

RESOLUTION OF THE  
 NAABIK'ÍYÁTI' STANDING COMMITTEE  
 25<sup>th</sup> NAVAJO NATION COUNCIL -- Second Year, 2024

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIN-44-23 AND NABIO-38-23 AND CJY-67-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE GEORGE H. TOLTH'S DELEGATE REGION (CHAPTERS: LITTLEWATER, PUEBLO PINTADO, TORREON, WHITEHORSE LAKE, BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Naabik'íyáti' 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'íyáti' Committee members in attendance.
- C. Navajo Nation Council Resolution No. CJY-67-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapter: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) 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). See Exhibit 1 (without project exhibits).
- D. Navajo Nation Council Resolution No. CAU-74-23, which amended CJN-29-22 and CJY-41-21, included and incorporated herein by reference, delegated the Naabik'íyáti' Committee as the final approval authority for Delegate Region Project Plans funded through Navajo Nation's Fiscal Recovery Funds.
- E. Naabik'íyáti' Committee Resolution No. NABIO-38-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapter: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) be adopted and approved by resolution of the Naabik'íyáti'

Committee pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

- F. Naabik'íyáti' Committee Resolution No. NABIN-44-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapter: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) be adopted and approved by resolution of the Naabik'íyáti' Committee pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance. See Exhibit 2 (without project exhibits).

## 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, as amended by CAU-74-23, Section Three, now 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 two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, 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. CJY-67-23, 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 GEORGE H. TOLTH'S DELEGATE REGION (CHAPTERS: LITTLEWATER, PUEBLO PINTADO, TORREON, WHITEHORSE LAKE, BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR) was signed into law by the President of the Navajo Nation on August 4, 2023. Exhibit 1.
- D. CJY-67-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of

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

- E. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22; DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the President of the Navajo Nation on September 6, 2023.
- F. CJN-29-22, as amended by CAU-74-23, Section Three, now 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 two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, Section Three (B).
- G. The Naabik'íyáti' Committee Resolution No. NABIO-38-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-67-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE GEORGE H. TOLTH'S DELEGATE REGION (CHAPTERS: LITTLEWATER, PUEBLO PINTADO, TORREON, WHITEHORSE LAKE, BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the Chairperson of the Naabik'íyáti' Committee on October 24, 2023.
- H. NABIO-38-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.
- I. The Naabik'íyáti' Committee Resolution No. NABIN-44-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-38-23 AND CJY-67-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE GEORGE H. TOLTH'S DELEGATE REGION (CHAPTERS: LITTLEWATER, PUEBLO

PINTADO, TORREON, WHITEHORSE LAKE, BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the Chairperson of the Naabik'íyáti' Committee on November 14, 2023. Exhibit 2.

J. NABIN-44-23, Section Four, states that:

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

K. The Hon. George H. Tolth has requested to amend CJY-67-23 to remove the *Pueblo Pintado Chapter Waterline to Fire Station Project* (under NNDOJ Review No. HK0536) from his Delegate Region Projects Plan enacted under CJY-67-23, which appropriated \$1,129,325.00 for this project. The removal of this project will revert \$1,129,325.00 back to Hon. George H. Tolth's Delegate Region Project Plan's Un-Allocated Amount.

L. The Hon. George H. Tolth has requested to amend NABIN-44-23 to remove the *Baca-Prewitt Chapter Community Bathroom Upgrade Project* (under NNDOJ Review No. HK0662) from his Delegate Region Projects Plan enacted under NABIN-44-23, which appropriated \$120,000.00 for this project. The removal of this project will revert \$120,000.00 back to Hon. George H. Tolth's Delegate Region Project Plan's Un-Allocated Amount.

M. The Hon. George H. Tolth has requested to amend NABIN-44-23 to decrease the project's funding amount for the *Casamero Lake Chapter Bathroom Additions and Renovations Project* (under NNDOJ Review No. HK644) by \$99,708.00 from his Delegate Region Projects Plan enacted under NABIN-44-23, which appropriated \$600,000.00 for this project. The decrease of the project's funding amount will adjust the project's funding amount to \$500,292.00 and will revert \$99,708.00 back to Hon. George H. Tolth's Delegate Region Project Plan's Un-Allocated Amount.

