



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:

- ☐ (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: _____

- ☐ 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: 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.** 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: Mexican Springs Chapter Date prepared: 12/14/22

Chapter's P.O. Box 689 phone/email: 505-733-2832/mexicansprings@navajochapters.org
 mailing address: Tohatchi, New Mexico 87325 website (if any): mexicansprings.navajochapters.org

This Form prepared by: Christine Sam phone/email: 505-733-2832
Community Services Coordinator csam@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Cemetery Expansion

Chapter President: Roberta J. Becenti phone & email: 505-339-0585 bertbecenti@hotmail.com
 Chapter Vice-President: Carol B. Muskett phone & email: 505-879-3700 cbmuskett@naataanil.org
 Chapter Secretary: Genevieve S. Jones phone & email: 505-806-1885 jonesgenevieve@ymail.com
 Chapter Treasurer: Same as Chapter Secretary phone & email: _____
 Chapter Manager or CSC: Christine Sam phone & email: 505-733-2832 csam@navajochapters.org
 DCD/Chapter ASO: Derek Echohawk, ASC ASO phone & email: 928-871-7547 ddechohawk@nndcd.org

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

☐ document attached

Amount of FRF requested: \$100,000.00 FRF funding period: 12/14/22 - 09/30/26

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:

Since March 2020, the Mexican Springs Chapter has lost community members to COVID-19 and the cemetery has met its capacity. The chapter is requesting for \$100,000.00 to expand the cemetery by 4 acres, which will include all necessary assessments, GPS plating, land withdrawals, arch clearances and other clearances that are needed to expand this land and lastly to fence in the area. The location of this project is at the Lone Pine Cemetery within the Mexican Springs community.

☐ document attached

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

The COVID-19 and other viruses has spread rapidly since 2020 because some community members which caused the current cemetery to reach its capacity. This project will greatly benefit the community members with adequate and improved space for the community.

☐ 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:

December 2022: Chapter to approve and support ARPA projects through a resolution and submit Request Form and Expenditure plan to FRF office and DOJ for approval review; Spring 2023: work with DCD and FRF office to conduct necessary clearances and land access; Fall 2023: construction will beginning and completion by December 2026.

☐ document attached

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

The Division of Community Development will oversee the project and the Mexican Springs Chapter will ensure project is in process and completed by December 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:

The Mexican Springs Chapter will own and be responsible for all operation and maintenance cost of the cemetery expansion.

☐ 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:

Expenditure Category 3.4 Public Sector Capacity:

The Mexican Springs Chapter is requesting for funds to expand Lone Pine Cemetery to address the economic impacts of COVID-19 by improving the community cemetery and the delivery of effective services.

☐ document attached

Part 3. Additional documents.

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

Chapter resolution that supports and approves this project to expand the current community cemetery.

☒ 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

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>MEXICAN SPRINGS CHAPTER CEMETERY EXPANSION</u>		Division/Branch: <u>DCD/Executive</u>	
Prepared By: <u>CHRISTINE SAM, CSC</u>		Phone No.: <u>505-733-2832</u>		Email Address: <u>csam@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	12/14/22-09/30/26	100,000.00	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies	6	0	100,000	100,000
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	100,000.00	100,000

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 <div style="text-align: center; margin-top: 20px;"> <u>2-13-23</u> Program Manager's Signature and Date </div>	APPROVED BY: <u>Calvin Castillo, Executive Director</u> Division Director / Branch Chief's Printed Name <div style="text-align: center; margin-top: 20px;"> <u>2/13/23</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:

MEXICAN SPRINGS CHAPTER CEMETERY EXPANSION**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 extend the community cemetery by four (4) acres.**Program Performance Measure/Objective:**Will expand the cemetery by 4 acres by end of Fiscal Year 2026

						4	
--	--	--	--	--	--	---	--

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.James Adakai, Deputy Director**Program Manager's Printed Name**

 - 2-13-23
Program Manager's Signature and Date

Calvin Castillo, Executive Director**Division Director/Branch Chief's Printed Name**

 2/14/23
Division Director/Branch Chief's Signature and Date

FY 2023

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

**Page 3 of 3
BUDGET FORM 4**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>MEXICAN SPRINGS CHAPTER CEMETERY EXPANSION</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)
8500	Infrastructure (Non-Cap) 8555 - Chapter Projects The Mexican Springs Chapter will obtain required documents such as Letter of Application or Cover Letter, Legal Survey or GPS coordinates, supporting chapter resolution and letter from the Grazing Official to expand Lone Pine Cemetery	100,000	100,000
TOTAL		100,000	100,000

