



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DOREEN N. MCPAUL
Attorney General

KIMBERLY A. DUTCHER
Deputy Attorney General

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

RFS/HK Review #: HK0329

Date & Time Received: 12/17/22 14:44

Date & Time of Response: 23 December, 2022; 2:46 pm

Entity Requesting FRF: Churchrock Chapter

Title of Project: Broadband

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$400,000.00

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: 1.14 Other Public Health

Services _____

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: _____

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: _____



Disclaimers: An NNDOJ Initial Eligibility Determination will be 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: Churchrock Chapter Date prepared: 11/22/22

Chapter's mailing address: PO Box 549 Churchrock, NM 87311 phone/email: 505-488-2464 churchrock@navajochapters.org
website (if any): churchrock.navaiochap

This Form prepared by: Dr. Carolene Whitman phone/email: 505-459-4796
Chapter Vice President cwhitman@naataanii.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Broadband

Chapter President: Larry King phone & email: 505-979-1411 lking@naataanii.org

Chapter Vice-President: Carolene Whitman phone & email: 505-459-4796 cwhitman@naataanii.org

Chapter Secretary: Francine Smith phone & email: 505-879-0056 fsmith@navajochapters.org

Chapter Treasurer: Francine Smith phone & email: 505-879-0056 fsmith@navajochapters.org

Chapter Manager or CSC: N/A phone & email: _____

DCD/Chapter ASO: Guarena Adeky phone & email: 505-905-1050 gadeky@nndcd.org

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

☐ document attached

Amount of FRF requested: 400,000.00 FRF funding period: 01/01/2023 to 09/30/2026
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:

Churchrock Chapter working in partnership with Continental Divide Electric Cooperative (CDEC) will oversee and implement \$400,000.00 in ARPA funds for Redbolt broadband for CDEC customers who live in the Churchrock community. The project will install high-speed broadband to improve connectivity; enable broadband length requirements to access virtual telework, school work. medical appointments, and to communicate needs base services to the Churchrock community.

☐ document attached

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

Access to high quality high-speed broadband will enable the Churchrock community to communicate virtually, access critical information, telework, participate in online learning, telehealth services and reduce the in-person travel time needed to collect and inform the community members about pandemic health concerns. Oversight by Churchrock Chapter, CDEC, DCD ARPA, NNFRF.

☐ 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:

Churchrock Chapter and CDEC Redbolt will plan and implement services based on eligible customers service requirements for construction timeline mobilization and scheduling. Challenges include: ROW; supply chain interruptions, network electronics and other equipment needed to mobilize services and authorization for use and regulations. This project estimates a successful completion of by 9/30/26 ☒ document attached

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

The Navajo Nation Broadband office, DCD ARPA, NNFRF and Churchrock Chapter in partnership with CDEC Redbolt will have the oversight of the Redbolt broadband connectivity.

☐ 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 operations and maintenance cost of service with Redbolt connectivity will be the responsibility of the customers receiving services through monthly invoices.

☐ 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:

5.20 Broadband: Other projects. Broadband services in support of Churchrock projects and initiatives identified in this request comply with service, deliverables and outcomes to improve network services that enable connectivity to Navajo homes in need of broadband services. Churchrock Chapter, CDEC Redbolt, Broadband, DCD ARPA will coordinate the mobilization for the broadband project for the Churchrock community

☐ document attached

Part 3. Additional documents.

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

Churchrock Chapter approved resolution for this project

☒ 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:


signature of Preparer/CONTACT PERSON

Approved by:


signature of Chapter President (or Vice-President)

Approved by:


signature of CSC

Approved by:


signature of Chapter ASO

Approved to submit for Review:


signature of DCD Director

PART I. Business Unit No.: _____		K- [New]		Program Title: _____		Churchrock Chapter		Division/Branch: DCD/ASC/ Churchrock	
Prepared By: _____		Guaerna Adeky, SPPS		Phone No.: _____		505-488-2464		Email Address: churchrock@navajochapters.org	

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		01/01/23 - 09/30/26	400,000.00	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					
					7000	Special Transactions					
					8000	Public Assistance					
					9000	Capital Outlay	6	400,000		400,000	400,000
					9500	Matching Funds					
					9500	Indirect Cost					
TOTAL:					TOTAL			\$0.00		400,000.00	400,000

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.

SUBMITTED BY: _____	APPROVED BY: _____
Sonlatsa Jim-Martin	Pearl Yellowman
Program Manager's Printed Name	Division Director / Branch Chief's Printed Name
<i>Sonlatsa Jim</i>	<i>Pearl Yellowman</i>
Program Manager's Signature and Date	Division Director / Branch Chief's Signature and Date
	10.2.22

PART I. PROGRAM INFORMATION:		Program Name/Title: Churchrock Chapter									
Business Unit No.: K- [New]											
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:											
PART III. PROGRAM PERFORMANCE CRITERIA:											
		1st QTR		2nd QTR		3rd QTR		4th QTR			
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:											
To supplement the existing broadband project											
Program Performance Measure/Objective:											
Work with the FRF Office to complete the project for broadband in the community				1				1			1
2. Goal Statement:											
Program Performance Measure/Objective:											
3. Goal Statement:											
Program Performance Measure/Objective:											
4. Goal Statement:											
Program Performance Measure/Objective:											
5. Goal Statement:											
Program Performance Measure/Objective:											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
		Pearl Yellowman									
		Division Director/Branch Chief's Printed Name									
		Division Director/Branch Chief's Signature and Date									

