



THE NAVAJO NATION
DIVISION OF SOCIAL SERVICES
DEPARTMENT FOR SELF RELIANCE



TRIBAL FAMILY ASSISTANCE PLAN

October 01, 2021 to September 30, 2024

Amended: February 01, 2022



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
TRIBAL FAMILY ASSISTANCE PLAN**



TABLE OF CONTENTS

I.	PERIOD COVERED BY THE TRIBAL FAMILY ASSISTANCE PLAN	1
II.	THE NAVAJO NATION: AN INTRODUCTION	1
III.	ADMINISTRATION OF THE NAVAJO NATION'S TRIBAL TANF PROGRAM	
	A. Lead Agency and Organizational Structure.....	1
	B. DSR Vision Statement.....	2
	C. DSR Mission Statement	2
	D. TANF Purposes.....	2
	E. DSR Goals and Objectives.....	2
	F. Background of the Department for Self Reliance	4
	G. Assurances.....	4
IV.	EMPLOYMENT OPPORTUNITIES, COLLABORATION, AND OUTREACH	
	A. Employment Opportunities.....	6
	B. Collaboration and Outreach	7
V.	SERVICE DELIVERY AREA.....	7
VI.	SERVICE POPULATION	7
VII.	TIME LIMIT.....	8
VIII.	ELIGIBILITY FOR DSR ASSISTANCE AND SERVICES	
	A. Needy Family.....	10
	B. Ineligibility for Assistance	10
	C. Eligibility for Assistance.....	11
IX.	SUPPORTIVE SERVICES	
	A. Supportive Services for Approved Work Participation Activities	13
	B. Educational and Employment Achievement Awards.....	14
	C. Educational and Employment Incentives.....	14
	D. Education Related Support Services.....	14
	E. Quality Case Management.....	14
	F. Subsidized Employment.....	15



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
TRIBAL FAMILY ASSISTANCE PLAN**



X.	NON-ASSISTANCE BENEFITS	
	A. Diversion	15
	B. Transitional Support.....	16
	C. Non-Recurring, Short-Term Benefits.....	16
	D. Emergency Non-Recurring, Short-Term Benefits.....	16
XI.	NEGOTIATED WORK PARTICIPATION RATE	16
XII.	WORK PARTICIPATION	16
	A. Minimum Work Participation Hours Requirement.....	16
	B. Authorized Work Participation Activities... ..	17
XIII.	PENALTIES	21
	A. Penalty Levels... ..	21
	B. Exemption from Penalty.....	22
XIV.	DATA COLLECTION AND REPORTING	23
XV.	RETROCESSION	23
XVI.	APPENDIX: EXHIBITS	24
	A. Navajo Nation Map	
	B. Organizational Charts	
	C. List of Designated Near Reservation Communities	
	D. State Agreements to Serve Non-Indian Families	
	E. Required Certifications	



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



I. PERIOD COVERED BY THE TRIBAL FAMILY ASSISTANCE PLAN

This Tribal Family Assistance Plan (TFAP) covers the operation of the Navajo Nation's Tribal Temporary Assistance for Needy Families (TANF) program, known as the *Navajo Nation Department for Self Reliance (DSR)*, for a three-year period beginning October 01, 2021 and ending September 30, 2024.

II. THE NAVAJO NATION: AN INTRODUCTION

The Navajo Nation is the largest federally recognized Indian tribe in the United States. According to the 2010 U.S. Census, 308,013 individuals claim Navajo ethnicity. Of the estimated 170,000 individuals residing on the Navajo Nation, approximately 145,000 are enrolled members of the Navajo Nation. An estimated 80,000 Navajos reside in or near "border towns" adjacent to the Navajo Nation.

The Navajo Nation land base occupies a total area of approximately 27,000 square miles and extends into three states: 65% of the total Navajo land area is in northeast Arizona, 27% is in northwest New Mexico and the remaining 7% in southeast Utah. Three (3) Navajo "satellite" communities: Alamo, Tohajiilee, and Ramah, are located in central New Mexico (see Exhibit "A").

The Navajo Nation operates under a three (3)-branch government system centrally headquartered in Window Rock, Arizona:

- The Executive Branch, headed by an elected President and Vice President, is comprised of twenty-one (21) Divisions and Executive offices that provide a broad range of governmental services.
- The Legislative Branch, headed by an elected Speaker of the Navajo Nation Council, consists of a twenty-four (24) member elected Navajo Nation Council and various offices and boards.
- The Judicial Branch, headed by an appointed Chief Justice, is comprised of a system of eleven (11) District Courts and a Supreme Court.

III. ADMINISTRATION OF THE NAVAJO NATION'S TRIBAL TANF PROGRAM

A. Lead Agency and Organizational Structure

The DSR is responsible for the overall administration of the Navajo Nation's TANF program to provide Tribal TANF assistance and related support services to individuals and their families who meet established eligibility criteria.

The DSR is established under the Navajo Nation Division of Social Services (NNDSS) within the Executive Branch of the Navajo Nation (see Exhibit "B"). The DSR organizational structure (see Exhibit "B") consists of a Department Manager III who is responsible for managing the DSR, eight (8) administrative support offices, and eight (8) local offices responsible for providing direct services and assistance to DSR Customers.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



Legislative oversight is provided to the DSR by the Health, Education and Human Services Committee (HEHSC) of the Navajo Nation Council, pursuant to authority and powers granted to the Committee in the Navajo Nation Code. The HEHSC provides legislative oversight on matters involving health, social service, education, general governmental services and human services.

B. DSR Vision Statement

To eliminate future dependency of children and families on government assistance by promoting T'áá hwó ájít'eego.

C. DSR Mission Statement

We shall serve, with integrity and ethics, to empower individuals and families by promoting T'áá hwó ájít'eego, through appropriate support, opportunities and education.

NOTE: T'áá hwó ájít'eego is defined on page 4, under *Background of the Department for Self Reliance*.

D. TANF Purposes

The DSR applies the four (4) purposes of the Personal Responsibility and Work Opportunity Reconciliation Act to:

1. Provide assistance to Needy Families so that children may be cared for in their own homes or in the homes of relatives;
2. End the dependency of needy parents on government benefits by promoting job preparation, work, and marriage;
3. Prevent and reduce the incidence of out-of-wedlock pregnancies;
4. Encourage the formation, maintenance, and strengthening of two-parent families.

E. DSR Goals and Objectives

Goal 1: To facilitate the successful nurturing of children in their own homes by promoting healthy home environments and strengthening family values.

Objectives:

- a. Annually, ten percent (10%) of adult Customers who report experiencing barriers to providing a healthy home environment will report a decrease in those barriers based on a pre- and post-assessment.
- b. Annually, ten percent (10%) of DSR children in the care of a Relative/Non-Relative Caretaker will be successful based on a pre- and post-assessment.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



Goal 2: To reduce dependency on Government benefits by preparing DSR Customers for long-term employment.

Objectives:

- a. Annually, ten percent (10%) of adult benefit group members who are not work-ready and received assistance for at least six (6) consecutive months during the fiscal year will improve their basic skills performance in preparation for the workforce, based on a pre- and post-assessment.
- b. Annually, ten percent (10%) of adult benefit group members who are not work-ready and received assistance for at least six (6) consecutive months during the fiscal year will reduce their job-readiness barriers in preparation for the workforce.
- c. Annually, five percent (5%) of adult benefit group members who are job-ready and received assistance for at least six (6) consecutive months during the fiscal year will obtain sustainable employment.
- d. Annually, fifty percent (50%) of the adult benefit group members who obtained sustainable employment will remain continuously employed for at least six (6) months.

Goal 3: To promote and strengthen responsible parenting.

Objectives:

- a. Annually, ten percent (10%) of DSR families who completed a parenting skills activity will report an increase in parenting skills, based on a pre- and post-assessment.
- b. Annually, ten percent (10%) of DSR families who completed a family planning activity will report an increase in knowledge of responsible family planning, based on a pre- and post-assessment.

