



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:

- | | |
|--|---|
| <input type="checkbox"/> (1) Public Health and Economic Impact | <input type="checkbox"/> (2) Premium Pay |
| <input type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (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: _____

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.

APPENDIX A

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

Part 1. Identification of parties.

Governance-Certified Chapter requesting FRF: Casamero Lake Chapter Date prepared: 7/7/23

Chapter's mailing address: PO Box 549 phone & email: 505-786-2457
Prewitt, NM 87045 website (if any): casamerolake.navajochapters.org

This Form prepared by: Kimberly Lister phone/email: 505-786-2457
Kimberly Lister, Chapter Manager

CHAPTER CONTACT PERSON'S name and title

Title and type of Project: Improve Community Chapter House Heat, Ventilation, and Air Conditioning

Chapter President: Jerry Bodie phone & email: 505-786-2457
Chapter Vice-President: Lawrence Largo phone & email: 505-786-2457
Chapter Secretary: Raymond Tolth phone & email: rtolth@navajochapters.org
Chapter Treasurer: Raymond Tolth phone & email: rtolth@navajochapters.org
Chapter Manager or CSC: Kimberly Lister phone & email: klister@nnchapters.org
DCD/Chapter ASO: Myrtis Begay, Delegated phone & email: msbegay@nndcd.org

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

Amount of FRF requested: \$80,000 FRF funding period: July 7, 2023-December 31, 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:

Casamero Lake Chapter House, on behalf of the community, is requesting funding for troubleshooting and improving the ventilation system of the chapter house. We plan to properly heat, cool, and ventilate the chapter house during community gatherings or chapter meetings. This will allow for stagnant air to flow out the building which will minimize the transmission of COVID-19.

☐ document attached

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

This will serve community of Casamero Lake and surrounding communities within the Navajo Nation boundaries. The project will help improve indoor environment for community members during family gatherings and chapter monthly meetings. The chapter will continue to assist in maintaining a healthy environment for our staff, community members, and neighboring communities in all weather conditions inside our chapter house.

☐ document attached

APPENDIX A

(c) 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:

Upon approval and funding, the Casamero Lake Chapter Administration and Officials will begin the process to assess and install the HVAC through contract services and complete by December 31, 2026.

☐ document attached

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

The Casamero Lake Chapter Administration, Chapter Officials, and the Navajo Nation Division of Community Development will work together to implement and complete 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 Casamero Lake Chapter will be responsible, and include in annual budget, for maintenance and operational cost of the HVAC within the chapter house.

☐ 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:

Prevention in Congregate Settings: 1.4
Provision of Governmental Services: 6.1

The Casamero Lake Chapter is located within the boundaries of the Navajo Nation. The chapter is used for monthly planning and regular chapter meetings. Community members gather to plan and discuss chapter projects.

☐ document attached

Part 3. Additional documents.

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

Casamero Lake Chapter House Resolution CL-042-23

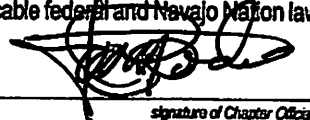
Part 4. Affirmation by Funding Recipient.

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:

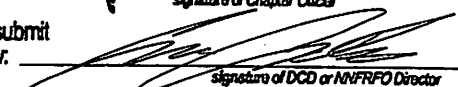
Chapter's
Preparer:


signature of Preparer: CONTACT PERSON

Approved by:


signature of Chapter Official

Approved to submit
for Review:


