



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

August 30, 2023

Honorable Crystalene Curley, Speaker
Navajo Nation Council
Post Office Box 3390
Window Rock, AZ 86515

RE: CAU-75-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CJY-57-23 and CD-67-22, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena / Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé ahnáozt'i'it', Beclabio, Gadiiahi / To'Koi) to Include Additional Projects for this Delegate Region

Dear Speaker Curley,

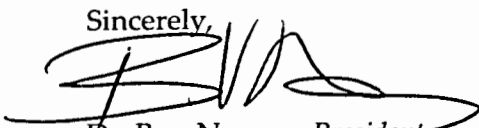
I am pleased to sign into law Resolution CAU-75-23 approving the amendments to the Fiscal Recovery Funds Delegate Regional Plan for Honorable Amber Kanazbah Crotty's Delegate Region for a total of \$4,508,747 out of a potential allocated amount of \$8,802,340.00.

My Administration supports the plans of these Chapters we have worked very hard to put together their Regional Plans and are working closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice-President and we will work together to overcome it. As you know, my Administration has been working to put in place quicker and more flexible Navajo Nation systems. I look forward to working with you and the entire Council to improve Navajo Nation systems so that we are supporting our communities and taking advantage of this historic funding.

I do want us to be cognizant that the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This date is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on a proposed timeline.

Now let's get to work!

Sincerely,



Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
 AMENDING CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY
 FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH
 CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS,
 RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ ÁĀNAOZT'I'Í',
 BECLABITO, GADIIAHI/TO'KOI), TO REMOVE PROJECTS AND INCLUDE
 ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- D. Navajo Nation Council Resolution No. CD-67-22, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé áĀnaozt'i'í', Beclabito, Gadiiahi/To'Koi) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- E. Navajo Nation Council Resolution No. CJY-57-23, attached as Exhibit 1 (without project exhibits), mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé áĀnaozt'i'í', Beclabito,

Gadiiahi/To'Koi) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' 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 AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, Section Three, states, in part and among other things, that
1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
 2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
 3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation

Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).

4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
 5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. The Navajo Nation Council Resolution No. CD-67-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ ÁLNAOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), was signed into law by the President of the Navajo Nation on January 6, 2023.
- D. CD-67-22, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- E. The Navajo Nation Council Resolution No. CJY-57-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ ÁLNAOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the President of the Navajo Nation on August 4, 2023.
Exhibit 1.

- F. CJY-57-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- G. The Hon. Amber Kanazbah Crotty has requested to amend CJY-57-23 to delete the *Sanostee Chapter Water Diversion System Project* (under NNDOJ Review No. HK0555) and to delete the *Beclabito Chapter Parking-Lot Solar Lights Project* (under NNDOJ Review No. HK0590) and to delete the *Beclabito Chapter Septic Cleaning Services Project* (under NNDOJ Review No. HK0593) from the Delegate Region Projects Plan covering the Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé álnaozt'i'í', Beclabito, Gadiiahi/To'Koi Chapters. The removal of these projects will revert \$434,609.00 back to Hon. Amber Kanazbah Crotty's Delegate Region's Project Plan's Un-Allocated Amount.
- H. In addition to the removal of the *Sanostee Chapter Water Diversion System Project* and the *Beclabito Chapter Parking-Lot Solar Lights Project* and the *Beclabito Chapter Septic Cleaning Services Project*, Hon. Amber Kanazbah Crotty has requested that additional projects be added to the Delegate Region Projects Plan covering the Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé álnaozt'i'í', Beclabito, Gadiiahi/To'Koi Chapters originally approved by CD-67-22. The additional projects, which have all been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the deleted projects, are set forth in Exhibit 2. After the deletion and addition of projects, the Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- I. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Amber Kanazbah Crotty's Delegate Region Chapters and communities to approve and adopt the removal of three-projects and add additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé álnaozt'i'í', Beclabito, Gadiiahi/To'Koi) as set forth in Exhibit 2.

SECTION THREE. AMENDING CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS),

TSÉ ÁĽNAOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), TO REMOVE PROJECTS AND INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

- A. The Navajo Nation hereby approves the removal of three-projects (the *Sanostee Chapter Water Diversion System Project* under NNDOJ Review No. HK0555 and the *Beclabito Chapter Parking-Lot Solar Lights Project* under NNDOJ Review No. HK0590 and the *Beclabito Chapter Septic Cleaning Services Project* under NNDOJ Review No. HK0593) listed in CJY-57-23 for Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan as **stricken in Exhibit 2**. The removal of these projects from Hon. Amber Kanazbah Crotty's Delegate Projects Plan will **revert \$434,609.00** back to her Delegate Region's Project Plan's **Un-Allocated Amount**.
- B. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: *Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé áĽnaozt'i'í', Beclabito, Gadiiahi/To'Koi*) set forth in **Exhibit 2**.
- C. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- D. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions

of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th 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 16 in Favor, and 00 Opposed, on this 25th day of August 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

8/29/23

DATE

Motion: Honorable Vince R. James
Second: Honorable Shaandiin Parrish

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this 30 day of August, 2023.



Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (11), on this _____ day of _____, 2023 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2023.

Buu Nygren, President
Navajo Nation

Exhibit 1



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

August 4, 2023

Honorable Crystalyne Curley, Speaker
Navajo Nation Council
Post Office Box 3390
Window Rock, AZ 86515

RE: *CJY-57-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CD-67-22, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tse atnáozt'i'i', Beclabito, Gadiiahi/To'Koi), to Include Additional Projects for this Delegate Region*

Dear Speaker Curley,

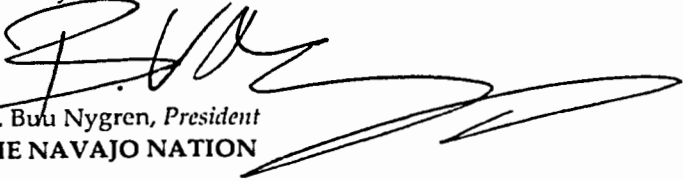
I am pleased to sign into law this resolution CJY-57-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Crotty's Delegate Region in the amount of \$884,609.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice President and inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,


Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE
REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE
REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH
HALTSOOI' (SHEEPSRINGS), TSÉ AĀNÁOZT'I'Í', BECLABITO,
GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE
REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A) (9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C) (10), (11), and (12).
- D. Navajo Nation Council Resolution No. CD-67-22, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé aĀnáozt'i'í', Beclabito, Gadiiahi/To'Koi) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) (17), and 2 N.N.C. §§ 1005(C) (10), (11), and (12).

SECTION TWO. FINDINGS

- A. The Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' 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 AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.

B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each

Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).

5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. The Navajo Nation Council Resolution No. CD-67-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ AĀNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), was signed into law by the President of the Navajo Nation on January 6, 2023.
- D. CD-67-22, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) (17) and 2 N.N.C. §§ 1005(C) (10), (11), and (12).
- E. All additional projects listed in the Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- F. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Amber Kanazbah Crotty's Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé aĀnáozt'i'í', Beclabito, Gadiiahi/To'Koi) as set forth in **Exhibit A**.

SECTION THREE. AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ

AŁNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

- A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé ałnáozt'i'í', Beclabito, Gadiiahi/To'Koi) set forth in **Exhibit A**.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION FIVE. EFFECTIVE DATE

This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th 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 21 in Favor, and 00 Opposed, on this 18th day of July 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

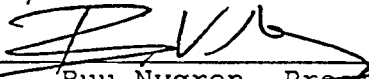
7/27/23
DATE

Motion: Honorable George H. Tolth
Second: Honorable Rickie Nez

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 4 day of August, 2023.



Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2023 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2023.

Buu Nygren, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit A

COUNCIL DELEGATE: Hon. Amber Kanazbah Crotty

CHAPTERS: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tse'ahnaozt'i'i', Beclabito, Gadliahi/To'Koi

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN CD-67-22 on January 6, 2023				\$ 1,259,879.00
Division of Community Development	None Identified	Sanostee Chapter Water Diversion System Project	Department of Water Resources	5.11	HK0555	\$ 300,000.00
Division of Community Development	None Identified	Sanostee Chapter New Motor Grader Project	Division of Community Development	6.1	HK0559	\$ 450,000.00
Division of Community Development	*Beclabito Chapter	Beclabito Chapter Parking-Lot Solar Lights Project	Division of Community Development	2.22	HK0590	\$ 122,109.00
Division of Community Development	*Beclabito Chapter	Beclabito Chapter Septic-Cleaning Services Project	NN Environmental Protection Agency	5.5	HK0593	\$ 12,500.00
		UN-ALLOCATED AMOUNT				\$ 6,657,852.00
					TOTAL:	\$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

Exhibit 2

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit 2

COUNCIL DELEGATE: Hon. Amber Kanazbah Crotty

CHAPTERS: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Halfsooi' (Sheepsprings), Tse'ainaozt'i'i, Beclabito, Gadilahi/To Koi

