LEGISLATIVE SUMMARY SHEET
Tracking No. 0168-22

DATE: September 21, 2022

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPROVING AMENDMENTS TO THE NAVAJO NATION DIVISION OF SOCIAL SERVICES' PROFESSIONAL STANDARDS AND ETHICS MANUAL; REMOVING THE "FINANCIAL SERVICES PROTOCOL" SECTION AND INCLUDE THE "BURIAL ASSISTANCE AND GENERAL ASSISTANCE POLICY MANUAL"

PURPOSE: This resolution, if approved, will establish the COVID-19 Relief Donation Fund to house financial donations made to the Nation for its COVID-19 response efforts.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

OLC No. 22-229-1

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 4:16 pm; 09/22/22
Posting End Date: 09/27/22
Eligible for Action: 09/28/22

Health Education and Human Services Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – Fourth Year, 2022

Introduced by:

Primary Sponsor

Tracking No. **0168-22**

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPROVING AMENDMENTS TO THE NAVAJO NATION DIVISION OF SOCIAL SERVICES' PROFESSIONAL STANDARDS AND ETHICS MANUAL; REMOVING THE "FINANCIAL SERVICES PROTOCOL" SECTION AND INCLUDE THE "BURIAL ASSISTANCE AND GENERAL ASSISTANCE POLICY MANUAL"

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and has legislative oversight over the Navajo Nation Division of Social Services ("DSS") and its programs. The Committee is also empowered to review, recommend or propose the adoption, amendment or rescission of the Plans of Operation for DSS programs. 2 N.N.C. §§ 400(A), 401(C)(1).

B. The Health, Education and Human Services Committee is authorized to establish Navajo Nation policy and promulgate rules and regulations governing human services and general government services of the Navajo Nation, including those services provided by DSS. 2 N.N.C. § 401(B)(1).

OLC No. 22-229-1

SECTION TWO. FINDINGS

A. In Resolution No. HEHSCMA-0108, passed in May of 2008, the Health, Education and Human Services Committee of the Navajo Nation Council approved the Navajo DSS' Professional Standards and Ethics Manual ("PSE Manual"), which included a section on "Financial Services Protocol". **Exhibit A.**

B. DSS wishes to revise the "Financial Services Protocol" section of the PSE Manual in its entirety. This section sets forth criteria and procedures for Burial Assistance, General Assistance, Tribal Work Experience Program, Emergency Assistance, Community Services Block Grant ("CSBG"), and Low-Income Home Energy Assistance Program ("LIHEP"), is now being totally revised. LIHEAP and CSBG manuals have already been adopted.

C. DSS desires to include the new Burial Assistance and General Assistance Policy Manual ("Assistance Manual"). **Exhibit B.**

D. The DSS' Professional Standards and Ethics Manual, Financial Services Protocol is provided as **Exhibit A,** and is stricken in its entirety. The proposed new Assistance Manual is attached as **Exhibit B**, which is underlined in its entirety because all provisions are new.

E. The Navajo Nation Department of Justice has reviewed the proposed amendments and deemed the amendments legally sufficient. Section 164 Review Form is attached as **Exhibit C**.

SECTION THREE. APPROVAL

A. The Navajo Nation hereby approves the proposed amendments to the Navajo Nation Division of Social Services' Professional Standards and Ethic Manual, pertaining to the Navajo Family Assistance Services: Burial Assistance and General Assistance Policy Manual.

SECTION FOUR. EFFECTIVE DATE

A. This Action shall be effective in accordance with 2 N.N.C. § 221(C).

B. The new Navajo Family Assistance Services: Burial Assistance and General Assistance Policy Manual shall become effective on the first day of the first month following the approval of the Health, Education, and Human Services Committee.

SECTION FIVE. SAVING CLAUSE

If any provision of this Policy Manual is determined invalid by the Supreme Court of the Navajo Nation, or by any Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the remainder of this Policy Manual shall be the law of the Navajo Nation.

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PRESIDENT
JONATHAN NEZ

VICE PRESIDENT
MYRON LIZER

MEMORANDUM

To : Executive Official Review Document Reviewers 6/15/22

From : Marlenda Tilleman for DNG
Deannah Neswood-Gishey, Executive Director
Navajo Division of Social Services

Date : June 15, 2022

Subject: EOR Document No. 018808: Revised Burial Assistance and General Assistance Policy Manual

In May 2008, then Health, Education and Human Services Committee of the Navajo Nation Council approved Resolution HEHSCMA-01-08 for the Navajo Division of Social Services' Professional Standards and Ethics Manual, which include the Financial Services Protocol.

The Financial Services Protocol includes Burial Assistance, General Assistance, Tribal Work Experience Program, Emergency Assistance, Community Services Block Grant (CSBG), and Low Income Home Energy Assistance Program (LIHEAP). This section of the Manual is being revised. Additionally, NDSS does not operate Tribal Work Experience Program and the Emergency Assistance is an unfunded mandate. There exists LIHEAP and CSBG policy manuals.

Therefore, the Financial Services Protocol is strike-through, and the proposed amendment of the Burial Assistance and General Assistance Policy Manual is entirely underscored.

Thank you for your timely review. If you have any questions, please call Ms. Roselyn Begay, Senior Programs & Projects Specialist at 871-6851 or email: Roselyn.Begay@nndss.org.

Attachments:

EXHIBIT A

A. INTRODUCTION:

A. This Policy Manual is to govern and guide the provisions of Burial Assistance and General Assistance in an effective, efficient, and uniform manner for eligible individuals and families using an electronic case management database, and consistent with 25 CFR Part 20.

B. The Indian Self-Determination and Education Assistance Act, as amended, Public Law 93-638, provides Indian tribes the authority to contract with the federal government to operate programs serving their tribal members and other eligible individuals.

C. In 1982, the Navajo Nation contracted with the Bureau of Indian Affairs (BIA), pursuant to Public Law 93-638, to administer the Social Services programs. The Navajo Family Assistance Services (NFAS) Office within the Navajo Nation Division of Social Services will administer and implement the provisions of Burial Assistance and General Assistance.

D. Burial Assistance provides funds to assist with the burial expenses of deceased indigent tribal members whose estates do not have sufficient resources to meet funeral expenses.

E. The General Assistance provides financial assistance payments to eligible tribal members for essential needs of food, clothing, shelter, and utilities. The goal of General Assistance is to increase self-sufficiency. This is accomplished through specific steps an individual will take to increase independence as outlined in his/her Individual Self-Sufficiency Plan (ISP). To be eligible for General Assistance, all applicants must apply concurrently for financial assistance from other state, tribal, county, local or other Federal agency programs for which they might be eligible.

F. The procedural guidelines are based on and are consistent with the definitions, purpose, policy, administrative procedures, eligibility conditions, hearings, and appeals requirements of the 25 CFR 20.700 for financial assistance.

G. Customer Rights:

Each customer has a right to:

A. Be treated with respect and dignity.
B. Have their privacy recognized and respected, including protection of any information that identifies the customer and their family pursuant to the Navajo Nation Privacy and Access to Information Act.
C. Be treated fairly regardless of race, ethnicity, national origin, religion, gender, age, disability, sexual orientation, or source of income.
D. Apply for and receive assistance and services at any NFAS field office of their choice.
E. Receive a copy of this Policy Manual.
F. Develop an Individual Self-sufficiency Plan (ISP), for ongoing General Assistance services, based on their interests and chosen goals.
G. Receive services provided in an appropriate manner with consideration of their limitations.
H. Make written or verbal complaints and receive resolution of their issues or concerns.
I. Appeal, in accordance with Section XX, an action taken or not taken by the NFAS regarding their application, assistance, or case.
J. Receive copies of supporting documents they submitted and notices that are generated by the NFAS.
K. Withdraw their application before a decision is made by the NFAS.

L. ~~Bring a person of their choice to appointments and/or hearings.~~
M. ~~Be fully informed of any decisions or changes affecting the services and assistance they currently receive.~~
N. ~~Voluntarily close their case at any time.~~
O. ~~Refuse assistance and services offered by the NFAS.~~

~~H. Customer Responsibilities:~~

~~Each customer has a responsibility to:~~

~~A. Treat others with respect and dignity, refrain from verbal/physical conduct toward NFAS staff.~~
~~B. Provide accurate and complete information about their present conditions, previous services and other information relating to his or her situation.~~
~~C. Provide all required documentation for eligibility determination.~~
~~D. Cooperate with NFAS in the determination of their eligibility and the monitoring of their on-going eligibility, including investigations.~~
~~E. Comply with all scheduled appointments, including arriving on time, or contacting the NFAS employee to reschedule appointments in a timely manner.~~
~~F. Develop and complete their ISP for General Assistance within thirty (30) working days after the date on the Approval Decision Notice.~~
~~G. Commit to achieving their ISP goals and objectives.~~
~~H. Review and update their ISP as follows:~~
~~a. Every three (3) months for customers who are not exempt from seeking or accepting employment in accordance with §20.315 of 25 CFR Part 20, or the ISP;~~
~~b. Every six (6) months for all recipients; and~~
~~c. Whenever there is a change in status that can affect a customer's eligibility or amount of assistance.~~
~~I. Immediately inform their senior caseworker of any such changes.~~
~~J. Comply with enrichment activities. This applies to only General Assistance customers.~~
~~K. Comply with all referrals to internal and external resources.~~
~~L. Use monthly assistance payments for its intended purposes.~~
~~M. Respect the rights and property of others, including NFAS employees and property.~~

~~I. Employee Responsibilities:~~

~~Each NFAS employee is responsible to:~~

~~A. Treat each customer with respect, dignity and in a professional manner.~~
~~B. Uphold and protect the confidentiality of all customers in accordance with the Navajo Nation Privacy and Access to Information Act, and this Policy Manual.~~
~~C. Provide each customer with a copy of this Policy Manual.~~
~~D. Explain to the customer their rights and responsibilities.~~
~~E. Provide an orientation about the services customers are seeking, including eligibility criteria and required documentation.~~
~~F. Provide each customer an Application for NFAS Burial Assistance or General Assistance and other forms necessary and help those individuals or customers who request for assistance with completing the application and related forms.~~
~~G. Ensure customer understand NFAS requirements and consequences for non-compliance.~~
~~H. Ensure all customers understand that if they do not agree with a decision made regarding their application or assistance, they have the right to appeal the decision in accordance with Section XX.~~
~~I. Assist customers to understand and identify their needs, interests, strengths and weaknesses as they begin to pursue self-sufficiency.~~
~~J. Assist customers to pursue all opportunities and resources available to him or her.~~
~~K. Document all interactions with customers in case notes.~~
~~L. Make payment adjustments in a timely manner when customers report a change in their circumstance.~~
~~M. Provide accurate and timely determination of eligibility for NFAS assistance and services.~~

N. At a minimum, communicate and follow-up with customers monthly, including providing advance notice of decisions or changes affecting customers' eligibility and assistance.
O. Provide adequate notice to inform the customer prior to home visits. This applies only to General Assistance customers.
P. Prepare for and keep each appointment, regardless of early release or administrative leave.
Q. Make every effort to keep an appointment. If for any reason, an employee is not able to keep an appointment, the employee must arrange with their supervisor to contact the customer to reschedule the appointment, or have another employee meet with the customer.
R. Participate in the development and monitoring of the customer's ISP.
S. Obtain Tribal Assistance System (TAS) certification within six (6) months of employment or when TAS is fully implemented.
T. Report a potential Intentional Program Violation (IPV) committed by a customer to the NFAS Senior Programs and Projects Specialist (SPPS) when an employee suspects or becomes aware of an IPV.

This protocol is developed to assist the social service staff in providing effective and efficient financial case management services for children, adults, elders, and families using the systems model of case management service. The Division uses the following case management continuum in providing services.

1. Referral/ Intake/screening
2. Assessment, identification of need for service
3. Case Plan development
4. Implementation
5. Tracking/Monitoring/Evaluation
6. Aftercare/Termination/Outreach

The purpose of This Financial assistance protocol is to provide procedural guidelines to assure a uniform administration of all the financial assistance programs under the Navajo Nation Division of Financial assistance, contracted services including General Assistance, Tribal Work Experience, Emergency, Disaster, Burial, Community Service Block Grant, Low Income Home Energy Assistance and any other programs that pertain to financial aid within the Financial Services Department.

The procedural guidelines are based upon and are directly related to the definitions, purpose, policy, administrative procedures, eligibility conditions, hearings and appeals requirements prescribed in 25 CFR 20.700 Financial Assistance and Social Service program, 25 CFR 20.32: Temporary Assistance For Needy Families (TANF) (Navajo Nation Program for Self Reliance); 45 CFR Low Income Home Energy Assistance Program (LIHEAP) and Community Service Block Grant (CSBG), Division of Social Services Grievance and Client Rights Policy is intended to implement the regulatory requirements.

The financial assistance program is to promote self-sufficiency. Each financial assistance consumer must work with the worker to develop an individual (ISP) self-sufficiency plan and document their involvement and agreement with the plan via their signature on the plan. Those consumers who are assessed to be employable shall seek employment per their ISP guidelines. An ISP will outline specific steps the individual will take towards self-sufficiency.

ASSESSMENT, AND IDENTIFICATION OF NEED FOR SERVICE

1. CASE ASSIGNMENT TO WORKER FOR ASSESSMENT:

A senior caseworker involvement is essential to begin eligibility determination, coordination, and linking the consumer a customer to resources. The senior caseworker is will be assigned from the time there is a documented identification of need to the termination of services.

~~The continuum in the case management process is paramount; therefore, a change in a senior caseworker during the time the consumer a customer is receiving financial assistance is not recommended, except where a conflict of interest exists between the senior caseworker the worker/consumer relationship has been compromised.~~

~~7. The Supervisor assigns a worker to begin services when a need is identified.~~
~~8. After assignment of the case, the assigned worker shall make contact with the consumer.~~
~~9. A NDSS Application shall be completed with the consumer to begin social service.~~
~~10. The assigned worker and the consumer will complete an initial case plan based on the assessments.~~

e. In-Kind Income
   i. The value of any item, which an individual receives in return for labor/service, is considered as earned income.

l. Jury Duty
   i. Income received for serving as juror, minus allowable expense for transportation, meals, etc.

m. Rental Income
   i. Any payment received for rental of property.
      7. Unearned Income includes but not limited to the following;

n. Income from interest shall be counted to the extent they are not disregarded by federal statute.
   i. Oil, gas and other mineral royalties; rental property; cash contributions such as child support and alimony; retirement; disability and unemployment benefits; Social Security Benefits; Veterans Administration Benefits; per capita payments not excluded by federal statute; sale of trust land and reinvestment in trust land or primary residence, or if set aside, has not been reinvested in trust land or a primary residence at the end of one year from the date the income was received; federal and state tax refunds.

o. In Kind Contribution:
   xx. A provision of shelter at no cost to the individual or household; in establishing the amount for the shelter included in the Navajo Nation Program for Self Reliance (TANF) standards if identifiable and,
   xxi. Provision of personal and household goods such as food, clothing, furniture, etc. and/or payments of debts (vehicles, loans etc.) at no cost to the individual or household.
   xxii. Unearned income may be received on a regular basis or irregular basis. When receipt of such income is sporadic or unpredictable, appropriate allowances must be made. For example, anticipated income is not to be counted until it is actually available to the applicant or consumers. The following are considered as unearned income.
      1. Interest payments or dividends from capital investments such as savings accounts, bonds, notes and mortgages, etc.
      2. Income producing property: When there is lease or rental from property, other than the home on the acreage or lot associated with shelter by the applicant, income from rental or lease is considered as unearned and available to meet needs.
      3. Mineral and Oil: Gross income from mineral, gas, oil, as well as bonuses, delayed rentals and production are to be considered as unearned income.
      4. Contributions: Recurring contributions such as child support and alimony payments are to be considered as income available to meet needs.
      5. Retirement, Disability and Unemployment and other Benefits: Income from these sources is classified as unearned income.
      6. Life insurance, pensions, compensation, veterans benefits, railroad retirement, unemployment compensation, workman's compensation, strike benefits by unions, survivor's benefits and the servicemen's dependent's allowance are possible sources of income to the applicant and or dependents. However, cash benefits intended for the exclusive benefit of children, such as survivor's benefits or recipient of both SSI/ SSB payments should not be considered as available income to the

entire household.

7. Per Capita Payments: funds derived from tribally owned trust or income producing enterprises shall be considered to be income for meeting needs unless excluded by federal statute.

1. Land Sale Income: Income derived from sales of land with trust status shall be considered as income when it becomes available to meet need unless set aside for the specific purpose of reinvestment in trust land a primary residence by the end of one year from the date it was received, it shall be counted in its entirety as available to meet need.
2. Income from the Sale of Real or Personal Property: income derived from the sale of real or personal property unless proceeds from the sale are reinvested in trust land or primary resident within one year.
3. Federal and State Tax rebate: shall be considered as available income to meet need.
4. No applicant or a consumer of general assistance shall be required to dispose of capital resource used in the production of income for self support, selling his or her home, or cash from an insurance policy as a condition for receiving general assistance or to meet eligibility requirements.

6. ASSISTANCE FROM OTHER GOVERNMENTAL PROGRAMS

a. Types of Benefits that shall be assessed in determining eligibility for service as payer of secondary source.
b. Applicants who are receiving public assistance, Supplemental Security Income payments in their own right, or whose needs are included in such payments are not eligible for General assistance.
c. All applicants who are applying for financial assistance who is deemed eligible or potentially eligible for assistance from other programs shall be required to concurrently apply for that assistance.
d. Navajo Nation financial assistance may be provided only to meet the applicant's needs until other resources are actually received. If necessary, the applicant can be assisted in applying for other resources. Payments will not be authorized for any months in which Program for Self Reliance or Supplemental Security Income payments are made, except if retroactive payment to applicant is made by the other program prior to the official discontinuation of financial assistance grant.
e. The worker is to assist in providing referrals to ascertain the eligibility status for the consumer to the assistance programs. Some of the assistance programs are identified as follows:

i. Veterans Benefits:

1. If a person is a veteran, the following benefits may be available: compensation for a service connected disability benefits for dependents and survivors, etc.

ii. Railroad Retirement

1. Applies to an individual who has worked for the railroad. If she/he was injured on the job, or was laid off, she/he should be referred to the Railroad Retirement Office for eligibility assessment.

i. Other resources may also be available.

1. Workman's Compensation
    a. Compensation is paid to a person who was injured while on the job.
2. Unemployment Compensation

t. Compensation for an individual who was laid off from their permanent job.

u. The applicant can be referred to the unemployment office for assessment.

iv. Private Insurance:

Private insurance companies insure a person in case of disability, accident, injury or death. The family may have coverage through employment or through private pay.

v.Other Public Assistance eligibility: Program for Self Reliance, spousal Support.

7. ACCEPTANCE OF AVAILABLE EMPLOYMENT

1. All employable person age (16) sixteen or older who are applicants for or consumers of General Assistance are required to accept available local and seasonal employment, which they are "able' and "qualified" to perform.
   a. The worker and the applicant or consumer shall jointly make determination of the actual availability of employment. Factors to be considered in evaluating the acceptance of available employment are:
      i. Actual availability of employment
      ii. Physical capability and mental capacity to perform the work available, using consumer's own analysis of him/herself, sound judgment by worker or medical evidence.
      iii. Adequate skills and experience to qualify for employment
      iv. Employment would not create undue hardship on the family situation or interrupt school attendance of school age children.
      iii. Existence of family or childcare problems or illness of family members, which would preclude the acceptance of employment.

2. The employment policy does not apply if the applicant/consumer is:
   p. Anyone younger than age sixteen(16) .
   q. A full time student under the age of nineteen (19) if he/she is attending an elementary or secondary school, or a vocational or technical school equivalent to secondary school, and that he/she is making satisfactory progress.
   r. A person enrolled at least half-time in a program of study according to **P.L.** 100-297 section 5404 if he/she is making satisfactory progress, and that he/she was an active general assistance consumer for a minimum of three (3) months before determination/ re-determination of eligibility.
   s. A person suffering from a temporary medical injury or illness and is documented in the case plan that the illness or injury is serious enough to temporarily prevent employment and that he/she must be referred to SSI if the disability status exceeds three (3) months.
      i. A physician support statement is to be provided after thirty(30) days.
   t. An incapacitated person who has not yet received Supplemental Security Income (SSI) assistance if a physician, psychologist, or social worker certifies that a physical or mental impairment prevents the individual from being employed and that the assessment is documented in the case plan.
   u. A caretaker who is responsible for a person in the home who has a physical or mental impairment if a physician or certified psychologist verifies the condition, and that the case plan documents the condition required the caretaker to be home on a continuous basis; and there is no other appropriate household member available to provide this

care.

g. A parent or other individual who does not have access to childcare if he/she personally provides full time care to a child under the age of twelve(12).

a. A person for whom employment is not accessible and there is minimum commuting time of one hour each way.

3. Where Navajo Nation administers a Tribal Work Experience Program (TWEP), the non-exempt individual may be available to participate in projects like the general education equivalency (GED) classes. However, participation does not relieve the individual from seeking or accepting employment.

4. Individual who is not exempt must seek employment; provide documentation of efforts to obtain employment.

a. In case where there is more than one employable member in a household, exclusive of a spouse identified, as not having childcare or employment is not accessible, each household member who is not exempt from seeking employment must provide evidence of four (4) or more job seeking activities per month and reviews will be scheduled in the following manner.

1. E1: ONCE A MONTH REVIEW:
   a. Person with a high school diploma, college education and or skilled in a trade.
2. E2: EVERY THREE MONTHS REVIEW:
   a. Person who has some education, but did not graduate from high school; however, assessment by worker shows person with a good employment history in a particular field or occupation.
3. E3: EVERY SIX MONTHS REVIEW:
   a. Uneducated and semi educated individual categorized as "laborers" who have no work experience or unskilled shall be required to submit evidence of job seeking efforts based on the actual availability such job in or close proximity of applicant's residence.

5. General Assistance head of household, who has been determined "unemployable is not required to seek employment. However, other individuals in his/her household who are determined "employable" will be categorized in one of the "employable categories and is required to seek employment.

6. Procedures on employability Status:

a. The worker shall work with the consumer in assessing and determining which category best applies to him/her.

b. Based on the category (E1, E2, E3) of the consumer's employability status, the worker and consumer will discuss and agree on the type and number of job seeking activities he/she will be required to pursue for a determined period of time.

c. The worker and consumer shall develop employment goals on an Individual Self Sufficiency (ISP) form, which identify the planned activities of the consumer and worker. Both parties must sign the ISP.

d. Consumers obtain a job seeking verification in written form, which should indicate the number of contacts that will be required and the duration of the job seeking activities. The consumer must seek employment and provide evidence of their monthly efforts to obtain employment.

e. The worker will determine if job seeking efforts by the consumer meet the agreement explained in ISP.

f. The worker shall inform consumers that if they do not seek and accept available and local and seasonal employment, or if they quit a job without good cause, they cannot receive general assistance for a period of at least sixty (60) days, but not more than ninety (90) days after they refuse or quit a job.

v. If an effort of the consumer is not justified, the sixty 60) day period of ineligibility as explained in the section below will be enforced.

w. E-1 & E-2 individuals who refuse, or otherwise fail to seek and accept available local or seasonable employment, or who voluntarily and without good cause do not maintain their employed status, within the last ninety (90) days will not be eligible to receive general assistance for a period of sixty (60) days following the date of application or effective date of action/decision.

x. A sixty (60) day period of ineligibility will be renewed upon each application for general assistance until the applicant complies with the requirement to seek and accept to seek employment as agreed to in the ISP.

y. An individual serving sixty (60) day ineligibility period will have the suspension period reduced by thirty (30) days upon providing evidence that he/she has made reasonable efforts to seek employment.

z. Evidence of reasonable effort will be established if a consumer serving a sixty (60) day period of ineligibility voluntarily submits documents showing he/she is seeking employment and continues job-seeking activities.

aa. Periods of eligibility suspension shall affect only the individual who fails to comply with the provision.

bb. The ineligible non-Indian "employable" household member must seek employment although their needs are not included in the assistance.

8. COMPUTATION OF NEED

13. Basic consumption items:

a. These should include food, clothing, shelter, fuel, utilities, and personal requirements that the Navajo Nation has established as essential for all individuals.

14. Persons whose basic needs may be included in a Budget:

cc. The determination of the inclusion of the needs of an individual or members of a family in the assistance budget shall be made after a careful analysis of the current living arrangements. This analysis shall include a determination of the individual who is to be designated as" head of household". The assistance budget will be computed for the total number of eligible persons.

dd. The "head of household" shall be the individual who is chosen or designated by the family group as the person to be responsible for the family.

ee. All persons living together with the "head of household" including other adult members who may be related or unrelated but who function as members of the family shall be included in the family budget for purpose of determining family assistance amount.

ff. The worker has the responsibility of determining the eligibility of each person included in the application for general assistance, taking into consideration the income and resources of all persons for whom assistance is being sought.

i. A newborn child's need must be deleted if an enrollment number is not obtained within ninety (90) days after birth.

gg. In cases where other eligible adult members are living in the same household, and they request to receive a separate grant for "justifiable reasons" the following shall apply: i. Justifiable reason implies a circumstance that requires or warrants some authorization or sanction.

ii.The worker receiving the request will have to assess the consumer's reason for requesting a separate check.

1. If the circumstances have been substantiated and there are no other ways to resolve the issue, a separate check may be authorized by the worker.

2. Some examples
    a. A claim by an individual that he/she is not benefiting or receiving his/her share of the general assistance
    b. The general assistance is being misused by the payee

iii. The individual who owns the shelter or is responsible for the shelter expenses shall be eligible to receive the full assistance standards identified for his/her family size minus any available resource.

iv. In cases where none of the household member own or assumes responsibility for the shelter expenses, shelter cost shall be excluded.
    1. Each person will be informed that they will receive the full amount of standard if and when they start assuming full responsibility for shelter, unless there is evidence provided that the value of the free shelter is less.

v. In unique cases involving the "traditional" practice of maintaining two(2) spouses, the following procedure will apply:
    1. If the individual lives in the same household with both spouses and children, the entire household group is one family group and shall be included in the same assistance grant.
    2. If the spouses live in separate households, each family group will be treated, as a separate household and assistance budget will be set up as two separate assistance grants.
        a. The need of the individual maintaining two spouses shall be included with the family group with whom he spends more time.

vi. Workers shall make every effort to keep the entire family, including other eligible adult boarders; in one budget unless a separate grant has been specifically requested and justified by the household.

vii. A case file will be made and maintained for each financial assistance grant that is authorized by the worker. Cases, which involved separation of grant assistance, will be properly cross-referenced to avoid confusion.

viii. In a household composed of eligible and ineligible members, the needs of the ineligible persons will not be considered in the computation of the financial assistance grant. The eligible household members shall be advised of possible assistance from other sources and a referral made.

ix. In a mixed household composed of non-Indian spouse or family members, or Indian who do not meet the criteria set forth will be excluded from the budget. However, ineligible household member's income will be prorated to determine the amount that will be applied toward eligible household family members.

x.Social Security and Veterans Administration Survivors benefits paid on behalf of a child must be used or saved for the care, maintenance, education or future of the child.
    1. The money is not for the support of other family members. Therefore, in determining a family's eligibility for financial assistance, a child who is receiving income from the social security administration or the veteran's administration for his/her own support is to be excluded. The worker shall determination only on the remaining family member's income.

xi. If the consumer and spouse are living together, income received by either spouse and income jointly earned shall be considered as family income.

i. If the consumer and spouse are living apart and there is no "clear break" (divorce, separation) in the family relationship and the spouses have been apart for more than thirty (30) days, the spouse will be referred to the Program for Self Reliance (TANF) office for financial assistance.

f. The Division shall prorate:

i. Over a twelve (12) month period, any recurring annual income received by individuals such as teachers whose regular employment does not engage them on a year round basis.

