

# THE NAVAJO NATION

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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



August 16, 2020

Hon. Seth Damon  
Office of the Speaker  
Post Office Box 3390  
Window Rock, AZ 86515

RE: CJY-67-20, *An Action Relating to the Health, Education and Human Resources, Budget and Finance and Resources and Development, and Naabik'iyati' Committees, and the Navajo Nation Council; Approving and Adopting the Navajo Nation CARES Fund Expenditure Plans for Water Projects, Powerline Projects and Broadband-Telecommunication Projects, Solar Projects, Solid Waste, Hardship Assistance, Parks and Recreation Economic Assistance, Payroll Support, Housing Projects, Judicial Branch, Controller, Economic Development and Public Health and Health Care*

Dear Speaker Damon,

The coronavirus disease had a devastating effect on the Navajo Nation. Sadly, we have lost 478 of our People to this disease since it arrived here in March. We pray for those families who have lost loved ones; it is a difficult loss made even more so when we cannot gather to say our final good-bye and comfort each other. We pray God will give each family the strength to carry on and to keep us safe and healthy.

We are thankful for those who have recovered after contracting the coronavirus disease. There are 6,948 who have recovered and are back home. But we cannot back down from fighting this disease. Our Health officials are working tirelessly to keep us safe; as well as our Public Safety personnel who put their lives on the line each and every day. We say thank you from the bottom of our hearts to those who have worked every day since the start of this pandemic. To the Social Workers, our Community Development employees, the Chapter frontline workers, Council Delegates, and others who were helping with distribution of PPEs, water, food, and giving comforting words to the People, we appreciate your support and the long hours you have given to help others. Miss Navajo, Shaandiin Parrish, thank you for your inspiration and dedication to our People.

Our vision for the CARES Act funds is to provide direct services to as many of our Navajo People who need help with housing, education, water, electricity, food, internet access for school, telehealth and telework, and basic necessities. Our goal is to have all the projects delivering direct services completed by the end of December this year. Our method is to thoroughly review each proposed project for its purpose and delivery. Many of the proposed expenditures in CJY-67-20 met the criteria for direct help to the Navajo People. We are supportive of these projects and look forward to quickly getting started on the delivery of services. Thank you to the 24<sup>th</sup> Navajo Nation Council for moving the legislation through the process with all the hard work put in by Delegates and Legislative Staff.

We thank the Judicial Branch for considering their needs and paring down their request to an amount that will support judicial services. There are many times when proposals will include more than is needed in the hopes most of the appropriation will come through. The Judicial Branch showed how, by working together, we can find a middle ground to provide the funds for direct services; the Judicial Branch showed true thoughtfulness and consideration for others in requesting only what they needed. Similarly, the Navajo Nation Gaming Enterprise (NNGE) followed the direction of Navajo leadership and worked with their employees to protect them and their customers. The NNGE was the first casino in the Southwest to close and will be the last to reopen; but will reopen with a comprehensive plan to keep everyone safe. We thank the NNGE Board, its Executive Staff, and employees for working with us in the face of this pandemic. NNGE showed how we can help one another for the benefit of all.

The funding for the direct services will benefit many Navajo families with water, electricity, internet access, health services, and economic help. With help from the Department of Water Resources and Navajo Tribal Utility Authority (NTUA) many Navajo families will have access to water; many who desperately need it during this time. NTUA and other local utility companies will bring power to homes which will allow elders to keep their medication refrigerated, keep their food preserved longer, and keep them safe in the upcoming winter months. Economic assistance through the Division of Economic Development and the Navajo Parks and Recreation Department will be a welcomed relief to those small business and entrepreneurs who have been severely affected over the past six months. We only wish we could help more of our Navajo businesses as they are the backbone of our economy and have worked with us in keeping the Navajo customer safe.

Over the past 10 days we have deliberated the value of the proposed projects presented in CJY-67-20. There were many meetings with our Enterprises, local businesses, educators, Division and Department Directors, and experts in many fields. We also heard from many Navajo People directly and through social media who gave us input for our final decisions on finding the appropriateness of how to meet the needs of citizens and communities. There were many factors to consider to ensure we meet the spending criteria of the CARES Act funds but being mindful of the sovereign authority of the Navajo Nation to make decisions for our People and their health and welfare.

In thoroughly reviewing the appropriation for needs and services in CJY-67-20 we found certain projects could not be completed in the next 20 weeks, were not ready to begin, or could be shared with others to meet more of the Nation's need. We are ready to work collectively and swiftly with the Navajo Nation Council to adjust some projects to bring more help to Navajo communities while providing a broader range of services. Additionally, we need to bring more Navajo financial services into the picture to help monitor and process the vast amounts of financial records in the coming months. We thank the Office of Management and Budget staff, the staff from the Office of the Controller, and other Executive Branch staff who keep our financial system operating. We are committed to working with the Legislative Branch to bring in the next phase of CARES funds to support our entire financial services network.



Over the many days of debate and deliberation of CJY-67-20 we recognize the tremendous amount of work put into completing the changes for a final version of the appropriations. We appreciate the consideration for our projects and we certainly know and are reminded of the enormous needs of our Nation. As a Nation we have been neglected for many years and the services we can provide are not nearly enough to bring adequate relief to our People. We can work together to improve the opportunities for our Nation.

In review of the funds provided in CJY-67-20 we considered the purpose of the projects, the timeframe for completion, the stage of the projects, and all the requirements necessary to carry out a successful project. With input from many experts in the field and discussion of how to refine the plan we take action on the following:

- In Exhibit 5, Broadband-Telecommunications Projects, striking \$15,000,000 for non-tribal owned Eligible Telecommunications Carriers. The Navajo Department of Information Technology could move immediately with a preferred carrier recommended by Navajo leadership as opposed to an open-ended selection process.
- In Exhibit 6, Solar Projects, striking \$34,103,910 appropriated to Native Renewables. We believe a pared down project to focus the efforts of Native Renewables on working with families in the Former Bennett Freeze Area will fit the objective of bringing power to those who are in need and meeting the timeline for spending.
- In Exhibit 7, Solid Waste, striking \$23,973,000 for solid waste projects across the Navajo Nation. The Navajo Environmental Protection Agency is a regulatory agency for the Navajo Nation, as such the Agency is not in the best position to carry out the solid waste projects. This is best delivered to the Navajo Division of Community Development working with Navajo Chapters or regional sanitation facilities. Redirecting the funds to the Navajo Division of Community Development, working with Chapters, will meet this objective.
- In Exhibit 11, Payroll Support, striking \$48,803,592 for payroll expenditures for the period after July 1, 2020, this includes the 4<sup>th</sup> Quarter of Fiscal Year 2020, and from October 1 to December 30, 2020, this includes the 1<sup>st</sup> Quarter of Fiscal Year 2021. The Nation may consider other sources of funds for payroll for this time period while making more funds available for direct services to the Navajo People. The General Fund payroll expenditures and 638 funded business units incurred through June 30, 2020 remain in place.
- In Exhibit 12, Housing Projects, striking \$33,423,914 housing and housing improvement projects. The housing project listing allocating \$1,392,663.08 to each Council Delegate district will not provide sufficient funds in some Chapters to complete one house. In addition, an equal distribution to each Chapter does not consider 12 N.N.C. § 820(O) and a waiver of this law was not included in CJY-67-20. We prefer to not have this matter a stumbling block to the resolution. Further, there is doubt about completing housing projects by December 30, 2020.
- In Exhibit 14, Office of the Controller, striking \$20,008,798 to address additional administration and compliance of CARES Act funds. The Navajo Nation's overall financial system includes other Departments who work together to process financial documents, set up federal budgets, and work with Divisions, Departments, Chapters, and contractors for requisitions and payments. We can provide an appropriation across the financial network so our system is adequately funded for the proper personnel, contractors,

and office equipment. We recommend an appropriation to include the Office of the Controller, the Office of Management and Budget, and other departments who are part of the financial system.

The total approved funding of \$476,666,192 represents approximately 72% approval of appropriated amounts. The remaining amount of \$175,313,214, along with the previous balance of \$1,150,000.37 of CARES Fund, provides \$176,463,214.37 to create a second phase appropriation that will provide direct relief services to our People. We pledge our commitment to work with the Navajo Nation Council on quickly completing the second phase of CARES Act projects. For this second phase, we are working with Delegates now to introduce new legislation to provide direct services and relief to our Navajo People. Working together we can move this second phase through the process quickly; we look forward to working with Delegates on this.

As an added note, we appreciate CJY-67-20 and its intent to provide for all citizens across the Navajo Nation. We are taking the added measure of being clear on the action taken in the line item veto in the Resolution. In some instances, the detailed appropriation is found in the Exhibits and the line item vetoes are provided in the Exhibit; however, the language in the body of the Resolution does not provide such details. So, to give notice of line item veto action on portions of an appropriation we are using a modified strike through in the body of the Resolution to show our intent. This modified strike through is in the form of a series of dash marks rather than the solid line strike through. We trust this form will show our intent in the body of the Resolution and specified in the Exhibit.

Pursuant to the authority granted by the People and vested in the Navajo Nation President, I am exercising the line item veto for CJN-46-20 to a portion of the Resolution.

Sincerely,



Jonathan Nez, President  
THE NAVAJO NATION



Myron Lizer, Vice President  
THE NAVAJO NATION



# THE NAVAJO NATION

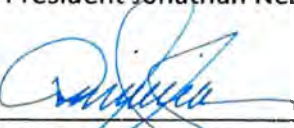
JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



August 16, 2020

## MEMORANDUM

TO : President Jonathan Nez

FROM :   
Dominic Beyer, Executive Director  
Office of Management and Budget

SUBJECT : Navajo Nation Council Resolution CJY-67-20 regarding \$650,980,101 in Fund Expenditure Plans for CARES Act Funds for COVID-19 Costs/Expenses

OMB provides the following comments and information:

- a. The resolution allocates funding to fourteen (14) plans/areas with designated Divisions to develop budgets and to administer and monitor implementation and expenses. It is not clear as to how these areas were determined, the scope of work for each, and the amounts. Normally and generally, the Branches would identify needs and generate plans to address them in their respective area of responsibility and then send recommended plans and budgets to the Legislative Branch. A good example of this is the annual budget process. However, for this resolution the Legislative Branch compiled and decided all of it. OMB is not aware if the President's recommendations were included.
- b. Resolutions CJN-46-20 and CJN-47-20 have also allocated funds for certain expenditure plans for CARES Act funding for COVID-19 related expenses. These were done similarly by the Legislative Branch so most of the plans are not yet implemented because the designated entities or Divisions are unsure how to do it; i.e. they did not do the plans yet they are charged to carry it out.
- c. Because of the above, the funds are yet to be used and it is questionable how much can be done by December 30. It was previously recommended that an inter-Branch team approach should have been used so the full spectrum of COVID-19 needs could be considered, planned for, and the funds allocated and used for the most critical and meaningful needs.
- d. On the Hardship Assistance plan (exhibit 8), \$1,000 is allocated. If this is to be implemented it is way too little and should be administered by the Division of Social Services.
- e. On the Payroll Support Expenses plan (Exhibit 11), an amount of \$90 million total is allocated including \$47 million in General Fund payroll costs and \$43.8 million in PL93-638 payroll costs up to December 30, 2020. How much of the General Fund amount could be paid by CARES funds so the FY 2021 budget now under development could be reduced in personnel costs?

OMB is available for any questions or clarifications.

RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
24<sup>th</sup> NAVAJO NATION COUNCIL - SECOND YEAR, 2020

AN ACTION

RELATING TO HEALTH EDUCATION AND HUMAN RESOURCES, BUDGET AND FINANCE AND RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; APPROVING AND ADOPTING THE NAVAJO NATION CARES FUND EXPENDITURE PLANS FOR WATER PROJECTS, POWERLINE PROJECTS, BROADBAND-TELECOMMUNICATION PROJECTS, SOLAR PROJECTS, SOLID WASTE, HARDSHIP ASSISTANCE, PARKS AND RECREATION ECONOMIC ASSISTANCE, NAVAJO NATION GAMING ENTERPRISE EMERGENCY ASSISTANCE, PAYROLL SUPPORT, HOUSING PROJECTS, JUDICIAL BRANCH, CONTROLLER, ECONOMIC DEVELOPMENT, AND PUBLIC HEALTH AND HEALTH CARE

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164 (A)(9).
- C. The Health Education and Human Services Committee is a standing committee of the Navajo Nation Council charged with over the Department of Information Technology within the Division of General Services. 2 N.N.C. § 401 (C)(1).
- D. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the enumerated powers to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds and to promulgate rules and regulations related to contracting and financial matters. 2 N.N.C. §§ 300 (B)(1) and (2).
- E. The Resources and Development Committee is a standing committee of the Navajo Nation Council empowered to provide legislative oversight on matters involving, but not limited to, water, communications and utilities, information technology, rights-of way, public utilities, gaming and telecommunications. 2 N.N.C. § 500 (C).

**SECTION TWO. FINDINGS**

- A. The World Health Organization (WHO) declared a Public Health Emergency of International Concern related to the outbreak of coronavirus (COVID-19), a highly contagious and sometimes fatal respiratory virus, on January 30, 2020; the U.S. Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and the WHO declared a global pandemic due to COVID-19 on March 11, 2020.
- B. The Navajo Nation Commission on Emergency Management, with the concurrence of Navajo Nation President Jonathan Nez, declared a Public Health State of Emergency on the Navajo Nation on March 11, 2020 due to COVID-19. Resolution No. CEM 20-03-11. The Navajo Nation Department of Health subsequently issued numerous Public Health Emergency Orders. Public Health Orders 2020-001 through 2020-014 are incorporated by reference into this resolution.
- C. As of June 30, 2020, the Navajo Nation Health Command Operations Center has confirmed 7,532 COVID-19 cases and 363 COVID-related deaths on the Navajo Nation.
- D. The U.S. Congress on March 27, 2020, enacted the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, 134 Stat. 281 (2020) (the "CARES Act"), which, at Title V, §5001, entitled "Coronavirus Relief Funds," attached as **Exhibit 1-A**, sets aside \$8 billion in emergency aid for Tribal governments for the COVID-19 pandemic.
- E. The CARES Act provides the Coronavirus Relief Fund shall be used to cover only those costs that:
  - a. are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
  - b. are not accounted for in the Tribal budget most recently approved as of March 27, 2020; and
  - c. are incurred from March 1, 2020 through December 30, 2020.
- F. The U.S. Treasury on April 22, 2020 issued "Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments" ("Treasury Guidance") related to the permissible uses of the Coronavirus Relief Fund. **Exhibit 1-B**.



- G. On May 28, 2020, the U.S. Treasury issued "Coronavirus Relief Fund Frequently Asked Questions" ("Treasury FAQ"), attached as **Exhibit 1-C**.
- H. As of June 30, 2020, the Navajo Nation has received seven hundred fourteen million one hundred eighty-nine thousand six hundred thirty-one dollars and forty-seven cents (\$714,189,631.47) Navajo Nation CARES Fund as the Nation's share of the U.S. Treasury's initial distributions of the Coronavirus Relief Fund.
- I. The Navajo Nation has determined that immediately funding water projects, powerline projects and broadband-telecommunication projects, solar projects, solid waste projects, hardship assistance, parks and recreation economic assistance, Navajo Nation Gaming Enterprise emergency assistance, payroll support, housing projects, Judicial Branch assistance, Office of the Controller assistance, economic development, and public health and health care assistance is vital in sustaining its response to the COVID-19 public health emergency and mitigating the effects of the pandemic; a summary of the Navajo Nation CARES Fund Expenditure Plans is attached as **Exhibit 2**.
- J. The purpose of the Navajo Nation CARES Fund Water Projects Expenditure Plan, attached as **Exhibit 3**, is to immediately provide One Hundred Thirty Million, Five Thousand, Ninety-Five Dollars (\$130,005,095) to the Navajo Department of Water Resources for water projects on the Navajo Nation, including but not limited to, waterline and cistern projects, water hauling, windmill repairs, water well infrastructure, and earthen dam and irrigation project rehabilitation; the expenditures set forth in the Water Projects Expenditure Plan are necessary to ensure that the Navajo Nation populace has adequate access to safe potable water necessary to stem the spread of COVID-19 and comply with Center for Disease Control (CDC) COVID-19 prevention guidance.
- K. The purpose of the CARES Fund Powerline Projects Expenditure Plan, attached as **Exhibit 4**, is to immediately provide Forty-Four Million, Two Hundred Twenty Thousand, Eight Hundred Thirty-Two Dollars (\$44,220,832) for power line projects, including power line capital projects and electrical line extensions; the expenditures set forth in the Power Line Projects Expenditure Plan are necessary to ensure that homes and facilities on the Navajo Nation have access to electricity sufficient to comply with CDC COVID-19 prevention guidance and ensure that infection recovery is viable.

- L. The purpose of the CARES Fund Broadband-Telecommunication Projects Expenditure Plan, attached as **Exhibit 5**, is to immediately provide ~~Sixty-Eight Million, Two Hundred Twenty-Four Thousand, Nine Hundred Eighty-Nine Dollars (\$68,224,989)~~ to ensure that the Navajo Nation populace and public facilities, including schools and institutions of higher learning, throughout the Navajo Nation have adequate broadband access and telecommunication capacity to comply with stay-at-home orders issued to stem the spread of the COVID-19 pandemic and access to public safety, healthcare and education. JMN  
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- M. The purpose of the CARES Fund Solar Projects Expenditure Plan, attached as **Exhibit 6**, is to immediately provide ~~Sixty-Nine Million, Two Hundred Ninety-Five Thousand, Nine Hundred Ten Dollars (\$69,295,910)~~ for the development and installation of solar projects within the exterior boundaries of the Navajo Nation as a means to immediately provide electricity to underserved communities and households and ensure there is access to electricity sufficient to comply with CDC COVID-19 prevention guidance and ensure the mitigation of the spread of the pandemic. JMN  
my
- ~~N. The purpose of the CARES Fund Solid Waste Expenditure Plan, attached as **Exhibit 7**, is to immediately provide Twenty-Three Million, Nine Hundred Seventy-Three Thousand Dollars (\$23,973,000) for the development and implementation of solid waste projects that will enhance sanitation in Navajo communities and mitigate the spread of COVID-19.~~ JMN  
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- O. The purpose of the CARES Fund Hardship Assistance Expenditure Plan, attached as **Exhibit 8**, is to immediately provide One Thousand Dollars (\$1,000) to the Navajo Nation Executive Branch to provide emergency financial assistance to Navajo tribal members for purchasing Personal Protective Equipment, paying past due utility bills, rent, mortgages, isolation expenses, livestock-related expenses, education-related expenses and other financial burdens created by the COVID-19 pandemic and the public health emergency orders.
- P. The purpose of the CARES Fund Parks and Recreation Economic Assistance Expenditure Plan, attached as **Exhibit 9**, is to immediately provide Eight Hundred Twenty-Eight Thousand, Six Hundred Thirty-Seven Dollars (\$828,637) to mitigate the negative economic impacts caused by the COVID-19 pandemic and inflicted on Navajo businesses and communities serving the Navajo Nation's tribal parks.

- Q. The purpose of the CARES Fund Navajo Nation Gaming Enterprise Emergency Assistance Expenditure Plan, attached as **Exhibit 10**, is to immediately provide Twenty-Four Million, Six Hundred Thousand Dollars (\$24,600,000) to sustain the Navajo Nation Gaming Enterprise whose business operations, including the continued employment of approximately 1,000 Navajo members, have been severely impacted by the COVID-19 pandemic and public health emergency orders.
- R. The purpose of the CARES Fund Payroll Support Expenditure Plan, attached as **Exhibit 11**, is to immediately provide ~~Ninety Million, Nine Hundred Twenty-Eight Thousand, Forty-Seven Dollars (\$90,928,047)~~ of Navajo Nation CARES Funds for payroll expenses eligible under the U.S. Treasury Guidance. *JMN m2*
- ~~S. The purpose of the CARES Fund Housing Projects Expenditure Plan, attached as **Exhibit 12**, is to immediately provide Thirty-Three Million, Four Hundred Twenty-Three Thousand, Nine Hundred Fourteen Dollars (\$33,423,914) to mitigate housing deficiencies within Navajo communities, the effects of which have been exacerbated by the COVID-19 pandemic.~~ *JMN m2*
- T. The purpose of the CARES Fund Judicial Branch Expenditure Plan, attached as **Exhibit 13**, is to immediately provide Nine Million, Six Hundred Thirty-Three Thousand, Eight Hundred Sixty-Three Dollars (\$9,633,863) to address the continuing ability of the Judicial Branch to provide access to the Courts of the Navajo Nation and essential judicial services, including but not limited to, court, peacemaking and probation/parole services to Navajo and Non-Navajo People and entities while protecting the public and staff from the spread of COVID-19.
- ~~U. The purpose of the CARES Fund Controller Expenditure Plan, attached as **Exhibit 14**, is to immediately provide Twenty Million, Eight Thousand, Seven Hundred Ninety-Eight Dollars (\$20,008,798) to address the increase of resources and costs imposed on the Office of the Controller by the COVID-19 pandemic and the receipt of the federal CARES Funds.~~ *JMN m2*
- V. The purpose of the CARES Fund Economic Development Expenditure Plan, attached as **Exhibit 15**, is to immediately provide Sixty Million Dollars (\$60,000,000) to provide immediate relief and assistance to Navajo Businesses and Artisans whose livelihoods were devastated by the public health emergency orders; and for development of COVID-19 related projects by the Division of Economic Development.



- W. The purpose of the CARES Fund Public Health and Health Care Expenditure Plan, attached as **Exhibit 16**, is to immediately provide Seventy-Five Million, Eight Hundred Thirty-Six Thousand, Sixteen Dollars (\$75,836,016) to address the COVID-19 related expenses of public medical facilities and COVID-19 related public health expenses necessary to provide pandemic health care services, as well as to mitigate transmission of COVID-19 within the territorial boundaries of the Navajo Nation.

### SECTION THREE. APPROVAL AND ADOPTION OF THE NAVAJO NATION CARES FUND EXPENDITURE PLANS

- A. The Navajo Nation hereby approves and adopts the CARES Fund Water Projects Expenditure Plan, as outlined in **Exhibit 3**; the CARES Fund Powerline Projects Expenditure Plan as outlined in **Exhibit 4**; and ~~the CARES Fund Broadband Telecommunication Projects Expenditure Plan as outlined in **Exhibit 5**; and the CARES Fund Solar Projects Expenditure Plan as outlined in **Exhibit 6**; the Solid Waste Expenditure Plan as outlined in **Exhibit 7**;~~ the Hardship Assistance Expenditure Plan as outlined in **Exhibit 8**; the Parks and Recreation Economic Assistance Expenditure Plan as outline in **Exhibit 9**; the Navajo Nation Gaming Enterprise Expenditure Plan as outlined in **Exhibit 10**; ~~the Payroll Support Expenditure Plan as outlined in **Exhibit 11**;~~ the Navajo Nation Housing Projects Expenditure Plan as ~~outlined in **Exhibit 12**;~~ the Judicial Branch Expenditure Plan as outline in **Exhibit 13**; ~~the Navajo Nation Office of the Controller Expenditure Plan as outlined in **Exhibit 14**;~~ the Economic Development Expenditure Plan as outlined in **Exhibit 15**; and the Public Health and Health Care Expenditure Plan as outlined in **Exhibit 16**.
- B. The Navajo Nation hereby approves and adopts total funding for the Water Projects Expenditure Plan from the Navajo Nation CARES Fund in the amount of One Hundred Thirty Million, Five Thousand, Nine-Five Dollars (\$130,005,095) and allocates the funding to the Department of Water Resources for funding the 2020 projects set forth in **Exhibit 3**.
- C. The Navajo Nation hereby approves and adopts total funding for the Powerline Projects Expenditure Plan from the Navajo Nation CARES Fund in the amount of Forty-Four Million, Two Hundred Twenty Thousand, Eight Hundred Thirty-Two Dollars (\$44,220,832) and allocates the funding through the Division of Community Development to the Navajo Tribal Utility Authority, Jemez Mountains Electrical Cooperative, and

JMN  
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Continental Divide Cooperative for the respective purposes and amounts set forth for 2020 projects in **Exhibit 4**.

- D. The Navajo Nation hereby approves and adopts total funding for the Broadband and Telecommunications Expenditure Plan from the Navajo Nation CARES Fund in the amount of ~~Sixty-Eight Million, Two Hundred Twenty-Four Thousand, Nine Hundred Eighty-Nine Dollars (\$68,224,989)~~ and allocates the funding to the Department of Information Technology and through the Department of Information Technology to the Native Broadcast Enterprise, Navajo Technical University and Diné College ~~and non-tribal owned Eligible Telecommunication Carriers (ETC) for~~ the respective purposes and amounts set forth in **Exhibit 5**. JMN  
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- E. The Navajo Nation hereby approves and adopts total funding for the Solar Projects Expenditure Plan for the Navajo Nation CARES Fund I the amount of ~~Sixty-Nine Million, Two Hundred Ninety-Five Thousand, Nine Hundred Ten Dollars (\$69,295,910)~~ and allocates the funding to the Navajo Tribal Utility Authority ~~and Native Renewables~~, through the Division of Community Development, as set forth in **Exhibit 6**. ~~The Solar Projects Plan shall allow for 40 units for each delegates' district and an additional 40 units for veterans.~~ JMN  
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- ~~F. The Navajo Nation hereby approves and adopts total funding for the Solid Waste Expenditure Plan from the Navajo Nation CARES Fund in the amount of Twenty-Three Million, Nine Hundred Seventy-Three Thousand Dollars (\$23,973,000) and allocates the funding to the Navajo Nation Environmental Protection Agency for funding the projects set forth in **Exhibit 7**.~~ JMN  
mL
- G. The Navajo Nation hereby approves and adopts total funding for the Hardship Assistance Expenditure Plan from the Navajo Nation CARES Fund in the amount of One Thousand Dollars (\$1,000) and allocates the funding to the Navajo Nation Executive Branch, as set forth in **Exhibit 8**.
- H. The Navajo Nation hereby approves and adopts total funding for the Parks and Recreation Economic Assistance Expenditure Plan from the Navajo Nation CARES Fund in the amount of Eight Hundred Twenty-Eight Thousand, Six Hundred Thirty-Seven Dollars (\$828,637) and allocates the funding to the Navajo Parks and Recreation Department, as set forth in **Exhibit 9**.
- I. The Navajo Nation hereby approves and adopts total funding for the Navajo Nation Gaming Enterprise Expenditure Plan from the Navajo Nation CARES Fund in the amount of \$24,600,000 and



allocates the funding to the Navajo Nation Gaming Enterprise for the purpose set forth in **Exhibit 10**.

J. The Navajo Nation hereby approves and adopts total funding for the Payroll Support Expenditure Plan from the Navajo Nation CARES Fund in the amount of ~~Ninety Million, Nine Hundred Twenty-Eight Thousand, Forty-Seven Dollars (\$90,928,047)~~ and allocates the funding to the Office of the Controller, as set forth in **Exhibit 11**.

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~~K. The Navajo Nation hereby approves and adopts total funding for the Housing Projects Expenditure Plan from the Navajo Nation CARES Fund in the amount of Thirty-Three Million, Four Hundred Twenty-Three Thousand, Nine Hundred Fourteen Dollars (\$33,423,914) and allocates the funding to the Housing Improvement Program and LGA Certified Chapters or Non-Certified Chapters, if they so choose, upon execution of a Memorandum of Agreement or sub-recipient agreement with the Housing Improvement Program as set forth in **Exhibit 12**.~~

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L. The Navajo Nation hereby approves and adopts total funding for the Judicial Branch Expenditure Plan from the Navajo Nation CARES Fund in the amount of Nine Million, Six Hundred Thirty-Three Thousand, Eight Hundred Sixty-Three Dollars (\$9,633,863) and allocates the funding to the Administrative Office of the Courts within the Judicial Branch, as set forth in **Exhibit 13**.

~~M. The Navajo Nation hereby approves and adopts total funding for the Controller Expenditure Plan from the Navajo Nation CARES Fund in the amount of Twenty Million, Eight Thousand, Seven Hundred Ninety-Eight Dollars (\$20,008,798) and allocates the funding to the Office of the Controller as set forth in **Exhibit 14**.~~

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N. Navajo Nation hereby approves and adopts total funding for the Economic Development Expenditure Plan from the Navajo Nation CARES Fund in the amount of Sixty Million Dollars (\$60,000,000) and allocates the funding to the Division of Economic Development, as set forth in **Exhibit 15**.

O. The Navajo Nation hereby approves and adopts total funding for the Public Health and Health Care Expenditure Plan from the Navajo Nation CARES Fund in the amount of Seventy-Five Million, Eight Hundred Thirty-Six Thousand, Sixteen Dollars (\$75,836,016) and allocates the funding to the Department of Health, as set forth in **Exhibit 16**.



- P. The Coronavirus Relief Funds are externally restricted funds and the Navajo Nation Appropriations Act, 12 N.N.C. §§ 800 *et seq.*, as applicable to externally restricted funds, shall apply to the Expenditure Plans set forth herein. Detailed Expenditure Plan budgets shall not be subject to further legislative approval and shall, instead, be developed and implemented through expedited budget procedures. The Office of Management and Budget shall process the detailed budgets in the most expeditious manner available to ensure that the funds are distributed within fifteen (15) days after enactment of this resolution.
- Q. The progress of all Expenditure Plan funded projects shall be reviewed by the Budget and Finance and Naabik'íyáti' Committees during the month of October 2020. The funding for any project that has not made enough progress to demonstrate that it will be fully completed by December 30, 2020, will be re-allocated to the Hardship Assistance Expenditure Plan, **Exhibit 8**, through Naabik'íyáti' Committee resolution.
- R. The Navajo Nation Leadership finds that Navajo People must receive the benefits of the federal CARES Funds within the limited period set forth in the federal CARES Act. As currently enacted, CMY-44-20 and CJN-47-20 have methods of expenditure that do not conform to each other and there are questions concerning their validity and viability. For the benefit of the Navajo Nation and the Navajo People, The Navajo Nation Council must reconcile the two resolutions with regard to CARES Fund Expenditure Plans. This resolution will combine the Expenditure Plan(s) being prepared by the Chiefs of the Navajo Nation's Three Branches under CJN-47-20, and the Expenditure Plans prepared by the Navajo Nation Council under CMY-44-20. The passage of this resolution by the Navajo Nation Council and the signature of the Navajo Nation President, pursuant to 2 N.N.C. § 221 (B) and the budget line-item veto authority delegated to the President by vote of the people in 2009, will demonstrate the agreement between the Navajo Nation Council and the Navajo Nation President, as to which expenditures will be funded by the federal CARES Fund provided to the Navajo Nation.

#### **SECTION FOUR. APPROVAL AND ADOPTION OF THE EXPENDITURE PLANS' ADMINISTRATION**

- A. All entities receiving Navajo Nation CARES Fund funding herein shall ensure that all funds allocated under their respective Expenditure Plan are only expended for the purposes set forth

in Exhibits 3, 4, ~~5, 6, 7~~, 8, 9, 10, ~~11, 12~~, 13, ~~14~~, 15, and 16. JMN  
mz

B. All entities receiving Navajo Nation CARES Fund funding herein shall ensure that all funds allocated under their respective Expenditure Plans shall be incurred and expended by no later than December 30, 2020.

C. All entities receiving Navajo Nation CARES Fund funding herein shall ensure that no funds allocated under their respective Expenditure Plans are incurred or expended for costs accounted for in the approved Fiscal Year 2020 Navajo Nation Comprehensive Budget approved by Navajo Nation Council Resolution No. CS-30-19.

D. The Office of the Controller shall release the funding allocated under the respective Expenditure Plans as soon as the expedited budget procedures are completed.

~~E. The CARES Fund Expedited Procurement Rules and Procedures, attached as Exhibit 17, are hereby adopted and shall apply to procurement activities for the Expenditure Plans set forth herein.~~ JMN  
mz

F. The funds allocated under the Navajo Nation CARES Fund Expenditure Plans set forth herein shall be used exclusively and only for the permissible uses set forth in the following:

1. This Resolution approving the Navajo Nation CARES Fund Water Projects Expenditure Plan, CARES Fund Powerline Projects Expenditure Plan, ~~the CARES Fund Broadband and Telecommunication Projects Expenditure Plan, the CARES Fund Solar Projects Expenditure Plan, the CARES Solid Waste Expenditure Plan, the CARES Fund Hardship Assistance Expenditure Plan, the CARES Fund Parks and Recreation Economic Assistance Expenditure Plan, the Navajo Nation Gaming Enterprise Expenditure Plan, the Payroll Support Expenditure Plan, the Navajo Nation Housing Projects Expenditure Plan, the Judicial Branch Expenditure Plan, the Office of the Controller Expenditure Plan, the Economic Development Expenditure Plan, and the Public Health and Health Care Expenditure Plan.~~ JMN  
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2. The Coronavirus Relief Fund which allows only those costs that:

a. are necessary expenditures incurred due to the public health emergency with respect to COVID-19;

- b. are not accounted for in the Navajo Nation Fiscal Year 2020 Comprehensive Budget.
  - c. are incurred from March 1, 2020 through December 30, 2020;
3. Consistent with the eligible uses described in the Treasury Guidance which includes the following guidance:
- a. expenditures must be incurred "due to" the public health emergency which means that expenditures must be used for actions taken to respond to the public health emergency; these expenditures may include expenditures incurred to allow the Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures;
  - b. expenditures must be "necessary"; the Department of the Treasury interprets this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Coronavirus Relief Fund payments;
  - c. expenditures may only be made to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation with the budget; or (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation; and
  - d. expenditures must be for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. In its Guidance issued on June 30, 2020, Treasury clarified that "for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred)".



4. Consistent with the eligible uses described in the U.S. Treasury Frequently Asked Questions (FAQ).
  5. Consistent with the eligible uses as may be described in any and all future guidance, rules, or regulations of the Department of the Treasury or the Department of the Interior related to the Coronavirus Relief Fund pursuant to Title V of the CARES Act.
  6. Consistent with Navajo Nation laws, rules, and regulations.
- G. All entities receiving Navajo Nation CARES Fund Expenditure Plan funding herein expressly agree and affirm that by drawing down or receiving any of the funds allocated under their respective Expenditure Plan:
- a. the requested funds shall only be used for the purposes specified in Title V of the federal CARES Act and Treasury Guidance;
  - b. the administration, management, and implementation of this Expenditure Plan shall be consistent with this legislation, and other applicable laws and regulations of the Navajo Nation; and
  - c. the costs to be covered under this Expenditure Plan are not included in the Navajo Nation Fiscal Year 2020 Comprehensive Budget, approved by Navajo Nation Council Resolution No. CS-30-19.
- H. All recipients of Navajo Nation CARES Fund must follow and apply Generally Accepted Accounting Principles (GAAP), as established by the Governmental Accounting Standards Board (GASB) for governmental entities, and by the Financial Accounting Standards Board (FASB) for public and private companies and non-profits.
- I. If the Department of Justice, Office of the Controller, and Office of Management and Budget concur that a proposed expenditure in the Expenditure Plans included herein is an ineligible cost under the Coronavirus Relief Fund or U.S. Treasury guidance, the amount of such proposed expenditure shall be returned to the Navajo Nation CARES Fund after written notice, including analysis, to the Office of the President and Vice-President and Naabik'iyáti' Committee.

- J. The Budget and Finance Committee and Resources and Development Committee of the Navajo Nation Council shall serve as the oversight committees for the Navajo Nation Cares Fund Water Projects, Powerline Projects, Broadband-Telecommunication, ~~Solid Waste~~, Solar Projects, Parks and Recreation, Navajo Nation Gaming Enterprise, ~~Housing~~, and Economic Development Expenditure Plans. The Budget and Finance Committee and the Health, Education and Human Services Committee shall serve as the oversight committees for Department of Information Technology portion of the Broadband-Telecommunication Projects Expenditure Plan, as well as the Hardship Assistance and Public Health and Health Care Expenditure Plans. The Budget and Finance Committee and Law and Order Committee shall serve as the oversight committees for the Judicial Branch Expenditure Plan. The Budget and Finance Committee shall serve as the oversight committee for the Payroll Support ~~and Office of the Controller Expenditure Plans~~.
- K. The Expenditure Plans and expenditures made there under shall be governed by and construed in accordance with the laws and regulations of the Navajo Nation.

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#### **SECTION FIVE. AMENDMENT**

This Resolution may be amended by a two-thirds majority vote of the Navajo Nation Council subject to action of the President of the Navajo Nation under 2 N.N.C. §221 (B) and the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009

#### **SECTION SIX. EFFECTIVE DATE**

This Resolution is effective upon its approval pursuant to 2 N.N.C. § 221(B) and the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009.

#### **SECTION SEVEN. SAVING CLAUSE**

Should any provision of this legislation be determined invalid by the Navajo Nation Supreme Court, or a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those portions of the legislation which are not determined invalid shall remain the law of the Navajo Nation.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the 24<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 20 in Favor, and 00 Opposed, on this 31<sup>st</sup> day of July 2020.



Honorable Seth Damon, Speaker  
24<sup>th</sup> Navajo Nation Council

8/4/2020  
DATE

Motion: Honorable Daniel E. Tso

Second: Honorable Jamie Henio

Speaker Seth Damon not voting



## ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this \_\_\_\_\_ day of \_\_\_\_\_, 2020 for the reason(s) expressed in the attached letter to the Speaker.

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

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this 10th day of August, 2020.

Jonathan Nez Myra Rye  
Jonathan Nez, President  
Navajo Nation

maximum total compensation received by the officer or employee from the air carrier or contractor in calendar year 2019; and

(3) no officer or employee of the eligible business whose total compensation exceeded \$3,000,000 in calendar year 2019 may receive during any 12 consecutive months of such period total compensation in excess of the sum of—

(A) \$3,000,000; and

(B) 50 percent of the excess over \$3,000,000 of the total compensation received by the officer or employee from the eligible business in calendar year 2019.

(b) **TOTAL COMPENSATION DEFINED.**—In this section, the term "total compensation" includes salary, bonuses, awards of stock, and other financial benefits provided by an air carrier or contractor to an officer or employee of the air carrier or contractor.

#### SEC. 4117. TAX PAYER PROTECTION.

The Secretary may receive warrants, options, preferred stock, debt securities, notes, or other financial instruments issued by recipients of financial assistance under this subtitle which, in the sole determination of the Secretary, provide appropriate compensation to the Federal Government for the provision of the financial assistance.

#### SEC. 4118. REPORTS.

(a) **REPORT.**—Not later than November 1, 2020, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Financial Services of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the financial assistance provided to air carriers and contractors under this subtitle, including a description of any financial assistance provided.

(b) **UPDATE.**—Not later than the last day of the 1-year period following the date of enactment of this Act, the Secretary shall update and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Banking, Housing, and Urban Affairs of the Senate the report described in subsection (a).

#### SEC. 4119. COORDINATION.

In implementing this subtitle the Secretary shall coordinate with the Secretary of Transportation.

#### SEC. 4120. DIRECT APPROPRIATION.

Notwithstanding any other provision of law, there is appropriated, out of amounts in the Treasury not otherwise appropriated, \$32,000,000,000 to carry out this subtitle.

### TITLE V—CORONAVIRUS RELIEF FUNDS

#### SEC. 5001. CORONAVIRUS RELIEF FUND.

(a) **IN GENERAL.**—The Social Security Act (42 U.S.C. 301 et seq.) is amended by inserting after title V the following:

#### "TITLE VI—CORONAVIRUS RELIEF FUND

##### "SEC. 601. CORONAVIRUS RELIEF FUND.

"(a) **APPROPRIATION.**—

"(1) **IN GENERAL.**—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for making payments to States, Tribal governments, and units of local government under this section, \$150,000,000,000 for fiscal year 2020.

"(2) **RESERVATION OF FUNDS.**—Of the amount appropriated under paragraph (1), the Secretary shall reserve—

"(A) \$3,000,000,000 of such amount for making payments to the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa; and

"(B) \$8,000,000,000 of such amount for making payments to Tribal governments.

"(b) **AUTHORITY TO MAKE PAYMENTS.**—

"(1) **IN GENERAL.**—Subject to paragraph (2), not later than 30 days after the date of enactment of this section, the Secretary shall pay each State and Tribal government, and each unit of local government that meets the condition described in paragraph (2), the amount determined for the State, Tribal government, or unit of local government, for fiscal year 2020 under subsection (c).

"(2) **DIRECT PAYMENTS TO UNITS OF LOCAL GOVERNMENT.**—If a unit of local government of a State submits the certification required by subsection (e) for purposes of receiving a direct payment from the Secretary under the authority of this paragraph, the Secretary shall reduce the amount determined for that State by the relative unit of local government population proportion amount described in subsection (c)(5) and pay such amount directly to such unit of local government.

"(c) **PAYMENT AMOUNTS.**—

"(1) **IN GENERAL.**—Subject to paragraph (2), the amount paid under this section for fiscal year 2020 to a State that is 1 of the 50 States shall be the amount equal to the relative population proportion amount determined for the State under paragraph (3) for such fiscal year.

"(2) **MINIMUM PAYMENT.**—

"(A) **IN GENERAL.**—No State that is 1 of the 50 States shall receive a payment under this section for fiscal year 2020 that is less than \$1,250,000,000.

"(B) **PRO RATA ADJUSTMENTS.**—The Secretary shall adjust on a pro rata basis the amount of the payments for each of the 50 States determined under this subsection without regard to this subparagraph to the extent necessary to comply with the requirements of subparagraph (A).

"(3) **RELATIVE POPULATION PROPORTION AMOUNT.**—For purposes of paragraph (1), the relative population proportion amount determined under this paragraph for a State for fiscal year 2020 is the product of—

"(A) the amount appropriated under paragraph (1) of subsection (a) for fiscal year 2020 that remains after the application of paragraph (2) of that subsection; and

"(B) the relative State population proportion (as defined in paragraph (4)).

"(4) **RELATIVE STATE POPULATION PROPORTION DEFINED.**—For purposes of paragraph (3)(B), the term "relative State population proportion" means, with respect to a State, the quotient of—

"(A) the population of the State; and

"(B) the total population of all States (excluding the District of Columbia and territories specified in subsection (a)(2)(A)).

"(5) **RELATIVE UNIT OF LOCAL GOVERNMENT POPULATION PROPORTION AMOUNT.**—For purposes of subsection (b)(2), the term "relative unit of local government population proportion amount" means, with respect to a unit of local government and a State, the amount equal to the product of—

"(A) 45 percent of the amount of the payment determined for the State under this subsection (without regard to this paragraph); and

"(B) the amount equal to the quotient of—

"(1) the population of the unit of local government; and

"(11) the total population of the State in which the unit of local government is located.

"(6) **DISTRICT OF COLUMBIA AND TERRITORIES.**—The amount paid under this section for fiscal year 2020 to a State that is the District of Columbia or a territory specified in subsection (a)(2)(A) shall be the amount equal to the product of—

"(a)(2)(A) for such fiscal year; and

"(B) each such District's and territory's share of the combined total population of the District of Columbia and all such territories, as determined by the Secretary.

"(7) **TRIBAL GOVERNMENTS.**—From the amount set aside under subsection (a)(2)(B) for fiscal year 2020, the amount paid under this section for fiscal year 2020 to a Tribal government shall be the amount the Secretary shall determine, in consultation with the Secretary of the Interior and Indian Tribes, that is based on increased expenditures of each such Tribal government (or a tribally-owned entity of such Tribal government) relative to aggregate expenditures in fiscal year 2019 by the Tribal government (or tribally-owned entity) and determined in such manner as the Secretary determines appropriate to ensure that all amounts available under subsection (a)(2)(B) for fiscal year 2020 are distributed to Tribal governments.

"(8) **DATA.**—For purposes of this subsection, the population of States and units of local governments shall be determined based on the most recent year for which data are available from the Bureau of the Census.

"(d) **USE OF FUNDS.**—A State, Tribal government, and unit of local government shall use the funds provided under a payment made under this section to cover only those costs of the State, Tribal government, or unit of local government that—

"(1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);

"(2) were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and

"(3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

"(e) **CERTIFICATION.**—In order to receive a payment under this section, a unit of local government shall provide the Secretary with a certification signed by the Chief Executive for the unit of local government that the local government's proposed uses of the funds are consistent with subsection (d).

"(f) **INSPECTOR GENERAL OVERSIGHT; RECOUPMENT.**—

"(1) **OVERSIGHT AUTHORITY.**—The Inspector General of the Department of the Treasury shall conduct monitoring and oversight of the receipt, disbursement, and use of funds made available under this section.

"(2) **RECOUPMENT.**—If the Inspector General of the Department of the Treasury determines that a State, Tribal government, or unit of local government has failed to comply with subsection (d), the amount equal to the amount of funds used in violation of such subsection shall be booked as a debt of such entity owed to the Federal Government. Amounts recovered under this subsection shall be deposited into the general fund of the Treasury.

"(3) **APPROPRIATION.**—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Office of the Inspector General of the Department of the Treasury, \$35,000,000 to carry out oversight and recoupment activities under this subsection. Amounts appropriated under the preceding sentence shall remain available until expended.

"(4) **AUTHORITY OF INSPECTOR GENERAL.**—Nothing in this subsection shall be construed to diminish the authority of any Inspector General, including such authority as provided in the Inspector General Act of 1978 (5 U.S.C. App.).

"(g) **DEFINITIONS.**—In this section:

"(1) **INDIAN TRIBE.**—The term "Indian Tribe" has the meaning given that term in section



4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

"(2) LOCAL GOVERNMENT.—The term 'unit of local government' means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level with a population that exceeds 500,000.

"(3) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

"(4) STATE.—The term 'State' means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

"(5) TRIBAL GOVERNMENT.—The term 'tribal government' means the recognized governing body of an Indian Tribe."

(b) APPLICATION OF PROVISIONS.—Amounts appropriated for fiscal year 2020 under section 601(a)(1) of the Social Security Act (as added by subsection (a)) shall be subject to the requirements contained in Public Law 116-94 for funds for programs authorized under sections 330 through 340 of the Public Health Service Act (42 U.S.C. 254 through 256).

#### TITLE VI—MISCELLANEOUS PROVISIONS

##### SEC. 6001. COVID-19 BORROWING AUTHORITY FOR THE UNITED STATES POSTAL SERVICE.

(a) DEFINITIONS.—In this section—

(1) the term "COVID-19 emergency" means the emergency involving Federal primary responsibility determined to exist by the President under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)) with respect to the Coronavirus Disease 2019 (COVID-19); and

(2) the term "Postal Service" means the United States Postal Service.

(b) ADDITIONAL BORROWING AUTHORITY.—Notwithstanding section 2005 of title 39, United States Code, or any other provision of law, if the Postal Service determines that, due to the COVID-19 emergency, the Postal Service will not be able to fund operating expenses without borrowing money—

(1) the Postal Service may borrow money from the Treasury in an amount not to exceed \$10,000,000,000—

(A) to be used for such operating expenses; and

(B) which may not be used to pay any outstanding debt of the Postal Service; and

(2) the Secretary of the Treasury may lend up to the amount described in paragraph (1) at the request of the Postal Service, upon terms and conditions mutually agreed upon by the Secretary and the Postal Service.

(c) PRIORITIZATION OF DELIVERY FOR MEDICAL PURPOSES DURING COVID-19 EMERGENCY.—Notwithstanding any other provision of law, during the COVID-19 emergency, the Postal Service—

(1) shall prioritize delivery of postal products for medical purposes; and

(2) may establish temporary delivery points, in such form and manner as the Postal Service determines necessary, to protect employees of the Postal Service and individuals receiving deliveries from the Postal Service.

##### SEC. 6002. EMERGENCY DESIGNATION.

(a) IN GENERAL.—The amounts provided under this division are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this division is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

#### DIVISION B—EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, and for other purposes, namely:

##### TITLE I AGRICULTURAL PROGRAMS

###### OFFICE OF THE SECRETARY

For an additional amount for the "Office of the Secretary", \$9,500,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus by providing support for agricultural producers impacted by coronavirus, including producers of specialty crops, producers that supply local food systems, including farmers markets, restaurants, and schools, and livestock producers, including dairy producers: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", \$750,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: *Provided*, That the funding made available under this heading in this Act shall be used for conducting audits and investigations of projects and activities carried out with funds made available in this Act to the Department of Agriculture to prevent, prepare for, and respond to coronavirus, domestically or internationally: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

###### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$55,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for necessary expenses for salary costs associated with the Agriculture Quarantine and Inspection Program: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### AGRICULTURAL MARKETING SERVICE

###### MARKETING SERVICES

For an additional amount for "Marketing Services", \$45,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including necessary expenses for salary costs associated with commodity grading, inspection, and audit activities: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### FOOD SAFETY AND INSPECTION SERVICE

For an additional amount for "Food Safety and Inspection Service", \$33,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for support of temporary and intermittent workers, relocation of inspectors, and, notwithstanding 21 U.S.C. 468, 695 and 1053 and 7 U.S.C. 2219a, costs of overtime inspectors under the Federal Meat Inspec-

tion Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### FARM PRODUCTION AND CONSERVATION PROGRAMS

##### FARM SERVICE AGENCY

For an additional amount for "Salaries and Expenses", \$3,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including necessary expenses to hire temporary staff and overtime expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RURAL DEVELOPMENT PROGRAMS

###### RURAL BUSINESS—COOPERATIVE SERVICE

###### RURAL BUSINESS PROGRAM ACCOUNT

For an additional amount for "Rural Business Program Account", \$20,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, for the cost of loans for rural business development programs authorized by section 310B and described in subsection (g) of section 310B of the Consolidated Farm and Rural Development Act: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### RURAL UTILITIES SERVICE

###### DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For an additional amount for "Distance Learning, Telemedicine, and Broadband Program", \$25,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq.: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### DOMESTIC FOOD PROGRAMS

###### FOOD AND NUTRITION SERVICE

###### CHILD NUTRITION PROGRAMS

For an additional amount for "Child Nutrition Programs", \$8,800,000,000 to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For an additional amount for "Supplemental Nutrition Assistance Program", \$15,810,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: *Provided*, That of the amount provided under this heading in this Act, \$15,510,000,000 shall be placed in a contingency reserve to be allocated as the Secretary deems necessary to support participation should cost or participation exceed budget estimates to prevent, prepare for, and respond to coronavirus: *Provided further*, That of the amount provided under this



maximum total compensation received by the officer or employee from the air carrier or contractor in calendar year 2019; and

(3) no officer or employee of the eligible business whose total compensation exceeded \$3,000,000 in calendar year 2019 may receive during any 12 consecutive months of such period total compensation in excess of the sum of—

(A) \$3,000,000; and

(B) 50 percent of the excess over \$3,000,000 of the total compensation received by the officer or employee from the eligible business in calendar year 2019.

(b) **TOTAL COMPENSATION DEFINED.**—In this section, the term "total compensation" includes salary, bonuses, awards of stock, and other financial benefits provided by an air carrier or contractor to an officer or employee of the air carrier or contractor.

#### SEC. 4117. TAX PAYER PROTECTION.

The Secretary may receive warrants, options, preferred stock, debt securities, notes, or other financial instruments issued by recipients of financial assistance under this subtitle which, in the sole determination of the Secretary, provide appropriate compensation to the Federal Government for the provision of the financial assistance.

#### SEC. 4118. REPORTS.

(a) **REPORT.**—Not later than November 1, 2020, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Financial Services of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the financial assistance provided to air carriers and contractors under this subtitle, including a description of any financial assistance provided.

(b) **UPDATE.**—Not later than the last day of the 1-year period following the date of enactment of this Act, the Secretary shall update and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Banking, Housing, and Urban Affairs of the Senate the report described in subsection (a).

#### SEC. 4119. COORDINATION.

In implementing this subtitle the Secretary shall coordinate with the Secretary of Transportation.

#### SEC. 4120. DIRECT APPROPRIATION.

Notwithstanding any other provision of law, there is appropriated, out of amounts in the Treasury not otherwise appropriated, \$32,000,000,000 to carry out this subtitle.

### TITLE V—CORONAVIRUS RELIEF FUNDS

#### SEC. 5001. CORONAVIRUS RELIEF FUND.

(a) **IN GENERAL.**—The Social Security Act (42 U.S.C. 301 et seq.) is amended by inserting after title V the following:

#### "TITLE VI—CORONAVIRUS RELIEF FUND

##### "SEC. 601. CORONAVIRUS RELIEF FUND.

###### "(A) APPROPRIATION.—

"(1) **IN GENERAL.**—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for making payments to States, Tribal governments, and units of local government under this section, \$150,000,000,000 for fiscal year 2020.

"(2) **RESERVATION OF FUNDS.**—Of the amount appropriated under paragraph (1), the Secretary shall reserve—

"(A) \$3,000,000,000 of such amount for making payments to the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa; and

"(B) \$8,000,000,000 of such amount for making payments to Tribal governments.

###### "(b) **AUTHORITY TO MAKE PAYMENTS.—**

"(1) **IN GENERAL.**—Subject to paragraph (2), not later than 30 days after the date of enactment of this section, the Secretary shall pay each State and Tribal government, and each unit of local government that meets the condition described in paragraph (2), the amount determined for the State, Tribal government, or unit of local government, for fiscal year 2020 under subsection (c).

"(2) **DIRECT PAYMENTS TO UNITS OF LOCAL GOVERNMENT.**—If a unit of local government of a State submits the certification required by subsection (e) for purposes of receiving a direct payment from the Secretary under the authority of this paragraph, the Secretary shall reduce the amount determined for that State by the relative unit of local government population proportion amount described in subsection (c)(5) and pay such amount directly to such unit of local government.

###### "(c) **PAYMENT AMOUNTS.—**

"(1) **IN GENERAL.**—Subject to paragraph (2), the amount paid under this section for fiscal year 2020 to a State that is 1 of the 50 States shall be the amount equal to the relative population proportion amount determined for the State under paragraph (3) for such fiscal year.

###### "(2) **MINIMUM PAYMENT.—**

"(A) **IN GENERAL.**—No State that is 1 of the 50 States shall receive a payment under this section for fiscal year 2020 that is less than \$1,250,000,000.

"(B) **PRO RATA ADJUSTMENTS.**—The Secretary shall adjust on a pro rata basis the amount of the payments for each of the 50 States determined under this subsection without regard to this subparagraph to the extent necessary to comply with the requirements of subparagraph (A).

"(3) **RELATIVE POPULATION PROPORTION AMOUNT.**—For purposes of paragraph (1), the relative population proportion amount determined under this paragraph for a State for fiscal year 2020 is the product of—

"(A) the amount appropriated under paragraph (1) of subsection (a) for fiscal year 2020 that remains after the application of paragraph (2) of that subsection; and

"(B) the relative State population proportion (as defined in paragraph (4)).

