

RESOLUTION OF THE  
BUDGET AND FINANCE COMMITTEE  
OF THE NAVAJO NATION COUNCIL

25<sup>TH</sup> NAVAJO NATION COUNCIL - First Year, 2023

AN ACTION

RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
AND THE BUDGET AND FINANCE COMMITTEES; APPROVING THE TITLE IV-E  
FUND MANAGEMENT PLAN FOR THE NAVAJO NATION DIVISION OF SOCIAL  
SERVICES

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee has oversight of the Division of Social Services. 2 N.N.C. § 401(C) (1).
- B. The Budget and Finance Committee is empowered to approve fund management plans upon the recommendation of the appropriate oversight committee and the affected division or branch. 2 N.N.C. § 301(B) (14).

SECTION TWO. FINDINGS

- A. Title IV-E of the Social Security Act ("Title IV-E") allows states, territories, and tribes to claim partial federal reimbursement for the cost of providing foster care, adoption assistance, and kinship guardianship assistance to children who meet federal eligibility criteria. The Title IV-E program also provides support for monthly payments on behalf of eligible children, as well as funds for related case management activities, training, data collection, and other costs of program administration.
- B. The Navajo Nation Division of Social Services ("DSS") has prepared the Title IV-E Fund Management Plan, attached as **Exhibit A**, to govern the expenditure of funds received under the federal government's Title IV-E program.

- C. The Title IV-E Fund Management Plan provides that the Department of Family Services within DSS can expend Title IV-E funds for the benefit of Foster Care, Adoptions Assistance, and Guardianship Assistance Programs as indicated in Section IV.B. of **Exhibit A**.
- D. The Office of Management and Budget, Office of the Controller, and Department of Justice have reviewed the proposed Title IV-E Fund Management Plan as part of an Executive Official Review, attached as **Exhibit B**, and determined that the proposed fund management plan is legally sufficient provided that the Navajo Nation Council approved the DSS' use of the Title IV-E funds.
- E. The Navajo Nation Council approved the DSS' use of Title IV-E funds in Council Resolution CAP-32-23, attached as **Exhibit C**.

### **SECTION THREE. APPROVAL**

The Navajo Nation approves the Title IV-E Fund Management Plan as detailed in **Exhibit A**.

### **CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held at Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 5 in favor and 0 opposed, this 16<sup>th</sup> day of May 2023.



Shaandiin Parrish, Chairperson  
Budget and Finance Committee

Motion: Honorable Amber Kanazbah Crotty  
Second: Honorable Carl R. Slater

## **DIVISION OF SOCIAL SERVICES Department of Family Services**

### **Fund Management Plan Title IV-E Fund**

#### **I. ESTABLISHMENT**

There is established a Fund Management Plan ("FMP") for the Title IV-E Fund ("Fund"), for use by the Department of Family Services (DFS) of the Division of Social Services in the management of the Fund. The DFS shall administer and manage the Fund pursuant to this FMP in compliance with all applicable Navajo Nation and federal laws and policies.

#### **II. PURPOSE**

A. The Fund is established for the purpose of claiming, receiving, and using any and all Title IV-E funding reimbursement pursuant to approved Title IV-E Plan.

B. The FMP is established for the purpose of ensuring that the funds received from the Children's Bureau under the Administration for Children and Families (ACF) are expended only for the benefit of Foster Care, Adoption Assistance, and Guardianship Assistance Program.

1. Expend in compliance with this FMP.

2. The FMP is subject to monitoring, accountability, reporting, and auditing.

#### **III. ADMINISTRATION**

A. Funding source: Reimbursement of Title IV-E Foster Care from the ACF's Children's Bureau for the purpose of the Eligible Expenditures listed at Section IV. B. of this FMP, for the Foster Care, Adoption Assistance, and Guardianship Assistance Program.

B. Legislative Oversight: The Health, Education and Human Services Committee of the Navajo Nation Council provides legislative oversight.

