



**DR. BUU NYGREN** *PRESIDENT*  
**RICHELLE MONTOYA** *VICE PRESIDENT*

**The Navajo Nation | Yideeskáądi Nitsáhákees**

August 30, 2023

**TRANSMITTAL**

TO : Calvin Castillo, Executive Director  
 Division of Community Development (DCD)

FROM : C M H S  
 Cordell Shortey, Contracting Officer  
 Contracts & Grants Section (CGS) / OMB

SUBJECT : BU on Projects / Activities for Bodaway/Gap Chapter, LeChee Chapter, Coppermine Chapter, Kaibeto Chapter- ARPA Funds Allocated to Delegate Begay Region

**I. Information on Contract (per Original Award):**

Coppermine Chapter, K'aibii'to Chapter, LeChee Chapter, Tonalea/Red Lake Chapter, Bodaway/Gap Chapter	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
_____	_____	_____
Title of Contract	Funding Agency	CFDA No. - Federal
CMY-10-23	2022	03/11/2021 to 12/31/2026
Grant No.	Amount	Term - Begin and End Date
	\$ 8,802,340.00	

**II. Data Entered in FMIS Regarding:**

New Contract or Grant Company No. 8059 Business Unit (K#) K2115209 to K2115212

Contract Mod No. \_\_\_\_\_ Internal Modification No. 1

Amt of Budget Increase \$4,003,468.00 \$4,781,904.50 to \$8,785,372.50

AMOUNT FROM TO

Budget Period - Extend End Date: From \_\_\_\_\_ To \_\_\_\_\_

Other, specify: \_\_\_\_\_

**Authorizing Document - Attached:**

Contract / Agreement - Date executed \_\_\_\_\_

NNC / Committee Resolution - No. & Date \_\_\_\_\_

Other, specify: NN Council Resolution CMY-10-23

**III. Comments by CGS:**

This transmittal documents 2nd budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Helena Begay Region. As shown in Section II of Transmittal above, \$4,781,904.50 was previously entered per CAP-10-23 and documented by Transmittal of May 25, 2023. Y-T-D budget in FMIS for CD Begay Region totals \$8,785,372.50. Information on Section I. of Transmittal above reflects \$8,802,340 ARPA funding allocated for distribution to Chapters the respective Council Delegate service aka Region.

*Handwritten signature/initials*

Attachment  
 Copy: Contract files  
 Contract Accounting / OOC / DPM  
 Tom Platero, Executive Director - NN FRF Office

Revised February 2023

**NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**

**Exhibit A**

**COUNCIL DELEGATE: Hon. Helena Nez Begay**

**CHAPTERS: Coppermine, K'aibii'to, LeChee, Tonlea/Red Lake, Bodaway/Gap**

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CAP-10-23 on May 5, 2023				\$ 4,781,904.50
Division of Community Development	*LeChee Chapter	LeChee Chapter Affordable Housing Project	Division of Community Development	2.15	HK0272-2	\$ 1,513,000.00
Division of Community Development	None Identified	Kaibeto Chapter Renovation Project	Division of Community Development	6.1	HK0347	\$ 100,000.00
Division of Community Development	None Identified	Kaibeto Chapter New Housing Construction Project	Division of Community Development	2.16	HK0338-2	\$ 630,000.00
Division of Community Development	*Tonalea Chapter	Tonalea Chapter Housing Support/Other Housing Assistance Project	Division of Community Development	2.18	HK0448-2	\$ 1,760,468.00
		UN-ALLOCATED AMOUNT				\$ 16,967.50

\*Per CJN-29-22, Section Three (E), the "Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans."

**TOTAL: \$ 8,802,340.00**



**The Navajo Nation** **DR. BUU NYGREN** **PRESIDENT**  
**Yideeskáądi Nitsáhákees** **RICHELLE MONTOYA** **VICE PRESIDENT**

June 8, 2023

Honorable Crystalyne Curley, Speaker  
Navajo Nation Council  
Post Office Box 3390  
Window Rock, AZ 86515

*RE: CMY-38-23 An action relating to the Naabik'iyáti', Committee and Navajo Nation Council; Amending CAP-10-23, The Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Helena Nez Begay's Delegate Region (Chapters: Coppermine, K'ai'bii'tó, LeChee, Tonalea/Red Lake, Bodaway/Gap) to include additional projects for this Delegate Region*

Dear Speaker Curley,

I am pleased to sign into law this resolution CMY-38-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Begay's Delegate Region in the amount of \$4,003,468.00.

