



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
*OFFICE OF THE ATTORNEY GENERAL*

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ETHEL B. BRANCH  
Attorney General

HEATHER CLAH  
Deputy Attorney General

**DEPARTMENT OF JUSTICE**  
**INITIAL ELIGIBILITY DETERMINATION**  
**FOR NAVAJO NATION FISCAL RECOVERY FUNDS**

**RFS/HK Review #:** \_\_\_\_\_

**Date & Time Received:** \_\_\_\_\_

**Date & Time of Response:** \_\_\_\_\_

**Entity Requesting FRF:** \_\_\_\_\_

**Title of Project:** \_\_\_\_\_

**Administrative Oversight:** \_\_\_\_\_

**Amount of Funding Requested:** \_\_\_\_\_

**Eligibility Determination:**

- FRF eligible
- FRF ineligible
- Additional information requested

**FRF Eligibility Category:**

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

**U.S. Department of Treasury Reporting Expenditure Category:** \_\_\_\_\_

**Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):**

- |  |  |
|--|--|
| <input type="checkbox"/> Missing Form  | <input type="checkbox"/> Expenditure Plan incomplete                     |
| <input type="checkbox"/> Supporting documentation missing  | <input type="checkbox"/> Funds will not be obligated by 12/31/2024       |
| <input type="checkbox"/> Project will not be completed by 12/31/2026                                     | <input type="checkbox"/> Incorrect Signatory                             |
| <input type="checkbox"/> Ineligible purpose  | <input type="checkbox"/> Inconsistent with applicable NN or federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports                                 |  |
| <input type="checkbox"/> Additional information submitted is insufficient to make a proper determination |  |

Other Comments: \_\_\_\_\_  
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Name of DOJ Reviewer: \_\_\_\_\_

Signature of DOJ Reviewer: \_\_\_\_\_

**Disclaimers:**

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

An NNDOJ Initial Eligibility Determination is based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

THE NAVAJO NATION  
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**  
FOR NON-GOVERNANCE CERTIFIED CHAPTERS

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Becenti Chapter Date prepared: 2/1/2023

Chapter's mailing address: P.O. Box 708 phone/email: 505-786-2283/2284  
Crownpoint, New Mexico 87313 website (if any): becenti.navajochapters.org

This Form prepared by: Charmayne Hosteen phone/email: 505-786-2283/2284  
Becenti Chapter Community Services Coordinator chosteen@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Becenti Chapter Hazard/Premium Pay for Essential Workers

Chapter President: Jonathan Perry phone & email: 505-786-2283/jonjperry@yahoo.com

Chapter Vice-President: Marjorie Lantana phone & email: 505-786-2283/mlantana@naataanii.org

Chapter Secretary: Arlene Arviso-Arthur phone & email: 505-786-2283/aarthur@navajochapters.org

Chapter Treasurer: Arlene Arviso-Arthur phone & email: 505-786-2283/aarthur@navajochapters.org

Chapter Manager or CSC: Charmayne Hosteen phone & email: 505-786-2283/chosteen@nnchapters.org

DCD/Chapter ASO: Casey Begay phone & email: casey\_begay@nndcd.org

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

Amount of FRF requested: 115,000 FRF funding period: 2/1/2023 - 9/30/2026  
indicate Project starting and ending/deadline date

**Part 2. Expenditure Plan details.**

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Funds will be used for hazard/premium pay for essential personnel whose duties and substantially dedicated to mitigation or responding to the COVID-19 public health emergency. The project will provide hazard/premium pay retrospectively for work preformed and any time since the start of the COVID-19 public health emergency. The expenditures set forth are necessary, since March 2022 we had essential workers who work to mitigating or responding to the COVID-19 pandemic and to continue the daily operation at the chapter to the general public.

document attached

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

Essential personnel worked the front lines throughout the COVID-19 pandemic to help mitigate and responded to the emergency crises and to continue the daily operation at the chapter to the general public.

document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the

**APPENDIX A**

Program(s) or Project(s) by December 31, 2026:

The twenty (20) personnel of emergency hire and Chapter Staff have been identified. The project end date will be December 31, 2026 with all fully expending funds and complete before September 30, 2026.

document attached

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

Becenti Chapter Administration, Community Services Coordinator, and Chapter Officials will be responsible for implementing the project.

