

LEGISLATIVE SUMMARY SHEET

Tracking No. 0099-24

DATE: May 7, 2024

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, APPROVING THE NAVAJO NATION FISCAL RECOVERY FUNDS, DIVISION OF COMMUNITY DEVELOPMENT (DCD), COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT (CHID), ARPA NEW HOUSING APPLICATION AND ELIGIBILITY CRITERIA

PURPOSE: Resolution CJN-29-22, Section Ten, Subsection D states: “The eligibility criteria for receiving services under the Housing Projects assigned to CHID shall be approved by the Resources and Development Committee by resolution and shall include equal distribution by Delegate Region.” The purpose of this legislation is to approve the Division of Community Development, Community Housing and Infrastructure, “DCD/CHID ARPA Housing Application and Eligibility Criteria,” at pages one and two, Sections I through VI, of EXHIBIT A.

Final Authority: Resources and Development Committee

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.

Website Posting Time/Date 4:28 PM; 05-08-24

Posting End Date: 05-13-24

Eligible for Action: 05-14-24

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

INTRODUCED BY


Primary Sponsor

TRACKING NO. 0099-24

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE,
APPROVING THE NAVAJO NATION FISCAL RECOVERY FUNDS, DIVISION OF
COMMUNITY DEVELOPMENT (DCD) – COMMUNITY HOUSING AND
INFRASTRUCTURE DEPARTMENT (CHID), “DCD/CHID ARPA HOUSING
APPLICATION AND ELIGIBILITY CRITERIA”

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. Pursuant to 2 N.N.C. § 500 (A), the Resources and Development Committee is hereby established as a standing committee of the Navajo Nation Council.
- B. Pursuant to 2 N.N.C. § 501 (C) (1), the Resources & Development Committee is the oversight committee for the Navajo Nation Chapters.
- C. Pursuant to 2 N.N.C. § 500 (C) (3), the Resources and Development Committee has oversight authority over housing for various purposes including establishing policies appropriate to the housing needs of the Navajo Nation and its People.
- D. Resolution CJN-29-22 titled AN ACTION RELATING TO NAABIK’ÍKÁTI’ COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER

1 AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY
2 COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER
3 SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER
4 AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME
5 ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS;
6 HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES;
7 BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY
8 FUNDING; AND REDUCED ADMINISTRATIVE FUNDING was approved by the
9 Navajo Nation Council on July 8, 2022 and signed by the President on July 15, 2022.

- 10 E. In accordance with CJN-29-22, Section Ten, Subsection D, at page 16 of 28, “The
11 eligibility criteria for receiving services under the Housing Projects assigned to CHID
12 shall be approved by the Resources and Development Committee by resolution and
13 shall include equal distribution by Delegate Region.”

14
15 **SECTION TWO. FINDINGS**

- 16 A. In accordance with CJN-29-22, Section Ten, Subsection B (1), at page 15 of 28,
17 “\$50,000,000 [is allocated] to the Community Housing and Infrastructure Department
18 (CHID) for New Housing Projects, as Long-Term Housing Security: Services for
19 Unhoused Persons (Expenditure Category 2.15) ..., with administrative oversight by
20 the Division of Community Development and legislative oversight by the Resources
21 and Development Committee.”
- 22 B. In accordance with CJN-29-22, Section Ten, Subsection C, at page 16 of 28, “The
23 Housing Projects assigned to CHID ... are need-based.”
- 24 C. The CJN-29-22, Section Ten (D) Housing Projects “shall include equal distribution by
25 Delegate Region.”
- 26 D. The Community Housing and Infrastructure Department developed the “DCD/CHID
27 ARPA Housing Application and Eligibility Criteria,” at Sections I through VI, of
28 **EXHIBIT A.**

1 E. The “DCD/CHID ARPA Housing Application and Eligibility Criteria” was developed
2 to provide guidance to the Nation for determining the most qualified, eligible applicants
3 to receive new housing under CJNI-29-22 Section 10 (B) (1).

4 F. The “DCD/CHID ARPA Housing Application and Eligibility Criteria” will ensure all
5 applicants are qualified tribal members that have provided the required documentation
6 and will consider site specific homesite conditions and costs associated with the
7 required removal/demolition of existing structures, site preparation, available utilities,
8 and accessibility to the homesite with the objective of maximizing the funding and
9 serving as many tribal members with new housing as possible in each Delegate Region.

