



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáądi 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-19-23 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 Andy Nez, PH.D's Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill)*

Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-19-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Nez's Delegate Region in the amount of \$2,280,047.

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,

A handwritten signature in blue ink, appearing to be "Buu Nygren", written over a large, stylized blue scribble.

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-68-22 AND THE NAVAJO NATION FISCAL RECOVERY FUND
 DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S
 DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE,
 SAWMILL)

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'iyáti' 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-68-22, attached as Exhibit 1 (without project exhibits), mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Andy Nez, Ph.D.'s Delegate Region (Chapter: Crystal, Fort Defiance, Red Lake, Sawmill) 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-68-22, 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 WILSON C. STEWART, JR.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), was signed into law by the President of the Navajo Nation on January 6, 2023. Exhibit 1.
- D. CD-68-22, 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 Hon. Andy Nez, Ph.D. has requested to amend CD-68-22 to delete the *Sawmill Chapter Renovation Phase II* project, (NNDOJ Review No. HK0257) from the Delegate Region Projects Plan covering the Crystal, Fort Defiance, Red Lake, Sawmill Chapters. The removal of this project will revert \$500,000.00 back to Hon. Andy Nez's Delegate Region's Project Plan's Un-Allocated Amount.
- F. In addition to the removal of the *Sawmill Chapter Renovation Phase II* project, Hon. Andy Nez has requested that additional projects be added to the Delegate Region Projects Plan covering the Crystal, Fort Defiance, Red Lake, Sawmill Chapters originally approved by CD-68-22. The additional projects, which have all been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the deleted project, are set forth in Exhibit 2. After the addition and deletion of the project(s), the Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- G. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Andy Nez, Ph.D.'s Delegate Region Chapters and communities to approve and adopt the removal of one project and add additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) as set forth in Exhibit 2.

SECTION THREE. AMENDING CD-61-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL)

- A. The Navajo Nation hereby approves the removal of one project (the *Sawmill Chapter Renovation Phase II*, under NNDOJ Review No. HK0257) listed in CD-68-22 for Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan as stricken in Exhibit 2. The removal of this project from Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan will revert \$500,000.00 back to his 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. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) 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 22 in Favor, and 00 Opposed, on this 18th day of April 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

4/27/23

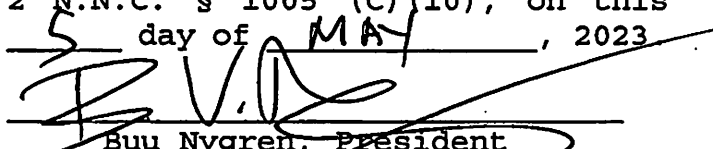
DATE

Motion: Honorable Shaandiin Parrish
Second: Honorable Germaine Simonson

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

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

EXHIBIT

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COUNCIL DELEGATE: Delegate Andy Nez, Ph.D.

CHAPTERS: Crystal, Fort Defiance, Red Lake, Sawmill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CD-38-22 on January 6, 2023				\$ 2,280,047.00
Division of Community Development	NONE IDENTIFIED	Sawmill Chapter Renovation Phase III	Division of Community Development	2.22	HK0257	-\$ 500,000.00
Division of Community Development	None Identified	Sawmill Chapter Equipment Purchase of Motor Grader	Division of Community Development	6.1	HK0258	\$ 300,000.00
Division of Community Development	None Identified	Sawmill Chapter Cistern Systems	Division of Community Development	5.15	HK0259	\$ 500,000.00
Division of Community Development	None Identified	Sawmill Chapter Rural Addressing System	Division of Community Development	1.14	HK0383	\$ 233,662.00
						1,033,662
						3 313709
		UNALLOCATED AMOUNT				4 \$ 5,988,631.00
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."

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 6, 2023



Hon. Otto Tso
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CD-68-22, *An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council: Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Wilson C. Stewart, Jr's Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake Sawmill)*

Dear Speaker Tso,

The Nez/Lizer Administration appreciates the Chapters' endeavors to work collaboratively with their respective Council Delegate in completing the process to access funding made available with the \$211,256,148 allocated for regional expenditure plans under CJN-29-22.

The process to secure funding also involves collaborative efforts between the Chapters, the Division of Community Development, Navajo Nation Fiscal Recovery Fund (NNFRF) Office and the Navajo Nation Department of Justice (NNDJOJ). Per BFS-31-21, each proposed expenditure must obtain NNDJOJ verification that each proposed project is an eligible expense within ARPA/NNFRF regulations. Each of the projects within CD-68-22 has met all the requirements.