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

The twenty (20) personnel employees will be responsible for operation and maintenance costs once the project is completed.

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

The project is covered under Expenditure Category 4.1 Premium Pay Sector Employees

Exposing employees to the deadly risks of COVID-19.

document attached

**Part 3. Additional documents.**

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

Approved Chapter Resolution BCJAN-23-280  
Navajo Nation Budget Forms (1, 2, 4)  
Appendix J - Project Budget Schedule

Chapter Resolution attached

**Part 4. Affirmation by Funding Recipient.**

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer: Charmayne Hooten  
signature of Preparer/CONTACT PERSON

Approved by: [Signature]  
signature of Chapter President (or Vice-President)

Approved by: Charmayne Hooten  
signature of CSC

Approved by: Casey Boyay  
signature of Chapter ASO

Approved to submit for Review: [Signature]  
signature of DCD Director



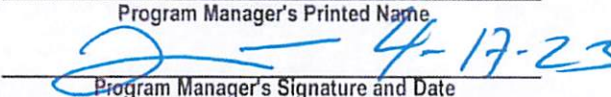
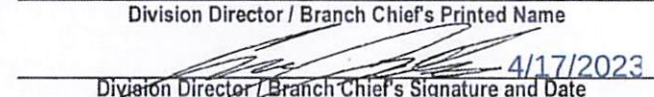
FY 2023

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

PART I. Business Unit No.:         New         Program Title: Becenti Chapter Hazard/Premium Pay for Essential Workers Division/Branch: Division of Community Development  
 Prepared By: Charmayne Hosteen, CSC Phone No.: (505) 786-2283/2284 Email Address: [becenti@navajochapters.org](mailto:becenti@navajochapters.org)

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A)	(B)	(C)
						NNC Approved Original Budget	Proposed Budget	Difference or Total
NN Fiscal Recovery Funds	2/1/23 - 12/31/26	115,000.00	100%					
				2001 Personnel Expenses	6	0	\$115,000.00	\$115,000.00
				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				
				<b>TOTAL</b>		\$0.00	\$115,000.00	\$115,000.00
				<b>PART IV. POSITIONS AND VEHICLES</b>		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
		<b>TOTAL:</b>	\$115,000.00 100%					

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

SUBMITTED BY: James Adakai, Deputy Director APPROVED BY: Calvin Castillo, Executive Director  
Program Manager's Printed Name Division Director / Branch Chief's Printed Name  
 4-17-23  4/17/2023  
Program Manager's Signatry and Date Division Director / Branch Chief's Signature and Date


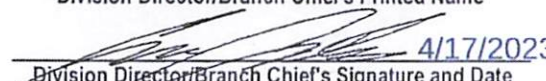
THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

**PART I. PROGRAM INFORMATION:**  
 Business Unit No.: New Program Name/Title: Becenti Chapter Hazard/Premium Pay for Essential Workers

**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:**  
Becenti Chapter Resolution BCJAN-23-280

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: <u>Provide hazard/premium pay for essential workers</u>								
Program Performance Measure/Objective: <u>Pay hazard/premium pay to essential workers who worked throughtout the COVID-19 Emergenc</u>			2		1		2	
2. Goal Statement: <u></u>								
Program Performance Measure/Objective: <u></u>								
3. Goal Statement: <u></u>								
Program Performance Measure/Objective: <u></u>								
4. Goal Statement: <u></u>								
Program Performance Measure/Objective: <u></u>								
5. Goal Statement: <u></u>								
Program Performance Measure/Objective: <u></u>								

