



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

**The Navajo Nation | Yideeskáadi Nitsáhákees**

November 8, 2023

**TRANSMITTAL**

TO : Arbin Mitchell, Executive Director  
 Division of Community Development (DCD)

FROM : CMS  
 Cordell Shortey, Contracting Officer  
 Contracts & Grants Section (CGS) / OMB

SUBJECT : BU on Projects / Activities for Coyote Canyon Chapter, Mexican Springs Chapter, Naschitti Chapter, Twin Lakes (Bahastl'a'a') Chapter, and Tohatchi Chapter- ARPA Funds Allocated to Delegate Notah Region

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

Coyote Canyon Chapter, Mexican Springs Chapter, Naschitti Chapter, Tohatchi Chapter, and Bahastl'a'a' Chapter	U.S. Treasury American Recovery Plan Act (ARPA)	21.027
Title of Contract	Funding Agency	CFDA No. - Federal
CJY-53-23; CAP-20-23	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#) K2115357 to K2115367

Contract Mod No. Internal Modification No. 1

Amt of Award Increase \$2,933,682.30 \$4,558,189.73 to \$7,491,872.03

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 CJY-53-23

**III. Comments by CGS:**

This transmittal documents 2nd budget entered in FMIS on \$8.8 mil ARPA funds allocated to CD Nathan Notah Region. Y-T-D budget in FMIS for CD Nathan Notah totals \$7,491,872.03. 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.

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



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

August 4, 2023

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

RE: *CJY-53-23 An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Amending CAP-20-23, The Navajo Nation Fiscal Recovery Fund Delated Region Project Plan for Honorable Nathan Notah's Delegate Region (Chapters: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a'), To include Additional Projects for this Delegate Region*

Dear Speaker Curley,

I am pleased to sign into law this resolution CJY-53-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Notah's Delegate Region in the amount of \$2,933,682.30.

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-20-23, THE NAVAJO NATION FISCAL RECOVERY FUND  
 DELEGATE REGION PROJECT PLAN FOR HONORABLE NATHAN NOTAH'S DELEGATE  
 REGION (CHAPTERS: COYOTE CANYON, MEXICAN SPRINGS, NASCHITTI,  
 TOHATCHI, BAHASTL'A'A'), 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-20-23, herein by reference, mandates that amendments to the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Nathan Notah's Delegate Region (Chapter: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a') 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. The 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-20-23, 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 NATHAN NOTAH'S DELEGATE REGION (CHAPTERS: COYOTE CANYON, MEXICAN SPRINGS, NASCHITTI, TOHATCHI, BAHASTL'A'A'), was signed into law by the President of the Navajo Nation on May 5, 2023.
- D. CAP-20-23, 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. Nathan Notah's Delegate Region Projects Plan, attached as **Exhibit A**, have been deemed Fiscal Recovery Fund eligible by NNDOJ. In addition, Hon. Nathan Notah'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. Nathan Notah'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. Nathan Notah's Delegate Region (Chapters: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a') as set forth in **Exhibit A**.

**SECTION THREE. AMENDING CAP-20-23, THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN FOR HONORABLE NATHAN NOTAH'S DELEGATE REGION (CHAPTERS: COYOTE CANYON, MEXICAN SPRINGS, NASCHITTI, TOHATCHI, BAHASTL'A'A'), 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 Hon. Nathan Notah's Delegate Region (Chapters: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a') 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 21 in Favor, and 00 Opposed, on this 18<sup>th</sup> day of July 2023.



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

7/27/23

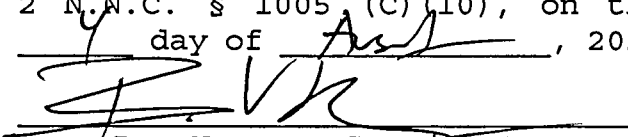
DATE

Motion: Honorable George H. Tolth  
Second: Honorable Rickie Nez

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 4 day of Aug, 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 FISCAL RECOVERY FUND DELEGATE REGION PROJECT PLAN**

**Exhibit A**

COUNCIL DELEGATE: Hon. Nathan Notah

CHAPTERS: Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a'

