



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

June 6, 2024

TRANSMITTAL

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

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

SUBJECT : Cove Chapter, Toadlena/Two Grey Hills Chapter, Red Valley Chapter, Tooh Haltsooi (Sheepsprings) Chapter, Tse'alnaozt'li' Chapter, Beclabito Chapter, and Gadiiahi/To'Koi Chapter - ARPA Funds Allocated to Delegate Crotty Region

I. Information on Contract (per Original Award):

Cove Chapter, Toadlena/Two Grey Hills Chapter, Red Valley Chapter, Tooh Haltsooi (Sheepsprings) Chapter, Tse'alnaozt'li' Chapter, Beclabito Chapter, and Gadiiahi/To'Koi 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>
<u>NABIMA-20-24; NABIJA-05-24; NABIO-39-23; CAU-75-23; CJY-57-23; CD-67-22</u>	<u>\$ 8,802,340.00</u>	<u>2022</u>	<u>03/11/2021 to 12/31/2026</u>
<u>Grant No.</u>	<u>Amount</u>	<u>Fiscal Year</u>	<u>Term - Begin and End Date</u>

II. Data Entered in FMIS Regarding:

New Contract or Grant Company No. 8059 Business Unit (K#) K2115533

Contract Mod No. Internal Modification No. 6

Amt of Award Increase \$186,010.00 \$8,076,887.00 to \$8,262,897.00

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 NABIMA-20-24

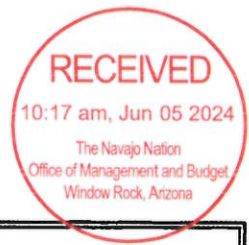
III. Comments by CGS:

This Transmittal documents 7th budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Amber Crotty Region. Y-T-D budget in FMIS for CD Crotty Region totals \$8,262,897. 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

Handwritten signature and date
 6/6/24

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: Sanostee Chapter Bulldozer FMIS Business Unit No. K2115533 ✓
 Title of Grant: ARPA of 2021 Grant No.: NABIMA-20-24 ✓
 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)
6990				-
<u>6960</u>	Subcontracted Services	300,000	186,010	486,010
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
TOTALS:		300,000	186,010	486,010
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/Date:

PART IV. CGS / OMB USE ONLY

Batch # 1406491

Verified & Recommend Approval: 6/5/24
 Contract Analyst - Signature / Date

Approval for FMIS Entry:
 Contracting Officer - Signature / Date

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.
- M. The Naabik'iyáti' Committee Resolution No. NABIJA-05-24, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-39-23 AND CAU-75-23 AND CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSPRINGS), TSÉ AĒNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the Chairperson of the Naabik'iyáti' Committee on January 22, 2024.
- N. NABIJA-05-24, 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.
- O. The Hon. Amber Kanazbah Crotty has requested to amend CAU-75-23 to increase the project's funding amount for the Sanostee Chapter Purchase of Bull-Dozer project (originally under NNDOJ Review No. HK0540) by \$186,010 to her Delegate Region Projects Plan enacted under CAU-75-23, which originally appropriated \$300,000.00 for this project. A revised Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ Review No. HK540-2) increased the project's funding amount and adjusted the project's funding amount to \$486,010.00.
- P. All projects listed in the Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan, attached as Exhibit BB, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Amber Kanazbah Crotty'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. Amber Kanazbah Crotty's Delegate Region Chapters and communities to approve and adopt the projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi', Tsé aĒnáozt'i'í', Beclabito, Gadiiahi/To'Koi) as set forth in Exhibit BB.



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

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, Executive Director
 Navajo Nation Fiscal Recovery Fund Office

DATE : April 18, 2024

SUBJECT : NABIMA-20-24 – Allocation of \$186,010.00 in Navajo Nation Fiscal Recovery Funds per Delegate Amber Kanazbah Crotty Delegate Region.