Goal 4: To promote and strengthen healthy family relationships.

Objectives:

- a. Annually, five percent (5%) of DSR families who received assistance for at least six (6) consecutive months during the fiscal year will report an increased and more balanced sharing of co-parenting responsibilities, based on a pre- and post-assessment.
- b. Annually, ten percent (10%) of DSR families who received assistance for at least six (6) consecutive months during the fiscal year will report strengthening and/or maintenance of their relationships, based on a pre- and post-assessment.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



F. Background of the Department for Self Reliance

The foundation of the DSR is based on the Navajo values and teachings of living life in harmony and balance or *Hozho K'eh lina*. These Navajo values and teachings have been passed down from one generation to the next, having helped the Navajo people endure and overcome challenges. With these teachings, the Navajo Nation chose to take on the challenge of turning the curve from the cycle of dependence by establishing a TANF program that promotes responsibility, decision-making, and self-reliance.

The concept of *T'áá hwó ájit'eego* is a powerful teaching that promotes living life with a purpose, making conscious decisions, exercising personal discipline and taking responsibility for one's life. By promoting *T'áá hwó ájit'eego*, personal attributes of self-respect, perseverance, and conducting one's self with courage and potential are strengthened.

The DSR Service Delivery Model has four (4) progressive stages of learning and personal development that result in successful outcomes of DSR families.

NITSÁHAKÉÉS (Thinking): To promote personal responsibility by educating Customers on welfare reform, reducing dependency on public assistance by creating educational and career opportunities, providing assistance to eligible Needy Families to meet their basic needs, and addressing social dilemmas by identifying and providing referrals to key resources.

NAHAT'Á (Planning): To create a Customer-centered environment that encourages personal change by assisting Customers in identifying specific opportunities that foster a positive outcome.

AADÍÍŁIIŁ (Doing): To implement a plan of action based on a Customer's identified strengths and barriers while establishing and providing opportunities for Customers to enhance their knowledge, skills and abilities and gain experience that will help them become self-reliant.

BEE NIISÉÉLDOO (Growing): To recognize Customers taking responsibility for themselves and their family members toward self-sufficiency.

These four (4) traditional teachings guide and serve as a model for development of one's well-being and promotes *Hozho K'eh lina*.

G. Assurances

1. Forty-five (45)-day Public Comment Period

The DSR conducted a virtual public comment period, from March 24, 2021 to May 7, 2021, to collect input on improving the DSR services and assistance. The public comment period was announced on area radio stations and in area newspapers. A copy of the TFAP was posted on the Navajo Nation's website, the Navajo Division of Social Services' website and the DSR website for public review and comment.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



In addition, electronic copies of the plan were emailed directly to stakeholders and the DSR Customers. Comment sheets were made available to the public to complete and return to the DSR. The comments received were considered and, where appropriate, were incorporated in the plan.

2. Tribal Administrative Approval

In accordance with Navajo Nation law, the Navajo Nation's TFAP was reviewed by the appropriate Navajo Nation offices prior to signature of the President of the Navajo Nation.

3. Fiscal Accountability Provision

For each fiscal year, the DSR will comply with the fiscal accountability provisions of Section 5(f)(1) of the Indian Self-Determination and Education Assistance Act (25 USC 450c (f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code.

DSR established internal controls to enhance fiscal accountability, prevent, identify and deter fraud, recover and reconcile improper payments, and to assure compliance with all applicable regulations.

4. Dispute Resolution Process.

Customers dissatisfied with a decision made by the DSR to deny, reduce, suspend, sanction, or terminate assistance are afforded an opportunity to dispute the decision and, if necessary, have an appeal hearing, pursuant to the procedures set forth in the DSR's Pathway to Self Reliance Policy Manual.

5. State Agreements to Serve Non-Indian Families

Pursuant to 45 CFR 286.75(d)(2), letters were received from the States of Arizona, New Mexico and Utah authorizing the DSR to serve Non-Indian families residing in the DSR's Service Delivery Area and provides that Non-Indian families are subject to Tribal TANF program rules. The State Agreements are attached as Exhibit "D".

6. Equitable Assistance and Services

Eligible families moving into the DSR Service Delivery Area will receive the same amount of assistance and/or applicable non-assistance and supportive service(s) as all other eligible individuals and families.

7. Assurance of Protection of Customer Confidentiality

Pursuant to the Navajo Nation Privacy and Access to Information Act (CAP-48-99), the DSR's Professional and Ethical Standards of Employee Conduct and DSR Pathway to Self Reliance Policy Manual, the DSR assures it will uphold and protect the confidentiality of DSR Customers.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



8. Prevention of Duplicative Assistance

Pursuant to 45 CFR 286.75(f), a family cannot receive assistance from the DSR while simultaneously receiving similar assistance from another State or Tribal program. The means by which the DSR will assure prevention of duplicative assistance include:

- a. The DSR Application for Assistance includes a question regarding current and prior public assistance received by family members. The Application also includes a section where Customers acknowledge they understand their responsibility to provide complete and accurate information, report changes timely and cooperate with DSR staff.
- b. Conducting thorough eligibility determination interviews to solicit responses that may indicate potential receipt of similar assistance.
- c. If there is an indication that an applicant may be currently receiving similar assistance (State or other Tribal TANF, General Assistance or Supplemental Security Income) at the time of application, contact will be made with the applicable State/Tribal program(s) to verify the applicant is currently not receiving assistance from the State or Tribal program.
- d. The DSR Pathway to Quality Services staff development training requires continuous development in the areas of quality case management.
- e. The DSR Fraud Investigation Unit will investigate potential fraud.

IV. EMPLOYMENT OPPORTUNITIES, COLLABORATION AND OUTREACH

A. Employment Opportunities

The DSR will coordinate and collaborate with private and public employers in and around the DSR Service Delivery Area to prepare Customers for long term, sustainable employment, identify and create employment opportunities for job-ready Customers, establish work experience and on-the-job training opportunities, and plan and/or implement other activities that will increase the marketability of and employment opportunities for DSR Customers.

Existing public sector employment opportunities are Navajo government programs, schools, Indian Health Services, Bureau of Indian Affairs, non-profit organizations, and other locally driven opportunities. Existing private sector employment opportunities are Navajo owned-businesses, regional small businesses, near-reservation businesses, and other outside franchises.

The DSR Education and Career Services (ECS) enhances and increases employment opportunities for DSR Customers through Subsidized Adult Employment (SAE), Subsidized Youth Employment (SYE), Adult and Youth Extended Training (ET), and Work Experience (WEX) placement with employers. ECS will provide case management for Customers by establishing goals and steps, monitoring progress in ECS activities, evaluating employability, assessing Customer strengths and barriers, and following-up with Customers after employment.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



DSR complies with State, Federal, and Tribal employment laws, including the Navajo Preference in Employment Act (NPEA) for employers conducting business within and near the Navajo Nation.

B. Collaboration and Outreach

The DSR collaborates, coordinates and conducts outreach with partner programs, key stakeholders and other resources to assist Customers and their families to gain skills, knowledge, education, opportunities, and employment to become self-reliant. Collaboration and coordination includes establishing Memoranda of Understanding to strengthen working relationships to achieve desirable outcomes for Customers.

Partner programs, key stakeholders and resources include State and Tribal public assistance programs, mental and behavioral health service providers, child care programs, education and training programs, secondary and post-secondary educational institutions, programs for the elderly/grandparents, non-profit organizations, programs providing transportation services, intervention and prevention programs, domestic violence programs and service providers, traditional/cultural service providers, and health and wellness programs.