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT APPROPRIATED in CAP-20-23 on May 5, 2023				\$ 4,558,189.73
Division of Community Development	None Identified	Coyote Canyon Chapter Purchase of Industrial Refrigeration/Freezer Unit	Division of Community Development	2.22	HK0410	\$ 20,000.00
Division of Community Development	None Identified	Mexican Springs Chapter Cemetery Expansion Project	Division of Community Development	6.1	HK0477	\$ 100,000.00
Division of Community Development	None Identified	Mexican Springs Chapter Home Renovation Project	Division of Community Development	2.18	HK0486	\$ 200,000.00
Division of Community Development	None Identified	Mexican Springs Chapter House-Wiring Project	Division of Community Development	2.18	HK0487	\$ 425,468.00
Division of Community Development	None Identified	Mexican Springs Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0488	\$ 285,000.00
Division of Community Development	*Naschitti Chapter	Naschitti Chapter New Warehouse Project	Division of Community Development	1.14	HK0418-2	\$ 613,719.30
Division of Community Development	None Identified	Tohatchi Chapter Powerline Extension Project	Division of Community Development	2.18	HK0445-2	\$ 105,320.00
Division of Community Development	None Identified	Twin Lakes Chapter Infrastructure and Renovation of Modular Buildings Project	Division of Community Development	2.22	HK0454	\$ 150,000.00
Division of Community Development	None Identified	Twin Lakes Chapter Bathroom Additions Project	Division of Community Development	1.14	HK0457	\$ 200,000.00
						<b>TOTAL:</b> \$ 6,657,697.03

\*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."



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

**Exhibit A**

**COUNCIL DELEGATE:** Hon. Nathan Notah

**CHAPTERS:** Coyote Canyon, Mexican Springs, Naschitti, Tohatchi, Bahastl'a'a'

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 6,657,697.03
Division of Community Development	None Identified	Mexican Springs Chapter Three-Complete Homes Project	Division of Community Development	2.15	HK0413-2	\$ 750,000.00
Division of Community Development	None Identified	Tohatchi Chapter Community Cemetery Expansion Project	Division of Community Development	6.1	HK0551	\$ 84,175.00
		UN-ALLOCATED AMOUNT				\$ 1,310,467.97

\*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



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 #: HK0551

Date & Time Received: 06/12/23 at 09:50

Date & Time of Response: 06/16/23 at 17:00

Entity Requesting FRF: Tohatchi Chapter

Title of Project: Community Cemetery Extension

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$84,175.00

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:
6.1: Provision of Government Services

**Returned for the following reasons (Ineligibility Reasons/Paragraphs 5.E.(1)-(10) of FRF Procedures):**

- Missing Form
- Supporting documentation missing
- Project will not be completed by 12/31/2026
- Ineligible purpose
- Submitter failed to timely submit CARES reports
- Additional information submitted is insufficient to make a proper determination

- Expenditure Plan incomplete
- Funds will not be obligated by 12/31/2024
- Incorrect Signatory
- Inconsistent with applicable NN or federal laws

**Other Comments:** \_\_\_\_\_

The expenditure code noted in the Documents, 3.4, Public Sector Capacity: Effective Service Delivery, is reserved for instances where a recipient is using funds to improve the design and execution of programs responding to the COVID-19 pandemic and to improve the efficacy of programs addressing negative economic impacts. We do not find that this is the appropriate expenditure category.

The Project meets the statutory category of responding to the COVID-19 pandemic under Statutory Category 3, Loss Revenue. This category is broad and would include services provided by the Chapter to the community. For Treasury's reporting purposes, the Project should be categorized as a Section 6.1 Provision of Government Services. Other proposed cemetery expansions have been reviewed under this category and expenditure code.

