



**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

**The Navajo Nation | Yideeskáadi Nitsáhákees**

May 25, 2023

**TRANSMITTAL**

TO : Calvin Castillo, Executive Director  
 Division of Community Development (DCD)

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

SUBJECT : BU on Projects / Activities for Sawmill Chapter - ARPA Funds Allocated to Delegate Nez Region

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

Sawmill Chapter, Ft. Defiance Chapter, Crystal Chapter, Red Lake Chapter	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
Title of Contract	Funding Agency	CFDA No. - Federal
CAP-19-23	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Term - Begin and End Date
	\$ 8,802,340.00	

**II. Data Entered in FMIS Regarding:**

New Contract or Grant Company No. 8059 Business Unit (K#) K2115139, K2115140, & K2115141

Contract Mod No. Internal Modification No. 2

Amt of Award Increase \$1,033,662.00 \$2,280,047.00 to \$3,313,709.00

AMOUNT FROM TO

Budget Period - Extend End Date: From \_\_\_\_\_ To \_\_\_\_\_

Other, specify: \_\_\_\_\_

**Authorizing Document - Attached:**

Contract / Agreement - Date executed \_\_\_\_\_

NNC / Committee Resolution - No. & Date \_\_\_\_\_

Other, specify: NN Council Resolution CAP-19-23

**III. Comments by CGS:**

This transmittal documents 3rd budgets entered in FMIS on \$8.8 mil ARPA funds allocated to CD Andy Nez Region. As shown in Sec. II above \$2,280,047 was previously entered per CD-68-22 and documented by Transmittal of April 18, 2023. Y-T-D budget in FMIS for Nez Region is \$3,313,709. However, \$500,000 needs to be decreased by Summary of Change in accordance with Resolution CAP-19-23 so the amount can reflect the approved budget of \$2,813,709. Information on Section I. of Transmittal above reflects \$8,802,340 ARPA funding allocated for distribution to Chapters (Title of Contract) the respective Council Delegate service aka Region.

*Handwritten signature/initials*

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

Revised February 2023



**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

**The Navajo Nation | Yideeskáadi Nitsáhákees**

April 18, 2023

**TRANSMITTAL**

TO : Calvin Castillo, Executive Director  
 Division of Community Development (DCD)

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

SUBJECT : BU on Budget for Projects / Activities for Sawmill Chapter - ARPA Funds Delegate Nez Region

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

Sawmill Chapter House & Ft. Defiance Chapter House	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
Title of Contract	Funding Agency	CFDA No. - Federal
CD-68-22	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Term - Begin and End Date
	\$ 8,802,340.00	

**II. Data Entered in FMIS Regarding:**

New Contract or Grant Company No. 8059 Business Unit (K#) K2115121 & K2115122

Contract Mod No. \_\_\_\_\_ Internal NN Mod. No. 1

Amt of Budget Increase \$1,000,000.00 \$1,280,047.00 to \$2,280,047.00

AMOUNT FROM TO

Budget Period - Extend End Date: From \_\_\_\_\_ To \_\_\_\_\_

Other, specify: \_\_\_\_\_

**Authorizing Document - Attached:**

Contract / Agreement - Date executed \_\_\_\_\_

NNC / Committee Resolution - No. & Date \_\_\_\_\_

Other, specify: Budget on projects / activities for Sawmill Chapter submitted by NN FRF Office.

**III. Comments by CGS:**

This Transmittal documents 2nd budgets entered in FMIS on \$8.2 mil ARPA funds allocated to CD Dr. Andy Nez Region. As shown in Sec. II above \$1 mil was entered which is based on corrected budget received from NN FRF Office on April 10, 2023. \$1.2 mil was previously entered and documented by Transmittal of March 22, 2023. Y-T-D budget in FMIS for Nez Region is \$2,280,047. Information on Section I. of Transmittal above reflects \$8,802,340 ARPA funding allocated for distribution to Chapters the respective Council Delegate serve aka Region.