C. Program Management

1. The DFS shall manage and administer the Fund pursuant to this FMP and approved Title IV-E Plan.

2. The DFS shall develop, implement, monitor, and report on the Navajo Nation Title IV-E operating budget consistent with applicable Navajo Nation Budget Instruction Manual, including budget forms and subject to internal review and approval processes that will ensure appropriate expenditure of the Fund for its intended purpose.

#### **IV. FUND MANAGEMENT**

A. Fund Accounting

1. The Office of the Controller (OOC) shall draw down reimbursements through the Payment Management System (PMS) which operates as a "banking system."

2. The OOC shall comply with established policies and procedures for drawing down, recording, and depositing all reimbursement into the Fund and accounting for the Fund in accordance with generally accepted accounting principles.
3. All records and accounts for the Fund shall be separately maintained, including a separate Balance sheet(s) and Expenditure Statement(s).
4. The DFS shall account for all reimbursement disbursed from the Fund, and such accounting shall be included in the DFS' fiscal quarterly report.
5. Funds do not lapse and automatically carry over to the next fiscal year.

**B. Eligible Expenditures**

The Funds shall be used solely for the benefit of the Foster Care, Adoption Assistance, and Guardianship Assistance Program including, but not limited to the following:

1. Foster Care maintenance payments for eligible children;
2. Adoption assistance payments for eligible children;
3. Kinship/guardianship payments for eligible children;
4. Prevention efforts, follow-up care, and aftercare services;
5. Continuous quality improvement;
6. Allowable cost associated with training, including parenting classes;
7. Allowable cost associated with administering the Title IV-E program;
8. Referral service;
9. Preparation for and participation in judicial determination;
10. Placement of the child;
11. Case management and supervision, case planning, case reviews;
12. Recruitment of foster, guardianship, and adoptive homes;
13. Licensing studies of foster homes and facilities;
14. Data collection and reporting;
15. Share of related agency overhead such as indirect costs, including costs that are supportive of programs and program operation like organization leadership; central financial and accounting staff; human resources staff; central information systems staff; and payroll, property and procurement staff.

**V. EFFECTIVE DATE**

This FMP for the Fund shall become effective upon establishment of the Fund.

**VI. AUDIT REQUIREMENTS**

The Fund shall be audited as part of an overall annual audit of the Navajo Nation government, by the Office of the Controller, and by any contracted independent auditor.

**VII. RESTRICTIONS**

The Fund shall not be expended or allocated for uses other than those as provided by this FMP, approved Title IV-E Plan, and Navajo Nation Title IV-E operating budget

#### **VIII. COMPLIANCE**

The use and management of the Fund shall comply with applicable federal law and with all Navajo Nation laws, including but not limited to the Navajo Nation Procurement Act, Navajo Business Opportunity Act, and the Navajo Nation Ethics in Government Law.

#### **IX. AMENDMENT**

This FMP may be amended, as necessary, upon proposal by DFS, for approval by the Budget and Finance Committee of the Navajo Nation Council.

## EXHIBIT B



## NAVAJO NATION DEPARTMENT OF JUSTICE

**DOCUMENT  
REVIEW  
REQUEST  
FORM**


☐ RESUBMITTAL

DOJ	
10/7/22 @ 1460	
DATE / TIME	
<input type="checkbox"/> 7 Day Deadline	
DOC #	19282
SAS #	
UNIT	H59u

\*\*\* FOR NNDJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. \*\*\*

CLIENT TO COMPLETE			
DATE OF REQUEST:	10/7/2022	DIVISION:	Social Services
CONTACT NAME:	Roselyn Begay	DEPARTMENT:	Office of Executive Director
PHONE NUMBER:	871-6851-6873	E-MAIL:	roselyn.begay@nndss.org
TITLE OF DOCUMENT: EOR #019282 Title IV-E Fund Management Plan			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 10/7/2022 @ 2:00pm		REVIEWING ATTORNEY/ADVOCATE: LBJ/CP	
DATE TIME OUT OF UNIT: 10/11/2022 @ 11:00am			
DOJ ATTORNEY / ADVOCATE COMMENTS			
FMP is sufficient but see memo dated 9/1/22			
REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
		CP	10/11/22
<b>EMMAILED:</b> DOJ Secretary Called: roselyn.begay for Document Pick Up on 10/11/22 at 11:00am By: CP			
PICKED UP BY: (Print)		DATE / TIME:	