1. This includes BIA school employees who get furloughed for a certain period of time.

ii. Income received by individuals employed on a contracted basis over the period of the contract

1. One-time contractual payment will be considered as income in the month it is actually received.

i. Lump sum income received quarterly, semi-annually or yearly over the period covered by the income. The NDSS shall prorate the income unless there is evidence that the income will not continue to be received in the future. Lump sum payment such as Individual Indian Money, oil royalties, income tax refund, etc. shall be prorated according to the budget standard.

g. Income Disregards

i. NDSS shall disregard from the gross amount of earned income, amounts deducted for:

4. Federal, State, and local taxes.
5. Social Security (FICA)
6. Health Insurance
7. Work related and self-employment expenses for employed persons, which include expenses such as union fees and verifiable transportation to and from work, are to be deducted from the gross income to establish the amount available to meet need.
8. Child Care costs except where the other parent in the home is not working or is not disabled; however exception will be made in cases where the parent in the home is determined and documented to be incapable of providing appropriate care of the children.
9. The costs of special clothing, tools, and equipment directly related to the individuals employment. All the above will be disregarded from self-employment income after deducting costs of doing business
10. Consumers of State unemployment compensation will be allowed a reasonable amount deduction for work search expense.

ii. NDSS shall disregard as income or other liquid assets.

1. The "first" two thousand dollars ($2,000.00) of liquid resources available to the household.

g. Resources are all types of income and other liquid assets available for the support and maintenance unless otherwise disregarded or specifically excluded by Federal Statute.

h. This provision is not to be construed as applying to earned or unearned income during the month in which such income is received. All monies not specifically exempt by law will be considered available for family support and maintenance and counted as income in the month it is actually received.

i. All income earned or unearned must be calculated in the month it is received.

j. Since the current payment processing procedures does not allow for timely adjustment of grants when incomes are received the worker must compute overpayment and recover the

overpaid amount

e. The two thousand dollar ($2,000.00) disregard of earned or unearned income applies after thirty (30) days has expired.

i. Example: A general assistance consumer receives three thousand dollars ($3,000.00) on the 1st of August. For thirty (30) days, the income is considered as available for consumer's use and makes him/her ineligible for that period. During this period, he/she spends one thousand dollars ($1,000.00) and puts two thousand dollars ($2,000.00) in the bank. On September 1st, he reapplies for financial assistance. The two thousand dollars ($2,000.00) , he/she has put in the bank is now a "liquid asset' and is completely disregarded under the two thousand dollars ($2,000.00) disregard provision, and the consumer is eligible to receive assistance again.

ii. Secondly, for any liquid resource that is considered "liquid Asset", the two thousand dollars ($2,000.00) disregard applies immediately. There is no thirty (30) day period when the asset can be considered available for support and maintenance, unless the asset is converted to "cash".

f. The two thousand dollars ($2,000.00) disregard of liquid resource can be reapplied again under certain circumstances. The main thing to remember is the phrase, "the first two thousand dollars ($2,000.00) of the liquid resources available to the household". Any liquid asset in excess of the two thousand dollars ($2,000.00) disregard shall be considered available for support and maintenance and deducted from the household's assistance budget.

g. If an unmet need is no longer evident after the applicable liquid resource is deducted from the household's assistance budget, the financial assistance for the household will be discontinued. However, the consumer's can reapply for financial assistance whenever they are in need again, the process of the disregard starts all over again.

h. Any home produce from garden, livestock, and poultry utilized by the applicant or consumer and his/her household for their consumption.

i. Foster care maintenance payments are intended to meet the needs of the foster child and are to be totally disregarded as a part of the household income.

- j. Resources specifically excluded by federal statute.

h. In arriving at net income, the following examples shall not be considered as allowable deductions.

i. Business expenses do not include items such as depreciation, personal business and entertainment expenses, personal transportation, purchases or capital equipment and payments on the principal on loans for capital assets or durable goods.

ii. Personal debts, including payroll deduction for personal debts.

ii. Installment payment or other payments to lending institutions including tribal and bureau credit programs, banks, loan companies, housing

authorities and FHA.

iv. Legal judgment including child support, alimony, bail bond, attorney fees and court levied fines.

xxiii. Medical, drugs, and other related costs.

i. Each person living in a household is assumed and expected to use his/her income and resources in a manner that will not deprive other members of the household the basic necessities. Workers should explore and counsel household members on plans for sharing expenses.

i. Where the household member is a relative and is ineligible due to income, the ineligible household member shall show that they do not claim the consumer/ applicant as dependents of their Federal income Tax Information. This can be done by obtaining a copy of the latest Income Tax Return that was filed by the ineligible household member, or by having the ineligible household member submit a signed statement stating he/she does not claim the individuals in question as dependents.

3. The Financial Assistance shall not be used as follows;

hh. To supplement training and or educational costs. Basic essential living costs are included in the training or educational grants.

ii. Each student must meet the basic eligibility requirements before the following is applied.

xxiv. In case where training and or education requires a member of the household to be away from the permanent residence for prolonged or extended periods of time, and if verified that training and or education grants cover that individuals basic needs only; the rest of the family members, if otherwise eligible, shall be eligible to receive general assistance.

xxv. If the individual received training and or educational grants and participants in these activities from his/her educational grants and participation in these activities from his/her home and it is verified that his/her basic and essential living needs are not included in the educational grant and his/her family is otherwise eligible, his/her needs shall be included in the Navajo Nation general assistance grant.

4. To provide an alternative to Program for Self Reliance and Supplemental Security Income.

5. To supplement Program for Self Reliance or Supplemental Security Income.

CASE PLAN DEVELOPMENT

A. In order to receive financial assistance payments, the consumer must participate in the case plan development for self-sufficiency. The purpose of the case plan and the individual self-sufficiency (ISP) is to develop long and short-term goals for self-sufficiency.

B. **CASE** PLANNING:

Case planning to achieve permanency is to begin as soon as the case is assigned.

1. Use the NDSS Case Planning Form with appropriate signatures as proper documentation.
2. E-1 & E-2 applicants must seek employment.
3. An applicant must be available and accept local and seasonal employment for which they are eligible along with the application for assistance.
   a. The case plan shall include that if applicant fails to seek or maintain employment, he/she is subject to sixty days (60) ineligibility.
4. The applicant shall apply for other federal, state, county, or local program for which they

may be eligible concurrent with the application for financial assistance.

The assigned worker shall develop a case plan ***with the consumer within thirty (30) working*** days. The case plan is strength based and must emphasize consumer strengths. The case plan is developed in the following format: Specific, Measurable, Attainable, Realistic and Time Limited. The roles and responsibilities of the consumer and worker will be specific.

After assessments have been completed and financial eligibility has been established, the next step is to develop a case plan. A case plan must be developed with consumer's input. If the consumer is unable to participate in the development of the case plan because of circumstances such as physical or mental disability, inability to speak English/Navajo or other such difficulties, the worker shall be responsible for contacting other persons who maybe able to help in the case plan development. The format of the case plan goals and objectives shall be specific, measurable, attainable, realistic, and time limited:

3. Identification of personal information and data
4. Identification of problems/obstacles
5. Identification of short-term goals: The worker shall outline objectives and goals that can be accomplished within a month to six (6) month period. Goals are to be accomplished, shall be prioritized in order of needs and importance.
6. Identification of long-term goals: the worker shall outline objectives and goals that can be accomplished within six (6) months to a year. Goals shall be prioritized.
7. Tasks or course of action: Workers shall outline tasks that are to be undertaken by consumers, workers, and other service providers, emphasizing accomplishments of goals and objectives through coordinated or joint efforts. All Tasks and objectives shall be identified within reasonable time frame.

An Individual Self-Sufficiency Plan:

Individual Self-Sufficiency Plan (ISP) is developed to meet the goal of employment through specific action steps and is incorporated within the case plan for the general assistance consumer. The ISP requirement does not apply to individuals who are exempt from the job search requirement. The plan is jointly developed and signed by the consumer and the worker.

8. After assessment of financial eligibility and employability, the worker must explain the general assistance program policy regarding employment, the penalties for non-compliance, and the joint responsibilities of the consumer and the worker.

9. If the consumer agrees to participate, the ISP will be filled out to reflect the short and long term goals, and activities as how to carry out the tasks. The format of the ISP includes.

   iii. Identification of employment goal: Consumer must actively seek employment, including use of all available employment services.
   iv. Short and Long term goals to achieve employment. Accept local and seasonal employment when it is available.
   v. Short and Long term goals may include the attendance of GED classes, training, community services, which may lead to future employment. If head of household does not comply, the individual will not be eligible for at least sixty (60)days, but not more than ninety (90) days. This will be documented in the file.
   vi. The plan may also include residential rehabilitative treatment and counseling for substance abuse if it is considered to be a barrier to employment.
   vii. Tasks or course of actions shall be identified and agreed upon between the consumer and the worker.

IMPLEMENTATION

The Assigned worker will be knowledgeable of internal and external resources. Outpatient services are priority method of intervention before inpatient services based on the least intrusive method of intervention. The assigned worker will screen and refer consumers for specialty services:

To ensure case plan implementation, the assigned worker shall:

7. Collaborate and coordinate with the consumer and his/her legal guardian as appropriate in the development of goals, objectives and the assessment of progress.
8. Have a minimum one contact per quarter with the consumer affected by the case plan and service providers to assess progress, identify barriers, noncompliance issues and identify alternative methods of intervention as needed.
9. Contact consumers to observe any adjustments, improvements, provide family conferencing, basic counseling, support services and assess need for additional services annually.

TRACKING/MONITORING

Assigned worker is responsible for monitoring and documenting the effectiveness of services according to the consumer's case plan. The assigned worker is to maintain communication with resources and the consumer to support the consumer; and an agency linkage advocates on behalf of the consumer for services and is a broker to resources. The assigned worker shall assess consumer progress to ensure effective intervention to achieve desired outcome.

v. Assigned worker monitors to reduce fragmentation and duplication of services to the consumer
w. Assigned worker supports the consumer in maintaining focus on the progress goals and objectives
x. Assigned worker attends all case staffing to maximize resource utilization.
y. Assigned worker and supervisor are to staff the case at a minimum on a six (6) month basis to assess progress or lack of progress.
    jj. Worker shall make home visits to the consumer's home and make face-to-face contact at minimum one time per year. More frequent contacts will be required as needed depending on the level of financial service and case plan (ISP) objectives
    kk. Worker shall periodically review the goals identified in the ISP and evaluate the consumer's progress.
    ll. Referral to other program services when appropriate.

PAYMENT

The Navajo Nation Financial assistance shall make general assistance payments in an amount not to exceed the Navajo Nation Program for Self-Reliance (TANF) standard of assistance minus all resources not otherwise disregarded.

1. The NNDSS eligibility Review form shall be used to prepare the financial budget.
    a. Routine General Assistance payments shall be made on or about the fifteenth (15th) of each month, while the General Assistance initial grant payments can be made at anytime during the month depending upon when the consumer applied for assistance.

 2. The date of application is considered as the effective date of eligibility for General

Assistance payments.

3. Applicants determined eligible after the first (1st) month shall be approved for a partial payment equivalent to the remaining days in the month.
4. General Assistance checks may be made payable to third party if the consumer requests such or through legal determination a third party payment is necessary. Spouse of an applicant is not considered a third party payee.
5. General Assistance checks shall not be addressed in care of another person unless the consumer requests for such action in writing.
6. In common law cases, or if marital problem exists, both parties can be made payee.
7. If there is more than one household in a dwelling, the worker needs to apply:
   - mm. The homeowner of the household will be provided the "Homeowner Allowance" plus the "Utility Expense allowance".
   - nn. The other household will only be eligible for "Basic Needs"
   - oo. If the other household is required to pay their share of the shelter expenses, then the worker must prorate the actual shelter cost among the household receiving General Assistance, this amount cannot exceed the amount in the Navajo Nation Program for Self Reliance's (TANF) payment standards for individuals in similar circumstances.
8. The Navajo Nation Financial assistance will round the payment down to the next lower whole dollar.

OTHER GENERAL ASSISTANCE ACTIVITY

In addition to processing application and follow-up processes, the worker shall assist General Assistance consumers to improve management of their financial affairs, and promote self-sufficiency. The activities shall be recorded in the case records and will include but not be limited to the following:

1. Counseling which include assessment of employability, continuation of education, and alcohol/substance abuse prevention.
2. Participation in the TWEP projects and to seek/retain employment
3. Budgeting practice including the management of General Assistance payments, consumer education and related activities leading to future financial independence.

Workers shall make home visits at a minimum every twelve (12) months.

DOCUMENTATION IN THE CASE:

The assigned worker shall use the NDSS narrative form and follow the NAP format to document case activities. All progress notes will be recorded on the division Narrative Form. The format will be in the NAP X format.

N = Narrative

- z. A clear picture of the consumer's appearance and behaviors; direct quotes from the consumer whenever available and pertinent; and concise reference to any external conditions which appear to be affecting the client (things seen, heard, touched, smelled, and/or tasted. Include physical and laboratory findings
- aa. All planned treatment activities shall be written to address the case plan, goals, objectives and strategies.

A = Assessment

- bb. The conclusions and formulations you make after considering the facts of the narrative section. What you observe. Assessments must only be made within the scope of your discipline, expertise, license, and clinical privileges. If the problem or condition is not clearly understood, an assessment statement to

the effect should be made.

P = Plan

d. Actions which you have or will take as a result of analyzing the narrative section and your assessment. Plans should be a culmination (highest point) of logical thoughts about the narrative section, and assessment of the problem or condition

X entries

cc. Written in a paragraph form and used for routine notes, indicating client movement to and from placement, referred to another department, or indicting that an assessment or examination has been completed; or documenting any other activity that is considered routine for an example Scheduling of staffing, CPT, MDT, Family meetings.

1) Worker shall document any interaction with the consumer.
2) Document all correspondence regarding the consumer eligibility for service
3) ISP progress or lack of progress
4) Support for eligibility or lack of eligibility.

The applicant will be given a "Letter of Notification" form and grievance notice (form A or B) whenever there is a change in their service.

dd. Receiving an application for assistance
ee. Decision on the application
ff. Change in financial assistance such as increase/decrease in grant.
gg. Closure of the financial service
hh. Change in worker assignment
ii. Certification and recertification of financial service application.

DOCUMENTATION OF ETHICAL RESPONSIBILITY:

The following information must be in the case record to ensure consumer rights and grievance process has been provided to the consumer.

a. Informed consent,
b. Mandatory reporting requirements
c. Confidentiality: the assigned worker must provide information to the consumer on the regulations, standards, and requirements about confidentiality.
10. Authorization for services
11. Disclosure of information
12. Release of documents
d. Consumer rights
e. Consumer grievance process

NOTIFICATION:

The consumer has the right to be informed of the financial assistance status on any referral to NDSS.

15. The consumer must be informed of his/her right and responsibilities in receiving financial services.
16. The consumer must be informed of his/her right to grievance policy and procedures.

Each written notification of social service action is sent to the consumer and or legal guardian according to the timelines outlined as follows:

 1. A letter of notification will be sent to the reporting source and applicant within ten (10)

days from receipt of referral indicating that the referral has been received and the type of action taken.

2. A decision on the financial assessment pertaining to the referral must be made within (30) thirty days from the date of the intake and written notification received by the consumer within forty-five (45) days.

1. The applicant must be notified in writing on any delays in services and the reason for the delay.
2. If the applicant is determined ineligible, the assigned worker may refer the applicant to other community resources using the NDSS referral form.
3. The applicant must be informed of any changes in his/her financial assistance including discontinuation of services as outlined in the NDSS grievance policy and procedures.

ELIGIBILITY RE-DETERMINATION:

10. Consumer eligibility shall be reviewed minimum every six (6) months to determine the need for continued services and basic eligibility. A full application is required annually as the applicant is to reapply for services.
11. A Social Service recertification form must be completed at the sixth (6th) month for eligibility re-determination.
    a. A complete application (section A through E) is required when the consumers' residency, household, income and changes, etc.
12. The Revised Case Planning Form must be completed at minimum every six months.

TRANSFER OF CASE:

When an applicant provides information or is known to another NDSS Region Office, the assigned worker will obtain pertinent information from the other Region office in determining eligibility or for continuing eligibility for service.

A Case is to be transferred when it is within the same services, such as from one worker to another within the same office, or to a different Region office based on the residence of the consumer.

1. Transfer within the same service but to a different worker within the same office.
    a. Transfer summary
    b. Entire file will transfer to the new worker via the supervisor assignment and case staffing.

2. Transfers Region to Region are to include the following documents:
    c. The current NDSS certified application
    d. Copy of non-changing vital information i.e. CIB, SSC, etc.
    e. Current Case Plan (ISP)
    f. Transfer summary

CASE STAFFING:

The assigned worker is responsible for participating in any case staffing pertaining to the consumer. The assigned worker collaborates in the development of the case planning form, coordination of services and agreement to service plans.
The consumer, family members, assigned worker and other resources must participate in the case planning/staffing discussions.

SUPERVISORY REVIEW:

The Supervisor is responsible for reviewing and approving all case referrals, case plans, case transfers and closure of services.
Supervisor is responsible for all case assignments and weight factor determinations.

Supervisory case consultation and coordination is an on going process from Intake, Assessment, Case Planning, Monitoring and Closure of Services. The case consultation shall include:

4. Seek advice of colleagues and supervisors in the best interest of the consumer.
5. Consult and coordinate with supervisors for technical assistance on program policies and other pressing issues regarding services.
6. Arrange for a case staffing with supervisors and other service providers regarding service delivery.

The Supervisor Shall:

1) Provide leadership and support to staff.
2) Promote teamwork through use of peer and supervisory consultation and collaboration. (Supervisory Consult form & Case staffing consultation form)
3) Exercise professional judgment and prudence in selecting and recommending services.
4) Make case assignments and provide supervisory consultation to subordinates.
5) Complete 100% reviews on all cases at a minimum one time every six (6) months, as certification is completed and according to the contract.
6) Review all new financial assistant applications and decisions made by the worker. Any discrepancies shall be corrected prior to certification.
7) Review all applications/decision made by workers to assure that eligibility conditions are met in accordance with the NDSS contracted programs.
8) Provide technical assistance and guidance to workers and to other collateral agencies.
9) Monitor and assure that home visits and appointments are conducted by workers at least one time per year or when necessary to coordinate the delivery of services to consumers.
10) Supervisor will monitor to ensure follow-ups, compliance with the casework process.
    a) Monitoring entails case reviews to ensure frequent follow-up is being made on referrals to other agencies and that case reviews are up to date, to review eligibility and to make sure that all applications are up to date.
    b) Conduct informal Appeal hearings on all appeals requested by the consumer.
    c) Supervisor shall be knowledgeable about the consumers' lifestyles, culture, customs, and traditions. The supervisor shall have the ability to proficiently speak and understand the language of the applicant

CLOSURE/OUTREACH

A. CLOSURE OF CASE:

Case staffing with the assigned worker and supervisor will occur on all cases recommended for Case Closure to assist the worker in determining whether or not the case is ready to be closed or if a new case plan should to be developed for additional services. If it is determined that ongoing services are needed, with concurrence of the supervisor, a new case plan will be developed within five (5) working days of the decision to extend services.

 a. The following shall be taken into consideration prior to closing a case:

1. Evaluation of goals/objectives achieved.
2. Assigned worker shall contact the consumer for an evaluation on the progress and effectiveness of the services provided and determines appropriateness for closure.
3. The assigned worker will let the consumer know their case will be closed prior to their last home visit or office visit for services.
4. The assigned worker will review the case file to ensure that all relevant documents and information are filed in the case file.
5. Notify consumer/family of case closure within twenty (20) days in accordance with the appeals procedures.
6. Complete closure summary.

b. With the concurrence of and review by the supervisor, cases can be closed under the following circumstances:

13. The consumer declines voluntary services.
14. The consumer has moved out of the service area.
15. Lost contact with consumer after all efforts has been made to contact him/her.
16. The consumer has met all case plan objectives and has reached their goal.
17. Lack of cooperation (non-compliance with ISP, case plan etc)
18. The consumer has deceased.

c. Documentation for closure shall include:

19. Closure summary.
20. Decision notice
21. Grievance policy

B. COMMUNITY COLLABORATION/OUTREACH

The Division will collaborate and communicate with the community in cases of disaster and or emergencies through the Region and Programs as follows:

22. Ensure ongoing services for community members who are in need of financial services
23. Remain in communication with community resources.
24. Preserve essential program records.
25. Provide community education regarding the services provided by the Division and coordinate with other resources within the communities.

The Division is responsible in providing outreach services to the community. Outreach can be accomplished through any of the following but not limited to the list:

1. Public education
   c. Visibility in community activities
   d. Public hearing
2. Build a resource network
   e. Establish professional relationships with resources
   f. Understand the resource eligibility in order to link consumer to a service.
3. Participate in Resource Team Meetings
   g. Adult Protection
   h. Multi-Disciplinary

BURIAL, EMERGENCY, DISASTER ASSISTANCE:

1. Financial assistance under this category includes
    a. Burial Assistance
    b. Emergency Assistance
    c. Disaster Assistance
2. The indigent burial package is not used for the purpose of paying off the higher cost of funeral including payment of outstanding balances. (Where "non indigent" burial packages are used)
3. The burial package must be initiated and approved prior to the family's agreement with the mortuary on the burial of the decedent.
4. These types of assistance are of an emergent nature, thus the following procedures may allow for expediency in the issuance of checks.

BURIAL ASSISTANCE:

Indigent Burial Assistance to eligible Indians at a cost not to exceed:

- Two thousand five hundred dollars ($2,500.00) for the adult standard burial package.
- One thousand five hundred dollars ($1,500.00) for a child's standard burial package
- One thousand dollars ($1,000.00) for Native Traditional burial, (without casket) One thousand dollars ($1,000.00) for Cremation.

These rates are consistent with the Indigent Burial Reimbursement Agreements between the Navajo Nation Division of Financial assistance and Mortuaries.

1. Transportation costs are a part of the burial package of $2,500.00/$1,500.00 in cases where the decedent was transported from a funeral home to the interment/burial site.
2. Any available resources, including insurance benefits shall be applied to reduce the total burial assistance.
    a. The Federal VA and SSB payable to the next of kin shall be excluded because it is not immediately available.
    b. NN Veteran's assistance is available as a resource to offset the cost of the funeral. b. The NDSS recognize the expense, traditional and cultural practices associated with deaths and burials in Navajo society.
    c. In cases where donations are made to the family of the decedent, that is intended to assist and provide support as a common practice in the Navajo society, families must utilize the donations and show proof of purchases for:
        ix. Clothes
        x. Blankets
        xi. Other traditionally relevant items
        xii. Wake, etc.
        xiii. Plots and grave digging fees.
    d. If some of the donations are still available, it must be applied to offset the total burial cost.
3. Burial services will be provided and reimbursed in accordance with the Reimbursement Agreement between mortuaries and the Navajo Nation as follows:

    pp. The first step in the Navajo Indigent Burial application process is for the applicant to contact the NDSS regional office in the geographical area they reside.
        i. For instance; a resident of Sanders, Arizona will go to Ft. Defiance Regional office, or a resident of Tohatchi, New Mexico will go to Crownpoint Regional office and so forth.
    qq. After Intake, the NDSS Regional Office staff must explain the parameters and scope of the Navajo Indigent burial Program in terms of professional services, casket and

maximum/standard costs. The worker will also explain who the Mortuary providers are under the Burial Reimbursement Agreement.

i. If the family decides to go with the Indigent burial package on behalf of the deceased, the respective NDSS Regional Office staff must then go through its regular case management process for eligibility determination, etc.

c. At this point, a determination must be made whether the applicant on *behalf of the* deceased is determined eligible for the Navajo Indigent Burial Program. NDSS must take an application on information of the deceased.

f. The NDSS worker will assess the circumstances of each case and in consultation with the Mortuary the family chose, the worker must determine the amount NDSS will pay under the Indigent Burial Program.

g. The NDSS worker will notify the applicant and Mortuary whether the application was approved or denied.

h. If approved, the NDSS worker will submit a *written referral/memo* to the Mortuary provider, indicating the amount approved for burial assistance. This document will be given to the applicant to take to the Mortuary.

i. The Mortuary will then proceed with the burial arrangements according to the amount approved by NDSS.

j. The Mortuary will fill out a statement of funeral Goods & Services Selected and send the ORIGINAL to the respective NDSS office for signatory review.

k. Upon receipt of the Statement of Funeral Goods & Services Selected at the NDSS Regional Office, the Regional Office must review the statements to assure that all the information is correct.

i. After the Statement of Funeral Goods & Services is signed by the worker and Supervisor, the statement must then be sent immediately to the NDSS '638 Contract Administration Department for payment processing.

ii. These documents will be reviewed for reconciliatory purpose.

l. The mortuary must submit an original, typed invoice to the Navajo Nation on a bi-weekly basis to the following address:

'638 Contract Administration
Division of Social Assistance
P.O. Box 4590
Window Rock, Arizona 86515

m. Faxed copies of invoices will not be processed for payment.

I. A decedents name may be deleted from the invoice if the statement of Funeral Goods & Services was not received in the '638 Contract Administration Office in time for invoice processing.

m. A Mortuary may submit another INVOICE reclaiming the deleted amount on a separate invoice.

EMERGENCY ASSISTANCE

Emergency Assistance payments can be provided to individuals or families who suffer as a result of a burnout, flood, or other destruction of their home and loss or damage to personal possessions.

1. Financial assistance shall be provided based upon size of the affected family in accordance with the scale of assistance to replace essential need items as a result of an emergency. (Emergency Assistance Scale form)
2. Assistance shall be provided to replenish only basic and essential household need items.

3. The applicant must file an application within ten (10) days of an incident to be considered as an emergency
4. In the event of a burnout of a residence, the applicant must submit a written verification within ten (10) days after the burnout for documentation in the case file.

5. The applicant must have lived in the home destroyed by a fire or other natural disasters at the time of the emergency. The home destroyed must be the applicant's primary residence.
   rr. A police report or police report number must be provided at the time of application.
   ss. Dated photographs are acceptable as means of verification
   tt. If no verification is provided at the time of intake, the worker must make a home visit.
6. Worker must collaborate with Navajo Nation Emergency Management, Red Cross or other collateral agencies.

