

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Second Year, 2016

AN ACTION

RELATING TO LAW AND ORDER, BUDGET AND FINANCE AND NAABIK'ÍYÁTI';
APPROVING THE NAVAJO DIVISION OF PUBLIC SAFETY, FISCAL YEAR 2015
TRIBAL HOMELAND SECURITY GRANT PROGRAM, GRANT AWARD IN THE
AMOUNT OF \$1,764,852, WAIVING THE INDIRECT COST RATE AND
ACCEPTING THE MANAGEMENT AND ADMINISTRATION FUNDING

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council and is empowered to grant final approval for agreements negotiated by public safety programs with other federal agencies subject to Naabik'íyáti' Committee approval when required by law. See 2 N.N.C. §§ 600 (A) and 601 (B)(1)(a).
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council and is empowered to authorize, review, approve and accept agreements, including contracts and grants, between the Navajo Nation and any federal, state or regional authority upon the recommendation of the standing committee which has oversight of the division, department or program which has applied for the agreement, or upon recommendation of the Chapter." See 2 N.N.C. §§ 300 (A) and 301 (B)(15).
- C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council and among other statutory powers, the committee has the delegated responsibility to "review and continually monitor the programs and activities of federal and state departments and to assist development of such programs designed to serve the Navajo People and the Navajo Nation through intergovernmental relationships between the Navajo Nation and such departments." See 2 N.N.C. §§ 700 (A) and 701 (A)(7).

- D. Regarding grants, the Naabik'íyáti' Committee negotiates indirect cost rates; and, it is authorized to waive such costs. See 2 N.N.C. § 701 (A) (10).
- E. The Naabik'íyáti' Committee of the Navajo Nation Council reviews and approves "the negotiation and setting of the Navajo Nation's indirect cost or administrative cost rate agreements with the cognizant federal agent." 2 N.N.C. § 701 (A) (10).
- F. The Naabik'íyáti' Committee may waive such costs when it determines it is in the best interests of the Navajo Nation and when the "division, department or program requesting the waiver demonstrates a statutory and/or regulatory requirement that limits the indirect cost or administrative cost rate available for a particular grant or contract, or . . . [t]here is a showing of necessity and a commitment of available general funds by the division, department or program requesting the waiver which is available to offset the loss in indirect costs or administrative costs." 2 N.N.C. § 701 (A) (10) (a) and (b).

SECTION TWO. FINDINGS

- A. The Navajo Division of Public Safety (NDPS) applied for the Fiscal Year 2015 Tribal Homeland Security Grant Program (THSGP) and was approved for grant funding in the amount of \$1,764,852.00, from the United States Department of Homeland Security (USDHS), attached hereto as **Exhibit A** (Award Letter and Agreement Articles).
- B. The NDPS will be using the grant awarded funds to implement an advanced 9-1-1 system across the Navajo Nation. See **Exhibit B** (Memorandum from Michelle Tom, Undated).
- C. This will include the purchase of equipment (hardware and software), consultants to assist with the project, travel and training expenses for Public Safety Telecommunications Operators. *Id.*
- D. The Navajo Nation faces unique challenges in implementing the advanced 9-1-1 systems, for instance: the large geographical land base, lack of rural addressing and antiquated 9-1-1 communication collectively present

overwhelming challenges for the Navajo People. See **Exhibit C** (THSGP Investment Justification).

- E. The Navajo Nation does not receive funding from the 9-1-1 Universal Service Fund Fee. *Id.*
- F. The NDPS Tiger Team project goal is to deliver significant public safety benefits by establishing state-of-the-art operational and infrastructure improvements across the Navajo Nation and data resulting from the Tiger Team project indicates that: (1) approximately 200,000 people reside on the Navajo Nation; (2) Land mass is 27,425 square miles; (3) there is no existing 9-1-1 framework on the Navajo Nation; (4) sixty percent (60%) of homes do not have landlines; and (5) only fifty-three percent (53%) of the Navajo Nation has wireless coverage. *Id.* at 2.
- G. The NDPS is proposing a gradual consolidation from seven (7) inadequate centers to one state-of-the-art facility; based on the estimated annual call volume, between 1.1 and 1.5 million, a single Public Safety Answering Points (PSAPs) center staffed with five (5) dispatchers could be handled effectively from one center for the entire Navajo Nation. *Id.* at 2.
- H. A single PSAPs funded by the THSGP would ensure: (1) significant improvement of call response times; (2) large cost efficiencies in deployment of new 9-1-1 capability, network and facilities; and (3) consistency in operational training, processes, and procedures for the new 9-1-1 system. *Id.* at 2 and 4.
- I. The NDPS requested the grant award to include an indirect cost rate at 17.18%, subsequently USDHS denied the request and the NDPS filed an appeal, no denial letter was presented. See **Exhibit B**.
- J. The THSGP includes a five percent (5%) Management and Administration funding in the amount of \$88,243. For these reasons, the NDPS requests a waiver of the Indirect Costs with regard to this grant award. See **Exhibit C** at 5.
- K. The Office of Management and Budget, attached hereto as **Exhibit D**, lists the following concerns:

1. The document in regards to Notice of Award in the amount of \$1,764,852.00 for the Project Period Performance 09/01/2015 through 08/31/2018. CGS is unaware if an application was submitted on this and such did not go through the 164 Executive Review process based on, 2 N.N.C. § 164, review requirements.
 2. It appears Indirect Cost (IDC) rate 17.18% was not calculated correctly in NN OMB-BF1-4 (See attached Calculation Check on Budget for IDC Recovery Pursuant to Formula at Appendix Q Section 1.e., of FY 2016 NN BIM).
- L. The Navajo Division of Public Safety requests approval of the Fiscal Year 2015 Tribal Homeland Security Grant Program award in the amount of \$1,764,852.00 from the United States Department of Homeland Security; approve a request for the 17.18% indirect cost waiver; and to accept the five percent (5%) Management and Administration funding included in the grant.

SECTION THREE. APPROVE GRANT AWARD AND INDIRECT COST WAIVER

The Navajo Nation hereby approves the Navajo Division of Public Safety, Fiscal Year 2015 Tribal Homeland Security Grant Program award in the amount of \$1,764,852.00 from the United States Department of Homeland Security; approve a request for the 17.18% indirect cost waiver; and to accept the five percent (5%) Management and Administration funding included in the grant.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Leupp, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 16 in favor and 0 opposed, this 10th day of November 2016.



