

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0245-23

**DATE:** October 20, 2023

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-50-23 AND CAP-12-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE NORMAN M. BEGAY'S DELEGATE REGION (CHAPTERS: ALAMO, RAMAH, TOHAJIILEE), TO REMOVE A PROJECT AND INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

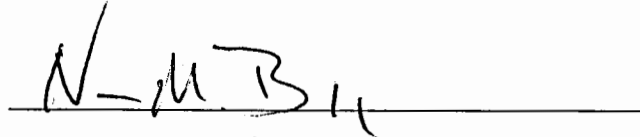
**PURPOSE:** This resolution, if approved, will remove one FRF-Eligible project and add FRF-Eligible projects to Hon. Norman M. Begay's Fiscal Recovery Fund Delegate Region Projects Plan (Chapters: Alamo, Ramah, Tohajiilee) enacted under CJY-50-23 and CAP-12-23.

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each Council Delegate to review the proposed resolution in detail.**

Website Posting Time/Date 11:35 AM; 10-23-23Posting End Date: 10-28-23Eligible for Action: 10-29-23

PROPOSED STANDING COMMITTEE RESOLUTION  
25th NAVAJO NATION COUNCIL — First Year, 2023

INTRODUCED BY



Primary Sponsor

TRACKING NO. 0245-23

## AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-50-23  
AND CAP-12-23, THE NAVAJO NATION FISCAL RECOVERY FUND  
DELEGATE REGION PROJECT PLAN FOR HONORABLE NORMAN M.  
BEGAY'S DELEGATE REGION  
(CHAPTERS: ALAMO, RAMAH, TOHAJIILEE),  
TO REMOVE A PROJECT AND INCLUDE ADDITIONAL PROJECTS FOR  
THIS DELEGATE REGION

## BE IT ENACTED:

## SECTION ONE. AUTHORITY

- A. The Naabik'iyáti' Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. §700(A).
- B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23, mandates that Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by two-thirds (2/3) vote of the Naabik'iyáti' Committee members in attendance.
- C. Navajo Nation Council Resolution No. CAP-12-23, attached as **Exhibit 1** (without project exhibits) included and incorporated herein by reference, mandated that

1 amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan  
2 for Honorable Norman M. Begay's Delegate Region (Chapters: Alamo, Ramah,  
3 Tohajiilee) be approved by a Navajo Nation Council resolution and signed into law by  
4 the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17), and 2 N.N.C.  
5 §§ 1005 (C) (10), (11), and (12).

6 D. Navajo Nation Council Resolution No. CJY-50-23, included and incorporated herein  
7 by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund  
8 Delegate Region Project Plan for Honorable Norman M. Begay's Delegate Region  
9 (Chapters: Alamo, Ramah, Tohajiilee) be approved by a Navajo Nation Council  
10 resolution and signed into law by the President of the Navajo Nation pursuant to 2  
11 N.N.C. § 164 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

12 E. Navajo Nation Council Resolution No. CAU-74-23, which amended CJN-29-22 and  
13 CJY-41-2, included and incorporated herein by reference, delegated the Naabik'íyáti'  
14 Committee as the final approval authority for Delegate Region Project Plans funded  
15 through Navajo Nation's Fiscal Recovery Funds.

## 16 17 **SECTION TWO. FINDINGS**

18 A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO  
19 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
20 ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY  
21 FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND  
22 EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC  
23 SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL  
24 ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS;  
25 HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS;  
26 BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND  
27 ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND  
28 MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION  
29 PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED  
30

1 ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo  
2 Nation on July 15, 2022.

3 B. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among  
4 other things, that

5 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter  
6 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal  
7 Recovery Fund in the total amount of two hundred eleven million two  
8 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)  
9 to be divided equally between the twenty-four (24) Delegate Regions in the  
10 amount of eight million eight hundred two thousand three hundred forty  
11 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate  
12 Region Project Plans approved by two-thirds (2/3) vote of the Naabik'iyáti'  
13 Committee members in attendance. . . See CJN-29-22, as amended by  
14 CAU-74-23, Section Three (B).

15 2. The Delegate Region Project Plan funding will be allocated to the Navajo  
16 Nation Central Government, specifically the Division of Community  
17 Development or other appropriate Navajo Nation Division or Department,  
18 to implement the projects rather than directly to the Chapters. See CJN-29-  
19 22, Section Three (D).

20 3. The Navajo Nation Central Government, specifically the Division of  
21 Community Development or other appropriate Navajo Nation Division or  
22 Department, shall manage and administer funds and Delegate Region  
23 Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation  
24 Central Government may award funding to LGA-Certified Chapters through  
25 sub-recipient agreements to implement and manage specific projects, but  
26 shall maintain Administrative Oversight over such funding and Delegate  
27 Region Project Plans. See CJN-29-22, Section Three (E).

