



THE NAVAJO NATION
DIVISION OF SOCIAL SERVICES
DEPARTMENT FOR SELF RELIANCE



TRIBAL FAMILY ASSISTANCE PLAN

For period of October 01, 2015 to September 30, 2018



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 promulgates regulations, promotes accountability to policies, and 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. DSR Purposes

The DSR accepts the four (4) purposes of federal Welfare Reform legislation as its own and has identified two (2) additional purposes:

1. To provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;
2. To end the dependency of needy parents on government benefits by promoting job preparation, work, and marriage;
3. To prevent and reduce the incidence of out-of-wedlock pregnancies;
4. To encourage the formation, maintenance, and strengthening of two-parent families.
5. To reduce the future dependency of children on government benefits by promoting education and prevention.
6. To promote responsible and involved parenting.

E. DSR Goals and Objectives

Goal I: To promote career development for DSR Customers through education and training.

Objectives:

- a. Each field office shall coordinate with local resources to offer ABE and GED classes each month, by September 30, 2017.
- b. An academic tutoring service will be established at each DSR field office by September 30, 2018.



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Goal IV: To improve the quality and efficiency of service delivery through the expanded use of technology.

Objectives:

- a. Establish and maintain a Customer computer resource center, which consists of a minimum of three (3) computers and a printer, at each local office by September 30, 2017.
- b. Conduct at least two (2) Customer training sessions each quarter utilizing the DSR computer network.
- c. At least 5% of Adult receiving DSR assistance who have a grade equivalency level of less than 9.0 will complete remediation and adult basic education courses on-line by September 30, 2018.
- d. At least one (1) Customer survey will be conducted annually, utilizing technology, to measure the quality of services provided to DSR Customers.

F. Background of the Department for Self Reliance

In July 1999, the Navajo Nation submitted its first Tribal Family Assistance Plan (TFAP) to the Department of Health and Human Services (DHHS). In August 2000, DHHS formally notified the Navajo Nation of its first approved TFAP for the three (3)-year period of October 01, 2000 to September 30, 2003. Subsequently, tribal TANF plans were approved for the Navajo Nation for the periods of October 01, 2003 to September 30, 2006 ; October 01, 2006 to September 30, 2009; October 01, 2009 to September 30, 2012 and October 01, 2012 to September 30, 2015.

The creation and establishment of the Navajo Nation's own tribal TANF program originated from a strong belief in Navajo values and teachings of living life in harmony and balance, or *Hozho K'eh lina*. These Navajo values and teachings have lasted for generations and helped the Navajo people endure challenges, such as poverty, and to persevere. It is with these beliefs that the Navajo Nation chose to take on the challenge of stemming the cycle of dependence by establishing a TANF program that places responsibility, decision-making, and self-reliance back on our own people.

The concept of *T'áá hwó ájít 'eego* is one of these values and teachings. This powerful concept promotes living life with a purpose, making conscious decisions, exercising personal discipline and taking responsibility for one's life. By instilling *T'áá hwó ájít 'eego* in his/her life, personal attributes of self-respect, perseverance, overcoming challenges, and conducting one's self with courage and potential are developed.



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The DSR has adopted these values and teachings as a foundation and model for individuals and family served by the DSR to follow on their path to self-sufficiency. Both *Hozho K'eh lina* and *T'áá hwo'ájít 'eego* are in each of the four (4) developmental stages of learning and personal development.

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 needy families to meet their basic needs, and addressing social dilemmas by identifying and providing referrals to key resources.

NAHAT'Á (Planning): To create an atmosphere which encourages personal change by assisting the Customer in identifying specific opportunities which foster a positive outcome. The Customer will begin to recognize their personal strengths which promote the Customer's well-being by encouraging a Customer-centered process that instills hope and optimism in the Customer's capacity for change.

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

BEE NIISÉÉLDOO (Growing): To empower Customers to take responsibility for their future by assisting the Customer to progress toward self-sufficiency, *lina*, for themselves and their family members.

These four (4) cultural components provide guidance and serve as a model for development of one's well-being and promote value in sustaining Navajo livelihood, self-reliance and self-efficacy in today's world.

