

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0086-22\_

SPONSOR: Mark A. Freeland

**TITLE: An Action Relating to the Naabik'iyáti' 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 Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding**

***Date posted:*** April 19, 2022 at 7:16PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0086-22

**DATE:** April 19, 2022

**TITLE OF RESOLUTION:** 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 ASSISTANCE; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; ECONOMIC DEVELOPMENT 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

**PURPOSE:** This resolution, if approved, will allocate \$1,070,298,867 of Navajo Nation Fiscal Recovery Funds for Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development 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

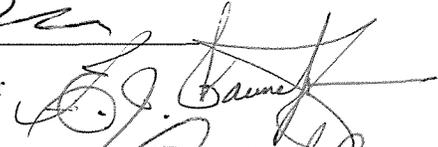
**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

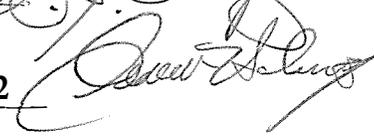
5-DAY BILL HOLD PERIOD: Johnson  
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Eligible for Action: 04/25/22

Naabik'iyáti' Committee  
Thence  
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 24th NAVAJO NATION COUNCIL — Fourth Year, 2022

3  
4 INTRODUCED BY

5  
6   
7 Primary Sponsor 

8  
9 TRACKING NO. 0086-22 

10  
11 AN ACTION

12 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION  
13 COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL  
14 RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL  
15 RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER ASSISTANCE;  
16 PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL  
17 ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS;  
18 ECONOMIC DEVELOPMENT PROJECTS; HARDSHIP ASSISTANCE; WATER  
19 AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME  
20 ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS;  
21 HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES;  
22 BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY  
23 FUNDING; AND REDUCED ADMINISTRATIVE FUNDING

24  
25 BE IT ENACTED:

26  
27 SECTION ONE. AUTHORITY

- 28 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).  
29 B. Navajo Nation Council Resolution No. CJY-41-21, attached as **Exhibit A**, mandates that  
30 Navajo Nation Fiscal Recovery Fund (“NNFRF”) Expenditure Plans be duly adopted by a

1 two-thirds (2/3) vote of all members of the Navajo Nation Council and approved by the  
2 President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) and 2 N.N.C. §§ 1005 (C) (10),  
3 (11), and (12).

- 4 C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council with the  
5 delegated responsibility to hear proposed resolution(s) that require final action by the Navajo  
6 Nation Council. 2 N.N.C. § 164(A)(9).

7  
8 **SECTION TWO. FINDINGS**

- 9 A. The World Health Organization ("WHO") declared a Public Health Emergency of  
10 International Concern related to the Coronavirus ("COVID-19"), a highly contagious and  
11 sometimes fatal respiratory virus, on January 30, 2020; the U.S. Department of Health and  
12 Human Services declared a Public Health Emergency related to the COVID-19 outbreak on  
13 January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11,  
14 2020.
- 15 B. The Navajo Nation Commission on Emergency Management, with the concurrence of Navajo  
16 Nation President Jonathan Nez, declared a Public Health State of Emergency on the Navajo  
17 Nation on March 11, 2020, due to the COVID-19 outbreak. *See* Resolution No. CEM 20-03-  
18 11 which is incorporated herein by reference. The Navajo Nation Department of Health has  
19 subsequently issued numerous Public Health Emergency Orders. Public Health Orders 2020-  
20 001 through 2022-006 are incorporated herein by reference. These Public Health Emergency  
21 Orders are available at [www.ndoh.navajo-nsn.gov](http://www.ndoh.navajo-nsn.gov).
- 22 C. The coronavirus pandemic of 2019 has caused large scale infections and loss of life throughout  
23 the world, the United States, and the Navajo Nation. As of April 13, 2022, the Navajo Nation  
24 Health Command Operations Center has confirmed 53,179 COVID-19 cases and 1,740  
25 COVID-related deaths on the Navajo Nation. COVID-19 variants have recently emerged that  
26 threaten to increase these numbers and continue the pandemic's assault on the Navajo People.
- 27 D. The devastating effects of COVID-19 continue throughout the Navajo Nation and extend  
28 beyond the health and life devastation to wide scale negative financial effects, such as  
29 employment losses, business closures, food and housing insecurity, and other economic  
30 disruptions.

1 E. In response to the pandemic, United States President Joseph Biden signed the American  
2 Rescue Plan Act ("ARPA") into law on March 11, 2021. Section 9901 of ARPA amended  
3 Title VI of the Social Security Act to add section 602, which established the Coronavirus State  
4 Fiscal Recovery Fund, and section 603, which established the Coronavirus Local Fiscal  
5 Recovery Fund (together the "Fiscal Recovery Funds" or "FRF") and provided \$362 billion  
6 for state, local, and tribal governments, including \$20 billion specifically designated for tribal  
7 governments.

8 F. As of April 12, 2022, the United States Department of Treasury has allocated two billion  
9 seventy-nine million four hundred sixty-one thousand four hundred sixty-four dollars  
10 (\$2,079,461,464) to the Navajo Nation under the Fiscal Recovery Funds provisions of ARPA.  
11 The Fiscal Recovery Funds are designed to build on and expand the relief provided in the  
12 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-  
13 136, 134 Stat. 281 (2020), and are intended to mitigate and contain the spread of COVID-19,  
14 as well as to respond to the health, social and economic impacts of COVID-19 suffered by  
15 residents and businesses.

16 G. Pursuant to Section 9901 of ARPA, the Fiscal Recovery Funds are specifically intended to:

- 17 1. respond to the COVID-19 public health emergency and its negative economic  
18 impacts, including assistance to households, small businesses, and non-profits; and/or  
19 aid to impacted industries such as tourism, travel, and hospitality;
- 20 2. respond to workers performing essential work during the COVID-19 public health  
21 emergency by providing premium pay to eligible workers;
- 22 3. provide government services to the extent of the reduction in Navajo Nation revenue  
23 due to the COVID-19 public health emergency, relative to revenues collected in the  
24 most recent full fiscal year prior to the COVID-19 public health emergency; and
- 25 4. make necessary investments in water, sewer, and/or broadband infrastructure.

26 H. The U.S. Department of Treasury has issued guidance requiring that the use and expenditure  
27 of Fiscal Recovery Funds must fall under one of the four categories above and that funding  
28 recipients must report each expenditure under one of the eighty-three (83) "Expenditure  
29 Categories" set forth in Appendix 1 to the U.S. Department of Treasury's Compliance and  
30 Reporting Guidance for State and Local Fiscal Recovery Funds, attached as **Exhibit B**.

1 I. Pursuant to ARPA:

- 2 1. Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning that  
3 the Navajo Nation must obligate FRF funds by that date. Treasury's Final Rule  
4 provides that "incurred" shall have the same meaning given to "financial obligation"  
5 under the Uniform Guidance at 2 CFR 200.1: "Financial obligations, when  
6 referencing a recipient's or sub-recipient's use of funds under a Federal award, means  
7 orders placed for property and services, contracts and sub-awards made, and similar  
8 transactions that require payment"; and
- 9 2. The Fiscal Recovery Fund period of performance runs from March 3, 2021, until  
10 December 31, 2026, meaning that all FRF-funded projects must be completed and  
11 funds must be fully expended by December 31, 2026.
- 12 3. Costs incurred by the Navajo Nation prior to March 3, 2021 are not eligible.
- 13 4. Any funds not obligated or expended for eligible uses by the dates set forth above in  
14 sections I (1) and (2) must be returned to Treasury, including any unobligated or  
15 unexpended funds that have been provided to sub-recipients and contractors as part  
16 of the award closeout process.

17 J. While its acceptance of Fiscal Recovery Funds obligates the Navajo Nation to comply with  
18 ARPA and other federal laws and regulations, the Navajo Nation can and will fulfill these  
19 obligations while retaining and exercising its sovereignty in allocating and disbursing Fiscal  
20 Recovery Funds.

21 K. On July 23, 2021, the Navajo Nation Council adopted Resolution No. CJY-41-21, attached as  
22 **Exhibit A**, establishing the Navajo Nation Fiscal Recovery Fund ("NNFRF") into which the  
23 Navajo Nation's allocation of \$2,079,461,464 has been deposited. Resolution CJY-41-21 also  
24 adopted an expenditure authorization and approval process for the allocation of funds from  
25 the NNFRF.

26 L. The Navajo Nation Council mandated the Budget and Finance Committee to adopt application  
27 and review procedures, as well as an expenditure plan template, to be used by entities  
28 requesting Navajo Nation Fiscal Recovery Funds. Resolution CJY-41-21, Section Four. The  
29 Budget and Finance Committee approved Resolution No. BFS-31-21 which established  
30

1 mandatory Navajo Nation Fiscal Recovery Fund application procedures, forms, and an  
2 expenditure plan template. Resolution BFS-31-21 is incorporated herein by reference.