**Attachment**

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

Revised February 2023

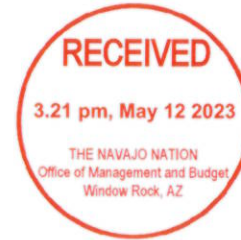




**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

The Navajo Nation | Yideeskáądi Nitsáhákees

**MEMORANDUM**



**TO :** Dominic Beyal, Director  
 Navajo Nation Office of Management & Budget  
  
 Cordell Shortey, Contracting Officer  
 Navajo Nation Office of Management & Budget

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

**DATE :** May 12, 2023

**SUBJECT :** CAP-19-23 – Allocation of \$8,802,340 in Navajo Nation Fiscal Recovery Funds per Delegate Andy Nez’s Delegate Region. NNFRFO is requesting new business units in the amount of \$2,280,047.

The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting new business units equaling \$2,280,047 per CAP-19-23. The current NNFRFO request is listed in the table below:

No.	Description	Category	\$
1	Sawmill Chp Equipment Purchase of Motor Grader	6.1	\$300,000.00
2	Sawmill Chp Cistern Systems	5.15	\$500,000.00
3	Sawmill Chp Rural Addressing System	1.14	\$233,662.00
		<b>TOTAL:</b>	<b>\$2,280,047</b>

*K2115139*  
*K2115140*  
*K2115141*

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

CC: Germaine Jones, Deputy Contracting Officer, OMB  
 Christine Chavez, Director, Contract Acctg/OOC



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

May 4, 2023

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

RE: *CAP-19-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council: Approving the Navajo Nation Fiscal Recovery Fund Delegate Regional Project Plan for Honorable Andy Nez, PH.D's Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill)*

Dear Speaker Curley,

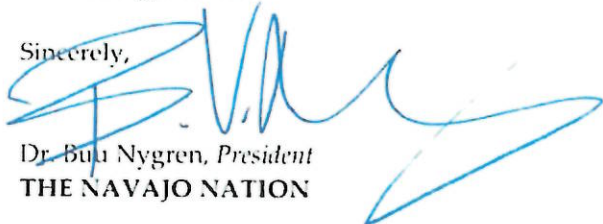
I am pleased to sign into law this resolution CAP-19-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Nez's Delegate Region in the amount of \$2,280,047.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice President and inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,



Dr. Buu Nygren, *President*  
**THE NAVAJO NATION**

RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
25<sup>th</sup> NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
AMENDING CD-68-22 AND THE NAVAJO NATION FISCAL RECOVERY FUND  
DELEGATE REGION PROJECT PLAN FOR HONORABLE ANDY NEZ, PH.D.'S  
DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE,  
SAWMILL)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- D. Navajo Nation Council Resolution No. CD-68-22, attached as Exhibit 1 (without project exhibits), mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Andy Nez, Ph.D.'s Delegate Region (Chapter: Crystal, Fort Defiance, Red Lake, Sawmill) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

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

PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.

B. CJN-29-22, Section Three, states, in part and among other things, that

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

5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. The Navajo Nation Council Resolution No. CD-68-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE WILSON C. STEWART, JR.'S DELEGATE REGION (CHAPTERS: CRYSTAL, FORT DEFIANCE, RED LAKE, SAWMILL), was signed into law by the President of the Navajo Nation on January 6, 2023. Exhibit 1.
- D. CD-68-22, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) (17) and 2 N.N.C. §§ 1005(C) (10), (11), and (12).
- E. The Hon. Andy Nez, Ph.D. has requested to amend CD-68-22 to delete the *Sawmill Chapter Renovation Phase II* project, (NNDOJ Review No. HK0257) from the Delegate Region Projects Plan covering the Crystal, Fort Defiance, Red Lake, Sawmill Chapters. The removal of this project will revert \$500,000.00 back to Hon. Andy Nez's Delegate Region's Project Plan's Un-Allocated Amount.
- F. In addition to the removal of the *Sawmill Chapter Renovation Phase II* project, Hon. Andy Nez has requested that additional projects be added to the Delegate Region Projects Plan covering the Crystal, Fort Defiance, Red Lake, Sawmill Chapters originally approved by CD-68-22. The additional projects, which have all been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the deleted project, are set forth in Exhibit 2. After the addition and deletion of the project(s), the Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- G. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Andy Nez, Ph.D.'s Delegate Region Chapters and communities to approve and adopt the removal of one project and add additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) as set forth in Exhibit 2.

