



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0225

Date & Time Received: 11/21/22 14:12

Date & Time of Response: 5 December, 2022; 9:41 am

Entity Requesting FRF: Cornfields Chapter

Title of Project: Septic Tank Operation and Maintenance Cost

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$95,000

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: 5.5, Clean Water:

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: _____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: _____



Disclaimers: An NNDOJ Initial Eligibility Determination will be 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 GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Cornfields Chapter Date prepared: 09/18/2022

Chapter's P.O. Box 478 phone & email: (928) 755-5912 aearle@nnchapters.org
mailing address: Ganado, Arizona 86505 website (if any): _____

This Form prepared by: Alfreda Earle phone/email: (928) 755-5912 aearle@nnchapters.org
Alfreda Earle, Chapter Manager (928) 755-5912 aearle@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Septic Tank Operation and Maintenance Cost

Chapter President: Morgan Cleveland, Sr. phone & email: (928) 755-5912

Chapter Vice-President: Wallace James, Jr. phone & email: (928) 755-5912 wjamesjr@naataanii.org

Chapter Secretary: Caleb Roanhorse phone & email: cr.horse@yahoo.com

Chapter Treasurer: Caleb Roanhorse phone & email: _____

Chapter Manager or CSC: Alfreda Earle phone & email: (928) 755-5912 aearle@nnchapters.org

DCD/Chapter ASO: Toni Mina phone & email: (928) 654-3933 tmina@nndcd.org

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

☐ document attached

Amount of FRF requested: 95,000.00 FRF funding period: September 30, 2022 - December 31, 2026
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:

This project will fund the septic tank operation and maintenance for the community of Cornfields. This project will provide a reliable and have better sanitation service.

☐ document attached

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

The community will have better sanitation service that are reliable and safe thus benefiting the community. The ability to maintain wastewater collection directly addresses one of the major sanitation needs that's connected to the on going COVID-19 pandemic.

☐ document attached

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

APPENDIX A

The project will have construction funds encumbered no later than December 31, 2024 and will be fully expended by December 31, 2026.

☐ document attached

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

Cornfields Chapter.

☐ 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:

Homeowners are responsible for maintenance once it's completed.

☐ 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:

The project is covered under Expenditure Category, 5.5 Infrastructure: Water and Sewer; Clean Water: Other Sewer Infrastructure. This project will help address groundwater contamination resulting from faulty septic units and those that would connect failing septic systems to centralized wastewater treatment. Without regular clean outs, septic tanks will likely fail, and groundwater contamination logically follows. DOJ response to Directive in CJN-29-22 on FRF - Eligibility of Septic Tank Cleaning,

☒ document attached

Part 3. Additional documents.

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

Expenditure Categories Table Indicating 5.5. Chapter Resolution.

☒ 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 Preparer/CONTACT PERSON

Approved by:


signature of Chapter President (or Vice-President)

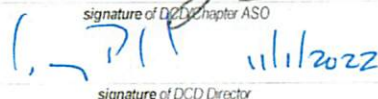
Approved by:


signature of Chapter Manager or CSC

Approved by:


signature of DCD Chapter ASO

Approved to submit
for Review:

 11/1/2022
signature of DCD Director

FY 2023

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page of
BUDGET FORM 1

| | | | | | |
|---|--|---|--|---|--|
| PART I. Business Unit No.: <u> </u> <u>New</u> | | Program Title: <u>Cornfields Chapter</u> <u>Septic Tank Operation and Maintenance Cost</u> | | Division/Branch: <u>DCD</u> | |
| Prepared By: <u>Alfreda Earle</u> | | Phone No.: <u>(928) 755-5912</u> | | Email Address: <u>aearle@nnchapters.org</u> | |

