



**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 #:** HK 0663

**Date & Time Received:** 10/06/23

**Date & Time of Response:** October 12, 2023 at 1300

**Entity Requesting FRF:** Whitehorse Lake Chapter

**Title of Project:** Rincon Marquise Cemetery Renovation

**Administrative Oversight:** Division of Community Development

**Amount of Funding Requested:** \$101,000

**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 checked="" type="checkbox"/> (3) Government Services/Lost Revenue | <input type="checkbox"/> (4) Water, Sewer, Broadband Infrastructure |

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

6.1 - Provision of Government 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 checked="" type="checkbox"/> | Incorrect Signatory                             |
| <input type="checkbox"/> | Ineligible purpose                                                              | <input checked="" 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 |                                     |                                                 |

[illegible]

Name of DOJ Reviewer: Lorenzo Curley

Signature of DOJ Reviewer: Lorenzo Curley

**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](mailto: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 NNDNJ Initial Eligibility Determination is based on the documents provided, which NNDNJ 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 NNDNJ. 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: Whitehorse Lake Chapter Date prepared: 11-23-2022

Chapter's mailing address: HCR 79 Box 4069 Cuba, New Mexico 87301 phone/email: 505-655-5430  
website (if any): \_\_\_\_\_

This Form prepared by: Fran George phone/email: 505-726-3310  
Secretary-Treasurer Whitehorse Lake Chapter Fgeorge@navajochapters.ogr  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Whitehorse Lake Chapter Rincon Marquise Cemetery renovation

Chapter President: Art Lee chavez phone & email: 505-655-5430

Chapter Vice-President: Vacant phone & email: Vacant

Chapter Secretary: Fran George phone & email: 505-726-3310

Chapter Treasurer: Fran George phone & email: Fgeorge@navajochapters.org

Chapter Manager or CSC: Dedrick Yazzie phone & email: 505-655-5430

DCD/Chapter ASO: Myrhis Begay 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: \$101,000.00 FRF funding period: 10-01-2023 to 10-1-2025  
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:

An isolated community Rincon Marquez is in dire need for development a local cemetery for extraordinary number of deaths due to the pandemic COVID-19. The space for the cemetery is 200 ft by 100 ft and it needs fencing, an entry way with a gate, clearing of the land, appropriate drainage and barrier outside the fenced area. Expenses for families devastated by the negative affects of COVID-19 has severely affected the mental health of the entire area due to these deaths. Additionally, it has excluded appropriate burials due to no funds for burials. The community would assist families with preparation of burial site and the Chapter would provide machinery for the burials.

☐ document attached

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

Benefits realized would be tremendous where at least \$500 to \$700 would be saved per burial. The community would realize a substantial reduced need to help foot the cost for burials and would be able to attend burials for families which in turn would help the families with their grief on the spot. Currently, this would affect at least 20 families with their mental situation.

☐ 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 project will provide a secure location for a badly need cemetery in Rincon Matquez for an isolated region on the Navajo Nation in the NM portion of the Navajo Nation. Land for the project is prepared for immediate work and can begin on 10-1-23 dependent on available funds with a completion by December 1, 2025. Funds can be drawn down to expend for the project when made available. ☐ document attached

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

Division of Community Development, Navajo Nation and the Chapter will implement the project with the CSC, chapter officials and the CLUPC Committee providing needed coordination, monitoring and review.

☐ 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:

Local community members with assistance from the Chapter will maintain the project area and community members will provide routine surveillance for needed security. Support costs for the finished project will be budgeted in to each funding cycle for the Chapter.

☐ 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 falls into 1.12 Mental Health and/or 2.22 Strong Healthy communities: Neighborhood Features that Promote Health and Safety. The mental health situation is devastating for a community of 1,500 and where deaths is estimated at 60. The mental conditions associated with costs to handle these burials is estimated at \$180,000.00 not including burial costing an estimated \$72,000.00. The media income is \$8,000 per household and after covering family needs, transportation, utilities, and medical needs estimated at \$429,000.00 there remains \$850.00 for other expenses such as burials and each burial costing \$4,200.00. One can image the mental stress this has caused and is causing now. The after affects of these burials is much more than just thinking about covering costs for the burials.

☐ document attached

### Part 3. Additional documents.

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

Chapter resolution  
CLUPC Chairperson support letter  
Rincon Marquez community support letter.