The Navajo Nation Fiscal Recovery Fund Office (NNFRFO) is requesting a business unit totaling \$186,010.00 per NABIMA-20-24, Exhibit A, as listed in the table below:

*✓ GJM
4/25/24*

No.	Description	Category	\$
1	(INCREASE of HK0540 from CAU-75-23) Sanostee Chapter Purchase of Bull-Dozer	6.1	\$186,010.00
		TOTAL:	\$186,010.00

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

Need summary of changes.
E-MAILED
 5/22/2024 @ 9:53 am

NAVAJO NATION FISCAL RECOVERY FUND



Inter-Office Routing Slip
P.O. Box 2469 Window Rock, Az 86515
Office: 928.309.5532

Date: 3-7-24

Time: 1:30 pm

To: Germaine Jones, Deputy CO

Dept: OMB/Contracts + Grants Section

From: Lisa Jymm, Exec Dir NNFRFO



Reason:

- Approval
- Signature
- Per Your Request
- Review
- Ready for process

Other: Missing docs for snostee chp Bull Dozer + Helipad

Note: P.S. I will do Summary of Charge form after the BU is set-up, unless you think otherwise. *[Signature]* 5/7/24

Attach this Routing Slip When resubmitting

Thank you



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

The Navajo Nation | Yideeskáądi Nitsáhakees
 December 15, 2023

TRANSMITTAL

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

COPY

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

SUBJECT : Cove Chapter, Toadlena/Two Grey Hills Chapter, Red Valley Chapter, Tooh Haltsooi (Sheepsprings) Chapter, Tse'alnaozt'I'I' Chapter, Beclabito Chapter, and Gadiiahi/To'Koi Chapter - ARPA Funds Allocated to Delegate Crotty Region

I. Information on Contract (per Original Award):

Cove Chapter, Toadlena/Two Grey Hills Chapter, Red Valley Chapter, Tooh Haltsooi (Sheepsprings) Chapter, Tse'alnaozt'I'I' Chapter, Beclabito Chapter, and Gadiiahi/To'Koi 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>
CAU-75-23; CJY-57-23; CD-67-22		2022	03/11/2021 to 12/31/2026
<u>Grant No.</u>	<u>Amount</u>	<u>Fiscal Year</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#) K2115397 & K2115398; K2115266, K2115268, & K2115269

Contract Mod No. Internal Modification No. 2

Amt of Award Increase \$1,864,259.00 \$2,144,488.00 to \$4,008,747.00

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 CAU-75-23

III. Comments by CGS:

This transmittal documents 3rd budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Amber Crotty Region. Y-T-D budget in FMIS for CD Crotty Region totals \$4,008,747. 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. Resolution CAU-75-23 increased CD Crotty Region in the amount of \$120,000 and decreased \$434,609 from Project allocated in prior Resolution so the amount now reflects the current budget entered into FMIS in the amount of \$4,008,747. There are two budgets in the amount of \$300,000 and \$200,000 that has not been submitted to CGS, therefore submit immediately.

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

COPY

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit 2

COUNCIL DELEGATE: Hon. Amber Kanazbah Crotty

CHAPTERS: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Hailts'ooi' (Sheepsprings), Tse'ainaazt'i'i, Beclabito, Gadliahi/To'Koi

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN CD-67-22 on January 6, 2023				\$ 1,259,879.00
		TOTAL AMOUNT APPROPRIATED IN CJY-57-23 on August 4, 2023				\$ 884,609.00
Division of Community Development	None Identified	Red Valley Chapter Warehouse Project	Division of Community Development	6.1	HK0500	\$ 1,176,000.00
Division of Community Development	*Beclabito Chapter	Beclabito Chapter Home Repair Project	Division of Community Development	2.18	HK0597-2	\$ 1,122,868.00
Division of Community Development	None-Identified	(Remove) Sanostee-Chapter-Water Diversion-System-Project	Department-of Water-Resources	5-11	HK0555	-\$ 300,000.00
Division of Community Development	*Beclabite Chapter	(Remove) Beclabite-Chapter Parking-Lot-Solar-Lights-Project	Division-of-Community Development	2-22	HK0590	-\$ 122,109.00
Division of Community Development	*Beclabite Chapter	(Remove) Beclabite-Chapter Septic-Cleaning-Services-Project	NN-Environmental Protection-Agency	6-5	HK0593	-\$ 12,500.00
Division of Community Development	None Identified	Sanostee Chapter Purchase of Bull-Dozer	Division of Community Development	6.1	HK0540	\$ 300,000.00
Division of Community Development	None Identified	Sanostee Chapter Helipad Project	Division of Community Development	6.1	HK0557	\$ 200,000.00
		UN-ALLOCATED AMOUNT				\$ 4,293,593.00
					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."