My Administration supports the plans of these Chapters who have worked very hard to put together their Regional Plans and is working very closely with the Fiscal Recovery Fund Office to ensure that these funds are put to use. As such, when Chapters are running into roadblocks in expending their Fiscal Recovery Funds and the roadblock is coming from the Executive Branch, I encourage them to reach out to the Office of the President and Vice President and inform my office of the roadblock and we will work to overcome those roadblocks.

I do want to take the moment to express my concern that any amendments to the Regional Plans must be approved by the Council. In addition, the prior Navajo Nation Council has set the expectation that Fiscal Recovery Funds be encumbered by June 30, 2024. This deadline is not far off. As a construction expert, I know that there are unpredictable factors that can prevent even the best of plans from moving forward on the proposed timeline. We should be designing systems that are flexible, accountable, and transparent. We do not currently have that system and I look forward to working with you and the entire Council to improve the Navajo Nation systems, so we are supporting our communities to take advantage of this historic funding.

Now let's get to work!

Sincerely,

Dr. Buu Nygren, *President*  
**THE NAVAJO NATION**



RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
25<sup>th</sup> NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL;  
AMENDING CAP-10-23, THE NAVAJO NATION FISCAL RECOVERY FUND  
DELEGATE REGION PROJECT PLAN FOR HONORABLE HELENA NEZ BEGAY'S  
DELEGATE REGION (CHAPTERS: COPPERMINE, K'AI'BII'TÓ, LECHEE,  
TONALEA/RED LAKE, BODAWAY/GAP), TO INCLUDE ADDITIONAL PROJECTS FOR  
THIS DELEGATE REGION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to hear proposed resolution(s) that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. Navajo Nation Council Resolution No. CJN-29-22, incorporated herein by reference, mandates that Navajo Nation Fiscal Recovery Fund. ("NNFRF") Delegate Region Project Plans be approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).
- D. Navajo Nation Council Resolution No. CAP-10-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Helena Nez Begay's Delegate Region (Chapter: Coppermine, K'ai'biit'ó, LeChee, Tonalea/Red Lake, Bodaway/Gap) be approved by a Navajo Nation Council resolution and signed into law by the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

SECTION TWO. FINDINGS

- A. Navajo Nation Council Resolution No. CJN-29-22, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; ALLOCATING \$1,070,298,867 OF NAVAJO NATION FISCAL RECOVERY FUNDS; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR: CHAPTER AND REGIONAL PROJECTS; PUBLIC SAFETY EMERGENCY COMMUNICATIONS, E911, AND RURAL

ADDRESSING PROJECTS; CYBER SECURITY; PUBLIC HEALTH PROJECTS; HARDSHIP ASSISTANCE; WATER AND WASTEWATER PROJECTS; BROADBAND PROJECTS; HOME ELECTRICITY CONNECTION AND ELECTRIC CAPACITY PROJECTS; HOUSING PROJECTS AND MANUFACTURED HOUSING FACILITIES; BATHROOM ADDITION PROJECTS; CONSTRUCTION CONTINGENCY FUNDING; AND REDUCED ADMINISTRATIVE FUNDING, was signed into law by the President of the Navajo Nation on July 15, 2022.