Page 1 of 1
PROJECT FORM

PART I. Business Unit No.: <u>NEW</u>																				PART II. Project Information																	
Project Title: <u>MEXICAN SPRINGS CHAPTER CEMETERY EXPANSION</u>																				Project Type: Cemetery Expansion																	
Project Description <u>To extend the Lone Pine Cemetery by an additional four (4) acres, to include GPS plat, land withdrawals, archaeological clearances,</u> <u>biological clearances, cultural compliance forms and other necessary clearances to complete the project, and to include fencing materials and supplies.</u>																				Planned Start Date: <u>12/14/2022</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																				Planned End Date: <u>9/30/2026</u>																	
																				Project Manager: <u>Christine Sam</u>																	
PART III.				PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																												Expected Completion Date if project exceeds 6 FY Qtrs.					
List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.				FY 2023												FY 2024												9/30/2026									
				1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.												
				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				
Finance (Securing Funds)						X	X	X	X	X	X																										
GPS platting and clearances											X	X	X	X	X	X	X	X	X																		
Clear/Grade Land																			X																		
Construction																				X	x	X	X	X	X	X	X	X	X	X	X						
PART V.				\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL												
Expected Quarterly Expenditures										10,000.00			10,000.00			20,000.00			60,000.00						\$100,000.00												

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

Mexican Springs Chapter

Roberta J. Becenti, President
Carol B. Muskett, Vice President
Genevieve S. Jones, Sec./Treasurer



Hon. Nathan Notah, Council Delegate
Vincent Muskett, Grazing Official
Christine Sam, Comm. Service Coord.

P.O. Box 689 Tohatchi, NM 87325

RESOLUTION OF THE MEXICAN SPRINGS CHAPTER RESOLUTION NUMBER: MS-01-2023-02

SUPPORTING AND APPROVING THE MEXICAN SPRINGS CHAPTER'S NAVAJO NATION FISCAL RECOVERY FUNDS PROJECT EXPENDITURE PLANS BY DELETING POWERLINE EXTENSION AND ADDING HOUSEWIRING PROJECT.

WHEREAS:

1. Mexican Springs 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. §103; and
2. Pursuant to 2 N.N.C. §102 (A), the Navajo Nation Council is governing body of the Navajo Nation; and
3. 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 to address matters of local concern with Navajo law, custom, and tradition; and
4. The American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to the Navajo Nation to support our efforts to respond to the impacts of COVID-19, funds are allocated to develop our Nation's basic infrastructure and improve the lives of our Navajo citizens. Many citizens have always had to live without running water, clean drinking water, electricity and other basic services to support their daily activities, health and welfare; and
5. Pursuant to Navajo Nation Council resolution number CJY-41-21, approved the establishment of the Navajo Nation Fiscal Recovery Fund and the Expenditure authorization project thereunder, waiving certain provisions of the Navajo Nation Appropriations Act, Amending 12 N.N.C. § 334 to Authorize emergency procurements, authorizing reimbursement of the SIHASIN funds and undesignated unreserved fund balance, authorizing central support and regulatory cost funding, authorizing funding to complete defunded Navajo Nation CARES Fund Expenditure Plans, Page

Two (2)

Resolution NO: MS-01-2023-02

Re: Supporting and Approving the chapter's FRF projects expenditure plans.

authorizing the Establishment of a Navajo Nation Fiscal Recovery Fund Office within the Office of the President and Vice-President.

- 6. Pursuant to Resolution number BFS-31-21, the Budget and Finance Committee of the Navajo Nation Council approved the Navajo Nation Fiscal Recovery Fund application procedures, forms, and expenditure plan template, pursuant to CJY-41-21; and**
- 7. Pursuant to Navajo Nation Council resolution number CJN-29-22, approved the Navajo Nation Fiscal Recovery Fund Expenditure Plans for chapter and regional projects, public safety emergency communications, E911, and rural addressing projects, cyber security, public health projects, hardship assistance, water and wastewater projects, broadband projects, home electricity connection and electric capacity projects, housing projects and manufactured housing facilities, bathroom addition projects, construction contingency funding, and reduced administrative funding.**
- 8. After thorough assessment the chapter feels that the need for house wiring is critical for the community of Mexican Springs.**

NOW THEREFORE BE IT RESOLVED THAT:

The Mexican Springs Chapter hereby supports and approves on the following ARPA projects and expenditure plans in the amount of \$1,760,467.90. This resolution supersedes all prior resolutions and priorities for the chapter's ARPA projects and are identified as:

- a. Bathroom Additions - \$285,000.00**
- b. Community cemetery expansion - \$100,000.00**
- c. Home Renovations - \$200,000.00**
- d. 3 Complete Homes - \$750,000.00**
- e. House wiring Project - \$425,467.90**

Three (3)

Resolution NO: MS-01-2023-02

Re: Supporting and Approving the chapter's FRF projects expenditure plans.