NAVAJO NATION EMERGENCY ASSISTANCE SCHEDULE

Number of persons	1	2	3	4	5	6	7	8	9	10
Food	$35	45	55	65	75	85	95	105	115	125
Clothing/adult	$135	260	385	510	635	760	885	1,010	1,135	1,260
Clothing/child (11 & under)	$85	160	235	310	385	460	535	610	685	780
Shoes/Adult	$35	65	95	125	155	185	215	245	275	305
Shoes (child 11 & under)	$30	55	80	105	130	155	180	205	230	255
Personal Items	$10	20	30	40	50	60	70	80	90	100
Towels	$10	20	30	40	50	60	70	80	90	100
Wash Cloths	$5	10	15	20	25	30	35	40	45	50
Cook Utensils	$40	50	60	70	80	90	100	110	120	130
Eating Utensils	$30	30	45	60	75	90	105	120	135	150
Bed Linen	$15	30	45	60	75	90	105	120	135	150
Blankets	$20	40	60	80	100	120	140	160	180	200

For household over ten (10) members add ten($10.00) dollars for each additional person for the following:
For household Food five ($5.00) Personal Items Clothing/Child Eating Utensils person for the Blankets Bed Linens

Clothing/Adults Cooking Utensils

over ten (10) members add dollars for each additional following:

For household Shoes/Adult Towels over (10) ten members add ($5.00) five dollars for each Shoes/Child Wash Cloths additional person for the following:

TRIBAL WORK EXPERIENCE PROGRAM (TWEP)

TWEP is a program that provides work experience and job skills to enhance potential job placement for the General Assistance consumer.

17. The purpose of the Navajo Tribal Work Experience Program is to provide meaningful work or employment experience for unemployed head of household and/or other family members who are categorized as "Employable" who are eligible for General Assistance welfare grant.
18. The objective for providing work experience is to motivate individuals to make constructive use of their time by helping themselves, their families and communities during the interim they are on General Assistance. All projects for community improvement and or assistance, GED education and training must be developed for unemployed consumer at the local community levels.
19. The efficiency, effectiveness and ultimately the success or failure of the program is highly dependent upon the performance of the appropriate staff, the participants and the communities.

DEVELOPMENT OF MEANINGFUL WORK EXPERIENCE PROJECTS

20. The placement of TWEP workers on projects may not be used to displace employed person or fill vacancies in established positions or perform work for which persons are usually hired or used in commercial profit-making activities.
21. Navajo Nation Programs or private entities must provide adequate supervision and meaningful training to participants who may as part of their training do work for whom persons are usually hired.
22. A reasonable training period must be defined. There must be a description of duties with periodic reporting on work performance; every consideration is to be given to the TWEP trainee, in the event a vacancy occurs in the area of his/her training.

    i. Work experience projects provide a tangible motivation tool to assist welfare recipients to make constructive and gainful use of their time by helping themselves, their families, and communities during the interim they are on General Assistance.
    ii. The intent is that all projects, community improvement and or assistance, GED education and training be developed for the unemployed consumer to retain their work skills while unemployed.
    iii. Funds appropriated for this program are welfare assistance money specifically to meet the needs; therefore participants' involvement in work experience projects cannot be considered as regular employment. Basically, the individual is on General Assistance because of his/her inability to meet job requirements either due to lack of education, skills, training, family hardship, social problems and or unavailable of employment.
    iv. The worker shall inform the consumer that in participating in the TWEP, it does not preclude them from seeking outside permanent employment. The maximum amount of time for participation in TWEP is one year from the date of the agreement.
    v. Planning of projects will be initiated, organized, approved and implemented at the local community level, using the following criteria to determine a project.
        uu. Availability of employable consumers and supervision
        vv. Availability of supplies, materials and equipment
        ww. Availability of transportation for consumers
        xx. Active interest and participation of individual/family/community being assisted by the TWEP manpower.

WORK COST PAYMENTS-BONUS

vi. Work bonus payments will be paid to General Assistance consumers in addition to their welfare grant, provided they participate in a project approved by NDSS. The intent of the program is to assist participants to defray their work related expenses.

vii. The participant must complete twenty (20) work days on a project to be eligible for the monthly ($115.00) work cost payment.

yy. A complete month is defined as all of the normal working days, excluding Saturday and Sunday, as specified under basic workweek.

zz. The participant may be allowed the privilege of three (3) days excused absence only for justifiable reason, and still be eligible for the total amount of work cost payment for that month provided.

aaa. The amount of $5.75 will be deducted for each unexcused absence.

TYPES OF PROJECTS

On the Job Training

23. If there is a need for TWEP man power within the structure of an organization located on or near the reservation, the responsible organization must adhere to the following procedures.

24. A written request must be delivered to the NDSS Regional Office if approved, a work site agreement must be signed by the parties involved

25. A job description must be provided

26. Adequate supervision must be defined

27. In the event a job vacancy occurs within the training area, every consideration must be given to hire the trainee

28. A monthly evaluation report on the trainee must be submitted to the Regional Office to insure that proper training is being provided.

General Education Development Program

29. The worker will refer all interested individuals to a GED program/adult education. Community Education

30. Community education is intended for the consumer to gain awareness on basic educational information on social issues such as child abuse/neglect, domestic violence, alcohol/substance abuse, fetal alcohol syndrome/effect, shaken baby syndrome, health education, diabetic infectious diseases, nutrition, budget and money management, teen pregnancy, appropriate discipline methods, Navajo cultural values, etc.

31. With this community education, participants could understand and identify different issues in their own home/communities and to intervene appropriately in addressing those issues.

PROCEDURES FOR PROJECT PROPOSALS

All project proposals must be initiated at the local level with coordination of a designated person. Procedural steps are as follows:

1. Request for project proposal

This form will begin the process to initiate a project at a local community level.

3. The request should contain the following information:

a. Date of request

 b. Name of person requesting help

c. Type or nature of project
k. Location of the project.

PROPOSAL FOR ON THE JOB TRAINING

1. All projects will require a project proposal/ training request form
2. The worker/Supervisor will consider the project based on the following criteria:
    a. Benefits to be gained by the people, community, and participants
    b. Availability of supplies, materials and equipment for the project
    c. Availability of employable consumers in the area
    d. Availability of adequate supervision for participant
    e. Availability of meaningful training and technical support,
3. After the worker reviews the project proposal request, he/she will recommend to the Supervisor for a final decision.

SUPERVISION OF PROJECTS

The worker has the responsibility to appoint:

11. A Project Supervisor who will provide overall supervision of assigned TWEP participant on a project and to maintain close coordination with the General Assistance Office.
12. Maintain time and attendance records at the project site
13. Provide work supervision of TWEP participants.

PROCEDURES FOR TWEP PARTICPANTS

TWEP participants on projects are expected to conduct themselves in a responsible and orderly manner while they are on the job. Efforts must be strongly encouraged to maintain satisfactory progress of participants on a project for the betterment of their well being, their families, and to provide improvement in their communities.

Basic workdays

14. The basic workdays shall consist of twenty (20) days within a month. Monday through Friday, excluding Saturday, Sunday and Holidays.
15. Basic work hours
    a. The basic work hours shall begin at 8:00 a.m. to 12:00 noon and from 1:00 p.m. to 5:00 p.m.
16. Participants' special projects may deviate from the Monday through Friday workdays and hours to meet the requirements of the projects, upon appropriate planning and understanding.
17. Holidays:
    f. All legal and tribal designated holidays shall be recognized as holidays for TWEP participants.
    g. The following days shall be considered as holidays.
        i. New Years
        ii. Martin Luther King
        iii. President's Day
        iv. Navajo Nation Sovereignty Day
        v. Memorial Day
        vi. Navajo Nation Treaty Day
        vii. Navajo Code Talker Day
        viii. Independence Day
        ix. Labor Day
        x. Veteran's Day

xi. Thanksgiving Day
i. Family Day
ii. Christmas Day

5. Any other days designated as holiday by Federal statue or by Executive Order of the Navajo Nation.

32. TWEP recognizes that its participants should be permitted time for rest, recreation, and personal. Therefore participants will be granted such time as they can conveniently be spared from their work, especially those projects of an emergency nature.

33. How to Request for Leave of absence.

Request for leave of absence of any kind or duration must be initiated though completion of a leave slip to request for authorization of leave.

CONDUCT OF PARTICIPANTS

TWEP participants are expected to conduct themselves in a manner that will reflect positively on their families, communities and the organization with which they are involved.
Perform all duties assigned in a manner that will

34. Show courtesy, cooperativeness and tact in dealing with fellow participants, Supervisors and Financial Assistance workers.
35. Practice safety habits.
36. The use of alcoholic beverages or any substance abuse on the job is strictly prohibited.

DISCIPLINARY PROCEDURES

For the protection of participants and to resolve any complaints made against a participant, the following procedure will apply:

37. A complaint with reasonable proof will be presented to the Project Supervisor.
38. The Project Supervisor will make every effort to resolve the complaint or problem in a manner satisfactory to both parties
39. Any unresolved cases will be referred to the attention of the Financial Assistance worker.
40. Use of Alcoholic beverages or any other substance abuse will require immediate dismissal.

PROCEDURES FOR REPORTING ACCIDENTS OR INJURIES SUSTAINED ON THE JOB

41. The "injury report" from the Navajo Nation Risk Management Office must be completed by the participant and project Supervisor for an injury sustained on the job.
42. The form will accompany injured individual to the hospital if necessary so that the attending physician can complete his/her report on the same form.
43. After step 1 and 2, the report will be given to the Financial Assistance worker.
44. The Regional office will then refer the Injury Report to Central Office for necessary action.

COMMUNITY SERVICES BLOCK GRANT

The Community Services Block Grant Program (CSBG) assists in stabilizing families and preventing their breakup by providing services to alleviate economic and emotional upheavals due to the high unemployment rate on the Navajo Nation.

 The consumers must seek viable self-improvement alternatives, e.g. job training, participation

in local projects, which promote self-sufficiency and culturally relevant programs.
The CSBG grants provide limited financial assistance to individuals and families whose income is at or below the national poverty level under the five categories corresponding to CSBG program objectives:

1. Training and Education
2. Health Care
3. Employment Related
4. Housing Related
5. Basic Needs

Target Population:

The NDSS shall assist individuals and families whose income is at or below the national poverty level and meets the following criteria:

6. The unemployed and the employed with limited or no resources.
7. Consumer in need of child protection services, emergency services, or parenting skills to promote family harmony and unity.
8. Families experiencing financial and emotional stress as evident in increased incidences of alcohol abuse, marital dissolution, domestic violence, and/or child abuse and neglect.
9. Reduced financial assistance or termination of financial assistance.

LOW INCOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

The Financial Services Program assists low income (LIHEAP) homeowners, elderly and handicapped individuals who meet the high cost of energy during the winter months. The program provides financial assistance to eligible consumers and assists in purchasing heating fuel and authorizes utility payment for natural gas and electricity.
The funding statute authorizes payments for Home Heating, Home Cooling, Energy Crisis Intervention, and low cost Weatherization.

Target Population:

The program shall assist individuals/families (households) of the Navajo Nation with at least one member who also receives assistance under the following federal programs. (Categorically Eligible) Program for Self Reliance (TANF), SSI, Food Stamps, and Veteran's and Survivors Pension; or households with no source of income; or household who have a gross income that does not exceed 110 % of the National Poverty Guideline.

All applicants are given equal consideration and an opportunity to apply for assistance.

A. INTRODUCTION:

A. This Policy Manual is to govern and guide the provisions of Burial Assistance and General Assistance in an effective, efficient, and uniform manner for eligible individuals and families using an electronic case management database, and consistent with 25 CFR Part 20.

B. The Indian Self-Determination and Education Assistance Act, as amended, Public Law 93-638, provides Indian tribes the authority to contract with the federal government to operate programs serving their tribal members and other eligible individuals.

C. In 1982, the Navajo Nation contracted with the Bureau of Indian Affairs (BIA), pursuant to Public Law 93-638, to administer the Social Services programs. The Navajo Family Assistance Services (NFAS) Office within the Navajo Nation Division of Social Services will administer and implement the provisions of Burial Assistance and General Assistance.

D. Burial Assistance provides funds to assist with the burial expenses of deceased indigent tribal members whose estates do not have sufficient resources to meet funeral expenses.

E. The General Assistance provides financial assistance payments to eligible tribal members for essential needs of food, clothing, shelter, and utilities. The goal of General Assistance is to increase self-sufficiency. This is accomplished through specific steps an individual will take to increase independence as outlined in his/her Individual Self-Sufficiency Plan (ISP). To be eligible for General Assistance, all applicants must apply concurrently for financial assistance from other state, tribal, county, local or other Federal agency programs for which they might be eligible.

F. The procedural guidelines are based on and are consistent with the definitions, purpose, policy, administrative procedures, eligibility conditions, hearings, and appeals requirements of the 25 CFR 20.700 for financial assistance.

G. Customer Rights:

Each customer has a right to:

A. Be treated with respect and dignity.
B. Have their privacy recognized and respected, including protection of any information that identifies the customer and their family pursuant to the Navajo Nation Privacy and Access to Information Act.
C. Be treated fairly regardless of race, ethnicity, national origin, religion, gender, age, disability, sexual orientation, or source of income.
D. Apply for and receive assistance and services at any NFAS field office of their choice.
E. Receive a copy of this Policy Manual.
F. Develop an Individual Self-sufficiency Plan (ISP), for ongoing General Assistance services, based on their interests and chosen goals.
G. Receive services provided in an appropriate manner with consideration of their limitations.
H. Make written or verbal complaints and receive resolution of their issues or concerns.
I. Appeal, in accordance with Section XX, an action taken or not taken by the NFAS regarding their application, assistance, or case.
J. Receive copies of supporting documents they submitted and notices that are generated by the NFAS.
K. Withdraw their application before a decision is made by the NFAS.

L. ~~Bring a person of their choice to appointments and/or hearings.~~
M. ~~Be fully informed of any decisions or changes affecting the services and assistance they currently receive.~~
N. ~~Voluntarily close their case at any time.~~
O. ~~Refuse assistance and services offered by the NFAS.~~

~~H. Customer Responsibilities:~~

~~Each customer has a responsibility to:~~

~~A. Treat others with respect and dignity, refrain from verbal/physical conduct toward NFAS staff.~~
~~B. Provide accurate and complete information about their present conditions, previous services and other information relating to his or her situation.~~
~~C. Provide all required documentation for eligibility determination.~~
~~D. Cooperate with NFAS in the determination of their eligibility and the monitoring of their on-going eligibility, including investigations.~~
~~E. Comply with all scheduled appointments, including arriving on time, or contacting the NFAS employee to reschedule appointments in a timely manner.~~
~~F. Develop and complete their ISP for General Assistance within thirty (30) working days after the date on the Approval Decision Notice.~~
~~G. Commit to achieving their ISP goals and objectives.~~
~~H. Review and update their ISP as follows:~~
~~a. Every three (3) months for customers who are not exempt from seeking or accepting employment in accordance with §20.315 of 25 CFR Part 20, or the ISP;~~
~~b. Every six (6) months for all recipients; and~~
~~c. Whenever there is a change in status that can affect a customer's eligibility or amount of assistance.~~
~~I. Immediately inform their senior caseworker of any such changes.~~
~~J. Comply with enrichment activities. This applies to only General Assistance customers.~~
~~K. Comply with all referrals to internal and external resources.~~
~~L. Use monthly assistance payments for its intended purposes.~~
~~M. Respect the rights and property of others, including NFAS employees and property.~~

~~I. Employee Responsibilities:~~

~~Each NFAS employee is responsible to:~~

~~A. Treat each customer with respect, dignity and in a professional manner.~~
~~B. Uphold and protect the confidentiality of all customers in accordance with the Navajo Nation Privacy and Access to Information Act, and this Policy Manual.~~
~~C. Provide each customer with a copy of this Policy Manual.~~
~~D. Explain to the customer their rights and responsibilities.~~
~~E. Provide an orientation about the services customers are seeking, including eligibility criteria and required documentation.~~
~~F. Provide each customer an Application for NFAS Burial Assistance or General Assistance and other forms necessary and help those individuals or customers who request for assistance with completing the application and related forms.~~
~~G. Ensure customer understand NFAS requirements and consequences for non-compliance.~~
~~H. Ensure all customers understand that if they do not agree with a decision made regarding their application or assistance, they have the right to appeal the decision in accordance with Section XX.~~
~~I. Assist customers to understand and identify their needs, interests, strengths and weaknesses as they begin to pursue self-sufficiency.~~
~~J. Assist customers to pursue all opportunities and resources available to him or her.~~
~~K. Document all interactions with customers in case notes.~~
~~L. Make payment adjustments in a timely manner when customers report a change in their circumstance.~~
~~M. Provide accurate and timely determination of eligibility for NFAS assistance and services.~~

N. At a minimum, communicate and follow-up with customers monthly, including providing advance notice of decisions or changes affecting customers' eligibility and assistance.

O. Provide adequate notice to inform the customer prior to home visits. This applies only to General Assistance customers.

P. Prepare for and keep each appointment, regardless of early release or administrative leave.

Q. Make every effort to keep an appointment. If for any reason, an employee is not able to keep an appointment, the employee must arrange with their supervisor to contact the customer to reschedule the appointment, or have another employee meet with the customer.

R. Participate in the development and monitoring of the customer's ISP.

S. Obtain Tribal Assistance System (TAS) certification within six (6) months of employment or when TAS is fully implemented.

T. Report a potential Intentional Program Violation (IPV) committed by a customer to the NFAS Senior Programs and Projects Specialist (SPPS) when an employee suspects or becomes aware of an IPV.

This protocol is developed to assist the social service staff in providing effective and efficient financial case management services for children, adults, elders, and families using the systems model of case management service. The Division uses the following case management continuum in providing services.

1. Referral/ Intake/screening
2. Assessment, identification of need for service
3. Case Plan development
4. Implementation
5. Tracking/Monitoring/Evaluation
6. Aftercare/Termination/Outreach

The purpose of This Financial assistance protocol is to provide procedural guidelines to assure a uniform administration of all the financial assistance programs under the Navajo Nation Division of Financial assistance, contracted services including General Assistance, Tribal Work Experience, Emergency, Disaster, Burial, Community Service Block Grant, Low Income Home Energy Assistance and any other programs that pertain to financial aid within the Financial Services Department.

The procedural guidelines are based upon and are directly related to the definitions, purpose, policy, administrative procedures, eligibility conditions, hearings and appeals requirements prescribed in 25 CFR 20.700 Financial Assistance and Social Service program, 25 CFR 20.32: Temporary Assistance For Needy Families (TANF) (Navajo Nation Program for Self Reliance); 45 CFR Low Income Home Energy Assistance Program (LIHEAP) and Community Service Block Grant (CSBG), Division of Social Services Grievance and Client Rights Policy is intended to implement the regulatory requirements.

The financial assistance program is to promote self-sufficiency. Each financial assistance consumer must work with the worker to develop an individual (ISP) self sufficiency plan and document their involvement and agreement with the plan via their signature on the plan. Those consumers who are assessed to be employable shall seek employment per their ISP guidelines. An ISP will outline specific steps the individual will take towards self-sufficiency.

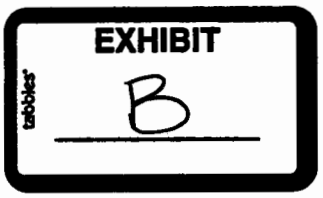
ASSESSMENT, AND IDENTIFICATION OF NEED FOR SERVICE

1. CASE ASSIGNMENT TO WORKER FOR ASSESSMENT:

A senior caseworker involvement is essential to begin eligibility determination, coordination, and linking the consumer a customer to resources. The senior caseworker is will be assigned from the time there is a documented identification of need to the termination of services.

~~The continuum in the case management process is paramount; therefore, a change in a senior caseworker during the time the consumer a customer is receiving financial assistance is not recommended, except where a conflict of interest exists between the senior caseworker the worker/consumer relationship has been compromised.~~

~~7. The Supervisor assigns a worker to begin services when a need is identified.~~
~~8. After assignment of the case, the assigned worker shall make contact with the consumer.~~
~~9. A NDSS Application shall be completed with the consumer to begin social service.~~
~~10. The assigned worker and the consumer will complete an initial case plan based on the assessments.~~



NAVAJO FAMILY ASSISTANCE SERVICES
Burial Assistance and General Assistance Policy Manual

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NAVAJO FAMILY ASSISTANCE SERVICES
Burial Assistance and General Assistance Policy Manual

I. INTRODUCTION

A. The Burial Assistance and General Assistance Policy Manual (Policy Manual) is to guide the Navajo Family Assistance Services (NFAS) of Division of Social Services in implementing the Burial Assistance and General Assistance in an effective, efficient, and uniform manner for eligible applicants and families, and consistent with 25 CFR Part 20 attached as Appendix "A".

B. The Indian Self-Determination and Education Assistance Act, as amended, Public Law 93-638, provides Indian tribes the authority to contract with the federal government to operate programs serving their tribal members and other eligible applicants.

C. In 1982, the Navajo Nation contracted with the Bureau of Indian Affairs (BIA), pursuant to Public Law 93-638, to administer the Social Services programs. NFAS will administer and implement the provisions of Burial Assistance and General Assistance.

D. Burial Assistance provides funds to assist with the burial expenses of deceased indigent tribal members whose estates do not have sufficient resources to meet funeral expenses.

E. The General Assistance provides financial assistance payments to eligible tribal members for essential needs of food, clothing, shelter, and utilities. The goal of General Assistance is to increase self-sufficiency. This is accomplished through specific steps an applicant will take to increase independence as outlined in his/her Individual Self-Sufficiency Plan (ISP) or Case Plan.

F. NFAS can assist eligible tribal members when comparable financial assistance or social services are either not available or not provided by state, tribal, county, local or other federal agencies. Rather, the financial assistance that NFAS provides are secondary, or residual resource, and must not be used to supplement or supplant other programs.

G. The Policy Manual is based on and consistent with the definitions, purpose, policy, administrative procedures, eligibility conditions, hearings, and appeals requirements of the 25 CFR Part 20 for financial assistance. In the event there is inconsistency between this Policy Manual ad the 25 CFR Part 20, 25 CFR Part 20 shall govern.

II. FINANCIAL ASSISTANCE SERVICES

A. Burial Assistance

1. In the absence of other resources, the NFAS can provide Burial Assistance for eligible indigent embers of the Federally Recognized Tribes.

2. Eligibility will be determined based on the income and resources available to the deceased, including but is not limited to, SSI, veterans' death benefits, social security, and Individual Indian Money accounts.

3. The approved payment will not exceed the maximum burial payment standard established by the Federal Assistant Secretary of Indian Affairs.

4. Transportation costs directly associated with the burial are normally a part of the established burial rate. If a funeral home/mortuary adds an additional transportation charge to then burial rate because of extenuating circumstances, then NFAS can pay the added charge. To pay the added charges as noted above, prior approval will be required for which an NFAS worker must ensure and document in the case plan that:
   a. The charges are reasonable and equitable;
   b. The deceased was an eligible indigent tribal member who was socially, culturally, and economically affiliated with his or her tribe; and
   c. The deceased resided in the service delivery area for at least the last six (6) consecutive months of his or her life.

B. General Assistance
   1. To be eligible for General Assistance an applicant must meet the following criteria:
      a. Apply concurrently for financial assistance from other state, tribal, county, local, or other federal agency programs for which he or she is eligible;
      b. Not receive any comparable public assistance; and
      c. Develop and sign an employment strategy in the ISP with the assistance of applicant NFAS worker to meet the goal of employment through specific action steps, including job readiness and job search activities.

   2. The assigned NFAS worker will review eligibility for General Assistance:
      a. Every three (3) months from the date in which the application was initially approved for applicants who are not exempt from seeking or accepting employment;
      b. Every six (6) months from the date in which the application was initially approved for unemployable applicants and all household members; and
      c. Whenever there is a change in status that can affect an applicant's eligibility or amount of assistance. Applicants are required to immediately notify the NFAS field office, in writing, of any such changes.

   3. An applicant who is suffering from a temporary medical injury or illness if it is documented in the case plan that the illness or injury is serious enough to temporarily prevent employment, and he or she must be referred to SSI if the disability status exceeds three (3) months.

III. INTAKE AND PRE-SCREENING

A. Pre-Screening

An NFAS employee must screen all individuals who inquire about NFAS assistance and services for their potential eligibility. The employee must provide information about the eligibility criteria and requirements so that applicants can make an informed decision whether to proceed with applying for assistance. The pre-application

screening does not determine an applicant's eligibility. An applicant must complete the entire eligibility determination process.

B. Application for NFAS Assistance
   1. An applicant may apply for Burial Assistance and General Assistance, by submitting a completed and signed Application for NFAS Assistance, in person, electronic mail, fax, or postal mail to their nearest NFAS field office or itinerant site. The date and time stamp shall be used to determine the timelines.

   2. An applicant, who applies for Burial Assistance for the deceased, must apply within one hundred eighty (180) days following the death of the deceased consistent with 25 CFR Part 20 Subpart C §20.325(a).

   3. The date stamp on an Application for NFAS Assistance shall be the Effective Date of when the application is received by NFAS.

   4. The applicant is the primary source of information used to determine eligibility and need, except for Burial Assistance. If medical records from other sources is necessary, a release of information form will be requested.

   5. An applicant has a right to withdraw their Application for NFAS Assistance prior to a decision being rendered.

C. Eligibility for Services
   To be eligible for assistance and services, an applicant must meet all the following eligibility criteria:
   1. Indian Blood
      a. Be an enrolled member of the Navajo Nation or other Federally Recognized Tribe listed in the Federal Register, Vol. 87, No. 19 of January 28, 2022, attached at Appendix "C".
      b. Physical characteristics or unsubstantiated documentation of Indian ancestry does not constitute verification of this eligibility assistance.

   2. Service Delivery Area
      a. The Navajo Nation's service delivery area are geographic areas listed in the Federal Register, Vol. 44, No. 9 of January 12, 1979, attached at Appendix "D".
      b. Reside in the service delivery area, pursuant to 25 CFR Part 20, attached as Appendix "A".
      c. An eligible applicant, who is a member of a Federally Recognized Tribe, shall maintain or be a member of a home situated on lands that is within the service delivery area.

   3. Must not have sufficient resources to meet the essential needs defined by this Policy Manual for assistance and services.

4. Meet the additional eligibility criteria for Burial Assistance and General Assistance.

5. A non-Navajo, who is a member of the Federally Recognized Tribes, residing on the service delivery area, and is eligible for financial assistance and services must meet all eligibility requirements.

IV. ELIGIBILITY DETERMINATION

A. Required Documents

To be eligible for assistance or services, an applicant must provide the following required documents:

1. Certificate of Indian Blood (CIB)
   a. To verify tribal enrollment, a Certificate of Indian Blood (CIB) is required for financial assistance services.
   b. Other official government or tribal records signifying degree of Indian blood.
   c. The Tribal enrollment must be one of the Federally Recognized Tribes listed in the Federal Register, Vol. 87, No. 19 of January 28, 2022, attached at Appendix "C".
   d. An applicant, who is applying for Burial Assistance on behalf of a deceased individual, must provide the decedent's CIB or Tribal Identification Card.
      i. For a Burial Assistance of a newborn child who has not been assigned a tribal census number, CIB, or other form of Tribal enrollment, the parent(s) of deceased newborn must provide his/her CIB or Tribal Identification Card.

2. Social Security Card: An applicant, who is applying for assistance and services, must provide an official social security card for all members of the household.
   a. An applicant, who is applying for Burial Assistance on behalf of the deceased, must provide the decedent's social security card or other form of acceptable verification, including, but not limited to health records.

3. Birth Certificate
   Verify Date of Birth (DOB) and U.S. Citizenship for all household members.

4. Identification Card
   a. Adults, who are applying for General Assistance, must provide a photo Identification Card to verify identity.
   b. An Identification Card is not required for Burial Assistance.

5. Income Verification
   a. Adults, who are applying for for General Assistance, must provide verification of assets, earned, and unearned income.

b. An individual, who is applying on behalf of a decedent, must provide verification of income and resources available to the deceased in accordance with 25 CFR Part 20 § 20.325.