Name of DOJ Reviewer: MacArthur Stant

Signature of DOJ Reviewer: MacArthur Stant

Digitally signed by MacArthur Stant  
Date: 2023.06.16 10:38:21 -06'00'

**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](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 NON-GOVERNANCE CERTIFIED CHAPTERS**

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Tohatchi Chapter Date prepared: 2/17/2023

Chapter's mailing address: P.O. Box 287 Tohatchi, NM 87325 phone/email: (505) 733-2845  
website (if any): Tohatchi@navajochapters.org

This Form prepared by: Janice Begay phone/email: (505) 733-2845  
Office Specialist mallison@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Community Cemetery Extension

Chapter President: Harry Moore, Jr. phone & email: (505) 870-9082 smoore@naataani.org  
Chapter Vice-President: Mike Halona phone & email: (505) 797-1822 mhalona@nnd.org  
Chapter Secretary: Jean Crawford phone & email: (505) 400-2836 jcrawford@navajochapters.org  
Chapter Treasurer: Jean Crawford phone & email: (505) 400-2836 jcrawford@navajochapters.org  
Chapter Manager or CSC: Maria Allison phone & email: (505) 733-2845 mallison@nnchapters.org  
DCD/Chapter ASO: Dereck Echohawk phone & email: (505) ddechohawk@nndcd.org

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

Amount of FRF requested: \$84,175 FRF funding period: 05/01/2023 - 09/30/2026  
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:

This project will improve and upgrade the Tohatchi Community & Veterans Cemetery. The spread of COVID-19 resulted in the loss of life that requires an expansion of the cemetery; Tohatchi shares the cemetery with District 14 and requires increased capacity for the future. Funds will purchase security gates, fencing, signage, and parking area improvement materials.

document attached

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

This project will benefit Tohatchi and District 14 by providing an adequate and improved cemetery with expanded capacity. Tohatchi Community experienced community member losses during the COVID-19 Pandemic requiring community cemetery improvements including fencing for security and safety.

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:

The project will encumber funds by December 31, 2024 with all funds fully expended by December 31, 2026.

document attached

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

The Tohatchi Chapter will be responsible for implementing and completing the project by September 2026. Navajo Nation DCD will provide oversight.

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:

Tohatchi Chapter will be responsible for the operation, maintenance, and repair of the cemetery upon project completion.

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:

Public Sector Capacity: Effective Service Delivery: 3.4

Pursuant to the U.S. Treasury guidelines and funding objectives, this powerline extension project addresses conditions that contributed to poor public health and economic outcomes during the COVID-19 Pandemic. Providing a community cemetery improves effective service delivery; meets infrastructure and environmental health needs. The community will receive available burial plots for interring family members lost due to COVID-19.

document attached

**Part 3. Additional documents.**

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

Tohatchi Community Chapter Resolution Number: TOH: 030-03-2023 is attached.

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: Juice Begay  
signature of Preparer/CONTACT PERSON

Approved by: [Signature]  
signature of Chapter President (or Vice-President)

Approved by: [Signature]  
signature of CSC

Approved by: [Signature]  
signature of Chapter ASO

Approved to submit for Review: [Signature]  
signature of DCD Director

FY 2023

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

Page \_\_\_ of \_\_\_  
BUDGET FORM 1

PART I. Business Unit No.:         New         Program Title:         Tohatchi Chapter - Community Cemetary         Division/Branch:         DCD/Executive          
 Prepared By:         Maria Allison         Phone No.:         (505) 733-2845         Email Address:         mallison@nnchapters.org        

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY		(A)	(B)	(C)	
				Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference or Total		
NN Fiscal Recovery Funds	05/01/23-09/30/26	\$84,175	100%	2001	Personnel Expenses	6	0	\$8,441	\$8,441
				3000	Travel Expenses				
				3500	Meeting Expenses				
				4000	Supplies	6	0	\$75,734	\$75,734
				5000	Lease and Rental				
				5500	Communications and Utilities				
				6000	Repairs and Maintenance				
				6500	Contractual Services				
				7000	Special Transactions				
				8000	Public Assistance				
				9000	Capital Outlay				
				9500	Matching Funds				
				9500	Indirect Cost				
				TOTAL			\$0.00	\$84,175	\$84,175
TOTAL:				\$84,175	100%	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:         James Addakai, Deputy Director         APPROVED BY:         Calvin Castillo, Executive Director          
        Program Manager's Printed Name                 Division Director / Branch Chief's Printed Name          
        05/17/2023                 5/17/2023          
        Program Manager's Signature and Date                 Division Director / Branch Chief's Signature and Date

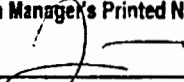

THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

**PART I. PROGRAM INFORMATION:**  
 Business Unit No.:          New Program Name/Title: Tohatchi Chapter - Community Cemetary