LoRenzo C. Bates, Chairperson
Naabik'íyáti' Committee

Motion: Honorable Seth A. Damon
Second: Honorable Lee Jack, Sr.



Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472



Jesse Delmar
Navajo Nation DEM
200 Morgan Blvd.
P.O. Box # 2908
Window Rock, AZ 86515

Re: Grant No. EMW-2015-SS-00123

Dear Jesse Delmar:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2015 Tribal Homeland Security Grant Program has been approved in the amount of \$ \$1,764,852.00 . You are not required to match this award with any amount of non-Federal funds.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2015 Tribal Homeland Security Grant Program Funding Opportunity Announcement.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please go on-line to the ND Grants system at <https://portal.fema.gov>. After logging in, you will see a subtitle Grants Management. Under this subtitle, you will see a link that says Award Package(s). Click this link to access your award packages. Click the Review Award Package link to review and accept the award package for your award. Please print your award package for your records.

Step 2: Please fill out and have your bank complete and sign the SF 1199A, Direct Deposit Sign-up Form. The information on the 1199A must match your SAM record. Be sure to include your DUNS and grant number on the form in Section 1F "Other." The SF 1199A should be sent directly from your financial institution to the FEMA Finance Center, via fax or mail to the Vendor Maintenance Office (see address below). The 1199A form will not be accepted unless it is received directly from the financial institution. Please pay careful attention to the instructions on the form.

FEMA Finance Center
Attn: Vendor Maintenance
P.O. Box 9001
Winchester, VA 22604

Secured Fax: (540) 504-2625
Email: FEMA-Finance@FEMA.DHS.gov

System for Award Management (SAM): Please ensure that your organization's name, address, DUNS number, EIN, and banking information are up to date in SAM and that the DUNS number used in SAM is the same one used to apply for all

FEMA awards. The System for Award Management is located at <http://www.sam.gov>. Future payments will be contingent on the information provided in the SAM; therefore it is imperative that the information is correct.

If you have any questions or concerns regarding the process to request your funds, please call (866) 927-5646.

A handwritten signature in black ink, appearing to read "B. Kamoie", is positioned to the left of the name "BRIAN KAMOIE".

BRIAN KAMOIE, GPD Assistant Administrator



U.S. Department of Homeland Security
Washington, D.C. 20472

AGREEMENT ARTICLES
Tribal Homeland Security Grant Program

GRANTEE: Navajo Nation DEM
PROGRAM: Tribal Homeland Security Grant Program
AGREEMENT NUMBER: EMW-2015-SS-00123-S01

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Article I - Summary Description of Award

THSGP is one tool among a comprehensive set of initiatives authorized by Congress and implemented by the Administration to help strengthen the Nation against risks associated with potential terrorist attacks. Funding under THSGP is provided to strengthen Tribes' capacity to prepare for and respond to emergency situations. The FY 2015 THSGP plays an important role in the implementation of the National Preparedness System (NPS) by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. The FY 2015 THSGP's statutorily allowable costs support efforts to build and sustain core capabilities across the Prevention, Protection, Mitigation, Response, and Recovery mission areas. Through this award, the Navajo Nation DEM shall use grant funding in the amount of \$1,764,852.00 for costs related to building capabilities at the Tribal levels through planning, organization, equipment, training, and exercise activities. Funding under the FY 2015 THSGP supports the following approved investments: Navajo Nation DEM, AZ - Next Generation (NG) Emergency 9-1-1 Project, \$1,764,852.00

Article II - Environmental Planning and Historic Preservation (EHP) Compliance Hold

A program hold is placed on INVESTMENT #1 Infrastructure Build Out PProject, 911 Routing Expoansion, and 911 System Expansion, and the recipient is prohibited from obligating, expending, or drawing down Tribal Homeland Security Grant Program (THSGP) funds in the amount of \$886,252.00 in support of INVESTMENT #1 Infrastructure Build Out PProject, 911 Routing Expoansion, and 911 System Expansion, with a limited exception for any approved costs associated with

the preparation, conduct, and completion of required environmental planning and historic preservation (EHP) reviews, as discussed in FEMA Information Bulletin No. 404. In order to release this hold, the recipient is required to obtain the required DHS/FEMA EHP compliance approval for this project pursuant to the FY 2015 THSGP Notice of Funding Opportunity. Please contact your DHS/FEMA GPD Headquarters Program Analyst to receive specific guidance regarding EHP compliance.

Article III - Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article IV - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article V - Age Discrimination Act of 1975

All recipients must comply with the requirements of the *Age Discrimination Act of 1975* (42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article VI - Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101–12213).

Article VII - Best Practices for Collection and Use of Personally Identifiable Information (PII)

All recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate.

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) respectively.

Article VIII - Title VI of the Civil Rights Act of 1964

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (42 U.S.C. § 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article IX - Civil Rights Act of 1968

All recipients must comply with [Title VIII of the Civil Rights Act of 1968](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 *et seq.*), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see 24 C.F.R. § 100.201).

Article X - Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

Article XI - Assurances, Administrative Requirements and Cost Principles

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B *Assurances – Non-Construction Programs*. Certain assurances in this document may not be applicable to your program, and the awarding agency may require applicants to certify additional assurances. Please contact the program awarding office if you have any questions.

The administrative and audit requirements and cost principles that apply to DHS award recipients originate from 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by DHS at 2 C.F.R. Part 3002.

Article XII - Debarment and Suspension

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud and abuse by debarment or suspending those persons deemed irresponsible in their dealings with the Federal government.

Article XIII - Drug-Free Workplace Regulations

All recipients must comply with the *Drug-Free Workplace Act of 1988* (41 U.S.C. § 701 *et seq.*), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 C.F.R. Part 3001.

Article XIV - Duplication of Benefits

Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

Article XV - Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issues in compliance with this Act.

Article XVI - Reporting Subawards and Executive Compensation

a. Reporting of first-tier subawards.

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. *Where and when to report.*

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. Reporting Total Compensation of Recipient Executives.

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards,

And

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. *Entity* means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward*:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ____ .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

i. *Salary and bonus*.

ii. *Awards of stock, stock options, and stock appreciation rights*. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. *Earnings for services under non-equity incentive plans*. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. *Change in pension value*. This is the change in present value of defined benefit and actuarial pension plans.

v. *Above-market earnings on deferred compensation which is not tax-qualified*.