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

- A. The Navajo Nation hereby approves the removal of one project (the *Sawmill Chapter Renovation Phase II*, under NNDOJ Review No. HK0257) listed in CD-68-22 for Hon. Andy Nez, Ph.D.'s Delegate Region Projects Plan as stricken in Exhibit 2. The removal of this project from Hon. Andy Nez, Ph.D.'s Delegate Projects Plan will revert \$500,000.00 back to his Delegate Region's Project Plan's Un-Allocated Amount.
- B. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Andy Nez, Ph.D.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) set forth in Exhibit 2.
- C. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- D. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

**SECTION FOUR. AMENDMENTS**

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

**SECTION FIVE. EFFECTIVE DATE**

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

**SECTION SIX. SAVING CLAUSE**

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions



of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 22 in Favor, and 00 Opposed, on this 18<sup>th</sup> day of April 2023.



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

4/27/23

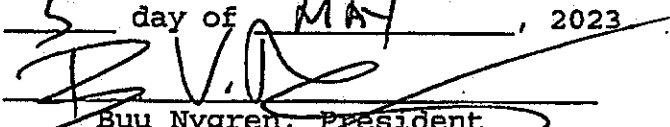
DATE

Motion: Honorable Shaandiin Parrish  
Second: Honorable Germaine Simonson

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

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

  
Buu Nygren, President  
Navajo Nation

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

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

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

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

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

EXHIBIT  
2

COUNCIL DELEGATE: Delegate Andy Nez, Ph.D.

CHAPTERS: Crystal, Fort Defiance, Red Lake, Sawmill

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CD-38-22 on January 6, 2023				\$ 2,280,047.00
<del>Division of Community Development</del>	<del>NONE IDENTIFIED</del>	<del>Sawmill Chapter Renovation Phase III</del>	<del>Division of Community Development</del>	<del>2.22</del>	<del>HK0257</del>	<del>-\$ 500,000.00</del>
Division of Community Development	None Identified	Sawmill Chapter Equipment Purchase of Motor Grader	Division of Community Development	6.1	HK0258	\$ 300,000.00
Division of Community Development	None Identified	Sawmill Chapter Cistern Systems	Division of Community Development	5.15	HK0259	\$ 500,000.00
Division of Community Development	None Identified	Sawmill Chapter Rural Addressing System	Division of Community Development	1.14	HK0383	\$ 233,662.00
						10,330,000 <sup>2</sup>
						3,515,701
		UNALLOCATED AMOUNT				4 \$ 5,988,631.00
TOTAL:						\$ 8,802,340.00

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

# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 6, 2023

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



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

Dear Speaker Tso,

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

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

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

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

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




# THE NAVAJO NATION

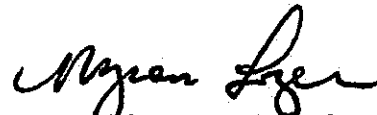
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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Sincerely,

  
Jonathan Nez, *President*  
THE NAVAJO NATION

  
Myron Lizer, *Vice President*  
THE NAVAJO NATION

RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
24<sup>th</sup> NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION  
PROJECT PLAN FOR HONORABLE WILSON C. STEWART, JR.'S DELEGATE REGION  
(CHAPTERS: CRYSTAL, FORT DEFIANCE, REDLAKE, SAWMILL)

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

SECTION TWO. FINDINGS

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

B. CJN-29-22, Section Three, states, in part and among other things, that:

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

- C. All projects listed in the Hon. Wilson C. Stewart, Jr.'s Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Wilson C. Stewart, Jr.'s Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Wilson C. Stewart, Jr.'s Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Wilson C. Stewart, Jr.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) as set forth in Exhibit A.

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

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Wilson C. Stewart, Jr.'s Delegate Region (Chapters: Crystal, Fort Defiance, Red Lake, Sawmill) set forth in Exhibit A.
- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

#### SECTION FOUR. AMENDMENTS

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

#### SECTION FIVE. EFFECTIVE DATE

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



**SECTION FIVE. SAVING CLAUSE**

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

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the 24<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in Favor, and 00 Opposed, on this 29<sup>th</sup> day of December 2022.



