



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

[illegible]

Name of DOJ Reviewer: _____

Signature of DOJ Reviewer:

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.

Page 2 of 2

**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: Tohatchi Chapter Date prepared: 02/10/2023

Chapter's P.O. Box 287 phone/email: (505) 733-2845
 mailing address: Tohatchi, NM 87325 website (if any): Tohatchi@navajochapters.org

This Form prepared by: Janice Begay phone/email: (505) 733-2845
Office Specialist mallison@nnchapters.org

CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Powerline Extension

Chapter President: Harry Moore, Jr. phone & email: (505) 870-9082 smooore@naataani.org

Chapter Vice-President: Mike Halona phone & email: (505) 797-1822 mhalona@nnld.org

Chapter Secretary: Jean Crawford phone & email: (505) 400-2836 jcrawford@navajochapters.org

Chapter Treasurer: Jean Crawford phone & email: (505) 400-2836 jcrawford@navajochapters.org

Chapter Manager or CSC: Maria Allison phone & email: (505) 733-2845 mallison@nnchapters.org

DCD/Chapter ASO: Dereck Echohawk phone & email: (928) 266-3153 ddechohawk@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known):
Navajo Tribal Utility Authority, Fort Defiance, AZ ☐ document attached

Amount of FRF requested: \$105,320 FRF funding period: 05/01/2023 - 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:

This project will extend power lines to eight (8) homes within the Tohatchi Community. The project will provide homes with electricity to improve the basic quality of life, meet health care needs (refrigeration for perishable foods), medical needs (refrigeration for medicines), and safety needs (house lighting). Providing electricity for sanitation appliances (washing machines and dryers) prevents the spread of health-related illnesses that may cause increased vulnerability to COVID-19 complications.

☐ document attached

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

This project will benefit eight (8) Tohatchi community members by providing electrical tie-in necessary for lights, electrical devices, and durable medical equipment. The project ensures a habitable, secure home for families to receive basic utilities for heating, medical need, and refrigeration purposes. This project will enhance the basic quality of life for eight (8) families who need basic utility services.

☐ 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:

The Tohatchi Chapter in collaboration with Navajo Tribal Utility Authority (NTUA) will obtain cost estimates and construction; the timeline for the powerline extension project contracting December 2024 and funds expended by September 2026.

☐ document attached

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

The Tohatchi Chapter will collaborate with NTUA to implement and complete the project by September 2026.

☐ 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:

Navajo Tribal Utility Authority (NTUA) will be responsible for operation and maintenance of the transmission lines after construction. The homeowner will be responsible for the operation, maintenance, and repair from the meter to the home. Tohatchi Chapter incurs no additional cost or recurring cost upon project completion.

☐ 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

Pursuant to the U.S. Treasury guidelines and funding objectives, this powerline extension project addresses conditions that contributed to poor public health and economic outcomes during the COVID-19 Pandemic. Providing electricity for homes promotes good health and wellness; meets infrastructure and health environment needs; prevents COVID-19 infection and other illnesses. Families will receive basic utilities for heating, medical need, and refrigeration purposes in a community disproportionately impacted by COVID-19.

☐ document attached

Part 3. Additional documents.

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

Tohatchi Community Chapter Resolution Number: TOH: 025-03-2023 is attached

☒ 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: Jenice Bryan
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

Approved to submit
for Review: [Signature] NNFRFO
signature of DCD Director

FY 2023

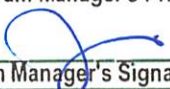

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page ____ of ____
BUDGET FORM 1

PART I. Business Unit No.: <u> New </u>		Program Title: <u> Tohatchi Chapter - Powerline Extension </u>		Division/Branch: <u> DCD/Executive </u>	
Prepared By: <u> Maria Allison </u>		Phone No.: <u> (505) 733-2845 </u>		Email Address: <u> mallison@nnchapters.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	05/01/23-09/30/26	\$105,320	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	\$105,320	\$105,320
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	\$105,320	\$105,320