B. CJN-29-22, Section Three, states, in part and among other things, that

1. The Navajo Nation hereby approves total funding for the NNFRF Chapter and Chapter Projects Expenditure Plan from the Navajo Nation Fiscal Recovery Fund in the total amount of two hundred eleven million two hundred fifty-six thousand one hundred forty-eight dollars (\$211,256,148) to be divided equally between the twenty-four (24) Delegate Regions in the amount of eight million eight hundred two thousand three hundred forty dollars (\$8,802,340) per Delegate Region . . . and allocated through Delegate Region Project Plans approved by Navajo Nation Council resolution and signed into law by the President of the Navajo Nation . . . . See CJN-29-22, Section Three (B).
2. The Delegate Region Project Plan funding will be allocated to the Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, to implement the projects rather than directly to the Chapters. See CJN-29-22, Section Three (D).
3. The Navajo Nation Central Government, specifically the Division of Community Development or other appropriate Navajo Nation Division or Department, shall manage and administer funds and Delegate Region Project Plans on behalf of Non-LGA-Certified Chapters. The Navajo Nation Central Government may award funding to LGA-Certified Chapters through sub-recipient agreements to implement and manage specific projects, but shall maintain Administrative Oversight over such funding and Delegate Region Project Plans. See CJN-29-22, Section Three (E).
4. Each Navajo Nation Council delegate shall select Fiscal Recovery Fund eligible projects within their Delegate Region to be funded by the NNFRF Chapter and Regional Projects Expenditure Plan through a Delegate Region Projects Plan. The total cost of projects selected by each Delegate shall not exceed their Delegate Region distribution of eight million eight hundred two thousand



three hundred forty dollars (\$8,802,340). See CJN-29-22, Section Three (F).

5. Each Delegate Region Project shall identify its Administrative Oversight entity and its Oversight Committee(s) and be subject CJY-41-21's NNDOJ initial eligibility determination. See CJN-29-22, Section Three (L) (5) and (L) (6).
- C. The Navajo Nation Council Resolution No. CAP-10-23, AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE HELENA NEZ BEGAY'S DELEGATE REGION (CHAPTERS: COPPERMINE, K'AI'BII'TÓ, LECHEE, TONALEA/RED LAKE, BODAWAY/GAP), was signed into law by the President of the Navajo Nation on May 5, 2023.
- D. CAP-10-23, Section Four, states that:
1. Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A) (17) and 2 N.N.C. §§ 1005(C) (10), (11), and (12).
- E. All additional projects listed in the Hon. Helena Nez Begay's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Helena Nez Begay's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).
- F. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Helena Nez Begay's Delegate Region Chapters and communities to approve and adopt the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Helena Nez Begay's Delegate Region (Chapters: Coppermine, K'ai'bii'tó, LeChee, Tonalea/Red Lake, Bodaway/Gap) as set forth in Exhibit A.

**SECTION THREE. AMENDING CAP-10-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE HELENA NEZ BEGAY'S DELEGATE REGION (CHAPTERS: COPPERMINE, K'AI'BII'TÓ, LECHEE, TONALEA/RED LAKE, BODAWAY/GAP), TO INCLUDE ADDITIONAL PROJECTS FOR THIS DELEGATE REGION**

- A. The Navajo Nation hereby approves the additional projects as part of the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Helena Nez Begay's Delegate Region (Chapters:

Coppermine, K'ai'biit'ó, LeChee, Tonalea/Red Lake, Bodaway/Gap) set forth in Exhibit A.

- B. The Delegate Region Project Plan approved herein shall comply with all applicable provisions of CJY-41-21, CJN-29-22, and BFS-31-21.
- C. Any inconsistencies between this legislation, the Delegate Region Project Plan, and the individual project appendix, shall be resolved in favor of the project appendix reviewed by Department of Justice during their eligibility determination(s).

**SECTION FOUR. AMENDMENTS**

Amendments to this legislation or to the Delegate Region Project Plan approved herein shall only be adopted by resolution of the Navajo Nation Council and approval of the President of the Navajo Nation pursuant to 2 N.N.C. § 164(A)(17) and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

**SECTION FIVE. EFFECTIVE DATE**


This legislation shall be effective upon its approval pursuant to 2 N.N.C. § 221(B), 2 N.N.C. § 164(A)(17), and 2 N.N.C. §§ 1005(C)(10), (11), and (12).

**SECTION SIX. SAVING CLAUSE**

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

**CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 18 in Favor, and 00 Opposed, on this 26<sup>th</sup> day of May 2023.

  
Honorable Crystalyne Curley, Speaker  
25<sup>th</sup> Navajo Nation Council

5/31/23

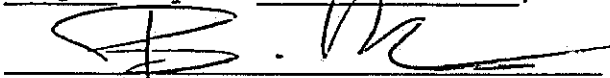
DATE

Motion: Honorable George H. Tolth  
Second: Honorable Seth Damon

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (10), on this 8 day of July, 2023.

  
\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C) (11), on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 for the reason(s) expressed in the attached letter to the Speaker.

