



**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-52-23 *An Action Relating to the Naabik'iyáti' Committee and Navajo Nation Council; Approving the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Honorable Seth Damon's Delegate Region (Chapters: Bááhááli, Chichiltah, Manuelito, Tsé Łichíí, Rock Springs, Tsayatoh)*

Dear Speaker Curley,

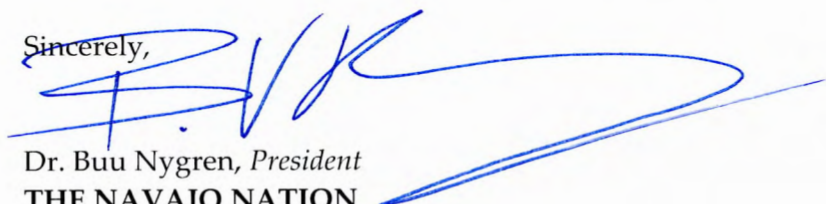
I am pleased to sign into law this resolution CJY-52-23 approving the Fiscal Recovery Funds Delegate Regional Project Plan for Honorable Damon's Delegate Region in the amount of \$8,802,340.

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;  
 APPROVING THE NAVAJO NATION FISCAL RECOVERY FUND DELEGATE REGION  
 PROJECT PLAN FOR HONORABLE SETH DAMON'S DELEGATE REGION (CHAPTERS:  
 BÁÁHÁÁLÍ, CHICHILTAH, MANUEL TITO, TSÉ ŁICHÍÍ, ROCK SPRINGS,  
 TSAYATOH)

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).

**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. All projects listed in the Hon. Seth Damon's Delegate Region Projects Plan, attached as Exhibit A, have been deemed Fiscal

Recovery Fund eligible by NNDOJ. In addition, Hon. Seth Damon's Delegate Region Projects Plan does not exceed the amount of \$8,802,340, as set forth in CJN-29-22, Section Three (F).

- D. The Navajo Nation Council hereby finds that it is in the best interest of the Navajo Nation and the Hon. Seth Damon's Delegate Region Chapters and communities to approve and adopt the Navajo Nation Fiscal Recovery Fund Delegate Region Project Plan for Hon. Seth Damon's Delegate Region (Chapters: Bááhááí, Chichiltah, Manuelito, Tsé Łichíí, Rock Springs, Tsayatoh) as set forth in **Exhibit A**.

**SECTION THREE. APPROVAL OF HON. SETH DAMON'S DELEGATE REGION PROJECT PLAN**

- A. The Navajo Nation hereby approves the Fiscal Recovery Fund Delegate Region Project Plan for Hon. Seth Damon's Delegate Region (Chapters: Bááhááí, Chichiltah, Manuelito, Tsé Łichíí, Rock Springs, Tsayatoh) 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

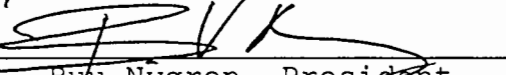
Motion: Honorable George H. Tolth

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 April, 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. Seth Damon

**CHAPTERS:** Baahaali, Chichiltah, Manuelito, Red Rock, Rock Springs, Tsayatoh

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
Division of Community Development	None Identified	Rock Springs Chapter E911 Rural Addressing Project	Division of Community Development	1.14	HK0423	\$ 200,000.00
Division of Community Development	None Identified	Rock Springs Chapter Housing Material Assistance Project	Division of Community Development	2.18	HK0421	\$ 600,000.00
Division of Community Development	None Identified	Rock Springs Chapter Warehouse Addition Project	Division of Community Development	1.14	HK0422	\$ 800,000.00
Division of Community Development	None Identified	Tsayatoh Chapter Rural Addressing Project	Division of Community Development	1.14	HK0415	\$ 200,000.00
Division of Community Development	None Identified	Tsayatoh Chapter New Warehouse Project	Division of Community Development	1.14	HK0412	\$ 800,000.00
Division of Community Development	None Identified	Tsayatoh Chapter Solid Waste Convenience Center Project	Division of Community Development	2.22	HK0411	\$ 400,000.00
Division of Community Development	None Identified	Manuelito Chapter Scattered Home Renovation Project	Division of Community Development	2.18	HK0372-2	\$ 200,000.00
Division of Community Development	None Identified	Manuelito Chapter Septic Tank Clean-Out Project	Division of Community Development	5.5	HK0331-2	\$ 100,000.00
Division of Community Development	None Identified	Manuelito Chapter Rural Addressing (for E911) Project	Division of Community Development	1.14	HK0375	\$ 284,840.00
Division of Community Development	None Identified	Manuelito Chapter Construction/Addition of New Warehouse Building Project	Division of Community Development	1.14	HK0480	\$ 900,000.00
<b>TOTAL:</b>						<b>\$ 4,484,840.00</b>

