




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

Date: November 21, 2024

To: Dominic Beyal, Executive Director
 Office of Management & Budget

Cordell Shortey, Contracting Officer
 Contracts and Grants Section
 Office of Management & Budget



From: 
 Jason John, Department Manager III
 Department of Water Resources

Re: Department of Water Resources Fiscal Recovery Fund

The Department of Water Resources decreases Fiscal Recovery Fund amounts allocated through two Navajo Nation resolutions as listed in Table 1.

Table 1

No.	Description	Resolution	Category	Business Unit	Amount
1	Water Resources	CJY-41-21	5.11	K211543	\$ 567,801.81
2	Water Resources	CJY-41-21	5.13	K211542	\$ 3,943,774.54
3	Water Resources	CJY-41-21	5.15	K2115548	\$ 480,000.00
4	Water Resources	CJN-29-22	5.2	K211552	\$ 6,008,874.00
5	Water Resources	CJN-29-22	5.11	K211561	\$ 5,628,973.62
6	Water Resources	CJN-29-22	5.13	K211566	\$ 1,650,000.00
7	Water Resources	CJN-29-22	5.14	K211562	\$ 95,029.15
				Total	\$ 18,374,453.12

If you have questions, please contact Jason John, Director, Department of Water Resources, at jasonjohn@navajo-nsn.gov, or (928) 349-1198.


 11/22/24



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*

Yideeskáądi Nitsáhákees | *Think for the Future*

October 31, 2024

Honorable Crystalyne Curley, Speaker
Office of the Speaker
Navajo Nation Council
P.O. Box 3390
Window Rock, AZ 86515

RE: CO-41-24, An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending Navajo Nation Council Resolution No. CJN-29-22 Section 11 Approval of the Bathroom Additions Expenditure Plan to include Renovations of Existing Bathrooms; Waiving Navajo Nation Council approval and authorizing Administrative Approval of Amendments to the Navajo Nation Fiscal Recovery Fund Bathroom Additions Expenditure Plan; Reallocating Fiscal Recovery Funds approved in CJN-29-22.

Dear Honorable Members of the 25th Navajo Nation Council:

I am pleased to sign this legislation into law to expand the Navajo Nation Fiscal Recovery Funds (NNFRF) Bathroom Additions Expenditure Plan to include additional funding for bathroom additions, as well as for bathroom renovations.

I know from personal experience how important it is to renovate bathrooms – especially for our elderly. Those who already have existing bathrooms within their homes can now benefit from renovations to make their current restrooms ADA accessible and / or to repair or replace existing structures or fixtures as necessary to make the existing bathroom safe, sanitary, and compliant with industry standards.

Through this legislation, additional FRF in the amount of \$50,177,055.00 are being added to the Expenditure Plan. I support adding these FRF for bathroom additions and renovation as this FRF are being reallocated from projects because the funds could not be obligated by the end of this year. The total amount of FRF for the Expenditure Plan is now \$100,177,055.00. These additional funds will allow more Navajo people to receive much need bathrooms and renovations. The Division of Community Development has spent over sixty percent of its current allocation of NNFRF and is turning away individuals in certain regions due to lack of funding. These additional funds will allow DCD to serve more people.

The existing NNFRF Bathroom Addition Expenditure Plan will need to be updated to include renovations and the additional dollars, and the updated Plan will need my approval I am directing the Division of Community Development, the Navajo Nation Fiscal Recovery Office, and the Department of Justice to submit the revised plan to me by December 6, 2024.

Sincerely,



Dr. Buu Nygren, *President*
THE NAVAJO NATION

one of the one hundred twenty-five (125) "Expenditure Categories" set forth in Appendix 1 to the U.S. Department of Treasury's Compliance and Reporting Guidance for State and Local Fiscal Recovery Funds which is incorporated herein by reference.

- C. The Navajo Nation's current Navajo Nation Fiscal Recovery Funds ("NNFRF") expenditure authorization and approval process for the allocation of funds from the NNFRF as set forth in Navajo Nation Council Resolutions Nos. CJN-29-22, **Exhibit 1**, (exhibits not included) and CJY-41-21, attached as **Exhibit 2** (exhibits not included), mandates that NNFRF Expenditure Plans be adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approved 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). CJN-29-22, Section One (B) and Section Seventeen.
- D. The NNFRF Bathroom Additions Expenditure Plan approved by CJN-29-22, attached herein as **Exhibit 3**, only authorizes new Bathroom Addition projects, including building new ADA compliant bathrooms, connecting the home to electricity, providing the home with drinking water through a water cistern or connection to a waterline, providing the home with a septic tank or connecting to a sewer system. The approved expenditure plan also includes a water heater, wall heater, toilet, bathroom sink, and utility sink for the bathroom addition." "The approved CJN-29-22 Section 11 Bathroom Addition Expenditure Plan did not include renovation of existing bathrooms, which has restricted the extent of otherwise FRF-eligible bathroom renovation projects."
- E. The expansion of the NNFRF Bathroom Additions Expenditure Plan to include Expenditure Category 5.5 and shall authorize the use of Section 11 NNFRF funding for bathroom additions, as well as for bathroom renovations. This amendment expanding the Section 11 expenditure plan to include bathroom renovations is in the best interest of the Nation. It will address the needs of several Navajo Nation Chapters and Delegate Regions in which fewer residents need new bathroom additions but many residents could benefit from renovations to their existing bathrooms to make them ADA accessible and/or to repair or replace existing structures or fixtures as necessary to make the existing bathroom safe, sanitary, and compliant with industry standards.