V. SERVICE DELIVERY AREA

The Navajo Nation encompasses a large geographical area that spans across the states of Arizona, New Mexico and Utah. Please see Exhibit “A” for a map of the Navajo Nation. The DSR will provide assistance and services to the following areas:

- A. All communities within the Navajo Nation, including Trust lands, Fee lands and the satellite communities of Alamo, Tohajiilee, and Ramah (See Exhibit “A” for a Navajo Nation map); and
- B. The city limits of a federally designated Near Reservation community, where the identified head-of-household or a Benefit Group member has a Navajo Census Number. The Navajo Nation’s designated “near reservation” communities, as listed in the Federal Register (Vol. 44, No.9, January 12, 1979) is attached as Exhibit “C”.

VI. SERVICE POPULATION

The DSR will provide assistance and services to the following populations:

- A. All eligible federally recognized American Indian and non-Indian families living on the Navajo Nation, including Trust Lands, Fee lands and the satellite communities of Alamo, Tohajiilee, and Ramah (See Exhibit “A” for a Navajo Nation map).
- B. Eligible families, including child-only cases, living within the city limits of a federally designated Near Reservation community (nine cities in Arizona and ten cities in New Mexico, listed in Exhibit “C”), where the identified head-of-household or a Benefit Group member has a Navajo Census Number.



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
TRIBAL FAMILY ASSISTANCE PLAN**



- C. Individuals included in an approved Benefit Group who are temporarily absent from the DSR Service Delivery Area for one (1) of the following purposes will be considered domiciled at their permanent residence and may continue to receive assistance for the duration of the treatment, education, training, or services subject to adherence with established conditions.
1. An adult receiving education, training, or on-the-job training must remain enrolled and make satisfactory progress in the educational/training program.
 2. Customers receiving medical/non-medical treatment must comply with their treatment plan, as prescribed or outlined by a certified and/or licensed physician, counselor or therapist.
 3. An adult whose presence is required while an immediate family member receives medical/non-medical treatment.
 4. Customers receiving domestic violence related services must comply with their service plan as developed by a person trained in domestic violence.

The temporary absence shall not exceed ninety (90) calendar days from the date the Benefit Group member depart(s) from the SDA, unless a justifiable reason exists to extend the temporary absence for up to an additional ninety (90) calendar days. Under no circumstance shall a temporary absence exceed one hundred-eighty (180) calendar days from the date the Benefit Group member first left the SDA.

VII. TIME LIMIT

- A. The Time Limit for an adult or minor parent to receive DSR assistance is sixty (60) countable months, whether or not consecutive. The time limit only applies to adults and emancipated minor parents included in a benefit group.
- B. All prior months of TANF assistance received from a State or other Tribal TANF Program will count towards the DSR's time limit, except for any month that was exempt or disregarded by statute or regulation (45 CFR Part 286, Section 125).
- C. Applications submitted by an Adult who has received sixty (60) Countable Months of Assistance shall be denied, unless they are applying for continued assistance and are granted a Hardship Exemption.
- D. Rationale for Time Limits

DSR will use the maximum number of months to prepare Customers for self-sufficiency because the majority of DSR Needy Families reside in remote areas with limited economic and employment opportunities that contribute to Customer needing an extended amount of time to gain the education or skills necessary to become self-reliant.



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
TRIBAL FAMILY ASSISTANCE PLAN**



E. Exemptions to Time Limit.

A month of assistance will not count toward the 60-month time limit if the adult or minor parent:

1. Is not included in the Benefit Group and the Benefit Group only includes minor children, or
2. Received assistance while residing in Indian Country where the official not-employed rate, for the month they received assistance, is greater than 50%. The exterior boundaries of the Navajo Nation, including trust/fee lands, and the satellite communities of Alamo, Ramah, and Tohajilee are considered Indian Country.

F. Hardship Exemption

A hardship exemption from the DSR Time Limit may be granted to an adult who reached their 60 countable months and who is experiencing a condition that hampers or inhibits his/her ability to maintain work or enter into work related activities. If an adult benefit group member is granted a hardship exemption, the month is not counted towards their sixty (60) Countable Month time limit. Adults granted a hardship exemption are included in the overall work participation rate. (45 CFR 286.120)

Examples of a hardship include, but are not limited to:

1. Adult victims of domestic violence whose participation in work activities may cause an immediate threat to his/her own safety or the safety of his/her children.
2. Adults who have a medical condition, as confirmed by a physician, that prevents the individual from participating in work activities.
3. Adults with significant cognitive, physical, and/or mental disabilities that limit their educational and job skills attainment and/or their ability to secure and retain employment due to a disability (documentation of disability is required).
4. Adults responsible for the full-time care of an elderly person or a disabled dependent (documentation of disability is required).
5. Families who are homeless due to vandalism, hazardous living conditions, acts of nature, or their home is destroyed by fire and is uninhabitable
6. Families who are homeless due to eviction.

Hardship Exemptions will be assessed on a monthly basis and will be limited to no more than twenty percent (20%) of the average monthly caseload.



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
TRIBAL FAMILY ASSISTANCE PLAN**



VIII. ELIGIBILITY FOR DSR ASSISTANCE AND SERVICES

Eligibility for DSR assistance and services is as established in this approved Tribal Family Assistance Plan. Only Needy Families, as defined in this plan, may receive (a) any form of federally or State MOE funded “assistance” (as defined in 45 CFR 286.10); or (b) any benefits or services pursuant to TANF purposes 1 or 2. “Needy” means financially deprived based on income and resource criteria established in this plan to receive DSR assistance and services.

The Tribe may use segregated Federal TANF funds to provide services (and related activities) that do not constitute “assistance” (as defined in 45 CFR 286.10) to individuals and family members who are not financially deprived but who need the kind of services that meet TANF purposes 3 or 4. Objective criteria will be established for participation in these services and activities. Unless the State instructs otherwise, the Tribe may also use MOE funds to pay for non-assistance pro-family activities for individuals or family members, regardless of financial need. Objective criteria will be established for participation in these activities.

A. Needy Family

DSR defines a “*family*” as a group of individuals, which includes at least one (1) minor child, living together under one (1) head-of-household.

The DSR defines a “*needy family*” as a family whose countable Gross Monthly Income does not exceed 200% of the federal poverty guideline for the applicable family size and meets all other eligibility criteria established for receipt of DSR assistance.

A Needy Family may be comprised of a Minor Child(ren) and:

1. Their Custodial Legal Parent(s),
2. Their Custodial Legal Parent and a step-parent by legal marriage,
3. A related or unrelated adult caretaker, who has Legal Custody of the minor child(ren), where only the child(ren) receives assistance (child-only).

B. Ineligibility for Assistance

1. Applications for DSR assistance submitted by or on behalf of the following shall not be approved:
 - a. Adults who have met the DSR Time Limit for Assistance unless they are applying for continued assistance and are granted a Hardship Exemption.
 - b. Adults who received Diversion Benefits or Transitional Support and are currently in the three (3) month Disqualification Period.
2. A Custodial Legal Parent who is ineligible for DSR assistance due to one of the reasons below will not be included in a Benefit Group and their income and assets will be counted in determining the Benefit Group’s eligibility:
 - a. Is not a U.S. Citizen



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
TRIBAL FAMILY ASSISTANCE PLAN**



- d. Residency
All members of the Benefit Group must have resided with the head-of-household for at least thirty (30) consecutive days at the time of application or addition to the Benefit Group, unless an exception applies.
 - e. Citizenship
 - f. Time Limit
The head-of-household and, if applicable, their spouse must not have received sixty (60) Countable Months of TANF assistance, unless a Hardship Exemption from the Time Limit has been granted.
2. The Financial eligibility criteria for receipt of DSR assistance are:
- a. Assets
The Benefit Group's Total Countable Assets must not exceed \$3,000.
 - b. Gross Countable Monthly Income
The Benefit Group's Monthly Gross Countable Income must not exceed the National Poverty Guideline at 200% for the applicable Benefit Group size.
 - c. Total Net Countable Income
The Benefit Group's Monthly Net Countable Income must not exceed the Payment Standard for the applicable Benefit Group size.
 - d. Income Disregards
The following income disregards shall be applied in determining eligibility for DSR assistance:
 - i. Earned Income – Unsubsidized Employment: The first \$300.00 of the Needy Family's Net Monthly Earned Income.
 - ii. Earned Income -Subsidized Employment: All income earned from participation in the DSR's Subsidized Employment.
 - iii. Unearned Income: The first \$100.00 of the Needy Family's Net Monthly Unearned Income.
3. If applicable, the following must meet Supplemental eligibility criteria:
- a. Caretakers
Caretakers must have legal guardianship/custody of the minor child(ren) on whose behalf they are applying, unless the following time-limited exception applies:
 - A Caretaker, related by blood or marriage to the minor child(ren) on whose behalf he or she is applying and does not have Legal Guardianship/Custody of the minor child(ren) at the time they are initially applying shall be allowed a one-time opportunity to include the child(ren) in the Benefit Group for up to twelve (12) months, without establishment of Legal Guardianship/Custody, on the condition they agree to comply with established criteria. If justified,



