



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 #: HK0401-2

Date & Time Received: 02/26/24 at 10:14

Date & Time of Response: 3/07/2024 at 17:00

Entity Requesting FRF: Leupp Chapter

Title of Project: Leupp Chapter House Renovation Project

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$487,868.00

Eligibility Determination:

- FRF eligible (checked)
FRF ineligible
Additional information requested

FRF Eligibility Category:

- (1) Public Health and Economic Impact
(2) Premium Pay
(3) Government Services/Lost Revenue (checked)
(4) Water, Sewer, Broadband Infrastructure

U.S. Department of Treasury Reporting Expenditure Category:
2.22, Strong Healthy Communities: Neighborhood Features that Promote Health and Safety

**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: Navalyn R. Platero

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 GOVERNANCE-CERTIFIED CHAPTERS**

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Leupp Chapter Government Date prepared: 11/30/2022

Chapter's mailing address: CPO Box 5428 Leupp, AZ 86035 phone & email: (928) 686-3227/leupp@navajochapters.org  
website (if any): leupp.navajochapters.org

This Form prepared by: Angela Cody phone/email: (928) 686-3227  
eupp Chapter Vice President  
CONTACT PERSON'S name and title CONTACT PERSONS info

Title and type of Project: Leupp Chapter House Renovation Project

Chapter President: VACANT phone & email: VACANT

Chapter Vice-President: Angela Cody phone & email: (928) 326-6919/codyang2005@gmail.com

Chapter Secretary: Rosita Kelly phone & email: 928-225-9081 rKelly@navajochapters.org

Chapter Treasurer: Rosita Kelly phone & email: 928-225-9081

Chapter Manager or CSC: VACANT phone & email: VACANT

DCD/Chapter ASCO: Milford Maloney phone & email: 928-283-3342 mmaloney@hndcd.org

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

document attached

Amount of FRF requested: 487,848.00 FRF funding period: 10/1/22 - 9/30/2025 12/31/2026  
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:

Chapter House renovation project is located on the Leupp Chapter compound at Leupp, Arizona. The COVID-19 related needs will be met, as the Leupp community members need to have safe and healthy access to restrooms, showers, meeting rooms, post office, and overall meet the Navajo Nation COVID-19 protocols of social distancing and sanitizing.

document attached

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

The Leupp Chapter Government Chapter House Renovation Project would benefit the Navajo Nation; Leupp community, and the Navajo people by providing a safe accessibility to the Leupp Chapter House facilities; such as the restrooms, showers, mailboxes, assembly room, front office window to receive information; pay for services, pick up mail parcels and other chapter resources.

document attached

(c) 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:

**APPENDIX A**

The Leupp Chapter Government Chapter House Renovation Project timeline: Leupp Chapter Resolution 12/1/2022, Navajo Nation and DOJ review submissions Winter 2022, Proposals Spring 2023, Contract Award Summer 2023, Construction Fall 2023-Fall 2024. Challenges would include Navajo Nation review timeline and award.

document attached

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

Leupp Chapter Government will be responsible for implementating the project.

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 Leupp Chapter Government will be responsible for operations and maintenance costs for the project once 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:

COVID-19 Aid to Impacted Industries 1.10

Leupp Chapter is seeking funding for the renovation of the existing chapter house. The current chapter house does not meet the safety and health standards that are mandated requirements to mitigate COVID-19. It is lacking a proper and reliable mechanically functioning HVAC system to keep chapter staff, community members and visitors cool and warm during the various seasons. The restrooms and showers are outdated, the equipment needs to be upgraded to meet health sanitation standards. The Leupp Chapter House is an essential building that is used as a command center during state of emergencies, such as the COVID-19 pandemic. The existing building needs to be renovated to better serve the community members per COVID-19 protocols.

document attached

**Part 3. Additional documents.**

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

Leupp Chapter Resolution  
Budget Forms 1-4

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 Chapter Manager or CSC

Approved by:   
signature of DCD/Chapter ASO

Approved to submit for Review:   
signature of DCD Director

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page 1 of 4  
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>LEUPP CHAPTER HOUSE RENOVATION</u>		Division/Branch: <u>DCD/Executive</u>				
Prepared By: <u>Marjorie Sangster</u>		Phone No.: <u>(828) 928-3227</u>		Email Address: <u>marjorie.sangster@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 Fund	10/1/22+ 12/31/2026	487,868.00	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	287,868.	487,868.	200,000
				7000 Special Transactions				
				8000 Public Assistance				
				8000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		287,868.	487,868.	200,000.
<b>TOTAL:</b>				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>Marjorie Sangster</u>			APPROVED BY: <u>Dr. Pearl Vellowman, Director</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<u>[Signature]</u> 11/30/22			<u>[Signature]</u> 12.19.20					
Program Manager's Signature and Date			Division Director / Branch Chief's Signature and Date					

