajo Nation Council or a standing committee, to the extent that such previous resolutions establish a deadline for the expenditure of Síhasin funds approved in CJA-01-21.
- B. If any portion of this Act is determined invalid by the Navajo Nation Supreme Court, or by a final order of a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the remainder of this Act shall be the law of the Navajo Nation.

**CERTIFICATION**

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 24<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 17 in Favor, and 01 Opposed, on this 9<sup>th</sup> day of June 2022.

  
Honorable Seth Damon, Chairman  
Naabik'íyáti' Committee

6/9/22  
Date

Motion: Honorable Vince R. James  
Second: Honorable Pernell Halona

Chairman Seth Damon not voting

# NAVAJO NATION

1279

6/9/2022

Naa'bik'iyati' Committee Regular Meeting

06:26:53 PM

Amd# to Amd#

CONSENT AGENDA: Item A.

PASSED

MOT James, V

-Legislations: 0062-22,0097-22,

SEC Halona, P

0040-22, 0074-22, 0083-22,

0088-22, & 0090-22

Yeas : 17

Nays : 1

Excused : 3

Not Voting : 2

Yea : 17

Begay, K

Daniels

James, V

Tso, O

Begay, P

Freeland, M

Slater, C

Walker, T

Brown

Halona, P

Tso, D

Wauneka, E

Charles-Newton

Henio, J

Tso, E

Yellowhair

Crotty

Nay : 1

Smith

Excused : 3

Stewart, W

Tso, C

Nez, R

Not Voting : 2

Yazzie

Begay, E

Presiding Speaker: Damon