

LEGISLATIVE SUMMARY SHEET

Tracking No. 0239-20

DATE: October 1, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER AND, BUDGET AND FINANCE COMMITTEES; ACCEPTING AND APPROVING GRANT NO. 2020-VD-BX-0632 FOR PROJECT ENTITLED NAVAJO NATION CORONAVIRUS EMERGENCY RESPONSE IN THE AMOUNT OF \$486,348.00 FROM THE OFFICE OF JUSTICE PROGRAMS, U.S. DEPARTMENT OF JUSTICE FOR THE PERIOD JANUARY 20, 2020 TO JANUARY 31, 2022

PURPOSE: This resolution, if adopted, would accept Grant No. 2020-Vd-Bx-0632 for project entitled Navajo Nation Coronavirus Emergency Response in the amount of \$486,348.00 from the Office of Justice Programs, U.S. Department of Justice for the period January 20, 2020 to January 31, 2022.

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

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 2:54pm 10-02-20
Posting End Date: 10-07-20
Eligible for Action: 10-08-20

Law & Order Committee
Thence
Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0239-20

AN ACTION

RELATING TO LAW AND ORDER AND, BUDGET AND FINANCE COMMITTEES;
ACCEPTING AND APPROVING GRANT NO. 2020-VD-BX-0632 FOR PROJECT
ENTITLED NAVAJO NATION CORONAVIRUS EMERGENCY RESPONSE IN THE
AMOUNT OF \$486,348.00 FROM THE OFFICE OF JUSTICE PROGRAMS, U.S.
DEPARTMENT OF JUSTICE FOR THE PERIOD JANUARY 20, 2020 TO JANUARY 31,
2022

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Law and Order Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 600(A). Pursuant to 2 N.N.C. § 601 (C)(1), the committee serves as oversight for the Navajo Nation Division of Public Safety.

B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council. It has the authority 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." 2 N.N.C. § 301(B)(15).

1 C. The Navajo Nation has a government-to-government relationship with the federal
2 government. *Treaty of 1868*.

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4 **SECTION TWO. FINDINGS**

5 A. The Navajo Nation Division of Public Safety, under project entitled "Navajo nation
6 Coronavirus Emergency Response" and pursuant to the Coronavirus
7 Emergency Supplemental Funding Program, Public Law 116-136 submitted a grant request
8 to the Office of Justice Program, U.S. Department of Justice. On May 20, 2020, the Office
9 of Justice Program approved the request and authorized an award in the amount of
10 \$486,348.00. See attached **Exhibit A**, award notice and conditions of the award.

11 B. The Navajo Nation Department of Justice reviewed the award and related documents,
12 and determined such documents to be legally sufficient. See attached **Exhibit B**.

13 C. On August 21, 2020, Navajo Nation President Jonathan Nez signed the grant as
14 awarded.

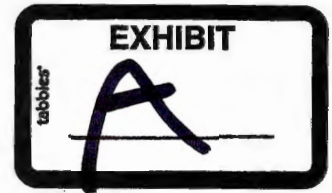
15 D. It is in the best interest of the Navajo Nation that the grant award provided to the Navajo
16 Nation in the amount of \$486,348.00 by the Office of Justice Program, U.S. Department
17 of Justice.

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19 **SECTION THREE. ACCEPTING AND APPROVING GRANT AWARD**

20 The Navajo Nation hereby accepts and approves grant no. 2020-VD-BX-0632 for
21 project entitled "Navajo Nation Coronavirus Emergency Response" in the amount of
22 \$486,348.00 from the Office of Justice Programs, U.S. Department of Justice for the period
23 January 20, 2020 to January 31, 2022. See **Exhibit A**, award notice and conditions.
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Department of Justice (DOJ)
Office of Justice Programs



Office of the Assistant Attorney General

Washington, D.C. 20531

May 20, 2020

The Honorable Jonathan Nez
Navajo Nation Tribal Government
2 Miles North of Highway 264
Window Rock, AZ 86515

Dear Mr. Nez:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by Navajo Nation Tribal Government for an award under the OJP funding opportunity entitled "BJA FY 20 Coronavirus Emergency Supplemental Funding Program." The approved award amount is \$486,348. These funds are for the project entitled Navajo Nation Coronavirus Emergency Response.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should Navajo Nation Tribal Government accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact Dara H. Schulman, Program Manager at (202) 514-9967; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.