signature of DCD or NNFRPO Director

FY 23

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

Page 1 of 4
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u> Program Title: <u>Casamero Lake Community Chapter House Heat, Ventilation, and Air Cond</u> Division/Branch: <u>DCD/Executive</u>																																																																																													
Prepared By: <u>Kimberly Lister</u>		Phone No.: <u>505-786-2457</u>	Email Address: <u>casamerolake@navajochapters.org</u>																																																																																										
PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total																																																																																										
NN Fiscal Recovery Fund	7/7/23-12/31/26	80,000.00	100%																																																																																										
<table border="1"> <thead> <tr> <th colspan="2">PART III. BUDGET SUMMARY</th> <th>Fund Type Code</th> <th>(A) NNC Approved Original Budget</th> <th>(B) Proposed Budget</th> <th>(C) Difference or Total</th> </tr> </thead> <tbody> <tr><td>2001</td><td>Personnel Expenses</td><td></td><td></td><td></td><td></td></tr> <tr><td>3000</td><td>Travel Expenses</td><td></td><td></td><td></td><td></td></tr> <tr><td>3500</td><td>Meeting Expenses</td><td></td><td></td><td></td><td></td></tr> <tr><td>4000</td><td>Supplies</td><td></td><td></td><td></td><td></td></tr> <tr><td>5000</td><td>Lease and Rental</td><td></td><td></td><td></td><td></td></tr> <tr><td>5500</td><td>Communications and Utilities</td><td></td><td></td><td></td><td></td></tr> <tr><td>6000</td><td>Repairs and Maintenance</td><td></td><td></td><td></td><td></td></tr> <tr><td>6500</td><td>Contractual Services</td><td><u>6</u></td><td></td><td><u>80,000.</u></td><td><u>80,000.</u></td></tr> <tr><td>7000</td><td>Special Transactions</td><td></td><td></td><td></td><td></td></tr> <tr><td>8000</td><td>Public Assistance</td><td></td><td></td><td></td><td></td></tr> <tr><td>9000</td><td>Capital Outlay</td><td></td><td></td><td></td><td></td></tr> <tr><td>9500</td><td>Matching Funds</td><td></td><td></td><td></td><td></td></tr> <tr><td>9500</td><td>Indirect Cost</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="2">TOTAL</td><td></td><td><u>\$0.00</u></td><td><u>80,000.00</u></td><td><u>80,000</u></td></tr> </tbody> </table>				PART III. BUDGET SUMMARY		Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total	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	<u>6</u>		<u>80,000.</u>	<u>80,000.</u>	7000	Special Transactions					8000	Public Assistance					9000	Capital Outlay					9500	Matching Funds					9500	Indirect Cost					TOTAL			<u>\$0.00</u>	<u>80,000.00</u>	<u>80,000</u>
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SUBMITTED BY: <u>Patricia Begay, Delegated Program Manager</u>		APPROVED BY: <u>Calvin Castillo, Director</u>																																																																																											
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name																																																																																											
<u>Patricia D Begay</u> 08/02/2023		<u>[Signature]</u> 8/1/2023																																																																																											
Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date																																																																																											

FY 23THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage 2 of 4
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title:

Casamero Lake Chapter

Improve Community Chapter House Heat, Ventilation, and Air Conditioning

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

Casamero Lake Chapter is a LGA (Title 26) Certified Chapter in the Navajo Nation Eastern Agency / Resolution CL 042-23

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

To Improve Community Chapter House Ventilation / HVAC Installation

Program Performance Measure/Objective:

To track ARPA Funds

1		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.

Patricia Begay, Delegated Program Manager

Program Manager's Printed Name

Patricia D Begay 08/02/2023

Program Manager's Signature and Date

Calvin Castillo, Director

Division Director/Branch Chief's Printed Name

8/1/2023

Division Director/Branch Chief's Signature and Date

FY 23THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 4
BUDGET FORM 4

PART I. PROGRAM INFORMATION: <u>Casamero Lake Chapter</u>			
Program Name/Title: <u>Improve Community Chapter House Heat, Ventilation, and Air Conditioning</u>		Business Unit No.: <u>New</u>	
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)
6900	SUBCONTRACTED SERVICES		80,000
	6990 SUBCONTRACTED SERVICES	80,000	
TOTAL		80,000	80,000

Page 4 of 4
PROJECT FORM

PART I. Business Unit No. <u>New</u> <u>Casamero Lake</u> Project Title: <u>Improve Community Chapter House Heat, Ventilation, and Air Conditioning</u> Project Description: <u>To assess and improve ventilation, possibly install HVAC system</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															PART II. Project Information Project Type: <u>Improve Chapter House HVAC</u> Planned Start Date: <u>7/7/23</u> Planned End Date: <u>31-Dec-26</u> Project Manager: <u>Chapter Administration/Officials</u>																																			
PART III. List Project Task separately: such as Plan, Design, Construct, Equip or Furnish.															PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct., N = Nov.; D = Dec., etc																																			
															FY 23															FY 23															Expected Completion Date if project exceeds 8 FY Qtrs					
															1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date December 31, 2026											
															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						
Assess and Plan Improvement															x	x	x	x	x	x																														
Bd and Contract for Services																				x	x	x	x	x	x	x																								
Being and Complete Project																											x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x						
															\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL														
Expect Quarterly Expenditures																																							\$80,000.00											

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



The Navajo Nation **DR. BUU NYGREN** **PRESIDENT**
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** **VICE PRESIDENT**

DCDA-M23087

MEMORANDUM

TO : DCD Departments and Programs
All Concerned

FROM : 
Calvin Castillo, Division Director
Division of Community Development


DATE : July 21, 2023

SUBJECT : **Delegation of Authority for Administrative Service Centers**

Effective today, Ms. Patricia D. Begay is delegated the authority as the Department Manager II for the Administrative Services Centers. She is responsible for managing and overseeing the department. This delegation is effective until further notice.

Your assistance and cooperation is appreciated.