"(4) **RELATIVE STATE POPULATION PROPORTION DEFINED.**—For purposes of paragraph (3)(B), the term "relative State population proportion" means, with respect to a State, the quotient of—

"(A) the population of the State; and

"(B) the total population of all States (excluding the District of Columbia and territories specified in subsection (a)(2)(A)).

"(5) **RELATIVE UNIT OF LOCAL GOVERNMENT POPULATION PROPORTION AMOUNT.**—For purposes of subsection (b)(2), the term "relative unit of local government population proportion amount" means, with respect to a unit of local government and a State, the amount equal to the product of—

"(A) 45 percent of the amount of the payment determined for the State under this subsection (without regard to this paragraph); and

"(B) the amount equal to the quotient of—

"(1) the population of the unit of local government; and

"(2) the total population of the State in which the unit of local government is located.

"(6) **DISTRICT OF COLUMBIA AND TERRITORIES.**—The amount paid under this section for fiscal year 2020 to a State that is the District of Columbia or a territory specified in subsection (a)(2)(A) shall be the amount equal to the product of—

"(A) the amount set aside under subsection (a)(2)(A) for such fiscal year; and

"(B) each such District's and territory's share of the combined total population of the District of Columbia and all such territories, as determined by the Secretary.

"(7) **TRIBAL GOVERNMENTS.**—From the amount set aside under subsection (a)(2)(B) for fiscal year 2020, the amount paid under this section for fiscal year 2020 to a Tribal government shall be the amount the Secretary shall determine, in consultation with the Secretary of the Interior and Indian Tribes, that is based on increased expenditures of each such Tribal government (or a tribally-owned entity of such Tribal government) relative to aggregate expenditures in fiscal year 2019 by the Tribal government (or tribally-owned entity) and determined in such manner as the Secretary determines appropriate to ensure that all amounts available under subsection (a)(2)(B) for fiscal year 2020 are distributed to Tribal governments.

"(8) **DATA.**—For purposes of this subsection, the population of States and units of local governments shall be determined based on the most recent year for which data are available from the Bureau of the Census.

"(d) **USE OF FUNDS.**—A State, Tribal government, and unit of local government shall use the funds provided under a payment made under this section to cover only those costs of the State, Tribal government, or unit of local government that—

"(1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);

"(2) were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and

"(3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

"(e) **CERTIFICATION.**—In order to receive a payment under this section, a unit of local government shall provide the Secretary with a certification signed by the Chief Executive for the unit of local government that the local government's proposed uses of the funds are consistent with subsection (d).

#### "(f) **INSPECTOR GENERAL OVERSIGHT; RECOUPMENT.—**

"(1) **OVERSIGHT AUTHORITY.**—The Inspector General of the Department of the Treasury shall conduct monitoring and oversight of the receipt, disbursement, and use of funds made available under this section.

"(2) **RECOUPMENT.**—If the Inspector General of the Department of the Treasury determines that a State, Tribal government, or unit of local government has failed to comply with subsection (d), the amount equal to the amount of funds used in violation of such subsection shall be booked as a debt of such entity owed to the Federal Government. Amounts recovered under this subsection shall be deposited into the general fund of the Treasury.

"(3) **APPROPRIATION.**—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Office of the Inspector General of the Department of the Treasury, \$35,000,000 to carry out oversight and recoupment activities under this subsection. Amounts appropriated under the preceding sentence shall remain available until expended.

"(4) **AUTHORITY OF INSPECTOR GENERAL.**—Nothing in this subsection shall be construed to diminish the authority of any Inspector General, including such authority as provided in the Inspector General Act of 1978 (5 U.S.C. App.).

#### "(g) **DEFINITIONS.**—In this section:

"(1) **INDIAN TRIBE.**—The term "Indian Tribe" has the meaning given that term in section

4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

"(2) LOCAL GOVERNMENT.—The term 'unit of local government' means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level with a population that exceeds 500,000.

"(3) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

"(4) STATE.—The term 'State' means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

"(5) TRIBAL GOVERNMENT.—The term 'tribal government' means the recognized governing body of an Indian Tribe."

(b) APPLICATION OF PROVISIONS.—Amounts appropriated for fiscal year 2020 under section 601(a)(1) of the Social Security Act (as added by subsection (a)) shall be subject to the requirements contained in Public Law 116-94 for funds for programs authorized under sections 330 through 340 of the Public Health Service Act (42 U.S.C. 254 through 256).

#### TITLE VI—MISCELLANEOUS PROVISIONS

##### SEC. 6001. COVID-19 BORROWING AUTHORITY FOR THE UNITED STATES POSTAL SERVICE.

(a) DEFINITIONS.—In this section—

(1) the term "COVID-19 emergency" means the emergency involving Federal primary responsibility determined to exist by the President under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)) with respect to the Coronavirus Disease 2019 (COVID-19); and

(2) the term "Postal Service" means the United States Postal Service.

(b) ADDITIONAL BORROWING AUTHORITY.—Notwithstanding section 2005 of title 39, United States Code, or any other provision of law, if the Postal Service determines that, due to the COVID-19 emergency, the Postal Service will not be able to fund operating expenses without borrowing money—

(1) the Postal Service may borrow money from the Treasury in an amount not to exceed \$10,000,000,000—

(A) to be used for such operating expenses; and

(B) which may not be used to pay any outstanding debt of the Postal Service; and

(2) the Secretary of the Treasury may lend up to the amount described in paragraph (1) at the request of the Postal Service, upon terms and conditions mutually agreed upon by the Secretary and the Postal Service.

(c) PRIORITIZATION OF DELIVERY FOR MEDICAL PURPOSES DURING COVID-19 EMERGENCY.—Notwithstanding any other provision of law, during the COVID-19 emergency, the Postal Service—

(1) shall prioritize delivery of postal products for medical purposes; and

(2) may establish temporary delivery points, in such form and manner as the Postal Service determines necessary, to protect employees of the Postal Service and individuals receiving deliveries from the Postal Service.

##### SEC. 6002. EMERGENCY DESIGNATION.

(a) IN GENERAL.—The amounts provided under this division are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this division is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

#### DIVISION B—EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, and for other purposes, namely:

##### TITLE I AGRICULTURAL PROGRAMS

###### OFFICE OF THE SECRETARY

For an additional amount for the "Office of the Secretary", \$9,500,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus by providing support for agricultural producers impacted by coronavirus, including producers of specialty crops, producers that supply local food systems, including farmers markets, restaurants, and schools, and livestock producers, including dairy producers: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", \$750,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: *Provided*, That the funding made available under this heading in this Act shall be used for conducting audits and investigations of projects and activities carried out with funds made available in this Act to the Department of Agriculture to prevent, prepare for, and respond to coronavirus, domestically or internationally: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

###### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$55,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for necessary expenses for salary costs associated with the Agriculture Quarantine and Inspection Program: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### AGRICULTURAL MARKETING SERVICE

###### MARKETING SERVICES

For an additional amount for "Marketing Services", \$45,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including necessary expenses for salary costs associated with commodity grading, inspection, and audit activities: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### FOOD SAFETY AND INSPECTION SERVICE

For an additional amount for "Food Safety and Inspection Service", \$33,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for support of temporary and intermittent workers, relocation of inspectors, and, notwithstanding 21 U.S.C. 468, 695 and 1053 and 7 U.S.C. 2219a, costs of overtime inspectors under the Federal Meat Inspec-

tion Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

#### FARM PRODUCTION AND CONSERVATION PROGRAMS

##### FARM SERVICE AGENCY

For an additional amount for "Salaries and Expenses", \$3,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including necessary expenses to hire temporary staff and overtime expenses: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### RURAL DEVELOPMENT PROGRAMS

###### RURAL BUSINESS—COOPERATIVE SERVICE

###### RURAL BUSINESS PROGRAM ACCOUNT

For an additional amount for "Rural Business Program Account", \$20,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, for the cost of loans for rural business development programs authorized by section 310B and described in subsection (g) of section 310B of the Consolidated Farm and Rural Development Act: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### RURAL UTILITIES SERVICE

###### DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For an additional amount for "Distance Learning, Telemedicine, and Broadband Program", \$25,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq.: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### DOMESTIC FOOD PROGRAMS

###### FOOD AND NUTRITION SERVICE

###### CHILD NUTRITION PROGRAMS

For an additional amount for "Child Nutrition Programs", \$8,800,000,000 to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

###### SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For an additional amount for "Supplemental Nutrition Assistance Program", \$15,810,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: *Provided*, That of the amount provided under this heading in this Act, \$15,510,000,000 shall be placed in a contingency reserve to be allocated as the Secretary deems necessary to support participation should cost or participation exceed budget estimates to prevent, prepare for, and respond to coronavirus: *Provided further*, That of the amount provided under this

**Coronavirus Relief Fund**  
**Guidance for State, Territorial, Local, and Tribal Governments**  
**April 22, 2020**

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"). The CARES Act established the Coronavirus Relief Fund (the "Fund") and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.<sup>1</sup>

The guidance that follows sets forth the Department of the Treasury's interpretation of these limitations on the permissible use of Fund payments.

***Necessary expenditures incurred due to the public health emergency***

The requirement that expenditures be incurred "due to" the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be "necessary." The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

***Costs not accounted for in the budget most recently approved as of March 27, 2020***

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost

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<sup>1</sup> See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.



is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

***Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020***

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

***Nonexclusive examples of eligible expenditures***

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
  - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
  - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
  - Costs of providing COVID-19 testing, including serological testing.
  - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
  - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
  - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
  - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
  - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
  - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
  - Expenses for public safety measures undertaken in response to COVID-19.
  - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
  - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
  - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
  - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
  - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
  - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
  - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
  - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
  - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
  - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

*Nonexclusive examples of ineligible expenditures<sup>2</sup>*

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.<sup>3</sup>
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

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<sup>2</sup> In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

<sup>3</sup> See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.



**Coronavirus Relief Fund  
Frequently Asked Questions  
Updated as of May 28, 2020**

The following answers to frequently asked questions supplement Treasury’s Coronavirus Relief Fund (“Fund”) Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, (“Guidance”).<sup>1</sup> Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

**Eligible Expenditures**

***Are governments required to submit proposed expenditures to Treasury for approval?***

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

***The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the “substantially dedicated” condition?***

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

***The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a “substantially different use” for purposes of the Fund eligibility?***

Costs incurred for a “substantially different use” include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty’s ordinary responsibilities.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

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<sup>1</sup> The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

***May a State receiving a payment transfer funds to a local government?***

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

***May a unit of local government receiving a Fund payment transfer funds to another unit of government?***

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

***Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?***

No. For example, a county recipient is not required to transfer funds to smaller cities within the county's borders.

***Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?***

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

***Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?***

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

***Are States permitted to use Fund payments to support state unemployment insurance funds generally?***

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

***Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?***

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

***The Guidance states that the Fund may support a “broad range of uses” including payroll expenses for several classes of employees whose services are “substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” What are some examples of types of covered employees?***

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

***In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers’ compensation coverage. Is the cost of this expanded workers compensation coverage eligible?***

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

***If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?***

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

***May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?***

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.



***May Fund payments be used for COVID-19 public health emergency recovery planning?***

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

***Are expenses associated with contact tracing eligible?***

Yes, expenses associated with contract tracing are eligible.

***To what extent may a government use Fund payments to support the operations of private hospitals?***

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

***May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?***

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

***May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?***

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

***Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?***

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

***May recipients create a "payroll support program" for public employees?***

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?***

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

***May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?***

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

***The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?***

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

***The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?***

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

***May Fund payments be used to assist impacted property owners with the payment of their property taxes?***

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

***May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?***

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

***Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?***

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

***The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?***

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

***The Guidance provides that ineligible expenditures include “[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?***

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?***

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

***Must a stay-at-home order or other public health mandate be in effect in order for a government to provide assistance to small businesses using payments from the Fund?***

No. The Guidance provides, as an example of an eligible use of payments from the Fund, expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. Such assistance may be provided using amounts received from the Fund in the absence of a requirement to close businesses if the relevant government determines that such expenditures are necessary in response to the public health emergency.



***Should States receiving a payment transfer funds to local governments that did not receive payments directly from Treasury?***

Yes, provided that the transferred funds are used by the local government for eligible expenditures under the statute. To facilitate prompt distribution of Title V funds, the CARES Act authorized Treasury to make direct payments to local governments with populations in excess of 500,000, in amounts equal to 45% of the local government's per capita share of the statewide allocation. This statutory structure was based on a recognition that it is more administratively feasible to rely on States, rather than the federal government, to manage the transfer of funds to smaller local governments. Consistent with the needs of all local governments for funding to address the public health emergency, States should transfer funds to local governments with populations of 500,000 or less, using as a benchmark the per capita allocation formula that governs payments to larger local governments. This approach will ensure equitable treatment among local governments of all sizes.

For example, a State received the minimum \$1.25 billion allocation and had one county with a population over 500,000 that received \$250 million directly. The State should distribute 45 percent of the \$1 billion it received, or \$450 million, to local governments within the State with a population of 500,000 or less.

***May a State impose restrictions on transfers of funds to local governments?***

Yes, to the extent that the restrictions facilitate the State's compliance with the requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance and other applicable requirements such as the Single Audit Act, discussed below. Other restrictions are not permissible.

***If a recipient must issue tax anticipation notes (TANs) to make up for tax due date deferrals or revenue shortfalls, are the expenses associated with the issuance eligible uses of Fund payments?***

If a government determines that the issuance of TANs is necessary due to the COVID-19 public health emergency, the government may expend payments from the Fund on the accrued interest expense on TANs and unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs.

***May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?***

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

***Are costs associated with increased solid waste capacity an eligible use of payments from the Fund?***

Yes, costs to address increase in solid waste as a result of the public health emergency, such as relates to the disposal of used personal protective equipment, would be an eligible expenditure.

***May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?***

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

***May Fund payments be used for expenditures related to the administration of Fund payments by a State, territorial, local, or Tribal government?***

Yes, if the administrative expenses represent an increase over previously budgeted amounts and are limited to what is necessary. For example, a State may expend Fund payments on necessary administrative expenses incurred with respect to a new grant program established to disburse amounts received from the Fund.

***May recipients use Fund payments to provide loans?***

Yes, if the loans otherwise qualify as eligible expenditures under section 601(d) of the Social Security Act as implemented by the Guidance. Any amounts repaid by the borrower before December 30, 2020, must be either returned to Treasury upon receipt by the unit of government providing the loan or used for another expense that qualifies as an eligible expenditure under section 601(d) of the Social Security Act. Any amounts not repaid by the borrower until after December 30, 2020, must be returned to Treasury upon receipt by the unit of government lending the funds.

***May Fund payments be used for expenditures necessary to prepare for a future COVID-19 outbreak?***

Fund payments may be used only for expenditures necessary to address the current COVID-19 public health emergency. For example, a State may spend Fund payments to create a reserve of personal protective equipment or develop increased intensive care unit capacity to support regions in its jurisdiction not yet affected, but likely to be impacted by the current COVID-19 pandemic.

**Questions Related to Administration of Fund Payments**

***Do governments have to return unspent funds to Treasury?***

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

***What records must be kept by governments receiving payment?***

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

***May recipients deposit Fund payments into interest bearing accounts?***

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

***May governments retain assets purchased with payments from the Fund?***

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

***What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?***

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

***Are Fund payments to State, territorial, local, and tribal governments considered grants?***

No. Fund payments made by Treasury to State, territorial, local, and Tribal governments are not considered to be grants but are “other financial assistance” under 2 C.F.R. § 200.40.

***Are Fund payments considered federal financial assistance for purposes of the Single Audit Act?***

Yes, Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

***Are Fund payments subject to other requirements of the Uniform Guidance?***

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303 regarding internal controls, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

***Is there a Catalog of Federal Domestic Assistance (CFDA) number assigned to the Fund?***

Yes. The CFDA number assigned to the Fund is 21.019, pending completion of registration.

***If a State transfers Fund payments to its political subdivisions, would the transferred funds count toward the subrecipients' total funding received from the federal government for purposes of the Single Audit Act?***

Yes. The Fund payments to subrecipients would count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements. Subrecipients are subject to a single audit or program-specific audit pursuant to 2 C.F.R. § 200.501(a) when the subrecipients spend \$750,000 or more in federal awards during their fiscal year.

***Are recipients permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act?***

Yes, such expenses would be eligible expenditures, subject to the limitations set forth in 2 C.F.R. § 200.425.

***If a government has transferred funds to another entity, from which entity would the Treasury Department seek to recoup the funds if they have not been used in a manner consistent with section 601(d) of the Social Security Act?***

The Treasury Department would seek to recoup the funds from the government that received the payment directly from the Treasury Department. State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program



or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance.

**Navajo Nation CARES Fund Expenditure Plans for Water Projects, Powerline  
Projects and Broadband-Telecommunication Projects  
Legislation 144-20**

SUPPLYJUSTICE.COM  
**EXHIBIT**  
**2**

<b>PROJECT LISTING:</b>	<b>TOTAL</b>
<b>WATER PROJECTS</b>	
DEPT. WATER RESOURCES	\$ 87,485,860
NTUA WASTEWATER	\$ 18,635,000
Whitehorse Lake – Sand Springs Water Supply Pipeline	\$ 937,712
NTUA Cisterns System	\$ 20,946,523
To'hajiilee ABQ Water Supply Line	\$ 2,000,000
<b>SUBTOTAL</b>	<b>\$ 130,005,095</b>

<b>POWERLINE PROJECTS</b>	
NTUA - POWERLINE PROJ.	\$ 13,897,562
NTUA - CAPACITY	\$ 24,747,269
JEMEZ MTN ELECTRIC	\$ 163,723
CONTINENTAL DIVIDE	\$ 1,062,278
RAMAH/PINE HILL CAMPUS	\$ 3,500,000
SAND SPRINGS SOUTH	\$ 850,000
<b>SUBTOTAL</b>	<b>\$ 44,220,832</b>

<b>BROADBAND - TELECOMMUNICATION</b>	
NTUA-WIRELESS	\$ 32,848,207
NN DEPT. OF IT	\$ 3,400,000
NTU-BROADBAND TEAM	\$ 470,000
NTU-CAMPUS SUPPORT	\$ 7,634,533
NATIVE BROADCAST ENT.	\$ 393,670
DINÉ COLLEGE	\$ 8,478,579
<del>NON-TRIBAL OWNED TELECOMMUNICATION</del>	<del>\$ 15,000,000</del>
<b>SUBTOTAL</b>	<b>\$ 68,224,989</b>

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mL*

<b>SOLID WASTE</b>	
<del>NN EPA SOLID WASTE</del>	<del>\$ 23,973,000</del>
<b>SUBTOTAL</b>	<b>\$ 23,973,000</b>

*Jmd  
mL*

<b>SOLAR PROJECTS</b>	
NTUA-SOLAR	\$ 35,192,000
<del>Native Renewables</del>	<del>\$ 34,103,910</del>
<b>SUBTOTAL</b>	<b>\$ 69,295,910</b>

*Jmd  
mL*

<b>PAYROLL SUPPORT</b>	
<del>PAYROLL</del>	<del>\$ 90,928,047</del>

*Jmd  
mL*

**Navajo Nation CARES Fund Expenditure Plans for Water Projects, Powerline  
Projects and Broadband-Telecommunication Projects  
Legislation 144-20**

SUBTOTAL \$ **90,928,047**

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m2*

**HARDSHIP ASSISTANCE**

HARDSHIP \$ 1,000

SUBTOTAL \$ **1,000**

**HOUSING PROJECTS**

~~Housing for each Chapter~~ \$ ~~33,423,914~~

SUBTOTAL \$ ~~33,423,914~~

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**NN ENTERPRISE**

NNGE \$ 24,600,000

SUBTOTAL \$ **24,600,000**

**NN DEPARTMENTS**

NN Parks and Recreation \$ 828,637

Division of Economic Devel. \$ 60,000,000

Department of Health \$ 75,836,016

~~Office of the Controller~~ \$ ~~20,008,798~~

SUBTOTAL \$ **156,673,451**

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m2*

**JUDICIAL BRANCH**

Judicial Branch \$ 9,633,863

SUBTOTAL \$ **9,633,863**

GRAND TOTAL \$ **650,980,101**

CJN-46-20 \$ 41,000,000.00

CJN-47-20 \$ 21,059,530.10

\$ 62,059,530.10

144-20 + CJN-46-20 + CJN-47-20 \$ **713,039,631.10**

TOTAL NN CARES FUNDS \$ **714,189,631.00**

UNALLOCATED NN CARES FUNDS \$ **1,149,999.90**





## NAVAJO NATION CARES FUND WATER PROJECTS EXPENDITURE PLAN

### I. PURPOSE

The purpose of this Water Projects Expenditure Plan is to allow for the use and expenditure of One Hundred Thirty Million, Five Thousand, Ninety-Five Dollars (\$130,005,095) for regional water projects on the Navajo Nation for the first year. The expenditures set forth in the Expenditure Plan are necessary to ensure that Navajo communities receive basic water infrastructure for sanitation purposes. This will ensure that the Navajo People are adequately protected from exposure to the further spread of infectious diseases.

The water projects list includes, but is not limited to, water wells, cistern systems, support to water haulers, livestock windmills, earthen dam rehabilitation, irrigation/upgrades, and infrastructure upgrades.

The federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Per the U.S. Department of Treasury's (Treasury) Guidance, dated April 22, 2020, eligible expenditures include expenses for planning, pre-designing, permitting, design, right-of-way, bid, and construction.

### II. AFFIRMATION OF FUND USE

The Department of Water Resources affirms it will use these funds in accordance with the purposes set forth in ~~CMY 44-20~~ and Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

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### III. ALLOCATION ASSIGNMENT

The funds are allocated to the Navajo Nation Department of Water Resources to be used for Waterlines projects dedicated to mitigating or responding to the COVID-19 public health emergency and interaction with the public.

#### IV. IMPLEMENTATION AND MONITORING

The Department of Water Resources is responsible for implementing the Expenditure Plan and monitoring the expenditure of these funds.

#### V. ADMINISTRATOR OF FUNDS

The Director of the Department of Water Resources is responsible for administering the Expenditure Plan and overseeing the allocated funds.

#### VI. MEANS OF FUNDING

The Expenditure Plan funds shall be released directly to the Department of Water Resources once the Expenditure Plan is duly adopted and expedited budgets are implemented.

#### VII. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines and the Single Audit Act and any other applicable rules, regulations and guidance.

#### VIII. OVERSIGHT COMMITTEE

The Resources and Development Committee (RDC) and Budget and Finance Committee (BFC) shall share oversight as RDC has oversight over the Division of Natural Resources and BFC has oversight over externally restricted funding.

#### IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Department of Water Resources affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.

CARES Act Funding Discussion  
Water Infrastructure Five Year Plan Summary  
Navajo Department of Water Resources  
7/18/2020

	2020	2021	2022	2023	2024	Total
Immediate Utility Customer Assistance	Separate discussion with NTUA/other utilities					
Water and Electricity to Homes	Separate discussion with NTUA/other utilities					
Electricity	Separate discussions with IHS/Division of Community Development					
Bathroom Additions						
Waterline and Cistern Projects - Funding Transition and Other	\$ 2,841,000.00	\$ 26,977,600.00	\$ 11,222,029.00	\$ 11,289,619.90	\$ -	\$ 76,937,138.20
Cisterns	\$ 37,881,158.90	\$ -	\$ -	\$ -	\$ -	\$ 37,881,158.90
Support to Water Haulers						
Assistance to Water Haulers - Water Hauling, Dig Deep, At Well Treatment, etc.	\$ 9,167,300.00	\$ 5,430,000.00	\$ 4,330,000.00	\$ 4,330,000.00	\$ 4,330,000.00	\$ 27,587,300.00
Regional and Local Water Projects including Navajo-Gallup Water Supply Project Connections						
Regional and Local Projects	\$ 9,686,000.00	\$ 58,894,817.00	\$ 56,239,069.00	\$ 15,500,000.00	\$ 6,300,000.00	\$ 163,051,703.00
Strategic Stockpile of Construction Materials for Water	\$ 32,087,901.43	\$ -	\$ -	\$ -	\$ -	\$ 32,087,901.43
O&M Subsidy for Initial Operations	\$ 6,000,000.00	\$ 6,000,000.00	\$ 6,000,000.00	\$ 6,000,000.00	\$ 6,000,000.00	\$ 30,000,000.00
NTUA Loan to Grant Conversions	Separate discussion with NTUA					
Infrastructure Access, Roads and Other	Separate discussion with other appropriate entities					
Wastewater Infrastructure	Separate discussion with NTUA for existing needs					
Livestock Windmills						
Windmill and Related Repairs	\$ 16,620,000.00	\$ 1,200,000.00	\$ 1,200,000.00	\$ -	\$ -	\$ 19,020,000.00
Water Well Fund	\$ 200,000.00	\$ 1,300,000.00	\$ 1,500,000.00	\$ 2,000,000.00	\$ -	\$ 5,000,000.00
Agriculture						
Earthen Dam Rehabilitation	\$ 1,600,000.00	\$ 10,000,000.00	\$ 10,000,000.00	\$ 10,000,000.00	\$ 10,000,000.00	\$ 41,600,000.00
Irrigation Project Rehabilitation	\$ 2,180,000.00	\$ 6,190,000.00	\$ 3,500,000.00	\$ 2,000,000.00	\$ 1,000,000.00	\$ 14,870,000.00
Long-Range Water Planning						
Long-Range Water Planning Tool	\$ 222,500.00	\$ 907,500.00	\$ 932,500.00	\$ 735,500.00	\$ -	\$ 2,798,000.00
NDWR Program Assistance						
NDWR Building(s), Supplies, etc - Response to COVID-19	\$ 1,000,000.00	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000.00
Totals (ALL)	\$ 119,485,860.33	\$ 116,899,917.00	\$ 94,923,598.00	\$ 51,855,119.90	\$ 27,630,000.00	\$ 451,833,201.53
Totals (Potentially Completed in 2020 - included on DCD list)	\$ 110,305,860.33					



No.	Category	Project	Year Month	2020	2021	2022	2023	2024	2020	2021	2022	2023	2024	Comments
1	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW36 - SHASIN Nadini Additional Water Source	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
2	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW41 - SHASIN Rough Rock South Waterline Ext. Phase 2	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
3	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW43 - SHASIN Spider Rock Chile Waterline Ext. Phase 3	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$130,000 for planning. Proposed procuring through design-build MDA with NECA
4	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW47 - SHASIN Shonto Tail Min. Githrin WP	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA Established account for \$1,417,000. No payment.
5	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW49 - SHASIN Tuba City NW Sewerline Phase 1	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA Established account for \$937,000. No payment.
6	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW51 - SHASIN Burnham East WI Ext. 1	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
7	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW52 - SHASIN Burnham NW WI Ext. 1	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$30,000 for planning. Proposed procuring through design-build MDA with NECA
8	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW54 - SHASIN Montezuma Creek Extension	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$30,000 for planning. Proposed procuring through design-build MDA with NECA
9	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW55 - SHASIN Morgan Lake WI Ext. Phase 2	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$30,000 for planning. Proposed procuring through design-build MDA with NECA Established account for \$166,000. No payment.
10	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW56 - SHASIN Newcomb North WI Ext. 1	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$30,000 for planning. Proposed procuring through design-build MDA with NECA
11	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW57 - SHASIN Sheepsprings WI Ext. w/Booster PAC	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA Established account for \$717,000. No payment.
12	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW58 - SHASIN Tree Yellow Rock Point WI Ext. Phase 1	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$30,000 for planning. Proposed procuring through design-build MDA with NECA Established account for \$615,000. No payment.
13	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW62 - SHASIN Twin Lakes- Tohakai South Estn.	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA Established account for \$353,000. No payment.
14	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW64 - SHASIN COVE INTERIE U71 - Already Paid. -DBETE-	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Proposed procuring through design-build MDA with NECA
15	Water to Homes and Cistern Projects - Shislin Fund Transition to CARES Act Funds	NALBW50 - SHASIN LeChae- Horseshoe Mesa Water Est.	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction											Paid \$100,000 for planning. Proposed procuring through design-build MDA with NECA

No.	Category	Project	Year	Month	2020	2021	2022	2023	2024	2024	Comments
16	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW33 - PIT Redford Goldwater Loop Phase 1	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction								Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
17	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW34 - SHASIN Redford Goldwater Loop Phase 2	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 3,483,000					Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
18	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW35 - SHASIN Navajo Awpit Waterline	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction				\$ 1,591,178				Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
19	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW37 - SHASIN Many Farms Lake Phase 3	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 953,000					Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
20	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW38 - SHASIN Hunters Point/Dak Springs Inter-tie	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 2,575,000					Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
21	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW39 - SHASIN Pine Springs Additional Water Source	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 1,428,000					Previous Oak Springs South Ext. Project
22	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW40 - SHASIN Rough Rock North Phase VI Extension	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 689,000					Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
23	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW42 - SHASIN Steamboat Canyon Phase 1	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 2,811,000					Paid \$125,000 for planning. Proposed procuring through design-build MDA with NECA
24	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW44 - SHASIN Chickabito Yellowhair CMS Upgrade	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 1,806,000					Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
25	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW45 - SHASIN Dinehohobog Laguna Flats VI Ext.	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 1,995,000					Established account for \$1,743,000. No payment.
26	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW46 - SHASIN Tuba City Old Airport Sewer Ext.	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 1,167,000					Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
27	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW48 - SHASIN Tonto Water Blowing Ext.	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 1,149,000					Established account for \$1,099,000. No payment.
28	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW53 - SHASIN Fruitland Adobe West VI Ext. ***CANCEL***	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$ 1,386,000					Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA
29	Water to Homes and Cistern Projects - Shisain Fund Transition to CARES Act Funds	NALBW60 - SHASIN Mexican Springs Todito Park Extension	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction			\$				\$ 2,554,000	Paid \$50,000 for planning. Proposed procuring through design-build MDA with NECA

No.	Category	Project	Year	2020	2021	2022	2023	2024	2024	Comments
		Month								
30	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	NALBWD1 - SHASHIN Whitehorse Lake Rincon Marquee Exits U04	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Paid \$50,000 for planning. Proposed procuring through design-build MOA with NECA Established account for \$1,611,000. No payment.
31	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	NALBWD3 - SHASHIN Alamo ODM	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Paid \$100,000 for planning. Proposed procuring through design-build MOA with NECA Established account for \$2,448,152. No payment.
32	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Many Farms Lake Cisterns	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.
33	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Whippoorwill Scattered	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.
34	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Dillon - Pyramid Butte Ext. T67	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.
35	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Hardrock Sleepy Mountain Wt. Ext. Phase 1 T73 (X)	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.
36	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Chichilash Extension	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.
37	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Cuamero Lake West Ext.	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.
38	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Cousins Radio Tower Loop PHE Ext.	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.
39	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Cousins Radio Tower Loop PHE Ext.	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.
40	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Manuelito Big Rock Canyon Exits	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.
41	Water to Homes and Cistern Projects - Shinarump Fund Transition to CARES Act Funds	Thoreau Butte Scattered Homes Extensions & Well	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction							Shashin - No funds for planning issued.

No.	Category	Project	Year Month	2020	2021	2022	2023	2024	2024 Comments	
42	Water to Homes and Cistern Projects - Shashin Fund transition to CARES Act Funds	Littlewater East Ext. II	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						Shashin - No funds for planning issued.	
43	Water to Homes and Cistern Projects - Shashin Fund transition to CARES Act Funds	Pueblo Bonito - PHX, Cisterns	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction					\$ 143,000	Shashin - No funds for planning issued.	
44	IHS SDS Listing - Ready Water Line Projects	Round Rock - Luckachukai Interne	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction					\$ 3,412,999	Ready Waterline Projects on SDS list	
45	IHS SDS Listing - Ready Water Line Projects	Ramoth Pinedill New WTP IX (contribution)	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction					\$ 647,000	Ready Waterline Projects on SDS list	
46	IHS SDS Listing - Ready Water Line Projects	Ramoth Summit Valley-Rosby Point CWS Intersect IX	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction					\$ 515,000	Ready Waterline Projects on SDS list	
47	IHS SDS Listing - Ready Water Line Projects	DILKON DIST- 7 TANK PAINTING IX	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction					\$ 195,762	Ready Waterline Projects on SDS list	
48	IHS SDS Listing - Ready Water Line Projects	Iyanbito/ChurchRock Radio Telemetry System	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction					\$ 149,000	Ready Waterline Projects on SDS list	
				Shashin transition to CARES Act Ready Waterline Projects 30 percent contingency Waterline and Cistern Projects - Funding Transition and Other					\$ 18,194,000 \$ 20,752,000 \$ 8,632,330 \$ 8,684,323 \$ 2,919,761 \$ - \$ - \$ - \$ 6,334,128 \$ 6,225,600 \$ 2,589,699 \$ 2,605,297 \$ 27,447,889 \$ 26,977,600 \$ 11,222,029 \$ 11,289,620	56,262,653 2,919,761 17,754,774 76,937,188 20
				Cisterns - List of Potential Complete in 2020					\$ 2,843,000	



No.	Category	Project	Year Month	2020	2021	2022	2023	2024	2024 Comments
49	IHS SDS Listing - Cistern Projects	BIRDSPRINGS RINCON BASIN CISTERN'S DOL 5	Planning, Pre design Permitting, Design, Right of Way, Bid Construction						Cistern Project on SDS list
50	IHS SDS Listing - Cistern Projects	BS- REMOTE CISTERN'S DIST. 5 WP	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	231,990.00					Cistern Project on SDS list
51	IHS SDS Listing - Cistern Projects	COOLMINE CANYON- Appalachia Ridge Cisterns Phase II	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	625,000.00					Cistern Project on SDS list
52	IHS SDS Listing - Cistern Projects	Many Miles Cisterns Ph 3.5	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	200,000.00					Cistern Project on SDS list
53	IHS SDS Listing - Cistern Projects	INDIAN WELLS - PEANUT CISTERN'S	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	4,377,950.00					Cistern Project on SDS list
54	IHS SDS Listing - Cistern Projects	SHIPPOCK FARM AREA A CISTERN'S	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	197,000.00					Cistern Project on SDS list
55	IHS SDS Listing - Cistern Projects	Caroncho Scattered - Cisterns	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	79,000.00					Cistern Project on SDS list
56	IHS SDS Listing - Cistern Projects	TEALE BLACK ROCK CISTERN'S	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	277,000.00					Cistern Project on SDS list
57	IHS SDS Listing - Cistern Projects	QUANTO-HALCHITA CISTERN'S I & WP	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	1,317,037.00					Cistern Project on SDS list
58	IHS SDS Listing - Cistern Projects	TOHATCHI CISTERN'S WP	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	1,040,000.00					Cistern Project on SDS list
59	IHS SDS Listing - Cistern Projects	CAMERON Gray Mountain Lava Wash Cisterns - Phase IV	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	213,000.00					Cistern Project on SDS list
60	IHS SDS Listing - Cistern Projects	DELSON - TAMM CISTERN'S	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	615,000.00					Cistern Project on SDS list
61	IHS SDS Listing - Cistern Projects	DELSON RABBIT CISTERN'S	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	123,003.00					Cistern Project on SDS list
62	IHS SDS Listing - Cistern Projects	SAWMILL WHITE CLAY CISTERN'S	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	324,008.00					Cistern Project on SDS list
63	IHS SDS Listing - Cistern Projects	Naschitti-Wildcat Springs Cisterns	Planning, Pre design Permitting, Design, Right of Way, Bid Construction	2,610,010.00					Cistern Project on SDS list
				866,000.00					

No.	Category	Project	Year Month	2020	2021	2022	2023	2024	2020	2021	2022	2023	2024	Comments
				1 2 3 4 5 6 7 8 9 10 11 12	1 2 3 4 5 6 7 8 9 10 11 12	1 2 3 4 5 6 7 8 9 10 11 12	1 2 3 4 5 6 7 8 9 10 11 12	1 2 3 4 5 6 7 8 9 10 11 12						
64	IHS SDS Listing - Cstern Projects	Naschitti-Bluerock-Wilson Cisterns (changed recently 2020)	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						\$ 768,000					Sihasin - No funds for planning issued.
65	IHS SDS Listing - Cstern Projects	NAAHTEE CANYON SPRINGS CIST WPT (X 2019)	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						\$ 708,020					Sihasin - No funds for planning issued.
66	IHS SDS Listing - Cstern Projects	NAAHTEE CANYON SPRINGS PH2 CIST. (X 2019)	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						253,008.00					Sihasin - No funds for planning issued.
67	IHS SDS Listing - Cstern Projects	INDIAN WELLS-PUEBLO CO II CISTERNS (X 2019)	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						675,013.00					Sihasin - No funds for planning issued.
68	IHS SDS Listing - Cstern Projects	INDIAN WELLS - ROUND BUTTE CIST	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						296,008.00					Sihasin - No funds for planning issued.
69	IHS SDS Listing - Cstern Projects	COALMINE CANYON - Little Colorado Cisterns - Phase I	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						170,000.00					Sihasin - No funds for planning issued.
70	IHS SDS Listing - Cstern Projects	SANOSTEE CANYON CISTERNS I	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						86,000.00					Sihasin - No funds for planning issued.
71	IHS SDS Listing - Cstern Projects	HWY 99 CISTERNS PHASE 2	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						730,880.00					Sihasin - No funds for planning issued.
72	IHS SDS Listing - Cstern Projects	Tselani-Cottonwood Cisterns (Sihasin 2018?)	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						90,000.00					Sihasin - No funds for planning issued.
73	IHS SDS Listing - Cstern Projects	DILKON JOHN'S DRAW 2 CISTERNS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						413,010.00					Sihasin - No funds for planning issued.
74	IHS SDS Listing - Cstern Projects	SCATTERED SOLAR CISTERNS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						625,002.00					Sihasin - No funds for planning issued.
75	IHS SDS Listing - Cstern Projects	SHONTO SCATTERED CISTERNS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						181,000.00					Sihasin - No funds for planning issued.
76	IHS SDS Listing - Cstern Projects	TOLANI LAKE SCATTERED CISTERNS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						136,002.00					Sihasin - No funds for planning issued.
77	IHS SDS Listing - Cstern Projects	CAMERON West Cisterns - Phase I	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						332,000.00					Sihasin - No funds for planning issued.
78	IHS SDS Listing - Cstern Projects	DILKON - TAYLOR CISTERNS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						189,000.00					Sihasin - No funds for planning issued.

No.	Category	Project	Year Month	2020	2021	2022	2023	2024	2020	2021	2022	2023	2024	Comments
79	IHS SDS Listing - Cistern Projects	HARDROCK SCATTERED CISTERNS #1	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						232,000.00					Shasta - No funds for planning issued.
80	IHS SDS Listing - Cistern Projects	WHITE CONE - SCATTERED CISTERNS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						94,000.00					Shasta - No funds for planning issued.
81	IHS SDS Listing - Cistern Projects	LEUPIS SAN FRANCISCO WASH CIST. LUSTS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						894,060.00					Shasta - No funds for planning issued.
82	IHS SDS Listing - Cistern Projects	BIDSPRINGS HWY 99 CISTERNS, PHASE I	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						517,000.00					Shasta - No funds for planning issued.
83	IHS SDS Listing - Cistern Projects	CAMERON LCR Group Cisterns	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						561,000.00					Shasta - No funds for planning issued.
84	IHS SDS Listing - Cistern Projects	TOLANI LAKE PRICE II CIST. DIST. 5	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						380,000.00					Shasta - No funds for planning issued.
85	IHS SDS Listing - Cistern Projects	LEUPIS - GRAND FALLS SCOTT CISTERNS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						414,000.00					Shasta - No funds for planning issued.
86	IHS SDS Listing - Cistern Projects	KOBETO SCATTERED CISTERN	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						164,000.00					Shasta - No funds for planning issued.
87	IHS SDS Listing - Cistern Projects	Cross Canyon South Cisterns	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						162,995.00					Shasta - No funds for planning issued.
88	IHS SDS Listing - Cistern Projects	Pink Farm West Scattered Cisterns & WP	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						168,000.00					Shasta - No funds for planning issued.
89	IHS SDS Listing - Cistern Projects	BIDSPRINGS SOUTH CISTERNS DIST. 5	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						59,000.00					Shasta - No funds for planning issued.
90	IHS SDS Listing - Cistern Projects	New Mt Rainbow City Cisterns	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						413,000.00					Shasta - No funds for planning issued.
91	IHS SDS Listing - Cistern Projects	Mexican Springs Tediho Park Cisterns	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						427,000.00					Shasta - No funds for planning issued.
92	IHS SDS Listing - Cistern Projects	Chalon Narrow Canyon Scattered CISTERNS (X 2019)	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						283,000.00					Shasta - No funds for planning issued.



No.	Category	Project	Year Month	2020 *****	2021 *****	2022 *****	2023 *****	2024 *****	Comments
93	IHS SDS Listing - Cistern Projects	CAMERON Mountaintop Cisterns Phase II	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						Sitashin - No funds for planning issued.
								\$201,000.00	
94	IHS SDS Listing - Cistern Projects	LEUPP PADRE CANYON CIST DIST \$	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						Sitashin - No funds for planning issued.
								\$1,469,310.00	
95	IHS SDS Listing - Cistern Projects	LEUPP CANYON DIBLO CIST DIST \$	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						Sitashin - No funds for planning issued.
								\$1,092,500.00	
96	IHS SDS Listing - Cistern Projects	Cospermine Cisterns (X 2019)	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						Sitashin - No funds for planning issued.
								\$1,002,000.00	
97	IHS SDS Listing - Cistern Projects	WEST LEUPP SCATTERED CISTERNS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						Sitashin - No funds for planning issued.
								\$66,100.00	
98	IHS SDS Listing - Cistern Projects	LEUPP SOLAR PROJECT CISTERNS	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction						Sitashin - No funds for planning issued.
								\$1,715,112.00	
				Cistern Subtotal			\$	\$20,139,353	\$
				30% Contingency			\$	8,741,806	\$
				Cisterns			\$	\$7,881,159	\$
				<b>Cistern - List of Potential Complete in 2020</b>			\$	\$7,881,159	
									\$20,139,353
									8,741,806
									37,881,159



No.	Category	Project	Year Month	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	Comments
99	Assistance to Water Haulers - Water Hauling Program	Water Hauling Program - 7 Trucks, Purchasing Trucks, buildings, staff Implementation	Purchase Trucks, buildings, staff Implementation											
	Assistance to Water Haulers - Water Hauling Program	Water Hauling Program - 1 Truck Per 45 LGI Certified Chapters	Purchase Trucks, buildings, staff Implementation											
100				\$ 8,375,000										
	Assistance to Water Haulers - Dig Deep	Dig Deep Proposal to assist 250 Norms		\$ 1,175,000										
101			Agreement and Fund Implementation											
	Assistance to Water Haulers - AA Water Tech Box	Water Treatment at Well Site for Water Haulers	Purchase of AA Water Tech Box Implementation											
102				\$ 550,000	\$ 1,100,000									
				\$ 50,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	S units for Year 1 and 10 units for Year 2. Includes storage for \$10,000 per site. Operation/Maintenance at \$10,000 per unit per year
			Assistance to Water Haulers - List of Potential Deep At Well Treatment, etc.	\$ 9,167,300	\$ 5,430,000	\$ 4,330,000	\$ 4,330,000	\$ 4,330,000	\$ 4,330,000	\$ 4,330,000	\$ 4,330,000	\$ 4,330,000	\$ 4,330,000	\$ 27,587,300
103	Regional and Local Projects - Shimsham Fund Transition to CARES Adt Funds	Western Navajo Pipeline (NWP) Phase 1	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											
104	Regional and Local Projects - Shimsham Fund Transition to CARES Adt Funds	Southwest Navajo Pipeline	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											
105	Regional and Local Projects - Shimsham Fund Transition to CARES Adt Funds	Demohobco Baby Rocks	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											
106	Regional and Local Projects - Shimsham Fund Transition to CARES Adt Funds	Cosum Kallin Tower	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											
107	Regional and Local Water System Projects	Tuba Tree - Inside Chapter Distribution Improvement	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											Design is already funded.
108	Regional and Local Water System Projects	Mabuarque to Tuhajilee Connection	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											Funding requested for Right of Way Acquisition. Design is already funded.
109	Regional and Local Water System Projects	Rock Springs/ Teepeeoh NOWNSP Connection	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											Field Staking, Arch, & Bld in 2020, Survey, Environmental Assessment, ROW app, & Prelim Design in 2021.
110	Regional and Local Water System Projects	Nasahri NOWNSP Connection	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											Field Staking, Arch, & Bld in 2020, Survey, Environmental Assessment, ROW app, & Prelim Design in 2021
111	Regional and Local Water System Projects	Sleep Springs NOWNSP Connection	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											Field Staking, Arch, & Bld in 2020, Survey, Environmental Assessment, ROW app, & Prelim Design in 2021

No.	Category	Project	Year Month													2024 Comments					
				2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030							
112	Regional and Local Water System Projects	Newcombs Roadline NGWSR Connection	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 200,000	\$ 500,000	\$ 175,000	\$ 1,700,000	\$ 1,000,000	Field Staking, Arch. & Bio in 2020, Survey, Environmental Assessment, ROW app, & Prelim Design in 2021	
113	Regional and Local Water System Projects	Standing Rock Waterline Extensions	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 500,000	\$ 500,000	\$ 250,000	\$ 1,500,000	\$ 1,000,000	Field Staking, Arch. & Bio in 2020, Survey, Environmental Assessment, ROW app, & Prelim Design in 2021 Construction of waterlines and septic systems so residents can comply with CDC recommendations	
114	Regional and Local Water System Projects	Coyote Canyon NGWSR Connection	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction														\$ 3,000,000			Design already funded by U.S. Bureau of Reclamation, but construction is not funded Construction in 2021, assumes sole source to NECA and expediting ROW process	
115	Regional and Local Water System Projects	Coyote Canyon Waterline Extensions	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction													\$ 800,000	\$ 400,000	\$ 300,000	\$ 2,100,000	\$ 2,000,000	Field Staking, Arch. & Bio in 2021. Survey, EA, ROW & Design in 2022-23. Includes waterlines and septic systems for 44 families so residents can comply with CDC recommendations
116	Regional and Local Water System Projects	Casamero Lake - Thoreau Waterline	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction													\$ 100,000	\$ 200,000	\$ 300,000	\$ 1,200,000	\$ 1,500,000	Planning in 2021 Field Staking, Arch. & Bio in 2021. Survey, EA, ROW & Design in 2022-23. Construction in 2022-24
117	Regional and Local Water System Projects	Chickitan Water Supply Wells	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 400,000	\$ 1,000,000	\$ 2,000,000			Design, NEPA, ROW of 80 lines concurrent with well drilling to save time Could be phased between 2020 and 2021 construction components	
118	Regional and Local Water System Projects	Chickitan Bathroom Additions	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 200,000	\$ 1,600,000	\$ 3,000,000			Architect design concurrent with starting construction Could be phased between 2020 and 2021 construction components	
119	Regional and Local Water System Projects	Thorsen - Baca Well Pumphouse and Water Supply Lines	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 250,000	\$ 750,000				Ready for final design Construction in 2020 predicated on expediting ROW	
120	Regional and Local Water System Projects	Talison Nisquapi Water Pipeline Project 2, 3 & 4	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 560,000	\$ 1,400,000				Construction-phase engineering, inspections, and commissioning concurrent with construction Construction starting in June. NECA contract in place, just needs k-number.	
121	Regional and Local Water System Projects	Newsum's Emergency Water Hauling Station	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 250,000					Construction in 2020. Emergency water source for residents staying at home.	
122	Regional and Local Water System Projects	Renshaw Water System Upgrades	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 50,000	\$ 200,000	\$ 3,000,000			Water supply well and treatment plant equipment replacement. Two additional wells. Two additional tanks	
123	Regional and Local Water System Projects	Coumpter's Lijkovsk System Repairs	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 250,000					Design already funded by State of NM Construction in 2020	
124	Regional and Local Water System Projects	Terrason Fire Hydrants	Planning, Pre-design Permitting, Design, Right of Way, Bid Construction												\$ 91,000					Public safety request from County Fire Dept due to COVID stay-at-home order	

No.	Category	Project	Year	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	Comments
125	Regional and Local Water System Projects	Huerfano / Tin Tish Skidpad Pressure Reducing Valves, Tank & Chlorinators	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 400,000 \$ 1,100,000	\$ 1,800,000				Chlorinator & tank design concurrent with PRV construction to save time PRV replacement in 2020, Chlorinator construction and tank replacement in 2021
126	Regional and Local Water System Projects	Smith Lake Water Treatment	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 75,000 \$ 500,000					Needed to complete project already under construction. Emergency water supply.
127	Regional and Local Water System Projects	Cowpoint to Smith Lake Interline	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 100,000					Construction materials included in Strategic Stockpile
128	Regional and Local Water System Projects	Sand Springs Transmission Line and Wakening Point	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 100,000					Construction materials included in Strategic Stockpile
129	Regional and Local Water System Projects	GEO water supply well - Acacia Navajo Nation communities outside of Gallup	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 400,000 \$ 1,900,000					Land already acquired for well site. Environmental clearances already completed. Supply water to chapters & communities surrounding Gallup, e.g. Churchrock, Manualito, Red Rock, etc.
130	Regional and Local Water System Projects	WHP Phase 1 - Bodaway Gap Well and Pipelines	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 135,000 \$ 1,580,917	\$ 6,400,083				
131	Regional and Local Water System Projects	WHP Phase 1 - Cedar Ridge Pump Stations and Pipelines	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 200,000 \$ 509,917	\$ 5,600,083				
132	Regional and Local Water System Projects	WHP Phase 1 - Cameron Pump Stations	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 135,400 \$ 132,683	\$ 1,458,417				
133	Regional and Local Water System Projects	WHP Phase 1 - LaChée Intake, Water Treatment Plant, Pump Station, Pipeline	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 839,000 \$ 6,179,434	\$ 785,000 \$ 12,558,869				
134	Regional and Local Water System Projects	Chato Well WS Improvements	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 1,400,000					
135	Regional and Local Water System Projects	Westwater Community Well Project	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 100,000 \$ 100,000	\$ 25,000 \$ 1,275,000				
136	Regional and Local Water System Projects	Leupp Dillon Pipeline, Phase II	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 458,000 \$ 132,683	\$ 700,000 \$ 6,736,800	\$ 10,105,200			
137	Regional and Local Water System Projects	Genado Well Project	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 150,000	\$ 250,000 \$ 2,100,000				
138	Regional and Local Water System Projects	Alamo - Community Water System Upgrades	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 250,000	\$ 3,000,000				
139	Regional and Local Water System Projects	Alamo Springs Well Connection	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction											\$ 50,000	\$ 260,000				

No.	Category	Project	Year	2020	2021	2022	2023	2024	2020	2021	2022	2023	2024	Comments
		Month												
140	Regional and Local Water System Projects	Alamo - New Well and Treatment System	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction						\$ 100,000	\$ 900,000				
	Regional and Local Water System Projects	Tee Bonito Haystack Waterline Extension	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction						\$ 50,000	\$ 500,000				
141	Regional and Local Water System Projects	Twin Lakes Upgrades	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction						70,000	\$ 615,000				
142	Regional and Local Water System Projects	Buffalo Springs Interte to Johnson	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction						\$ 50,000	\$ 810,000				
143	Regional and Local Water System Projects	Hakikita Treatment System	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction						\$ 300,000					
144	Regional and Local Water System Projects	Centro East Tank	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction						\$ 400,000	\$ 2,700,000				Temporary Construction Easements for temporary water storage tanks required during construction
145	Regional and Local Water System Projects	Tuba City Well Connection	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction						\$ 500,000	\$ 1,500,000	\$ 4,000,000			
146	Regional and Local Water System Projects	Cutter Lateral Station	Planning, Pre-Design Permitting, Design, Right of Way, Bid Construction						\$ 500,000					
147	Regional and Local Water System Projects								\$ 500,000					Start up expenses
									\$ -	\$ 20,950,000	\$ -	\$ -	\$ -	
									\$ 26,117,817	\$ 58,894,817	\$ 15,500,000	\$ 6,300,000	\$ -	
									\$ 26,117,817	\$ 58,894,817	\$ 15,500,000	\$ 6,300,000	\$ -	
									\$ 8,688,000					
148	Regional and Local Water System Projects	Strategic Stockpile of Supplies for Water Projects	Purchase Supplies Construction						\$ 33,087,921					Stockpile Through NECA, see attached detailed line item budget.
149	Regional and Local Water System Projects	Subsidy for Initial Operation and Maintenance Costs	OS&M Subsidy Fund						\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ 6,000,000	\$ -	\$ 30,000,000



[illegible]

No.	Category	Project	Year Month	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Comments	
163	Irrigation -	Irrigation - Many Farms Diversion Dam	Design Construction											\$ 50,000 \$ 100,000	\$ 100,000			List of repairs based on limited existing data.	
164	Irrigation -	Irrigation - Captain Tom Dam repairs	Design Construction											\$ 10,000 \$ 40,000	\$ 40,000			List of repairs based on limited existing data.	
165	Irrigation -	Irrigation - Many Farms Agricultural Wells	Design Construction											\$ 10,000 \$ 100,000	\$ 200,000			List of repairs based on limited existing data.	
166	Irrigation -	Irrigation - Desnoelkinto Diversion Dam repairs	Design Construction											\$ 15,000 \$ 50,000	\$ 100,000			List of repairs based on limited existing data.	
167	Irrigation -	Irrigation - Chaska Lake Diversion Dam repairs	Design Construction											\$ 100,000 \$ 200,000	\$ 1,500,000	\$ 1,500,000		List of repairs based on limited existing data.	
168	Irrigation -	Two Grey Hills - Upper Blackhouse Valley Farms Irrigation Diversion Dam Rehabilitation Project	Design Construction											\$ 50,000 \$ 200,000	\$ 800,000			List of repairs based on limited existing data.	
169	Irrigation -	Two Grey Hills - Tumble Down House Valley Farms Irrigation Rehab	Design Construction											\$ 100,000 \$ 200,000	\$ 1,400,000			List of repairs based on limited existing data.	
170	Irrigation -	Red Valley/Cove Irrigation Diversion Improvements	Design Construction											\$ 15,000 \$ 140,000				List of repairs based on limited existing data.	
171	Irrigation -	Kewaude Diversion Dam and Reservoir Rehabilitation Planning and Design	Design Construction											\$ 200,000 \$ 500,000	\$ 350,000 \$ 500,000	\$ 1,000,000 \$ 1,000,000	\$ 1,000,000	List of repairs based on limited existing data.	
172	Irrigation -	Sheep Springs Farms Irrigation System Improvement Project	Design Construction											\$ 200,000 \$ 500,000	\$ 200,000 \$ 500,000	\$ 1,000,000 \$ 1,000,000		List of repairs based on limited existing data.	
173	Irrigation -	Lake Powell to Shonto Irrigation Water Delivery Project	Feasibility Study Design Construction											\$ 200,000	\$ 200,000			Study to Utilize NCS Intake for water delivery along NCS railroad corridor for Irrigation and other uses	
174	Irrigation -	LCR Bird Springs Irrigation Feasibility Study	Feasibility Study Design Construction											\$ 200,000	\$ 300,000			Study to Utilize NCS Intake for water delivery along NCS railroad corridor for Irrigation and other uses	
175	Planning	Long Range Water Planning Tool	Planning											\$ 2,180,000	\$ 6,190,000	\$ 3,500,000	\$ 2,000,000	\$ 1,000,000	14,870,000
176	NONR Assistance	Building(s), Supplies, etc	Purchase											\$ 222,500	\$ 907,500	\$ 998,000	\$ 798,500	\$ 2,798,000	1,000,000