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation





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 0448-2

Date & Time Received: 5/12/23 at 10:17

Date & Time of Response: 5/19/23 at 15:20

Entity Requesting FRF: Tonalea Chapter

Title of Project: 215 Long Term Housing Security Affordable Housing; 218 Housing Support: Other Housing Assistance

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,760,468

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:
2.18, Housing Support: Other Housing Assistance

**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: Rodgerick Begay

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 I, 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.



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/HHK Review #: HK 0448

Date & Time Received: 4/5/23 at 16:38

Date & Time of Response: 4/13/23 at 5:00 PM

Entity Requesting FRF: Tonalea Chapter

Title of Project: 215 Long Term Housing Security Affordable Housing; 218 Housing Support; Other Housing Assistance

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,760,468

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:** Please separate into two submissions - one for affordable housing and one for housing assistance. We also need additional information to determine if the proposed housing assistance and affordable housing are eligible uses. 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 or other assistance/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: Navalyn R. Pintero

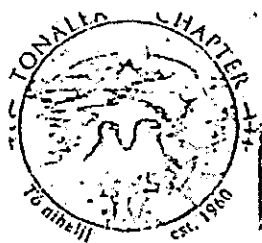
Signature of DOJ Reviewer: \_\_\_\_\_



**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 I, 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 NNDOD Initial Eligibility Determination is based on the documents provided, which NNDOD 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 NNDOD. 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.



# TO' NIHALI'

President: Darryl Jim  
Vice President: Leslie Dele  
Secretary/Treasurer: Marilinda Witterack

District One - Western Navajo Agency  
Tonalea Chapter  
P.O. Box 207  
Tonalea, Arizona 86544-0207

Council Delegate: Helena Nez Begay  
Grazing Official: Bruce Daw

Phone: (520) 743-10

Cell: 8

Fax: (520) 471-0992

May 8, 2023

Navalyn R. Platero,  
Navajo Nation Department of Justice  
Post Office Box 2010  
Window Rock, Arizona 86515

RE: Review of Tonalea Chapter's ARPA Packet

Dear Ms. Platero,

You have requested for additional information on our ARAP Packet. We have submitted our packet under, Title: 215 Long Term Housing Security Affordable Housing; 218 Housing Support: Other Housing Assistance.

**1. How will recipients be select?**

Tonalea Chapter is partnering with Choice Humanitarian, a non-profit 501 (c) (3) organization. An organization that helps to achieve a better quality of life. They are currently working with the Navajo Chapters from the Former Bennett Freeze Area ("FBFA"), affects nine (9) chapters in the Western Navajo Agency. Tonalea Chapter is one of the nine chapters. Choice Humanitarian utilize a software, KOBO Toolbox software in conducting assessment for the families residing on the Former Bennett Freeze Area. The same software can be used for the entire Tonalea community. We met with Choice Humanitarian and receiving training on how to utilize the software.

**2. What is the criteria to be approve for a new home or other assistance?**

Utilizing the KOBO toolbox to collect data, it can also be utilized to develop a priority list base on the survey. The Chapter wants to ensure that all individuals interviewed for home repairs/renovation/replacement are given the same questions, and it's their answers that will be used to establish the priority list. The software will determine the priority list for home repairs/renovations/replacements.

Tonalea Chapter Staff and Officials have gone through KOBO toolbox training for assessing the homes and edit the questionnaires and made it specifically for Tonalea. The questionnaires will be completed this week. The KOBO toolbox can be downloaded onto laptop, iPad and cell phone and utilize to conduct the assessment with the families. The interviewer does not need to have internet services at the time of interview, it can be uploaded and once the interviewer has internet, it will be uploaded to CLOUD for storages. Once it is uploaded to Cloud, the interviewer will not have accesses to the survey answers to the questions. The answers to the questionnaires are only available to the Chapter Administrative Staff. The assessments will not be shared with others without the permission from Tonalea Chapter.

