



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

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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](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 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.

**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: House Wiring Project

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@naataanli.org  
 Chapter Secretary: Genevieve S. Jones phone & email: 505-906-1885 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: \$425,467.90 FRF funding period: 12/14/22 to 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:

The Mexican Springs Chapter is requesting for \$425,467.90 for house wiring project; there are some families that had their homes wired in the 1970's. These funds will help these individual home get their homes inspected and get NTUA compliance with Certificate of Affidavits so that these community members can get their electricity.

☐ document attached

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

The project will benefit the community members of Mexican Springs Chapter by providing a safe and healthy living condition and improve the livelihood of our constituents. These community members have limited economic opportunities during the COVID-19 pandemic and by having electricity they are able to get daily benefits from this project.

☐ 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 develop a scope of work for all recipients; Fall 2023: purchase materials and supplies and 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:

Each homeowner will be responsible for the operations and maintenance costs for each wired home.

☐ 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 6.1 - Provision of Government Services

The Mexican Springs Chapter is requesting for funds to help improving the living conditions of community members who are economically disadvantaged and living in multi-generational conditions. Helping families obtain house wiring and get power line extension would greatly improve their every day life which was tremendously impacted by the pandemic.

☐ 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 wire these homes.

☒ 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:

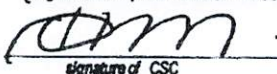
Chapter's  
Preparer:

  
(signature of Preparer/CONTACT PERSON)

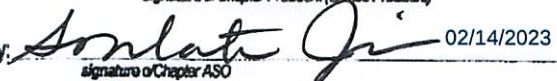
Approved by:

  
(signature of Chapter President (or Vice-President))

Approved by:

  
(signature of CSC)

Approved by:

 02/14/2023  
(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

<b>PART I. Business Unit No.:</b> <u>New</u>		<b>Program Title:</b> <u>MEXICAN SPRINGS CHAPTER HOUSE WIRING PROJECT</u>		<b>Division/Branch:</b> <u>DCD/Executive</u>	
<b>Prepared By:</b> <u>CHRISTINE SAM, CSC</u>		<b>Phone No.:</b> <u>505-733-2832</u>		<b>Email Address:</b> <u>csam@nnchapters.org</u>	

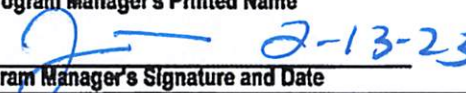

  

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Funds	<u>12/14/22 - 9/30/26</u>	425,467.90	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance				
				6500 Contractual Services	6	0	425,467.90	425,467.90
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	425,467.90	425,467.90

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



<b>PART I. PROGRAM INFORMATION:</b>												
Business Unit No.: _____		New		Program Name/Title: _____			MEXICAN SPRINGS CHAPTER HOUSE WIRING PROJECT					
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b> Mexican Springs Chapter Resolution # MS-01-2023-02												
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>					<b>1st QTR</b>		<b>2nd QTR</b>		<b>3rd QTR</b>		<b>4th QTR</b>	
					Goal    Actual		Goal    Actual		Goal    Actual		Goal    Actual	
1. Goal Statement: <u>To wire community members homes and comply with NTUA requirements.</u> Program Performance Measure/Objective: <u>Will wire 31 homes by end of Fiscal Year 2025</u>											31	
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:												
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>												
James Adakai, Deputy Director _____ Program Manager's Printed Name					Calvin Castillo, Executive Director _____ Division Director/Branch Chief's Printed Name							
_____ Program Manager's Signature and Date					_____ Division Director/Branch Chief's Signature and Date							

FY 2023

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

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>MEXICAN SPRINGS CHAPTER HOUSE WIRING PROJECT</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)
6200	External Contractors 6290 General Contractors - wire 31 houses and obtain Affidavit of housing wiring 6290 Navajo Nation Tax 6%	401,384 24,084	425,468
TOTAL		425,467 <sup>00</sup>	425,467 <sup>00</sup>

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

**Page 1 of 1  
PROJECT FORM**

<b>PART I. Business Unit No.: NEW</b>  Project Title: <u>MEXICAN SPRINGS CHAPTER HOUSE WIRING PROJECT</u>  Project Description: <u>To fund the house wiring project for 31 homes, which will include materials, supplies, meter loop, meter boxes so community constituents are connected to electricity.</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>House Wiring Project</u>  Planned Start Date: <u>12/14/2022</u>  Planned End Date: <u>9/30/2026</u>  Project Manager: <u>Christine Sam</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>																				Expected Completion Date if project exceeds 8 FY Qtrs.															
	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																													
Initiate RFP for contractors								X	X	X	X																									
Planning and Selection												X	X																							
Execute Contract													X	X	X	X																				
Construction																	X	X	X	X	X	X	X	X	X	X	X	X	X							
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL											
Expected Quarterly Expenditures																150,000.00			150,000.00			125,467.22			425,467.22											

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-03-2023-09

### SUPPORTING AND APPROVING THE MEXICAN SPRINGS CHAPTER'S NAVAJO NATION FISCAL RECOVERY FUNDS PROJECT EXPENDITURE PLANS FOR THE HOUSE WIRING PROJECTS IN THE AMOUNT OF \$425,468.00.

#### 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-03-2023-09

Re: Supporting and Approving the Mexican Springs Chapter's FRF expenditure plans for the House Wiring Projects in the amount of \$425,468.00.

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 House Wiring Projects in the amount of \$425,768.00.

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 10<sup>th</sup> day of **MARCH, 2023**.

MOTIONED BY: Vincent Muskett

SECONDED BY: William Nez, Sr.

  
Roberta J. Becenti, President

# **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 17<sup>th</sup> day of JANUARY, 2023.

  
Roberta J. Becenti, President

csam/01.03.2023

Motion: Vincent Muskett

Second: Joseph Bitsie, Jr