G. Assurances

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

From November 10, 2014 to December 31, 2014, the DSR conducted a public comment period to inform, educate and collect input from the public on the contents of this TFAP. The public comment period and public hearing dates and locations were announced on area radio stations, in area newspapers, in the DSR Newsletter, and on the DSR website. A total of twelve (12) public hearings were held in communities located on or near the Navajo Nation and a copy of the TFAP was posted on the DSR website for public review and comment.

In addition, copies of the plan were distributed to stakeholders; meetings were held with partner programs to orientate them about the contents in the plan; and comment sheets were distributed for the public to complete and return to the DSR. The comments were considered and, where appropriate, were incorporated in the plan.



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8. Prevention of Duplication 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 includes:

- The DSR's 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 they are responsible for providing complete and accurate information, reporting changes timely and cooperating with DSR staff.
- Conducting thorough eligibility determination interviews to solicit potential applicant and Customer responses which may indicate potential receipt of similar assistance;
- If there is an indication that an applicant may be currently receiving similar assistance, contact will be made with the appropriate State or Tribal program(s) to verify the applicant is currently not receiving assistance from the State or TANF program.
- Staff training will regularly be provided in the areas of interviewing skills, completion of application, potential fraud detection, and DSR policies and procedures relative to prevention of duplication assistance; and
- The DSR established Quality Assurance and Fraud Investigation Sections to detect and investigate potential duplicative assistance and improve DSR policies and procedures to prevent duplicative assistance.

IV. EMPLOYMENT OPPORTUNITIES, COLLABORATION, AND OUTREACH

The DSR will conduct outreach to coordinate and collaborate with various entities to promote the delivery of services and assistance to Customers.

A. Employment Opportunities

The DSR will coordinate and collaborate with employers in and around the Navajo Nation Service Delivery Area (SDA) to identify knowledge, skills, abilities and other preparation necessary for various employment; prepare identified Customers for long-term sustainable employment; identify and create employment for job-ready Customers; establish work experience and on-the-job training opportunities; and to plan and/or implement other activities that will increase the marketability of, and employment opportunities for, DSR Customers. Coordination and collaboration will be carried out with, but not limited to, the following employers in and around the DSR's SDA:



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B. Eligibility for “Assistance”

The DSR will provide eligible needy families with monthly assistance as defined as 45 CFR 286.10, in the form of cash, checks, vouchers, or other forms of benefits designed to meet a family’s ongoing basic needs such as food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses. This includes child care and transportation assistance for those TANF recipients who are participating in work activities, but are not employed.

In addition to being a needy family, the following eligibility criteria must be met at the time of approval, and for each month of their Approval Period, as verified by a DSR staff.

1. Minor Child

The benefit group must include at least one (1) eligible minor child.

2. Service Delivery Area (SDA)

The head-of-household and all members of the needy family must reside within the DSR’s Service Delivery Area (SDA), as defined in Section V. SERVICE AREA AND POPULATION of this plan. (See Exhibits “A” for a map and “C” for a list of near-reservation communities.)

3. Residency

All members of the needy family must have resided with the head-of-household for at least thirty (30) consecutive days at the time of application or addition to the needy family, with the exception of newborns.

4. Citizenship

The head-of-household and all members of the needy family must be citizens of the United States.

5. Time Limit

The head-of-household and, if applicable, their spouse must not have met the established time limit for receipt of TANF assistance.

6. Deprivation

All minor children in the needy family must be deprived of financial support due to the continued absence, disability, or death of a legal parent(s); or, in Two-Parent Families, the minor child(ren) must be deprived of financial support due to the unemployment or underemployment of both parents. In situations where the absent, deceased or disabled parent is not established as a Legal Parent at the time of initial application, the head-of-household may be given up to twenty-four (24) months to establish paternity and meet this eligibility requirement.