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>	APPROVED BY: <u> Calvin Castillo, Executive Director </u>		
Program Manager's Printed Name	Division Director / Branch Chief's Printed Name		
 <u> 4-4-23 </u>	 <u> 4/4/23 </u>		
Program Manager's Signature and Date	Division Director / Branch Chief's Signature and Date		

FY 2023

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

Page ___ of ___
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: _____ New

Program Name/Title: _____

Tohatchi Chapter - Powerline Extension

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 raise the standard of living by constructing powerline extension to community members

Program Performance Measure/Objective:

To connect powerline to (08) homes by End of Quarter of FY 2026

						8	
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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

 4-4-23

Program Manager's Signature and Date

Calvin Castillo

Division Director/Branch Chief's Printed Name

 4/4/23

Division Director/Branch Chief's Signature and Date

FY 2023

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATIONPage ____ of ____
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Tohatchi Chapter - Powerline Extension</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)
8000 8500	Public Assistance <i>Infrastructure (non-cap)</i> 8540 To provide power to (08) homes who do not have electricity to improve the basic quality of life.	\$105,320	\$105,320
TOTAL		\$105,320	\$105,320

Page ____ of ____
PROJECT FORM

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



THE NAVAJO NATION TOHATCHI COMMUNITY CHAPTER

Post Office Box 287 Tohatchi, New Mexico 87325 Tel: (505) 733-2845/2846 FAX: (505) 733-2847

Harry "Sonny" Moore, Jr. Chapter President
W. Mike Halona Chapter Vice-President

Jean Crawford Chapter Secretary/Treasurer

Gerald Moore Grazing Official

Nathan Notah Council Delegate

RESOLUTION OF THE TOHATCHI CHAPTER

SUPPORTING AND APPROVING TOHATCHI CHAPTER'S EXPENDITURE PLANS FOR PROJECTS LISTED UTILIZING THE NAVAJO NATION FISCAL RECOVERY FUND FOR POWERLINE EXTENSIONS IN THE TOTAL AMOUNT OF \$105,320.

WHEREAS:

TOH: 025-03-2023

1. Pursuant to NNC Section 3(A), the Tohatchi Chapter is a duly recognized certified Chapter of the Navajo Nation Government as listed as 11 NNC. Part 1, Section 10.
2. Pursuant to 26 NNC Section 1(B), the Tohatchi Chapter is vested with the authority to review all matters affecting community to make appropriate corrections when necessary and to make recommendations to the Navajo Nation and other local agencies for appropriate actions.
3. The American Rescue Plan Act (ARPA) of 2021 was passed by the US Senate on March 6, 2021 and signed into law by President Biden on March 11, 2021.
4. Executive Order No. 008-2021, establishing the Navajo Nation Fiscal Recovery Fund (NNFRF) Office dedicated to overseeing and implementing the Coronavirus State and Local Fiscal Recovery Funds program authorized by the American Rescue Plan Act (ARPA). The establishment of the office was authorized through Resolution CJY-41-21, which was approved by the 24th Navajo Nation Council and signed into law in August.
5. The devastating effects of COVID-19 on the Navajo Nation, including employment losses, business closures, food and housing insecurity, and other economic disparities.
6. The Fiscal Recovery Funds are intended to support governmental efforts to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by community members, schools, clinic, and businesses.
7. The Navajo Nation Fiscal Recovery Fund Office (NNFRF Office) shall be a clearinghouse that will coordinate, facilitate and implement Fiscal Recovery Fund (FRF) responsibilities. The NNFRF ensures expenditure reviews of FRF eligibility determination.
8. The allocation in the amount of \$1.7 million is the largest allocation made in history to the Tohatchi Chapter which will begin the constructions of waterline extension, powerline extension, solar systems, Navajo Nation Cistern/Septic System, House Wiring, and two (2) homes will be built for two (2) community members.
9. The Tohatchi 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.