President J. Nez Initials: JN



Department of Justice (DOJ)
Office of Justice Programs
Office of Civil Rights

Washington, DC 20531

May 20, 2020

The Honorable Jonathan Nez
Navajo Nation Tribal Government
2 Miles North of Highway 264
Window Rock, AZ 86515

Dear Mr. Nez:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

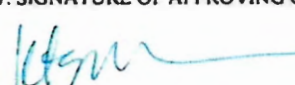
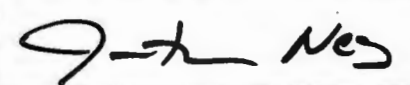
President J. Nez Initials: JN



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

Grant

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1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Navajo Nation Tribal Government 2 Miles North of Highway 264 Window Rock, AZ 86515		4. AWARD NUMBER: 2020-VD-BX-0632	
		5. PROJECT PERIOD: FROM 01/20/2020 TO 01/31/2022 BUDGET PERIOD: FROM 01/20/2020 TO 01/31/2022	
2a. GRANTEE IRS/VENDOR NO. 860092335		6. AWARD DATE 05/20/2020	7. ACTION Initial
2b. GRANTEE DUNS NO. 009001702 ✓		8. SUPPLEMENT NUMBER 00	
3. PROJECT TITLE Navajo Nation Coronavirus Emergency Response		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 486,348	
		11. TOTAL AWARD \$ 486,348	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B: 28 U.S.C. 530C			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.034 - Coronavirus Emergency Supplemental Funding Program			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Jonathan Nez President	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 08-21-2020
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X B VD 80 00 00 486348		21. VVDUGT0752	



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
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Grant**

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PROJECT NUMBER 2020-VD-BX-0632

AWARD DATE 05/20/2020

SPECIAL CONDITIONS

I. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

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Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

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PROJECT NUMBER 2020-VD-BX-0632

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SPECIAL CONDITIONS

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

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SPECIAL CONDITIONS

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

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Department of Justice (DOJ)
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SPECIAL CONDITIONS

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

President J. Nez Initials: JN



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

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SPECIAL CONDITIONS

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

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any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

President J. Nez Initials: JN



Department of Justice (DOJ)
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13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

President J. Nez Initials: JN



Department of Justice (DOJ)
Office of Justice Programs
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SPECIAL CONDITIONS

14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

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19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

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SPECIAL CONDITIONS

24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

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27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

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28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. Signing Authority

This award must be signed by an authorized official of the applicant State, local, or tribal government, on behalf of that applicant State, unit of local government, or Tribe, unless the applicant designates an organizational unit to apply on its behalf. For example, if designated by a unit of local government, a Police Department or Sheriff's Office (or similar agency) may apply on behalf of the applicant jurisdiction, as long as the department, office, or agency is listed as the organizational unit on the SF-424. In that case, the head of the designated organizational unit (such as a Police Chief or Sheriff) may sign the award. Documentation of the designation by the appropriate governing body must be retained by the grant recipient.

32. The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at <https://www.ojp.gov/funding/explore/CESF-program-specific-condition>, that is incorporated by reference here.

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33. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

34. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

35. Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

36. Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

37. Justice Information Sharing

Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.

38. Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent

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39. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are: a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/ or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bja.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations. Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

40. Establishment of interest-bearing account

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish an interest-bearing account dedicated specifically to this award. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The award funds, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Coronavirus Emergency Supplemental Funding (CESF) program. The recipient also agrees to obligate the award funds in the account (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41. Expenditures requiring prior approval

No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and/or Unmanned Aerial Vehicles (UAV) without prior written approval from BJA. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Notice (GAN) through OJP's Grant Management System (GMS).

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SPECIAL CONDITIONS

42. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after January 20, 2020

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds.

43. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

44. Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx>.

45. The recipient agrees to promptly provide, upon request, financial or programmatic-related documentation related to this award, including documentation of expenditures and achievements. The recipient must attach a detailed general ledger to each quarterly Federal Financial Report. The recipient understands that it will be subject to additional financial and programmatic in-depth or on-site monitoring, which may be on short notice, and agrees that it will cooperate with any such monitoring. The recipient agrees to develop or maintain effective internal controls to manage federal awards (see 2 C.F.R. 200.303) and effective financial management policies and procedures to manage federal awards (see 2 C.F.R. 200.302).

46. The recipient agrees to promptly provide, upon request, financial or programmatic-related documentation related to this award, including documentation of expenditures and achievements. The recipient understands that it will be subject to additional financial and programmatic in-depth or on-site monitoring, which may be on short notice, and agrees that it will cooperate with any such monitoring. The recipient agrees to develop or maintain effective internal controls to manage federal awards (see 2 C.F.R. 200.303) and effective financial management policies and procedures to manage federal awards (see 2 C.F.R. 200.302).

47. Missing Attachment: Financial Capability Questionnaire

The recipient must complete a Financial Capability Questionnaire, and submit it to the grant manager for this award. Award closeout will not be possible until OJP has issued a Grant Adjustment Notice to remove this special condition.

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Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Categorical Exclusion for Navajo Nation Tribal Government

The Coronavirus Emergency Supplemental Funding (CESF) Program allows eligible states, local units of government, and tribes to support a broad range of activities including preventing, preparing for, and responding to the coronavirus.

All recipients of CESF funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a sub-grantee or third party.