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8. Satisfactory attendance at a secondary school or course of studies leading to a High School Diploma.
9. Participation in adult basic education, pre-GED or remedial courses.
10. Post-secondary education at a college or university.
Participating in educational courses provided at an institution of higher learning that offers undergraduate (bachelor's degree in the arts or sciences) or postgraduate programs.
11. Unsubsidized employment
12. Subsidized private sector employment
13. Subsidized public sector employment
14. Job Search
Activities or training that provides one with skills in identifying a career and searching for a job, including, but not limited to, finding job vacancies; making job contacts; understanding the labor market; resume preparation; marketing your strengths and talents; completion of employment applications; and successful participation in interviews. 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. Job Readiness
Activities or training that provide the knowledge and skills necessary to obtain and keep a job, including, but not limited to, attendance; punctuality; appropriate appearance; appropriate and positive attitude and behavior skills; building and demonstrating skills in relationships; and completing tasks effectively. The DSR will adhere to the limitation on the number of countable weeks for Job Search/Job Readiness, as stated at 45 CFR 286.75(b) and (c).
16. Community Service
An activity or service which is performed without compensation and the activity/service benefits the community as a whole.
17. Provision of 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 which assist the DSR Customer in progressing toward their career goal or expand their knowledge in child development.
18. Self-employment (e.g., rug weaving, silversmith, childcare services, etc.)
19. Participation in an Assessment, as part of case management services, which is conducted by the DSR or other programs.



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IX. PENALTIES

- A. The needy family will be subject to penalty for non-compliance with the following DSR Requirements:
1. Minimum Work Participation Hours Requirement (if applicable); and/or
 2. Developing a Personal Responsibility Plan within the established timeline; and/or.
 3. Complying with the provisions of a Personal Responsibility Plan which has been properly developed and implemented; and/or.
 4. Review and, if necessary, updating a Personal Responsibility Plan.
- B. Prior to imposing a penalty, a written warning shall be provided to inform the Customer that continuing to not comply with the DSR Requirement will result in a penalty. Staff shall provide necessary assistance in addressing the reason for the non-compliance. Assistance provided to the Customer shall be narrated and documented in the case file.
- C. After issuing a written warning, subsequent non-compliance with a DSR Requirement will result in imposing a penalty to reduce the needy family's calculated monthly benefit amount in part, or in full, in accordance with the following:
- First Level:** Twenty-five percent (25%) Reduction.
- Second Level:** Fifty percent (50%) Reduction.
- Third Level:** Seventy-five (75%) Reduction.
- Fourth Level:** One hundred percent (100%) Reduction and ineligibility of the head of household and, if applicable, their spouse, for DSR assistance for the next twelve (12) months.
- D. Exemption from penalty
1. A Needy Family will not be subject to penalty for not meeting the Minimum Weekly Work Participation Hours requirement until the month after their Personal Responsibility Plan (PRP) has been developed and implemented.
 2. A Needy Family 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 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;
 - b. Informal child care by a relative or under other arrangements is unavailable or unsuitable; or
 - c. Appropriate and affordable formal child care arrangements are unavailable.



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5. Monitoring, Evaluation, and Re-assessment

The DSR staff shall monitor Personal Responsibility Plans by meeting with Customers to review their progress and achievement of established tasks, goals, and timelines; evaluate whether the types of assistance, services, and resources the family was referred for are still necessary and if they have been beneficial; and reassess the family and, as necessary and appropriate, revise the Customer's PRP to address new findings and to support the Customer's progress and accomplishments of goals.

6. Closure and Follow-up

A Customer's case may close as a result of, but not limited to: income and/or resources exceeding established limits; disqualification due to penalties for non-compliance with DSR requirements or IPV determination; no eligible minor child in the needy family; meeting the time limit; or no longer meeting certain eligibility criteria.

When a Customer's assistance case is closed due to obtaining employment, DSR shall will follow-up with Customers at regular intervals during the first year of employment to monitor the Customer's progress toward self-sufficiency. Support services may be provided to assist Customers in transitioning to work and maintaining their employment.