The ARPA/NNFRF process is still evolving since the inception of this funding. Within the United States Treasury and the Navajo Nation, processes have been updated at various times. An example is the Treasury guidelines referenced within Navajo Nation Council resolutions CJY-41-21 and CJN-29-22; the Treasury guidelines exhibit was updated by the United States Treasury on September 20, 2022. Accordingly, the legal guidance provided by NNDJOJ and Office of Legislative Counsel is modified to comply with the Treasury guidelines.

One such modification of legal guidance involved the processing of regional expenditure plans. Originally, the guidance was that all projects had to equal \$8,802,340 to be considered as completed and ready for legislative action. This guidance was modified in December 2022 to allow partial funding of the \$8,802,340 allocations so that proposed ARPA/NNFRF projects ready for legislative action could be processed by Office of Legislative Counsel. Because of the time constraints for the 24th Navajo Nation Council to act on proposed legislation, programs did not have sufficient time to provide written verification to Chapters regarding the change in legal guidance.


Pursuant to the authority vested in the Navajo Nation President, I am signing Resolution CD-68-22 into law.

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

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 WILSON C. STEWART, JR.'S DELEGATE REGION
(CHAPTERS: CRYSTAL, FORT DEFIANCE, REDLAKE, SAWMILL)

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'iyáti' 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. Wilson C. Stewart, Jr.'s Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Wilson C. Stewart, Jr.'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. Wilson C. Stewart, Jr.'s Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Wilson C. Stewart, Jr.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) as set forth in Exhibit A.

SECTION THREE. APPROVAL OF HON. WILSON C. STEWART, JR.'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Wilson C. Stewart, Jr.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) 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 FIVE. 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 24th 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 29th day of December 2022.



Honorable Otto Tso, Speaker
24th Navajo Nation Council

12.30.2022

DATE

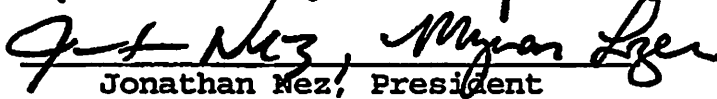
Motion: Honorable Jamie Henio

Second: Honorable Eugene Tso

Speaker Otto Tso 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 6th day of January, 2022.


Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (11), on this _____ day of _____, 2022 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, 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 _____, 2022.

Jonathan Nez, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

EXHIBIT

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 A

COUNCIL DELEGATE: Delegate Wilson Stewart, Jr.

CHAPTERS: Crystal, Fort Defiance, Red Lake, Sawmill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	NONE IDENTIFIED	Sawmill Chapter Renovation Phase III	Division of Community Development	2.22	HK0257	\$ 500,000.00
Division of Community Development	NONE IDENTIFIED	Sawmill Chapter Bathroom Additions	Division of Community Development	1.14	HK0260	\$ 500,000.00
Division of Community Development	NONE IDENTIFIED	Sawmill Chapter Sandstone Housing Corporation	Division of Community Development	2.15	HKD0001	\$ 750,311.00
Division of Community Development	*Chinle Chapter	Chinle/Ft. Defiance Alcohol and Substance Abuse Recovery Centers - Day At A Time Club, Inc.	NN Department of Health	1.13	HK0203	\$ 529,736.00
		UN-ALLOCATED AMOUNT				\$ 6,522,293.00
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

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 #: HK0259

Date & Time Received: 12/05/22 10:22

Date & Time of Response: 12/12/2022 5:00 PM

Entity Requesting FRF: Sawmill Chapter

Title of Project: Cistern Systems

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$500,000.00

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

Three horizontal lines for additional information or signature.

U.S. Department of Treasury Reporting Expenditure Category: 5.15 Drinking Water: Other Water Infrastructure

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: MacArthur Stant

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 NON-GOVERNANCE CERTIFIED CHAPTERS**

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Sawmill Chapter Date prepared: 9/20/2022

Chapter's mailing address: P.O Box 1786 Fort Defiance, AZ 86504 phone/email: 928-729-4433 website (if any): sawmill@navajochapters.org

This Form prepared by: Jammie Billiman phone/email: 928-729-4432
Community Service Coordinator sawmill@navajochapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Bathroom Additions

Chapter President: Woodie Bennett phone & email: 928-729-4433/wbennett@navajochapters.org

Chapter Vice-President: Lewis Shirley phone & email: 928-729-4433/lshirley@navajochapters.org

Chapter Secretary: Shawn Livingston phone & email: 928-729-4433/slivingston@navajochapters.org

