



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 #: HK0738

Date & Time Received: 1/12/24 at 11:26

Date & Time of Response: 1/23/24 at 17:00

Entity Requesting FRF: Mariano Lake Chapter

Title of Project: Mariano Lake Chapter Utility Assistance

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$285,171.00

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:
2.2, Housing Assistance: Rent, Mortgage, and Utility Aid

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: MacArthur Stant

Signature of DOJ Reviewer: MacArthur Stant

Digitally signed by MacArthur Stant
Date: 2024.01.23 10:22:20 -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.

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: Mariano Lake Chapter Date prepared: 1/5/2024

Chapter's mailing address: P.O. Box 897, Thoreau, NM 87323 phone/email: 505-786-2180 website (if any): marianolake.navajochapters.org

This Form prepared by: Ms. Leandra K. James phone/email: 505-786-2180 Community Services Coordinator

CHAPTER CONTACT PERSON'S name and title

Title and type of Project: Mariano Lake Chapter Utility Assistance

Chapter President: Mr. Jay R. DeGroat phone & email: jrdegroat@naataanii.org

Chapter Vice-President: Mr. Henry King phone & email: hking@naataanii.org

Chapter Secretary: Mr. Henry P. Begay, Jr. phone & email: hpbegayjr@navajochapters.org

Chapter Treasurer: Mr. Henry P. Begay, Jr. phone & email: hpbegayjr@navajochapters.org

Chapter Manager or CSC: Ms. Leandra K. James phone & email: ljames@nnchapters.org

DCD/Chapter ASO: Ms. Myrna M. James phone & email: mmjames@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Continental Divide Electric Coop. Inc. (CDEC), Navajo Tribal Utility Authority (NTUA), and Nations Gas Technologies document attached

Amount of FRF requested: \$285,171. FRF funding period: 10/1/2023 to 9/30/2026 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:

The project will provide utility assistance of payments for water/sewage, electricity and propane to the individuals/families registered with Mariano Lake Chapter to alleviate the hardship imposed on each household by the Coronavirus disease. Each household will submit a simple application to request for utility assistance. They will provide a copy of their NTUA & CDEC invoice for payment processing. The Nation will collaborate with Nations Gas Technologies to conduct the delivery of propane per the application request. The Navajo Nation will pay directly to the utility companies as a lump sum for the utility assistance, but the company will apply the payments to the accounts based on the applications. document attached

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

The project will benefit and improve the lives of those who have been affected by the C-19 disease. The project will alleviate the financial struggle every human is experiencing presently due to the economic effects of the pandemic. Electricity, water and propane are essential to combating the disease, therefore this will assist the households with their financial challenges to overcome. document attached

APPENDIX A

(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:

This project will have funds encumbered no later than September 30, 2024 and project will be completed by September 30, 2026.

document attached

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

Leandra K. James, Community Services Coordinator, and Lucinda Yazzie, Accounts Maintenance Specialist. Mariano Lake Chapter will manage the assistance program and coordinate with the three utility companies for the assistance.

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 homeowners will be responsible for the continuation of utility services.

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:

This project is under the Expenditure Category: 2.2 Household Assistance: Rent, Mortgage, and Utility Aid

This project will assist with the financial hardships caused from the economic effects of the coronavirus pandemic, and will help alleviate families with the struggle of utility payments.

document attached

Part 3. Additional documents.

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

[Empty box for listing additional supporting documents]

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 Tribal

Approved to submit for Review: 
signature of USD or NAFRFD Director

FY 2024

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

Page 1 of 4
BUDGET FORM 1

PART I Business Unit No.: <u>NEW</u>		Program Title: <u>Mariano Lake Chapter Utility Assistance</u>		Division/Branch: <u>Division of Community Development</u>				
Prepared By: <u>Ms. Leandra K. James</u>		Phone No.: <u>505-786-2180</u>		Email Address: <u>marianolake@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	10/1/23-9/30/26	285,171.00	100%	2001 Personnel Expenses				0.00
				3000 Travel Expenses				0.00
				3500 Meeting Expenses				0.00
				4000 Supplies				0.00
				5000 Lease and Rental				0.00
				5500 Communications and Utilities				0.00
				6000 Repairs and Maintenance				0.00
				6500 Contractual Services				0.00
				7000 Special Transactions				0.00
				8000 Public Assistance			285,171	285,171.
				9000 Capital Outlay				0.00
				9500 Matching Funds				0.00
				9500 Indirect Cost				0.00
				TOTAL		\$0.00	285,171.	285,171.
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:				
				Total # of Vehicles Budgeted:				
TOTAL:		\$285,171.00	100%					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.								
SUBMITTED BY: <u>Mr. Jaron Charley</u>			APPROVED BY: <u>Mr. Arbin Mitchell</u>					
Program Manager's Printed Name			Division Director / Branch Chief's Printed Name					
<u>01/11/2024</u>								
Program Manager's Signature and Date			Division Director / Branch Chief's Signature and Date					

FY 2024

**THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES**

Page 2 of 4
BUDGET FORM 2

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title:

Mariano Lake Chapter Utility Assistance

PART II. PROGRAM PERFORMANCE CRITERIA:

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

1. Program Performance Measure:
Provide utility assistance for electricity

To submit payment for registered chapter members per household for electricity bill.