Honorable Otto Tso, Speaker  
24<sup>th</sup> Navajo Nation Council

12.30.2022

DATE

Motion: Honorable Jamie Henio  
Second: Honorable Eugene Tso

Speaker Otto Tso not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this 6th day of January, 2023.

Jonathan Nez, Myran Lee  
Jonathan Nez, President  
Navajo Nation

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

\_\_\_\_\_  
Jonathan Nez, President  
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Jonathan Nez, President  
Navajo Nation

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

**EXHIBIT**

tabbies

**A**

**COUNCIL DELEGATE:** Delegate Wilson Stewart, Jr.

**CHAPTERS:** Crystal, Fort Defiance, Red Lake, Sawmill

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

\*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."

**TOTAL:** \$ 8,802,340.00

**NAVAJO NATION**

76

4/18/2023

Navajo Nation Council Spring Session

12:54:23 PM

<p>Amd# to Amd#</p> <p>MOT Parrish, S</p> <p>SEC Simonson, G</p>	<p>Legislation 0065-23: Amending</p> <p>CD-68-22 and the Navajo Nation</p> <p>Fiscal Recovery Fund Delegate</p> <p>Region Project Plan for.....</p>
--	---

**PASSED**

**Yeas : 22**

**Nays : 0**

**Excused : 1**

**Not Voting : 0**

**Yea : 22**

Arviso, S	Damon, S	Nez, R	Slater, C
Aseret, L	Daniels, H	Notah, N	Tolth, G
Begay, H	James, V	Parrish, S	Tso, O
Begay, N	Jesus, B	Simonson, G	Yanito, C
Charles-Newton, E	Johnson, C	Simpson, D	Yazzie, C
Claw, S	Nez, A		

**Nay : 0**

**Excused : 1**

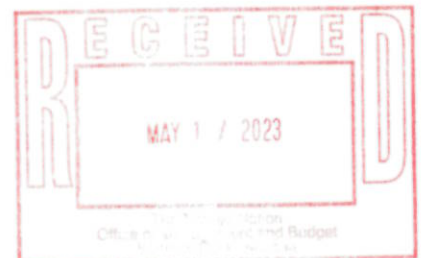
Crotty, A

**Not Voting : 0**

**Presiding Speaker: Curley, C**



# Sawmill Chapter Cistern Systems



Job K2115140 US TREASURY-SAWMILL CISTERN SY

Project

Cost Code	Cost Type	Description	L P M D E 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		500,000.00-	500,000.00-			500,000.00-		1.00
1710	Program Revenue	6 T		500,000.00-	500,000.00-			500,000.00-		1.00
1705	CG Revenue	5 T		500,000.00-	500,000.00-			500,000.00-		1.00
1700	External C/G Revenue Source	4 T		500,000.00-	500,000.00-			500,000.00-		1.00
1000	Revenues	3 T		500,000.00-	500,000.00-			500,000.00-		1.00
8500	Infrastrure (non cap)	6 B N		500,000.00	500,000.00			500,000.00		1.00
8500	Infrastrure (non cap)	6 T		500,000.00	500,000.00			500,000.00		1.00
8010	Public	5 T		500,000.00	500,000.00			500,000.00		1.00
8000	Assistance	4 T		500,000.00	500,000.00			500,000.00		1.00
2000	Expenses	3 T		500,000.00	500,000.00			500,000.00		1.00



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0259

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

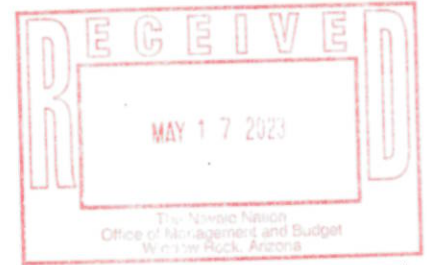
Date & Time of Response: 12/12/2022 5:00 PM

Entity Requesting FRF: Sawmill Chapter

Title of Project: Cistern Systems

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$500,000.00



Eligibility Determination:

- FRF eligible
FRF ineligible
Additional information requested

FRF Eligibility Category:

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

Three horizontal lines for additional information or signature.