B. Burial Assistance Determination
NFAS may render a decision non the same day, but no later than five (5) working days from the date and time stamp of an Application for Assistance.
1. A decision will be contingent upon receipt of all required documents; and

2. NFAS worker will issue a written notification to the applicant and funeral home/mortuary to proceed with funeral services.

C. General Assistance Determination
1. An NFAS workere will make a decision to approve or deny an application for General Assistance within thirty (30) days of the registration date.

2. An NFAS worker will issue a written notice of approval or denial on each application for General Assistance must be provided within forty-five (45) days of the registration date.

3. If for a good reason, an NFAS worker cannot make a decision within thirty (30) days, the applicant must be notified, in writing, of the reason(s) why a decision cannot be made and provide a deadline by which a decision will be sent to the applicant, but it must not exceed fifteen (15) working days from the date of the written notice.

4. The Application Period must not exceed three (3) countable months for applicants and six (6) countable months for non-employable applicants. The calculation of the Application Period will begin after the initial with the month for which an applicant receives financial assistance for a full month.

V. REDETERMINATION FOR GENERAL ASSISTANCE

General Assistance
1. An evaluation to assess the need for continued financial assistance will include:
   a. a home visit;
   b. an estimate of income, living circumstances, household composition for the month(s) for which financial assistance is to be provided; and
   c. appropriate revisions to the case plan and the ISP.

2. An applicant with eligible household members that wants to continue receiving General Assistance beyond the Approval Period must re-apply for continued assistance, and have their eligibility determined prior to the end of their current approval period.

3. Any subsequent re-approvals will be based on the following:

a. An applicant's progress of the established goals in his or her ISP and Case Plan will be assessed to determine the need for continued financial assistance.
b. A household that include at least one (1) member who is considered "employable" may be approved to receive continued General Assistance for a period not to exceed three (3) months.
c. A household that include a member who is considered "unemployable" may be approved to receive continued General Assistance for a period not to exceed six (6) months.

4. An applicant shall not receive General Assistance beyond the end of his or her Approval Period unless it meets Paragraph 3.b. of this Section.

5. The NFAS must not provide General Assistance payments for any period before the registration date on the Application for NFAS Assistance.

VI. FINANCIAL ELIGIBILITY CRITERIA

For General Assistance eligibility and payment levels, all income earned, unearned, and recurring must be calculated in the month it is received and as a resource thereafter, except that certain income obtained from the sale of real or personal property may be exempt as unearned income as specified in 25 CFR Part 20 §20.307 through 20.313. Resources are available when they are converted to cash.

A. Earned income is cash or any in-kind payment earned in the form of wages, salary, commissions, or profit, from activities by an employee or self-employed individual. Earned income includes:
   1. Any one-time payment to an applicant for activities which were sustained over a period (for example, the sale of farm crops, livestock, or professional artists producing artwork); and

   2. Regarding self-employment, total profit from a business enterprise (i.e., gross receipts less expenses incurred in producing the goods or services). Business expenses do not include depreciation, personal business and entertainment expenses, personal transportation, capital equipment purchases, or principal payments on loans for capital assets or durable goods.

B. Unearned income includes, but is not limited to:
   1. Income from interest; oil and gas and other mineral royalties; gaming income per capita distributions; rental property; cash contributions, such as child support and alimony, gaming winnings; retirement benefits;

   2. Annuities, veteran's disability, unemployment benefits, and federal and state tax refunds;

   3. Per capita payments not excluded by federal statute;

4. Income from sale of trust land and real or personal property that is set aside for reinvestment in trust land or a primary residence, but has not been reinvested in trust land or a primary residence at the end of one year from the date the income was received;

5. In-kind contributions providing shelter at no cost to an applicant or household, this must equal the amount for shelter included in the state standard, or 25 percent of the state standard, whichever is less; and

6. Financial assistance provided by a state, tribal, county, local, or other federal agency.

C. The NFAS worker will prorate the following recurring income:
   1. Recurring income received by an applicant over a 12-month period or less than a full year's employment (for example, income earned by teachers who are not employed for a full year);

   2. Income received by applicants employed on a contractual basis over the term of a contract; and

   3. Intermittent income received quarterly, semiannually, or yearly over the period covered by the income.

D. The NFAS worker will compute financial assistance payments by beginning with the Bureau standard of assistance and doing the following:
   1. Subtracting from all resources;

   2. Subtracting the ratable reduction or maximum payment level used by the Navajo Department for Self Reliance (DSR) where the applicant lives;

   3. Subtracting an amount for shelter (see paragraph (B) of this section for details on how to calculate a shelter amount); and

   4. Rounding the result down to the next lowest dollar.

E. The NFAS worker must calculate the shelter amount:
   1. The shelter amount must not exceed the amount for shelter in the Navajo DSR TANF standard;

   2. If the Navajo DSR does not specify an amount for shelter, the NFAS worker must calculate the amount as twenty-five percent of the total Navajo DSR TANF payment; and

   3. If there is more than one household member in a dwelling, the NFAS worker must prorate the actual shelter cost among the household members receiving General Assistance; this amount cannot exceed the amount in the standard for applicants in

similar circumstances. The head of each household is responsible for his/her portion of the documented shelter cost.

F. The NFAS worker must not provide General Assistance payments for any period before the date of the application for assistance.

VII. INDIVIDUAL SELF-SUFFICIENCY AND CASE PLAN

An ISP and Case Plan must be developed and implemented for each General Assistance applicant no later than forty-five (45) days from the registration date of an Application for NFAS Assistance.

VIII. PAYMENT ERROR

When a payment error is made, adjustment will be made pursuant to 25 CFR Part 20 §20.606.

IX. QUALITY CASE MANAGEMENT

Quality case management is the most essential service provided to General Assistance applicants to help increase and expand their knowledge, competency, skills, and abilities; enhance their problem solving and coping abilities, and capacity to obtain resources; and influence interactions between organizations and resources.

X. CLOSURE OF CASE

A case can be closed because of several circumstances, including:

A. An applicant who declines financial services voluntarily;

B. An applicant who relocates off the service delivery area;

C. An applicant who gained employment;

D. NFAS loses contact with an applicant after all efforts by electronic mail, telephone call, postal mail, and home visits;

E. An applicant has become deceased; and

F. An applicant who does not maintain their eligibility status.

XI. CONSUMER DUE PROCESS

If NFAS denies, increases, decreases, suspends, or terminates General Assistance payments, NFAS must provide a written notice of the action by postal mail or in person to an applicant consistent with 25 CFR Part 20 §20.700 through 20.705.

XII. INTERNAL CONTROLS

This section establishes policies related to the program internal controls to ensure compliance with the federal and tribal laws and regulations.

A. Internal Reviews
Random case reviews shall be conducted to assure accuracy, completeness, and compliance with program requirements.

B. Data Collection and Reporting
Complete and accurate data shall be collected and reported to comply with the 25 CFR Part 20.

C. Program Integrity
To protect the program's integrity and to deter fraud, waste, and abuse, all potential internal and external fraudulent activities shall be handled in accordance with the Navajo Nation White Collar Unit procedures. In addition, all employees will be subject to background checks and must obtain a favorable result.

D. Records Management
A case record shall be created and maintained for each case in accordance with the applicable laws and regulations, and internal record procedures, including the Navajo Nation Privacy and Access to Information Act, for all applicants applying for assistance and services.

E. Improper Payments
All Potential Improper Payments (a payment that should not have been made or that was made in an incorrect amount) shall be handled in accordance with 25 CFR Part 20.

XIII. DEFINITIONS

A. This section is to define the words, terms, and acronym that are used in this Policy Manual. The terms or words used this Policy Manual may differ from the terms or words as used by the public.

Applicant:	A person who is applying and is receiving financial assistance that is funded with the BIA P.L. 93-638.
Application:	The written process through which a request is made for financial assistance or social services.
Benefit Group:	Members of the household whose needs and resources are considered in determining eligibility for General Assistance.

Burial Assistance:	A financial assistance payment made on behalf of an indigent tribal member who meets the eligibility criteria to provide minimum burial expenses according to payment standards established by the U.S. Interior Assistant Secretary.
Case:	A single type of assistance and/or service provided to an applicant or Benefit Group in response to an identified need which required financial assistance or services.
Case Plan:	A written plan with time limited goals which is developed and signed by the applicant and NFAS worker. The case plan will include documentation of referral and disapproval of eligibility for other services. The case plan must incorporate the steps needed to assist applicants and families to resolve social, economic, psychological, interpersonal, and/or other problems, to achieve self-sufficiency and independence.
Complete Application:	An Application for NFAS Assistance that is accurate, completed in its entirety and signed by an applicant.
Earned Income:	Earned income is cash or any in-kind payment earned in the form of wages, salary, commissions, or profit, from activities by an employee or self-employed applicant.
Effective Date:	The date that a benefit group's eligibility for General Assistance begins.
Employable:	An eligible applicant who is physically and mentally able to obtain employment, and who is not exempt from seeking employment in accordance with the criteria specified in 25 CFR Part 20 § 20.315.
Essential Need:	Includes shelter, food, clothing, and utilities, as included in the standard of assistance in the state where the eligible applicant lives.
Extenuating Circumstances:	A unique or unusable situation with valid reasons that justifies additional expense(s).
Financial Assistance:	Payments made for Burial Assistance and General Assistance.
Fraud:	Intentional false representation of facts through deceit, trickery, or omission that induces the Caseworker to

	approve benefits that the applicant was not entitled to receive.
Funeral Home:	Professional establishment that provides burial and funeral services for an eligible decedent.
General Assistance:	Financial Assistance to an eligible Indian for essential needs provided under §200.300 through §20.319.
Head-of-Household:	A person in the household that has primary responsibility and/or obligation for the financial support of others in the household. In the case of a two-parent household, one will be considered the head of household for the purpose of making an application for benefits.
Hearing:	A meeting conducted in an informal but orderly manner between NFAS Supervisor or his/her designee and an applicant to attempt to resolve a decision made by NFAS.
Household Members:	Persons living together who may or may not be related to the "head of household".
Income:	The amount of money received from employment, child support payments, benefit payments, state tax refunds, property, winnings, and other sources.
Indigent:	An applicant/decedent who lacks the basic life resources due to the lack of financial resources.
Individual Self-Sufficiency Plan:	A plan designed to meet the goal of employment through specific action steps and is incorporated within the case plan for the General Assistance applicant. The plan is jointly developed by the applicant and NFAS worker.
Mortuary:	Professional establishment that provides burial and funeral services for an eligible decedent.
Need:	The deficit after consideration of income and other resources necessary to meet the cost of essential need items and special need items as defined by the Bureau standard of assistance for the state in which an applicant resides.

Payment Standard:	For General Assistance, pursuant to 25 CFR Part 20, §20.306, the Navajo Nation TANF Program's Payment Standard will be the payment standard for General Assistance. For Burial the Bureau Standard of Assistance issued by the Assistance Secretary.
Public Assistance:	Those programs of financial assistance provided by state, tribal, county, local, and federal organizations, including programs under Title IV of the Social Security Act (49 Stat. 620), as amended, and Public Law 104-193.
Recurring Income:	Any cash or in-kind payment, earned or unearned, received on a monthly, quarterly, semiannual, or annual basis.
Registration Date:	The date that an application is received by the local NFAS office.
Resource:	Income, both earned and unearned, and liquid assets available to a tribal member or household to meet current living costs, unless otherwise specifically excluded by federal statute, including Liquid Assets.
Service Delivery Area:	The geographic area designated by the Assistant Secretary where financial assistance and social services programs are provided. Such a geographic area designation can include a reservation, near reservation, or other geographic location.
Supplemental Security Income:	Cash assistance provided under Title XVI of the Social Security Act (49 Stat. 620), as amended.
Unemployable:	A person who meets the criteria specified in 25 CFR Part 20 § 20.315.

B. Acronyms

CFR	Code of Federal Regulations
ISP	Individual Self Sufficiency Plan
NFAS	Navajo Family Assistance Services
SSI	Supplemental Security Income

TANF	Temporary Assistance for Needy Families

XIV. APPENDICES

A. 25 CFR Part 20: Financial Assistance and Social Services Programs.

B. Navajo Nation Privacy & Access to Information Act.

C. Federal Register, Vol. 87, No. 19 of January 28, 2022.

D. Federal Register, Vol. 44, No. 9 of January 12, 1979.

Appendix "A"

25 CFR Part 20

Financial Assistance and Social Services Programs

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

SUBCHAPTER D—HUMAN SERVICES

PART 20—FINANCIAL ASSISTANCE AND SOCIAL SERVICES PROGRAMS

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AUTHORITY: 25 U.S.C. 13; Pub. L. 93–638; Pub. L. 98–473; Pub. L. 102–477; Pub. L. 104–193; Pub. L. 105–83.

SOURCE: 65 FR 63159, Oct. 20, 2000, unless otherwise noted.

Subpart A—Definitions, Purpose and Policy

§ 20.100 What definitions clarify the meaning of the provisions of this part?

Adult means an Indian person age 18 or older.

Adult care assistance means financial assistance provided on behalf of an Indian adult who is not eligible for any other state, federal, or tribal assistance as documented in the case file and who requires non-medical personal care and supervision due to advanced age, infirmity, physical condition or mental impairment.

Appeal means a written request for correction of an action or decision of a specific program decision by a Bureau

official (§ 20.700) or a tribal official (§ 20.705).

Applicant means an Indian individual by or on whose behalf an application for financial assistance and/or social services has been made under this part.

Application means the written or oral process through which a request is made for financial assistance or social services.

Assistant Secretary means the Assistant Secretary—Indian Affairs.

Authorized representative means a parent or other caretaker relative, conservator, legal guardian, foster parent, attorney, paralegal acting under the supervision of an attorney, friend or other spokesperson duly authorized and acting on behalf or representing the applicant or recipient.

Bureau means the Bureau of Indian Affairs of the United States Department of the Interior.

Bureau Standard of Assistance means payment standards established by the Assistant Secretary for burial, disaster, emergency, TWEP and adoption and guardian subsidy. In accordance with Public Law 104–193, the Bureau standard of assistance for general assistance is the state rate for TANF in the state where the applicant resides. Where the Bureau provides general assistance on a reservation that extends into another state, the Bureau will provide general assistance to eligible Indians based on the standard of assistance where the applicant resides if the applicant is not eligible for state general assistance or TANF. The Bureau standard of assistance for adult care assistance is the state rate for adult care assistance in the state where the applicant resides. The Bureau standard of assistance for foster care is the state rate for foster care in the state where the applicant resides as provided by Title IV of the Social Security Act (49 Stat. 620).

Burial assistance means a financial assistance payment made on behalf of an indigent Indian who meets the eligibility criteria to provide minimum burial expenses according to Bureau payment standards established by the Assistant Secretary.

Case means a single type of assistance and/or service provided to an individual or household in response to an identified need which requires intervention by social services.

Case management means the activity of a social services worker in assessing client and family problem(s), case planning, coordinating and linking services for clients, monitoring service provisions and client progress, advocacy, tracking and evaluating services provided, such as evaluation of child's treatment being concurrent with parent's treatment, and provision of aftercare service. Activities may also include resource development and providing other direct services such as accountability of funds, data collection, reporting requirements, and documenting activities in the case file.

Case plan means a written plan with time limited goals which is developed and signed by the service recipient and social services worker. The case plan will include documentation of referral and disapproval of eligibility for other services. The plan must incorporate the steps needed to assist individuals and families to resolve social, economic, psychological, interpersonal, and/or other problems, to achieve self-sufficiency and independence. All plans for children in foster care or residential care must include a permanency plan which contains a time specific goal of the return of the child to the natural parents or initiation of a guardianship/adoption.

Child means an Indian person under the age of 18 except that no person who has been emancipated by marriage will be deemed a child.

Child assistance means financial assistance provided on behalf of an Indian child, who has special needs as specified in § 20.100. In addition, assistance includes services to a child who requires placement in a foster home or a residential care facility in accordance with standards of payment levels established by the state or county in which the child resides. Further, assistance includes services to a child in need of adoption or guardianship in accordance with payment levels established by the Assistant Secretary.

Designated representative means an official of the Bureau who is designated by a Superintendent to hold a hearing as prescribed in §§ 20.700 through 20.705 and who has had no prior involvement

in the proposed decision under § 20.603 and whose hearing decision under §§ 20.700 through 20.705 will have the same force and effect as if rendered by the Superintendent.

Disaster means a situation where a tribal community is adversely affected by a natural disaster or other forces which pose a threat to life, safety, or health as specified in §§ 20.327 and 20.328.

Emergency means a situation where an individual or family's home and personal possessions are either destroyed or damaged through forces beyond their control as specified in § 20.329.

Employable means an eligible Indian person who is physically and mentally able to obtain employment, and who is not exempt from seeking employment in accordance with the criteria specified in § 20.315.

Essential needs means shelter, food, clothing and utilities, as included in the standard of assistance in the state where the eligible applicant lives.

Extended family means persons related by blood, marriage or as defined by tribal law or custom.

Family assessment means a social services assessment of a family's history and present abilities and resources to provide the necessary care, guidance and supervision for individuals within the family's current living situation who may need social service assistance and/or services.

Financial Assistance means any of the following forms of assistance not provided by other federal, state, local or tribal sources:

(1) Adult Care Assistance for adults who require non-medical personal care and supervision;

(2) Burial Assistance for indigent burials;

(3) Child Assistance for any child with special needs, in need of placement in a foster home or residential care facility, or in need of adoption or guardianship;

(4) Disaster Assistance;

(5) Emergency Assistance for essential needs to prevent hardship caused by burnout, flooding of homes, or other life threatening situations that may cause loss or damage of personal possessions;

(6) General Assistance for basic essential needs; or

(7) Tribal Work Experience Program for participants in work experience and training.

Foster care services means those social services provided to an eligible Indian child that is removed from his or her home due to neglect, abandonment, abuse or other maltreatment and placed in a foster home. Services must also be extended to the affected family members and foster parent(s) with a goal of reuniting and preserving the family.

General Assistance means financial assistance payments to an eligible Indian for essential needs provided under §§ 20.300 through 20.319.

Guardianship means long-term, social services and court approved placement of a child.

Head of household means a person in the household that has primary responsibility and/or obligation for the financial support of others in the household. In the case of a two parent household, one will be considered the head of household for the purpose of making an application for benefits.

Homemaker services means non-medical services provided by social services, in the absence of other resources, to assist an eligible Indian in maintaining self-sufficiency, and preventing placement into foster care or residential care. Examples of services included in homemaker services are: cleaning an individual's home, preparing meals for an individual, and maintaining or performing basic household functions.

Household means persons living together who may or may not be related to the "head of household."

Indian means:

(1) Any person who is a member of an Indian tribe; or

(2) In the Alaska service area only, any person who meets the definition of "Native" as defined under 43 U.S.C. 1602(b): "A citizen of the United States and one-fourth degree or more Alaska Indian (including Tsimshian Indians not enrolled in the Metlakatla Indian Community) Eskimo, or Aleut blood, or combination thereof. The term includes any Native as so defined either or both of whose adoptive parents are

not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native village or Native group of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by any village or group. Any decision of the Secretary regarding eligibility for enrollment shall be final."

Indian court means Indian tribal court or Court of Indian Offenses.

Indian tribe means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community which is recognized as eligible for the special programs and services provided by the United States because of their status as Indians.

Individual Self-sufficiency Plan (ISP) means a plan designed to meet the goal of employment through specific action steps and is incorporated within the case plan for the general assistance recipient. The plan is jointly developed and signed by the recipient and social services worker.

Near Reservation means those areas or communities designated by the Assistant Secretary that are adjacent or contiguous to reservations where financial assistance and social service programs are provided.

Need means the deficit after consideration of income and other resources necessary to meet the cost of essential need items and special need items as defined by the Bureau standard of assistance for the state in which the applicant or recipient resides.

Permanency plan means the documentation in a case plan which provides for permanent living alternatives for the child in foster care, a residential care facility, or in need of adoption or guardianship. Permanency plans are developed and implemented in accordance with tribal, cultural, and tribal/state legal standards when the parent or guardian is unable to resolve the issues that require out-of-home placement of the child.

Protective services means those services necessary to protect an Indian who is the victim of an alleged and/or substantiated incident of abuse, neglect or exploitation or who is under the supervision of the Bureau in regard to the use and disbursement of funds in his or her Individual Indian Money (IIM) account.

Public assistance means those programs of financial assistance provided by state, tribal, county, local and federal organizations including programs under Title IV of the Social Security Act (49 Stat. 620), as amended, and Public Law 104–193.

Recipient is an eligible Indian receiving financial assistance or social services under this part.

Recurring income means any cash or in-kind payment, earned or unearned, received on a monthly, quarterly, semi-annual, or annual basis.

Regional Director means the Bureau official in charge of a Regional Office.

Reservation means any federally recognized Indian tribe's reservation, pueblo, or colony, including Alaska Native regions established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688).

Residential care services means those rehabilitation services provided to an eligible Indian child that is removed from his or her home due to lack of resources in the home to care for him or her and placed in a residential care facility.

Resources means income, both earned and unearned, and other liquid assets available to an Indian person or household to meet current living costs, unless otherwise specifically excluded by federal statute. Liquid assets are those properties in the form of cash or other financial instruments which can be converted to cash, such as savings or checking accounts, promissory notes, mortgages and similar properties, and retirements and annuities.

Secretary means the Secretary of the Interior.

Service area means a geographic area designated by the Assistant Secretary where financial assistance and social services programs are provided. Such a geographic area designation can include a reservation, near reservation, or other geographic location. "The Assistant Secretary has designated the entire State of Alaska as a service area."

Services to children, elderly and families means social services, including protective services provided through the

social work skills of casework, group work or community development to assist in solving social problems involving children, elderly and families. These services do not include money payments.

Special needs means a financial assistance payment made to or on behalf of children under social services supervision for circumstances that warrant financial assistance that is not included in the foster care rates; for example, respite care, homemaker service, day care service, and may include basic needs (special diets) which are not considered as a medical need where other resources are not available.

Superintendent means the Bureau official in charge of an agency office.

Supplemental Security Income (SSI) means cash assistance provided under Title XVI of the Social Security Act (49 Stat. 620), as amended.

Temporary Assistance for Needy Families (TANF) means one of the programs of financial assistance provided under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).

Tribal governing body means the federally recognized governing body of an Indian tribe.

Tribal redesign plan means a tribally designed method for changing general assistance eligibility and/or payment levels in accordance with 25 U.S.C.A. § 13d-3.

Tribal Work Experience Program (TWEP) means a program operated by tribal contract/grant or self-governance annual funding agreement, which provides eligible participants with work experience and training that promotes and preserves work habits and develops work skills aimed toward self-sufficiency. The Bureau payment standard is established by the Assistant Secretary.

Unemployable means a person who meets the criteria specified in § 20.315.

[65 FR 63159, Oct. 20, 2000; 65 FR 76563, Dec. 7, 2000, as amended at 66 FR 15030, Mar. 15, 2001]

§ 20.101 What is the purpose of this part?

The regulations in this part govern the provision to eligible Indians of the following kinds of financial assistance and social services:

(a) Adult Care Assistance;
(b) Burial Assistance;
(c) Child Assistance;
(d) Disaster Assistance;
(e) Emergency Assistance;
(f) General Assistance;
(g) Services to Children, Elderly and Families; and
(h) Tribal Work Experience Program.

§ 20.102 What is the Bureau's policy in providing financial assistance and social services under this part?

(a) Bureau social services programs are a secondary, or residual resource, and must not be used to supplement or supplant other programs.

(b) The Bureau can provide assistance under this part to eligible Indians when comparable financial assistance or social services are either not available or not provided by state, tribal, county, local or other federal agencies.

(c) Bureau financial assistance and social services are subject to annual Congressional appropriations.

§ 20.103 Have the information collection requirements in this part been approved by the Office of Management and Budget?

The information collection requirements contained in §§ 20.300, 20.400, and 20.500 were submitted for clearance to the Office of Management and Budget under 44 U.S.C. 35d *et seq.* This information collection was approved by OMB with OMB Control #1076–0017. The expiration date is on the form. The information is collected to determine applicant eligibility for services. The information will be used to determine applicant eligibility and to insure uniformity of services. Response is required to obtain a benefit. The public reporting burdens for this form are estimated to average 15 minutes per response including time for reviewing the instructions, gathering and maintaining data, and completing and reviewing the form.

Subpart B—Welfare Reform

§ 20.200 What contact will the Bureau maintain with State, tribal, county, local, and other Federal agency programs?

We will coordinate all financial assistance and social services programs

with state, tribal, county, local and other federal agency programs to ensure that the financial assistance and social services program avoids duplication of assistance.

§ 20.201 How does the Bureau designate a service area and what information is required?

The Assistant Secretary can designate or modify service areas for a tribe. If you are a tribe requesting a service area designation, you must submit each of the following:

(a) A tribal resolution that certifies that:

(1) All eligible Indians residing within the service area will be served; and

(2) The proposed service area will not include counties or parts thereof that have reasonably available comparable services.

(b) Additional documentation showing that:

(1) The area is administratively feasible (that is, an adequate level of services can be provided to the eligible Indians residing in the area.);

(2) No duplication of services exists; and

(3) A plan describing how services will be provided to all eligible Indians can be implemented.

(c) Documentation should be sent to the Regional Director or Office of Self-Governance.

The Director or office will evaluate the information and make recommendations to the Assistant Secretary. The Assistant Secretary can make a determination to approve or disapprove and publish notice of the designation of service area and the Indians to be served in the FEDERAL REGISTER. Tribes currently providing services are not required to request designation for service areas unless they make a decision to modify their existing service areas.

§ 20.202 What is a tribal redesign plan?

If you are a tribe administering a general assistance program, you can develop and submit to us a tribal redesign plan to change the way that you administer the program.

(a) A tribal redesign plan allows a tribe to:

(1) Change eligibility for general assistance in the service area; or

(2) Change the amount of general assistance payments for individuals within the service area.

(b) If you develop a tribal redesign plan it must:

(1) Treat all persons in the same situation equally; and

(2) Will not result in additional expenses for the Bureau solely because of any increased level of payments.

§ 20.203 Can a tribe incorporate assistance from other sources into a tribal redesign plan?

Yes, when a tribe redesigns its general assistance program, it may include assistance from other sources (such as Public Law 102–477 federal funding sources) in the plan.

§ 20.204 Must all tribes submit a tribal redesign plan?

No, you must submit a tribal redesign plan under § 20.206 only if you want to change the way that the General Assistance program operates in your service area.

§ 20.205 Can tribes change eligibility criteria or levels of payments for General Assistance?

Yes, if you have a redesign plan, you can change eligibility criteria or levels of payment for general assistance.

(a) The funding level for your redesigned general assistance program will be the same funding received in the most recent fiscal or calendar year, whichever applies.

(b) If you do not have a prior year level of funding, the Bureau or Office of Self-Governance will establish a tentative funding level based upon best estimates for caseload and expenditures.

(c) A Bureau servicing office can administer a tribal redesign plan as requested by a tribal resolution.

§ 20.206 Must a tribe get approval for a tribal redesign plan?

If you have a Public Law 93–638 contract or receive direct services from us, you must obtain our approval before implementing a redesign plan. You can apply for approval to the Regional Director through the Bureau servicing office.

(a) You must submit your redesign plan for approval at least 3 months before the effective date.

