

# DR. BUU NYGREN PRESIDENT RICHELLE MONTOYA VICE PRESIDENT

The Navajo Nation | Yideeskáadi Nitsáhákees

November 8, 2023

## TRANSMITTAL

TO : Arbin Mitchell, Executive Director Division of Community Development (DCD)

FROM

cms

Cordell Shortey, Contracting Officer Contracts & Grants Section (CGS) / OMB

<u>BU on Projects / Activities for Tsaile/Wheatfields Chapter, Lukachukai Chapter, Round Rock</u> <u>Chapter, Tse'ch'izhi' Chapter and Rock Point Chapter- ARPA Funds Allocated to Delegate Carl</u> Slater

SUBJECT :

#### I. Information on Contract (per Original Award):

Tsaile/Wheatfields Chapter, Lukachukai Chapter, Round Rock U.S. Treasury American Recovery Chapter, Tse'Ch'izhi Chapter, and **Rock Point Chapter** Plan Act (ARPA) 21.027 Title of Contract Funding Agency CFDA No. - Federal CJY--64-23 8,802,340.00 2022 S 03/11/2021 to 12/31/2026 Grant No. Amount **Fiscal Year** Term - Begin and End Date 11. **Data Entered in FMIS Regarding:** K2115368 to 1 New Contract or Grant Company No. 8059 Business Unit (K#) K2115390 Contract Mod No. Amt of Budget Increase \$5,200,386.00 \$0.00 \$5,200,386.00 to AMOUNT FROM то Budget Period - Extend End Date: From To Г Other, specify: Authorizing Document - Attached: Contract / Agreement - Date executed NNC / Committee Resolution - No. & Date Other, specify: NN Council Resolution CJY-64-23 ~ Ш. Comments by CGS:

This transmittal documents 1st budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Carl Slater Region. Y-T-D budget in FMIS for CD Carl Slater totals \$5,200,386. Information on Section I. of Transmittal above reflects \$8,802,340 ARPA funding allocated for distribution to Chapters the respective Council Delegate service aka Region.



Attachment Copy: Contract files Contract Accounting / OOC / DPM Tom Platero, Executive Director - NN FRF Office



# The Navajo NationDR.BUU NYGREN PRESIDENTYideeskáadi NitsáhákeesRICHELLE MONTOYA VICE PRESIDENT

August 4, 2023

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

RE: CJY-64-23 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 Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé Ch'ízhí, Rock Point)

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-64-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Slater's Delegate Region in the amount of \$5,200,386.

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 CARL R. SLATER'S DELEGATE REGION (CHAPTERS: TSAILE/WHEATFIELDS, LUKACHUKAI, ROUND ROCK, TSÉ CH'ÍZHÍ, ROCK POINT)

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

- Navajo Nation Council Resolution No. CJN-29-22, AN ACTION Α. 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 HOUSING PROJECTS AND MANUFACTURED HOUSING PROJECTS; PROJECTS; FACILITIES; BATHROOM ADDITION 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. Carl R. Slater's Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Carl

R. Slater's Delegate Region Projects Plan does not exceed the amount of 88,802,340, 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. Carl R. Slater's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé Ch'ízhí, Rock Point) as set forth in Exhibit A.

# SECTION THREE. APPROVAL OF HON. CARL R. SLATER'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Carl R. Slater's Delegate Region (Chapters: Tsaile/Wheatfields, Lukachukai, Round Rock, Tsé Ch'ízhí, Rock Point) set forth in Exhibit A.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

#### SECTION FOUR. AMENDMENTS

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

#### SECTION FIVE. EFFECTIVE DATE.

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

#### SECTION SIX. SAVING CLAUSE

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

#### CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 20 in Favor, and 00 Opposed, on this 19th day of July 2023.

Honorable Crystalyne Curley, Speaker 25th Navajo Nation Council

7/27/23

Motion: Honorable Rickie Nez Second: Honorable Andy Nez

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

- 1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005, (C) (10), on this day of <u>Ausof</u>, 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