28 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund  
29 eligible projects within their Delegate Region to be funded by the NNFRF  
30 Chapter and Regional Projects Expenditure Plan through a Delegate Region

1 Projects Plan. The total cost of projects selected by each Delegate shall not  
2 exceed their Delegate Region distribution of eight million eight hundred two  
3 thousand three hundred forty dollars (\$8,802,340). *See* CJN-29-22, Section  
4 Three (F).

- 5 5. Each Delegate Region Project shall identify its Administrative Oversight  
6 entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ  
7 initial eligibility determination. *See* CJN-29-22, Section Three (L)(5) and  
8 (L)(6).

9 C. The Navajo Nation Council Resolution No. CAP-12-23, AN ACTION RELATING  
10 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
11 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE  
12 REGION PROJECT PLAN FOR HONORABLE NORMAN M. BEGAY'S  
13 DELEGATE REGION (CHAPTERS: ALAMO, RAMAH, TOHAJIILEE), was  
14 signed into law by the President of the Navajo Nation on May 5, 2023. **Exhibit 1.**

15 D. CAP-12-23, Section Four, states that:

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

20 E. The Navajo Nation Council Resolution No. CJY-50-23, AN ACTION RELATING TO  
21 THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
22 AMENDING CAP-12-23, THE NAVAJO NATION FISCAL RECOVERY FUND  
23 DELEGATE REGION PROJECT PLAN FOR HONORABLE NORMAN M.  
24 BEGAY'S DELEGATE REGION (CHAPTERS: ALAMO, RAMAH,  
25 TOHAJIILEE), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE  
26 REGION was signed into law by the President of the Navajo Nation on August 4,  
27 2023.

28 F. CJY-50-23, Section Four, states that:

- 29 1. Amendments to this legislation or to the Delegate Region Project Plan approved  
30 herein shall only be adopted by resolution of the Navajo Nation Council and

1 approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17)  
2 and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

3 G. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING  
4 TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
5 AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22;  
6 DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL  
7 AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH  
8 THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the  
9 President of the Navajo Nation on September 6, 2023.

10 H. CJN-29-22, as amended by CAU-74-23, Section Three, now states, in part and among  
11 other things, that

12 1. The Navajo Nation hereby approves total funding for the NNFRF Chapter  
13 and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal  
14 Recovery Fund in the total amount of two hundred eleven million two  
15 hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148)  
16 to be divided equally between the twenty-four (24) Delegate Regions in the  
17 amount of eight million eight hundred two thousand three hundred forty  
18 dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate  
19 Region Project Plans approved by two-thirds (2/3) vote of the Naabik'íyáti'  
20 Committee members in attendance. . . See CJN-29-22, as amended by  
21 CAU-74-23, Section Three (B).

22 I. The Hon. Norman M. Begay has requested to amend CAP-12-23 to **remove** the  
23 *Ramah Navajo Chapter Collection/Transfer Station* project (under NNDOJ Review  
24 No. HK0348) from the Delegate Region Projects Plan that covers the Alamo, Ramah,  
25 Tohajiilee Chapters. The removal of this project will **revert \$2,000,000.00** back to Hon.  
26 Norman M. Begay's Delegate Region Project Plan's **Un-Allocated Amount**.

27 J. Further, the Hon. Norman M. Begay has requested that additional projects be added  
28 to his Delegate Region Projects Plan. The additional projects, which have been  
29 deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the removed project, are  
30 set forth in **Exhibit 2**. After the deletion and addition of projects, Hon. Norman M.

1 Begay's Delegate Region Projects Plan does *not* exceed the amount of \$8,802,340, as  
2 set forth in CJN-29-22, Section Three (F).

- 3 K. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo  
4 Nation and the Hon. Norman M. Begay's Delegate Region Chapters and communities  
5 to approve and adopt the **removal** of one-project and the **addition** of additional  
6 projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project  
7 Plan for Hon. Norman M. Begay's Delegate Region (Chapters: Alamo, Ramah,  
8 Tohajiilee) as set forth in **Exhibit 2**.

9  
10 **SECTION THREE. AMENDING CJY-50-23 AND CAP-12-23, THE NAVAJO**  
11 **NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**  
12 **FOR HONORABLE NORMAN M. BEGAY'S DELEGATE REGION (CHAPTERS:**  
13 **ALAMO, RAMAH, TOHAJIILEE), TO REMOVE A PROJECT AND INCLUDE**  
14 **ADDITIONAL PROJECTS FOR THIS DELEGATE REGION**