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

<u>James Adakai, Deputy Director</u> Program Manager's Printed Name	<u>Calvin Castillo, Executive Director</u> Division Director/Branch Chief's Printed Name
 Program Manager's Signature and Date <u>4-17-23</u>	 Division Director/Branch Chief's Signature and Date <u>4/17/2023</u>



**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I.</b> Business Unit No.: <u>New</u>													<b>PART II.</b> Project Information																			
Project Title: <u>Becenti Chapter Hazard/Premium Pay for Employees</u>													Project Type: <u>Hazard/Premium Pay</u>																			
Project Description <u>Local community Emergency Command Center where public information is provided and services remain constantly open to reponse to the need of the community during COVID-19 Pandemic</u>													Planned Start Date: <u>2/1/2023</u>																			
Check one box: <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input type="checkbox"/> Budget Modification													Planned End Date: <u>9/30/2026</u>																			
													Project Manager: <u>DCD APRA</u>																			
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.			<b>PART IV.</b> Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																								Expected Completion Date if project exceeds 8 FY Qtrs.					
			FY <u>2023</u>												FY <u>2024</u>												Date <u>9/30/2026</u>					
			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.								
Emergency Hire (17) Pandemic Chapter Administration (3) (Regular/PEP Workers)			O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M
			x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
<b>PART V.</b>			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL								
Expected Quarterly Expenditures			16,428.57			16,428.57			16,428.57			16,428.57			16,428.57			16,428.57			\$115,000.00											

**FOR OMB USE ONLY:**    Resolution No: \_\_\_\_\_    FMIS Set Up Date: \_\_\_\_\_    Company No: \_\_\_\_\_    OMB Analyst: \_\_\_\_\_





*The Navajo Nation Becenti Chapter*  
*Too'di'tsin (Barren of the trees) Jidi'hadi't'iih (Antelope lookout)*



Jonathan Perry    Marjorie Lantana    Arlene A. Arthur    Janice Padilla    Danny Simpson    Charmayne Hosteen    VACANT  
 PRESIDENT    VICE-PRESIDENT    SECRETARY/TREASURER    LAND BOARD    COUNCIL DELEGATE    CHAPTER CSC    CHAPTER AMS

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P.O. Box 708, Crownpoint, NM 87313    Phone: (505) 786-2283    Fax: (505) 786-2285    Email: [becenti@navajochapters.org](mailto:becenti@navajochapters.org)    Website: [becenti.navajochapter.org](http://becenti.navajochapter.org)

**Becenti Chapter Resolution**

BCJAN-23-280

RESOLUTION APPROVING AN ALLOCATION OF FUNDS IN THE AMOUNT OF \$115,000.00 FOR SEVETEEN (17) PERSONNEL FOR THE AMERICAN RESCUE PLAN ACT “APRA” AS DESCRIBED BY NAVAJO NATION COUNCIL RESOLUTION CJN-29-22 FOR HAZARD/PREMIUM PAY FOR ESSENTIAL WORKERS DURING THE COVID-19 PANDEMIC.