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN CD-67-22 on January 6, 2023				\$ 1,259,879.00
		TOTAL AMOUNT APPROPRIATED IN CJY-57-23 on August 4, 2023				\$ 884,609.00
Division of Community Development	None Identified	Red Valley Chapter Warehouse Project	Division of Community Development	6.1	HK0500	\$ 1,176,000.00
Division of Community Development	*Beclabito Chapter	Beclabito Chapter Home Repair Project	Division of Community Development	2.18	HK0597-2	\$ 1,122,868.00
Division of Community Development	None Identified	(Remove) Sanostee Chapter Water Diversion System Project	Department of Water Resources	6-14	HK0555	-\$ 300,000.00
Division of Community Development	*Beclabito Chapter	(Remove) Beclabito Chapter Parking Lot Solar Lights Project	Division of Community Development	2-22	HK0590	-\$ 122,109.00
Division of Community Development	*Beclabito Chapter	(Remove) Beclabito Chapter Septic-Cleaning Services Project	NN-Environmental Protection Agency	6-6	HK0593	-\$ 12,500.00
Division of Community Development	None Identified	Sanostee Chapter Purchase of Bull-Dozer	Division of Community Development	6.1	HK0540	\$ 300,000.00
Division of Community Development	None Identified	Sanostee Chapter Helipad Project	Division of Community Development	6.1	HK0557	\$ 200,000.00
		UN-ALLOCATED AMOUNT				\$ 4,293,593.00
					TOTAL:	\$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

DEPARTMENT OF JUSTICE
INITIAL ELIGIBILITY DETERMINATION
FOR NAVAJO NATION FISCAL RECOVERY FUNDS

RFS/HK Review #: HK 0557

Date & Time Received: 06/13/23 at 16:58

Date & Time of Response: 06/26/23 at 17:00

Entity Requesting FRF: Sanostee Chapter

Title of Project: Helipad Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$200,000.00

Eligibility Determination:

- FRF eligible
FRF ineligible
Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
(2) Premium Pay
(3) Government Services/Lost Revenue
(4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category:
6.1, Provision of Government Services

Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):

- | | |
|--|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Other Comments: Please note we have modified the requested expenditure code to 6.1 (Provision of Government Services) to be consistent with other projects.

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: _____

Disclaimers:
If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

THE NAVAJO NATION
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**
FOR **NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: **Sanostee (TseAlnaoztii)**

Date prepared: **04/18/23**

Chapter's mailing address: **P O Box 219 Sanostee, New Mexico 87461**

phone/email: **505-723-2703**
website (if any): **sanostee@navajochapters.org**

This Form prepared by: **Jourdan Washburn**
Secretary/Treasurer

phone/email: **505-723-2703**
chelseamoore@navajochapters.org

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: **Helipad**

Chapter President: **Jeanne Haskie** phone & email: **505-320-5605, jghaskie@naataani.org**

Chapter Vice-President: **Gerald Henderson** phone & email: **505-354-9026, ghenderson@naataani.org**

Chapter Secretary: **Jourdan Washburn** phone & email: **575-496-7735, chelseamoore@navajochapters.org**

Chapter Treasurer: **Jourdan Washburn** phone & email: **575-496-7735, chelseamoore@navajochapters.org**

Chapter Manager or CSC: **vacant** phone & email:

DCD/Chapter ASD: **Danielle Redhouse** phone & email: **dredhouse@nndcd.org**

List types of Subcontractors or Subrecipients that will be paid with FRF (if known):

document attached

Amount of FRF requested: **\$200,000.00** FRF funding period: **01/01/23- 9/30/26**
indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

To plan, design and construct a helipad for emergency response purposes.

document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

There is a need for a properly designed and safe landing for the helicopter to land. Currently, we have used the chapter compound parking lot or the roads to land the aircraft (AirCare). The helipad will provide for a shortened period for the response time for these emergency responses.

document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the

APPENDIX A

Program(s) or Project(s) by December 31, 2026:

Funding - May/June 2023; Review and approval process through Navajo Nation departments and entities from June through August 2023; Land withdrawal process - August 2023; contracting with NDOT and entities for construction in September 2023 through October 2023; procurement and construction to be completed by May 2024.

document attached

(d) Identify who will be responsible for implementing the Program or Project:

Tse Alnaoztii (Sanostee) Chapter will work in collaboration with NDOT and selected contractor to complete this project.

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Tse Alnaoztii (Sanostee) Chapter will be responsible for the operation and maintenance of the helipad location.

