



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

May 21, 2024

TRANSMITTAL

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

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

SUBJECT : BU on Projects / Activities for Cameron Chapter, Birdsprings Chapter, Tolani Lake Chapter, Coalmine Chapter, Leupp Chapter- ARPA Funds Allocated to Delegate Johnson Region

I. Information on Contract (per Original Award):

Cameron Chapter, Coalmine Canyon Chapter, Birdsprings Chapter, Leupp Chapter and Tolani Lake Chapter	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
<u>Title of Contract</u>	<u>Funding Agency</u>	<u>CFDA No. - Federal</u>
NABIMA-21-24; NABID-59-23; CAU-71-23; CAP-08-23	2022	03/11/2021 to 12/31/2026
<u>Grant No.</u>	<u>Amount</u>	<u>Term - Begin and End Date</u>
	\$ 8,802,340.00	

II. Data Entered in FMIS Regarding:

New Contract or Grant Company No. 8059 Business Unit (K#) K2115165, K2115167, & K2115168

Contract Mod No. _____ Internal Modification No. 3

Amt of Budget Net Increase \$49,700.00 \$8,802,337.00 to \$8,852,037.00

AMOUNT FROM TO

Budget Period - Extend End Date: From _____ To _____

Other, specify: Change on K2115165 (\$520, 300); K2115167-\$370,000; K2115168-\$200,000

Authorizing Document - Attached:

- Contract / Agreement - Date executed _____
- NNC / Committee Resolution - No. & Date _____
- Other, specify: NN Council Resolution NABIMA-21-24; memo dated April 18, 2024 by NNFRF.

III. Comments by CGS:

This Transmittal documents 4th budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Casey Johnson Region. Y-T-D budget in FMIS for CD Johnson Region totals \$8,852,037 which is \$49,697 over actual allocation of \$8,802,340. 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
 Lisa Jymm, Executive Director - NN FRF Office

Revised February 2023


Handwritten signature
 5/21/2024



MEMORANDUM

TO : Dominic Beyal, Director
Navajo Nation Office of Management & Budget

Cordell Shortey, Contracting Officer
Navajo Nation Office of Management & Budget

FROM : 
Lisa Jymm, Executive Director
Navajo Nation Fiscal Recovery Fund Office

DATE : April 18, 2024

SUBJECT : NABIMA-21-24 – Navajo Nation Fiscal Recovery Funds per Delegate Casey Allen Johnson Delegate Region.



The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting business units totaling \$49,700.00 per NABIMA-21-24, Exhibit A, as listed in the table below:

No.	Description	Category	\$
1	(DECREASE in CAP-08-23) Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase Project	6.1	-\$520,300.00
2	(INCREASE of HK0400 from CAP-08-23) Leupp Chapter Senior Center Renovation Project	2.22	\$370,000.00
3	(INCREASE of HK0401 from CAP-08-23) Leupp Chapter House Renovation Project	2.22	\$200,000.00
		TOTAL:	\$49,700.00

Attached is a full copy of the resolution with updated signatures and documents.

If you have any questions, please feel free to contact our office by phone at (928) 309-5535 or by email at ljymm@navajo-nsn.gov. Thank you.

CC: Germaine Jones, Deputy Contracting Officer, OMB/OCG
Christine Chavez, Accounting Manager, OOC/CA

*5-20-24
Germaine/OCG/OCG: I signed to
help trusty all is correct &
complete - (S)*

*4/24/24
5/15/24
K2115165
K2115167
K2115168*

THE NAVAJO NATION
SUMMARY OF CHANGES on EXTERNAL GRANT BUDGET
BASED ON CONTRACT MODIFICATION NO. _____
 (For increase or decrease to initial Annual Funding Awarded Only)



PART I. PROGRAM / GRANT INFORMATION:

Title of Program: Leupp Chapter House Renovation Project FMIS Business Unit No. K2115168
 Title of Grant: ARPA of 2021 Grant No.: CAP-08-23 / NAGIMA 2-24 20
 CFDA No.: _____ Original Funding Period: Start - End: 10/1/21 - 9/30/2026

PART II. BUDGET INFORMATION: In Columns A thru C below, enter data that is in the FMIS currently and at LOD 6.

(A) Cost Type	(B) Description	(C) Revised Budget	(D) Amount of Change (+/-) This Mod. *	(E) Adjusted Budget (Sum of C & D)
6960	Subcontracted Services	287,868	200,000	487,868
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
TOTALS:		287,868	200,000	487,868
CONTRACTS & GRANTS PROGRAM REVENUE:				

* On separate page, provide justification on cost type(s) that are affected in Column D. This is a condition for processing the change. The modified budget will be authorized for use until the change is entered into FMIS by CGS/OMB.

