



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
Attorney General

HEATHER CLAH
Deputy Attorney General

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

RFS/HK Review #: HK 0657

Date & Time Received: 9/22/23 at 16:41

Date & Time of Response: 10/6/23 at 17:00 pm

Entity Requesting FRF: Thoreau Chapter

Title of Project: Thoreau Chapter - Home Renovation and Improvement

Administrative Oversight: Division of Community Development

Amount of Funding Requested: \$1,095,205.42

Eligibility Determination:

- ☒ FRF eligible
☐ FRF ineligible
☐ Additional information requested

FRF Eligibility Category:

- | | |
|---|---|
| ☒ (1) Public Health and Economic Impact | ☐ (2) Premium Pay |
| ☐ (3) Government Services/Lost Revenue | ☐ (4) Water, Sewer, Broadband Infrastructure |

U.S. Department of Treasury Reporting Expenditure Category: _____

2.18, Housing Support: Other Housing Assistance

☐ Missing Form	☐ Expenditure Plan incomplete
☐ Supporting documentation missing	☐ Funds will not be obligated by 12/31/2024
☐ Project will not be completed by 12/31/2026	☐ Incorrect Signatory
☐ Ineligible purpose	☐ Inconsistent with applicable NN or federal laws
☐ Submitter failed to timely submit CARES reports	
☐ Additional information submitted is insufficient to make a proper determination	

[illegible]

Name of DOJ Reviewer: Navalyn R. Platero

Signature of DOJ Reviewer: 

If additional information has been requested and you wish to provide it, please resubmit all the required forms updated to include the additional information. Full resubmission will expedite the Initial Eligibility Determination process. Therefore, please include a new RFS form indicating resubmission, revised Appendix A, Budget Form 1, and other supporting documents. **Please email your resubmission to arpa@nndoj.org.** Please be aware that under Resolution BFS-31-21 a Project or Program can only be reviewed twice, therefore it is critical that you include all the requested additional information for your second submission.

Page 2 of 2

THE NAVAJO NATION
FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN
FOR NON-GOVERNANCE CERTIFIED CHAPTERS

Part 1. Identification of parties.

Non-Governance Certified Chapter requesting FRF: Thoreau Chapter Date prepared: 08/31/2023

Chapter's mailing address: PO Box 899 phone/email: 505.905.0139
Thoreau, NM 87323 website (if any): thoreau.navajochapters.org

This Form prepared by: Vivinita Bennett phone/email: niabb2@nnchapters.org
Vivinita Bennett, Community Services Coordinator
CHAPTER CONTACT PERSON'S name and title

Title and type of Project: Thoreau Chapter - Home Renovation and Improvement

Chapter President: Valerie Arviso phone & email: valeriearviso@gmail.com
Chapter Vice-President: Herman Yellowhorse phone & email: 505.905.0221
Chapter Secretary: Judy K. Platero phone & email: jkplatero@gmail.com
Chapter Treasurer: Judy K. Platero phone & email: jkplatero@gmail.com
Chapter Manager or CSC: Vivinita Bennett phone & email: niabb2@nnchapters.org
DCD/Chapter ASO: Guarena Adeky phone & email: gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): _____
☐ document attached

Amount of FRF requested: 1,095,205.42 FRF funding period: October 1, 2023 - September 1, 2026
Indicate Project starting and ending/deadline date

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Thoreau Chapter is requesting Home renovations and/or improvements for Chapter community and/or registered members. All Registered members are included for this assistance with proof of home ownership. Each home renovation and/or improvement will vary according to their needs/assessments Bathroom to kitchen fixtures, roofing, skirting of mobile homes to keep temperatures warm, adequate weather-tight seal windows, flooring, replacement of walls and ceilings damaged by weather/water/age, ventilation, etc... Through home assessments, households will be identified. The community members that did their due diligence and requested their (continued...)

☒ document attached

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

Housing renovation and/or improvement to serve our Chapter Navajo community who have substandard housing, multi-generational housing, and no immediate means to make repair their homes This project seeks to improve some substandard housing issues identified during the COVID-19 pandemic. We will be helping those in need with a decent, safe, and sanitary... *continued*

☒ document attached

APPENDIX A

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Projects will be completed by September 2026. With funds anticipated to be disbursed by September 2023. This will be a 2-tier project, 1-homeowner has someone that can do the labor or 2-homeowner needs assistance with the labor. If labor is needed, they will be scheduled into small, manageable sections to ensure quality of work and completion is within the time frame. ☒ document attached

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

Vivinita Bennett, Chapter CSC, Valerie Arviso, Chapter President, Herman Yellowhorse, Vice President, Judy Platero, Secretary Treasurer, Guarena Adeky, SPPS-ASC - Navajo Division of Community Development ASO-ASC, Navajo Nation ARPA Division. ☐ document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Respectively, the home owner and its occupants would be responsible for the operations and maintenance of their homes. ☐ document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

2.18 Housing Support: Other Housing Assistance : To support our Native community obtain decent, safe, and sanitary housing for themselves and their families. To improve multi-generational home and substandard home conditions for improved health and safety conditions.