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

Article XVII - False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Article XVIII - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424B, item number 17 for additional information and guidance.

Article XIX - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. § 40118) and the interpretative guidelines

issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article XX - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, 15 U.S.C. §2225.

Article XXI - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, *DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XXII - Lobbying Prohibitions

All recipients must comply with 31 U.S.C. §1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Article XXIII - Non-supplanting Requirement

All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Where federal statutes for a particular program prohibits supplanting, applicants or recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Article XXIV - Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards are in 37 C.F.R. Part 401 and the standard patent rights clause in 37 C.F.R. § 401.14.

Article XXV - Procurement of Recovered Materials

All recipients must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Article XXVI - Contract Provisions for Non-federal Entity Contracts under Federal Awards

a. Contracts for more than the simplified acquisition threshold set at \$150,000.

All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by 41 U.S.C. §1908, must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

b. Contracts in excess of \$10,000.

All recipients that have contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

Article XXVII - SAFECOM

All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XXVIII - Terrorist Financing E.O. 13224

All recipients must comply with U.S. Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

Article XXIX - Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

Article XXX - Trafficking Victims Protection Act of 2000

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act (TVPA) of 2000*, as amended (22 U.S.C. § 7104). This is implemented in accordance with OMB Interim Final Guidance, *Federal Register*, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at 2 CFR § 175.15.

Article XXXI - Rehabilitation Act of 1973

All recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

Article XXXII - System of Award Management and Universal Identifier Requirements

A. Requirement for System of Award Management

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for unique entity identifier

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

C. Definitions

For purposes of this award term:

1. *System of Award Management (SAM)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).

2. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.

3. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

- a. A Governmental organization, which is a State, local government, or Indian Tribe;
- b. A foreign public entity;
- c. A domestic or foreign nonprofit organization;
- d. A domestic or foreign for-profit organization; and
- e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. *Subaward*:

- a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
- c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. *Subrecipient* means an entity that:

- a. Receives a subaward from you under this award; and
- b. Is accountable to you for the use of the Federal funds provided by the subaward.

Article XXXIII - USA Patriot Act of 2001

All recipients must comply with requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act* (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose

Article XXXIV - Use of DHS Seal, Logo and Flags

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XXXV - Whistleblower Protection Act

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. § 2409, 41 U.S.C. 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article XXXVI - DHS Specific Acknowledgements and Assurances

All recipients must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.

2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations *and* other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

Article XXXVII - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article XXXVIII - Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article XXXIX - Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

Obligating Document for Award/Amendment

1a. AGREEMENT NO. EMW-2015-SS-00123-S01	2. AMENDMENT NO. ***	3. RECIPIENT NO. B60092335	4. TYPE OF ACTION AWARD	5. CONTROL NO. W510951N		
6. RECIPIENT NAME AND ADDRESS Navajo Nation DEM 200 Morgan Blvd. P.O. Box # 2908 Window Rock, AZ, 86515	7. ISSUING FEMA OFFICE AND ADDRESS Grant Operations 245 Murray Lane - Building 410, SW Washington DC, 20528-7000 POC: 866-927-5646	8. PAYMENT OFFICE AND ADDRESS Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472				
9. NAME OF RECIPIENT PROJECT OFFICER Herbert Tsosie III	PHONE NO. (928) 871-7859	10. NAME OF FEMA PROJECT COORDINATOR Central Scheduling and Information Desk Phone: 800-368-6498 Email: Askcsid@dhs.gov				
11. EFFECTIVE DATE OF THIS ACTION 09/01/2015	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD From: 09/01/2015 To: 08/31/2018 Budget Period 09/01/2015 08/31/2018			
15. DESCRIPTION OF ACTION a. (Indicate funding data for awards or financial changes)						
PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
Tribal Homeland Security Grant Program	97.067	2015-SL-B111-P410-4101-D:W510951N \$1,764,852.00	\$0.00	\$1,764,852.00	\$1,764,852.00	\$0.00
TOTALS			\$0.00	\$1,764,852.00	\$1,764,852.00	\$0.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.
N/A

16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

Tribal Homeland Security Grant Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

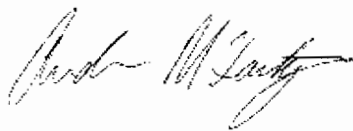
This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)
Jesse Delmar, Division Director

DATE
10/07/2015

18. FEMA SIGNATORY OFFICIAL (Name and Title)

DATE
09/09/2015



ANDREW MCLARTY, Assistance Officer



THE NAVAJO NATION

RUSSELL BEGAYE
JONATHAN NEZ V

EXHIBIT

B

MEMORANDUM:

TO : 164 Packet Reviewers

FROM : Michele Tom
Michele Tom, Senior Contract Analyst
Navajo Division of Public Safety

SUBJECT : Grant Award

This 164 document is a grant award from US Department of Homeland Security (DHS) in the amount of \$1,764,852.00. The department will be using the funds to implement an advanced 9-1-1 system across the Navajo Nation. This would include purchase of equipment (hardware and software), consultants to assist the project, travel and training expenses for Public Safety Telecommunication Operators. There is only a 5% M & A cost attached to this grant. When grant was initially applied for, IDC was not requested or included. After the department was awarded, we submitted a request to include IDC however, the request was denied but we did not receive a formal letter. The department is currently requesting an appeal from DHS. The department is moving forward with the grant award so that we can expend the funds and move forward with the project. In the event that we are denied again for IDC, the department will be requesting for a waiver with the legislative committees.

Attachments to the packet include:

- a. Grant Award Packet Information
- b. NN Budget Form

Your review and signature to this 164 document is requested. Should you have any questions regarding this matter, please do not hesitate to call me at 928-871-7584.

FY 2015 Tribal Homeland Security Grant Program (THSGP) Investme

I. Background

1

I.A. Tribe: The Navajo Nation

I.B. Investment Name: Next Generation (NG) Emergency 9-1-1 Project

Consisting of 27,425 square miles in the states of Arizona, New Mexico, and Utah, the Navajo Nation (NN) geographically, is the largest Native American reservation in the U.S. There are approximately 200,000 residents that live on the reservation. The NN offers hikers numerous isolated trails and routes attracting many non-Navajo visitors. Additionally, special events like the annual Fair attracts hundreds of thousands of visitors.