(b) If you operate with a self-governance annual funding agreement, you must obtain the approval of the redesign from the Office of Self-Governance.

(c) If you operate with a Public Law 102–477 grant, you must obtain approval from the Bureau Central Office.

[65 FR 63159, Oct. 20, 2000; 65 FR 76563, Dec. 7, 2000]

§ 20.207 Can a tribe use savings from a tribal redesign plan to meet other priorities of the tribe?

Yes, you may use savings from a redesign of the general assistance program to meet other priorities.

§ 20.208 What if the tribal redesign plan leads to increased costs?

The tribe must meet any increase in cost to the General Assistance program that results solely from tribally increased payment levels due to a redesign plan.

§ 20.209 Can a tribe operating under a tribal redesign plan go back to operating under this part?

Yes, a tribe operating under a tribal redesign plan can choose to return to operation of the program as provided in §§ 20.300 through 20.323.

§ 20.210 Can eligibility criteria or payments for Burial Assistance, Child Assistance, and Disaster Assistance and Emergency Assistance change?

No, unless otherwise provided by law, the Bureau nor a tribe may change eligibility criteria or levels of payment for Burial Assistance, Child Assistance, Disaster Assistance, and Emergency Assistance awarded in Public Law 93–638 contracts, Public Law 102–477 grants, or Public Law 103–413 self-governance annual funding agreements.

Subpart C—Direct Assistance

ELIGIBILITY FOR DIRECT ASSISTANCE

§ 20.300 Who qualifies for Direct Assistance under this subpart?

To be eligible for assistance or services under this part, an applicant must meet all of the following criteria:

(a) Meet the definition of Indian as defined in this part;

(b) Not have sufficient resources to meet the essential need items defined by the Bureau standard of assistance for those Bureau programs providing financial payment;

(c) Reside in the service area as defined in § 20.100; and

(d) Meet the additional eligibility criteria for each of the specific programs of financial assistance or social services in §§ 20.301 through 20.516.

[65 FR 63159, Oct. 20, 2000, as amended at 66 FR 15030, Mar. 15, 2001]

§ 20.301 What is the goal of General Assistance?

The goal of the General Assistance program is to increase self-sufficiency. Each General Assistance recipient must work with the social services worker to develop and sign an Individual Self-Sufficiency Plan (ISP). The plan must outline the specific steps the individual will take to increase independence by meeting the goal of employment.

§ 20.302 Are Indian applicants required to seek assistance through Temporary Assistance for Needy Families?

Yes, all Indian applicants with dependent children are required to apply for Temporary Assistance for Needy Families (TANF) and follow TANF regulations.

§ 20.303 When is an applicant eligible for General Assistance?

To be eligible for General Assistance an applicant must:

(a) Meet the criteria contained in § 20.300;

(b) Apply concurrently for financial assistance from other state, tribal, county, local, or other federal agency programs for which he/she is eligible;

(c) Not receive any comparable public assistance; and

(d) Develop and sign an employment strategy in the ISP with the assistance of the social services worker to meet the goal of employment through specific action steps including job readiness and job search activities.

§ 20.304 When will the Bureau review eligibility for General Assistance?

The Bureau will review eligibility for General Assistance:

(a) Every 3 months for individuals who are not exempt from seeking or accepting employment in accordance with § 20.315 or the ISP;

(b) Every 6 months for all recipients; and

(c) Whenever there is a change in status that can affect a recipient's eligibility or amount of assistance. Recipients must immediately inform the social services office of any such changes.

§ 20.305 What is redetermination?

Redetermination is an evaluation by a social services worker to assess the need for continued financial assistance as outlined in § 20.304. It includes:

(a) A home visit;

(b) An estimate of income, living circumstances, household composition for the month(s) for which financial assistance is to be provided; and

(c) Appropriate revisions to the case plan and the ISP.

§ 20.306 What is the payment standard for General Assistance?

(a) Under Public Law 104–193, the Bureau must use the same TANF payment standard (and any associated rateable reduction) that exists in the state or service area where the applicant or recipient resides. This payment standard is the amount from which the Bureau subtracts net income and resources to determine General Assistance eligibility and payment levels;

(b) If the state does not have a standard for an adult, we will use either the difference between the standard for a child and the standard for a household of two, or one-half of the standard for a household of two, whichever is greater; and

(c) If the state does not have a TANF program, we will use the AFDC payment standard which was in effect on September 30, 1995, in the State where the applicant or recipient resides.

Determining Need and Income

§ 20.307 What resources does the Bureau consider when determining need?

When the Bureau determines General Assistance eligibility and payment levels, we consider income and other resources as specified in §§ 20.308 and 20.309.

(a) All income, earned or unearned, must be calculated in the month it is received and as a resource thereafter, except that certain income obtained from the sale of real or personal property may be exempt as provided in § 20.309.

(b) Resources are considered to be available when they are converted to cash.

§ 20.308 What does earned income include?

Earned income is cash or any in-kind payment earned in the form of wages, salary, commissions, or profit, from activities by an employee or self-employed individual. Earned income includes:

(a) Any one-time payment to an individual for activities which were sustained over a period of time (for example, the sale of farm crops, livestock, or professional artists producing art work); and

(b) With regard to self-employment, total profit from a business enterprise (i.e., gross receipts less expenses incurred in producing the goods or services). Business expenses do not include depreciation, personal business and entertainment expenses, personal transportation, capital equipment purchases, or principal payments on loans for capital assets or durable goods.

§ 20.309 What does unearned income include?

Unearned income includes, but is not limited to:

(a) Income from interest; oil and gas and other mineral royalties; gaming income per capita distributions; rental property; cash contributions, such as child support and alimony, gaming winnings; retirement benefits;

(b) Annuities, veteran's disability, unemployment benefits, and federal and state tax refunds;

(c) Per capita payments not excluded by federal statute;

(d) Income from sale of trust land and real or personal property that is set aside for reinvestment in trust land or a primary residence, but has not been reinvested in trust land or a primary residence at the end of one year from the date the income was received;

(e) In-kind contributions providing shelter at no cost to the individual or household, this must equal the amount for shelter included in the state standard, or 25 percent of the state standard, whichever is less; and

(f) Financial assistance provided by a state, tribal, county, local, or other federal agency.

§ 20.310 What recurring income must be prorated?

The social services worker will prorate the following recurring income:

(a) Recurring income received by individuals over a 12-month period for less than a full year's employment (for example, income earned by teachers who are not employed for a full year);

(b) Income received by individuals employed on a contractual basis over the term of a contract; and

(c) Intermittent income received quarterly, semiannually, or yearly over the period covered by the income.

§ 20.311 What amounts will the Bureau deduct from earned income?

(a) The social services worker will deduct the following amounts from earned income:

(1) Other federal, state, and local taxes;

(2) Social Security (FICA);

(3) Health insurance;

(4) Work related expenses, including reasonable transportation costs;

(5) Child care costs for children under the age of 6 except where the other parent in the home is unemployed and physically able to care for the children; and

(6) The cost of special clothing, tools, and equipment directly related to the individual's employment.

(b) For self-employed individuals, the social services worker will deduct the costs of conducting business and all of the amounts in paragraph (a) of this section.

§ 20.312 What amounts will the Bureau deduct from income or other resources?

The social services worker will deduct the following amounts from income, or other resources:

(a) The first $2,000 of liquid resources annually available to the household;

(b) Any home produce from a garden, livestock, and poultry used by the applicant or recipient and his/her household for their consumption; and

(c) Resources specifically excluded by federal statute.

§ 20.313 How will the Bureau compute financial assistance payments?

(a) The social services worker will compute financial assistance payments by beginning with the Bureau standard of assistance and doing the following:

(1) Subtracting from all resources calculated under §§ 20.307 through 20.310;

(2) Subtracting the rateable reduction or maximum payment level used by the state where the applicant lives;

(3) Subtracting an amount for shelter (see paragraph (b) of this section for details on how to calculate a shelter amount); and

(4) Rounding the result down to the next lowest dollar.

(b) The social services worker must calculate a shelter amount for purposes of paragraph (a)(3) of this section. To calculate the shelter amount:

(1) The shelter amount must not exceed the amount for shelter in the state TANF standard;

(2) If the state TANF does not specify an amount for shelter, the social services worker must calculate the amount as 25 percent of the total state TANF payment; and

(3) If there is more than one household in a dwelling, the social services worker must prorate the actual shelter cost among the households receiving General Assistance; this amount cannot exceed the amount in the standard for individuals in similar circumstances. The head of each household is responsible for his/her portion of the documented shelter cost.

(c) The social services worker must not provide General Assistance payments for any period before the date of the application for assistance.

EMPLOYMENT REQUIREMENTS

§ 20.314 What is the policy on employment?

(a) An applicant or recipient must:

(1) Actively seek employment, including the use of available state, tribal, county, local or Bureau-funded employment services;

(2) Make satisfactory progress in an ISP; and

(3) Accept local and seasonable employment when it is available.

(b) A head of household who does not comply with this section will not be eligible for General Assistance for a period of at least 60 days but not more than 90 days. This action must be documented in the case file.

(c) The policy in this section does not apply to any person meeting the criteria in § 20.315.

§ 20.315 Who is not covered by the employment policy?

The employment policy in § 20.314 does not apply to the persons shown in the following table.

The employment policy in § 20.314 does not apply to . . .	if . . .	and . . .
(a) Anyone younger than 16.		
(b) A full-student under the age of 19	He/she is attending an elementary or secondary school or a vocational or technical school equivalent to a secondary school.	He/she is making satisfactory progress.
(c) A person enrolled at least half-time in a program of study under Section 5404 of Pub. L. 100–297.	He/she is making satisfactory progress ..	He/she was an active General Assistance recipient for a minimum of 3 months before determination/redetermination of eligibility.
(d) A person suffering from a temporary medical injury or illness.	It is documented in the case plan that the illness or injury is serious enough to temporarily prevent employment.	He/she must be referred to SSI if the disability status exceeds 3 months.
(e) An incapacitated person who has not yet received Supplemental Security Income (SSI) assistance.	A physician, psychologist, or social services worker certifies that a physical or mental impairment (either by itself, or in conjunction with age) prevents the individual from being employed.	The assessment is documented in the case plan.
(f) A caretaker who is responsible for a person in the home who has a physical or mental impairment.	A physician or certified psychologist verifies the condition.	The case plan documents that: the condition requires the caretaker to be home on a virtually continuous basis; and there is no other appropriate household member available to provide this care.
(g) A parent or other individual who does not have access to child care.	He/she personally provides full-time care to a child under the age of 6.	
(h) A person for whom employment is not accessible.	There is a minimum commuting time of one hour each way.	

§ 20.316 What must a person covered by the employment policy do?

(a) If you are covered by the employment policy in § 20.314, you must seek employment and provide evidence of your monthly efforts to obtain employment in accordance with your ISP.

(b) If you do not seek and accept available local and seasonal employment, or you quit a job without good cause, you cannot receive General Assistance for a period of at least 60 days but not more than 90 days after you refuse or quit a job.

§ 20.317 How will the ineligibility period be implemented?

(a) If you refuse or quit a job, your ineligibility period will continue as provided in §20.316(b) until you seek and accept appropriate available local and seasonal employment and fulfill your obligations already agreed to in the ISP;

(b) The Bureau will reduce your suspension period by 30 days when you show that you have sought local and seasonal employment in accordance with the ISP; and

(c) Your eligibility suspension will affect only you. The Bureau will not apply it to other eligible members of the household.

§ 20.318 What case management responsibilities does the social services worker have?

In working with each recipient, you, the social services worker must:

(a) Assess the general employability of the recipient;

(b) Assist the recipient in the development of the ISP;

(c) Sign the ISP;

(d) Help the recipient identify the service(s) needed to meet the goals identified in their ISP;

(e) Monitor recipient participation in work related training and other employment assistance programs; and

(f) Document activities in the case file.

§ 20.319 What responsibilities does the general assistance recipient have?

In working with the social services worker, you, the recipient, must:

(a) Participate with the social services worker in developing an ISP and sign the ISP;

(b) Perform successfully in the work related activities, community service, training and/or other employment assistance programs developed in the ISP;

(c) Participate successfully in treatment and counseling services identified in the ISP;

(d) Participate in evaluations of job readiness and/or any other testing required for employment purposes; and

(e) Demonstrate that you are actively seeking employment by providing the social services worker with evidence of job search activities as required in the ISP.

TRIBAL WORK EXPERIENCE PROGRAM (TWEP)

§ 20.320 What is TWEP?

TWEP is a program that provides work experience and job skills to enhance potential job placement for the general assistance recipient. TWEP programs can be incorporated within Public Law 93–638 self-determination contracts, Public Law 102–477 grants, and Public Law 103–413 self-governance annual funding agreements at the request of the tribe.

§ 20.321 Does TWEP allow an incentive payment?

Yes, incentive payments to participants are allowed under TWEP.

(a) Incentive payments are separate. The Bureau will not consider incentive payments as wages or work related expenses, but as grant assistance payments under §§20.320 through 20.323.

(b) The approved payment will not exceed the Bureau maximum TWEP payment standard established by the Assistant Secretary.

§ 20.322 Who can receive a TWEP incentive payment?

(a) The head of the family unit normally receives the TWEP assistance payment.

(b) The social services worker can designate a spouse or other adult in the assistance group to receive the TWEP assistance payment. The social services worker will do this only if:

(1) The recognized head of the family unit is certified as unemployable; and

(2) The designation is consistent with the ISP.

(c) Where there are multiple family units in one household, one member of each family unit will be eligible to receive the TWEP incentive payment.

§ 20.323 Will the local TWEP be required to have written program procedures?

Yes, the local TWEP must have specific written program procedures that cover hours of work, acceptable reasons for granting leave from work, evaluation criteria and monitoring

plans and ISP's for participants. Work readiness progress must be documented in each ISP.

BURIAL ASSISTANCE

§ 20.324 When can the Bureau provide Burial Assistance?

In the absence of other resources, the Bureau can provide Burial Assistance for eligible indigent Indians meeting the requirements prescribed in § 20.300.

§ 20.325 Who can apply for Burial Assistance?

If you are a relative of a deceased Indian, you can apply for burial assistance for the deceased Indian under this section.

(a) To apply for burial assistance under this section, you must submit the application to the social services worker. You must submit this application within 180 days following death.

(b) The Bureau will determine eligibility based on the income and resources available to the deceased in accordance with § 20.100. This includes but is not limited to SSI, veterans' death benefits, social security, and Individual Indian Money (IIM) accounts. Determination of need will be accomplished on a case-by-case basis using the Bureau payment standard.

(c) The Bureau will not approve an application unless it meets the criteria specified at § 20.300.

(d) The approved payment will not exceed the Bureau maximum burial payment standard established by the Assistant Secretary.

[65 FR 63159, Oct. 20, 2000, as amended at 81 FR 10477, Mar. 1, 2016]

§ 20.326 Does Burial Assistance cover transportation costs?

Transportation costs directly associated with burials are normally a part of the established burial rate. If a provider adds an additional transportation charge to the burial rate because of extenuating circumstances, the social services worker can pay the added charge. To do this, the social services worker must ensure and document in the case plan that:

(a) The charges are reasonable and equitable;

(b) The deceased was an eligible indigent Indian who was socially, culturally, and economically affiliated with his or her tribe; and

(c) The deceased resided in the service area for at least the last 6 consecutive months of his/her life.

DISASTER ASSISTANCE

§ 20.327 When can the Bureau provide Disaster Assistance?

Disaster assistance is immediate and/or short-term relief from a disaster and can be provided to a tribal community in accordance with § 20.328.

§ 20.328 How can a tribe apply for Disaster Assistance?

(a) The tribe affected by the disaster is considered the applicant and must submit the following to the Regional Director through the local Superintendent:

(1) A tribal resolution requesting disaster assistance;

(2) A copy of county, state, or Presidential declaration of disaster; and

(3) The projected extent of need in the service area not covered by other federal funding sources.

(b) The Regional Director must forward the above tribal documents and his/her recommendation to the Assistant Secretary for final decision on whether disaster assistance will be provided and to what extent.

EMERGENCY ASSISTANCE

§ 20.329 When can the Bureau provide Emergency Assistance payments?

Emergency Assistance payments can be provided to individuals or families who suffer from a burnout, flood, or other destruction of their home and loss or damage to personal possessions. The Bureau will make payments only for essential needs and other non-medical necessities.

§ 20.330 What is the payment standard for Emergency Assistance?

The approved payment will not exceed the Bureau's maximum Emergency Assistance payment standard established by the Assistant Secretary.

ADULT CARE ASSISTANCE

§ 20.331 What is Adult Care Assistance?

Adult care assistance provides non-medical care for eligible adult Indians who:

(a) Have needs that require personal care and supervision due to advanced age, infirmity, physical condition, or mental impairments; and

(b) Cannot be cared for in their own home by family members.

§ 20.332 Who can receive Adult Care Assistance?

An adult Indian is eligible to receive adult care assistance under this part if he/she:

(a) Is unable to meet his/her basic needs, including non-medical care and/or protection, with his/her own resources; and

(b) Does not require intermediate or skilled nursing care.

§ 20.333 How do I apply for Adult Care Assistance?

To apply for adult care assistance, you or someone acting on your behalf must submit an application form to the social services worker.

§ 20.334 What happens after I apply?

(a) The Bureau will determine eligibility based upon the income and available resources of the person named in the application.

(b) Upon approval by the Bureau Line Officer, payments will be approved under purchase of service agreements for adult care provided in state or tribally licensed or certified group settings, or by individual service providers licensed or certified for homemaker service.

[65 FR 63159, Oct. 20, 2000; 65 FR 76563, Dec. 7, 2000]

§ 20.335 What is the payment standard for Adult Care Assistance?

The approved payment for adult care assistance will not exceed the applicable state payment rate for similar care.

[65 FR 63159, Oct. 20, 2000; 65 FR 76563, Dec. 7, 2000]

Subpart D—Services to Children, Elderly, and Families

§ 20.400 Who should receive Services to Children, Elderly, and Families?

Services to Children, Elderly, and Families will be provided for Indians meeting the requirements prescribed in § 20.300 who request these services or on whose behalf these services are requested.

§ 20.401 What is included under Services to Children, Elderly, and Families?

Services to Children, Elderly, and Families include, but are not limited to, the following:

(a) Assistance in solving problems related to family functioning and interpersonal relationships;

(b) Referral to the appropriate resource for problems related to illness, physical or mental handicaps, drug abuse, alcoholism, and violation of the law; and

(c) Protective services.

In addition, economic opportunity and money management may also be provided.

§ 20.402 When are protective services provided?

Protective services are provided when children or adults:

(a) Are deprived temporarily or permanently of needed supervision by responsible adults;

(b) Are neglected, abused or exploited;

(c) Need services when they are mentally or physically handicapped or otherwise disabled; or

(d) Are under the supervision of the Bureau in regard to the use and disbursement of funds in the child's or adult's Individual Indian Money (IIM) account. Those IIM accounts that are established for children will be supervised by the Bureau until the child becomes an adult as defined in 25 CFR 115.

§ 20.403 What do protective services include?

Protective services provided to a child, family or elderly person will be documented in the case files and:

(a) Can include, but are not limited to, any of the following:

(1) Providing responses to requests from members of the community on behalf of children or adults alleged to need protective services;

(2) Providing services to children, elderly, and families, including referrals for homemaker and day care services for the elderly and children;

(3) Coordinating with Indian courts to provide services, which may include, but are not limited to, the following:

(i) Investigating and reporting on allegations of child abuse and neglect, abandonment, and conditions that may require referrals (such as mental or physical handicaps);

(ii) Providing social information related to the disposition of a case, including recommendation of alternative resources for treatment; and

(iii) Providing placement services by the court order before and after adjudication.

(4) Coordinating with other community services, including groups, agencies, and facilities in the community. Coordination can include, but are not limited to:

(i) Evaluating social conditions that affect community well-being;

(ii) Treating conditions identified under paragraph (b)(1) of this section that are within the competence of social services workers; and

(iii) Working with other community agencies to identify and help clients to use services available for assistance in solving the social problems of individuals, families, and children.

(5) Coordinating with law enforcement and tribal courts, to place the victim of an alleged and/or substantiated incident of abuse, neglect or exploitation out of the home to assure safety while the allegations are being investigated. Social services workers may remove individuals in life threatening situations. After a social services assessment, the individual must be either returned to the parent(s) or to the home from which they were removed or the social services worker must initiate other actions as provided by the tribal code; and

(6) Providing social services in the home, coordinating and making referrals to other programs/services, including Child Protection, and/or establishing Multi-Disciplinary Teams.

(b) Must include, where the service population includes IIM account holders:

(1) Conducting, upon the request of an account holder or other interested party, a social services assessment to evaluate an adult account holder's circumstances and abilities and the extent to which the account holder needs assistance in managing his or her financial affairs; and

(2) Managing supervised IIM accounts of children and adults (in conjunction with legal guardians), which includes, but is not limited to, the following:

(i) Evaluating the needs of the account holder;

(ii) Developing, as necessary and as permitted under 25 CFR 115, a one-time or an annual distribution plan for funds held in an IIM account along with any amendments to the plan for approval by the Bureau;

(iii) Monitoring the implementation of the approved distribution plan to ensure that the funds are expended in accordance with the distribution plan;

(iv) Reviewing the supervised account every 6 months or more often as necessary if conditions have changed to warrant a recommendation to change the status of the account holder, or to modify the distribution plan;

(v) Reviewing receipts for an account holder's expenses and verifying that expenditures of funds from a supervised IIM account were made in accordance with the distribution plan approved by the Bureau, including any amendments made to the plan; and

(vi) Petitioning a court of competent jurisdiction for the appointment of, or change in, a legal guardian for a client, where appropriate.

[65 FR 63159, Oct. 20, 2000; 65 FR 76563, Dec. 7, 2000]

§ 20.404 What information is contained in a social services assessment?

A social services assessment must contain, but is not limited to, the following:

(a) Identifying information about the client (for example, name, address, age, gender, social security number, telephone number, certificate of Indian blood, education level), family history

and medical history of the account holder;

(b) Description of the household composition: information on each member of the household (e.g., name, age, and gender) and that person's relationship to the client;

(c) The client's current resources and future income (e.g., VA benefits, retirement pensions, trust assets, employment income, judgment funds, general assistance benefits, unemployment benefits, social security income, supplemental security income and other governmental agency benefits);

(d) A discussion of the circumstances which justify special services, including ability of the client to handle his or her financial affairs and to conduct day-to-day living activities. Factors to be considered should include, but are not limited to:

(1) Age;

(2) Developmental disability;

(3) Chronic alcoholism or substance abuse;

(4) Lack of family assistance or social support systems, or abandonment;

(5) Self-neglect;

(6) Financial exploitation or abuse;

(7) Physical exploitation, neglect or abuse;

(8) Senility; and

(9) Dementia.

(e) Documentation supporting the need for assistance (e.g., medical reports, police reports, court orders, letters from interested parties, prior assessments or evaluations, diagnosis by psychologist/psychiatrist); and

(f) Summary of findings and proposed services to meet the identified needs of the client.

Subpart E—Child Assistance

§ 20.500 Who is eligible for Child Assistance?

A child is eligible for Child Assistance under this subpart if all of the following criteria are met:

(a) The child must meet the requirements in § 20.300.

(b) The child's legally responsible parent, custodian/guardian, or Indian court having jurisdiction must:

(1) Request assistance under this part in writing;

(2) State that they are unable to provide necessary care and guidance for the child, or to provide for the child's special needs in his/her own home; and

(3) Provide a documented social services assessment from the social services worker of whether parent(s), custodian, guardian(s) are able to care for their child.

(c) All income accruing to the child, except income exempted by federal statute, must be used to meet the cost of special needs, foster home or residential care facility as authorized and arranged by social services.

HOW CHILD ASSISTANCE FUNDS CAN BE USED

§ 20.501 What services can be paid for with Child Assistance funds?

The social services program can use Child Assistance funds to pay for services as shown in the following table.

Service that can be paid	Conditions that must be met	Maximum payment level
(a) Room and board at residential care facilities licensed by the tribe or state.	There must be no other resources available to pay these costs. See § 20.502 for other conditions that must be met.	The state or county residential care rate in the state in which the child resides.
(b) Adoption or guardianship subsidies.	There must be no other resources available to pay for this service. See § 20.503 for other conditions that must be met.	The Bureau's maximum adoption and guardianship payment standard.
(c) Short-term homemaker services.	There must be no other resources (such as Medicaid) available to pay for this service. Services can be purchased for a maximum of 3 months. See § 20.504 for other conditions that must be met.	As approved by the Bureau line officer.
(d) Temporary foster care	See § 20.509 for conditions that must be met	The state or county foster care rate in the state in which the child resides.

§ 20.502 Can Child Assistance funds be used to place Indian children in residential care facilities?

You, the social service program, can use Child Assistance funds to purchase or contract for room and board in licensed residential care facilities.

(a) You can use Child Assistance funds to pay only for room and board. You must pay for other services that may be needed, including mental health, education, and physical therapy from other sources.

(b) Before placement the various funding sources must sign an agreement that specifies the services each source will pay. The Bureau Line Officer must approve this agreement.

§ 20.503 When can Child Assistance funds be used for Indian adoption or guardianship subsidies?

You, the social services program, can use Child Assistance funds to provide either adoption or guardianship subsidies if all of the following are true:

(a) The child is 17 or younger;

(b) The child has been in foster care prior to approval of the subsidy;

(c) The social services worker has considered all other available resources, attempted permanency planning, and documented in the case file that placement was in the best interest of the child; and

(d) The Bureau Line Officer approves the subsidy before it is authorized and redetermines eligibility on a yearly basis.

§ 20.504 What short-term homemaker services can Child Assistance pay for?

You, the social services program, can use Child Assistance funds to pay for homemaker services as specified in § 20.501 and this section. While housekeeping services are covered, homemaker services must focus on training household members in such skills as child care and home management. Homemaker services are provided for:

(a) A child who would otherwise need foster care placement or who would benefit from supportive (protective) supervision;

(b) A severely handicapped or special needs child whose care places undue stress on the family; or

(c) A child whose care would benefit from specialized training and supportive services provided to family members.

§ 20.505 What services are provided jointly with the Child Assistance Program?

The services listed in this section are provided by Services to Children, Elderly, and Families under this subpart jointly with the Child Assistance Program.

(a) Social services provided for children in their own home aimed at strengthening the family's ability to provide for and nurture their child. These supportive services can include:

(1) Social work case management;

(2) Counseling for parents and children;

(3) Group work, day care; and

(4) Homemaker services, when necessary.

(b) Protection of Indian children from abuse, neglect or exploitation in coordination with law enforcement and courts.

(c) A written case plan must be established within 30 days of placement and reviewed within 60 days of placement or as outlined in tribally established standards, when temporary placement outside the home is necessary. The case plan must contain a written agreement signed among the various funding sources to identify the services that will be paid by each source in those instances where the child requires services outside the authority of the Child Assistance program.

FOSTER CARE

§ 20.506 What information is required in the foster care case file?