☐ document attached

Part 3. Additional documents.

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

Appendix J

Chapter Housing Discretionary Policy (because we will be following this policy for this project)

Part 4. Affirmation by Funding Recipient.

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's
Preparer:


Signature of Preparer/CONTACT PERSON

Approved by:


Signature of Chapter Officer

Approved to submit
for Review:


Signature of DCD or HRFRO Director

APPENDIX A

THE NAVAJO NATION FISCAL RECOVERY FUNDS REQUEST FORM & EXPENDITURE PLAN FOR NON-GOVERNANCE CERTIFIED CHAPTER

CONTINUED

Part 2. Expenditure Plan details.

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

...needs through Cares Act will be priority and assisted with their requests. Thereafter, all applicants will be assisted up to \$2,000.00 each but not limited to, depending what their needs are for renovations and improvements.

The Chapter will process assistance like the Chapter Housing Discretionary Assistance. Application, required documents, home assessment BEFORE and AFTER (with pictures), 3-quotes, check made payable to the vendor, original receipts shall be submitted to the Chapter.

Each household and home will be a case-by-case basis. Some homes are multi-generational homes, it would be nice if we were able to buy new homes for everyone, but we cannot. Instead, we can try to make the homes safe and livable for the occupants. Therefore assistance may not be limited to a household, but to a registered member. The Chapter will have to assess each home carefully and document with a tracking sheet all the activities conducted to assist each home.

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

...home. Every family should have a decent home, a suitable living environment. Many of our Navajo community members that survived COVID-19 now have residual health issues, from respiratory distress to physical and psychological effects. Having a suitable living environment will make a big difference in their quality of life.

(c) A prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the Program(s) or Project(s) by December 31, 2026:

Progress will be reported to our Chapter ASC-SPPS, Navajo Nation ARPA Division, and Council Delegate on a quarterly basis or when it is requested.

FY 2023

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Page 1 of 3
BUDGET FORM 1

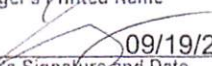
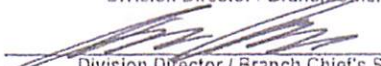
PART I. Business Unit No.: <u>New</u>		Program Title: <u>Thoreau Chapter - Home Renovation & Improvement</u>		Division/Branch: <u>DCD/Executive</u>	
Prepared By: <u>Vivinita Bennett, CSC</u>		Phone No.: <u>505.905.0139</u>		Email Address: <u>niabb2@nnchapters.org</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference or Total
NN Fiscal Recovery Funds	10/01/23-09/30/28	\$1,095,205.42	100%	2001 Personnel Expenses				
				3000 Travel Expenses				
				3500 Meeting Expenses				
				4000 Supplies				
				5000 Lease and Rental				
				5500 Communications and Utilities				
				6000 Repairs and Maintenance	6	0	\$1,095,205.42	\$1,095,205.42
				6500 Contractual Services				
				7000 Special Transactions				
				8000 Public Assistance				
				9000 Capital Outlay				
				9500 Matching Funds				
				9500 Indirect Cost				
				TOTAL		\$0.00	\$1,095,205.42	\$1,095,205.42

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

TOTAL: \$1,095,205.42 100%	
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PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

SUBMITTED BY: <u>Jaron M. Charley, Department Manager II</u> Program Manager's Printed Name  <u>09/19/2023</u> Program Manager's Signature and Date	APPROVED BY: <u>Calvin Castillo, Executive Director</u> Division Director / Branch Chief's Printed Name  <u>9/19/2023</u> Division Director / Branch Chief's Signature and Date
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PART I. PROGRAM INFORMATION:Business Unit No.: New

Notes

Program Name/Title:

Therapy Chapter - Home Renovation & Improvement

PART 1. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

Thereau Chapter has accepted and approved the Home Renovation by Resolution No. TCN-074-23-039. We intend to follow Navajo Nation Procurement Policy and the Chapter Housing Discretionary Policy. The Navajo Nation Flood Recovery Funds will be utilized for Community Home renovations and improvements.