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



B. Educational and Employment Achievement Awards

Subject to availability of funds, monetary Achievement Awards shall be provided to reward Benefit Group members who achieve an established goal or milestone. The following Achievements Awards may be provided:

1. Education Related Achievement Awards
 - a. High Academic Achievement – Minor Child
 - b. Post-Secondary High Academic Achievement - Adult
 - c. Academic Improvement – Minor Child and Adult
 - d. Perfect Attendance – Minor Child
 - e. Graduation - Minor Child and Adult
2. Employment Related Achievement Awards (e.g. Subsidized Employment Completion, Recognition by Employer, Remaining employed for a specified time period, etc.)

C. Educational and Employment Incentives

Subject to availability of funds, incentives shall be provided to encourage and motivate Benefit Group members to succeed in their education and employment. The following Education and Employment Incentives may be provided:

1. Education Related Incentives
Enrichment (e.g. completion of a series of life skills trainings/workshops, such as Substance Abuse, Domestic Violence, budgeting, financial management, etc.)
2. Employment Related Incentives (e.g. Work Experience Stipend)

D. Education Related Support Services

Subject to availability of funds, monetary support services may be provided to encourage and motivate children in a Benefit Group to succeed in their education

1. Educational Learning (e.g. school clothing, uniforms, school supplies and material, etc.)
2. Youth Extended Training (e.g. completion of training, uniforms, supplies, etc.)

E. Quality Case Management

Quality Case Management is the most essential service provided to DSR Customers to help Customers increase their knowledge, competency, skills and abilities, enhance problem solving and coping abilities, help Customers obtain resources, and influence interactions between organizations and resources.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



F. Subsidized Employment

1. Adult

The DSR will offer subsidized work experience for adult members in a DSR Benefit Group. The employment program will provide job preparation, work experience, exposure to various career fields, and potential long-term, sustainable employment. The Adult will be hired by a third-party employer and will be paid at least minimum wage. Subsidized income earned will be 100% disregarded for the six (6) month period they are employed under the SAE work activity. The DSR will reimburse the employer up to 100% of the wages, benefits, and training costs, and an administrative cost of up to 10% for supervision and other related expenses.

2. Youth

The DSR will offer subsidized work experience or extended training for youth members in a DSR Benefit Group and 14-18 years of age. The employment program or training program will be offered for 4-6 weeks and will provide job preparation, work experience, and exposure to various career fields for the youth. The youth will be hired by a third-party employer and will be paid at least minimum wage. The DSR will reimburse the employer up to 100% of the wages, benefits, and training costs and an administrative cost of up to 10% for supervision and other related expenses.

X. NON-ASSISTANCE BENEFITS

A. Diversion

Subject to availability of funds, a Diversion benefit may be provided as an alternative to monthly assistance to eligible families who are at risk of becoming dependent on public assistance due to a barrier that:

1. Is prohibiting a custodial parent from accepting a bona fide offer of long-term, sustainable employment,
2. Is putting a custodial parent's continued employment at risk, or
3. Resulted in a custodial parent losing their full-time employment and the parent will be re-employed with the removal of the barrier.

Diversion may be provided to eligible families whose Monthly Countable Gross Income does not exceed 250% of the Federal Poverty Guidelines for the applicable family size. The total amount of the Diversion benefit shall be the actual amount to remove the barrier or \$2000.00, whichever is less. Eligible families may receive a Diversion Benefit once in a twelve (12) month period.

Adults who receive Diversion shall be ineligible to apply for DSR assistance for a period of three (3) months from the date of closure.



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
TRIBAL FAMILY ASSISTANCE PLAN**



B. Transitional Support

Transitional services shall be available to DSR Customers who gain sustainable employment and are no longer receiving DSR assistance.

Subject to availability of funds, Customers who meet eligibility criteria may receive a one-time series of Transitional Support benefits for up to three (3) months following closure of their DSR assistance case to assist him/her with costs associated with transitioning from welfare to work. DSR staff will follow-up with Customers to ensure a smooth transition to employment.

Adults who receive Transitional Support shall be ineligible to apply for DSR assistance for a period of three (3) months from the date of closure.

C. Short-Term, Non-Recurring Benefits

Subject to availability of funds, a Non-Recurring, Short-Term Benefit (NRSTB) may be provided to assist eligible families receiving DSR assistance in addressing a specific crisis or episode of need that is not recurrent and will not extend beyond four (4) consecutive months. NRSTB will not be provided to meet recurring or ongoing needs. The amount of NRSTB provided to eligible families shall not exceed \$1000 in a twelve (12) month period.

D. Emergency Non-Recurring, Short-Term Benefits

Subject to availability of funds, an Emergency Non-Recurring, Short-Term Benefit (ENRSTB) may be provided to assist eligible families during a government (federal, state, county or Navajo Nation) declared natural disaster, emergency or pandemic. ENRSTB may be provided to eligible families whose Monthly Countable Gross Income does not exceed 250% of the Federal Poverty Guidelines for the applicable family size. The ENRSTB amount shall not exceed \$1000.00 for each event.

XI. NEGOTIATED WORK PARTICIPATION RATE

The Navajo Nation’s Minimum Work Participation Rate for each year is:

- Fiscal Year 2022 33%
- Fiscal Year 2023 33%
- Fiscal Year 2024 33%

XII. WORK PARTICIPATION

All adults and Custodial Minor Parents receiving assistance will be subject to the Minimum Work Participation Hours requirement.

A. Minimum Work Participation Hours Requirement

All Adults and emancipated Custodial Minor Parents receiving assistance are subject to the DSR’s Minimum Work Participation Hours Requirement for each month of assistance they receive. In order to be counted toward the MWPB requirement, a work activity must be a Pre-Authorized work activity or authorized in the Customer’s Personal Responsibility Plan.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



1. The Minimum Work Participation Hours (WPH) requirement shall be twenty-four (24) hours per week for each month of assistance received. The Minimum WPH requirement is established based upon remoteness, limited economic and employment opportunities, limited number of day care centers, low educational levels of the DSR Customers, and the lack of public transportation.
2. Adults and Minor Parents required to meet the Minimum WPH requirement shall not be subject to penalty until the month after their initial Personal Responsibility Plan is completed and implemented.
3. Adults and Minor Parents subject to the Minimum WPH requirement will be deemed as meeting the Minimum WPH requirement if they are:
 - a. A single custodial parent, with a dependent child under the age of six (6), who is the only caretaker in the family, and participated in an authorized work activity for at least an average of twenty (20) hours per week during the reporting month (45 CFR 286.150(a));
 - b. A minor parent who maintains satisfactory school attendance; or
 - c. A minor parent who participates in education directly related to employment for an average of at least twenty (20) hours per week during the reporting month.
4. When a Customer's worksite is closed due to a federal, state, or tribal holiday, or for authorized closures, the Customer will be given credit for the hours they were scheduled to participate in authorized work activities on that day.