N. The Hon. George H. Tolth has requested to amend NABIN-44-23 to decrease the project's funding amount for the *Casamero Lake Chapter House-Wiring/Meter Box Installation Project* (under NNDOJ Review No. HK654) by \$55,000.00 from his Delegate Region Projects Plan enacted under NABIN-44-23, which appropriated \$300,000.00 for this project. The decrease of the project's funding amount will adjust the project's funding amount to \$245,000.00 and will revert \$55,000.00 back to Hon. George H. Tolth's Delegate Region Project Plan's Un-Allocated Amount.

- O. All projects listed in the Hon. George H. Tolth's Delegate Region Projects Plan, attached as Exhibit 3, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. George H. Tolth's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- P. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. George H. Tolth's Delegate Region Chapters and communities to approve and adopt the removal of two-projects, decrease the project funding amounts of two-projects and add projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapters: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) as set forth in Exhibit 3.

**SECTION THREE. AMENDING NABIN-44-23 AND NABIO-38-23 AND CJY-67-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE GEORGE H. TOLTH'S DELEGATE REGION (CHAPTERS: LITTLEWATER, PUEBLO PINTADO, TORREON, WHITEHORSE LAKE, BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR)**

- A. The Navajo Nation hereby approves the removal of the *Pueblo Pintado Chapter Waterline to Fire Station Project* (under NNDOJ Review No. HK0536) from Hon. George H. Tolth's Delegate Region Projects Plan enacted under CJY-67-23, which appropriated \$1,129,325.00 for this project and is stricken in Exhibit 3. The removal of this project will revert \$1,129,325.00 back to Hon. George H. Tolth's Delegate Region Project Plan's Un-Allocated Amount.
- B. The Navajo Nation hereby approves the removal of the *Baca-Prewitt Chapter Community Bathroom Upgrade Project* (under NNDOJ Review No. HK0662) from Hon. George H. Tolth's Delegate Region Projects Plan enacted under NABIN-44-23, which appropriated \$120,000.00 for this project and is stricken in Exhibit 3. The removal of this project will revert \$120,000.00 back to Hon. George H. Tolth's Delegate Region Project Plan's Un-Allocated Amount.
- C. The Navajo Nation hereby approves the decrease to the project's funding amount for the *Casamero Lake Chapter Bathroom Additions and Renovations Project* (under NNDOJ Review No. HK644) by \$99,708.00 in Hon. George H. Tolth's Delegate Region Projects Plan enacted under NABIN-44-23, which appropriated \$600,000.00 for this project and this decrease is listed in Exhibit 3. The

decrease of the project's funding amount will adjust the project's funding amount to \$500,292.00 and will revert \$99,708.00 back to Hon. George H. Tolth's Delegate Region Project Plan's Un-Allocated Amount.

- D. The Navajo Nation hereby approves the decrease to the project's funding amount for the *Casamero Lake Chapter House-Wiring/Meter Box Installation Project* (under NNDOJ Review No. HK654) by \$55,000.00 in Hon. George H. Tolth's Delegate Region Projects Plan enacted under NABIN-44-23, which appropriated \$300,000.00 for this project and this decrease is listed in Exhibit 3. The decrease of the project's funding amount will adjust the project's funding amount to \$245,000.00 and will revert \$55,000.00 back to Hon. George H. Tolth's Delegate Region Project Plan's Un-Allocated Amount.
- E. The Navajo Nation hereby approves the projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapters: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) set forth in Exhibit 3.
- F. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- G. 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 and approved by resolution of the Naabik'íyáti' Committee.

#### SECTION FIVE. EFFECTIVE DATE

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

**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 Naabik'íyáti' Committee of the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Tse Bonito, New Mexico, at which a quorum was present and that the same was passed by a vote of 13 in Favor, and 00 Opposed, on this 8<sup>th</sup> day of February 2024.