PART III. CERTIFICATION:

Program Manager (print): Paulene Thomas, Dept Mgr II Division/Executive Director (print): Arbin Mitchell, Division Director
 Signature/Date: [Signature] 5/13/24 Signature/Date: [Signature]

PART IV. CGS / OMB USE ONLY

Batch # 1403287

Verified & Recommend Approval: [Signature] 5/20/24
 Contract Analyst - Signature / Date

Approval for FMIS Entry: [Signature] 5.20.24
 Contracting Officer - Signature / Date

Copy: Contract files Contract Accounting/OOC FY'24 NN BIM

Cost Code	Type	Description	L P M	DE C U M	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1710		Program Revenue		6 B N	287,868.00-	487,868.00-			487,868.00-		1.00
1710		Program Revenue		6 T	287,868.00-	487,868.00-			487,868.00-		1.00
1705		CG Revenue		5 T	287,868.00-	487,868.00-			487,868.00-		1.00
1700		External C/G Revenue Source		4 T	287,868.00-	487,868.00-			487,868.00-		1.00
1000		Revenues		3 T	287,868.00-	487,868.00-			487,868.00-		1.00
6960		Subcontracted Services		6 B N	287,868.00	487,868.00			487,868.00		1.00
6960		Subcontracted Services		6 T	287,868.00	487,868.00			487,868.00		1.00
6950		Subcontracted Services		5 T	287,868.00	487,868.00			487,868.00		1.00
6500		Contractual Services		4 T	287,868.00	487,868.00			487,868.00		1.00
2000		Expenses		3 T	287,868.00	487,868.00			487,868.00		1.00



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 #: HK0401-2

Date & Time Received: 02/26/24 at 10:14

Date & Time of Response: 3/07/2024 at 17:00

Entity Requesting FRF: Leupp Chapter

Title of Project: Leupp Chapter House Renovation Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$487,868.00 (\$200,000)

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: 2.22, Strong Healthy Communities: Neighborhood Features that Promote Health and Safety

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

- | | |
|--|--|
| <input type="checkbox"/> Missing Form | <input type="checkbox"/> Expenditure Plan incomplete |
| <input type="checkbox"/> Supporting documentation missing | <input type="checkbox"/> Funds will not be obligated by 12/31/2024 |
| <input type="checkbox"/> Project will not be completed by 12/31/2026 | <input type="checkbox"/> Incorrect Signatory |
| <input type="checkbox"/> Ineligible purpose | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports | |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination | |

Other Comments: _____

Name of DOJ Reviewer: Navalyn R. Platero

Signature of DOJ Reviewer: 

Disclaimers:
If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. Please email your resubmission to arpa@nndoj.org. 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 GOVERNANCE-CERTIFIED CHAPTERS

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Leupp Chapter Government Date prepared: 11/30/2022

Chapter's CPO Box 5428
mailing address: Leupp, AZ 86035 phone & email: (928) 686-3227/leupp@navajochapters.org
website (if any): leupp.navajochapters.org

This Form prepared by: Angela Cody phone & email: (928) 686-3227
Leupp Chapter Vice President
CONTACT PERSON'S name and title CONTACT PERSON'S title

Title and type of Project: Leupp Chapter House Renovation Project

Chapter President: VACANT phone & email: VACANT

Chapter Vice-President: Angela Cody phone & email: (928) 326-6919/codyang2005@gmail.com

Chapter Secretary: Rosita Kelly phone & email: 928-225-9081 rkelly@navajo.chapters

Chapter Treasurer: Rosita Kelly phone & email: 928-225-9081

Chapter Manager or CSC: VACANT phone & email: VACANT

DDO/Chapter ASC: Milford Maloney phone & email: 928-283-3342 mmaloney@hndc

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Unknown.

Amount of FRF requested: 987,848.00 FRF funding period: 10/1/22 - 9/30/2025 - 12/31/2026
Include Project starting and ending/expiration date document attached

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Chapter House renovation project is located on the Leupp Chapter compound at Leupp, Arizona. The COVID-19 related needs will be met, as the Leupp community members need to have safe and healthy access to restrooms, showers, meeting rooms, post office, and overall meet the Navajo Nation COVID-19 protocols of social distancing and sanitizing.

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

The Leupp Chapter Government Chapter House Renovation Project would benefit the Navajo Nation; Leupp community, and the Navajo people by providing a safe accessibility to the Leupp Chapter House facilities; such as the restrooms, showers, mailboxes, assembly room, front office window to receive information; pay for services, pick up mail parcels and other chapter resources.

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026: document attached

APPENDIX A

The Leupp Chapter Government Chapter House Renovation Project timeline: Leupp Chapter Resolution 12/1/2022, Navajo Nation and DOJ review submissions Winter 2022, Proposals Spring 2023, Contract Award Summer 2023, Construction Fall 2023-Fall 2024. Challenges would include Navajo Nation review timeline and award.

document attached

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

Leupp Chapter Government will be responsible for implementing the project.

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 Leupp Chapter Government will be responsible for operations and maintenance costs for the project once completed.

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

COVID-19 Aid to Impacted Industries 1.10

Leupp Chapter is seeking funding for the renovation of the existing chapter house. The current chapter house does not meet the safety and health standards that are mandated requirements to mitigate COVID-19. It is lacking a proper and reliable mechanically functioning HVAC system to keep chapter staff, community members and visitors cool and warm during the various seasons. The restrooms and showers are outdated, the equipment needs to be upgraded to meet health sanitation standards. The Leupp Chapter House is an essential building that is used as a command center during state of emergencies, such as the COVID-19 pandemic. The existing building needs to be renovated to better serve the community members per COVID-19 protocols.

document attached

Part 3. Additional documents.