- 15 A. The Navajo Nation hereby approves the removal of one-project (the *Ramah Navajo*  
16 *Chapter Collection/Transfer Station* project under NNDOJ Review No. HK0348) listed  
17 in CAP-12-23 for Hon. Norman M. Begay's Delegate Region Projects Plan as **stricken**  
18 in **Exhibit 2**. The removal of this project from Hon. Norman N. Begay's Delegate Region  
19 Projects Plan will **revert \$2,000,000.00** back to his Delegate Region's Project Plan's **Un-**  
20 **Allocated Amount**.
- 21 B. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation  
22 Fiscal Recovery Fund Delegate Region Project Plan for Hon. Norman M. Begay's  
23 Delegate Region (Chapters: Alamo, Ramah, Tohajiilee) set forth in **Exhibit 2**.
- 24 C. The Delegate Region Project Plan approved herein shall comply with all applicable  
25 provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- 26 D. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the  
27 individual project appendix, shall be resolved in favor of the project appendix reviewed  
28 by Department of Justice during their eligibility determination(s).
- 29  
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1     **SECTION FOUR. AMENDMENTS**

2         Amendments to this legislation or to the Delegate Region Project Plan approved herein  
3         shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.  
4

5     **SECTION FIVE. EFFECTIVE DATE**

6         This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the  
7         Naabik'íyáti' Committee members in attendance.  
8

9     **SECTION SIX. SAVING CLAUSE**

10        If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court,  
11        or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court,  
12        those provisions of this legislation not determined invalid shall remain the law of the Navajo  
13        Nation.  
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# **Exhibit 1**



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

May 4, 2023



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

*RE: CAP-12-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council;  
Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Norman  
M. Begay's Delegate Region (Chapters: Alamo, Ramah, Tohajiilee)*

Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-12-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Begay's Delegate Region in the amount of \$2,000,000.

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  
25<sup>th</sup> NAVAJO NATION COUNCIL - FIRST YEAR, 2023

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 NORMAN M. BEGAY'S DELEGATE REGION  
(CHAPTERS: ALAMO, RAMAH, TOHAJILEE)

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).

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. All projects listed in the Hon. Norman M. Begay's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon.

Norman M. Begay's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

- D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Norman M. Begay's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Norman M. Begay's Delegate Region (Chapters: Alamo, Ramah, Tohajiilee) as set forth in Exhibit A.

### SECTION THREE. APPROVAL OF HON. NORMAN M. BEGAY'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Norman M. Begay's Delegate Region (Chapters: Alamo, Ramah, Tohajiilee) 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 25<sup>th</sup> 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 18<sup>th</sup> day of April 2023.



Honorable Crystalyne Curley, Speaker  
25<sup>th</sup> Navajo Nation Council

4/27/23

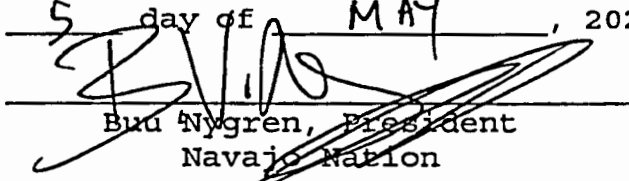
DATE

Motion: Honorable Helena Nez Begay  
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 5 day of MAY, 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 A

**COUNCIL DELEGATE: Delegate Norman M. Begay**

CHAPTERS: Alamo, Ramah, Tohajiilee

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Ramah Navajo Chapter Collection/Transfer Station	Division of Community Development	1.14	HK0348	\$ 2,000,000.00
		UNALLOCATED AMOUNT				\$ 6,802,340.00
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."

\*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

COUNCIL DELEGATE: Hon. Norman M. Begay

CHAPTERS: Alamo, Ramah, Tohajiilee

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CAP-12-23 on May 5, 2023				\$ 2,000,000.00
		TOTAL AMOUNT APPROPRIATED in CJY-50-23 on August 4, 2023				\$ 2,500,000.00
Division of Community Development	None Identified	(Remove) Ramah Navajo Chapter Collection/Transfer Station	Division of Community Development	4.14	HK0348	-\$ 2,000,000.00
Division of Community Development	None Identified	Ramah Navajo Chapter Rocky Ridge Water Well Project	NN Department of Water Resources	5.13	HK0510	\$ 2,934,113.00
Division of Community Development	None Identified	Alamo Chapter Water System	NN Department of Water Resources	5.11	HK0583	\$ 3,048,166.00
		UNALLOCATED AMOUNT				\$ 320,061.00
					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 0510

Date & Time Received: 05/24/23 at 11:09

Date & Time of Response: 6/5/23 at 940 am

Entity Requesting FRF: Ramah Navajo Chapter

Title of Project: Ramah Rocky Ridge Water Well Project – ARPA 5.13 Drinking Water: Source

Administrative Oversight: DWR

Amount of Funding Requested: \$2,934,113.00

**Eligibility Determination:**

- ☒ FRF eligible  
☐ FRF ineligible  
☐ Additional information requested

**FRF Eligibility Category:**

- |  |  |
|--|--|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay                                       |
| <input type="checkbox"/> (3) Government Services/Lost Revenue  | <input checked="" type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

**U.S. Department of Treasury Reporting Expenditure Category:** \_\_\_\_\_  
5.13 Drinking Water: Source

**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: \_\_\_\_\_

DOJ is reissuing this initial eligibility determination in order to correct an error with the identified Administrative Oversight entity.