**Navajo Nation Strategic Stockpile for Water Infrastructure**  
**Detailed Line-Item Budget, 6/26/2020**

**NOTE: Covers projects in Arizona, New Mexico, and Utah**

Item	Quantity	Unit	Unit Cost	Sub-Total	Specifications
<b>PVC Pipe (C900) - Water</b>					
16" DR18 C900 PVC	301,230	LF	\$ 31.25	\$ 9,413,451	Per project specifications and NTUA/ IHS standards
16" DR14 C900 PVC	3,061	LF	\$ 39.85	\$ 121,961	Per project specifications and NTUA/ IHS standards
14" DR18 C900 PVC	15,500	LF	\$ 23.90	\$ 370,450	Per project specifications and NTUA/ IHS standards
12" DR25 C900 PVC	91,700	LF	\$ 10.89	\$ 998,613	Per project specifications and NTUA/ IHS standards
10" DR25 C900 PVC	72,484	LF	\$ 7.70	\$ 558,127	Per project specifications and NTUA/ IHS standards
10" DR18 C900 PVC	194,100	LF	\$ 10.59	\$ 2,055,519	Per project specifications and NTUA/ IHS standards
10" DR14 C900 PVC	26,400	LF	\$ 13.38	\$ 353,232	Per project specifications and NTUA/ IHS standards
8" DR18 C900 PVC	113,726	LF	\$ 6.95	\$ 790,393	Per project specifications and NTUA/ IHS standards
8" DR14 C900 PVC	21,314	LF	\$ 8.79	\$ 187,353	Per project specifications and NTUA/ IHS standards
6" DR25 C900 PVC	1,106	LF	\$ 2.96	\$ 3,274	Per project specifications and NTUA/ IHS standards
6" DR18 C900 PVC	398,562	LF	\$ 4.07	\$ 1,622,147	Per project specifications and NTUA/ IHS standards
6" DR14 C900 PVC	56,904	LF	\$ 5.12	\$ 291,348	Per project specifications and NTUA/ IHS standards
4" DR18 C900 PVC	285,186	LF	\$ 2.05	\$ 584,631	Per project specifications and NTUA/ IHS standards
<b>PVC Pipe (SDR) - Water</b>					
6" SDR 26 PVC Pipe	500,000	LF	\$ 2.61	\$ 1,305,000	Per NTUA/ IHS specifications for waterlines
6" SDR 21 PVC Pipe	100,000	LF	\$ 3.28	\$ 328,000	Per NTUA/ IHS specifications for waterlines
4" SDR 26 PVC Pipe	500,000	LF	\$ 1.21	\$ 605,000	Per NTUA/ IHS specifications for waterlines
4" SDR 21 PVC Pipe	100,000	LF	\$ 1.50	\$ 150,000	Per NTUA/ IHS specifications for waterlines
2" SDR 21 PVC Pipe	622,212	LF	\$ 0.45	\$ 279,995	Per NTUA/ IHS specifications for waterlines
	345.12	mi			
<b>Fusible PVC Pipe - Water</b>					
16" DR18 C900 Fusible PVC	29,353	LF	\$ 53.50	\$ 1,570,396	Per project specifications and NTUA acceptance
16" DR18 C900 Fusible PVC Bell	135	EA	\$ 100.00	\$ 13,500	Per project specifications and NTUA acceptance
16" DR14 C900 Fusible PVC	1,261	LF	\$ 68.50	\$ 86,392	Per project specifications and NTUA acceptance
16" DR14 C900 Fusible PVC Bell	10	EA	\$ 100.00	\$ 1,000	Per project specifications and NTUA acceptance
8" DR18 C900 Fusible PVC	2,153	LF	\$ 14.50	\$ 31,224	Per project specifications and NTUA acceptance
8" DR18 C900 Fusible PVC Bell	10	EA	\$ 100.00	\$ 1,000	Per project specifications and NTUA acceptance
8" DR14 C900 Fusible PVC	8,783	LF	\$ 18.25	\$ 160,297	Per project specifications and NTUA acceptance
8" DR14 C900 Fusible PVC Bell	40	EA	\$ 100.00	\$ 4,000	Per project specifications and NTUA acceptance
<b>Ductile Iron Pipe - Water</b>					
6" Cl 350 Ductile Iron Pipe	6,000	LF	\$ 15.93	\$ 95,580	Per project specifications and NTUA acceptance
<b>Valves - Water</b>					
16-inch AWWA C504, 250B Butterfly valve with 4" Gate Valve bypass assembly	26	EA	\$ 20,178.00	\$ 524,628	Per SM Reach 21 drawing on 850-C-3307
16-inch AWWA C504, 150B Butterfly valve without bypass assembly	57	EA	\$ 4,336.00	\$ 247,152	
14-inch AWWA C504, 150B Butterfly valve without bypass assembly	4	EA	\$ 3,836.00	\$ 15,344	
12-inch Gate valve assembly, 350 psi	51	EA	\$ 1,726.00	\$ 88,026	
10-inch Gate valve assembly, 350 psi	172	EA	\$ 1,422.00	\$ 244,584	
8-inch Gate valve assembly, 350 psi	75	EA	\$ 1,059.00	\$ 79,425	MJ Valve, VB, 2- MJ B&G, 2-Mega-lugs
6-inch Gate valve assembly, 350 psi	384	EA	\$ 724.00	\$ 277,979	MJ Valve, VB, 2- MJ B&G, 2-Mega-lugs
4-inch Gate valve assembly, 350 psi	562	EA	\$ 598.00	\$ 336,076	MJ Valve, VB, 2- MJ B&G, 2-Mega-lugs
2" Gate Valve Assembly	1,097	EA	\$ 401.00	\$ 439,897	Valve, VB, PVC Push On
2" Gate Valve FIPT	1,000	EA	\$ 401.00	\$ 401,000	SE Valve, VB
3-inch VBV/ 2-inch ARV assembly w/ stainless steel plumbing and frost-free can	65	EA	\$ 7,300.00	\$ 474,500	3" ValMatic 1853AVB.35VH Vacuum Breaker Valve with Hood, 2" ValMatic 45.SXFSV Air Release Valve, 3" NPT Apollo SS Ball Valve with Gearbox and 2" Nut, 2" NPT Apollo SS Ball Valve with Lever Operator, 1/2" NPT Apollo SS Ball Valve Drain, 3" 300# SST Companion Flange, Duplex Trojan Gasket, SS, Bolts/Washers/Nuts, SS Tees, SS Reducing Bushings, SS Nipples, 4" ValMatic 1504 FrostSafe, Saddle, Dielectric, and Field Fit Buried Nipple Included
2-inch Combination Air Valve Assembly with Meter Can	17	EA	\$ 3,200.00	\$ 54,400	2" ValMatic 202C.2DISV Combination Air Valve, 2" NPT Apollo SS Ball Valve with Gearbox and 2" Nut, 1/2" NPT Apollo SS Ball Valve Drain, SS Elbow, SS Nipples, 4" ValMatic 1504 FrostSafe, Saddle, Dielectric, PVC Air Vent and Field Fit Buried Nipple Included
1-inch Combination Air Valve Assembly with Meter Can	304	EA	\$ 2,600.00	\$ 790,712	1" ValMatic 201C.2DISV Combination Air Valve, 1" NPT Apollo SS Ball Valve with Gearbox and 2" Nut, 1/2" NPT, Apollo SS Ball Valve Drain, SS Elbow, SS Nipples, 4" ValMatic 1504 FrostSafe, Saddle, Dielectric, PVC Air Vent and Field Fit Buried Nipple Included
2" Flush Valve Assembly	70	EA	\$ 972.00	\$ 68,040	Based off 8X2 MJ Tapt Tee w/Megalugs
<b>Steel Casing - Water</b>					
30-inch STD Wall Steel Casing	550	LF	\$ 86.40	\$ 47,520	Per IHS and DOT standards for waterline road crossings
18-inch STD Wall Steel Casing	2,020	LF	\$ 41.85	\$ 84,537	Per IHS and DOT standards for waterline road crossings
16-inch STD Wall Steel Casing	1,430	LF	\$ 33.40	\$ 47,762	Per IHS and DOT standards for waterline road crossings
12-inch STD Wall Steel Casing	2,650	LF	\$ 27.20	\$ 72,080	Per IHS and DOT standards for waterline road crossings
10-inch STD Wall Steel Casing	950	LF	\$ 22.30	\$ 21,185	Per IHS and DOT standards for waterline road crossings
<b>PVC Pipe - Sewer/ Bathroom Plumbing</b>					
4" SDR35 Sewer Pipe	200,000	LF	\$ 0.85	\$ 170,000	Per specifications for bathroom plumbing and sanitation projects
4" DWV Sewer Pipe	500,000	LF	\$ 1.44	\$ 720,000	Per specifications for bathroom plumbing and sanitation projects
3" DWV Sewer Pipe	500,000	LF	\$ 1.19	\$ 595,000	Per specifications for bathroom plumbing and sanitation projects
			Subtotal	\$ 27,781,733	
			Shipping, Storage, Bonding @5%	\$ 1,389,087	
			Contingency @10%	\$ 2,917,082	
<b>STRATEGIC STOCKPILE TOTAL:</b>				<b>\$ 32,087,901</b>	

## PROJECT FUNDING REQUEST

### Whitehorse Lake – Sand Springs Water Supply Pipeline

- Entity: Whitehorse Lake Chapter, Navajo Nation
- Project Type: Drinking Water
- Funding Request: \$4.5 million
- Description: The Sand Springs community (60 people) does not have a water supply; everyone here hauls water and uses outhouses. The proposed 8-mile, 6-inch PVC water supply line will be a lifeline to this community, bringing water from the Whitehorse Lake tanks to a central watering point within the community. Once this water supply is established, the community will seek additional resources for Phase 2 to extend the waterlines to individual homes.
- Project Readiness: Currently in Design/ ROW Acquisition Phase
- Map: See next page


PROJECT COST ESTIMATE Sand Spring Water Supply Pipeline	
Description	Construction Cost
Mobilization, Safety, Environmental	\$298,862
NGWSP Tie-in	\$64,290
Water Mainline - Pipeline	\$2,149,171
Water Mainline - Valves	\$358,195
Booster Pump Station	\$200,000
Sand Springs Community Water Tank, 50,000 gallons	\$125,000
SCADA/ Communications/ Electrical	\$144,674
Design, Surveying	\$334,019
ROW, Cultural Resources, Environmental	\$334,019
Construction Inspection, QAQC	\$83,505
<b>TOTAL CONSTRUCTION COST:</b>	<b>\$4,091,736</b>



# Sand Springs Water Supply Pipeline

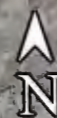
8 mile, 4-inch PVC pipeline

  
Whitehorse Lake 60 Kgal Elev. 8951

 Sand Springs

Google Earth

3 mi





# NTUA W/WW CARES ACT PROJECT PROPOSALS

David Shoultz, PE, HQ W/WW Engineering Division, NTUA  
14-Jul-2020

## Water

2020			
Job Location	Description of Work Requested	2020 Street Mile	Total Cost
Reservation Wide	Watering Point 5 Each (As ID'd by IHS, CDC)		650,000
Reservation Wide	Offline Well to Water Loading Station Conversion 5 Ea. Non potable water stations for livestock or construction supply. (Hunter's Point, Newcomb 3, Sheep Springs North, Chinle South Well, Round Rock 1)		1,050,000
Reservation Wide	Wells 1 Each strategically placed off current COVID19 assessment of water needs, includes New Smeal Rig 6T elevate pump/motor replacements		2,235,000
Park Estates, Sanders, AZ	Replacment of waterlines below design and construction standards, requiring frequent repair		3,200,000
Reservation Wide	Scattered waterline extensions to 10 homes. Incl plumbing, septic, BR add'n. Names to be determined		1,325,000
Ganado, AZ	Ganado Water Supply Well - Total Project cost \$1,372,353 and total need \$1,372,353		1,500,000
Fort Defiance, AZ	Construction & installation of water loading station for consumption. Construction Phase.		55,000
Crownpoint, NM	Construction & installation of water loading station for consumption. Construction Phase.		55,000
Greasewood Springs, AZ	Construction & installation of water loading station for consumption. Construction Phase.		55,000
Cameron, AZ	Construction & installation of water loading station for consumption. Construction Phase.		55,000
Reservation Wide	Replacements of various types pumps/motors within water system		850,000
Reservation Wide	10 Well Renovations		305,000
Reservation Wide	10 storage tank renovations		1,500,000
Sanders, AZ	Park Estates Water Systems. Design Complete.		3,100,000
Tsalle, AZ	Well Pump Replacements. Construction Complete.		80,000
Sub Total			16,015,000
2021			
Job Location	Description of Work Requested	2021 Street Mile	Cost
Reservation Wide	Offline Well to Water Loading Station Conversion 5 Ea. Non potable water stations for livestock or construction supply. (Holly Village, Diklon Well2, Diklon3, Jeddito1, Jeddito2)	650,000	1,050,000
Reservation Wide	Wells 1 Each strategically placed off current COVID19 assessment of water needs		1,785,000
Sub Total		650,000	2,835,000

## Wastewater

2020			
Job Location	Description of Work Requested	2020 Street Mile	Cost
Pinon, AZ	Total Retention Expansion - Total Project cost \$1,505,350 USEPA \$739,000. Construction Ready.		804,668
Window Rock, AZ	Window Rock Emerg. Sewer Repair. Construction 95% 5/2020.		1,700,000
Window Rock, AZ	Window Rock Emerg. Sewer Repair Bypass Pumping		450,000
Tohatchi, NM	Sewer Wash Crossing. Design Needed.		200,000
Shiprock, NM	SR WWTP Pumps, 2 ea (C/O 60HP Pumps)		10,000
Lechee, AZ	WWTP Liftstation Wet Well, Pumps, Controls SCADA & Gen. Design Needed.		250,000
Iyanbito, NM	Iyanbito Lift Station Pump 1 Equip. Replc. Design Needed.		10,000
Sub Total			2,620,000
2022			
Job Location	Description of Work Requested	2022 Street Mile	Cost
Ganado, AZ	Total Retention Expansion - Total Project cost \$2,269,000 and total need \$592,000. Design 60% 5/2020.	300,000	621,600
Sub Total		300,000	621,600
Wastewater Total		300,000	3,241,600

# NAVAJO NATION CISTERN PROJECT

2020	Unit Cost	Total Units	Total Cost
Item			
Cistern	\$46,823.36	150 ea	\$ 7,023,504.00
Plumbing w Addtion	\$25,000	150 ea	\$ 3,750,000.00
Septic Tank & Drainfield	\$25,000	150 ea	\$ 3,750,000.00
Solar 3000w, Pump and Refrig	\$30,000	150 ea	\$ 4,500,000.00
		Total Cost	\$ 19,023,514.00

2020

Cistern Contingency	open	\$1,923,009.00
	Total Cost	\$20,946,523.00

**Project/Entity:** To'hajiilee - Albuquerque Water Supply Line  
**Project Type:** Design, Easement and Construction  
**Requested Amount:** \$8,000,000 (\$200k Design, \$2M Easement and \$5.8M Construction)

**Description:**

To'hajiilee is severely water-stressed and desperately needs a dependable water source: a new 7.4-mile-long, 8-inch diameter water supply line connected to the City of Albuquerque's water system, including a booster pump and water tank (project map attached – Figure 1). This critically needed project will provide dependable and safe drinking water for approximately 1320 Navajo family members within the Chapter. Planning for the project has been completed and \$1,850,000 in funds have already been secured, with remaining design, easement and construction funds needed (project budget below).

The water system has approximately 350 metered connections which serve houses, government offices, schools, health care facilities, police substation and the Chapter house. The water system currently has only one operational water supply well, Well No. 5, with no backup water supply available. This single and undependable water well does not provide enough water for the community's current demands and provides very poor-quality water. The water smells like rotten eggs and has very corrosive properties, which damages the water system infrastructure (including house plumbing/water heaters). There is a high need for new housing in the community but NHA and residents are not able to construct houses because no additional water service connections are being allowed due to water supply shortage.

A cooperative agreement between the Navajo Nation, To'hajiilee and ABCWUA is secured and was recently confirmed as valid by all parties involved (attached as Exhibit 1). The Chapter has a resolution supporting the project (attached as Exhibit 2). The proposed line must cross privately owned tracts of lands and the required easements will be purchased.

**Project Budget:**

	Secured Funding	Funding Needed	Project Totals
Planning	\$350,000 (NMIAD - TIF)	\$0	\$350,000
Design	\$1,500,000 (NN – PTF)	\$200,000	\$1,700,000
Easement		\$2,000,000	\$2,000,000
Construction		\$5,800,000	\$5,800,000
Totals	\$1,850,000	\$8,000,000	\$9,850,000

The \$5.8M for construction includes \$5.1M for the water pipeline, \$325k for a water tank and \$375k for a water booster pump.

Project can be split into phases:  
\$2.0 million in 2020  
Remainder can be deferred

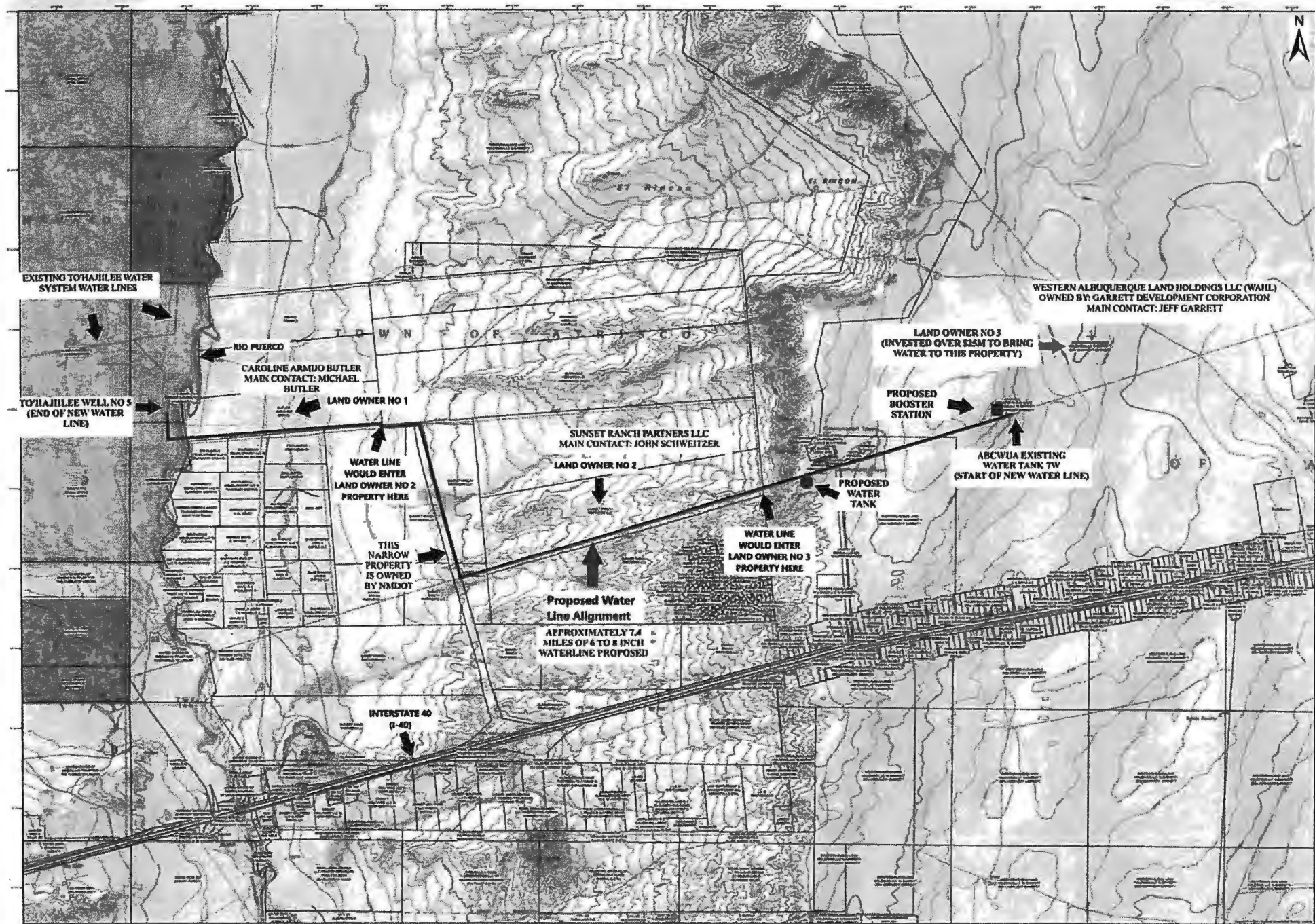
**ATTACHMENTS**

FIGURE 1: Map of To'hajiilee Water Supply Project

EXHIBIT 1: Cooperative Agreement between To'hajiilee Chapter, Navajo Nation and Albuquerque-Bernalillo County Water Authority

EXHIBIT 2: To'hajiilee Chapter Resolution supporting project



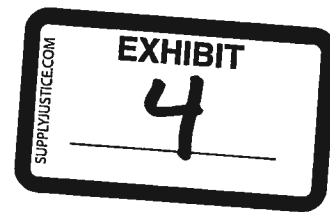


**FIGURE 1**

**Tohajilee - ABCWUA Water Line Project**

0 0.5 1 MILE





## **NAVAJO NATION CARES FUND POWER LINES PROJECTS EXPENDITURE PLAN**

### **I. PURPOSE**

The purpose of this Power Line Projects Expenditure Plan is to allow for the use and expenditure of Forty-Four Million, Two Hundred Twenty-Two Thousand, Eight Hundred Thirty-Two Dollars (\$44,220,832) for regional power line projects on the Navajo Nation. The expenditures set forth in the Expenditure Plan are necessary to ensure that Navajo communities receive basic utilities for water heating, medical, and refrigeration purposes. This will ensure that the Navajo People are adequately protected.

Power line projects include, but are not limited to, service line extensions/agreements, right-of-way, service-droplines, house wiring, meter looping, trunk lines, and transmission upgrades.

The federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Per the U.S. Department of Treasury's (Treasury) Guidance, dated April 22, 2020, eligible expenditures include expenses for planning, pre-designing, permitting, design, right-of-way, bid, and construction.

### **II. AFFIRMATION OF FUND USE**

The Division of Community Development affirms it will use these funds in accordance with the purposes set forth in Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

### **III. ALLOCATION ASSIGNMENT**

The funds are allocated to the Navajo Nation Division of Community Development to be used for power lines projects dedicated to mitigating or responding to the COVID-19 public health emergency and interaction with the public.

First year expenditure: Navajo Tribal Utility Authority (\$39,494,831), Jemez Mountain Electric Cooperative (\$163,723), Continental Divide Electric Cooperative (\$1,062,278), Ramah Chapter and Pine Hill Campus (3,500,000).

#### IV. MONITORING

The Division of Community Development is responsible for monitoring the Expenditure Plan and the expenditure of these funds.

#### V. ADMINISTRATOR OF FUNDS

The Division of Community Development is responsible for administering the Expenditure Plan and overseeing the allocated funds.

#### VI. MEANS OF FUNDING

The Expenditure Plan funds shall be released directly to the Division of Community Development once the Expenditure Plan is duly adopted and expedited budgets are implemented.

#### VII. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines and the Single Audit Act and any other applicable rules, regulations and guidance.

#### VIII. OVERSIGHT COMMITTEE

The Resources and Development Committee (RDC) and Budget and Finance Committee (BFC) shall share oversight as RDC has oversight over the Division of Community Development and BFC has oversight over externally restricted funding.

#### IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Division of Community Development affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.

## CARES ACT - Funding Request - Power Lines NO SIHASIN FUNDS ;

YR	Project Type	No. of Customers	Miles of Line	Project Cost	Contribution Received	Short Fall	Construction Funding Needed				Funding Needed for Meter Loop				Funding Needed of House Wiring				Total CARES Act Funding Request
							Material	Labor	Equipment	Total	Material	Labor	Equipment	Total	Material	Labor	Equipment	Total	
2020	EMC In Service	13	0.57	\$ 161,877	\$ 152,877	\$ 16,715	\$ 5,014.50	\$ 7,522	\$ 4,179	\$ 16,715									\$ 16,715
	EME not In Service	16	1.59	\$ 263,505	\$ 211,406	\$ 51,168	\$ 15,351	\$ 23,026	\$ 12,792	\$ 51,168									\$ 51,168
	Community Project 2020	119	50.80	\$ 5,802,735	\$ 2,046,511	\$ 4,013,851	\$ 1,204,155	\$ 1,806,233	\$ 1,003,463	\$ 4,013,851	\$ 89,250	\$ 148,750	\$ 59,500	\$ 297,500	\$ 249,900	\$ 416,500	\$ 166,600	\$ 833,000	\$ 5,144,351
	Light Up Navajo Projects 2020	350	67.37	\$ 6,535,327	\$ -	\$ 6,535,327	\$ 1,960,598	\$ 2,940,897	\$ 1,633,832	\$ 6,535,327	\$ 187,500	\$ 312,500	\$ 250,000	\$ 750,000	\$ 420,000	\$ 700,000	\$ 280,000	\$ 1,400,000	\$ 8,685,327
		498	120.33	\$ 12,763,444	\$ 2,410,793	\$ 10,617,062	\$ 3,185,119	\$ 4,777,678	\$ 2,654,265	\$ 10,617,062	\$ 276,750	\$ 461,250	\$ 309,500	\$ 1,047,500	\$ 669,900	\$ 1,116,500	\$ 446,600	\$ 2,233,000	\$ 13,897,562
2021	Community Project 2021	292	137.84	\$ 17,501,101	\$ 1,890,781	\$ 15,610,321	\$ 4,683,096	\$ 7,024,644	\$ 3,902,580	\$ 15,610,321	\$ 219,000	\$ 365,000	\$ 146,000	\$ 730,000	\$ 613,200	\$ 1,022,000	\$ 408,800	\$ 2,044,000	\$ 18,384,321
	Light Up Navajo Projects 2021	101	19.45	\$ 1,885,908	\$ -	\$ 1,885,908	\$ 565,772	\$ 848,659	\$ 471,477	\$ 1,885,908	\$ 75,750	\$ 126,250	\$ 50,500	\$ 252,500	\$ 162,000	\$ 270,000	\$ 108,000	\$ 540,000	\$ 2,678,408
		393	157.29	\$ 19,387,009	\$ 1,890,781	\$ 17,496,229	\$ 5,248,869	\$ 7,873,303	\$ 4,374,057	\$ 17,496,229	\$ 294,750	\$ 491,250	\$ 196,500	\$ 982,500	\$ 775,200	\$ 1,292,000	\$ 516,800	\$ 2,584,000	\$ 21,062,729
2022	Community Project 2022	220	121.93	\$ 16,170,998	\$ 1,938,619	\$ 14,482,379	\$ 4,344,714	\$ 6,517,070	\$ 3,620,595	\$ 14,482,379	\$ 165,000	\$ 275,000	\$ 110,000	\$ 550,000	\$ 462,000	\$ 770,000	\$ 308,000	\$ 1,540,000	\$ 16,572,379
		220	121.93	\$ 16,170,998	\$ 1,938,619	\$ 14,482,379	\$ 4,344,714	\$ 6,517,070	\$ 3,620,595	\$ 14,482,379	\$ 165,000	\$ 275,000	\$ 110,000	\$ 550,000	\$ 462,000	\$ 770,000	\$ 308,000	\$ 1,540,000	\$ 16,572,379
		1,111	399.55	\$ 48,321,450	\$ 6,240,193	\$ 42,595,669	\$ 12,778,701	\$ 19,168,051	\$ 10,648,917	\$ 42,595,669	\$ 736,500	\$ 1,227,500	\$ 616,000	\$ 2,580,000	\$ 1,907,100	\$ 3,178,500	\$ 1,271,400	\$ 6,357,000	\$ 51,532,669



# NTUA CAPACITY PROJECTS

	DESCRIPTION OF NTUA CAPITAL PROJECTS FOR YEAR 2020	Material	Labor	Equipment	2020 Funding Needed
1	Cudei R276 NOVA recloser Install	\$ 7,611.00	\$ 11,416.50	\$ 6,342.50	\$ 25,370.00
2	Round Rock To Lukachukai Powerline Upgrade	\$ 583,273.20	\$ 874,909.80	\$ 486,061.00	\$ 1,944,244.00
3	Shonto Comm School powerline Make-Ready	\$ 45,859.46	\$ 68,799.19	\$ 38,216.22	\$ 152,864.86
4	Many Farms Voltage Regulators	\$ 1,083.23	\$ 1,624.85	\$ 902.70	\$ 3,610.78
5	Chinle Capacitor Bank Bus Modification	\$ 3,370.74	\$ 5,056.11	\$ 2,808.95	\$ 11,235.80
6	Chinle Cooper M-Force Switch Installation	\$ 13,313.02	\$ 19,969.53	\$ 11,094.19	\$ 44,376.74
7	Chinle R379 feeder to Pinon feeder Nova recloser installation	\$ 12,296.15	\$ 18,444.22	\$ 10,246.79	\$ 40,987.15
8	Chinle SCADA Cooper Switch	\$ 18,938.40	\$ 28,407.60	\$ 15,782.00	\$ 63,128.00
9	Chinle Substation 69kv Switch replacement w/Motor	\$ 68,281.99	\$ 102,422.98	\$ 56,901.66	\$ 227,606.63
10	Coalmine Switching Station Upgrade	\$ 216,000.00	\$ 324,000.00	\$ 180,000.00	\$ 720,000.00
11	Cudei Substation Voltage Regular Controls Upgrade	\$ 859.56	\$ 1,289.34	\$ 716.30	\$ 2,865.20
12	Gap Substation Transformer Bushing Replacement	\$ 26,064.97	\$ 39,097.46	\$ 21,720.81	\$ 86,883.23
13	Houck Substation Surveillance	\$ 34,571.10	\$ 51,856.65	\$ 28,809.25	\$ 115,237.00
14	Install R840 Nova-Recloser	\$ 22,500.00	\$ 33,750.00	\$ 18,750.00	\$ 75,000.00
15	Kayenta Townsite Substation to Junction 3phase line upgrade	\$ 96,594.00	\$ 144,891.00	\$ 80,495.00	\$ 321,980.00
16	Kayenta USD-R606 Feeder	\$ 45,000.00	\$ 67,500.00	\$ 37,500.00	\$ 150,000.00
17	Laguna Creek 69kv Switch Motor Operator	\$ 13,498.50	\$ 20,247.75	\$ 11,248.75	\$ 44,995.00
18	Lukachukai R378 SPEAR Install 1-Phase	\$ 5,485.60	\$ 8,228.39	\$ 4,571.33	\$ 18,285.32
19	Mexican Water 3Way Switch	\$ 103,500.00	\$ 155,250.00	\$ 86,250.00	\$ 345,000.00
20	Montezuma Substation Mobile Express	\$ 90,000.00	\$ 135,000.00	\$ 75,000.00	\$ 300,000.00
21	NGWP Pumping Plant #4, power line extension	\$ 9,000.00	\$ 13,500.00	\$ 7,500.00	\$ 30,000.00
22	NGWP Pumping Plant #7, power line extension	\$ 160,553.10	\$ 240,829.65	\$ 133,794.25	\$ 535,177.00
23	Pinon Health Clinic Fault Indicators	\$ 3,000.00	\$ 4,500.00	\$ 2,500.00	\$ 10,000.00
24	Plenty Water to Red Lake power line Conversion	\$ 429,250.20	\$ 643,875.30	\$ 357,708.50	\$ 1,430,834.00
25	Red Mesa Sub Mobile Modification	\$ 15,000.00	\$ 22,500.00	\$ 12,500.00	\$ 50,000.00
26	S6422-6423-6424 69kv 3way Switch Upgrade Snake Rock	\$ 154,500.00	\$ 231,750.00	\$ 128,750.00	\$ 515,000.00
27	Shiprock#1 Substation Surveillance	\$ 21,000.00	\$ 31,500.00	\$ 17,500.00	\$ 70,000.00
28	Chinle R383 NXT Recloser Install	\$ 21,092.52	\$ 31,638.78	\$ 17,577.10	\$ 70,308.39
29	LeChee Substation Boundary Expansion	\$ 3,000.00	\$ 4,500.00	\$ 2,500.00	\$ 10,000.00
30	IA20: Chinle Pole #F1.06 Pole Replacement	\$ 1,099.50	\$ 1,649.25	\$ 916.25	\$ 3,665.00
31	IA20: OSMOSE Aneth East 5 Pole Replacement	\$ 6,507.59	\$ 9,761.38	\$ 5,422.99	\$ 21,691.96
32	IA20: OSMOSE Aneth North 2 Poles Replacement	\$ 3,965.00	\$ 5,947.50	\$ 3,304.17	\$ 13,216.66
33	IA20: OSMOSE Aneth Southwest 2 Poles Replacement	\$ 5,683.88	\$ 8,525.83	\$ 4,736.57	\$ 18,946.28
34	IA20: OSMOSE Bluff area 3 Poles Replacement	\$ 5,164.81	\$ 7,747.22	\$ 4,304.01	\$ 17,216.04
35	IA20: OSMOSE Montezuma South 4 Poles Replacement	\$ 7,951.08	\$ 11,926.62	\$ 6,625.90	\$ 26,503.59
36	IA20: OSMOSE Superior Substation feeder 2 Poles Replacement	\$ 4,928.41	\$ 7,392.61	\$ 4,107.01	\$ 16,428.02
37	IA20: OSMOSE Whitehorse 4 Poles Replacement	\$ 7,757.09	\$ 11,635.64	\$ 6,464.25	\$ 25,856.98
38	Narbona Pass - Change out primary poles	\$ 2,628.30	\$ 3,942.45	\$ 2,190.25	\$ 8,761.00
39	Sheepsprings West To Navajo pole replacements	\$ 30,000.00	\$ 45,000.00	\$ 25,000.00	\$ 100,000.00
40	SI18: R215 Sheepsprings Taps pole replacements	\$ 42,304.50	\$ 63,456.75	\$ 35,253.75	\$ 141,015.00
41	Kaibeto to Plenty Water Make-Ready pole replacements	\$ 71,317.25	\$ 106,975.88	\$ 59,431.05	\$ 237,724.18
42	Kayenta B3 69kv Line Segment 1 pole replacements	\$ 172,067.35	\$ 258,101.02	\$ 143,389.46	\$ 573,557.82
43	Lupton to Sanders 69kv line Make-Ready pole replacements	\$ 264,892.50	\$ 397,338.75	\$ 220,743.75	\$ 882,975.00
44	Fort Defiance- Fiber Make-Ready pole replacements	\$ 12,528.51	\$ 18,792.77	\$ 10,440.43	\$ 41,761.71
45	Rappler Ridge NTUA Tower, Make Ready pole replacements, 20.7 miles	\$ 410,443.50	\$ 615,665.25	\$ 342,036.25	\$ 1,368,145.00
46	Piney Hill NTUA Tower, Make Ready pole replacements, 19 miles	\$ 376,450.20	\$ 564,675.30	\$ 313,708.50	\$ 1,254,834.00
47	Zelnez Mesa NTUA Tower, Make Ready pole replacements, 2 miles	\$ 38,849.40	\$ 58,274.10	\$ 32,374.50	\$ 129,498.00
48	Bisti Navajo Mine Make Ready pole replacements	\$ 58,500.00	\$ 87,750.00	\$ 48,750.00	\$ 195,000.00
49	Blue Gap Chapter Make Ready pole replacements	\$ 181,989.00	\$ 272,983.50	\$ 151,657.50	\$ 606,630.00
50	Cudei to Red Mesa Make Ready pole replacements	\$ 788,641.80	\$ 1,182,962.70	\$ 657,201.50	\$ 2,628,806.00
51	Naatsisaan Community School Make Ready pole replacements	\$ 878,966.70	\$ 1,318,450.05	\$ 732,472.25	\$ 2,929,889.00
52	Kayenta Fiber Backbone Make Ready pole replacements	\$ 17,347.80	\$ 26,021.70	\$ 14,456.50	\$ 57,826.00
53	Kayenta North (MV) Fiber Backbone Ph II Make Ready pole replacements	\$ 331,190.70	\$ 496,786.05	\$ 275,992.25	\$ 1,103,969.00
54	Low Mountain Chapter Make Ready pole replacements	\$ 48,269.70	\$ 72,404.55	\$ 40,224.75	\$ 160,899.00
55	PRESTON MESA Make Ready pole replacements	\$ 230,571.00	\$ 345,856.50	\$ 192,142.50	\$ 768,570.00
56	Wide Ruins Make Ready pole replacements	\$ 378,392.70	\$ 567,589.05	\$ 315,327.25	\$ 1,261,309.00
57	Nazilni School Make Ready pole replacements	\$ 338,960.70	\$ 508,441.05	\$ 282,467.25	\$ 1,129,869.00
58	Kiolichee School Make Ready pole replacements	\$ 168,023.40	\$ 252,035.10	\$ 140,019.50	\$ 560,078.00
59	Rough Rock School Make Ready pole replacements	\$ 314,291.40	\$ 471,437.10	\$ 261,909.50	\$ 1,047,638.00
<b>2020 Funding Needed</b>		<b>\$ 7,424,180.50</b>	<b>\$ 11,136,270.75</b>	<b>\$ 6,186,817.09</b>	<b>\$ 24,747,268.34</b>



# NTUA CAPACITY PROJECTS

	DESCRIPTION OF NTUA CAPITAL PROJECTS FOR YEAR 2021	Material	Labor	Equipment	2021 Funding Needed
1	Beclabito Community Tower, new power line	\$ 15,900	\$ 23,850	\$ 13,250	\$ 52,999
2	Summit East Tower, new power line	\$ 3,949	\$ 5,923	\$ 3,291	\$ 13,163
3	Woodsprings Communication Tower, new power line	\$ 4,218	\$ 6,327	\$ 3,515	\$ 14,061
4	Bitahocsee to Dilcon 115kV Transmission Line	\$ 1,864,013	\$ 2,796,019	\$ 1,553,344	\$ 6,213,375
5	Church Rock Stepdown Tap powerline	\$ 90,000	\$ 135,000	\$ 75,000	\$ 300,000
6	Cudei To Newcomb 115kV Transmission Line	\$ 4,448,048	\$ 6,672,071	\$ 3,706,706	\$ 14,826,825
7	Dilkon Health Center Facility 3phase powerline	\$ 17,334	\$ 26,001	\$ 14,445	\$ 57,780
8	Dilkon Substation 115X69:24.9	\$ 950,010	\$ 1,425,015	\$ 791,675	\$ 3,166,700
9	Dilkon Substation to Dilkon Medical Center, double circuit	\$ 535,959	\$ 803,938	\$ 446,632	\$ 1,786,529
10	Diversion Dam Stepdown Tap powerline	\$ 30,000	\$ 45,000	\$ 25,000	\$ 100,000
11	Ganado WYE R384 NOVA Recloser Install	\$ 11,489	\$ 17,233	\$ 9,574	\$ 38,297
12	Hogback East to Pumping Station	\$ 147,000	\$ 220,500	\$ 122,500	\$ 490,000
13	Kayenta 230 Tertiary Meter Install, two meters	\$ 22,500	\$ 33,750	\$ 18,750	\$ 75,000
14	Kayenta 230kv T1 230/69kV Transformer Replacement	\$ 855,000	\$ 1,282,500	\$ 712,500	\$ 2,850,000
15	LHV Substation Surveillance	\$ 20,400	\$ 30,600	\$ 17,000	\$ 68,000
16	NCC Stepdown Tap powerline	\$ 21,000	\$ 31,500	\$ 17,500	\$ 70,000
17	Nenahnezad School powerline Upgrade	\$ 132,000	\$ 198,000	\$ 110,000	\$ 440,000
18	Nenahnezad Substation Upgrade	\$ 1,098,240	\$ 1,647,360	\$ 915,200	\$ 3,660,800
19	Newcomb Substation 115X69:24.9	\$ 1,185,000	\$ 1,777,500	\$ 987,500	\$ 3,950,000
20	NGWP Intake to 3ph power line	\$ 140,250	\$ 210,375	\$ 116,875	\$ 467,500
21	NGWP Pumping Plant #2-Line Ext (4 Miles)	\$ 363,928	\$ 545,892	\$ 303,273	\$ 1,213,093
22	NGWP-Pumping Plant #3 power line	\$ 39,122	\$ 58,684	\$ 32,602	\$ 130,408
23	Power line to Red Mesa Suboffice	\$ 30,000	\$ 45,000	\$ 25,000	\$ 100,000
24	Red Mesa Solar Substation	\$ 2,065,440	\$ 3,098,160	\$ 1,721,200	\$ 6,884,800
25	Red Mesa to Aneth 69kv Transmission Line	\$ 2,285,483	\$ 3,428,224	\$ 1,904,569	\$ 7,618,275
26	Red Valley Voltage Regulator VR203, 50Amp to 100 Amp	\$ 210,258	\$ 315,387	\$ 175,215	\$ 700,860
27	Rock Point Regulator Bypass switch	\$ 79,500	\$ 119,250	\$ 66,250	\$ 265,000
28	Tsegi S6614 to KY230 69kv Switch replacement	\$ 79,500	\$ 119,250	\$ 66,250	\$ 265,000
29	Tsegi S6620 to LHV 69kv Switch replacement	\$ 79,500	\$ 119,250	\$ 66,250	\$ 265,000
30	Tsegi S6621 to Black Mesa 69kv Switch replacement	\$ 79,500	\$ 119,250	\$ 66,250	\$ 265,000
31	Shiprock#3 Substation Secondary Fence	\$ 13,834	\$ 20,750	\$ 11,528	\$ 46,112
32	St. Michaels to Hunters Point 3Ph powerline Upgrade	\$ 54,600	\$ 81,900	\$ 45,500	\$ 182,000
33	Sunrise Stepdown Tap powerline	\$ 15,000	\$ 22,500	\$ 12,500	\$ 50,000
34	Superior Substation Mobile Express	\$ 90,000	\$ 135,000	\$ 75,000	\$ 300,000
35	Tes Nes lah Stepdown Tap powerline	\$ 30,000	\$ 45,000	\$ 25,000	\$ 100,000
36	Tsegi to Shonto transmisson line with distribution line under	\$ 549,995	\$ 824,992	\$ 458,329	\$ 1,833,315
37	Water Treatment Plant to Nenahnezad Distribution line	\$ 798,878	\$ 1,198,318	\$ 665,732	\$ 2,662,928
38	Westwater (Utah) 3-phase powerline to the Water Well	\$ 96,124	\$ 144,185	\$ 80,103	\$ 320,412
39	Westwater (Utah) Electric member extensions to 29 homes	\$ 81,600	\$ 122,400	\$ 68,000	\$ 272,000
40	Westwater (Utah) Mainline Powerline	\$ 271,500	\$ 407,250	\$ 226,250	\$ 905,000
41	White Mesa Substation Mobile Express	\$ 90,000	\$ 135,000	\$ 75,000	\$ 300,000
42	Tohatchi to Crownpoint 115kV Transmission Line	\$ 2,850,000	\$ 4,275,000	\$ 2,375,000	\$ 9,500,000
43	3-Way Switch to Coalmine 115KV Transmission Line	\$ 930,000	\$ 1,395,000	\$ 775,000	\$ 3,100,000
44	Black Mesa Transmission Line Tie Line	\$ 365,318	\$ 547,976	\$ 304,431	\$ 1,217,725
45	Crownpoint Substation 115X69:24.9	\$ 1,363,429	\$ 2,045,144	\$ 1,136,191	\$ 4,544,764
46	Distribution line from substation to Crownpoint	\$ 1,149,691	\$ 1,724,537	\$ 958,076	\$ 3,832,304
47	Newcomb to Tohatchi 115kV Transmission Line	\$ 4,161,375	\$ 6,242,063	\$ 3,467,813	\$ 13,871,250
48	Tohatchi Substation Upgrade	\$ 375,000	\$ 562,500	\$ 312,500	\$ 1,250,000
49	Tohatchi to 3-way switch	\$ 1,849,502	\$ 2,774,254	\$ 1,541,252	\$ 6,165,008
<b>2021 Funding Needed</b>		<b>\$ 32,024,485</b>	<b>\$ 48,036,727</b>	<b>\$ 26,687,071</b>	<b>\$ 106,801,282</b>
<b>Grand Total Funding Needed for 2020-2021</b>		<b>\$ 39,448,665</b>	<b>\$ 59,172,996</b>	<b>\$ 32,873,888</b>	<b>\$ 131,548,550</b>



Phone: 505-753-2105  
Espanola 505-253-3241  
Cuba 575-822-3550  
Jemez Springs

## Navajo Nation New Construction List June 26, 2020

### Residential Line Extensions

		1st Year - Dec. 2020
Total Families Served	166	
Total Estimated Construction Costs*	\$2,392,842.70	
Total Estimated ROW Costs**	\$438,961.00	
NN Sales Tax 6%	\$169,908.22	
<b>TOTAL Estimated Costs</b>	<b>\$3,001,711.92</b>	

### System Improvements Serving Navajo Nation Loads

Total Estimated Construction Costs*	\$3,357,376.00	
Total Estimated ROW Costs**	\$200,000.00	
NN Sales Tax 6%	\$213,442.56	
	<b>\$3,770,818.56</b>	
<b>GRAND TOTAL</b>	<b>\$6,772,530.48</b>	<b>\$ 163,723.00</b>

\*Note-Latest construction estimates on file used and many are older than 90 days and will have to be updated.

\*\*Note-ROW estimates are placemarks for requests for bids that will be issued and used for final cost estimate.



Project Name Chapter Type IMEC Cost Type Estimated Construction Cost Additional Cost ROW Progress Completion in Months Contingencies 1st year

Eastern Navajo Service Drops (Not part of Large Project)	Torrone	Construction Completed	Construction Only	\$	-	House Wiring	0.25	Constructed - House Wiring Only		\$	3,428.82
	Nageezi	Single Line Extension	Construction Only	\$	3,428.82	None	0.25	Construction Ready		\$	2,110.22
Families Served 43	Torrone	Single Line Extension	Construction Only	\$	2,782.01	None	0.25	Construction Ready		\$	2,782.01
	Counselor	Single Line Extension	Construction Only	\$	4,882.12	update LOC	0.25	Construction Ready with Letter of Compliance Renewed		\$	4,882.12
Estimated Construction Cost	Torrone	Single Line Extension	Construction Only	\$	2,936.21	update LOC	0.25	Construction Ready with Letter of Compliance Renewed		\$	2,936.21
	Counselor	Single Line Extension	Construction Only	\$	2,198.18	House Wiring	0.25	Need Letter of Compliance		\$	2,198.18
Estimated ROW costs \$0.00	Counselor	Single Line Extension	Construction Only	\$	2,573.35	House Wiring	0.25	Need Letter of Compliance		\$	2,573.35
	Huerfano	Single Line Extension	Construction Only	\$	6,325.51	House Wiring	0.25	Need Letter of Compliance		\$	6,325.51
	Huerfano	Single Line Extension	Construction Only	\$	2,811.86	House Wiring	0.25	Need Letter of Compliance		\$	2,811.86
	Huerfano	Single Line Extension	AOC paid in full	\$	-	House Wiring	0.25	Need Letter of Compliance		\$	-
	Huerfano	Single Line Extension	Construction Only	\$	3,084.78	House Wiring	0.25	Need Letter of Compliance		\$	3,084.78
	Huerfano	Single Line Extension	Construction Only	\$	4,356.75	House Wiring	0.25	Need Letter of Compliance		\$	4,356.75
	Nageezi	Single Line Extension	Construction Only	\$	358.85	House Wiring	0.25	Need Letter of Compliance		\$	358.85
	Nageezi	Single Line Extension	Construction Only	\$	4,316.48	House Wiring	0.25	Need Letter of Compliance		\$	4,316.48
	Nageezi	Single Line Extension	Construction Only	\$	5,285.39	House Wiring	0.25	Need Letter of Compliance		\$	5,285.39
	Nageezi	Single Line Extension	Construction Only	\$	1,814.52	House Wiring	0.25	Need Letter of Compliance		\$	1,814.52
	Nageezi	Single Line Extension	Construction Only	\$	332.89	House Wiring	0.25	Need Letter of Compliance		\$	332.89
	Nageezi	Single Line Extension	Construction Only	\$	6,167.27	House Wiring	0.25	Need Letter of Compliance		\$	6,167.27
	Torrone	Single Line Extension	Construction Only	\$	-	House Wiring	0.25	Need Letter of Compliance		\$	-
	Torrone	Single Line Extension	Construction Only	\$	894.43	House Wiring	0.25	Need Letter of Compliance		\$	894.43
	Torrone	Single Line Extension	Construction Only	\$	10,689.38	House Wiring	0.25	Need Letter of Compliance		\$	10,689.38
	Torrone	Single Line Extension	Construction Only	\$	9,983.85	House Wiring	0.25	Need Letter of Compliance		\$	9,983.85
	Torrone	Single Line Extension	Construction Only	\$	4,093.56	House Wiring	0.25	Need Letter of Compliance		\$	4,093.56
	Torrone	Single Line Extension	Construction Only	\$	4,438.85	House Wiring	0.25	Need Letter of Compliance		\$	4,438.85
	Torrone	Single Line Extension	Construction Only	\$	2,453.53	House Wiring	0.25	Need Letter of Compliance		\$	2,453.53
	Torrone	Single Line Extension	Construction Only	\$	3,932.88	House Wiring	0.25	Need Letter of Compliance		\$	3,932.88
	Ojo Encino	Single Line Extension	Construction Only	\$	4,442.04	House Wiring	0.25	Need Letter of Compliance		\$	4,442.04
	Torrone	Single Line Extension	Construction Only	\$	2,355.85	House Wiring	0.25	Need Letter of Compliance		\$	2,355.85
	Counselor	Single Line Extension	Construction Only	\$	918.48	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	918.48
	Nageezi	Single Line Extension	Construction Only	\$	4,919.58	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	4,919.58
	Nageezi	Single Line Extension	Construction Only	\$	6,240.51	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	6,240.51
	Nageezi	Single Line Extension	Construction Only	\$	3,555.68	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	3,555.68
	Torrone	Single Line Extension	Construction Only	\$	2,518.20	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	2,518.20
	Torrone	Single Line Extension	Construction Only	\$	1,640.94	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	1,640.94
	Huerfano	Single Line Extension	Construction Only	\$	9,833.24	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	9,833.24
	Huerfano	Single Line Extension	Construction Only	\$	2,943.65	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	2,943.65
	Nageezi	Single Line Extension	Construction Only	\$	8,014.89	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	8,014.89
	Nageezi	Single Line Extension	Construction Only	\$	2,656.37	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	2,656.37
	Ojo Encino	Single Line Extension	Construction Only	\$	4,478.24	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	4,478.24
	Ojo Encino	Single Line Extension	Construction Only	\$	23.96	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	23.96
	Pueblo Pintado	Single Line Extension	Construction Only	\$	1,702.87	House Wiring	0.25	Need Letter of Compliance and Approved Homestead Lease Papers		\$	1,702.87
	Nageezi	Single Line Extension	AOC paid in full	\$	-	House Wiring	0.25	Need Letter of Compliance only		\$	-
Chaco Escobada	Nageezi	Group Line Extension	Construction/ROW	\$	281,622.66	House Wiring, ROW Pending	36	Need Letter of Compliance, ROW 10%		\$	281,622.66
	Nageezi	Group Line Extension	Construction/ROW	\$	211,435.94	House Wiring, ROW Pending	36	Need Letter of Compliance, ROW 10%		\$	211,435.94
Families Served 23	Nageezi	Group Line Extension	Construction/ROW	\$	72,843.04	House Wiring, ROW Pending	36	Need Letter of Compliance, ROW 10%		\$	72,843.04
	Nageezi	Group Line Extension	Construction/ROW	\$	17,690.96	House Wiring, ROW Pending	36	Need Letter of Compliance, ROW 10%		\$	17,690.96
Estimated Construction Cost	Nageezi	Group Line Extension	Construction/ROW	\$	65,093.79	House Wiring, ROW Pending	36	Need Letter of Compliance, ROW 10%		\$	65,093.79
	Nageezi	Group Line Extension	Construction/ROW	\$	20,532.89	House Wiring, ROW Pending	36	Need Letter of Compliance, ROW 10%		\$	20,532.89
Estimated ROW costs \$100,000	Nageezi	Group Line Extension	Construction/ROW	\$	6,185.91	House Wiring, ROW Pending	36	Need Letter of Compliance, ROW 10%		\$	6,185.91
	Nageezi	Group Line Extension	Construction/ROW	\$	6,315.95	House Wiring, ROW Pending	36	Need Letter of Compliance, ROW 10%		\$	6,315.95
Yellow Point Rock	Lake Valley	Single Line Extension	Construction Only	\$	1,815.12	None	0.25	Construction Cost/Contract only		\$	1,815.12
	Lake Valley	Single Line Extension	Construction Only	\$	2,951.34	None	0.25	Construction Cost/Contract only		\$	2,951.34
Families Served 15	Lake Valley	Single Line Extension	Construction Only	\$	444.86	House Wiring	2	Need Letter of Compliance and Approved Homestead Lease Papers		\$	444.86
	Lake Valley	Single Line Extension	Construction/ROW	\$	15,195.51	House Wiring, ROW Pending	12	Need Letter of Compliance, ROW 0%		\$	15,195.51
Estimated Construction Cost \$114,847.06	Lake Valley	Single Line Extension	Construction Only	\$	4,013.81	House Wiring	2	Need Letter of Compliance and Approved Homestead Lease Papers		\$	4,013.81
	Lake Valley	Single Line Extension	Construction Only	\$	-	House Wiring	2	Need Letter of Compliance and Approved Homestead Lease Papers		\$	-





Nageezi		Single Line Extension	Construction Only	\$	1,814.52	House Wiring	SLA completed	0.25	Need Letter of Compliance	\$	1,814.52
\$5,000.00											
<b>Alamos Ridge</b>											
Counselor		Group Line Extension	Construction/ROW	\$	240,402.75	House Wiring, ROW Pending		36	Need Letter of Compliance, ROW		
Families Served											
39											
Estimated Construction Cost:											
\$240,402.75											
Estimated ROW Costs											
\$100,000.00											
<b>Cedar Hill</b>											
Counselor		Group Line Extension	Construction/ROW	\$	238,965.29	House Wiring, ROW Pending		36	Need Letter of Compliance, ROW		
Families Served											
16											
Estimated Construction Cost											
\$238,965.29											
Estimated ROW Costs											
\$75,000.00											
<b>Boyle Camp</b>											
Counselor		Group Line Extension	Construction	\$	26,000.00	Construction Ready		2	Chapter did 100% of ROW, need resolution to waive compensation On contract and received 1st payment	\$	26,000.00
Families Served											
4											
Estimated Construction Cost											
\$26,000.00											
Estimated ROW Costs											
\$0.00											
<b>Uprade Torreon Substation</b>											
JMEC		Substation	Construction	\$	2,500,000.00	Construction Not Started		36	Would increase reliability and allow for load growth and renewable energy capacity for the Torreon, Ojo Encino, Counselor and Pueblo Fortado Chapters. Entirely dependent on JMEC Management and Chapter approval and buy in. Have not discussed with them yet		
Line upgrade to 3 phase											
Estimated Construction Cost:											
\$2,500,000.00											
Estimated ROW											
\$100,000.00											
<b>1ST YEAR (DEC. 2020) GRAND TOTAL</b>										<b>\$</b>	<b>163,722.31</b>

**NAVAJO NATION CARES ACT**  
**EASTERN POWER LINE PROJECT LISTING - CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC**

No.	COMPANY	AGENCY	CHAPTER	PROJECT DESCRIPTION	MILES OF LINE	NO. OF CUST.	FUNDING STATUS	1st Year - Dec. 2020	Completion of All Projects
1	CDEC	EASTERN	TSAYATOH	SCATTERED		9		\$ 80,469.59	\$ 80,469.59
2	CDEC	EASTERN	WHITEHORSE	SCATTERED		6		\$ 36,589.94	\$ 36,589.94
3	CDEC	EASTERN	WHITEHORSE	SCATTERED		4	ROW FUNDING NEEDED		\$ 1,165,500.00
4	CDEC	EASTERN	CHURCH ROC	SCATTERED		4	ROW FUNDING NEEDED		\$ 58,397.18
5	CDEC	EASTERN	SMITH LAKE	SCATTERED		8		\$ 66,286.50	\$ 66,286.50
6	CDEC	EASTERN	SMITH LAKE	SCATTERED		10	ROW FUNDING NEEDED		\$ 183,893.85
7	CDEC	EASTERN	MANUELITO	SCATTERED		19		\$ 151,777.71	\$ 151,777.71
8	CDEC	EASTERN	MANUELITO	SCATTERED		12	ROW FUNDING NEEDED	\$ 500,000.00	\$ 1,033,688.25
							<b>SUBTOTAL</b>	\$ 835,123.74	\$ 2,776,603.02
							20% Contingency Fund	\$ 167,024.75	\$ 555,320.60
							NN Sales Tax 6%	\$ 60,128.91	\$ 199,915.42
							<b>GRAND TOTAL</b>	\$ 1,062,277.40	\$ 3,531,839.04

# **RAMAH NAVAJO SCHOOL BOARD, INC.**

**PINE HILL, NEW MEXICO**

**RESOLUTION NO. RNSB-EDU-2020-037**

## **A RESOLUTION TO APPROVE AN EMERGENCY PROPOSAL TO THE NAVAJO NATION'S CARES ACT FUNDS IN THE AMOUNT OF \$3,500,000.00 TO ADDRESS THE PINE HILL CAMPUS MAJOR ELECTRICAL DEFICIENCIES**

1. WHEREAS, the Ramah Navajo Chapter of the Navajo Nation established the Ramah Navajo School Board, Inc., on February 6, 1970, through Chapter Resolution No. M75-70-1A; and,
2. The Ramah Navajo School Board, Inc. (RNSB, Inc.) was incorporated on February 10, 1970, as a private, not-for-profit organization in the State of New Mexico to provide charitable, benevolent, social, educational and related services as needed by the Ramah Navajo community; and,
3. The RNSB serves its entire community, not only with their education programs, but additional vital community service programs in health, mental health, social and community services; and,
4. The RNSB, Inc., since 1978 has been successfully operating and continues to operate the Pine Hill Health Center, as the first Indian controlled and operated health center in the United States of America among many other social and health and education programs; and
5. Forty-two years later, the Pine Hill Health Center serves as the main COVID 19 medical center for the Ramah Navajo people and neighboring communities and is deserving of any and all funds needed from the \$714,000,000. awarded to the Navajo Nation, to augment or complement resources to comprehensively and effectively address the acute health needs of the Ramah Navajos; and
6. The COVID-19 Pandemic has also impacted the Ramah Navajo Community with high confirmed cases of COVID-19 virus and continues to increase; and,
7. The CARES Act funding requires Navajo Nation to expend the \$714 million starting March 1, 2020 to Dec. 30, 2020; and,
8. The RNSB Board of Trustees and their Administrative staff worked on developing the public health and infrastructure needs in addressing the COVID-19 pandemic; and,
9. In this time of pandemic of the COVID-19, we need to ensure that our electrical power is meeting all electrical codes to meet our needs; and,
10. Currently, the electrical deficiencies threaten life and health by electrocution or a meltdown of the campus electrical grid; and,
11. Attachment of a licensed electrical company's evaluation of our electrical deficiencies.

