



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

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: Nageezi Chapter Date prepared: 01/27/2023

Chapter's mailing address: Post Office Box 100 Nageezi NM 87037 phone/email: (505) 960-7200 website (if any): \_\_\_\_\_

This Form prepared by: Ervin Chavez, Chapter President phone/email: (505) 960-7200

CONTACT PERSON'S name and title

CONTACT PERSON'S info

Title and type of Project: Nageezi Chapter Community Cemetery Project

Chapter President: Ervin Chavez phone & email: (505) 960-7200 nageezi@navajochapters.org

Chapter Vice-President: Rory Jaquez phone & email: (505) 960-7200 nageezi@navajo, chapters.org

Chapter Secretary: Jessica Platero phone & email: (505) 960-7200 nageezi@navajochapters.org

Chapter Treasurer: Jessica Platero phone & email: (505) 960-7200 nageezi@navajochapters.org

Chapter Manager or CSC: Ervin Chavez phone & email: (505) 960-7200 nageezi@navajochapters.org

DCD/Chapter ASO: Casey Begay phone & email: (505) 786-2091 casey\_begay@nndcd.org

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

document attached

Amount of FRF requested: \$50,000 FRF funding period: 1/01/2023 - 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:

Nageezi Chapter Cemetery project is needed as adjacent cemeteries to Nageezi Chapter are; at capacity or near capacity. During COVID-19, Nageezi was directly impacted by death from this virus and victim's families had to resort to the nearest cemetery which caused the cemeteries to reach it's capacity. This cemetery project will directly address the need of Nageezi Community.

document attached

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

This project will assist and directly benefit the Navajo Nation and its citizens. The Navajo Nation experienced substantially greater COVID-19 morality rate compared to other ethnic groups.

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

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

According to the funding source the project will be completed by September 30, 2026 with all funds being incurred by September 30, 2024.

document attached

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

Nageezi Chapter Community Service Coordinator will be responsible to implete the project in accordance with NN ARPA and Navajo Nation procurement process.

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:

Nageezi Chapter will be responsible for operating and maintenance cost once projected 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:

1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency

Adjacent cemeteries to Nageezi are at capacity or near capacity. During COVID-19, Nageezi was directly impacted by death from this virus and victim's families had to resort to the nearest cemetery which caused the cemeteries to reach it's capacity. This cemetery project will directly address the need of Nageezi Community.

document attached

**Part 3. Additional documents.**

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

Budget Forms and Chapter Resolution

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: *Chris H.*  
signature of Preparer/CONTACT PERSON

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

Approved by: *Chris H.*  
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**

Page 1 of 4  
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u> Program Title: <u>Nageezi Chapter Community Cemetery Project</u> Division/Branch: <u>Executive</u>								
Prepared By: <u>Ervin Chavez, Chapter President</u> Phone No.: <u>(505) 960-7200</u> Email Address: <u>nageezi@navajochapters.org</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 or Total
NN Fiscal Recovery Funds	1/1/2023-9/30/2026	50,000.00	100%	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	6	0	50,000	50,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	50,000.00	50,000
				<b>PART IV. POSITIONS AND VEHICLES</b>		<b>(D)</b>	<b>(E)</b>	
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
		<b>TOTAL:</b>	\$50,000.00 100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>James Adakai, Deputy Director</u>				APPROVED BY: <u>Calvin Castillo, Division Director</u>				
Program Manager's Printed Name				Division Director / Branch Chief's Printed Name				
								
Program Manager's Signature and Date <u>5-14-23</u>				Division Director / Branch Chief's Signature and Date <u>5/19/23</u>				

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

<b>PART I. PROGRAM INFORMATION:</b>									
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>Nageezi Chapter Community Cemetery Project</u>						
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b> <u>CJN-29-22 Navajo Fiscal Recovery Fund On The Navajo Nation</u>									
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: <u>Develop a community cemetery</u>									
Program Performance Measure/Objective: <u>Provide community cemetery for Nageezi Chapter</u>		1		1		1		1	
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>									
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>									
James Adakai, Deputy Director				Calvin Castillo, Division Director					
_____ Program Manager's Printed Name				_____ Division Director/Branch Chief's Printed Name					
 <u>5-19-23</u>				 <u>5/19/23</u>					
_____ Program Manager's Signature and Date				_____ Division Director/Branch Chief's Signature and Date					