We recommend that the Administrative Oversight entity for this expenditure plan be the Navajo Nation Department of Water Resources rather than the Division of Community of Development.

Name of DOJ Reviewer: Rudy Anaya, Tax and Finance Unit

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](mailto: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: Ramah Navajo Chapter Date prepared: 11/10/2022

Chapter's HC 61 Box 13  
mailing address: Ramah, New Mexico 87321-9601 phone/email: (505) 775-7140 / 7142  
website (if any): www.ramahnavajo.org

This Form prepared by: David Jose - Chapter President phone/email: (505) 593-3621 DavidJose@ramahnavajo.org  
Gilbert Maria - Chapter Community Development Department Director (505) 870-0418 GilbertMaria@ramahnavajo.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Ramah Rocky Ridge Water Well Project - ARPA 5.13 Drinking Water: Source

Chapter President: David Jose phone & email: (505) 593-3621 / 876-9521 DavidJose@ramahnavajo.org  
Chapter Vice-President: Chancey Martinez phone & email: (505) 870-4818 cmartinez@navajochapters.org  
Chapter Secretary: Dixie Begay phone & email: (505) 876-9524 dixiebegay@ramahnavajo.org  
Chapter Treasurer: Dixie Begay phone & email: (505) 876-9524 dixiebegay@ramahnavajo.org  
Chapter Manager or CSC: Brenda Yazzie phone & email: (505) 876-9517 BYazzie@ramahnavajo.org  
DCD/Chapter ASO: Guarena Adeky phone & email: (505) 905-1050 gadeky@nndcd.org

Other types of Subcontractors or Subrecipients that will be paid with FRF (if known): Engineering firm and construction contractors

Amount of FRF requested: \$2,934,113 FRF funding period: Start Date: January 2023; End Date: December 2024  
indicate Project starting and ending/deadline date ☐ document attached

**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:

The Project will construct a critically needed new water well at the Chapter's Detention Center site to serve Ramah's Rocky Ridge Water System. The system currently only has one water source, a shallow well that does not produce enough water to meet the community's needs, and critically needs an additional/backup water source. The existing well recently was out of service. Drinking water and fire protection is needed for existing homes and existing/planned Chapter facilities, which include a new police station/additional homes. The new well will provide reliable, safe and clean water used to help minimize/fight the COVID pandemic our community has been dealing with for years.

☐ document attached

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

The new well will benefit Chapter members in many ways. The additional water provided to the area will allow for needed development currently on hold due to lack of water service and fire protection to be completed. The water system will be provided with a critically needed backup source and be able to provide enough water to meet demand. The clean water will improve public health and dramatically increase economic growth/quality of life of residents.

☐ 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:

Procurement for design services is planned to start as soon as funds are secured. An engineering firm is planned to be under contract by January 2023, allowing procurement for construction services after design is done to commence by May of 2023. Construction is expected to be completed by June of 2024, allowing all funds to be fully expended by December of 2024.

☐ document attached

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

Jason John, Director, Navajo Department of Water Resources

☐ 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:

Ramah Navajo Utility Authority (RNUA) is currently responsible for the operation and maintenance of the Chapter's water systems, including any improvements such as the proposed project. RNUA is fully in support of the project and agrees to operate and maintain the new well using operational funds water users pay for their water service.

☐ 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:

### 5.13 - Drinking Water: Source

This project will design and construct a new water well to provide drinking water and provide fire protection for the Rocky Ridge water system, which serves the northern portion of the Chapter.

☐ document attached

### Part 3. Additional documents.

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

A Chapter resolution approving this project is attached. The Chapter approved using the land needed for the project.

☒ 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:

*Sierra Maria*  
signature of Preparer/CONTACT PERSON

Approved by:

*Sierra Maria*  
signature of Chapter President (or Vice-President)

Approved by:

*Brenda Noffs*  
signature of CSC

Approved by:

*Sierra Maria*  
signature of Chapter ASC

Approved to submit  
for Review:

*Lisa J. Gamm*  
signature of OCD Director

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page 1 of 1  
BUDGET FORM 1

PART I. Business Unit No.: <u>new</u>		Program Title: <u>Water</u>		Division/Branch: <u>Ramah Well</u>		Ramah Chapter	
Prepared By: <u>David Jose</u>		Phone No.: <u>505-593-3621</u>		Email Address: <u>David.Jose@ramahnavajo.org</u>			

PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	NHC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
ARPA INFRE		1:23-123/24	2,934,113.00	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		300,000		300,000
					7000	Special Transactions					
					8000	Public Assistance	4/6		2,634,113		2,634,113
					9000	Capital Outlay					
					9500	Matching Funds					
					9500	Indirect Cost					
					TOTAL				50.00	2,934,113.00	2,934,113

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, DCD Deputy Director	APPROVED BY:	Calvin Casillo, Division Director
	Program Manager's Printed Name		Division Director / Branch Chief's Printed Name
	<u>2-21-22</u>		<u>4/12/2023</u>
	Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION:		Program Name/Title: <u>Ramah Navajo / Water Well Construction</u>							
Business Unit No.: <u>New</u>		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 drinking water to the community									
Program Performance Measure/Objective:									
Construct a needed water well									
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.									
James Adakai, Deputy Director		Calvin Castillo, Director							
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name							
5-23-23		05/23/2023							
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date							



THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2023

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: <u>Ramah Chapter Water Well Project</u> Business Unit No.: <u>K - (New)</u>			
<b>PART II. DETAILED BUDGET:</b>			
(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	This project consists of constructing a new drinking water well for the Ramah Chapter to serve the Rocky Ridge Water System.	2,634,113	\$ 2,634,113
6500 Contractual Services	Project management, construction, observation and construction administration will be provided throughout the life of the project.	300,000	\$ 300,000
TOTAL		\$ 2,934,113	\$ 2,934,113

## PROJECT BUDGET SCHEDULE

[illegible]

**FOR OMB USE ONLY:**

**FMIS Set Up Date:**

**Company No:**

**OMB Analyst:**

**David Jose**  
**President**

**RAMAH NAVAJO CHAPTER**  
**HC 61, Box 13**  
**Ramah, New Mexico 87321-9601**  
**(505) 240-8000**

**Jamie Henio**  
**Council Delegate**  
**Navajo Nation Council**

**Yancey K. Martinez**  
**Vice-President**

**Tribal Office**



**Dixie M. Begay**  
**Secretary/Treasurer**

**Rodger Martinez**  
**Member**  
**Eastern Navajo Land Board**

**RESOLUTION OF THE RAMAH NAVAJO CHAPTER**

**NO. 082207**

**Approving to Design and Construct a New Water Well and Related Connecting Pipeline to Convey Drinking Water and Provide Fire Protection for the Rocky Ridge Water System, Which Serves the Northern Portion of the Chapter Community; and the Water System is Managed, Operated and Maintained under the Auspices of the Ramah Navajo Utility Authority (RNUA).**

**Whereas:**

1. Pursuant to Navajo Tribal Council Resolution CJ-20-55, the Ramah Navajo Chapter is a certified Chapter of the Navajo Nation and the Chapter is uniquely situated as satellite community of the Navajo Nation; and
2. Pursuant to 21 Navajo Nation Code §51-60, §§ 1.A; there is established the RNUA within the Ramah Navajo Chapter; and
3. By Resolution RNC-82-15, the Ramah Navajo Chapter established the RNUA and its Articles of Establishment and Bylaws to provide utility services to the community; By Resolution RNC-0786223, the Ramah Navajo Chapter established the Plan of Operation for RNUA; and By Resolution ACS-151-86, the Advisory Committee of the Navajo Tribal Council incorporated and adopted the Articles of Establishment and Bylaws and the Plan of Operation for RNUA; and
4. By Resolution CAP-34-98, the Navajo Nation Council enacted the Navajo Nation Local Governance Act codified as 26 Navajo Nation Code (N.N.C.), establishing a new title exclusively for political subdivisions of the Navajo Nation to address the governmental function of chapters that improves the governmental structure and provides the opportunity for local chapters to make decisions over local matters; and allowing communities to excel and flourish, enable Navajo leaders to lead toward a prosperous future and improve the strength and sovereignty of the Navajo Nation, including custom and tradition; and
5. By Resolution 041614, the Ramah Navajo Chapter adopts and endorses the RNUA's Finance, Property, Personnel, Procurement and Utility Policies and Procedures, with By-Laws, presented as amendments and superseding all prior management and operation policy and procedures, via a public hearing on April 15, 2016 at the Ramah Navajo Chapter House; and
6. By Resolution CJN-29-22, the 24<sup>th</sup> Navajo Nation Council approves Leg. 0086-22, as amended, regarding the NNFRF (ARPA) Expenditure Plan to include Chapter and Regional Projects Expenditure Plan which allow the Council Delegates to select for their regions under the NNFRF Expenditure Plan. Navajo Nation Council approved Resolution CJN-29-22 then was signed into law on July 15, 2022 by the OPVP; and