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

I certify that the foregoing resolution was duly considered by the Mexican Springs Chapter at a duly called meeting, in Mexican Springs, New Mexico, Navajo Nation, at which a quorum was present and the same was passed by a vote of 21 in favor, 00 opposed and 01 abstained, this 17th day of JANUARY, 2023.


Roberta J. Becenti, President

csam/01.03.2023

Motion: Vincent Muskett

Second: Joseph Bitsie, Jr

Mexican Springs Chapter

Roberta J. Becenti, President
Carol B. Muskett, Vice President
Genevieve S. Jones, Sec./Treasurer



Hon. Nathan Notah, Council Delegate
Vincent Muskett, Grazing Official
Christine Sam, Comm. Service Coord.

P.O. Box 689 Tohatchi, NM 87325

RESOLUTION OF THE MEXICAN SPRINGS CHAPTER RESOLUTION NUMBER: MS-03-2023-07

SUPPORTING AND APPROVING THE MEXICAN SPRINGS CHAPTER'S NAVAJO NATION FISCAL RECOVERY FUNDS PROJECT EXPENDITURE PLANS FOR THE COMMUNITY CEMETERY EXPANSION IN THE AMOUNT OF \$100,000.00.

WHEREAS:

1. Mexican Springs 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. §103; and
2. Pursuant to 2 N.N.C. §102 (A), the Navajo Nation Council is governing body of the Navajo Nation; and
3. 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 to address matters of local concern with Navajo law, custom, and tradition; and
4. The American Rescue Plan Act (ARPA) Fiscal Recovery Funds were allocated to the Navajo Nation to support our efforts to respond to the impacts of COVID-19, funds are allocated to develop our Nation's basic infrastructure and improve the lives of our Navajo citizens. Many citizens have always had to live without running water, clean drinking water, electricity and other basic services to support their daily activities, health and welfare; and
5. Pursuant to Navajo Nation Council resolution number CJY-41-21, approved the establishment of the Navajo Nation Fiscal Recovery Fund and the Expenditure authorization project thereunder, waiving certain provisions of the Navajo Nation Appropriations Act, Amending 12 N.N.C. § 334 to Authorize emergency procurements, authorizing reimbursement of the SIHASIN funds and undesignated unreserved fund balance, authorizing central support and regulatory cost funding, authorizing funding to complete defunded Navajo Nation CARES Fund Expenditure Plans,

Page Two (2)

Resolution NO: MS-03-2023-07

Re: Supporting and Approving the Mexican Springs Chapter's FRF expenditure plans for the Community Cemetery Expansion in the amount of \$100,000.00.

authorizing the Establishment of a Navajo Nation Fiscal Recovery Fund Office within the Office of the President and Vice-President.

6. Pursuant to Resolution number BFS-31-21, the Budget and Finance Committee of the Navajo Nation Council approved the Navajo Nation Fiscal Recovery Fund application procedures, forms, and expenditure plan template, pursuant to CJY-41-21; and
7. Pursuant to Navajo Nation Council resolution number CJN-29-22, approved the Navajo Nation Fiscal Recovery Fund Expenditure Plans for chapter and regional projects, public safety emergency communications, E911, and rural addressing projects, cyber security, public health projects, hardship assistance, water and wastewater projects, broadband projects, home electricity connection and electric capacity projects, housing projects and manufactured housing facilities, bathroom addition projects, construction contingency funding, and reduced administrative funding.
8. The Mexican Springs 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:

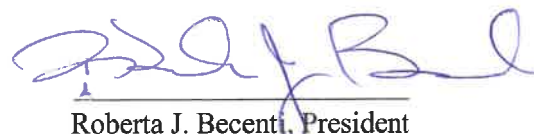
The Mexican Springs Chapter hereby supports and approves the attached FRF expenditure plans for Community Cemetery Expansion in the amount of \$100,000.00.

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

I certify that the foregoing resolution was duly considered by the Mexican Springs Chapter at a duly called meeting, in Mexican Springs, New Mexico, Navajo Nation, at which a quorum was present and the same was passed by a vote of 18 in favor, 00 opposed and 01 abstained, this 10th day of **MARCH, 2023**.

MOTIONED BY: Vincent Muskett

SECONDED BY: William Nez. Sr.


Roberta J. Becenti, President