BJA's expectation is that none of the following activities will be conducted whether under this federal award or a related third party action:

- (1) New construction
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
- (3) A renovation that will change the basic prior use of a facility or significantly change its size
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
- (5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories) other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

If, however, award funds are proposed to be used for any of the enumerated projects or activities above, grant recipients must contact their grant manager, and receive written approval prior to commencing that project or activity.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for BJA.

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Department of Justice (DOJ)
Office of Justice Programs
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GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY

Grant

PROJECT NUMBER

2020-VD-BX-0632

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This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C

1. STAFF CONTACT (Name & telephone number)

Dara H. Schulman
(202) 514-9967

2. PROJECT DIRECTOR (Name, address & telephone number)

Herbert Tsosie
Program Supervisor II
PO Box 3360
Window Rock, AZ 86515-3360
(928) 871-7859

3a. TITLE OF THE PROGRAM

BJA FY 20 Coronavirus Emergency Supplemental Funding Program

**3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)**

4. TITLE OF PROJECT

Navajo Nation Coronavirus Emergency Response

5. NAME & ADDRESS OF GRANTEE

Navajo Nation Tribal Government
2 Miles North of Highway 264
Window Rock, AZ 86515

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 01/20/2020 TO: 01/31/2022

8. BUDGET PERIOD

FROM: 01/20/2020 TO: 01/31/2022

9. AMOUNT OF AWARD

\$ 486,348

10. DATE OF AWARD

05/20/2020

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Coronavirus Emergency Supplemental Funding (CESF) Program allows States, U.S. Territories, the District of Columbia, units of local government, and federally recognized tribal governments to support a broad range of activities to prevent, prepare for, and respond to the coronavirus. Funded projects or initiatives may include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.

NCA/NCF

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

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BUDGET FORM 1

FY 2020

PART I. Business Unit No.: NEW		Program Title: Coronavirus Emergency Supplemental Funding (CESF)		Division/Branch: Public Safety	
Prepared By: Herbert H. Tsosie III, Prog Supvr II		Phone No.: (928) 871-7859		Email Address: hhtsosie@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)		Fiscal Year/Term	Amount	% of Total	PART III. BUDGET SUMMARY			Difference (Column B - A)
		01/20/20 - 1/31/22	486,348.00	100%	Major Object Code at LOD 4	Fund Type Code	NNC Approved Original Budget	
					2001 Personnel Expenses			
					3000 Travel Expenses			
					3500 Meeting Expenses			
					4000 Supplies	6	\$ 395,400.00	\$ 395,400.00
					5000 Lease and Rental			
					5500 Communications and Utilities			
					6000 Repairs and Maintenance			
					6500 Contractual Services			
					7000 Special Transactions			
					8000 Public Assistance			
					9000 Capital Outlay			
					9500 Matching and Indirect Cost	6	\$ 90,948.00	\$ 90,948.00
					TOTAL \$		\$ 486,348.00	\$ 486,348.00

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

TOTAL:	\$486,348.00	100%
--------	--------------	------

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

Herbert H. Tsosie III, Program Supervisor II

SUBMITTED BY: Program Manager's Printed Name
[Signature] 5/24/20

Jesse Delmar, Division Director

APPROVED BY: Division Director/Branch Chief's Printed Name
[Signature] 052720

APPROVED BY: Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2020

Page 2 of 3

BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW Program Name/Title: Coronavirus Emergency Supplemental Funding (CESF)

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

(LOCAP-08-18) The purpose of the Navajo Police Department is to enforce all NN laws within the territorial jurisdiction of the NN as defined by Title 7 N.N.C. §254 & 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 law enforcement skills and knowledge and provide them with the required law enforcement training to achieve full potential as Navajo Nation law enforcement officers. The application of these objectives is subject to the terms of the Department's Public Law 93-838 Contract.

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Goal Statement:

To recommend CDC proactive approaches against COVID-19 Pandemic.

Program Performance Measure:

Implement self-awareness and protective measures on PPE apparatus and outerwear use., 7 Dist.

2. Goal Statement:

To protect and assist the General public and inmates regarding PPE's COVID 19.

Program Performance Measure:

Provide PPE's during COVID-19 Operations and Incarceration to various individuals., 7 Dist.

3. Goal Statement:

Protection against COVID 19 and ICS Trainings.

Program Performance Measure:

Ascertain NDPS personnel to train or update NIMS 700 and 100 certifications. 7 Dist.