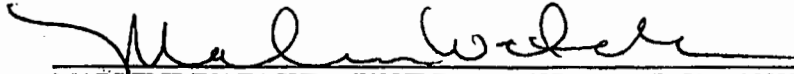
**NOW, THEREFORE, BE IT RESOLVED THAT THE RNSB BOARD OF TRUSTEES HEREBY:**

1. Approved an emergency proposal to the Navajo Nation's CARES Act funds in the amount of \$3,500,000.00 to address the Pine Hill campus major electrical deficiencies.



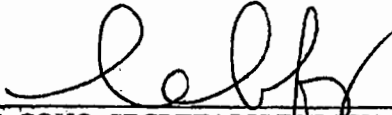
### CERTIFICATION

We, the undersigned officers of the RNSB Board of Trustees, hereby certify that the foregoing resolution was duly adopted by a vote of 5 in favor, 0 opposing, and 0 abstaining, at a meeting of the Board of Trustees held in Pine Hill, New Mexico, on July 11, 2020.



MARLENE WATASHE, PRESIDENT, RNSB BOARD OF TRUSTEES

CORPORATE SEALS



BEVERLY J. COHO, SECRETARY-TREASURER, RNSB BOARD OF TRUSTEES



1112 CR 17  
Clovis, NM 88101  
575.749.0161  
hadley@4gelectricinc.com

## **ELECTRICAL DEFICIENCIES**

Please find listed below the deficiencies and numerous code violations discovered by 4G Electric Inc. These are issues that should be addressed as soon as possible.

1. Load Breaks swollen & failing.
  2. Load Breaks had water penetration.
  3. Manholes undersized.
  4. Manholes are not for powerline.
  5. Manholes have no sump or drainage.
  6. Manholes are not properly grounded.
  7. No Gravel is under manholes for drainage.
  8. VLF Testing showed weak cables.
  9. Conductors are concrete incased.
  10. Mole Racks not secured.
  11. No Access to Mole Racks.
  12. Electrical Panels mounted inside Transformers.
  13. Protective Caps missing.
  14. Secondary undersized.
  15. Secondary wire passing through illegal KO's.
  16. Secondary wire paralleled.
  17. Pad Mount transformer leaking oil.
-



## **Explanation of Electrical Deficiencies**

Please find below the explanation of the Electrical Deficiencies discovered by 4G Electric Inc.

### **Manholes:**

With no drainage, being undersized, improper mounting of equipment, swollen load breaks, improper grounding, concrete encased conductors, etc. The liability of this would be that someone could walk up and simply touch the lid of the manhole and make contact with electricity or induction. The cables are at the point of fracture with the way that they are concrete encased. With improper grounding the water that is permanent inside the manhole could be energized and not be able to blow a fuse. Also, with how small the manholes are, anyone who enters to work on the wire or equipment is at risk. When load break terminations are being used you are required to have at least 10' of working clearance so that the lineman can use a 6 to 8 foot hot stick to remove the load breaks and not be in close proximity in case of a flash. With the existing manholes the lineman would have his chest within a foot or two of the load break. The contractor who did the installation of these manholes did not install them correctly and drastically undersized them. The load breaks are swollen and showed evidence of water penetration, which is a huge concern when the manholes are holding water.

### **Transformers:**

The main issue with this is that the electrical panels were installed on the secondary side of the transformer. This is illegal in the worst way. Because of the way the panels were installed, no one can access the secondary part of the transformer. So, if a wire came loose, or a fuse blows, no one could fix it. Also, the gauges for maintenance cannot be seen. Another problem is that if and/or when the transformer fails and needs to be replaced, the person who performs the work will have to be licensed for both primary and secondary work to replace it. This would limit who you can call in the middle of the night which is when transformers like to fail. That person will have to put his license on the line if he even works on it because of how illegal it is. The electric panels are not sized properly. The way the wires enter the panels are illegal and are on the verge of shorting out because the secondary wires are laying on sharp metal edges. Some but not all transformers are missing grounds, which is an issue for contact also.

### **Conductors underground:**

We also discovered failing conductors underground. We noticed baking on some of the aluminum at the crimps of terminations suggesting overheating. When testing was being done our tracer kept going off during the tracking of the run. That is an indication that the cable underground has rotten concentric neutrals. This type of underground cable is known for these types of problems. It is a result of the way the conductors were made a long time ago. Today's cable is made to avoid this type of issues. During our investigation we also noticed that a lot of cables were testing out very low on the VLF tester. Those cables were just barely passing, indicating that they are very close to failure. This could be a result from the manhole situation.

# 4G ELECTRIC

## SCOPE:

BID INCLUDES EQUIPMENT, LABOR, AND MATERIAL TO BRING THE CAMPUS EXISTING HIGH VOLTAGE SYSTEM UP TO CODE.

## ITEMS COVERED:

REPLACE DEFECTIVE TRANSFORMERS

REPLACE DEFECTIVE UNDERGROUND CABLE

REPLACE OR REMOVE DEFECTIVE MANHOLES

REPLACE ALL MOLE RACKS

REDO GROUNDING RINGS

REMOVE ELECTRICAL PANELS FROM TRANSFORMERS

SUPPLY NEW OUTSIDE GRADE ELECTRICAL PANELS AND RECONNECT EXISTING SERVICES

PROPERLY SIZE FUSES FOR OVERCURRENT PROTECTION

TEST CABLES AND TERMINATIONS WITH VLF

SUPPLY ABOVE GROUND SECTIONALIZERS WITH GROUND SLEEVES

MAPPING

ALL NEW TERMINATIONS

CIC ON NEW CABLE INSTALLED

REDO PADS ON DEFECTIVE TRANSFORMER PAD SITES

DESIGN

INVESTIGATION

OVERSIGHT





1112 CR 17  
Clovis NM 88101  
575.749.0161

QUOTE No.

## ELECTRICAL PRICE QUOTE

PROJECT: PNE HILLS

LOCATION: PINE HILLS BID DATE: 7-6-2020 BID TIME: \_\_\_\_\_

THIS QUOTATION SUBMITTED TO: WILEY, DAVID

THIS QUOTATION ACKNOWLEDGES ADDENDAS NUMBER(S) N/A

4G ELECTRIC INC. OFFERS THE FOLLOWING PRICES, FIRM FOR 90 DAYS FROM BID DATE FOR ALL LABOR AND MATERIAL FOR THE FOLLOWING ITEMS AS COVERED BY APPLICABLE PLANS & SPECS.

BIDDING ELECTRICAL DIVISIONS 26, 27, 28:

**BASE BID: 3,500,000 PLUS APPLICABLE TAXES**  
**SEE ATTACHED FOR PROJECT SCOPE**

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### ITEMS NOT COVERED IN QUOTE

- \*TEMP POWER, TEMP LIGHTING
- \*BIM
- \*TEXTURA
- \*HOLD HARMLESS CLAUSE PREMIUM COST
- \*NM GROSS RECEIPTS TAX
- \*PITCH PANS AND FLASHINGS
- \*CUTTING AND PATCHING OF WALLS
- \*PAINTING, CARPENTRY
- \*FORMED CONCRETE AT LIGHTS, REBAR, CORE DRILLING, PRECAST MANHOLES (EXCEPT CONCRETE ENCASED DUCT)
- \*FIRE RATED ENCLOSURES FOR CEILING LIGHT FIXTURES, FIRESTOPPING
- \*ADDITION CEILING SUPPORTS WHICH MAY BE REQUIRED FOR RECESSED, LAY-IN, OR SURFACE MOUNTED FIXTURES
- \*CUTTING, REMOVAL, AND/OR REPLACEMENT OF CONCRETE & ASPHALT OR ARCHITECTURAL SURFACES
- \*DEWATERING & LANDSCAPING
- \*COMMISSIONING
- \*UTILITY SERVICE EXTENSION FEES
- \*UTILITY (POWER & TELEPHONE) SERVICE & LINE EXTENSION CHARGE
- \*FORMED TRENCH & STEEL COVERS AT TRANSFORMER PAD
- \*COST OF HAULING TRASH FROM JOBSITE, SUPPLYING OR DUMPING JOB DUMPSTER
- \*ROCK EXCAVATION
- \*NO SURVEYING
- \*NO LANDSCAPING REPAIR

THIS QUOTE SUBMITTED BY HADLEY GILBERT

IF YOU HAVE ANY QUESTIONS REGARDING THIS QUOTE, PLEASE CALL 575-749-0161.



## NAVAJO TRIBAL UTILITY AUTHORITY

AN ENTERPRISE OF THE NAVAJO NATION

July 20, 2020

Mr. Edward Clark, Jr., Community Service Coordinator  
Klagetoh Chapter  
HC 58 Box 70  
Ganado, Arizona 86505

**RE: Klagetoh Chapter (Salt Springs South - Phase III) Power Line Project**

Dear Mr. Clark:

NTUA is pleased to provide the **PRELIMINARY** construction cost estimate to provide service to residents within the Klagetoh Chapter referencing the enclosed Chapter Resolution KLA-2007-05/2019 we received for this project. These costs will supersede all previous costs. The following items are provided for your information:

1. The ownership of the power lines will belong to the Navajo Tribal Utility Authority. The Navajo Tribal Utility Authority will handle the operation and maintenance responsibilities.
2. The cost estimate submitted is **PRELIMINARY**. The final construction cost estimate will be based upon the results of archaeological and legal surveys; and final engineering and design.
3. Notice of funding for right-of-way acquisition was received. NTUA commenced with the archaeological clearance, environmental assessment, and legal surveys; and final engineering and design. This amount is shown on the attached estimate and contributes to the total project cost.
4. The Navajo Tribal Utility Authority will budget \$1,500.00 per customer provided their house is wired and ready for hook up prior to construction.

**NOTE:** If all homes are not wired, the NTUA Contribution will be adjusted downward to reflect the actual number of homes wired at the time of construction. This will result in an increase in contribution required by the Klagetoh Chapter

Home Office: P.O. BOX 170 FT. DEFIANCE, AZ 86504	KAYENTA P.O. BOX 37 KAYENTA, AZ 86003	TUBA CITY P.O. BOX 398 TUBA CITY, AZ 86045	SHIPROCK P.O. BOX 1749 SHIPROCK, NM 87420	CHINLE P.O. BOX 549 CHINLE, AZ 86503	FORT DEFIANCE P.O. BOX 587 FT. DEFIANCE, AZ 86504	DILCON HC 63 BOX D WINSLOW, AZ 86047	CROWNPOINT P.O. BOX 1825 CROWNPOINT, NM 87313
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CALL 800-528-5011 OR 928-729-5721 FOR ALL OFFICES.

This institution is an equal opportunity provider and employer.

**Letter to Mr. Edward Clark, Jr., Klagetoh Chapter**  
**RE: Klagetoh Chapter (Salt Springs South - Phase III) Power Line Project**  
**July 20, 2020**  
**Page Two**

Please contact Ms. Isabelle Lang, Project Supervisor, Dilcon District at (928) 729-4785 or the Electric System Planning Section at (928) 729-6236, if you have any questions concerning these costs.

Sincerely yours,

**NAVAJO TRIBAL UTILITY AUTHORITY**



Lester Lee  
Electric System Director

CC: Honorable Raymond Smith, Klagetoh Chapter  
Ernest Benally, Klagetoh Chapter  
Srinivasa (Veni) Venigalla, Electric Information and Systems Division, NTUA  
Shannon Burnette, Electric System Planning Section, NTUA  
William Nez, Electric System Planning Section, NTUA  
Louella Chee, Electric System Planning Section, NTUA  
Sherrell White, Electric System Planning Section, NTUA  
Gary Monroe, Dilcon District, NTUA  
Isabelle Lang, Dilcon District, NTUA  
Elizabeth Yazzie, Dilcon District, NTUA

Letter to Mr. Edward Clark, Jr., Klagetoh Chapter  
RE: Klagetoh Chapter (Salt Springs South - Phase III) Power Line Project  
July 20, 2020  
Page Three

**KLAGETOH CHAPTER (Salt Springs South - Phase III) POWER LINE PROJECT**

Line A - Main Trunk Line	3.41 Miles	\$ 330,141.24
Member Extensions	4.92 Miles	<u>498,018.24</u>
Subtotal		\$ 828,159.48
Archaeological Clearance, Environmental Assessment, and Legal Survey for Right-of-Way Acquisition (7.70 miles)		<u>\$ 110,187.00</u>
Subtotal		\$ 938,346.48
NTUA Contribution (12 Homes @ \$1,500.00)		<u>( 18,000.00)</u>
Subtotal		\$ 920,346.48
Klagetoh Chapter (Check No. 5753)		<u>( 110,187.00)</u>
Contribution Required Prior to Construction		\$ 810,159.48



**NAVAJO TRIBAL UTILITY AUTHORITY**  
**Proposed Power Line Extensions**

**CHAPTER: Klagetoh**

**REMARKS: Klagetoh Chapter (Salt Springs South -- Phase III) Power Line Project**

**Page 1 of 1**

No	Customer's Name	Description	House Yes	Wired No	Comments
	<b>Main Line A (Secondary Service off of Main Line)</b>				
1.	Edward Tracey				
2.	Stanley Claw				
	<b>TAP A-1</b>				
3.	Shawn Billie				
	<b>TAP A-2</b>				
4.	Gary Arviso				
5.	Elvira Tracey				
6.	Sammy/Anne Slivers				
	<b>TAP A-2A</b>				
7.	Kee Tapaha				
	<b>TAP A-3</b>				
8.	Roy/Marie Begay				
	<b>TAP A-3A</b>				
9.	Wilson Yazzie				
	<b>TAP A-3B</b>				
10.	Otis/Patricia Begay				
	<b>TAP A-4</b>				
11.	Lena Becenti				
	<b>TAP A-5</b>				
12.	Yvonne Descheene				

## Dana Bobroff

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**From:** Raymond Smith Jr.  
**Sent:** Friday, July 31, 2020 10:52 AM  
**To:** Dana Bobroff  
**Subject:** FW: Proposed Cost Estimate: Klagetoh Salt Springs Phase III Power Line

Ok, here is what NTUA sent me late last evening at the bottom underscore is the amount I am requesting for the project.  
Thank you

---

**From:** Rex Kontz [mailto:RexK@ntua.com]  
**Sent:** Friday, July 31, 2020 8:07 AM  
**To:** Arthur Hardy Jr. <ahardyjr@navajo-nsn.gov>  
**Cc:** Seth Damon <sdamon@navajo-nsn.gov>; Raymond Smith Jr. <rsmithjr@navajo-nsn.gov>; Arash Moalemi <arashm@ntua.com>; Shannon Burnette <shannonb@ntua.com>; Lashawna R. Tso <lrtso@navajo-nsn.gov>  
**Subject:** Re: Proposed Cost Estimate: Klagetoh Salt Springs Phase III Power Line

Design and ROW survey is in process. Staff committed to pushing to get it complete and filed with Land Department. It will be constructed late in the year and can be added to the August to December schedule.

The Chapter can get house wiring can be done as soon as the funds are approved as HW doesn't require ROW.

Staff assessed quickly last evening and felt if we pushed hard we can get it in the project flow.

We're working to make as much happen as we can physically do.

Rex

Sent from my iPhone

On Jul 30, 2020, at 11:53 PM, Arthur Hardy Jr. <[ahardyjr@navajo-nsn.gov](mailto:ahardyjr@navajo-nsn.gov)> wrote:

Good evening Speaker Damon,

Honorable Smith is respectfully asking for you to review the following proposed cost estimate:

**KLGETOH SALT SPRINGS PHASE III POWERLINE**

**\*Total cost of Salt Springs Phase III Power Line: \$920,346.48 per NTUA Prelim cost estimate**

**\*Klagetoh Chapter total funding contribution: \$-110,187.00 Check no. 5753**

**New total after Chapter contribution: \$810,159.48**

**\*House wiring 12 homes X \$3000.00 per home: + \$36,000.00**

**projected total: \$846,159.43**

**Honorable Smiths Requested total amount: \$850,000.00 to complete Powerline project.**

If this project is funded, NTUA will be able to start right away with no delay as NO Right-of-Way will be needed for this project.

Thank you for time and consideration, you may respond directly to Honorable Smith via this email.

respectfully,

Arthur Hardy, Jr.

*Legislative District Assistant*

*Honorable Raymond Smith, Jr.*

*24th Navajo Nation Council*

*C: 928.751.8860*

## Dana Bobroff

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**From:** Raymond Smith Jr.  
**Sent:** Friday, July 31, 2020 12:00 AM  
**To:** Dana Bobroff  
**Subject:** FW: Proposed Cost Estimate: Klagnetoh Salt Springs Phase III Power Line

Good evening Dana, Here is the updated cost that NTUA has reviewed and I talked about to speaker prior to recess. Thank you vice chair Smith

**From:** Arthur Hardy Jr.  
**Sent:** Thursday, July 30, 2020 11:53 PM  
**To:** Seth Damon <sdamon@navajo-nsn.gov>  
**Cc:** Raymond Smith Jr. <rsmithjr@navajo-nsn.gov>; Rex Kontz <RexK@ntua.com>; arashm@ntua.com; Shannon Burnette <shannonb@ntua.com>; Lashawna R. Tso <lrts@navajo-nsn.gov>  
**Subject:** Proposed Cost Estimate: Klagnetoh Salt Springs Phase III Power Line

Good evening Speaker Damon,

Honorable Smith is respectfully asking for you to review the following proposed cost estimate:

### **KLAGETOH SALT SPRINGS PHASE III POWERLINE**

\*Total cost of Salt Springs Phase III Power Line: \$920,346.48 per NTUA Prelim cost estimate

\*Klagnetoh Chapter total funding contribution: \$-110,187.00 Check no. 5753

New total after Chapter contribution: \$810,159.48

\*House wiring 12 homes X \$3000.00 per home: + \$36,000.00

projected total: \$846,159.43

**Honorable Smiths Requested total amount: \$850,000.00 to complete Powerline project.**

If this project is funded, NTUA will be able to start right away with no delay as NO Right-of-Way will be needed for this project.

Thank you for time and consideration, you may respond directly to Honorable Smith via this email.

respectfully,

Arthur Hardy, Jr.  
Legislative District Assistant  
Honorable Raymond Smith, Jr.  
24th Navajo Nation Council  
C: 928.751.8860



## NAVAJO NATION CARES FUND

### BROADBAND-TELECOMMUNICATIONS PROJECT EXPENDITURE PLAN

#### I. PURPOSE:

The purpose of the Broadband-Telecommunications Project Expenditure Plan is to allow for the use and expenditure of Sixty-Eight Million, Two Hundred Twenty-Four Thousand, Nine Hundred Eighty-Nine Dollars (\$68,224,989) Navajo Nation CARES Funds for regional broadband projects on the Navajo Nation, including the extension of broadband and telecommunication infrastructure to previously unserved and underserved Chapters of the Navajo Nation by December 30, 2020. The expenditures set forth in this Expenditure Plan are necessary in order to ensure that Navajo communities and households have wireless connectivity to support public access to vital Public Safety, Telehealth, Education, and Commerce services.

The Broadband-Telecommunication projects, include but are not limited to, wireless connectivity, educational broadcasting services, temporary licensing, cyberinfrastructure development, and tribal broadband planning.

~~Fifteen Million Dollars (\$15,000,000) of the Broadband-Telecommunications Expenditure Plan funds shall be used to fund non-tribal owned Eligible Telecommunication Carriers (ETC) that are certified by the Federal Communication Commission (FCC) for the purpose of extending broadband and telecommunication infrastructure to previously unserved and underserved Chapters of the Navajo Nation by December 30, 2020 and shall fund only the deployment costs (not on-going operating costs, including administrative or personnel projects) of projects that support last-mile services. Permissible broadband and telecommunication infrastructure improvements that may be funded include the following:~~

*JMN  
my*

- ~~A. Wireless tower and other network infrastructure necessary to provide mobile and fixed broadband to residents.~~
- ~~B. Middle-Mile fiber and microwave infrastructure for connectivity to schools, Chapter Houses, government facilities, and businesses.~~
- ~~C. Network capacity upgrades necessary to provide 4G services, such as FirstNet, Amber Alerts, and NG911, as well as Telehealth, Education, and Commerce applications to mobile and home-bound residents.~~

~~The Navajo Nation Department of Information Technology (DIT) with the assistance of the Navajo Nation Telecommunication and Utilities, shall devise an application process for the distribution of the \$30,000,000 to non-tribal owned ETCs, with a preference for Navajo or Native owned ETCs that caps the distribution to any single ETC at ten million dollars. ETCs shall only receive funding if its plan provides last-mile service, which is defined as the portion of broadband service that delivers an internet connection to an end-user that lacks access to a voice and broadband service at measurable speeds of 4/1 Mbps or greater for unserved areas, and 10/1 Mbps or greater for underserved areas. After reviewing the applications for eligibility, DIT shall be responsible for selecting and monitoring the ETCs that receiving funding and the amount of such funding.~~

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## II. AFFIRMATION OF FUND USE

The Navajo Nation Department of Information Technology and any entity receiving funding thereunder affirm they will use these funds in accordance with the purposes set forth in Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

## III. IMPLEMENTATION AND MONITORING

The Navajo Nation Department of Information Technology is responsible for implementing the Expenditure Plan and monitoring the expenditure of these funds.

## IV. ADMINISTRATOR OF FUNDS

The Navajo Nation Department of Information Technology is responsible for administering the Expenditure Plan and overseeing the allocated funds.

## V. MEANS OF FUNDING

The Expenditure Plan funds shall be released directly to the Navajo Nation Department of Information Technology once the Expenditure Plan is duly adopted and expedited budgets are implemented.

## VI. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines, and the Single Audit Act and any other applicable rules, regulations, and guidance.

## VII. OVERSIGHT COMMITTEE

The Health, Education, and Human Services Committee (HEHSC) and the Budget and Finance Committee (BFC) shall provide oversight as HEHSC has oversight over the Navajo Nation Department of Information Technology and BFC has oversight over externally restricted funding.

IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Navajo Nation Department of Information Technology and any entity receiving funding thereunder affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.

# Summary of Project by Construction Year

Construction Year	Number of Projects	Total Cap Ex	Prorated OPEX of construction year
2020	113	\$31,173,091	\$1,675,116
2021	16	\$13,739,351	\$382,051
2022	19	\$7,683,347	\$537,631
<b>Grand Totals</b>	<b>148</b>	<b>\$52,595,789</b>	<b>\$2,594,797</b>



Full Year OPEX if construction timeframe is extended	Total Per Year
\$0	\$32,848,207
\$2,837,232	\$16,958,634
\$3,458,736	\$11,679,713
<b>\$6,295,968</b>	<b>\$61,486,555</b>

Site	Amended Build Year	Program	Justification
<b>NTUA Additional Funding Request: 7/1/2020 for build year 2020</b>			
<b>0144-20</b>	<b>An Action Relating to Health Education and Human Resources, Budget and Finance and Resource</b>		

**Projects that still need Funding:**

Site	Build Year	Program	Type
Beclabito		2020 WISP & Cellular Service	New Communication Tower
Pinedale		2020 WISP & Cellular Service	New Communication Tower
Summit East		2020 WISP & Cellular Service	New Communication Tower
Woodsprings		2020 WISP & Cellular Service	New Communication Tower
Tuba City		2020 Fiber Distribution	Fiber to NTUA Tower, 5-Schools, 1-Hosp
Arizona and New Mexico		2020 Internet Distribution	NTUA Fiber Backbone Upgrade from 10
Page and Kaibeto		2020 Internet Distribution	Fiber Build from Tonalea-Kaibeto-Page,
Preston Mesa		2020 Internet Distribution	Fiber Build to Preston Mesa Tower, AZ
Mexican Water and Rapple Ridge		2020 Internet Distribution	Fiber Build to Mexican Water NTUA To
Black Mesa and Zelnex		2020 Internet Distribution	Fiber Build to Black Mesa NTUA Tower
Navajo Nation		2020 Student Internet	31 - COVID19 Student WiFi Hot Spots
Beclabito		2020 Coverage Build-out	Unserved
Pinedale		2020 Coverage Build-out	Unserved
Summit East		2020 Coverage Build-out	Unserved
Woodsprings		2020 Coverage Build-out	Unserved
Chinle		2020 P96 Upgrade	Underserved
Fort Defiance		2020 P96 Upgrade	Underserved
Kaibeto		2020 P96 Upgrade	Underserved
Kayenta Downtown		2020 P96 Upgrade	Underserved
Kayenta West		2020 P96 Upgrade	Underserved
Many Farms Mesa		2020 P96 Upgrade	Underserved
Saint Michaels Water Tank		2020 P96 Upgrade	Underserved
Tsaile		2020 P96 Upgrade	Underserved
Alamo Bend		2020 WISP Overlay on TBC Sites	Underserved
Aneth		2020 WISP Overlay on TBC Sites	Underserved

Atrisco	2020 WISP Overlay on TBC Sites	Underserved
Burnside	2020 WISP Overlay on TBC Sites	Underserved
Dennehotso	2020 WISP Overlay on TBC Sites	Underserved
Dezza Bluff	2020 WISP Overlay on TBC Sites	Underserved
Dilkon District Office	2020 WISP Overlay on TBC Sites	Underserved
Greasewood	2020 WISP Overlay on TBC Sites	Underserved
Kinlichee	2020 WISP Overlay on TBC Sites	Underserved
Klagetoh	2020 WISP Overlay on TBC Sites	Underserved
Leupp	2020 WISP Overlay on TBC Sites	Underserved
Lukachukai	2020 WISP Overlay on TBC Sites	Underserved
Marsh Pass	2020 WISP Overlay on TBC Sites	Underserved
Mexican Water	2020 WISP Overlay on TBC Sites	Underserved
Navajo Mountain	2020 WISP Overlay on TBC Sites	Underserved
Puerco Ridge NTUA (Houck)	2020 WISP Overlay on TBC Sites	Underserved
Raplee Ridge	2020 WISP Overlay on TBC Sites	Underserved
Red Lake	2020 WISP Overlay on TBC Sites	Underserved
Red Valley	2020 WISP Overlay on TBC Sites	Underserved
Rock Point	2020 WISP Overlay on TBC Sites	Underserved
Round Rock	2020 WISP Overlay on TBC Sites	Underserved
Sawmill	2020 WISP Overlay on TBC Sites	Underserved
Sweetwater	2020 WISP Overlay on TBC Sites	Underserved
Tonalea	2020 WISP Overlay on TBC Sites	Underserved
Torreon	2020 WISP Overlay on TBC Sites	Underserved
Tselani	2020 WISP Overlay on TBC Sites	Underserved
Tuba City District Office	2020 WISP Overlay on TBC Sites	Underserved
Waterflow	2020 WISP Overlay on TBC Sites	Underserved
Yale Point	2020 WISP Overlay on TBC Sites	Underserved
Anasazi Inn	2020 WISP Overlays	Underserved
Antelope Point Marina	2020 WISP Overlays	Underserved
Big Water	2020 WISP Overlays	Underserved
Black Mesa	2020 WISP Overlays	Underserved
Bloomfield	2020 WISP Overlays	Underserved
Blue Gap	2020 WISP Overlays	Underserved
Bluff	2020 WISP Overlays	Underserved

C&J Trucking	2020 WISP Overlays	Underserved
Cameron Water Tank	2020 WISP Overlays	Underserved
Cedar Ridge	2020 WISP Overlays	Underserved
Chilchinbito	2020 WISP Overlays	Underserved
Chinle East	2020 WISP Overlays	Underserved
Chinle Hospital	2020 WISP Overlays	Underserved
Chinle North	2020 WISP Overlays	Underserved
Coalmine Canyon	2020 WISP Overlays	Underserved
Coppermine	2020 WISP Overlays	Underserved
Counselor	2020 WISP Overlays	Underserved
Cow Springs West	2020 WISP Overlays	Underserved
Crestview	2020 WISP Overlays	Underserved
Crystal	2020 WISP Overlays	Underserved
Devil's Head	2020 WISP Overlays	Underserved
Elden Peak	2020 WISP Overlays	Underserved
Farmington Bluffs	2020 WISP Overlays	Underserved
Forest Lake Water Tank	2020 WISP Overlays	Underserved
Fort Defiance West	2020 WISP Overlays	Underserved
Fruitland	2020 WISP Overlays	Underserved
Ganado	2020 WISP Overlays	Underserved
Gap	2020 WISP Overlays	Underserved
Gray Mountain	2020 WISP Overlays	Underserved
Hawkins Road Garage	2020 WISP Overlays	Underserved
Hole in the Rock	2020 WISP Overlays	Underserved
Huerfano Mountain	2020 WISP Overlays	Underserved
Indian Wells	2020 WISP Overlays	Underserved
Jacks Peak	2020 WISP Overlays	Underserved
Lechee	2020 WISP Overlays	Underserved
Little Water	2020 WISP Overlays	Underserved
Monument Valley Campground	2020 WISP Overlays	Underserved
Nageezi	2020 WISP Overlays	Underserved
Navajo Mountain Cradle Board	2020 WISP Overlays	Underserved
Oljato	2020 WISP Overlays	Underserved
Page	2020 WISP Overlays	Underserved



Page West	2020 WISP Overlays	Underserved
Paria	2020 WISP Overlays	Underserved
Pinon Chapter House	2020 WISP Overlays	Underserved
Sheep Springs	2020 WISP Overlays	Underserved
Shiprock East	2020 WISP Overlays	Underserved
Shiprock North	2020 WISP Overlays	Underserved
Shonto	2020 WISP Overlays	Underserved
Shonto South	2020 WISP Overlays	Underserved
South Red Hill	2020 WISP Overlays	Underserved
Sunset Crater	2020 WISP Overlays	Underserved
Tolikan	2020 WISP Overlays	Underserved
Tse Da Kaan	2020 WISP Overlays	Underserved
Tuba City	2020 WISP Overlays	Underserved
Tuba City South	2020 WISP Overlays	Underserved
Tuba Cutoff	2020 WISP Overlays	Underserved
Two Grey Hills	2020 WISP Overlays	Underserved
View Hotel	2020 WISP Overlays	Underserved
Wahweap	2020 WISP Overlays	Underserved
Willie	2020 WISP Overlays	Underserved
Window Rock East	2020 WISP Overlays	Underserved
<b>Totals</b>		

Type	Material & Equipment	Labor	Transportation	Total CAPEX	Total OPEX	Prorated OPEX for 2020
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es and Development, and Naabik'iyáti' Committee, and the Navajo Nation Council; Approving and Adopting the Navajo Nation CARES Fund E:

[illegible]

[illegible]

[illegible]



Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 1 Tech	\$	95,661	\$	54,060	\$	5,500	\$	155,221	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 1 Tech	\$	95,661	\$	54,060	\$	5,500	\$	155,221	\$	27,000	\$	13,500
Overlay Existing 1 Tech	\$	95,661	\$	54,060	\$	5,500	\$	155,221	\$	27,000	\$	13,500
Overlay Existing 1 Tech	\$	95,661	\$	54,060	\$	5,500	\$	155,221	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
Overlay Existing 1 Tech	\$	95,661	\$	54,060	\$	5,500	\$	155,221	\$	27,000	\$	13,500
Overlay Existing 1 Tech	\$	95,661	\$	54,060	\$	5,500	\$	155,221	\$	27,000	\$	13,500
Overlay Existing 1 Tech	\$	95,661	\$	54,060	\$	5,500	\$	155,221	\$	27,000	\$	13,500
Overlay Existing 2 Tech	\$	150,661	\$	54,900	\$	5,500	\$	211,061	\$	27,000	\$	13,500
	\$	<b>17,147,244</b>	\$	<b>11,638,788</b>	\$	<b>2,387,060</b>	\$	<b>31,173,091</b>	\$	<b>2,837,232</b>	\$	<b>1,675,116</b>

**xpenditure Plans for Water Projects, Powerline Projects and Broadband-Telecommunication Projects**

\$ 2

# THE NAVAJO NATION

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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

CARES Act Need – Department of Information Technology

Amount requested: \$3.4 million

The Navajo Nation proposes to utilize the CARES Act \$600 million coronavirus emergency funding to support efforts to prepare for and respond to the coronavirus public health emergency. The Navajo Nation will purchase Information Technology equipment and secure the Navajo Nation's information technology internet communications with the procurement of network equipment, monitoring tools and security appliance solutions for the Navajo Nation Government. This would enhance technological services and Information Technology Security for Navajo Health Command Operations Center, Navajo Nation first responders, Navajo Nation essential workers, Navajo Nation students, and other stakeholders to connect, share data, share information, and telecommute.

DIT, located in Window Rock, AZ, is the core hub of information technology for the NN Government, providing IT access and business continuity 24 hours a day, 7 days a week, 365 days a year for over 200 NN stakeholders. DIT is legislated to provide the IT resources to protect and share data across the NN government. In addition to providing connectivity and email communication through the NN Network, DIT services provide cybersecurity to mitigate security threats and ensure the integrity of the data used every day by all three branches of NN government. DIT also provides essential user business applications (Microsoft Exchange, Microsoft Office, SharePoint, Skype for Business) and host case management systems, associated databases and NN websites.

There are over 350,000 Navajo citizens accessing essential and critical direct government services through information technology resources provided by DIT. The services range from first responder, legislative, health, election, social services, justice and education provided by NN Office of the President & Vice President, NN Council, Judicial Branch & Justice partners, NN Law Enforcement, NN Emergency Medical Services, Navajo Department of Health, NN Social Services, NN Finance, Office of Management & Budget, Department of Diné Education, NN Veterans Administration, NN Elections Administration, NN Chapters, NN Economic Development, etc.

For the Navajo Nation, the COVID 19 pandemic emphasized and reinforced the fact that information technology is an essential service and has risen to the level of necessity like water, electricity, food, shelter and life. Information technology is required for effective and efficient business continuity.

The pandemic also changed how services are provided across the Nation. With the Nation shifting to telecommuting, DIT saw a substantial increase in request for essential user communication applications, hardware configurations for remote work and internet connectivity. The Judicial courts are using technology and applications to telecommute and conduct hearings for domestic abuse and elderly abuse protection orders by the Judges. The President of the Navajo Nation provides COVID 19 updates and directives through social media, virtual town halls, mass e mail distributions, NDOH COVID website and the President's website.

NN first responders are utilizing technology to coordinate services between agencies that are critical to do their work. In an emergency, critical information needs to be properly disseminated between police, fire, emergency management services, and rescue personnel through the communications network. Information is shared between the Navajo Department of Health and health care service providers with the Navajo Nation residents on their website regarding COVID-19 data (tests, recoveries and deaths), populations at risk with certain diseases, prevention strategies, public health emergency orders, and resource information including burial, clinics, emergency information and shopping information. Retrieved from: <https://www.ndoh.navajo->

nsn.gov/COVID-19. The DIT supports the Community Health Representatives (CHR) with providing IT information sharing. The CHRs provide direct home care, community health care and health education in coordination with tribal and Indian Health Service programs.

There are 271 schools that are providing "distance learning" for the Navajo Nation students during this pandemic. DIT, in collaboration with Northern Arizona University, provided a Wi-Fi drive up service at the NN Museum in Window Rock, AZ, for NN students.

The four (4) DIT goals are: (1) Strengthen the Navajo Nation internet network infrastructure for the Executive, Legislative and Judicial branches; (2) Improve efficiency and effectiveness of the Navajo Nation's programs and services for the Legislative, Executive and Judicial Branch by strengthening internet, data security, sharing of data, communication and user applications; (3) Create and support IT centralized operations that is aligned with the Navajo Nation Government's IT strategic plan(s), program objectives (internet, secured data, shared data, communication and user applications) to ensure that all operations for IT and all endpoints (printers, laptops, mobile devices, peripheral devices, phones) are joined to the NN domain (Navajo-nsn.gov); and (4) Increase the knowledge of IT services and security awareness to end users, communities, programs and leadership.

While telecommuting helps to reduce the spread of the COVID-19 and addresses CDC guidelines such as social distancing, it brings its own set of related IT issues. IT has evolved exponentially from basic IT services to sophisticated technologies. In parallel, IT security attacks have increased and become sophisticated as well. The Navajo Nation's information technology security in the COVID-19 pandemic is at risk for a variety of cyber threats and attacks by malicious cyber actors and scammers relying on phishing, malware distribution, registration of new domain names, and attacks on newly deployed remote access and telecommuting infrastructure.

The costs to improve and enhance IT Security and the level of IT service to address the pandemic and future unprecedented crises is approximately \$3.4 million. The costs are perpetual and increasing.

Your understanding in this matter is greatly appreciated. Should you have any questions or concerns please feel free to contact me at (928) 871-6520 ext. 6004.



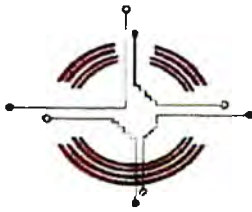
## Funding Request



### Navajo Technical University – Project Support / Financial Agent

• Project Manager	\$80,000 (6 months)*
• Financial Officer	\$60,000 (6 months)*
• Technical/Engineering	\$180,000 (6 months)*
• Grants Writer	\$70,000 (6 months)*
• Consulting	\$80,000
Total:	\$470,000

\* 12 months salary,  
plus benefits.  
Federal funding  
expected.



NITSAHAKES

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**NAVAJO TECHNICAL UNIVERSITY**

ESTABLISHED 1979



June 23, 2020

Honorable Mark Freeland, Member  
24<sup>th</sup> Navajo Nation Council  
P.O. Box 3390  
Window Rock, AZ 86515

Dear Honorable Freeland:

Please find attached a funding request that Navajo Technical University (NTU) would like to make for the CARES funding that has been awarded to the Navajo Nation. There are two aspects to NTU's funding request: 1) Covering extraordinary costs we expect to accrue as a result of opening up the campus to Navajo students from throughout the Nation and 2) building out connectivity and the ability of NTU's Navajo students to hook into the Internet so that they are more able to access E-Learning resources.

The technology portion of the proposal will continue strengthening the Internet/wireless/hot spot strategy that NTU has been advocating for so that more of Eastern Navajo and Arizona instructional sites can be better connected. The work done will be available to strengthen the network as we go forward into the future, ensuring more households will be connected

I will be glad to discuss any aspect of this proposal with you. We anticipate being able to deliver on all of the deliverables and spend the money granted from the Navajo Nation, by or before December 30, 2020.

Sincerely,

Dr. Elmer Guy, President

FY \_\_\_\_\_

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page \_\_\_\_ of \_\_\_\_  
**BUDGET FORM 1**

<b>PART I. Business Unit No.:</b> _____		<b>Program Title:</b> <u>NAVAJO TECHNICAL UNIVERSITY</u>		<b>Division/Branch:</b> _____	
<b>Prepared By:</b> <u>Cheryl Thompson, Finance Director</u>		<b>Phone No.:</b> <u>505-387-7482</u>		<b>Email Address:</b> <u>cthompson@navajotech.edu</u>	

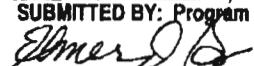
  

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
				2001 Personnel Expenses			312,033	312,033
				3000 Travel Expenses			12,000	12,000
				3500 Meeting Expenses				0
				4000 Supplies			0	0
				5000 Lease and Rental				0
				5500 Communications and Utilities				0
				6000 Repairs and Maintenance			1,503,000	1,503,000
				6500 Contractual Services			3,670,000	3,670,000
				7000 Special Transactions			62,500	62,500
				8000 Public Assistance				0
				9000 Capital Outlay			2,075,000	2,075,000
				9500 Matching Funds				0
				9500 Indirect Cost				0
<b>TOTAL:</b>				<b>TOTAL</b>			<b>7,634,533</b>	<b>7,634,533</b>

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	16	
Total # of Vehicles Budgeted:	3	

<b>PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.</b>	
<u>Dr. Elmer J. Guy</u> SUBMITTED BY: Program Manager's Printed Name  SUBMITTED BY: Program Manager's Signature and Date	_____ APPROVED BY: Division Director/Branch Chief's Printed Name  _____ APPROVED BY: Division Director/Branch Chief's Signature and Date

To expand the availability of middle mile Internet connectivity at 1 Gbps, 30 - 40 miles microwave, licensed, point to point so that not less than 300 homes can be connected, increasing service to students.



FY \_\_\_\_\_

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**Page \_\_\_\_ of \_\_\_\_  
**BUDGET FORM 2****Program Performance Measure:**

1. Identify 10 communities with 30-40 mile backhaul miles from an existing telecommunication shelters and deliver 15-20 Mbps connectivity to 300 homes. Note: To meet this goal in order to serve as many students as possible, NTU may deploy wireless at ad hoc locations using pop-up radios and other techniques.

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**3. Goal Statement:**

To connect to wireless and other services based on the independent solutions offered by the subscriber (a library) or by an existing carrier (e.g., CellularOne, Frontier, or NTUA) by implementing a common or shared method to authenticate and authorize access to services not only to the Navajo Nation, but also to K-20 tribal schools, campuses, and libraries, using NTU as a hub to implement Internet2's Eduroam identity management service.

**Program Performance Measure:**

1. Purchase and implement Internet 2 licensing and support, and the NTU infrastructure necessary, to implement an effective Eduroam (Worldwide Education Roaming for Research) identity wireless management service solution.
2. Work with Navajo Nation's community services to establish the ability for all carriers to work through the Eduroam identity management services system established so that all Navajo Higher Learning student users can achieve connectivity through one easily understood and implemented protocol.
3. Increase home connectivity by 15% on Navajo by the end of the grant period.

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**4. Goal Statement:****Program Performance Measure:**

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**5. Goal Statement:****Program Performance Measure:**

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**PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**Dr. Elmer J. Guy

Program Manager's Printed Name



Program Manager's Signature and Date

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

FY \_\_\_\_\_

**THE NAVAJO NATION**  
**LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT**

Page \_\_\_\_ of \_\_\_\_  
**BUDGET FORM 3**

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2019 ACTUAL		FY 2020 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
	1		Custodian		Main	12.84	\$ 26,700	1040	\$ 13,350.00
	2		Custodian		Main	12.84	\$ 26,700	1040	\$ 13,350.00
	3		Custodian		Main	12.84	\$ 26,700	1040	\$ 13,350.00
	4		Custodian		Main	12.84	\$ 26,700	1040	\$ 13,350.00
	5		Custodian		Main	12.84	\$ 26,700	1040	\$ 13,350.00
	6		Security Officer		Main	12.12	\$ 25,210	1040	\$ 12,604.80
	7		Help Desk		Main	15.87	\$ 33,000	1040	\$ 16,500.00
	8		Help Desk		Chinle	15.87	\$ 33,000	1040	\$ 16,500.00
	9		Custodian		Chinle	12.84	\$ 26,700	1040	\$ 13,350.00
	10		Custodian		Chinle	12.84	\$ 26,700	1040	\$ 13,350.00
	11		Security Officer		Chinle	12.12	\$ 25,210	1040	\$ 12,604.80
	12		Site Survey Technician		All	14.52	\$ 30,200	1040	\$ 15,100.00
	13		Learning Support Specialist		Main	21.10	\$ 43,888	1040	\$ 21,944.00
	14		COVID-19 Education Specialist		Main	16.30	\$ 33,904	1040	\$ 16,952.00
	15		Driver		Main	12.25	\$ 25,480	1040	\$ 12,740.00
	16		Driver		Chinle	12.25	\$ 25,480	1040	\$ 12,740.00
	17								

**Sub-Total    \$        231,135.60**

FY \_\_\_\_\_

**THE NAVAJO NATION**  
**DETAILED BUDGET AND JUSTIFICATION**

Page \_\_\_\_ of \_\_\_\_  
**BUDGET FORM 4**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: _____		Business Unit No.: _____	
<b>PART II. DETAILED BUDGET:</b>			
(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)
2001	<b>Personnel</b> 16 Temporary Contracted Full Time Equivalent to support the Main and Chinle Campuses for employees who will assist in additional support services during pandemic. Employees identified to conduct additional cleaning within assigned areas of student learning environments. FTE calculated at 1040 hours - this will be temporary positions for a six month period.	231,136	231,136
2900	<b>Fringe Benefits</b> 16 Contracted Positions @ 35%	80,897	80,897
3000	<b>Travel Expenses.</b> Travel Expense related to COVID-19 safety training across all Campuses (Chinle, Zuni, Main, Bond Wilson, & Teec Nos Po <i>Vehicle Use: Fleet, External Fleet, GSA, and Personal Travel</i> Mileage: \$2,500 ( Travel between campuses) Per Diem: \$4,000 Lodging: \$5,500 COVID-19 Trainer and Staff. Maintenance Supervisor travel to assess all HVAC for campuses and assist in training.	12,000	12,000
4000	<b>Supplies:</b> <i>Operating Supplies: Personal Protective Equipment</i> Protective Masks, Sanitizers - Hand/Cleaners, Gloves, Face Shields, Safety Goggles, etc. Temperature Wands, Wipes = \$64,500 Total PPE Supplies  Training Office Supplies @ 3,500	68,000	68,000
6000	<b>Repairs &amp; Maintenance</b> Upgrade HVAC system for COVID-19 - Learning areas (Main, Bond Wilson, Zuni, Teec Nos Pos)	1,503,000	1,503,000
<b>TOTAL</b>		1,895,033	1,895,033

FY \_\_\_\_\_

**THE NAVAJO NATION**  
**DETAILED BUDGET AND JUSTIFICATION**

Page \_\_\_\_ of \_\_\_\_  
**BUDGET FORM 4**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: _____		Business Unit No.: _____	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
<b>6500</b>	<b>Contractual Services</b> <i>Contractual Services: Wireless/Internet Project</i>  Improve and deliver EBS wireless connectivity for 300 homes on Eastern Navajo. Identify 10 communities within 30-40 mile backhaul miles from an existing internet service location. Use EBS 2.5 Ghz broadcast licensing to deliver up to 25 Mbps connectivity to 300 homes. Connectivity will be used for homes, mobile connections via buses, and other \$1,935,000.00  The tribal community connects to wireless and other services based on the independent solutions offered by the subscriber (a library) or by the carrier (e.g., CellularOne, Frontier, or NTUA). NTU proposes to implement a common or shared method to authenticate and authorize access to services not only the reservation but also K-12 tribal schools, campuses, and libraries. NTU proposes to implement Internet2's Eduroam identity management service. Project B:      \$1,545,000.00  COVID-19 Testing Kits for Students to re-enter Campus/Dorms = \$30,000 2 - Sanitation Cleaning (Fall2020) X 2 (Main/Chinle) @ \$80,000 = \$160,000	3,670,000	3,670,000
<b>7510</b>	<b>Training and Professional Dues</b> <i>Training and Professional Development:</i> Support Campus Safety Awareness & Education - \$7,500 Promotional & Advertisement of Campus and Community Safety Awareness Initiatives - \$25,000 Moodle Training for Faculty and Staff - \$30,000	62,500	62,500
<b>9000</b>	<b>Capital Outlay</b>  <b>A</b> IT Infrastructure Equipment - Servers 3 @ \$100,000=\$300,000/Switches \$90,000 Laptops for Students 875 Students @ 1,500. = \$1,312,500 Laptops for Faculty 67 @ 2,500 = \$167,500 Wireless Access for 1000 Students @ 75.00 = \$75,000 Sanitation Equipment - \$10,000  <b>B</b> 3 New Vans @ 40,000	2,075,000	2,075,000
<b>TOTAL</b>		5,807,500	5,807,500

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**THE NAVAJO NATION**  
**SUMMARY OF CHANGES TO BUDGETED POSITIONS**

Page \_\_\_\_ of \_\_\_\_  
BUDGET FORM 5

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**THE NAVAJO NATION**  
**EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION**

Page \_\_\_\_ of \_\_\_\_  
**BUDGET FORM 6**

<b>PART I. PROGRAM INFORMATION:</b>		Funding Period: <u>07/01/2020 - 12/31/2020</u>	
Program Name/Title: <u>Navajo Technical University</u>		K #: _____	
Contract/Grant No.: _____		Prepared by: <u>Cheryl Thompson, Finance Director</u>	
<b>PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT</b>			
<b>PART III. BUDGET INFORMATION:</b>			
(A) Major Object Code and Description	(B) Current Award Fiscal Year _____	(C) Anticipated Funding Fiscal Year _____	(D) Difference Columns (C) - (B)
2001 Personnel Expenses		\$ 312,033	312,033
3000 Travel Expenses		12,000	12,000
3500 Meeting Expenses			
4000 Supplies			
5000 Lease and Rental			
5500 Communication and Utilities			
6000 Repairs and Maintenance		1,503,000	1,503,000
6500 Contractual Services		3,670,000	3,670,000
7000 Special Transaction		62,500	62,500
8000 Assistance			
9000 Capital Outlay		2,075,000	2,075,000
9510 Matching - Cash			
9610 Matching - In - Kind			
9710 Indirect Cost (Overhead) Allocation			
<b>TOTALS:</b>	-	\$ 7,634,533	\$ 7,634,533
<b>PART IV.</b>	<b>MATCH FUNDS - No. of Positions:</b>	16	16
	<b>MATCH FUNDS - Required GF Cash Match:</b>		-
<b>CONCURRED BY:</b>	<b>Required GF In-Kind Match:</b>		.
<b>Contracting Officer's Signature / Date:</b>	<b>Required GF % Match:</b>		-
<b>PART V. ACKNOWLEDGEMENT:</b>			
Submitted by (print): <u>Dr. Elmer J. Guy</u>		Approved by (print): _____	
Signature/Date: <u>Elmer J. Guy</u>		Signature/Date: _____	

## Native Broadcast Enterprise

Native Broadcast Enterprise								
Brand	Item Number	Description	Qty	Unit Price	Cost			
<b>KKNS - Albuquerque</b>								
<b>Nautek</b>	NX 5	Solid state modular 5kw AM Broadcast	1	\$ 27,745.10	\$ 27,745.10			
<b>SAGE</b>	Digitalendec	Endec EAS Encoder / Decoder - Model 3644	1	\$ 2,267.39	\$ 2,267.39			
<b>Crown_B</b>	RFBA-1	Triple AM/FM/WR Tuner	1	\$ 1,407.61	\$ 1,407.61			
<b>Gorman</b>	CRW-S	NOAA - NWS Weather Receiver	1	\$ 673.91	\$ 673.91			
<b>Belar</b>	LP1A	AM Shielded Loop Antenna	1	\$ 565.22	\$ 565.22			
<b>Belar</b>	LP1AOPTION1	Option 1 for LP1A, Power Supply	1	\$ 130.34	\$ 130.34			
<b>Nicom</b>	LOG-FM-F5	100W Broadband Aluminum FM Receive Antenna	1	\$ 336.96	\$ 336.96			
<b>Comrex</b>	BRIC-Link2	Audio Over IP for Duplex Audio Transmission Version 2	2	\$ 1,478.26	\$ 2,956.52			
<b>BTools</b>	Audiosentinel-Plus	Web-Enabled Two Channel Stereo Silence Monitor	1	\$ 246.70	\$ 246.70			
<b>OMNIA</b>	Volt-AM	1RU AM On-Air Broadcast Processor 2001-00489	1	\$ 3,326.00	\$ 3,326.00			
		Freight	1	\$ 2,469.00	\$ 2,469.00	\$ 42,124.75		
<b>KTNN AM - Sawmill</b>								
<b>Nautek</b>	NX50	50kw AM transmitter	1	\$ 149,556.52	\$ 149,556.52			
		Freight	1	\$ 3,000.00	\$ 3,000.00	\$ 152,556.52		
<b>PTP - St. Michaels to Sawmill</b>								
	several items	Point to Point connections, equipment and labor	1	\$ 33,000.00	\$ 33,000.00			
<b>Comrex</b>	ACCESS-NX	IP Audio Codec w/ touch screen	2	\$ 3,478.00	\$ 6,956.00			
<b>Moseley</b>	SL9003Q2S	Starlink 2 Channel STL System	3	\$ 11,344.00	\$ 34,032.00			
<b>Hunters Point / Yolo Point</b>	Generator	Generator, back up for NBE	1	\$ 125,000.00	\$ 125,000.00	\$ 198,988.00		
					\$ -			
					\$ -	\$ 393,669.27		



# DINÉ COLLEGE

THE HIGHER EDUCATION INSTITUTION OF THE NAVAJO

July 14, 2020

Honorable Delegates  
24<sup>th</sup> Navajo Nation Council  
P.O. Box 3390  
Window Rock, AZ 86515

**RE: Diné College Distance Learning Environment Development**

Dear Honorable Delegates:

Yá'át'ééh, with this communication Diné College would like to submit this funding request for the Distance Learning Environment Development education plan. As a higher education institution, Diné College is aware of the many factors that affect our students and their right to learn. As the College continues to closely monitor the ongoing COVID-19 pandemic, we are committed to ensure the safety, health, and well-being of our entire college community.