B. Diversion

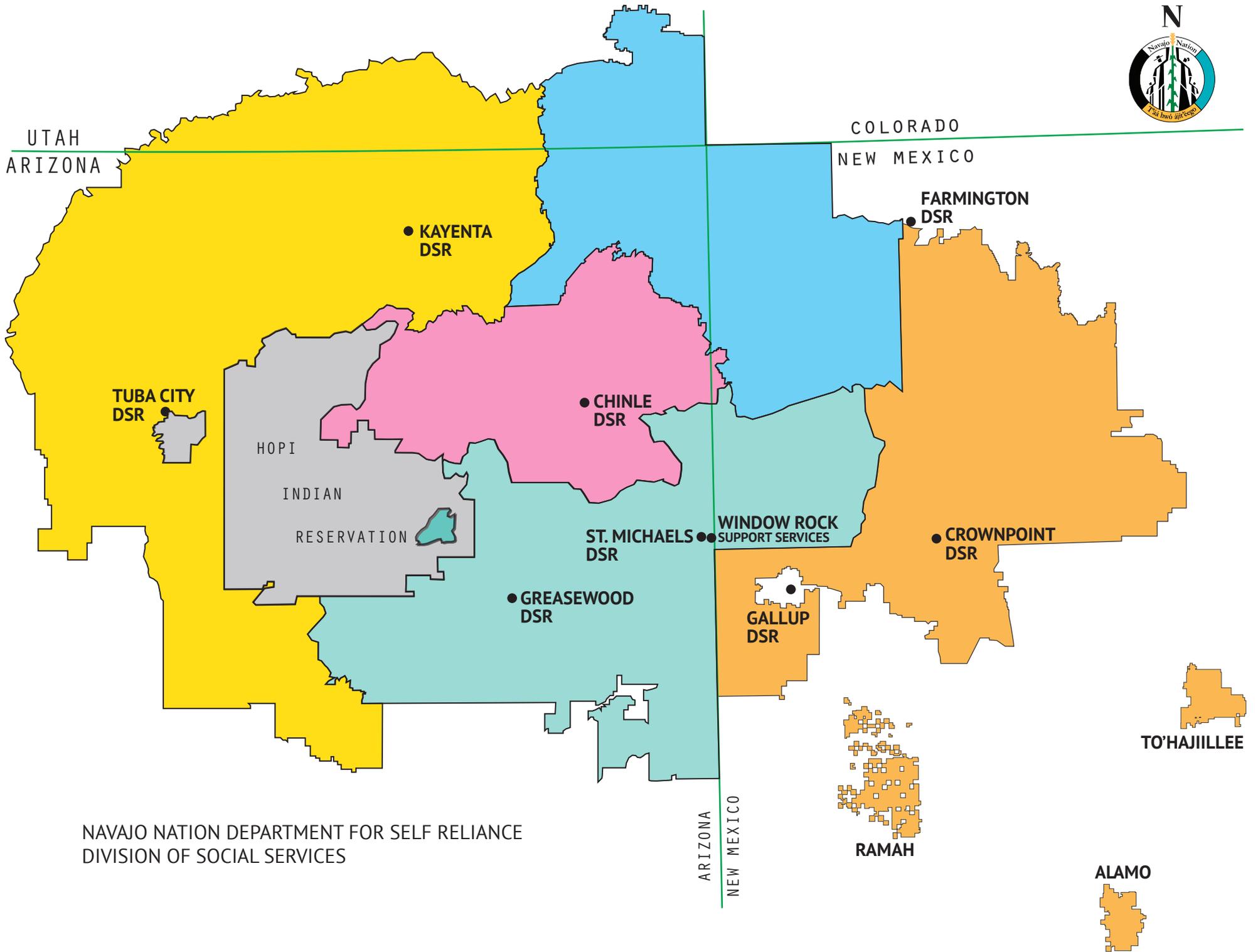
Subject to availability of funds, the DSR may provide a one-time Diversion benefit as an alternative to monthly assistance, to families who are not "needy" (as defined in this plan), but are at risk of becoming dependent on public assistance due to a barrier which is prohibiting an adult family member from accepting a bon fide offer of long-term, sustainable employment; or a barrier which is putting an adult family member's continued employment at risk. The family's Gross Income shall not exceed 200% of the National Poverty Guidelines for the applicable family size. The benefit amount shall be the actual amount needed to remove the barrier; or \$3,000; whichever is less. A family that receives Diversion benefits shall be ineligible to receive DSR assistance for a six (6) month period from the date the Diversion benefit is issued.

C. Support Services

Subject to availability of funds, support services may be provided to assist adult members of a Needy Family in addressing a barrier(s) to their successful participation in an authorized work participation activity and to transition toward gaining and maintaining employment.