\*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. Seth Damon

**CHAPTERS:** Baahaali, Chichiltah, Manuelito, Red Rock, Rock Springs, Tsayatoh

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 01				\$ 4,484,840.00
Division of Community Development	None Identified	Manuelito Chapter Electrical Wiring for Homes Project	Division of Community Development	2.18	HK0371	\$ 207,500.00
Division of Community Development	None Identified	Chichiltah Chapter Powerline Extension Project	Division of Community Development	2.18	HK0313	\$ 100,000.00
Division of Community Development	None Identified	Chichiltah Chapter New Warehouse Project	Division of Community Development	1.12	HK0314	\$ 900,000.00
Division of Community Development	None Identified	Chichiltah Chapter New-House Wiring Project	Division of Community Development	2.18	HK0315	\$ 100,000.00
Division of Community Development	None Identified	Chichiltah Chapter Rural Addressing Project	Division of Community Development	2.22	HK0317	\$ 100,000.00
Division of Community Development	*Baahaali Chapter	Baahaali Chapter Water-Well Improvements Project	Division of Community Development	5.13	HK0402	\$ 250,000.00
Division of Community Development	*Baahaali Chapter	Baahaali Chapter New Warehouse Project	Division of Community Development	6.1	HK0394	\$ 800,000.00
Division of Community Development	*Baahaali Chapter	Baahaali Chapter Rural Addressing Project	Division of Community Development	1.14	HK0393	\$ 200,000.00
Division of Community Development	None Identified	Red Rock Chapter Warehouse Project	Division of Community Development	1.14	HK0511	\$ 800,000.00
<b>TOTAL:</b>						<b>\$ 7,942,340.00</b>

\*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. Seth Damon

**CHAPTERS:** Baahaali, Chichiltah, Manuelito, Red Rock, Rock Springs, Tsayatoh

FUNDING RECIPIENT	SUBRECIPIENT	EXPENDITURE PLAN / PROJECT	ADMIN OVERSIGHT	FRF CATEGORY	DOJ REVIEW #	AMOUNT
		TOTAL AMOUNT from PAGE 02				\$ 7,942,340.00
Division of Community Development	None Identified	Red Rock Chapter Rural Addressing Project	Division of Community Development	1.14	HK0509	\$ 100,000.00
Division of Community Development	None Identified	Red Rock Chapter House-Wiring Project	Division of Community Development	2.18	HK0512	\$ 300,000.00
Division of Community Development	None Identified	Red Rock Chapter Water-Line Project	Division of Community Development	5.11	HK0513	\$ 460,000.00
		UN-ALLOCATED AMOUNT				\$ 0.00

\*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 #: HK 0372-2

Date & Time Received: 4/14/23 at 16:10

Date & Time of Response: 4/20/23 at 4:05 pm

Entity Requesting FRF: Manuelito Chapter

Title of Project: Scattered Home Renovations

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$200,000

**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):**

- 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: \_\_\_\_\_  
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Name of DOJ Reviewer: Navalyn R. Platero

Signature of DOJ Reviewer: 

**Disclaimers:**  
If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** 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.