**3. Please describe in more details the homes to be built, including square footage, number of bedrooms, etc.**

Based on the assessments, Tonalea Chapter would like to do repairs/renovation/replacements to existing homes. \$1,760,4638.00 is not enough to address the needs of constructing new homes. I understand the size of the homes is base of the size of the families. If a single home has 8 people, you need at least four-bedroom. We have to take into consideration of the material cost, transportation and delivery of lumbers, storage, and labor cost. According to HUD, minimum requirement for square footage to be legally called a bedroom is a minimum of 70 square feet of floor space. This translates to a room measuring 7-feet by 10-feet.

Part of Tonalea Chapter services area was partitioned to the Hopi Tribe. The families that ended on the Hopi Partitioned Lands ("HPL") relocated into Navajo Partitioned Lands ("NPL") and Big Navajo pursuant to the Navajo-Hopi Land Settlement Act of 1974. In 1974, the Settlement Act was intended to provide for the final settlement of a land dispute between the Navajo and Hopi tribes that originated nearly a century ago. The act also created the Office of Navajo Hopi Indian Relocation ("ONHIR") to carry out the relocation of Navajo and Hopi Indians off land partitioned to the other tribe.

The ONHIR office-built homes and it is expected that Tonalea Chapter build these homes with the ARPA funding. The funding is not enough to build Relocation type homes. Therefore, Tonalea Chapter is proposing to repairs/renovate/replacement of severely dilapidated homes.

**4. Please describe how the estimated size and cost per home compares to homes in the area?**

We have Navajo Housing Authority ("NHA") housing and Navajo Hopi Indian Relocation Housing within Tonalea Chapter services area. The approximate cost of these homes' ranges from \$200,000 to \$400,000 per homes, which includes appliance, waterline, electric line hook - up. Out in the remote area of the Tonalea, we do not have powerline and waterline extension. These homes were constructed by companies who are specialized in construction. Tonalea does not have a construction company, we would have to look within our own community to hire labors who are familiar with construction of homes. Hire a Project Manager, Senior Carpenter, Carpenters and general labors. Tonalea Chapter did not budget to hire personnel and we would have to look into our own Chapter budget to hire the personal.

**5. Please explain whether the home construction projects would qualify for any federally funded housing program, including 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.**

Tonalea Chapter is scheduling a work session on Housing that will include the Tonalea Chapter Officials, Staff, Division of Community Development-Community Housing Infrastructure Development, USDA Rural Development. We have missed the deadline to applied for Community Development Block Grant and Rural Development have grants and low interest rate loan for housing. Red Feather, a non-profit 501 (c) (3) also provides some housing repairs assistance. We hope to Partner with these groups to share some of the cost. Tonalea Chapter have some fundings, Housing Discretionary Funds to contribute toward the housing projects. For the elderlies, we hope to partner with Tuba City Regional Health Care Corporation- for Independent Living, for elderlies that may need ramps and rails for their homes.

Tonalea Chapter has (4) four different land status, 1) Former Bennett Freeze Area, 2) Navajo Partitioned Land, 3) Hopi Partitioned Land and 4) Big Navajo Reservation. The type of soil we have in Tonalea is sandy, green clay, and red clay. The soil itself is not stable, the sand moves with the wind, once the green and red clay gets wet, it expands, continuously moving. With the land continuously moving, it will create cracks in the homes. I believed that the soil has to be stabilized.

I believed that the title that we used for our ARPA funding, 215 Long Term Housing Security Affordable Housing; 218 Housing Support: Other Housing Assistance may not be the appropriate title for our projects. We want to renovate/repairs/replacement of existing homes base on the assessment, if the homes require a replacement, then we need to take the necessary steps to rebuilt their homes. Originally, we had budgeted for Personal, but it was recommended by our Delegate that we take that out. I would like to make the request to include funds for personnel.

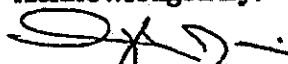
We look forward to a positive response to our application and if we need to make the necessary changes to our application, we will work on it and resubmit our ARPA application. Thank you.