The NN is also plagued with natural disasters like flash flooding and mud issues caused by snow. As recent as March 2015, an emergency declaration was issued due to 42 areas severely affected by mud from snowfall. In September 2013, more than 40 communities were affected by flash flooding caused by heavy rains.

In the U.S., citizens take for granted that in the event of a natural hazard or act of terrorism, a citizen's first action will be a call to 9-1-1. From that call, first responders will respond to the aid of the citizen. However, within the NN, basic 9-1-1 capabilities barely exist. Many calls to 9-1-1 originating on the NN are routed first to neighboring county Public Safety Answering Points (PSAPs). Counties cannot dispatch first responders to the NN, so calls are either transferred to the NN public safety centers or caller information is verbally relayed to Navajo dispatch by a county dispatcher. In this environment there is no automatic caller location (address or x/y coordinate for a wireless call) provided to the Navajo dispatcher. If the caller is unfamiliar with the area, then the ability for a first responder to find the caller is diminished. A visiting hiker on an isolated trail dialing 9-1-1 will likely wait several hours or longer for responders to locate them. Rural addressing exists in only a very small percentage of the NN. Many roads to residential areas are unpaved. First responder dispatch centers rely on the caller to provide details on their location. If the caller is familiar with the area or injured, then the caller may not be able to provide details on their location.

The NN faces challenges that are unlike any other area in the U.S. for implementing advanced 9-1-1 systems. The large geography, lack of rural addressing, and antiquated 9-1-1 communication collectively present overwhelming challenges for the Navajo people. Further, the NN receives no funding from the 9-1-1 Universal Service Fund Fee.

FY 2015 Tribal Homeland Security Grant Program (THSGP) Investment Justification

II. Overview (25%)

II.A. Investment Phase

Ongoing

The current Navajo Division of Public Safety (NDPS) Tiger Team project goal is to deliver significant public safety benefits by establishing state-of-the-art operational and infrastructure improvements across the NN. With regard to the THSGP grant justification, one critical ongoing Tiger Team project provides the initial research and planning for future hardware and infrastructure implementation of the NG 9-1-1 system prior to application of FY2015 THSGP funds.

Data resulting from this project indicates that:

1. Approximately 200,000 people reside on the NN reservation
2. Land mass is 27,425 sq. mi.
3. There is no existing 9-1-1 framework on the
4. 60% of homes do not have landlines
5. Only 53% of the NN has wireless coverage

Currently there are 7 PSAP centers across the NN responsible for 9-1-1 calls. In the past, funding to support network, systems, and staff for 7 centers has been insufficient. The NDPS is proposing a gradual consolidation from 7 inadequate centers to one state-of-the-art facility. Based on the estimated annual call volume (1.1 - 1.5 million), a single PSAP staffed with 5 call takers could efficiently and effectively handle the entire NN. A single PSAP funded by this grant would ensure:

1. Significant improvement of call response times
2. Large cost efficiencies in deployment of new 9-1-1 capability, network, and facilities
3. Consistency in operational training, processes, and procedures for the 9-1-1 system

FY 2015 Tribal Homeland Security Grant Program (THSGP) Investment Justification

II.B. Investment Focus

Building New Capabilities

II.C. Provide a description of this Investment, including the planning, organization, equipment, training, and/or exercises that will be involved. (1,500 character max)

Planning began in April 2014 by the NDPS. A Tiger Team comprised of 5 core NDPS employees and an industry expert consultant from TechSource, Inc. was established to begin efforts to bring NG 9-1-1 to the NN. The initial goals of the Tiger Team were:

1. Evaluating existing 9-1-1 capabilities & services
2. Producing a planning & implementing guideline – 9-1-1 Service Plan
3. Engaging industry experts to provide technical advisors
4. Laying the foundation for testing and deployment

Extended members of the team include more than 20 telecommunications providers who currently provide landline and wireless services across the NN. A key planning phase element is to evaluate consolidating the 7 Police Districts' PSAP dispatch centers to a single center within the NN. This is expected to yield improvement in resource utilization, call answer times, and response times.

Equipment: The 4 main areas of technology for 9-1-1 are: (1) Emergency Trunks & Call Communications, (2) 9-1-1 Call Answer Equipment (enabling caller ID location services), (3) Emergency Responder Dispatch Systems, and (4) Radio Communications. These are critical requirements to enable effective emergency response.

Training: NN will institute the same training guidelines and certifications as are required for U.S. county PSAPs.

Exercises: Exercises and table-top and active drills will be part of NDPS standard operating procedures.

FY 2015 Tribal Homeland Security Grant Program (THSGP) Investment Justification

III. Baseline (25%)

III.A. Identify the goals and objectives that will be supported by this Investment. (1,500 character max)

Please note, this should be linked to the all-hazards risks identified in the answer to question I.C. in the Background section.

The NG 9-1-1 project would support the NN's ability to effectively respond to its citizens in emergency situations. This project would appreciably enhance the NN's emergency response "capabilities necessary to save lives, protect property, and the environment, and meet basic human needs after an incident has occurred," as stated in the National Preparedness Goal.

This investment would also directly support the core capability of operational communications capability and ensure it has the capacity for timely communications in support of security, situational awareness, and operations among and between affected communities across the reservation in the event of a natural hazard or act of terrorism. This investment will enhance the capabilities of the NN's emergency response personnel, including police, fire, and emergency medical services by routing 9-1-1 emergency calls to the Shiprock, NM PSAP.

By centralizing all emergency calls across the NN, this investment will enable improved 9-1-1 call processing times and service levels, allow emergency personnel to better locate callers, and generate consistency in operational processes and procedures from 9-1-1 call processing. This investment will dramatically improve the NN's overall ability to respond to the threats and hazards that pose the greatest risk.

III.B. Describe existing capability levels that address the identified goals/objectives and what will be in place to support the Investment prior to the use of FY 2015 funds. (1,500 character max)

The NDPS has secured funding to purchase a 9-1-1 Call Tracking System (CTS) and a Computer-Aided Dispatch (CAD) system. The 9-1-1 CTS will enable 9-1-1 trunks to be installed at the Shiprock PSAP to receive 9-1-1 calls within the Shiprock district. Along with the call, the caller's telephone number will be provided. The CAD system will enable first responders to be dispatched efficiently to the incident. The two systems will be integrated to enable caller information to automatically flow to the CAD system. Currently this capability is limited to only one of the seven PSAPs.