At a minimum the following information is required:

(a) Tribal enrollment verification in accordance with § 20.100;

(b) A written case plan (established within 30 days of placement), which would include a permanency plan detailing the need for and expected length of placement;

(c) Information on each child's health status and school records, including medications and immunization records;

(d) Parental consent(s) for emergency medical care, school, and transportation;

(e) A signed plan for payment, including financial responsibility of parents and use of other appropriate resources;

(f) A copy of the certification/license of the foster home;

(g) A current photo of each child;

(h) A copy of the social security card, birth certificate, Medicaid card and current court order;

(i) For a placement beyond 30 days, copy of the action taken or authorized by a court of competent jurisdiction that documents the need for protection of the child;

(j) For an involuntary placement, a social services assessment completed by a social services worker within 30 days of placement;

(k) Documentation of a minimum of one visit to the placement setting per month by the social services worker with each child; and

(l) A list of all prior placements, including the names of the foster parents and dates of placements.

§ 20.507 What requirements must foster care providers meet?

If a child needs foster care, the social services worker must select care that meets the physical, behavioral, and emotional needs of the child. Foster care is intended to be short-term. The case plan must show that all of the requirements in paragraphs (a) through (c) of this section are met:

(a) All foster homes must be certified or licensed by the tribe or other appropriate authority. Foster care placements beyond 30 days must be made through a court of competent jurisdiction to ensure that:

(1) Federal background checks are completed prior to placement as required by Public Law 101–630; and

(2) Training (optional for placements with relatives) is provided to the foster family.

(b) If the child is placed with relatives in an adoption and guardian placement, the case file must contain an approved current home study.

(c) An off-reservation foster home, or residential care facility under contract must meet the licensing standards of the state in which it is located or tribally established certifying/licensing standards.

§ 20.508 What must the social services agency do when a child is placed in foster care, residential care or guardianship home?

The social services agency must make efforts to secure child support for the child in foster care or residential care through a court of competent jurisdiction.

§ 20.509 What must the social services worker do when a child is placed in foster care or residential care facility?

When a child is placed in foster care or a residential care facility the social services worker must do all of the following:

(a) Discuss with foster parents or caretakers, the child's special needs, including disabilities;

(b) Provide counseling or referral to available resources;

(c) Refer any child requiring medical, substance abuse, or behavioral (mental) health services to an appropriate health services to be assessed and to receive services;

(d) Ensure that the case plan provides for all necessary costs of care (including clothing, incidentals, and personal allowance) in accordance with established state standards of payments;

(e) Develop a foster family agreement signed and dated by the parties involved that specifies the roles and responsibilities of the biological parents, foster parents, and placing agency; the terms of payment of care; and the need for adherence to the established case plan;

(f) Immediately report any occurrences of suspected child abuse or neglect in a foster home or residential care facility to law enforcement and protective services in accordance with tribal standards and reporting requirements under Public Law 101–630; and

(g) Complete a yearly assessment of each tribal or state licensed foster home or residential care facility evaluating how the home has fulfilled its function relative to the needs of the child placed in the home.

§ 20.510 How is the court involved in child placements?

The court retains custody of a child in placement and the care and supervision must be given to the appropriate social services agency. While the court can issue any court order consistent with tribal law, the courts do not have the authority to require expenditure of federal funds to pay for specifically prescribed or restrictive services or out-of-home placements of children. Case plans must be reviewed with the appropriate court at least every 6 months and a permanency hearing held within 12 months after a child enters foster care or residential care, or according to established tribal standards. These standards can be established in the tribal code and can be in accordance with available funding source requirements.

§ 20.511 Should permanency plans be developed?

Permanency planning must be developed for all child placements within 6 months after initial placement of the child. Every reasonable effort will be made to preserve the family and/or reunify the children with the family and relatives when developing permanency plans. However, the child's health and safety are the paramount concern.

§ 20.512 Can the Bureau/tribal contractors make Indian adoptive placements?

The Bureau is not an authorized adoption agency and staff must not arrange adoptive placements. However, long-term permanency planning can involve the Bureau social services workers cooperating with tribal courts to provide an adoption subsidy. Tribal contractors will provide adoption services as authorized by the tribal courts in accordance with tribal codes/law.

§ 20.513 Should Interstate Compacts be used for the placement of children?

Interstate compact agreements should be used when appropriate for foster care, adoption and guardianship to protect the best interests of the child and to assure the availability of the funding resources and services from the originating placement source.

§ 20.514 What assistance can the courts request from social services on behalf of children?

The courts can request the following:

(a) Investigations of law enforcement reports of child abuse and neglect;

(b) Assessment of the need for out-of-home placement of the child; and

(c) Provision of court-related services following adjudication, such as monitoring, foster care, or residential care, or pre/post placement services.

§ 20.515 What is required for case management?

Social services workers must document regular contact with children and families in accordance with specific program requirements. The social services agency is responsible for implementation of quality case management; this requires the supervisor's review of case plans every 90 days.

§ 20.516 How are child abuse, neglect or exploitation cases to be handled?

Reported child abuse, neglect or exploitation cases and the requirement for background clearances will be handled in accordance with the Indian Child Protection and Family Violence Prevention Act of 1990, Public Law 101–630, 25 CFR part 63, federal and/or state laws where applicable, and tribal codes which protect Indian children and victims of domestic violence. This includes developing and maintaining Child Protection Teams in accordance to Public Law 101–630 and collection of child abuse, neglect and exploitation data according to Public Law 99–570. Those cases referred by the state will be handled according to the Indian Child Welfare Act, Public Law 95–608, and 25 CFR part 23.

Subpart F—Administrative Procedures

§ 20.600 Who can apply for financial assistance or social services?

(a) You can apply for financial assistance or social services under this part if you:

(1) Believe that you are eligible to receive benefits; or

(2) Are applying on behalf of someone who you believe is eligible to receive benefits.

(b) Under paragraph (a) of this section, any of the following may apply for benefits on behalf of another person: relatives, interested individuals, social services agencies, law enforcement agencies, courts, or other persons or agencies.

§ 20.601 How can applications be submitted?

You can apply for financial assistance or social services under this part by:

(a) Completing an application that you can get from your social services worker or tribe; or

(b) Through an interview with a social services worker who will complete an application for you based on the oral interview.

§ 20.602 How does the Bureau verify eligibility for social services?

(a) You, the applicant, are the primary source of information used to determine eligibility and need. If it is necessary to secure information such as medical records from other sources, you must authorize the release of information.

(b) You must immediately report to your social services worker any changes in circumstances that may affect your eligibility or the amount of financial assistance that you receive.

§ 20.603 How is an application approved or denied?

(a) Each application must be approved if the applicant meets the eligibility criteria in this part for the type of assistance requested and all recipients will be redetermined for eligibility every 6 months. Financial assistance will be made retroactive to the application date.

(b) An application must be denied if the applicant does not meet the eligibility criteria in §§ 20.300 through 20.516.

(c) The social services worker must approve or deny an application within 30 days of the application date. The local social services worker must issue written notice of the approval or denial of each application within 45 days of the application date.

(d) If for a good reason the social services worker cannot meet the deadline in paragraph (c) of this section, he or she must notify the applicant in writing of:

(1) The reasons why the decision cannot be made; and

(2) The deadline by which the social services worker will send the applicant a decision.

[65 FR 63159, Oct. 20, 2000; 65 FR 76563, Dec. 7, 2000]

§ 20.604 How is an applicant or recipient notified that benefits or services are denied or changed?

If the Bureau increases, decreases, suspends, or terminates financial assistance, the social services worker must mail or hand deliver to the applicant or recipient a written notice of the action. The notice must:

(a) State the action taken, the effective date, and the reason(s) for the decision;

(b) Inform the applicant or recipient of the right to request a hearing if dissatisfied with the decision;

(c) Advise the applicant or recipient of the right to be represented by an authorized representative at no expense to the Bureau;

(d) Include the address of the local Superintendent or his/her designated representative to whom the request for a hearing must be submitted;

(e) Advise the applicant or recipient that failure to request a hearing within 20 days of the date of the notice will cause the decision to become final and not subject to appeal under 25 CFR part 2; and

(f) Be delivered to the applicant 20 days in advance of the effective date of the action.

§ 20.605 What happens when an applicant or recipient appeals a decision under this subpart?

If you are an applicant or recipient and appeal a decision made under § 20.604, you can continue to receive your assistance while your appeal is pending. For this to happen, you must submit your appeal by the deadline in § 20.604(e).

§ 20.606 How is an incorrect payment adjusted or recovered?

(a) When an incorrect payment of financial assistance has been made to an

individual or family, a proper adjustment or recovery is required.

(b) The proper adjustment or recovery is based upon individual need as appropriate to the circumstances that resulted in an incorrect payment.

(c) Before adjustment or recovery, the recipient will be notified of the proposal to correct the payment and given an informal opportunity to resolve the matter.

(d) If an informal resolution cannot be attained, the recipient must be given a written notice of decision and the procedures of § 20.604 will apply.

(e) If a hearing is requested, the hearing will be conducted in accordance with the procedures under §§ 20.700 through 20.705.

§ 20.607 What happens when applicants or recipients knowingly and willfully provide false or fraudulent information?

Applicants or recipients who knowingly and willfully provide false or fraudulent information are subject to prosecution under 18 U.S.C. § 1001, which carries a fine of not more than $10,000 or imprisonment for not more than 5 years, or both. The social services worker will prepare a written report detailing the information considered to be false and submit the report to the Superintendent or his/her designated representative for appropriate investigative action.

Subpart G—Hearings and Appeals

§ 20.700 Can an applicant or recipient appeal the decision of a Bureau official?

Yes, if you are an applicant or recipient, and are dissatisfied with a Bureau decision made under this part, you can request a hearing before the Superintendent or his/her designated representative. You must submit your request by the deadline in § 20.604. The Superintendent or his/her designated representative can extend the deadline if you show good cause.

§ 20.701 Does a recipient receive financial assistance while an appeal is pending?

Yes, if you appeal under this subpart, financial assistance will be continued or reinstated to insure there is no break in financial assistance until the Superintendent or his/her designated representative makes a decision. The Superintendent or his/her designated representative can adjust payments or recover overpayments to conform with his/her decision.

[65 FR 63159, Oct. 20, 2000; 65 FR 76563, Dec. 7, 2000]

§ 20.702 When is an appeal hearing scheduled?

The Superintendent or his/her designated representative must set a date for the hearing within 10 days of the date of request for a hearing and give written notice to the applicant or recipient.

§ 20.703 What must the written notice of hearing include?

The written notice of hearing must include:

(a) The date, time and location of the hearing;

(b) A statement of the facts and issues giving rise to the appeal;

(c) The applicant's or recipient's right to be heard in person, or to be represented by an authorized representative at no expense to the Bureau;

(d) The applicant or recipient's right to present both oral and written evidence during the hearing;

(e) The applicant's or recipient's right to confront and cross-examine witnesses at the hearing;

(f) The applicant's or recipient's right of one continuance of not more than 10 days with respect to the date of hearing; and

(g) The applicant's or recipient's right to examine and copy, at a reasonable time before the hearing, his/her case record as it relates to the proposed action being contested.

§ 20.704 Who conducts the hearing or appeal of a Bureau decision or action and what is the process?

(a) The Superintendent or his/her designated representative conducts the hearing in an informal but orderly manner, records the hearing, and provides the applicant or recipient with a transcript of the hearing upon request.

(b) The Superintendent or his/her designated representative must render a written decision within 10 days of the completion of the hearing. The written decision must include:

(1) A written statement covering the evidence relied upon and reasons for the decision; and

(2) The applicant's or recipient's right to appeal the Superintendent or his/her designated representative's decision pursuant to 25 CFR part 2 and request Bureau assistance in preparation of the appeal.

§ 20.705 Can an applicant or recipient appeal a tribal decision?

Yes, the applicant or recipient must pursue the appeal process applicable to the Public Law 93–638 contract, Public Law 102–477 grant, or Public Law 103–413 self-governance annual funding agreement. If no appeal process exists, then the applicant or recipient must pursue the appeal through the appropriate tribal forum.

PART 23—INDIAN CHILD WELFARE ACT

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Appendix "B"

Navajo Nation Privacy & Access to Information Act

Title 2. Navajo Nation Government

Chapter 2. Navajo Nation Privacy and Access to Information

Subchapter 1. Privacy and Access to Information

§81. Short Title

This Act shall be referred to as the Navajo Nation Privacy Act.

§82. Declaration of Public Policy

The Navajo Nation Council finds and declares it the policy of the Navajo Nation that a democratic form of government requires that information related to government operations be accessible to the public, while recognizing that individuals have a right to privacy. It is the intent of the law that the general public be provided a means to access records and information relating to the operation of the Navajo Nation while preserving the privacy interests of individuals and entities.

§83. Definitions

As used in this subchapter:

A. *"Governmental entity"* means any administrative, advisory, executive judicial or legislative office commissions, corporations and other instrumentalities whose boards of directors are appointed or elected by the Navajo Nation or its political subdivisions. Governmental entity includes all quasi-judicial bodies and all standing, special or advisory committees or subcommittees of, or appointed by, the Navajo Nation to carry out the public's business.

B. *"Person"* means any individual, nonprofit or profit corporation, partnership, sole proprietorship or other type of business organization.

C. *"Protected record"* means any record containing data on persons or governmental entities that is private or otherwise protected as provided by 2 N.N.C. § 85.

D. *"Public record"* means any record that is not private or otherwise protected and that is not exempt from disclosure as provided in 2 N.N.C. § 84.

E. *"Record"* means all books, letters, documents, papers, maps, plans, photographs, films, cards, characteristics which are prepared, owned, received or retained by a governmental entity and where all of the information in the original is reproducible by photocopy or other mechanical or electronic means. "Record" does not mean:

1. Materials that are legally owned by an individual in his private capacity;

2. Materials to which access is limited by the laws of copyright or patent unless the copyright or patent is owned by a governmental entity;

3. Junk mail or commercial publications received by a governmental entity or an official or employee of a governmental entity;

4. Books and other materials that are cataloged, indexed or inventoried and contained in the collections of libraries open to the public;

5. Daily calendars and other personal notes prepared by the originator for the originator's personal use or for the personal use of an individual for whom he is working;

6. Computer programs that are developed or purchased by or for any governmental entity for its own use; or

7. Notes or internal memoranda prepared as part of the deliberative process by a member of the judiciary or any other body charged by law with performing a quasi-judicial function.

F. *"Right to Privacy"* means the right of a person to be free from unwarranted intrusion by a governmental entity.

§84. Records that must be disclosed:

A. The following records are public except to the extent they contain information expressly permitted to be treated as protected as provided for 2 N.N.C. § 85:

1. Laws;

2. Names, gender, job titles, job description, business addresses, business telephone numbers, number of hours worked per pay period, dates of employment, relevant education, previous employment and similar job qualifications of the governmental entity's current and former employees and officers excluding:

   a. Undercover law enforcement personnel; and

   b. Investigative personnel if disclosure could reasonably be expected to impair the effectiveness of investigations or endanger any individual's safety.

3. Inter-office memoranda;

4. Final opinions, including concurring and dissenting opinions, and orders that are made by a governmental entity in an administrative, adjudicative or judicial proceeding except that if the proceedings were properly closed to the public, the opinion and order may be withheld to the extent that they contain information that is protected;

5. Final interpretations of statutes or rules by a governmental entity;

6. Information contained in or compiled from a transcript, minutes or report of the open portions of a meeting, excluding executive sessions, of a governmental entity, including the records of all votes of each member of the governmental entity;

7. Judicial records unless a court orders the record to be restricted under the rules of civil or criminal procedure or unless the records are protected under this subchapter;

8. Records filed with or maintained by governmental entities that give public notice of:

   a. Title or encumbrances to real property, including homesite permits, land use permits and grazing permits; or

   b. Restrictions on the use of real property.

9. Records filed with or maintained by governmental entities that evidence incorporations, name changes and uniform commercial code filings;

10. Documentation of the compensation that a governmental entity pays to a contractor or private provider; and

11. Data on individuals that would otherwise be protected under this subchapter if the individual who is the subject of the record has given the governmental entity written permission to make the records available to the public.

B. The following records are normally public, but to the extent that a record is expressly exempt from disclosure, access may be restricted under 2 N.N.C. § 85:

1. Administrative staff manuals, instructions to staff and statements of policy;

2. Records documenting a contractor's or private provider's compliance with the terms of a contract with a governmental entity;

3. Contracts entered into by a governmental entity;

4. Any account, voucher or contract that deals with the receipt or expenditure of funds by a governmental entity;

5. Correspondence by and with a governmental entity in which the governmental entity determines or states an opinion upon the rights of the Nation, a political subdivision, the public or any person;

6. Empirical data if contained in drafts if:

   a. The data is not reasonably available to the requester elsewhere in similar form; and

   b. The governmental entity is given a reasonable opportunity to correct any errors or make non-substantive changes before releases.

7. Drafts that are circulated to anyone other than a governmental entity, a federal agency if the governmental entity and the federal agency are

jointly responsible for implementation of a program or a contractor or private provider;

8. Drafts that have never been finalized but were relied upon by the governmental entity in carrying out action or policy;

9. Arrest warrants after issuance, except that, for good cause, a court may order restricted access to arrest warrants prior to service;

10. Search warrants after execution and filing of the return, except that, for good cause, a court may order restricted access to search warrants prior to trial;

11. Records that would disclose information relating to formal charges or disciplinary action against a past or present governmental entity employee if:

    a. The disciplinary action has been completed and all time periods for administrative appeal have expired; and

    b. The formal charges were sustained.

C. The list of public records in this section is not exhaustive and should not be used to limit access to records.

§85. Protected records

A. The following records are private or otherwise protected and shall not be considered public for purposes of required disclosure:

1. Records concerning an individual's eligibility for social services, welfare benefits or the determination of benefit levels;

2. Records containing data on individuals describing medical history, diagnosis, condition, treatment, evaluation or similar medical data, including psychiatric or psychological data;

3. Records concerning a current or former employee of, or applicant for employment with, a governmental entity that would disclose that individual's home address, home telephone number, social security

number, insurance coverage, marital status or payroll deductions;

4. Records concerning a current or former employee of, or applicant for employment with, a governmental entity, including performance evaluations and personal status information such as race, religion or disabilities, but not including records that are public under 2 N.N.C. § 84(A)(2) or (B) (11);

5. Records describing an individual's finances, except that the following are public:

   a. Records described in 2 N.N.C. § 84(A);

   b. Navajo Nation Economic Disclosure Statements filed with the Ethics and Rules Office by elected public officials and candidates for elected public office, pursuant to 2 N.N.C. § 3762;

   c. Loan applications for Navajo Nation loans to elected public officials and appointed public officials submitted to the Government Services Committee for approval, pursuant to Section 7(c) of the Personal Loan Operating Policies and Guidelines, approved by Resolution CLO-19-88; or

   d. Records that must be disclosed in accordance with another statute or duly adopted rules and regulations of a governmental entity.

6. Attorney-client privileged information, materials and work-products, including the mental impressions or legal theories of an attorney or other representative of a governmental entity;

7. The negotiating position of the Navajo Nation before a contract, lease or other agreement is entered into;

8. Records prepared by or on behalf of a governmental entity solely in anticipation of litigation that are not available under the rules of discovery;

9. Information, research and discussions conducted by the public bodies of the Navajo Nation during executive sessions;

10. Memoranda prepared by staff and used in the decision-making process by a judge or a member of any other body charged by law with performing a Quasi-judicial function;

11. Information received in response to an invitation for bids or request for proposals before a contract is awarded. Such information will also remain unavailable to the general public after a contract is entered into provided that the information contained in the bid or proposals is proprietary in nature or otherwise to remain confidential at the request of the person submitting the bid or proposal;

12. Information contained within or related to a contract, lease or other agreement which is proprietary in nature or otherwise to remain confidential at the request of any party to the contract, lease or other agreement;

13. Records of a governmental audit agency relating to an ongoing or planned audit until the final audit is released;

14. Records which are sealed or otherwise protected by court order due to the sensitive nature of the record in which the privacy interest of the person outweighs the public interest in the information;

15. Records to which access is restricted pursuant to court rule or as a condition of participation in a state or federal program or for receiving state or federal funds;

16. Drafts, unless otherwise classified as public;

17. Information related to the location of an individual member of any threatened or endangered species, such that that individual member could be placed further at risk;

18. Information which cannot be released without interfering with an individual's right to exercise or practice his chosen religion;

19. Information otherwise protected by applicable laws;

20. Other records containing data on individuals the disclosure of which constitutes a clearly unwarranted invasion of personal privacy.

B. Upon request, a governmental entity shall disclose a private or otherwise protected record as provided for in 2 N.N.C. § 86.

§86. Access to protected documents

Upon request, protected records will be available for disclosure as follows:

A. Information shall be available for criminal and civil law enforcement for prosecution purposes, internal audit, as a result of a court order, to further an individual's medical treatment and to address public health needs.

B. Information relating to an individual shall be available to the individual who is the subject of the record, or if a minor, shall be available to the parent or guardian subject to any applicable court order.

C. Individual records may be released to third parties with the written permission, by means of a notarized release, of the individual who is the subject of those records, or his or her parent or legal guardian if a minor.

D. Individual records may be used for statistical and other purposes provided that any information which could be used to identify the individual specifically is removed or withheld.

E. Information about an individual will always be available to other Navajo Nation governmental entities subject to the general restrictions above.

F. Before releasing a protected record, the governmental entity shall obtain evidence of the requester's identity.

G. Before releasing of protected record, the governmental entity shall inform the requester that he or she is prohibited from disclosing or providing a copy of the protected record to any other person and shall obtain the requester's written acknowledgement of this prohibition.

§87. Segregation of records

A. Notwithstanding any other provision in this subchapter, if a governmental entity receives a request for access to a record that contains both information that the requester is entitled to inspect and information that the requester is not entitled to inspect, and, if the information the requester is entitled to inspect is intelligible and able to be segregated, the governmental entity:

1. Shall allow access to information in the record that the requester is entitled to inspect under this subchapter; and

2. May deny access to information in the record if the information is exempt from disclosure to the requester, issuing a notice of denial as provided in 2 N.N.C. § 89.

B. If there is more than one subject of a protected record, the portion of the record that pertains to another subject shall be segregated from the portion that the requester is entitled to inspect.

§88. Procedures

A. Every person has the right to inspect a public record free of charge, and the right to take a copy of a public record during normal working hours, subject to subsection (H).

B. All records are public unless otherwise expressly provided by statute.

C. A person making a request for a record shall furnish the governmental entity with a written request containing his name, mailing address, daytime telephone number, if available, and a description of the records requested that identifies the record with reasonable specificity. The request for information shall be addressed to the governmental entity primarily responsible for comping such records.

D. A governmental entity is not required to create a record in response to a request. However, upon request, a governmental entity shall provide a record in a particular format if:

1. The governmental entity is able to do so without unreasonable interfering with the governmental entity's duties and responsibilities; and

2. The requester agrees to pay the governmental entity for its additional costs actually incurred in providing the record in the requested format.

E. Nothing in this section requires a governmental entity to fulfill a person's records request if the request unreasonably duplicates prior records requests from that person.

F. Within 90 days, the governmental entity shall respond to the request by:

1. Approving the request and providing the record;

2. Denying the request by providing a written explanation of why the record is protected from disclosure. In making such determinations, the governmental entity shall consult with the Department of Justice; or

3. Notifying the requester that it does not maintain the record and providing, if known, the name and address of the governmental entity that does maintain the record.

G. In the event that the governmental entity determines that the requested record is protected from disclosure, or fails to respond to the request within the 90 day period, the requesting party may make application to the District Court, as defined at 7 N.N.C. § 253, in accordance with the proper processes of the Court for an order compelling the release of the record.

1. This application must meet the notice and filing requirements of the Navajo Nation Sovereign Immunity Act, 1 N.N.C. § 551 et seq.

2. Any person who may have an interest in maintaining the confidentiality of the record may appear and demonstrate the need for maintaining the confidentiality of such record.

3. In determining the availability of any record requested, the District Court shall apply the standards set forth in 2 N.N.C. §§ 84 and 85.

H. The Navajo Nation may assess the reasonable costs for photocopying and other activities associated with providing the record against the person requesting the record.

I. The implementation of the Navajo Nation Privacy and Access to Information Act shall be subject to rules and regulations duly adopted by the Government Services Committee. Records released may be subject to reasonable restrictions on use, pursuant to such rules and regulations of the Government Services Committee.

§89. Denials

A. If the governmental entity denies the request in whole or in part, it shall provide a notice of denial to the requester either in person or by sending the notice to the requester's address.

B. The notice of denial shall contain the following information:

1. A description of the record or portions of the record to which access was denied, provided that the description does not disclose protected information;

2. Citations to the provisions of this subchapter, court rule or order, state or federal statute or regulation that exempt the record or portions of the record from disclosure, provided that the citations do not disclose protected information;

3. A statement that the requester has the right to make application to the District Court for an order releasing the record and the time limits for filing the application.

C. Unless otherwise required by a court of competent jurisdiction, a governmental entity may not destroy or give up custody of any record to which access was denied until the period for an appeal has expired or the end of the appeals process.

§90. Ordinances Adopted in Compliance with Subchapter

A. Each governmental entity may adopt an ordinance or a polity applicable throughout its jurisdiction relating to information practices including access, denials, segregation and appeals.

B. If the governmental entity does not adopt and maintain an ordinance or policy, then that governmental entity is subject to this subchapter.

C. Notwithstanding the adoption of an ordinance or policy, each governmental entity is subject to 2 N.N.C. §§ 83, 84 and 85.

D. Each ordinance or policy shall establish access criteria, procedures and response times for requests to inspect or obtain records of the governmental entity and time limits for appeals.

E. Each ordinance or policy shall establish an appeal process for persons aggrieved by, the access decisions, allowing petition for judicial review to the District Court as set forth at 2 N.N.C. § 88(G).

§91. Criminal Penalties

A. A public employee or other person who has lawful access to any protected record under this subchapter, who intentionally discloses or provides a copy of a protected record to any other person is guilty of an offense and upon conviction thereof shall be punished by a fine of not less than $1000 nor more than $5000.

B. It is a defense to prosecution under subsection (A) that the actor released protected information in the reasonable belief that the disclosure of the information was necessary to expose a violation of law involving government corruption, abuse of office or misappropriation of public funds or property.

C. A person who, by false pretenses, bribery or theft, gains access to or obtains a copy of any protected record to which he is not legally entitled is guilty of an offense and upon conviction thereof shall be punished by a fine of not less than $1000 nor more than $5000. No person shall be guilty who receives the record, information or copy after the fact and without prior knowledge of or participation in the false pretenses, bribery or theft.

D. A public employee who intentionally refuses to release a record the disclosure of which the employee knows is required by law or by final un-appealed order from a governmental entity or a court is guilty of an offense and upon conviction thereof shall be punished by a fine of not less than $1000 nor more than $5000.

§92. Civil Penalties

A. A non-Indian who has lawful access to any protected record under this subchapter, who intentionally discloses or provides a copy of a protected record to any other person is subject to civil penalties of not less than $1000 no more than $5000.

B. It is a defense to a civil action under subsection (A) that the non-Indian actor released protected information in the reasonable belief that the disclosure of the information was necessary to expose a violation of law involving governmental corruption, abuse of office or misappropriation of public funds or property.

C. A non-Indian person who by false pretenses, bribery or t heft, gains access to or obtains a copy of any protected record to which he is not legally entitled is subject to civil penalties of not less than $1000 nor more than $5000. No person shall be subject to civil penalties who receives the record, information or copy after the fact and without prior knowledge of or participation in the false pretenses, bribery or theft.