3 M. To ensure the Navajo Nation's compliance with ARPA, Section Four of Resolution CJY-41-  
4 21 also directed the Navajo Nation Department of Justice ("NNDOJ") to perform "an initial  
5 determination of whether a NNFRF funding request satisfies the legal requirements of the  
6 Fiscal Recovery Funds provisions of ARPA and applicable Navajo Nation laws, regulations,  
7 and policies and procedures." Resolution BFS-31-21 incorporated NNDOJ's initial  
8 determination into the mandatory NNFRF application procedures, forms, and an expenditure  
9 plan template, which requires, among other things, identification of the entity with  
10 administrative oversight over the Funding Recipient. Administrative oversight means having  
11 the authority and responsibility to monitor the implementation of an approved FRF  
12 Expenditure Plan and the expenditure of awarded funds. The duties of the entity with  
13 administrative oversight are set forth in Section Seven of the FRF Procedures in Exhibits 1  
14 through 5 of Resolution BFS-31-21.

15 N. The Office of the President and Vice-President, in coordination with the Division of  
16 Community Development ("DCD"), presented ARPA and Fiscal Recovery Fund information  
17 at each of the five (5) Agency Council Meetings to hear from the Navajo People concerning  
18 their needs and priorities for projects and/or services funded through the NNFRF. In addition,  
19 DCD has met with Navajo Nation Chapters, individually and collectively, on more than fifty  
20 (50) occasions to discuss NNFRF matters.

21 O. The Navajo Nation Council hosted twenty-six (26) Naabik'iyáti' Committee Work Sessions,  
22 all open to the public, to hear from the regional and Agency leadership concerning their needs  
23 and priorities for projects and/or services funded through the Navajo Nation Fiscal Recovery  
24 Fund. In addition, Standing Committees of the Navajo Nation Council held more than forty  
25 (40) committee meetings, all open to the public, that have included NNFRF reports and  
26 infrastructure specific discussions.

27 P. The health and financial devastation visited on the Navajo People by the COVID-19 pandemic  
28 has risen to emergency levels. Critical infrastructure needs to be built by and for the Navajo  
29 Nation government to provide necessary services and to allow the Navajo Nation to assist  
30 residents in coping with the on-going pandemic. The time for construction of such

1 infrastructure and expenditure of the Fiscal Recovery Funds continues to lessen as the deadline  
2 to completely expend Fiscal Recovery Funds by December 31, 2026, quickly approaches, after  
3 which time unexpended funds must be returned to the United States Treasury. The Navajo  
4 Nation Council and Office of the President and Vice-President have determined that it is  
5 imperative that infrastructure and mitigation recovery services be provided to the Navajo  
6 People as soon as possible.

7 Q. To lessen the financial devastation caused by the COVID-19 pandemic, the Navajo Nation  
8 Council adopted Resolution No. CD-62-21 providing \$557,000,000 in Hardship Assistance  
9 for Navajo members. The President signed CD-62-21 into law on January 4, 2022.

10 R. The Navajo Nation Council and Office of the President and Vice-President concur that, based  
11 on their respective public consultation efforts, it is in the best interest of the Navajo people  
12 and Navajo communities to next enact comprehensive Navajo Nation Fiscal Recovery Fund  
13 Expenditure Plans for; Chapter Assistance; Public Safety Emergency Communication, E911,  
14 and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic  
15 Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband  
16 Projects; Home Electricity Connection and Electric Capacity Projects; Housing Projects and  
17 Manufactured Housing Facilities; Bathroom Addition Projects; and Construction Contingency  
18 Funding in the total amount of one billion seventy million two hundred ninety-eight thousand,  
19 eight hundred sixty-seven dollars (\$1,070,298,867), as set forth in **Exhibit C**.

20  
21 **SECTION THREE. APPROVAL OF THE CHAPTER ASSISTANCE EXPENDITURE PLAN**

22 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Chapter  
23 Assistance Expenditure Plan set forth herein and in **Exhibit D**.

24 B. The Navajo Nation hereby approves total funding for the NNFRF Chapter Assistance Expenditure  
25 Plan to the Division of Community Development from the Navajo Nation Fiscal Recovery Fund  
26 in the total amount of eighty-one million nine hundred fifty thousand dollars (\$81,950,000), as  
27 Revenue Replacement: Provision of Government Services (Expenditure Category 6.1), with  
28 administrative oversight by the Office of the President and Vice-President and legislative oversight  
29 by the Resources and Development Committee, to be allocated at a total of seven hundred and  
30 forty-five thousand dollars (\$745,000) per Chapter.

- 1 C. For purposes of the NNFRF Chapter Assistance Expenditure Plan and Chapter Project Plans,  
2 “Chapter” shall mean all the Navajo Nation chapters, whether governance certified pursuant to the  
3 Local Governance Act (“LGA”) (“LGA-Certified Chapters”) or not (“Non-LGA-Certified  
4 Chapters”); and the term “projects” shall mean projects, services, and programs.
- 5 D. The 12 N.N.C. § 820(O) 50-50 Chapter Distribution Formula does not apply to this Expenditure  
6 Plan. The 50-50 Formula applies to appropriations intended for distribution to all Chapters of the  
7 Navajo Nation. The Chapter Assistance Expenditure Plan funding will be allocated to the Division  
8 of Community Development for the benefit of Chapters rather than directly to all Chapters.
- 9 E. The Division of Community Development shall manage and administer funds and Chapter Project  
10 Plans on behalf of Non-LGA-Certified Chapters. The Division of Community Development may  
11 award funding to LGA-Certified Chapters through sub-recipient agreements, but shall maintain  
12 administrative oversight over such funding and Chapter Project Plans.
- 13 F. Each Navajo Nation Chapter shall propose FRF-eligible projects to be incorporated into and  
14 funded through a chapter-specific comprehensive NNFRF Chapter Project Plan, which shall be  
15 subject to administrative approval as set forth below. A Chapter’s comprehensive Chapter Project  
16 Plan shall not exceed seven hundred and forty-five thousand (\$745,000) in total.
- 17 G. The Division of Community Development and the NNFRF Office shall work together to provide  
18 education and technical assistance to Chapters, and to respond timely to requests for assistance  
19 from Chapters, in developing their individual projects and comprehensive Chapter Project Plans.
- 20 H. Chapter Project Plans shall be subject to the following requirements, restrictions, and review and  
21 approval process:
- 22 1. All projects in a Chapter’s comprehensive NNFRF Chapter Project Plan shall fall under  
23 one of the authorized and allowed U.S. Treasury Expenditure Categories set forth in  
24 **Exhibit B** and as restricted herein.
  - 25 2. A comprehensive NNFRF Chapter Project Plan may include NNFRF-eligible projects for  
26 programs to provide government services to Chapter members; to provide basic PPE to  
27 Chapter members; to provide food, fuel, firewood assistance to Chapter members  
28 negatively impacted by COVID-19; to construct projects such as COVID-19 mitigation  
29 renovations to Chapter houses, housing renovations, and house wiring; to plan and design  
30 projects; to hire consultants to assist with NNFRF-eligible programs and projects; to hire

1 PEP workers, student workers and other temporary employees, or regular status  
2 employees to assist the Chapter governments in carrying out NNFRF-eligible programs  
3 and projects. Chapter Project Plans shall not include COVID-19 testing and vaccinations,  
4 or any cash assistance for Chapter members such as a hardship assistance program.

- 5 3. Council Resolution No. CYJ-41-21 mandated NNNNDOJ with the responsibility to  
6 conduct initial eligibility determinations on all proposed NNFRF expenditure plans; and  
7 only projects that NNNNDOJ deems FRF-eligible shall be included in a Chapter's  
8 comprehensive NNFRF Chapter Project Plan.
- 9 4. Each Chapter and comprehensive Chapter Project Plan shall be limited to a total of seven  
10 hundred and forty-five thousand dollars (\$745,000) of Revenue Replacement Projects  
11 (Expenditure Categories 6.1: Provision of Government Services and 6.2 Non-federal  
12 Match for Other Federal Programs).
- 13 5. LGA-Certified Chapters may receive subawards of NNFRF for approved Chapter Project  
14 Plans through a sub-recipient agreement and shall then be responsible for administering  
15 and managing the Chapter projects themselves, subject to administrative oversight from  
16 the Division of Community Development or other designated Administrative Oversight  
17 entity. Non-LGA-Certified Chapters shall not be eligible to receive subawards of NNFRF.  
18 The Navajo Nation Central Government shall administer and manage NNFRF-funded  
19 projects on behalf of Non-LGA-Certified Chapters.
- 20 6. Chapter Project Plans shall not include Sanitation Deficiency Service ("SDS")-eligible  
21 projects included on the Indian Health Service 2022 SDS List, attached as **Exhibit D-1**,  
22 or on any prior year Indian Health Services SDS List.
- 23 7. All pre-construction related projects included in a Chapter Project Plan shall be "project  
24 ready" meaning that a project's planning and design work is able to begin once funding  
25 is received, and the expedited timeframe in which the project can be completed.
  - 26 a. The Chapter shall complete a separate Division of Community Development  
27 (DCD) project evaluation form and supporting documents for each proposed  
28 pre-construction related project which shall include project-site readiness,  
29 valid land withdrawal and permitting approvals, as well as the anticipated  
30 timeframe during which the project will be completed. The Chapter shall

1 submit the fully completed form through the DCD Portal. If DCD is not the  
2 Administrative Oversight over the proposed project, the Chapter shall also  
3 submit the project evaluation form and all supporting documents to the entity  
4 that will have Administrative Oversight over the proposed project.