4. Goal Statement:

Program Performance Measure:

5. Goal Statement:

Program Performance Measure:

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

Herbert H. Tsosie III, Program Supervisor II

Program Manager's Printed Name

Herbert H. Tsosie III

Program Manager's Signature and Date

Jesse Delmar, Division Director

Division Director/Branch Chief's Printed Name

Jesse Delmar 05/27/20

Division Director/Branch Chief's Signature and Date

BUDGET FORM 4

PART I. PROGRAM INFORMATION:		Business Unit No.:		NEW	
Program Name/Title:		Coronavirus Emergency Supplemental Funding (CESF)			
PART II. DETAILED BUDGET:					
(A)	(B)	(C)	(D)		
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)		
4000 SUPPLIES			\$ 395,400		
	Acquisition of certified surgical PPE's for NDPS employees, general population and inmates during FY2020 and FY2021 COVID-19 Pandemic operations to protect individuals from this highly contagious disease within the exterior boundaries of the Navajo Nation.				
4410	Operating Supplies				
	4420 General Operating Supplies	\$ 395,400.00 ✓			
9500 MATCHING AND INDIRECT COSTS			\$ 90,948		
9710	Indirect Costs				
	9720 Indirect Costs Charged at 18.7%	\$ 90,948.00	90,948.08 ✓		
TOTAL		\$ 486,348 ✓	\$ 486,348		

06/20/20

THE NAVAJO NATION


JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 26, 2020



MEMORANDUM:

TO : §164 Reviewers
OPVP, Navajo Nation Divisions and Navajo Nation Council

FROM : 
Herbert H. Tsosie III, Program Supervisor II
Administrative Support Services, NDPS

SUBJECT : Document No 014490

Your review and approval are requested to accept on behalf of Navajo Division of Public Safety essential Personal Protective Equipment (PPE's) formula grant in the amount of \$486,348.

The Bureau of Justice (BJA) funded the State of Arizona titled the Coronavirus Emergency Supplemental Fund (CESF) which the Navajo Nation among other Native American tribes have been selected to acquisition various PPE's needed to protect essential workers, general population and inmates during the COVID-19 Pandemic.

Grant 2020-VD-BX-0632 is a two-year authorization of the current FY2020 and FY2021 inclusive to the Navajo Nation IDC Rate of 18.7% or \$90,948.

Should you have any question(s) on this matter, please do not hesitate to call me at extension 7859.

attachments:



EMAILED
RECEIVED

Office of Management and Budget
164 Review Tracking Sheet
REVIEW SHEET

10/0
____ FMIS
____ OMB
____ LOGOUT

34 Number: 014490 164A Date Received: 6/2/2020 12:59:27 Due Date: 6/4/2020

Assigned Reviewer: Elouise White Entered By: Bahe Bitsilley

FMIS Information OMB cannot change.

Department: 863 NAVAJO POLICE DEPT (NPD)

DIVISION OF PUBLIC SAFETY

Name: TSOSIE III, HERBERT H Email: hhtsosie@navajo-nsn.gov Phone: 928-871-7859

Title of Document: Coronavirus Emergency Supplement Funding

Additional Description:

New BY # 4842 6/5/2020
New CO # K200800

Comments:

164 #014490 is ready for surrnameal, none attached
ans 6/3/20
"Sufficient" - for C. Stanley 6/5/20 ✓

Picked Up By:

PRINT Name

Date

Contracts and Grants Section / OMB

Document Review Check on Grant Application, Award or Modification

(Fill in Spaces Highlighted Green that Apply)

Document Review No. / Date : 164#014490 6/2/20

Application, A. A Hard or On-line Submit?

5/20/2020 Date Appl. Submitted to funding agency:

5/20/2020

Award, B or C. B Mod. No., D

B

Signature Block for Branch Chief?

N/A

FY 2018 NN BIM Appendix I Sec. IV. Submit Grant Application/Accept Grant Award

A. Application, Sec. 164(A) or Executive Official Review on EO 07-2013

Reference Application e.g., SF-424, etc.

OJP FORM 40002 (REV 4-88)

1 Grant Agreement, Terms & Conditions

yes

Budget \$ 486,348.00 **Funding Period**

01/20/2020 - 01/31/2022

2 Scope of Work (SOW) specific to grant purpose.

yes

3 Required NMBF 1-5: budget comply w/ Sec. III. B. justify, calcu., etc.

Yes

- NMBF 3 supported by DPM List of Employee Assignment

N/A

- Budget each Subcontract Separate

N/A

On lower right hand corner of each page, initial & indicate date of review.

4 IDC, use most current approved IDC rate. indicate FY & IDC Rate

18.7%

- Supported by IDC calculation check sheet, page 86 of BIM.

yes

5 Cost Sharing Contribution, Form Appendix L-2

n/a

6 CFDA No. on federal funds

16.034

7 DUNS no. 009001702

yes

8 SAMS

B. Award, Sec. 164(B) Review; Address Appl. requirement above.

- Document review no. on Appl./ Date

#014490 6/2/20

- Notice of Grant Award (NOGA) / Date (attach):

- Change to Appl. on Award, explain in Comment section below

N/A

C. Award (automatic) for successor year on multi-year contract; Address Appl. requirement above.

- Term (Begin & End Date) of multi-year contract

N/A

- NOGA / Date (attach):

N/A

D. Sec. III. C. Contract Modification, Form Summary of Change to Ext Grant Budget Appdx L-1

Additional allocation to annual award e.g., CR funding on federal award.

