



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: _____

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: _____

Name of DOJ Reviewer: _____

Signature of DOJ Reviewer: Rodgerick Begay

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.

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.



MEMORANDUM

TO : Whom It May Concern

FROM : Tom Platero
Tom Platero, Executive Director
NAVAJO NATION FISCAL RECOVERY FUND OFFICE

DATE : May 22, 2023

SUBJECT : IMPLEMENTATION OF BFMY-08-23

Chapter Appendix A packets were prepared using the old forms and requirements under BFS-31-21. On May 9, 2023, the Navajo Nation Budget and Finance Committee passed BFMY-08-23 which amended certain appendices in BFS-31-21.

For purposes of this memorandum, the Appendix packet was changed in two ways: 1) the Appendix A form was updated; and 2) there is no longer a need that a Chapter resolution is required to be submitted containing a statement that the "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." This statement is incorporated into the new Appendix A form.

Currently, there are pending packets that used the old Appendix A form and/or lack the requisite Chapter Resolution. In the interest of time and given the effectiveness of BFMY-08-23, the FRF Office will resume the processing of pending packets despite it containing the old Appendix A form and/or the lack of the requisite Chapter Resolution. This will apply only for pending packets. All new requests will utilize the new Appendix A forms.

If you should have any questions, please contact me by email at t.platero@navajo-nsn.gov. Thank you.

**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: Red Rock (Tse' Lichii') Chapter Date prepared: 12/01/2022

Chapter's P.O. Box 2548 phone/email: (505) 905-8071/redrock@navajochapters.org
mailing address: Gallup, NM 87305 website (if any): redrock.navajochapters.org

This Form prepared by: Leatrice Nelson phone/email: (505) 905-8071/redrock@navajochapters.org
Leatrice Nelson, AMS/Delegated CSC lnelson@nnchapters.org
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Red Rock (Tse' Lichii') Rural Addressing

Chapter President: Louise Hoskie phone & email: (505) 905-8134/lhoskie@naataanii.org
Chapter Vice-President: Ida M. Nelson phone & email: (505) 905-8134/lnelson@naataanii.org
Chapter Secretary: Grace Boyne phone & email: grace48boyne@gmail.com
Chapter Treasurer: Grace Boyne phone & email: grace48boyne@gmail.com
Chapter Manager or CSC: Leatrice Nelson-Delegated phone & email: (505) 905-8071/lnelson@nnchapters.org
DCD/Chapter ASO: Guarena Adeky-SPPS phone & email: (505)905-1050/gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): McKinley County ☐ document attached

Amount of FRF requested: \$400,000.00 FRF funding period: December 2022 to September 30, 2024
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 Red Rock Chapter House Rural Addressing Project; Red Rock Chapter will collaborate with The Gallup McKinley County Rural Addressing Department. Our main project goal will be Rural Addressing updates and new Rural Addressing for roads, homes for signage location to directly locate these home addresses or road addresses during emergency situations, most presently now the Covid 19 pandemic.

☒ document attached

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

The Red Rock community members need reliable Rural Addressing information to give to Emergency Responders. The Rural Addressing will benefit Red Rock Community members and ensuring emergency responders to locate the roads and homes with in minutes of the emergency.

☐ 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:

Rural Addressing Project will be completed by September 30, 2026
Year 2023; request for FRF Funds
Year 2024; plan, design
Year 2025/2026; construction & completion

☐ document attached

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

Red Rock Chapter Administration, Chapter Officials, Staff & CLUPC
Division of Community Development-ARPA
Red Rock Chapter Council Delegate
Gallup McKinley Rural Addressing Department

☐ 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 Red Rock Chapter and Gallup McKinley County Rural Addressing office will be responsible for the Operations and maintenance.

☐ 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:

1.14 Other Public Health Services

The Interim Final Rule, the Navajo Nation is permitted to use these funds to address the economic impacts of Covid 19 by building stronger communities and quick location of homes/roads during the emergency Covid 19 pandemic.

☐ document attached

Part 3. Additional documents.

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

1. Chapter Resolution
2. DOJ MOA/MOU (needing documents)

☒ 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
Prepared:

Approved by:

Approved by:

Approved by:

Approved to submit
for Review:

signature of Chapter President (or Vice-President)

signature of Chapter ASO

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> </u> New		Program Title: <u>RED ROCK (TSE'LIHII) CHAPTER</u>		Division/Branch: <u>DCD-Executive</u>	
Prepared By: <u>Leatrice Nelson, AMS/Delegated CSC</u>		Phone No.: <u>(505) 905-8071</u>		Email Address: <u>redrock@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
NNFRF FUNDS	<u>7/15/05</u>	400,000.00	100%	2001 Personnel Expenses				
CJN-29-22	<u>Dec 2022 - Sept 30, 2024</u>			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	400,000	<u>400,000</u>
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	400,000.00	<u>400,000</u>

PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	<u>1</u>	<u>1</u>
Total # of Vehicles Budgeted:	<u>1</u>	<u>1</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>	
Sonlatsa Jim Martin Program Manager's Printed Name		Dr. Pearl Yellowman Division Director / Branch Chief's Printed Name	
<u></u>		<u></u> <u>12.2.22</u>	
Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date	

FY 2023THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIAPage 2 of 3
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: New

Program Name/Title:

RED ROCK (TSE' LICHII) CHAPTER *(Rural Addressing)*

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

Resolution: RRC-016-2023-010

PART III. PROGRAM PERFORMANCE CRITERIA:

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

1. Goal Statement:

Request for short fall from Delegate Regional Project (DRP)

Program Performance Measure/Objective:

Resolution, FRF documents and Expenditure Plans to Council Delegate

		6		6		6	
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2. Goal Statement:

Section 3;CJN-29-22 DRP Resolution establishing Business Unit Number

Program Performance Measure/Objective:

DCD ARPA/NNFRF/OMB Setup Business Unit Numbers

		6		6		6	
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3. Goal Statement:

DCD ARPA prepare task order

Program Performance Measure/Objective:

Award Notice to Proceed

--	--	--	--	--	--	--	--

4. Goal Statement:

Produce Construction Schedule

Program Performance Measure/Objective:

Project Management-Facilitate Milestones Meant

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5. Goal Statement:

Close Out Project

Program Performance Measure/Objective:

Project completed; prep final reports to close out projects.

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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Sonlatsa Jim-Martin

Sonlatsa Jim-Martin, Program Manager's Printed Name



Program Manager's Signature and Date

Pearl Yellowman

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>RED ROCK (TSE'LICHII) CHAPTER <i>Rural Addressing</i></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)
Request	Funds; Request Funds to collaborate with Gallup McKinley County Appendix A (Request Form & Expenditure Plan), Appendix B (Budget Forms) and Resolution	400,000	400,000
Plan	Implementing Project coordination with entities; RRC Admin, RRC Officials, RRC CLUPC, DCD-ARPA, Council Delegate (DRP), Gallup McKinley County Rural Addressing Office, Resources and/or other entities upon request. DCD ARPA/NNFRF/OMB set up Business Unit numbers		
Design	Implement Plan for construction; Rural Addressing Procurement. DCD ARPA Prepare task order. Award Notice to proceed.		
Construct	Monitor and Implement; Select A/E vendor, Gallup McKinley County Rural Addressing. Produce Consturcition Schedule.		
Closeout	Monitoring and Close out.		
TOTAL		400,000	400,000

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page ____ of ____
PROJECT FORM

PART I. Business Unit No.: New Project Title: <u>Red Rock Chapter-Rural Addressing Project</u> Project Description <u>Red Rock (Tse' Lichii) Chapter Rural Addressing</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															PART II. Project Information Project Type: _____ Planned Start Date: <u>December 2022</u> Planned End Date: <u>September 30, 2026</u> 24 Project Manager: _____																																																																																																																																																																																																																																																																																				
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.															PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc. <table border="1" style="width:100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="12">FY 2023</th> <th colspan="12">FY 2024</th> <th colspan="12">Expected Completion Date if project exceeds 8 FY Qtrs.</th> </tr> <tr> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> <th colspan="3">1st Qtr.</th> <th colspan="3">2nd Qtr.</th> <th colspan="3">3rd Qtr.</th> <th colspan="3">4th Qtr.</th> <th colspan="12">Date <u>09-30-2026</u></th> </tr> <tr> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> <th>A</th><th>M</th><th>J</th> <th>Jul</th><th>A</th><th>S</th> <th>O</th><th>N</th><th>D</th> <th>J</th><th>F</th><th>M</th> </tr> </thead> <tbody> <tr> <td colspan="3"></td><td>X</td><td>X</td><td>X</td> <td>X</td><td>X</td><td>X</td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> </tr> <tr> <td colspan="3"></td><td></td><td></td><td></td> <td></td><td></td><td></td> <td>X</td><td>X</td><td>X</td> <td>X</td><td>X</td><td>X</td> <td>X</td><td>X</td><td>X</td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> </tr> <tr> <td colspan="3"></td><td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td>X</td><td>X</td><td>X</td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> </tr> <tr> <td colspan="3"></td><td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td>X</td><td>X</td><td>X</td> <td>X</td><td>X</td><td>X</td> <td>Cont'd</td><td></td><td></td> </tr> <tr> <td colspan="3"></td><td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> <td></td><td></td><td></td> </tr> </tbody> </table>																									FY 2023												FY 2024												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>09-30-2026</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	J	F	M				X	X	X	X	X	X																															X	X	X	X	X	X	X	X	X																															X	X	X																															X	X	X	X	X	X	Cont'd																																
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THE NAVAJO NATION