FY 2015 Tribal Homeland Security Grant Program (THSGP) Investment Justification

III.C. Explain the capability gap(s) that this Investment is intended to address. (1,500 character max)

Please note, this should be linked to the terrorism and natural hazards risks identified in I.C.

There are three critical functions required for successful emergency response across the entire NN: (1) ability to locate the caller, (2) ability to dispatch the first responder, and (3) ability to communicate via radio. The investment project would address key capability gaps:

1. Develop a database for 9-1-1 call location validation. The challenge is that traditional master street address guide structure will not work in this deployment due to the non-existence of standard rural addressing. A GIS database will need to be developed to enable wireline telephone numbers to be linked to a latitude and longitude coordinate to enable caller location validation.
2. Leverage GIS mapping to display the incident location on the map to enable efficient dispatch for the first responder.
3. Support the deployment of services across the entire NN. This means consolidation or integration of the other six PSAPs.
4. Provide radio interoperability across the NN. This would allow for any 9-1-1 call to be answered at any PSAP and be dispatched to the correct first responder. There are signal gaps within several valley areas that need to be corrected with newer technology.
5. Provide a broadband network connecting all seven emergency response districts. Currently an approximately two-mile gap exists in delivering this capability.

IV. Project Management and Milestones (25%)

IV.A - IV.B. Provide the FY 2015 proposed THSGP funding amount for this Investment, as well as the amount of funding that will be dedicated to Management & Administration (M&A) expenditures. The percentage dedicated to M&A will automatically calculate.

Please note, M&A cannot exceed five percent (5%) of the total award amount.

Total Proposed Funding Amount	Amount of Funding Dedicated to M&A	Percent of Funding Dedicated to M&A
\$1,764,852	\$88,243	5.0%

FY 2015 Tribal Homeland Security Grant Program (THSGP) Investment Justification

IV.C. Identify the National Preparedness Goal (NPG) Core Capabilities that are supported by this Investment. For each of the selected Core Capabilities, provide the proposed funding amount to be obligated from this Investment.

Please note, the Total Amount of Proposed Funding in the table below must equal the Proposed Funding Amount entered above. Percent of Proposed Funding will calculate automatically and should equal 100% once completed.

Proposed Funding by NPG Core Capability	Amount of Proposed Funding (\$)	Percent of Proposed Funding (%)
Planning	\$ 264,728	15.0%
Public Information and Warning		
Operational Coordination	\$ 194,134	11.0%
Forensics and Attribution		
Intelligence and Information Sharing		
Interdiction and Disruption		
Screening, Search, and Detection		
Access Control and Identity Verification		
Cybersecurity		
Physical Protective Measures		
Risk Management for Protection Programs and Activities		
Supply Chain Integrity and Security		
Community Resilience		
Long-Term Vulnerability Reduction		
Risk and Disaster Resilience Assessment		
Threats and Hazard Identification		
Critical Transportation		
Environmental Response/Health and Safety		
Fatality Management Services		
Infrastructure Systems	\$ 441,213	25.0%
Mass Care Services		
Mass Search and Rescue Operations		
On-Scene Security and Protection		
Operational Communications	\$ 864,777	49.0%
Public and Private Services and Resources		
Public Health and Medical Services		
Situational Assessment		
Economic Recovery		
Health and Social Services		
Housing		
Natural and Cultural Resources		
Total Proposed Funding		100.0%
Difference From Total Proposed Funding		

IV.D. Provide the proposed funding amount to be obligated from this Investment towards the primary Planning, Organization, Equipment, Training, and Exercises (POETE) Solution Area.

Please note, the Total Amount of Proposed Funding should equal the Proposed Funding Amount entered above. The Percent of Proposed Funding will calculate automatically and should equal 100% once completed.

Proposed Funding By Solution Area	Amount of Proposed Funding (\$)	Percent of Proposed Funding (%)
Planning	\$ 188,839	10.7%
Organization	\$ 162,366	9.2%
Equipment	\$ 1,258,340	71.3%
Training	\$ 81,183	4.6%
Exercises	\$ 74,124	4.2%
Total Proposed Funding		100.0%
Difference From Total Proposed Funding		

FY 2015 Tribal Homeland Security Grant Program (THSGP) Investment Justification

IV.E. Provide a detailed budget narrative, in addition to SF-424A, explaining related costs and expenses as a part of the application. This budget narrative should be detailed and should serve to: (1) explain how the costs were estimated, and (2) justify the needs for the costs incurred to the measurable achievement outcomes as stated in the Investment Justification. (1,500 character max)

Priority 1 - GIS Projects (\$800,000): Results from the three vendor response to RFI to evaluate, correct and consolidate GIS sources and to build a GIS database to enable 9-1-1 caller location and first responder dispatch. Costs include hardware, software, and labor. Includes \$70,000 for personnel resources required to manage updates to databases.

Priority 2 - PSAP Routing & Infrastructure (\$328,600): Quotes were obtained from local exchange companies (LECs) and IT to determine estimates. Routing is required from three LECs and one Selective Router carrier. Include \$25,000 (\$15,000 for training + \$9,000 for travel) for certification training of 40 Public Safety Telecommunication Operators (PSTO).

Priority 3 - System & Routing Expansion (\$636,252): Quotes were obtained from system and network providers for nationwide expansion of 9-1-1 services.

FY 2015 Tribal Homeland Security Grant Program (THSGP) Investment Justification

IV.F. Identify up to ten projects/activities, with start and end dates, which will be implemented over the 24-month period of performance (October 1, 2014 – September 30, 2016).

Project Name (100 character max)	Funding Amount	Project Management Process	Dates (Month/Year) Start	End
Priority 1: Addressing & Consolidation of GIS Sources	\$414,852	Execute	09/2015	07/2016
Priority 1: Geospatial Database Creation	\$350,000	Execute	10/2015	09/2016
Priority 2: 9-1-1 Routing Network	\$75,000	Execute	10/2015	09/2016
Priority 2: PSAP Infrastructure Build-out	\$275,000	Execute	10/2015	09/2016
Priority 3: 9-1-1 Routing Expansion	\$150,000	Execute	06/2016	05/2017
Priority 3: 9-1-1 System Expansion	\$500,000	Execute	06/2016	05/2017

IV.G. Does this Investment require new construction or renovation, retrofitting, or modification of existing structures?

No

Please note that these costs are allowable only when it is a necessary component of a security system at critical infrastructure facilities.