**WHEREAS:**

1. Pursuant to Navajo Nation Council Resolution CJY-20-55, the Becenti Chapter is a certified chapter of the Navajo Nation Government and is vested with certain authorities to address and resolve local matters in the best interest of the community members, and coordinate with or refer appropriate subject matters to the Navajo Nation, McKinley County, State of New Mexico, and the US Federal Governments; and
2. Pursuant to Navajo Nation Council Resolution CAP-34-98 Local Governance Act “LGA”, allows chapter governments to make decisions over local matters, this authority in the long run, will improve community decision making, allow communities to excel and flourish, enable Navajo leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation; and
3. Pursuant to the American Rescue Plan Act of 2021 “ARPA”, officially identified as Public Law No. 117-2, was signed into law on March 11, 2021 by United States President Joseph Biden, with the intent to provide additional relief to address the continued impacts of COVID-19 on economy, public health, state, local, and tribal governments, individuals, and businesses; and
4. Pursuant to Navajo Nation Council Resolution CJN-29-22 the Navajo Nation allocated \$1,070,298,867 of Navajo Nation Fiscal Recovery Funds; Approving the Navajo Nation Fiscal Recovery Fund Expenditure Plans Chapter Assistance; Public Safety Emergency Communications, E911, and Rural Addressing Projects; Cyber Security; Public Health Projects; Economic Development Projects; Hardship Assistance; Water and Wastewater Projects; Broadband Projects; Home Electricity Connection and Electricity Capacity Projects; Housing Projects and Manufactured Housing Facilities; Bathroom Addition Projects; Construction Contingency Funding; and Reduced Administrative Funding; and
5. The World Health Organization (WHO) declared a Public Health Emergency of International Concern related to the Coronavirus (COVID-19) on January 30, 2020, the United States Department of Health and Human Services declared a Public Health

Emergency related to the COVID-19 Pandemic on January 31, 2020, with an official global pandemic declaration from WHO on March 11, 2020; and

6. Pursuant to Resolution CEM-20-03-11, the Commission on Emergency Management in concurrence of the Office of President and Vice President of the Navajo Nation declared a Public Health State of Emergency on the Navajo Nation due to the COVID-19 Pandemic on March 11, 2020; and
7. Pursuant to Expenditure Guidelines set by the United States Department of Treasury the use of ARPA Funds is justified and allowable under Category 4: Premium Pay, 4.1 Public Sector Employees and
8. Becenti Chapter remained open and active during the entirety of the COVID-19 Pandemic providing services in emergency response in planning and execution of emergency plans of collecting and distributing food, emergency supplies, personal protective equipment, collecting community data through community assessment, hauling and distributing wood and pallets for heating of homes for local senior citizens and community members who are physically disabled; and
9. Becenti Chapter has been identified as the local community Emergency Command Center where public information is provided and services remain constantly open to respond to the needs of the community during the COVID-19 Pandemic pursuant to the Becenti Chapter Emergency Management Plan and the Becenti Emergency Response Team Plan of Action.

**NOW, THEREFORE, LET IT BE RESOLVED THAT:**

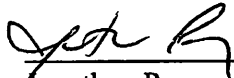
1. Becenti Chapter approves the allocation of funds for the American Recovery Fund “ARPA” in the amount of \$115,000.00 for seventeen (17) essential workers who were active as temporary employees during the height of the COVID-19 Pandemic, and to use funds as described in Navajo Nation Council resolution CJN-29-22 for Hazard/Premium Pay for Essential Workers.
2. Becenti Chapter affirms that the chapter will only use awarded funds in compliance with ARPA, the ARPA Regulations, and all other applicable Navajo Nation and federal laws and regulations.

**CERTIFICATION**

WE HEREBY CERTIFY, that this foregoing resolution was duly considered by the Becenti Chapter at a duly called chapter meeting at Becenti Chapter, at which a legal quorum was present and the same was passed by a vote of 11 in favor, 0 in opposition, and 0 abstaining on this 30<sup>th</sup> day of January 2023.

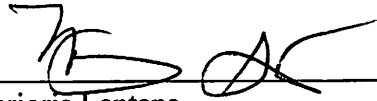
Motion: Marilyn L. Becenti

Second: Marylynn Harry



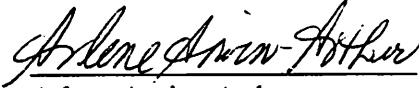
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Jonathan Perry,  
Becenti Chapter President



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Marjorie Lantana,  
Becenti Chapter Vice-President



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Arlene Arviso-Arthur  
Becenti Chapter Secretary/Treasurer

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Danny Simpson,  
Navajo Nation Council Delegate