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

AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIJA-05-24 AND NABIO-39-23 AND CAU-75-23 AND CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOO H HALTSOOI', TSÉ AĀNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Naabik'iyáti' Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. § 700(A).
- B. Navajo Nation Council Resolution No. CJN-29-22, as amended by CAU-74-23, mandates that Fiscal Recovery Fund ("NNFRF") Delegate Region Project Plans be approved by two-thirds (2/3) vote of the Naabik'iyáti' Committee members in attendance.
- C. Navajo Nation Council Resolution No. CD-67-22, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé aĀnāozt'i'í', Beclabito, Gadiiahi/To'Koi) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- D. Navajo Nation Council Resolution No. CJY-57-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé aĀnāozt'i'í', Beclabito, Gadiiahi/To'Koi) 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).
- E. Navajo Nation Council Resolution No. CAU-75-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project

Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé ałnáozt'i'í', Beclabito, Gadiiahi/To'Koi) 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).

- F. 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.
- G. Naabik'íyáti' Committee Resolution No. NABIO-39-23, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé ałnáozt'i'í', Beclabito, Gadiiahi/To'Koi) 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.
- H. Naabik'íyáti' Committee Resolution No. NABIJA-05-24, included and incorporated herein by reference, mandated that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé ałnáozt'i'í', Beclabito, Gadiiahi/To'Koi) 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'iyáti' 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. CD-67-22, 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 AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSPRINGS), TSÉ AĽNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), was signed into law by the President of the Navajo Nation on January 6, 2023.
- D. CD-67-22, 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 Navajo Nation Council Resolution No. CJY-57-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSPRINGS), TSÉ AĽNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the President of the Navajo Nation on August 4, 2023.
- F. CJY-57-23, 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-75-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSPRINGS), TSÉ AĽNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI),

TO REMOVE PROJECTS AND INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the President of the Navajo Nation on August 30, 2023. Exhibit AA.

- H. CAU-75-23, 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).
- I. 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.
- J. 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).
- K. The Naabik'íyáti' Committee Resolution No. NABIO-39-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING CAU-75-23 AND CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSPRINGS), TSÉ ALNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the Chairperson of the Naabik'íyáti' Committee on October 17, 2023.
- L. NABIO-39-23, 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.
- M. The Naabik'iyáti' Committee Resolution No. NABIJA-05-24, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; AMENDING NABIO-39-23 AND CAU-75-23 AND CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOHALTSOOI' (SHEEPSPRINGS), TSÉ AĽNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the Chairperson of the Naabik'iyáti' Committee on January 22, 2024.
- N. NABIJA-05-24, 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.
- O. The Hon. Amber Kanazbah Crotty has requested to amend CAU-75-23 to increase the project's funding amount for the *Sanostee Chapter Purchase of Bull-Dozer* project (originally under NNDOJ Review No. HK0540) by \$186,010 to her Delegate Region Projects Plan enacted under CAU-75-23, which *originally* appropriated \$300,000.00 for this project. A revised Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ Review No. HK540-2) increased the project's funding amount and adjusted the project's funding amount to \$486,010.00.
- P. All projects listed in the Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan, attached as Exhibit BB, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Amber Kanazbah Crotty'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. Amber Kanazbah Crotty's Delegate Region Chapters and communities to approve and adopt the projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi', Tsé alnáozt'i'í', Beclabito, Gadiiahi/To'Koi) as set forth in Exhibit BB.