V. Law Enforcement Terrorism Prevention Activities (LETPA)

V.A If applicable, provide the proposed funding amount that is expected to be obligated towards Law Enforcement Terrorism Prevention Activities (LETPA). Activities that support this requirement should be clearly defined and explained in the answer to question II.C.

Please note, at least 25 percent (25%) of the total amount awarded to recipient must be dedicated towards LETPA.

Total Proposed Funding Amount	Amount of Funding Dedicated to LETPA	Percent of Funding Dedicated to LETPA
\$1,764,852	\$1,764,852	100.0%

FY 2015 Tribal Homeland Security Grant Program (THSGP) Investment Justification

VI. Accomplishments and Impact (25%)

VI.A. Describe the outcomes that will be achieved as a result of this Investment. The outcomes should demonstrate improvements towards building capabilities described in Section III, Baseline. *(1,500 character max)*

This investment in the NN's NG 9-1-1 project will yield significantly improved call processing times and service levels, allow emergency personnel to better locate callers across the reservation, and generate consistency in operational processes and procedures. Specifically, through detailed planning, procurement of requisite equipment, and properly trained emergency personnel, the NN will be able to:

1. Create a master GIS database for caller location compatible with the non-standard rural addressing existing across the reservation.
2. Consolidate and integrate the other six PSAPs with the Shiprock, NM PSAP
3. Address the current signal gaps and radio interoperability across the reservation.

This investment will result in more timely communications among and between affected communities in the event of a natural hazard or act of terrorism. By addressing the current gaps in the NN's response capability and operational communications, this investment will dramatically improve the NN's overall ability to respond to the threats and hazards that pose the greatest risk as well as improve the reservation's overall security, situational awareness, operations, and posture of its emergency personnel.

VI.B. Identify the Mission Areas from the National Preparedness Goal that are supported by this Investment. At least one mission area should be identified.

- ☒ Prevention
- ☒ Protection
- ☒ Mitigation
- ☒ Response
- ☒ Recovery

Instructions for Finalizing the IJ

If using Excel 2007, applicants are required to save the final version of the IJ in the Excel 97-2003 format before submitting. Excel 2007 or PDF formats cannot be accepted. Instructions on saving the IJ template in the Excel 97-2003 format are below in the "Helpful Hints" Section of the Introduction tab.

Please provide a copy of this Investment Justification through the ND Grants system, located at <https://portal.fema.gov>, by Tuesday, May 19, 2015, 11:59 p.m. EDT.



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT



August 18, 2016

MEMORANDUM

TO: 2 NNC Sec. 164 Reviewers
Executive Branch – Navajo Nation

FROM: 
Cordell Shortey, Contracting Officer
Contracts and Grants Section, OMB

RE: **Document No. 006458 – NDPS DHS Grant Award EMW-2015-SS-0123**

The subject document attached hereto has been marked **insufficient**; the surname comes with the following concern:

1. The document in regards to Notice of Award in the amount of \$1,764,852 for the Project Period Performance 09/01/2015 through 08/31/2018. CGS is unaware an application was submitted on this and such did not go through the 164 Executive Review process based on 2 NNC Sec 164 review requirements.
2. It appears Indirect Cost (IDC) rate 17.18% that was not calculated correctly in NN OMB-BF1-4. (See attached Calculation Check on Budget for IDC Recovery Pursuant to Formula at Appendix Q Section 1.e., of FY 2016 NN BIM).

It is very important NDPS is urged to comply with the applicable requirements in processing the 164 Review process. Contact our office at 928-871-6040 if you have any questions.

Attachment
Cc: file



Contracts and Grants Section - OMB
Calculation Check on Budget for IDC Recovery

Pursuant to Formula at Appendix Q Section 1. e., of FY 2016 NN BIPM

Funding Contract: **Navajo Police Department Administration**

A	B	C	D	E
1	Acct./Category	Formula	IDC Cal. Check	Program Calculation
2	Total Award	From NOGA	1,764,852.00	1,764,852.00
3	Exclusion ***	See pg. 127 of BIPM		
4				
5	IDC Base	(Row 2-3-4)	1,764,852.00	1,764,852.00
6	IDC rate	(1+IDC Rate)	1.1718	1.1718
7	Adj. IDC Base	(Row 5 / [1+IDC Rate])	1,506,103.43	1,506,103.43
8				
9	IDC Budget	(Row 5 - 7)	258,748.57	258,748.57

Legend:

Column B Row 3 - *** Includes Cap. Exp. >\$5k, Welfare Assist., Scholarship, TANF; WIA, etc.
Ineligible-Subcontracts e.g., bldg. const., water/power line, PSC, 3rd Party, etc.

Script or Instructions on Filling out above Table:

Orange	Enter Name of Contract or Grant.
Green	Enter Total Amount of Funding Requested or Awarded.
Pink	Enter Total Amount of Exclusion / Passthrough.
Purple	Enter result of 1 + IDC Rate Allowed by Funding Agency.
Blue	IDC Recovery Amount that should be in the budget of Funding Application or Award.

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY 2016


PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Navajo Police Department Administration</u>		Division/Branch: <u>Public Safety</u>	
Prepared By: <u>Michele Torn</u>		Phone No.: <u>928-871-7584</u>		Email Address: <u>mmtom@navajo-nsn.gov</u>	

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			
					Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference (Column B - A)
EMW-2015-SS-00123		09/01/15 to 08/31/18	1,764,852.00	100%				
					2001 Personnel Expenses			
					3000 Travel Expenses		9,120	9,120
					3500 Meeting Expenses			
					4000 Supplies		650,000	650,000
					5000 Lease and Rental			
					5500 Communications and Utilities			
					6000 Repairs and Maintenance			
					6500 Contractual Services		793,489	793,489
					7000 Special Transactions		34,000	34,000
					8000 Public Assistance			
					9000 Capital Outlay		190,000	190,000
					9500 Matching Funds			
					9500 Indirect Cost		88,243	88,243
					TOTAL		\$0.00	1,764,852.00


PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		0	0
Total # of Permanently Assigned Vehicles:		0	0

TOTAL: \$1,764,852.00 ✓ 100%	
-------------------------------------	--

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



Bobby Elstity, Delegated Chief of Police



Jesse Delmar, Division Director

SUBMITTED BY: Program Manager's Printed Name and Signature / Date

APPROVED BY: Division Director/Branch Chiefs' Printed Name and Signature / Date

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

PART I. PROGRAM INFORMATION:Business Unit No.: NEW

Program Name/Title: _____

Navajo Police Department Administration

PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:

(GSCJA-04-08) The purpose of the Navajo Police Department is to enforce all Navajo Nation laws within the territorial jurisdiction of the Navajo Nation, as defined by Title N.N.C. §254 & 18 U.S.C. §1151, to provide effective and efficient law enforcement services on a twenty-four (24) hour basis to protect life and property, and to screen all police personnel to determine their level of enforcement skills and knowledge and provide them with the necessary law enforcement education to achieve full potential as Navajo Nation law enforcement officers. The application of these objectives are subject to availability of funds.