Honorable Shaandiin Parrish, Chairwoman Pro Tem  
Naabik'íyáti' Committee

2/15/24

Date

Motion: Honorable Vince R. James  
Second: Honorable George H. Tolth

Chairwoman Pro Tem Shaandiin Parrish not voting



# **Exhibit 1**



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

August 4, 2023



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

RE: *CJY-67-23 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 George H. Tolth's Delegate Region (Chapters: Littlewater, Pueblo Pintado, Torreón, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor)*

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-67-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Tolth's Delegate Region in the amount of \$4,730,125.11.

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 GEORGE H. TOLTH'S DELEGATE REGION  
 (CHAPTERS: LITTLEWATER, PUEBLO PINTADO, TORREON, WHITEHORSE LAKE,  
 BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR)

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

George H. Tolth'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. George H. Tolth's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapters: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) as set forth in Exhibit A.

**SECTION THREE. APPROVAL OF HON. GEORGE H. TOLTH'S DELEGATE REGION PROJECT PLAN**

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapters: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) 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 20 in Favor, and 00 Opposed, on this 20<sup>th</sup> day of July 2023.



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

7/27/23

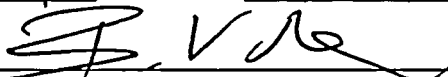
DATE

Motion: Honorable Vince R. James  
Second: Honorable Norman M. Begay

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

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

  
\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

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

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

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

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**

**Exhibit A**

**COUNCIL DELEGATE: Hon. George H. Tolth**

**CHAPTERS: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor**

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Torreon/Star Lake Chapter Septic Repair/Replacement & Clean-Out Project	NN Environmental Protection Agency	5.5	HK0474	\$ 630,000.00
Division of Community Development	None Identified	Torreon/Star Lake Chapter Electric House-Wiring/Re-Wiring Project	Division of Community Development	2.18	HK0475	\$ 470,000.00
Division of Community Development	None Identified	Littlewater Chapter Community Housing Assistance Project	Division of Community Development	2.18	HK0499	\$ 590,800.11
Division of Community Development	*Baca/Prewitt Chapter	Baca/Prewitt Chapter Water-Heater Upgrade Project	Division of Community Development	1.4	HK0519	\$ 10,000.00
Division of Community Development	*Baca/Prewitt Chapter	Baca/Prewitt Chapter Purchase of New 2025 International HV613 Dump Truck	Division of Community Development	6.1	HK0520	\$ 200,000.00
Division of Community Development	*Ojo Encino Chapter	Ojo Encino Chapter Community Waste-Water Construction Project	NN Environmental Protection Agency	5.5	HK0521	\$ 250,000.00
Division of Community Development	*Ojo Encino Chapter	Ojo Encino Chapter Renovation Project	Division of Community Development	2.22	HK0529	\$ 326,253.00
Division of Community Development	*Ojo Encino Chapter	Ojo Encino Chapter Septic Clean-Out and Repair Project	NN Environmental Protection Agency	5.5	HK0530	\$ 102,000.00
Division of Community Development	*Ojo Encino Chapter	Ojo Encino Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0531	\$ 421,747.00
Division of Community Development	None Identified	Pueblo Pintado Chapter Waterline to Fire Station Project	NN Department of Water Resources	6.1	HK0536	\$ 1,129,325.00
					<b>TOTAL:</b>	<b>\$ 4,130,125.11</b>

\*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**

RESOLUTION OF THE  
 NAABIK'ÍYÁTI' STANDING COMMITTEE  
 25<sup>th</sup> NAVAJO NATION COUNCIL -- First Year, 2023



AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-38-23 AND CJY-67-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE GEORGE H. TOLTH'S DELEGATE REGION (CHAPTERS: LITTLEWATER, PUEBLO PINTADO, TORREON, WHITEHORSE LAKE, BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR), TO 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. CJY-67-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapter: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) 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).
- D. Navajo Nation Council Resolution No. CAU-74-23, which amended CJN-29-22 and CJY-41-21, included and incorporated herein by reference, delegated the Naabik'iyáti' Committee as the final approval authority for Delegate Region Project Plans funded through Navajo Nation's Fiscal Recovery Funds.
- E. Naabik'iyáti' Committee Resolution No. NABIO-38-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapter: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) be adopted and approved by resolution of the Naabik'iyáti'