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

Leupp Chapter Resolution
Budget Forms 1-4

Chapter Resolution attached

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: 
Signature of Preparer/CONTACT PERSON

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

Approved by: 
Signature of Chapter Manager or CSC

Approved by: 
Signature of DCO/Chapter ASD

Approved to submit for Review: 
Signature of DCO Director

FY 2023

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: NEW Program Title: LEUPP CHAPTER HOUSE RENOVATION
 Prepared By: Marjorie Sengster Phone No.: (928) 928-3327 Email Address: marjorie.sengster@nncchapters.org
 Division/Branch: DCD/Executive

Fiscal Year Item	Amount	% of Total	PART II. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
1071224	487,888.00	100%	2001 Personnel Expenses				
127012026			3000 Travel Expenses				
			3500 Meeting Expenses				
			4000 Supplies				
			5000 Lease and Rental				
			5500 Communications and Utilities				
			6000 Repairs and Maintenance				
			6500 Contractual Services	6	287,868.	487,868.	200,000
			7000 Special Transactions				
			8000 Public Assistance				
			9000 Capital Outlay				
			9500 Matching Funds				
			9500 Indirect Cost				
TOTAL:	487,888.00	100%	TOTAL		287,868.	487,868.	200,000.

PART IV. PORTIONS AND VEHICLES
 Total # of Positions Budgeted: 0
 Total # of Vehicles Budgeted: 0

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

SUBMITTED BY: Marjorie Sengster Program Manager's Printed Name
 APPROVED BY: Dr. Paul Yellouman, Director Division Director / Branch Chief's Printed Name
 Date: 11/30/22 Date: 12.19.20
 Signature: [Signature] Signature: [Signature]

FY 2023

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

Page 2 of 4
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW Program Name/Title: LEUPP CHAPTER HOUSE RENOVATION

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

To complete Chapter House Renovation on chapter house.

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: To create a safer and healthier Chapter House. Program Performance Measure/Objective: Hire a subcontractor							1	
2. Goal Statement: Program Performance Measure/Objective:								
3. Goal Statement: Program Performance Measure/Objective:								
4. Goal Statement: Program Performance Measure/Objective:								
5. Goal Statement: Program Performance Measure/Objective:								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Margie Seabster
Program Manager's Printed Name
[Signature]
Program Manager's Signature and Date

Dr. Paul Vellman
Division Director/Program Chief's Printed Name
[Signature]
Division Director/Program Chief's Signature and Date

FY 2020

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

Page 3 of 4
BUDGET FORM 4

PART I. PROGRAM INFORMATION: Program Name/Title: <u>LEUPP CHAPTER HOUSE RENOVATION</u>		Budgetary Unit No.: <u>NEW</u>
PART II. DETAILED BUDGET:		
(A)	(B)	(C)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)
6500	1500 CONTRACTUAL SERVICES Leupp Chapter House Renovation	207,860
6760 6850	6880 - Subcontracted Services	
TOTAL		207,860
		207,860

THE NAVAJO NATION PROJECT BUDGET SCHEDULE

PART I Business Unit No <u>NEW</u>		PART II Project Information																	
Project Title: <u>Leupp Chapter House Renovation</u>		Project Type: <u>Chapter Renovation</u>																	
Project Description: <u>Maho the chapter a safer place for the community to meet.</u>		Planned Start Date: <u>10/1/22</u>																	
Check one box		Planned End Date: <u>12/31/24</u>																	
		Project Manager: <u>Angele Cody</u>																	
PART III Use Fiscal Year (FY) Quarters to complete the information below. O = Oct; N = Nov; D = Dec, etc.																			
List Project Task separately: such as Plan, Design, Construct, Equip or Furnish.	FY 2023				FY 2025				Expected Completion Date if project exceeds 8 FY Qtrs.										
	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.		Date									
Hire Subcontractor	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	12/31/24
	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
PART V Expected Quarterly Expenditures																PROJECT TOTAL			
\$ 487,866.																\$ 487,866.			

FOR OMB USE ONLY: Resolution No: _____ FMS Set Up Date: _____ Company No: _____ OMB Analyst: _____

Dr. Buu Nygren
 Navajo Nation President
 Michelle Montoya
 Navajo Nation Vice-President
 Casey A. Johnson
 Council Delegate (Birdsprings, Cameron,
 Coalmine, Leupp, and Tolani Lake)



Vacant
 Leupp Chapter President
 Angela Horcherder-Cody
 Leupp Chapter Vice-President
 Rosita Kelly
 Leupp Chapter Secretary/Treasurer
 Kenny Welch
 Leupp Chapter Grazing Officer

Telephone: (928) 686-3227
 January 24, 2024

LEUPP CHAPTER
 CPO Box 5013 Leupp, AZ 86035

Facsimile: (928) 686 3232

Honorable Casey A. Johnson, Navajo Nation Council
 25th Navajo Nation Council

Dear Honorable Johnson,

Leupp Chapter is requesting to modify their initial Chapter projects which would be funded with ARAPA funds. Specifically, Business Unit #K2115165 in the amount of \$1,156,600.00.

We would like to make the following changes from K2115165, balance of \$1,156,600.00

Account # & Description	Amount	New Balances
K2115165 Eliminate Motor Grader	\$495,300	\$661,300
K2115165 Eliminate Gooseneck Trailer	\$ 25,000	\$636,300
K2115395 Eliminate PPE Supplies	\$ 50,000	\$ -0-
	\$570,000	

Reappropriate funding to our Senior Center project and the Chapter renovation project. Gooseneck Trailer was purchased and delivered under different appropriation and grade we don't need at the current moment due to compliance and no funding for O&M.

Account # & Description	Amount	New Balances
K2115168 Add to Chapter Renovation	\$200,000	\$487,868
<u>K2115167 Add to Senior Center Renovation</u>	<u>\$370,000</u>	\$451,000
	\$570,000	<i>Increase</i>

For Senior Center; \$170,000 plumbing & \$200,000 will be for building next to Senior Center (Post Office). Chapter addition is to add the natural gasline hookups. Please contact me directly if you should have any questions regarding this request. (928) 326-6919. Email: acody@naataanii.org.