SECTION THREE. AMENDING NABIJA-05-24 AND NABIO-39-23 AND CAU-75-23 AND CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI', TSÉ AĽNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI)

- A. The Navajo Nation hereby approves the increase to the project's funding amount for the *Sanostee Chapter Purchase of Bull-Dozer* project (originally under NNDOJ Review No. HK0540) by \$186,010.00 in Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan enacted under CAU-75-23, which originally appropriated \$300,000.00 for this project and this increase is identified in Exhibit BB. A revised Navajo Nation Department of Justice Eligibility Determination (now under NNDOJ Review No. HK0540-2-2) increased the project's funding amount and adjusted the project's funding amount to \$486,010.00.
- B. The Navajo Nation hereby approves the projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi', Tsé aĽnáozt'i'í', Beclabito, Gadiiahi/To'Koi) as set forth in Exhibit BB.
- 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 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*

August 30, 2023



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

RE: CAU-75-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CJY-57-23 and CD-67-22, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena / Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé aháozt'i'ít', Beclabio, Gadiinhi / To'Koi) to Include Additional Projects for this Delegate Region

Dear Speaker Curley,

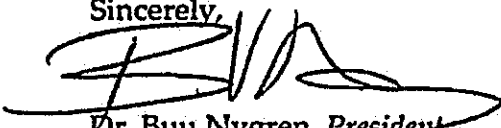
I am pleased to sign into law Resolution CAU-75-23 approving the amendments to the Fiscal Recovery Funds Delegate Regional Plan for Honorable Amber Kanazbah Crotty's Delegate Region for a total of \$4,508,747 out of a potential allocated amount of \$8,802,340.00.

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 CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY
 FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH
 CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS,
 RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ ÁĀNAOZT'I'Í',
 BECLABITO, GADIIAHI/TO'KOI), TO REMOVE PROJECTS AND INCLUDE
 ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

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. CD-67-22, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé áĀnaozt'i'í', Beclabito, Gadiiahi/To'Koi) 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).
- E. Navajo Nation Council Resolution No. CJY-57-23, attached as Exhibit 1 (without project exhibits), mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé áĀnaozt'i'í', Beclabito,

Gadiiahi/To'Koi) 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. CD-67-22, 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 AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ ÁLNAOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), was signed into law by the President of the Navajo Nation on January 6, 2023.
- D. CD-67-22, 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 Navajo Nation Council Resolution No. CJY-57-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ ÁLNAOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION was signed into law by the President of the Navajo Nation on August 4, 2023.
Exhibit 1.

- F. CJY-57-23, 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 Hon. Amber Kanazbah Crotty has requested to amend CJY-57-23 to delete the *Sanostee Chapter Water Diversion System Project* (under NNDOJ Review No. HK0555) and to delete the *Beclabito Chapter Parking-Lot Solar Lights Project* (under NNDOJ Review No. HK0590) and to delete the *Beclabito Chapter Septic Cleaning Services Project* (under NNDOJ Review No. HK0593) from the Delegate Region Projects Plan covering the Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé álnaozt'i'i', Beclabito, Gadiiahi/To'Koi Chapters. The removal of these projects will revert \$434,609.00 back to Hon. Amber Kanazbah Crotty's Delegate Region's Project Plan's Un-Allocated Amount.
- H. In addition to the removal of the *Sanostee Chapter Water Diversion System Project* and the *Beclabito Chapter Parking-Lot Solar Lights Project* and the *Beclabito Chapter Septic Cleaning Services Project*, Hon. Amber Kanazbah Crotty has requested that additional projects be added to the Delegate Region Projects Plan covering the Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé álnaozt'i'i', Beclabito, Gadiiahi/To'Koi Chapters originally approved by CD-67-22. The additional projects, which have all been deemed Fiscal Recovery Fund eligible by NNDOJ, as well as the deleted projects, are set forth in Exhibit 2. After the deletion and addition of projects, the Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- I. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Amber Kanazbah Crotty's Delegate Region Chapters and communities to approve and adopt the removal of three-projects and add additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé álnaozt'i'i', Beclabito, Gadiiahi/To'Koi) as set forth in Exhibit 2.

SECTION THREE. AMENDING CJY-57-23 AND CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS),

TSÉ ÁĀNAOZT'I'I', BECLABITO, GADIIAHI/TO'KOI), TO REMOVE PROJECTS AND INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION.