*Milton Davidson*  
President

*Deborah Nelson*  
Vice-President

*Percy B. Anderson*  
Secretary-Treasurer



**MANUELITO (KIN HOZHONI) CHAPTER GOVERNMENT**

HCR 57 BOX 9069 GALLUP, NEW MEXICO 87301  
PHONE (505) 905-3073 • FAX (505) 905-0606  
Email: manuelito@navajochapters.org

*Seth Damon*  
25<sup>th</sup> Navajo Nation Council

*Vacant*  
Community Services Coordinator

*Kathleen Arviso*  
Land Board Member

**Resolution #MANU11-22-22-052**

**RESOLUTION OF THE MANUELITO NAVAJO CHAPTER**

**Supporting and approving the American Rescue Plan Act (ARPA) expenditure plan for the scattered home renovations project to include weatherization, addition, roof repair and any ADA compliant supplies for home in the amount of \$200,000 for Manuelito Chapter community members.**

**WHEREAS:**

1. N.N.C. Title 26 delegates Navajo Nation Chapters certain authority to review all matters affecting the community based on sound decision which are consistent with the Navajo Nation codes, laws, custom, and tradition; and
2. Pursuant to 26 N.N.C., Section 1 (B) Manuelito Navajo Chapter is vested with the authority on all matters affecting the community, make appropriate actions when necessary and make recommendations to the Navajo Nation government and other federal/state/local agencies; and
3. The Manuelito Navajo Chapter has determined that during the COVID pandemic many homes impacted did not have the ability to focus on home maintenance and as a result there are homes lived in by elderly and the multigenerational are in need of home renovation; and
4. The Manuelito Navajo Chapter has determined that roof repair, weatherization, and an addition to home for multigenerational homes including any ADA requirements for the physically disabled is necessary to assist families to combat any COVID related viral infections due to inclement weather.

**NOW THEREFORE BE IT RESOLVED:**

1. The Manuelito Chapter supports and approves the American Rescue Plan Act (ARPA) expenditure plan for its scattered home renovations project including weatherization, roof repair, and addition to multigenerational homes in the amount of \$200,000 for Manuelito community members; and
2. The Manuelito Chapter supports the home renovation project and affirms that the Chapter will use awarded ARPA funding in compliance with ARPA guidelines and regulations, and all other applicable Navajo Nation and federal laws and regulations.

**CERTIFICATION**


WE HEREBY CERTIFY that the foregoing resolution was duly considered at a duly called meeting at Manuelito Chapter (Navajo Nation), New Mexico, at which a quorum was present and that the same was passed by a vote of 37 in favor, 0 opposed, and 13 abstaining on this 22nd day of November 2022.

Motion by: Chester Nez

Second by: Justin Adakai



Milton Davidson, Chapter President



Deborah Nelson, Chapter Vice-President



Percy B. Anderson, Chapter Sec/Treasurer

# Re: Scattered Home Renovations Project

Percy Anderson <panderson@navajochapters.org>

Tue 1/31/2023 12:38 PM

To: Leonora Henderson <lhenderson@navajo-nsn.gov>;

Cc: Manuelito Chapter <manuelito@navajochapters.org>; mdavidson@naataanii.org <mdavidson@naataanii.org>; dnelson@naataanii.org <dnelson@naataanii.org>; Lisa Jymm <ljymm@navajo-nsn.gov>; Michael M. Tsosie <mmtsosie@navajo-nsn.gov>; Shirlene S. Johnson <ssjohnson@navajo-nsn.gov>; Tiannalese M. Taylor <ttaylor@navajo-nsn.gov>; Paulene McCabe <paulene\_mccabe@yahoo.com>;

Good afternoon Lenora.

After talking with the other Chapter officials (Milton Davidson & Deborah Nelson) and the Chapter's Project Manager (Paulene McCabe), here are the responses to the 3 questions posed:

1. There will be no additions to homes. We are removing that from the expenditure plan language. We will focus only on roof repair, weatherization, and repair work to homes.
2. An assessment of the home will be conducted by the Chapter administration with referrals from the CHR and other sources to be one of several factors to determine priority eligibility. First and foremost is the requirement of an approved signed homesite / residential lease agreement or a home mortgage or deed for the home/land that one owns or is purchasing. The amount of \$200,000 is for 40 homes up to \$5,000 each. There will be no exceeding the amount provided to homeowners. Up to \$5,000 is the limit. Any additional amount beyond \$5k is the responsibility of the homeowner.
3. The only limitation to home renovation is if the homeowner does not have a homesite/residential lease or deed to home or land that the home is on. It's a requirement to receive infrastructure services to home. Some factors to consider for recipients is being a registered voter of Manuelito, homesite/residential/deed for home/land, the elders, grandparents caretaking grandchildren, the physically disabled, and multigenerational homes. Especially homes that are critically dilapidated and impacted by covid omicron viruses.