☐ 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]  
signature of Preparer/CONTACT PERSON

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

Approved by: [Signature]  
signature of CSC

Approved by: [Signature]  
signature of Chapter ASO

07/24/2023

Approved to submit  
for Review:

[Signature]  
signature of DCD Director

Cemetery

FY 2023/25

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page 1 of 4  
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Whitehorse Lake Chapter Rincon Marquise Cemetery</u>		Division/Branch: <u>Rennation</u>	
Prepared By: <u>FRANNIE GEORGE</u>		Phone No.: <u>505-726-3310</u>		Email Address: <u>compassion@frontiernet.net</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	10-1-23 - 10-1-25	101,000.00	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	<u>6</u>	<u>0</u>	<u>101,000</u>	<u>101,000</u>
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	101,000	101,000

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	0
Total # of Vehicles Budgeted:	0	0

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> Program Manager's Printed Name <u>[Signature]</u> <u>7-13-23</u> Program Manager's Signature and Date	APPROVED BY: <u>Calvin Castillo Director</u> Division Director / Branch Chief's Printed Name <u>[Signature]</u> <u>7/13/2023</u> Division Director / Branch Chief's Signature and Date



FY 2023/2025THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIAPage 2 of 4 BUDGET FORM

## PART I. PROGRAM INFORMATION:

Business Unit No.: NewProgram Name/Title: Whitehorse Lake Chapter Rincon Marquise Cemetery Renovation

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

The Navajo Nation Chapter plan of operation is referenced in Title 26 of the Navajo Nation Code

## PART III. PROGRAM PERFORMANCE CRITERIA:

## 1. Goal Statement:

To provide for a safe and healthy community burial grounds

Program Performance Measure/Objective: Complete cemetery repairs by 11-1-25

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

1		1		1		1	
---	--	---	--	---	--	---	--

## 2. Goal Statement:

To procure Archaeological studies and assessment for site

Program Performance Measure/Objective: Complete studies by 1-15-24

2		2		2		2	
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## 3. Goal Statement:

To attain reports on all archaeological studies and assessments

Program Performance Measure/Objective: Complete reports by 3-1-24

3		3		3		3	
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## 4. Goal Statement:

To bid construct work by using Navajo Nation Procurement Act

Program Performance Measure/Objective: Complete by 4-30-24

4		4		4		4	
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## 5. Goal Statement:

Hire constructor to do the work

Program Performance Measure/Objective: Complete by 5-30-24

5		5		5		5	
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## PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

James Adakai, Deputy Director  
Program Manager's Printed Name2-7-13-23  
Program Manager's Signature and DateCalvin Castillo, Director  
Division Director/Branch Chief's Printed Name[Signature]  
Division Director/Branch Chief's Signature and Date

11/13/2023

FY 2023/2025THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 4  
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Whitehorse Lake Chapter Rincon Marquez cemetery Renovation</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)
6500	Public Health 1.7 Capital Investment or physical plant change to public facilities that respond to COVID-19 health emergency, provide for community to prepare burial of deceased individuals. Contractual Services 6510 Professional Services Development of community cemetery	101,000.00	101,000.00
TOTAL		101,000.00 -	101,000.00 -

Page 4 of 4  
PROJECT FORM

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



WHITEHORSE LAKE CHAPTER  
HCR 79 BOX 4069  
CUBA, NEW MEXICO 87301  
TELEPHONE 505 655-5430  
FAX NUMBER 505 655-5430, 5431  
[Whitehorselake@navajochapters.org](mailto:Whitehorselake@navajochapters.org)



Art Lee Chavez, President  
Vacant, Vice President  
Fran George, Secretary Treasure  
Clyde Yazzie, Land Board Member  
George Tolth, Council Delegate  
Dedrick Tolino, CSC  
AMS Vacant

President Navajo Nation Dr. Buu Nygren

Vice President Navajo Nation Richelle Montoya

**WHITEHORSE LAKE CHAPTER  
WHL 12-22-30**

**RESPECTFULLY REQUESTING THE NAVAJO NATION DIVISION OF COMMUNITY DEVELOPMENT  
SINCERELY CONSIDER ESTABLISHING THE RINCON MARQUISE COMMUNITY, LISTED IN THE  
INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP), AND FUND \$101,000.00**

**WHEREAS**

1. Pursuant to 26 N.N.C. Section 3 (A) Whitehorse Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government as listed at 11 N.N.C. part 1, section 10; AND
1. Pursuant to 26 N.N.C. section 1 (B) Whitehorse Lake Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; AND
2. Whitehorse Lake Chapter is a duly certified Local Government entity of the Navajo Nation with the responsibility to promote and protect the interest and welfare of its community people pursuant to Title 11, section 4001 (a) of the Navajo Tribal Code; AND
3. Section 1 (B-2), authorized our chapter, to improve community decision-making: to allow us to excel and flourish; enable our Navajo Leaders to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation. Our chapter is compelled to govern with responsibility and accountability to us, and local citizens AND
4. Pursuant to the Federal "Indian Self-Determination and Education Assistance Act (P.L.; 93-638), as amended our chapter Government, is entitled, and supposed to initiate plans and make recommendations, requests, and thus, determine the promotion, protection, and preservation of the welfare of our community People as well as the Navajo nation; AND
5. The Whitehorse Lake Chapter has combated this matter for many years AND,