**Resubmitted by:**

  
Betty A. Tsó, Manager

Betty A. Tso, Chapter Manager

**Acknowledged By:**

  
Darryl Jim., President

Alfonda L. Watson, Administrative Assistant

**THE NAVAJO NATION  
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN  
FOR GOVERNANCE-CERTIFIED CHAPTERS**

**Part 1. Identification of parties.**

Governance-Certified Chapter requesting FRF: Tonalea Chapter Date prepared: 11/16/2022

Chapter's mailing address: Tonalea Chapter phone & email: tonalea@navajochapters.org  
P.O. Box 207 website (if any): \_\_\_\_\_

This Form prepared by: Betty Tso phone/email: 928 283-3430  
Betty Tso, Manager btso@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: 215 Long Term Housing security Affordable Housing; 218 Housing Support: Other Housing Assistance

Chapter President: Darryl Jim phone & email: 928 225 0224 djim@naataai.org

Chapter Vice-President: Leslie Dele phone & email: lesliedele1952@gmail.com

Chapter Secretary: Marlinda Whiterock phone & email: marlinda.whiterock@yahoo.com

Chapter Treasurer: vulant phone & email: \_\_\_\_\_

Chapter Manager or CSC: Betty Tso phone & email: btso@nnchapters.org

DCD/Chapter ASO: Kristen Charley phone & email: kcharley@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Bid out the project - Contractors  
 document attached

Amount of FRF requested: 1,760,468.00 FRF funding period: January 1, 2023 - September 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:

Housing replacement/renovation project will be located within Tonalea Chapter services area, Former Bennett Freeze Area. The Project will be funded with ARPA funding. By providing replacement and renovation of homes, the homes will be structurally sound, safe and sanitary for the families. This will also alleviate and prevention of COVID 19 and respiratory infections with the 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 Tonalea Community members whom reside on the Former Bennett Freeze Area and Navajo Reservation.

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:



- 1st Phase: Complete all the assessment to determine eligible for project. February 28, 2023
- 2nd Phase: Site Preparation for Home Replacement, Inspection-Feb. 1-May 30, 2023
- 3rd Phase: Foundation, Inspection May 1 - August 31, 2023
- 4th Phase: Framing Walls, roof, Electrical, Plumbing, Inspection Sept 1 - Dec 31, 2024
- 5th Phase: Complete the Exterior and Interior of Homes, Inspection Jan 1 - Apr. 31, 2024
- 6th Phase: Punch List, Final Inspection & turn over to families. Jul 1 - Oct 31, 2025  document attached

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

Tonalea Chapter will hire a Project Manager and Senior Carpenter for the project. The Chapter Manager and Chapter Officials will provide the necessary support and work with the Project Manager and the Senior Carpenter until the project is completed.

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.

When the replacements and renovation of homes are completed, it will be turn over the families, who are the owner of the homes, the families will be responsible for the operation and maintenance of their homes. The Tonalea Chapter will not be responsible for operation and maintenance of the individuals/families homes.

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.

2.15 Long Term Housing Security Affordable Housing: The Secretary of Interior of the United States had imposed construction freeze on the Former Bennett Freeze Area ("FBFA") since 1934. This was further enforced by the US District Court, whereas the Courts determined that the Navajo families had to submit an application for construction to the Hopi Tribe. If the applications were denied, they were appeal in the US District Court. This was a lengthy process for repairs to individuals families. The Bennett Freeze was lifted in 2007, therefore the families were able to make repairs to their home. Due to the severe dilapidated homes and the cost to replace the homes, become impossible. 2.18 Housing Support: Other Housing Assistance: Many of our community members are low income, and they do not have resources to replace their homes. Tonalea Chapter will assist the families with renovating their existing homes, which will consist of roof replacement, repairs to exterior/interior walls, floors, replacement of doors and windows.

document attached

Part 3. Additional documents.

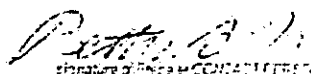
List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A)

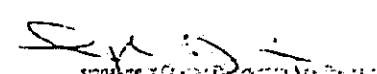
- Tonalea Chapter Resolution
- Appendix A
- Budget Forms
- Appendix J

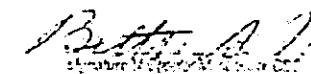
Chapter Resolution attached


Part 4. Affirmation by Funding Recipient.

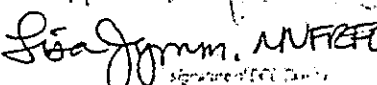
Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies.