Percy Byron Anderson  
Manuelito Chapter Secretary/Treasurer

On Fri, Jan 20, 2023 at 2:00 PM Leonora Henderson <lhenderson@navajo-nsn.gov> wrote:

Good Afternoon,

DOJ is requesting additional information on your scattered home project. Please see attached eligibility determination letter and provide a response to the questions. Once you complete a response, please e-mail to our office and we will submit it to DOJ for your chapter. Thank You.

Leonora Henderson, MBA  
Senior Program & Project Specialist  
Navajo Nation Fiscal Recovery Fund Office  
P.O. Box 2469  
Window Rock, Arizona 86515  
Business Phone: (928) 309-5532  
Business Cell Phone: (928) 270-8407  
Email: [lhenderson@navajo-nsn.gov](mailto:lhenderson@navajo-nsn.gov)



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

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

RFS/HK Review #: HK0372

Date & Time Received: 12/23/22 at 10:43

Date & Time of Response: 19 January 2023; 3:56 pm

Entity Requesting FRF: Manuelito Chapter

Title of Project: Scattered Home Renovations

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$200,000

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: 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 checked="" type="checkbox"/> Additional information submitted is insufficient to make a proper determination |  |

Other Comments: We need more information to determine if the proposed housing renovation assistance is an eligible use. To assist us, please provide answers to the following questions in as much detail as possible and include any applications or other relevant information, including any attachments.

1. In addition to roof repair and weatherization, the documents note that the Project will provide funding to construct additions to homes. What type of home additions will be constructed?

2. How does someone qualify for a housing renovation project? How will the Chapter prioritize projects if the need exceeds the funding amount?

3. Are there any limitations on the types of housing renovation projects and/or the dollar amounts involved per home?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of DOJ Reviewer: Adjua Adjei-Danso

Signature of DOJ Reviewer: Adjua Adjei-Danso

Digitally signed by Adjua Adjei-Danso  
Date: 2023.01.19 15:58:13 -0700

**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: Manuelito Chapter Date prepared: 11/25/22

Chapter's mailing address: HCR-57, POB 9069, Gallup, NM 87301 phone/email: 505-905-3073  
website (if any): manuelito@navajochapters.org

This Form prepared by: Percy B. Anderson, Manuelito Chapter Secretary/Treasurer phone/email: 505-713-1510  
*CONTACT PERSON'S name and title* panderson@navajochapters.org *CONTACT PERSON'S info*

Title and type of Project: Scattered home renovations

Chapter President: Milton Davidson phone & email: mdavidson@naataanii.org

Chapter Vice-President: Deborah Nelson phone & email: dnelson@naataanii.org

Chapter Secretary: Percy B. Anderson phone & email: panderson@navajochapters.org

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

Chapter Manager or CSC: Vacant phone & email: \_\_\_\_\_

DCD/Chapter ASO: Guarena Adeky phone & email: gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Sewage cleanout septic tank vendors

\_\_\_\_\_ 01 31  document attached

Amount of FRF requested: 200,000 FRF funding period: January 2023 to December 2025/26  
*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:

Project: Scattered home renovations. Especially for the elderly and multigenerational homes. Families impacted by the COVID and other related viruses. With home renovations such as weatherization, roof repair, addition to home, and ADA compliant equipment/addition to homes will address the public safety of homes for occupants' health and wellness.

document attached

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

The scattered home renovations project will benefit the Navajo people of Manuelito with warmth, public safety, public health and wellness of having a stable renovated home.

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

Program(s) or Project(s) by December 31, 2026:

Supplies will be purchased for projects on weatherization, roof repairs, addition to homes, and ADA compliant equipment and supplies for homes of the physically disabled by December 2026.

document attached

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

Implementation of projects on purchase of supplies and possibly identifying homes for those that need laborers will be the Chapter administration.

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:

Operation and maintenance of renovated homes will be the owner and occupants of the home.