JONATHAN NEZ, PRESIDENT

MYRON LIZER, VICE PRESIDENT

LOUISE HOSKIE, CHAPTER PRESIDENT

SETH DAMON, 24TH NN COUNCIL SPEAKER

DA M. NELSON, CHAPTER VICE-PRESIDENT

ANDERSON LEE, COMMUNITY SERVICE COORDINATOR

GRACE M. BOYNE, CHAPTER SECRETARY/TREASURER

LEATRICA NELSON, ACCOUNT MAINTENANCE SPECIALIST

RESOLUTION OF THE TSE' LICHII CHAPTER RRC-016-2023-005

Approving And Supporting Resolution #CJN-29-22 of the 24th Navajo Nation Council to have Red Rock (Tse'Lichii) Chapter implement the Rural Addressing Project: Requesting the Department of Justice(DOJ) to Develop an MOA and/or MOU with McKinley County, Geographic Information System (GIS) to accept the \$400,000.00 funds by the American Rescue Plan Act (ARPA) of 2021.

WHEREAS:

1. Pursuant to 26 N.N.C., Section I, (B, (1), (2) and Section 103, the Tse'Lichii Chapter is recognized as a local government entity and delegated certain authorities and responsibilities with respect to local matters consistent with Navajo Nation law; and
2. Pursuant to 2 N.N.C., Section 4028(a), the Tse'Lichii Chapter has the authority to review all matters affecting the community and make appropriate recommendations to the Navajo Nation, County and State government agencies; and
3. Because of the Covid-19 Pandemic, the United States passed Legislation ARPA (American Rescue Plan Act) to allow the Navajo Nation is to support the COVID-19 public health and economic response by addressing COVID 19 and its support for public health; and
4. The passage of ARPA (American Rescue Plan is also to pay premium pay to eligible workers performing essential services and to make necessary investments in water, sewer and broadband infrastructure; and
5. The 14th Navajo Nation Council passed and approved Resolution CJN-29-22 which approved the Navajo Nation Fiscal Recovery Fund Expenditure Plans for chapter and regional projects and rural addressing, water and wastewater projects, broadband projects, home electricity connection, and bathroom additions projects; and
6. The Navajo Nation received \$211, 256,148 as a total allocation which is to be distributed equally between the 24 chapters; the total allocation to each chapter is \$8,892,240.
7. The Tse'Lichii Chapter adopted Resolution RRC-016-2022-024 which listed the ARPA priorities for the Tse'Lichii Chapter; furthermore, also adopted Resolution RRC -016-2022-028 which requested \$400,000 to complete the rural addressing project of the chapter; and
8. Efforts has been made by both the county and the chapter to identify addresses of the chapter members; however, it has not completed the project; and
9. Most of the chapter members live in residences who do not have physical addresses and would be difficult to locate immediately so the chapter initiated the rural addressing project with McKinley County; and
10. It has been recommended to partner with McKinley County, Geographic Information System (GIS) to complete the rural addressing project; and
11. The partnership can be done through a Memorandum of Agreement and/or Memorandum of Understanding which can be drafted by the Navajo Nation Department of Justice.

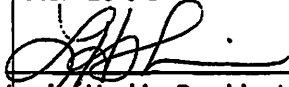
NOW, THEREFORE BE IT RESOLVED THAT:

1. In order to complete its rural addressing project, the Tse'Lichii Chapter is requesting that the Navajo Nation Department of Justice develop an MOU/MOA with the McKinley County which will allow the Tse'Lichii Chapter to accept the \$400,000 funds from the American Rescue Plan act (ARPA) of 2021 and complete the project with McKinley County of the State of New Mexico.

WE, HEREBY, CERTIFY THAT THE FOREGOING RESOLUTION was duly considered at a duly-called meeting of the Tse'Lichii Chapter at which time a quorum was present and move to adoption on this 15th day of November 2022.

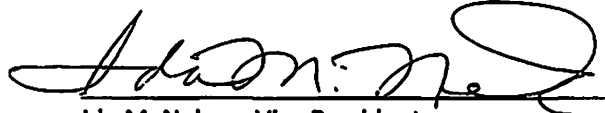
Motion: Andrea Lee

Vote: 16-0-3

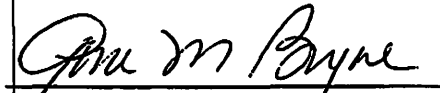


Louise Hoskie, President

Second: Autumn Santestevan



Ida M. Nelson, Vice President



Grace M. Boyne, Secretary-Treasurer