Committee pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

## 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, as amended by CAU-74-23, Section Three, now states, in part and among other things, that
1. The Navajo Nation hereby approves total funding for the NNFRRF 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 two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, 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. CJY-67-23, 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 GEORGE H. TOLTH'S DELEGATE REGION (CHAPTERS: LITTLEWATER, PUEBLO PINTADO, TORREON, WHITEHORSE LAKE, BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR) was signed into law by the President of the Navajo Nation on August 4, 2023.
- D. CJY-67-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) (17) and 2 N.N.C. §§ 1005(C) (10), (11), and (12).
- E. The Navajo Nation Council Resolution No. CAU-74-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING COUNCIL RESOLUTIONS CJY-41-21 AND CJN-29-22; DELEGATING THE NAABIK'ÍYÁTI' COMMITTEE AS THE FINAL APPROVAL AUTHORITY FOR DELEGATE REGION PROJECT PLANS FUNDED THROUGH THE NAVAJO NATION'S FISCAL RECOVERY FUNDS was signed into law by the President of the Navajo Nation on September 6, 2023.

- F. CJN-29-22, as amended by CAU-74-23, Section Three, now 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 two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, Section Three (B).
- G. The Naabik'íyáti' Committee Resolution No. NABIO-38-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CJY-67-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE GEORGE H. TOLTH'S DELEGATE REGION (CHAPTERS: LITTLEWATER, PUEBLO PINTADO, TORREON, WHITEHORSE LAKE, BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the Chairperson of the Naabik'íyáti' Committee on October 24, 2023.
- H. NABIO-38-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted and approved by resolution of the Naabik'íyáti' Committee.
- I. All additional projects listed in the Hon. George H. Tolth's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. George H. Tolth's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- J. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. George H. Tolth's Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapters: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) as set forth in Exhibit A.

SECTION THREE. AMENDING NABIO-38-23 AND CJY-67-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE GEORGE H. TOLTH'S DELEGATE REGION (CHAPTERS: LITTLEWATER, PUEBLO PINTADO, TORREON, WHITEHORSE LAKE, BACA/PREWITT, CASAMERO LAKE, OJO ENCINO, COUNSELOR), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

- A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. George H. Tolth's Delegate Region (Chapters: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor) 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 and approved by resolution of the Naabik'íyáti' Committee.

SECTION FIVE. EFFECTIVE DATE

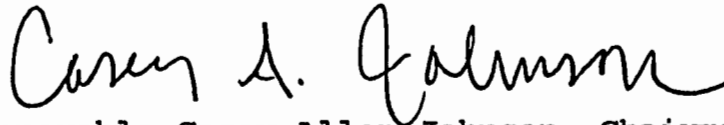
This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the Naabik'íyáti' Committee members in attendance.

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 Naabik'iyáti' Committee of 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 11 in Favor, and 00 Opposed, on this 9<sup>th</sup> day of November 2023.