# COUNCIL DELEGATE: HON. Carl R. Slater

# CHAPTERS: Tsaile/Wheatfields, Lukachukai, Round Rock, Tséch'izhí, Rock Point

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Round Rock Chapter Convenience Store/Shopping Center Project	Division of Community Development	6.1	HK0460-2	\$ 650,000.00
Division of Community Development	None Identified	Round Rock Chapter Community Cemetery Project	Division of Community Development	6.1	HK0464	\$ 200,000.00
Division of Community Development	None Identified	Round Rock Chapter Recreation Park Project	Division of Community Development	2.22	HK0494	\$ 700,000.00
Division of Community Development	None Identified	Round Rock Chapter Upgrade to Sewer Lagoon Project	Division of Community Development	5.5	HK0495	\$ 60,000.00
Division of Community Development	None Identified	Round Rock Chapter Diversion/Irrigation System Project	Division of Community Development	5.11	HK0461	\$ 150,000.00
Division of Community Development	None Identified	Rock Point Chapter Community Propane Assistance Project	Division of Community Development	2.18	HK0563	\$ 84,375.00
Division of Community Development	None Identified	Rock Point Chapter Sewage & Drain Fields	Division of Community Development	5.3	HK0565	\$ 136,203.00
Division of Community Development	None Identified	Rock Point Chapter Community Trash Bins Project	Division of Community Development	2.22	HK0567	\$ 100,800.00
Division of Community Development	None Identified	Rock Point Chapter Water Delivery Project	Division of Community Development	1.14	HK0566	\$ 172,117.00
Division of Community Development	None Identified	Rock Point Chapter Bathroom Renovations Project	Division of Community Development	1.14	HK0564	\$ 320,000.00
Per CJN-29-22, Sectio	n Three (E), the "Navajo	Nation Central Government may award funding	to LGA-Certified		TOTAL:	\$ 2.573.495.00

Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain

Administrative Oversight over such funding and Delegate Region Project Plans."

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TOTAL: \$ 2,573,495.00

**Exhibit A** 

# NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

# COUNCIL DELEGATE: Hon. Carl R. Slater

CHAPTERS: Tsaile/Wheatfields, Lukachukai, Round Rock, Tséch'izhí, Rock Point

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 2,573,495.00
Division of Community Development	None Identified	Rock Point Chapter Homesite-Compliance and Archeological Clearance Assistance Project	Division of Community Development	2.18	HK0569	\$ 37,500.00
Division of Community Development	None Identified	Rock Point Chapter Homesite Lease Land Survey Fee Assistance Project	Division of Community Development	2.18	HK0570	\$ 37,500.00
Division of Community Development	None Identified	Rock Point Chapter Community Weatherization Project	Division of Community Development	2.18	HK0560	\$ 288,000.00
Division of Community Development	None Identified	Rock Point Chapter Community Septic-Cleaning Assistance Project	Division of Community Development	5.5	HK0568	\$ 135,150.00
Division of Community Development	None Identified	Rock Point Chapter Dump Truck Project	Division of Community Development	6.1	HK0573	\$ 200,000.00
Division of Community Development	None Identified	Rock Point Chapter Community Warehouse Project	Division of Community Development	1.14	HK0596	\$ 200,000.00
Division of Community Development	None Identified	Tse Ch'izhi Chapter Community Trash Bins Project	Division of Community Development	2.22	HK0613	\$ 81,600.00
Division of Community Development	None Identified	Tsaile/Wheatfields Chapter Community Housing Weatherization and Renovation Project	Division of Community Development	2.18	HK0591	\$ 460,468.00
Division of Community Development	None Identified	Tsaile/Wheatfields Chapter Public Employment Project	Division of Community Development	2.18	HK0592	\$ 205,938.00
	· · · ·	Nation Central Government may award funding t		L	TOTAL:	\$ 4,219,651.00

\*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."

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Exhibit A

# NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

# COUNCIL DELEGATE: HON. Carl R. Slater

CHAPTERS: Tsaile/Wheatfields, Lukachukai, Round Rock, Tséch'izhí, Rock Point

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 02				\$ 4,219,651.00
Division of Community Development	None Identified	Lukachukai Chapter Renovation of Chapter House Roof Project	Division of Community Development	2.22	HK0587	\$ 43,900.00
Division of Community Development	None Identified	Lukachukai Chapter Track Construction Project	Division of Community Development	2.22	HK0586	\$ 449,685.00
Division of Community Development	None Identified	Lukachukai Chapter Renovation/Replacement of Chapter Fieldhouse Roof Project	Division of Community Development	2.22	HK0588	\$ 87,150.00
Division of Community Development	None Identified	Lukachukai Chapter Public Employment for Illegal Trash-Dump Clean-Up Project	Division of Community Development	1.14	HK0589	\$ 400,000.00
		UN-ALLOCATED AMOUNT				\$ 3,601,954.00
		Nation Central Government may award funding t			TOTAL:	\$ 8,802,340.00

Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain

Administrative Oversight over such funding and Delegate Region Project Plans."