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

Other Public Health services 1.12 for immediate emergency response when needed.
1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency

document attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Tse Alnaoztii (Sanostee) Chapter Resolution TAT-23-05-52

Chapter Resolution attached

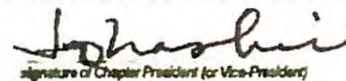
Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer:


signature of President/CONTACT PERSON

Approved by:


signature of Chapter President (or Vice-President)

Approved by:

VACANT
signature of CSC

Approved by:


signature of Chapter ASB

Approved to submit for Review:


signature of DCD Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Tse Alnaoztii (Sanosíee) Chapter - Helpad Division/Branch: Community Development
 Prepared By: Jourdan Washburn, Sec/Treasurer Phone No.: 505-723-2703 Email Address: sanosíee@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	(A)	(B)	(C)											
				2001 Personnel Expenses	3000 Travel Expenses	3500 Meeting Expenses		4000 Supplies	5000 Lease and Rental	5500 Communications and Utilities	6000 Repairs and Maintenance	6500 Contractual Services	7000 Special Transactions	8000 Public Assistance	9000 Capital Outlay	9500 Matching Funds	9500 Indirect Cost	NNC Approved Original Budget	Proposed Budget	Difference or Total	
CYJ-41-21 NN Recovery Fnd	01/01/23 - 9/30/26	\$ 200,000.00	100%																		
				2001 Personnel Expenses																	
				3000 Travel Expenses																	
				3500 Meeting Expenses																	
				4000 Supplies																	
				5000 Lease and Rental																	
				5500 Communications and Utilities																	
				6000 Repairs and Maintenance																	
				6500 Contractual Services			6		\$ 200,000.00											\$ 200,000.00	
				7000 Special Transactions																	
				8000 Public Assistance																	
				9000 Capital Outlay																	
				9500 Matching Funds																	
				9500 Indirect Cost																	
				TOTAL				\$0.00	200,000.00	200,000											
TOTAL: \$200,000.00 100%				PART IV. POSITIONS AND VEHICLES			(D)	(E)													
				Total # of Positions Budgeted:																	
				Total # of Vehicles Budgeted:																	

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: James Adakai, Delegated Department Manager II APPROVED BY: Calvin Castillo, Executive Director
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
[Signature] 5-16-23 [Signature] 5-16-23
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title:

Tse Alnaoztii (Sanostee) Chapter - Helipad

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

PART III. PROGRAM PERFORMANCE CRITERIA:

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

To plan, design and construct a complete helipad project.

Program Performance Measure/Objective:

To construct a helipad for emergency response purposes.

				1		1	
--	--	--	--	---	--	---	--

2. Goal Statement:

Program Performance Measure/Objective:

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3. Goal Statement:

Program Performance Measure/Objective:

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4. Goal Statement:

Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

5. Goal Statement:

Program Performance Measure/Objective:

--	--	--	--	--	--	--	--

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

James Adakai, Delegated Department Manager II

Program Manager's Printed Name

Program Manager's Signature and Date

[Signature] 5-16-23

Calvin Castillo, Executive Director

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

[Signature] 5/16/23

FY 2023

THE NAVAJO NATION
 DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3
 BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tee Alnaoztii (Sanostee) Chapter - Helipad</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
6500	CONTRACTUAL SERVICES Plan, design and construct a helipad, include architectural design and other technical services. \$200,000.00	\$ 200,000.00	\$ 200,000.00
TOTAL		\$ 200,000.00	\$ 200,000.00

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>new</u> Project Title: <u>Tse Alnaoztli (Sanostee) HelipadProject</u> Project Description: <u>Tse Alnaoztli (Sanostee) HelipadProject</u> Check one box: <input type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification		PART II. Project Information Project Type: <u>Rural Addressing</u> Planned Start Date: <u>01/01/23</u> Planned End Date: <u>9/30/26</u> Project Manager: <u>DCD</u>																												
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																		Expected Completion Date if project exceeds 8 FY Qtrs. Date <u>9/30/26</u>											
	FY <u>2023</u>									FY <u>2024</u>																				
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.								
	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M
Project proposal/Funding										x	x	x	x																	
Land Withdrawal & Technical Plan, Design														x	x	x	x			x	x	x								
Construction - Installation																								x	x	x	x	x		
Project Close out																												x	x	
PART V.	\$				\$				\$	\$		\$	50,000.00	\$	100,000.00				\$				50000	PROJECT TOTAL						
Expected Quarterly Expenditures																									\$200,000.00					

FOR OMB USE ONLY: Resolution No: _____ FMIS Set Up Date: _____ Company No: _____ OMB Analyst: _____