- A. The Navajo Nation hereby approves the removal of three-projects (the *Sanostee Chapter Water Diversion System Project* under NNDOJ Review No. HK0555 and the *Beclabito Chapter Parking-Lot Solar Lights Project* under NNDOJ Review No. HK0590 and the *Beclabito Chapter Septic Cleaning Services Project* under NNDOJ Review No. HK0593) listed in CJY-57-23 for Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan as stricken in Exhibit 2. The removal of these projects from Hon. Amber Kanazbah Crotty's Delegate Projects Plan will revert \$434,609.00 back to her 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. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé áĀnaozt'i'i', Beclabito, Gadiiahi/To'Koi) 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).

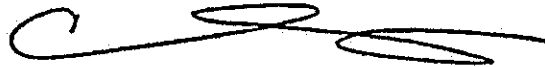
SECTION SIX. SAVING CLAUSE

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

8/29/23


DATE

Motion: Honorable Vince R. James
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

Exhibit 1



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

August 4, 2023

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

RE: CJY-57-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CD-67-22, the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Tondlenn/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé alnáozt'i'i', Beclabito, Gadiiñhi/To'Koi), to Include Additional Projects for this Delegate Region

Dear Speaker Curley,

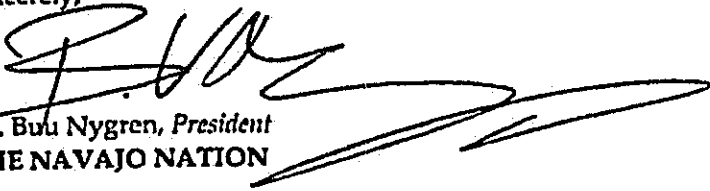
I am pleased to sign into law this resolution CJY-57-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Crotty's Delegate Region in the amount of \$884,609.

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; AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ AĀNÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

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-67-22, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé aānāozt'i'í', Beclabito, Gadiiahi/To'Koi) 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-67-22, 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 AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ AENÁOZT'I'Í', BECLABITO, GADIIAHI/TO'KOI), was signed into law by the President of the Navajo Nation on January 6, 2023.
- D. CD-67-22, 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. All additional projects listed in the Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Amber Kanazbah Crotty's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- F. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Amber Kanazbah Crotty'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. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé aenáozt'i'í', Beclabito, Gadiiahi/To'Koi) as set forth in Exhibit A.

SECTION THREE. AMENDING CD-67-22, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE AMBER KANAZBAH CROTTY'S DELEGATE REGION (CHAPTERS: COVE, TOADLENA/TWO GREY HILLS, RED VALLEY, TOOH HALTSOOI' (SHEEPSRINGS), TSÉ

AENÁOZT'I'I', BECLABITO, GADIIAHI/TO'KOI), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION

- A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Amber Kanazbah Crotty's Delegate Region (Chapters: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Haltsooi' (Sheepsprings), Tsé aknáozt'i'i', Beclabito, Gadiiahi/To'Koi) 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

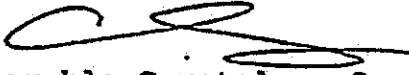
This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

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 July 2023.


Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

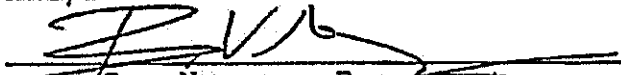
7/27/23
DATE

Motion: Honorable George H. Tolth
Second: Honorable Rickie Nez

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

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



~~Buu Nygren, President~~
Navajo Nation

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

Buu Nygren, President
Navajo Nation

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

Buu Nygren, President
Navajo Nation

Exhibit 2

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

Exhibit 2

COUNCIL DELEGATE: Hon. Amber Kanazbah CroTTY

CHAPTERS: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Halfsoot' (Sheepsprings), Tse'ainaoz'ii', Beclabito, Gadiliah/To'Koi