NNDJ/DRRF-July 2013

# NAVAJO NATION DEPARTMENT OF JUSTICE



## REQUEST FOR SERVICES



DOJ
8/31/22 @ 3:40p
DATE / TIME
RFS #: 22-0852 #2
UNIT: H59u

☒ RESUBMITTAL  
(April 2022)

FOR NNDJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. \*\*\*

DATE OF REQUEST: 8/31/2022		ENTITY/DIVISION: of Social Services	
CONTACT NAME: Roselyn Begay		DEPARTMENT: Admin	
PHONE NUMBER: X6851/6873		E-MAIL: roselynbegay@navajo-nsn.gov	
COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents): RESUB: Title IV-E Fund Management Plan			
DEADLINE:	Click here to enter a date	REASON:	Limited to 40 characters
DATE/TIME IN UNIT: 8/31/22 @ 4:30		REVIEWING ATTORNEY/ADVOCATE: UBT/LL	
DATE TIME OUT OF UNIT: 9/1/22 @ 1:30pm		PREPARED BY (initial): RS CP	
See Memo.			
REVIEWED BY: (PRINT) UBT		DATE / TIME: 9/1/22	
DOJ Secretary Called: Emailed: roselynbegay		for Document Pick Up on 9/1/22 at 1:30pm By: CP	
PICKED UP BY: (PRINT)		DATE / TIME:	



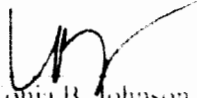
**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

DOREEN N. MCPHAID  
Attorney General

KIMBERLY A. DUTCHER  
Deputy Attorney General

MEMORANDUM

TO : Roselyn Begay, Senior Project and Program Specialist  
Division of Social Services

FROM :   
LaTonia B. Johnson, Assistant Attorney General  
Human Services Government Unit, Dept. Of Justice

DATE : September 1, 2022

SUBJECT : RES No. 22-1108#2 Title IV(E) Fund Management Plan

In reviewing the updated Fund Management Plan (FMP), the FMP is deemed sufficient. However, as you know, in a meeting between Department of Justice (DOJ), Division of Social Services (DSS), Office of Management and Budget, and Office of the Controller (OOC) regarding the aforementioned matter, Robert Willie, OOC, and my colleague Mel Rodis, Assistant Attorney General, Tax and Finance Unit, noted that DSS would need to obtain the Navajo Nation Council's approval of Title IV(E) funds before the FMP is approved. When DSS is ready to process this FMP, the FMP would need to be processed through the Executive Review process.

If you have any questions regarding this memorandum, please contact me via email at [latjohnson@nndoj.org](mailto:latjohnson@nndoj.org). Thank you.

LBJ:ep.234



Document No. 019282Date Issued: 09/01/2022**EXECUTIVE OFFICIAL REVIEW**Title of Document: Title IV-E Fund Management Plan Contact Name: BEGAY, ROSELYN ANNProgram/Division: DIVISION OF SOCIAL SERVICESEmail: Roselyn.Begay@nndss.org Phone Number: 928-871-6851

<input type="checkbox"/>	<b>Business Site Lease</b>			<b>Sufficient</b>	<b>Insufficient</b>
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	(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: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>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</b>				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<b>Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications</b>				
	1. Office of Management and Budget:	<u>J. Germaine Jones</u>	Date: <u>09/13/22</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	<u>Waf. See memo 9/1/22</u>	Date: <u>10/11/22</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Navajo Housing Authority Request for Release of Funds</b>				
	1. NNEPA:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Lease Purchase Agreements</b>				
	1. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	(recommendation only)				
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Grant Applications</b>				
	1. Office of Management and Budget:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Controller:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>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</b>				
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Relinquishment of Navajo Membership</b>				
	1. Land Department:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Elections:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	<b>Land Withdrawal or Relinquishment for Commercial Purposes</b>			<b>Sufficient</b>	<b>Insufficient</b>
	1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases</b>				
	1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	7. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Rights of Way</b>				
	1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	6. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	7. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease</b>				
	1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Assignment of Mineral Lease</b>				
	1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)</b>				
	1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	7. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	8. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>OTHER:</b>				
	1. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Navajo Nation - Division of Finance  
Office of the Controller  
164 or Signature Authorization Sheet (SAS) Sign-Off Sheet for OOC