NOW, THEREFORE, BE IT RESOLVED, THAT:


The Tohatchi Chapter hereby supports and approves the expenditures for **Powerline Extensions** in the total amount of **\$105,320.00** for the **Eight (08)** recipients as shown in the attach spreadsheet.

CERTIFICATION

We hereby certify that the foregoing resolution was approved by the Tohatchi Chapter at a duly called meeting held at Tohatchi Chapter (Navajo Nation), NM at which a temporary authorized reduced quorum was present and the same was passed by a vote of 10 in favor, 0 opposed, 5 abstained, this **15th day of March 2023**.

Motion: Carol Tom

Second: Lucinda Barney


Mr. Harry "Sonny" Moore Jr, President

March 15, 2023
Date

**Tohatchi Community Chapter
American Rescue Plan Act (ARPA)**

Powerline

#	Names	Home Site	Telephone	ROW	Cost
1	Gwendolene Begay	Yes			\$15,000
2	Deon Ben	Yes			\$22,320
3	Ted Etsitty	Yes'			\$4,000
4	April James	Yes			\$15,000
5	Marcus Kinsel	Yes			\$15,000
6	Rhonda Silago Lewis	Yes			\$4,000
7	Jeannie Muskett	Pending			\$15,000
8	Joan Thompson	Yes			\$15,000
	Sub Total				\$105,320

Toahtchi Appendix-A forms

messages

Shayla Draper <sdraper@nndcd.org>

Tue, Apr 4, 2023 at 9:36 AM

o: Derek Echohawk <ddechohawk@nndcd.org>

c: Calvin Castillo <ccastillo@nndcd.org>, James Adakai <james_adakai@nndcd.org>, Sonlatsa Jim-Martin <sjim-martin@nndcd.org>, Tia Yazzie <tia.yazzie@nndcd.org>

Good morning Mr. Echohawk,

Requesting electronic signatures on page 2 of the appendix-a forms for Toahtchi chapter bathroom addition, house wiring, and powerline expenditure plans.

Delegate Nathan Notah is walking them through the DCD - WR office this morning. Please respond as soon as possible, thank you.

--

Respectfully,

Shayla Draper, Planner/Estimator

The Navajo Nation

American Rescue Plan Act (NNARPA)

Division of Community Development

Window Rock Blvd.

Administration Building #2

Second Floor South

Post Office Box 1904

Window Rock, Arizona 86515

Email: sdraper@nndcd.org

Office/Voicemail: (928) 871-6099

Derek Echohawk <ddechohawk@nndcd.org>

Tue, Apr 4, 2023 at 9:44 AM

o: Shayla Draper <sdraper@nndcd.org>

c: Calvin Castillo <ccastillo@nndcd.org>, James Adakai <james_adakai@nndcd.org>, "Laci K. Begay" <lkbegay@nndcd.org>, Sonlatsa Jim-Martin <sjim-martin@nndcd.org>, Tia Yazzie <tia.yazzie@nndcd.org>

Yes I approve. Please have Laci insert my electronic signature.

[Quoted text hidden]

--

Derek D. Echohawk, *Administrative Services Officer*

Ft. Defiance Administrative Service Center

*Division of Community Development***THE NAVAJO NATION**

Cell: (928) 266-3153

Shayla Draper <sdraper@nndcd.org>

Tue, Apr 4, 2023 at 9:45 AM

o: Derek Echohawk <ddechohawk@nndcd.org>

c: Calvin Castillo <ccastillo@nndcd.org>, James Adakai <james_adakai@nndcd.org>, "Laci K. Begay" <lkbegay@nndcd.org>, Sonlatsa Jim-Martin <sjim-martin@nndcd.org>, Tia Yazzie <tia.yazzie@nndcd.org>

Thank you.

[Quoted text hidden]