With this Distance Learning Environment Development, Diné College plans to put forth extraordinary actions to implement a distance learning plan and expand online capabilities for the current and upcoming semesters. An analysis was completed to understand the requirements to address the issues education faces. For a stable transition and future, the IT infrastructure is moving forward to implement this plan based on the outlined solutions determined from this analysis.

With this analysis and recommendations, the College has outlined a budget to provide needed services to students in multiple remote areas and extend this network of access to communities across the Navajo Nation. The Distance Learning Environment Development education plan is an estimated \$8.4 Million plan. Enclosed you will find the proposal and budget laid out in the official Navajo Nation Program Budget Forms.

Please feel free to contact me by email at [officeofthepresident@dinecollege.edu](mailto:officeofthepresident@dinecollege.edu) or by phone at 928-724-6669 with any questions or comments you may have. We look forward to Navajo Nation Council's support for education.

Sincerely,

Dr. Charles Roessel,  
President



# DINÉ COLLEGE

## THE HIGHER EDUCATION INSTITUTION OF THE NAVAJO

### DISTANCE LEARNING ENVIRONMENT DEVELOPMENT

The COVID-19 pandemic and the emergency response required Diné College to put extraordinary actions in motion to implement distance learning and online capabilities for current and upcoming semesters. An analysis was done to understand the requirements to address the issues we faced and needs we experienced during this transition and for stable future IT infrastructure going forward and an outline of solutions was created based on categories below.

Costs were acquired and funding of \$8,478,578.80 (eight million four hundred seventy-eight thousand five hundred and seventy-eight dollars and eighty cents) is being secured to address these needs:

- 1) Emergency Student and Faculty Response
- 2) Laptop and MyFi Loaner Program
- 3) Internet and Wide Area Network Bandwidth
- 4) Infrastructure Upgrades
- 5) Software Integrations and Enhancements
- 6) AV Technology
- 7) Internal hardware
- 8) Contingency

The evaluation of these solutions takes into account that, in order to be successful:

- 1) Students will be need to continue to take classes remotely or from home.
- 2) Faculty will need to be provided with the best tools and practices.
- 3) Reliable internet access needs to be increased at all Diné College locations.
- 4) Integrated software and cloud solutions are necessary to allow remote functioning for staff and faculty.

#### GOAL:

Diné College is now a 4-year institution and its unique offerings must continue to be made available online to students. The long term goal is to provide these offerings to students, not only on Navajo, but everywhere, especially Navajo students throughout the world. The College in the short term was required to move online, and with these tools, the College will be able to sustain a robust offering.

#### OBJECTIVES:

1. To develop the distance learning capabilities and opportunities in many innovative ways.
2. Implement all projects of the categories listed above.
3. To continue this expand and create a delivery environment strategy to produce high quality courses.
4. Extend capability to use the EBS 2.5 Ghz spectrum to provide service to students in multiple remote areas and desires to extend this network of access into Navajo communities to reach students who are underserved.

#### IMPACT OF THE NAVAJO NATION-OUTCOME:

While enriching education provided online for the betterment of student learning, Diné College will maintain high quality courses and online degrees for students and Navajo communities. With Internet-enabled local classrooms in key locations, Diné College can be significant to creating a bridge for all students K-20, continuing its heritage as resilient; mentally, physically, emotionally, sociably, economically, spiritually and educationally.



FY 20

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page 1 of 7  
**BUDGET FORM 1**

Diné College Distance Learning Environment			
PART I. Business Unit No.: _____		Program Title: <u>Development</u>	
		Division/Branch: <u>Diné College</u>	
Prepared By: <u>Diné College</u>		Phone No.: <u>928-724-6669</u>	Email Address: <u>Officeofthepresident@dinecollege.edu</u>


  

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total #DIV/0!	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
				2001 Personnel Expenses			\$ 258,700.00	\$ 258,700.00
				3000 Travel Expenses				\$ -
				3500 Meeting Expenses				\$ -
				4000 Supplies			\$ 100,000.00	\$ 100,000.00
				5000 Lease and Rental				\$ -
				5500 Communications and Utilities			\$ 2,576,132.47	\$ 2,576,132.47
				6000 Repairs and Maintenance			\$ 500,000.00	\$ 500,000.00
				6500 Contractual Services			\$ 750,000.00	\$ 750,000.00
				7000 Special Transactions			\$ 500,000.00	\$ 500,000.00
				8000 Public Assistance				\$ -
				9000 Capital Outlay			\$ 3,793,746.33	\$ 3,793,746.33
				9500 Matching Funds				\$ -
				9500 Indirect Cost				\$ -
<b>TOTAL:</b>						\$ 0.00	\$ 8,478,578.80	\$ 8,478,578.80

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
Dr. Charles Roessel SUBMITTED BY: Program Manager's Printed Name  SUBMITTED BY: Program Manager's Signature and Date	APPROVED BY: Division Director/Branch Chief's Printed Name  APPROVED BY: Division Director/Branch Chief's Signature and Date



FY '20

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 7  
BUDGET FORM 2

**PART I. PROGRAM INFORMATION:**

Business Unit No.: \_\_\_\_\_

Program Name/Title: \_\_\_\_\_

Distance Learning Environment Development

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

The COVID-19 pandemic and the emergency response required Diné College to put extraordinary actions in motion to implement distance learning and online capabilities for current and upcoming semesters. An analysis was done to understand the requirements to address the issues we faced and needs we experienced during this transition and for stable future IT infrastructure going forward and an outline of solutions was created. While enriching education provided online for the betterment of student learning, Diné College will maintain high quality courses and online degrees for students and Navajo communities. With Internet-enabled local classrooms in key locations, Diné College can be significant to creating a bridge for all students K-20, continuing its heritage as resilient; mentally, physically, emotionally, sociably, economically, spiritually and educationally.

**PART III. PROGRAM PERFORMANCE CRITERIA:**

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

**1. Goal Statement:**

The long term goal is to provide online course offered to students anywhere in the world by developing the distance learning capabilities and opportunities in many innovative ways.

**Program Performance Measure:**

Provide permanent learning centers in 5 key locations (Dilkon, Rock Point, Kayenta, Ganado and Pinon) that will be situated close to home. These locations will house internet access, a Zoom classroom

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**2. Goal Statement:**

To move all necessary and capable functions online and sustain a robust offering of online courses.

**Program Performance Measure:**

Upgrade wifi capabilities at all Dine College sites and campuses.

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**3. Goal Statement:**

Implement all projects of the categories: 1) emergency student and faculty response, 2) laptop and MyFi loaner Program, 3) Internet and Wide Area Network Bandwidth, 4) Infrastructure Upgrades, 5) Software Intergrations and Enhancements, 6) AV Technology, 7) Personnel, 8) Contingency.

**Program Performance Measure:**

Building and classroom set for zoom and distance learning set up-one located at five key Chapters across the Navajo Nation). Specialized desks and seperators-covid19, computers, ITV screens, etc. Safety training, sanitation station, signage, plexi-glass set up, etc. Utilities will include electric, internet and water usage. Operation and Maintenance costs-custodial.

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**4. Goal Statement:**

To continue this expansion and create a delivery environment strategy to produce high quality courses and learning.

**Program Performance Measure:**

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THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

Page 3 of 7  
BUDGET FORM 2

Learning center locations will house internet access, a Zoom classroom, a professional tutor, computers, rental laptops, supplies to help support learning

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**5. Goal Statement:**

Provide service to students in multiple remote areas and extend the network of access into Navajo Communities to reach students not only in higher education, but K-12.

**Program Performance Measure:**

Learning centers in 5 key locations to create a bridge for all students K-20 with technological resources, professional assistance and child care so that students can continue to be resilient; mentally, physically, emotionally, sociably, economically, spiritually and educationally.

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

Dr. Charles Roessel

Program Manager's Printed Name

*Charles M. Roessel* 7/14/20  
Program Manager's Signature and Date

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

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**THE NAVAJO NATION**  
**LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT**

Page 4 of 7  
**BUDGET FORM 3**

SUB	POS	JOB			WRKSITE	FY 2019 ACTUAL		FY 2020 PROPOSED	
ACCT	NO	TYPE	POSITION TITLE	EMP ID	CODE	G/S	SALARY	HOURS	BUDGET
	1	Permanent	Academic Technologist		Tsaile		\$ 52,000.00	1040	\$ 67,600.00
	2	Permanent	Instructional Designer		Tsaile		\$ 72,000.00	1040	\$ 93,600.00
	3	Permanent	COVID-19 Incident Commander		Tsaile		\$ 75,000.00	1040	\$ 97,500.00
	4	Contract	Safety Screener		Tsaile		\$ 50,000.00	1040	\$ 65,000.00
	5	Contract	Safety Screener		Tsaile		\$ 50,000.00	1040	\$ 65,000.00
	6	Contract	Safety Screener		Tsaile		\$ 50,000.00	1040	\$ 65,000.00
	7	Contract	Safety Screener		Tsaile		\$ 50,000.00	1040	\$ 65,000.00
	8	Contract	Safety Screener		Shiprock		\$ 50,000.00	1040	\$ 65,000.00
	9	Contract	Safety Screener		Shiprock		\$ 50,000.00	1040	\$ 65,000.00
	10	Contract	Safety Screener		Shiprock		\$ 50,000.00	1040	\$ 65,000.00
	11	Contract	Safety Screener		Chinle		\$ 50,000.00	1040	\$ 65,000.00
	12	Contract	Safety Screener		Crownpoint		\$ 50,000.00	1040	\$ 65,000.00
	13	Contract	Safety Screener		Tuba City		\$ 50,000.00	1040	\$ 65,000.00
	14	Contract	Safety Screener		Window Rock		\$ 50,000.00	1040	\$ 65,000.00

FY 20

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

Page 6 of 7  
**BUDGET FORM 4**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Distance Learning Environment Development</u>		Business Unit No.: _____	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
2001	<b>Personnel</b>		258,700
	2120 Academic Technologist (Salary \$52,000), Instructional Designer (Salary \$72,000), COVID Incident Commander (Salary \$75,000)	199,000	
	2900 Fringe-Academic Technologist (\$15,600), Instructional Designer (\$21,600), COVID Incident Commander (\$22,500)	59,700	
4000	<b>Supplies</b>		100,000
	4400 Operating Services-PPE-masks, sanitizers, gloves, face shields, safety goggles, etc.	100,000	
5500	<b>Communication and Utilities</b>		2,576,132
	5600 Internet Services	2,576,132	
6000	<b>Repairs and Maintenance</b>		500,000
	6230 HVAC and UPS renovations to NOC	500,000	
6500	<b>Contractual Services</b>		750,000
	6520 Consulting Services	100,000	
	6921 Other Contractual Services-Safety Screeners (10 screeners for the 6 campuses and sites; Salary \$50,000 + Fringe \$15,000=\$65,000 x 10)	650,000	
7000	<b>Special Transactions</b>		500,000
	7100 Health and Safety programs	500,000	
9000	<b>Capital Outlay</b>		3,793,746
	9036 Communications	2,274,877	
	9062 Contingencies	750,000	
	9142 Equipment	291,305	
	9146 Computers	477,563	
<b>TOTAL</b>		8,478,577	8,478,578

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**THE NAVAJO NATION**  
**EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION**

Page 7 of 7  
**BUDGET FORM 6**

<b>PART I. PROGRAM INFORMATION:</b>		Funding Period: <u>NN CARES ACT FUND</u>	
Program Name/Title: <u>Distance Learning Environment Development</u>		K #: _____	
Contract/Grant No.: _____		Prepared by: <u>Diné College</u>	
<b>PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT</b> No match funding. Expenses are related to the College's COVID-19 response for continuing the education of higher education students and expansion to K-12 students.			
<b>PART III. BUDGET INFORMATION:</b>			
(A)	(B)	(C)	(D)
Major Object Code and Description	Current Award Fiscal Year ____	Anticipated Funding Fiscal Year ____	Difference Columns (C) - (B)
2001 Personnel Expenses	-	258,700	258,700.00
3000 Travel Expenses			
3500 Meeting Expenses			
4000 Supplies		100,000	100,000.00
5000 Lease and Rental			
5500 Communication and Utilities		2,576,132	2,576,132.47
6000 Repairs and Maintenance		500,000	500,000.00
6500 Contractual Services		750,000	750,000.00
7000 Special Transaction		500,000	500,000.00
8000 Assistance			
9000 Capital Outlay		3,793,746	3,793,746.33
9510 Matching - Cash			
9610 Matching - In - Kind			
9710 Indirect Cost (Overhead) Allocation			
<b>TOTALS:</b>	-	<b>8,478,579</b>	<b>8,478,578.80</b>
<b>PART IV.</b>			
MATCH FUNDS - No. of Positions:			-
MATCH FUNDS - Required GF Cash Match:			-
CONCURRED BY:			
Required GF In-Kind Match:			-
Contracting Officer's Signature / Date:			-
Required GF % Match:			
<b>PART V. ACKNOWLEDGEMENT:</b>			
Submitted by (print): <u>Dr. Charles Roessel</u>		Approved by (print): _____	
Signature/Date: <u><i>Charles M. Roessel</i> 7/14/20</u>		Signature/Date: _____	





## NAVAJO NATION CARES FUND SOLAR PROJECTS EXPENDITURE PLAN

### I. PURPOSE

The purpose of this Solar Projects Expenditure Plan is to allow for the use and expenditure of Sixty-Nine Million, Two Hundred Ninety-Five Thousand, Nine Hundred Ten Dollars (\$69,295,910) for solar projects on the Navajo Nation for the first year. The expenditures set forth in the Expenditure Plan are necessary to ensure that Navajo communities receive solar infrastructure for humanitarian and sanitation purposes. This will ensure that the Navajo People are adequately protected from exposure to the further spread of infectious diseases.

Solar projects (attached) provided by the Navajo Tribal Utility Authority shall include, but are not limited to, 3.0kW Photovoltaic (PV) Power Refrigeration and Water Pump System as a turn-key solution at cost of thirty-five million one hundred ninety-two thousand dollars (\$35,192,000).

~~Solar projects (attached) Native Renewables will provide off-grid solar connections to provide reliable and clean electricity, electrical wiring and refrigeration for 1500 families on the Navajo Nation at a total first year cost of \$34,103,910.~~

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The federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Per the U.S. Department of Treasury's {Treasury} Guidance, dated April 22, 2020, eligible expenditures include expenses for planning, pre-designing, permitting, design, right-of-way, bid, and construction.

### II. AFFIRMATION OF FUND USE

The Navajo Tribal Utility Authority (NTUA), Native Renewables, Division of Community Development and any other entity receiving funds herein affirms it will use these funds in accordance with the purposes set forth in Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the

Unites States Congress and found in Public Law 116-136 (2020).

### III. ALLOCATION ASSIGNMENT

First year funds of \$35,192,000 are allocated to Navajo Tribal Utility Authority (NTUA) to be used consistent with the attached NTUA plan. First year funds of 34,103,910 are allocated to Native Renewables, through the Division of Community Development, to be used consistent with the attached Native Renewables plan.

### IV. IMPLEMENTATION AND MONITORING

The Navajo Tribal Utility Authority (NTUA) is responsible for implementing NTUA projects. Native Renewables, under the oversight of the Division of Community Development, is responsible for the Native Renewables projects.

The Division of Community Development is responsible for monitoring the expenditure of all of these funds.

### V. ADMINISTRATOR OF FUNDS

NTUA is responsible for administering the funds allocated to NTUA. Native Renewables is responsible for administering the funds allocated to Native Renewables.

### VI. MEANS OF FUNDING

The funds allocated to NTUA shall be a direct disbursement. The funds allocated to Native Renewables be disbursed to the Division of Community Development and issued to Native Renewables through a Purchase Agreement or Memorandum of Agreement. No funds shall be released to Native Renewables until the Division of Community Development has completed due diligence on Native Renewables.

### VII. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines and the Single Audit Act and any other applicable

rules, regulations and guidance.

#### VIII. OVERSIGHT COMMITTEE

The Resources and Development Committee (RDC) and Budget and Finance Committee (BFC) shall share oversight as RDC has oversight over energy projects and enterprises and BFC has oversight over externally restricted funding.

#### IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Navajo Tribal Utility Authority, Native Renewables and Division of Community Development affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.



**Electricity & Refrigeration for Navajo Families  
1,500 Systems in 2020 / 5,000 Systems in 2021**

**Native Renewables Contact: Wahleah Johns, 928-637-5281, [wahleah@nativerenewables.com](mailto:wahleah@nativerenewables.com)**

By the end of 2020, Native Renewables will provide reliable and clean electricity, electrical wiring and refrigeration for 1,500 families on the Navajo Nation for a total cost of \$34,103,910. Off-grid solar is a proven solution for emergency relief because it can be deployed quickly and affordably in any location and it provides critical electricity for disaster-impacted communities. In this updated proposal, we have added additional cost for 1) overhead to support rapid program ramp-up, 2) electrical wiring for families, and 3) PPE, hotel expenses and battery-only installations for homes that already have solar panels.

We have also added a second year program budget if the deadline for spending CARES Funding is extended. We are confident that after the first five months of operating the program we will be able to increase the number of systems we can deploy per month and serve an additional 5,000 families for an additional cost of \$112,884,700.

**Native Renewables** is a Navajo led not-for-profit organization (501c3) that formed in 2016 to promote use of off-grid solar photovoltaic (PV) systems to address the urgent energy needs for remote households and businesses of the Navajo Nations. We promote fast, frugal, smart, green and locally appropriate projects and investments to support local economies, promote health and quality-of-life and grow technical capacity. Native Renewables also provides workforce training and educational resources related to solar power that supports local entrepreneurs, ranchers and farmers on the Navajo Nation. Through our local efforts Native Renewables has attracted wide interest in the Navajo Nation and forged new partnerships with the clean energy, technology, education and development sectors.

**Hozho Homes** is a Native Renewables program that will provide Navajo homes with clean energy and refrigeration to make homes self-reliant and strong. Native Renewables has designed and installed 2.3 kilowatt (kW) off-grid solar plus battery storage units (pictured below) that produce enough power for refrigeration, lighting, wifi satellite modem, cell phone, computers and television/satellite and other small electronics. Each system comes with electrical wiring, an energy efficient refrigerator and are mounted on a durable steel frame. To date, the systems have performed well in the heat, cold, and wind on the Navajo reservation. The COVID-19 (Dikos Ntsaaígíí-Náhást'éíts'áadah) crisis on the Navajo Nation has particularly impacted the 15,000 families who do not have electricity. Native Renewables stands with the Navajo Nation leadership in seeking approaches to addressing the overarching need for electricity, refrigeration and water for all families to help combat COVID-19 and for the long-term benefit of Diné people.





# Year 1 Budget

Solar & Battery Unit	Cost per Watt	Watts	Cost per Home	Description
Modules & Inverter	\$1.79	2300	\$4,117	Includes 20 year manufacturer warranty
Batteries	\$1.47	2300	\$3,381	AGM (upgrade to Lithium Ion will cost more)
Racking & BOS	\$1.03	2300	\$2,369	
Labor & Transportation	\$1.36	2300	\$3,128	Potential for additional transportation needs
<b>Subtotal</b>	<b>\$5.65</b>	<b>2300</b>	<b>\$12,995</b>	
In Home Improvements	Unit Cost	Quantity	Cost per Home	Description
Refrigerator	\$600	1	\$600	Energy Star, 18 cubic feet
Electrical Wiring	\$4,000	1	\$4,000	Average cost for a 2 bedroom home
<b>Subtotal</b>			<b>\$4,600</b>	
<b>Maintenance Reserve</b>			<b>\$1,400</b>	Annual system maintenance for 7 years
<b>Administration</b>			<b>\$1,500</b>	Program administration, workforce development
<b>Total Cost Per Home with PV + solar</b>			<b>\$20,495</b>	
<b>Number of Homes (solar+electrical wiring)</b>			<b>1,500</b>	
<b>Total Cost Per Home with electrical wiring only</b>			<b>\$4,000</b>	
<b>Number of Homes (electrical wiring only)</b>			<b>50</b>	
<b>Other</b>				
<b>PPE</b>			<b>\$6,000</b>	Face masks, hand sanitizers
<b>Tools</b>			<b>\$125,000</b>	
<b>Housing</b>			<b>\$900,000</b>	Regional housing/hotels
<b>Refurbishment for existing systems</b>			<b>\$200,000</b>	Battery expenses
<b>Subtotal</b>			<b>\$1,225,000</b>	
<b>Navajo Nation Sales Tax</b>			<b>6%</b>	<b>\$1,930,410</b>
<b>Total Cost</b>			<b>\$34,103,910</b>	

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## Year 2 Budget

Solar & Battery Unit	Cost per Watt	Watts	Cost per Home	Description
Modules & Inverter	\$1.79	2300	\$4,117	Includes 20 year manufacturer warranty
Batteries	\$1.47	2300	\$3,381	AGM (upgrade to Lithium Ion will cost more)
Racking & BOS	\$1.03	2300	\$2,369	
Labor & Transportation	\$1.36	2300	\$3,128	Potential for additional transportation needs
<b>Subtotal</b>	<b>\$5.65</b>	<b>2300</b>	<b>\$12,995</b>	
In Home Improvements	Unit Cost	Quantity	Cost per Home	Description
Refrigerator	\$600	1	\$600	Energy Star, 18 cubic feet
Electrical Wiring	\$4,000	1	\$4,000	Average cost for a 2 bedroom home
<b>Subtotal</b>			<b>\$4,600</b>	
<b>Maintenance Reserve</b>			<b>\$1,400</b>	Annual system maintenance for 7 years
<b>Administration</b>			<b>\$1,500</b>	Program administration, workforce development
<b>Total Cost Per Home with PV + solar</b>			<b>\$20,495</b>	
<b>Number of Homes (solar+electrical wiring)</b>			<b>5,000</b>	
<b>Other</b>				
<b>PPE</b>			<b>\$20,000</b>	Face masks, hand sanitizers
<b>Housing</b>			<b>\$3,000,000</b>	Regional housing/hotels
<b>Refurbishment for existing systems</b>			<b>\$1,000,000</b>	Battery expenses
<b>Subtotal</b>			<b>\$106,495,000</b>	
<b>Navajo Nation Sales Tax</b>		<b>6%</b>	<b>\$6,389,700</b>	
<b>Total Cost</b>			<b>\$112,884,700</b>	

### **3.0kW Photovoltaic (PV) Power Refrigeration & Water Pump System**

Navajo Tribal Utility Authority  
PO Box 170  
Fort Defiance, AZ 86504  
928-729-5721

Navajo Tribal Utility Authority (NTUA) proposes a 3.0kW Photovoltaic (PV) Power Refrigeration and Water Pump System as a turn-key solution. The project scope is based on the following:

NTUA will provide a complete 3.0kW PV Power Refrigeration & Water Pump System package. The PV unit will be constructed of materials which tolerate elements characteristic of high plains desert and mountainous terrain, made to withstand extreme heat and cold conditions, and protect system components from dust and sand stirred by high winds. NTUA will design the unit for 3 days of autonomy for loss of solar resources, which means that the unit will produce power for 3 days of power without any direct sunlight. NTUA will produce all engineering drawing sets that will consist of electrical drawings, mechanical layout and structural drawings for the complete 3.0kW PV Power Refrigeration & Water Pump. This unit will power small appliances, up to an 18.0 cubic ft. energy efficient refrigerator, a pre-determined water pump, a smaller energy efficient television and illumination throughout the home.

NTUA will provide a Turn-key Installation which includes procurement of all components, integration of components into a complete power system and installation of the power & refrigeration system at **1000** customer locations.

- NTUA will be responsible for all labor and materials for site trenching, and assembly and installation of all system components and monitoring of PV Power System including refrigeration and water pump.
- All included work will be done according to NEC standards.
- System startup and verification of operation will be performed by NTUA prior to turn-over of the system to the customer.

The following electrical and safety certifications and listings apply to this design:

- UL1703, Standard for Photovoltaic (PV) Modules
- UL1741, Standard for Power Conditioning Equipment for PV System Applications

### NTUA Proposal

**FIRM NAME:** Navajo Tribal Utility Authority  
**ADDRESS :** P.O. Box 170 Fort Defiance AZ 86504  
**TELEPHONE:** (928)729-5721

Quantity	Line Item	Unit Price	Totals
1000	1. PV Power System-Refrigeration & Water Pump (Includes House-wiring, installation, preparation, travel and warranty)	\$ 33,200 ea	\$ 33,200,000
1	2. Navajo Nation Sales Tax	6%	\$1,992,000
<b>Total Budget</b>			<b>\$ 35,192,000</b>

#### Detailed Life of Product

	3.0 kW			Units
	PV+Wind+Refrigeration			
<b>PROJECT SUMMARY</b>				
System Size	3.0			KW
Projected Life of System (Excludes Battery & BOS)	25*			Y
<b>GUARANTEED PERFORMANCE OF SYSTEM</b>				
Daily Output (Year 1)	2.1			kWh
Initial Annual Output (Year 1)	4599.0			kWh
Life cycle Output (25 year)	114,975.0			kWh
O&M: Ext Warranty	25 year panel manufacturer, 5 year inverter, 5 year battery, 5 year Charge Controller			
Additional Notes	Please submit costs using the pricing matrix outlined in the RFP Please provide 1) a list of materials in the Parts Restocking inventory; 2) opportunity for quantity discounts; and 3) any other information helpful to the evaluation team in understanding your solution proposal.			
Subtotal for line 1 - Installed Costs	\$33,200.60			\$

## NAVAJO NATION CARES FUND SOLID WASTE EXPENDITURE PLAN

### I. PURPOSE

~~The purpose of this Solid Waste Expenditure Plan is to allow for the use and expenditure of Twenty-Three Million, Nine Hundred Seventy-Three Thousand Dollars (\$23,973,000) for solid waste projects on the Navajo Nation for the first year. The expenditures set forth in the Expenditure Plan are necessary to ensure that Navajo communities, whether located on trust lands or Navajo-owned fee simple lands, receive solid waste infrastructure for sanitation purposes. This will ensure that the Navajo People are adequately protected from exposure to the further spread of infectious diseases.~~

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~~The solid waste projects list includes, but is not limited to, solid waste disposal fees on solid waste bins, illegal trash clean-up, plan, permitting, design, right-of-way, bid and construction of transfer stations, recycle centers and land fill, purchase of heavy equipment of the land fill, solid waste management administration cost and may include reimbursement to chapters and payments to private companies provided services to Navajo communities.~~

The federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Per the U.S. Department of Treasury's (Treasury) Guidance, dated April 22, 2020, eligible expenditures include expenses for planning, pre-designing, permitting, design, right-of-way, bid, and construction.

### II. AFFIRMATION OF FUND USE

The Navajo EPA Resource Conservation and Recovery Program affirms it will use these funds in accordance with the purposes set forth in Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

### III. ALLOCATION ASSIGNMENT

The funds are allocated to Navajo EPA Resource Conservation and Recovery Program to be used for Solid Waste projects dedicated to mitigating or responding to the COVID-19 public health emergency and interaction with the public.

#### IV. IMPLEMENTATION AND MONITORING

The Navajo EPA Resource Conservation and Recovery Program is responsible for implementing the Expenditure Plan and monitoring the expenditure of these funds.

#### V. ADMINISTRATOR OF FUNDS

The Director of the Navajo EPA Resource Conservation and Recovery Program is responsible for administering the Expenditure Plan and overseeing the allocated funds.

#### VI. MEANS OF FUNDING

The Expenditure Plan funds shall be released directly to the Navajo EPA Resource Conservation and Recovery Program once the Expenditure Plan is duly adopted and expedited budgets are implemented.

#### VII. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines and the Single Audit Act and any other applicable rules, regulations and guidance.

#### VIII. OVERSIGHT COMMITTEE

The Resources and Development Committee (RDC) and Budget and Finance Committee (BFC) shall share oversight as RDC has oversight over the Navajo Nation Environmental Protection Agency and BFC has oversight over externally restricted funding.

#### IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Navajo EPA Resource Conservation and Recovery Program affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.



**CARES FUND  
SOLID WASTE EXPENDITURE PLAN**

PURPOSE	CHAPTERS	TOTAL UNIT COST	MONTHS (Mar., April, May, June, July, August, Sept., Oct., Nov., Dec.)	TOTAL
<b>Essential Services - Chapter Level</b>				
At the onset of COVID-19, in the best interest of safety and wellbeing of the Navajo people, the Navajo Nation proceeded with a total shutdown of the Navajo Nation. As a result, solid waste disposal services were disrupted leaving constituents no alternatives for household trash disposal but to resort to illegally dumping in nearby arroyos and other hidden locations. At the local level of Navajo government, the chapter houses serve to provide essential services for their respective chapter community members such as solid waste disposal. This began to occur in March and continued mid-April, thereafter the chapter houses partially re-opened to provide limited hours with no person-to-person contact household waste disposal. Thus, leaving local government chapters to cover all expenses for waste disposal expenditures. In addition, due to the Navajo Nation Public Health Stay at Home Order, the amount of waste disposal has doubled. Solid Waste disposal has since become an issue since trash bins continue to be at capacity at a faster rate during these times.				
San Juan County - Solid Waste Essential Service	1	\$ 50,000.00	10	\$ 500,000.00
Expenditure Recommended Cost	110	\$ 500.00	10	\$ 550,000.00
<b>GRAND TOTAL</b>				<b>\$ 1,050,000.00</b>

<b>Illegal Dump Sites - Chapter Community Governments</b>				
However, due to the limited hours of chapter house operations, illegal trash dumping is still an issue. Therefore, as a result of the COVID-19 pandemic, a rash of illegal trash dumping has increased and it is a public health and environmental impact that needs to be addressed by using COVID-19 relief funding allocation. Illegal Dump Sites: Oak Springs, Chinle, Cameron, Oljato, Dennehotso, Whipporwill, St. Michael's, Rock Springs, Tsayatoh, Dalton Pass, Crownpoint, Mariano Lake, Whitehorse Lake, Inscription House, Black Mesa, Pinon, Sawmill, Fort Defiance, Coyote Canyon, Klagetoh, Rock Point, Round Rock, Tsaille/Wheatfields, Lukachukai, and Rough Rock. Listed Chapters shall be prioritized.				
Expenditure Recommended Cost	25	\$ 80,000.00	1	\$ 2,000,000.00

<b>Transfer Stations - Chapter Community Locations</b>				
As a result of illegal dumping, the recommendation of establishing an over built transfer station should be constructed are as follows: Pinon, LeChee, Oljato, Navajo Mountain, Cameron, Dilkon, Rock Point, Red Mesa, Tsaille Wheatfields, Houck, Aneth, Rock Springs, Fort Defiance, Cotton Tselani, Tohajilee, Navajo-Alamo, Ramah Navajo, Crownpoint, Rocksprings. Rough Rock. Inclusion of transfer stations; household grease recycling, household hazardous waste, used automotive oil recycling, tire recycling baler, glass crusher, garbage compactor, house-hold ash recycling, refrigerant coolant recycling, alomimu can and water bottle recycle, cardboard recycle, ink printer/xerox cartridge recycle.				
Plan/Design	19	\$ 250,000.00		\$ 4,750,000.00
Construction	19	\$ 600,000.00		\$ 11,400,000.00
Operations- Equipped with one loader and one transfer truck. ( Includes gate attendant, loader, operator, transfer truck driver)	19	\$ 600,000.00		\$ 11,400,000.00
Expenditure Recommended Cost			1	\$ 27,550,000.00

**CARES FUND  
SOLID WASTE EXPENDITURE PLAN**

**Navajo Nation Landfill /and or Recycling Center**

Although there are numerous landfills of the Navajo Nation, a landfill does not exist on the Navajo Nation. In addition, a Navajo Nation landfill can also be considered for federal funding opportunities related to landfill (plan, design, construction and operation) (See Appendix F- includes additional cells, years with cost associated). The inclusion of Recycle Management is critical working toward economic vitality.

Plan/Permitting/Design	\$ 1,023,000.00			\$ 1,023,000.00
Construction Build	75,000 Tons	125,000 Tons	175,000 Tons	
Expected Landfill Life	34	20	15	
Life per Cell (Years)	8.49	5.1	3.64	
(** Includes the 10% Inflation per year) Cell 1		\$ 8,712,786.50	\$ 8,712,786.50	\$ 8,712,786.50
<b>Expenditure Recommended Cost</b>				<b>\$ 9,735,786.50</b>

**Solid Waste Management Administration Cost**

Management of Educational Outreach, Enforcement, Prevention, Compliance Assistance and Inspection, Monitoring, Clean-Up and Permitting. Equipment for telework, work stations, vehicles, field work. Personnel: Circuit Grant Writer (1), Program & Project Specialist (1), Community Involvement Specialist (2), Permit Environmental Engineer (2) Environmental Technician (2), Environmental Specialist (1), PIO (1), Information Technology Specialist (1), GIS (1), ASO (1)

Personnel	\$ 2,250,000.00
Vehicle	\$ 500,000.00
Field Work Equipment	\$ 500,000.00
Supplies	\$ 500,000.00
<b>Expenditure Recommend Cost</b>	<b>\$ 3,750,000.00</b>

**COST OVERVIEW**

Essential Services -Chapter Level  
Illegal Dumpsites-Chapter Community Governments  
Transfer States- Chapter Community Locations  
Navajo Nation Landfill  
Solid Waste Management Administration Cost  
**TOTAL RECOMMENDED REQUEST**

<b>TOTAL AMOUNT</b>	
\$	<b>550,000.00</b>
\$	<b>2,000,000.00</b>
\$	<b>27,550,000.00</b>
\$	<b>9,735,786.50</b>
\$	<b>3,750,000.00</b>
\$	<b>43,585,786.50</b>

<b>FY 2020</b>		<b>FY 2021</b>	
\$	1,050,000.00	\$	11,400,000.00
\$	2,000,000.00	\$	8,712,786.50
\$	4,750,000.00	\$	-
\$	11,400,000.00	\$	-
\$	1,023,000.00	\$	-
\$	3,750,000.00	\$	-
\$	<b>23,973,000.00</b>	\$	<b>20,112,786.50</b>



**NAVAJO NATION CARES FUND  
HARDSHIP ASSISTANCE EXPENDITURE PLAN**

**I. PURPOSE:**

The purpose of the Hardship Assistance Expenditure Plan is to allow for the use and expenditure of One Thousand Dollars (\$1,000) of Navajo Nation CARES Funds for emergency financial assistance to Navajo tribal members for purchasing Personal Protective Equipment, paying past due utility bills, rent, mortgages, isolation expenses, and other financial burdens caused by the COVID-19 pandemic and incurred since March 1, 2020. The expenditures set forth in this Expenditure Plan are necessary in order to relieve the financial burdens imposed on Navajo households by the pandemic and public health orders, but shall not exceed fifteen hundred dollars (\$1500) per person.

The federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Per the U.S. Department of Treasury's (Treasury) Guidance, dated May 4, 2020, eligible expenditures include expenses for general assistance for, including but not limited to, purchasing PPE, past due utilities, rent, isolation expenses and other financial burdens caused by COVID-19.

**II. AFFIRMATION OF FUND USE**

Any program, department, office or other entity receiving funding hereunder affirms that they will use these funds in accordance with the purposes set forth in Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

**IV. ADMINISTRATOR OF FUNDS**

The Executive Branch, through the Office of the President and Vice-President, is responsible for administering the Expenditure Plan and shall develop eligibility criteria and an application and approval process ensuring that any funds disbursed comply with Title V of the CARES Act and Treasury guidance.

Within fifteen (15) days of approval of this Expenditure Plan, the Office of the President and Vice-President shall provide the Naabik'iyáti' Committee written notice as to which Navajo Nation program(s) or entity(s) will be responsible for the day-to-day implementation and administration of this Expenditure Plan.

### III. MONITORING

The Office of the President and Vice-President shall be responsible for overseeing and monitoring the expenditure of these funds.

### V. MEANS OF FUNDING

The Expenditure Plan funds shall be released to the designated Executive Branch division once the Expenditure Plan is duly adopted and expedited budgets are implemented.

### VI. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines, and the Single Audit Act and any other applicable rules, regulations, and guidance.

### VII. OVERSIGHT COMMITTEE

The Health, Education, and Human Services Committee (HEHSC) and the Budget and Finance Committee (BFC) shall provide oversight as HEHSC has oversight over social services matters and BFC has oversight over externally restricted funding.

### IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Executive Branch and any entity receiving funding thereunder affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.



**NAVAJO NATION CARES FUND  
PARKS AND RECREATION ECONOMIC ASSISTANCE EXPENDITURE PLAN**

**I. PURPOSE:**

The purpose of the Parks and Recreation Economic Assistance is to allow for the use and expenditure of eight hundred twenty-eight thousand six hundred thirty-seven dollars (\$828,637) of Navajo Nation CARES Funds to mitigate the negative economic impacts caused by the COVID-19 pandemic and inflicted on Navajo businesses and communities serving the Navajo Nation's tribal parks..

The federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

**II. AFFIRMATION OF FUND USE**

Any program, department, office or other entity receiving funding hereunder affirms that they will use these funds in accordance with the purposes set forth in ~~CMY-44-20~~ and Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

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**IV. ADMINISTRATOR OF FUNDS**

The Parks and Recreation Department, Division of Natural Resources, is responsible for administering the Expenditure Plan and shall develop eligibility criteria and an application and approval process ensuring that any funds disbursed comply with Title V of the CARES Act and Treasury guidance.

Within fifteen (15) days of approval of this Expenditure Plan, the Parks and Recommendation Department shall provide the Resources and Development Committee written notice as to how this Expenditure Plan shall be implemented.

**III. MONITORING**

The Division of Natural Resources and Parks and Recreation Department shall be responsible for overseeing and monitoring the expenditure of these funds and ensuring any expenditures comply with the Title V of the Coronavirus Aid, Relief, and Economic



Security Act (the “federal CARES Act”) as enacted by the United States Congress and found in Public Law 116-136 (2020).

V. MEANS OF FUNDING

The Expenditure Plan funds shall be released to Parks and Recreation Department once the Expenditure Plan is duly adopted and expedited budgets are implemented.

VI. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines, and the Single Audit Act and any other applicable rules, regulations, and guidance.

VII. OVERSIGHT COMMITTEE

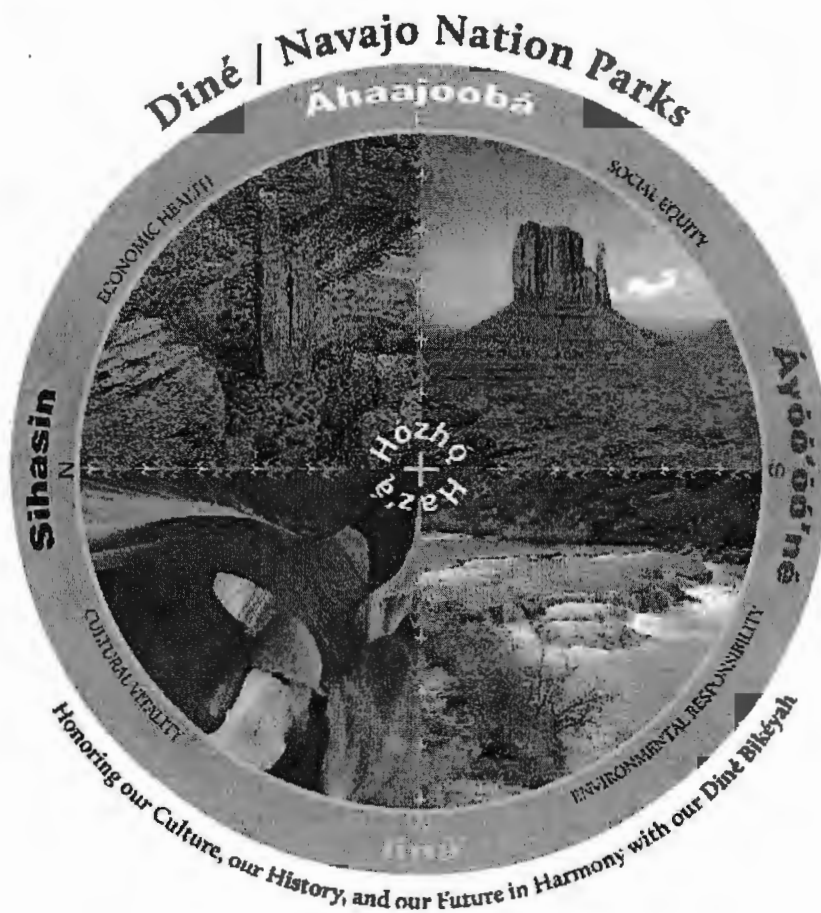
The Budget and Finance Committee (B&F) and the Resources and Development Committee (RDC) shall provide oversight as RDC has oversight over tribal parks and resource matters and BFC has oversight over externally restricted funding.

IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Executive Branch and any entity receiving funding thereunder affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.

# CARES ACT FUNDING PROPOSAL: ECONOMIC ASSISTANCE WITH A SOCIAL RETURN

May 28, 2020



**Proposal Prepared by:**

**Martin L. Begaye, Department Manager**

**Vanessa Vandever, Assistant Department Manager**

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# EXECUTIVE SUMMARY

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Navajo Parks and Recreation Department (NPRD) is greatly impacted by COVID-19 because parks, recreation and tourism play a predominant role in the tourism and hospitality industries which has been severely hit. The economic impact on the tour operators, hotel, bed and breakfasts, and vendors is astronomical considering the Navajo Nation already has very few Navajo-owned businesses. Thus, an equally astronomical funding response is critical in order to mitigate the crisis we face, particularly to our communities, health care system and economy. The need for strategic changes to all businesses, including NPRD, in anticipation for life after the COVID-19 crisis is imperative because if we do not prepare and plan for these changes, we will not be able to rise from this crisis at a rate of recovery needed. Further, it is critical we provide resources for Navajo Nation to aggressively prepare for future pandemics, thus the data collection during this crisis is critical. The potential for future outbreaks is a real threat (until a cure or vaccine is discovered) thus all businesses must put in place tools that keep the public and community safe from the COVID-19. The purpose of this proposal is to address the dire need of our community members, particularly those who are not on the radar of the national and Navajo Nation relief efforts. We propose \$20,462,500 to reach the community members, sole proprietors and small businesses through direct payments and grants, with an outcome that strengthens our entire Navajo Nation's response to COVID-19 and provides a social return.

## COMMUNITY AND BUSINESS IMPACT OVERVIEW

Lake Powell Navajo Tribal Park (LPNTP)

- Communities served: LeChee, Navajo Mountain, Kaibeto, Coppermine, Bodaway/Gap, Inscription House, Tonalea, and Shonto
- 16 tour companies (436 employees)

- 50 vendors at Navajo Bridge via Bodaway/Gap

#### Tseyi Diné Heritage Area at Canyon de Chelly

- Communities served: Chinle, Tsaile, Nazlini, and Wheatfields
- 12 tour operators with 53 tour guides

#### Four Corners Monument

- Communities served: Teec Nos Pos, Red Mesa, Beclabito, and Sweetwater
- 63 vendors

#### Little Colorado River Navajo Tribal Park (LCRNTP)

- Communities served: Cameron and Bodaway/Gap
- 34 vendors
- 1 Bed & Breakfast

#### Monument Valley Navajo Tribal Park (MVNTP)

- Communities served: Oljato
- 1 hotel
- 33 tour companies (183 employees)
- 28 vendors

NPRD requested feedback from the chapters and businesses on their needs and the impact they are facing. Chapters who responded were in need of livestock feed, water, firewood, food and supplies for the elderly and physically challenged members. Concerns from businesses included making payroll and assisting their employees. Many tour operators are inundated with processing refunds with one of the larger operators writing, "We are addressing on average 150 cancellation requests per day." The sole proprietors are concerned about paying their bills and facing repossession on vehicles and mobile homes. *The letters and emails received from Chapters and businesses were not included in this proposal for privacy reasons; however, they are available upon request.*



# Economic Impact (March – June 2020)

## Navajo Parks and Recreation Department Economic Impact - March, April, May and June 2020

	NPRD Revenue Loss	NPRD Visitation Loss	Tour Operator Revenue Loss	Employees Affected	Active Vendors Affected
	Based on 2019 Revenues/Visitation			2020 Current #'s	
Lake Powell Navajo Tribal Park	\$ 4,199,460.00	524,977	\$ 4,398,272.00	436	N/A
Tseyi Dine Heritage Area/Canyon De Chelly	\$ 57,573.52	5,830	\$ 439,200.00	53	N/A
Four Corners Monument	\$ 627,212.00	129,826	N/A	N/A	63
Little Colorado River Navajo Tribal Park	\$ 51,406.56	17,349	N/A	N/A	34
Monument Valley Navajo Tribal Park	\$ 104,838.04	109,410	No Info	183	28
<b>Total Economic Impact</b>	<b>\$ 5,040,490.12</b>	<b>787,392</b>	<b>\$ 4,837,472.00</b>	<b>672</b>	<b>125</b>

NPRD estimates that the total revenue loss from parks closures from March to June 2020 is \$5,040,490.12. This is a conservative estimate because the total revenue each fiscal year has been slightly increasing and we had projected another slight increase this fiscal year until the COVID-19 pandemic struck. That equates to a total of 787,392 estimated visitors during those same months.

The estimated revenue loss to the tour operators during these same months is \$4,837,472 for only Lake Powell Navajo Tribal Park and Tseyi Diné Heritage Area at Canyon de Chelly. The estimated revenue loss for the tour operators within Monument Valley Tribal Park was not included because there's no data available but it could be upwards of \$5M, **doubling the tour operator revenue loss depicted in the table above for an estimated total of \$9,837,472 for only one quarter**. Additionally, the tour operator revenue loss does not account for the loss of wages and benefits to the 672 employees that were once employed with the tour operator companies.

The impact on vendors is difficult to track; however, the estimate on number of active (those who have signed agreements with NPRD) vendors is 125. Vendors typically do not pay taxes so it is unknown the revenue loss to these families who depend on vending; however, we know that these vendors are desperately looking for ways to feed their families, many single parents with small children.

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*"I'm a single mother of two young children and I cannot afford basic needs like propane and food so I have no choice but to try to sell during this pandemic." – Vendor on Hwy. 64*

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## Economic Assistance Overview

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Based on our economic impact assessment, our financial projection and the needs of the chapter communities and businesses, NPRD proposes to phase the assistance and requests **\$ 10,462,500** for the two phases, with the first phase addressing vendor assistance and second phase addressing the small business and community. We strongly believe that if we can all work together and give what we can individually, as an entity, as a community, and as a business that we can positively impact our tourism, hospitality, and recreation industries while emphasizing a social return.

NPRD estimates \$3,487,500 per quarter to be granted to approved vendors, MV residents, chapters, Department of Health, tour operators, and drivers/guides for up to three quarters, totaling

\$10,462,500 during the two phases. The criteria outlining who will be approved for assistance is in draft form which will determine the assistance amount provided to each person/entity.

Up to \$2,500 per quarter for approved vendors (≈200)	\$500,000
Up to \$1,500 per quarter for MV residents (≈25)	\$37,500
\$25,000 per quarter for chapters sharing boundaries with NPRD (18)	\$450,000
\$250,000 per quarter to Department of Health	\$250,000
Up to \$25,000 per quarter for approved tour operators (≈60)	\$1,500,000
Up to \$1,500 per quarter for drivers/guides (≈500)	\$750,000
<b>TOTAL per Quarter</b>	<b>\$3,487,500</b>

Recommendations and potentially legally binding agreements on how funds are to be spent will also be required. As an example, funds provided to chapters could be partially used for preparedness or to provide education/capacity building opportunities for their members either through hoop house kits, seed banks, water capture systems, recreation development, etc. to promote self-sufficiency and a healthy lifestyle.

## **PHASE ONE: ASSISTANCE TO VENDORS**

Phase one will directly provide quarterly assistance to vendors in the amount of \$2,500. In order for vendors to receive assistance they must have been actively vending within NPRD park boundary for 2019 and 2020, and for more than 10 calendar days per month. NPRD will have final review and approval as to each active vendor within the Park boundary. Vendors must be in good standing and fully compliant with NPRD Vendor Guidelines and Safety Requirements.

## **PHASE TWO: ASSISTANCE TO SMALL BUSINESSES, CHAPTERS AND HEALTH CARE SYSTEM**

Second phase will include assistance to small businesses, including tour operators. Up to \$25,000 in assistance per quarter to tour operators will be provided based on the following guidelines:

- NPRD Approved 2020 Tour Operator (Fees Paid)
- Active/Operating for 2020 Calendar Year

- Submitted 2019 and 2020 Tax payments to Tax Commission as required
- Submitted 2019 Year End Reports to NPRD
- Fully compliant with NPRD Tour Operator Guidelines and Safety Requirements

Additionally, \$1,500 per quarter will be provided to tour guides/drivers who have documentation of working for approved tour operators.

Eighteen chapters within the Park boundaries will also receive \$25,000 per quarter to promote self-reliance and health of their community members. \$1,500 per quarter will go to each Monument Valley resident who is considered head of household.

Finally, we are seeing the collapse of our healthcare system during this pandemic and in response a direct donation of \$250,000 per quarter to the Department of Health to be used toward testing, tracing and other tools that assist in mitigating COVID-19 so that our community members, workforce and visitors feel as safe as possible as we transition to reopening our economy.

•

## **Conclusion**

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The global effects of COVID-19 are unprecedented and will continue to worsen over the next year. Socioeconomic indicators for Navajo Nation show our people are disproportionately affected and will be those most struggling to recover even after a cure or vaccine is discovered. As a result, we must assure that any assistance we provide trickles down to the young, the elderly, and those who have no means to provide for their families.

The social and economic impact will only increase and how quickly we respond depends on our political leaders who have the ability to stream line the bureaucratic process and support ways to get the assistance directly to the workforce that so desperately needed us to act yesterday.

A portion of the CARES Act Fund, more specifically in the amount of \$10,462,500, will allow NPRD to lessen the struggle between life and livelihood for our people. Through oral history, we all know our ancestors set forth offerings to our Creators and nature so that we could always be protected and aspire to be respectful, charitable, loving and humble to all life. Charity, love, life, and faith as depicted in our NPRD vision graphic on the cover page of this proposal is our paradigm which was underscored by community members in our efforts to get input. With access to this CARES Act Funding, we have the ability to reinvent and reimagine our new normal while remaining grounded to our vision.

NPRD takes pride in connecting people back to the power of nature and we will assure our parks and recreation areas will be a form of healing to all people, no matter where we come from and what we believe. The methodical application to how we utilize the CARES Act funding will increase the Nation's capacity to respond to crises in the future and NPRD is committed to transparency, continuous evaluation and reporting.