ACKNOWLEDGEMENT:


Patricia D. Begay, Senior Programs and Projects Specialist
Administrative Service Centers
Division of Community Development

c

Casamero Lake Chapter
P.O. Box 549
Prewitt, New Mexico 87045
Phone No. (505) 786-2457
Fax No. (505) 786-2455
Email:
casamerolake@navajochapter



Council Delegate, Daniel Tso
President, Oleg A. H. Tso
Vice President, Lawrence Lugo
Secretary/Treasurer-Raymond Tso
Land Board, Kevin Long
Chapter Manager Kimberly A. Lister

RESOLUTION OF CASAMERO LAKE CHAPTER

Resolution Number CL-0295-22

Requesting, Accepting, and Approving CJN-29022, American Rescue Plan Act (ARPA) Funding in the amount of 1.1 million for the Casamero Lake Chapter to be utilized for Chapter Heating Ventilation Air Conditioner, Senior Citizens Building Renovation, Chapter House Plumbing, Street Lights for Chapter Facility, Purchase Heavy-Duty F450 Truck & Gooseneck Trailer, Bathroom Additions, and Community Housing Wiring/ Meter Box.

WHEREAS:

- 1 The Casamero Lake Chapter is a certified chapter of the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government vested with the authority to plan and implement projects in the best interest of the community. See generally 2 N.N.C. 4021 et seq. and 26 N.N.C. S102; and
- 2 Pursuant 2 N.N.C. S102 (a). The Navajo Nation Council is governing the body of the Navajo Nation, and by resolution CAP-34-98, the Navajo Nation Council approved the "Local Governance Act" wherein the Navajo Nation Council delegated governmental authority to the Chapters of the Navajo Nation to address matters of local concern with Navajo Law, Custom, and Tradition; and
- 3 The Casamero Lake Chapter is a certified Chapter of the Navajo Nation established and recognized by the Navajo Nation Council as a foundation of the Navajo Nation government vested with the authority to plan and implement projects in the best interest of the community. See generally 2 N.N.C. 4021 et seq. and 26 N.N.C. S103; and
- 4 The Casamero Lake Chapter realized the Navajo Nation Council approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (8,802,340) per Delegate Region Project Plans approved by the Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164 (A) (17) and 2 N.N.C. §§ 1005 (C) (10), (11), and (12); and
- 5 The purposes of the NNFRF and the Chapter and Regional Projects Expenditure Plan, "Delegate Region" shall mean all the Navajo Nation Chapters, both LGA Certified and Non-LGA Chapters, Townships, represented by a Navajo Nation Council Delegates; and
- 6 The Casamero Lake Chapter realized the Fiscal Recovery Fund costs must be incurred by December 31, 2024, meaning that the Navajo Nation must obligate FRF funds by that date. Treasury's Final Rule provides that "incurred" shall have the same meaning given to "financial obligation" under the Uniform Guidance at 2 CFR 200.1 "Financial obligations, when referencing a recipient's or sub-recipients use of funds under a Federal award, means orders

- placed for property services, contracts and sub-b...ade, and similar transactions that require payment, and
7. The Casamero Lake Chapter realized the Fiscal Recovery Fund period performance runs from March 3, 2021, until December 31, 2028, meaning that all FRF-funded projects must be completed, and funds must be fully expended by December 31, 2028; and
 8. The Casamero Lake Chapter recognizes the need for these projects to improve the quality of life for its residents while combating and recovering from COVID-19 and the number of requests is only a fraction of what the chapter needs to substantially improve the community of Casamero Lake Chapter for a safe, healthy, and habitable home environment.

NOW, THEREFORE BE IT RESOLVED THAT:

1. Requesting, Accepting, and Approving CJN-29022, American Rescue Plan Act (ARPA) Funding in the amount of 1.8 million for the Casamero Lake Chapter to be utilized for Chapter Heating Ventilation Air Conditioner, Heavy Equipment, Senior Citizens Building Renovation, Street Lights for Chapter Facility, purchase a new Heavy-Duty F450 Truck & Gooseneck Trailer, Bathroom Additions, and Housing Wiring/Construction.
2. The Casamero Lake Chapter hereby approves and identified projects for the American Rescue Plan Act and prioritized these projects as follows:

PROJECTS DESCRIPTION:	CATEGORY:	AMOUNT:
1. Chapter House Heating Ventilation & Air Condition	1.4	\$80,000.00
2. Chapter House Plumbing	1.4	\$40,000.00
3. Streetlights for Chapter Compound Senior Citizens Building	2.22	\$10,000.00
4. Purchase F450 Super Truck	1.5, 5.11, 6.1	\$75,000.00
5. Senior Citizens Building Renovation	6.1	\$25,000.00
6. Purchase Gooseneck Trailer	1.5-11, 6.1	\$25,000.00
7. Bathroom Addition	2.28, 5.18	\$600,000.00
8. Community House Wiring/Meter Box	2.18	\$300,000.00

Motion made by Ms. Durinda Largo Member
Seconded made by Margie Rojack, Member

CERTIFICATION

We, HEREBY CERTIFY that the foregoing resolution was duly considered by the Casamero Lake Chapter at a duly called community chapter meeting at Casamero Lake, of the Navajo Nation, (McKinley County), New Mexico at which a quorum was present and that same was approved by a vote of 13 in favor, 0 Opposed, 3 Abstained, on the 21st day of December 2022.

Mr. George H. Tolth, Chapter President
Casamero Lake Chapter

Mr. Lawrence D. Largo, Chapter Vice-President