Sincerely,

Angela Cody

Angela Cody, Vice President
 Leupp Chapter

xc: file



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

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

RFS/HK Review #: HK0401

Date & Time Received: 1/10/23 at 15:25

Date & Time of Response: 18 January 2023; 1:38 pm

Entity Requesting FRF: Leupp Chapter

Title of Project: Leupp Chapter House Renovation Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$287,868

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:

2.22, Strong Healthy Communities: Neighborhood Features that Promote Health and Safety

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: Please note that BFS-31-21 and CJN-29-22 must be followed if the Chapter wishes to make changes to Navajo Nation Council-approved project listings, including but not limited to scope of work, price, and project type. The requirements of BFS-31-21 and CJN-29-22 take precedence over the Leupp Chapter's resolution, which states that the project listing is "not in any way, shape, or form [sic] exclusive . . . and there can be no guarantee that any projected outcomes will be achieved" and that the "Leupp Chapter ARPA Budget and Expenditure Plan will be used as a guide and . . . are subject to change without notice." Leupp Chapter Resolution LP-12-009-2023, Paragraph 16.

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: Adjua Adjei-Danso

Digitally signed by Adjua Adjei-Danso
Date: 2023.01.16 13:49:14 -0700

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.

NAVAJO NATION

337

Naa'bik'iyati' Committee Regular Meeting

3/28/2024
11:30:54 AM

Amd# to Amd#	New Business: CONSENT AGENDA	PASSED
MOT Yazzie, C	#0055-24,0063-24,0068-24,	
SEC Arviso, S	0046-24,0059-24	

Yeas : 14

Nays : 0

Excused : 7

Not Voting : 2

Yea : 14

Arviso, S	Daniels, H	Notah, N	Simpson, D
Begay, N	Jesus, B	Parrish, S	Slater, C
Claw, S	Johnson, C	Simonson, G	Yazzie, C
Crotty, A	Nez, R		

Nay : 0

Excused : 7

Begay, H	James, V	Toth, G	Yanito, C
Charles-Newton, E	Nez, A	Tso, O	

Not Voting : 2

Yazzie, L	Aseret, L
-----------	-----------

Presiding Speaker: Curley, C

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'iyáti' Committee.
- K. The Hon. Casey Allen Johnson has requested to amend CAP-08-23 to change the project's name for the Tolani Lake Chapter Dump Truck and Trailer Purchase (originally under NNDOJ Review No. HK0369) to Tolani Lake Chapter Heavy Duty Work Truck and Flatbed Trailer (now under NNDOJ Review No. HK0369-2) from his Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$135,468.00 and will remain the same amount appropriated for this project. The change to the project's name will not adjust the project's funding amount in Hon. Casey Allen Johnson's Delegate Region Project Plan.
- L. The Hon. Casey Allen Johnson has requested to amend CAP-08-23 to decrease the project's funding amount for the Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase (under NNDOJ Review No. HK398) by \$520,300.00 from his Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$1,156,600.00 for this project. The decrease of the project's funding amount will adjust the project's funding amount to \$636,300.00 and will revert \$520,300.00 back to Hon. Casey Allen Johnson's Delegate Region Project Plan's Un-Allocated Amount.
- M. The Hon. Casey Allen Johnson has requested to amend CAU-71-23 to remove the Leupp Chapter Purchase of PPE Project (under NNDOJ Review No. HK0523) from his Delegate Region Projects Plan enacted under CAU-71-23, which originally appropriated \$50,000.00 for this project. The removal of this project will revert \$50,000.00 back to Hon. Casey Allen Johnson's Delegate Region Project Plan's Un-Allocated Amount.
- N. The Hon. Casey Allen Johnson has requested to amend CAP-08-23 to increase the project's funding amount for the Leupp Chapter Senior Center Renovation Project (originally under NNDOJ Review No. HK0400) by \$370,000.00 to his Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$81,000.00 for this project. A revised Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ Review No. HK400-2) increased the project's funding amount and adjusted the project's funding amount to \$451,000.00.
- O. The Hon. Casey Allen Johnson has requested to amend CAP-08-23 to increase the project's funding amount for the Leupp Chapter

No Docs

House Renovation Project (originally under NNDOJ Review No. HK0401) by \$200,000.00 to his Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$287,868.00 for this project. A revised Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ Review No. HK0401-2) increased the project's funding amount and adjusted the project's funding amount to \$487,868.00.

- P. All projects listed in the Hon. Casey Allen Johnson's Delegate Region Projects Plan, attached as Exhibit CC, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Casey Allen Johnson's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- Q. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Casey Allen Johnson'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. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) as set forth in Exhibit CC.

SECTION THREE. AMENDING NABID-59-23 AND CAU-71-23 AND CAP-08-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE)

- A. The Navajo Nation hereby approves the change of the project's name for the *Tolani Lake Chapter Dump Truck and Trailer Purchase* (originally under NNDOJ Review No. HK0369) to *Tolani Lake Chapter Heavy Duty Work Truck and Flatbed Trailer* (now under NNDOJ Review No. HK0369-2) in Hon. Casey Allen Johnson's Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$135,468.00 and will remain the same appropriated amount for this project and the change is identified in Exhibit CC. The change to the project's name will not adjust the project's funding amount in Hon. Casey Allen Johnson's Delegate Region Project Plan.
- B. The Navajo Nation hereby approves the decrease to the project's funding amount for the *Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase* (under NNDOJ Review No. HK398) by \$520,300.00 in Hon. Casey Allen Johnson's Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated

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

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABID-59-23 AND CAU-71-23 AND CAP-08-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE)

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. CAP-08-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) 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 AA (without project exhibits).
- D. Navajo Nation Council Resolution No. CAU-71-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) 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 BB (without project exhibits).
- E. 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.