			100
--	--	--	-----

2. Program Performance Measure:
Provide utility assistance for water &/or sewage

To submit payment for registered chapter members per household for water/sewage bill.

			100
--	--	--	-----

3. Program Performance Measure:
Provide utility assistance for propane

To conduct a propane filling event for registered chapter members per household

			50
--	--	--	----

4. Program Performance Measure:

--	--	--	--

5. Program Performance Measure:

--	--	--	--

PART III. CONCURRENCE/APPROVAL:

Mr. Jaron Charley
Program Manager's Printed Name

[Signature]
Program Manager's Signature and Date
01/11/2024

Mr. Arbin Mitchell
Division Director/Branch Chief's Printed Name

[Signature]
Division Director/Branch Chief's Signature and Date

**THE NAVAJO NATION
PROGRAM PERFORMANCE MEASURES**

PART I. PROGRAM INFORMATION:

Business Unit No.: NEW

Program Name/Title:

Mariano Lake Chapter Utility Assistance

PART II. PROGRAM PERFORMANCE CRITERIA:

The Mariano Lake Chapter will implement and manage a utility assistance project to registered members per household according to the following procedures to meet the overall assistance goal:

WATER & ELECTRICITY ASSISTANCE: 1) The Mariano Lake Chapter will provide a basic application to the client. 2) The client will complete and submit the application with a copy of their Continental Divide Electric Cooperative Inc. Invoice, and/or Navajo Tribal Utility Authority Invoice to collect account information. 3) a) All applicants who apply will be qualified, based on the overall economic effects of the coronavirus pandemic and the financial strain caused on every human. b) The only qualification imposed would be the submission of the utility invoice(s) for the water and/or electricity assistance. c) The assistance is a one-time assistance. d) There will be an opening and closing date to collect all applications and invoices with the account information. 4) The Mariano Lake Chapter will compile and prepare an overall report for each utility company. The report will indicate all account information and payment amount to be applied to each account. (The conclusion of payment distribution will be to equally distribute the lump sum payment based on the available budget for each utility company.) 5) The Navajo Nation will submit one lump sum payment to the utility companies 6) Mariano Lake Chapter will collaborate with each utility company and obtain confirmation for all accounts that received payment.;

PROPANE ASSISTANCE: 1) The Mariano Lake Chapter will provide a basic application to the client to identify the propane type used, either transporting propane bottles or set propane tanks. 2) The client will complete and submit the application, providing a map to their location for delivery to the set propane tanks. 3) a) All applicants who apply will be qualified, based on the overall economic effects of the coronavirus pandemic and the financial strain caused on every human. b) The assistance is a one-time assistance. c) There will be an opening and closing date to collect all applications. 4) The Mariano Lake Chapter will compile and prepare an overall report based on the applications and propane type. 5) The Mariano Lake Chapter will collaborate, plan, and schedule the propane bottle filling event with Nations Gas Technologies to deliver the propane to the applicants. 6) The Mariano Lake Chapter will schedule with each applicant for propane delivery. 7) The Mariano Lake Chapter will obtain a confirmation report from Nations Gas Technologies for delivery of propane to the applicants.

PART III. CONCURRENCE/APPROVAL:

Mr. Jaron Charley

Program Manager's Printed Name

Mr. Arbin Mitchell

Division Director/Branch Chief's Printed Name

01/11/2024

Program Manager's Signature and Date

Division Director/Branch Chief's Signature and Date

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Mariano Lake Chapter Utility Assistance</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)
8000	Infrastructure (Non-Cap)		
8095	Other Public Assistance		
	Provide utility assistance for the registered members of Mariano Lake Chapter @ \$285,170.55		
	Electricity Assistance @ \$185,170.55 to Continental Divide Electric Cooperative, Inc.		
	Water Assistance @ \$50,000.00 to Navajo Tribal Utility Authority		
	Propane Assistance @ \$50,000.00 to Nations Gas Technologies		
		285,171	285,171
TOTAL		285,171	285,171

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

PART I. Business Unit No.: <u>NEW</u>															PART II. Project Information															
Project Title: <u>Mariano Lake Chapter Utility Assistance</u>															Project Type: <u>Utility Assistance</u>															
Project Description <u>The project will provide utility assistance of payments for water/sewage, electricity and propane to the individuals/families registered w</u>															Planned Start Date: <u>1-Oct-23</u>															
<u>Mariano Lake Chapter to alleviate the financial hardship imposed on each household by the coronavirus disease.</u>															Planned End Date: <u>Sept. 30, 2026</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															Project Manager: <u>Leandra K. James, CSC</u>															
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.																													
	FY 2024												to FY 2026												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.			End Date <u>Sept.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
Securing Funds																														
Procurement & Contracting																														
Planning, Design																														
Construction & Close-out																														
PART V. Expected Quarterly Expenditures	\$	\$			\$			\$			\$			\$			\$			\$			\$	PROJECT TOTAL						
																								# <u>285,171.00</u>						

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