FY 2023

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

Page 3 of 4  
BUDGET FORM 4

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Nageezi Chapter - Community Cemetery Project</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)
6500	Public Health: 1.7 Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency. Provide community cemetery for proper burial of deceased individuals.  <b>Contractual Services</b> 6510- Professional Services Development of Community Cemetery	50,000	50,000
<b>TOTAL</b>		50,000	50,000

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I.</b> Business Unit No.: <u>NEW</u> Project Title: ARPA Funds <u>Nageezi Chapter - Cemetery Project</u> Project Description: <u>Nageezi Chapter Cemetery Project - construct Cemetery</u>													<b>PART II. Project Information</b> Project Type: <u>ARRA Funds Construction</u> Planned Start Date: <u>January 01, 2023</u> Planned End Date: <u>30-Sep-26</u> Project Manager: <u>Ervin Chavez, Chapter President</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																														
<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.																													
	FY 2024				FY 2025				Expected Completion Date if project exceeds 8 FY Qtrs. Date: <u>9/30/2026</u>																					
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.								
	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
Cemetery Project																														
Land Withdrawal																														
Service Contract Agreement																														
Close Out																														
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures	10,000.00			10,000.00			10,000.00			10,000.00			10,000.00			10,000.00			10,000.00			10,000.00			10,000.00			\$50,000.00		

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





**NAGEEZI CHAPTER**  
**Eastern Agency**

Buu Nygren., Navajo Nation President

Richelle Montoya, Navajo Nation Vice President

**RESOLUTION OF NAGEEZI CHAPTER**

**EASTERN AGENCY, DISTRICT 19**

**RESOLUTION # NC 23-040**

**APPROVING THE PROPOSED BUDGET OF \$50,000 FOR A COMMUNITY CEMETERY IN WHICH THE APPROPRIATION IS THROUGH THE \$8.8 MILLION COUNCIL DELEGATE REGIONAL PROJECTS.**

**WHEREAS:**

Pursuant to 26 N.N.C. 1(B), the Nageezi Chapter is delegated to the governmental authority to make decision over local matters consistent with Navajo Law, Custom and Tradition and under 11 N.N.C. Part 10 also delegated authority to make local decisions in the best interest and welfare of the community members; and,

Nageezi Chapter with the population of 2500 to 3000 residents, registered and non-registered, is made up of (09) sub-communities including and not limited to Nageezi, Lybrook, Twin Pines, Blanco, Kimbeto, Chaco Canyon, Escavada, Betoni Wash, Kinnadiz and Dzilth-na-o-dith-hle, being one of the largest land based Navajo Chapter in Eastern Navajo Agency of the Navajo Nation; and,

Nageezi Chapter experienced a sad tragic turn for many community members who loss their lives, since 2020, in the COVID 19 pandemic which left many families to care for children who loss both set of parents and many others.

Nageezi Chapter community has been utilizing four (4) Christian Mission cemeteries in Lybrook, Escrito LDS, and Brethern In Christ Mission cemeteries as resources. The Chapter have been notified that by these missions that they will start charging families for any grave request or even close the cemetery due to lack of land.

**NOW THEREFORE BE IT RESOLVED THAT** Nageezi Chapter approves the proposed budget of \$50,000 for a community cemetery to develop a cemetery on tribal trust land from Regional Council Delegate Projects.

Nageezi Chapter( "Chapter") affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and Policies.

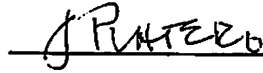
## C E R T I F I C A T I O N

**WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION NC 23-040** was duly presented and discussed at duly called meeting of Nageezi Chapter, Navajo Nation, (New Mexico), at which a quorum was present, motioned by Johnny Russell seconded by , was voted on with 14 in favor, 00 opposed and 01 abstained, this 06<sup>th</sup> day of February, 2023

**ATTEST: NC 23-040**



Ervin Chavez, Chapter President



Rory Jaques, Chapter Vice President or  
Jessica Platero Chapter Secretary



**NAGEEZI CHAPTER  
EASTERN NAVAJO AGENCY  
District 19**

*Dun Nygren  
Navajo Nation President*

*Richelle Montoya  
Navajo Nation Vice-President*

March 3, 2023

RE: Delegation of Authority

Nageezi Chapter does not have a Community Services Coordinator employed, so I hereby Delegate Chiffon Harrison's Accounts Maintenance Specialist's signature on the ARPA Appendix A and the Expenditure Plans to indicate the validity and to make documentation official.

A handwritten signature in black ink, appearing to read "Ervin Chavez", written over a horizontal line.

Ervin Chavez

*Nageezi Chapter President*