- 5 8. Construction projects shall be “construction ready” meaning that a project’s planning  
6 and design work has been completed and construction is able to begin once funding  
7 is received, and the expedited timeframe in which the project can be completed.

8 a. The Chapter shall complete a separate DCD project evaluation form for each  
9 proposed construction project which shall include project site readiness, valid  
10 land withdrawal and permitting approvals, as well as the anticipated  
11 timeframe during which the project will be completed. The Chapter shall  
12 submit the fully completed form and all supporting documents through the  
13 DCD Portal. If DCD is not the Administrative Oversight over the proposed  
14 project, the Chapter shall also submit the project evaluation form and all  
15 supporting documents to the entity that will have Administrative Oversight  
16 over the proposed project.

- 17 9. All proposed Chapter projects shall be sufficiently developed such that funding for the  
18 project(s) can be obligated and encumbered in the Nation’s Financial Management  
19 Information System (“FMIS”) by 5:00 p.m. on June 30, 2024, and fully expended by  
20 5:00 p.m. on June 30, 2026 or such earlier dates as may be determined by resolution of  
21 the Navajo Nation Council. Generally, this requires NEPA, ROW, and design work to be  
22 sufficiently advanced such that these pre-construction tasks can be completed in time to  
23 execute construction contracts and encumber funds by 5:00 p.m. on June 30, 2024.

24 a. The Administrative Oversight entity for each project shall be responsible for  
25 making the determination whether the proposed Chapter project is “project-  
26 ready” or “construction-ready”. If a proposed project is not deemed project-  
27 ready or construction-ready, the project shall not be eligible for inclusion in a  
28 Chapter’s Project Plan.

- 29 10. Immediately after a Chapter has received a NNDOJ determination that its proposed  
30 projects are FRF-eligible and notice from DCD, or the other entity serving as the

1 Administrative Oversight, that the proposed projects are project-ready or  
2 construction-ready, the Chapter shall prepare its proposed comprehensive Chapter  
3 Project Plan.

4 11. Within forty-five (45) days after the enactment of this legislation, each Chapter shall  
5 submit the following to the Division of Community Development through the DCD  
6 Portal:

- 7 a. a list of proposed projects, the total cost of which shall be equal to the Chapter's  
8 allocation;
- 9 b. a duly enacted Chapter resolution in support of each proposed project on the list;  
10 and
- 11 c. a draft BFS-31-21 Appendix A expenditure plan, Appendix B budget form, and  
12 supporting documents, such as checklist, Chapter resolution, preliminary cost  
13 estimate, list of recipients and quad maps, documentation of clearances, written  
14 confirmation of other funding sources, for each project or grouping of projects  
15 that fall under the same Treasury Expenditure Category. Each project shall  
16 identify its Administrative Oversight entity and its Oversight Committee.

17 12. If a Chapter misses the forty-five (45) day deadline and fails to submit the required project  
18 list, draft BFS-31-21 Appendix A expenditure plans, Appendix B budget forms, and  
19 supporting documents within 45 days after the enactment of this legislation, the Division  
20 of Community Development shall issue a written notice to the Chapter, with a courtesy  
21 copy to OPVP, Office of the Speaker, and the Council Delegate representing such  
22 Chapter. The written notice shall state that the Chapter failed to meet the 45-day deadline,  
23 and shall provide the Chapter an additional ten (10) calendar days to submit the required  
24 project list, draft BFS-31-21 Appendix A expenditure plans, Appendix B budget forms,  
25 and supporting documents.

- 26 a. If the Chapter fails to submit the required documents within the additional 10-  
27 day period, the Chapter shall not be eligible to submit a Chapter Project Plan or  
28 to receive funding through the Chapter Assistance Expenditure Plan. Funds  
29 designated for the benefit of that ineligible Chapter shall be automatically  
30 reallocated to the Construction Contingencies Expenditure Plan and such

1 reallocation shall be automatic and shall not require Navajo Nation Council or  
2 OPVP action.

3 b. DCD shall promptly provide written notice to the Council Delegate representing  
4 the respective Chapter, Office of the Controller, Office of Management and  
5 Budget, OPVP, NNFRF Office, and Office of the Speaker that the Chapter was  
6 deemed ineligible to receive funding through the Chapter Assistance Expenditure  
7 Plan.

8 13. Notwithstanding Resolution BFS-31-21 and regardless of a Chapter's LGA-certified  
9 status, DCD shall submit each Chapter's BFS-31-21 Appendix A expenditure plans,  
10 Appendix B budget forms, and supporting documents to NNNDOJ for an initial  
11 eligibility determination as required under Resolution CJY-41-21.

12 a. DCD shall review a Chapter's proposed project list, draft Appendix A  
13 expenditure plans, Appendix B budgets forms and supporting documents,  
14 including Chapter resolutions, within ten (10) working days after receipt in the  
15 DCD Portal and determine whether the proposed project list, draft Appendix A  
16 expenditure plans, Appendix B budget forms and supporting documents are  
17 complete and meet the requirements set forth herein and in CJY-41-21 and BFS-  
18 31-21.

19 b. If the proposed project list, draft Appendix A expenditure plans, Appendix B  
20 budgets forms and supporting documents are in order, DCD shall promptly  
21 approve, sign, and submit the packet for NNDOJ initial eligibility determination  
22 review. If the documents are deficient or the proposed projects do not meet the  
23 CJY-41-21 and/or BFS-31-21 requirements, DCD shall promptly provide  
24 technical assistance to the Chapter to prepare a revised request for NNDOJ  
25 review.

26 14. NNDOJ shall be allowed five (5) work days, in addition to BFS-31-21's five (5) days, to  
27 complete the initial eligibility determination following DCD's submission of a request for  
28 a NNDOJ eligibility review. After completing its review, NNDOJ shall provide a written  
29 initial eligibility determination to DCD, the Chapter, and the Administrative Oversight  
30 entity over the proposed project if other than DCD.

1 15. All Chapter Project Plans shall be subject to administrative review and approval by  
2 the DCD Division Director, the Director of the NNFRF Office, and the Director(s) of  
3 the government entity(s) with Administrative Oversight over each of the projects that  
4 comprise the Chapter's Project Plan.

5 16. If a Chapter Project Plan for a Non-LGA-Certified Chapter is approved, DCD or the  
6 other entity serving as Administrative Oversight, shall prepare and submit budget  
7 forms to OMB, and shall take all necessary steps to procure goods and services on  
8 behalf of the Non-LGA-Certified Chapter in order to implement the Chapter's Project  
9 Plan.

10 17. If a Chapter Project Plan for an LGA-Certified Chapter is approved, DCD or the other  
11 entity serving as Administrative Oversight, shall prepare a sub-recipient agreement  
12 for NNDOJ approval and execution by the Navajo Nation President or his designee.  
13 DCD or the Administrative Oversight entity shall prepare and submit the budget  
14 forms for the sub-recipient agreement to OMB. OOC shall only disburse funding in  
15 accordance with the disbursement schedule in the sub-recipient agreement. The  
16 LGA-Certified Chapter shall take all necessary steps to procure goods and services,  
17 execute contracts, and other measures in order to implement the Chapter's Project  
18 Plan.

19 18. Resolution CJY-41-21, Section Three (F), requires a contingency reserve for NNFRF  
20 Chapter construction projects. Within each construction project forms, Chapters shall  
21 budget a minimum of ten percent (10%) of the total cost of construction projects on  
22 Appendix B – budget form as a contingency reserve.

23 19. The Chapter Project Plans of sanctioned chapters shall *not* be subject to the 10%  
24 withholding set forth by 12 N.N.C. § 9(B).