- F. Naabik'íyáti' Committee Resolution No. NABID-59-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) 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.

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. CAP-08-23, 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 CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE), was signed into law by the President of the Navajo Nation on May 5, 2023. Exhibit AA.
- D. CAP-08-23, 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-71-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CAP-08-23 AND THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY

ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE), was signed into law by the President of the Navajo Nation on August 30, 2023. Exhibit BB.

- F. CAU-71-23, 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).
- G. 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.
- H. 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'iyáti' Committee members in attendance. . . . See CJN-29-22, as amended by CAU-74-23, Section Three (B).
- I. The Naabik'iyáti' Committee Resolution No. NABID-59-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CAU-71-23 AND CAP-08-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE), TO REMOVE A PROJECT AND INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGTE REGION, was signed into law by the Chairperson of the Naabik'iyáti' Committee on January 4, 2024.
- J. NABID-59-23, 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'iyáti' Committee.
- K. The Hon. Casey Allen Johnson has requested to amend CAP-08-23 to change the project's name for the *Tolani Lake Chapter Dump Truck and Trailer Purchase* (originally under NNDOJ Review No. HK0369) to *Tolani Lake Chapter Heavy Duty Work Truck and Flatbed Trailer* (now under NNDOJ Review No. HK0369-2) from his Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$135,468.00 and will remain the same amount appropriated for this project. The change to the project's name will not adjust the project's funding amount in Hon. Casey Allen Johnson's Delegate Region Project Plan.
- L. The Hon. Casey Allen Johnson has requested to amend CAP-08-23 to decrease the project's funding amount for the *Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase* (under NNDOJ Review No. HK398) by \$520,300.00 from his Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$1,156,600.00 for this project. The decrease of the project's funding amount will adjust the project's funding amount to \$636,300.00 and will revert \$520,300.00 back to Hon. Casey Allen Johnson's Delegate Region Project Plan's Un-Allocated Amount.
- M. The Hon. Casey Allen Johnson has requested to amend CAU-71-23 to remove the *Leupp Chapter Purchase of PPE Project* (under NNDOJ Review No. HK0523) from his Delegate Region Projects Plan enacted under CAU-71-23, which originally appropriated \$50,000.00 for this project. The removal of this project will revert \$50,000.00 back to Hon. Casey Allen Johnson's Delegate Region Project Plan's Un-Allocated Amount.
- N. The Hon. Casey Allen Johnson has requested to amend CAP-08-23 to increase the project's funding amount for the *Leupp Chapter Senior Center Renovation Project* (originally under NNDOJ Review No. HK0400) by \$370,000.00 to his Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$81,000.00 for this project. A revised Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ Review No. HK400-2) increased the project's funding amount and adjusted the project's funding amount to \$451,000.00.
- O. The Hon. Casey Allen Johnson has requested to amend CAP-08-23 to increase the project's funding amount for the *Leupp Chapter*

House Renovation Project (originally under NNDOJ Review No. HK0401) by \$200,000.00 to his Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$287,868.00 for this project. A revised Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ Review No. HK0401-2) increased the project's funding amount and adjusted the project's funding amount to \$487,868.00.

- P. All projects listed in the Hon. Casey Allen Johnson's Delegate Region Projects Plan, attached as Exhibit CC, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Casey Allen Johnson's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- Q. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Casey Allen Johnson'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. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) as set forth in Exhibit CC.

SECTION THREE. AMENDING NABID-59-23 AND CAU-71-23 AND CAP-08-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE)

- A. The Navajo Nation hereby approves the change of the project's name for the *Tolani Lake Chapter Dump Truck and Trailer Purchase* (originally under NNDOJ Review No. HK0369) to *Tolani Lake Chapter Heavy Duty Work Truck and Flatbed Trailer* (now under NNDOJ Review No. HK0369-2) in Hon. Casey Allen Johnson's Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$135,468.00 and will remain the same appropriated amount for this project and the change is identified in Exhibit CC. The change to the project's name will not adjust the project's funding amount in Hon. Casey Allen Johnson's Delegate Region Project Plan.
- B. The Navajo Nation hereby approves the decrease to the project's funding amount for the *Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase* (under NNDOJ Review No. HK398) by \$520,300.00 in Hon. Casey Allen Johnson's Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated

\$1,156,600.00 for this project and this decrease is identified in Exhibit CC. The decrease of the project's funding amount will adjust the project's funding amount to \$636,300.00 and will revert \$520,300.00 back to Hon. Casey Allen Johnson's Delegate Region Project Plan's Un-Allocated Amount.