- Required NMBF 3 or 4 or both.

- NOGA / Date (attached):

Comment on issues, concerns, etc.

Document sufficient. Award and budget authorized by Agency Approval (BJA). See memo.

F. Document is Sufficient or Insufficient:

Sufficient

G. Review By / Date:

E. White, SCA 6/3/20

Surname By / Date:

for C. Sullivan 6/5/20

Result of Review: Explain by memorandum reason document is deemed insufficient and issues/concerns noted in Section 8805. Doc Review Check Grant Appl 164 E#014490 NDPS FY 20 COV-19 Emergency Response Funding 6.3.20

Dev. Sept. 2017

Contracts and Grants Section - OMB
Calculation Check on Budget for IDC Recovery
Pursuant to Formula at Appendix L Section III. B. 1, of FY 2020 NN BIPM

Funding Contract: NDPS-BIA IHSP NN Traffic Safety Grant FY 2020 - Program number PT-20-01

A	B	C	D	E
1	Acct./Category	Formula	New Program Calculation	Original Program Calculation
2	Total Award	From NOGA	486,348.00	486,348.00
3	Exclusion ***	See pg. 127 of BIPM	-	-
4				
5	IDC Base	(Row 2-3-4)	486,348.00	486,348.00
6	IDC rate	(1+IDC Rate)	18.7	18.7
7	Adj. IDC Base	(Row 5 / [1+IDC Rate])	26,007.91	26,007.91
8				
9	IDC Budget	(Row 5 - 7)	90,947.08	90,947.08

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

JONATHAN NEZ | PRESIDENT

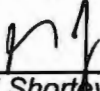
MYRON LIZER | VICE PRESIDENT



July 10, 2020

TRANSMITTAL

TO : Jesse Delmar, Division Director
Division of Public Safety

FROM :  for C. Shortley 7/13/20
Cordell Shortley, Contracting Officer
Contracts and Grants Section / OMB

SUBJECT : **FY'20-21 NN CORONA VIRUS EMERGENCY - Correction**

I. Information on Contract (per Original Award):

NN Coronavirus Emergency Response	DOJ-BJA	16.034
Title of Contract	Funding Agency	CFDA No. - Federal
2020-VD-BX-0632	2020-21	1/01/2020 - 01/31/2022
Grant No.	Amount	Term - Begin and End Date
	\$486,348	

II. Data Entered in FMIS Regarding:

New Contract or Grant Company No. 4842 Business Unit (K#) K200800

Contract Mod No. _____

Amt of Award _____ to _____

Budget Period - Extend End Date: AMOUNT FROM TO

☐ Other, specify: _____

Authorizing Document - Attached:

☐ Contract / Agreement - Date executed _____

☐ NNC / Committee Resolution - No. & Date _____

☒ Other, specify: Contract Accounting/OOC email date June 30, 2020

III. Comments by CGS:

Budget was entered into FMIS with incorrect IDC calculation. The revised budget reflects the accurate total. PEC "N" placed on business unit which will be removed until the Navajo Nation accepts the award.

Attachment

Copy: Contract files

Contract Accounting / DPM / Division Director

Revised April 2019



Office of Management and Budget ♦ Post Office Box 646 ♦ Window Rock, AZ 86515
(928) 871-6470 Telephone ♦ (928) 871-6567 Facsimile

(For increase or decrease to initial Annual Funding Awarded Only)

Title of Program: Navajo Division of Public Safety

FMIS Business Unit No. K200800

Coronavirus Emergency Supplemental

Grant No.: 2020-VD-BX-0632

CFDA No.: 16.034

Original Funding Period: Start - End: 01/20/20 - 01/31/22

(A)

(B)

(C)

(D)

(E)

9/11/20

PART III. CERTIFICATION:

Program Manager

(print): Herbert H. Tsosie III, PS II

Division/Executive

Director (print): **Jesse Delmar, Division Director**

Signature/Date:

Signature/Date:

Update - IDC was incorrectly calculated
* see IDC calculation sheet and NMF 1-4.

**Verified &
Recommend
Approval:**

**Approval for
FMIS Entry:**

Contract Analyst - Signature / Date

Contracting Officer - Signature / Date

Copy:

Contract files

Contract Accounting/OOC

Revised 2017

Contract or Grant Status Inquiry - Journal Entry

Page 1 of 1

Contract or Grant Status Inquiry - Journal Entry Personal Form: (No Personalization) ☒ Query: All Records ☒ ☐ ☐ ☐ ☐ ?