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION: Program Name/Title: _____ Churchrock Chapter <u>Broadband</u> Business Unit No.: _____ K- [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)
9020	Infrastructure 9036 - Communications To install broadband to the areas hard reached by existing carriers. To supplement the services planned to be provided.	400,000	400,000
TOTAL		400,000	400,000

Page ____ of ____
PROJECT FORM

FOR OMB USE ONLY:
Resolution No:
FMS Set Up Date:
Company No:
OMB Analyst:

Larry J. King, President
Dr. Carolene Whitman, Vice President
Francine Smith, Secretary/Treasurer



Churchrock Chapter

Post Office Box 549 Churchrock, New Mexico 87311
Tel. 505-488-2464 FAX: 505-488-2190
churchrock@navajochapters.org

Edmund Yazzie, Council Delegate
Barbara O'Keefe, LDA
Emery Chee, Land Board Member

VACANT
Community Service Coordinator

VACANT,
Account Maintenance Specialist

Resolution No.: CRC-11-2022-004

**APPROVING THE REQUEST TO UTILIZE DELEGATE YAZZIE REGIONAL ARPA
EXPENDITURE PLAN FUNDS IN THE AMOUNT OF \$400,000 IN PARTNERSHIP
WITH CDEC IMPLEMENT REDBOLT BROADBAND FOR CDEC CUSTOMERS TO
CHURCHROCK COMMUNITY**

WHEREAS:

1. Pursuant to 26 NNC Section 3(A), the Churchrock Chapter is a duly recognized certified Chapter of the Navajo Nation government as listed at 11 NNC. Part 1, Section 10; and
2. Pursuant to 26 NNC Section 1(B), the Churchrock Chapter is vested with the authority to review all matters affecting the community to make appropriate corrections when necessary and to make recommendations to the Navajo Nation and other local agencies for appropriate actions; and
3. Churchrock Chapter is invested to review all matters affecting the community to make favorable decisions in the best interest over local matter, such as cultural preservations, economic development, safety, and welcome of chapter membership; and
4. The Churchrock Chapter, as part of Honorable Delegate Edmund Yazzie's Region, was allocated funds from the American Rescue Plan Act (ARPA) Delegate Regional Expenditure plan to provide services to the Community of Churchrock Chapter; and
5. The Churchrock Chapter in partnership with Continental Divide Electric Cooperative (CDEC) shall work to oversee and implement together to plan, design and construct the Redbolt High-Speed Broadband for CDEC customers who live in the Churchrock Community.


NOW THEREFORE, BE IT RESOLVED THAT:

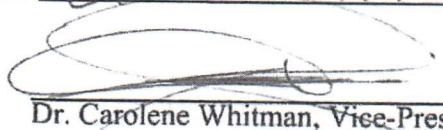
1. The Churchrock Chapter membership hereby approves and respectfully submits the funding proposal packet and budget in the amount of \$400,000 to plan, design, and implement Redbolt Broadband.

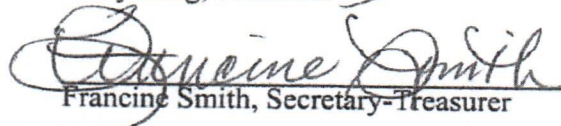
C E R T I F I C A T I O N

We hereby certify the foregoing resolution was duly considered by the Churchrock Chapter of the Navajo Nation (New Mexico) at a duly called meeting at which a quorum was present and the same was passed by a vote of 24 in favor, and 0 opposed, and 1 abstained on this 23rd day of November, 2022.

Motion: Janice Peterson Second: Elsie Peshlakai


Larry King, President


Dr. Carolene Whitman, Vice-President


Francine Smith, Secretary-Treasurer

NAVAJO NATION FISCAL RECOVERY FUND



DOCUMENT CHECKLIST

TO DOJ for Non Governance Certified Chapters

Submit all documents according to this checklist. If all documents are not attached, packet will be returned to division/program.

Division/Program Information:

Date Submitted: November 28, 2022

Program/Division: DCD/Churchrock Chapter

Contact Person: Dr. Carolene Whitman

Phone: 505-488-2464

Email: cwhitman@naataanii.org

Documents needed for processing:

- ☒ Appendix A - Request Form & Expenditure Plan
- ☒ Appendix B - Budget Forms (Form 1, 2, 3, 4, 5, Appendix J as needed)
- ☒ Approved Chapter Resolution supporting the project
- ☒ Required Signatures:
 - ☒ Preparer
 - ☒ Chapter President/Vice President
 - ☒ Chapter Manager/CSC
 - ☒ DCD ASC
 - ☐ DCD Division Director
 - ☐ NNFRFO Director

Notes:

Reviewed by:

NN Fiscal Recovery Fund Office

Date

DISCLAIMER: For guidance purposes only. Additional information may be required.

Navajo Nation Fiscal Recovery Fund Office (NNFRFO)
PO BOX 2469, Window Rock, Arizona 86515
(928)309-5532