FY 2023

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

<b>PART I. PROGRAM INFORMATION:</b>												
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>LEUPP CHAPTER HOUSE RENOVATION</u>									
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>												
<u>to complete chapter house renovation on chapter house.</u>												
<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
<b>1. Goal Statement:</b>												
<u>To create a safer and healthier Chapter House.</u>												
<b>Program Performance Measure/Objective:</b>												
<u>Hire a subcontractor</u>									1			
<b>2. Goal Statement:</b>												
<u>Program Performance Measure/Objective:</u>												
<b>3. Goal Statement:</b>												
<u>Program Performance Measure/Objective:</u>												
<b>4. Goal Statement:</b>												
<u>Program Performance Measure/Objective:</u>												
<b>5. Goal Statement:</b>												
<u>Program Performance Measure/Objective:</u>												
<b>6. Goal Statement:</b>												
<u>Program Performance Measure/Objective:</u>												
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>												
<u>Margorie Saaster</u> Program Manager's Printed Name					<u>Dr. Pearl Yellowman, Executive Director</u> Division Director/Branch Chief's Printed Name							
<u>[Signature]</u> <u>11/30/22</u> Program Manager's Signature and Date					<u>[Signature]</u> <u>12.19.22</u> Division Director/Branch Chief's Signature and Date							

FY 2023

THE NAVAJO NATION  
 DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>LEUPP CHAPTER HOUSE RENOVATION</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)
	6500 CONTRACTUAL SERVICES Leupp Chapter House Renovation		287,868
6960	6960 - Subcontracted Services	287,868	
<b>TOTAL</b>		<b>287,868</b>	<b>287,868</b>

<b>PART I Business Unit No</b> <u>NEW</u>													<b>PART II Project Information</b>																										
Project Title: <u>Leupp Chapter House Renovation</u>													Project Type: <u>Chapter Renovation</u>																										
Project Descriptic <u>Make the chapter a safer place for the community to meet.</u>													Planned Start Date: <u>10/1/22</u>																										
Check one box:													Planned End Date: <u>12/31/24</u>																										
													Project Manager: <u>Angele Cody</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>																										
													FY 2023												FY 2025												Expected Completion Date if project exceeds 8 FY Qtrs.		
													1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date <u>12/31/24</u>		
													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
Hire Subcontractor													X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>PART V.</b> Expected Quarterly Expenditures													\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
																	487,868.																		487,868.				

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



Dr. Buu Nygren  
Navajo Nation President  
Michelle Montoya  
Navajo Nation Vice-President  
Casey A. Johnson  
Council Delegate (Birdsprings, Cameron,  
Coalmine, Leupp, and Tolani Lake)



Vacant  
Leupp Chapter President  
Angela Horseherder-Cody  
Leupp Chapter Vice-President  
Rosita Kelly  
Leupp Chapter Secretary/Treasurer  
Kenny Welch  
Leupp Chapter Grazing Officer

**LEUPP CHAPTER**

Telephone: (928) 686-3227  
January 24, 2024

CPO Box 5013 Leupp, AZ 86035

Facsimile: (928) 686 3232

Honorable Casey A. Johnson, Navajo Nation Council  
25th Navajo Nation Council

Dear Honorable Johnson,

Leupp Chapter is requesting to modify their initial Chapter projects which would be funded with ARAPA funds. Specifically, Business Unit #K2115165 in the amount of \$1,156,600.00.

We would like to make the following changes from K2115165, balance of \$1,156,600.00

<u>Account # &amp; Description</u>	<u>Amount</u>	<u>New Balances</u>
K2115165 Eliminate Motor Grader	\$495,300	\$661,300
K2115165 Eliminate Gooseneck Trailer	\$ 25,000	\$636,300
K2115395 Eliminate PPE Supplies	<u>\$ 50,000</u>	\$ -0-
	\$570,000	

Reappropriate funding to our Senior Center project and the Chapter renovation project. Gooseneck Trailer was purchased and delivered under different appropriation and grade we don't need at the current moment due to compliance and no funding for O&M.

<u>Account # &amp; Description</u>	<u>Amount</u>	<u>New Balances</u>
K2115168 Add to Chapter Renovation	\$200,000	\$487,868 <i>Increase</i>
K2115167 Add to Senior Center Renovation	<u>\$370,000</u>	\$451,000
	\$570,000	

For Senior Center; \$170,000 plumbing & \$200,000 will be for building next to Senior Center (Post Office). Chapter addition is to add the natural gasline hookups. Please contact me directly if you should have any questions regarding this request. (928) 326-6919. Email: acody@naataanii.org.

Sincerely,

Handwritten signature of Angela Cody in black ink.

Angela Cody, Vice President  
Leupp Chapter

xc: file



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

ETHEL B. BRANCH  
Attorney General

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

**RFS/HK Review #:** HK0401

**Date & Time Received:** 1/10/23 at 15:25

**Date & Time of Response:** 18 January 2023; 1:38 pm

**Entity Requesting FRF:** Leupp Chapter

**Title of Project:** Leupp Chapter House Renovation Project

**Administrative Oversight:** Division of Community Development

**Amount of Funding Requested:** \$287,868

**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:** 2.22, Strong Healthy Communities: Neighborhood Features that Promote Health and Safety

**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                     |
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| <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: Please note that BFS-31-21 and CJN-29-22 must be followed if the Chapter wishes to make changes to Navajo Nation Council-approved project listings, including but not limited to scope of work, price, and project type. The requirements of BFS-31-21 and CJN-29-22 take precedence over the Leupp Chapter's resolution, which states that the project listing is "not in any way, shape, or form [sic] exclusive . . . and there can be no guarantee that any projected outcomes will be achieved" and that the "Leupp Chapter ARPA Budget and Expenditure Plan will be used as a guide and . . . are subject to change without notice." Leupp Chapter Resolution LP-12-009-2023, Paragraph 16.

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Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: Adjua Adjei-Danso

Digitally signed by Adjua Adjei-Danso  
Date: 2023.01.18 13:49:14 -07'00'

**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.** 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.

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