PART II. PROGRAM PERFORMANCE CRITERIA:

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

- 1. Goal Statement: To improve some substandard housing issues in our community for Community members to have a decent, safe, and sanitary home.**

Program Performance Measure/Objective:

Renovate Community-Registered Chapter members homes

						20	
--	--	--	--	--	--	----	--

- ## 2. Good Statement:

Program Performance Measure/Objective:

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- ### 3. Goal Statement:

Program Performance Measure/Objective:

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- #### 4. Goal Statement:

Program Performance Measure/Objective:

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- ### **E. Goal Statement:**

Program Performance Measure/Objective:

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PART IV. THEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Jaron M. Charley, Department Manager II

Program Manager's Printed Name

09/19/2023

Program Manager's Signature and Date

Calvin Castillo, Executive Director

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

FY 2023

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 3 of 3
BUDGET FORM 4

PART I. PROGRAM INFORMATION:				
Program Name/Title: <u>Thoreau Chapter - Home Renovation & Improvement</u>		Business Unit No.: <u>New</u>		
PART II. DETAILED BUDGET:				
(A)	(B)	(C)	(D)	
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)	
4	6000 REPAIRS & MAINTENANCE	1,095,205.42	1,095,205.42	
6	6020 Supplies: Repair & Maintenance Supplies \$1,095,205.42 Applicants with dire needs that submitted requests early on (73 Applicants) = \$235,818.60 429 Applicants @ \$2,000 = \$859,386.82 For home maintenance and/or repair including but not limited to windows, doors, insulation, flooring, roofing materials, kitchen cabinets/fixtures, bathroom cabinets/showers/fixtures.			
TOTAL		1,095,205.42	1,095,205.42	

**THE NAVAJO NATION
PROJECT BUDGET SCHEDULE**

Page 1 of 1
PROJECT FORM

PART I. Business Unit No.: <u>New</u> Project Title: <u>Thoreau Chapter - Home Renovation & Improvement</u> Project Description: <u>Repair & Maintenance of Chapter Community/Registered Member Homes</u> Check one box: ☒ Original Budget ☐ Budget Revision ☐ Budget Reallocation ☒ Budget Modification															PART II. Project Information Project Type: <u>Home Renovations/Improvements</u> Planned Start Date: <u>12/1/2023</u> Planned End Date: <u>9/1/2026</u> Project Manager: <u>DCD</u>																
PART III. List Project Task separately; such as Plan, Design, Construct, Equip or Furnish.		PART IV. Use Fiscal Year (FY) Quarters to complete the information below. O = Oct.; N = Nov.; D = Dec., etc.																								Expected Completion Date if project exceeds 8 FY Qtrs. Date: <u>09/01/2026</u>					
		FY 2023												FY 2024																	
		1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			1st Qtr.			2nd Qtr.			3rd Qtr.			4th Qtr.			Date: 09/01/2026					
		O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M	A	M	J	Jul	A	S	O	N	D	J	F	M
Application Process																															
Home Assessments																															
Identify SOW & Materials																															
Procure Materials																															
Hire Personnel																															
2-Construction Supervisor																															
6-Laborers																															
Repairs & Maintenance																															
Close Out Assessment (Inspection)																															
PART V.		\$		\$			\$			\$			\$			\$			\$			\$			PROJECT TOTAL						
Expected Quarterly Expenditures							0.00			0.00			50,000.00			50,000.00			50,000.00			945,205.42			\$1,095,205.42						