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**Exhibit** A



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 #: HK0461

Date & Time Received: 4/10/2023 at 12:13

Date & Time of Response: 04/19/2023 at 11:14

Entity Requesting FRF: Round Rock Chapter

Title of Project: Diversion/Irrigation System

Administrative Oversight: Division of Community Development

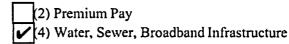
Amount of Funding Requested: \$150,000.00

#### **Eligibility Determination:**

FRF eligible FRF ineligible Additional information requested

#### FRF Eligibility Category:

- (1) Public Health and Economic Impact
- (3) Government Services/Lost Revenue



#### U.S. Department of Treasury Reporting Expenditure Category:\_\_\_\_

5.11 Drinking Water: Transmission & Distribution

P.O. Box 2010 • Window Rock, Navajo Nation (AZ) 86515 • 928-810-8526 • Facsimile: 928-871-6200

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

Missing Form	Expenditure Plan incomplete
Supporting documentation missing	Funds will not be obligated by
Project will not be completed by 12/31/2026	12/31/2024
Incligible purpose	Incorrect Signatory
Submitter failed to timely submit CARES reports	Inconsistent with applicable NN or
Additional information submitted is insufficient	federal laws
to make a proper determination	
a to a life have madified the service and the	and from C.4 (Desciole of October 10, 10)

Other Comments: We have modified the requested expenditure code from 6.1 (Provision of Government Services) to 5.11 (Drinking Water: Transmission & Distribution). 5.11 is a more favorable category because it is not limited to the amount of the Nation's lost revenue.

Necessary investment in water infrastructure in accordance with the U.S. Environmental Protection Agency's Drinking Water State Revolving Fund (DWSRF), Part A.2 - Drought/Loss of Water Supply and Part B.2 - Water Efficiency

Name of DOJ Reviewer: Erika Pirotte Signature of DOJ Reviewer: Erika Pirotte		Digitally signed by Erika Pirotte Date: 2023.04.19 11:09.47 -06'00'	
Name - 6DOLD Erika Birotta			
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#### Disclaimers:

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

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



APPENDIX A

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

#### Part 1. Identification of parties.

Date prepared: 2/18/2023
phone/email: 928-787-2510
website (if any): roundrock@navajochapters.org
phone/email: (928) 658-8022, bwheelen@navajochapters.org
rrchprez@gmail.com
CONTACT PERSON'S info
_ phone & email: 928-814-1344, rrchprz@gmail.com
phone & email: 928-787-2510 pjim@naataanii.org
phone & email: 928-658-8022 bwheeler@navajochapters.org
_ phone & email: 928-658-8022 bwheeler@navajochapters.org
phone & email:
phone & email: 928-674-2251 rjumbo@nndcd.org
mown): selection of contractor will be based
Employment Program document attached
/01/23 to 09/30/26

#### 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: Round Rock Chapter is requesting ARPA funds to revitalized 42 Farm Plots with approximately

Round Rock Chapter is requesting ARPA funds to revitalized 42 Farm Plots with approximately 565.48 acre. There are 42 Farm Owners with acreages from 10 to 50 acres registed/titled with the Bureau of Land Administration. The Farm Plots needs to be assess and provide feasibility studies of each plots to plan for implementation of local grown produce to benefit not only consumption but for income for farmers. The Chuska Mountain water is usually diverted into the Round Rock lake. Drilling for water wells fro farming would be most beneficial and irrigating through installation of pipes will save water from evaporating and seeping into the irrigation ditches. We are strongly determined to improve economic development to bring essential services to our Dine' people and improve lives.

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People: Round Rock Chapter is in support of the larger Navajo Nation's effort for Economic Development. This will re-instill the traditional teachings of farming for everyone. It will teach many on self sufficiency by farming and producing corn pollen, fresh produce and hay locally and also provide education on healthy eating, cultural teaching and work ethics. Studies shows Native Food are more or the most healthiest. With this, Seasonally employment will be available.

(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:

2023 - Chapter will work closely with GLDD, CPMD, Grazing Committee, CLUPC. Grazing Representative has already started resurveying farm plots with Bureau of Land Department. 2024 -. Challenges - Approval of funding and disbursement, Navajo Nation Tribal Procurement and Review Processes. Weather

(d) Identify who will be responsible for implementing the Program or Project: The Round Rock Chapter, BIA and the Navajo Nation agents.

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 Round Rock Chapter will own and operate the Farm Plots. The Navajo Nation will be the fiscal agent for the project. Operation and maintenance costs will be budgeted thru the chapter's annual operating budget and revenues generated through established fees with development of plan of operation for the Farms Plots.

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:

6.1 - Provision of Government Services

The COVID-19 had a major impact on the community, unfortunately, causing many families to travel quite a distance (120 miles) to nearest town to get food, water, produce and hay. Most stores literally had empty shelves, out of food, water and hay. The chapter will encourage community members to focus economically on crops, support community empowerment to grown own food beyond the pandemic. Dine' (Navajo) people basic nutritional meal is corn. They will grow corn to make variety of traditional food.

document attached

Chapter Resolution attached

Part 3. Additional documents.