| PART II. FUNDING SOURCE(S) | Fiscal Year /Term | Amount | % of Total | PART III. BUDGET SUMMARY | Fund Type Code | (A) NNC Approved Original Budget | (B) Proposed Budget | (C) Difference or Total |
|----------------------------|------------------------|-----------|------------|-----------------------------------|----------------|-------------------------------------|------------------------|----------------------------|
| NN Fiscal Recovery Funds | <u>9/30/22-8/31/23</u> | 95,000.00 | 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 | | | | |
| | | | | 7000 Special Transactions | | | | |
| | | | | 8000 Public Assistance | <u>6</u> | <u>0</u> | 95,000 | <u>95,000</u> |
| | | | | 9000 Capital Outlay | | | | |
| | | | | 9500 Matching Funds | | | | |
| | | | | 9500 Indirect Cost | | | | |
| TOTAL | | | | | | \$0.00 | 95,000.00 | <u>95,000</u> |

| 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: <u>Alfreda Earle</u> <div style="text-align: center;">Program Manager's Printed Name</div> <u>Alfreda Earle</u> <div style="text-align: center;">Program Manager's Signature and Date</div> | APPROVED BY: <u>[Signature]</u> <div style="text-align: center;">Division Director / Branch Chief's Printed Name</div> <u>[Signature] 11.1.22</u> <div style="text-align: center;">Division Director / Branch Chief's Signature and Date</div> |

FY 2023THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage ____ of ____
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: _____ New _____

Program Name/Title: Cornfields Chapter Septic Tank O+m Costs

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:

Provide Financial Hardship and bring some measure of relief to many families as we continue to navigate these unprecedented times.

Program Performance Measure/Objective:

Assist community members with septic tank maintenance so they can have better sanitation service by the end of the quarter.

| | | | | | | | |
|--|--|--|--|--|--|-----|--|
| | | | | | | 200 | |
|--|--|--|--|--|--|-----|--|

2. Goal Statement:

Program Performance Measure/Objective:

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

3. Goal Statement:

Program Performance Measure/Objective:

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

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.

Alfreda Earle
Program Manager's Printed NameAlfreda Earle
Program Manager's Signature and DatePrincess Williams
Division Director/Branch Chief's Printed NamePrincess Williams 11.1.22
Division Director/Branch Chief's Signature and Date

FY 2023THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION:

Program Name/Title: _____ Business Unit No.: _____ New

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) |
| 8000 | Assistance | | 95,000 |
| 7150 | Assist 200 community members septic tank maintenance. | 90,000 | |
| | Supplies: Purchase general office supplies for daily operation of the program. 5,000 | 5,000 | |
| TOTAL | | 95,000 | 95,000 |



**NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL**

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

**Confidential
Attorney-Client Privileged**

MEMORANDUM

TO: Honorable Seth Damon, Speaker, 24th Navajo Nation Council
Honorable Delegates, 24th Navajo Nation Council
Dr. Pearl Yellowman, Division Director, Division of Community Development
Tom Platero, Executive Director, NNFRF Office
All Navajo Nation Chapters

FROM: Mel Rodis
Mel Rodis, Assistant Attorney General
Tax & Finance Unit

DATE: July 27, 2022

SUBJECT: DOJ Response to Directive in CJN-29-22 on FRF-Eligibility of Septic Tank Cleaning

This memorandum is in response to the directive in Council Resolution CJN-29-22, which was signed into law by President Nez on July 15, 2022. Specifically, Council Resolution CJN-29-22 directed the Navajo Nation Department of Justice (DOJ) to "inform Delegates, Chapters, and the Division of Community Development, in writing, whether septic tank cleaning is an eligible FRF expenditure and whether septic tank clean outs can be included in Delegate Region Project Plans." Although there is no governing authority that explicitly addresses septic tank clean outs, they are likely an eligible expenditure of Fiscal Recovery Funds, as more fully detailed below.

Fiscal Recovery Funds (FRF) under the American Rescue Plan Act (ARPA) are intended for the following purposes and must fall into one of the following four (4) eligible use categories:

- (1) To support the COVID-19 public health and economic response by addressing COVID-19 and its impact on public health as well as addressing economic harms to households, small businesses, nonprofits, impacted industries, and the public sector;
- (2) To provide premium pay for eligible workers performing essential work;
- (3) To provide government services up to the amount of revenue loss due to the pandemic; or
- (4) To make necessary investments in water, sewer, and broadband infrastructure.