25 I. To ensure that the Chapter Assistance Expenditure Plan complies with the federal Fiscal Recovery  
26 Fund deadlines so that the Nation does not have to return any funding to Treasury, any funding for  
27 the Chapter Assistance Expenditure Plan that is not obligated and encumbered by DCD and/or the  
28 LGA-Certified Chapters by 5:00 p.m. on June 30, 2024, or expended by DCD and/or the LGA-  
29 Certified Chapters by 5:00 p.m. on June 30, 2026 shall be automatically reallocated to the NNFRF  
30 Construction Contingencies Expenditure Plan. Such reallocations shall not require Navajo Nation

1 Council or OPVP action.

- 2 1. LGA-Certified Chapters shall immediately return to the Office of the Controller all  
3 Chapter Project Plan funds that remain unobligated and unencumbered as of 5:00 p.m. on  
4 June 30, 2024.
- 5 2. LGA-Certified Chapters shall immediately return to the Office of the Controller all  
6 Chapter Project Plan funds that remain unexpended as of 5:00 p.m. on June 30, 2026.

7  
8 **SECTION FOUR. APPROVAL OF THE PUBLIC SAFETY EMERGENCY**  
9 **COMMUNICATIONS, E911, RURAL ADDRESSING, AND CYBER SECURITY PROJECTS**  
10 **EXPENDITURE PLANS**

- 11 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Public  
12 Safety Emergency Communications, E911, Rural Addressing, and Cyber Security Projects  
13 Expenditure Plans set forth in **Exhibits E** and **E-1** through **E-2**.
- 14 B. The Navajo Nation hereby approves total funding for the NNFRF Public Safety Emergency  
15 Communications, E911, Rural Addressing, and Cyber Security Projects Expenditure Plans from  
16 the Navajo Nation Fiscal Recovery Fund in the total amount of forty million dollars (\$40,000,000)  
17 and allocates the funding as follows:
  - 18 1. Thirty-five million dollars (\$35,000,000) to the Division of Public Safety for Emergency  
19 Communications projects, to include E911 and rural addressing, as Other Public Health  
20 Services (Expenditure Category 1.14), as set forth in **Exhibit E-1**, with administrative  
21 oversight by the Office of the President and Vice-President and joint legislative oversight by  
22 the Law and Order and Resources and Development Committees.
  - 23 2. Five million dollars (\$5,000,000) to the Department of Information Technology, Division of  
24 General Services, for Cyber Security project(s), as Other Public Health Services (Expenditure  
25 Category 1.14), as set forth in **Exhibit E-2**, with administrative oversight by the Division of  
26 General Services and joint legislative oversight by the Health Education Human Services and  
27 Resources and Development Committees.
- 28 C. The Division of Public Safety and the Department of Information Technology, Division of  
29 General Services, are authorized to execute these Emergency Communications, E911, Rural  
30 Addressing, and Cyber Security Projects directly, or through use of contractors and sub-

1 recipients. The Division of General Services and the Division of Public Safety shall exercise  
2 administrative oversight over construction contracts and subawards to sub-recipients and shall  
3 ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed  
4 on schedule, within the authorized budgets, and according to project specifications.

- 5 D. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for  
6 NNFRF Emergency Communications, E911, Rural Addressing, and Cyber Security construction  
7 projects shall be implemented on a case-by-case basis through resolution(s) approved by the  
8 Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005  
9 (C)(10), (11), and (12).

10  
11 **SECTION FIVE. APPROVAL OF PUBLIC HEALTH EXPENDITURE PLAN**

- 12 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Public  
13 Health Expenditure Plan set forth in **Exhibits F** and **F-1** through **F-6**.
- 14 B. The Navajo Nation hereby approves total funding for the NNFRF Public Health Expenditure Plan  
15 from the Navajo Nation Fiscal Recovery Fund in the total amount of seventy-nine million four  
16 hundred eighty-seven thousand five hundred dollars (\$79,487,500) allocated as follows:
- 17 1. Nineteen million two hundred forty-three thousand seven hundred fifty dollars (\$19,243,750)  
18 to the Division of Aging and Long-Term Care Support (“DALTCS”), Navajo Department of  
19 Health, for Senior Centers, as Other Public Health Services (Expenditure Category 1.14) as  
20 set forth in **Exhibit F-1**, with administrative oversight by the Navajo Department of Health  
21 and legislative oversight by the Health, Education, and Human Services Committee.
  - 22 2. Twenty-one million dollars (\$21,000,000) to the Special Diabetes Program, Division of Public  
23 Health Services, Navajo Department of Health, for Community Wellness Centers, as  
24 Economic Impact Assistance: Other (Expenditure Category 2.37) as set forth in **Exhibit F-2**,  
25 with administrative oversight by the Navajo Department of Health and legislative oversight  
26 by the Health, Education, and Human Services Committee.
  - 27 3. Fifteen million two hundred forty-three thousand seven hundred fifty dollars (\$15,243,750) to  
28 the Division of Behavioral and Mental Health Services, Navajo Department of Health, for  
29 Detox and Residential Treatment Centers, as Substance Use Services (Expenditure Category  
30 1.13) as set forth in **Exhibit F-3**, with administrative oversight by the Navajo Department of

1 Health and legislative oversight by the Health Education Human Services Committee.

- 2 4. Five million dollars (\$5,000,000) to the Navajo Department of Health, for a Dedicated Public  
3 Health Storage Warehouse, as Other Public Health Services (Expenditure Category 1.14) as  
4 set forth in **Exhibit F-4**, with administrative oversight by the Office of the President and Vice-  
5 President and legislative oversight by the Health, Education, and Human Services Committee.
- 6 5. Four million dollars (\$4,000,000) to the Division of Behavioral and Mental Health Services,  
7 for Transitional Housing, as Mental Health Services (Expenditure Category 1.12) as set forth  
8 in **Exhibit F-5**, with administrative oversight by the Navajo Department of Health and  
9 legislative oversight by the Health, Education, and Human Services Committee.
- 10 6. Fifteen million dollars (\$15,000,000) to the Navajo Department of Health, for a Long-Term  
11 Care Facility in Tuba City, as Medical Expenses (including Alternative Care Facilities)  
12 (Expenditure Category 1.6), as set forth in **Exhibit F-6**, with administrative oversight by the  
13 Office of the President and Vice President and legislative oversight by the Health, Education,  
14 and Human Services Committee.

- 15 C. The Department of Health is authorized to execute these Public Health Projects directly, or  
16 through the use of contractors and sub-recipients. The Department of Health shall exercise  
17 administrative oversight over construction contracts and subawards to sub-recipients and shall  
18 ensure that costs are incurred only for FRF-eligible purposes, and that projects are completed  
19 on schedule, within the authorized budgets, and according to project specifications.
- 20 D. The requirement in CJY-41-21, Section Three (F), to establish a contingency reserve for NNFRF  
21 Public Health construction projects shall be implemented on a case-by-case basis through  
22 resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2 N.N.C. § 164  
23 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).
- 24

25 **SECTION SIX. APPROVAL OF ECONOMIC DEVELOPMENT EXPENDITURE PLAN**

- 26 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund  
27 Economic Development Expenditure Plan set forth in **Exhibits G** and **G-1** through **G-\_\_**.
- 28 B. The Navajo Nation hereby approves total funding for the NNFRF Economic Development  
29 Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of forty-five  
30 million four hundred and sixty-two thousand three hundred and ninety-eight dollars (\$45,462,398)

1 allocated as follows:

- 2 1. Five million dollars (\$5,000,000) to the Division of Economic Development for the  
3 administration of the Navajo Small Business Credit Initiative as Provision of Government  
4 Services (Expenditure Category 6.1), as set forth in **Exhibit G-1**, with administrative  
5 oversight by the Office of the President and Vice-President and legislative oversight by  
6 the Resources and Development Committee.
- 7 2. Four million six hundred thousand dollars (\$4,600,000) to the Navajo Tourism  
8 Department, Division of Economic Development, for the Economic Development /  
9 Tourism Dinosaur Tracks Expenditure Plan, as Aid to Impacted Industries: Aid to  
10 Tourism, Travel or Hospitality (Expenditure Category 2.35), as set forth in **Exhibit G-2**,  
11 with administrative oversight by the Division of Economic Development and legislative  
12 oversight by the Resources and Development Committee.
- 13 3. Eight million seven hundred eleven thousand three hundred sixty-seven dollars  
14 (\$8,711,367) to the Navajo Tourism Department, Division of Economic Development,  
15 for the Economic Development / Tourism Shiprock Visitor Center Expenditure Plan, as  
16 Aid to Impacted Industries: Aid to Tourism, Travel or Hospitality (Expenditure Category  
17 2.35), as set forth in **Exhibit G-3**, with administrative oversight by the Division of  
18 Economic Development and legislative oversight by the Resources and Development  
19 Committee.
- 20 4. Sixteen million one hundred thousand dollars (\$16,100,000) to the Navajo Tourism  
21 Department, Division of Economic Development, for the Economic Development /  
22 Tourism Window Rock Visitor Complex and Amphitheater Expenditure Plan, as Aid to  
23 Impacted Industries: Aid to Tourism, Travel or Hospitality (Expenditure Category 2.35),  
24 as set forth in **Exhibit G-4**, with administrative oversight by the Division of Economic  
25 Development and legislative oversight by the Resources and Development Committee.
- 26 5. Five hundred thousand dollars (\$500,000) to the Project Development Department,  
27 Division of Economic Development, for the Twin Lakes Well Expenditure Plan, as  
28 Drinking Water: Source (Expenditure Category 5.13), as set forth in **Exhibit G-5**, with  
29 administrative oversight by the Division of Economic Development and legislative  
30 oversight by the Resources and Development Committee.