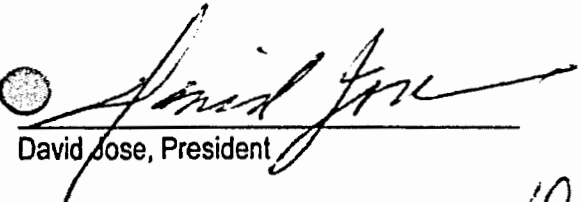
7. The existing shallow well serving the Rocky Ridge Water System is too old and no longer reliable nor cost effective such that it went out of commission recently which required costly repair and constant maintenance and operation by RNUA with limited resources. It is quite obvious a new well will serve the purpose for immediate backup and further meet the demand for abundant, reliable, safe and clean water supply to address the current infamous COVID-19 pandemic and other construction ready infrastructure developments, (i.e.), Judicial District Court Complex, Public Safety Building, and apartments adjacent to Ramah Navajo Detention Center; and
8. It is in the best interest of the Ramah Navajo Chapter and community members that supply of water (Life) must meet the ever-increasing demand not only in emergencies but under any normal circumstances in the future and generations to come. Now is most appropriate time with the NN FRF (ARPA) or funds for development of new wells.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

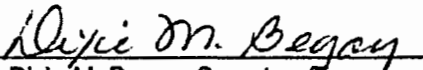
The Ramah Navajo Chapter hereby approves to design and construct a new water well and related connecting pipeline to convey drinking water and provide fire protection for the Rocky Ridge Water System, which serves the northern portion of the Chapter Community. Attached hereto is NN FRF Request Form (A) and Expenditure Plan (B).

**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by the Ramah Navajo Chapter at a duly called meeting in Mt. View, Navajo Nation (New Mexico), at which a quorum was present and that the same was passed by a vote of 06 in favor, 0 opposed, 08 abstained on this 23<sup>rd</sup> day of August, 2022.

  
David Jose, President

  
Chancey K. Martinez, Vice President

  
Dixie M. Begay, Secretary/Treasurer

Substitute Motioned by: Monica Yazzie  
Seconded by: Ruby Frank



**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 0583

Date & Time Received: 06/20/23 at 14:35

Date & Time of Response: 06/27/23 at 17:00

Entity Requesting FRF: Alamo Chapter

Title of Project: Alamo Chapter Water System

Administrative Oversight: Department of Water Resources

Amount of Funding Requested: \$3,048,166.00

**Eligibility Determination:**

- ☒ FRF eligible  
☐ FRF ineligible  
☐ Additional information requested

**FRF Eligibility Category:**

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

**U.S. Department of Treasury Reporting Expenditure Category:** \_\_\_\_\_  
5.11, Drinking Water: Transmission and Distribution



**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: Alamo Chapter Date prepared: 12/8/22

Chapter's mailing address: PO Box 827, Magdelana, NM 87825 phone/email: 575-854-2686; alamo@navajochapters.org  
website (if any): alamo.navajochapters.org

This Form prepared by: Inez Apachito phone/email: 575-854-2686  
Community Services Coordinator alamo@navajochapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Alamo Chapter Water System

Chapter President: Virgil Sandoval phone & email: vsandoval@naataanii.org

Chapter Vice-President: Jeremiah Apachito phone & email: japachito@naataanii.org

Chapter Secretary: Julie Guerro phone & email: jguerro@navajochapters.org

Chapter Treasurer: Julie Guerro phone & email: jguerro@navajochapters.org

Chapter Manager or CSC: Inez Apachito phone & email: alamo@navajochapters.org

DCD/Chapter ASO: Guarena Adeky phone & email: gadeky@nndcd.org; 505-488-8476

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): \_\_\_\_\_  
☐ document attached

Amount of FRF requested: 3,048,166.00 FRF funding period: 01/01/2023 to 09/30/2026  
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:

The Alamo Chapter, Alamo Navajo School Board Incorporated, Indian Health Service, and Navajo Nation Water Management Branch have stepped Identified deficiencies, upgrades needed, and the environmental consideration of the upgrading of the water supply for the Alamo Community. The water source is needed to combat COVID-19 and the Improvements to the water supply will supply more water to more homes within the community. The funds will be used to build two pump houses and connect the new southern well to the existing water system.

☐ document attached

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

This project funding will supplement the funds identified in the Infrastructure funds, which were not fully funded. The communities will benefit from the hookup of the new well, as it will supply fresh water to the southern area of the community.

☐ 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:

This project will coincide with existing project that has been funded by the infrastructure funds within CJN-29-22, and will allow the water line project to be completed by September 30, 2026.

☐ document attached

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

This project will be implemented by the Alamo Navajo School Board Incorporated with the Alamo Navajo Chapter Officials and staff a part of the project planning team.

☐ 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:

Operations and maintenance of this project will be overseen by the Alamo Navajo School Board Incorporated.

☐ 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:

5.1 Drinking water: Transmission and Distribution This project will design and construct a water transmission pipeline and pump houses to convey drinking water to Alamo Navajo Chapter.