10
11 **SECTION THREE. APPROVAL**

12 A. The Resources and Development Committee of the Navajo Nation Council hereby
13 approves the “DCD/CHID ARPA Housing Application and Eligibility Criteria,” at
14 Sections I through VI, of **EXHIBIT A**.



**NAVAJO NATION FISCAL RECOVERY FUNDS
DCD-CHID ARPA New Housing
Application and Eligibility Criteria**

I. Funding Source and Distribution

- A. Navajo Nation Fiscal Recovery Funds (2.16 New Housing): \$50 million
 - \$50 million to DCD/CHID new housing (CJN-29-22)
- B. \$50 million equal distribution to the 24 Council Delegate Regions
- C. \$2,083,333 to each Delegate Region

II. Application Solicitation

- A. Application Dates
 - 1. Issue notice to Chapters of the online New Housing Application
- B. Application Type and Submittal Process
 - 1. Online New housing application
 - 2. A link will be emailed to Chapters to access the online ARPA Housing Application
 - 3. Chapter staff must utilize Chapter email account to access application portal and to upload required supporting documents
 - 4. Chapter staff to assist community members with completing the online application for the neediest of the needy and submission
 - 5. One new housing application per applicant
- C. Application Requirements
 - 1. Please make sure all information on the application is accurate and filled out entirely. If any information is not provided, your application will be considered incomplete and placed in "pending status".
 - 2. Head of Household is the only applicant to apply and submit housing application along with other necessary documents for homeownership completion through the application portal.
 - 3. All information entered on the application will be true and complete, any misrepresentation or false information will be justification for refusal of housing assistance.

III. Eligibility Criteria

- A. CHID office will screen the new housing applications once submitted by the Chapter
- B. CHID to ensure all applications have the Applicant's required supporting documents attached (copies):
 - Approved Homesite/Residential Lease (with Navajo Nation Arch & Biological Compliance Form)
 - Photo Identification Card (Government Issued)
 - Certificate of Indian Blood (CIB)
 - Proof of Chapter Voter Registration
 - Within Navajo Nation Service Area (utility connection)

- Doctor/Medical Statement
- C. Applications will be separated based on number of bedrooms according to number persons in the household
- D. Applicants will be notified by CHID office if application is incomplete or any supporting documents not attached.

IV. Eligibility/Selection Criteria

- A. CHID office to carefully review each complete application and home site assessment to prioritize applicant list to assist with selection (need based):
 - Carefully review applicants' names on the home/residential lease, will not assist applicant if Applicant is not on the lease
 - Applicant is disabled/severe health concerns
 - Applicant has a burnout home
 - Applicant is homeless (no structure on home site)
 - Applicant's existing home is dilapidated (unrepairable)
 - Overcrowded or multi-generational home
 - Applicant utility service ready for connection



MEMORANDUM

TO: Delegate Brenda Jesus
Chairwoman, Resources and Development Committee

FROM: Mariana Kahn
Mariana Kahn
Attorney, Office of Legislative Counsel

DATE: May 7, 2024

SUBJECT: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE, APPROVING THE NAVAJO NATION FISCAL RECOVERY FUNDS, DIVISION OF COMMUNITY DEVELOPMENT (DCD), COMMUNITY HOUSING AND INFRASTRUCTURE DEPARTMENT (CHID), ARPA NEW HOUSING APPLICATION AND ELIGIBILITY CRITERIA

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government, however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees' powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0099-24_

SPONSOR: Brenda Jesus

**TITLE: An Action Relating to the Resources and Development Committee;
Approving the Navajo Nation Fiscal Recovery Funds, Division of Community
Development (DCD)- Community Housing and Infrastructure Department (CHID),
"DCD/CHID ARPA Housing Application and Eligibility Criteria"**

Date posted: May 08, 2024 at 4:28PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

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.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0099-24

SPONSOR: Honorable Brenda Jesus

TITLE: An Action Relating to the Resources and Development Committee; Approving the Navajo Nation Fiscal Recovery Funds, Division of Community Development (DCD) – Community Housing and Infrastructure Department (CHID), "DCD/CHID ARPA Housing Application and Eligibility Criteria"

Posted: May 08, 2024 at 4:48 PM

5 DAY Comment Period Ended: May 13, 2024

Digital Comments received:

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



Legislative Secretary II
Office of Legislative Services

May 14, 2024; 8:08 AM

Date/Time