- 1                   6. Eight million dollars (\$8,000,000) to the Project Development Department, Division of  
2                   Economic Development, for the Church Rock Industrial Water Line Expenditure Plan, as  
3                   Drinking Water: Transmission and Distribution (Expenditure Category 5.11), as set forth  
4                   in **Exhibit G-6**, with administrative oversight by the Division of Economic Development  
5                   and legislative oversight by the Resources and Development Committee.
- 6                   7. Nine hundred thousand dollars (\$900,000) to the Project Development Department,  
7                   Division of Economic Development, for the NahataDziil Water Line Expenditure Plan  
8                   for a water line near the Sanders Shopping Center, as Drinking Water: Transmission and  
9                   Distribution (Expenditure Category 5.11), as set forth in **Exhibit G-7**, with administrative  
10                  oversight by the Division of Economic Development and legislative oversight by the  
11                  Resources and Development Committee.
- 12                 8. Seven hundred thirty-one thousand and thirty-one dollars (\$731,031) to the Western  
13                 Regional Business Development Office, Division of Economic Development, for the Old  
14                 Black Mesa Shopping Center Clean-Up Project Expenditure Plan for demolition of  
15                 structures and site clean-up, as Provision of Government Services (Expenditure Category  
16                 6.1), as set forth in **Exhibit G-8**, with administrative oversight by the Division of  
17                 Economic Development and legislative oversight by the Resources and Development  
18                 Committee.
- 19                 9. Four hundred sixty thousand dollars (\$460,000) to the Western Regional Business  
20                 Development Office, Division of Economic Development, for the Cow Springs Trading  
21                 Post - Retire Infrastructure Project Expenditure Plan for environmental assessment,  
22                 demolition of structures, and site clean-up, as Provision of Government Services  
23                 (Expenditure Category 6.1), as set forth in **Exhibit G-9**, with administrative oversight by  
24                 the Division of Economic Development and legislative oversight by the Resources and  
25                 Development Committee;
- 26                 10. Four hundred sixty thousand dollars (\$460,000) to the Western Regional Business  
27                 Development Office, Division of Economic Development, for the Tseyi Restaurant,  
28                 Motel, and Convenience Store Clean-Up Project Expenditure Plan for environmental  
29                 assessment, demolition of structures, and site clean-up, as Provision of Government  
30                 Services (Expenditure Category 6.1), as set forth in **Exhibit G-10**, with administrative

1 oversight by the Division of Economic Development and legislative oversight by the  
2 Resources and Development Committee.

- 3 C. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency reserve  
4 for NNFRF Economic Development construction projects shall be implemented on a case-by-  
5 case basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to  
6 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

7  
8 **SECTION SEVEN. APPROVAL OF ALLOCATION OF ADDITIONAL FUNDS TO THE**  
9 **HARDSHIP ASSISTANCE EXPENDITURE PLAN**

- 10 A. Through Council Resolution CD-62-21, the Navajo Nation approved and adopted the Navajo  
11 Nation Fiscal Recovery Fund Hardship Assistance Expenditure Plan set forth in **Exhibit H**,  
12 which included an allocation of five hundred fifty-seven million dollars (\$557,000,000).  
13 B. The Navajo Nation hereby approves an allocation of additional funding for the NNFRF  
14 Hardship Assistance Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the  
15 total amount of one hundred twenty million dollars (\$120,000,000) to the Office of the  
16 Controller, for Household Assistance – Cash Transfers (Expenditure Category 2.3), as set  
17 forth in **Exhibit H-1**, with administrative oversight by the Office of the President and Vice  
18 President and legislative oversight by the Budget and Finance Committee.

19  
20 **SECTION EIGHT. APPROVAL OF WATER AND WASTEWATER PROJECTS**  
21 **EXPENDITURE PLANS**

- 22 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund  
23 Water and Wastewater Projects Expenditure Plans set forth in **Exhibits I** and **I-1** through **I-7**.  
24 B. The Navajo Nation hereby approves total funding for the NNFRF Water and Wastewater  
25 Projects Expenditure Plans from the Navajo Nation Fiscal Recovery Fund in the total amount  
26 of two hundred fifteen million dollars (\$215,000,000) to the Department of Water Resources  
27 with administrative oversight by the Division of Natural Resources and legislative oversight  
28 by the Resources and Development Committee, and allocates the funding as follows:  
29  
30

- 1 1. Thirty-three million six hundred seventy-five thousand three hundred thirty-eight  
2 dollars (\$33,675,338) for Centralized Wastewater Treatment Projects (Expenditure  
3 Category 5.1) as set forth in **Exhibit I-1**.
- 4 2. Six Million Eight Thousand Eight Hundred Seventy-Four dollars (\$6,008,874) for  
5 Centralized Wastewater Collection and Conveyance Projects (Expenditure Category  
6 5.2) as set forth in **Exhibit I-2**.
- 7 3. Ten million thirty thousand dollars (\$10,030,000) for Drinking Water Treatment  
8 Projects (Expenditure Category 5.10), as set forth in **Exhibit I-3**.
- 9 4. Fifty-one million eight five thousand seven hundred eighty-eight dollars (\$51,085,788)  
10 for Drinking Water Transmission and Distribution Projects (Expenditure Category  
11 5.11), as set forth in **Exhibit I-4**.
- 12 5. Twenty-nine million two hundred thousand dollars (\$29,200,000) for Drinking Water  
13 Source Projects (Expenditure Category 5.13), as set forth in **Exhibit I-5**.
- 14 6. One million dollars (\$1,000,000) for Drinking Water Storage Projects (Expenditure  
15 Category 5.14), as set forth in **Exhibit I-6**.
- 16 7. Eighty-four million dollars (\$84,000,000) for Drinking Water Cistern Projects  
17 (Expenditure 5.15), as set forth in **Exhibit I-7**.

18 C. The Department of Water Resources, Division of Natural Resources, is authorized to execute  
19 these Water and Wastewater Projects directly, or through the use of contractors and sub-  
20 recipients. The Department of Water Resources shall exercise administrative oversight over  
21 construction contracts and subawards to sub-recipients and shall ensure that costs are incurred  
22 only for FRF-eligible purposes, and that projects are completed on schedule, within the  
23 authorized budgets, and according to project specifications.

24 D. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency  
25 reserve for NNFRF Water and Wastewater construction projects shall be implemented on a  
26 case-by-case basis through resolution(s) approved by the Navajo Nation Council and enacted  
27 pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

## 28 29 **SECTION NINE. APPROVAL OF BROADBAND PROJECTS EXPENDITURE PLANS**

30 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund

1 Broadband Projects Expenditure Plan set forth in **Exhibits J** and **J-1** through **J-3**.

2 B. The Navajo Nation hereby approves total funding for the NNFRF Broadband Projects Expenditure  
3 Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of one hundred and twenty  
4 million (\$120,000,000) and allocates the funding as follows:

5 1. Sixty million (\$60,000,000) to the Navajo Department of Information Technology, Division  
6 of General Services, for Broadband “Middle Mile” Projects Expenditure Plan (Expenditure  
7 Category 5.21), as set forth in **Exhibit J-1**, with administrative oversight by the Division of  
8 General Services and joint legislative oversight by the Health Education Human Services and  
9 Resources and Development Committees;

10 2. Forty million (\$40,000,000) to the Navajo Department of Information Technology, Division  
11 of General Services, for Broadband “Last Mile” Projects Expenditure Plan (Expenditure  
12 Category 5.19), as set forth in **Exhibit J-2**, with administrative oversight by the Division of  
13 General Services and joint legislative oversight by the Health Education Human Services and  
14 Resources and Development Committees;

15 3. Twenty million (\$20,000,000) to the Division of General Services for matching funds for the  
16 federal Infrastructure Investment Jobs Act (IIJA) match requirement, (Expenditure Category  
17 5.20), as set forth in **Exhibit J-3**, with administrative oversight by the Office of the President  
18 and Vice-President and legislative oversight by the Resources and Development Committees.

19 C. The Navajo Department of Information Technology, Division of General Services, is  
20 authorized to execute these Broadband Projects directly, or through the use of contractors and  
21 sub-recipients. The Division of General Services shall exercise administrative oversight over  
22 construction contracts and subawards to sub-recipients and shall ensure that costs are incurred  
23 only for FRF-eligible purposes, and that projects are completed on schedule, within the  
24 authorized budgets, and according to project specifications.