PART III. PROGRAM PERFORMANCE CRITERIA:

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Program Performance Area:

Ability to locate the caller

Goal Statement:

Develop a database for 9-1-1 call location validation

1		1		1		1	
---	--	---	--	---	--	---	--

2. Program Performance Area:

Ability to dispatch the first responder

Goal Statement:

Leverage GIS mapping to display the incident location to enable efficient dispatch

1		1		1		1	
---	--	---	--	---	--	---	--

3. Program Performance Area:

Ability to communicate via radio

Goal Statement:

Support deployment of services across Navajo Nation, consolidation and/or integration of 6 PSAPS

1		2		2		2	
---	--	---	--	---	--	---	--

4. Program Performance Area:

Identify radio interoperability across the Navajo Nation

Goal Statement:

Provide radio interoperability to allow any 9-1-1 calls to be answered at any PSAP and dispatched

1		1		1		1	
---	--	---	--	---	--	---	--

5. Program Performance Area:

Identify broadband network connecting all seven emergency response districts

Goal Statement:

Provide broadband network connection across all seven emergency response district

1		1		1		1	
---	--	---	--	---	--	---	--

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

Bobby Elisity, Delegated Chief of Police

Program Manager's Printed Name and Signature/Date

Jesse Delmar, Executive Director

Division Director/Branch Chief's Printed Name and Signature / Date

080316

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Navajo Police Department Administration</u> Business Unit No.: <u>NEW</u>			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 5)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	3000 TRAVEL EXPENSES Monthly mileage fleet rental, Meals, Lodging and air fare directly related to program business and other miscellaneous travel expenses.		9,120
3230	Personal Travel 3240 \$46/Daily Per Diem x 3 days/week x 30 staff 4,140.00 3250 \$83/Night Per Diem x 2 night/week x 30 staff 4,980.00	9,120	
	4000 SUPPLIES Desktop Supplies, folders, envelopes, pens, pencils. Power Point Projector, laptops and partitions. Computer/Xerox toner cartridges. Printing of manuals, brochures, binding, photocopying, and publication subscription. Purchase vehicle parts (tires, tubes, etc)		650,000
4200	Non Capital Assets 4230 Non Cap Computer Equipment 500,000	500,000	
4410	Operating Supplies 4440 Non Cap Computer Software 150,000	150,000	
	6500 CONTRACTUAL SERVICES Professional Services for various program initiatives. Contractual services for specialized services Consulting		793,489
6520	6530 Fees 670,000.00 6540 Expenses 123,489.00	793,489	
	TOTAL	1,452,609	1,452,609

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION: Program Name/Title: _____ Navajo Police Department Administration Business Unit No.: _____ NEW			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
	7000 SPECIAL TRANSACTIONS		34,000
	Promote and advertise program's initiative. Gifts and awards to be presented to employees. Catering and refreshments for dept special events. Depreciation.		
	Print advertising and employee training fees. Required insurance premiums.		
7510	Training and Professional Dues	34,000	
	7520 Training/Registration		
	7530 Training Supplies		
	9000 CAPITAL OUTLAY		190,000
9140	Equipment	190,000	
	9146 Computers		
	9500 MATCHING AND INDIRECT COST		88,243
9710	IDC		
	9720 Indirect Cost Charged (Management & Administration Expenditures)	88,243	
TOTAL		312,243	312,243



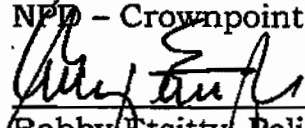
THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

NAVAJO DIVISION OF PUBLIC SAFETY
Navajo Police Department – Office of the Chief of Police

MEMORANDUM

TO : Steven Nelson, Police Captain
NPD – Crownpoint Police District

FROM : 
Bobby Etsitty, Police Captain
Delegated Chief of Police
Navajo Police Department

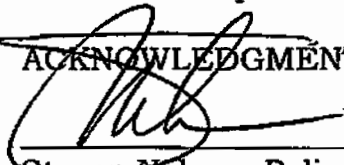
DATE : August 01, 2016

SUBJECT : **DELEGATION OF AUTHORITY**

Effective Monday, August 08, 2016 beginning at 0800 hours and ending at 1700 hours you are hereby delegated the authority of the Chief of Police and overseeing the Navajo Police Department. Your duties will entail all administrative functions of the Navajo Police Department. Please brief me on any/all activities that occurred during your delegation that requires notification upon my return.

Should you have any questions or concerns, please do not hesitate to contact the Division Director or his designee, who will be your immediate supervisor. Thank you.

ACKNOWLEDGMENT:



Steven Nelson, Police Captain
NPD – Crownpoint Police District

c: All District Commanders/NPD
Douglas Joe, (D) Director/NDCI
Delores Greyeyes, Department Manager III/NDOC
Chrono



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM:

TO : 164 Packet Reviewers

FROM : Michele Tom
Michele Tom, Senior Contract Analyst
Navajo Division of Public Safety

SUBJECT : Response to OMB-OCG Concerns

This 164 document was submitted to OMB-OCG for review and NDPS is responding to the concerns noted by the department.

1. NDPS did submit the grant application through the 164 #3875 Executive Official Review ("A").
2. In the Initial application packet, program did request for IDC. Unfortunately, there was no approved IDC for the Nation. Upon award, the program did request for IDC and submitted the approved IDC rate and program was rejected. We did not receive a formal denial letter and submitted an appeal letter; the program is awaiting a response. Grant does have 5% G & A cost (\$88,243) associated with the award amount.

Should you have any questions regarding this matter, please do not hesitate to call me at 928-871-7584.