**Eco**

	<b>N</b>
<b>Lake Powell Navajo Tribal Park</b>	<b>\$</b>
<b>Tseyi Dine Heritage Area/Canyon De Chelly</b>	<b>\$</b>
<b>Four Corners Monument</b>	<b>\$</b>
<b>Little Colorado River Navajo Tribal Park</b>	<b>\$</b>
<b>Monument Valley Navajo Tribal Park</b>	<b>\$</b>
<b>Total Economic Impact</b>	<b>\$</b>

**Navajo Parks and Recreation Department**  
**Economic Impact - March, April, May and June 2020**

<b>PRD Revenue Loss</b>	<b>NPRD Visitation Loss</b>	<b>Tour Operator Revenue Loss</b>
<b>Based on 2019 Revenues/Visitation</b>		
<b>4,199,460.00</b>	<b>524,977</b>	<b>\$ 4,398,272.00</b>
<b>57,573.52</b>	<b>5,830</b>	<b>\$ 439,200.00</b>
<b>627,212.00</b>	<b>129,826</b>	<b>N/A</b>
<b>51,406.56</b>	<b>17,349</b>	<b>N/A</b>
<b>104,838.04</b>	<b>109,410</b>	<b>No Info</b>
<b>5,040,490.12</b>	<b>787,392</b>	<b>\$ 4,837,472.00</b>

<b>Employees Affected</b>	<b>Active Vendors Affected</b>
<b>2020 Current #'s</b>	
<b>436</b>	<b>N/A</b>
<b>53</b>	<b>N/A</b>
<b>N/A</b>	<b>63</b>
<b>N/A</b>	<b>34</b>
<b>183</b>	<b>28</b>
<b>672</b>	<b>125</b>

## NAVAJO NATION GAMING ENTERPRISE EXPENDITURE PLAN for Relief from the Navajo Nation CARES Fund

### I. PURPOSE

#### *A. Description of Expenditure*

The purpose of Navajo Nation Gaming Enterprise Expenditure Plan is to allow for the use and expenditure of \$24,600,000 for the purpose of funding \$21,562,383 for payroll and benefits, plus \$8,191,491 for fixed expenses, plus \$3,800,732 for interest expenses, plus \$500,000 for healthcare plan costs due to COVID-19, plus \$500,000 for employee workstation upgrades (all business units) to mitigate the spread of COVID-19, plus \$700,000 for protective equipment to mitigate the spread of COVID-19, plus \$100,000 for employee testing for COVID-19, plus \$400,000 for contractor retainage fees due to COVID-19-related project delays, less \$11,154,606 for relief already received from federal Paycheck Protection Program.

#### *B. Explanation for Expenditure*

The mission of the Navajo Nation Gaming Enterprise (“NNGE”) is to enhance the quality of life of the Navajo people by growing a successful gaming economy. NNGE only generates revenue when its assets are operational. As part of the Navajo Nation’s health protection program to mitigate the spread of COVID-19, NNGE shut down the operations of its four gaming facilities on Tuesday, March 17, 2020 for an initial closure period of three weeks. As the pandemic gained momentum and expanded further into the Navajo Nation, the threat to the health of the Diné and Elders, NNGE team members and patrons increased exponentially. NNGE’s Board of Directors responded to Executive Orders, curfews and travel restrictions by approving successive extensions of the casino closures through July 27, 2020, maintaining all team members on administrative leave with pay throughout the 19 weeks of closure. NNGE employs 1,180 employees, and 82% of whom are enrolled members of the Navajo Nation. NNGE’s work force represents 105 of the Navajo Nation’s 110 chapters. NNGE’s continued employment through the shutdown enabled these NNGE team members to maintain income and health insurance to support themselves and their families.

Before the COVID-19 pandemic, NNGE was on track to create another 640 new permanent jobs plus several thousand construction jobs and business development opportunities for Priority One and Two vendors via NNGE’s Strategic Development Plan (“Economic Development Projects”).

Approval of this expenditure plan is reasonable and necessary because, if the Navajo Nation does not provide expedited cost relief funds at this critical juncture:

1. NNGE will have exhausted its cash reserves as a direct result of its compliance with Navajo Nation policy and directives to mitigate the spread of COVID-19;

2. NNGE will not be able to reopen, meet payroll obligations, or pay operating expenses of the business;
3. NNGE employees will be faced with layoffs, creating economic hardship for individual employees and undermining the skilled workforce that is necessary for NNGE to reopen and operate its gaming facilities;
4. NNGE will not be able to make its debt service payment to the Navajo Nation under the Amended Loan Agreement (ALA);
5. NNGE will be in material default of the ALA, activating ALA provisions that will transfer control of all remaining NNGE cash and accounts to the Navajo Nation, thereby dismantling and terminating NNGE; and
6. The NNGE's Economic Development Projects, which would have material benefits to Navajo Nation citizens and families, will not be realized.

### *C. Federal CARES Act Compliance*

The Federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to: 1) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Per the U.S. Department of Treasury's (Treasury) Guidance, updated June 30, 2020, Treasury interprets eligible uses of CRF funds to include: (1) "expenditures incurred to allow the . . . Tribal government to respond directly to the emergency, such as by addressing medical or public health needs"; and (2) "expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruption due to COVID-19-related business closures." Guidance, at 1. Treasury's "Coronavirus Relief Fund Frequently Asked Questions ("FAQs"), updated July 8, 2020, affirms that tribes have "discretion to determine what payments are necessary" and can tailor economic support programs "to assist . . . businesses in need of such assistance." FAQs, at 5.

Treasury's June 17, 2020 Coronavirus Relief Fund Allocations to Tribal Governments guidance also provides that:

"The greater weight placed on employment data responds to comments received during the tribal consultations that the allocation formula should account for the economic impact that a Tribe's business enterprises have in the community where the Tribe is located. Tribes made clear the importance of being able to maintain their tribally-owned businesses, including by providing payroll support to compensate for stay-at-home orders, social distancing measures, and other costs brought about by COVID-19. June 17 Allocations Guidance, at 1.



## II. AFFIRMATION OF FUND USE

NNGE affirms it will use these funds in accordance with the purposes set forth in Navajo law and Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "Federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

## III. ALLOCATION ASSIGNMENT

The funds are allocated to NNGE to be used for payroll and benefits, fixed expenses, interest expenses, healthcare plan costs due to COVID-19, employee workstation upgrades (all business units) to mitigate the spread of COVID-19, protective equipment to mitigate the spread of COVID-19, employee testing for COVID-19, and contractor retainage fees due to COVID-19-related project delays, which expenditures are all necessary as a result of COVID-19 gaming facility shutdowns and to enable necessary and appropriate public health safeguards in connection with NNGE's reopening plans.

## IV. MONITORING

The NNGE is responsible for monitoring this Expenditure Plan and the expenditure of these funds.

## V. ADMINISTRATOR OF FUNDS

The NNGE will administer the Expenditure Plan and oversee the allocated funds.

## VI. MEANS OF FUNDING

The Expenditure Plan funds shall be immediately released to the NNGE.

## VII. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines and the Single Audit Act and any other applicable rules, regulations and guidance.

## VIII. OVERSIGHT COMMITTEE

The Resources and Development Committee (RDC) and the Budget and Finance Committee (BFC) of the Navajo Nation Council shall serve as the oversight committees as RDC has oversight over gaming, and BFC has oversight over externally restricted funding.

## IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

NNGE affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with Navajo law, the Federal CARES Act, and the Treasury Guidance.



**NAVAJO NATION GAMING ENTERPRISE EXPENDITURE PLAN**  
**IMMEDIATE FUNDING REQUEST – CARES ACT REIMBURSEMENT**

<b>CARES ACT FUNDING REQUEST - CLOSURE EXPENDITURES (03/17/20 to 7/27/20)*</b>	
<b>Payroll &amp; Fixed Operating Expenses</b>	<b>Amount (\$)</b>
Payroll & Benefits	\$21,562,383
Fixed Expenses	8,191,491
Interest Expenses	3,800,732
Less: PPP Funds	(\$11,154,606)
<b>Net Payroll, Fixed Expenses, &amp; Interest Expense</b>	<b>\$22,400,000</b>
<b>COVID-19 Medical &amp; Emergency Related Expenditures</b>	<b>Amount (\$)</b>
Healthcare Plan Costs due to COVID-19	\$500,000
Employee Workstation Upgrade (All Business Units)	\$500,000
Protective Equipment	\$700,000
Employee Testing	\$100,000
Contractor GMP expense due to Project Delays	\$400,000
<b>Net COVID-19 Expenses:</b>	<b>\$2,200,000</b>
<b>GRAND TOTAL REQUEST</b>	<b>\$24,600,000</b>

\*This reflects Navajo Nation Gaming Enterprise's immediate reimbursable expenses; a secondary request is forthcoming.



NAVAJO NATION CARES FUND  
PAYROLL SUPPORT PAY EXPENDITURE PLAN

I. PURPOSE

The purpose of this expenditure plan is to allow for the use and expenditure of ~~ninety million nine hundred twenty-eight thousand forty-seven dollars (\$90,928,047)~~ of Navajo Nation CARES Funds for eligible payroll expenditures.

*JMN*  
*mx*

The federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Per the U.S. Department of Treasury's (Treasury) Guidance, dated April 22, 2020, eligible expenditures include payroll expenses for public safety, public health, health care, human services, and similar employees who are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

II. AFFIRMATION OF FUND USE

The Office of the Controller affirms it will use these funds in accordance with the purposes set forth in Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020) and Treasury Guidance issued thereunder.

III. ALLOCATION ASSIGNMENT

The funds are allocated to the Office of the Controller to be used for eligible payroll expenses for Navajo Nation public safety, public health, health care, human services, and similar employees who are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

IV. IMPLEMENTATION AND MONITORING

The Office of the Controller is responsible for disbursing and implementing the expenditure of these funds.

V. ADMINISTRATOR OF FUNDS

The individuals at the Office of the Controller responsible for administering the expenditure plan and overseeing the allocated funds are the Controller and Office of the Controller Accounting Managers.

VI. MEANS OF FUNDING

Title V CARES Act Fund, as appropriated by Congress, and are considered federal financial assistance received by the Navajo Nation used for specified uses.

VII. ACCOUNTING AND REPORTING REQUIREMENTS

The amounts paid from the are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, is subject to GASB, Uniform Guidance/Super Circular guidelines and the Single Audit Act and any other applicable rules, regulations and guidance.

VIII. OVERSIGHT COMMITTEE

The Budget and Finance Committee shall serve as the oversight committee since it serves as the oversight committee for the Office of the Controller.

IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

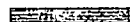
The Office of the Controller affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.

# Coronavirus Relief Fund – Payroll Expenditures Summary (Incurred and Proposed)

Last Updated: July 28, 2020







## Payroll Support Program - Guidance



*Office of the Controller*

### **Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments**

**Updated June 30, 2020**

The CARES Act requires that the payments from the Coronavirus Relief Fund only be used to cover expenses that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

### **Specifically:**

Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID19 public health emergency



## Payroll Support Program – Treasury FAQ's



*Office of the Controller*

***The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the “substantially dedicated” condition?***

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

***The Guidance states that the Fund may support a “broad range of uses” including payroll expenses for several classes of employees whose services are “substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” What are some examples of types of covered employees?***

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

***May recipients create a “payroll support program” for public employees?***

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

## Payroll Support Program – Treasury FAQ's (cont.)



***The Guidance provides that ineligible expenditures include "[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency." Is this intended to relate only to public employees?***

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers' employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?***

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

***The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?***

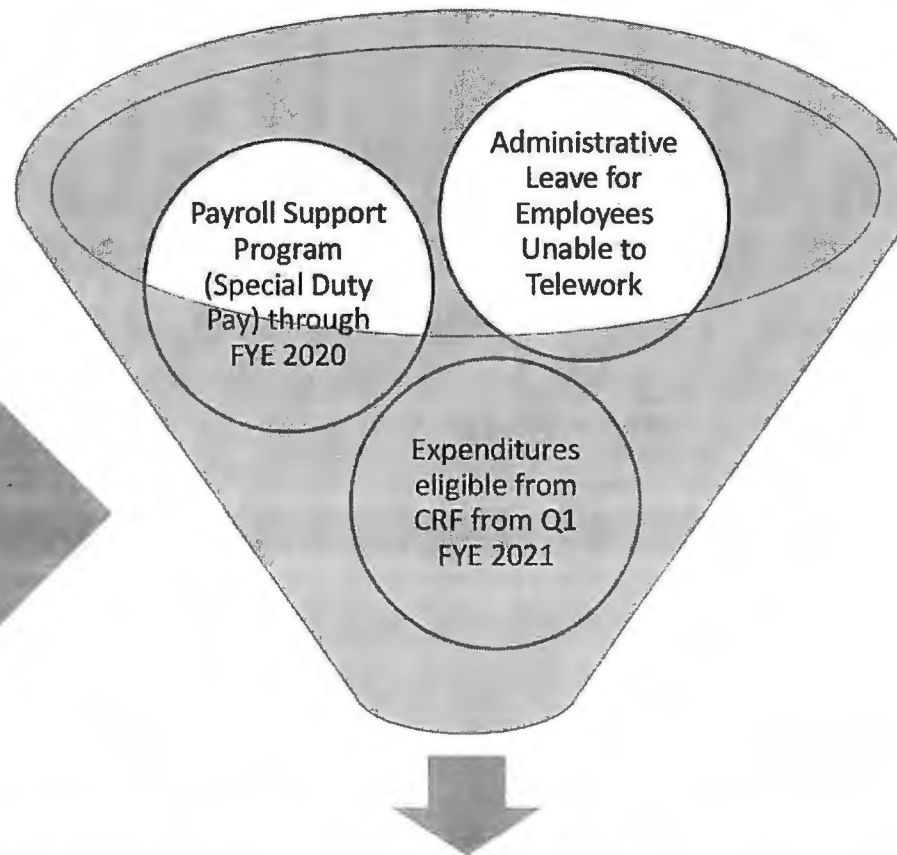
As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

***May Fund payments be used to cover increased administrative leave costs of public employees who could not telework in the event of a stay at home order or a case of COVID-19 in the workplace?***

The statute requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. As stated in the Guidance, a cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget or (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. If the cost of an employee was allocated to administrative leave to a greater extent than was expected, the cost of such administrative leave may be covered using payments from the Fund.

Reimbursement of  
Eligible Expenditures

Reimbursement via  
CRF Funding



General / 638 Funds to be used without time,  
*purpose\** or budget restriction

\* Certain funding sources (e.g., 638) may contain minimal restrictions or discretion as to eligible use of funds.



## Detailed Breakdown







Office of the Controller

## Payroll Expenses

Expense	Total Amount incurred through 6.30.2020	Estimated to be incurred 7.1.20 - 9.30.2020	Estimated to be incurred 10.1.20 - 12.30.20	Total Estimated to be incurred by 12.30.2020
Total General Fund Payroll Expenditures	\$ 3,604,000	<del>\$ 3,353,000</del>	<del>\$ 3,385,000</del>	\$ 10,342,000
Non-essential employee Administrative Leave - Gen	13,180,000	<del>8,258,900<sup>1</sup></del>	<sup>2</sup>	21,438,900
Total Payroll expense - Gen	16,784,000	<del>11,611,900</del>	<del>3,385,000</del>	31,780,900
Estimated Fringe (48%)	8,056,320	<del>5,573,712</del>	<del>1,624,800</del>	15,254,832
Total Payroll & Fringe - Gen	\$ 24,840,320	\$ <del>17,185,612</del>	\$ <del>5,009,800</del>	\$ 47,035,732
Essential Employees from 638 Funded Business Units	8,578,000	<del>7,980,000</del>	<del>8,056,000</del>	24,614,000
Non-essential employee Administrative Leave - 638	3,100,000	<del>1,942,500<sup>1</sup></del>	<sup>2</sup>	5,042,500
Total Payroll expense - 638	11,678,000	<del>9,922,500</del>	<del>8,056,000</del>	29,656,500
Estimated Fringe (48%)	5,605,440	<del>4,762,800</del>	<del>3,866,880</del>	14,235,120
Total Payroll & Fringe - 638	\$ 17,283,440	\$ <del>14,685,300</del>	\$ <del>11,922,880</del>	\$ 43,891,620
Grand Total	\$ 42,123,760	\$ <del>31,870,912</del>	\$ <del>16,932,680</del>	\$ 90,927,352

JMN  
m4

1: Assumes a 16.45% decrease per quarter based upon % decline over a similar period. See Slide 9.

2: Average administrative leave per pay period ranges from \$1.8 million to \$3 million. Assumption is that NN would be fully open during this time period.

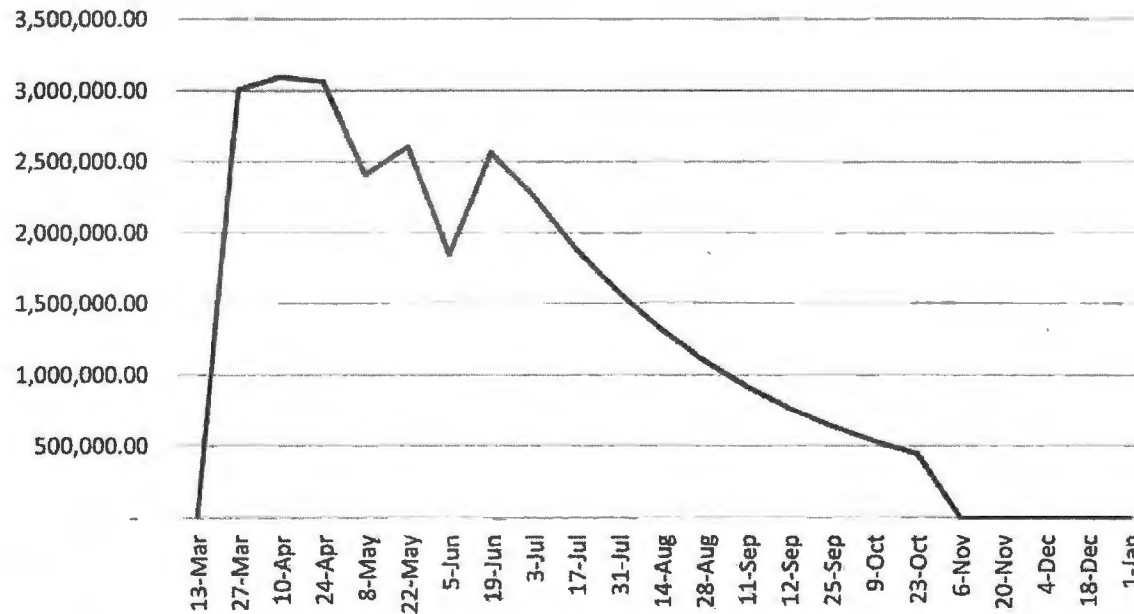
## Payroll Expenses – Assumptions

- Analysis includes actual payroll from the pay period ending March 13 - July 17, 2020.
- Only Business Units included from the General Fund and 638 Funds if the Department was considered to be "substantially dedicated to preparing, responding or mitigating the effects of COVID-19", indicated by a % of special duty hours (.5, 1.0, 1.5) to total hours in excess of 50%.
- Assumption that there is an average ~2% increase each pay-period for Special Duty Pay for the duration of the Navajo Nation Government shutdown.
- Assumed that Special Duty Pay would continue through the duration of the year for eligible individuals.
- **Actual amounts will be determined based on review and validation that employee/department was responding to COVID-19 as defined by Treasury guidance to confirm actual amount. Slide 7 is included as an estimate for purposes of development of the legislative budget.**

## Payroll Expenses – Administrative Leave



### Administrative Leave Projection

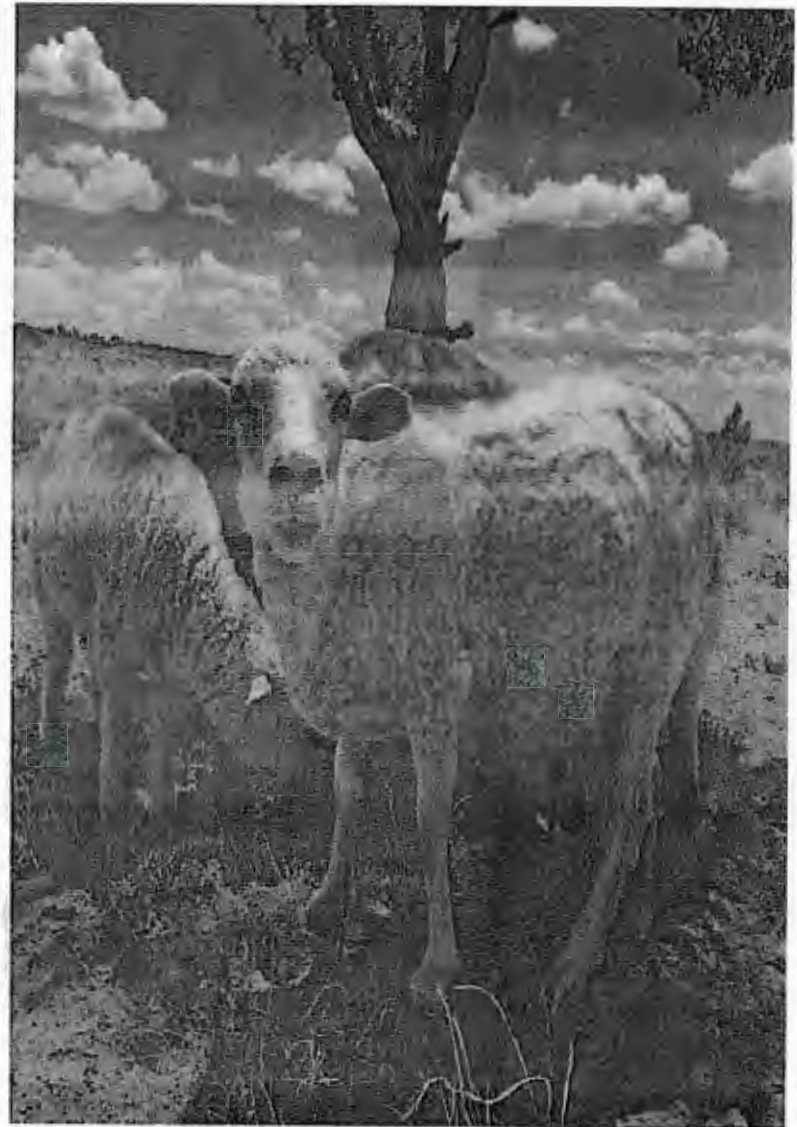


	Payroll Date	Admin Leave	\$ Inc / (dec)	% change	% change since peak
	13-Mar	7,453.54			
	27-Mar	3,006,862.82			
	10-Apr	3,095,236.86			
	24-Apr	3,065,404.78	(29,832.08)	-0.96%	
Actual	8-May	2,406,307.08	(659,097.70)	-21.50%	
	22-May	2,604,790.73	198,483.65	8.25%	
	5-Jun	1,844,982.29	(759,808.44)	-29.17%	
	19-Jun	2,561,124.58	716,142.29	38.82%	
	3-Jul	2,258,927.16	(304,197.42)	-11.88%	-18.45%
	17-Jul	1,885,862.64	(371,264.52)	-16.45%	
	31-Jul	1,575,471.14	(310,191.50)	-18.45%	
	14-Aug	1,318,306.14	(259,165.00)	-16.45%	
	28-Aug	1,089,773.78	(216,532.36)	-16.45%	
	11-Sep	918,860.99	(180,912.79)	-16.45%	
	12-Sep	767,708.36	(151,152.63)	-16.45%	
Projected	25-Sep	641,420.33	(126,288.02)	-16.45%	
	9-Oct	535,906.69	(105,513.84)	-16.45%	
	23-Oct	447,750.04	(88,156.85)	-16.45%	
	6-Nov	-	(447,750.04)	-100.00%	
	20-Nov	-	-	0.00%	
	4-Dec	-	-	0.00%	
	18-Dec	-	-	0.00%	
	1-Jan	-	-	0.00%	

## Contact Information

If you have any questions, please contact:

**Office of Controller**  
**928-871-6308**





Payroll Reimbursement - Estimate  
Pay Periods through July 17, 2020

Row Labels	3/13/2020	3/27/2020	4/10/2020	4/24/2020	5/8/2020	5/22/2020	6/5/2020	6/19/2020	7/3/2020	7/17/2020	7/31/2020	8/14/2020	8/28/2020
2020 Census	-	-	-	-	-	-	-	-	-	-	-	-	-
Admin Leave	-	55,034.83	112,835.24	111,852.75	85,180.11	91,939.50	78,802.07	85,081.33	72,043.85	122,294.26	124,740.15	127,234.95	129,779.65
Admin Lv	48.38	7,725.30	19,059.51	19,407.05	18,992.15	15,156.34	13,253.77	9,151.19	11,110.01	13,754.48	14,029.57	14,310.16	14,586.38
Agency Mtg	900.00	-	-	-	-	-	-	-	-	-	-	-	-
AL PO Ex	15,566.32	-	-	-	14,049.75	12,114.94	-	318.70	-	-	-	-	-
AL PO NEx	38,601.31	-	-	-	76.27	-	-	-	11,006.75	-	-	-	-
AL PO NonEx	922.75	-	-	-	-	-	1,232.34	-	-	-	-	-	-
Annual Exmpt	15,833.05	6,081.74	6,381.14	11,019.81	5,795.93	8,813.43	9,483.44	14,801.48	16,799.37	12,248.79	12,493.77	12,743.64	12,988.51
Annual NonEx	48,757.87	58,875.01	30,652.53	33,384.78	31,289.60	42,708.31	39,961.33	51,328.83	50,390.47	55,937.10	57,055.84	58,196.96	59,360.90
B&F ProcSCom	-	-	-	-	-	-	-	-	-	-	-	-	-
Bonus Merit	-	-	-	-	-	-	-	-	-	-	-	-	-
Brd Elec Spv	-	-	-	-	-	-	-	-	250.00	-	-	-	-
Chapter Mtg	21,600.00	24,900.00	15,000.00	16,500.00	8,400.00	16,500.00	15,600.00	29,700.00	24,300.00	36,600.00	37,332.00	38,078.64	38,840.21
CommitteeMtg	1,780.00	2,260.00	-	2,340.00	380.00	-	2,400.00	2,780.00	2,920.00	2,200.00	2,244.00	2,288.88	2,334.68
Comp Time	2,491.49	4,792.20	1,246.78	223.60	40.82	1,891.54	3,182.02	1,576.08	6,704.83	3,314.11	3,380.39	3,448.00	3,516.96
Defer Comp	3,812.11	-	-	-	-	-	-	-	-	-	-	-	-
ENLnd Comm	1,600.00	-	300.00	-	-	-	-	-	-	900.00	918.00	936.36	955.09
HEHSC SubCom	60.00	-	-	-	-	-	-	-	-	-	-	-	-
Holiday	-	-	135.40	-	137,734.80	-	282,978.00	187.36	143,440.17	-	-	-	-
Holiday 2.0	17,590.25	8,498.77	4,875.05	710.00	16,814.40	521.33	1,687.88	22,015.26	5,768.60	4,804.06	4,900.14	4,998.14	5,098.11
Ing Farm Brd	250.00	1,575.00	-	1,200.00	250.00	1,450.00	750.00	1,325.00	-	-	-	-	-
NABI Sub Com	700.00	260.00	-	-	380.00	-	2,080.00	1,320.00	1,580.00	-	-	-	-
Nav Tax Comm	-	-	500.00	-	-	-	-	-	-	-	-	-	-
Nav Utah Com	240.00	-	-	360.00	360.00	-	-	-	-	240.00	244.80	249.70	254.69
Nav/Hopi Lnd	-	440.00	-	-	-	-	-	-	-	440.00	448.80	457.78	466.93
NNC Reg Mtg	-	-	-	1,380.00	-	-	-	-	-	-	-	-	-
Overtime 1.0	3,786.39	2,786.09	4,200.95	1,022.80	4,490.42	568.28	128.40	4,795.86	768.84	117.84	120.20	122.60	125.05
Overtime 1.5	20,835.30	19,188.20	52,672.32	2,241.98	25,246.65	1,304.01	2,192.82	13,107.41	7,185.04	1,781.96	1,817.60	1,853.95	1,891.03
Rate Adjmt	15,142.66	-	1,415.80	1,500.56	-	-	-	-	-	-	-	-	-
Reg	1,040,488.83	1,004,375.22	1,191,320.28	40,217.90	20,510.24	26,993.83	(108,058.06)	(414,540.27)	(304,286.17)	25,074.22	25,575.70	26,087.22	26,608.96
Reg Council	22,114.96	22,114.96	22,114.96	22,114.96	22,114.96	22,114.96	22,114.96	22,114.96	22,114.96	22,114.96	22,557.26	23,008.40	23,488.57
Retro Pay	-	-	-	-	-	-	-	-	-	-	-	-	-
Sick Reg	57,133.60	39,923.88	28,878.04	24,720.59	29,818.24	32,986.11	25,607.18	46,905.33	35,328.20	28,402.35	28,970.40	29,549.80	30,140.80
Spec Duty .5	-	-	-	-	26,253.81	-	229,995.80	300,530.91	134,826.77	116,045.57	118,386.48	120,733.81	123,148.49
Spec Duty 1.0	-	-	-	1,157,114.11	1,074,778.45	1,177,804.26	1,075,867.08	1,835,427.69	1,411,337.49	1,054,163.54	1,075,246.81	1,098,751.75	1,118,686.78
Spec Duty 1.5	-	-	-	-	494.22	494.22	37,059.87	74,161.57	55,531.18	32,104.08	32,748.16	33,401.08	34,069.11
Special Mtg	440.00	-	-	2,540.00	780.00	-	3,740.00	1,160.00	2,480.00	840.00	958.80	977.98	997.54
Specials Mtg	-	-	1,080.00	5,460.00	-	-	2,340.00	-	1,260.00	1,440.00	1,468.80	1,498.18	1,528.14
Temp	4,929.20	1,182.68	3,520.24	-	460.32	767.20	805.56	1,841.28	2,071.44	3,800.00	3,976.00	3,953.52	4,032.59
Temp Adm Lv	-	3,921.76	1,082.96	2,165.92	1,229.68	1,245.44	795.52	994.40	894.96	1,491.60	1,521.43	1,551.86	1,582.90
Grand Total	2,311,833,324.27	2,263,893.64	1,497,271.19	1,457,477.79	1,525,206.40	1,455,274.74	1,742,998.88	1,906,062.81	1,716,448.88	1,540,209.84	1,571,013.10	1,602,433.36	1,634,482.82
638	938,857	889,966	1,054,300	1,028,279	1,073,971	1,024,728	1,227,328	1,342,149	1,208,933	1,084,535	1,108,225	1,128,350	1,150,917
Gen Fund	394,487	373,938	442,971	431,198	451,236	430,546	515,870	563,913	507,815	455,674	484,788	474,084	483,585
	1,333,324	1,263,934	1,497,271	1,457,477	1,525,206	1,455,274	1,742,998	1,906,062	1,716,448	1,540,209	1,571,013	1,602,433	1,634,482
							838	8,578,000					
							Gen Fund	3,604,000					

Dollar Change	(69,390.73)	233,337.64	(39,794.39)	67,728.61	(69,932.70)	287,724.08	163,064.81	(189,614.61)	(176,238.84)	30,864.18	31,420.26	32,046.67
Percentage Change	-5%	18%	-3%	5%	-5%	20%	9%	-10%	-10%	2%	2%	2%

\*\*\*2% increase based on average of cells C45 - K45\*\*\*

Assumptions:

1. The above analysis includes actual payroll from the pay period ending March 13 - July 17, 2020.
2. Only Business Units included from the General Fund and 638 Funds if the Department was considered to be "substantially dedicated to preparing, responding or mitigating the effects of COVID-19", indicated by a % of special duty hours (.5, 1.0, 1.5) to total hours in excess of 50%.
3. The assumption would be that there is a ~2% increase each pay-period for average increase through the duration of the Government shut-down.
4. It was assumed that special duty pay would continue through the duration of the year for eligible individuals.



Payroll Reimbursement - E  
Pay Periods through July \*

	10/9/2020	10/23/2020	11/6/2020	11/20/2020	12/4/2020	12/18/2020	1/1/2021	Grand Total
2020 Census								-
Admin Leave	129,779.85	129,779.85	129,779.85	129,779.85	129,779.85	129,779.85	129,779.85	2,385,435.60
Admin Lv	14,596.36	14,596.36	14,596.36	14,596.36	14,596.36	14,596.36	14,596.36	301,961.55
Agency Mtg	-	-	-	-	-	-	-	900.00
AL PO Ex	-	-	-	-	-	-	-	42,049.71
AL PO NEx	-	-	-	-	-	-	-	47,684.33
AL PO NonEx	-	-	-	-	-	-	-	2,155.09
Annual Exmpt	12,998.51	12,998.51	12,998.51	12,998.51	12,998.51	12,998.51	12,998.51	262,380.73
Annual NonEx	59,360.90	59,360.90	59,360.90	59,360.90	59,360.90	59,360.90	59,360.90	1,152,145.41
B&F ProcSCom	-	-	-	-	-	-	-	-
Bonus Merit	-	-	-	-	-	-	-	-
Brd Elec Spv	-	-	-	-	-	-	-	250.00
Chapter Mtg	38,840.21	38,840.21	38,840.21	38,840.21	38,840.21	38,840.21	38,840.21	672,912.77
CommitteeMtg	2,334.66	2,334.66	2,334.66	2,334.66	2,334.66	2,334.66	2,334.66	44,939.46
Comp Time	3,516.96	3,516.96	3,516.96	3,516.96	3,516.96	3,516.96	3,516.96	67,261.26
Defer Comp	-	-	-	-	-	-	-	3,812.11
ENLnd Comm	955.09	955.09	955.09	955.09	955.09	955.09	955.09	14,105.23
HEHSC SubCom	-	-	-	-	-	-	-	80.00
Holiday	-	-	-	-	-	-	-	584,453.73
Holiday 2.0	5,098.11	5,098.11	5,098.11	5,098.11	5,098.11	5,098.11	5,098.11	143,962.93
Irg Farm Brd	-	-	-	-	-	-	-	6,800.00
NABl Sub Com	-	-	-	-	-	-	-	6,320.00
Nav Tax Comm	-	-	-	-	-	-	-	500.00
Nav Utah Com	254.69	254.69	254.69	254.69	254.69	254.69	254.69	4,241.40
Nav/Hopi Lnd	466.93	466.93	466.93	466.93	466.93	466.93	466.93	6,455.89
NNC Reg Mtg	-	-	-	-	-	-	-	1,380.00
Overtime 1.0	125.05	125.05	125.05	125.05	125.05	125.05	125.05	24,180.20
Overtime 1.5	1,891.03	1,891.03	1,891.03	1,891.03	1,891.03	1,891.03	1,891.03	168,337.52
Rate Adjmt	-	-	-	-	-	-	-	18,059.02
Reg	26,608.96	26,608.96	26,608.96	26,608.96	26,608.96	26,608.96	26,608.96	2,838,886.55
Reg Council	23,468.57	23,468.57	23,468.57	23,468.57	23,468.57	23,468.57	23,468.57	501,400.99
Reino Pay	-	-	-	-	-	-	-	-
Sick Reg	30,140.80	30,140.80	30,140.80	30,140.80	30,140.80	30,140.80	30,140.80	709,631.53
Spec Duty .5	123,148.49	123,148.49	123,148.49	123,148.49	123,148.49	123,148.49	123,148.49	2,276,238.02
Spec Duty1.0	1,118,686.78	1,118,686.78	1,118,686.78	1,118,686.78	1,118,686.78	1,118,686.78	1,118,686.78	21,945,859.00
Spec Duty1.5	34,069.11	34,069.11	34,069.11	34,069.11	34,069.11	34,069.11	34,069.11	606,189.03
Special Mtg	997.54	997.54	997.54	997.54	997.54	997.54	997.54	23,972.13
Specials Mtg	1,528.14	1,528.14	1,528.14	1,528.14	1,528.14	1,528.14	1,528.14	29,828.37
Temp	4,032.59	4,032.59	4,032.59	4,032.59	4,032.59	4,032.59	4,032.59	67,633.34
Temp Adm Lv	1,582.90	1,582.90	1,582.90	1,582.90	1,582.90	1,582.90	1,582.90	32,724.51
Grand Total	1,634,482	1,634,482	1,634,482	1,634,482	1,634,482	1,634,482	1,634,482	34,956,469
638	1,150,917	1,150,917	1,150,917	1,150,917	1,150,917	1,150,917	1,150,917	24,814,517
Gen Fund	483,565	483,565	483,565	483,565	483,565	483,565	483,565	10,341,952
	1,634,482	1,634,482	1,634,482	1,634,482	1,634,482	1,634,482	1,634,482	34,956,469
638	7,980,000							8,056,000
Gen Fund	3,353,000							3,385,000

Dollar Change	-	-	-	-	-	-	-	-
Percentage Change	0%	0%	0%	0%	0%	0%	0%	0%

Non-essential Admin	21,438,900.00
Non-essential Admin 638	5,042,500.00
Total Administrative Leave	26,481,400.00
Total Fringe (48%)	29,490,177.32
Total estimated	90,925,048.75

## NAVAJO NATION CARES FUND NAVAJO NATION HOUSING EXPENDITURE PLAN

### I. PURPOSE

~~The purpose of this Navajo Nation Housing Expenditure Plan is to allow for the use and expenditure of Thirty-Three Million, Four Hundred Twenty-Three Thousand, Nine Hundred Fourteen Dollars (\$33,423,914) for housing and housing improvement projects on the Navajo Nation for the first year. The expenditures set forth in the Expenditure Plan are necessary to ensure that Navajo communities receive funding for housing infrastructure necessary for humanitarian and sanitation purposes. This will ensure that the Navajo People are adequately protected from exposure to the further spread of infectious diseases, including COVID-19.~~

*JMN*  
*ML*

~~The Navajo Nation Wide Housing projects list includes, but is not limited to the plan, design and construction, including improvements and labor, of homes/and or modular homes, pre-manufactured homes, and travel or house trailers for families in dire need of isolation and/or forced to endure homelessness, multi-generational homes, and burn-outs which make them more vulnerable to contracting COVID-19.~~

The federal CARES Act, Title V, 5001, entitled “Coronavirus Relief Funds” requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Per the U.S. Department of Treasury’s (Treasury) Guidance, dated April 22, 2020, eligible expenditures include expenses for planning, pre-designing, permitting, design, right-of-way, bid, and construction.

### II. AFFIRMATION OF FUND USE

The Housing Improvement Program (HIP)-Division of Community Development and any LGA Certified Chapter or non-certified Chapter receiving funding affirms it will use these funds in accordance Title V of the Coronavirus Aid, Relief, and Economic Security Act (the “federal CARES Act”) as enacted by the United States Congress and found in Public Law 116-136 (2020).

### III. ALLOCATION ASSIGNMENT

The funds are allocated to Housing Improvement Program (HIP), and through HIP to LGA Certified and non-certified Chapters, to be used for housing projects dedicated to mitigating or responding to the COVID-19 public health emergency and interaction with the public.

#### IV. IMPLEMENTATION AND MONITORING

The Housing Improvement Program (HIP) shall be responsible for implementing the Expenditure Plan and the Division of Community Development shall be responsible for monitoring the expenditure of these funds, including expenditures by LGA Certified and non-certified Chapters.

#### V. ADMINISTRATOR OF FUNDS

The program manager of the Housing Improvement Program (HIP) is responsible for administering the Expenditure Plan and overseeing the allocated funds.

#### VI. MEANS OF FUNDING

The Expenditure Plan funds shall be released directly to the Housing Improvement Program (HIP) once the Expenditure Plan is duly adopted and expedited budgets are implemented. Expenditure Plan funds shall be released from HIP to LGA Certified Chapters upon execution of a Memorandum of Agreement (MOA) or sub-recipient agreement with HIP. Expenditure Plans funds shall be released from HIP to non-certified Chapters after the Controller has approved the Chapter's management plan and budget pursuant to a sub-recipient agreement.

HIP shall issue a MOA or sub-recipient agreement to an LGA Certified Chapter within ten (10) business days of receiving a written request from the Chapter. HIP shall issue a sub-recipient agreement to a non-certified Chapter within ten (10) business days of receiving a written request from the Chapter that includes a Chapter Resolution and Controller approval of the Chapter's management plan and budget.

#### VII. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines and the Single Audit Act and any other applicable rules, regulations and guidance.

#### VIII. OVERSIGHT COMMITTEE

The Resources and Development Committee (RDC) and Budget and Finance Committee (BFC) shall share oversight as RDC has oversight over the Housing Improvement Program (HIP) and Navajo Nation Chapters; and BFC has oversight over externally restricted funding.

#### IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Housing Improvement Program (HIP) and any LGA Certified or non-certified Chapters receiving funds hereunder affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.



**NAVAJO NATION HOUSING EXPENDITURE PLAN**

## NAVAJO HOUSING PROJECTS

Allocation amount requested is \$ 33,423,914.00 to be divided among the 24 legislative districts. The use of these funds is for the development of homes. To plan, design and construct homes for families in dire need of isolation/homeless/multi-generational homes/burn-outs. Funds will managed by the Home Improvement Program (HIP) under the Division of Community.

AMOUNT REQUESTED		DELEGATES	AMOUNT ALLOCATION PER LEGISLATIVE DISTRICT	
<del>\$33,423,914</del>		<del>24</del>	<del>\$1,392,663.08</del>	
DISTRICT	NAVAJO COMMUNITIES	ALLOCATION	CHAPTERS	ALLOCATION PER CHAPTER
21, 22 & 23	Alamo, Ramah, Tohajilee	<del>\$1,392,663.08</del>	3	<del>\$464,221.03</del>
16	Baahaali, Chilchiltah, Manuelito, Red Rock, Rock Springs, Tsayatah	<del>\$1,392,663.08</del>	6	<del>\$232,110.51</del>
15, 16 & 19	Littlewater, Pueblo Pintado, Torreon, Whitehorse Lake, Baca/Brewitt, Casamero Lake, Ojo Encino, Counselor	<del>\$1,392,663.08</del>	8	<del>\$174,092.99</del>
16	Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau	<del>\$1,392,663.08</del>	6	<del>\$232,110.51</del>
15 & 19	Becenti, Lake Valley, Nahodishgish, Standing Rock, Whiterock, Huerfano, Nageezi, Crownpoint	<del>\$1,392,663.08</del>	8	<del>\$174,092.99</del>
14	Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahast'la'a'	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>
12	Cove, Toadlena/Two Grey Hills, Red Valley Tse'ahnazh'i'i, Sheepsprings, Beclabito, Gadi'lahi/To'Koi	<del>\$1,392,663.08</del>	7	<del>\$198,951.87</del>
12 & 13	Tiistoh Sikaad, Nenahnezad, Upper Fruitland, Tse' Daa' Kaan, Newcomb, San Juan	<del>\$1,392,663.08</del>	6	<del>\$232,110.51</del>
12	Shiprock	<del>\$1,392,663.08</del>	1	<del>\$1,392,663.08</del>
18	Crystal, Fort Defiance, Red Lake, Sawmill	<del>\$1,392,663.08</del>	4	<del>\$348,165.77</del>
9 & 12	Mexican Water, To'likan, Teenospos, Aneth, Red Mesa	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>
8 & 2	Tsah Bii Kin, Navajo Mountain, Shonto, Oljato	<del>\$1,392,663.08</del>	4	<del>\$348,165.77</del>
7 & 17	Dilcon, Indian Wells, Teesto, Whitecone, Greasewood Springs	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>
4, 10 & 17	Tachee/Blue Gap, Many Farms, Nazlini, Tselani/Cottonwood, Low Mountain	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>
1 & 3	Coppermine, K'aibito, LeChee, Tonalea/Red Lake, Bodaway/Gap	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>
8	Chilchinbeto, Dennehotso, Kayenta	<del>\$1,392,663.08</del>	3	<del>\$464,221.03</del>
7 & 17	Jeddito, Cornfields, Ganado, Kinlichee, Steamboat	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>
10 & 11	Rock Point, Tsé Ch'izhi, Lukachukai, Round Rock, Tsaille/Wheatfields	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>
17 & 18	Klagetoh, Wide Ruins, Houck, Lupton, Nahata Dzii	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>
10	Chinle	<del>\$1,392,663.08</del>	1	<del>\$1,392,663.08</del>
3	Tuba City	<del>\$1,392,663.08</del>	1	<del>\$1,392,663.08</del>
3 & 5	Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>
18	Oaksprings, St. Michaels	<del>\$1,392,663.08</del>	2	<del>\$696,331.54</del>
4	Hard Rock, Forest Lake, Pinon, Black Mesa, Whippoorwill	<del>\$1,392,663.08</del>	5	<del>\$278,532.62</del>

<b>GRAND TOTAL</b>	<b>\$33,423,914.00</b>	<b>110</b>
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[illegible]



## **NAVAJO NATION CARES FUND JUDICIAL BRANCH EXPENDITURE PLAN**

### **I. PURPOSE**

The purpose of the Judicial Branch Expenditure Plan is to allow for the use and expenditure of nine million six hundred thirty-three thousand eight hundred sixty- dollars (\$9,633,863) of Navajo Nation CARES Funds to support the Navajo Nation judicial system and the telecommuting workforce that provides essential court and court-related functions during the public health emergency; and to prepare court facilities to safely re-open in the future. The federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to 1) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

### **II. AFFIRMATION OF FUND USE**

The Judicial Branch and any program, department, office or other entity receiving funding hereunder affirms that they will use these funds in accordance with the purposes set forth in CMY-44-20 and Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

### **III. ADMINISTRATOR OF FUNDS**

The Administrative Office of the Courts of the Judicial Branch of the Navajo Nation is responsible for administering the Expenditure Plan.

### **IV. MONITORING**

The Administrative Office of the Courts shall be responsible for overseeing and monitoring the expenditure of these funds and ensuring any expenditures comply with Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

### **V. MEANS OF FUNDING**

The Expenditure Plan funds shall be released to the Administrative Office of the Courts, Judicial Branch of the Navajo Nation, once the Expenditure Plan is duly adopted and expedited budgets are implemented.

## VI. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses: and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines, and the Single Audit Act and any other applicable rules, regulations and guidance.

## VII. OVERSIGHT COMMITTEE

The Budget and Finance Committee (B&FC) and the Law and Order Committee (LOC) shall provide oversight as LOC has oversight over the Judicial Branch of the Navajo Nation and B&FC has oversight over externally restricted funding.

## IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Judicial Branch and any entity receiving funding thereunder affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent, the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.

## X. BUDGET FORMS

The following amounts shall be deleted from Budget Forms submitted for Legislation No. 0144-20:

9160 Vehicles \$285,215.  
3110 Fleet Travel Expense \$18,548.  
7740/7750/7766 Vehicle Insurance Premiums \$4,872.  
9026 Infrastructure \$257,000  
9054 Building Improvements \$90,000.00  
9112 Furniture \$65,552

# APPLICATION FOR NAVAJO NATION CARES FUNDS

(Externally Restricted Funds)

## I. APPLICANT INFORMATION

A. Legal Name	NAVAJO NATION JUDICIAL BRANCH	B. ADDRESS, City, ST, ZIP	P.O. BOX 520, WINDOW ROCK, AZ 86515
C. Department Name	SUPREME COURT, DISTRICT COURTS, PROGS.	D. Division Name	ADMINISTRATIVE OFFICES OF THE COURTS
E. Employer ID Number		F. DUNS Number	009001702
G. Amount of Funds Requested	\$10,355,050.00	11. Navajo Nation CARES Funds are restricted by Navajo and federal laws and regulations: NN CARES Fund Act; Single Audit Act; Uniform Guidance; and §601(d) of Social Security	

Funds are limited to: (1) Necessary expenditures incurred due to public health emergency with respect to COVID-19, (2) Costs were not accounted for in budget approved as of March 27, 2020; and (3) Costs incurred during the period March 1, 2020 to December 30, 2020. Unused and misused funds must be returned to the Navajo Nation.

## II. DESCRIBE APPLICANT'S PURPOSE & THE SERVICES / BENEFITS IT PROVIDES TO THE NAVAJO NATION & NAVAJO MEMBERS.

**MISSION STATEMENT:** The Judicial Branch will provide stability in the Navajo Nation government by providing court, peacemaking, and probation and parole services, to adjudicate cases, resolve disputes, rehabilitate individuals and families, restore harmony, educate the public, agencies, services and other governments in Diné bi beenahaz'áanii and protect persons and property pursuant to Navajo Nation laws, customs, traditions and applicable federal laws. The Judicial Branch of the Navajo Nation must continue its purpose while maintaining social distancing, telecommuting and essential services in response COVID-19. Pursuant to Diné bi beenahaz'áanii, the Judicial Branch will carefully develop a justice system that fully embodies the traditional values and processes of the Navajo people. Please also see the attached supporting document.

## III. DESCRIBE NEEDS OF APPLICANT & ITS SERVICE RECIPIENTS AS SPECIFICALLY RELATED TO COVID-19 PUBLIC HEALTH EMERGENCY.

Amount of Funds Requested: \$10,355,050.00 Due to limited space in this application form, please see the attached supporting document.

## IV. DESCRIBE PURPOSE OF FUNDING & WHY PROPOSED EXPENDITURES ARE NECESSARY & INCURRED DUE TO COVID-19 EMERGENCY.

Due to limited space in this application form, please see the attached supporting document.

## V. DESCRIBE METHODOLOGY THAT WILL BE APPLIED TO ACHIEVE PURPOSE OF FUNDING, DISCLOSE SUBRECIPIENTS & SUBAWARDS.

Due to limited space in this application form, please see the attached supporting document.

## VI. DESCRIBE CHALLENGES TO FULL EXPENDITURE OF FUNDS BY 12/30/2020 & METHODOLOGY TO ENSURE TIMELY EXPENDITURE.

Due to limited space in this application form, please see the attached supporting document.


## VII. CERTIFY THE PROPOSED EXPENDITURES WERE NOT ACCOUNTED FOR IN THE NAVAJO NATION'S FY 2020 BUDGET.

Due to limited space in this application form, please see the attached supporting document.

## VIII. DISCLOSE DEBTS APPLICANT OWES TO NAVAJO NATION & U.S. GOVERNMENT. DISCLOSE DEBARMENT /SUSPENSION BY NATION.

Due to limited space in this application form, please see the attached supporting document.

## IX. CERTIFICATION BY AUTHORIZED REPRESENTATIVE:

First/Last Name:	Stephen B. Etsitty	Title:	Administrative Director of the Courts
Telephone Number:	928-871-6762	Email:	stephenbetsitty@navajo-nsn.gov
Signature:			Date: 7/26/20

I attached all required supporting documents described in the Instructions to this form. By signing above, under perjury of law, I hereby certify and attest that the information that I/we have provided to the Navajo Nation in this Application is true and complete. Any misrepresentation or omission of any fact in my Application or any other materials or information I/we provide to the Nation shall be justification for refusal or revocation of a financial award, and may result in the Navajo Nation taking legal actions against me/my organization. I agree that if the Navajo Nation awards funds to me/my organization and later discovers me/my organization's misrepresentation or omission, the Nation shall revoke the award, determine that any expenditures are disallowed costs subject to recoupment, and I and my organization shall be jointly and severally liable to repay the funds to the Nation along with any court costs, attorneys' fees, costs of collection, and awarded damages. I/my organization will only use the Navajo Nation CARES Funds in compliance with §601(d) of the Social Security Act, Navajo Nation CARES Fund Act, and all applicable Navajo Nation and federal laws and regulations, and I agree that I/my organization shall indemnify the Navajo Nation for any expenditures deemed to be disallowable by the Navajo Nation and the U.S. Treasury or other federal entity.

Navajo Nation Judicial Branch Application for Navajo Nation CARES Act Funds, Responses to Sections II – VIII.

I. See information provided on the Application form.

II. DESCRIBE APPLICANT'S PURPOSE & THE SERVICES / BENEFITS IT PROVIDES TO THE NAVAJO NATION & NAVAJO MEMBERS.

1) CO-69-58 2) CD-94-85, 7 N.N.C. §101-404 3) CO-72-03 §371 & 401 7 N.N.C. §371 authorizes the Chief Justice to supervise the work of all justices and judges of the Navajo Nation and to administer the Judicial Branch. The Administrative Office of the Courts assists the Chief Justice with this duty by providing administrative, financial, technical and legal support services to the eleven judicial districts, one Supreme Court, one peacemaker program and the Administrative Office of the Courts. Administrative services are provided for non-judge personnel through the Judicial Branch Personnel Rules as authorized by 7 N.N.C. §401. NNJISP is supported by resolution of Navajo Nation Council (JY-34-92) that mandated the creation of an open information environment among all Navajo Nation Government Entities, and resolution of the Navajo Nation Council, CAP-30-02. Resolution CAP-30-02 supports the development of an Integrated Criminal Justice Information System, and mandates all Navajo Nation branches, divisions, departments, offices, programs, and other tribal entities to cooperate and coordinate in its development. The Courts, Probation and Parole Services and Peacemaking Programs are mandated to continue providing services to the Navajo people, even during the COVID-19 pandemic. The Judicial Branch must be available to the public while continuing to provide a healthy and safe work environment to employees and the public; and we are operating under an approved Continuity of Operations Plan.

III. DESCRIBE NEEDS OF APPLICANT & ITS SERVICE RECIPIENTS AS SPECIFICALLY RELATED TO COVID-19 PUBLIC HEALTH EMERGENCY.

All purchases/services were identified through a decision-making matrix created by the Judicial Branch to directly address COVID-19. The Judicial Branch must further develop telecommuting capabilities and create safe facilities when the Courts and offices will re-open to the public. The Administrative Office of the Courts (AOC) needs \$10,355,050 in CARES Act Funding, on behalf of nineteen (19) Judicial Branch Business Units, NN Dept. of Information Technology and Judicial Branch NNJISP Partners. This funding will allow the Judicial Branch to purchase non-capital items that have a value of less than \$5,000, Operating Supplies, Personal Protection Equipment (PPE), and Custodial Supplies, Monthly service charges for Cellular Phones and MiFis and Radio Advertisement. CARES Act Funding request are as follows: Personnel Expenses - \$334,029, Travel Expenses - \$18,548, Meeting Expenses - \$800,800, Supplies - \$2,871,353, Communication & Utilities - \$85,825, Repairs and Maintenance - \$2,698,934, Contractual Services - \$976,513, Special Transactions - \$47,370 and Capital Outlay \$2,521,678.

The need for CARES Act funds supports the Navajo Nation judicial system and the telecommuting workforce that provides essential court and court-related functions during the public health emergency; and to prepare court facilities to safely re-open in the future. In the past we have never relied on telecommuting as an alternative approach for our work; this is entirely new for the Judicial Branch. The need to change how the Courts, Peacemaking Program, and Probation and Parole Services must adapt to our changing environments, and the need for increased safety – the proposed new vehicle purchases will directly address the ability for our staff to safely transport clients for statutory mandatory services and court-related services.

#### IV. DESCRIBE PURPOSE OF FUNDING& WHY PROPOSED EXPENDITURES ARE NECESSARY & INCURRED DUE TO COVID-19 EMERGENCY.

**PERSONNEL:** Salary for Health and Safety Advisor Position, and 4 temporary positions, which are new positions that will assist in preparing the branch for phased in re-opening, and to provide health and safety guidance to Judicial Branch management on decisions to proceed through our "Pathway to Full Capacity," the Judicial Branch's re-opening plan. Funds will also be used to compensate for Overtime and Fringe Benefits for Judicial Branch non-exempt employees which include: District Courts, Supreme Court, Probation & Parole, Peacemaking, Financial Technicians and IT staff. These non-exempt employees will address expanded services and case backlog due to COVID-19. Financial Technicians and Office Technicians will be processing additional financial documents to expend the CARES Act funding. IT staff will accrue overtime to install, deploy equipment and implement upgrades. Currently, only essential services are being served to the clients. 08/1/20 - 12/31/20.