*(Attach sign off sheet to SAS document to ensure each section within OOC signs off on SAS)*

**PLEASE NOTE OOC (ALL SECTIONS IN TOTAL) HAS 7 DAYS TO REVIEW**

19282
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OOO - Section	Date
1 Accounts Receivable:	
2 General Accounting:	<i>Robert (summary) 12/17/12</i>
3 Contract Accounting:	<i>No action - see below</i>
4 Contract Administration:	

**Comments:**

*Robert, please review as once these funds are transferred to a proprietary account contract accounting will no longer have oversight involved*

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# THE NAVAJO NATION

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JONATHAN NEZ | PRESIDENT   MYRON LIZER | VICE PRESIDENT



## Memorandum:

To: 2 NNC § 164 Reviewers  
Delegates & 2 NNC § 164 Reviewers  
Navajo Nation Government  
*Robert Willie*  
From: Robert Willie, Accounting Manager  
Office of the Controller  
Date: October 7, 2022  
Subject: 164 Review-019282-Title IV -E Fund Management Plan

The Office of the Controller has reviewed the above referenced document.

1. The plan that is presented does not have a specific revenue stream but only indicates that it will be reimbursed. Is there a schedule of reimbursements that the program will receive in the future? If not, this would most likely be deemed non-recurring and would need to be utilized for non-recurring expenses.

If you should have any questions you can contact me at tribal extension X6125

**Contracts and Grants Section / OMB**  
**Document Review Check on Grant Application, Award or Modification**

(Fill in Spaces Highlighted Green that Apply)

**Document Review No. / Date :** EOR #019282 / 09.13.22

**Application, A.** **Hard or On-line Submit?**  
**Appli. due date:** ASAP **Date Appli. Submitted to funding agency:**  
**Award, B or C.** **Mod. No.,**  
**Signature Block for Branch Chief?** Yes

**FY 2018 NN BIM Appendix L Sec. IV. Submit Grant Application/Accept Grant Award**

- A. **Application, Sec. 164(A) or Executive Official Review on EO 07-2013**  
Reference Application e.g., SF-424. etc. Funds Management Plan  
1 Grant Agreement, Terms & Conditions FMP enclosed  

Budget	Not Specified	Funding Period	Not specified
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2 Scope of Work (SOW) specific to grant purpose. No SOW attached  
3 Required NNBF 1-5: budget comply w/ Sec. III. B. justify, calcu., etc. N/A  
    - NNBF 3 supported by DPM List of Employee Assignment N/A  
    - Budget each Subcontract Separate N/A  
**On lower right hand corner of each page, initial & indicate date of review.**  
4 IDC, use most current approved IDC rate. Indicate FY & IDC Rate N/A  
    - Supported by IDC calculation check sheet, page 86 of BIM. N/A  
5 Cost Sharing Contribution, Form Appendix L-2 N/A  
6 CFDA No. on federal funds  
7 DUNS no. 009001702 009001702  
8 SAMS N/A  
B. **Award, Sec. 164(B) Review; Address Appli. requirement above.**  
    - Document review no. on Appl./ Date N/A  
    - Notice of Grant Award (NOGA) / Date (attach): N/A  
    - Change to Appli. on Award, explain in **Comment** section below N/A  
C. **Award (automatic) for successor year on multi-year contract; Address Appli. requirement above.**  
    - Term (Begin & End Date) of multi-year contract N/A  
    - NOGA / Date (attach): N/A  
D. **Sec. III. C. Contract Modification, Form Summary of Change to Ext Grant Budget Appdx L-1**  
**Additional allocation to annual award e.g., CR funding on federal award.**  
    - Required NNBF 3 or 4 or both. N/A  
    - NOGA / Date (attached): N/A  
E. **Comment on issues, concerns, etc.**