List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A): 1. Chapter's approved supporting resolutions: ROUN2205-07, 2, ROUN2208-01, Navajo Nation Water Resources Assessment and Scope of Work.

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 Mul	Approved by: Cammakager
signature of Preparer/CONTACT PERSON	signature of Chapter President (or Vice-President)
Approved by: VACANT	Approved by The best and
signature of CSC	signature o/Chapter ASO
	Approved to submit fia Amm. MUERFO
	simulation of DCD Director

#### THE NAVAJO NATION PROGRAM BUDGET SUMMARY

## Page 1 of 3 BUDGET FORM 1

PART I. Business Unit No	.: <u>NEW</u>	Program Title:	Rou	nd Rock Chapter - Diversion/Irrrigation s	ystem	Division/Branch:	DCD/Executi	ve				
Prepared By:	Bernita Wheeler	Phone	No.:	(928) 787-2510 Email	Address:	bwheeler@navajochapters.org						
PART II. FUNDING SOURC		Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type	(A) NNC Approved	(B)	(C) Difference or				
American Resue Plan Acl of	2021 04/01/23-09/30/26	150,000.00	100%	0004 D	Code	Original Budget	Proposed Budget	Total				
				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	0	150,000	150,000				
				7000 Special Transactions								
				8000 Public Assistance								
				9000 Capital Outlay								
				9500 Matching Funds								
· · · · ·				9500 Indirect Cost								
<u>,</u>					TOTAL	\$0.00	150,000.00	150,000				
				PART IV. POSITIONS AND VEHICLES		(D)	(E)					
				Total # of Positions E	Budgeted:	0	0	]				
	TOTAL:	\$150,000.00	100%	Total # of Vehicles 1	Budgeted:	0	0	1				
PART V. I HEREBY ACKN	OWLEDGE THAT THE IN	FORMATION CON	TAINED	IN THIS BUDGET PACKAGE IS COMPLE	TE AND AC	CURATE.						
SUBMITTED BY:	James Adakai, De	puty Director		APPROVED BY:	Calvin (	Castillo, Executive Dire	ector					
	Program Manager's			Divis	ion Direct	or / Branch Chief's P	rinted Name	_				
À	femal g	lang	-		Ze		4/6/27	<b>_</b>				
	Program Manager's S	gnature app Date	)	Division	Director	Branch Chief's Signa	ature and Date					

FY 2023

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#### THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

## Page 2 of 3 BUDGET FORM 2

Business Unit No:         NEW         Program Name/Title:         Round Rock Chapter - Diversion/Irrigation system           PART I. PLAN OF OFERATION/RESOLUTION MUMBER/PURPOSE OF PROGRAM:         CAP3498:         CaP349:	PART I. PROGRAM INFORMATION:										
CAP-34-98: To dred the Chapter administration and management control system, by promoting efficiency and accountability to the chapter membership and to effectuate plans of action to improved the standards of Ming for the chapter membership.  PART III. PROGRAM PERFORMANCE CRITERIA:  Coal Cactual Coal Actual Coal Actu	Business Unit No.:	NEW	Program Name/Title:		Ro	und Rock (	Chapter - Di	version/irri	igation syst	em	
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James Adakal, Deputy Director           James Adakal, Deputy Director         Calvin Castillo, Executive Director           Program Manager's Printed Name         Division Director/Branch Chief's Printed Name           Jennary Hangy         4/4/22	Program Performance Measure/O	bjective:	_								
James Adakal, Deputy Director           James Adakal, Deputy Director         Calvin Castillo, Executive Director           Program Manager's Printed Name         Division Director/Branch Chief's Printed Name           Jennary Hangy         4/4/22		· · · · · · · · · · · · · · · · · · ·							· ·		
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Program Manager's Signature and Date Division Director/Branch Chief's Signature and Date	Acma	al Hang						4	44/27	-	
	Program Manag	er's Signature and Date			Division	Director/B	ranch Chief	's Signatur	e and Date		

FY 2023

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FY 2023

## THE NAVAJO NATION DETAILED BUDGET AND JUSTIFICATION

Page 3 of 3 BUDGET FORM 4

	ROGRAM INFORMATION: Program Name/Title:	Round Rock Chapter - Diversion/Irrrigation system	Business Unit No.:	NEW	
ART II. (A)	DETAILED BUDGET:	(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)
6830	Other Technical Services 6840 - Feasibility Studies Hire a Consultant for Feasibility Studies	\$75,000		75,000	150,00
	6845 - Environmental Assessment/S Hire a Consultant for Assessment	\$75,000		75,000	
			TOTAL	150,000	150,00



# DR. BUU NYGREN PRESIDENT RICHELLE MONTOYA VICE PRESIDENT

The Navajo Nation | Yideeską́ądi Nitsáhákees

MEMORANDUM

то	:	Division/Executive Directors and Staff Navajo Nation
FROM	:	$\Delta =$
		James Adaka, Delegated Department Manager II