B. Authorized Work Participation Activities

Work Participation Activities that may be authorized for adults and minor parents receiving assistance to move them and their family toward self-sufficiency are:

1. Unsubsidized Employment:

Full or part-time employment in the public or private sector that is not subsidized by the DSR or any other public program.
2. Subsidized Private Sector Employment

Employment in the private sector where the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual. Subsidized Employment, whether private or public, may be approved for a Customer once, for up to a six (6) months, in a twelve (12) month period.
3. Subsidized Public Sector Employment

Employment in the public sector where the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual. Subsidized Employment, whether private or public, may be approved for a Customer once, for up to a six (6) months, in a twelve (12) month period.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



4. Self-employment
Engaging in an activity that produces income by working in one's own business, trade or profession (e.g. rug weaving, silversmith, childcare services, etc.) Self-employment should be supplemented by other work activities that assist the Customer in progressing toward self-reliance.
5. Work Experience
An unpaid worksite placement that provides Customers with an opportunity to obtain general skills, training, knowledge, and work habits, which improve their employability. The Customer's placement should be short term and not be considered "free labor".
6. Vocational/Technical Educational Training
Participation in vocational-technical education directly related to preparing an individual for employment in current or emerging occupations (e.g. health care, computer technology, office management and skilled trades).
7. On-the-job training directly related to employment.
On-the-job training provided to an employed Customer to expand and enhance their knowledge and skills in areas that are necessary to fully and adequately perform their job duties and responsibilities.
8. Job skills training directly related to employment.
Training and education to obtain job skills required by employers so the individual will be able to obtain employment, advance in their current employment, or adapt to the changing demands of the workplace.
9. Participation in education directly related to employment, where the Customer has not received a high school diploma, GED or High School Equivalency Diploma (HSED).
This includes cultural education as a Navajo Medicine Man apprentice, assisting with cultural ceremonies, learning to speak other languages for the purpose of job readiness, learning traditional stories to become storytellers, and other cultural education that leads to becoming self-sufficient, productive and contributing members of the community.
10. Participation in education, other than post-secondary, directly related to employment, where the participant has a high school diploma, GED or HSED.
This includes cultural education as a Navajo Medicine Man apprentice, assisting with cultural ceremonies, learning to speak other languages for the purpose of job readiness, learning traditional stories to become storytellers, and other cultural education that leads to becoming self-sufficient, productive and contributing members of the community.
11. Satisfactory attendance at a secondary school or course of studies leading to a High School Diploma or its equivalent (e.g. GED/HSED).



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
TRIBAL FAMILY ASSISTANCE PLAN**



12. Participation in Adult Basic Education (ABE), Remedial Education, and English as a Second Language (ESL) courses.

13. Post-secondary education at a college or university.

Participating in educational courses provided at an institution of higher learning that offers undergraduate or postgraduate degree programs.

14. Job Search

Activities or training that provides skills in identifying a career and searching for a job, including, but not limited to: finding job vacancies; making job contacts; resume preparation; completion of employment applications; and successful participation in interviews. Job search should be supplemented by another work activity.

The DSR will adhere to the limitation on the number of countable weeks for Job Search/Job Readiness, as stated at 45 CFR 286.105(b) and (c).

15. Study or Research Time for Customers participating in an authorized education related work activity.

Customers may be authorized one (1) hour of study/research time for each hour of class time authorized.

16. Job Readiness

Activities that provide the knowledge and skills necessary to obtain and keep a job, including attendance, punctuality, appropriate appearance, appropriate and positive attitude and behavior skills, building and demonstrating skills in relationships, and completing tasks effectively. Job Readiness should be supplemented by another work activity.

The DSR will adhere to the limitation on the number of countable weeks for Job Search/Job Readiness, as stated at 45 CFR 286.105(b) and (c).

17. Community Service

An activity or service performed without compensation and the activity or service benefits the community as a whole. Community Service shall not be counted for more than eight (8) hours per week in a reporting month.

18. Providing childcare services to another DSR Customer who is participating in authorized work activities.

This activity cannot be authorized for a Customer to care for their own child(ren) and must be supplemented by other work activities that assist the DSR Customer in progressing toward their career goal or expand their knowledge in child development.

19. Participation in Assessments, as part of case management services, conducted by the DSR or other program.

20. Participation in Orientation Sessions provided by the DSR or another program.



**NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
TRIBAL FAMILY ASSISTANCE PLAN**



21. Participating in activities to remove a barrier(s) related to Personal Responsibility Plan goals.

Activities such as: obtaining or regaining a driver's license; obtaining appropriate and affordable childcare; completing steps necessary to enroll in post-secondary education/vocational education, etc.

22. Time spent in substance abuse and drug intervention counseling, behavioral and mental health services, domestic violence intervention counseling, including being a patient of cultural traditional ceremonies.
23. Participation and education in prevention, intervention, or treatment of mental/physical health-related illnesses. This includes being a patient of cultural or traditional ceremonies.

24. Providing support and care to a dependent child with a special need(s) who requires full-time care, as verified by a licensed medical professional.

Activities performed in accordance with either the Navajo teaching and practice or westernized medical practices of caring for one's own children. This work activity must be monitored and supplemented by other work activities that assist the Customer in progressing toward their career goal and/or expand their knowledge, skills and abilities in provision of homebased care (e.g. CPR, first aid, nutrition, etc.). This activity cannot be the sole work activity authorized for a Customer.

25. Providing care to an immediate relative with a medically verified disability who requires full-time care.

Activities performed in accordance with either the Navajo teaching and practice or westernized medical practices of caring for one's own relatives.

Activities performed in accordance with either the Navajo teaching and practice or westernized medical practices of caring for one's own children. This work activity must be monitored and supplemented by other work activities that assist the Customer in progressing toward their career goal and/or expand their knowledge, skills and abilities in provision of homebased care (e.g. CPR, first aid, nutrition, etc.). This activity cannot be the sole work activity authorized for a Customer.

26. Traditional Support and Mentoring

Participating in activities conducted in a group setting, with a curriculum, that uses traditional teachings and methods to support and encourage the mental, physical, and emotional development and wellness of the DSR Customers and their children, thereby improving their probability of future self-reliance. Activities may include Fatherhood/Motherhood Curriculum, building self-esteem, self-identity and awareness, talking circles, and learning the Navajo Language and traditions.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



27. Agricultural Subsistence

Performing activities associated with farming, gardening, and ranching that provides for the basic needs of, or provides income for, the Benefit Group.

28. Reasonable Transportation Time

Due to the remoteness and isolated conditions of the Navajo Nation and the lack of, or limited, public transportation, “reasonable transportation time” up to two (2) hours per day, may be authorized on a case-by-case basis. Authorized transportation time will be in addition to hours authorized for approved work participation activities.

Reasonable transportation time is the average amount of time for a person to travel to and from a work participation site.

XIII. PENALTIES

A. A Benefit Group that includes an adult(s) or emancipated Custodial Minor Parent(s) shall be subject to penalty if they do not comply with the following DSR requirements, unless exempted in accordance with the DSR Pathway to Self Reliance Policy Manual:

1. Develop an initial Personal Responsibility Plan within thirty (30) working days from the date of approval.
2. Meet the Minimum Work Participation Hours requirement, for a month of assistance they received.
3. Review and, if necessary, update their Personal Responsibility Plan at least once every four (4) months.
4. Failure to attend and complete a DSR Customer Orientation within thirty (30) working days of approval.
5. Failure to complete a TABE within thirty (30) working days of approval.

B. Penalty Levels

Prior to imposing a First Level Penalty, a Written Warning shall be issued to a Customer. After issuing a Written Warning, subsequent non-compliance with a DSR requirement will result in imposing a penalty to reduce the benefit group’s calculated monthly assistance amount in part, or in full, in accordance with the following:

First Level: Twenty percent (20%) Reduction.

Second Level: Forty percent (40%) Reduction.

Third Level: Sixty percent (60%) Reduction.