D. A non-Indian public employee who intentionally refuses to release a record the disclosure of which the employee knows is required by law or by final unappealed order from a governmental entity or a court is subject to civil penalties of not less than $1000 nor more than $5000.

E. Any non-Navajo person within the Navajo Nation's jurisdiction, as defined at 7 N.N.C. § 254, having been found to be in repeated violation of this subchapter may be subject to the exclusionary provisions of the Navajo Nation, as provided at 17 N.N.C. §1901 et seq.

Appendix "C"

Federal Register, Vol. 87, No. 19
of January 28, 2022

merchandise will be detained by CBP for an admissibility determination and will be excluded unless the importer demonstrates that the merchandise was not made using forced labor in violation of 19 U.S.C. 1307. 19 CFR 12.43–12.44. Subject to certain conditions, the importer may also export the merchandise prior to seizure. 19 CFR 12.44(a).

These regulations also set forth the procedure for the Commissioner of CBP to issue a Finding when the Commissioner determines that the merchandise is subject to the provisions of 19 U.S.C. 1307. Pursuant to 19 CFR 12.42(f), if the Commissioner finds that merchandise within the purview of 19 U.S.C. 1307 is being, or is likely to be, imported into the United States, the Commissioner will, with the approval of the Secretary of the Department of Homeland Security (DHS), publish a Finding to that effect in the **Federal Register** and in the *Customs Bulletin and Decisions*.[1] Under the authority of 19 CFR 12.44(b), CBP may seize and forfeit imported merchandise covered by a Finding.

On December 16, 2020, CBP issued a withhold release order (made effective on December 30, 2020) on "palm oil," including all crude palm oil and palm kernel oil and derivative products, made wholly or in part with palm oil traceable to Sime Darby Plantation Berhad ("Sime Darby Plantation"), with reasonable evidence demonstrating that the Sime Darby Plantation, including its subsidiaries and joint ventures, primarily located in Malaysia, harvested the fruit and produced the palm oil using forced labor. Through its investigation, CBP has determined that there is sufficient information to support a Finding that Sime Darby Plantation and its subsidiaries are using forced labor on Sime Darby's plantations in Malaysia to harvest fresh fruit bunches, which are used to extract palm oil and produce derivative products, and that such palm oil and derivative products produced by the company are likely being imported into the United States.

[1] Although the regulation states that the Secretary of the Treasury must approve the issuance of a Finding, the Secretary of the Treasury delegated this authority to the Secretary of Homeland Security in Treasury Order No. 100–16 (68 FR 28322). *See* Appendix to 19 CFR part 0. Under Delegation Order 7010.3, Section II.A.3, the Secretary of Homeland Security delegated the authority to issue a Finding to the Commissioner of CBP, with the approval of the Secretary of Homeland Security. The Commissioner of CBP, in turn, delegated the authority to make a Finding regarding prohibited goods under 19 U.S.C. 1307 to the Executive Assistant Commissioner, Office of Trade.

II. Finding

A. General

Pursuant to 19 U.S.C. 1307 and 19 CFR 12.42(f), it is hereby determined that certain articles described in paragraph II.B., that are manufactured or produced in whole or in part with the use of convict, forced, or indentured labor by Sime Darby Plantation and its subsidiaries are being, or are likely to be, imported into the United States. Based upon this determination, the port director may seize the covered merchandise for violation of 19 U.S.C. 1307 and commence forfeiture proceedings pursuant to 19 CFR part 162, subpart E, unless the importer establishes by satisfactory evidence that the merchandise was not produced in any part with the use of prohibited labor specified in this Finding. 19 CFR 12.42(g).

B. Articles and Entities Covered by This Finding

This Finding covers palm oil and derivative products made wholly or in part with palm oil classified under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 12.07.10.0000, 1511.10.0000, 1511.90.0000, 1513.21.0000, 1513.29.0000, 1517, 3401.11, 3401.20.0000, 3401.19.0000, 3823.12.0000, 3823.19.2000, 3823.70.6000, 3823.70.4000, 3824.99.41 and any other relevant subheadings under Chapters 12, 15, 23, 29 and 38, which are produced or manufactured wholly or in part by Sime Darby Plantation, its subsidiaries and joint ventures.

The Secretary of Homeland Security has reviewed and approved this Finding.

Dated: January 25, 2022.

John P. Leonard,

Acting Executive Assistant Commissioner, Office of Trade.

[FR Doc. 2022–01779 Filed 1–27–22; 8:45 am]

BILLING CODE 9111–14–P

INTER-AMERICAN FOUNDATION

Sunshine Act Meetings

TIME AND DATE: February 3, 2022, 2:00 p.m.–3:30 p.m. ET.

PLACE: Via tele-conference.

STATUS: Meeting of the IAF Board of Directors, open to the public, portion closed to the public.

MATTERS TO BE CONSIDERED:

- Call to Order from the Board Chair
- Welcome from the Interim President/CEO and Board Chair
- Candidate Review process for CEO Recruitment
- Adjournment

Portion To Be Closed to the Public

- Executive session closed to the public as provided for by 22 CFR 1004.4(b).

CONTACT PERSON FOR MORE INFORMATION: Aswathi Zachariah, General Counsel, (202) 683–7118.

For Dial-in Information Contact: Denetra McPherson, Paralegal, (202) 699–3054.

The Inter-American Foundation is holding this meeting under the Government in the Sunshine Act, 5 U.S.C. 552(b).

Aswathi Zachariah,

General Counsel.

[FR Doc. 2022–01945 Filed 1–26–22; 4:15 pm]

BILLING CODE 7025–01–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[223A2100DD/AAKC001030/A0A501010.999900]

Indian Entities Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice publishes the current list of 574 Tribal entities recognized by and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian Tribes.

DATES: The list is updated from the notice published on January 29, 2021 (86 FR 7554) and from the notice published of corrections (Tribal name changes) on April 9, 2021 (86 FR 18552).

FOR FURTHER INFORMATION CONTACT: Ms. Laurel Iron Cloud, Bureau of Indian Affairs, Office of Indian Services, Division of Tribal Government Services, Mail Stop 3645–MIB, 1849 C Street NW, Washington, DC 20240. Telephone number: (202) 513–7641.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to Section 104 of the Act of November 2, 1994 (Pub. L. 103–454; 108 Stat. 4791, 4792), in accordance with Section 83.6(a) of part 83 of title 25 of the Code of Federal Regulations, and in exercise of authority delegated to the Assistant Secretary—Indian Affairs under 25 U.S.C. 2 and 9 and 209 DM 8. Published below is an updated list of federally recognized

Indian Tribes within the contiguous 48 states and Alaska. Amendments to the list include formatting edits and name changes.

To aid in identifying Tribal name changes, the Tribe's previously listed, former name, or also known as (aka) is included in parentheses after the correct current Tribal name. The BIA will continue to list the Tribe's former or previously listed name for one year after the publication of the notice of the correct current Tribal name.

The listed Indian entities are recognized to have the immunities and privileges available to federally recognized Indian Tribes by virtue of their Government-to-Government relationship with the United States as well as the responsibilities, powers, limitations, and obligations of such Indian Tribes. The BIA has continued the practice of listing the Alaska Native entities separately for the purpose of facilitating identification of them.

There is a total of 347 federally recognized Indian Tribes within the contiguous 48 states and 227 federally recognized Tribal entities within the state of Alaska that comprise the 574 federally recognized Indian Tribes of the United States.

Bryan Newland,

Assistant Secretary—Indian Affairs.

Indian Tribal Entities Within the Contiguous 48 States Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs

[347 Federally Recognized Indian Tribes Within the Contiguous 48 States]

Absentee-Shawnee Tribe of Indians of Oklahoma
Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California
Ak-Chin Indian Community [*previously* listed as Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona]
Alabama-Coushatta Tribe of Texas [*previously* listed as Alabama-Coushatta Tribes of Texas]
Alabama-Quassarte Tribal Town
Alturas Indian Rancheria, California
Apache Tribe of Oklahoma
Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana
Augustine Band of Cahuilla Indians, California [*previously* listed as Augustine Band of Cahuilla Mission Indians of the Augustine Reservation]
Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin
Bay Mills Indian Community, Michigan
Bear River Band of the Rohnerville Rancheria, California
Berry Creek Rancheria of Maidu Indians of California
Big Lagoon Rancheria, California
Big Pine Paiute Tribe of the Owens Valley [*previously* listed as Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation, California]
Big Sandy Rancheria of Western Mono Indians of California [*previously* listed as Big Sandy Rancheria of Mono Indians of California]
Big Valley Band of Pomo Indians of the Big Valley Rancheria, California
Bishop Paiute Tribe [*previously* listed as Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California]
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana
Blue Lake Rancheria, California
Bridgeport Indian Colony [*previously* listed as Bridgeport Paiute Indian Colony of California]
Buena Vista Rancheria of Me-Wuk Indians of California
Burns Paiute Tribe [*previously* listed as Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon]
Cabazon Band of Mission Indians, California
Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California
Caddo Nation of Oklahoma
Cahto Tribe of the Laytonville Rancheria
Cahuilla Band of Indians [*previously* listed as Cahuilla Band of Mission Indians of the Cahuilla Reservation, California]
California Valley Miwok Tribe, California
Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California
Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California; Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California)
Catawba Indian Nation [*previously* listed as Catawba Tribe of South Carolina]
Cayuga Nation
Cedarville Rancheria, California
Chemehuevi Indian Tribe of the Chemehuevi Reservation, California
Cher-Ae Heights Indian Community of the Trinidad Rancheria, California
Cherokee Nation
Cheyenne and Arapaho Tribes, Oklahoma [*previously* listed as Cheyenne-Arapaho Tribes of Oklahoma]
Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota
Chickahominy Indian Tribe
Chickahominy Indian Tribe—Eastern Division
Chicken Ranch Rancheria of Me-Wuk Indians of California
Chippewa Cree Indians of the Rocky Boy's Reservation, Montana [*previously* listed as Chippewa-Cree Indians of the Rocky Boy 's Reservation, Montana]
Chitimacha Tribe of Louisiana
Citizen Potawatomi Nation, Oklahoma
Cloverdale Rancheria of Pomo Indians of California
Cocopah Tribe of Arizona
Coeur D'Alene Tribe [*previously* listed as Coeur D'Alene Tribe of the Coeur D'Alene Reservation, Idaho]
Cold Springs Rancheria of Mono Indians of California
Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California
Comanche Nation, Oklahoma
Confederated Salish and Kootenai Tribes of the Flathead Reservation
Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of Siletz Indians of Oregon [*previously* listed as Confederated Tribes of the Siletz Reservation]
Confederated Tribes of the Chehalis Reservation
Confederated Tribes of the Colville Reservation
Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians
Confederated Tribes of the Goshute Reservation, Nevada and Utah
Confederated Tribes of the Grand Ronde Community of Oregon
Confederated Tribes of the Umatilla Indian Reservation [*previously* listed as Confederated Tribes of the Umatilla Reservation, Oregon]
Confederated Tribes of the Warm Springs Reservation of Oregon
Coquille Indian Tribe [*previously* listed as Coquille Tribe of Oregon]
Coushatta Tribe of Louisiana
Cow Creek Band of Umpqua Tribe of Indians [*previously* listed as Cow Creek Band of Umpqua Indians of Oregon]
Cowlitz Indian Tribe
Coyote Valley Band of Pomo Indians of California
Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota
Crow Tribe of Montana
Delaware Nation, Oklahoma
Delaware Tribe of Indians
Dry Creek Rancheria Band of Pomo Indians, California [*previously* listed as Dry Creek Rancheria of Pomo Indians of California]
Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada
Eastern Band of Cherokee Indians
Eastern Shawnee Tribe of Oklahoma
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming [*previously* listed as Shoshone Tribe of the Wind River Reservation, Wyoming]
Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, California
Elk Valley Rancheria, California
Ely Shoshone Tribe of Nevada
Enterprise Rancheria of Maidu Indians of California
Ewiiaapaayp Band of Kumeyaay Indians, California
Federated Indians of Graton Rancheria, California
Flandreau Santee Sioux Tribe of South Dakota
Forest County Potawatomi Community, Wisconsin
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
Fort Bidwell Indian Community of the Fort Bidwell Reservation of California
Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California

Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon
Fort McDowell Yavapai Nation, Arizona
Fort Mojave Indian Tribe of Arizona, California & Nevada
Fort Sill Apache Tribe of Oklahoma
Gila River Indian Community of the Gila River Indian Reservation, Arizona
Grand Traverse Band of Ottawa and Chippewa Indians, Michigan
Greenville Rancheria [*previously* listed as Greenville Rancheria of Maidu Indians of California]
Grindstone Indian Rancheria of Wintun-Wailaki Indians of California
Guidiville Rancheria of California
Habematolel Pomo of Upper Lake, California
Hannahville Indian Community, Michigan
Havasupai Tribe of the Havasupai Reservation, Arizona
Ho-Chunk Nation of Wisconsin
Hoh Indian Tribe [*previously* listed as Hoh Indian Tribe of the Hoh Indian Reservation, Washington]
Hoopa Valley Tribe, California
Hopi Tribe of Arizona
Hopland Band of Pomo Indians, California [*previously* listed as Hopland Band of Pomo Indians of the Hopland Rancheria, California]
Houlton Band of Maliseet Indians
Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona
Iipay Nation of Santa Ysabel, California [*previously* listed as Santa Ysabel Band of Diegueno Mission Indians of the Santa Ysabel Reservation]
Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California
Ione Band of Miwok Indians of California
Iowa Tribe of Kansas and Nebraska
Iowa Tribe of Oklahoma
Jackson Band of Miwuk Indians [*previously* listed as Jackson Rancheria of Me-Wuk Indians of California]
Jamestown S'Klallam Tribe
Jamul Indian Village of California
Jena Band of Choctaw Indians
Jicarilla Apache Nation, New Mexico
Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona
Kalispel Indian Community of the Kalispel Reservation
Karuk Tribe [*previously* listed as Karuk Tribe of California]
Kashia Band of Pomo Indians of the Stewarts Point Rancheria, California
Kaw Nation, Oklahoma
Keweenaw Bay Indian Community, Michigan
Kialegee Tribal Town
Kickapoo Traditional Tribe of Texas
Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas
Kickapoo Tribe of Oklahoma
Kiowa Indian Tribe of Oklahoma
Klamath Tribes
Kletsel Dehe Band of Wintun Indians [*previously* listed as Cortina Indian Rancheria]
Koi Nation of Northern California [*previously* listed as Lower Lake Rancheria, California]
Kootenai Tribe of Idaho
La Jolla Band of Luiseno Indians, California [*previously* listed as La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation]
La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin
Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin
Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan
Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada
Little River Band of Ottawa Indians, Michigan
Little Shell Tribe of Chippewa Indians of Montana
Little Traverse Bay Bands of Odawa Indians, Michigan
Lone Pine Paiute-Shoshone Tribe [*previously* listed as Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine Reservation, California]
Los Coyotes Band of Cahuilla and Cupeno Indians, California [*previously* listed as Los Coyotes Band of Cahuilla & Cupeno Indians of the Los Coyotes Reservation]
Lovelock Paiute Tribe of the Lovelock Indian Colony, Nevada
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota
Lower Elwha Tribal Community [*previously* listed as Lower Elwha Tribal Community of the Lower Elwha Reservation, Washington]
Lower Sioux Indian Community in the State of Minnesota
Lummi Tribe of the Lummi Reservation
Lytton Rancheria of California
Makah Indian Tribe of the Makah Indian Reservation
Manchester Band of Pomo Indians of the Manchester Rancheria, California [*previously* listed as Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria, California]
Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California
Mashantucket Pequot Indian Tribe [*previously* listed as Mashantucket Pequot Tribe of Connecticut]
Mashpee Wampanoag Tribe [*previously* listed as Mashpee Wampanoag Indian Tribal Council, Inc.]
Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan
Mechoopda Indian Tribe of Chico Rancheria, California
Menominee Indian Tribe of Wisconsin
Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California
Mescalero Apache Tribe of the Mescalero Reservation, New Mexico
Miami Tribe of Oklahoma
Miccosukee Tribe of Indians
Middletown Rancheria of Pomo Indians of California
Mi'kmaq Nation [*previously* listed as Aroostook Band of Micmacs]
Minnesota Chippewa Tribe, Minnesota (Six component reservations: Bois Forte Band (Nett Lake); Fond du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band)
Mississippi Band of Choctaw Indians
Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada
Modoc Nation [*previously* listed as The Modoc Tribe of Oklahoma]
Mohegan Tribe of Indians of Connecticut [*previously* listed as Mohegan Indian Tribe of Connecticut]
Monacan Indian Nation
Mooretown Rancheria of Maidu Indians of California
Morongo Band of Mission Indians, California [*previously* listed as Morongo Band of Cahuilla Mission Indians of the Morongo Reservation]
Muckleshoot Indian Tribe [*previously* listed as Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington]
Nansemond Indian Nation [*previously* listed as Nansemond Indian Tribe]
Narragansett Indian Tribe
Navajo Nation, Arizona, New Mexico, & Utah
Nez Perce Tribe [*previously* listed as Nez Perce Tribe of Idaho]
Nisqually Indian Tribe [*previously* listed as Nisqually Indian Tribe of the Nisqually Reservation, Washington]
Nooksack Indian Tribe
Northern Arapaho Tribe of the Wind River Reservation, Wyoming [*previously* listed as Arapaho Tribe of the Wind River Reservation, Wyoming]
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana
Northfork Rancheria of Mono Indians of California
Northwestern Band of the Shoshone Nation [*previously* listed as Northwestern Band of Shoshoni]
Nottawaseppi Huron Band of the Potawatomi, Michigan [*previously* listed as Huron Potawatomi, Inc.]
Oglala Sioux Tribe [*previously* listed as Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota]
Ohkay Owingeh, New Mexico [*previously* listed as Pueblo of San Juan]
Omaha Tribe of Nebraska
Oneida Indian Nation [*previously* listed as Oneida Nation of New York]
Oneida Nation [*previously* listed as Oneida Tribe of Indians of Wisconsin]
Onondaga Nation
Otoe-Missouria Tribe of Indians, Oklahoma
Ottawa Tribe of Oklahoma
Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes) [*previously* listed as Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)]
Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada
Pala Band of Mission Indians [*previously* listed as Pala Band of Luiseno Mission Indians of the Pala Reservation, California]
Pamunkey Indian Tribe
Pascua Yaqui Tribe of Arizona
Paskenta Band of Nomlaki Indians of California
Passamaquoddy Tribe
Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California

Pawnee Nation of Oklahoma
Pechanga Band of Indians [*previously* listed as Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California]
Penobscot Nation [*previously* listed as Penobscot Tribe of Maine]
Peoria Tribe of Indians of Oklahoma
Picayune Rancheria of Chukchansi Indians of California
Pinoleville Pomo Nation, California [*previously* listed as Pinoleville Rancheria of Pomo Indians of California]
Pit River Tribe, California (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek, and Roaring Creek Rancherias)
Poarch Band of Creek Indians [*previously* listed as Poarch Band of Creeks]
Pokagon Band of Potawatomi Indians, Michigan and Indiana
Ponca Tribe of Indians of Oklahoma
Ponca Tribe of Nebraska
Port Gamble S'Klallam Tribe [*previously* listed as Port Gamble Band of S'Klallam Indians]
Potter Valley Tribe, California
Prairie Band Potawatomi Nation [*previously* listed as Prairie Band of Potawatomi Nation, Kansas]
Prairie Island Indian Community in the State of Minnesota
Pueblo of Acoma, New Mexico
Pueblo of Cochiti, New Mexico
Pueblo of Isleta, New Mexico
Pueblo of Jemez, New Mexico
Pueblo of Laguna, New Mexico
Pueblo of Nambe, New Mexico
Pueblo of Picuris, New Mexico
Pueblo of Pojoaque, New Mexico
Pueblo of San Felipe, New Mexico
Pueblo of San Ildefonso, New Mexico
Pueblo of Sandia, New Mexico
Pueblo of Santa Ana, New Mexico
Pueblo of Santa Clara, New Mexico
Pueblo of Taos, New Mexico
Pueblo of Tesuque, New Mexico
Pueblo of Zia, New Mexico
Puyallup Tribe of the Puyallup Reservation
Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada
Quapaw Nation [*previously* listed as The Quapaw Tribe of Indians]
Quartz Valley Indian Community of the Quartz Valley Reservation of California
Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona
Quileute Tribe of the Quileute Reservation
Quinault Indian Nation [*previously* listed as Quinault Tribe of the Quinault Reservation, Washington]
Ramona Band of Cahuilla, California [*previously* listed as Ramona Band or Village of Cahuilla Mission Indians of California]
Rappahannock Tribe, Inc.
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Red Lake Band of Chippewa Indians, Minnesota
Redding Rancheria, California
Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California [*previously* listed as Redwood Valley Rancheria of Pomo Indians of California]
Reno-Sparks Indian Colony, Nevada
Resighini Rancheria, California
Rincon Band of Luiseno Mission Indians of Rincon Reservation, California
Robinson Rancheria [*previously* listed as Robinson Rancheria Band of Pomo Indians, California]
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
Round Valley Indian Tribes, Round Valley Reservation, California [*previously* listed as Round Valley Indian Tribes of the Round Valley Reservation, California]
Sac & Fox Nation of Missouri in Kansas and Nebraska
Sac & Fox Nation, Oklahoma
Sac & Fox Tribe of the Mississippi in Iowa
Saginaw Chippewa Indian Tribe of Michigan
Saint Regis Mohawk Tribe [*previously* listed as St. Regis Band of Mohawk Indians or New York]
Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona
Samish Indian Nation [*previously* listed as Samish Indian Tribe, Washington]
San Carlos Apache Tribe of the San Carlos Reservation, Arizona
San Juan Southern Paiute Tribe of Arizona
San Pasqual Band of Diegueno Mission Indians of California
Santa Rosa Band of Cahuilla Indians, California [*previously* listed as Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation]
Santa Rosa Indian Community of the Santa Rosa Rancheria, California
Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California
Santee Sioux Nation, Nebraska
Santo Domingo Pueblo [*previously* listed as Kewa Pueblo, New Mexico, and as Pueblo of Santo Domingo]
Sauk-Suiattle Indian Tribe
Sault Ste. Marie Tribe of Chippewa Indians, Michigan
Scotts Valley Band of Pomo Indians of California
Seminole Tribe of Florida [*previously* listed as Seminole Tribe of Florida (Dania, Big Cypress, Brighton, Hollywood, & Tampa Reservations)]
Seneca Nation of Indians [*previously* listed as Seneca Nation of New York]
Seneca–Cayuga Nation [*previously* listed as Seneca-Cayuga Tribe of Oklahoma]
Shakopee Mdewakanton Sioux Community of Minnesota
Shawnee Tribe
Sherwood Valley Rancheria of Pomo Indians of California
Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California
Shinnecock Indian Nation
Shoalwater Bay Indian Tribe of the Shoalwater Bay Indian Reservation [*previously* listed as Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Washington]
Shoshone-Bannock Tribes of the Fort Hall Reservation
Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada
Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota
Skokomish Indian Tribe [*previously* listed as Skokomish Indian Tribe of the Skokomish Reservation, Washington]
Skull Valley Band of Goshute Indians of Utah
Snoqualmie Indian Tribe [*previously* listed as Snoqualmie Tribe, Washington]
Soboba Band of Luiseno Indians, California
Sokaogon Chippewa Community, Wisconsin
Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado
Spirit Lake Tribe, North Dakota
Spokane Tribe of the Spokane Reservation
Squaxin Island Tribe of the Squaxin Island Reservation
St. Croix Chippewa Indians of Wisconsin
Standing Rock Sioux Tribe of North & South Dakota
Stillaguamish Tribe of Indians of Washington [*previously* listed as Stillaguamish Tribe of Washington]
Stockbridge Munsee Community, Wisconsin
Summit Lake Paiute Tribe of Nevada
Suquamish Indian Tribe of the Port Madison Reservation
Susanville Indian Rancheria, California
Swinomish Indian Tribal Community [*previously* listed as Swinomish Indians of the Swinomish Reservation of Washington]
Sycuan Band of the Kumeyaay Nation
Table Mountain Rancheria [*previously* listed as Table Mountain Rancheria of California]
Tejon Indian Tribe
Te-Moak Tribe of Western Shoshone Indians of Nevada (Four constituent bands: Battle Mountain Band; Elko Band; South Fork Band; and Wells Band)
The Chickasaw Nation
The Choctaw Nation of Oklahoma
The Muscogee (Creek) Nation
The Osage Nation [*previously* listed as Osage Tribe]
The Seminole Nation of Oklahoma
Thlopthlocco Tribal Town
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota
Timbisha Shoshone Tribe [*previously* listed as Death Valley Timbi-sha Shoshone]
Tohono O'odham Nation of Arizona
Tolowa Dee-ni' Nation [*previously* listed as Smith River Rancheria, California]
Tonawanda Band of Seneca [*previously* listed as Tonawanda Band of Seneca Indians of New York]
Tonkawa Tribe of Indians of Oklahoma
Tonto Apache Tribe of Arizona
Torres Martinez Desert Cahuilla Indians, California [*previously* listed as Torres-Martinez Band of Cahuilla Mission Indians of California]
Tulalip Tribes of Washington [*previously* listed as Tulalip Tribes of the Tulalip Reservation, Washington]
Tule River Indian Tribe of the Tule River Reservation, California
Tunica-Biloxi Indian Tribe
Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California
Turtle Mountain Band of Chippewa Indians of North Dakota
Tuscarora Nation
Twenty-Nine Palms Band of Mission Indians of California
United Auburn Indian Community of the Auburn Rancheria of California
United Keetoowah Band of Cherokee Indians in Oklahoma

Upper Mattaponi Tribe
Upper Sioux Community, Minnesota
Upper Skagit Indian Tribe
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah
Ute Mountain Ute Tribe [*previously* listed as Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico, & Utah]
Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California
Walker River Paiute Tribe of the Walker River Reservation, Nevada
Wampanoag Tribe of Gay Head (Aquinnah)
Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)
White Mountain Apache Tribe of the Fort Apache Reservation, Arizona
Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma
Wilton Rancheria, California
Winnebago Tribe of Nebraska
Winnemucca Indian Colony of Nevada
Wiyot Tribe, California [*previously* listed as Table Bluff Reservation—Wiyot Tribe]
Wyandotte Nation
Yankton Sioux Tribe of South Dakota
Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona
Yavapai-Prescott Indian Tribe [*previously* listed as Yavapai-Prescott Tribe of the Yavapai Reservation, Arizona]
Yerington Paiute Tribe of the Yerington Colony & Campbell Ranch, Nevada
Yocha Dehe Wintun Nation, California [*previously* listed as Rumsey Indian Rancheria of Wintun Indians of California]
Yomba Shoshone Tribe of the Yomba Reservation, Nevada
Ysleta del Sur Pueblo [*previously* listed as Ysleta Del Sur Pueblo of Texas]
Yuhaaviatam of San Manuel Nation [*previously* listed as San Manuel Band of Mission Indians, California]
Yurok Tribe of the Yurok Reservation, California
Zuni Tribe of the Zuni Reservation, New Mexico

Native Entities Within the State of Alaska Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs

[227 Federally Recognized Alaska Native Villages/Tribes Within the State of Alaska]