Capital Projects Management Department

DATE : February 1, 2023

SUBJECT: FY 2023 Standing Delegation of Authority

During the period that I am on leave or on travel from the Capital Projects Management Department, the following Individuals will be delegated in the capacity of Department Manager II (in no particular order):

Leonard Hardy, Project Manager Irma Julian, Project Manager

The Delegation is limited to signature authority for the time sensitive approval and emergency leave unless they feel that matters requires the attention of the Department Manager. Policy decisions are not delegated and are reserved for the Department Manger II. Other personnel related matters will remain under the purview of the Department Manager II.

Your cooperation with the aforementioned staff is appreciated.

ACKNOWLEDGEMENT:

Leman March

Leonard Hardy, Project Manager Capital Projects Management Department

Irma Julian, Project Manager Capital Projects Management Department

Distribution

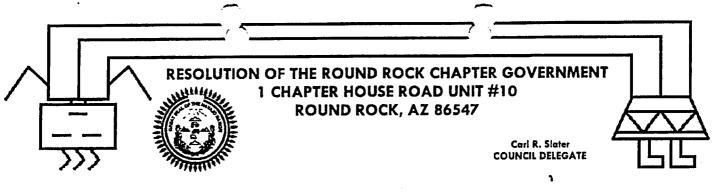
xc: Calvin Castillo, Division Director, Division of Community Development

Capital Projects Management Department Post Office Box 1510, Window Rock, Arizona 86515

## THE NAVAJO NATION PROJECT BUDGET SCHEDULE

Page 1 of 1 PROJECT FORM

PART I. Business Unit No.:	NEW																					PAR	T 11.								
Project Title: Round Rock (	Chapte	er - Di	iversi	on/Irri	igatio	n Sys	tem															Proje	ect Type	e:			Irriga	ition			
Project Description Diversion/	Irrigal	ion S	ysten	1																		Plan	ned Sta	art Date	:		4/	1/202	23		
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Check one box:	<b>0</b> 0	riginal	l Budg	et		Budg	et Rev	ision	Ľ	Bud	get Re	ealloca	ation		Budgi	et Mo	dificat	ion				Proje	ect Man	ager:	Navajo Nation Water Resources						
PART III.	PAR	r IV.	Use	e Fisca	al Yea	er (FY)	Quar	ters to	o comp	olete ti	he info	ormati	ion be	low. (	) = 0	ct.; N	= Nov	:; D =	Dec.,	etc.					Expected Completion Date if						
List Project Task separately; such		FY 2023 FY 2024																	exceed												
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FOR OMB USE ONLY: Resolution	on No:					F	MIS S	et Up	Date:						Co	ompa	ny No:						OMB	Analyst	:						



#### ROUN2303-02

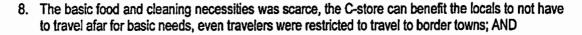
ROUND ROCK CHAPTER AFFIRMS THAT IT WILL ONLY USE AWARDED FISCAL RECOVERY FUNDS IN THE AMOUNT OF \$1,760,000.00 ACCORDINGLY: (\$700,000.00 RECREATION PARK; \$650,000.00 C-STORE; \$150,000.00 DIVERSION/IRRIGATION SYSTEM; \$200,000.00 CEMETERY; AND \$60,000.00 UPGRADE LAGOON) TO PERFORM THE PRELIMINARY ACTIVITIES, DESIGNS, AND IMPLEMENT THE FRF EXPENDITURE PLAN IN COMPLIANCE WITH THE ARPA REGULATIONS, AND WITH ALL APPLICABLE FEDERAL AND NAVAJO NATION LAWS, REGULATIONS, AND POLICIES

#### WHEREAS:

- Pursuant to the Navajo Nation Local Governance Act (26 N.N.C.), Chapter 1, Subchapter 1, Section 3 (A) the Round Rock Chapter Government, is a certified Chapter Organization, which elects a Delegate to the Navajo Nation Council. The Chapter is also listed as being certified at Part 1, Section 10, of 11 N.N.C., the "Navajo Nation Election Code; AND
- Pursuant to the same "Act", Chapter 1, Subchapter 1, Section 1 (B-1), the Navajo Nation Council; delegates to our Chapter, governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; AND
- Section 1 (B-2), authorizes our Chapter, to improve Community decision making; allow us to excel and flourish; enable our Navajo Leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation. Our Chapter is compelled to govern with responsibility and accountability to us, the Local Citizens; AND
- 4. Pursuant to the Federal "Indian Self-Determination and Education Assistance Act (P.L; 93-638), as amended, our Chapter Government, is entitled and supported to initiate plans and make recommendations, requests, and thus; determine the promotion, protection, and preservation of the general welfare of our Community People, as well as the Navajo Nation; AND
- 5. The Round Rock Chapter Government held dialogue with membership numerous times to discuss needs and effects experienced from Covid-19; AND
- 6. The Covid-19 Pandemic had various effects on membership, across the Navajo Nation, and many counties; AND
- The effected we told to take walks, gatherings were disallowed unless it is open space, such as outside, a Park would benefit both and to promote the many underlying health issues raised during this trying times; AND

