



**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:** \_\_\_\_\_

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

**Other Comments:**

Name of DOJ Reviewer: \_\_\_\_\_

Signature of DOJ Reviewer: Rodgerick Begay

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 GOVERNANCE-CERTIFIED CHAPTERS**

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Whippoorwill Date prepared: 10/21/22  
 Chapter's P.O. Box 279 phone & email: (928) 725-3728  
 mailing address: Pinon, Az 86510 website (if any): whippoorwill@navajochapters.org  
 This Form prepared by: Mareita Denny phone/email: (928) 725- 3001  
Chapter Manager whippoorwill@navajochapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Home Renovation Project

Chapter President: Aaron Yazzie phone & email: (928) 383- 2751  
 Chapter Vice-President: Gerald Ahasteen phone & email: (928) 781- 7269  
 Chapter Secretary: Phillip Tom Jr. phone & email: (928) 675- 7343  
 Chapter Treasurer: Phillip Tom Jr. phone & email: (928) 675- 7343  
 Chapter Manager or CSC: Mareita Denny phone & email: (928) 725- 3001  
 DCD/Chapter ASO: Ella M. Kay phone & email: (928) 725- 3727

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Chapter Special Project Team, Qualified lowest bidder, or selected Sole Source contractor from DED's Source List ☐ document attached

Amount of FRF requested: \$160,438.14 FRF funding period: May 01, 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:

Based on recent chapter's assessments, there were houses needing renovation. To renovate dilapidated homes, is to bring house to standardized condition, to restore families' hope for a better and healthier living condition. This renovation is an improvement for families who are living in an over crowded condition. ARPA fund will purchase housing materials using available Chapter house's material list for two/three bedroom unit. Use of available housing material list for two/three bedroom shorten the procurement process and help us meet project schedule timeline.

☐ document attached

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

Chapter intends to address the homeless and the elderlies especially in rural community. Homeless are encouraged to return to their original birth place and they are aware some homes aren't use on daily basis, thus if renovated the homeless will return and we would've remove him/her from uncontrolled COVID environment. Renovation for the elderlies will comply with US ADA Code with all the available hardwares.

☐ document attached

(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:

The local skilled workers renovation team will start on project May 2023: beginning with housing material procurement, delivery and Construction period will be from June 2023 to December 2025. Contractors and other skilled workers will be paid at premium pay rate. Chapter will order building material by phases of (4) and bulk purchase at same time comply with FRF/Navajo Nation Procurement and control property inventory.

☐ document attached

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

Whippoorwill Chapter Administration/Staff

☐ 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:

Prospective homeowners will be responsible for upkeeping and repairs. Once renovation is completed, homeowners will sign an Occupancy Agreement. The agreement will cover proper care and maintenance.

☐ 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:

Housing Support: Other Housing Assistance 2.18 3.12

Renovation projects is not specifically mentioned Tresury Appendix 1 listing, this project may qualify under Other Housing Assistance

☐ document attached

### Part 3. Additional documents.

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

Occupancy Agreement  
Chapter's Subrecipient Agreement  
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:   
signature of Preparer/CONTACT PERSON

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

Approved by:   
signature of Chapter Manager or CSC

Approved by:   
signature of DCD/Chapter ASO

Approved to submit  
for Review:   
signature of DCD Director

FY 2023

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page 1 of 1  
BUDGET FORM 1

<b>PART I. Business Unit No.:</b> <u>NEW</u>				<b>Program Title:</b> <u>Whippoorwill Chapter -Home Renovation Project</u>		<b>Division/Branch:</b> <u>DCD/Executive</u>		
<b>Prepared By:</b> <u>Mareita Denny, Chapter Manager</u>				<b>Phone No.:</b> <u>928-725-3727</u>		<b>Email Address:</b> <u>whippoorwill@navajochapters.org</u>		

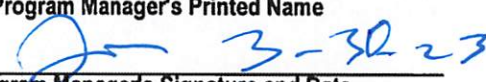

  