☐ document attached

### Part 3. Additional documents.

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

Chapter Resolution

☒ Chapter Resolution attached

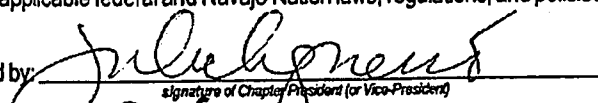
### Part 4. Affirmation by Funding Recipient.

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:

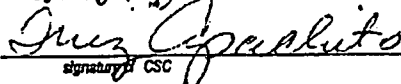
Chapter's  
Preparer:

  
signature of Preparing CONTACT PERSON

Approved by:

  
signature of Chapter President (or Vice-President)

Approved by:

  
signature of CSC

Approved by:

  
signature of Chapter ASO

Approved to submit  
for Review:

  
signature of DCD Director



PART I. Business Unit No.: _____ (New) _____		Program Title: _____		Alamo Chapter - Waterline Extension		Division/Branch: _____		DCD/ASC _____	
Prepared By: _____		Inez Apachito, CSC		Phone No.: _____		575-854-2686		Email Address: _____	
alamo@navajochapters.org									
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY				
Fiscal Recovery Funds		01/01/23-09/30/26	3,048,166.00	100%	Fund Type Code	NNC Approved Original Budget	(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	68	3,048,166		3,048,166
					7000 Special Transactions				
					8000 Public Assistance				
					9000 Capital Outlay				
					9500 Matching Funds				
					9500 Indirect Cost				
					TOTAL		\$0.00	3,048,166.00	3,048,166
					PART IV. POSITIONS AND VEHICLES				
					(D)				
					(E)				
					Total # of Positions Budgeted:				
					Total # of Vehicles Budgeted:				
TOTAL: \$3,048,166.00 100%									
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.									
SUBMITTED BY: _____		Sonlata Jim-Martin		APPROVED BY: _____		Biddah Becker		Division Director / Branch Chief's Printed Name	
Program Manager's Printed Name		Sonlata Jim		12-09-2022		12-09-2022		Division Director / Branch Chief's Signature and Date	
Program Manager's Signature and Date		Sonlata Jim		12-09-2022		12-09-2022		Division Director / Branch Chief's Signature and Date	

PART I. PROGRAM INFORMATION:		Alamo Chapter - Waterline Extension								
Business Unit No.:	-(New)	Program Name/Title:								
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:										
PART III. PROGRAM PERFORMANCE CRITERIA:										
1. Goal Statement:	Provide safe drinking water to the community of Alamo Chapter		1st QTR		2nd QTR		3rd QTR		4th QTR	
			Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Program Performance Measure/Objective:										
	Build two pump houses to connect the southern well to the existing water line									1
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.										
			Bridget Becker							
			Division Director/Branch Chief's Printed Name							
			12/12/2022							
			Division Director/Branch Chief's Signature and Date							

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION:		Business Unit No.: _____ (New)	
Program Name/Title: _____		Alamo Chapter - Waterline Extension	
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)
9020	9038 - Waterlines Alamo Springs Well #2 Pump house and water treatment 750,000.00 Alamo Springs Well #2 Electrical Extension 100,000.00 Alamo New Southern Well Pump House & water treatment 750,000.00 Alamo New Southern Well Electrical Extension 100,000.00 Connection of New Southern Well Pump House to Existing Water System 10,000.00 4" Waterline in C-900 Pipe incl. trenching, bedding, embedment, backfill, compaction, pipe and fillings, c/p (TP 04) 40.00 Mobilization/Demobilization 170,000.00 RW permitting 50,000.00 Navajo EPA Construction Permit 10,000.00 Contingency 478,500.00 NN Sales Tax 144,510.00 Engineering Design & Construction Services 459,542.00 NMGR 35,614.00	3,048,166	3,048,166
TOTAL		3,048,166	3,048,166

**Page 1 of 1**  
**PROJECT FORM**

**FOR OMB USE ONLY:** Resolution No: \_\_\_\_\_ FMIS Set Up Date: \_\_\_\_\_ Company No: \_\_\_\_\_ OMB Analyst: \_\_\_\_\_



## Alamo Navajo Chapter

Inez Apachito-Community Service Coordinator  
Vacant-Accountant Maintenance Specialist  
P.O. Box 827  
Magdalena, NM 87825  
(575) 854-2686