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN CD-67-22 on January 6, 2023				\$ 1,259,879.00
		TOTAL AMOUNT APPROPRIATED IN CJY-57-23 on August 4, 2023				\$ 884,609.00
Division of Community Development	None Identified	Red Valley Chapter Warehouse Project	Division of Community Development	6.1	HK0500	\$ 1,176,000.00
Division of Community Development	*Beclabito Chapter	Beclabito Chapter Home Repair Project	Division of Community Development	2.18	HK0597-2	\$ 1,122,868.00
Division of Community Development	None Identified	(Remove) Sanostee-Chapter-Water Diversion-System-Project	Department of Water-Resources	5-14	HK0555	-\$ 300,000.00
Division of Community Development	*Beclabite Chapter	(Remove) Beclabite-Chapter Parking-Let-Solar-Lights-Project	Division of Community Development	2-22	HK0599	-\$ 122,109.00
Division of Community Development	*Beclabite Chapter	(Remove) Beclabite-Chapter Septic-Cleaning-Services-Project	NN-Environmental Protection-Agency	5-5	HK0593	-\$ 12,500.00
Division of Community Development	None Identified	Sanostee Chapter Purchase of Bull-Dozer	Division of Community Development	6.1	HK0540	\$ 300,000.00
Division of Community Development	None Identified	Sanostee Chapter Helipad Project	Division of Community Development	6.1	HK0557	\$ 200,000.00
		UN-ALLOCATED AMOUNT				\$ 4,293,593.00
					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

NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN

COUNCIL DELEGATE: Hon. Amber Kanazbah Crotty

CHAPTERS: Cove, Toadlena/Two Grey Hills, Red Valley, Tooh Halls'ooi' (Sheepsprings), Tse'ahnazoi'i'i, Beclabito, Gadliahi/To'Koi

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED IN CD-67-22 on January 6, 2023				\$ 1,259,879.00
		TOTAL AMOUNT APPROPRIATED IN CJY-57-23 on August 4, 2023				\$ 884,609.00
		TOTAL AMOUNT REVERTED IN CAU-75-23 on August 30, 2023				-\$ 434,609.00
		TOTAL AMOUNT APPROPRIATED IN CAU-75-23 on August 30, 2023				\$ 2,798,868.00
		TOTAL AMOUNT APPROPRIATED IN NABIO-39-23 on October 17, 2023				\$ 2,558,140.00
		TOTAL AMOUNT APPROPRIATED IN NABIJA-05-24 on January 22, 2024				\$ 1,010,000.00
Division of Community Development	None Identified	(INCREASE of HK0540 from CAU-75-23) Sanostee Chapter Purchase of Bull-Dozer	Division of Community Development	6.1	HK0540-2	\$ 186,010.00
		UN-ALLOCATED AMOUNT				\$ 539,443.00
					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."



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 #: HK0540-2

Date & Time Received: 02/28/24 at 14:59

Date & Time of Response: 3/11/2024 at 17:00

Entity Requesting FRF: Sanostee Chapter

Title of Project: Bull Dozer

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$486,010.00 (\$186,010)

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

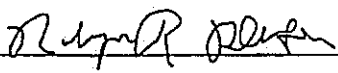
U.S. Department of Treasury Reporting Expenditure Category: _____
6.1: Provision of Government Services

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 NNDNJ Initial Eligibility Determination is based on the documents provided, which NNDNJ 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 NNDNJ. 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: **Sanostee (TseAlnaoztii)**

Date prepared: **05/12/23**

Chapter's mailing address: **P O Box 219
Sanostee, New Mexico 87461**

phone/email: **505-723-2703**
website (if any): **sanostee@navajochapters.org**

This Form prepared by: **Jourdan Washburn**
Secretary/Treasurer
CONTACT PERSON'S name and title

phone/email: **505-723-2703**
chelseamoore@navajochapters.org
CONTACT PERSON'S info

Title and type of Project: **Bull Dozer**

Chapter President: Jeanne Haskie	phone & email: 505-320-5605, jghaskie@naataani.org
Chapter Vice-President: Gerald Henderson	phone & email: 505-354-9026, ghenderson@naataani.org
Chapter Secretary: Jourdan Washburn	phone & email: 575-466-7735, chelseamoore@navajochapters.org
Chapter Treasurer: Jourdan Washburn	phone & email: 575-466-7735, chelseamoore@navajochapters.org
Chapter Manager or CSC: vacant	phone & email:
DCD/Chapter ASO: Danielle Redhouse	phone & email: dredhouse@nndcd.org

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

document attached

Amount of FRF requested: **\$466,010.00** FRF funding period: **01/01/2023 - 01/30/2024**
indicate Project starting and ending baseline 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 procure a bull dozer to address road maintenance needs for emergency response, public safety and for school bus routes for public safety purposes, and to assist the community with mitigating COVID-19 to ensure a healthy community.

document attached

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

The equipment will benefit the Navajo Nation, TseAlnaoztii (Sanostee) community and the Navajo people by providing equipment to serve our community members by providing maintenance on community roads for public safety.