25 D. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency  
26 reserve for NNFRF Broadband construction projects shall be implemented on a case-by-case  
27 basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2  
28 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

29  
30

1 **SECTION TEN. APPROVAL OF HOME ELECTRICITY CONNECTION AND ELECTRIC**  
2 **CAPACITY PROJECTS EXPENDITURE PLAN**

- 3 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Home  
4 Electricity Connection and Electric Capacity Projects Expenditure Plan set forth in **Exhibits K**  
5 **and K-1** through **K-2**.
- 6 B. The Navajo Nation hereby approves total funding for the NNFRF Home Electricity Connection  
7 and Electric Capacity Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in  
8 the total amount of one hundred million dollars (\$100,000,000) as follows:
- 9 1. Ninety-six million four hundred thousand dollars (\$96,400,000) to the Division of  
10 Community Development for Connecting Homes to Electricity Projects as Housing  
11 Support: Other Housing Assistance (Expenditure Category 2.18), as set forth in **Exhibit**  
12 **K-1**, with administrative oversight by the NNFRF Office and legislative oversight by the  
13 Resources and Development Committee.
  - 14 2. Three million six hundred thousand dollars (\$3,600,000) to the Division of Community  
15 for the Ramah Navajo School Board High Voltage Replacement Project as Other Public  
16 Health Services (Expenditure Category 1.14), as set forth in **Exhibit K-2**, with  
17 administrative oversight by the NNFRF Office and legislative oversight by the Resources  
18 and Development Committee.
- 19 C. The Division of Community Development is authorized to execute these Home Electricity  
20 Connection and Electric Capacity Projects directly, or through use of contractors and sub-  
21 recipients. The Division of Community Development shall exercise administrative oversight  
22 over construction contracts and subawards to sub-recipients and shall ensure that costs are  
23 incurred only for FRF-eligible purposes, and that projects are completed on schedule, within  
24 the authorized budgets, and according to project specifications.
- 25 D. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency  
26 reserve for NNFRF Home Electricity Connection and Electric Capacity construction projects  
27 shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo  
28 Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10),  
29 (11), and (12).
- 30

1 **SECTION ELEVEN. APPROVAL OF HOUSING PROJECTS AND MANUFACTURED**  
2 **HOUSING FACILITIES EXPENDITURE PLAN**

3 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund Housing  
4 Projects and Manufactured Housing Facilities Expenditure Plan that includes Housing, Veterans  
5 Housing, Housing Manufacturing Facilities, and Housing for the Former Bennett Freeze Area and  
6 Navajo Partitioned Lands Projects, as set forth in **Exhibits L** and **L-1** through **L-4**.

7 B. The Navajo Nation hereby approves total funding for the NNFRF Housing Projects and  
8 Manufactured Housing Facilities Expenditure Plan from the Navajo Nation Fiscal Recovery Fund  
9 in the total amount of one hundred fifty million dollars (\$150,000,000) as follows:

10 1. Fifty million dollars (\$50,000,000) to the Community Housing and Infrastructure  
11 Department (“CHID”) for New Housing Projects, as Long-Term Housing Security:  
12 Services for Unhoused Persons (Expenditure Category 2.15), as set forth in **Exhibit L-1**,  
13 with administrative oversight by the Division of Community Development and legislative  
14 oversight by the Resources and Development Committee.

15 2. Fifty million dollars (\$50,000,000) to the Navajo Nation Veterans Administration  
16 Veterans Housing Program for New Housing Projects, as Long-Term Housing Security:  
17 Services for Unhoused Persons (Expenditure Category 2.16) as set forth in **Exhibit L-2**,  
18 with administrative oversight by the Navajo Nation Veterans Administration and  
19 legislative oversight by the Health, Education and Human Services Committee.

20 3. Fifty million dollars (\$50,000,000) to the Community Housing and Infrastructure  
21 Department (“CHID”) for the design and construction of up to five (5) Regional Housing  
22 Manufacturing Facilities with locations in Tuba City, Sanders, Chinle, Shiprock, and  
23 Gallup areas, as Long-Term Housing Security: Affordable Housing (Expenditure  
24 Category 2.15), as set forth in **Exhibit L-3**, with administrative oversight by the Division  
25 of Community Development and legislative oversight by the Resources and  
26 Development Committee.

27 4. Fifteen million five hundred fifty thousand dollars (\$15,550,000) to the Navajo Hopi  
28 Land Commission Office for Housing for the Former Bennett Freeze Area and Navajo  
29 Partitioned Lands to purchase modular homes for people within the twenty-three (23)  
30 impacted Chapters and for planning of a manufactured housing plant in Nahata Dziil

1 Chapter, as Long-Term Housing Security: Affordable Housing (Expenditure Category  
2 2.15), as set forth in **Exhibit L-4**, with administrative oversight by the Division of  
3 Community Development and legislative oversight by the Resources and Development  
4 Committee.

5 C. The Housing Projects assigned to CHID, the Veterans Housing Program, and Navajo Hopi Land  
6 Commission Office are need-based.

7 D. The eligibility criteria for receiving services under the Housing Projects assigned to CHID shall  
8 be approved by the Resources and Development Committee through a resolution.

9 E. The eligibility criteria for receiving services under the Veterans Housing Projects Expenditure Plan  
10 assigned to the Veterans Housing Program shall be approved by the Health, Education and Human  
11 Services Committee through resolution.

12 F. The eligibility criteria for receiving services under the Housing for the Former Bennett Freeze  
13 Area and Navajo Partitioned Lands Expenditure Plan assigned to the Navajo Hopi Land  
14 Commission Office shall be approved by the Navajo-Hopi Land Commission through resolution.

15 G. To the fullest extent possible, all new housing shall be accessible to persons with physical  
16 disabilities and shall meet the standards and specifications within the Americans with Disabilities  
17 Act.

18 H. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency  
19 reserve for the Housing Projects and Manufactured Housing Facilities construction projects  
20 shall be implemented on a case-by-case basis through resolution(s) approved by the Navajo  
21 Nation Council and enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10),  
22 (11), and (12).

23 **SECTION TWELVE. APPROVAL OF THE BATHROOM ADDITIONS EXPENDITURE**

24 **PLAN**

25 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund  
26 Bathroom Additions Expenditure Plan set forth in **Exhibits M** and **M-1**.

27 B. The Navajo Nation hereby approves total funding for the NNFRF Bathroom Additions  
28 Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of one hundred  
29 fifty million dollars (\$150,000,000) to be allocated as follows:

30 1. One hundred fifty million dollars (\$150,000,000) to the Division of Community

1 Development for Bathroom Additions, as Other Public Health Services (Expenditure  
2 Category 1.14), as set forth in **Exhibit M**, with administrative oversight by the Navajo  
3 Nation Fiscal Recovery Funds Office and legislative oversight by the Resources and  
4 Development Committee.

5 C. The Bathroom Additions Expenditure Plan is need-based. The application process and criteria are  
6 included in **Exhibit M-1**.

7 D. The Division of Community Development is authorized to execute these Bathroom Additions  
8 Projects directly, or through the use of contractors and sub-recipients. The Division of  
9 Community Development shall exercise administrative oversight over construction contracts  
10 and subawards to sub-recipients and shall ensure that costs are incurred only for FRF-eligible  
11 purposes, and that projects are completed on schedule, within the authorized budgets, and  
12 according to project specifications.

13 E. The requirement in Resolution CJY-41-21, Section Three (F), to establish a contingency  
14 reserve for Bathroom Addition construction projects shall be implemented on a case-by-case  
15 basis through resolution(s) approved by the Navajo Nation Council and enacted pursuant to 2  
16 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

17  
18 **SECTION THIRTEEN. ADMINISTRATION OF NAVAJO NATION FISCAL RECOVERY**  
19 **FUND EXPENDITURE PLANS**

20 A. All entities receiving Navajo Nation Fiscal Recovery Funds, whether through an immediate  
21 allocation under Resolution CJY-41-21 or subsequently approved NNFRF Expenditure Plan,  
22 shall comply with all Navajo Nation laws, policies, regulations, rules, and procedures,  
23 specifically including, but not limited to, those governing the NNFRF and the expenditure of  
24 such funds, and any additional terms set forth in a grant, sub-recipient, or similar agreement.

25 B. Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning that the Navajo  
26 Nation must obligate FRF funds by that date. Treasury guidance provides that "incurred" shall  
27 have the same meaning given to "financial obligation" under the Uniform Guidance at 2 CFR  
28 200.1: "Financial obligations, when referencing a recipient's or sub-recipient's use of funds  
29 under a Federal award, means orders placed for property and services, contracts and sub-  
30 awards made, and similar transactions that require payment."