Virgil J. Sandoval  
Alamo Navajo Chapter President

Jeremiah J. Apachito  
Alamo Navajo Chapter Vice-President

Julie H. Guerra  
Alamo Navajo Chapter Secretary/Treasurer

Jamie Henio  
24<sup>th</sup> Navajo Nation Council Delegate

Roland B. Mexicano  
Alamo Navajo Chapter Land Board Member

Chancey Martinez  
LDA-Representative

RESOLUTION  
OF THE ALAMO NAVAJO CHAPTER  
RESOLUTION NO. ANC  
12-9-22, 3-a

**APPROVING THE REQUEST TO UTILIZE THE DELEGATE HENIO REGIONAL  
EXPENDITURE PLAN FUNDS TO PLAN, DESIGN, AND CONSTRUCT ALAMO  
CHAPTER WATER SYSTEM IN THE AMOUNT OF \$3,048,166.00**

**WHERE AS:**

1. Pursuant to 26 N.N.C., Section 3 (A) the Alamo Chapter is a duly recognized certified chapter of the Navajo Nation Government, as listed at N.N.C., part 1, section 10, and
2. Pursuant to 26 N.N.C., Section 1 (B) Alamo Chapter is vested with the authority to review all matters affecting the community and to make appropriate correction when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate action, and
3. The Alamo Navajo Chapter, as part of Honorable Delegate Jamie Henio, was allocated funds from the American Rescue Pal Act (ARPA) Delegate Regional Expenditure Plan to provide services to the Community of Alamo Navajo Chapter, and
4. The Alamo Navajo Chapter is submitting a funding proposal in the amount of \$3,048,166.00 additional funds will be required to outfit, treat, and connect the newly constructed well to the existing water system; and
5. The Alamo Navajo Chapter shall work together to upgrade the water system, this project will support the community to fight the public health threat posed by the ongoing public health emergency by providing the community with access to reliable water for drinking, washing, and fire safety.

**NOW THEREFORE BE IT RESOLVED THAT:**

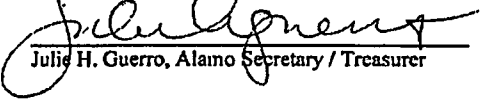
1. Alamo Navajo Chapter approves and respectfully submits the funding proposal packet and budget in the amount of \$3,048,166.00 to better service out community of Alamo.
2. Alamo Navajo Chapter will work together to plan, design and construct and addition to the Water System Upgrade.

# CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by the Alamo Chapter at the duly call meeting in Alamo, New Mexico at which a quorum was present and the same was passed by a vote of 2 in favor and 0 opposed, 1 abstained this 9<sup>th</sup> day of December 2022.

\_\_\_\_\_  
Virgil J Sandoval, Alamo Chapter President

\_\_\_\_\_  
Jeremiah J. Apachito, Vice-President

  
\_\_\_\_\_  
Julie H. Guerra, Alamo Secretary / Treasurer

\_\_\_\_\_  
Roland B. Mexicano, Land Board

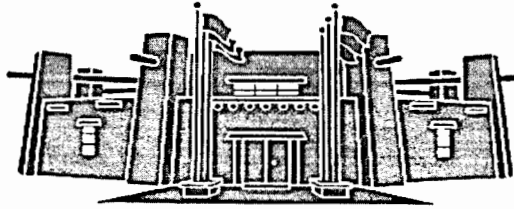
\_\_\_\_\_  
Jamie Henio, 24<sup>th</sup> Navajo Nation Council  
Delegate

\_\_\_\_\_  
Chancey Martinez, LDA-Representative

Motion: Jeremiah Apachito

Second: Julie H. Guerra

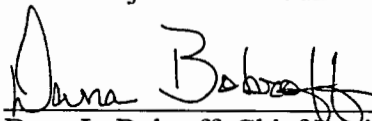
Office of Legislative Counsel  
Telephone: (928) 871-7166  
Fax No.: (928) 871-7576



Honorable Crystalyne Curley  
Speaker  
25<sup>th</sup> Navajo Nation Council

## **MEMORANDUM**

TO: Hon. Norman M. Begay, Council Delegate  
25<sup>th</sup> Navajo Nation Council

FROM:   
Dana L. Bobroff, Chief Legislative Counsel  
Office of Legislative Counsel

DATE: October 20, 2023

SUBJECT: **AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE;  
AMENDING CJY-50-23 AND CAP-12-23, THE NAVAJO NATION FISCAL  
RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR  
HONORABLE NORMAN M. BEGAY'S DELEGATE REGION  
(CHAPTERS: ALAMO, RAMAH, TOHAJILEE), TO REMOVE A  
PROJECT AND INCLUDE ADDITIONAL PROJECTS FOR THIS  
DELEGATE REGION**

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: \_0245-23\_

SPONSOR: Norman M. Begay

**TITLE: An Action Relating to the Naabik'íyáti' Committee; Amending CJY-50-23 and CAP-12-23 the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Norman M. Begay's Delegate Region (Chapters: Alamo Ramah, Tohajiilee), to Remove a Project and Include Additional Projects for this Delegate Region**

***Date posted:*** October 23, 2023 11:35 AM

**Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)**

**Written comments may be mailed to:**

**Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515**

**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.*