*Review 09/13/22 - After thorough review of packet, the document is deemed sufficient. DFS will adhere to the advisement of NDOJ in memo of 09/01/22 and receive council approval prior to set-up. Until such time DFS creates the Funds Management Plan, a budget will be formulated for set-up within FMIS. Document may go to the next reviewer.*

F. **Document is Sufficient or Insufficient:** Sufficient

G. **Review By / Date:** J. James, PCA / 09.13.2022  
**Surname By / Date:** del. Germaine Jones 9/13/22

**Result of Review:** Explain by memorandum reason document is deemed Insufficient and issues/concerns noted in Section E above.

## **Roselyn Begay**

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**From:** Brenda Tsosie  
**Sent:** Thursday, April 28, 2022 9:15 AM  
**To:** Roselyn Begay  
**Subject:** FW: Title IVE

Good Morning Roz,  
Please assist me in getting the dialog started with DOJ in regards to establishing a special revenue account for DSS Title IVE funds.  
Thanks,  
Brenda

**From:** Valerie Hubbard [mailto:vhubbard@nnooc.org]  
**Sent:** Friday, March 25, 2022 12:38 PM  
**To:** Brenda Tsosie <btsosie@navajo-nsn.gov>  
**Cc:** Charlene Johns <cjohns@nnooc.org>; Laura Johnson <lajohnson@nnooc.org>; Robert Willie <rwillie@nnooc.org>  
**Subject:** RE: Title IVE

I'm sorry for not responding sooner. I talked with Robert and he mentioned that if the funds are transferred into the General funds, the funds will become part of the Navajo Nation funds. It will not be specific for DSS.  
Currently these are amounts.

4352	Adoption	72,589.91
4353	Foster Care	335,625.00
4354	Guardianship	253,389.00
	Total	661,603.91

We no longer report on these awards as they have expired but they are still on the Payment Management System Federal Cash Transaction Report. The main concern is if in the future the drawdowns accumulate and DSS expends more than the Single Audit threshold of \$3 million in expenditures, funds will be audited. So business units should not be set up under the external funds.

I recommend you possibly should talk with Dominic and Cordell or the Division's AG attorney.

**From:** Brenda Tsosie <btsosie@navajo-nsn.gov>  
**Sent:** Thursday, March 24, 2022 3:48 PM  
**To:** Valerie Hubbard <vhubbard@nnooc.org>  
**Subject:** RE: Title IVE

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**EXTERNAL SENDER**

Only open links and attachments from known senders. DO NOT provide your username or password.

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Hi Valerie,  
This is on our Legislative Concern from Health, Education, Human Services Committee and I need to respond. I was informed by General Accounting Section that this question is for Contract Accounting. If you are not the point of contact for this request, please direct me to the appropriate personnel.  
Thank you.  
Brenda Tsosie, DSS  
X6638



EXHIBIT C

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

May 2, 2023

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

RE: *CAP-32-23 An Action Relating to Budget and Finance, Health, Education and Human Services, and Naabik'iyáti' Committees, and to the Navajo Nation Council; Approving the Use of Title IV-E Funds by the Navajo Division of Social Services*

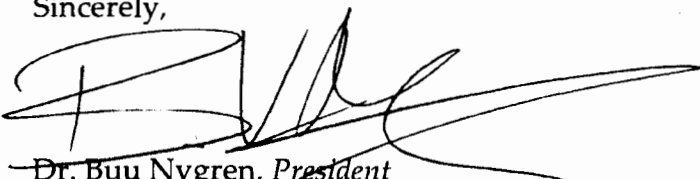
Dear Speaker Curley,

I am pleased to sign into law this resolution CAP-32-23 approving the use of Title IV-E funds by the Navajo Division of Social Services. Title IV-E of the Social Security Act allows states, territories, and tribes to claim partial federal reimbursement for the cost of providing foster care, adoption assistance, and kinship guardianship assistance to children who meet federal eligibility criteria.