Chapter's Preparer:   
signature of Betty A. J. Chapter Manager

Approved by:   
signature of Chapter Manager

Approved by:   
signature of Betty A. J. Chapter Manager

Approved by:   
signature of Chapter Manager

Approved to submit for Review:   
signature of Lisa Johnson, NAFRFO

FY 2023

**THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY**

Page    of     
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Tonalea Chapter Housing/Replacement/Renovation</u>		Division/Branch: <u>TONALEA CHAPTER</u>	
Prepared By: <u>Betty A. Tso, Chapter Manager</u>		Phone No.: <u>(928) 283-3430</u>		Email Address: <u>tonalea@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
ARPA Funding	11/23-10/26	1,760,468.00	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	<i>PA</i>	1,760,468	1,760,468
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				<b>TOTAL</b>		50.00	1,760,468	1,760,468


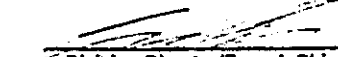
PART IV. POSITIONS AND VEHICLES	(D)	(E)
Total # of Positions Budgeted:	0	2
Total # of Vehicles Budgeted:	0	0

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

SUBMITTED BY: <u>James Adakai, Deputy Director</u> Program Manager's Printed Name  Program Manager's Signature and Date	APPROVED BY: <u>Calvin Castillo, Executive Director</u> Division Director / Branch Chief's Printed Name  Division Director / Branch Chief's Signature and Date
---	--

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

<b>PART I. PROGRAM INFORMATION:</b>									
Business Unit No.: <u>NEW</u>			Program Name/Title: <u>Tonalaa Chapter Housing Replacemen/Renovation</u>						
<b>PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:</b>									
<b>PART III. PROGRAM PERFORMANCE CRITERIA:</b>									
		1st QTR		2nd QTR		3rd QTR		4th QTR	
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement:									
<u>Hire Personnel to oversee the ARPA funded projects.</u>									
Program Performance Measure/Objective:									
2. Goal Statement:									
<u>Hire personnel to oversee the construction of homes.</u>									
Program Performance Measure/Objective:									
3. Goal Statement:									
<u>Begin the process of bidding out the project for new construction</u>									
Program Performance Measure/Objective:									
<u>Bid out the project no later then 4th quarter.</u>								1	
4. Goal Statement:									
<u>Compile all the necessary cost involve with renovation of home.</u>									
Program Performance Measure/Objective:									
<u>Compile and bidout the home renovation project before the end of 4th quarter/</u>								1	
5. Goal Statement:									
Program Performance Measure/Objective:									
<b>PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.</b>									
<u>James Adakai, Deputy Director</u>				<u>Calvin Castillo, Executive Director</u>					
Program Manager's Printed Name				Division Director/Branch Chief's Printed Name					
 <u>4-5-23</u>				 <u>4/5/23</u>					
Program Manager's Signature and Date				Division Director/Branch Chief's Signature and Date					

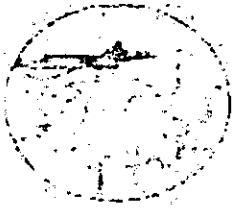
THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>TONALEA CHAPTER /Housing</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 6960 6990	Contractual Services <sup>Att</sup> Subcontracted Services <sup>Att</sup> 6990 - Subcontracted Services <sup>Att</sup>	1,760,468 <sup>Att</sup>	1,760,468 <sup>Att</sup>
-4	6500 - Contractual Services - To Bid-Out to construct new and renovate homes within Tonalea Chapter Services Area.	-1,760,468.00	-1,760,468.00
TOTAL: \$1,537,77.14			
TOTAL		1,760,468.00	1,760,468

**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I. Business Unit No.:</b> <u>NEW</u> <b>Project Title:</b> <u>2.15 Long Term Housing Security Affordable Home. 2.18 Housing Support Other Housing Assistance</u> <b>Project Description:</b> <u>Tonalea Home Replacement and Renovation to existing Homes.</u>										<b>PART II. Project Information</b> <b>Project Type:</b> <u>Construction</u> <b>Planned Start Date:</b> <u>1/1/2023</u> <b>Planned End Date:</b> <u>9/30/2026</u> <b>Project Manager:</b> <u>Betty Tso</u>																				
<b>Check one box:</b> <input checked="" type="checkbox"/> Original Budget <input type="checkbox"/> Budget Revision <input type="checkbox"/> Budget Reallocation <input checked="" type="checkbox"/> Budget Modification																														
<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	2025				
	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
<b>Home Replacements</b> Complete Assessments Site Preparation, Inspection Foundation, Inspection Framing walls, roofs, Electrical Plumbing Inspection Complete Interior of Homes, Inspection Corrective Action, necessary, Inspection Punch List, Final Inspections																														
<b>Renovation of Homes</b> Determine Repirs Materials Repairs base on determination Unexpented repairs & cost Punch List, Final Inspection																														
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL					
Expected Quarterly Expenditures	0.00			15,000.00			250,000.00			250,000.00			265,400.00			333,000.00			305,010.00			342,058.00			\$1,760,468.00					