**TRAVEL EXPENSES:** Fleet User Monthly Rates for Department Purchased Vehicles. Propose to purchase Three (3) new Vehicles for Probation & Parole Services and five (5) new Vehicles for Peacemaking Program. These proposed new vehicle purchases will directly address the ability for our staff to safely transport clients for statutory mandatory services and court-related services.

**MEETING EXPENSES:** Process Service Fees, and private owned vehicle mileage reimbursement for Process Servers delivering court related documents to clients. Currently, as resources are unavailable, and as Law Enforcement officers are re-directed to other priorities, Service of Process is minimal, and even at Essential Services Levels the cases the courts are addressing rely on increased and effective Service of Process.

**SUPPLIES:** Non-capital items that have a value of less than \$5,000. Personal Protection Equipment (PPE) and Custodial Supplies which are necessary to protect essential staff and prevent the spread of the Coronavirus, while they are providing essential services to the public. Due to the COVID-19 public health emergency, Administrative Orders were issued to mandate Social Distancing inside our facilities, and to authorize Telecommuting for personnel. Equipment needed to provide essential services to the public without face to face contact, and to support a telecommuting workforce include: Laptops, All in-one desktops (Informational Kiosks for the public), All-in-one Scanner/Printers, MiFi devices, and Cellular phones. These equipment will be for 15 Judges, 4 Judicial Hearing Officers, 11 Staff Attorneys, 12 Court Administrators, 57 Court Clerks, 23 Bailiffs, 13 Office Technicians, 10 General Staff, 20 Peacemaking Staff, 35 Probation & Parole Staff, 20 AOC Staff, and 9 Supreme Court Staff, for a total of 229 Judicial branch Staff and NN Department of Information Technology, and other Judicial Branch NNIIISP Partners.

**COMMUNICATIONS & UTILITIES:** Monthly Service Charge for MiFi devices and Cellular Phones. These funds would provide support for effective telecommuting and enhanced communications across the Judicial Branch, both for internal branch communications and for improved public accessibility to the courts and program offices.

**REPAIRS & MAINTENANCE:** Building Supplies and Services to build plexiglass windows (Safety Barriers) for work stations for Judicial Branch staff to prevent the spread of COVID-19 virus. Deep Cleaning & Disinfectant services for 18 Judicial Branch buildings. To improve Internet/Connectivity across all Judicial Districts; due to pandemic for NN workforce telecommuting, layered security, increased demand for connectivity within the district judicial campuses, case management servers, data, web servers, core functioning servers on the Navajo Nation network. And, to support remote trouble shooting with remote end users. CARES Act funds will cover the expenses of Annual repair and maintenance fees for new equipment and upgraded computer hardware.



**CONTRACTUAL SERVICES:** Due to Covid-19 Pandemic Judicial Districts there is a need to improve Internet/Connectivity across Judicial Districts; for a Navajo Nation workforce that is telecommuting, layered security, increased demand for connectivity within the district judicial campuses, to case management servers, data, web servers, core functioning servers on the Navajo Nation network. CARES Act funds will cover Professional Services expenses for installation and training that enhances the security of network. With current resources constraints we are struggling to create and support a truly telecommuting workforce is necessary due to the COVID-19 pandemic. The Judicial Branch continues to provide services but must ensure the safety of employees and the public.

**SPECIAL TRANSACTIONS:** CARES Act funds will cover expenses for increased Newspaper Advertising for public information and Radio Advertising to reach primarily Navajo speakers on the status of court and court-related services during the COVID-19 pandemic every other week from July through December 31, 2020. In order to communicate with the public during this pandemic, the Judicial Branch must continually update the public through radio ads to reach the public in a timely manner. CARES Act funds will cover Information Technology Training expenses for Staff pertaining to new IT upgrades, and CARES Act funds will cover the expenses of Insurance Premiums for Probation and Paroles Services and Peacemaking Program purchase of eight (8) new Vehicles

**CAPITAL OUTLAY:** Purchase Modular buildings for Window Rock District Court and Probation & Parole Services. Currently, the Window Rock District Court and Probation & Parole Services shares space with other parts of the Judicial Branch and cannot appropriately allow for social distancing for employees, clients or the public when utilizing the Judicial Branch services. Without additional office space, the Window Rock District Court will not be able to provide services while maintaining a safe and healthy environment. Currently the Window Rock district court does not have adequate room to operate and comply with CDC public workplace distancing requirements.

In June 2019 the Judicial Branch and the Fort Defiance Chapter agreed upon a land re-assignment of 5.8 acres for the purpose of establishing a temporary Window Rock Judicial District court facility in Fort Defiance, AZ. An archeological survey was conducted in October 2019, and we are awaiting the completion of that archeological clearance action. All other documents and clearances are ready to submit to the Navajo Nation Land Department to initiate the land re-assignment. The Division of Community Development, Capital Projects Management Department is ready to assist the Judicial Branch in developing a project Scope of Work, Request for Proposals, and will provide Project Management services. Costs estimates have been obtained from modular building industry representatives.

The Peacemaking Program also is in need of additional office space in Pinon, AZ and Alamo, NM to provide safe work spaces. In Alamo, a Peacemaking Program hogan structure is in need of utility connections for water and sewer; and in Pinon a Peacemaking Program hogan structure is being rebuilt and needs an addition and utility connections for electricity. CARES Act funds will cover expenses for the purchase of Steel Connex Storage Container for the Peacemaking Program to store Office Equipment, Supplest and Files. CARES Act funds will cover the expenses for the purchase three (3) new vehicles for the Probation & Parole and five (5) new vehicles for the Peacemaking Programs. These programs need their own vehicles, equipped with addition safety features, in order to provide direct services to clients, and to provide for safe transport of clients. The COVID-19 virus makes It difficult to share vehicles between the courts and programs such as Probation and Parole Services and Peacemaking Program who have specific transport needs and which extends to transporting clients and other non-Judicial Branch personnel.

**V. DESCRIBE METHODOLOGY THAT WILL BE APPLIED TO ACHIEVE PURPOSE OF FUNDING, DISCLOSE SUBRECIPIENTS & SUBAWARDS.**

There will be no Sub-recipients or Sub-awards in the proposed application of CARES Act funds within the Judicial Branch.

The Judicial Branch will utilize the Navajo Nation Procurement processes to encumber, expend and report on the CARES Act funds that it receives and expends. The Judicial Branch has numerous personnel who are certified in FMIS, 6B Procurement systems. The Judicial Branch will utilize the 6B Procurement processes, and any expedited and amended procurement processes for the development, execution, and management of contractual agreements with vendors, suppliers, etc. The Judicial Branch will coordinate with Property Management Department on all new property and equipment it will procure, to ensure proper tracking of inventories and new assets.

**VI. DESCRIBE CHALLENGES TO FULL EXPENDITURE OF FUNDS BY 12/30/2020 & METHODOLOGY TO ENSURE TIMELY EXPENDITURE.**

The challenges are great because the timeframe is relatively short. Assuming the Judicial Branch receives CARES Act funds by August 1, 2020 we recognize the following challenges:

- The need for clarifications on critical financial operations definitions and procedures; and that the Judicial Branch Financial Services Office receives standard and uniform guidance on any revised, amended financial management procedures from both OMB and OOC.
- All major purchases that cannot be executed through Small Purchase procedures, will be subject to a revised, and expedited Administrative Review processes, and there may be delays in purchases totaling more than \$50,000.
- We anticipate an expedited process to renew all the financial related authorizations (expenditure/budget revision) required at the beginning of each new Fiscal Year, or when a critical signatory is changed.
- We have already experienced delays with our current purchases from vendors, and we cannot control any problems with the local, regional or national supply chain for goods and services.

**VII. CERTIFY THE PROPOSED EXPENDITURES WERE NOT ACCOUNTED FOR IN THE NAVAJO NATION'S FY 2020 BUDGET.**

I, Stephen B. Etsitty, Administrative Director of the Courts do certify that the proposed application for CARES Act funds, and the budget that has been developed outlining proposed need and proposed expenditures, are needed funds because these proposed expenditures were not accounted for in the Judicial Branch's FY 2020 approved budget.

**VIII. DISCLOSE DEBTS APPLICANT OWES TO NAVAJO NATION & U.S.GOVERNMENT. DISCLOSE DEBARMENT / SUSPENSION BY NATION.**

There are no debts that the Judicial Branch currently owes to the Navajo Nation or to the U.S. Government. The Judicial Branch is affected by the overarching status of "High Risk" recipient for federal funding purposes, due to the participation in a U.S. Government audit conducted by the U.S. Department of Justice. The audit resulted in a Corrective Action Plan that the Judicial Branch contributes reports to on a quarterly basis through the Division of Public Safety, Department of Corrections. As a result of the "High Risk" designation, the Judicial Branch has eight U.S. Department of Justice grants that are on hold pending a release of funds determination by the U.S. Department of Justice.

The Judicial Branch is not currently Debarred or Suspended by the Navajo Nation.

July 26, 2020

## THE NAVAJO NATION PROGRAM BUDGET SUMMARY

**PART I. Business Unit No.:** NEW **Program Title:** Administrative Office of the Courts **Division/Branch:** Judicial Branch

**Prepared By:** Yvonne Arviso-Gorman **Phone No.:** 928-871-7026 **Email Address:** yagorman@navajo-nsn.gov

PART II. FUNDING SOURCE(S)				PART III. BUDGET SUMMARY				
Fiscal Year /Term	Amount	% of Total		Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column A + B)	
FY 2020 CARES ACT FUNDS	8/1/20 - 12/30/20	10,355,050	100%					
				2001 Personnel Expenses	6	0	334,029	
				3000 Travel Expenses	6	0	18,548	
				3500 Meeting Expenses	6	0	800,800	
				4000 Supplies	6	0	2,871,353	
				5000 Lease and Rental	6	0	0	
				5500 Communications and Utilities	6	0	85,825	
				6000 Repairs and Maintenance	6	0	2,698,934	
				6500 Contractual Services	6	0	976,513	
				7000 Special Transactions	6	0	47,370	
				8000 Public Assistance	0	0	0	
				9000 Capital Outlay	0	0	2,521,678	
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		0	10,355,050	
				PART IV. POSITIONS AND VEHICLES				
						(D)	(E)	
				Total # of Positions Budgeted:		0	1	
				Total # of Permanently Assigned Vehicles:		0	8	
TOTAL:		\$10,355,050	100%					

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

**Stephen B. Etsitty, Administrative Director of the Courts**

**SUBMITTED BY:** Program Manager's Printed Name

**SUBMITTED BY:** Program Manager's Signature and Date

**JoAnn Jayne, Chief Justice**

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

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

THE NAVAJO NATION  
LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS

	SUB ACCT	POS NO.	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2020 ACTUAL		FY 2021 PROPOSED		
							G/S	SALARY	HOURS	BUDGET	FRINGE
1	1001	NEW	9160	HEALTH & SAFETY ADVISOR	Vacant	WIN	BC68A	-	832	23,845	11,417
2	1002	NEW	9162	CONSTRUCTION PROJECT MANAGER	Vacant	WIN	BC64A	-	832	19,577	1,895
3	1003	NEW	9164	FACILITIES MAINTENANCE TECHNICIAN	Vacant	WIN	BC61E	-	832	14,768	1,430
4	1004	NEW	9164	FACILITIES MAINTENANCE TECHNICIAN	Vacant	WIN	BC61E	-	832	14,768	1,430
5	1005	NEW	9138	PROGRAMMER SUPPORT SPECIALIST	Vacant	WIN	BC66A	-	832	20,068	1,943

2110 SUBTOTAL:	93,026	18,114
BUSINESS UNIT TOTAL	93,026	18,114

**TOTAL 111,140**

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>				
Program Name/Title: _____		Administrative Office of the Courts		Business Unit No.: _____ NEW
<b>PART II. DETAILED BUDGET:</b>				
(A)	(B)	(C)	(U)	
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)	
	<b>2001 PERSONNEL EXPENSES</b>			
	Salary for Health & Safety Advisor Position and 4 Temporary positions, Overtime and fringe benefits for Judicial Branch non-exempt employees which include: District Courts, Supreme Court, Probation & Parole, Peacemaking, Financial Technicians and IT staff. These non-exempt employees will address expanded services. Construction Project Manager and Facilities Maintenance Technicians will oversee projects and modify workstation and reconfigure space to allow for 6 feet of social distancing for staff. Financial Technicians and Office Technicians will be processing additional financial documents to expend the CARES Act funds. IT staff will accrue overtime to install, deploy equipment and implement upgrades. 8/10/20 - 12/31/20.			334,029
2110	<b>REGULAR</b>			
2120	1 Regular Full-Time Staff position budgeted @ 832 hours per budget form 3	23,845	93,026	
	4 Temporary Staff positions budgeted @ 832 hours per budget form 3	69,181		
		\$93,026		
2510	<b>OVERTIME</b>			
2520	Overtime Pay at approx. 5 hrs. per wk. for 42 Reg. Non-Exempt Staff @ 1.5 hours for 105 Hrs.	\$150,723	150,723	
2900	<b>FRINGE BENEFITS</b>			
2900	F/B on OT for 42 Permanent Staff: \$150,723 x 47.88%	72,166	90,280	
	1 Regular Full time staff: \$23,845 x 47.88%	11,417		
	4 Temporary staff: \$69,181 x 9.68%	6,697		
		\$90,280		
	<b>3000 TRAVEL EXPENSES</b>			
	Fleet User Monthly Rates for Department Purchased Vehicles. Three (3) Vehicles for Probation & Parole Services and five (5) Vehicles for Peacemaking Program.			18,548
3110	<b>FLEET</b>			
		6% Sales Tax	Total	18,548
	3111-Group B Class II Five (5) 1 1/2 Ton P/U x \$110/mo. x 5 mos. = \$2,750	2,750	165	2,915
	3113 - Five (5) 1 1/2 ton p/u x 1,020 miles x .31/mile x 5 mos. = \$7,905	7,905	474	8,379
	3111-Group C Class XV Three (3) Sport Utility x \$140/mo. x 5 mos. = \$2,100	2,100	126	2,226
	3113-Three (3) Sport Utility Veh. x 1,020 miles x .31/mile x 5 mos. = \$4,743	4,743	285	5,028
		17,498	1,050	18,548
	<b>3500 MEETING EXPENSES</b>			
	Process Service Fees, and private owned vehicle mileage reimbursement for Process Servers delivering court related documents to clients.			800,800
3810	<b>MEETINGS</b>			
	3811 Stipend	520,000		800,800
	3813 Mileage	280,800		
		\$800,800		
<b>TOTAL</b>				
		1,153,377		1,153,377



**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>NEW</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
	<b>4000 SUPPLIES</b> Non-capital items that have a value of less than \$5,000. Personal Protection Equipment (PPE) and Custodial Supplies which are necessary to protect essential staff and prevent the spread of the Coronavirus, while providing essential services to the public. Due to the public health emergency with respect to the Coronavirus Disease, Administrative Orders were issued to provide for Social Distancing and Telecommuting. Equipment needed to provide essential services to the public without face to face contact include: Laptops, All in-one desktops (Kiosks for the public) All-in-one Scanner/Printers, MiFi's and Cellular phones. These equipment will be for 15 Judges, 4 JHO, 11 Staff Attorneys, 12 Court Administrators, 57 Court Clerks, 23 Bailiffs, 13 Office Technicians, 10 General Staff, 20 Peacemaking Staff, 35 Probation & Parole Staff, 20 AOC Staff, and 9 Supreme Court Staff for a total of 229 Judicial branch Staff and DIT and other Judicial Branch NNIJISP Partners.		2,871,353
<b>4200</b>	<b>Non-Capital Assets</b> <b>4210 Non-cap Furniture &amp; Equipment</b> <span style="float: right;">\$263,510</span> 195 All-in-one Scanner/Printer @ \$412 each = \$80,340; locks @ \$120 for 12 All-in-one desktops = \$1,440; 12 All-in-one stands @ \$200 each = \$2,400; 187 MiFi's @ \$80.00 each = \$14,960; 141 Cellular Phones @ \$80 each = \$11,280; 29 Desk/Monitor/Docking Station Stand @ \$75 each = \$2,175; 3 Large Bulletin Board with Stand @ \$150 each = \$450; 6 MiFi Amplifier Boosters @ \$500 each = \$3,000; 6 Portable Shredders @ \$220 each = \$1,320; 1 High Speed Portable Scanner @ \$400 each = \$23,200; 4 Portable Projectors @ \$800 each = \$3,200; 4 Video Monitors for Court Hearings @ \$1,000 each = \$4,000; 8 Portable Projector screens @ \$190 each = \$1,520; 4 Video Cameras @ \$200 each = \$800; 4 High Pressure Water Spray Cleaners @ \$400 each = \$1,600; 2 Drop Boxes @ \$400 each = \$800; 9 Two-way Radios @ \$100 ea. = \$900.	1,977,090	
	<b>4230 Non-cap Computer Equipment</b> <span style="float: right;">\$538,580</span> 12 All-in-one desktops (Kiosks) @ \$1,500 = \$18,000; 222 laptops @ \$1,800 each = \$399,600; 220 Docking Station @ \$500 each = \$110,000; 8 iPads @ \$1,100 each = \$8,800; 4 Blink/Wi-Fi Door Answering System @ \$300 each = \$1,200; 1 27" PC Monitors @ \$280 each = \$280; 1 34" PC Monitors @ \$700 each = \$700 <b>Fiber Modules - 10 Districts x 2 Fiber Modules Each @ \$500</b> <span style="float: right;">\$10,000</span> Aneth, Chinle, Crownpoint, Dilkon, Shiprock, Tuba City, Window Rock, Supreme Court, Administrative Office of the Courts, & Peacemaking <b>Network Switches - 30 x \$3,000 =</b> <span style="float: right;">\$90,000</span> 1 Switch each at: Alamo, Aneth, Dzik Yijilin, Ramah, Pueblo Pint ado, Tohajilee, Supreme Court and Peacemaking; 2 Switches each at Kayenta & Administrative Office of the Courts; 3 Switches each at Chinle, Crownpoint, Dilkon, Shiprock, Tuba City, & Window Rock).		
<b>TOTAL</b>		1,977,090	2,871,353

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>NEW</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
	<b>4000 SUPPLIES - Continued</b> <b>4230 Non-cap Computer Equipment - Continued</b> <b>2 Core Switches @ \$35,000 each located at Navajo Nation Dept. of Infor. Tech.</b>	70,000	
	<b>Core Switches</b> Procure Core switch: High-capacity switch generally positioned within the backbone or physical core of a network. Edge switch: A switch that is located at the meeting point between two networks. All Navajo Nation network traffic goes through these switches. OPVP town halls, NNC video council sessions, all Skype calls, all telecommuting. Due to pandemic, every switch is essential for all communication and telecommuting. Current switches are at end of life.	945,000	
	<b>50TB Server Storage</b>	60,000	
<b>4410</b>	<b>OPERATING SUPPLIES</b> <b>4420 General Operating Supplies</b>	894,263	
	10,000 Disposable Face Masks @ \$1.90 ea. = \$19,000; 6,000 boxes of Nitrile Gloves S/M/L @ \$15 ea. = \$90,000 ; 12 USB Cables @ \$4 ea. = \$48; 491 Ink Toner Cartridges @ \$35 ea. = \$17,185; 174 UPS Battery Backups @ \$90 ea. = \$15,660; 209 Printer Cases @ \$115 ea. = \$24,035; 230 Laptop Bags @ \$40 ea. = \$9,200; 224 Surge Protectors @ \$40 ea. = \$8,960; 169 Forehead Thermometers @ \$75 ea. = \$12,675; 43 UV Lights @ \$100 ea. = \$4,300; VHS Tapes @ \$2,000 and other supplies needed to prevent the spread of COVID-19 @ \$200,000.	\$403,063	
	<b>4440 Non-cap Computer Software</b> 222 packages of Software MS Office Pro 2019/Foxit PDF Reader for Laptops and 12 packages for 12 Desktops (Kiosks) @ \$500 each = \$117,000	\$117,000	
	<b>4490 Custodial Supplies</b> 2,400 bottles of Disinfectant Wipes @ 4 ea. = \$9,600; 2,000 cans of Lysol Disinfectant Spray @ 9 ea. = \$18,000; 2,000 bottles of Multi-Purpose Cleaner @ \$3 ea. = \$6,000; 2,000 Anti-Bacterial Soap @ \$3 ea. = \$6,000; 2,000 bottles of Pine Sol @ \$15 ea. = \$30,000; 2,000 bottles of Hand Sanitizer @ \$14 ea. = \$28,000; 800 boxes of Jumbo Bath Tissue @ \$46 ea. = \$36,800; 600 boxes of Paper Towel 30 Ct. @ 37 ea. = \$22,200; 400 boxes of Trash Liners 12-16 gal @ \$44 ea. = \$17,600 and other custodial supplies needed to prevent the spread of COVID-19 @ \$200,000.	\$374,200	
<b>TOTAL</b>		894,263	-

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>				
am Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>NEW</u>		
<b>PART II. DETAILED BUDGET:</b>				
(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)	
	<b>5000 COMMUNICATION &amp; UTILITIES</b>		85,825	
	Monthly Service Charge for MiFi's and Cellular Phones			
5570	<b>INTERNET</b>	2,600		
	5600 Internet Services      8 iPads @ 35/month x 5 months = \$1,400	1,400		
	4 Wi-Fi Answering Systems @ 60/mo. X 5 mos. = \$1,200	1,200		
		<u>\$2,600</u>		
5610	<b>WIRELESS</b>	83,225		
	5620 Cellular      187 Mi-Fi's @ 40/mo. x 5 mos. = \$37,400; 141 Cellular phones @ 65/mo. x 5 mos. = \$45,825	\$83,225		
	<b>6000 REPAIRS AND MAINTENANCE</b>		2,698,934	
	Purchase building supplies and services to build plexi-glass window barriers around work stations and reconfigure work space to allow for six feet of social distancing between 228 Judicial Branch employees. These protective measures will mitigate the spread of the COVID 19 virus. Deep Cleaning/Disinfectant and Custodial services for 18 JB Buildings. Improve Internet/Connectivity across Judicial Districts; due to pandemic for NN workforce telecommuting. Services include: layered security, increased demand for connectivity within the district judicial campus, case management servers, data, web servers, core functioning servers on the NN Network, and remote trouble shooting with remote end users. Cover software and hardware support for JustWare Applications, large volume Archiving Scanners network, video hearing recordings, and data storage. Costs for support of JustWare, Archiving records, electronic payments, network management, user licenses, and security of hardware and software for NNIJISP participants. Repair and maintenance fees for computer hardware upgrades.			
6020	<b>SUPPLIES</b>	600,000		
	6030 Building R&M Supplies	\$600,000		
6040	<b>SERVICES</b>	370,157		
	6050 Building R&M Services	\$370,157		
6130	<b>SERVICES</b>	200,000		
	6140 Furn & Equipment R&M Services	\$200,000		
6200	<b>EXTERNAL CONTACTORS</b>	300,000		
	6260 Custodial Services	\$300,000		
<b>TOTAL</b>		1,555,982	2,784,759	

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>																													
Program Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>NEW</u>																											
<b>PART II. DETAILED BUDGET:</b>																													
(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)																										
6300	<b>6000 REPAIRS AND MAINTENANCE - Continued</b> <b>TECHNOLOGY</b> 6320 Software Support <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">Archiving Scanner Support &amp; Maintenance x 15 x \$2,000</td> <td align="right">28,000</td> </tr> <tr> <td>JusticeWeb Support &amp; Upgrade</td> <td align="right">10,000</td> </tr> <tr> <td>MS Windows Server Licenses x 6 x \$3,500</td> <td align="right">21,000</td> </tr> <tr> <td>JustWare Support &amp; Upgrade 3% Yearly increase (132,003 *.03) + 132.003=</td> <td align="right">135,963</td> </tr> <tr> <td>Vmware Support &amp; Upgrade</td> <td align="right">20,000</td> </tr> <tr> <td>SQL Server Enterprise x 2 @10,292</td> <td align="right">20,584</td> </tr> <tr> <td>JustWare API Support &amp; Upgrade</td> <td align="right">10,000</td> </tr> <tr> <td>SolarWinds Network Management</td> <td align="right">17,500</td> </tr> <tr> <td>Video Conferencing Units x 15 @ \$3,000</td> <td align="right">45,000</td> </tr> <tr> <td>Division of Social Services JustWare Support</td> <td align="right">20,000</td> </tr> <tr> <td>Application Programming Interface (API)</td> <td align="right">10,000</td> </tr> <tr> <td>Navajo Department of Information Technology - Network Testing</td> <td align="right">15,000</td> </tr> <tr> <td></td> <td align="right"><u>353,047</u></td> </tr> </table>	Archiving Scanner Support & Maintenance x 15 x \$2,000	28,000	JusticeWeb Support & Upgrade	10,000	MS Windows Server Licenses x 6 x \$3,500	21,000	JustWare Support & Upgrade 3% Yearly increase (132,003 *.03) + 132.003=	135,963	Vmware Support & Upgrade	20,000	SQL Server Enterprise x 2 @10,292	20,584	JustWare API Support & Upgrade	10,000	SolarWinds Network Management	17,500	Video Conferencing Units x 15 @ \$3,000	45,000	Division of Social Services JustWare Support	20,000	Application Programming Interface (API)	10,000	Navajo Department of Information Technology - Network Testing	15,000		<u>353,047</u>	1,228,777	
Archiving Scanner Support & Maintenance x 15 x \$2,000	28,000																												
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	<u>353,047</u>																												
<b>TOTAL</b>		1,228,777	-																										

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>NEW</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
	<b>6000 REPAIRS AND MAINTENANCE - Continued</b> <b>6300 TECHNOLOGY - Continued</b> 6320 Software Support - Continued  <b>Domain Name System Security (DNSSSEC)</b> <span style="float:right">163,315</span> Update Domain Name System (DNS) is the phone book of the Internet: it tells computers where to send and retrieve information. DNSSSEC adds security to DNS. It protects Internet clients by making sure they are going to the right location requested.  <b>Email Security Appliance (ESA) Services</b> <span style="float:right">184,415</span> Replace outdated NN email security appliance. Detect and block a wide variety of email-borne threats, such as malware, spam and phishing attempts.  <b>VMWare NSX 3 @ \$128,000</b> <span style="float:right">384,000</span> Create secure zones around the DIT core functioning servers to add another layer of security. This restricts an attacker's ability to move laterally in the data center, even after the perimeter has been breached — much like safe deposit boxes in a bank vault protects the valuables of individual bank customers, even if the safe has been cracked.  <b>VPN Appliance</b> <span style="float:right">37,000</span> Remote access for NN employees to internal data.  <b>High Availability Firewall</b> <span style="float:right">107,000</span> Upgrade and configure, purchase 2 network servers (2 x \$53,500). Due to pandemic, NN employees moved to telecommuting resulting in higher network traffic. Redundant firewall will increase high availability of the network, eliminate single point of failure, mitigate security threats, increase security and increase high through point.  <div style="text-align:right"><u>\$875,730</u></div>		
<b>TOTAL</b>		-	-



**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>NEW</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
	<b>6500 Contractual Services</b>		976,513
	Due to Covid-19 Pandemic Judicial Districts need to improve Internet/Connectivity across Judicial Districts; NN workforce telecommuting, layered security, increased demand for connectivity within the district judicial campus, to case management servers, data, web servers, core functioning servers on the NN Network. Professional Services for installation and training includes the following to provide the security of network, includes the following:		
6520	<b>Consulting</b>	976,513	
	6530 - Consulting Fees		
	Domain Name System Security - 3 year service	7,998	
	Email Security Appliance (ESA) Services - 3 year service	6,598	
	Upgrade to Microsoft Teams	50,000	
	Upgrade included in current Microsoft Enterprise agreement. Only professional services are required. To provide additional computer access licenses for Microsoft Exchange, Active Directory, SharePoint and Skype for Business users		
	Managed service	98,913	
	Outsource security monitoring and incident response (core functioning servers)		
	Security Operations Center (SOC)	153,330	
	Outsource security monitoring and incident response (core functioning servers)		
	VMWare NSX - 3 year support	139,674	
	Virtual Private Network (VPN) Appliance	20,000	
	Information Security Officer 2 at \$250,000	500,000	
	Provide daily security of protected health information (HIPAA). When data is transferred to NN management, sensitive data managed in a highly secure IT environment. HIPPA compliant.		
	<u>\$976,513</u>		
<b>TOTAL</b>		976,513	976,513

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

<b>PART I. PROGRAM INFORMATION:</b>				
Program Name/Title: <u>Administrative Office of the Courts</u>		Business Unit No.: <u>NEW</u>		
<b>PART II. DETAILED BUDGET:</b>				
(A)	(B)	(C)	(D)	
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD)	Total by MAJOR Object Code (LOD 4)	
	<b>7000 SPECIAL TRANSACTIONS</b>		47,370	
	Radio Advertising for public information during the COVID-19 Pandemic every other week from June through December 31, 2020. Insurance Premiums for property, policy payment, worker compensation and for eight (8) Department Purchased Vehicles.			
7410	<b>MEDIA</b>			
	7440 Print Advertising			
	15 Navajo Time ads 1/4 page color @ \$692 ea. =	10,380		
	15 Gallup Independent ads 1/4 page color @ \$410 ea. =	6,150		
		16,530		
	7450 Radio Advertising			
	15 One Minute Ads for KTNN @ \$700 ea.	10,500		
	15 One Minute Ads for KGAK @ \$300 ea.	4,500		
	20 One Minute Ads for KGAK @ \$300 ea. For Peacemaking	6,000		
		21,000		
7710	<b>INSURANCE PREMIUMS</b>			
	7720 Property Contents \$2,495,153/1,000 x .72 = \$1,797	1,797		
	7740 Vehicle - Auto Liability - 8 Vehicles x \$9.46/mo. x 5 mos. = \$378	378		
	7750 Vehicle - Auto Physical Damage - 8 vehicles x \$12.34/mo. X 5 mos. = \$493.60	494		
	7765 Policy Payment - General Liability \$334,029/100*.30 =	1,002		
	7766 Deductible Expense Eight (8) Vehicles X \$500 = \$4,000	4,000		
	7767 Workers' Comp Premium - \$243,749/100*.89 =	2,169		
		\$9,840		
<b>TOTAL</b>		47,370	47,370	

FY 2020

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

Page 11 of 11  
BUDGET FORM 4

PART I. PROGRAM INFORMATION:				
Program Name/Title:		Administrative Office of the Courts		Business Unit No.: NEW
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)	
9000	<b>CAPITAL OUTLAY</b> Purchase Modular buildings for Window Rock District Court and Probation & Parole Services. These programs currently do not have office space and are sharing office space with Administrative Office of the Courts (AOC) & Peacemaking Programs. Purchase Steel Connex Storage Container for the Peacemaking Program to store Office Equipment, Supplies and Files. Purchase three (3) vehicles for the Probation & Parole and five (5) vehicles for the Peacemaking Programs. These programs need vehicles to provide direct services to clients.			2,521,678
9010	<b>LAND &amp; IMPROVEMENTS</b>		7,061	
	9014 Land Improvement (Survey of boundaries)	\$7,061		
9020	<b>INFRASTRUCTURE</b>		492,939	
	9026 Parking Lot, Sidewalk, Street lights for Window Rock & Probation	257,000		
	9038 Waterlines	83,484		
	9040 Power lines for Window Rock & Probation	76,971		
	9042 Water/Wastewater	75,484		
		<u>\$492,939</u>		
9050	<b>BUILDINGS</b>		1,627,511	
	9052 Buildings			
	Window Rock District Court & Probation Modular Building	1,532,511		
	Steel Connex Storage Container for Peacemaking	5,000		
		<u>\$1,537,511</u>		
	9054 Building Improvements			
	Construction on Peacemaking Hogan in Dził Yijín District	50,000		
	Construction on Peacemaking Hogan in Alamo District	40,000		
		<u>90,000</u>		
9110	<b>FURNITURE &amp; FIXTURES</b>		65,552	
	9112 Furniture	\$3,856 x 17 personnel = \$65,552 for Window Rock & Probation	\$65,552	
9140	<b>EQUIPMENT</b>		43,400	
	9146			
	Computer Equip. - (4) Switch/Routers for Window Rock/Probation @ \$3,500 ea.	14,000		
	One year Service Plan (\$1,200 x 12 x 1 Window Rock/Probation) = \$14,400	14,400		
	Internet Link- L2 Connectivity (Construction) x 1 (Window Rock/Probation)	15,000		
		<u>\$43,400</u>		
9160	<b>Vehicles</b>		285,215	
	9162 Automobile			
	Three (3) Chevy Traverse @ \$28,405 ea. = \$85,215 for Probation & Parole	85,215		
	Five (5) Ford F150 Pick-up @ \$40,000 ea. = \$200,000 for Peacemaking	200,000		
		<u>285,215</u>		
<b>TOTAL</b>			2,521,678	2,521,678

# NAVAJO NATION CARES FUND NAVAJO NATION OFFICE OF CONTROLLER EXPENDITURE PLAN

## I. PURPOSE

~~The purpose of the request to fund the Navajo Nation Office of the Controller (NNOOC) is to address the additional effort associated with administration and compliance of the CARES Act funding received by the Navajo Nation (the Nation). The funding received through the CARES Act is a one time, nonrecurring, influx of resources to assist the Nation with prevention, detection, and mitigation of COVID-19. This includes maintaining or increasing health center capacity and increased staffing levels during a coronavirus-related public health emergency to ensure the ongoing operations of the Nation while providing a safe and clean working environment for essential staff. The Division of Finance was deemed an essential service and therefore the NNOOC is directed to maintain ongoing operations and provide financial services including payroll, payment collections, payment disbursements, contract accounting, compliance and procurement operations.~~

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~~The NNOOC is tasked with oversight and administration of all externally funded grants received by the Nation, which includes maintaining compliance with approximately \$335 million in annual Federal expenditures received through roughly 4,000 grants. The \$714 million received through the CARES Act represents a nearly 213% increase in the total dollar value of Federal funds. The magnitude of funding, along with a very short window in which to expend the funds places a further strain on resources. Lastly, there are significant reporting requirements associated with the funds allocated to the Nation through the CARES Act which require an increased level of effort above and beyond the existing reporting done for other externally funded grants.~~

~~As such, the NNOOC requests an amount of \$20,008,797.81 to support the unfunded mandate made through CMY-44-20 to support the administration, oversight and compliance with this one time increase in funding. This amount is needed to enhance technology within the department, assist with implementing social distancing standards and support the oversight, monitoring and compliance efforts tasked of the NNOOC.~~

## II. AFFIRMATION OF FUND USE

The Federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to:

1. Cover costs that are necessary expenditures incurred due to the public health emergency with respect to COVID-19;

2. Were not accounted for in the budget most recently approved, as of March 27, 2020; and
3. Incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

### III. ALLOCATION ASSIGNMENT

The funds allocated to the NNOOC will be used to procure goods and services with 6B Procurement processes, expedited payment requests, ensure compliance with the CARES Act and relevant reporting. To accomplish this, NNOOC will obtain consulting agreements, where necessary, to assist the Nation with significant additional resources to ensure compliance as well as the necessary internal and external reporting with CARES Act expenditures. Additional unforeseen necessary expenditures may be added with respect to Navajo Nation policies and Procedures, and Federal CARES Act requirements. Finally, the OOC will use the funds for the detection of Coronavirus and/or prevention, diagnosis, treatment of COVID, including maintaining or increasing NNOOC's capacity and staffing levels during the coronavirus-related public health emergency.

### IV. IMPLEMENTATION AND MONITORING

The NNOOC is responsible for implementing the Expenditure Plan and monitoring the expenditure of these funds.

### V. ADMINISTRATOR OF FUNDS

The Controller of the Navajo Nation is responsible for administering the Expenditure Plan and overseeing the allocated funds.

### VI. MEANS OF FUNDING

The Expenditure Plan funds shall be budgeted to the NNOOC for use once the Expenditure Plan is duly adopted and expedited budgets are implemented and approved by the Budget and Finance Committee.

### VII. ACCOUNTING AND REPORTING REQUIREMENTS

Title VI of the Social Security Act, as amended by Title V of Division A of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 115-136), as appropriated by Congress and received by the Navajo Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and Frequently Asked Questions.



The Nation shall report Coronavirus Disease related "costs incurred" during the "covered period" (the period beginning on March 1, 2020 and ending December 30, 2020) according to the timeline. The NNOOC will only report totals by the broad categories:

- a. Amount transferred to other governments;
- b. Amount spent on payroll for public health and safety employees;
- c. Amount spent on budgeted personnel and services diverted to a substantially different use;
- d. Amount spent to improve telework capabilities of public employees;
- e. Amount spent on medical expenses;
- f. Amount spent on public health expenses;
- g. Amount spent to facilitate distance learning;
- h. Amount spent providing economic support;
- i. Amount spent on expenses associated with issuance of tax anticipation notes; and
- j. Amount spent on items not listed above.

The total of all categories must equal the total of all costs incurred during the period. Interim reporting information should be submitted to [CARES@oig.treas.gov](mailto:CARES@oig.treas.gov).

#### Quarterly Reporting:

The NNOOC shall report COVID-19 related costs into the Grant Solution portal. Data required to be reported includes but is not limited to the following:

1. the total amount of payments from the Cares Act Funding received from Treasury;
2. The amount of funds received that were expended or obligated for each project or activity;
3. A detailed list of all projects or activities for which funds were expended or obligated, including:
  - a. The name of the project or activity;
  - b. A description of the project or activity; and
4. Detailed information on any loans issued, contract and grants awarded; transfers made to other government entities; and direct payments made by the Nation that are greater than \$50,000.

#### Reporting Timeline:

By no later than July 17, 2020, Nation is required to report information for the period March 1, 2020 through June 30, 2020 into Grants Solution once it is operational. Treasury will notify the Nation when the Grant Solutions is operational or of any changes to the expected September 2020 start date.

By no later than September 21, 2020, the Nation shall submit via portal the first detailed quarterly report, covering March 1, through June 30, 2020.

No later than October 13, 2020, the Nation is required to report information for the period July 1, 2020 through September 30, 2020.

Reporting shall end with either the calendar quarter after the COVID-19 related costs and expenditures have been liquidated and paid or calendar quarter ending September 30, 2021, whichever comes first.

Record Retention Requirements:

The Navajo Nation shall maintain and make available to the Treasury OIG upon request all documents and financial records sufficient to establish compliance with subsection 601(d) of the Social Security Act, as amended (42 U.S.C. 801 (d)). Records shall be maintained for a period of five (5) years after final payment is made using the Coronavirus Relief Fund monies.

VIII. OVERSIGHT COMMITTEE

The Budget and Finance Committee shall provide oversight to the NNOOC.

IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The NNOOC affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the Federal CARES Act, the Uniform Guidance and related cost principles, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.

# THE NAVAJO NATION


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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



## MEMORANDUM

To: 24<sup>th</sup> Navajo Nation Legislative Council

From:   
Pearline Kirk, Controller  
Office of the Controller

Date: July 27, 2020

Re: OOC Budget CARES Administrative Funding Request

The Navajo Nation Office of the Controller (NNOOC) is requesting for an Administrative Budget of \$20,008,797.81 (~2.8%) from the allotted Title V CARES Act Relief funds (CRF) received by the Navajo Nation.

The Funds will be used to address unforeseen administrative duties as a response to the COVID-19 Pandemic. The Level of Compliance, record keeping, accounting, disbursement, and the fast-approaching deadline will quadruple our administrative workload. Therefore, the NNOOC was forced to outsource a specialized CRF compliance firm. Noon and Associates (Native owned; Priority 1) and Baker Tilly LLP were procured to provide access to 30 CPA's (2 Navajo CPAs; 10 Navajos in total) and access to an array of specialized resources to expedite compliance and disbursement of funds. This was an unfunded directive from CMY-44-20 to enter a contract with a firm to provide consulting services or auditor general for compliance monitoring.

Additionally, the NNOOC will need funds to hire additional support staff, implement social distancing standards, and enhance telecommuting technology for the new hires and current 120 employees. As mentioned, the administrative workload will significantly increase. NNOOC is proposing to hire 56 additional temporary employees to assist with oversight, monitoring, and compliance. NNOOC will need to re-design cubicle structures to ensure CDC guidelines are met to ensure a safe working environment for staff. Computer hardware and training will be needed for employees to work off-site.

In Conclusion, all applicable Navajo Nation Laws & Policies, Uniform Guidance Rules, GASB accounting, and CARES Act laws will be followed. A detailed budget schedule and forms are provided for your review. Your consideration is greatly appreciated.

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BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>COVID-19-OOC</u>		Division/Branch: <u>Office of Controller</u>	
Prepared By: <u>Robert Willie</u>		Phone No.: <u>928-871-6125</u>		Email Address: <u>rwillie@nnooc.org</u>	
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY
CARES ACT FUND		03/1/20-12/30/20	20,008,797.81	100%	
					Fund Type Code
					(A) NNC Approved Original Budget
					(B) Proposed Budget
					(C) Difference (Column B - A)
					2001 Personnel Expenses
					3000 Travel Expenses
					3500 Meeting Expenses
					4000 Supplies
					5000 Lease and Rental
					5500 Communications and Utilities
					6000 Repairs and Maintenance
					6500 Contractual Services
					7000 Special Transactions
					8000 Public Assistance
					9000 Capital Outlay
					9500 Matching Funds
					9500 Indirect Cost
					TOTAL
					\$0.00
					-20,008,797.81
					20,008,798
					PART IV. POSITIONS AND VEHICLES
					(D)
					(E)
					Total # of Positions Budgeted:
					56
					Total # of Vehicles Budgeted:
					2
TOTAL:		\$20,008,797.81	100%		
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
SUBMITTED BY: Program Manager's Printed Name			APPROVED BY: Division Director/Branch Chief's Printed Name		
<i>Robert Willie</i> 7/27/2020					
SUBMITTED BY: Program Manager's Signature and Date			APPROVED BY: Division Director/Branch Chief's Signature and Date		

**NAVAJO NATION CARES FUND  
DIVISION OF ECONOMIC DEVELOPMENT RELIEF FUNDS AND PROJECTS  
EXPENDITURE PLAN**

**I. PURPOSE**

The purpose of this Division of Economic Development Relief Funds and Projects Expenditure Plan is to offer a diversified relief program for immediate assist to Navajo Businesses, Navajo Artisans, and use for internal development of COVID-19 related projects/relief funds within the Division of Economic Development. This Expenditure Plan is to allow for the use and expenditure of sixty million dollars (\$60,000,000.00) for economic development relief funds and projects on the Navajo Nation for the first year. The expenditures set forth are necessary to offer immediate relief to Navajo businesses and assist with economic relief for Navajo artisans facing financial loss due to the COVID-19 pandemic. Additionally, the use of the funds will allow the Division of Economic Development (DED) to create and sustain COVID-19 related funds and projects to address deficit of funds, maintaining prevention and business assistance for long term prevention of COVID-19 concerns.

The expenditure plan will be divided into the Navajo Business Economic Relief Fund for thirty-two million four hundred and fifty-two dollars (\$32,450,000.00), the Navajo Artist Relief Fund for fourteen million five hundred thousand dollars (\$14,500,000.00), and the Navajo Nation Division of Economic Development COVID-19 Projects Fund for thirteen million and fifty thousand dollars (\$13,050,000.00). The total amounts to sixty million dollars (\$60,000,000.00) for economic development relief funds and projects on the Navajo Nation for the first year. Providing economic relief to artisans and tribal park vendors shall be the first priority.

The Coronavirus Relief Fund requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Per the U.S. Department of Treasury's (Treasury) Guidance, dated April 22, 2020, eligible expenditures include expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:

- Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
- Expenditures related to a State, territorial, local, or Tribal government payroll support program.
- Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:

- Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
- Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.

## II. AFFIRMATION OF FUND USE

The Division of Economic Development, and the Office of the Controller, and any other entity receiving funds herein affirms it will use these funds in accordance with the purposes set forth in Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020).

## III. ALLOCATION ASSIGNMENT

First year funds of \$60,000,000.00 are allocated to the Division of Economic Development to be used consistent with the attached DED Plan.

## IV. IMPLEMENTATION AND MONITORING

The Division of Economic Development (DED) is responsible for implementing DED projects and fund.

DED is responsible for monitoring the expenditure of all of these funds. The Office of the Controller, and authorized agents, are responsible for monitoring of the expenditure of funds related to relief assistance programs under this expenditure plan.

## V. ADMINISTRATOR OF FUNDS

The Division of Economic Development (DED) is responsible for administering funds allocated to DED.

## VI. MEANS OF FUNDING

The funds allocated to DED shall be a direct disbursement.

## VII. ACCOUNTING AND REPORTING REQUIREMENTS

Title V CARES Act Funds, as appropriated by Congress and received by the Nation, are considered federal financial assistance received by the Navajo Nation for specified uses; and are subject to the restrictions outlined in the Treasury Guidance and as set forth in section 601(d) of the Social Security Act, as added by section 5001 of the



Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, the funding received by the Nation is subject to GASB, Uniform Guidance/Super Circular guidelines and the Single Audit Act and any other applicable rules, regulations and guidance.

#### VIII. OVERSIGHT COMMITTEE

The Resources and Development Committee (RDC) and Budget and Finance Committee (BFC) shall share oversight as RDC has oversight over the Division of Economic Development and BFC has oversight over externally restricted funding.

#### IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

Division of Economic Development and Office of the Controller affirms it will administer, manage, and implement the funds allocated to it in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.

# NAVAJO NATION – DIVISION OF ECONOMIC DEVELOPMENT RELIEF FUNDS AND PROJECTS EXPENDITURE PLAN

July 30, 2020

## PROJECT OVERVIEW

The Division of Economic Development developed in response to the Coronavirus (COVID-19) pandemic, small businesses to larger capacity businesses on the Navajo Nation are able to apply for an Economic Relief advance from \$10,000 to \$60,000. This advance is designed to provide economic relief to businesses that are currently experiencing a temporary loss of revenue. This advance will not have to be repaid.

Navajo Artist Relief Fund will distribute \$5,000 grants to artists facing financial hardships due to COVID-19. Many opportunities to show and market work in 2020 have been cancelled to the pandemic throughout the region. Therefore, many artisans have no opportunity to sell their art. The grant does not need to be repaid. Majority of artist depend on artist revenue for financial need. Due to the unprecedented nature of the COVID-19 pandemic, we define “dire financial emergencies” as the lack or imminent endangerment of essentials such as housing, medicine, childcare, and food. We are aware that each artist’s needs differ, so ask that you thoroughly and accurately describe your situation. Applicants should demonstrate a pressing and critical need for emergency support to be considered for this grant.

Navajo Nation Division of Economic Development COVID-19 Projects assist with business investment and growth. The divisions Administration, Small Business Development, Project Development, Real Estate, Business Regulatory, Tourism, and Regional Business Development Offices to recover from the lack of technical and investment support to business opportunities on the Navajo Nation. The projects are Guaranteed Minimum Annual Rent (GMAR) and Business Site Lease (BSL) deficit relief which is owed by businesses to the Navajo Nation, Tourism – Hotel Occupancy Tax support in response to the closure of hotels on the Navajo Nation, Navajo PPE Manufacturing Project to meet the needs of facemask from Navajo residences and businesses, Technical support upgrade at all offices throughout DED to provide readily support in office and telecommuting capabilities for clients. The current barrier is the needed technology and lack of efficient equipment to suffice the need, Survey and development of Economic Impact of the COVID-19 pandemic to the Navajo Nation economy in partnership with Change Labs, and Navajo business support to implement necessary CDC guidelines for COVID-19 awareness and precautions for the safety of employees and customers. Necessary evaluations and support with PPE, protection asset installations, barrier protections, training, and other equipment to prevent the spread and reduction of COVID-19 in all businesses on the Navajo Nation.

<b>FUNDS &amp; PROJECTS</b>	<b>Number of Projects</b>	<b>Total Amount</b>
1. Navajo Business Economic Relief Fund	1,255	\$32,450,000.00
2. Navajo Artist Relief Fund	2,900	\$14,500,000.00
3. NN Division of Economic Development COVID-19 Projects	6	\$13,050,000.00
Total	4,161	\$60,000,000.00

<b>COST OVERVIEW</b>	<b>FY2020 Grand Total</b>
Division of Economic Development Relief Funds and Projects	\$60,000,000.00

# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



## MEMORANDUM

TO : Navajo Nation Leadership

FROM : JT J. Willie, Division Director  
Division of Economic Development

DATE : May 20, 2020 (July 18, 2020 revised)

Subject : Navajo Nation CARES Act DED Proposal

The Navajo Nation Division of Economic Development (DED) has compiled the following proposal for the Navajo Nation CARES Act funding designated to the Navajo Nation. DED has acknowledged the following important areas for opportunity:

1. Navajo Business Economic Relief Fund - \$26,600,000.00
2. Navajo Artist Relief Fund - \$16,660,000.00
3. Navajo Nation Division of Economic Development COVID-19 Projects - \$16,740,000.00

The total request is estimated at \$60,000,000.00. Each area is exceedingly important to insure a stabilized and recovered economy is fulfilled moving forward on the Navajo Nation. Ahéhee'

A handwritten signature in black ink, appearing to be "JT J. Willie".

Submitted by: JT J. Willie, Division Director  
Division of Economic Development

JT J. Willie, Division Director  
DIVISION OF ECONOMIC DEVELOPMENT  
POST OFFICE BOX 663 · WINDOW ROCK, AZ 86515  
PHONE: (928) 871-6544 · FAX: (928) 871-7381

# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

## Navajo Business Economic Relief Fund



In response to the Coronavirus (COVID-19) pandemic, small businesses on the Navajo Nation are able to apply for an Economic Relief advance of up to \$10,000 to \$60,000. This advance is designed to provide economic relief to businesses that are currently experiencing a temporary loss of revenue. This advance will not have to be repaid.

### Navajo Small Businesses

#### *Eligibility*

- Organized for profit
- Has a place of business on the Navajo Nation
- Operates primarily on the Navajo Nation
- Independently owned and operated
- Employment level less than 50 employees
- Gross sales of \$1 million or less
- Registered or to be registered under the Navajo Nation Business Source List, Navajo Business Regulatory Department
- Registered or to be registered under the Navajo Nation Tax Commission
- Not previously awarded a grant or advance under the CARES Act funding resources for 2020

#### *Demographic Identified*

- Number of business site leases on Navajo Nation: 92
  - Includes Navajo Tour Companies
- Number of tenants in NNSCI locations: 110
- Estimated number of independent businesses: 1,000 (200 per agency)

#### *Funding Proposal*

- Total identified: 1,210
- Relief advance: \$10,000 to \$20,000.00
  - Amount requested: \$24,200,000.00

### Navajo Mid-Tier Businesses

#### *Eligibility*

- Organized for profit
- Has a place of business on the Navajo Nation
- Operates primarily on the Navajo Nation

JT J. Willie, Division Director  
DIVISION OF ECONOMIC DEVELOPMENT  
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# THE NAVAJO NATION

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- Includes gas stations, franchises, etc.
- Employment level less than 100 employees
- Gross sales of \$3 million or less
- Registered under the Navajo Nation Business Source List – Corporation or LLC
- Registered under the Navajo Nation Tax Commission
- Not previously awarded a grant or advance under the CARES Act funding resources for 2020

## *Demographic Identified*

- Number of businesses: 30

## *Funding Proposal*

- Total identified: 30
- Relief advance: \$40,000.00
- Amount requested: \$1,200,000.00

## **Navajo Higher Tier Businesses**

### *Eligibility*

- Organized for profit
- Has a place of business on the Navajo Nation
- Operates primarily on the Navajo Nation
- Includes grocery, franchises, etc.
- Employment level less than 300 employees
- Gross sales of \$3 million or more
- Registered under the Navajo Nation Business Source List – Corporation or LLC
- Registered under the Navajo Nation Tax Commission
- Not previously awarded a grant or advance under the CARES Act funding resources for 2020

## *Demographic Identified*

- Number of businesses: 20

## *Funding Proposal*

- Total identified: 20
- Relief advance: \$60,000.00
- Amount requested: \$1,200,000.00

## *Total Funding Proposal*

- Amount requested: \$26,600,000.00

# THE NAVAJO NATION

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## Navajo Artist Relief Fund



Artist relief fund will distribute \$5,000 grants to artists facing financial hardships due to COVID-19. Many opportunities to show and market work in 2020 have been cancelled to the pandemic throughout the region. Therefore, many artisans have no opportunity to sell their art. The grant does not need to be repaid.

### *Eligibility*

- Organized for artist
- Established vendor on and off the Navajo Nation
- Artist able to demonstrate a sustained commitment to their work, careers, and public audience for their work
- Identifies financial hardship due to COVID-19
- Independently owned and operated
- Not previously awarded a grant or advance under the CARES Act funding resources for 2020

### *Demographic Identified*

- Number of show Navajo Artist: 1,400
- Number of park and roadside Navajo Artist: 500
- Number of walking vendors: 1,432

### *Funding Proposal:*

- Total identified: 3,332
- Amount requested: \$16,660,000.00



# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



## **Navajo Nation Division of Economic Development COVID-19 Projects**

The Division of Economic Development (DED) submits the following proposed outlines for the division of assist with business investment and growth. The divisions Administration, Small Business Development, Project Development, Real Estate, Business Regulatory, Tourism, and Regional Business Development Offices to recover from the lack of technical and investment support to business opportunities on the Navajo Nation.

- DED has offered to defer Guaranteed Minimum Annual Rent (GMAR) and Business Site Lease (BSL) owed by businesses to the Navajo Nation. The annual collected fee to the Navajo Nation is estimated at \$3,000,000.00, therefore the monthly average owed to the Navajo Nation is estimated at \$275,000.00. Estimated loss preservation is at \$1,650,000.00
- DED Tourism collects annual tax from hotel occupancy throughout the Navajo Nation. The annual Hotel Occupancy Tax is estimated at \$1,200,000.00. The public health orders have closed all hotels throughout the Navajo Nation therefore there is a project cut of 75% loss at \$900,000.00.
- DED has developed an at-home and location based Navajo PPE Manufacturing Project to meet the needs of facemask from Navajo residences and businesses. The invested amount of the project is estimated at around \$30,000.00. The continued effort to move the project to a wider scale with a dedicated infrastructure would be estimated around \$5,500,000.00. This would include necessary equipment, material, and labor needed for the project's longevity. In response to the COVID-19 pandemic, the longevity of the virus is expected for the next couple of years. Therefore, there would be a continued demand for face coverings.
- Technical support upgrade at all offices throughout DED to provide readily support in office and telecommuting capabilities for clients. The current barrier is the needed technology and lack of efficient equipment to suffice the need. The estimated cost for the necessary equipment is estimated at \$1,500,000.00.
- Survey and development of Economic Impact of the COVID-19 pandemic to the Navajo Nation economy in partnership with Change Labs. Estimated cost is \$500,000.00.
- Navajo business support to implement necessary CDC guidelines for COVID-19 awareness and precautions for the safety of employees and customers. Necessary evaluations and support with PPE, protection asset installations, barrier protections, training, and other equipment to prevent the spread and reduction of COVID-19 in all businesses on the Navajo Nation. Estimated cost is \$3,000,000.00.