Memo to Honorable Speaker Seth Damon; Honorable Delegates, 24th Navajo Nation Council; Dr. Yellowman,
Division of Community Development; Tom Platero, NNFRF Office; All Navajo Nation Chapters
From: Mel Rodis, Tax & Finance Unit, DOJ
RE: DOJ Response to Directive in CJN-29-22 on FRF-Eligibility of Septic Tank Cleaning
Date: July 27, 2022
Page 2

The U.S. Department of Treasury (Treasury) issued a Final Rule further discussing eligible uses of FRF and has also issued an Overview of the Final Rule and Frequently Asked Questions (FAQs). As a starting point to any analysis Treasury has advised that, “[t]he best way to begin evaluation of whether a specific use is an eligible use of [FRF] funds is to consider which of the four eligible use categories the use may fall into....The [FRF] program provides substantial flexibility for each jurisdiction to meet local needs within these eligible use categories. In general, recipients should think about what services they are trying to provide, and for which groups or populations, and assess whether this use of funds would fit within the parameters of the eligible use category as outlined in the Overview and the final rule.”¹

Under eligible use category number 4 - to make necessary investments in water and sewer - Treasury’s Final Rule states that any project that would be eligible under the Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF) would be eligible uses of FRF. Beyond CWSRF and DWSRF, Treasury states that FRF can also be used to fund projects that are “necessary.”² “Necessary” means: 1. Responsive to an identified need to achieve or maintain an adequate minimum level of service; and 2. is a cost effective means for meeting that need.³

The questions posed by Council therefore depend on whether septic tank clean outs can be funded by the CWSRF, DWSRF, or are otherwise “necessary” as defined by Treasury. The following provision regarding decentralized wastewater systems, including individual onsite systems, supports a determination by the Navajo Nation that constructing, repairing, or replacing private septic systems is an eligible FRF expenditure.

“The final rule continues to allow the use of SLFRF funds for projects eligible under the CWSRF, consistent with the interim final rule. Under the CWSRF, a project must meet the criteria of one of the following CWSRF eligibilities to be eligible for assistance. Section 603(c) of the Clean Water Act (CWA) [33 U.S.C. 1383(c)] provides that the CWSRF can provide assistance: ... (iv) for the construction, repair, or replacement of decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage. Eligible projects include, but are not limited to, the construction of new decentralized systems (e.g., individual onsite systems and cluster systems), as well as the upgrade, repair, or replacement of existing systems.”⁴

¹ Treasury FAQs from April 27, 2022. FAQ 4.1 “How do I know if a specific use is eligible?”

² *Id.* at FAQ 6.1. In Treasury’s Interim Final Rule, projects under the fourth eligibility category were limited to only those that could be funded with CWSRF or DWSRF. However, in response to public comment, the Final Rule expressly states that additional projects could be funded if they meet Treasury’s definition of “necessary.” Treasury FAQ on this topic reads, “[W]ith broadened eligibility under the final rule, SLFRF funds may also be used to fund additional types of projects — such as additional stormwater infrastructure, residential wells, lead remediation, and certain rehabilitations of dams and reservoirs — beyond the CWSRF and DWSRF, if they are found to be “necessary” according to the definition provided in the final rule and outlined on page 38 of the Overview.”

³ Treasury Final Rule at 266.

⁴ Treasury Final Rule at 276-78.

Memo to Honorable Speaker Seth Damon; Honorable Delegates, 24th Navajo Nation Council; Dr. Yellowman,
Division of Community Development; Tom Platero, NNFRF Office; All Navajo Nation Chapters
From: Mel Rodis, Tax & Finance Unit, DOJ
RE: DOJ Response to Directive in CJN-29-22 on FRF-Eligibility of Septic Tank Cleaning
Date: July 27, 2022
Page 3

Treasury's Final Rule also states, "[c]onsistent with the CWSRF, the installation, repair, or replacement of private septic units continues to be an eligible use of SLFRF funds under the final rule. For example, eligible projects include those that address groundwater contamination resulting from faulty septic units and those that would connect failing septic systems to centralized wastewater treatment."⁵ Treasury does not add much additional guidance but mentions private septic tanks in the Overview to the Final Rule, which states, "[r]ecipients may fund a broad range of water and sewer projects, including those eligible under the [CWSRF] or the [DWSRF], *and certain additional projects*, including a wide set of lead remediation, stormwater infrastructure, and *aid for private wells and septic units*."⁶ (Emphasis added.)