Fourth Level: Eighty percent (80%) Reduction until the Customer returns to compliance with the program requirement.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



C. Exemption from Penalty

1. A Benefit group will not be subject to penalty for not meeting the Minimum WPH requirement until the month after their Personal Responsibility Plan has been developed and implemented.
2. Pursuant to 45 CFR 286.150(b), a Benefit group will not be penalized for refusing to engage in work participation activities if they are a single custodial parent caring for a child under age six (6) and demonstrates an inability to obtain needed child care for one (1) or more of the following reasons:
 - a. Appropriate child care is not available within a reasonable distance from the Customer's home or work site; and/or
 - b. Informal child care by a relative or under other arrangements is unavailable or unsuitable; and/or
 - c. Appropriate and affordable formal childcare arrangements are not available.

The key terms related to childcare are defined as follows:

- Appropriate child care:

Childcare where the provider is licensed/certified or registered by a State or Tribal child care agency, or child care provided in the child's home or home of a relative of the child, provided the home is a clean, safe, and supervised environment where the child will have playtime, adequate nutrition, protection from any and all kinds of harm, and is acceptable to the parent(s) or caretaker(s) of the child.
- Reasonable distance
Total distance from the DSR Customer's home to the childcare provider site cannot exceed thirty (30) miles one-way.
- Unsuitability of informal child care
Child care that is deemed as inappropriate and/or unacceptable by a Customer and is put in writing due to concerns that the health, safety, and well-being of a child would be, or is, at risk.
- Affordable child care arrangements
Formal child care that is available at a cost that is equal to or less than the amount the Navajo Nation Child Care Development Fund program will pay; or informal child care at a cost that is acceptable to the parents without causing undue financial hardship upon the Customer's family.

Refusal to engage in work participation activities when acceptable, appropriate and affordable child care is available shall not protect the Benefit Group from penalty.



NAVAJO NATION DEPARTMENT FOR SELF RELIANCE TRIBAL FAMILY ASSISTANCE PLAN



D. Good Cause Exemption from Penalty

A Good-Cause exemption from penalty may be granted on a limited and case-by-case basis under the following circumstances:

1. Death of an immediate family member.
2. Hospitalization of self.
3. Hospitalization of an immediate family member that requires the Customer's continuous presence.
4. Unforeseen short-term disability.
5. Government (federal, state, county or Navajo Nation) declared Natural disaster, emergency, or pandemic.
6. Temporary lack of transportation (e.g. car breaking down)
7. Temporary lack of acceptable child care
8. Illness verified in writing by a physician
9. Extreme weather condition
10. Homelessness
11. Awaiting disability determination
12. Psychosocial conditions (e.g. anxiety, depression, etc.) verified by a licensed medical professional.
13. Traditional ceremony
14. Domestic Violence verified by supporting documents

"Good Cause" is a temporary condition or circumstance that prevents or significantly hinders an individual's ability to reasonably fulfill their weekly work participation requirement.

Exemption of a Customer from penalty will be assessed on a monthly basis.

XIV. DATA COLLECTION AND REPORTING

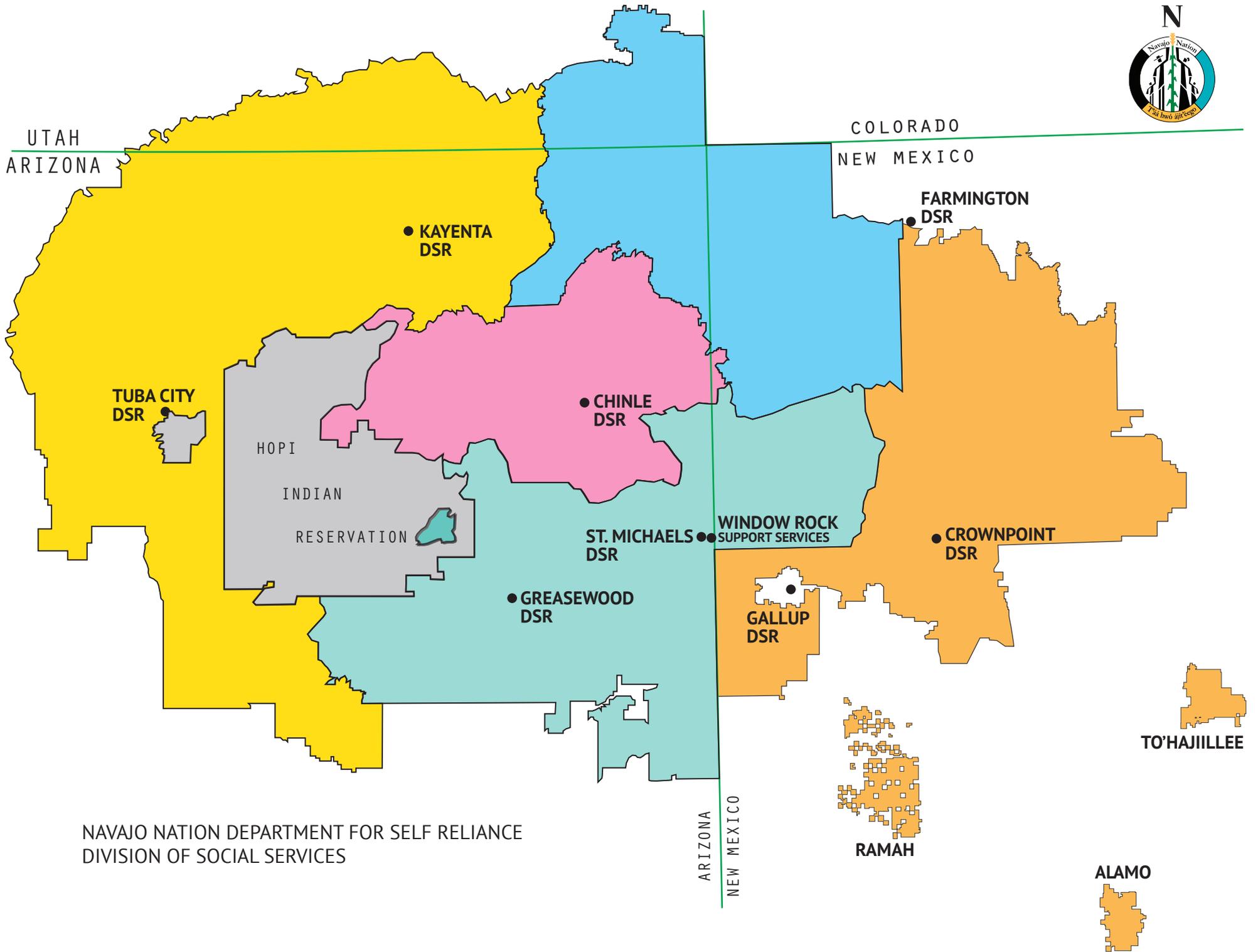
The Navajo Nation will comply with all applicable statutory and regulatory reporting requirements pertaining to the TANF program.

XV. RETROCESSION

If the Navajo Nation chooses to retrocede the TANF program, it will comply with all applicable statutory and regulatory requirements pertaining to retrocession.