Division of Community Development for bathroom additions and renovations.

2. Fiscal Recovery Fund allocation of \$14,437,686 from the Department of Water Resources in Resolution CJN-29-22, Section 7(B), to the Department of Community Development, for bathroom additions and renovations in Resolution CJN-29-22, Section 11.
3. Fiscal Recovery Fund allocation of \$30,747,794 from the Division of Community Development for home electrical connections in Resolution CJN-29-22, Section 9(B)(1), to the Department of Community Development, for bathroom additions and renovations in Resolution CJN-29-22, Section 11.

B. The reallocated amount from Resolution CJN-29-22 totals \$50,177,055.

SECTION SIX. SAVING CLAUSE

Should any provision(s) of this Action be determined invalid by the Navajo Nation Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, the remainder of the Action shall remain the law of the Navajo Nation.

SECTION SEVEN. EFFECTIVE DATE

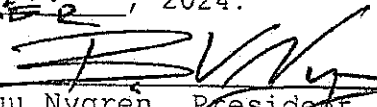
The provisions of this Action shall become effective upon adoption by a two-thirds (2/3) vote of all members of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

SECTION EIGHT. DIRECTIVES

- A. The Division of Community Development, Navajo Nation Fiscal Recovery Office, and Department of Justice shall work collaboratively with the local chapters to revise the NNFRE Bathroom Addition Expenditure Plan, CJN-29-22 Exhibits M and M-1, to add Other Sewer Infrastructure (Expenditure Category 5.5) Bathroom Renovation projects and expeditiously submit the revised Bathroom Addition and Bathroom Renovation Expenditure Plan to the Office of President and Vice-President for President approval.

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 31 day of ~~October~~ November, 2024.



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 _____, 2024 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 _____, 2024.

Buu Nygren, President
Navajo Nation



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

November 26, 2024

TRANSMITTAL

TO : Jason John, Department Manager
 Department of Water Resources (DWR)/DNR

FROM : *Cordell Shortey* 11/26/24
 Cordell Shortey, Contracting Officer
 Contracts & Grants Section (CGS) / OMB

SUBJECT : DWR-Water Transmission & Distribution; Fiscal Recovery Funds (FRF) - Defunded CARES Act

I. Information on Contract (per Original Award):

Department of Water Resources		U.S. Treasury American Recovery Plan Act (ARPA)		21.019
Title of Contract		Funding Agency		CFDA No. - Federal
<u>CJY-41-21</u>	<u>\$ 31,556,346.22</u>	<u>2022</u>	<u>03/11/2021 to 12/31/2026</u>	
Grant No.	Amount	Fiscal Year	Term - Begin and End Date	

II. Data Entered in FMIS Regarding:

- New Contract or Grant Company No. 8059 Business Unit (K#) K211543
- Contract Mod No. _____ Internal Modification No. 1
- Amt of Budget Decrease \$567,801.81 \$31,556,346.22 to \$30,988,544.41
- AMOUNT FROM TO
- Budget Period - Extend End Date: From _____ To _____
- Other, specify: _____

Authorizing Document - Attached:

- Contract / Agreement - Date execute: _____
- NNC / Committee Resolution - No. & Date _____
- Other, specify: NN Council Resolution CO-41-24

III. Comments by CGS:

This is 2nd Transmittal on \$31,556,346.22 ARPA funds allocated to DWR. Budget is decreased by \$567,801.81 per Resolution CO-41-24. Y-T-D budget in FMIS totals \$30,988,544.41

Attachment
 Copy: Contract files
 Contract Accounting / OOC
 Lisa Jymm, Executive Director - NN FRF Office