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:

2.18 Housing support; Other housing assistance. For home renovations as described.

document attached

**Part 3. Additional documents.**

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

N/A

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: Percy B. Anderson  
signature of Preparer/CONTACT PERSON

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

Approved by: \_\_\_\_\_  
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 1 of 3  
BUDGET FORM 1

PART I. Business Unit No.: <u>New</u>		Program Title: <u>Manuelito Chapter Home Renovations</u>		Division/Branch: <u>Manuelito Chapter</u>	
Prepared By: <u>Percy B. Anderson</u>		Phone No.: <u>505-713-1510</u>		Email Address: <u>panderson@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
NN Fiscal Recovery Funds	<del>01/23-12/25</del> <u>11/23-12/22</u>	200,000.00	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				
				7000 Special Transactions				
				8000 Public Assistance	4	0	200,000	200,000
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	200,000.00	200,000

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.	
SUBMITTED BY: <u>Sonlatsa Jim-Martin</u> Program Manager's Printed Name	APPROVED BY: <u>Pearl Yellowman</u> Division Director / Branch Chief's Printed Name
 Program Manager's Signature and Date	 Division Director / Branch Chief's Signature and Date

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**


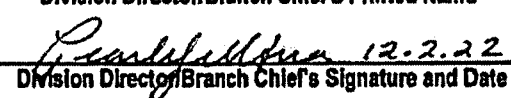
**PART I. PROGRAM INFORMATION:**

Business Unit No.:           New           Program Name/Title: Manuelito Chapter Home Renovations

**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> <u>To identify homes that are in need of repair.</u> <b>Program Performance Measure/Objective:</b> <u>Homeowner complete a Chapter work service request form to be assessed thereafter.</u>								
<b>2. Goal Statement:</b> <u>Identify a vendor after receiving bids to purchase building materials.</u> <b>Program Performance Measure/Objective:</b> <u>Acquire price quotes based on requested materials. Assessment of home to be done.</u>								
<b>3. Goal Statement:</b> <u>Delivery of building supplies to home.</u> <b>Program Performance Measure/Objective:</b> <u>Homeowner to identify who will complete construction or Chapter may provide laborers.</u>								
<b>4. Goal Statement:</b> <u>Monitoring, project management, and closeout.</u> <b>Program Performance Measure/Objective:</b> <u>Chapter administration.</u>								
<b>5. Goal Statement:</b>  <b>Program Performance Measure/Objective:</b>								

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

<u>Sonlatsa Jim-Martin</u> Program Manager's Printed Name  Program Manager's Signature and Date	<u>Pearl Yellowman</u> Division Director/Branch Chief's Printed Name  Division Director/Branch Chief's Signature and Date
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FY 2023

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

Page 3 of 3  
BUDGET FORM 4

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Manual to Chapter Home Renovations</u>		Business Unit No.: <u>New</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
8000	Assistance		200,000.00
8500	Housing construction materials	200,000.00	
8510	Self-help materials		
8520	Weatherization		
	40 homes at \$5,000 each for weatherization, roof repair, addition to home, and materials for physically disabled (maximum) = \$200,000.00		
<b>TOTAL</b>		200,000.00	200,000.00

<b>PART I. Business Unit No.:</b> <u>NEW</u> <b>Project Title:</b> <u>Home renovations</u> <i>Manuelito Chupto</i> <b>Project Description:</b> <u>To assist homeowners with weatherization, roof repair, addition to home, and with building materials for home ramps and other fixtures for the physically disabled.</u> <b>Check one box:</b> _____	<b>PART II. Project Information</b> <b>Project Type:</b> <u>Home renovations</u> <b>Planned Start Date:</b> <u>January 2023</u> <b>Planned End Date:</b> <u>Dec. 2025</u> <b>Project Manager:</b> <u>Percy B. Anderson</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 2025												
	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			
Identify homes that need repair; assessments needed Begin ordering building supplies Identify contractors/vendors to work on homes; laborers Begin home renovations				X	X	X	X	X	X							X	X	X	X	X	X												
	\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL											
<b>PART V.</b> Expected Quarterly Expenditures							150,000.00						50,000.00									\$200,000.00											

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