Agdaagux Tribe of King Cove
Akiachak Native Community
Akiak Native Community
Alatna Village
Algaaciq Native Village (St. Mary's)
Allakaket Village
Alutiiq Tribe of Old Harbor [*previously* listed as Native Village of Old Harbor]
Angoon Community Association
Anvik Village
Arctic Village (*See* Native Village of Venetie Tribal Government in CLARIFICATION section)
Asa'carsarmiut Tribe
Beaver Village
Birch Creek Tribe
Central Council of the Tlingit & Haida Indian Tribes
Chalkyitsik Village
Cheesh-Na Tribe [*previously* listed as Native Village of Chistochina]
Chevak Native Village
Chickaloon Native Village
Chignik Bay Tribal Council [*previously* listed as Native Village of Chignik]
Chignik Lake Village
Chilkat Indian Village (Klukwan)
Chilkoot Indian Association (Haines)
Chinik Eskimo Community (Golovin)
Chuloonawick Native Village
Circle Native Community
Craig Tribal Association [*previously* listed as Craig Community Association]
Curyung Tribal Council
Douglas Indian Association
Egegik Village
Eklutna Native Village
Emmonak Village
Evansville Village (aka Bettles Field)
Galena Village (aka Louden Village)
Gulkana Village Council [*previously* listed as Gulkana Village]
Healy Lake Village
Holy Cross Tribe [*previously* listed as Holy Cross Village]
Hoonah Indian Association
Hughes Village
Huslia Village
Hydaburg Cooperative Association
Igiugig Village
Inupiat Community of the Arctic Slope
Iqugmiut Traditional Council [*previously* listed as Iqurmuit Traditional Council]
Ivanof Bay Tribe [*previously* listed as Ivanoff Bay Tribe]
Kaguyak Village
Kaktovik Village (aka Barter Island)
Kasigluk Traditional Elders Council
Kenaitze Indian Tribe
Ketchikan Indian Community [*previously* listed as Ketchikan Indian Corporation]
King Island Native Community
King Salmon Tribe
Klawock Cooperative Association
Knik Tribe
Kokhanok Village
Koyukuk Native Village
Levelock Village
Lime Village
Manley Hot Springs Village
Manokotak Village
McGrath Native Village
Mentasta Traditional Council
Metlakatla Indian Community, Annette Island Reserve
Naknek Native Village
Native Village of Afognak
Native Village of Akhiok
Native Village of Akutan
Native Village of Aleknagik
Native Village of Ambler
Native Village of Atka
Native Village of Atqasuk [*previously* listed as Atqasuk Village (Atkasook)]
Native Village of Barrow Inupiat Traditional Government
Native Village of Belkofski
Native Village of Brevig Mission
Native Village of Buckland
Native Village of Cantwell
Native Village of Chenega (aka Chanega)
Native Village of Chignik Lagoon
Native Village of Chitina
Native Village of Chuathbaluk (Russian Mission, Kuskokwim)
Native Village of Council
Native Village of Deering
Native Village of Diomede (aka Inalik)
Native Village of Eagle
Native Village of Eek
Native Village of Ekuk
Native Village of Ekwok [*previously* listed as Ekwok Village]
Native Village of Elim
Native Village of Eyak (Cordova)
Native Village of False Pass
Native Village of Fort Yukon
Native Village of Gakona
Native Village of Gambell
Native Village of Georgetown
Native Village of Goodnews Bay
Native Village of Hamilton
Native Village of Hooper Bay
Native Village of Kanatak
Native Village of Karluk
Native Village of Kiana
Native Village of Kipnuk
Native Village of Kivalina
Native Village of Kluti Kaah (aka Copper Center)
Native Village of Kobuk
Native Village of Kongiganak
Native Village of Kotzebue
Native Village of Koyuk
Native Village of Kwigillingok
Native Village of Kwinhagak (aka Quinhagak)
Native Village of Larsen Bay
Native Village of Marshall (aka Fortuna Ledge)
Native Village of Mary's Igloo
Native Village of Mekoryuk
Native Village of Minto
Native Village of Nanwalek (aka English Bay)
Native Village of Napaimute
Native Village of Napakiak
Native Village of Napaskiak
Native Village of Nelson Lagoon
Native Village of Nightmute
Native Village of Nikolski
Native Village of Noatak
Native Village of Nuiqsut (aka Nooiksut)
Native Village of Nunam Iqua [*previously* listed as Native Village of Sheldon's Point]
Native Village of Nunapitchuk
Native Village of Ouzinkie
Native Village of Paimiut
Native Village of Perryville
Native Village of Pilot Point
Native Village of Point Hope
Native Village of Point Lay
Native Village of Port Graham
Native Village of Port Heiden
Native Village of Port Lions
Native Village of Ruby
Native Village of Saint Michael
Native Village of Savoonga
Native Village of Scammon Bay
Native Village of Selawik
Native Village of Shaktoolik
Native Village of Shishmaref
Native Village of Shungnak
Native Village of Stevens
Native Village of Tanacross
Native Village of Tanana
Native Village of Tatitlek
Native Village of Tazlina
Native Village of Teller
Native Village of Tetlin

Native Village of Tuntutuliak
Native Village of Tununak
Native Village of Tyonek
Native Village of Unalakleet
Native Village of Unga
Native Village of Wales
Native Village of White Mountain
Nenana Native Association
New Koliganek Village Council
New Stuyahok Village
Newhalen Village
Newtok Village
Nikolai Village
Ninilchik Village
Nome Eskimo Community
Nondalton Village
Noorvik Native Community
Northway Village
Nulato Village
Nunakauyarmiut Tribe
Organized Village of Grayling (aka Holikachuk)
Organized Village of Kake
Organized Village of Kasaan
Organized Village of Kwethluk
Organized Village of Saxman
Orutsararmiut Traditional Native Council [*previously* listed as Orutsararmuit Native Village (aka Bethel)]
Oscarville Traditional Village
Pauloff Harbor Village
Pedro Bay Village
Petersburg Indian Association
Pilot Station Traditional Village
Pitka's Point Traditional Council [*previously* listed as Native Village of Pitka's Point]
Platinum Traditional Village
Portage Creek Village (aka Ohgsenakale)
Qagan Tayagungin Tribe of Sand Point [*previously* listed as Qagan Tayagungin Tribe of Sand Point Village]
Qawalangin Tribe of Unalaska
Rampart Village
Saint George Island (*See* Pribilof Islands Aleut Communities of St. Paul & St. George Islands in Clarification section)
Saint Paul Island (*See* Pribilof Islands Aleut Communities of St. Paul & St. George Islands in Clarification section)
Salamatof Tribe [*previously* listed as Village of Salamatoff]
Seldovia Village Tribe
Shageluk Native Village
Sitka Tribe of Alaska
Skagway Village
South Naknek Village
Stebbins Community Association
Sun'aq Tribe of Kodiak [*previously* listed as Shoonaq' Tribe of Kodiak]
Takotna Village
Tangirnaq Native Village [*previously* listed as Lesnoi Village (aka Woody Island)]
Telida Village
Traditional Village of Togiak
Tuluksak Native Community
Twin Hills Village
Ugashik Village
Umkumiut Native Village [*previously* listed as Umkumiute Native Village]
Village of Alakanuk
Village of Anaktuvuk Pass
Village of Aniak
Village of Atmautluak
Village of Bill Moore's Slough
Village of Chefornak
Village of Clarks Point
Village of Crooked Creek
Village of Dot Lake
Village of Iliamna
Village of Kalskag
Village of Kaltag
Village of Kotlik
Village of Lower Kalskag
Village of Ohogamiut
Village of Red Devil
Village of Sleetmute
Village of Solomon
Village of Stony River
Village of Venetie (*See* Native Village of Venetie Tribal Government)
Village of Wainwright
Wrangell Cooperative Association
Yakutat Tlingit Tribe
Yupiit of Andreafski

Clarification

Native Village of Venetie Tribal Government (Arctic Village and Village of Venetie)—is not included in the official count of 574 federally recognized Tribes but is recognized as an entity authorized to act on behalf of Artic Village and Village of Venetie by the BIA.
Pribilof Islands Aleut Communities of St. Paul & St. George Islands (Saint George Island and Saint Paul Island)—is not included in the official count of 574 federally recognized Tribes but is recognized as an entity authorized to act on behalf of Saint George Island and Saint Paul Island.

[FR Doc. 2022–01789 Filed 1–27–22; 8:45 am]
BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[223A2100DD/AAKC001030/A0A501010.999900]

Ponca Tribe of Nebraska Liquor Control Ordinance

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice publishes the Ponca Tribe of Nebraska's Liquor Control Ordinance. This Liquor Control Ordinance amends and supersedes the existing Liquor Control Ordinance, first enacted by the Ponca Tribe of Nebraska on July 21, 2018, and published in the **Federal Register** on September 11, 2018.

DATES: This ordinance shall become effective February 28, 2022.

FOR FURTHER INFORMATION CONTACT: Todd Gravelle, Supervisory Tribal Operations Specialist, Great Plains Regional Office, Bureau of Indian Affairs, 115 Fourth Avenue South East, Suite 400, Aberdeen, South Dakota 57401, Telephone: (605) 226–7376, Fax: (605) 226–7379.

SUPPLEMENTARY INFORMATION: Pursuant to the Act of August 15, 1953, Public Law 83–277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice* v. *Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor control laws for the purpose of regulating liquor transactions in Indian country. The Ponca Tribe of Nebraska first adopted its Liquor Control Ordinance on September 11, 2018, and this amendment supersedes the existing Liquor Control Ordinance, duly adopted by the Ponca Tribal Council on July 6, 2021. By the delegated authority contained in 3 IAM 4, the Great Plains Regional Director, Bureau of Indian Affairs, approved the amendment on January 19, 2022.

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs. I certify that the Ponca Tribe of Nebraska duly adopted this Liquor Control Ordinance by Resolution No. 21–42, on July 6, 2021.

Bryan Newland,

Assistant Secretary–Indian Affairs.

The Ponca Tribe of Nebraska's Liquor Control Ordinance shall read as follows:

Ponca Tribe of Nebraska

Title XVI

Liquor Control

Chapter 1

General Provisions

Section 16–1–1. Authority. This Title is enacted by the Tribal Council:

1. Pursuant to and in accordance with Article V, Section 1(j), (l), (o), and (p) of the Constitution;

2. Pursuant to and in accordance with federal statutes and other laws, including the Act of August 15, 1953, 67 Stat. 586, codified at 18 U.S.C. 1161, which provide a federal legal basis for the Tribe to regulate liquor on Tribal lands; and

3. In conformity with applicable state laws.

Section 16–1–2. Purpose. The Tribe wishes to exercise its sovereignty and federal delegated authority to control liquor on Tribal lands and, therefore, the purpose of this Title is:

1. To control liquor manufacturing, distribution, sale, and possession on Tribal lands;

2. To establish procedures for the licensing of the manufacture, distribution, and sale of liquor on Tribal lands; and

3. To otherwise regulate the manufacture, distribution, sale, and consumption of liquor.

Section 16–1–3. Definitions. Unless the context requires otherwise or

Appendix "D"

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of January 12, 1979

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federal register

BOOK 1 OF 2 BOOKS

FRIDAY, JANUARY 12, 1979



highlights

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For workshops in Washington, D.C., see notice on inside front cover.

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Dated: January 5, 1979.

DONALD S. FREDRICKSON, M.D.,
Director, National Institutes of Health.

[FR Doc. 79-1094 Filed 1-11-79; 8:45 am]

[4110-08-M]

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

Amended Notice of Meeting of Division of Blood Diseases and Resources Advisory Committee

A notice is hereby given of a change in the January 15 and 16, 1979, meeting of the Blood Diseases and Resources Advisory Committee, National Heart, Lung, and Blood Institute, which was published in the FEDERAL REGISTER of November 27, 1978 (43 FR 55285-55286).

This meeting was originally intended to be an entirely open meeting. There now will be a closed session on January 16, 1979 from 8:30 AM-10:00 AM. In accordance with the provisions set forth in Section 552b(c)(6), Title 5, U.S. Code Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 8:30 AM-10:00 AM for the consideration of personnel qualifications and performance of all investigators involved in three Specialized Centers of Research supported by the Division of Blood Diseases and Resources, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Fann Harding, Special Assistant to the Director, Division of Blood Diseases and Resources, National Heart, Lung, and Blood Institute, Federal Building, Room 514, National Institutes of Health, Bethesda, Maryland, 20014, phone: (301) 496-1817, will furnish substantive program information.

Dated: January 10, 1979.

SUZANNE L. FREMEAU,
Committee Management, Officer, NIH.

[FR Doc. 79-1365 Filed 1-11-79; 8:45 am]

[4310-02-M]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

NEAR RESERVATION DESIGNATIONS

DECEMBER 27, 1978.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 230 DM 2.

In accordance with Title 25—Indians, Chapter I—Bureau of Indian Affairs, Department of the Interior, Subchapter D—Social Welfare, Part 20—Financial Assistance and Social Services Program (25 CFR 20) the Assistant Secretary—Indian Affairs has designated certain locales as "Near reservation" locations appropriate for the extension of Bureau of Indian Affairs financial assistance and/or social services. The locales listed alphabetically below by Bureau Agency Office jurisdiction are those designated for this purpose:

Agency	Reservation-Tribe	"Near reservation" location
Cherokee Agency, Cherokee, NC.	Cherokee	Counties of Cherokee, Graham, Haywood, Jackson and Swain (all of the above within the State of North Carolina).
Choctaw Agency, Philadelphia, MS.	Choctaw	Counties of Neshoba, Leake, Newton, Kemper, Scott, Attala, Lauderdale, Winston, Noxubee, Clarke, Smith and Jones (all of the above within the State of Mississippi).
Colorado River Agency, Parker, AZ.	Colorado River	Bouse, Ehrenberg, Parker, Salome, Lake Havasu City, Kingman, Bull Head City, Holiday Shores, Mohave Valley, Havasu Valley (all of the above within the State of Arizona).
Fort Apache Agency, Whiteriver, AZ.	Fort Apache	Pine Top, Lakeside, Eager, Show Low, Nutrioso, Holbrook, Overgaard, Alpine, Taylor, Springerville, Herber, Globe, St. Johns, Snowflake, Winslow (all of the above within the State of Arizona).
Fort Hall Agency, Fort Hall, ID.	Shoshone-Bannock	Counties of Bingham, Power, Bannock and Caribou (all of the above within the State of Idaho).
Fort McDowell Agency, Fountain Hills, AZ.	Mojave-Apache	Mesa, Tempe, Scottsdale (all of the above within the State of Arizona).
Fort Yuma Agency, Yuma, AZ.	Quechan, Cocopah	Gadsen, Roll, San Luis, Somerton, Tacna, Yuma, Wellton (all of the above within the State of Arizona).
Hopi Agency, Keams Canyon, AZ.	Kaibab-Paiute	Fredonia, Arizona; St. George, Utah; Kanob, Utah; Cedar City, Utah.
	Hopi	Holbrook, Winslow, Flagstaff, Grand Canyon, Page (all of the above in the State of Arizona).
Navajo Area Office, Window Rock, AZ.	Navajo	Grand Canyon, Joseph City, Marble Canyon, Flagstaff, Snowflake, Holbrook, Page, Wupatki, Winslow (all of the above in the State of Arizona); Farmington, Aztec, Bloomfield, Magdalena, Cuba, Kirtland, Grants, Milan, Socorro, Gallup (all of the above within the State of New Mexico); La Plata, Cortez, Bayfield, Durango, Ignacio, and Towaoc (all of the above within the State of Colorado).
Papago Agency, Sells, AZ	Papago	Tucson, Why, South Tucson, Ajo, Gila Bend, Sasabe, Casa Grande, Sahuarita, Coolidge, Marana, Florence, Red Rock, Eloy, Cortaro, Toltec, Picacho, Buckeye, Arizona City, Stanfield (all of the above in the State of Arizona).
Pima Agency, Sacaton, AZ	Ak-Chin	Chandler, Mobile, Lareen, Stanfield, Casa Grande, Gila Bend, Phoenix, Midway, Eleven Mile Corner, Kyrene, Coolidge, Florence, Buckeye, Maricopa (all of the above within the State of Arizona).
	Gila River	Chandler, LaPalma, Eloy, Ocotillo, Casa Grande, Gilbert, Higley, Kyrene, Rittenhouse, Hightown, Queen Creek, Gila Bend, Standfield, Chandler Hts, Florence, Mobile, Maricopa, Coolidge, Borree Corners, Avondale, Randolf, Tempe, Phoenix, Guadalupe, Mesa, Glendale, Litchfield, Lareen, Eleven Mile Corner, Buckeye, Cotton Bowl, Tolleson, Apache Junction (all of the above within the State of Arizona).
Salt River Agency, Scottsdale, AZ.	Salt River Pima-Maricopa.	Tempe, Mesa, Phoenix, Scottsdale (all of the above within the State of Arizona).
San Carlos Agency, San Carlos, AZ.	San Carlos	Miami, Superior, Eden, Thatcher, Pima, Safford, Hayden, Winkleman, Globe, Fort Thomas, Show-low (all within the State of Arizona).
Truxton Canon Agency, Valentine, AZ.	Hualapai	Kingman, Seligman, Nelson (all of the above within the State of Arizona).
	Havasupai	Grand Canyon, Williams, Flagstaff (all of the above within the State of Arizona).
	Yavapai (Prescott)	Prescott, Arizona.
	Yavapai (Apache)	Jerome, Clarkdale, Cottonwood, Rimrock, McGuire< ville, Camp Verde, Lake Montezuma (all of the above within the State of Arizona).
Umatilla Agency, Pendleton, OR.	Umatilla	Counties of Umatilla and Union; Celilo Village in Wasco county (all of the above within the State of Oregon).
Western Washington Agency, Everett, WA.	Lummi	County of Whatcom in the State of Washington.
	Klallam	County of Kitsap in the State of Washington.
	Puyallup	Counties of King, Pierce, Kitsap, Thurston, in the State of Washington.
	Tulalip	County of Snohomish in the State of Washington.
	Hoh	Counties of Clallam, Jefferson, Grays Harbor and King, in the State of Washington.
	Quileute	Forks, Washington.

25 CFR 20—*Financial Assistance and Social Services Program* regulations have full force and effect when extending Bureau of Indian Affairs assistance and/or services in the above designated "Near reservation" locations.

Further information about these "Near reservation" designations may be obtained from the Chief, Division of Social Services, Bureau of Indian Affairs, 1951 Constitution Avenue NW., Washington, D.C. 20245, telephone 703-235-2756.

RICK LAVIS,
Acting Assistant Secretary—Indian Affairs.

[FR Doc. 79-1071 Filed 1-11-79; 8:45 am]

[1505-01-M]

Bureau of Land Management

[AA-6661-A, B, C, H]

ALASKA

Alaska Native Claims Selection

Correction

In FR Doc. 78-35919 appearing at page 60337 in the issue of Wednesday, December 27, 1978, make the following corrections:

(1) On page 60338, in the last column, the fifth paragraph which begins with the number "10", in the second to the last line of this paragraph the address should read "555 Cordova Street".

(2) On page 60339, the first column, in the seventh line the number "2344" should be corrected to read "2433".

[1505-01-M]

COOK INLET/SHELIKOF STRAIT, ALASKA, OUTER CONTINENTAL SHELF (TENTATIVE SALE NO. 60)

Call for Nominations of and Comments on Areas for Oil and Gas Leasing

Correction

In FR Doc. 78-36064, appearing at page 60671 in the issue of Thursday, December 28, 1978, on page 60671 in the middle column under the heading of *"OSC Official Protraction Diagrams"* in the paragraph which begins with the number five, the fourth line should read "573, inclusive".

[4310-84-M]

[NM 35522]

NEW MEXICO

Application

JANUARY 3, 1979.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Northwest Pipeline Corporation has applied for one 4½-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 30 N., R. 14 W.,
Sec. 10, lots 2, 3, S½NE¼ and E½SE¼.

This pipeline will convey natural gas across 1.045 miles of public land in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, New Mexico 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc. 79-1080 Filed 1-11-79; 8:45 am]

[4310-84-M]

DRAFT INTERIM MANAGEMENT POLICY AND GUIDELINES FOR WILDERNESS STUDY AREAS

Availability for Public Review and Comment

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability and invitation for comment.

SUMMARY: This notice includes as an attachment the draft interim management policy and guidelines for the management of wilderness study areas on public lands. The Federal Land Policy and Management Act provides for special management of areas that are being studies to determine their wilderness suitability. The purpose of this notice is to seek public participation in the development of the interim management policy and guidelines for wilderness study areas.

DATE: Send comments by March 14, 1979.

ADDRESS: Send comments to Director (303), Bureau of Land Management, 1800 C Street, N.W., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT:

Terry R. Sopher, 202-343-6064.

SUPPLEMENTARY INFORMATION: Section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782) directs the Secretary of the Interior to review areas of the public lands administered by the Bureau of Land Management that have wilderness characteristics. The Act also provides special, interim management direction for these areas during the wilderness review and until Congress determines otherwise. The attached draft contains the proposed policy and guidelines by which the BLM would implement the interim management provision.

The background of the proposed interim management policy is described in Chapter I (Overview) of the draft.

Members of the public are invited to submit written comments on the draft to the Director, Bureau of Land Management, at the address listed above.

To obtain further comment, BLM will hold a national workshop in Washington, D.C., and each BLM State Office will sponsor a public meeting or workshop. The dates and locations of these meetings and workshops will be announced in the FEDERAL REGISTER.

Comments received on the draft document within 60 days (March 14, 1979) will be considered when the draft is revised. The Bureau plans to complete revision and release the final Interim Management Policy and Guidelines prior to the 1979 summer season of peak development activity on the public lands.

Dated: January 8, 1979.

FRANK GREGG,
Director, Bureau of Land Management.

EXHIBIT
tabbies C

NAVAJO NATION DEPARTMENT OF JUSTICE

☐ RESUBMITTAL

DOCUMENT REVIEW REQUEST FORM

RECEIVED
JUN 15 2022
DEPARTMENT OF JUSTICE
ADMINISTRATION

DOJ
6-15-22 @ 339
DATE / TIME
☐ 7 Day Deadline
DOC #: 18808
SAS #:
UNIT: HSGN

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

DATE OF REQUEST:	6/15/2022	DIVISION:	Division of Social Services
CONTACT NAME:	Raeann Metteba	DEPARTMENT:	Navajo Family Assistance Services
PHONE NUMBER:	928-871-6619	E-MAIL:	rmetteba@navajo-nsn.gov

TITLE OF DOCUMENT: Burial & General Assistance Policy Manual

DATE/TIME IN UNIT: 6/15/2022 @ 4:16pm REVIEWING ATTORNEY/ADVOCATE: LBJ/CP

DATE TIME OUT OF UNIT: 6/17/22 9:15am

Surfreient

REVIEWED BY: (*Print*)	Date / Time	SURNAMED BY: (*Print*)	Date / Time
			6/16/22

PICKED UP BY: (*Print*) DATE / TIME:

NNDOJ/DRRF-July 2013

10a

Document No. 018808 Date Issued: 06/13/2022

EXECUTIVE OFFICIAL REVIEW

Title of Document: Burial & General Assist Policy Manual Contact Name: METTEBA, RAEANN

Program/Division: DIVISION OF SOCIAL SERVICES

Email: rmetteba@navajo-nsn.gov Phone Number: 928-871-6851

			Sufficient	Insufficient
☐	**Business Site Lease**			
	1. Division: _____	Date: _____	☐	☐
	2. Office of the Controller: _____	Date: _____	☐	☐
	(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)			
	3. Office of the Attorney General: _____	Date: _____	☐	☐
☐	**Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions**			
	1. Division: _____	Date: _____	☐	☐
	2. Office of the Attorney General: _____	Date: _____	☐	☐
☐	**Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications**			
	1. Office of Management and Budget: _____	Date: _____	☐	☐
	2. Office of the Controller: _____	Date: _____	☐	☐
	3. Office of the Attorney General: _____	Date: _____	☐	☐
☐	**Navajo Housing Authority Request for Release of Funds**			
	1. NNEPA: _____	Date: _____	☐	☐
	2. Office of the Attorney General: _____	Date: _____	☐	☐
☐	**Lease Purchase Agreements**			
	1. Office of the Controller: _____	Date: _____	☐	☐
	(recommendation only)			
	2. Office of the Attorney General: _____	Date: _____	☐	☐
☐	**Grant Applications**			
	1. Office of Management and Budget: _____	Date: _____	☐	☐
	2. Office of the Controller: _____	Date: _____	☐	☐
	3. Office of the Attorney General: _____	Date: _____	☐	☐
☐	**Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval**			
	1. Division: _____	Date: _____	☐	☐
	2. Office of the Attorney General: _____	Date: _____	☐	☐
☐	**Relinquishment of Navajo Membership**			
	1. Land Department: _____	Date: _____	☐	☐
	2. Elections: _____	Date: _____	☐	☐
	3. Office of the Attorney General: _____	Date: _____	☐	☐

			Sufficient	Insufficient
☐ **Land Withdrawal or Relinquishment for Commercial Purposes**				
1. Division:		Date:	☐	☐
2. Office of the Attorney General:		Date:	☐	☐
☐ **Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases**				
1. NLD		Date:	☐	☐
2. F&W		Date:	☐	☐
3. HPD		Date:	☐	☐
4. Minerals		Date:	☐	☐
5. NNEPA		Date:	☐	☐
6. DNR		Date:	☐	☐
7. DOJ		Date:	☐	☐
☐ **Rights of Way**				
1. NLD		Date:	☐	☐
2. F&W		Date:	☐	☐
3. HPD		Date:	☐	☐
4. Minerals		Date:	☐	☐
5. NNEPA		Date:	☐	☐
6. Office of the Attorney General:		Date:	☐	☐
7. OPVP		Date:	☐	☐
☐ **Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease**				
1. Minerals		Date:	☐	☐
2. OPVP		Date:	☐	☐
3. NLD		Date:	☐	☐
☐ **Assignment of Mineral Lease**				
1. Minerals		Date:	☐	☐
2. DNR		Date:	☐	☐
3. DOJ		Date:	☐	☐
☐ **ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)**				
1. NLD		Date:	☐	☐
2. F&W		Date:	☐	☐
3. HPD		Date:	☐	☐
4. Minerals		Date:	☐	☐
5. NNEPA		Date:	☐	☐
6. DNR		Date:	☐	☐
7. DOJ		Date:	☐	☐
8. OPVP		Date:	☐	☐
☒ **OTHER:**				
1. Division of Social Services		Date: 06/14/22	☒	☐
2. Department of Justice		Date: 6/16/22	☒	☐
3.		Date:	☐	☐
4.		Date:	☐	☐
5.		Date:	☐	☐

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576

Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Delegate Wauneka

FROM: Loya M. Honaghaahnii Henderson
Office of Legislative Counsel

DATE: September 21, 2022

SUBJECT: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPROVING AMENDMENTS TO THE NAVAJO NATION DIVISION OF SOCIAL SERVICES' PROFESSIONAL STANDARDS AND ETHICS MANUAL; REMOVING THE "FINANCIAL SERVICES PROTOCOL" SECTION AND INCLUDE THE "BURIAL ASSISTANCE AND GENERAL ASSISTANCE POLICY MANUAL"

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0168-22__ **SPONSOR: Edison Wauneka**

TITLE: An Action Relating to Health, Education and Human Services Committee; Approving Amendments to the Navajo Nation Division of Social Services' Professional Standards and Ethics Manual; Removing the "Financial Services Protocol" Section and Include the "Burial Assistance and General Assistance Policy Manual"

***Date posted*: September 22, 2022 at 4:16PM**

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*