DOJ previously reviewed an FRF application for a septic system installation program expenditure plan to utilize FRF allocated under Council Resolution CJY-41-21. DOJ determined that such project was FRF-eligible. That project consisted of constructing and installing new septic systems to outlying homes on the Navajo Nation that are too far from a centralized wastewater system to be connected. DOJ determined that such project was an eligible use of FRF. Specifically, DOJ determined that the project was eligible given the CWSRF's focus on septic system upgrades, repairs, or replacement, and the construction/installation of new systems.

Unfortunately, ARPA, Treasury guidance on FRF, and the CWSRF, do not explicitly address septic tank clean outs. Therefore, there is some uncertainty. However, as noted, the CWSRF allows funding decentralized wastewater systems, including individual onsite systems, for constructing, repairing, or replacing private septic systems, which supports a determination that septic tank clean outs are likely eligible. To the extent that septic tank clean outs constitute "operation and maintenance costs," EPA views such costs associated with individual septic systems as not eligible under the CWSRF; however EPA views capital costs associated with management programs, such as purchasing pump-trucks as eligible.⁷ It is therefore important to further define the program seeking FRF funding to ensure CWSRF eligibility.

Even if septic tank clean outs are outside the scope of the CWSRF, they still could be eligible as "necessary." Specifically, septic tank clean outs are responsive to an identified need for an adequate minimum level of service and maintenance - which includes cleaning, and is a cost effective means for meeting that need. Without regular clean outs, private septic tanks will likely fail, and groundwater contamination logically follows - the cost of which to clean up would be an eligible expense.

Additionally, septic tank clean outs may also be eligible under the eligible use category number 3 - provision of government services up to the amount of revenue loss due to the pandemic. Treasury FAQs provide, "[i]f a use does not appear to be eligible under the water, sewer, and

⁵ Treasury Final Rule at 282-83.

⁶ Treasury Overview of Final Rule at 7.

⁷ See EPA See EPA's website on CWSRF, found at [https://www.epa.gov/cwsrf/clean-water-state-revolving-fund-cwsrf-decentralized-wastewater-treatment#:~:text=Related%20Topics%3A-,Clean%20Water%20State%20Revolving%20Fund%20\(CWSRF\)%3A%20Decentralized%20Wastewater%20Treatment,%2C%20cluster%20systems%2C%20lagoons](https://www.epa.gov/cwsrf/clean-water-state-revolving-fund-cwsrf-decentralized-wastewater-treatment#:~:text=Related%20Topics%3A-,Clean%20Water%20State%20Revolving%20Fund%20(CWSRF)%3A%20Decentralized%20Wastewater%20Treatment,%2C%20cluster%20systems%2C%20lagoons)).

Memo to Honorable Speaker Seth Damon; Honorable Delegates, 24th Navajo Nation Council; Dr. Yellowman,
Division of Community Development; Tom Platero, NNFRF Office; All Navajo Nation Chapters
From: Mel Rodis, Tax & Finance Unit, DOJ
RE: DOJ Response to Directive in CJN-29-22 on FRF-Eligibility of Septic Tank Cleaning
Date: July 27, 2022
Page 4

broadband infrastructure, premium pay, or public health and negative economic impacts eligible use categories, then recipients should consider using funds under the revenue loss eligible use category. The revenue loss eligible use category provides recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue due to the pandemic.”⁸ In Treasury’s Final Rule with respect to government services, “generally speaking, services provided by the recipient governments are “government services” under the interim final rule and final rule, unless Treasury has stated otherwise. Government services include, but are not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services.”⁹

Septic tank clean outs are not prohibited under Treasury guidance. Although the Nation does not typically provide cleaning services for private septic tanks nor does the Nation typically provide financial assistance for homeowners to pay for private contractors to provide septic tank cleaning services, the Nation does provide funding for financial assistance to individual Navajo members for firewood, fuel, food, and other forms of emergency assistance. Full and overflowing septic tanks constitute a sanitation concern. Throughout the pandemic and beyond, the Nation has invested in improving public health conditions for its members.

