



The Navajo Nation
Yideeskáądi Nitsáhákees

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Navajo President Buu Nygren signs 'monumental' ARPA legislation to leverage funds, double amount infrastructure projects to be built

WINDOW ROCK, Ariz. – Navajo Nation President Buu Nygren on Tuesday signed long-awaited legislation that will use American Rescue Plan Act funding to create a new funding mechanism to leverage financing to nearly double the amount of infrastructure to be built across the Nation.

Next, the Council will consider legislation to create a trust fund where the Revenue Replacement Reserve will be placed.

That will allow the Nation to borrow money against the fund with the intention of having enough

money to increase the amount of projects that can be built.



Navajo Nation President Buu Nygren signs legislation that will use American Rescue Plan Act funding to create a new funding mechanism to nearly double the amount of infrastructure to be built across the Nation. He's joined by B&F Chairwoman Shandiin Parrish, Fiscal Recovery Fund Office Director Lisa Jymm and her staff, Navajo Tribal Utility Authority Deputy General Manager Rex Kontz with NTUA staff, and Navajo Nation Controller Sean McCabe who spearheaded the plan's design.

Passed June 5 by the Navajo Nation Council, the legislation will place \$521.8 million of ARPA funding into a newly created Revenue Replacement Reserve.

"It's the first time the Navajo Nation has taken federal money, come up with creative solutions to convert it to our own money that's unrestricted," President Nygren said. "The main thing is we got it done. We took off the timelines and now we can have a little bit of breathing room."

He said this legislation saves upwards of \$150 million for chapter regional projects and eliminates looming time constraints.

"So there's no deadlines and they can get all those projects done," the President said. "We have an additional \$63 million for housing and \$137 million for needed wastewater treatment plants that will enable real economic development."

The President and Navajo Nation Council Speaker Crystalyne Curley said since taking office that it was their shared intention to spend every ARPA dollar and not see a penny returned to the U.S. Treasury. With this legislation, he said, they have achieved that goal.

He added the plan is in compliance with U.S. Treasury guidelines for the spending of ARPA funds.

“From there, we borrow some money, redeploy that with economic development infrastructure projects,” he said. “Instead of just having \$300-to-\$400 million, let’s borrow money on that to potentially have \$800 million to a billion dollars and pump that back into our communities.”

To get the most from the Fiscal Recovery Funds, the legislation reallocates \$737.5 million to projects that have the highest likelihood of being spent by the December 2026 deadline.

The obligated projects include:

- \$137.3 million for wastewater infrastructure projects in Kayenta, Chinle, Ganado and Shiprock.
- \$62.9 million to build the equivalent of approximately 210 homes through the Community Housing and Infrastructure Department, or CHID.
- \$521 million to reimburse the Navajo Nation General Fund for governmental services provided during the COVID-19 pandemic under reduced revenues.
- \$15 million for Navajo Nation Fiscal Recovery Fund Office staff

Shaandiin Parrish, chair of the Council’s Budget & Finance Committee, said as of the legislation’s signing, 80 percent of the Navajo Nation’s ARPA funding is obligated, leaving \$200 million that still has a deadline.

While signing the legislation into law, the President exercised his line-item veto authority to remove projects he said do not have equity or profit-sharing agreements with the Nation.

“The purpose of the Trust Fund is to leverage funds against it, and we need to ensure that funds are in place to leverage against,” the President wrote to Speaker Curley. “I call on the Council to support our comprehensive approach to economic development that includes equity and profit-sharing agreements thereby ensuring that Navajo Nation money works for us.”

He said he was also line-item vetoing items with deadlines that already passed. It preserves and does not affect funding for the original delegate regional chapter plans.

He wrote that he is eager to work with the Council now to create the trust fund.

“We need to act quickly to create the Trust Fund and we need to ensure that we maximize the funds that will be placed in the Trust Fund,” he wrote.

“The two branches of government need to work together to develop a comprehensive approach to manage the Trust Fund in a fiscally responsible manner. By working together, it ensures that I will not need to exercise my line-item veto authority again.”

He wrote that the trust fund must meet the operational needs of the government and chapters, and the capital development needs of the entire Nation.

Among a roomful of people on hand to witness the unprecedented and innovative legislation signing was Chair Parrish, Fiscal Recovery Fund Office Director Lisa Jymm and her staff, Navajo Tribal Utility Authority Deputy General Manager Rex Kontz with NTUA staff, and Navajo Nation Controller Sean McCabe who spearheaded the plan’s design.

“This legislation brings together President Nygren’s priorities of housing and infrastructure married with what Budget & Finance Committee and Council wants,” Controller McCabe said. “It’s a pretty monumental task for my first year but I’m glad to be a part of it.”

The legislation places \$521 million of the recaptured \$737.5 million of ARPA funds and puts it into the Revenue Replacement Reserve.

In coming weeks, the Council must pass legislation to create a trust fund where the entire Revenue Replacement Reserve will be placed. That will allow the Navajo Nation to borrow money against the trust fund with the intension of having enough funding to double the amount of projects that can be built.

Speaker Curley said the Council and B&F Committee worked almost daily since January with

Controller McCabe and FRF Office Director Jymm to develop the innovative plan to protect unobligated ARPA funds from being returned to the U.S. Treasury by the Dec. 31, 2024, deadline.

“This new plan will allow the \$521 million to be placed into the General Fund and free it from the federal deadlines and federal red tape,” she said. “These regional projects are immensely critical to our communities and future progress. We had to act to protect these dollars.”

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