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

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

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

Other Comments: \_\_\_\_\_

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: 

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



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

**Part 1. Identification of parties.**

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

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

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

Title and type of Project: Bathroom Additions

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

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

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

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

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

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

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

document attached

Amount of FRF requested: \$500,000.00 FRF funding period: 11/23 - 12/30-26  
indicate Project starting and ending/deadline date

**Part 2. Expenditure Plan details.**

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

To construct 10 scattered bathroom additions in the white clay and sawmill area. Also including appropriate fixtures, in existing residential homes located in the White Clay and Sawmill area. Structure range from hogans to conventional homes to mobile homes. Assessment of white clay area homes completed. The chapter will follow Navajo Natio Procurement Laws.

document attached

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

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

document attached

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

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

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

document attached

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

The Sawmill Chapter and Division of Community Development

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

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

document attached

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

5.15 Drinking Water: Other Water Infrastructure

document attached

**Part 3. Additional documents.**

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

Supporting Resolution  
Cost Estimate

Chapter Resolution attached

**Part 4. Affirmation by Funding Recipient.**

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

Chapter's Preparer: Jimmie Bill  
signature of Preparer/CONTACT PERSON

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

Approved by: Jimmie Bill  
signature of CSC

Approved by: [Signature]  
signature of Chapter ASO

Approved to submit for Review: Sisa Lynn, NMRFCD  
signature of DCD Director

FY 2023


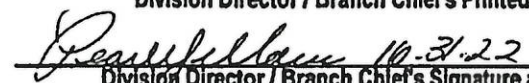
**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page     of      
**BUDGET FORM 1**

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


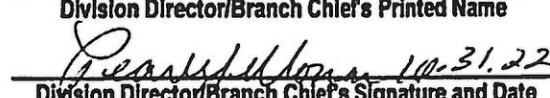
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY		(A)	(B)	(C)
				Fund Type Code	NCN Approved Original Budget	Proposed Budget	Difference or Total	
(10) Bathroom Additions <i>ALPA</i>	<i>10/1/22 - 12/31/22</i>	500,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	<i>6</i>	<del>0</del>	<del>500,000</del>	<del>500,000</del>
				7000 Special Transactions				
				8000 Public Assistance	<i>6</i>	<del>0</del> <i>AT</i>	<del>500,000</del> <i>AT</i>	<del>500,000</del> <i>AT</i>
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	<del>500,000</del> <del>0.00</del>	<del>500,000</del> <del>0</del>
				<b>PART IV. POSITIONS AND VEHICLES</b>		(D)	(E)	
				Total # of Positions Budgeted:		<i>0</i> <i>AT</i>	<i>0</i> <i>AT</i>	
				Total # of Vehicles Budgeted:		<i>0</i> <i>AT</i>	<i>0</i> <i>AT</i>	
<b>TOTAL:</b>				\$500,000.00	100%			

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

SUBMITTED BY: Sonlatsa Jim-Martin, Department Manager APPROVED BY: Dr. Pearl Yellowman, Division Director  
 Program Manager's Printed Name Division Director / Branch Chief's Printed Name  
 10/25/2022  10-31-22  
 Program Manager's Signature and Date Division Director / Branch Chief's Signature and Date

*[Signature]* 5/11/2023

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

<b>PART I. PROGRAM INFORMATION:</b>									
Business Unit No.: <u>New</u>					Program Name/Title: <u>Sawmill Chapter Bathroom Additions</u>				
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>									
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>									
		<b>1st QTR</b>		<b>2nd QTR</b>		<b>3rd QTR</b>		<b>4th QTR</b>	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
<b>1. Goal Statement:</b>									
Bathroom Additions									
<b>Program Performance Measure/Objective:</b>									
to construct (10) scattered bathroom additions for sawmill community members									
<b>2. Goal Statement:</b>									
<b>Program Performance Measure/Objective:</b>									
<b>3. Goal Statement:</b>									
<b>Program Performance Measure/Objective:</b>									
<b>4. Goal Statement:</b>									
<b>Program Performance Measure/Objective:</b>									
<b>5. Goal Statement:</b>									
<b>Program Performance Measure/Objective:</b>									
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>									
<u>Sonlatsa Jim-Martin, Department Manager</u> Program Manager's Printed Name					<u>Dr. Pearl Yellowman, Division Director</u> Division Director/Branch Chief's Printed Name				
 Program Manager's Signature and Date					 Division Director/Branch Chief's Signature and Date				
10/25/2022					10-31-22				

