



The Navajo Nation Office of the President and Vice President

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FOR IMMEDIATE RELEASE

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Navajo Nation establishes the Fiscal Recovery Fund Office for the American Rescue Plan Act

WINDOW ROCK, Ariz. – On Monday, Navajo Nation President Jonathan Nez issued Executive Order No. 008-2021, establishing the Navajo Nation Fiscal Recovery Fund (NNFRF) Office dedicated to overseeing and implementing the Coronavirus State and Local Fiscal Recovery Funds program authorized by the American Rescue Plan Act (ARPA). The establishment of the office was authorized through Resolution CJY-41-21, which was approved by the 24th Navajo Nation Council and signed into law in August.

On Sept. 23, President Nez and Chief of Staff Paulson Chaco presented the plan of operation for the Navajo Nation Fiscal Recovery Fund Office to the Naabik'íyáti' Committee. Council delegates voted 17-3 to accept the report, allowing the Office of the President and Vice President to move forward with the establishment of the office. The office will be located at the Navajo Division of Transportation Emergency Operation Center.

“With the establishment of the Navajo Nation Fiscal Recovery Fund Office, the Navajo Nation is prepared to move forward with the initial distributions of the American Rescue Plan Act funds for defunded CARES Act allocations and appropriations that were funded through the Síhasin Fund and the UUFB, which were previously authorized. As for new projects, Resolution CJY-41-21 requires that we work with the Navajo Nation Council to finalize and fund them. We do hear the concerns of our people and we understand the need to expedite the internal processes to expend the funds as quickly as possible, while providing accountability and ensuring compliance with federal requirements each step of the way. This is a once in a lifetime opportunity to improve the quality of life for our people now and future generations,” said President Nez.

The NNFRF Office will be a clearinghouse for APRA related activities including educating the public on NNFRF matters, collaborating with Navajo Nation departments and offices, reviewing and approving NNFRF projects, overseeing NNFRF projects and ensure Navajo Nation compliance with Fiscal Recovery Funds provisions of ARPA and Navajo Nation laws.

The NNFRF Office will have a team dedicated to the oversight and implementation of the NNFRF funds that will consist of an Executive Director and staff in three (3) main oversight programs to

include: 1) *Central Support* for the financial management, personnel management, reporting, and general accounting; 2) *Infrastructure Delivery Support* with a team of industry specific project managers, schedulers, and technical writers to oversee broadband, water, wastewater, housing, education, economic development, and other related projects; and 3) *Regulatory Support* with a team dedicated to address regulatory reviews for FRF approved projects.

Resolution CJY-41-21 also allocated 10-percent of the Navajo Nation’s American Rescue Plan Act funds for central support service and regulatory costs. The Office of the President and Vice President is responsible for apportioning \$36 million, annually over five years, to Executive Branch programs and offices to implement the Fiscal Recovery Funds. The annual five-year allocation will cover administrative and support costs at a rate much lower than the standard 17-percent Indirect Cost that is provided for federal funds for tribes. The Office of the Speaker was also allocated \$20 million for the same purpose.

The Office of the Controller has created a website to help keep the public informed – the website is available at <https://navajonationarpa.org> and is currently being further developed.

“The Navajo Nation is obligated to account for all American Rescue Plan Act funds. The funding that the Executive Branch was allocated is safe and accounted for and will begin to be expended for administrative, central support service, and regulatory costs now that the Fiscal Recovery Fund Office is established. The funds will be used over a five-year period to fully implement the American Rescue Plan Act funds,” added President Nez.

The Navajo Nation has received its final distribution of Coronavirus State and Local Fiscal Recovery Funds funding with a total appropriation of \$2,079,461,464 from the U.S. Treasury. It will take a dedicated team to manage these funds over the next 4-5 years. The Nez-Lizer Administration is working diligently with the 24th Navajo Nation Council to prepare expenditure plans and legislation for more broadband, water, wastewater, and other infrastructure projects throughout the Nation.

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EXECUTIVE ORDER NO. 008-2021

**EXECUTIVE ORDER RELATED TO
ESTABLISHMENT OF THE
NAVAJO NATION FISCAL RECOVERY FUND OFFICE;**

**NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT
OCTOBER 4, 2021**

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and program matters. 2.N.N.C. §1005 (A);
2. The President shall have the power to issue an executive order for the purpose of interpreting, implementing, or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. 2.N.N.C. §1005 (C)(14);
3. The American Rescue Plan (ARP) Act of 2021 was passed by the United States Senate on March 6, 2021 and was signed by President Biden on March 11, 2021 and whereas the bill includes \$1.9 trillion in funding for individuals, businesses, and state, local, and tribal governments:
4. Navajo Resolution CJY-41-21 authorized the Office of the President and Vice President to establish a Navajo Nation Fiscal Recovery Fund Office within the Office of the President and Vice President;
5. An Executive Order shall have the force of law upon the recipient. 2 N.N.C. § 1005(C)(14).

THEREFORE:

I, Jonathan Nez, President of the Navajo Nation and I, Myron Lizer, Vice President of the Navajo Nation, by the authority vested in us, hereby issue the following order:

1. The Navajo Nation Fiscal Recovery Fund Office is established to provide support to quickly and judiciously direct the planning and use of the American Rescue Plan funds under the leadership of the President and Vice President;
2. The Navajo Nation Fiscal Recovery Fund Office shall be staffed by a team of Executive Branch employees with representation from, but not limited to, the Office of Management and Budget, Department of Justice, Division of General Services,

Environmental Protection Agency, Fish and Wildlife Department, General Land Development Department, Heritage and Historic Preservation Department, Navajo Land Department, Division of Community Development and the Office of the President and Vice President, as shown in the attached Plan of Operation and Organizational Chart;

3. The Office of the Controller shall be offered an opportunity to provide full time staffing at the Navajo Nation Fiscal Recovery Fund Office to provide fiscal support;
4. A physical office of the Navajo Nation Fiscal Recovery Fund Office shall be established at the Navajo Nation Division of Transportation in Tse Bonito, New Mexico;
5. The full-time personnel at the Navajo Nation Fiscal Recovery Fund Office shall be supplemented with part time personnel and contract personnel as necessary to fulfill the mission of the Office;
6. The Executive Director of the Navajo Nation Fiscal Recovery Fund Office may establish Working Groups to provide guidance and direction to the Navajo Nation Fiscal Recovery Fund Office; and,
7. All Navajo Nation Branches, Divisions, Departments, programs, offices, Chapters, Enterprises, and Navajo casinos shall comply with and adhere to the instructions of this Executive Order.

The provisions of this order shall be implemented consistent with the laws of the Navajo Nation and in a manner that advances the highest welfare of the People.

EXECUTED this 4th day of October 2021



Jonathan Nez, *President*
THE NAVAJO NATION



Myron Lizer, *Vice President*
THE NAVAJO NATION

ATTEST:



Doreen N. McPaul, *Attorney General*
Navajo Nation Department of Justice