



**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 0413-2

**Date & Time Received:** 5/18/23 at 13:46

**Date & Time of Response:** 05/25/23 at 17:00

**Entity Requesting FRF:** Mexican Springs Chapter

**Title of Project:** Three (3) Complete Homes

**Administrative Oversight:** Division of Community Development

**Amount of Funding Requested:** \$750,000

**Eligibility Determination:**

- ☒ FRF eligible  
☐ FRF ineligible  
☐ Additional information requested

**FRF Eligibility Category:**

- |   |   |
|---|---|
| <input checked="" 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:** \_\_\_\_\_

2.15, Long-term Housing Security: Affordable Housing

☐ 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: Erika Pirotte

Signature of DOJ Reviewer: Erika R. Pirotte  
Digitally signed by Erika R. Pirotte  
Date: 2023.05.25 16:15:47 -06'00'

Digitally signed by Erika R. Pirotte  
Date: 2023.05.25 16:15:47 -06'00'

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.

Page 2 of 2



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**DEPARTMENT OF JUSTICE**  
**INITIAL ELIGIBILITY DETERMINATION**  
**FOR NAVAJO NATION FISCAL RECOVERY FUNDS**

RFS/HK Review #: HK 0413

Date & Time Received: 3/27/23 at 11:12

Date & Time of Response: 4/3/23 at 252 pm

Entity Requesting FRF: Mexican Springs Chapter

Title of Project: Three (3) Complete Homes

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$750,000

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

U.S. Department of Treasury Reporting Expenditure Category: To be determined



**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: We need additional information to determine if the proposed housing assistance is an eligible use. To assist us, please provide answers to the following questions in as much detail as possible and include any other relevant information, including any applications or other attachments:

1. What is the criteria to be approved for a new home/how will recipients be selected? Please be specific, and include any family size and income limitations, as well as any other specific needs of the intended recipients.
2. Please describe in more detail the homes to be built, including square footage, number of bedrooms, etc.
3. Please describe how the estimated size and cost per home compares to homes in the area.
4. Please explain whether the home construction projects would qualify for any federally funded housing programs, including but not limited to the National Housing Trust Fund, Indian Housing Block Grant Program, the Indian Community Development Block Grant program, or the BIA Housing Improvement Program.

Name of DOJ Reviewer: Rudy Anaya, Tax and Finance Unit

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.

# 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*

May 16, 2023

Rudy Anaya, Attorney  
Tax and Finance Unit  
Navajo Nation Department of Justice

RE: Three (3) Complete Homes, FRF Expenditure Plan for Mexican Springs Chapter

Mr. Anaya,

This letter is to respond to some questions imposed during your review of the Mexican Springs Chapter's Fiscal Recovery Funds Expenditure plan in the amount of \$750,000.00.

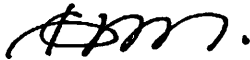
1. **What is the criteria to be approved for a new home?** The chapter submitted ten (10) applications for new housing to the Community Housing and Infrastructure Department under the Division of Community Development, however only two (2) applicants will be selected. Therefore, the chapter will determine which applications will be denied and take those applications and selected three (3) families to receive the FRF homes.
2. **How will recipients be selected?** As stated, based on the denial from CHID, the chapter will review CHID assessed applicants and select the three families that will receive the complete homes.
3. **Family size, income limitations, other specific needs of the recipients?** The family size will be determined once the chapter learns which applicants were denied by CHID. Income is not considered during the CHID assessment because income documents were not requested, however the need of a home for each family will be the priority.
4. **Please describe the home to be built, including square footage, number of bedrooms, etc.** The chapter will determine the family size, number of bedrooms and square footage depending on which families are denied a home from CHID.
5. **Please describe how the estimated size and cost per home compares to homes in the area.** The chapter requested floor plans and cost estimates from CHID however thus far there has been no response. The estimated cost for the homes was determined during the kick-off meetings with CHID quoting \$250,000.00 per home. The chapter used the same estimated cost of each home.
6. **Please explain whether the home construction projects would qualify for any federally funded housing programs, including but not limited to the National Housing Trust Fund, Indian Housing Block Grant Program, the Indian Community Development Block Grant program, or the BIA Housing Improvement Program.** CHID is a federally funded program that will select two (2) of the ten (10) applicants. The chapter considers the denied applicants for these mentioned programs and more eligible for the three (3) homes based on need. The ten (10) families that were referred to CHID are in dire need of homes and if they are denied, the chapter wishes to select three (3) to receive these homes. That is the focus of the chapter on how this \$750,000.00 should be spent. The families that were referred to CHID are homeless, live in dilapidated homes, in dire need of a home with infrastructure to combat the effects of the COVID pandemic.