☐ ☐ Row ☐ Form ☐ Tools

Batch Number 1186709 ☐ Model ☐ Percent ☐ Reverse

Doc Type/No/Co XO 1483244 04842 G/L Date 07/10/2020

Explanation * Budget Rev. - OMB Ledger Type JA

Records 1 - 3

<input type="checkbox"/> <input checked="" type="checkbox"/> Account Number	Amount	Account Description	Subledger Type	Subledger	Subledger Description
<input type="checkbox"/> K200800.4410	14,329.00	Operating Supplies			
<input type="checkbox"/> K200800.9710	14,329.00-	IDC			
<input type="checkbox"/>					

< 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 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2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 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Job K200800 FY20-21 NN CORONA VIRUS EMER

Project

Cost Code	Cost Type	Description	L P M	Original Budget Amt	Revised Budget Amt	Actual Amount	Open Commit Amount	Budget Balance	% Revised Spent	% Revised Remaining
1710		Program Revenue	6 B N	486,348.00-	486,348.00-			486,348.00-		1.00
1710		Program Revenue	6 T	486,348.00-	486,348.00-			486,348.00-		1.00
1705		CG Revenue	5 T	486,348.00-	486,348.00-			486,348.00-		1.00
1700		External C/G Revenue Sourc	4 T	486,348.00-	486,348.00-			486,348.00-		1.00
1000		Revenues	3 T	486,348.00-	486,348.00-			486,348.00-		1.00
4410		Operating Supplies	6 B N	395,400.00	395,400.00			395,400.00		1.00
4410		Operating Supplies	6 T	395,400.00	395,400.00			395,400.00		1.00
4400		Operating Supplies	5 T	395,400.00	395,400.00			395,400.00		1.00
4000		Supplies	4 T	395,400.00	395,400.00			395,400.00		1.00
9710		IDC	6 B N	90,948.00	90,948.00			90,948.00		1.00
9710		IDC	6 T	90,948.00	90,948.00			90,948.00		1.00
9700		Indirect Cost (Overhead)	5 T	90,948.00	90,948.00			90,948.00		1.00
9500		Matching & Indirect Cost	4 T	90,948.00	90,948.00			90,948.00		1.00
2000		Expenses	3 T	486,348.00	486,348.00			486,348.00		1.00
Total:			I T			75,226.11	3,082.79	78,308.90-		

Bayer

14,329.00

14,329.00

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY 2020

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: K200800		Program Title: Coronavirus Emergency Supplemental Funding (CESF)		Division/Branch: Public Safety	
Prepared By: Herbert H. Tsosie III, Prog Supr II		Phone No.: (928) 871-7859		Email Address: hhtsosie@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)		Fiscal Year/Term	Amount	% of Total
BJA-2020-VD-BX-0632		01/20/20 - 1/31/22	486,348.00	100%

PART III. BUDGET SUMMARY		Fund Type	NNC Approved Original Budget	Proposed Budget	Difference (Column B - A)
Major Object Code at LOD 4		Code			
2001	Personnel Expenses				
3000	Travel Expenses				
3500	Meeting Expenses				
4000	Supplies	6	\$ 409,729.00	\$ 409,729.00	\$ 409,729.00
5000	Lease and Rental				
5500	Communications and Utilities				
6000	Repairs and Maintenance				
6500	Contractual Services				
7000	Special Transactions				
8000	Public Assistance				
9000	Capital Outlay				
9500	Matching and Indirect Cost	6	\$ 76,619.00	\$ 76,619.00	\$ 76,619.00
TOTAL			\$ -	\$ 486,348.00	\$ 486,348.00

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			
Total # of Permanently Assigned Vehicles:			
TOTAL		\$ 486,348.00	100%

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

Herbert H. Tsosie III, Program Supervisor II

SUBMITTED BY: Program Manager's Printed Name

SUBMITTED BY: Program Manager's Signature and Date

Jesse Delmar, Division Director

APPROVED BY: Division Director/Branch Chief's Printed Name


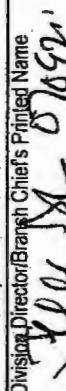
APPROVED BY: Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2020

Page 2 of 3

BUDGET FORM 2

PART I. PROGRAM INFORMATION:		Coronavirus Emergency Supplemental Funding (CESF)							
Business Unit No.:	Program Name/Title:								
K200800									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: (LOCAP-08-18) The purpose of the Navajo Police Department is to enforce all NN laws within the territorial jurisdiction of the NN as defined by Title 7 N.M.C. §254 & 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 law enforcement skills and knowledge and provide them with the required law enforcement training to achieve full potential as Navajo Nation law enforcement officers. The application of these objectives is subject to the terms of the Department's Public Law 93-538 Contract.									
PART III. PROGRAM PERFORMANCE CRITERIA:		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
To recommend CDC proactive approaches against COVID-19 Pandemic.									
Program Performance Measure:									
Implement self-awareness and protective measures on PPE apparatus and outerwear use., 7 Dist.		7		7		7		7	
2. Goal Statement:									
To protect and assist the General public and inmates regarding PPE's COVID 19.									
Program Performance Measure:									
Provide PPE's during COVID-19 Operations and Incarceration to various individuals., 7 Dist.		7		7		7		7	
3. Goal Statement:									
Protection against COVID 19 and ICS Trainings.									
Program Performance Measure:									
Ascertain NDPS personnel to train or update NIMS 700 and 100 certifications. 7 Dist.		7		7		7		7	
4. Goal Statement:									
Program Performance Measure:									
5. Goal Statement:									
Program Performance Measure:									
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
Herbert H. Tsosie III, Program Supervisor II		Jesse Delmar, Division Director							
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name							
									