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

PART III. PROGRAM PERFORMANCE CRITERIA:	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
<b>1. Goal Statement:</b> To improve and upgratde Tohatchi cemetary with fencing for security and safety <b>Program Performance Measure/Objective:</b> Mend the current cemetary fencing and to include signs and parking lot.							1	
<b>2. Goal Statement:</b>  <b>Program Performance Measure/Objective:</b>								
<b>3. Goal Statement:</b>  <b>Program Performance Measure/Objective:</b>								
<b>4. Goal Statement:</b>  <b>Program Performance Measure/Objective:</b>								
<b>5. Goal Statement:</b>  <b>Program Performance Measure/Objective:</b>								

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

James Addakai, Deputy Director _____ Program Manager's Printed Name   _____ Program Manager's Signature and Date 05/17/2023	Calvin Castillo _____ Division Director/Branch Chief's Printed Name   _____ Division Director/Branch Chief's Signature and Date 5/17/23
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FY 2023

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

Page \_\_\_ of \_\_\_  
**BUDGET FORM 4**

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Tohatchi Chapter - Community Cemetary</u>		Business Unit No.: <u>New</u>	
<b>PART II. DETAILED BUDGET:</b>			
(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)
8500	Infrastructure (Non Cap)		\$84,175.00
	8555 Chapter Projects - Community Cemetary Purchase supplies (fence, gate, sign and landscape) for Tohatchi Community and hire laborers	\$84,175.00	
<b>TOTAL</b>		\$84,175.00	\$84,175.00



**THE NAVAJO NATION  
PROJECT BUDGET SCHEDULE**

<b>PART I. Business Unit No.:</b> <u>New</u> Project Title: <u>Tohatchi Chapter - Community Cemetary</u> Project Description: <u>Improve and upgrade current community cemetary</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													<b>PART II. Project Information</b> Project Type: <u>Community Cemetary</u> Planned Start Date: <u>05/01/23</u> Planned End Date: <u>12/01/26</u> Project Manager: <u>Maria Allison</u>																				
<b>PART III.</b> List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.	<b>PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.</b>																			Expected Completion Date if project exceeds 8 FY Qtrs.													
	FY 2023												FY 2024												Date December 2026								
	1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.											
	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			
Finance (Securing Fudns)		X	X	X	X	X	X												X	X	X	X	X	X	X	X	X						
Planning								X	X	X	X	X	X																				
Construction													X	X	X	X	X	X	X	X	X	X	X	X			X						
<b>PART V.</b>	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL											
Expected Quarterly Expenditures				\$84,175																		\$84,175.00											

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



# THE NAVAJO NATION TOHATCHI COMMUNITY CHAPTER

Post Office Box 287 Tohatchi, New Mexico 87325 Tel: (505) 733-2845/2846 FAX: (505) 733-2847

Harry "Sonny" Moore, Jr. Chapter President    W. Mike Halona Chapter Vice-President    Jean Crawford Chapter Secretary/Treasurer    Gerald Moore Grazing Official    Nathan Notah Council Delegate

## RESOLUTION OF THE TOHATCHI CHAPTER

### SUPPORTING AND APPROVING TOHATCHI CHAPTER'S EXPENDITURE PLANS FOR PROJECTS LISTED UTILIZING THE NAVAJO NATION FISCAL RECOVERY FUND FOR CEMETERY EXPANSION FENCING IN THE TOTAL AMOUNT OF \$84,175.