*[Handwritten signature]* 5/11/23



THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Sawmill Chapter ARPA Bathroom Additions</u>		Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	To construct ten (10) scattered bathroom additions in the White Clay and Sawmill area. Also including appropriate fixtures, in existing residential homes located in the White Clay and Sawmill area. Structure range from hogans to conventional homes to mobile homes. Assessment of White Clay area homes completed.	<del>500,000</del>	
8000 ##	Public Assistance ##		
8500 ##	Infrastructure (non cap) ##	500,000 ##	500,000-
	8535 Bathroom Additions ##		
<b>TOTAL</b>		500,000	500,000-

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I.</b> Business Unit No.: <u>New</u> Project Title: <u>Bathroom Additions</u> Project Description to construct (10) bathroom additions For Sawmill Community Members - Scattered bathroom additions Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification														<b>PART II.</b> Project Information Project Type: <u>Additions</u> Planned Start Date: <u>1/1/2023</u> Planned End Date: <u>12/30/2026</u> Project Manager: _____																
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV.</b> Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.														Expected Completion Date if project exceeds 8 FY Qtrs.															
to construct (10) scattered bathroom additions. For white clay and sawmill community members.	FY 2022												FY 2026								Date									
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date					
	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M
\$			\$			\$			\$			\$			\$			\$			<b>PROJECT TOTAL</b>									
<b>PART V.</b> Expected Quarterly Expenditures	\$			\$			\$			\$			\$			\$			\$500,000.00											

FOR OMB USE ONLY:    Resolution No: \_\_\_\_\_    FMIS Set Up Date: \_\_\_\_\_    Company No: \_\_\_\_\_    OMB Analyst: \_\_\_\_\_



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

DOREEN N. MCPAUL  
Attorney General

KIMBERLY A. DUTCHER  
Deputy Attorney General

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

RFS/HK Review #: HK0259

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

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

Entity Requesting FRF: Sawmill Chapter

Title of Project: Cistern Systems

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$500,000.00

**Eligibility Determination:**

- FRF eligible  
 FRF ineligible  
 Additional information requested

**FRF Eligibility Category:**

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

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

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

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

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

**Name of DOJ Reviewer:** MacArthur Stant

**Signature of DOJ Reviewer:** 

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

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

**Part 1. Identification of parties.**

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

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

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

Title and type of Project: Bathroom Additions

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

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

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

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

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

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

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

Amount of FRF requested: \$500,000.00 FRF funding period: 11/23 - 12/30-26  
Indicate Project starting and ending/deadline date

**Part 2. Expenditure Plan details.**

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

To construct 10 scattered bathroom additions in the white clay and sawmill area. Also including appropriate fixtures, in existing residential homes located in the White Clay and Sawmill area. Structure range from hogans to conventional homes to mobile homes. Assessment of white clay area homes completed. The chapter will follow Navajo Natio Procurement Laws.

document attached

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

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

document attached

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

**APPENDIX A**

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

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

document attached

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

The Sawmill Chapter and Division of Community Development

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

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

document attached

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

5.15 Drinking Water: Other Water Infrastructure

document attached

**Part 3. Additional documents.**

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

Supporting Resolution  
Cost Estimate

Chapter Resolution attached

**Part 4. Affirmation by Funding Recipient.**

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

Chapter's Preparer: Jimmie Bill  
signature of Preparer/CONTACT PERSON

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

Approved by: Jimmie Bill  
signature of CSC

Approved by: [Signature]  
signature of Chapter ASO

Approved to submit for Review: Lisa Dymun, NMFLFO  
signature of LDCO Director

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page     of      
BUDGET FORM 1