1 1. For internal Navajo Nation purposes, the terms “obligated” and “encumbered” are  
2 defined in Resolution BFS-31-21, Section Three on page 3 of Exhibits 1 through 5. BFS-  
3 31-21 provides that, “‘Obligated’ means that an order has been placed for the delivery of  
4 goods or property, or the performance of services, that will be paid for with Fiscal  
5 Recovery Funds; that a contract or subcontract has been executed promising payment  
6 with Fiscal Recovery Funds; or that a similar transaction has occurred requiring payment  
7 of Fiscal Recovery Funds. For internal Navajo Nation purposes, funds are obligated or  
8 encumbered upon completion of OOC’s review and approval of contracts and purchase  
9 requisitions, and OOC’s recording of an encumbrance in the FMIS, not upon execution  
10 of a contract.”

11 2. Any NNFRF funds not obligated and encumbered by the end of the third quarter of Fiscal  
12 Year 2024 shall be reported to the Naabik’íyáti’ Committee and are subject to reversion  
13 to the NNFRF by resolution of the Naabik’íyáti’ Committee. Reverted NNFRF funds  
14 will then be available for reallocation to other NNFRF Expenditure Plans pursuant to  
15 resolution(s) of the Navajo Nation Council enacted pursuant to 2 N.N.C. § 164 (A)(17)  
16 and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

17 C. Projects and/or services funded with Navajo Nation Fiscal Recovery Funds must be completed  
18 and all NNFRF funds fully spent by June 30, 2026, unless an earlier date is determined through  
19 resolution of the Navajo Nation Council.

20 D. After approval pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12),  
21 Navajo Nation Fiscal Recovery Fund Expenditure Plan funds shall be available for use by a  
22 funding recipient that is a branch, division, department, or other unit of the Navajo Nation central  
23 government as soon as a detailed budget has been administratively approved and the Office of  
24 Management and Budget has entered such budget into the Financial Management Information  
25 System (FMIS).

26 E. The Office of the Controller shall release Navajo Nation Fiscal Recovery Fund Expenditure Plan  
27 funds to a funding recipient that is external to the Navajo Nation central government, including  
28 LGA-Certified chapters, Navajo Nation owned entities, and other external entities, pursuant to the  
29 fund distribution schedule recommended by the Navajo Nation government entity with  
30 administrative oversight and approved by the Office of the Controller and included in a fully

1           executed sub-recipient, or similar agreement deemed legally sufficient by the Navajo Nation  
2           Department of Justice.

3           F. Awarded Navajo Nation Fiscal Recovery Funds shall only be obligated and expended on projects  
4           and/or services, including need-based projects and services, that were included as an immediate  
5           allocation under Resolution CJY-41-21 or are included in a NNFRF Expenditure Plan approved  
6           and adopted by a Navajo Nation Council Resolution enacted pursuant to 2 N.N.C. § 164 (A)(17)  
7           and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

8           G. All proposed modifications to an approved NNFRF Expenditure Plan or an approved NNFRF  
9           Expenditure Plan budget shall comply with section 8 of Exhibits 1 through 5 of Resolution BFS-  
10          31-21.

11           1. Any increase in funding for an approved NNFRF Expenditure Plan shall require approval  
12           by Navajo Nation Council Resolution enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2  
13           N.N.C. §§ 1005 (C)(10), (11), and (12), unless such increase in funding is due to an  
14           administratively approved budget transfer from the Construction Contingencies  
15           Expenditure Plan.

16           a. Proposed modifications of Expenditure Plans shall be submitted to the Navajo  
17           Nation Department of Justice (“NNDOJ”) for an eligibility determination review  
18           to ensure the proposed modification will be an eligible use of FRF.

19           b. Modifications that change the purpose and intent of the Expenditure Plan or  
20           projects and services within the approved Expenditure Plan or that substantially  
21           change the scope of work of the Expenditure Plan shall require approval by the  
22           Navajo Nation Council.

23           c. As set forth in Resolution BFS-31-21, NNDOJ shall make the determination  
24           whether Navajo Nation Council approval of the modification is required.

25           d. After NNDOJ has reviewed the request for a modification of an approved  
26           Expenditure Plan and determined that legislative approval is not needed, or after  
27           the modification is approved by a Navajo Nation Council resolution enacted  
28           pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12),  
29           the Administrative Oversight entity acting on behalf of the Funding Recipient shall  
30           submit a budget revision request to Office of Management & Budget (“OMB”), if

1 needed. The Budget Instruction Manual provisions regarding budget revision  
2 requests shall apply.

3 H. Awarded Navajo Nation Fiscal Recovery Funds, including cost savings, may be administratively  
4 moved between projects and/or services included within the same Expenditure Plan, as long as  
5 such projects or services share the same Treasury Expenditure Category for reporting purposes.  
6 NNDOJ shall verify that the projects and/or services share the same Expenditure Category before  
7 any NNFRF funding is moved between projects and/or services.

8 I. Awarded Navajo Nation Fiscal Recovery Funds, including cost savings, cannot be moved between  
9 Expenditure Plans without approval by a Navajo Nation Council Resolution enacted pursuant to 2  
10 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12), unless such movement of  
11 funds is due to an administratively approved budget transfer from the Construction Contingencies  
12 Expenditure Plan to other NNFRF expenditure plans experiencing cost overruns due to  
13 construction contingencies.

14 J. Approved Expenditure Plans for need-based projects and services, such as Bathroom Addition or  
15 Home Electricity Connection projects, may be administratively modified without Navajo Nation  
16 Council action as long as the total funding awarded for the Expenditure Plan is not increased and  
17 the new project or service is within the same Expenditure Category.

18 K. To add projects or services to an approved Expenditure Plan when such projects and/or services  
19 are not need-based projects or services, shall require a NNDOJ initial eligibility determination  
20 pursuant to Resolution BFS-31-21 and the addition must be approved through resolution by the  
21 Standing Committee(s) having oversight over the Expenditure Plan and the Budget and Finance  
22 Committee.

23 1. If the new project and/or service increases the total funding awarded for the Expenditure  
24 Plan or does not share the same Expenditure Category as the Expenditure Plan,  
25 Resolution BFS-31-21 must be fully complied with and the addition can only be added  
26 through Navajo Nation Council resolution enacted pursuant to 2 N.N.C. § 164 (A)(17)  
27 and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

28 L. The Emergency Procurement provisions set forth in Resolution CJY-41-21, Section Ten, shall  
29 apply to all NNFRF Expenditure Plans enacted herein, as well as to the federal American Rescue  
30 Plan Act (“ARPA”) and all Fiscal Recovery Fund procurements by the Navajo Nation, including

1 its LGA-Certified Chapters, and Navajo Nation-owned entities.

2 M. The Office of the Auditor General’s Plan of Operation at 12 N.N.C. § 9 provides for withholding  
3 certain funds from sanctioned chapters, divisions, and programs. Under 12 N.N.C. § 9(B),  
4 following the Budget and Finance Committee’s approval of sanctions, OOC shall cause 10% of  
5 “monies payable from any Governmental Fund of the Navajo Nation as defined at 12 N.N.C.  
6 section 810” of the Appropriations Act. The Navajo Nation hereby determines that Navajo Nation  
7 Fiscal Recovery Funds are not a “Governmental Fund” for purposes of sanctions, and therefore  
8 direct allocations of NNFRF to sanctioned chapters, divisions, and programs are not subject to  
9 withholding.

10 N. All entities receiving Navajo Nation Fiscal Recovery Funds shall follow and apply Generally  
11 Accepted Accounting Principles (GAAP), as established by the Governmental Accounting  
12 Standards Board (GASB) for governmental entities and by the Financial Accounting  
13 Standards Board (FASB) for public and private companies and non-profits, in reporting,  
14 recording, and accounting for such Funds.

15 O. Fraud, misuse of funds, violation of applicable Navajo Nation or federal laws and regulations, non-  
16 compliance with FRF agreements governing grants or sub-awards, and false statements or claims  
17 by any individual or entity receiving or administering Navajo Nation Fiscal Recovery Funds may  
18 result in administrative, civil, or criminal sanctions and penalties, debarment and suspension,  
19 ineligibility for future Navajo Nation awards or business opportunities, and the Navajo Nation may  
20 pursue any other legal action or remedy available by law.

21  
22 **SECTION FOURTEEN. APPROVING FUTURE ALLOCATION OF UNALLOCATED**  
23 **NAVAJO NATION FISCAL RECOVERY FUNDS TO THE CONSTRUCTION**  
24 **CONTINGENCIES EXPENDITURE PLAN**

25 A. The Navajo Nation hereby approves and adopts the Navajo Nation Fiscal Recovery Fund  
26 Construction Contingencies Expenditure Plan set forth in **Exhibit N**.

27 B. The Navajo Nation hereby approves total funding for the NNFRF Construction Contingencies  
28 Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of five  
29 hundred dollars (\$500) to establish a contingency fund for NNFRF construction projects:

- 30 1. Five hundred dollars (\$500) to the Fiscal Recovery Fund Office for the Construction

1 Contingencies Expenditure Plan, as Revenue Replacement: Provision of Government  
2 Services (Expenditure Category 6.1), as set forth in **Exhibit N**, with administrative  
3 oversight by the Office of the President and Vice President and legislative oversight by  
4 the Resources and Development Committee.