6. Currently the community of Rincon Marquise community has a cemetery, there is overcrowding and community members have been requesting for expansion of the cemetery.
7. The expansion and reconstruction of the Cemetery will relieve scattered development of family plots and family division regarding such family plots, AND
8. With the uncertainty of where or how COVID-19 may/may not progress having a cemetery readily available will provide for loved ones and allow families/relatives to grieve and pay respect, AND

**NOW THEREFORE BE IT RESOLVED THAT;**

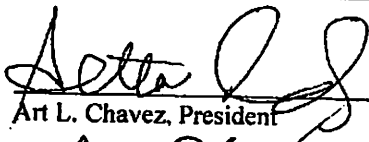
1. The Whitehorse Lake Chapter hereby approves the Navajo Nation Division of Community Development sincerely consider establishing the Rincon Marquise Community Cemetery, listed in the Unfractured Capital Improvement Plans (ICIP) NS TO FIND \$101,000.00

**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by Whitehorse Lake Chapter at a duly called chapter meeting at the Whitehorse Lake (Navajo Nation) at which a quorum was present and that same was passed by a vote of 17 in favor, 0 opposed 1 abstained on this 17<sup>th</sup> 1<sup>st</sup> day of December 2022


Motion Chee Smith

Second Rena Perry

  
Art L. Chavez, President

  
~~Derrick Yazzie, President~~

  
Fran George, Secretary/Treasurer

  
George Tolth, Council Delegate

WHITEHORSE LAKE CHAPTER  
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Clyde Yazzie, Land Board Member  
Daniel Tso, Council Delegate  
Dedrick Tolino, CSC  
AMS Vacant

President Navajo Nation Jonathan Nez

Vice President Navajo Nation Myron Lizer

#### RESOLUTION OF WHITEHORSE LAKE CHAPTER

WHLC-12-22-30

#### APPROVING APPENDIX A. THE NAVAJO NATION FISCAL RECOVERY FUNDS FORMS & EXPENDITURES PLAN FOR WHITEHORSE LAKE CHAPTER A.P.R.A. FUNDING FOR CEMETERY FENCING AND DEVELOPMENT FOR RINCON MARQUEZ IN THE AMOUNT OF \$101,000.00

1. Pursuant to 26 N.N.C. Section 3 (A) Whitehorse Lake Chapter is a duly recognized certified chapter of the Navajo Nation Government as listed at 11 N.N.C. part 1, section 10; AND
2. Pursuant to 26 N.N.C. section 1 (B) is vested with the authority to review all matters affecting the community to make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions; AND
3. Whitehorse Lake has an allocation of \$1.1 million dollars under the American Rescue Plan Act Fiscal Recovery Fund to provide needed chapter facilities in addressing safe healthy support for community members and support staff; And
4. The isolated community of Rincon Marquez is in dire need of the development of a local cemetery for the extraordinary number of death due to the pandemic Covid 19. And
5. The Whitehorse Lake Community member's mental situation is devastating for a community of 1,500 the mental stress that has caused and is causing now, and
6. Whitehorse Lake Chapter believes the fencing and development of the Cemetery where loves ones are buried will emotionally relieve and help family members to move on with their lives. .

Now, Therefore, be it resolved that;

Whitehorse Lake Chapter hereby approves to move resolution and forwards Appendix A, Expenditure Plan for Funding for Cemetery Fencing and Developing for the Rincon Marquize in the amount of \$101,000.00





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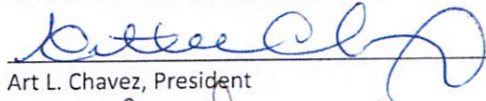
President Navajo Nation Jonathan

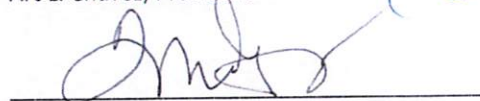
Vice President Navajo Nation Myron Lizer

### CERTIFICATION

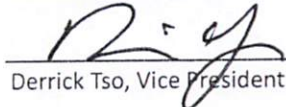
We hereby certify that the foregoing resolution was duly considered by Whitehorse Lake Chapter at a duly called chapter meeting at the Whitehorse Lake (Navajo Nation) at which a quorum was present and that same was passed by a vote of 17 in favor, 0 opposed 1 abstained on this 17<sup>th</sup> day of December 2022

Motion Chee Smith Jr.

  
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