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date							

THE NAVAJO NATION DETAILED LINE ITEM BUDGET AND JUSTIFICATION

FY 2020

Page 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:		Business Unit No.:	
Program Name/Title:		K200800	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
4000 SUPPLIES	Acquisition of certified surgical PPE's for NDPS employees, general population and inmates during FY2020 and FY2021 COVID-19 Pandemic operations to protect individuals from this highly contagious disease within the exterior boundaries of the Navajo Nation.		\$ 409,729
4410 Operating Supplies			
4420 General Operating Supplies	\$ 409,729.00	\$ 409,729	
9500 MATCHING AND INDIRECT COSTS			\$ 76,619
9710 Indirect Costs			
9720 Indirect Costs Charged at 18.7%		\$ 76,619	
TOTAL		\$ 486,348	\$ 486,348

9/2/20

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

Funding Contract:

A	B	C	D	E
1	Acct./Category	Formula	IDC Cal. Check	Program Calculation
2	Total Award	From NOGA	486,348.00	486,348.00
3	Exclusion ***	See pg. 127 of BIPM	-	-
4				
5	IDC Base	(Row 2-3-4)	486,348.00	486,348.00
6	IDC rate	(1+IDC Rate)	1.1870	1.1870
7	Adj. IDC Base	(Row 5 / [1+IDC Rate])	409,728.73	409,728.73
8				
9	IDC Budget	(Row 5 - 7)	76,619 ✓	76,619 ✓

gnw
7/19/20

Elouise White

From: Herbert H. Tsosie III <hhtsosie@navajo-nsn.gov>
Sent: Friday, July 10, 2020 8:16 AM
To: Elouise White; Delores Hunt
Cc: Germaine Jones; LeVerne Harrison; Jeremy D. Coleman
Subject: RE: 164 14490
Attachments: CESF SOC.pdf

Elouise,
See attached documents. Herb

From: Elouise White <ewhite@omb.navajo-nsn.gov>
Sent: Monday, July 6, 2020 12:07 PM
To: Herbert H. Tsosie III <hhtsosie@navajo-nsn.gov>; Delores Hunt <dhunt@navajo-nsn.gov>
Cc: Germaine Jones <gjones@omb.navajo-nsn.gov>; LeVerne Harrison <lvharrison@omb.navajo-nsn.gov>; Jeremy D. Coleman <jcoleman@nnooc.org>
Subject: FW: 164 14490
Importance: High

L.E.

The amount for IDC should total \$76,619. See email below. NDPS SUBMIT **SOC to revise the budget, today (7/6/20) before 1pm**. Also, update the **FY'2020 BUDGET REVISION SIGNATURE AUTHORIZATION FORM (BRSA)** for my Contract folder and **EXPENDITURE AUTHORIZATION SIGNATURE FORM (EASF)** for CONTRACT ACCOUNTING/OOC.

Miss White, SCA/OMB-CGS

From: Jeremy D. Coleman [<mailto:jcoleman@nnooc.org>]
Sent: Tuesday, June 30, 2020 4:13 PM
To: Germaine Jones <gjones@omb.navajo-nsn.gov>; Elouise White <ewhite@omb.navajo-nsn.gov>; Herbert H. Tsosie III <hhtsosie@navajo-nsn.gov>
Cc: Debbie Etsitty <detsitty@nnooc.org>; LeVerne Harrison <lvharrison@omb.navajo-nsn.gov>; Jesse Delmar (jdelmar@navajo-nsn.gov) <jdelmar@navajo-nsn.gov>; Jonathan Harrison <jharrison@nnooc.org>; Cordell Shortey <cshortey@omb.navajo-nsn.gov>
Subject: RE: 164 14490

This morning contract accounting received a request from the program regarding the award, which is provided in a screenshot below...

Navajo Nation - Division of Finance

Office of the Controller

164 or Signature Authorization Sheet (SAS) Sign-Off Sheet for OOC

(Attach sign off sheet to SAS document to ensure each section within OOC signs off on SAS)

PLEASE NOTE OOC (ALL SECTIONS IN TOTAL) HAS 7 DAYS TO REVIEW

014490

OOC - Section	Date
---------------	------

1 Accounts Receivable:

2 General Accounting:

3 Contract Accounting:

4 Contract Administration:

Jeremy Coleman 7-28-2020 Debbie Ortiz 7/28/20

Comments:

**Contract Accounting never received document review number 014490 for review/approval, we had to extend outreach to receive transmittals. Going forward, please ensure that contract accounting gets the document review for processing. **Upon review contract accounting discovered that a BU#, and a CO# had been assigned to the grant without acceptance of the grant from the Navajo Nation president, as well as acceptance of the special conditions&requirements. **It was also noticed for the grant that IDC was miscalculated. Through email correspondence IDC was addressed. The program needs to ensure the president accepts the award, before the PECN code is removed within FMIS before expending the grant. Document review 14490 is deemed sufficient by contract accounting, and may continue the review process for acceptance, Thank You.