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN ARPA FUNDS	<u>5-01-2023</u> <u>12-31-2026</u>	160,438.14	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				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	6	0	160,438.14	160,438.14
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
<b>TOTAL:</b>				<b>TOTAL</b>		\$0.00	160,438.14	160,438.14

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

<b>PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.</b>	
<b>SUBMITTED BY:</b> <u>James Adakai, Deputy Director</u> <div align="center">Program Manager's Printed Name</div> <div align="center">   <u>3-30-23</u>            Program Manager's Signature and Date         </div>	<b>APPROVED BY:</b> <u>Calvin Castillo</u> <div align="center">Division Director / Branch Chief's Printed Name</div> <div align="center">   <u>3/28/2023</u>            Division Director / Branch Chief's Signature and Date         </div>



FY 2023

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3  
BUDGET FORM 2

**PART I. PROGRAM INFORMATION:**Business Unit No.: NEW

Program Name/Title:

WHIPPOORWILL CHAPTER - HOME RENOVATION PROJECT**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

**1. Goal Statement:**To assist with home renovation for dilapidated homes.**Program Performance Measure/Objective:**Assist 40-Clients with Home Renovation.

				20		20	
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**2. Goal Statement:****Program Performance Measure/Objective:**

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**3. Goal Statement:****Program Performance Measure/Objective:**

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**4. Goal Statement:****Program Performance Measure/Objective:**

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**5. Goal Statement:****Program Performance Measure/Objective:**

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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 Name

3-30-23  
Program Manager's Signature and Date

Calvin Castillo

Division Director/Branch Chief's Printed Name

3/28/2023  
Division Director/Branch Chief's Signature and Date

FY 2023

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

**Page 3 of 3  
BUDGET FORM 4**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>WHIPPOORWILL CHAPTER - HOME RENOVATION PROJECT</u>		Business Unit No.: <u>NEW</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
8550	Repairs and Maintenance 8725 - Supplies: Purchase building supplies to renovate 40-Homes for dilapidated homes.	160,438.14	160,438.14
<b>TOTAL</b>		160,438.14	160,438.14

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I.</b> Business Unit No.: <u>NEW</u> Project Title: <u>Whippoorwill Chapter - Home Renovation Project</u> Project Description: <u>To make repairs on dilapidated homes and improve home energy effecient.</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 II. Project Information</b> Project Type: <u>Home Renovation Project</u> Planned Start Date: <u>May 01, 23-</u> Planned End Date: <u>December 31, 2026</u> Project Manager: <u>Mareita Denny</u>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.														<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b> <table border="1" style="width:100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="14">FY 2023</th> <th colspan="14">FY 2024</th> <th colspan="6">Expected Completion Date if project exceeds 8 FY Qtrs.</th> </tr> <tr> <th colspan="4">1st Qtr.</th> <th colspan="4">2nd Qtr.</th> <th colspan="4">3rd Qtr.</th> <th colspan="4">4th Qtr.</th> <th colspan="4">1st Qtr.</th> <th colspan="4">2nd Qtr.</th> <th colspan="4">3rd Qtr.</th> <th colspan="4">4th Qtr.</th> <th colspan="6">Date <u>Dec. 31, 2026</u></th> </tr> <tr> <th>O</th><th>N</th><th>D</th><th></th> <th>J</th><th>F</th><th>M</th><th>A</th> <th>M</th><th>J</th><th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th><th></th> <th>J</th><th>F</th><th>M</th><th>A</th> <th>M</th><th>J</th><th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th><th>J</th><th>F</th><th>M</th> </tr> </thead> <tbody> <tr> <td></td><td></td><td>X</td><td></td> 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# Whippoorwill Chapter

P.O. Box 279

Pinon, AZ 86510

Phone #: (928)725-3727/3728

Fax #: (928)725-3745

[whippoorwill@navajochapters.org](mailto:whippoorwill@navajochapters.org)