It is only in the best interest of the chapter to help our constituents by selecting the three (3) families to receive a home that they can live in with all the daily infrastructure needs.

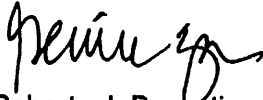
We hope this has clarified your questions and we request your favorable approval for the chapter to provide three (3) homes to the community members of the chapter.

Please contact me at (505) 733-2832 or [mexicansprings@navajochapters.org](mailto:mexicansprings@navajochapters.org), if you have any further questions or clarification.

Regards,



Christine Sam  
Community Services Coordinator  
Mexican Springs Chapter



 Roberta J. Becenti  
Chapter President  
Mexican Springs Chapter

Cc: Carol B. Muskett, Chapter Vice President/Mexican Springs Chapter  
Genevieve S. Jones, Chapter Secretary/Treasurer/Mexican Springs Chapter  
Honorable Delegate Nathan Notah/25<sup>th</sup> Navajo Nation Council  
Ansley Curley, LDA to Honorable Notah/25<sup>th</sup> Navajo Nation Council  
Project folder.



**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: Three (3) Complete Homes

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@naataanii.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 and Local laborers ☐ document attached

Amount of FRF requested: \$750,000.00 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:

The Mexican Springs Chapter is requesting for \$750,000.00 to assist community members with a stable and healthy home for those in need. Stable and healthy homes can help to combat COVID-19 pandemic and future mass diseases especially those living in multi-generational circumstances. These funds will help purchase modular homes for three (3) families.

☐ 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 a stable home will provide a more sanitized house.

☐ 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: Conduct necessary procurement activities to purchase modular homes and complete 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 home once it is completed.

☐ 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 2.18 - Housing Support: other housing assistance

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 improve their homes will help decrease the spread of COVID-19 and ensure that families are living in adequate houses.

☐ 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 purchase modular homes for three (3) community members..

☒ Chapter Resolution attached

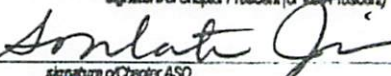
### Part 4. Affirmation by Funding Recipient.


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 HOUSING</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	12/14/22-09/30-26	750,000.00	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	6	0	750,000	750,000
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	750,000.00	750,000
				<b>PART IV. POSITIONS AND VEHICLES</b>				
				Total # of Positions Budgeted:		0	0	
				Total # of Vehicles Budgeted:		0	0	
<b>TOTAL:</b>		\$750,000.00	100%					

**PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.**

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

**PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:****PART III. PROGRAM PERFORMANCE CRITERIA:**

## 1. Goal Statement:

To purchase three (3) complete (modular) homes for community members.

Program Performance Measure/Objective:

Will purchase three (3) modular homes by end of Fiscal Year 2025.

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

3

## 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

Program Manager's Signature and Date

Calvin Castillo, Executive Director

Division Director/Branch Chief's Printed Name

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>MEXICAN SPRINGS CHAPTER HOUSING</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>
6020	Supplies 6030 - Building Repairs & Maintenance Supplies (Other technical Services & Supplies)	81,100	81,100
6200	External Contractors 6280 Ground Prep 6290 General Contractor NN Sales Tax @ 6%	15,000 653,900	668,900
<b>TOTAL</b>		<b>750,000</b>	<b>750,000</b>



Page 1 of 1  
PROJECT FORM

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



# NAVAJO NATION DEPARTMENT OF JUSTICE



## REQUEST FOR SERVICES

☐ RESUBMITTAL

DOJ
DATE / TIME
RFS #:
UNIT:

\*\*\* FOR NNDJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. \*\*\*

CLIENT TO COMPLETE			
DATE OF REQUEST:	5/15/2023	ENTITY/DIVISION:	OPVP
CONTACT NAME:	Lisa Jymm	DEPARTMENT:	Fiscal Recovery Fund Office
PHONE NUMBER:	(928) 309-5535	E-MAIL:	ARPA@nndoj.gov
COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):			
Initial Eligibility Determination for Mexican Springs Chapter, Three (3) Complete Homes Project in the amount of \$750,000.			
DEADLINE:	5/25/2023	REASON:	DOJ Review
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT:		REVIEWING ATTORNEY/ADVOCATE:	
DATE TIME OUT OF UNIT:		PREPARED BY (initial):	
DOJ ATTORNEY / ADVOCATE COMMENTS			
REVIEWED BY: (PRINT)		DATE / TIME:	
DOJ Secretary Called:	for Document Pick Up on	at	By:
PICKED UP BY: (PRINT)		DATE / TIME:	