Honorable Casey Allen Johnson, Chairman Pro Tem  
Naabik'iyáti' Committee

11/14/23  
Date

Motion: Honorable Shawna Ann Claw  
Second: Honorable Norman M. Begay

Chairman Pro Tem Casey Allen Johnson not voting



**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**

**Exhibit A**

**COUNCIL DELEGATE: Hon. George H. Tolth**

**CHAPTERS: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor**

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN C-JY-67-23 on August 4, 2023				\$ 4,730,125.11
		TOTAL AMOUNT APPROPRIATED IN NABIO-38-23 on October 24, 2023				\$ 514,947.00
Division of Community Development	*Baca-Prewitt Chapter	Baca-Prewitt Chapter Small Homes Project	Division of Community Development	2.15	HK0624	\$ 300,000.00
Division of Community Development	*Casamero Lake Chapter	Casamero Lake Chapter Bathroom Additions and Renovations Project	Division of Community Development	1.14	HK0644	\$ 600,000.00
Division of Community Development	None Identified	Whitehorse Lake Chapter Replacement of Indoor Bathroom Plumbing Project	Division of Community Development	1.14	HK0645	\$ 90,000.00
Division of Community Development	*Casamero Lake Chapter	Casamero Lake Chapter Senior Citizen Building Renovation	Division of Community Development	2.22	HK0653	\$ 25,000.00
Division of Community Development	*Casamero Lake Chapter	Casamero Lake Chapter House-Wiring/Meter Box Installation Project	Division of Community Development	2.18	HK0654	\$ 300,000.00
Division of Community Development	*Littlewater Chapter	Littlewater Chapter Temporary Employment Project	Division of Community Development	2.18	HK0655	\$ 509,493.39
Division of Community Development	*Casamero Lake Chapter	Casamero Lake Chapter Purchase of Gooseneck Trailer Project	Division of Community Development	6.1	HK0659	\$ 125,000.00
Division of Community Development	*Baca-Prewitt Chapter	Baca-Prewitt Chapter Community Bathroom Upgrade Project	Division of Community Development	1.14	HK0662	\$ 120,000.00
					<b>TOTAL:</b>	<b>\$ 7,314,565.50</b>

\*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 3**

**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**

**Exhibit 3**

**COUNCIL DELEGATE: Hon. George H. Tolth**

**CHAPTERS: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor**

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN CJY-67-23 on August 4, 2023				\$ 4,730,125.11
		TOTAL AMOUNT APPROPRIATED IN NABIO-38-23 on October 24, 2023				\$ 514,947.00
		TOTAL AMOUNT APPROPRIATED IN NABIN-44-23 on November 14, 2023				\$ 2,069,493.39
Division of Community Development	*None Identified	Whitehorse Lake Chapter Powerline Extensions Project	Division of Community Development	2.18	HK0666-2	\$ 200,000.00
Division of Community Development	*None Identified	Whitehorse Lake Chapter House-Wiring Project	Division of Community Development	2.18	HK0658	\$ 120,000.00
Division of Community Development	*None Identified	Whitehorse Lake Chapter Rincon-Marquise Cemetery Renovation Project	Division of Community Development	6.1	HK0663	\$ 101,000.00
Division of Community Development	*None Identified	Whitehorse Lake Chapter ROW for Road 7004 Project	Division of Transportation	2.22	HK0664	\$ 100,000.00
Division of Community Development	*None Identified	Whitehorse Lake Chapter Home Renovations (26-Families) Project	Division of Community Development	2.18	HK0678	\$ 145,000.00
Division of Community Development	*None Identified	Whitehorse Lake Chapter Rincon-Marquez Home Renovations Project	Division of Community Development	1.4	HK0667	\$ 264,292.00
Division of Community Development	*Baca-Prewitt Chapter	(REMOVE) Baca-Prewitt Chapter-Community-Bathroom Upgrade-Project (Appropriated under NABIN-44-23)	Division-of-Community Development	4-14	HK0662	-\$ 120,000.00
<b>TOTAL:</b>						<b>\$ 8,124,857.50</b>

\*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 3

## NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Hon. George H. Tolth

CHAPTERS: Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Prewitt, Casamero Lake, Ojo Encino, Counselor

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		<b>TOTAL AMOUNT from Page 01.....</b>				
Division of Community Development	*Baca-Prewitt Chapter	Baca-Prewitt Chapter Electrical Upgrade Project	Division of Community Development	2.18	HK0661	\$ 8,124,857.50
Division of Community Development	*Baca-Prewitt Chapter	Baca-Prewitt Chapter Home Renovation (Pro-Paneling Roof) Project	Division of Community Development	2.18	HK0670	\$ 20,292.50
Division of Community Development	None Identified	(REMOVE) Pueblo Pintado Chapter Waterline-to Fire-Station-Project (Appropriated under CJY-67-23)	NN-Department-of Water Resources	6-1	HK0636	-\$ 1,129,325.00
Division of Community Development	*Casamero Lake Chapter	Casamero Lake Chapter HVAC Improvement Project	Division of Community Development	1.14	HK0660	\$ 80,000.00
Division of Community Development	*Casamero Lake Chapter	(DECREASE) Casamero Lake Chapter Bathroom Additions and Renovations Project (Appropriated under NABIN-44-23)	Division of Community Development	1.14	HK0644	-\$ 99,708.00
Division of Community Development	*Casamero Lake Chapter	(DECREASE) Casamero Lake Chapter House-Wiring / Meter Box Installation Project (Appropriated under NABIN-44-23)	Division of Community Development	2.18	HK0654	-\$ 55,000.00
Division of Community Development	None Identified	Counselor Chapter Purchase of Motor Grader Project	Division of Community Development	6.1	HK0731	\$ 413,930.00
Division of Community Development	None Identified	Counselor Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0708	\$ 381,927.00
Division of Community Development	None Identified	Counselor Chapter Cedar Hill Poweline Extension Project	Division of Community Development	2.18	HK0651	\$ 295,366.00
<b>TOTAL:</b>						\$ 8,152,340.00