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM:

TO : Legislative Committee(s)

FROM : Michele Tom
Michele Tom, Senior Contract Analyst
Navajo Division of Public Safety

SUBJECT : IDC for DHS Grant Award (SAS #6458)

DATE : September 13, 2016

This document has completed the 164 Process and is now submitted to the respective Legislative committee(s) for their review and action in approving NDPS's request for an IDC waiver for the rate of 17.18% and to accept the 5% Management & Administration (M&A) amount included in this grant.

NDPS did submit a request to the funding agency regarding the 17.18% IDC rate however, our request is still being reviewed. The program cannot delay the process while awaiting a response, therefore the program is moving forward with the grant. When the program receives the information, we will make necessary actions and inform all necessary parties.

Should you have any questions regarding this matter, please do not hesitate to call me at 928-871-7584.

Document No. 006458Date Issued: 08/01/2016**SECTION 164 REVIEW FORM**Title of Document: NDPS DHS Grant Award EMW-2015-SS-00123 Contact Name: TOM, MICHELE MProgram/Division: DIVISION OF PUBLIC SAFETYEmail: mmtom@navajo-nsn.gov Phone Number: 928-871-7584

Division Director Approval for 164A: _____

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

<input type="checkbox"/>	Statement of Policy or Positive Law:		Sufficient	Insufficient
	1. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
	1. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input checked="" type="checkbox"/>	Grant/Funding Agreement or amendment:			
	1. Division: <u>DLH DLT</u>	Date: <u>0803/16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. OMB: <u>for T. Sharkey</u>	Date: <u>8/18/16</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	3. OOC: <u>James J.</u>	Date: <u>9/16/16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	4. OAG: <u>[Signature]</u>	Date: <u>9/9/16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



☐ RESUBMITTAL

DOJ
09-08-16 352pm
DATE / TIME
<input checked="" type="checkbox"/> 7 Day Deadline
DOC #: 206458
SAS #:
UNIT: Hsqn

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST: Sept 8, 2016 ENTITY/DIVISION: NDPS
 CONTACT NAME: Michelle Tom DEPARTMENT: Police Dept
 PHONE NUMBER: 928-371-7504 E-MAIL: mtom@navajo-nation.gov
 TITLE OF DOCUMENT: NDPS DHS Grant award ERMU - 2015 - SS - 00123

#123

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 9/9/16 800 REVIEWING ATTORNEY/ADVOCATE: Regina
 DATE/TIME OUT OF UNIT: 9/12/16 845

DOJ ATTORNEY / ADVOCATE COMMENTS

Ready for signature. See attached 9/9/16 NNDOJ memo.

REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
<u>R. Holyan</u>	<u>9/9/16 312pm</u>	<u>Kandis Martine</u>	<u>9/9/16 4:54pm</u>

DOJ Secretary Called: Karla for Document Pick Up on 9/12/16 at 8:45 By: gm
 PICKED UP BY: (PRINT) DATE / TIME:

Document No. 006458Date Issued: 08/01/2016**SECTION 164 REVIEW FORM**Title of Document: NDPS DHS Grant Award EMW-2015-SS-00123Contact Name: TOM, MICHELE MProgram/Division: DIVISION OF PUBLIC SAFETYEmail: mmtom@navajo-nsn.govPhone Number: 928-871-7584

Division Director Approval for 164A: _____

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

<input type="checkbox"/>	Statement of Policy or Positive Law:		Sufficient	Insufficient
	1. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
	1. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input checked="" type="checkbox"/>	Grant/Funding Agreement or amendment:			
	1. Division: <u>DLH DLT</u>	Date: <u>0803/16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. OMB: <u>for T. Shalim</u>	Date: <u>8/18/16</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	3. OOC: <u>James M</u>	Date: <u>9/16/16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	4. OAG: <u>PM</u>	Date: <u>9/9/16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



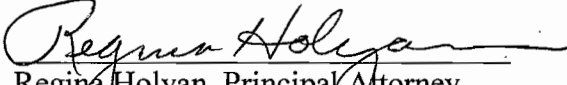
NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL

RODGERICK T. BEGAY
ACTING DEPUTY ATTORNEY GENERAL

MEMORANDUM

TO: Michele Tom, Senior Contract Analyst
Navajo Division of Public Safety

FROM: 
Regina Holyan, Principal Attorney
Human Services & Government Unit
Navajo Nation Department of Justice

DATE: September 9, 2016

SUBJECT: **164 Doc. No. 6458 DHS Grant Award in Amount of \$1,764,852**

The Navajo Nation Department of Justice ("NNDPJ") has reviewed the above referenced DHS grant award. NNDPJ will surname the document but it points out the indirect cost ("IDC") issue to the Navajo Division of Public Safety ("NDPS").

The two NDPS memos—both undated—are contradictory on IDC. One memo says that IDC was not requested in the initial application, but the other memo states "In the Initial application packet, program did request for IDC."

NNDPJ reminds NDPS that "waiver" is for situations where the funding source does not allow it. Here, NDPS does not state the reason DHS gave for denying IDC for this grant. Therefore, if DHS does not allow IDC, NDPS could request a waiver. But if DHS denied IDC for a procedural or other reason, then NNDPJ will leave it to NDPS to resolve the IDC issue.

RH/gm.241

cc: Jesse Delmar, Executive Director, NDPS
Chief of Police Phillip Francisco, NPD
Herb Tsosie, Program Supervisor, Planning and Research Section

Document No. 003875Date Issued: 04/30/2015**EXECUTIVE OFFICIAL REVIEW**Title of Document: FY15 THSGP Grant Proposal for NDPSContact Name: TSOSIE III, HERBERT HProgram/Division: DIVISION OF PUBLIC SAFETYEmail: herbtsosieiii@yahoo.comPhone Number: 928-871-7859

<input type="checkbox"/>	Business Site Lease			Sufficient	Insufficient
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)				
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions**

1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications**

1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Navajo Housing Authority Request for Release of Funds**

1. NNEPA:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Lease Purchase Agreements**

1. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
(recommendation only)				
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☒ **Grant Applications**

1. Office of Management and Budget:	<i>C. May - see memo</i>	Date: <i>5/6/2015</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Office of the Controller:	<i>James M.</i>	Date: <i>5/20/15</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	<i>Joe Lee</i>	Date: <i>5/21/15</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

☐ **Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval**

1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Relinquishment of Navajo Membership**

1. Land Department:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Elections:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>