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



# TO' NIHALI'

President: Douglas J. ...  
Vice President: Leslie D. ...

Director of the Western Navajo Agency  
Tona'le Chapter

Council Delegate: Paul Egan

## RESOLUTION OF THE TONALEA CHAPTER WESTERN NAVAJO AGENCY, NAVAJO NATION Resolution No. 10-1-1988

RECALL RESOLUTION NO. 10-1-1988 TO AMEND AND INSERT NEW LANGUAGE, APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND EXPENDITURE PLANS FOR CHAPTER AND REGIONAL PROJECTS IN THE AMOUNT OF \$1,760,468.00 FOR HOME REPLACEMENT/RENOVATION OF EXISTING HOMES WITHIN THE TONALEA CHAPTER SERVICES AREA/FORMER-BENNETT-FREEZE AREA

### WHEREAS:

1. The Tona'le Chapter is a member of the Navajo Nation and is entitled to the same rights and privileges as all other chapters of the Navajo Nation.
2. The Tona'le Chapter is a member of the Navajo Nation and is entitled to the same rights and privileges as all other chapters of the Navajo Nation.
3. The Tona'le Chapter is a member of the Navajo Nation and is entitled to the same rights and privileges as all other chapters of the Navajo Nation.
4. The Tona'le Chapter is a member of the Navajo Nation and is entitled to the same rights and privileges as all other chapters of the Navajo Nation.

Approved by the Tona'le Chapter Council on this 10th day of January, 1988.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. Resolved Chapter hereby approves the following National fiscal recovery fund expenditure plan for the chapter and regional projects in the amount of \$1,760,468.00 to repair existing structures and to renovate existing structures.
2. Resolved Chapter affirms that the Chapter will only use granted Fiscal Recovery Funds and implement this Fiscal Recovery Fund Expenditure Program in accordance with the ARPA, ARPA Regulations, and with all applicable federal and Nevada State laws, regulations, and policies.

**CERTIFICATION**

We hereby certify that the foregoing resolution was considered by the Community of Members at a duly called Chapter Meeting in Paradise, Nevada (Paradise, Nevada, Arizona) at which a quorum was present and the same was passed by a Vote of 8 in Favor, 0 Opposed, and 1 Abstained on this 27<sup>th</sup> day of February, 2021.

Motion by Betty Iso

Seconded by Martina Whitten

\_\_\_\_\_  
Betty Iso, President

\_\_\_\_\_  
Leslie Davis, Vice-President

\_\_\_\_\_  
Martina Whitten, Secretary/Treasurer



**NAVAJO NATION**

129

5/26/2023

Navajo Nation Council Special Session

10:57:40 AM

**Amd# to Amd#**

**New Business: Item A.**

**PASSED**

MOT Tolth, G

(Consent Agenda)-Legislations:

SEC Damon, S

0082-23,0094-23,0102-23,0103-23,  
0110-23, 0111-23 & 0112-23

**Yeas : 18**

**Nays : 0**

**Excused : 3**

**Not Voting : 2**

**Yea : 18**

Arviso, S

Claw, S

Johnson, C

Parrish, S

Aseret, L

Damon, S

Nez, A

Simpson, D

Begay, H

Daniels, H

Nez, R

Tolth, G

Begay, N

James, V

Notah, N

Tso, O

Charles-Newton, E

Jesus, B

**Nay : 0**

**Excused : 3**

Yazzie, C

Crotty, A

Slater, C

**Not Voting : 2**

Yanito, C

Simonson, G

**Presiding Speaker: Curley, C**