### *Total Funding Proposal*

Amount requested: \$13,050,000.00

JT J. Willie, Division Director  
DIVISION OF ECONOMIC DEVELOPMENT  
POST OFFICE BOX 663 · WINDOW ROCK, AZ 86515  
PHONE: (928) 871-6544 · FAX: (928) 871-7381

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# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

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BUDGET FORM 1

<b>Business Unit</b>								
<b>PART I</b>		<b>No.:</b> 110001	<b>Program Title:</b> Administration		<b>Division/Branch:</b> Division of Economic Development			
<b>Prepared By:</b> JT Willie		<b>Phone No.:</b> 928-871-6544		<b>Email Address:</b> jwillie@navajo-nn.gov				

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
CARES Fund	2020	60,000,000.00	100%					
				Navajo Business Economic Relief Fund			32,450,000	32,450,000
				Navajo Artist Relief Fund			14,500,000	14,500,000
				NNDED COVID-19 Projects			13,050,000	13,050,000
								0
								0
								0
								0
								0
								0
								0
								0
								0
								0
								0
<b>TOTAL</b>						\$0.00	60,000,000.00	60,000,000

<b>PART IV. POSITIONS AND VEHICLES</b>	(D)	(E)	
Total # of Positions Budgeted:			
Total # of Vehicles Budgeted:			

<b>TOTAL:</b> \$60,000,000.00    100%	<b>PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.</b>
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SUBMITTED BY: <u>JT Willie, Division Director</u> SUBMITTED BY: <u>Program Manager's Printed Name</u> <u>07/27/2020</u> SUBMITTED BY: <u>Program Manager's Signature and Date</u>	APPROVED BY: <u>Division Director/Branch Chief's Printed Name</u> APPROVED BY: <u>Division Director/Branch Chief's Signature and Date</u>
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**THE NAVAJO NATION**  
**LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNIT**

Page \_\_\_\_ of \_\_\_\_  
BUDGET FORM 3

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**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

Page \_\_\_\_ of \_\_\_\_  
**BUDGET FORM 4**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Administration/Division of Economic Development</u>		Business Unit No.: <u>110001</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
	Navajo Business Economic Relief Fund		32,450,000
	Navajo Small Businesses      1210 businesses x \$25,000 each = \$30,250,000.00  92 Business Site Leases 110 Tenants in NNSCI Locations 1,000 Independent Businesses (200 per Agency)	32,450,000	
	Navajo Mid-Tier Businesses Fund		1,000,000
	Navajo Mid-Tier Businesses      25 businesses x \$40,000 each = \$1,000,000.00  25 Businesses	1,000,000	
	Navajo Higher Tier Businesses Fund		1,200,000
	Navajo Higher Tier Businesses      20 businesses x \$50,000 each = \$1,200,000.00  20 Businesses	1,200,000	
<b>TOTAL</b>		34,650,000	34,650,000

<b>PART I. PROGRAM INFORMATION:</b> Program Name/Title: _____ Administration/Division of Economic Development Business Unit No.: 110001			
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
Object Code (LOD 5)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
	<b>Navajo Area Relief Fund</b> Navajo Area Relief 2900 artist x \$5,000 each = \$14,500,000.00 1,000 show artist 500 roadside artist 1,400 waiting vendors	14,500,000	14,500,000
TOTAL		14,500,000	14,500,000

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Administration/Division of Economic Development	
		Business Unit No.: 110001	
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)
Navep Nazari Division of Economic Development COVID-19 Projects			
	Guaranteed Minimum Annual Rental Fund	\$275,000 x 6 months = \$1,650,000.00	1,650,000
	Tourism Hotel Occupancy Tax Fund	\$1,200,000 annual x 75% of the year = \$900,000.00	900,000
	Navep PPE Manufacturing Project		5,500,000
	Equipment	\$1,000,000.00	
	Material	\$1,700,000.00	
	Rental/Space	\$214,250	
	Supplies	\$1,000,000	
	Mailing/Postage	\$800,000	
	Sanitation	\$500,000	
	Personnel Expenses (Temp)	\$285,750	
		\$5,500,000.00	
	Technical Support		1,500,000
	Consultation	\$1,500,000.00	
	COVID-19 Impact Survey on Navep Economy		500,000
	Consultation	\$500,000.00	
	Navep Business PPE and COVID-19 Prevention Support		3,000,000
	Consultation	\$3,000,000.00	
TOTAL		13,050,000	13,050,000



FY \_\_\_\_\_

**THE NAVAJO NATION  
SUMMARY OF CHANGES TO BUDGETED POSITIONS**

Page \_\_\_\_ of \_\_\_\_  
**BUDGET FORM 5**

	A	B	C	D	E	F	G	H	I	J
1	<b>PART I. PROGRAM INFORMATION:</b>									
2	Program Name/Title: Administration/Division of Economic Development					Business Unit No.:		110001		
3										
4	<b>PART II. PERSONNEL/POSITION CHANGES:</b>									
5	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	
6	Type of Change	Sub Acct Object Code	Position Number	Job Type / Class Code	Position Title	Employee ID No. or Vacant	Salary	Fringe Benefit	Total (Col. G + H)	
7	New				Laborer	Vacant	10,350	7,500	17,850	
8	New				Laborer	Vacant	10,350	7,500	17,850	
9	New				Laborer	Vacant	10,350	7,500	17,850	
10	New				Laborer	Vacant	10,350	7,500	17,850	
11	New				Laborer	Vacant	10,350	7,500	17,850	
12	New				Laborer	Vacant	10,350	7,500	17,850	
13	New				Laborer	Vacant	10,350	7,500	17,850	
14	New				Laborer	Vacant	10,350	7,500	17,850	
15	New				Laborer	Vacant	10,350	7,500	17,850	
16	New				Laborer	Vacant	10,350	7,500	17,850	
17	New				Program Technician	Vacant	13,950	7,500	21,450	
18	New				Program Technician	Vacant	13,950	7,500	21,450	
19	New				Program Technician	Vacant	13,950	7,500	21,450	
20	New				Program Technician	Vacant	13,950	7,500	21,450	
21	New				Program Technician	Vacant	13,950	7,500	21,450	
22										
23										
24										
25										
26										
27	<b>PAGE TOTAL:</b>						173,250	112,500	285,750	



**NAVAJO NATION CARES FUND  
PUBLIC HEALTH AND HEALTH CARE EXPENDITURE PLAN**

**I. PURPOSE**

The purpose of this expenditure plan is to allow for the use and expenditure of seventy-five million eight hundred thirty six thousand sixteen dollars (\$75,836,016) of Navajo Nation CARES Funds for eligible expenditures made by the Department of Health and their subrecipients, in their response to the COVID-19 pandemic.

The federal CARES Act, Title V, 5001, entitled "Coronavirus Relief Funds" requires these funds be used to 1.) cover costs that are necessary expenditures incurred due to the public health emergency with respect to the COVID-19; 2.) were not accounted for in the budget most recently approved, as of March 27, 2020; and 3.) incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Per the U.S. Department of Treasury's (Treasury) Guidance, dated April 22, 2020, and updated June 30, 2020, eligible expenditures include: 1.) Medical expenses such as: COVID-19-related expenses of public hospitals, clinics, and similar facilities; expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs; costs of providing COVID-19 testing, including serological testing; emergency medical response expenses, including emergency medical transportation, related to COVID-19; expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment; and 2.) public health expenses such as: expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19; expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency; expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency; expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety; expenses for public safety measures undertaken in response to COVID-19; expenses for quarantining individuals. The guidance furthermore states expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions are eligible expenses.

The funding made available to the Department of Health under this expenditure plan will be used to support the Department of Health COVID response as identified in Exhibits "A" and "B" that are consistent with all relevant CARES Act laws, regulations, and guidance.

The Department will provide eligible funding, not to exceed one million three-hundred ninety-four thousand two-hundred seventy-one dollars (\$1,394,271), as identified in Exhibit "B," to Navajoland Nursing Home, Inc., and they will provide this prior to any internal expenditures or reimbursements to the Navajo Nation for funding made available under this section.

For reasons of limited funding and budgetary constraints, the Department will only receive \$75,836,016 of the \$128 million identified in their proposal attached as Exhibit "A." The Department will have discretion on the use of their funding made available under this section and how to program it to address the purposes of their proposal contained in Exhibit "A," as long as such discretion is consistent with any and all other requirements of this expenditure plan. No more than two million dollars (\$2,000,000) of the funds allocated to the Department of Health shall be used to support traditional healing, including, but not limited to, traditional practitioners and NAC Roadmen, and faith-based support services.

Prior to the expenditure of any funding made available under this section for healing kits, isolation sites, or alternative care sites, the Department will perform a cost-benefit analysis for the purpose of identifying the most appropriate use of alternative care sites, isolation sites, and healing kits and will report the findings to the Health, Education, and Human Services Committee. If the Committee determines that the Department will not require the entire \$75 million that the Department intended to program for such purposes, the Committee is authorized to direct the Department on how to expend a portion or all of said \$75 million made available under this section.

## II. AFFIRMATION OF FUND USE

The Department of Health and any entity receiving funding hereunder affirms it will use these funds in accordance with the purposes set forth in Title V of the Coronavirus Aid, Relief, and Economic Security Act (the "federal CARES Act") as enacted by the United States Congress and found in Public Law 116-136 (2020) and Treasury Guidance issued thereunder.

## III. ALLOCATION ASSIGNMENT

The funds are allocated to the Department of Health to be used for eligible expenses for medical, public health, and other actions appropriate to ensure compliance with public health orders and are dedicated to mitigating or responding to the COVID-19 public health emergency.

## IV. IMPLEMENTATION AND MONITORING

The Department of Health, with assistance from the Office of the Controller, is responsible for utilizing, disbursing, implementing, and monitoring the expenditure of these funds. They are directed to utilize Exhibit "A" in their planning and execution. Any substantial deviation from the funding priorities identified within Exhibit "A" requires

the affirmative consent of the President of the Navajo Nation in written correspondence to the Chair of the Health, Education, and Human Services Committee and the Speaker of the Navajo Nation Council.

V. ADMINISTRATOR OF FUNDS

The Department of Health Director and the Controller are responsible for administering the expenditure plan and overseeing the allocated funds.

VI. MEANS OF FUNDING

Title V CARES Act Fund, as appropriated by Congress, and are considered federal financial assistance received by the Navajo Nation used for specified uses.

VII. ACCOUNTING AND REPORTING REQUIREMENTS

All expenditures are subject to the restrictions outlined in the U.S. Treasury Guidance and set forth in section 601 (d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act. The CARES Act has a CFDA No. 21.019; therefore, is subject to GASB, Uniform Guidance/Super Circular guidelines and the Single Audit Act and any other applicable rules, regulations and guidance.

VIII. OVERSIGHT COMMITTEE

Both the Health, Education, and Human Services and Budget and Finance Committees shall serve as the oversight committees, as they serve as the committees of jurisdiction for the Department of Health and the Office of the Controller, respectively.

IX. AFFIRMATION OF ADMINISTRATION AND MANAGEMENT

The Department of Health, the Office of the Controller, and any and all subrecipients affirm they will administer, manage, and implement the funds allocated to them in this expenditure plan consistent with the federal CARES Act, the Treasury Guidance, as well as other applicable laws and regulations of the Navajo Nation.

**Navajo Department of Health  
Navajo Health Command Operations Center  
CARES Act Proposal  
July 26, 2020  
Submitted by: Jill Jim, PhD, Executive Director**

**1. Project Overview**

The Navajo Health Command Operations Center is seeking CARES act funding to support the public health emergency response to COVID-19. Pursuant to CEM-20-03-11 Navajo Nation Public Health State of Emergency Declaration and NNC Resolution No. CO-50-14 Navajo Department of Health (NDOH) enabling legislation the Navajo Department of Health is reducing the risk and exposure to novel coronavirus (SARS-CoV-2) disease to our Navajo citizens, especially our elders and those with underlying health conditions. There is no vaccine, therefore public health measures care to protect everyone.

The United States failure to control the spread of the disease remains a threat to the Navajo Nation. Our own public health and policy measures have shown to be effective since mid-May. The future of the COVID-19 pandemic is unknown and our decisions must be data driven and relevant community mitigation measures. Several waves of this disease could occur before it's over and multiple health conditions for individuals are projected during flu season, it is inevitable and critical for immediate planning and implementation of strategies to stop the spread of COVID-19.

**Summary of Project**

- A. Operation of Alternate Care Site (ACS) and Isolation Sites.** The Nation must ensure we have a place for COVID-19 patients to receive care and monitoring rather than discharge to home. The isolation sites projected to open with additional funds are Kayenta (Wetherill Inn), tent site (Division of Public Safety) and home tent kits. The alternate care site projected to open with additional funds is the Chinle Community Center. The Chinle Community Center will operate based on the pandemic response from a warm status, isolation to an alternate care site. The HCOC has partnered with a national vendor to provide full wraparound services and staffing for the Chinle Community Center and tent site.
- B. Emergency Medical Services (EMS) for COVID-19 Patients.** The Navajo EMS program is underfunded and receive minimal third-party reimbursements to operate and expand EMS services. Due to the pandemic response, the program is vital in timely patient transport of COVID-19 patients across all health facilities, isolation, and alternate care sites. There is not enough EMS vehicles with updated medical equipment to respond to the pandemic for the entire Nation. It is important to support building local capacity for the emergency response.

- C. **Mobile Units for Screening, Education, and Vaccinations.** The public health response requires partnerships with local health facilities and tribal programs to coordinate consistent educational materials, testing for COVID-10 and vaccinations for COVID-19 and flu. The mobile units will serve all health facilities and communities across the Nation.
- D. **COVID-19 Testing and Vaccinations for Adults.** Ongoing testing for COVID-19 is necessary to diagnose for clinical intervention and proper community mitigation. Most recently Department of Health and Human Services (DHHS) engaged with Pfizer to purchase 100 million doses aiming for distribution at the end of the year – Operation Warp Speed. Access to vaccinations, in addition to federal distributions is necessary to effectively reduce deaths and spread – protecting the Navajo people is a priority.
- E. **Contractual Services for Surveillance, Case Management, and Public Health Measures.** To-date epidemiologists, case managers, contact tracers, and statisticians consist of employees from the Navajo Nation, Indian Health Service, Tribal Health Organizations, and local partners. However, this model is not sustainable and will require more resources, expertise, and workforce to support individuals and families that are impacted by COVID-19.
- F. **Food Delivery to Senior Citizens.** Delivery of home hot meals to senior citizens is a food safety recommendation. Most elders in our communities have not received this type of service because we own only two vehicles capable of delivering hot meals. In order to provide proper hot meals during the pandemic, vehicles shall be purchased for most agencies. Additional, kitchen appliances will be purchased to store and prepare meals safely such as refrigerators, stoves and freezers.

## 2. Funding Proposal

Description	Eligible Expenditure Reference (CARES Act Justification)	Amount
Alternative Care / Isolation Sites	Public Health: Expenses for quarantining individuals	\$75 million
Emergency Medical Transportation	Medical: Emergency medical response expenses, including emergency medical transportation, related to COVID-19	\$1 million
Mobile units	Medical: Costs of providing COVID-19 testing, including serological testing	\$3 million
Testing (kits)	Medical: Costs of providing COVID-19 testing, including serological testing	\$10 million
Vaccinations for Adults	Medical: Expenses for public safety measures undertaken in response to COVID-19	\$30 million



Description	Eligible Expenditure Reference (CARES Act Justification)	Amount
Contract Services	Public Health: Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.	\$4 million
Division of Long Aging and Long Term Services	Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.	\$5 million
	<b>TOTAL AMOUNT:</b>	\$128 million

3. Contracts or MOA/MOU agreements with Contractor/Consultant
  - a. Isolation and ACS: In progress, the contract review with AMI PAE and DOJ
  - b. Contract Services: Starting contractual documents with Community Outreach and Patient Empowerment (COPE). Other potential partners are John Hopkins and Arizona State University (ASU).
  - c. Testing: Current conversations with ASU and Tgen Lab

**NAVAJO DEPARTMENT OF HEALTH / NAVAJO HEALTH COMMAND OPERATIONS CE**

**\$128 Million Budget Proposal for COVID-19 Response (7/18/2020)**

**July to December 2020**

<b>Description</b>	<b>Description with Detail</b>	<b>Justification</b>	<b>Eligible Expenditure Reference</b>
<b>Alternative Care / Isolation Sites</b>	<b>Medical staffing and wrap around services</b>	Today and into December, the regular flu season and COVID-19 spread will exacerbate the amount of individuals requiring isolation and quarantine to reduce the spread. The Chinle site requires transitions from warm status, isolation, and quarantine depending on the case and hospitalization capacity/projections. By the end of this month, the Chinle site will remain as the only Tribal Isolation/quarantine site.	#2 Public Health: Expenses for quarantining individuals
<b>Emergency Medical Transportation</b>	<b>Vehicles and Equipment, Lodging and meals</b>	EMS team supports all COVID-19 transports to the isolation/quarantine and hospitals. Staff require up-to-date protection equipment and supplies to respond to COVID-19 transports. The EMS program is severely underfunded with outdated equipment and insufficient medical grade supplies.	#1 Medical: Emergency medical response expenses including emergency medical transportation, related to COVID-19
<b>Mobile units</b>	<b>\$500,000 per unit (6 each)</b>	To conduct testing, education, and vaccinations	#1 Medical: Costs of providing COVID-19 testing, including serological testing

<b>Testing (kits)</b>	<b>Testing kits and administration of the testing</b>	<b>Conduct testing among all individuals and regularly when appropriate</b>	<b>#1 Medical: Costs of p COVID-19 testing, In serological testir</b>
<b>Vaccinations for Adults</b>	<b>Vaccinations and administration of the testing, e.g., 200,000 adults</b>	<b>To provide vaccines to high risk populations followed by all persons</b>	<b># 1 Medical: Expens public safety meas undertaken in respo COVID-19</b>
<b>Contract Services</b>	<b>Epidemiologists, Tracers, Callers, Case Managers, Data Support</b>	<b>Subject matter experts and consultants will support epidemiology and case management implementation, data collection, analysis, surveillance and reporting. Support staff to assist case management and contact tracing.</b>	<b>#2 Public Health: Exp for technical assista local authorities or entities on mitigatic COVID-19-related thr public health and se</b>
<b>Division of Long Aging and Long Term Services</b>	<b>Appropriate vehicles (regular food delivery and to carry hot food) for all senior centers and supplies/equipment for food delivery. Updated computers/printers. Fuel and truck maintenance. Operations cost and repairs. Temp staff.</b>	<b>To deliver hot meals and prepare meals safely to elders. To properly collect and report data efficiently and accurately for documentation and tracking.</b>	<b>Expenses for food del residents, including example, senior citize other vulnerable popu to enable complianc COVID-19 public h precautions.</b>
			<b>TOTAL AMOUNT</b>



**NAVAJOLAND NURSING HOME, INC**

**Dr. Guy Gorman Sr. Care Home**

P.O.Box 910

Chinle, Arizona 86503

July 29, 2020

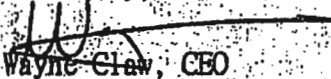
Honorable President Johnathan Nez  
Honorable Vice President Myron Lizer  
Honorable 24th Navajo Nation Council  
P.O. Box 7440  
NAVAJO NATION  
Window Rock, Arizona 86515

Dear Honorable President Nez, VP Lizer and Council Delegates:

The Navajoland Nursing Home, Inc. (NNHI), dba-Dr. Guy Gorman Sr. Care Home (DGGSCH) request \$1,394,271.00 Cares Act Coronavirus Relief funding that the Navajo Nation received. Attached you will find the Chinle Chapter Resolution and NNHI proposal using the March and April 2020 expenses since opening the Assisted Living facility. The facility was opened for Elder's to use for 15 days quarantines after they come back from the weekly and monthly appointments. The proposal includes March, April 2020 and the rest of the years up to December 31, 2020 for overtimes pays, temporary staff hires, employee taxes, PPEs, assisted living housekeeping supplies, liability insurance for assisted living since its occupied now, and NTUA utilities. These unexpected expenses were never budgeted with Navajo Nation Family Services and AHCCCS for FY 2020, therefore, need funding for Operation and Maintenance during this COVID-crisis.

Your support and approval are appreciated. Any questions contact me at 928-245-3125.

Sincerely,



Wayne Claw, CEO

Navajoland Nursing Home, Inc.

Cc: Q. Natay, NNHI Board President  
A. Hale, Attorney  
NNHI File



# NAVAJOLAND NURSING HOME, INC

## Dr. Guy Gorman Sr. Care Home

P.O.Box 910

Chinle, Arizona 86503

NAVAJOLAND NURSING HOME, INC. BOARD OF DIRECTORS

### RESOLUTION

NNHI-2020-005

Approve and Request the Honorable Navajo Nation President Jonathan Nez, Honorable Vice-President Myron Lizer, Honorable Navajo Nation Health, Education & Human Services (NNHEHS) Committee, Honorable Naa'blk'iyali' Committee & The Navajo Nation Council to Support and Approve Navajoland Nursing Home, Inc. (NNHI) Request for \$1,394,271.00 Care Act Coronavirus Relief Funds (Attachment)

#### Whereas:

1. NNHI, DBA-DGGSCH is the governing body as designated in the Articles of Corporation and its By-Laws; and
2. NNHI DGGSCH was established for the sole purpose for providing adult care service for 80 Navajo Elder and disabled adults who would otherwise be placed in an off-reservation facility to receive nursing care services; and
3. NNHI, DGGSCH is certified under the Arizona Department of Health and Human Services, Center for Medicare/Medicaid of the Federal Title XVIII (Medicare) and Federal Title XIX Medicare/AHCCCS) programs; and
4. NNHI accumulated costs/expenses for the COVID-19 crisis in Overtimes, Liability Insurance, Hired Temporary Staff, Utilities, PPE, Supplies (Janitorial, ect.) and Transportation (See attached Proposal)

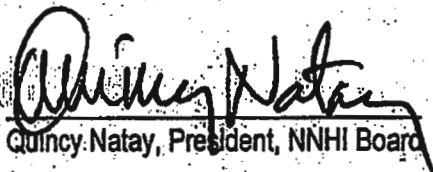
#### NOW, THEREFORE, BE IT RESOLVED THAT:

Approve and Request the Honorable NN President Jonathan Nez, Honorable VP, Myron Lizer, Honorable NNHEHS Committee, & Honorable Naa'blk'iyali' Committee & The Navajo Nation Council to Support and Approve Navajoland Nursing Home, Inc. (NNHI) Request for \$1,394,271.00 Care Act Coronavirus Relief Funds

#### CERTIFICATION

We hereby certify that the foregoing resolution was considered and approved at a special meeting thru Telephone by the NNHI Board of Directors, which a quorum was present and that same was passed by a vote of 3 in favor, 0 opposed and 0 abstained on this 07<sup>th</sup> day of May 2020.

Motion by: Alice White 2<sup>nd</sup> by Victor Joe, Jr.

  
Quincy Natay, President, NNHI Board

**LAND NURSING HOMES, INC**  
**5uy Gorman Sr. Care Home**  
**9 Supplemental Budget- CY 2020**

<u>Description:</u>	<u>Number of Ppersonal</u>	<u>Cost Calculation</u>	<u>BUDGET</u>
For 14 Pay Periods thru 12-31-2020	12	14 PPE x \$15,000.00 Overtime per pay period	\$210,000.00
24 hour coverage for high level care	12	\$12 per hour x 12 x 1 4 PPE x 80 hours	161,280.00
Close monitoring of Residents 24 hours	12	\$38 per hour x 12 x 14 PPE x 84 hours	536,256.00
Mandatory Federal & State Coverage with NNH, Inc. benefits	36	371,280. X 23%	208,735.00
Increased Coverage for Assisted Living	24	\$2,000.00 for 7 months	2,000.00
Assisted Living Costs	n/a	\$3,000 x 7 months	21,000.00
Masks, Clothing, Gloves	24	approximately \$28,571.00 per month	200,000.00
Disinfectant, gloves, masks	2	approximately \$3,570 per month	25,000.00
Transporting of residents.	16	approximately \$4,286 per month	30,000.00
<b>EXPENSES</b>			<b><u>\$1,394,271.00</u></b>





Handwritten: *NAVAJO*

The 24TH NAVAJO NATION COUNCIL  
Office of the Speaker

Handwritten: *PROPOSAL 500*



INFORMATION  
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camera to verify  
press release

## Navajo Nation set to receive support from first round of CARES Act Coronavirus Relief Funding

**FOR IMMEDIATE RELEASE:** May 5, 2020

**WINDOW ROCK, Ariz. —** The United States Departments of the Treasury and the Interior announced Tuesday the distribution of \$4.8 billion among all tribal governments in the first round of Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Coronavirus Relief Fund (Fund) awards.

The Navajo Nation Council is set to introduce legislation to accept and manage expenditures for COVID-19 response activities, in-line with federal law and as-required by the Navajo Nation Code.

"The Navajo Nation Council appreciates this first distribution to tribal governments of CARES Act Coronavirus Relief Fund support," said 24th Navajo Nation Council Speaker Seth Damon. "We, as Navajo leaders, have been listening to the needs of the Navajo People and our communities, and we will ensure that necessary funds are equitably and responsibly allocated within the time given to us."

The first distribution of tribal funding comes amid a lawsuit by a group of Tribal nations brought against the Treasury for its decision to include Alaska Native Corporations (ANCs), which are for-profit non-tribal government entities, in the distribution of the \$8 billion Fund.

After missing the statutory deadline to issue the funding to tribal governments, the Treasury and Interior Departments announced today that it will begin distribution of 60 percent of the Fund. The formula the Treasury and Interior Departments agreed upon is based on tribal population data used in the distribution of the Indian Housing Block Grant (IHBG) with a floor of \$100,000 for each tribal government.

The remaining 40 percent will be distributed at a later, unannounced, date based on tribal employment and tribal COVID-19 expenditure figures.

Until the eligibility of ANCs is determined, the calculated portions for those entities will be withheld pending litigation.

"Now that the first amount of COVID-19 relief funding has been issued to tribes, it is the Navajo Nation Council's responsibility to create the legislation and proper fund management plan that will help us better respond to this pandemic," said Council Delegate Jamie Henio, chairman of the Budget and Finance Committee.

The Treasury previously published additional guidance outlining the ways the Fund monies may be spent. Under the law, funds may support activities from the period beginning Mar. 1, 2020 and ending Dec. 30, 2020.

Costs that are covered under the Fund include necessary expenditures incurred due to the COVID-19 public health emergency. Costs must not have been included in the most recent tribal budget as of Mar. 27, 2020. Under the law and the Treasury guidance, tribal governments are able to decide what is reasonably necessary to respond COVID-19.

The Treasury's guidance included a non-exclusive list of eligible expenses, such as: medical expenses, public health expenses, payroll expenses for those responding to COVID-19, expenses to help facilitate compliance with public health orders and expenses associated with providing economic support for COVID-19-related impacts. Other related expenses are allowed that support the Navajo Nation's efforts

—MORE—

CARES Fund Expedited Procurement Rules and Procedures~~§ 100. Purpose~~

~~The Navajo Nation Council has determined that because federal law provides that the Coronavirus Relief Funds shall be for expenditures only through December 30, 2020, Procurement using the CARES Fund must be expedited. To meet the urgent needs of the Navajo People and the Navajo Nation government related to the COVID-19 public health emergency, Procurements utilizing the CARES Fund shall be governed by the Navajo Nation CARES Fund Act and these Expedited Procurement Rules and Procedures, shall adhere to applicable federal procurement requirements, and shall not be subject to the Navajo Nation Procurement Act and its attendant Regulations.~~

JMN  
mex~~§ 200. Applicability~~

~~A. Procurements funded through CARES Fund expenditures shall, and shall be pursuant to the Procurement rules and procedures ("CARES Fund Expedited Procurement") outlined in this Act once all of the following criteria are satisfied:~~

JMN  
mex

- ~~1. Shall be used only when necessary for preparation, prevention, and/or response to the COVID-19 public health emergency consistent with guidance issued by the U.S. Department of Treasury, attached as Exhibit B to this Act;~~
- ~~2. The CARES Fund expenditures comply with the Navajo Nation CARES Fund Act and are authorized pursuant to an approved Navajo Nation Fund Expenditure Plan.~~

~~B. CARES Fund expenditures must be completed on or before December 30, 2020.~~

~~§ 300. Definitions.~~

- ~~A. "Bid" means an offer to perform a Contract for the provision of Services and/or Goods at a specified price.~~
- ~~B. "Bid Security" means a Bid bond or deposit submitted with a Bid, to guarantee to the Procuring Party that the Bidder, if awarded the Contract, will execute the Contract within a specified period of time and will furnish any bonds or other requirements of the Bid documents.~~

- C. "Blanket Purchase Agreement" is a simplified method of filling anticipated repetitive needs for small quantities of Goods or Services by establishing "charge accounts" with qualified sources. Blanket Purchase Agreements are designed to reduce administrative costs in accomplishing small purchases by eliminating the need for issuing individual purchase documents.
- D. "Construction" or "Construction-related" means anything related to and/or the process of building, altering, repairing, improving, renovating or demolishing any structure or building, or other improvements of any kind to any real property. It does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.
- E. "Contract Performance Bond" means a surety bond issued to guarantee satisfactory completion of a project by a Contractor. A Contract Performance Bond must be issued in a form satisfactory to the Controller of the Navajo Nation, and underwritten by a surety company authorized to do business within the Navajo Nation in an amount equal to one hundred percent (100%) of the price specified in the Contract "Payment Bond" means a surety bond posted by a Contractor to guarantee that all its subcontractors and material suppliers for the project will be paid per their Contracts. A Payment Bond must be issued in a form satisfactory to the Controller of the Navajo Nation underwritten, and by a surety company authorized to do business within the Navajo Nation for the protection of all persons supplying labor and material to the Contractor or its subcontractor for the performance of the work provided in the Contract in an amount equal to one hundred percent (100%) of the price specified in the Contract.
- F. "Contract" means all types of Navajo Nation agreements, reflecting mutual decisions, arrangements, or positions, regardless of what they may be called, for the Procurement of Goods, Services, or Construction or Construction-related activities. The term Contract does not include agreements, including prime Contracts and grants, between the Navajo Nation and federal, state, and local governments for the provision of governmental Services to Navajos and other persons within the Navajo Nation.
- G. "Contractor" means any person having a Procurement Contract with a Division, Department, Office, or Program of the Navajo Nation.
- H. "Designee" means an individual who is an authorized representative acting within the limits of authority.
- I. "Fund Expenditure Plan" means a plan approved by the Navajo Nation Council pursuant to a Resolution approving an appropriation from the CARES Fund. A Fund Expenditure Plan must comply with the requirements set forth in the Navajo Nation CARES Fund Act and must explain how the appropriated CARES Fund monies will be managed and expended.



- J. "Goods" means all moveable tangible items of personal property, such as materials, supplies, equipment, and commodities; printing and insurance; and may also include Services such as delivery, setup, installation, and/or warranties incidental to the Goods, costing not more than the lesser of (a) ten percent (10%) of the total cost of the Goods, or (b) \$5,000.00.
- K. "Maximum Feasible Price" means the estimated cost of the Good and/or Service being solicited. This Maximum Feasible Price establishes the highest amount of funds the Procuring Party is willing to expend on the Procurement, and restricts the price for which a Procurement can be made.
- L. "May" denotes the permissive.
- M. "Procurement" means buying, purchasing, renting, leasing, or otherwise acquiring any Goods, Services, and/or Construction. It also includes all functions pertaining to the acquisition of any such Goods, Services, and/or Construction.
- N. "Procurement File" means a compilation of all documents related to a CARES Fund Procurement, detailing all of the actions taken in relation to the Procurement.
- O. "Procuring Party" means any Division, Department, Office, Program, and non-LGA certified Chapter of the Navajo Nation.
- P. "Public Notice" shall include publication on an official Navajo Nation website, publication in a print or online newspaper of general circulation, or publication in a print or online journal for the profession or trade relevant to the Goods and/or Services sought.
- Q. "Purchase Order" means a Contract executed for Goods. All required Procurement and requisition procedures must be completed before a Purchase Order is issued. Only the standard Navajo Nation Purchase Order form, approved by the Navajo Department of Justice and the Office of the Controller, shall be used in Navajo Nation Purchase Order Procurements.
- R. "Quotation" means a document submitted by an entity detailing their proposed delivery of a Good, Service, Construction, or Construction-related activity, including but not limited to price, quantity, delivery method, and time for completion.
- S. "Scope of Work" means the Contractual terms describing Services to be performed. The Scope of Work should include, but not be limited to, any milestones, reports, deliverables, and end products that are expected to be provided by the Contractor, and may contain a time line.

- T. "Services" means the furnishing of labor, time, or effort by a Contractor, not involving the delivery of a specific end product other than reports which are incidental to the required performance. This term shall not include employment agreements or collective bargaining agreements.
- U. "Shall" denotes the imperative.
- V. "Solicitation" means the process of seeking information, proposals, Bids, and/or Quotations.
- W. "Source List" means a list maintained and published by the Business Regulatory Department of the Division of Economic Development, certifying Priority #1 and #2 entities and persons as defined and required by the Navajo Business Opportunity Act, 5 N.N.C. § 201 *et seq.*
- X. "Division, Department, Office, or Program of the Navajo Nation" means any Department, Commission, Council, Board, Bureau, Committee, Institution, Legislative Body, Agency, Government Corporation, non-Local Governance Act ("LGA") certified Chapter, or other establishment or official of the Executive, Legislative, or Judicial Branch of the Navajo Nation government. It does not mean an a LGA certified Chapter of the Navajo Nation, an Enterprise or Authority of the Navajo Nation.

#### § 400. CARES Fund Expedited Procurement Rules and Procedures

Procurements utilizing the CARES Fund shall be governed by the following rules and procedures:

- A. Compliance with the Navajo Business Opportunity Act.
1. To the fullest extent possible, the Procuring Party shall procure in a manner consistent with the Navajo Business Opportunity Act, 5 N.N.C. § 201 *et seq.*, so that certified entities receive preference under CARES Fund Expedited Procurement.
  2. The Procuring Party shall review the latest available *Source List*, compiled by the Business Regulatory Department of the Division of Economic Development, as their primary source for identifying entities certified under the Navajo Business Opportunity Act.
  3. The Procuring Party may look beyond the *Source List* only when no certified entity can be found on the *Source List* to fulfill the required need. In such cases, the Procuring Party shall keep on file a copy of the *Source List* used to determine that no certified entity was available.

**B. Construction and Construction-related activities.**

1. Construction and Construction-related activities can only be conducted by those Navajo Nation Departments and Divisions vested with the power to engage in Construction and Construction-related activities, per Navajo law.
2. Bid Security shall be required for all Construction and Construction-related Contracts with an estimated price exceeding fifty thousand dollars (\$50,000). A Procuring Party may require Bid Security for all Construction and Construction-related Contracts when the Contract price is estimated to be below fifty thousand dollars (\$50,000) if the Procuring Party believes circumstances warrant such a requirement.
3. Bid Security shall be in an amount equal to at least ten percent (10%) of the Bid amount, and acceptable Bid Security is limited to an annual or one-time bond in a form satisfactory to the Controller of the Navajo Nation underwritten by a surety company authorized to do business within the Navajo Nation or the equivalent in cash, a bank certified check, or cashier's check payable to the Navajo Nation.
4. A Contract Performance Bond and Payment Bond shall each be required for all Construction and Construction-related Contracts with an estimated price exceeding fifty thousand dollars (\$50,000). The Contract Performance Bond and Payment Bond shall be delivered by the Contractor to the Procuring Party following award of a Contract and before commencement, and shall become binding upon the parties to the Contract upon execution of the Contract.
  - a. A Contract Performance Bond shall be delivered in a form satisfactory to the Controller of the Navajo Nation, and underwritten by a surety company authorized to do business within the Navajo Nation in an amount equal to one hundred percent (100%) of the price specified in the Contract;
  - b. A Payment Bond shall be delivered in a form satisfactory to the Controller of the Navajo Nation, and underwritten by a surety company authorized to do business within the Navajo Nation in an amount equal to one hundred percent (100%) of the price specified in the Contract.
5. The head of the Procuring Party's Department or the designated Chapter Official, with the concurrence of the Controller of the Navajo Nation or designee, may reduce the amount of the Contract Performance and Payment Bonds to fifty percent (50%) of the Contract price for each Bond only when:
  - a. retention on the Contract is set at fifty percent (50%) or above; or



- b. the Contractor provides an irrevocable letter of credit equal to at least fifty percent (50%) of the Contract price.

**C. Solicitation.**

**1. Pre-Solicitation documentation**

The Procuring Party shall create a Procurement File at the beginning of all CARES Fund Procurements, documenting all of the following:

- a. A Navajo Nation Council Resolution appropriating funds from the CARES Fund for the proposed expenditure;
- b. A Navajo Nation Fund Expenditure Plan permitting the proposed expenditure;
- c. Creation of a Scope of Work detailing the required Good, Service, Construction or Construction-related Procurement, including, at minimum, a description of the quantity and type needed;
- d. How the Good, Service, Construction, or Construction-related Procurement is necessary to prepare, prevent, or respond to the Navajo Nation's public health emergency with respect to the COVID-19 virus;
- e. Determination of a Maximum Feasible Price for the proposed Procurement based on budget constraints and an independent cost estimate, including but not limited to current market price, unit price from a previous purchase, prototype cost, or price from a vendor catalog or other published advertisement. This Maximum Feasible Price shall not be revealed to the public, including any respondents to the Solicitation, until a final award is made. Public revelation of the Maximum Feasible Price for a Solicitation shall result in the immediate cancellation of the Solicitation;
- f. The criteria for evaluating responses to the Solicitation request, including price, qualifications, and time constraints, as applicable.

**2. Manner of Solicitation**

- a. All Solicitations must detail all of the following, a copy of which shall be kept in the Procurement File:
  - i. The Good, Service, Construction, or Construction-related need required;
  - ii. What documents must be submitted as part of an entity's response, along with any other submission details, including but not limited to page limits, and proof of certification under the Navajo Business Opportunity Act;

- iii. Required insurance coverage, which must be developed in conjunction with the Risk Management Program. A memorandum, from the Risk Management Program, must certify that the insurance coverage required has been reviewed and approved by that office;
- iv. Required Contract Performance and Payment Bonds for Construction and Construction-related Procurement, which must be developed in conjunction with the Risk Management Program, the Capital Projects Management Department of the Division of Community Development, and the Department of Justice for Executive Branch Procurement, the Office of Legislative Counsel for Legislative Branch Procurement, or the Chief Justice for Judicial Branch Procurement, and shall include the following:
  - a. the closing date for receiving responses,
  - b. the manner in which an interested entity can submit a response, including the following where the Procuring Party chooses to allow e-mail response submissions:
    - i. Notice that the response must be copied to the Business Regulatory Department at [mcheromiah@navajobusiness.com](mailto:mcheromiah@navajobusiness.com),
    - ii. That the e-mail response title must state only the entity's certified Priority status, followed by the title of the Procurement solicitation,
    - iii. The body of email response shall only contain a copy of the entity's Priority certificate, and
    - iv. The details of the entity's response, including but not limited to qualifications and price, shall be included in separate attachments to the email response;
  - c. the evaluation criteria to be used in selecting a respondent for an award. This listing of evaluation criteria must not include the Maximum Feasible Price set by the Procuring Party, and if it does, shall result in immediate cancellation of the Solicitation;
  - d. Notice that the Navajo Nation is not required to enter a Contract pursuant to the Solicitation, and may reissue a Solicitation for the

same Good, Service, Construction or Construction-related Procurement;

- e. Notice that the Navajo Nation is a sovereign government and all Contracts entered into as a result for the Solicitation shall comply with the Navajo Nation law, rules and regulations, including the Navajo Preference in Employment Act, and applicable federal law, rules, and regulations;

b. Oral and Written Solicitation

- i. All Construction and Construction-related Solicitations must be in writing and require Public Notice.
- ii. All responses to Solicitations must be in writing, and included in the Procurement File.
- iii. The Procuring Party may solicit Quotations orally, if the Good and/or Service to be provided would not exceed a cost of twenty-five thousand dollars (\$25,000). The Procuring Party must make and keep records of the oral Solicitation, which together with all responses received, shall be kept in the Procurement File.
- iv. The Procuring Party must solicit Quotation(s) in writing, if the Goods or Services, to be provided would exceed a cost of twenty-five thousand dollars (\$25,000). The Procuring Party must keep records of the written Solicitation, which together with all responses received, shall be kept in the Procurement File.

c. Public Notice

- i. Public Notice shall be required for all Construction and Construction-related Procurement.
- ii. For non-Construction and non-Construction-related Procurement, no Public Notice shall be required if the cost to procure the Good and/or Service does not exceed one hundred thousand dollars (\$100,000).
- iii. The Procuring Party shall give Public Notice of the Solicitation for a reasonable time, based on circumstances such as the urgency of the need and the size and complexity of the Procurement, prior to the closing date for receiving responses to the Solicitation.

- iv. The Procuring Party shall also provide the Business Regulatory Department, of the Division of Economic Development with the following, as applicable:

- a. A copy of the solicitation issued;
- b. a copy of any public notices issued;
- c. A list of all entities notified of the procurement opportunity, including the date and manner of notification.

The above-listed documents must be submitted to the Business Regulatory Department before the closing date for receiving solicitation responses.

d. Number of Solicitations Required

- i. For Procurements of Goods and/or Services costing less than twenty-five thousand dollars (\$25,000), the Procuring Party shall solicit at least one (1) Quotation from vendors/Contractors customarily providing the Good and/or Service being procured.
- ii. For Procurements of Goods and/or Services costing less than seventy-five thousand dollars (\$75,000), the Procuring Party shall solicit at least two (2) Quotations from vendors/Contractors customarily providing the Good and/or Service being procured.
- iii. For Procurements of Goods and/or Services costing more than seventy-five thousand dollars (\$75,000) shall solicit at least three (3) Quotations from vendors/Contractors customarily providing the Good and/or Service being procured.
- iv. If the Procuring Party determines that it is in the Navajo Nation's best interest, the Procuring Party may request additional and/or revised Quotations. Any such determination must be documented and included in the Procurement File.

e. Single Source Solicitation

- i. For Procurements of Goods and Services costing up to one hundred thousand dollars (\$100,000), the Procuring Party may solicit from a single source if the Procuring Party determines the price to be fair and reasonable based on research, previous purchases, or experience, and satisfies the following:

- ii. For purchases exceeding one hundred thousand dollars (\$100,000), the Procuring Party may solicit from a single source if the Procuring Party, with the concurrence of the Division Head, determines that there is only one reasonably available source that can provide the type, quality, and quantity of Goods and/or Services sought, within the given time constraints. In determining whether only one source is reasonably available, the Procuring Party shall evaluate whether, in light of all circumstances surrounding the Procurement, it is reasonable and justifiable to procure without competition. Factors to consider include, but are not limited to whether:
  - a. there is a unique Procurement need;
  - b. one source is uniquely qualified to fulfill the Procurement need due to offering proprietary products, or Services specifically tailored to the Navajo Nation;
  - c. one source has specialized knowledge of Navajo Nation requirements and systems, as well as expertise serving the Navajo Nation;
  - d. one source has served the Navajo Nation in the past and that maintaining continuity in the provision of specific Goods, Services, Construction, or Construction-related activities by that vendor is in the best interest of the Navajo Nation;
  - e. The vendor's location and delivery/Service area is in close proximity to the Navajo Nation, which would facilitate fast delivery of the required Good, Service, Construction, or Construction-related item;
  - f. no other Goods, Services, Construction, or Construction-related item will satisfy the Procurement request.
- iii. The Procuring Party must document, in a memorandum concurred with by the Division Head, the reason for procuring from a single source, including why the chosen source is the only reasonably available choice. This memorandum shall be included in the Procurement file.
- iv. Single source Solicitation of Construction or Construction-related Procurement

- a. Construction or Construction-related Solicitation can only be done from a single source with written concurrence of the Head of the Procuring Party's Division and the Department of Justice for Procurement by the Executive Branch, the Office of Legislative Counsel for Procurement by the Legislative Branch, or the Chief Justice for Procurement by the Judicial Branch.
- b. The written concurrence detailed above must be in the form of a memorandum, and must detail the need for Construction or Construction-related single source Solicitation, showing at minimum, that there is no other practicable option. This memorandum shall be included in the Procurement File.

#### D. Evaluation of responses

1. The Procuring Party shall open and evaluate all responses received, in conjunction with the Business Regulatory Department of the Division of Economic Development, and in keeping with the Navajo Business Opportunity Act.
2. The Procuring Party shall document all of the following:
  - a. The name, address, and contact information of all entities responding to the Solicitation; and
  - b. The date and details of each response submitted, including price and all other factors to be used in evaluating responses.

#### E. Award

1. The Procuring Party shall select an entity with whom to negotiate a Contract based on the criteria previously enumerated in the Solicitation, and provide the details of the chosen entity's response and the reason for selecting the entity to the Head of the Procuring Party's Division for review and approval.
2. The Procuring Party must document the name, address, and contact information for the entity selected for Contract award, adding it to the Procurement File.
3. Following review and approval by the Head of the Procuring Party's Division, the Procuring Party shall deliver an award letter to the chosen entity, and require that the chosen entity respond with a letter accepting or denying the Contract.



4. The award letter shall include language stating that the Navajo Nation is not bound to enter a Contract pursuant to the Solicitation, and may reissue a Solicitation for the same Good, Service, Construction or Construction-related Procurement.
5. The Procuring Party must document the approval by the Head of the Procuring Party's Division, as well as the award letter and any response from the chosen entity, adding it to the Procurement File.

**F. Contract**

1. Once the required steps have all been completed for the Procurement in question, the Procuring Party shall develop a written Contract covering the Procurement identified in the Solicitation, compliant with Navajo Nation law. The Contract shall be developed in conjunction with the Department of Justice for all Executive Branch Procurement, the Office of Legislative Counsel for all Legislative Branch Procurement, and the Chief Justice for all Judicial Branch Procurement.
2. Purchase Orders may be used to Contract for the Procurement of Goods, but shall not be used to Contract for the Procurement of Services. Generally, when a Procurement involves both Goods and Services, a Service Contract shall be used. The Purchasing Section of the Office of the Controller, in consultation with the Navajo Nation Department of Justice, or Office of Legislative Counsel for Procurements involving the Legislative Branch, or the Chief Justice for Procurements involving the Judicial Branch, shall make the final determination of whether to classify the Procurement as a Procurement of Goods or a Procurement of Services. Draft contract packages shall be reviewed and deemed (in)sufficient by all the following offices, and within the following timelines, prior to execution of the contract:
  - a. Within three (3) business days
    - i. Division Director of the Procuring Party's office;
    - ii. The Department of Justice for Executive Branch Procurement, the Office of Legislative Counsel for Legislative Branch Procurement, or the Chief Justice for Judicial Branch Procurement;
    - iii. The Office of the Controller;
  - b. Within two (2) business days
    - i. The Office of Management and Budget;
    - ii. The Business Regulatory Department.

3. The above submission must also include a copy of the Risk Management Program memorandum certifying that the insurance coverage required has been reviewed and approved by that office.

#### G. Blanket Purchase Agreements

1. Procurements utilizing Blanket Purchase Agreements shall follow the CARES Fund Expedited Procurement rules and procedures.
2. Blanket Purchase Agreements may be used for Procurement of Goods and/or Services in the 2020 and 2021 fiscal year, but may not exceed a completion date of December 30, 2020.
3. Blanket Purchase Agreements for Goods shall be treated as a Procurement for Goods, and Blanket Purchase Agreements for Services shall be treated as Procurement of Services, and both shall initially be procured and Contracted for in adherence to these CARES Fund Expedited Procurement Rules and Procedures.
4. Non Construction or Construction-related Blanket Purchase Agreements for Services shall be completed utilizing the *Navajo Nation Standard Professional Services Contract*, available through the Navajo Nation Department of Justice, and shall contain a scope of work broad enough to permit filling anticipated repetitive needs. The Procurement File for Blanket Purchase Agreements for Services shall include a memorandum detailing each request for Service fulfillment, and indicating that the request does not include a change in cost for the Agreement.
  - a. Blanket Purchase Agreements for Construction or Construction-related services shall be completed utilizing the Construction contract appropriate for the Services contemplated, a decision to be made in conjunction with the Capital Projects Management Department of the Division of Community Development, and the Department of Justice for Executive Branch Procurement, the Office of Legislative Counsel for Legislative Branch Procurement, or the Chief Justice for Judicial Branch Procurement.
5. To the extent practicable, Blanket Purchase Agreements for Goods or Services of the same type should be placed concurrently with more than one qualified entity. All competitive sources be given an equal opportunity to furnish Goods or Services under Blanket Purchase Agreements.
6. At a minimum, Blanket Purchase Agreements shall contain the following provisions:

- a. A statement that the chosen entity shall furnish the Goods or Services described, during a specified period and within a stipulated aggregate amount, if any;
  - b. A statement that the Navajo Nation is obligated only to the extent of authorized orders actually placed against the Blanket Purchase Agreement;
  - c. A detailed description of the required ordering, invoicing, and delivery procedures;
  - d. A statement that the Procuring Party or the Office of the Controller of the Division of Finance shall provide the chosen entity with a notice of individuals authorized to place orders under the agreement, identified by organizational component and the dollar limitation per order for each individual.
- 7. Once the required steps have all been completed for the Procurement in question, the Procuring Party shall develop a written Blanket Purchase Agreement, compliant with Navajo Nation law. The Blanket Purchase Agreement shall be developed in conjunction with the Department of Justice for all Executive Branch Procurement, the Office of Legislative Counsel for all Legislative Branch Procurement, and the Chief Justice for all Judicial Branch Procurement.
  - a. Draft Blanket Purchase Agreements shall be reviewed and deemed (in)sufficient by all the following offices, and within the following timelines, prior to execution of the contract:
    - i. Within three (3) business days
      - 1. Division Director of the Procuring Party's office;
      - 2. The Department of Justice for Executive Branch Procurement, the Office of Legislative Counsel for Legislative Branch Procurement, or the Chief Justice for Judicial Branch Procurement;
      - 3. The Office of the Controller;
    - ii. Within two (2) business days
      - 1. The Office of Management and Budget;

## 2. The Business Regulatory Department.

- b. The above submission must also include a copy of the Risk Management Program memorandum certifying that the insurance coverage required has been reviewed and approved by that office.

8. Orders against Blanket Purchase Agreements shall be placed only after prices are obtained. When concurrent Blanket Purchase Agreements for similar Goods or Services are in effect, orders shall be equitably distributed to the extent practicable. In those instances, where there is an insufficient number of Blanket Purchase Agreements for any given class of Goods or Services to assure adequate competition, the Procuring Party shall solicit Quotations from other sources.
9. Orders against Blanket Purchase Agreements shall only be made by individuals formally authorized to place orders and generally will be made orally, except that informal correspondence may be used when ordering against agreements outside the local trade area. Written orders may be executed on forms approved by the Office of the Controller within the Division of Finance.
10. Pre-existing Blanket Purchase Agreements shall not be used for Procurements utilizing the CARES Fund. Blanket Purchase Agreements utilizing the CARES Fund shall not be used with a different fund source, nor after December 30, 2020.
11. All details of Blanket Purchase Agreements, from Solicitation to Contract award and any recurring options, must be documented in a Procurement File.

## H. Insurance

The entity selected for award must provide proof of insurance coverage, as outlined above in this CARES Fund Expedited Procurement Rules and Procedures.

## I. Payments

1. The payment procedures established by the Office of the Controller, Division of Finance shall be adhered to and shall not begin until Goods have been remitted and/or Services have been performed pursuant to the Contract and completed to the satisfaction of the Procuring Party.
2. The Procuring Party is responsible for filling out a Receiving Record form for Procurement of Services, available from the Office of Management and Budget, by stating exactly what Services were performed and completed, and that the completed Services are satisfactory to the Procuring Party.

- a. The Procuring Party is responsible for filling out a Receiving Prints form for Procurement of Goods, available from the Office of the Controller, stating with specificity what Goods were received and that the Goods were deemed satisfactory and accepted by the Procuring Party.
3. The completed Receiving Record form and the Vendor's Invoices shall be submitted to Accounts Payable Section of the Office of the Controller of the Division of Finance for processing of payment. It is the responsibility of the Procuring Party to ensure entities are paid within a reasonable time period, by promptly submitting all invoices to the Office of the Controller of the Division of Finance.

**24th Navajo Nation Council  
Special Session  
Teleconference**

ACTION: Legislation 0115-20

MOTION: Vince R. James

SECOND: Nathaniel Brown

	Yea	Nay
1. Elmer P. Begay	✓	
2. Kee Allen Begay, Jr.	✓	
3. Paul Begay	✓	
4. Nathaniel Brown	✓	
5. Eugenia Charles-Newton	✓	
6. Amber Kanazbah Crotty	✓	
7. Herman M. Daniels		✓
8. Seth Damon		
9. Mark A. Freeland	✓	
10. Pernell Halona	✓	
11. Jamie Henio	✓	
12. Vince R. James	✓	
13. Rickie Nez		✓
14. Carl R. Slater	✓	
15. Raymond Smith, Jr.	✓	
16. Wilson C. Stewart, Jr.		✓
17. Daniel E. Tso	✓	
18. Charlaine Tso	✓	
19. Eugene Tso	✓	
20. Otto Tso	✓	
21. Thomas Walker, Jr.	✓	
22. Edison J. Wauneka	✓	
23. Edmund Yazzie		✓
24. Jimmy Yellowhair	✓	
TOTAL:	19	4

CERTIFICATION:

  
Honorable Speaker Seth Damon

5.15.2020  
Date



# NAVAJO NATION

440

Navajo Nation Council Special Session

7/31/2020  
09:25:36 PM

Amd# to Amd#	Legislation 0144-20: Approving	PASSED
MOT Tso, D	and Adopting the Navajo Nation	
SEC Henio, J	CARES Fund Expenditure Plans for	
	Water Projects, Powerline Proj..	

Yeas : 20

Nays : 0

Excused : 1

Not Voting : 2

## Yea : 20

Begay, E	Crotty	Slater, C	Tso, D
Begay, K	Halona, P	Smith	Tso, E
Begay, P	Henio, J	Stewart, W	Walker, T
Brown	James, V	Tso	Wauneka, E
Charles-Newton	Nez, R	Tso, C	Yazzie

## Nay : 0

## Excused : 1

Daniels

## Not Voting : 2

Freeland, M      Yellowhair

Presiding Speaker: Damon