



**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

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

**Disclaimers:**

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 NON-GOVERNANCE CERTIFIED CHAPTERS

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Manuelito Chapter Date prepared: 11/25/22  
Chapter's HCR -57, POB 9069, Gallup, NM 87301 phone/email: 505-905-3073  
mailing address: website (if any): manuelito@navajochapters.org  
This Form prepared by: phone/email: 505-713-1510 (texting preferred)  
Percy B. Anderson, Manuelito Chapter Secretary/Treasurer panderson@navajochapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Construction, addition of new warehouse building

Chapter President: Milton Davidson phone & email: mdavidson@naataanii.org  
Chapter Vice-President: Deborah Nelson phone & email: dnelson@naataanii.org  
Chapter Secretary: Percy B. Anderson phone & email: panderson@navajochapters.org  
Chapter Treasurer: phone & email: \_\_\_\_\_  
Chapter Manager or CSC: Vacant phone & email: \_\_\_\_\_  
DCD/Chapter ASO: Guarena Adeky phone & email: gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): \_\_\_\_\_

Amount of FRF requested: \$900,000 FRF funding period: January 2023 to December 2026 ☐ document attached  
*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:

Project: Warehouse new construction and/or addition to existing warehouse. ARPA funding will also be used to purchase refrigeration and freezer equipment for perishables and to install alternative renewable equipment to warehouse for the refrigeration and freezer units operation in times of electrical grid blackouts. During the COVID pandemic, and even now, there was/is a need to store perishable food for the community in times of emergencies especially for homes that don't have adequate refrigeration or no electricity.

☐ document attached

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

The warehouse building will house heavy equipment and work related vehicles to keep safe and for the community when it comes to perishable food storing and electrical blackouts for emergencies.

☐ 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:

Warehouse construction and/or addition; installation of refrigeration and freezer units; installation of alternative renewable equipment such as solar panels and/or small wind turbines on the roof top or near the building. Time of completion will be December 2025.

☐ document attached

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

The Manuelito Chapter administration.

☐ 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:

Responsible party will be the Manuelito Chapter administration for all operation and maintenance of warehouse.

☐ 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:

2.22 Strong Healthy Communities due to the need to properly store heavy equipment for community road maintenance for public health and safety, and proper refrigeration/freezer with alternative renewable energy equipment for times of emergencies for the community/neighborhoods.

☐ document attached

### Part 3. Additional documents.

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

N/A

☐ 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:

Percy B. Anderson  
signature of Preparer/CONTACT PERSON

Approved by:

Walter A. Hester  
signature of Chapter President (or Vice-President)

Approved by:

V. Blunt  
signature of CSO

Approved by:

[Signature]  
signature of Chapter ASO

Approved to submit  
for Review:

Lisa J. Gunn NNTRCO  
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>Manuelito Chapter Warehouse</u>		Division/Branch: <u>Manuelito Chapter</u>	
Prepared By: <u>Percy B. Anderson</u>		Phone No.: <u>505-905-3073</u>		Email Address: <u>manuelito@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 Fiscal Recovery Funds	<del>1/23 - 12/25</del> <u>11/1/23 - 12/31/26</u>	900,000.00	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				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay	6	0	900,000	<u>900,000</u>
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		\$0.00	900,000.00	<u>900,000</u>

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.			
SUBMITTED BY: <u>Sonlatsa Jim-Martin</u>		APPROVED BY: <u>Pearl Yellowman</u>	
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name	
<u><i>Sonlatsa Jim-Martin</i></u>		<u><i>Pearl Yellowman</i></u>	
Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date	
		<u>12.2.22</u>	

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:

Manuelito Chapter  
Warehouse**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 construct a new warehouse and/or addition.**Program Performance Measure/Objective:**Identify vendor to construct the warehouse.

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**2. Goal Statement:**To install refrigeration and freezer equipment in the warehouse.**Program Performance Measure/Objective:**Identify vendor to purchase equipment from and install.

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**3. Goal Statement:**To instaff alternative renewable energy equipment in and on/near the warehouse**Program Performance Measure/Objective:**Identify vendor to instaff equipment.

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**4. Goal Statement:**Monitoring and project management.**Program Performance Measure/Objective:**Chapter administration and contracted vendors.

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**5. Goal Statement:**Closeout of project.**Program Performance Measure/Objective:**Chapter administration.