- 5 C. The purpose of the NNFRF Construction Contingencies Expenditure Plan is to use available,  
6 i.e., unallocated, unencumbered, cost savings, etc., funds from other NNFRF expenditure  
7 plans to fund the costs of construction contingencies on NNFRF-funded construction projects.
- 8 D. Additional funds may be needed in the future for construction contingencies related to the  
9 inflationary costs of labor and building materials. The Navajo Nation may determine it is  
10 necessary and appropriate to allocate Navajo Nation funds from the Síhasin Fund or the  
11 General Fund to pay the costs of construction contingencies on NNFRF-funded construction  
12 projects.
- 13 E. Notwithstanding procedures for budget transfers in the Budget Instructions Manual and the  
14 modification process established in BFC-31-21, the transfer of funds from the NNFRF  
15 Construction Contingencies Expenditure Plan business unit to other NNFRF expenditure  
16 plans business units shall be handled administratively and shall not require a resolution of the  
17 Navajo Nation Council or a Standing Committee.
- 18 F. The Office of the President and Vice President, NNFRF Office, Office of Management and  
19 Budget, and Office of the Controller, with advice from the Department of Justice, shall  
20 develop a streamlined administrative process for approving requests for funding from the  
21 NNFRF Construction Contingencies Expenditure Plan, and to process budget transfers.
- 22 E. All NNFRF funds that have not been allocated to an NNFRF Expenditure Plan through a  
23 Navajo Nation Council Resolution enacted pursuant to Resolution CJY-41-21 by the end of  
24 the second quarter of Fiscal Year 2024 may be allocated to the NNFRF Construction  
25 Contingencies Expenditure Plan through Navajo Nation Council Resolution enacted pursuant  
26 to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).
- 27 E. All NNFRF funds that have been allocated to an NNFRF expenditure plan through a Navajo  
28 Nation Council Resolution enacted pursuant to Resolution CJY-41-21, but that have not been  
29 obligated and encumbered by 5:00 p.m. on June 30, 2024, shall automatically revert to the  
30 NNFRF and shall be reallocated to the NNFRF Construction Contingencies Expenditure Plan

1 or other NNFRF expenditure plans through Navajo Nation Council Resolution enacted  
2 pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

3 F. All obligated and encumbered NNFRF funds that have not been expended by the Navajo  
4 Nation and its sub-recipients by 5:00 p.m. on June 30, 2026, shall automatically revert to the  
5 NNFRF and shall be reallocated to the NNFRF Construction Contingencies Expenditure Plan  
6 or other NNFRF expenditure plans through Navajo Nation Council Resolution enacted  
7 pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).

8 G. Funding allocated to the Chapter Assistance Expenditure Plan that is not obligated and  
9 encumbered by DCD and/or the LGA-Certified Chapters by November 20, 2024 shall be  
10 automatically reallocated to the Construction Contingencies Expenditure Plan. Such reallocation  
11 shall not require a resolution by the Navajo Nation Council enacted pursuant to 2 N.N.C. § 164  
12 (A)(17) and 2 N.N.C. §§ 1005 (C)(10), (11), and (12).

13 H. Funding allocated to the Chapter Assistance Expenditure Plan that is not expended by DCD and/or  
14 the LGA-Certified Chapters by November 20, 2026 shall be automatically reallocated to the  
15 Construction Contingencies Expenditure Plan and such reallocation shall not require a resolution  
16 by the Navajo Nation Council enacted pursuant to 2 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005  
17 (C)(10), (11), and (12).

18 I. The Division of Community Development, sub-recipient LGA-Certified Chapters, the Office of  
19 the Controller, and the Office of Management and Budget shall cooperate to ensure that such funds  
20 from the Chapter Assistance Expenditure Plan are automatically reallocated to the Construction  
21 Contingencies Expenditure Plan.

22 **SECTION FIFTEEN. REALLOCATION OF SURPLUS FUNDS PREVIOUSLY**  
23 **ALLOCATED UNDER SECTION 7 OF CJY-41-21**

24 A. Section 7 of Resolution CJY-41-21 allocated ten percent (10%) of the Fiscal Recovery Funds  
25 received by the Navajo Nation to fund administrative costs of central support service and  
26 regulatory offices. The Office of the President and Vice-President was responsible for  
27 apportioning ninety percent (90%) of the ten percent (10%). The Speaker of the Navajo  
28 Nation Council, after consultation with the Naabik'íyáti' Committee, is responsible  
29 apportioning the remaining ten percent (10%).

1 B. Section 7, Paragraph F, of Resolution CY-41-21 provides that any funding unspent or  
2 unencumbered at the end of the second quarter of Fiscal Year 2024 shall be reallocated to the  
3 NNFRF and be available for allocation to other NNFRF projects and services.

4 C. The Office of the President and the Vice-President has determined that forty-two million one  
5 hundred fifty-one thousand five hundred and thirty-one dollars (\$42,151,531) should be  
6 reallocated to the NNFRF and be available for allocation to other NNFRF expenditure plans.

7 D. The Speaker of the Navajo Nation Council has determined that five million (\$5,000,000)  
8 should be reallocated to the NNFRF and be available for allocation to other NNFRF  
9 expenditure plans.

10  
11 **SECTION SIXTEEN. REPORTING**

12 A. All entities receiving Navajo Nation Fiscal Recovery Funds shall keep and maintain accurate  
13 and complete financial data and records sufficient to demonstrate that the Fiscal Recovery  
14 Funds appropriated to the Navajo Nation have been used by the reporting entity in accordance  
15 with the provisions of ARPA and timely relay such reports and records to the Administrative  
16 Oversight entity, Office of the Controller, Office of Management and Budget, NNFRF Office,  
17 and legislative oversight as directed in the grant or sub-recipient agreements if any, and when  
18 requested. Such reports and records shall be maintained for at least seven (7) years after the  
19 project and/or service has been completed. The Office of the Controller shall be responsible  
20 for compiling and providing any and all records and financial reports required by the U.S.  
21 Treasury.

22 B. All entities receiving Navajo Nation Fiscal Recovery Funds through an approved Expenditure  
23 Plan shall report the status of their NNFRF allocations to their respective legislative oversight  
24 committees at the end of each Fiscal Year quarter. The entity with administrative oversight  
25 over the Expenditure Plan shall review the quarterly report prior to its presentation and shall  
26 participate in the presentation to the oversight committee(s).

27 C. The Executive Director of the NNFRF Office, with the assistance of the Office of the  
28 Controller and Office of Management and Budget, shall report the status of all allocated  
29 Navajo Nation Fiscal Recovery Funds and NNFRF Expenditure Plans to the Budget and  
30 Finance Committee and Naabik'iyáti' Committee at the end of each Fiscal Year quarter.

1  
2 **SECTION SEVENTEEN. EFFECTIVE DATE**

3 This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164  
4 (A)(17), and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).  
5

6 **SECTION EIGHTEEN. AMENDMENTS**

7 Amendments to this legislation shall only be adopted by a two-thirds (2/3) vote of all members of  
8 the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2  
9 N.N.C. § 164 (A)(17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12).  
10

11 **SECTION NINETEEN. SAVING CLAUSE**

12 If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a  
13 Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of  
14 this legislation not determined invalid shall remain the law of the Navajo Nation.  
15

16 **SECTION TWENTY. DIRECTIVES**

- 17 A. All Navajo Nation government programs, offices, and divisions, as well as Navajo Nation-owned  
18 entities, specifically including those programs, offices, divisions, and Navajo Nation-owned  
19 entities receiving Navajo Nation Fiscal Recovery Funds, shall prioritize the implementation and  
20 completion of NNFRF projects and/or services.
- 21 B. Navajo Nation regulatory offices participating in the One Stop Shop shall assess federal and state  
22 requirements, procedures, and processing times that pose challenges to the rapid implementation  
23 of NNFRF Expenditure Plans. Within thirty (30) days following the enactment of this legislation,  
24 the One Stop Shop shall submit written recommendations to the Office of the President and Vice  
25 President and the Office of the Speaker regarding how the Nation can work with its federal and  
26 state partners to address these external challenges.
- 27 C. Navajo Nation regulatory offices participating in the One Stop Shop, and central support service  
28 offices such as the Fiscal Recovery Funds Office, Office of the Controller, Office of Management  
29 and Budget, and NNDOJ, shall assess the internal Navajo Nation structural and procedural issues  
30 that pose challenges to the rapid implementation of NNFRF Expenditure Plans. These Executive

1 Branch divisions, departments, and offices shall develop strategic responses to increase  
2 government efficiency and recommend enhanced and streamlined Executive Branch procedures  
3 to expedite NNFRF projects.  
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