

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0114-23

**DATE:** May 22, 2023

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE NAABIK'ÍYÁTI' RESERVATION ROADS TASK FORCE

**PURPOSE:** The purpose of this legislation is to establish the Naabik'íyáti' Reservation Roads Task Force whose main responsibility is to develop and recommend a long-term, prioritized transportation plan for reservation roadways.

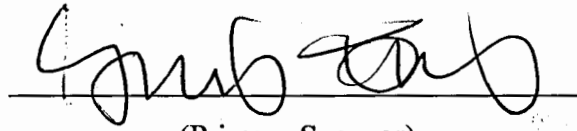
**This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: 4:50pm; 05-24-23  
Posting End Date: 05-29-23  
Eligible for Action: 05-30-23

Resources & Development Committee  
Thence  
Naabik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION  
25<sup>th</sup> NAVAJO NATION COUNCIL - First Year, 2023

INTRODUCED BY

  
(Primary Sponsor)

TRACKING NO. 0114-23



AN ACTION  
RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND  
THE NAABIK'ÍYÁTI' COMMITTEE; ESTABLISHING THE NAABIK'ÍYÁTI'  
RESERVATION ROADS TASK FORCE

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a standing committee of the Navajo Nation Council empowered with oversight authority over roads and transportation and the responsibility "[t]o oversee planning and coordinating of all roads and transportation activities of the Navajo Nation." 2 N.N.C. §§ 500 (C) and (C)(6).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council empowered "[t]o coordinate all federal, county and state programs with other standing committees and branches of the Navajo Nation government to provide the most effective delivery of services to the Navajo Nation. 2 N.N.C. §§ 700 (A) and 701 (A)(4).
- C. The Naabik'íyáti' Committee is also empowered to delegate its authority as appropriate for efficiency and streamlining of government processes to appropriate entities. 2 N.N.C. § 701(B).

1       **SECTION TWO. FINDINGS**

- 2           A. The Navajo Division of Transportation (“Navajo DOT”) coordinates with and  
3           assists federal, state, and county agencies with maintaining approximately eleven  
4           thousand two hundred (11,200) miles of roads, one hundred ninety-five (195)  
5           bridges, and 5 airports; 58% or nine thousand four hundred twenty-six (9426) miles  
6           are identified as Navajo Nation roads, 32% or five thousand one hundred ninety-  
7           four (5194) miles are identified as Bureaus of Indian Affairs (“BIA”) roads, 5% or  
8           eight hundred sixteen (816) miles are identified as county roads, and 5% or eight  
9           hundred eighty-one (881) are identified as state roads.
- 10          B. Navajo DOT established a direct programmatic agreement with the Federal  
11          Highway Administration in 2013 (updated in 2022) and also receives funding from  
12          other federal agencies, state agencies, and the Navajo Nation General Funds and  
13          Roads Fund.
- 14          C. Navajo DOT and the Navajo Nation face numerous challenges with improving and  
15          maintaining the Navajo Nation’s transportation system and providing a safe and  
16          well-functioning system, including, but not limited to, dual NEPA Compliance,  
17          right-of-way acquisition delays, location and distance to projects, and limited  
18          funding.

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20       **SECTION THREE. NAABIK’ÍYÁTI’ RESERVATION ROADS TASK FORCE**  
21       **ESTABLISHMENT**

- 22           A. The Naabik’íyáti’ Reservation Roads Task Force is hereby established by the  
23           Naabik’íyáti Committee. The Task Force shall exist until its assigned tasks are  
24           completed.
- 25           B. The primary mission of the Naabik’íyáti Reservation Roads Task Force is to develop  
26           a long-term, prioritized transportation plan for reservation roadways that identifies the  
27           location of vulnerable reservation roads, projects future challenges related to erosion  
28           and storms, as well as refines and recommends location-specific solutions. The  
29           transportation plan shall also identify funding strategies and timeline(s) for  
30           implementation of identified priorities.

1 C. The tasks assigned to the Naabik'iyáti Reservation Roads Task Force are:

- 2 1. Identify the current condition of all roads throughout the Navajo Nation,  
3 including the roads and bridges that need replacement;
- 4 2. Identify how many reservation roads are paved and unpaved;
- 5 3. Identify how many bus routes are within Navajo Nation roads, including state,  
6 county and BIA state roads used for school bus transportation;
- 7 4. Identify which entity or agency has responsibility for maintaining each road or  
8 roadway within the Navajo Nation;
- 9 5. Determine the best method to improve Navajo Nation roads within the  
10 reservation, e.g., Asphalt-Pave, Chip Seal, Gravel, etc.;
- 11 6. Determine the projected costs to pave and maintain all main roads within the  
12 110 Chapters;
- 13 7. Develop short-term and long-term prioritized plans, including funding  
14 strategies, to improve and maintain reservation roads throughout the 110  
15 chapters of the Navajo Nation; such plans should ensure sustainable access for  
16 residents, property owners, and visitors to the Navajo Nation.

17 D. The Naabik'iyáti' Reservation Roads Task Force shall report its progress on its  
18 assigned tasks to the Resources and Development Committee, Naabik'iyáti'  
19 Committee, and Office of the President & Vice-President at the end of each quarter;  
20 the report to the Committees shall be both written and oral.