The Division of Social Services will use the Title IV-E reimbursement funds for the benefit of the Foster Care, Adoption Assistance, and Guardianship Assistance Programs.

I am confident that these funds will improve our abilities to serve Navajo children in need.

Sincerely,

  
Dr. Buu Nygren, *President*  
**THE NAVAJO NATION**

RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
25<sup>th</sup> NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION  
RELATING TO BUDGET AND FINANCE, HEALTH, EDUCATION AND HUMAN  
SERVICES, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION  
COUNCIL; APPROVING THE USE OF TITLE IV-E FUNDS BY THE NAVAJO  
DIVISION OF SOCIAL SERVICES

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. § 301(B)(2).
- B. The Health, Education and Human Services Committee of the Navajo Nation Council is empowered to review and recommend resolutions relating to social services, health, environmental health, education, veterans and veterans' services, employment and labor. 2 N.N.C. § 401(B)(6)(a).
- C. The Health, Education and Human Services Committee of the Navajo Nation Council serves as the oversight committee for the Division of Social Services. 2 N.N.C. § 401(C)(1).
- D. The Naabik'íyáti' Committee of the Navajo Nation Council is empowered to review all proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- E. The Navajo Nation Council is the governing body of the Navajo Nation and empowered to enact positive law of the Navajo Nation. 2 N.N.C. § 102(A).

SECTION TWO. FINDINGS

- A. The Naabik'íyáti' Committee of the Navajo Nation Council approved Resolution NABIJA-12-14 to allow the Navajo Nation to obtain reimbursement from the United States government under Title IV-E of the Social Security Act ("Title IV-E.")
- B. Title IV-E provides partial reimbursement to states and eligible tribes for foster case maintenance payments, adoption assistance payments, kinship or guardianship payments for



eligible children, and allowable costs associated with administering Title IV-E programs.

- C. Title IV-E is not a grant program, nor a complete child welfare system, but a program for the partial reimbursement of costs incurred. A document that provides an overview of the Title IV-E program is attached as **Exhibit A**.
- D. Once Council has approved its use of Title IV-E funds, the Division of Social Services will prepare a fund management plan to govern the use of the funds consistent with the original purpose of Title IV-E funds.

**SECTION THREE. APPROVAL FOR THE DIVISION OF SOCIAL SERVICES TO USE TITLE IV-E FUNDS**

- A. The Navajo Nation Council approves the use of Title IV-E funds by the Division of Social Services consistent with the original purpose of Title IV-E funds.
- B. As new revenue to the Navajo Nation, Title IV-E funds are subject to all statutory set asides.

**SECTION FOUR. EFFECTIVE DATE**


This Act is effective upon its approval pursuant to 2 N.N.C. 221(B).

**SECTION FIVE. SAVING CLAUSE**

Should any provision(s) of this Act be determined invalid by the Navajo Nation Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, the remainder of the Act shall remain the law of the Navajo Nation.

## CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 17 in Favor, and 00 Opposed, on this 21<sup>st</sup> day of April 2023.

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

4/27/23  
DATE

Motion: Honorable Vince R. James  
Second: Honorable Steven R. Arviso

Speaker Crystalyne Curley not voting

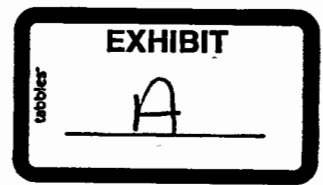
## ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 2 day of MAY, 2023.

  
Buu Nygren, President  
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this \_\_\_\_\_ day of \_\_\_\_\_, 2023 for the reason(s) expressed in the attached letter to the Speaker.

\_\_\_\_\_  
Buu Nygren, President  
Navajo Nation



## TITLE IV-E PROGRAM

Title IV-E of the Social Security Act allows states, territories, and tribes to claim partial federal reimbursement for the cost of providing foster care, adoption assistance, and kinship guardianship assistance to children who meet federal eligibility criteria. The Title IV-E program, as it is commonly called, provides support for monthly payments on behalf of eligible children, as well as funds for related case management activities, training, data collection, and other costs of program administration.