In conclusion, FRF eligibility determinations require a careful analysis of the specific details of a proposed expenditure. To make a conclusive determination regarding the FRF eligibility of a proposed septic tank cleaning program, DOJ recommends that one or more Council Delegates work with the FRF Office and the Division of Community Development to develop an FRF expenditure plan and supporting documents for further review.

XC. Doreen N. McPaul, Attorney General, The Navajo Nation
Dana Bobroff, Chief Legislative Counsel, Office of Legislative Counsel
Stacy Allison, Chief Legal Counsel, Office of the President and Vice President

⁸ Treasury FAQ 4.1. “How do I know if a specific use is eligible?”.

⁹ Treasury Final Rule at 259-260.



CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917

Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

Page 1

CF-SEPT2022-059

RESOLUTION OF THE CORNFIELDS CHAPTER

Approve and Request the Navajo Nation Office of the President and Vice-President, the Naabik'iyati' Committee, Navajo Nation Council, and the Budget and Finance Committee to Support and Approve the Cornfields Chapter Expenditure Plans for: Powerline Project, Community/Veterans Fencing Project, Assistance, Home Renovation/Improvement Project, Housing Projects, Technology Equipment, Medical Supply Storage Building and Special Duty/Premium Pay.

WHEREAS:

1. Cornfields Chapter is a recognized as certified chapter of the Navajo Nation and is vested with the authority and responsible to plan and implement all things that are in the best interest of its community; and
2. Cornfields Chapter realize that pursuant to CAP-34-98, the Local Governance Act allows all chapters to make decisions over local matters; this authority will improve community decision making, allow communities to excel and flourish, enabling Navajo Nation leaders to lead towards a prosperous future of its community; and improve the strength and sovereignty of the Navajo Nation; and
3. Cornfields Chapter is delegated to act within its authority to review all local matters affecting the Community members consistent with Navajo Nation law, including custom and tradition with compel the Chapter to govern with responsibility and accountability to the community members; and
4. Cornfields Chapter, at its recent Planning Meeting on August 02, 2022 discussed the Navajo Nation Fiscal Recovery Funds; and
5. Cornfields Chapter, knows that the Fiscal Recovery Funds are specifically intend to respond to the COVID-19 public health emergency and its negative economic impacts, including assistance to households, and respond to workers performing essential work during the COVID-19 public health emergency by providing hazard and premium pay to eligible workers, and make necessary investments in water, sewer, and/or broadband infrastructure; and
6. Pursuant to CJN-29-22 the Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, Cornfields Chapter would like to exercise its LGA authority to receive the Navajo Nation Fiscal Recovery Fund and manage the projects; and



CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917

Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

Page 2

CF-SEPT2022-059

7. Cornfields Chapter believes it is in the best interest of the community and its chapter to support and approve the Cornfields Chapter Expenditure Plans for the benefit of its community, especially during the on-going COVID-19 pandemic.

NOW THEREFORE BE IT RESOLVED THAT:

The Cornfields Chapter hereby approves and request the Navajo Nation Office of the President and Vice-President, the Naabik'iyati' Committee, Navajo Nation Council, and the Budget and Finance Committee to Support and Approve the Cornfields Chapter Expenditure Plans for; Powerline Project, Community/Veterans Fencing Project, Assistance, House Renovation/Improvement Project, Housing Projects, Technology Equipment, Medical Supply Storage Building and Special Duty/Premium Pay.

Furthermore, the Cornfields Chapter would like to exercise its LGA authority to receive the Navajo Nation Fiscal Recovery Fund and manage the projects.

CERTIFICATION

I hereby certify that the Cornfields Chapter duly considered the foregoing resolution at a duly called meeting at Cornfields Chapter, Navajo Nation (ARIZONA) at which a quorum was present and was passed by a vote of 10 in favor, 00 opposed and 07 abstained on this 12th day of September 2022.


Presiding Chapter President
CORNFIELDS CHAPTER

Motion: Mr. Murray Lee

Second: Mr. Bennett Dineyazhe