Ramona Rogers	Paul Jim	Bernita Wheeler	Robert Wagner	VACANT	V.
PRESIDENT	VICE-PRESIDENT	SECRETARY/TREASURER	GRAZING OFFICIAL	COMMUNITY SERVICES	AC
				COORDINATOR	MAIN

VACANT ACCOUNT WAINTENANCE SPECIALIST



- 9. The Navajo Nation Standing Committees and Grazing Representative has been discussing and passing resolution directing Chapters to establish a Community Cemetery; Lukachukai St. Isabel Catholic Church has been sending letters requesting for our Chapter to take action; AND
- 10. Economic Development is a must for our Community and it helps Operators/Business to establish within our Community with upgraded lagoons.

#### NOW THEREFORE BE IT RESOLVED THAT:

1. The Round Rock Chapter Government hereby affirms that it will only use awarded Fiscal Recovery Funds in the amount of \$1,760,000.00 accordingly: (\$700,000.00 Recreation Park; \$650,000.00 C-Store; \$150,000.00 Diversion/Irrigation system; \$200,000.00 Cemetery; and \$60,000.00 upgrade lagoon) to perform the preliminary activities, designs and implement the FRF expenditure plan in compliance with the ARPA regulations, and with all applicable federal and Navajo nation laws, regulations, and policies.

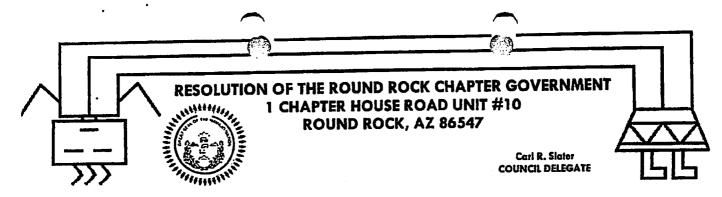
#### CERTIFICATION

We hereby certify that the foregoing Resolution was considered by the Round Rock Chapter at a duly called Chapter Meeting at Round Rock, Navajo Nation, Arizona, at which a quorum was present and that same was passed by a vote of 29 in favor, 00 opposed, and 01 abstained, on this 17th day of March, 2023.

Second by: Terrily Johnson

Motion by Laverne Somes Komones Koges

Ramona Rogers, President/



#### ROUN2208-11

#### RESPECTFULLY REQUESTING THE DEPARTMENT OF WATER RESOURCES TECHINICAL, CONSTRUCTION, AND OPERATIONS BRANCH TO EVALUATE THE ROUND ROCK IRRIGATION SYSTEM FOR REHABILITATION, COST ESTIMATE AND PLAN OF ACTION

#### WHEREAS:

- Pursuant to the Navajo Nation Local Governance Act (26 N.N.C.), Chapter 1, Subchapter 1, Section 3 (A) the Round Rock Chapter Government, is a certified Chapter Organization, which elects a Delegate to the Navajo Nation Council. The Chapter is also listed as being certified at Part 1, Section 10, of 11 N.N.C., the "Navajo Nation Election Code; AND
- Pursuant to the same "Act", Chapter 1, Subchapter 1, Section 1 (B-1), the Navajo Nation Council; delegates to our Chapter, governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; AND
- 3. Section 1 (B-2), authorizes our Chapter, to improve Community decision making; allow us to excel and flourish; enable our Navajo Leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation. Our Chapter is compelled to govern with responsibility and accountability to us, the Local Citizens; AND
- 4. Pursuant to the Federal "Indian Self-Determination and Education Assistance Act (P.L; 93-638), as amended, our Chapter Government, is entitled and supported to initiate plans and make recommendations, requests, and thus; determine the promotion, protection, and preservation of the general welfare of our Community People, as well as the Navajo Nation; AND
- 5. Every Spring and Summer, our main irrigation canal needs cleaning out and especially, at the location of the main diversion site; AND
- 6. The control tunnel needs to be leveled or sloped to downstream to prevent clogging; AND
- 7. The main diversion gate and two filtering gates need to be changed out; AND
- 8. The culverts need to be replaced and lowered; AND
- 9. These Culverts need to be lowered because the water upstream gets too heavy causing the canal to break; AND
- 10. The culvert under the Route 12 also need to be lowered but B.I.A. Roads Department needs to do it; AND