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**PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.**Sonlatsa Jim-Martin

Program Manager's Printed Name



Program Manager's Signature and Date

Pearl Yellowman

Division Director/Branch Chief's Printed Name

 12.2.22

Division Director/Branch Chief's Signature and Date

FY 2023THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATIONPage 3 of 3  
BUDGET FORM 4

PART I. PROGRAM INFORMATION:				
Program Name/Title: <u>Manuelito Chapter Warehouse</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)	
9050	Building		750,000.00	
9052	Building / Warehouse Construct additional building to warehouse.	750,000.00		
9054	Building / Warehouse Building improvement.  Total amount for new construction, addition, and improvement to Warehouse building: \$750,000.00			
9140	Equipment		150,000.00	
9142	Alternative renewable energy equipment - solar panels and small wind turbines to be installed on the warehouse or near it: \$75,000.00  Refrigeration & freezer units to be installed in the warehouse and connected to the alternative renewable energy equipment: \$75,000.00	150,000.00		
TOTAL		900,000.00	900,000.00	



**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

Page 1 of 1  
**PROJECT FORM**

<b>PART I. Business Unit No.:</b> <u>NEW</u> <b>Project Title:</b> <u>Warehouse building</u> <i>Manuelito Chapter</i> <b>Project Description</b> To plan, design, and construct new addition to existing warehouse building equipped with alternative renewable energy equipment and refrigeration/freezer units/equipment. <b>Check one box:</b> <input 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> <b>Project Type:</b> <u>Warehouse</u> <b>Planned Start Date:</b> <u>January 2023</u> <b>Planned End Date:</b> <u>Sept. 2026</u> <b>Project Manager:</b> <u>Percy B. Anderson</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																	
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date September 2026					
	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
Identify Contractor/Vendor to start plan design				X	X	X	X	X	X	X	X	X																		
Start construction of warehouse													X	X	X	X	X	X	X	X	X									
Identify vendors for refrigeration & freezer units																						X	X	X						
Identify vendors for alternative renewable equipment																						X	X	X						
Installation of units & equipment																									X	X	X	X	X	X
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures																									<i>960,000</i>					

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



**Milton Davidson**  
President

**Deborah Nelson**  
Vice-President

**Percy B. Anderson**  
Secretary-Treasurer



**MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT**

HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301  
PHONE (505) 905-3073 • FAX (505) 905-0606  
Email: manuelito@navajochapters.org

**Seth Damon**  
25<sup>th</sup> Navajo Nation Council

**Vacant**  
Community Services Coordinator

**Kathleen Arviso**  
Land Board Member

**Resolution #MANU11-22-22-048**

**RESOLUTION OF THE MANUELITO NAVAJO CHAPTER**

**Supporting and approving the American Rescue Plan Act (ARPA) expenditure plan for the planning, design, construction, and addition of a warehouse building in the amount of \$900,000 for Manuelito Chapter community.**

**WHEREAS:**

1. N.N.C. Title 26 delegates Navajo Nation Chapters certain authority to review all matters affecting the community based on sound decision which are consistent with the Navajo Nation codes, laws, custom, and tradition; and
2. Pursuant to 26 N.N.C., Section 1 (B) Manuelito Navajo Chapter is vested with the authority on all matters affecting the community, make appropriate actions when necessary and make recommendations to the Navajo Nation government and other federal/state/local agencies; and
3. The Manuelito Navajo Chapter initially proposed for CARES funding for new heavy equipment in lieu of the COVID viruses that were impacting the Navajo Nation but did receive the new grader and backhoe with Navajo Nation Sihasin funding; and
4. The Manuelito Navajo Chapter desperately needs a new warehouse or an addition to the existing warehouse to house the new heavy equipment as well to equip the warehouse with new refrigeration and freezers to store perishables which was an issue to store large amounts of perishables for the community members in times of COVID related viruses and other emergencies; and
5. The Manuelito Navajo Chapter realizes that in times of crises and emergencies, the electrical grid may go out and there is a need to also equip the warehouse with alternate renewable energy to adequately continue storing perishables in refrigeration and freezer units.

**NOW THEREFORE BE IT RESOLVED:**

1. The Manuelito Chapter supports and approves the American Rescue Plan Act (ARPA) expenditure plan for the planning, design, construction, and addition of a warehouse building in the amount of \$900,000 for Manuelito community and to equip the building with alternate renewable energy with refrigeration and freezer units; and
2. The Manuelito Chapter supports the warehouse project and affirms that the Chapter will use awarded ARPA funding in compliance with ARPA guidelines and regulations, and all other applicable Navajo Nation and federal laws and regulations.

**CERTIFICATION**

WE HEREBY CERTIFY that the foregoing resolution was duly considered at a duly called meeting at Manuelito Chapter (Navajo Nation), New Mexico, at which a quorum was present and that the same was passed by a vote of 37 in favor, 0 opposed, and 13 abstaining on this 22nd day of November 2022.

Motion by: Chester Nez

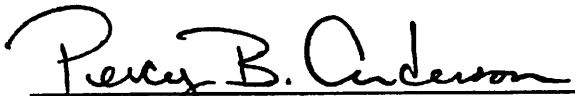
Second by: Justin Adakai



Milton Davidson, Chapter President



Deborah Nelson, Chapter Vice-President



Percy B. Anderson, Chapter Sec/Treasurer