LSM
 11/26/24

Job K211543 US TREASURY-WATER TRANS & DIST
Project

Cost Code	Cost 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	31,556,346.22-	30,988,544.41-	5,019,352.32-		30,988,544.41-	.16	1.00
1710		Program Revenue	6	T	31,556,346.22-	30,988,544.41-	5,019,352.32-		25,969,192.09-	.16	.84
1705		C/G Revenue	5	T	31,556,346.22-	30,988,544.41-	5,019,352.32-		25,969,192.09-	.16	.84
1700		External C/G Revenue Source	4	T	31,556,346.22-	30,988,544.41-	5,019,352.32-		25,969,192.09-	.16	.84
1000		Revenues	3	T	31,556,346.22-	30,988,544.41-	5,019,352.32-		25,969,192.09-	.16	.84
6830		Other Technical Services	6	B N	1,578,445.22	10,938,242.78			10,938,242.78	1.00	1.00
6830		Other Technical Services	6	T	1,578,445.22	10,938,242.78	3,206,204.38		7,732,038.40	1.00	1.00
6800		Technical Services	5	T	1,578,445.22	10,938,242.78	3,206,204.38		7,732,038.40	1.00	1.00
6500		Contractual Services	4	T	1,578,445.22	10,938,242.78	3,206,204.38		7,732,038.40	1.00	1.00
8500		Infrastructure (non cap)	6	B N	29,977,901.00	20,050,301.63			20,050,301.63	.96	1.00
8500		Infrastructure (non cap)	6	T	29,977,901.00	20,050,301.63	3,093,822.94		16,096,206.86	.96	.04
8010		Public	5	T	29,977,901.00	20,050,301.63	3,093,822.94		16,096,206.86	.96	.04
8000		Assistance	4	T	29,977,901.00	20,050,301.63	3,093,822.94		16,096,206.86	.96	.04
2000		Expenses	3	T	31,556,346.22	30,988,544.41	6,300,027.32		860,271.83	.97	.03
US TREASURY-WATER TRANS & DIST					1,280,675.00	23,828,245.26	1,280,675.00		25,108,920.26-		
Total:					1,280,675.00	23,828,245.26	1,280,675.00		25,108,920.26-		

Cost Code	Cost Type	Description	L P M	DE CUM	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1710		Program Revenue	6	B N	31,556,346.22-	31,556,346.22-	5,019,352.32-		31,556,346.22-		1.00
1717		Prg Rev Earned-Fed Non-	7	N							
1710		Program Revenue	6	T	31,556,346.22-	31,556,346.22-	5,019,352.32-		26,536,993.90-	.16	.84
1705		CG Revenue	5	T	31,556,346.22-	31,556,346.22-	5,019,352.32-		26,536,993.90-	.16	.84
1700		External C/G Revenue Sourc	4	T	31,556,346.22-	31,556,346.22-	5,019,352.32-		26,536,993.90-	.16	.84
1000		Revenues	3	T	31,556,346.22-	31,556,346.22-	5,019,352.32-		26,536,993.90-	.16	.84
6830		Other Technical Services	6	B N	1,578,445.22	10,976,351.72			10,976,351.72		1.00
6865		Technical Services Expense	7	N					10,838,242.78-		
6830		Other Technical Services	6	T	1,578,445.22	10,976,351.72	3,206,204.38	7,632,038.40	138,108.94	.99	.01
6800		Technical Services	5	T	1,578,445.22	10,976,351.72	3,206,204.38	7,632,038.40	138,108.94	.99	.01
6500		Contractual Services	4	T	1,578,445.22	10,976,351.72	3,206,204.38	7,632,038.40	138,108.94	.99	.01
8500		Infrastructure (non cap)	6	B N	29,977,901.00	20,579,994.50			20,579,994.50		1.00
8545		Waterline Ext.	7	N					16,729,020.23-		
8550		Water/Wastewater	7	N					394,291.40-		
8500		Infrastructure (non cap)	6	T	29,977,901.00	20,579,994.50	3,093,822.94	14,029,488.69	3,456,682.87	.83	.17
8010		Public	5	T	29,977,901.00	20,579,994.50	3,093,822.94	14,029,488.69	3,456,682.87	.83	.17
8000		Assistance	4	T	29,977,901.00	20,579,994.50	3,093,822.94	14,029,488.69	3,456,682.87	.83	.17
2000		Expenses	3	T	31,556,346.22	31,556,346.22	6,300,027.32	21,661,527.09	3,594,791.81	.89	.11
		US TREASURY-WATER TRANS & DIST					1,280,675.00	21,661,527.09	22,942,202.09-		
		Total:	1	T			1,280,675.00	21,661,527.09	22,942,202.09-		

Actual + Open Commitment = \$27,961,554.41

- Pending encumbrance
- Object Code 6830
- \$100,000 for 164 Doc 22921 Souder Miller for Smith Lake Project
- Pending encumbrance
- Object Code 8500
- \$2,226,990 for 164 Doc 22965 Dooley Construction Solutions for Chichilitah - Vanderwagon Project
- \$700,000 for 164 Doc 22939 Stewart Brother for Smith Lake Project
- \$2,926,990 subtotal
- \$3,026,990 TOTAL for K211543 pending contracts on 11/1/24
- \$3,594,791.81 - 3,026,990.00 = \$567,801.81 to be reverted.