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:

Funding - May/June 2023; Review and approval process through Navajo Nation departments and entities from June through August 2023; procurement to be completed by March 2024

document attached

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

Tse Alnaoztii (Sanostee) Chapter will work in collaboration with Capital Projects Management Department and Navajo Division of Transportation to implement this 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 Tse Alnaoztii (Sanostee) Chapter will be responsible for the operation and maintenance of the equipment once purchased.

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:

Provision of Government Services 6.1

Tse Alnaoztii (Sanostee) Chapter is seeking funding for much needed equipment a *Bulldozer* Road maintenance for public safety purposes is a high priority in the community. There is only 1 paved road (Hwy. N-34) which is used daily by community members for the daily activities including getting food provisions for their families from the community of Shiprock or from Farmington and Gallup, NM.

document attached

Part 3. Additional documents.

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

Tse Alnaoztii (Sanostee) Chapter Resolution TAT-23-05-60.

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, ARRA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer:

Approved by:

Approved by:

VACANT
CSC

Approved by

Approved to submit for Review.



THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

PART I. Business Unit No.: <u> </u>		New		Program Title: <u> </u>		Tax Account (Seacrest) Chapter: <u> </u>		Division/Branch: <u> </u>		Community Development	
Prepared By: <u>Jourdan Washburn, Sec/Treasurer</u>		Phone No.: <u> </u>		Email Address: <u> </u>		505-723-2703					
PART II. FUNDING SOURCE(S)		Fiscal Year Term		Amount		% of Total		PART III. BUDGET SUMMARY		Fund Type Code	
2023-2024		2023-2024		\$486,010.00		100%		Personnel Expenses		MNC Approved Original Budget	
								Travel Expenses		Proposed Budget	
								Meeting Expenses		Total	
								Supplies			
								Lease and Rental			
								Communications and Utilities			
								Repairs and Maintenance			
								Contractual Services		\$ 486,010.00	
								Special Transactions		\$ 486,010.	
								Public Assistance			
								Capital Outlay			
								Matching Funds			
								Indirect Cost			
								TOTAL		\$0.00	
								PART IV. POSITIONS AND VEHICLES		\$ 486,010.00	
								TOTAL # of Positions Budgeted:		(E)	
								TOTAL # of Vehicles Budgeted:			
								TOTAL: 486,010.00		100%	

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

SUBMITTED BY: James Adakai, Delegated Department Manager II APPROVED BY: Carmen Casullo, Executive Director
 Program Manager's Printed Name: Division Director / Branch Chief's Printed Name:
 Program Manager's Signature and Date: Division Director / Branch Chief's Signature and Date:

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:		Business Unit No.: <u>New</u>				Program Name/Title: <u>Tsa Alnasoziil (Sanostee) Chapter</u>				Bull Dozer			
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:													
<p>To purchase bull dozer to help maintain roads and aid in mitigating COVID19.</p>													
PART III. PROGRAM PERFORMANCE CRITERIA:													
1. Goal Statement:													
To procure a Bull Dozer for road maintenance work in the community.													
Program Performance Measure/Objective:													
To purchase a Bull dozer for road maintenance for public safety reasons.													
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.													
James Adakai, Delegated Department Manager II						Calvin Castillo, Executive Director							
Program Manager's Printed Name						Division Director/Branch Chief's Printed Name							
 5-16-23						 6-23							
Program Manager's Signature and Date						Division Director/Branch Chief's Signature and Date							

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION: Program Name/Title: Tee Alnacodil (Sanctos) Chapter Business Unit No.: <u>New</u>	
PART II. DETAILED BUDGET:	
(A)	(B)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)
6900	SUBCONTRACTED SERVICES 10990 Subcontracted Services Purchase a Bull Dozer - Equipment \$ 486,010.00
	(C) Total by DETAILED Object Code (LOD 6) (D) Total by MAJOR Object Code (LOD 4)
	486,010.00 486,010.00
TOTAL \$ 486,010.00 \$ 486,010.00	



iiná bá, Inc.