EXHIBIT “A”:

Navajo Nation Map

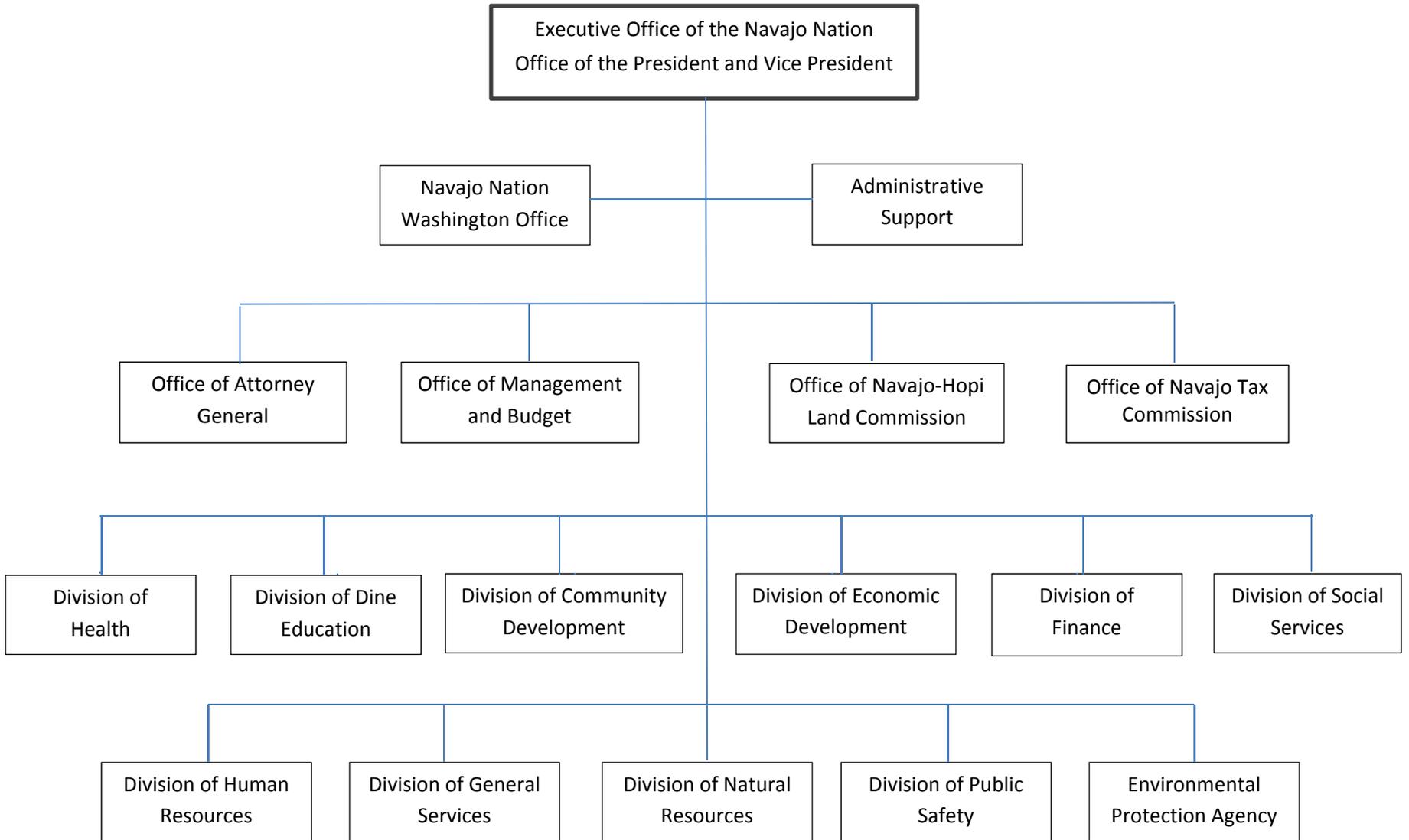


NAVAJO NATION DEPARTMENT