\*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 #:** HK0658

**Date & Time Received:** 10/05/23 at 11:11

**Date & Time of Response:** October 12, 2023 at 1530

**Entity Requesting FRF:** Whitehorse Lake Chapter

**Title of Project:** House Wiring

**Administrative Oversight:** Division of Community Development

**Amount of Funding Requested:** \$120,000.00

**Eligibility Determination:**

- FRF eligible  
 FRF ineligible  
 Additional information requested

**FRF Eligibility Category:**

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

**U.S. Department of Treasury Reporting Expenditure Category:** \_\_\_\_\_  
2.18 Housing Support: Other Housing Assistance

**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: \_\_\_\_\_  
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Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: *Lorenzo Curley*

**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@nndo.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: Whitehorse Lake Chapter Date prepared: 11/23/2022

Chapter's mailing address: HCR 79 Box 4069 phone/email: 505 655-5430 WhitehorseLake@navajochapters.org  
Cuba, NM 87013 website (if any): https://whitehorselake.navajochapters.org/

This Form prepared by: Fran George phone/email: 505 726 3310 Fgeorge@navajochapters.org  
505 726 3310 Fgeorge@navajochapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: House wiring

Chapter President: Art Lee Chavez phone & email: 505 655 5430 WhitehorseLake@navajochapters.org

Chapter Vice-President: Derrick Yazzie phone & email: 505 409 3126 WhitehorseLake@navajochapters.org

Chapter Secretary: Fran George phone & email: 505 7263310 Fgeorgewhitehorselake@navajochapters.org

Chapter Treasurer: Fran George phone & email: 505 726331 0Fgeorgewhitehorselake@navajochapters.org

Chapter Manager or CSC: Dedrick Tolino phone & email: 505 655 5430 WhitehorseLake@navajochapters.org

DCD/Chapter ASO: Myrtis Begay phone & email: 505-786-2092 -msbegay@nndcd.org

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

Amount of FRF requested: \$120,000 FRF funding period: January 1, 2023 to September 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 project will allocate \$120,000.00 for electrical House wiring materials and supplies and labor as needed to housewire 15 homes for community members. Funds will be used for contractual services and to hire two electricians to install/implement house wiring according to Continental Divide Electric Coop. inspection to obtain electrical hook up.

document attached

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

The project will benefit the needs of 10 families by providing electrical house wiring and standardize the condition of families impacted by COVID 19. The families who are identified are on fixed income struggling financially and live without electricity for years. electricity will provide heating, cooling and lights for students to learn and study, refrigeration it will help strengthen familie

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:

Project will start March 1, 2023 to March 1, 2026

document attached

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

Whitehorse Lake Chapter Administration will work on following all procurement for hiring two electrician and follow all requirements needed.

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:

The 15 homeowners will be responsible for care and maintain upkeep of electricity.

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:

Project will help 15 family members to gain better electrical services, who were living in fear of power outage, even possible burn down homes, because they have to overload electricity. replacement of plumbing, repairs for Navajo families will help support and improve access to safe and secure restrooms as well as support healthy living environments and neighborhood conducive to mental and physical wellness.