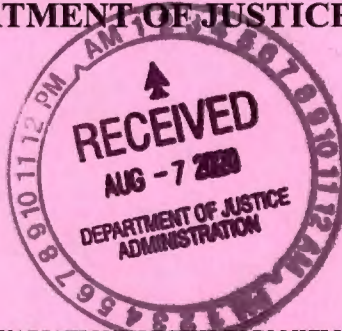
Business Unit #: K 200800, CO#: 4842

Email sent to incorrect edocument address on 6/18/20.



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT
REVIEW
REQUEST
FORM

☐ RESUBMITTAL

DOJ
8/7/2020 1pm
DATE / TIME
<input type="checkbox"/> 7 Day Deadline
DOC #: 014490
SAS #:
UNIT: HSCU

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

CLIENT TO COMPLETE	
DATE OF REQUEST: 8/7/20	ENTITY/DIVISION: NDPS
CONTACT NAME: Herb Jacobsen	DEPARTMENT: NDPS
PHONE NUMBER: X 7859	E-MAIL: h.jacobsen@navajo-nm.gov
TITLE OF DOCUMENT: CREST - For NDPS RPE under OSP Cont.	
DOJ SECRETARY TO COMPLETE	
DATE/TIME IN UNIT: 8/11/2020 @ 9:30am emailed by BC: 8/7/2020 @ 1:55	
REVIEWING ATTORNEY/ADVOCATE: LBS	
DATE/TIME OUT OF UNIT:	
DOJ ATTORNEY / ADVOCATE COMMENTS	
emailed Herb on 8/10 for clarification. Emailed Jacobsen on 8/13 @ 10:24am Sutthart	
REVIEWED BY: (PRINT) Jacobsen, H	DATE / TIME 8/14/20
SURNAMED BY: (PRINT) LBS	DATE / TIME 8/17/20 1053am
DOJ Secretary Called: Genevieve Jones for Document Pick Up on 8/18/20 at 3:00 By: an	
PICKED UP BY: (PRINT)	DATE / TIME:

RECEIVED by EMAILED 10/21/20

Document No. 014490

Date Issued: 05/26/2020

SECTION 164 REVIEW FORM

Title of Document: Coronavirus Emergency Supplement Funding Contact Name: TSOSIE III, HERBERT H

Program/Division: DIVISION OF PUBLIC SAFETY

Email: hhtsosie@navajo-nsn.gov Phone Number: 928-871-7859

Division Director Approval for 164A: _____

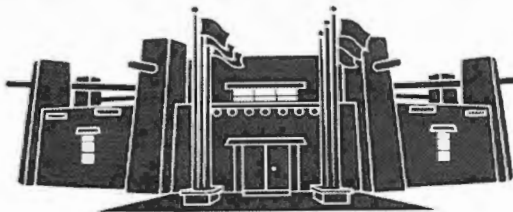
Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency 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>Jim Bell</u>	Date: <u>052720</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. OMB: <u>for C. Shontay</u>	Date: <u>6/5/20</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	3. OOC: <u>Debra Eton</u>	Date: <u>7/28/20</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	4. OAG: <u>OPVP</u>	Date: <u>8/17/20</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Date: <u>8-20-20</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"/>



MEMORANDUM

To : Hon. Otto Tso, Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : October 1, 2020

Re : AN ACTION RELATING TO LAW AND ORDER AND, BUDGET AND
FINANCE COMMITTEES; ACCEPTING AND APPROVING GRANT NO.
2020-VD-BX-0632 FOR PROJECT ENTITLED NAVAJO NATION
CORONAVIRUS EMERGENCY RESPONSE IN THE AMOUNT OF
\$486,348.00 FROM THE OFFICE OF JUSTICE PROGRAMS, U.S.
DEPARTMENT OF JUSTICE FOR THE PERIOD JANUARY 20, 2020 TO
JANUARY 31, 2022

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 20-360-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0239-20

SPONSOR: Otto Tso

TITLE: An Action Relating To Law And Order And, Budget And Finance Committees; Accepting And Approving Grant No. 2020-VD-BX-0632 For Project Entitled Navajo Nation Coronavirus Emergency Response In The Amount Of \$486,348.00 From The Office Of Justice Programs, U.S. Department Of Justice For The Period January 20, 2020 To January 31, 2022

Date posted: October 2, 2020 at 2:52 PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

**Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586**

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*