FOR SELF RELIANCE
DIVISION OF SOCIAL SERVICES

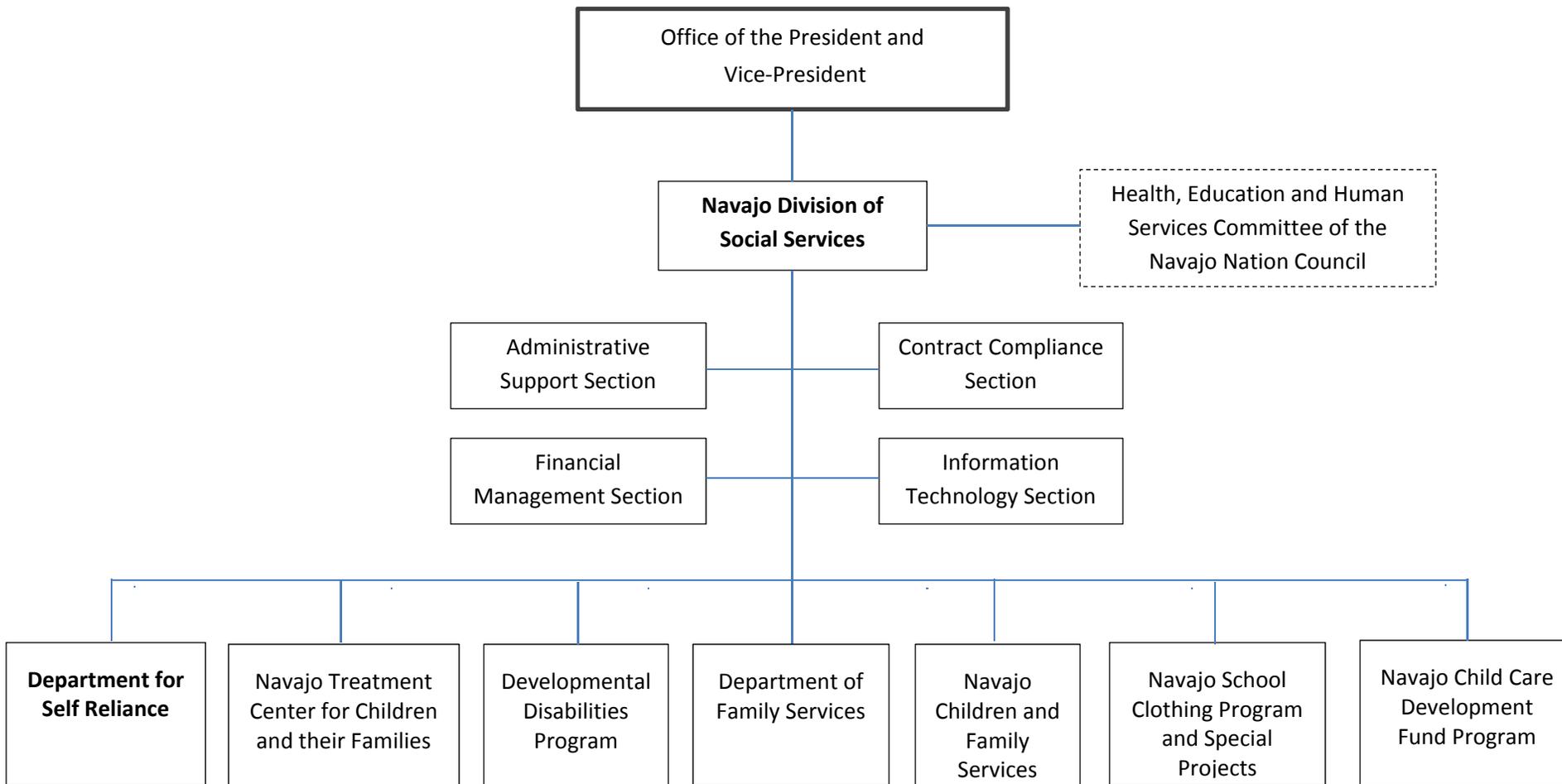
EXHIBIT “B”:

Organizational Charts

NAVAJO NATION GOVERNMENT
EXECUTIVE BRANCH
Organizational Chart



THE NAVAJO NATION
DIVISION OF SOCIAL SERVICES
Organizational Chart



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

Organizational Chart

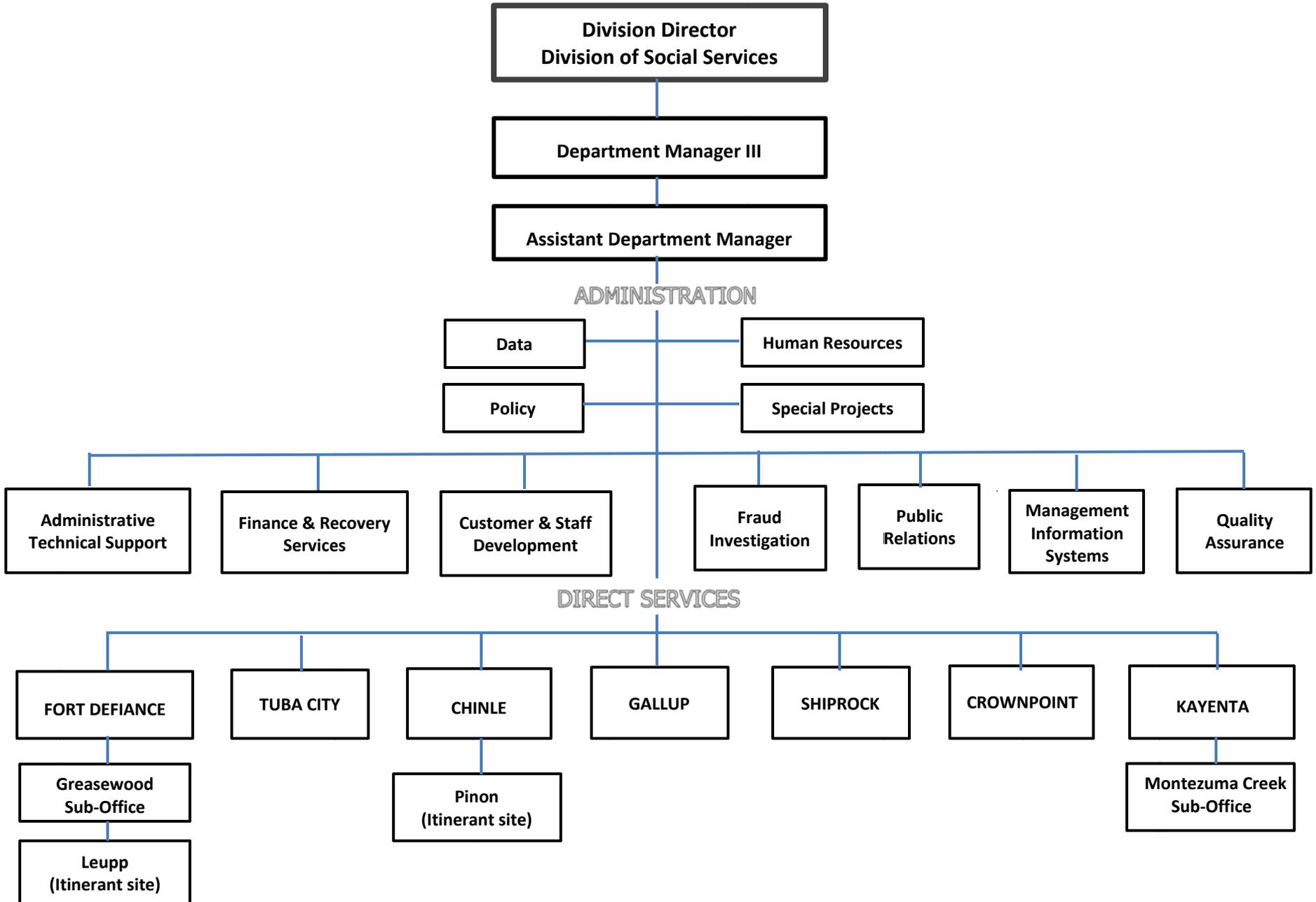


EXHIBIT “C”:

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;

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:

9-11-15

SIGNATURE:

Paul B...

TITLE:

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: _____

ORGANIZATION: _____

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: 9-11-15

SIGNATURE: Russell Byrne TITLE: President