Ramona Rogers	Poul Jim
PRESIDENT	VICE-PRESIDENT

Bernita Wheeler SECRETARY/TREASURER Robert Wagner GRAZING OFFICIAL

Goyla James COMMUNITY SERVICES COORDINATOR

VACANT ACCOUNT MAINTENANCE SPECIALIST





- 11. The Whole canal needs to be widened; AND
- 12. The dug out silt on the north side of the canal needs to be cut down or lowered; AND
- 13. Moreover, we need to re-fill and restock our lake with fish; AND
- 14. Thousands or maybe even a million plus dollars were spent by the "Safety of Dams, to renovate the dam"; AND
- 15. Thousands and maybe even millions plus gallons of water just ran through our Community all these years; AND
- This Project, Earthen Dam and Wind mill repair requests were sent to Window Rock/Ft. Defiance Water Resources Department, but to no avails, this day; AND
- 17. We know that funds were and still are appropriated for the aforementioned projects; AND
- The Round Rock Community was once well-known for prosperous Agricultural activities in both the in farming and livestock managements; AND
- 19. We have some families that still use the water to imigate and plant and many more voice their wishes at Chapter meetings requesting help with imigation; AND
- Studies show that native food are more or the most healthy ones than the once made with preservatives; AND
- 21. Our Chapter doesn't only believe in, but participates in cost-sharing and partnership on Projects, especially during this "Economic Crisis Era, inflations, and Cost-of-Living Increases; AND
- 22. The recent pandemic experience has taught us of food scarcity, travel restrictions, limits of food and other necessities, high cost of food, reliance on our only local food store-Bashas and thanks to the Navajo/Hopi Food Assistance Programs; AND
- 23. The Chapter recently received heavy equipment: Grader and backhoe/front end loader to use as cost share; AND
- 24. We need your expertise to evaluate, improve intake inlet from the wash and to reservoir, including the reservoir inlet (Russian Olive/Tamarack takeover).

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

The Round Rock Chapter Government respectfully requesting the Department of Water Resources Technical, Construction, and Operations Branch to evaluate the Round Rock Inigation System for rehabilitation, cost estimate and plan of action.

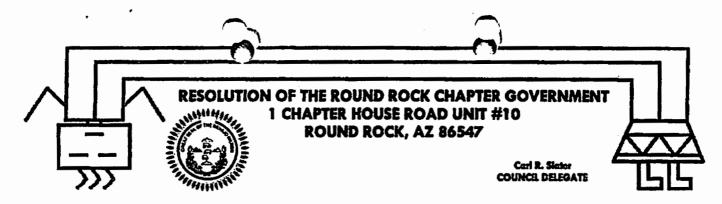
#### CERTIFICATION

We hereby certify that the foregoing Resolution was considered by the Round Rock Chapter at a duly called Chapter Meeting at Round Rock, Navajo Nation, Arizona, at which a quorum was present and that same was passed by a vote of 21 in favor, 200 opposed, and 02 abstained, on this 19th day of August, 2022.

Motion by: <u>Laverne Gones</u>

second by: Charleston Wagner

nmn Ramona Rogers, President



#### ROUN2105-07

#### RESPECTFULLY REQUESTING NAVAJO NATION DIVISION OF NATURAL RESOURCES AND NAVAJO NATION AGRICULTURE TO SINCERELY CONSIDER AND FUND \$1,500,000.00 TO REVITALIZE THE 42 FARM PLOTS WITH APPROXIMATE 565.48 ACRE, USING THE AMERICAN RESCUE PLAN (ARPA), SIHASIN, AND/OR THE AGRICULTURE INFRASTRUCTURE FUND PROJECT PLAN FOR THE CROP YEAR 2021 (PASTURE LAND FORAGE)

#### WHEREAS:

- Pursuant to the Navajo Nation Local Governance Act (26 N.N.C.), Chapter 1, Subchapter 1, Section 3 (A) the Round Rock Chapter Government, is a certified Chapter Organization, which elects a Delegate to the Navajo Nation Council. The Chapter is also listed as being certified at Part 1, Section 10, of 11 N.N.C., the "Navajo Nation Election Code; AND
- Pursuant to the same "Act", Chapter 1, Subchapter 1, Section 1 (B-1), the Navajo Nation Council; delegates to our Chapter, governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition; AND
- Section 1 (B-2), authorizes our Chapter, to improve Community decision making; allow us to excel and flourish; enable our Navajo Leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation. Our Chapter is compelled to govern with responsibility and accountability to us, the Local Citizens; AND
- 4. Pursuant to the Federal "Indian Self-Determination and Education Assistance Act (P.L; 93-638), as amended, our Chapter Government, is entitled and supported to initiate plans and make recommendations, requests, and thus; determine the promotion, protection, and preservation of the general welfare of our Community People, as well as the Navajo Nation; AND
- 5. The Round Rock Chapter Government is in support of the larger Navajo Nation's effort for Economic Development; AND
- 6. Round Rock Chapter Farmers miss farming and having local produced food; AND
- 7. The Community members are looking forward to re-instill the traditional teachings of farming to their children and grandchildren; AND