Mareita Denny, Chapter Manager

Ella M. Kay, Administrative Assistant

Germaine Simonson, Council Delegate Aaron Yazzie, President Gerald Ahasteen, Vice-President Phillip Tom Jr., Secretary/Treasurer

## RESOLUTION OF WHIPPOORWILL CHAPTER

Resolution No. WC-23-23

**REQUESTING THE DEPARTMENT OF JUSTICE AND DIVISION OF COMMUNITY DEVELOPMENT TO ACCEPT OUR COMPLETED FISCAL RECOVERY FUND FORM AND EXPENDITURE PLAN TO EMPLOY LOCAL SKILLED MANPOWER TO COMPLETE CHAPTER HOME RENOVATION PROJECT WHICH TO BE FUNDED IN AMOUNT OF \$160,438.14 BY AMERICAN RESCUE PLAN ACT**

### WHEREAS:

1. The Resources and Development Committee, pursuant to Legislation RDCD-83-14 certified Whippoorwill Chapter's Five Management System Policies and Procedures and pursuant to 2 N.N.C., §501 (B) (2) (d), 26 N.N.C. §102 and CO-45-12 Section 5(B), upon recommendation by Auditor General's office, further supported the certification, AND
2. Pursuant to Local Governance Act, 26, N.N.C. §101, et seq. to properly administer, to provide accountability in the Five Personnel and Property Management, and consistent with Auditor General's Memorandum dated September 9, 2014, AUDIT REPORT No. 14-24 AND
3. The funding from American Rescue Plan Act (ARPA) was received to combat and mitigate COVID-19, thereby; this project meets the criteria and eligible under Treasury Expenditure Categories final rule, Housing Support: Other Housing Assistance 2.18, 3.12, AND
4. Whippoorwill Chapter conducted a housing assessment and concluded some family would need a house renovation to decrease overcrowding condition, unhealthy living environment, dilapidated housing structures and exposed unsafe electrical wiring; and
5. It was determined during housing assessment that these dilapidated houses would require to upgrade structures and conditions of houses to Building Standard for safe living for family; and
6. This ARPA funding brings funding to stressed socioeconomic community with \$15,000 annual income with very high unemployment. This project will allow Chapter to employ trade or skilled workers to renovate houses for several months of employment and most of all this project when completed will be in the best interest of the beneficiaries.

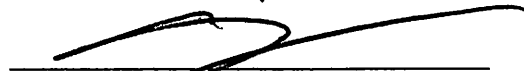
### NOW THEREFORE IT BE RESOLVE THAT:


1. The Whippoorwill Chapter hereby requests the Department of Justice and Division of Community Development to accept our completed Fiscal Recovery Fund Form and Expenditure Plan to employ local Trades and Skilled manpower to complete chapter's Home Renovation Project which will be funded in amount of \$160,438.14 by American Rescue Plan Act.
2. Whippoorwill Chapter will comply with ARPA and its regulation, and with all applicable federal and Navajo Nation laws, regulations, and policies when using the awarded fund.

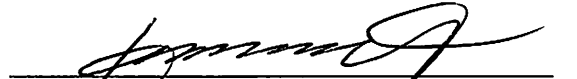
### CERTIFICATION

We, the undersigned hereby certify that the foregoing resolution was considered by the Whippoorwill Chapter at a duly called meeting at Whippoorwill, Arizona, Navajo Nation, at which a quorum was present and the same was passed by a vote 4 in FAVOR, 0 OPPOSED, and 2 ABSTAINED on the November 4<sup>th</sup>, 2022.

Motioned by Raymond Tom Second by Johnny Naize

  
\_\_\_\_\_  
Aaron Yazzie, Chapter President

  
\_\_\_\_\_  
Gerald Ahasteen, Chapter Vice President

  
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Phillip Tom Jr., Chapter Secretary/Treasurer

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Jimmy Yellowhair, NN Council Delegate

\_\_\_\_\_  
Albert Wartz, Grazing Official