21 E. The Naabik'iyáti' Reservation Roads Task Force shall present its short-term and  
22 long-term plans to improve and maintain reservation roads throughout the 110  
23 chapters to the Resources and Development Committee, Naabik'iyáti' Committee,  
24 and Office of the President & Vice-President by no later than March 1, 2024; the  
25 report to the Committees shall be both written and oral.

26 F. The Naabik'iyáti' Reservation Roads Task Force shall consist of fourteen members:

- 27 1. One member from each Standing Committee of the Navajo Nation Council;
- 28 2. One member appointed by the President of the Navajo Nation;
- 29 3. The Director of the Navajo Department of Transportation or his designee;
- 30 4. One member from the Bureau of Indian Affairs Eastern Agency Administration;

1           5. One member from the Bureau of Indian Affairs Navajo Region Administration;  
2           and

3           6. One member from each of the five (5) Counties situated within the Navajo  
4           Nation.

5       G. The Naabik'iyáti' Reservation Roads Task Force, by majority vote, shall select a  
6       Navajo Nation official or employee as chairperson and vice-chairperson at its first  
7       meeting. The chairperson and vice-chairperson shall serve at the pleasure of the  
8       Naabik'iyáti' Reservation Roads Task Force; replacement shall be by majority vote.

9       H. The Naabik'iyáti' Reservation Roads Task Force shall establish a regular meeting day  
10      of the month and shall set special meetings as needed; meetings may be in-person or  
11      virtual at the discretion of the chairperson.

12      I. The Naabik'iyáti' Reservation Roads Task Force shall establish its own meeting  
13      rules.

14      J. Navajo Nation law, policies, and regulations shall apply to the Naabik'iyáti'  
15      Reservation Roads Task Force.

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17   **SECTION FOUR. DIRECTIVES**

18      A. The Speaker's Chief of Staff shall assign one policy analyst to assist the  
19      Naabik'iyáti' Reservation Roads Task Force.

20      B. The Office of Legislative Services Executive Director shall assign one Office of  
21      Legislative Services staff to assist the Naabik'iyáti' Reservation Roads Task  
22      Force.

23      C. The Attorney General shall assign one Department of Justice attorney to assist the  
24      Naabik'iyáti' Reservation Roads Task Force.

25      D. Chief Legislative Counsel shall assign one Office of Legislative Counsel attorney  
26      to advise the Naabik'iyáti' Reservation Roads Task Force and develop  
27      recommended legislation.

28      E. The Navajo Nation Contracting Officer, OMB's Contracts and Grants Section,  
29      shall assign one budget analyst to assist the Naabik'iyáti' Reservation Roads Task  
30      Force.

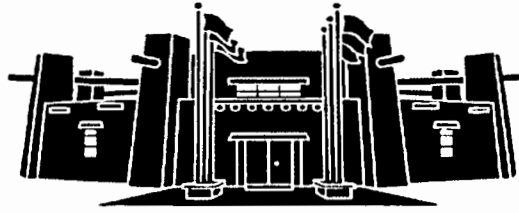
1 F. The Speaker of the Navajo Nation Council shall determine a Naabik'iyáti'  
2 Reservation Roads Task Force budget and identify the necessary funds.  
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4 **SECTION FIVE. EFFECTIVE DATE; AMENDMENTS**

5 A. This Action and the establishment of the Naabik'iyáti' Reservation Roads Task Force  
6 shall be effective upon certification by the Naabik'iyáti' Committee Chairperson.

7 B. This Action shall only be amended by majority vote of the Naabik'iyáti' Committee.  
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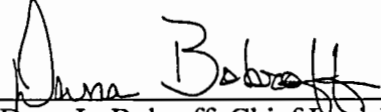
Office of Legislative Counsel  
Telephone: (928) 871-7166  
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Honorable Crystalyne Curley  
Speaker  
25<sup>th</sup> Navajo Nation Council

**MEMORANDUM**

TO: Hon. George H. Tolth, Council Delegate  
25<sup>th</sup> Navajo Nation Council

FROM:   
Dana L. Bobroff, Chief Legislative Counsel  
Office of Legislative Counsel

DATE: May 22, 2023

SUBJECT: **AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT  
COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE;  
ESTABLISHING THE NAABIK'ÍYÁTI' RESERVATION ROADS TASK  
FORCE**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution drafted is legally sufficient, although, as with all legislation, challenges are possible in the courts. You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. As you may be aware, the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0114-23\_

SPONSOR: George H. Tolth

**TITLE: An Action Relating to the Resources and Development Committee and the Naabik'iyáti' Committee; Establishing the Naabik'iyáti' Reservation Roads Task Force**

***Date posted:*** May 24, 2023 4:50 PM

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Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

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**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0114-23**

**SPONSOR: Honorable George H. Tolth**

**TITLE: An Action Relating to the Resources and Development Committee and the Naabik'iyáti' Committee; Establishing the Naabik'iyáti' Reservation Roads Task Force**

**Posted: May 24, 2023 at 4:50 PM**

**5 DAY Comment Period Ended: May 29, 2023**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Comments/Recommendations</b>	<i>None</i>



**Legislative Secretary II  
Office of Legislative Services**

**May 30, 2023; 9:59 AM**

**Date/Time**