*218 Housing Assistance - Other housing assistance.*

document attached

**Part 3. Additional documents.**

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

Request Form & Expenditures Report Form  
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]*  
signature of Preparer/CONTACT PERSON

Approved by:

*[Signature]*  
signature of Chapter President (or Vice President)

Approved by:

*[Signature]*  
signature of CSC

Approved by:

*[Signature]*  
signature of Chapter ASO

Approved to submit for Review:

*[Signature]*  
signature of DC Coordinator

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>House Wiring</u>		Division/Branch: <u>DCD/Executive Branch</u>				
Prepared By: <u>Dedrick Tolino</u>		(505) 655-5430		Email Address: <u>dtolino@navajochapters.org</u>				
PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			
NN Fiscal Recovery Funds		1/1/23	120,000.00	100%	Fund Type Code	NMC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
		9/30/26			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	120,000	120,000
					7000 Special Transactions			
					8000 Public Assistance			
					9000 Capital Outlay			
					9500 Matching Funds			
					9500 Indirect Cost			
					<b>TOTAL</b>			120,000
				PART IV. POSITIONS AND VEHICLES				
				Total # of Positions Budgeted:		(E)		
				Total # of Vehicles Budgeted:				
				<b>TOTAL:</b>		<b>\$120,000.00</b>		
				<b>100%</b>				
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY:		James Adakai - Deputy Director		APPROVED BY:		Cabrín Castillo- Executive Director		
		Program Manager's Printed Name				Division Director / Branch Chief's Printed Name		
		5-31-23				6.2.25		
		Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date		

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW Program Name/Title: Whitehorse Lake - House Wiring

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

The chapter will utilize a Certified Electrical Journeyman to rewire homes that need to be brought up to code

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:								
2. Goal Statement:			5		10			

1. Goal Statement:

*To community members hooked up the grid*

Program Performance Measure/Objective:

*Improve the quality of life for community member living without electricity*

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.

Jaron M. Charley, Department Manager II

Program Manager's Printed Name

10/04/2023

Program Manager's Signature and Date

Arben Mitchell, Ex-Exec. Director

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

PART I. PROGRAM INFORMATION: Program Name/Title: <u>House Wiring</u> Business Unit No.: <u>NEW</u>			
PART II. DETAILED BUDGET:			
Object Code (LOD 6) 6960	(B) Object Code Description and Justification (LOD 7) SUBS CONSTRUCTURAL SERVICES 6990-SUBS ON TREATED SERVICES - to provide homes with electric	(C) Total by DETAILED Object Code (LOD 6) 120,000.	(D) Total by MAJOR Object Code (LOD 4) 120,000
TOTAL			120,000



### **Eligibility process:**

- The policies for Housing Discretionary will be used to determine eligibility.
- Housing discretionary application will be filled out. A visual assessment will be conducted by the chapter administration when application is received. Pictures will be taken for verification purposes.

### **Breakdown of labor:**

- The initial breakdown was set up as follows: \$8,000 per home.  
15 homes at \$8,000.00 = \$120,000
- The cost will differentiate from home to home (Some might be less \$8,000)  
*(The less the cost, the number of families to be helped will go up)*
- The cost estimate from selected electrical contractor will determine cost for each home. (Contractor will be selected from the business regulatory-Navajo preference will be used)

### **Service Provider:**

- The service provider is Continental Divide Electrical Coop.
  - Service connect to the grid will require a H.S.L.



**Whitehorse Lake Chapter**  
 HCR 79 Box 4069 • Cuba, New Mexico 87013



**Housing Discretionary Application**

Email: [whitehorselake@navajochapters.org](mailto:whitehorselake@navajochapters.org)

•(505) 655-5430 • Fax (505) 655-5432 •Website: [whitehorselake.navajochapters.org](http://whitehorselake.navajochapters.org)

Applicant(s) Name: \_\_\_\_\_

- Housing Application for Housing Discretionary Funds
  - Building Materials (Include Before & After Photos)
  - Survey
  - Archaeological Clearance
- State Issued Driver License or Identification Card
- Income Verification Statement
- Evidence of Land Ownership (Home Site Lease/Residential Lease-Must be in applicants name)
- Authorization for release of Information
- Map to Property with House Number (Rural Address)
- Social Security Card for all Household Members
- Voter Registration
- Certificates of Indian Blood for all Household Members
- Referrals If claiming disability, a written Doctor's statement
- 3 Price Quotations