PRESIDENT VICE-PRESIDENT SECRETARY/TREASURER GRAZING OFFICIAL COMMUNITY SERVICES	Remona Rogers PRESIDENT	Poul Jun VICE-PRESIDENT	Bernito Wheeler SECRETARY/TREASURER	Robert Wagnor GRAZING OFFICIAL	Gayla James COMMUNITY SERVICES	
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- 8. There are 42 Farm Owners with acreages anywhere from 10 to 50 acres; AND
- 9. The total farm land acreage registered/titled with the Bureau of Land Administration is 545.48; AND
- 10. The Division department personnel needs to assess the farm plot and provide feasibility studies of plots, collaboration for plan of action, and any recommendations for implementation; AND
- 11. Local grown produce is beneficial not only for consumption but for income by farmers; AND
- 12. The Chuska Mountain water is usually diverted into the lake, however, this has been less water each year; AND
- 13. Drilling for water wells for farming would be most beneficial and irrigating through installation of pipes will save water from evaporating and seeping into the irrigation ditch; AND
- 14. The Chapter Government is concerned about the environmental, living and safety standards of the People; AND
- 15. The corn pollen needs to be made by the Dine' People to help heal and place our Dine' People in balance with the natural livings and on the corn pollen path; AND
- 16. The Chapter members and the young need to learn to be self-sufficient by farming food and hay; AND
- 17. It teaches the young on work ethics, healthy eating, and cultural teachings; AND
- The Division and Agriculture needs to educate and local and coach them on updated farming techniques, ideal seeds, updated farm equipment, as they attend various trainings; AND
- 19. This project has been planned in the local Chapter's strategic plan for many years and must be made a reality using the American Rescue Plan Act (ARPA) fund; AND
- 20. We are strongly requesting to improve economic development to bring essential services to our Dine' relatives and our Dine' people will be the primary beneficiaries; AND
- 21. It is this type of rescue measures to heal, prevent, improve the lives of Dine' People, which the American Rescue Plan Act (ARPA) is awarded to resolve.



#### NOW THEREFORE BE IT RESOLVED THAT:

1. The Round Rock Chapter Government hereby approves and requests Navajo Nation Division of Natural Resources and Navajo Nation Agriculture to sincerely consider and fund \$1,500,000.00, to revitalize the 42 Farm Plots with approximately 565.48 acre using the American Rescue Plan (ARPA), Sihasin, and/or the Agriculture Infrastructure fund project plan for the Crop Year 2021 (Pasture Land Forage).

#### CERTIFICATION

We hereby certify that the foregoing Resolution was considered by the Round Rock Chapter at a duly called Chapter Meeting at Round Rock, Navajo Nation, Arizona, at which a quorum was present and that same was passed by a vote of 26 in favor, 26 opposed, and 21 abstained, on this 11<sup>th</sup> day of May, 2021.

Motion by: Paul gen
Second by: Robert Wagner
Lamona Roger

Ramona Rogers, President

# NAVAJO NATION DEPARTMENT OF JUSTICE





DOJ	
DATE / TIME	
RFS #:	
 UNIT:	

*** FOR NNDC	J USE ONLY - DO NOT CHANGE OF	REVISE FORM. VA	RIATIONS OF THIS F	ORM WILL NOT B	E ACCEPTED. ***		
CLIENT TO COMPLETE							
DATE OF REQU	EST: 4/10/2023	ENI	TITY/DIVISION:	OPVP			
CONTACT NA	ME: Lisa Jymm		DEPARTMENT: Fisca		Fund Office		
PHONE NUMBER: (928) 309-5535			E-MAIL:	ljymm@navajo-	nsn.gov		
COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):							
Initial Eligibility Determination for Round Rock Chapter Diversion/Irrigation Project in the amount of \$150,000.00							
DEADLINE:	4/24/2023	REASON:	DOJ Review				
DOJ SECRETARY TO COMPLETE							
DATE/TIME IN UNIT: REVIEWING ATTORNEY/ADVOCATE:							
DATE TIME OUT OF UNIT: PREPARED BY (initial):							
DOJ ATTORNEY / ADVOCATE COMMENTS							
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REVIEWED BY: ( <i>PRINT</i> ) DATE / TIME:							
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NNDOJ/DRRF-July 2013							