#### WHEREAS:

TOH: 030-03-2023

1. Pursuant to NNC Section 3(A), the Tohatchi Chapter is a duly recognized certified Chapter of the Navajo Nation Government as listed as 11 NNC. Part 1, Section 10.
2. Pursuant to 26 NNC Section 1(B), the Tohatchi Chapter is vested with the authority to review all matters affecting community to make appropriate corrections when necessary and to make recommendations to the Navajo Nation and other local agencies for appropriate actions.
3. The American Rescue Plan Act (ARPA) of 2021 was passed by the US Senate on March 6, 2021 and signed into law by President Biden on March 11, 2021.
4. Executive Order No. 008-2021, establishing the Navajo Nation Fiscal Recovery Fund (NNFRF) Office dedicated to overseeing and implementing the Coronavirus State and Local Fiscal Recovery Funds program authorized by the American Rescue Plan Act (ARPA). The establishment of the office was authorized through Resolution CJY-41-21, which was approved by the 14th Navajo Nation Council and signed into law in August.
5. The devastating effects of COVID-19 on the Navajo Nation, including employment losses, business closures, food and housing insecurity, and other economic disparities.
6. The Fiscal Recovery Funds are intended to support governmental efforts to mitigate and contain the spread of COVID-19, as well as to respond to the health, social and economic impacts of COVID-19 suffered by community members, schools, clinic, and businesses.
7. The Navajo Nation Fiscal Recovery Fund Office (NNFRF Office) shall be a clearinghouse that will coordinate, facilitate and implement Fiscal Recovery Fund (FRF) responsibilities. The NNFRF ensures expenditure reviews of FRF eligibility determination.
8. The allocation in the amount of \$1.7 million is the largest allocation made in history to the Tohatchi Chapter which will begin the constructions of waterline extension, powerline extension, solar systems, Navajo Nation Cistern/Septic System, House Wiring, and two (2) homes will be built for two (2) community members.
- ✓ 9. The Tohatchi Chapter ("Chapter") affirms that the Chapter will only use awarded Fiscal Recovery Funds and implement this FRF Expenditure Plan in compliance with the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations and polices.

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

The Tohatchi Chapter hereby supports and approves the expenditures for the Cemetery Expansion Fencing in the total amount of \$84,175.00 as shown in the attach spreadsheet.

**CERTIFICATION**

We hereby certify that the foregoing resolution was approved by the Tohatchi Chapter at a duly called meeting held at Tohatchi Chapter (Navajo Nation), NM at which a temporary authorized reduced quorum was present and the same was passed by a vote of 14 in favor, 0 opposed, 3 abstained, this 15th day of March 2023.

Motion: Carol Tom

Second: Allen Burbank

  
Mr. Harry "Sonny" Moore Jr, President

March 15 2023  
Date

**Tohatchi Community Chapter  
American Rescue Plan Act (ARPA)**

**Tohatchi Community Cemetary**

#	Names	Column3	Column4
<b>6</b>	<b>Cementary Fencing (Materials)</b>		
	Materials for Comenty Fencing	<b>\$75,734</b>	
	Personnel Cost - PEP Workers (4) for Three Weeks		
	a. Skilled Carpenter (1):		
	120 hrs = 3 weeks		
	\$22.00 p/h for 120 hours	<b>\$2,640</b>	
	b. Laborers (3):		
	120 hrs x 3 Laborers = 3 weeks		
	\$14.00 p/h for 120 hours	<b>\$5,040</b>	
	Total Personnel Cost	<b>\$7,680</b>	
	Taxes:		
	FICA - 6.2%	<b>\$476</b>	
	Medicare - 1.45%	<b>\$111</b>	
	SUTA - 1.56%	<b>\$120</b>	
	Worker's Comp -	<b>\$54</b>	
	Total Personnel Taxes	<b>\$761</b>	
	Sub Total (Personnel Cost)	<b>\$8,441</b>	
	Sub Total		<b>\$84,175</b>

**NAVAJO NATION**

166

7/18/2023

Navajo Nation Council Summer Session

02:18:34 PM

Amd# to Amd#

Consent Agenda: Legislations

PASSED

MOT Tolth, G

0120-23, 0122-23, 0126-23,

SEC Nez, R

0127-23, 0140-23, 0148-23,

0149-23, 0145-23, 0079-23...

**Yeas : 21**

**Nays : 0**

**Excused : 2**

**Not Voting : 0**

**Yea : 21**

Arviso, S

Crotty, A

Nez, A

Simpson, D

Aseret, L

Daniels, H

Nez, R

Slater, C

Begay, H

James, V

Notah, N

Tolth, G

Begay, N

Jesus, B

Parrish, S

Tso, O

Charles-Newton, E

Johnson, C

Simonson, G

Yazzie, C

Claw, S

**Nay : 0**

**Excused : 2**

Yanito, C

Damon, S

**Not Voting : 0**

**Presiding Speaker: Curley, C**