- C. The Navajo Nation hereby approves the removal the *Leupp Chapter Purchase of PPE Project* (under NNDOJ Review No. HK0523) in Hon. Casey Allen Johnson's Delegate Region Projects Plan enacted under CAU-71-23, which appropriated \$50,000.00 for this project and is stricken in Exhibit CC. The removal of this project will revert \$50,000.00 back to Hon. Casey Allen Johnson's Delegate Region Project Plan's Un-Allocated Amount.
- D. The Navajo Nation hereby approves the increase to the project's funding amount for the *Leupp Chapter Senior Center Renovation Project* (originally under NNDOJ Review No. HK0400) by \$370,000.00 in Hon. Casey Allen Johnson's Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$81,000.00 for this project and this increase is identified in Exhibit CC. A revised Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ Review No. HK0400-2) increased the project's funding amount and adjusted the project's funding amount to \$451,000.00.
- E. The Navajo Nation hereby approves the increase to the project's funding amount for the *Leupp Chapter House Renovation Project* (originally under NNDOJ Review No. HK0401) by \$200,000.00 in Hon. Casey Allen Johnson's Delegate Region Projects Plan enacted under CAP-08-23, which originally appropriated \$287,868.00 for this project and this increase is identified in Exhibit CC. A revised Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ Review No. HK0401-2) increased the project's funding amount and adjusted the project's funding amount to \$487,868.00.
- F. The Navajo Nation hereby approves the projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) as set forth in Exhibit CC.
- G. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- H. 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'iyáti' Committee.

SECTION FIVE. EFFECTIVE DATE

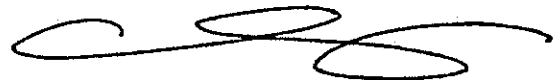
This legislation shall be effective upon its approval pursuant to two-thirds (2/3) vote of the Naabik'iyáti' Committee members in attendance.

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 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 14 in Favor, and 00 Opposed, on this 28th day of March 2024.



Honorable Crystalyne Curley, Chairwoman
Naabik'iyáti' Committee

4/2/2024

Date

Motion: Honorable Cherilyn Yazzie
Second: Honorable Steven R. Arviso

Chairwoman Crystalyne Curley not voting

Exhibit AA



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

May 4, 2023

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

RE: CAP-08-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake)

Dear Speaker Curley,


I am pleased to sign into law this resolution CAP-08-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Johnson's Delegate Region in the amount of \$8,252,337.

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
25th 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 CASEY ALLEN JOHNSON'S DELEGATE REGION
(CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI
LAKE)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
 2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
 3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
 5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. All projects listed in the Hon. Casey Allen Johnson's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Casey

Allen Johnson'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. Casey Allen Johnson's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) as set forth in Exhibit A.

SECTION THREE. APPROVAL OF HON. CASEY ALLEN JOHNSON'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) 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).

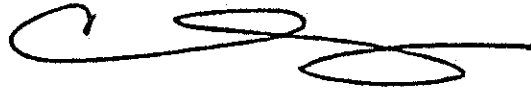
SECTION SIX. SAVING CLAUSE

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 21 in Favor, and 00 Opposed, on this 18th day of April 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

4/27/23

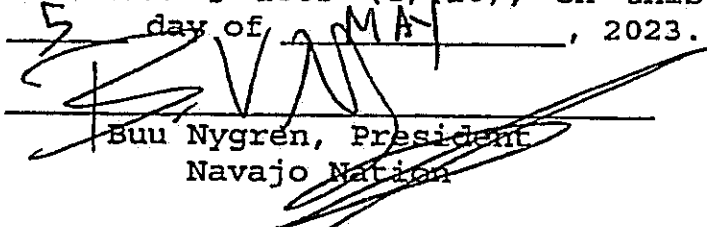
DATE

Motion: Honorable Helena Nez Begay
Second: Honorable Shaandiin Parrish

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this 5 day of MAY, 2023.



Buu Nygren, President
Navajo Nation

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

Buu Nygren, President
Navajo Nation

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

Buu Nygren, President
Navajo Nation

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Casey Allen Johnson

CHAPTERS: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Cameron Chapter South Tappan Powerline Extension Project	Division of Community Development	2.18	HK0337	\$ 1,760,468.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Warehouse Upgrade	Division of Community Development	6.1	HK0364	\$ 190,000.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Dome Repair and Modification	Division of Community Development	1.4	HK0365	\$ 291,961.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Home Renovation for Community Members	Division of Community Development	2.18	HK0366-2	\$ 1,278,504.00
Division of Community Development	None Identified	Tolani Lake Chapter House Wiring Project	Division of Community Development	2.18	HK0367	\$ 70,000.00
Division of Community Development	None Identified	Tolani Lake Chapter 1.5 PPE (Storage) Warehouse	Division of Community Development	6.1	HK0368	\$ 1,055,000.00
Division of Community Development	None Identified	Tolani Lake Chapter Dump Truck and Trailer Purchase	Division of Community Development	6.1	HK0369	\$ 135,468.00
Division of Community Development	None Identified	Coalmine Chapter Warehouse Project	Division of Community Development	6.1	HK0387	\$ 450,000.00
Division of Community Development	None Identified	Coalmine Chapter Septic Sewage Tank Clean-Outs	Division of Community Development	5.5	HK0388	\$ 50,000.00
Division of Community Development	None Identified	Coalmine Chapter Bathroom Additions	Division of Community Development	1.14	HK0389	\$ 1,260,468.00
					TOTAL:	\$ 6,541,869.00

*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 FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Casey Allen Johnson

CHAPTERS: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 6,541,869.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase	Division of Community Development	6.1	HK0398	\$ 1,156,600.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Warehouse	Division of Community Development	1.14	HK0399	\$ 185,000.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Senior Center Renovation	Division of Community Development	2.22	HK0400	\$ 81,000.00
Division of Community Development	*Leupp Chapter	Leupp Chapter House Renovation Project	Division of Community Development	2.22	HK0401	\$ 287,868.00
		UN-ALLOCATED AMOUNT				\$ 550,003.00
		TOTAL:				\$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

Exhibit BB



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

August 30, 2023

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

RE: CAU-71-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CAP-08-23, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake), to Include Additional Projects for this Delegate Region

Dear Speaker Curley,

I am pleased to sign into law Resolution CAU-71-23 approving the amendments to the Fiscal Recovery Funds Delegate Regional Plan for Honorable Casey Allen Johnson's Delegate Region for a total of \$8,302,337.00 out of a potential allocated amount of \$8,802,340.00.