Received by (Name/Title/Date): \_\_\_\_\_

**ADMINISTRATION USE ONLY**

Approved __ By: _____ Amount: \$ _____ Meeting Date: _____	Disapproved __ Meeting Date: _____ Indicate Reason: _____
Check Number: _____ Date: _____ Vendor Name: _____	Receipts Returned? Yes __ No __ By: _____

Last assisted with Housing Discretionary: \_\_\_\_\_



WHITEHORSE LAKE CHAPTER  
HOUSING DISCRETIONARY ASSISTANCE  
SCOPE OF WORK

APPLICANT'S NAME: \_\_\_\_\_

PHONE/MESSAGE NO.: \_\_\_\_\_

DATE	TIME	CALLER/OR PERSON CONTACTED	PURPOSE

SCOPE OF WORK: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PERFORMANCE REPORT – ACCOMPLISHMENTS:**

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Community Service Coordinator / Date

\_\_\_\_\_  
Accounts Maintenance Specialist / Date

**WHITEHORSE LAKE CHAPTER  
HOUSING DISCRETIONARY ASSISTANCE APPLICATION**

***APPLICANT INFORMATION***

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_ Registered Chapter: \_\_\_\_\_  
 Census No.: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Message No.: \_\_\_\_\_

***SPOUSE INFORMATION***

Name: \_\_\_\_\_ Census No.: \_\_\_\_\_  
 Date of Birth: \_\_\_\_\_ Registered Chapter: \_\_\_\_\_

***FAMILY INFORMATION***

Name	Date of Birth	Relationship	Census No.

***HOUSING INFORMATION***

Type of Home: \_\_\_ House \_\_\_ Hogan \_\_\_ Trailer  
 Type of Construction: \_\_\_ Frame \_\_\_ Cinder Block \_\_\_ Other  
 House Size: \_\_\_ Square Feet \_\_\_ Length \_\_\_ Width  
 Year Built: \_\_\_\_\_ Number of Bedrooms: \_\_\_\_\_

Provide brief description of repairs needed: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Laborers:**    \_\_\_ Self            \_\_\_ Family Members            \_\_\_ PEP            \_\_\_ Other

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

I hereby acknowledge that the information provided above is true and correct for the purpose of obtaining home improvement assistance through Whitehorse Lake Chapter Housing Discretionary allocation fund. This information will be used to determine my eligibility. Any false or misleading statement will result in denial of eligibility determination.

Upon approval of Housing Discretionary funds, I agree to pick up the building materials within 30 days. Any unused funds will be reverted back to Whitehorse Lake Chapter Housing Discretionary funds.

I am fully responsible in submitting all receipts and status report with 30 days upon receipt of check.

\_\_\_\_\_  
**Applicant's Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Spouse's Signature**

\_\_\_\_\_  
**Date**

**PERMISSION TO ENTER PREMISES**

*TO THE BUILDING OWNER:*

*Your building is being considered for renovation under the Whitehorse Lake Chapter Housing Assistance Program. This program is funded by the Navajo Nation under Fund 09-Housing Discretionary Fund and administered by the Whitehorse Lake Chapter Administration.*

**PERMISSION TO ENTER PREMISES:**

I, as owner authorize for the building located at \_\_\_\_\_, \_\_\_\_\_ miles \_\_\_\_\_ of Whitehorse Lake Chapter have read and understand the above and hereby grant permission for Whitehorse Lake Chapter Administration or PEP to enter the premises when I am present for the purposes of conducting a work plan which may include an assessment for housing renovation.

\_\_\_\_\_  
Applicant's Signature

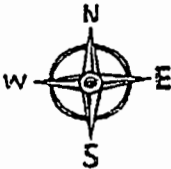
\_\_\_\_\_  
Date

\_\_\_\_\_  
Spouse's Signature

\_\_\_\_\_  
Date

**MAP TO RESIDENCE**

Draw a map of where you live.



---

Applicant's Signature

---

Date

---

Spouse's Signature

---

Date