EXHIBIT “A”:

Navajo Nation Map

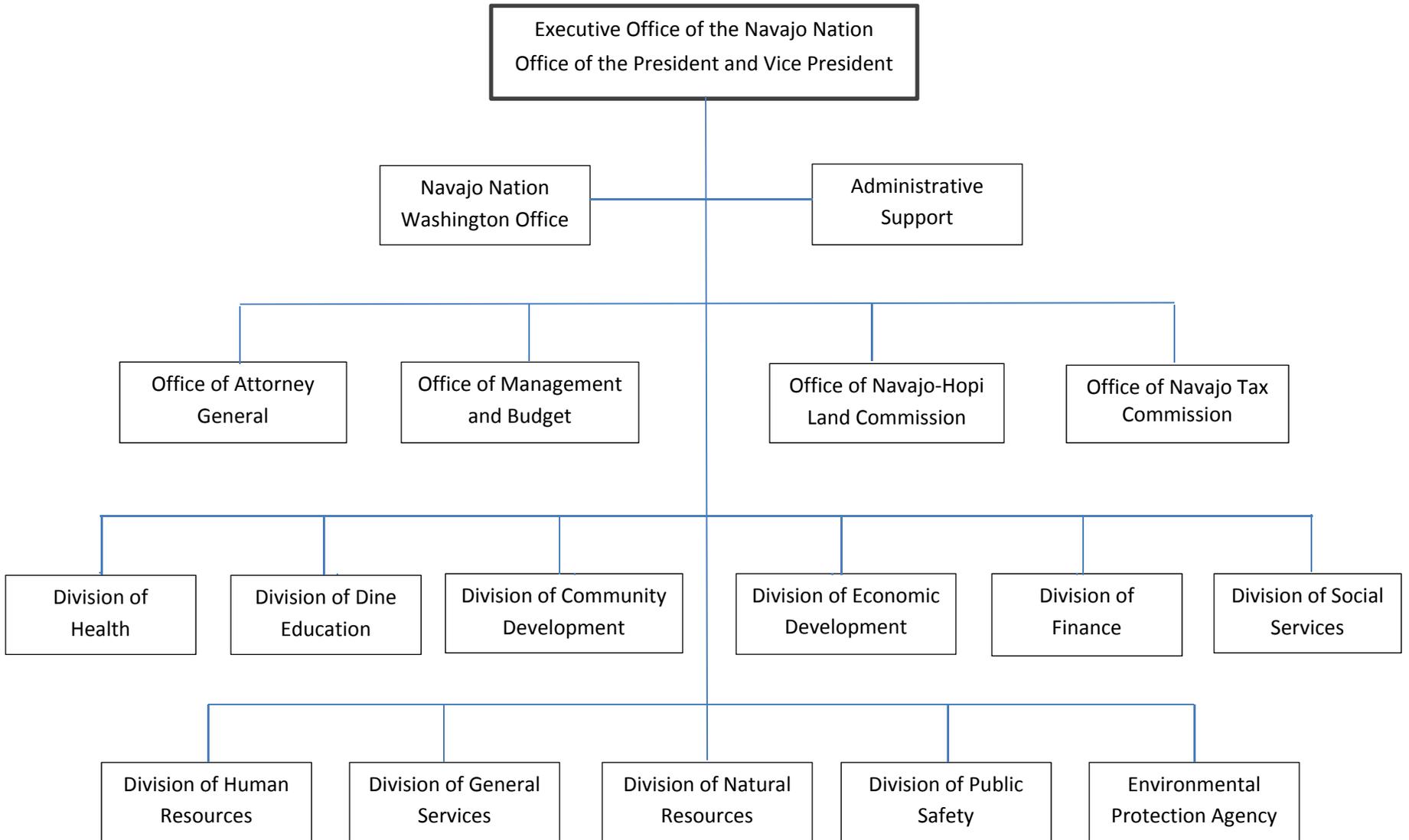


NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
DIVISION OF SOCIAL SERVICES

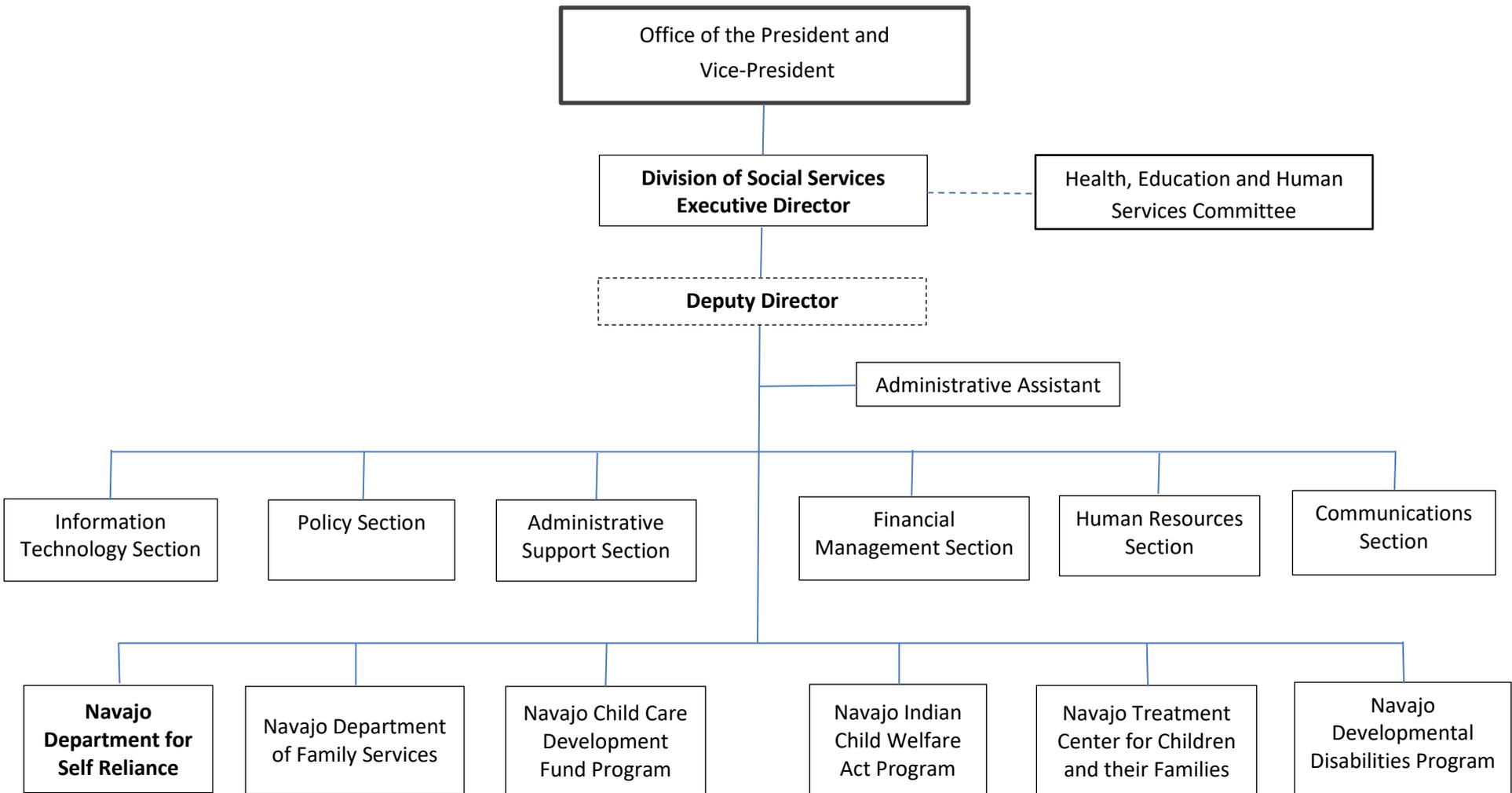
EXHIBIT “B”:

Organizational Charts

NAVAJO NATION GOVERNMENT
EXECUTIVE BRANCH
Organizational Chart



NAVAJO DIVISION OF SOCIAL SERVICES
Office of the Executive Director



**NAVAJO DIVISION OF SOCIAL SERVICES
NAVAJO DEPARTMENT FOR SELF RELIANCE**

Organizational Chart

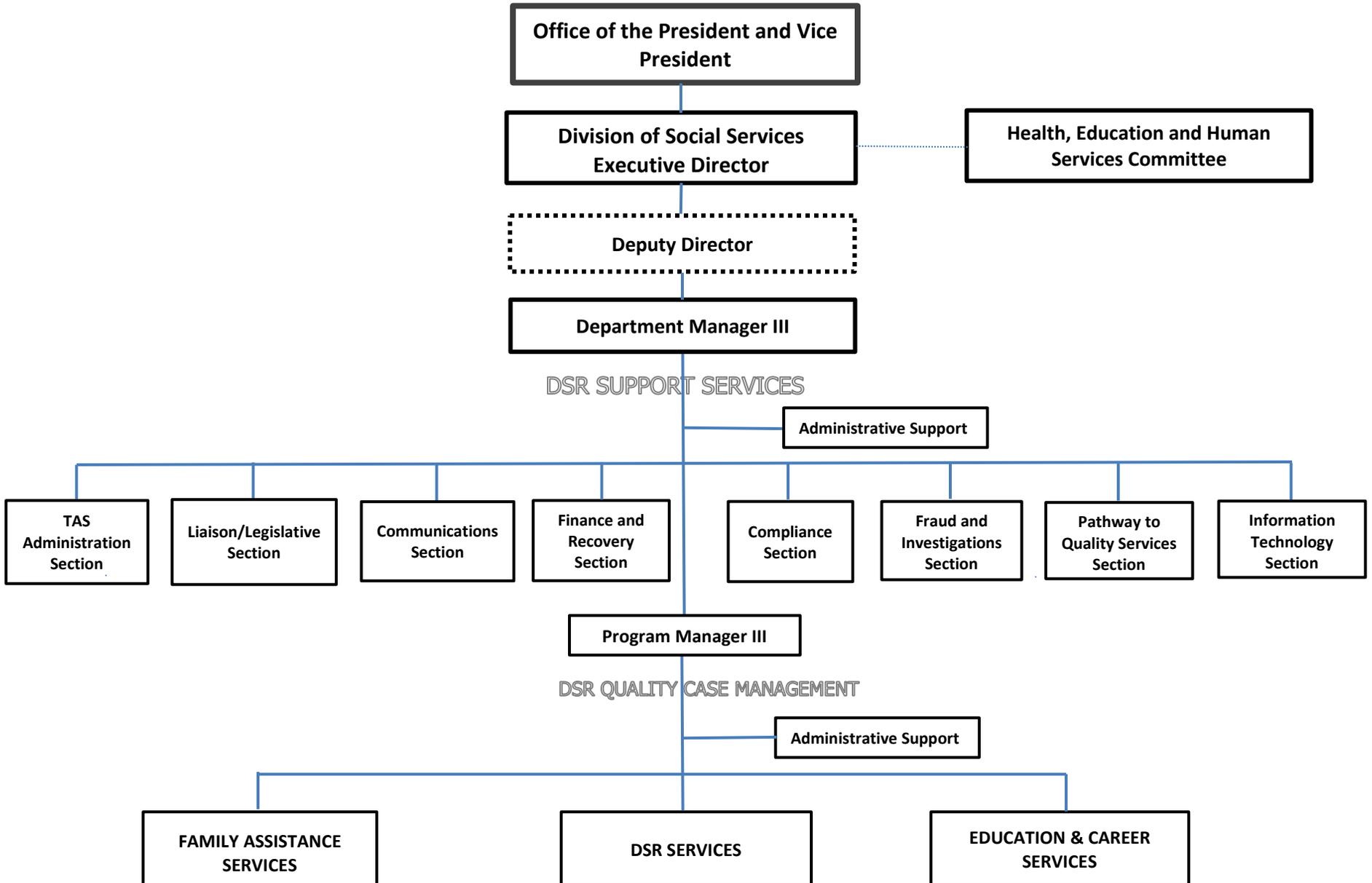


EXHIBIT “C”:

List of Designated Near Reservation
Communities for the Navajo Nation
Department for Self Reliance

ON OR NEAR RESERVATION DESIGNATION FOR THE NAVAJO NATION:
Federal Register Vol. 44 No. 9, Friday, January 12, 1979, pp. 20934

**Designated Near Reservation Communities for the Navajo Nation
Department for Self Reliance:**

ARIZONA
Flagstaff
Grand Canyon
Holbrook
Joseph City
Marble Canyon
Page
Snowflake
Winslow
Wupatki

NEW MEXICO
Aztec
Bloomfield
Cuba
Gallup
Grants
Farmington
Kirtland
Magdalena
Milan
Socorro

EXHIBIT “D”:

State Agreements to Serve
Non-Indian Families



DEPARTMENT OF ECONOMIC SECURITY

Your Partner For A Stronger Arizona

Douglas A. Ducey
Governor

Timothy Jeffries
Director

September 28, 2015

Ms. Roxanne Gorman, Department Manager III
Navajo Nation Department for Self Reliance
P. O. Box 2279
Window Rock, Arizona 86515

Dear Ms. Gorman:

Timothy Jeffries, Director of the Arizona Department of Economic Security (DES), on behalf of Governor Douglas Ducey, has asked our office to respond to your letter dated July 27, 2015.

The Navajo Nation Program for Self Reliance (NNPSR) has been serving both Indian and non-Indian clients under their Tribal Family Assistance Plan and has the explicit authorization of DES to continue to do so within the NNPSR Service Delivery Area.

Furthermore, we understand and acknowledge that non-Indian families served by NNDSR are subject to Tribal TANF program rules.

Should you require any assistance, please feel free to contact Roberta Blyth, Business Operations Administrator, at (602) 542-8266.

Sincerely,

Michael Wisehart
Assistant Director,
Division of Benefits
and Medical Eligibility



Susana Martinez, Governor
Brent Earnest, Secretary
Marilyn Martinez, Director

September 22, 2015

Roxanne Gorman, Department Manager III
Navajo Nation Department for Self Reliance
P.O. Box 2279
Window Rock, AZ 86515

Dear Ms. Gorman:

This letter is in response to the Navajo Nation Department for Self Reliance's (NNDSR) request to serve non-Indians who reside in the New Mexico Human Services Department (NMHSD) portion of the NNDSR's Service Delivery Area.

NMHSD does authorize, pursuant to 45 CFR 286.75(d)(2), the NNDSR to serve non-Indians who reside in the NNDSR's Service Delivery Area. All non-Indian families who reside within the portion of the NNDSR Service Delivery area must be subject to NNDSR program rules.

Sincerely,

Brent Earnest, Secretary
New Mexico Human Services Department

Cc: Kelly K. Zunie, Cabinet Secretary, NM Indian Affairs Department
Marilyn Martinez, Director, New Mexico Human Services Department, Income Support Division
Priscilla Caverly, Native American Liaison, New Mexico Human Services Department



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

**Department of
Workforce Services**

JON S. PIERPONT
Executive Director

CASEY R. CAMERON
Deputy Director

GREG PARAS
Deputy Director

Roxanne Gorman
Department Manager III
Navajo Nation Department for Self Reliance
P.O. Box 2279
Window Rock, AZ 86515

Ms. Gorman,

In response to your request in a letter dated July 27, 2015, the Utah Department of Workforce Services hereby authorizes the Navajo Nation Department for Self Reliance (NNDSR) to serve non-Indian families who reside in the Utah portion of the DSR's Service Delivery Area.

Further, we understand and acknowledge that non-Indian families served by the NNDSR are subject to Tribal TANF program rules.

Sincerely,

Jon S. Pierpont
Executive Director

EXHIBIT “E”:

Required Certifications

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted
- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

DSR Offices located in: Window Rock, AZ; Chinle, AZ; Tuba City, AZ; Kayenta, AZ;

Greasewood, AZ; Gallup, NM; Crownpoint, NM; Farmington, NM

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

DATE: 07-26-2021

SIGNATURE:  TITLE: Nav. Nation President

ORGANIZATION: Navajo Nation

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared I ineligible, or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

DATE: 07-26-2024

SIGNATURE:  TITLE: NN President

ORGANIZATION: Navajo Nation

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

SIGNATURE:  TITLE: Navajo President

ORGANIZATION: Navajo Nation

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

DATE: 07.26.2021

SIGNATURE:  TITLE: NN President

ORGANIZATION: Navajo Nation

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE	
		NN President	
ICANT ORGANIZATION		DATE SUBMITTED	
Navajo Nation		07-26-2021	