Chapter Treasurer: Shawn Livingston phone & email: 928-729-4433/slivingston@navajochapters.org

Chapter Manager or CSC: Jammie Billiman phone & email: 928-729-4432/jbilliman@nnchapters.org

DCD/Chapter ASO: Derek Echohawk, ASC Fort Defiance Agency phone & email: 928-871-7515/ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Navajo Contractors/Sub-Contractors

document attached

Amount of FRF requested: \$500,000.00 FRF funding period: 11/23 - 12/30-24
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 construct 10 scattered bathroom additions in the white clay and sawmill area. Also including appropriate fixtures, in existing residential homes located in the White Clay and Sawmill area. Structure range from hogans to conventional homes to mobile homes. Assessment of white clay area homes completed. The chapter will follow Navajo Natio Procurement Laws.

document attached

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

The bathroom additions are needed to meet basic safety and health standards for the local residents. Pre- existing social vulnerabilities magnified by the pandemic where homes with no bathroom facilities and no water amplified the risk for infection.

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

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

The Sawmill Chapter will work with Fiscal Recovery Office and Division of Community Development to ensure project is completed by the deadline of December 31, 2026.

document attached

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

The Sawmill Chapter and Division of Community Development

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 will be responsible for the operations and maintenance cost of the Bathroom additions

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:

5.15 Drinking Water: Other Water Infrastructure

document attached

Part 3. Additional documents.

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

Supporting Resolution
Cost Estimate

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: Jimmie Bell
signature of Preparer/CONTACT PERSON

Approved by: [Signature]
signature of Chapter President (or Vice-President)

Approved by: Jimmie Bell
signature of CSC

Approved by: [Signature]
signature of Chapter ASO

Approved to submit for Review: Lisa Jynn . NMFRFO
signature of DCD Director

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page of
BUDGET FORM 1

PART I. Business Unit No.: New Program Title: Sawmill Chapter Bathroom Additions Division/Branch: Community Development
 Prepared By: Jammie Billman Phone No.: 928-729-4433 Email Address: sawmill@navajochapters.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A)	(B)	(C)
						NNC Approved Original Budget	Proposed Budget	Difference or Total
(10) Bathroom Additions <i>ALPA</i>	<i>10/1/22 - 12/31/22</i>	500,000.00	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	<i>6</i>	0	500,000	500,000
				7000 Special Transactions				
				8000 Public Assistance	<i>6</i>	0	<i>500,000</i>	<i>500,000</i>
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
TOTAL						\$0.00	500,000 <i>500,000</i>	500,000 <i>500,000</i>
PART IV. POSITIONS AND VEHICLES					(D)	(E)		
Total # of Positions Budgeted:					<i>0</i>	<i>0</i>		
Total # of Vehicles Budgeted:					<i>0</i>	<i>0</i>		
TOTAL:		\$500,000.00	100%					

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

SUBMITTED BY: Sonlatsa Jim-Martin, Department Manager APPROVED BY: Dr. Pearl Yellowman, Division Director
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name
Sonlatsa Jim-Martin 10/25/2022 *Pearl Yellowman* 10-27-22
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

[Signature] 5/11/2023

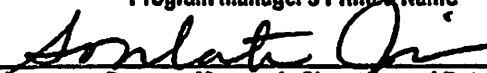
**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

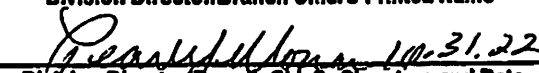
PART I. PROGRAM INFORMATION:
 Business Unit No.: New Program Name/Title: Sawmill Chapter Bathroom Additions

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: <u>Bathroom Additions</u> Program Performance Measure/Objective: <u>to construct (10) scattered bathroom additions for sawmill community members</u>								
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.

Sonlatsa Jim-Martin, Department Manager
 Program Manager's Printed Name

 Program Manager's Signature and Date 10/25/2022

Dr. Pearl Yellowman, Division Director
 Division Director/Branch Chief's Printed Name

 Division Director/Branch Chief's Signature and Date 10-31-22



THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Sawmill Chapter ARPA Bathroom Additions</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)
	To construct ten (10) scattered bathroom additions in the White Clay and Sawmill area. Also including appropriate fixtures, in existing residential homes located in the White Clay and Sawmill area. Structure range from hogans to conventional homes to mobile homes. Assessment of White Clay area homes completed.	500,000	
8000 AH	Public Assistance AH		
8500 AH	Infrastructure (non cap) AH	500,000 AH	500,000-
	8535 Bathroom Additions AH		
TOTAL		500,000	500,000-