My Administration supports the plans of these Chapters we have worked very hard to put together their Regional Plans and are working 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 we will work together to overcome it. As you know, my Administration has been working to put in place quicker and more flexible Navajo Nation systems. I look forward to working with you and the entire Council to improve Navajo Nation systems so that we are supporting our communities and taking advantage of this historic funding.

I do want us to be cognizant that the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This date 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 a proposed timeline.

Now let's get to work!

Sincerely,


Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;
 AMENDING CAP-08-23 AND THE NAVAJO NATION FISCAL RECOVERY FUND
 DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S
 DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS,
 LEUPP, TOLANI LAKE)

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).
- D. Navajo Nation Council Resolution No. CAP-08-23, attached as Exhibit 1 (without project exhibits), mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS;

HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.

- B. CJN-29-22, Section Three, states, in part and among other things, that
1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
 2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
 3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand

three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).

5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. The Navajo Nation Council Resolution No. CAP-08-23, 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 CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE), was signed into law by the President of the Navajo Nation on May 5, 2023. Exhibit 1.
 - D. CAP-08-23, 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 Hon. Casey Allen Johnson has requested to amend CAP-08-23 to delete the *Tolani Lake Chapter House Wiring Project* (under NNDOJ Review No. HK0367) from the Delegate Region Projects Plan covering the Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters. The removal of this project will revert \$70,000.00 back to Hon. Casey Allen Johnson's Delegate Region's Project Plan's Un-Allocated Amount.
 - F. In addition to the removal of the *Tolani Lake Chapter House Wiring Project*, Hon. Casey Allen Johnson has requested that additional projects be added to the Delegate Region Projects Plan covering the Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters originally approved by CAP-08-23. The additional projects, which have all been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the deleted project, are set forth in Exhibit 2. After the deletion and addition of projects, the Hon. Casey Allen Johnson's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
 - G. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Casey Allen Johnson's Delegate Region Chapters and communities to approve and adopt the removal of one-project and add additional projects as part of the Navajo Nation Fiscal Recovery Fund

Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) as set forth in Exhibit 2.

SECTION THREE. AMENDING CAP-08-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE CASEY ALLEN JOHNSON'S DELEGATE REGION (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI LAKE)

- A. The Navajo Nation hereby approves the removal of one-project (the *Tolani Lake Chapter House Wiring Project* under NNDOJ Review No. HK0367) listed in CAP-08-23 for Hon. Casey Allen Johnson's Delegate Region Projects Plan as stricken in Exhibit 2. The removal of these projects from Hon. Casey Allen Johnson's Delegate Projects Plan will revert \$70,000.00 back to his Delegate Region's Project Plan's Un-Allocated Amount.
- B. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) set forth in Exhibit 2.
- C. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- D. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

SECTION FOUR. AMENDMENTS

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

SECTION FIVE. EFFECTIVE DATE

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

SECTION SIX. SAVING CLAUSE

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

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 16 in Favor, and 00 Opposed, on this 25th day of August 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

8/28/23

DATE


Motion: Honorable Seth Damon

Second: Honorable Shaandiin Parrish

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 30 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



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

May 4, 2023

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



RE: CAP-08-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake)

Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-08-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Johnson's Delegate Region in the amount of \$8,252,337.

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
 25th 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 CASEY ALLEN JOHNSON'S DELEGATE REGION
 (CHAPTERS: CAMERON, COALMINE CANYON, BIRDSPRINGS, LEUPP, TOLANI
 LAKE)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.
- B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation See CJN-29-22, Section Three (B).
 2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
 3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
 4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).
 5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. All projects listed in the Hon. Casey Allen Johnson's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Casey

Allen Johnson'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. Casey Allen Johnson's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) as set forth in Exhibit A.

SECTION THREE. APPROVAL OF HON. CASEY ALLEN JOHNSON'S DELEGATE REGION PROJECT PLAN

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Casey Allen Johnson's Delegate Region (Chapters: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake) 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).

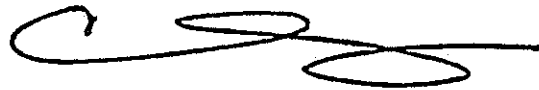
SECTION SIX. SAVING CLAUSE

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 21 in Favor, and 00 Opposed, on this 18th day of April 2023.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

4/27/23

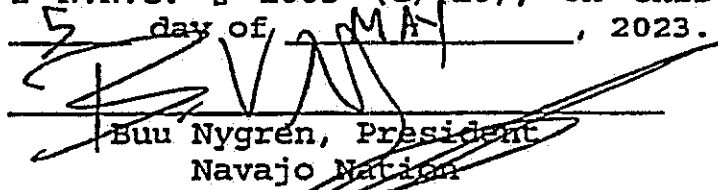
DATE

Motion: Honorable Helena Nez Begay
Second: Honorable Shaandiin Parrish

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this 5 day of MAY, 2023.