PART I. Business Unit No.: <u>K2115140</u> <u>New</u>		Program Title: <u>Bathroom Additions</u>		Sawmill Chapter: <u>Bathroom Additions</u>	Division/Branch: <u>Community Development</u>				
Prepared By: <u>Jammie Billman</u>		Phone No.: <u>928-729-4433</u>		Email Address: <u>sawmill@navajochapters.org</u>					
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY		Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
(10) Bathroom Additions <u>ALPA</u>	<u>10/1/22 - 12/31/22</u>	500,000.00	100%	2001 Personnel Expenses					
				3000 Travel Expenses					
				3500 Meeting Expenses					
				4000 Supplies					
				5000 Lease and Rental					
				5500 Communications and Utilities					
				6000 Repairs and Maintenance					
				6500 Contractual Services	<u>6</u>	<u>0</u>	<u>500,000</u>	<u>500,000</u>	<u>0</u>
				7000 Special Transactions					
				8000 Public Assistance	<u>6</u>	<u>0</u>	<u>500,000</u>	<u>500,000</u>	<u>0</u>
				9000 Capital Outlay					
				9500 Matching Funds					
				9500 Indirect Cost					
<b>TOTAL:</b>				<b>TOTAL</b>		\$0.00	<u>500,000</u> <u>-0.00</u>	<u>500,000</u> <u>-0</u>	<u>0</u>
				PART IV. POSITIONS AND VEHICLES		(D)	(E)		
				Total # of Positions Budgeted:		<u>0</u>	<u>0</u>		
				Total # of Vehicles Budgeted:		<u>0</u>	<u>0</u>		
<b>TOTAL:</b>				<b>TOTAL:</b>		<b>\$500,000.00</b>	<b>100%</b>		
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.									
SUBMITTED BY: <u>Soulatsa Jim-Martin, Department Manager</u>				APPROVED BY: <u>Dr. Pearl Yellowman, Division Director</u>					
Program Manager's Printed Name				Division Director / Branch Chief's Printed Name					
<u>Soulatsa Jim-Martin</u>				<u>Dr. Pearl Yellowman</u>					
Program Manager's Signature and Date				Division Director / Branch Chief's Signature and Date					
<u>10/25/2022</u>				<u>10-21-22</u>					

5/11/2023

J. Billman

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

**PART I. PROGRAM INFORMATION:** K2115140  
 Business Unit No.: New Program Name/Title: Sawmill Chapter Bathroom Additions

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

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: <u>Bathroom Additions</u>								
Program Performance Measure/Objective: <u>to construct (10) scattered bathroom additions for sawmill community members</u>								
2. Goal Statement:								
Program Performance Measure/Objective:								
3. Goal Statement:								
Program Performance Measure/Objective:								
4. Goal Statement:								
Program Performance Measure/Objective:								
5. Goal Statement:								
Program Performance Measure/Objective:								

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

<p><u>Sonlatse Jim-Martin, Department Manager</u>                  Program Manager's Printed Name</p> <p><u><i>Sonlatse Jim</i></u> 10/25/2022                  Program Manager's Signature and Date</p>	<p><u>Dr. Pearl Yellowman, Division Director</u>                  Division Director/Branch Chief's Printed Name</p> <p><u><i>Pearl Yellowman</i></u> 10-31-22                  Division Director/Branch Chief's Signature and Date</p>
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*Jim Martin* *Pearl Yellowman* 10/23

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Sawmill Chapter ARPA Bathroom Additions</u>		Business Unit No.: <u>New K2115140</u>	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	To construct ten (10) scattered bathroom additions in the White Clay and Sawmill area. Also including appropriate fixtures, in existing residential homes located in the White Clay and Sawmill area. Structure range from hogans to conventional homes to mobile homes. Assessment of White Clay area homes completed.	<del>500,000</del>	
8000 AH	Public Assistance AH		500,000-
8500 AH	Infrastructure (non cap) AH	500,000 AH	
	8535 Bathroom Additions AH		
TOTAL		500,000	500,000-

*mf sl/12/23*