ENVIRONMENTAL | ENGINEERING | SURVEYING | CONSTRUCTION | TRANSPORTATION

December 31, 2023

Mr. Arbin Mitchell – Division Director
Navajo Nation Division of Community Development
Navajo Nation Administration Building No. 2, Second Floor South
Window Rock, Arizona 86515

RE: Summary of Project Investigation Findings – Sanostee Chapter Crawler Dozer Purchase

NNDCD On-Call ID/IQ Task Order No. 1
Navajo Route 34
Sanostee, San Juan County, New Mexico
Contract No.: 2022-DCD-02
iiná bá, Inc. Project No.: 23-064-10

Dear Mr. Mitchell:

iiná bá, Inc. (IBI) is pleased to provide the following summary of the results of our thorough investigation of the above-referenced approved chapter project under the subject contract effort.

FRF Approved Project Budget: \$300,000.00

NOT FEASIBLE

Generalized Project Description: The Sanostee Chapter intends to purchase a crawler dozer (Model 850L) that will assist them in facilitating critical road maintenance activities for their community and bus routes, especially those at the base of the mountains.

Assessment Procedures: IBI visited with the Sanostee Chapter on Tuesday, September 26, 2023, to fully understand the needs and intent of the Chapter officials regarding the approved crawler dozer purchase. After a thorough question and answer session with Chapter officials, a clear understanding of what they intended the subject project should look like and provided additional insight into what their approved budget should accomplish.

IBI took the Chapter's input and assessed whether the approved budget was adequate to meet the needs of the project. To accomplish this, it required obtaining a vendor quotation from the local John Deere equipment vendor – 4Rivers Equipment.

Assessment Findings: Through IBI's due diligence and research, we determined the following regarding the approved project budget:



iiná bá, Inc.

ENVIRONMENTAL | ENGINEERING | SURVEYING | CONSTRUCTION | TRANSPORTATION

- John Deere 850L crawler dozer purchase: **\$486,010.00**

Assessment Costs: IBI concluded that the Chapter budget of \$300,000.00 **is not adequate** to allow the purchase of a crawler dozer as requested by the Chapter. There also appears to be a **budget deficit of \$186,010.00.** **It should be further noted that this price also included the following:**

- 12 months of full machine factor warranty plus an additional 48-months or 3,000 hours (whichever occurs first) on powertrain plus hydraulics extended warranty;
- Optional 5-year or 3,000 hour Machine Care Plan with travel at **\$19,263.48;**
- Special Navajo Nation Governmental Discount; and,
- Free of charge operator training.

Please keep in mind that this value is only good for 90 days as prices are subject to change. Delivery of this equipment is estimated to be between 30 to 90 days from the date of purchase.

IBI appreciates the opportunity of providing the Navajo Nation Division of Community Development with our findings from the assessment of the referenced chapter project. If you have any questions or comments regarding our assessment, please feel free to contact Duane M. Aspaas, President at (505) 327-1072 or by e-mail at daspaas@iinaba.com.

Respectfully submitted,

iiná bá, Inc.

Duane M. Aspaas
President



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 #: HK 0540

Date & Time Received: 06/09/23 at 13:55

Date & Time of Response: 6/16/23 at 17:00

Entity Requesting FRF: Sanostee (TseAlnaoztii) Chapter

Title of Project: Bull Dozer

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$300,000.00

Eligibility Determination:

- FRF eligible
- FRF ineligible
- Additional information requested

FRF Eligibility Category:

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

U.S. Department of Treasury Reporting Expenditure Category: _____

6.1, Provision of Government Services


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:

[Faint, illegible text in the comments section]

Name of DOJ Reviewer: Veronica Blackhat, Asst Attorney General, Natural Resources Unit

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.

NAVAJO NATION

337

3/28/2024

Naa'bik'iyati' Committee Regular Meeting

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

Tolth, G

Yanito, C

Charles-Newton, E

Nez, A

Tso, O

Not Voting : 2

Yazzie, L

Aseret, L

Presiding Speaker: Curley, C