Buu Nygren, President
Navajo Nation

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

Buu Nygren, President
Navajo Nation

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

Buu Nygren, President
Navajo Nation

EXHIBIT

A

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Casey Allen Johnson

CHAPTERS: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Cameron Chapter South Tappan Powerline Extension Project	Division of Community Development	2.18	HK0337	\$ 1,760,468.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Warehouse Upgrade	Division of Community Development	6.1	HK0364	\$ 190,000.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Dome Repair and Modification	Division of Community Development	1.4	HK0365	\$ 291,961.00
Division of Community Development	*Birdsprings Chapter	Birdsprings Chapter Home Renovation for Community Members	Division of Community Development	2.18	HK0366-2	\$ 1,278,504.00
Division of Community Development	None Identified	Tolani Lake Chapter House Wiring Project	Division of Community Development	2.18	HK0367	\$ 70,000.00
Division of Community Development	None Identified	Tolani Lake Chapter 1.5 PPE (Storage) Warehouse	Division of Community Development	6.1	HK0368	\$ 1,055,000.00
Division of Community Development	None Identified	Tolani Lake Chapter Dump Truck and Trailer Purchase	Division of Community Development	6.1	HK0369	\$ 135,468.00
Division of Community Development	None Identified	Coalmine Chapter Warehouse Project	Division of Community Development	6.1	HK0387	\$ 450,000.00
Division of Community Development	None Identified	Coalmine Chapter Septic Sewage Tank Clean-Outs	Division of Community Development	5.5	HK0388	\$ 50,000.00
Division of Community Development	None Identified	Coalmine Chapter Bathroom Additions	Division of Community Development	1.14	HK0389	\$ 1,260,468.00
					TOTAL:	\$ 6,541,869.00

*Per C-JN-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 FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Casey Allen Johnson

CHAPTERS: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 6,541,869.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase	Division of Community Development	6.1	HK0398	\$ 1,156,600.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Warehouse	Division of Community Development	1.14	HK0399	\$ 185,000.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Senior Center Renovation	Division of Community Development	2.22	HK0400	\$ 81,000.00
Division of Community Development	*Leupp Chapter	Leupp Chapter House Renovation Project	Division of Community Development	2.22	HK0401	\$ 287,868.00
		UN-ALLOCATED AMOUNT				\$ 550,003.00
					TOTAL:	\$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans.

Exhibit 2

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Delegate Casey Allen Johnson

Exhibit 2

CHAPTERS: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CAP-08-23 on May 5, 2023				\$ 8,252,337.00
Division-of-Community Development	None-Identified	Tolani Lake Chapter House-Wiring Project	Division-of-Community Development	2-18	HK0367	-\$ 70,000.00
Division of Community Development	*Leupp Chapter	Leupp Chapter Purchase of PPE Project	Division of Community Development	1.14	HK0523	\$ 50,000.00
Division of Community Development	None Identified	Tolani Lake Chapter Multipurpose Building's Upgrade to Electrical and HVAC Project	Division of Community Development	1.4	HK0598	\$ 70,000.00
		UN-ALLOCATED AMOUNT				\$ 500,003.00
					TOTAL:	\$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

Exhibit CC

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN



COUNCIL DELEGATE: Hon. Casey Allen Johnson

CHAPTERS: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CAP-08-23 on May 5, 2023				\$ 8,252,337.00
		TOTAL AMOUNT REVERTED in CAU-71-23 on August 30, 2023				-\$ 70,000.00
		TOTAL AMOUNT APPROPRIATED in CAU-71-23 on August 30, 2023				\$ 120,000.00
		TOTAL AMOUNT REVERTED in NABID-59-23 on January 4, 2024				-\$ 1,260,468.00
		TOTAL AMOUNT APPROPRIATED in NABID-59-23 on January 4, 2024				\$ 500,000.00
Division of Community Development	None Identified	(NAME-CHANGE of PROJECT in HK0369 from CAP-08-23) Tolani Lake Chapter Heavy Duty Work Truck & Flatbed Trailer	Division of Community Development	6.1	HK0369-2	\$ 0.00
Division of Community Development	*Leupp Chapter	(DECREASE in CAP-08-23) Leupp Chapter Heavy Equipment and Fleet Vehicle Purchase	Division of Community Development	6.1	HK0398	-\$ 520,300.00
Division-of-Community Development	*Leupp-Chapter	(REMOVE from CAU-71-23) Leupp Chapter-Purchase-of-PPE-Project	Division-of-Community Development	4-14	HK0523	-\$ 50,000.00
Division of Community Development	*Leupp Chapter	(INCREASE of HK0400 from CAP-08-23) Leupp Chapter Senior Center Renovation Project	Division of Community Development	2.22	HK0400-2	\$ 370,000.00
Division of Community Development	*Leupp Chapter	(INCREASE of HK0401 from CAP-08-23) Leupp Chapter House Renovation Project	Division of Community Development	2.22	HK0401-2	\$ 200,000.00
					TOTAL:	\$ 7,541,569.00

*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 FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

EXHIBIT
CC

COUNCIL DELEGATE: Hon. Casey Allen Johnson

CHAPTERS: Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 7,541,569.00
		UN-ALLOCATED AMOUNT				\$ 1,260,771.00
					TOTAL:	\$ 8,802,340.00

*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."