Title IV-E reimbursement funds are to be used for purpose of supporting and/or enhancing the Navajo child well-being system. In addition to the snip below from the Fund Management Plan, funds should be used to support:

- capacity building in terms of staff directly involved with the child well-being system (social workers, prevention service workers, fiscal staff, IT staff, clinical/behavioral health staff, etc.),
- incentives for staff and clients
- professional development for staff associated with the child well-being system including law enforcement, judicial staff
- establishment of child well-being training program
- procurement/implementation of evidence-based practices and/or assessment curriculum/tools
- educational training for eligible children, caregivers, staff, and prospective staff
- resources for adoptive parents and guardians
- infrastructure development/repairs

The Division of Social Services will use the Title IV-E reimbursement funds for the benefit of the Foster Care, Adoption Assistance, and Guardianship Assistance Programs. Eligible expenditures may include:

- Foster maintenance payment for eligible children;
- Adoption assistance payments for eligible children;
- Guardianship payment for eligible children;
- Prevention efforts, follow-up care, and aftercare services;
- Continuous quality improvement;
- Allowable costs associated with training including parenting classes;
- Allowable costs associated with the Title IV-E program;
- Referral service;
- Preparation for and participation in judicial determination;
- Placement of the child;
- Case management and supervision, case planning, case reviews;
- Recruitment of foster, guardianship, and adoptive homes;

- Licensing studies of foster homes and facilities;
- Data collection and reporting; and
- Related agency overhead such as indirect costs, including costs that are supportive programs and program operation like organization leadership, central financial and accounting staff, human resources staff, central information systems staff, and payroll, property, and procurement staff.

# NAVAJO NATION

117

4/21/2023  
12:37:17 PM

## Navajo Nation Council Spring Session

<b>Amd# to Amd#</b>	<b>Legislation 0056-23: Approving</b>	<b>PASSED</b>
MOT James, V	the Use of Title IV-E Funds by	
SEC Arviso, S	the Navajo Division of Social	
	Services	

**Yeas : 17**

**Nays : 0**

**Excused : 4**

**Not Voting : 2**

### **Yea : 17**

Arviso, S  
Aseret, L  
Begay, H  
Begay, N  
Charles-Newton, E

Claw, S  
James, V  
Jesus, B  
Nez, A

Nez, R  
Notah, N  
Parrish, S  
Simpson, D

Tolth, G  
Tso, O  
Yanito, C  
Yazzie, C

### **Nay : 0**

### **Excused : 4**

Johnson, C

Simonson, G

Crotty, A

Damon, S

### **Not Voting : 2**

Daniels, H

Slater, C

**Presiding Speaker: Curley, C**

## BUDGET AND FINANCE COMMITTEE

May 16, 2023

Regular Meeting

### VOTE TALLY SHEET:

**Legislation No. 0097-23:** An Action Relating to the Health, Education and Human Services Committee and the Budget and Finance Committees; Approving the Title IV-E Fund Management Plan for the Navajo Nation Division of Social Services *Sponsored by Andy Nez, Council Delegate*

*Motion: Amber K. Crotty*


*Second: Carl R. Slater*

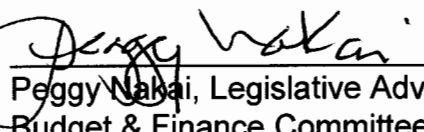
*Vote: 5-0, Chairperson not voting*

### Final Vote Tally:

Lomardo Aseret	<b>yea</b>	
Norman M. Begay	<b>yea</b>	
Amber K. Crotty	<b>yea</b>	
Seth A. Damon	<b>yea</b>	
Shaandiin Parrish		
Carl R. Slater	<b>yea</b>	

*Absent:*

  
Shaandiin Parrish, Chairperson  
Budget & Finance Committee

  
Peggy Nahai, Legislative Advisor  
Budget & Finance Committee