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

TC Domestic Voilence Shelter		7/24/2023	
Project budget			
	area	unit cost	total
Site and Land Cost			
sitework area	102,813	\$7.00	719,691.00
Existing Building demolition	11,000.00	\$10.00	110,000.00
abatement allowance	11000	\$15.00	165,000.00
Construction Contracts			
Wood Frame building area	8,200	\$350.00	2,870,000.00
Subtotal Site and building cost			3,864,691.00
Remote location factor		12.00%	463,762.92
Regional labor shortage factor		5.00%	193,234.55
Construction contingency		10.00%	386,469.10
Subtotal site and construction with regional factors			4,908,157.57
Consultant Fees			
A/E design fees	arch, MEP &struct		309,175.28
entitlements	estimate		0.00
Civil engineering fees	estimate		35,000.00
landscape architect	in AE fee		
reimbursable expenses	estimate	0.10%	4,908.16
Taxes on consult fees		0.00%	0.00
subtotal of AE fees and taxes on fees			349,083.44
Fees, Taxes and permits			
zoning / building permits	allowance		\$0.00
impact fees	allowance		\$0.00
utility cap fees	allowance		\$0.00
Geotech and material testing	allowance		\$40,000.00
Taxes on construction	5.00%		\$176,349.87
subtotal fees,taxes and permits			216,349.87
subtotal construction and fees			5,473,590.88
Equipment and Furniture			
Group I -major	percentage of const.	0.00%	0.00
Group II - major moveable	percentage of const.	0.00%	0.00
Group III - minor moveable	percentage of const.	2.00%	77,293.82
Group V - furnishings	percentage of const.	4.00%	154,587.64
other	percentage of const.	2.00%	77,293.82
subtotal equipment			309,175.28
Financing Cost			
cost of construction financing	0.00		
Other Costs			
moving costs	allowance	\$0.00	
reproduction costs	allowance	\$10,000.00	
subtotal other costs			10,000.00
subtotal project costs before project contingency			6,009,116.03
Project contingency			
overall project contingency		5.00%	300,455.80
Project escalation costs			
number of years		escalation rate	
escalate project cost at 8% annually	0.00	8.00%	0.00
Total project Cost			6,309,571.84

THOREAU CHAPTER HOUSING DISCRETIONARY POLICY

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THOREAU CHAPTER HOUSING DISCRETIONARY POLICY & PROCEDURES

I. PURPOSE:

The purpose of Housing Discretionary Policy and Procedures is to provide guidance in administering the Housing Discretionary Funds.

II. AUTHORITY:

Pursuant to 26 N.N.C. Section 101 (A), the Thoreau Chapter has formulated, implemented and currently operates by the Five Management System (FMS) to ensure accountability and has developed policies and procedures for the Housing Discretionary.

Pursuant to Chapter Resolution No. TCH-074-22-074, Thoreau Chapter Housing Discretionary Policy and Procedures is hereby approved and adopted.

III. APPLICABLE LAWS:

The Governing Body of Thoreau Chapter shall comply with all applicable State, Federal and Navajo Nation Laws.

IV. POLICY:

A. The applicants are to provide the following documents to determine eligibility:

1. Completed and signed Housing Discretionary Application.
2. Voter registration verification (The applicant must be registered with Thoreau Chapter for six months or more).
3. Social Security Card.
4. Certificate of Indian Blood
5. Government issued Driver's License or Identification Card
6. Complete, Approved, and Signed Home Site Lease, Residential Lease, Deed, Title, or Home Buyer's Contract to home in the applicant's name or if the applicant resides in or on the area of the owner, the owner may write a letter stating the applicant has permission to live there and home repairs/maintenance is needed.
7. Navajo Housing Authority Homebuyers/Homeowners shall submit a verification of home status from NHA. Home rentals, apartment rentals are not eligible.
8. Detailed map to residence
9. Three (3) price quotes from three different vendors are required. All price quotations must list the same items and the lowest quotation will be selected unless specified by the applicant with justifiable reasons.

10. If the quotation exceeds the assistance amount, the difference will be paid by the applicant.
11. For Survey or Archaeological Clearance Assistance, three quotes are required from three different sources.
- B. All applications and related documents will be verified prior to approval or denial in awarding assistance.
- C. If approved, a home assessment for home repairs/maintenance will be required. Assessments will be conducted by the Chapter Administration and/or Chapter Officials, including the Community Health Worker, (formerly CHR) for medical/health reasons as needed.
- D. Pictures will be taken when the project begins and after the project is completed.
- E. Applicants are eligible for Housing Discretionary Assistance once every two years.
- F. An applicant shall receive one of the following types of assistance per eligible period.
- Minor Home Repairs or Maintenance
 - Land Survey and/or Archaeological Clearance
 - Septic Tank Cleaning service.
- G. All applicants must attend ONE Regular Chapter Meeting every quarter. Attendance will be verified through meeting "sign-in" sheets however, this will not apply during emergency/pandemic declarations.
There are 4-Quarters in the Navajo Nation Fiscal_calendar year:
- 1st. Quarter >>> OCT/NOV/DEC
 - 2nd. Quarter >>> JAN/FEB/MAR
 - 3rd. Quarter >>> APR/MAY/JUN
 - 4th. Quarter >>> JUL/AUG/SEP
- H. The Original Receipt for goods and/or services shall be returned to the Chapter within 30 days from date of purchase or payment. If we have to notify you two times for receipt, you will not be eligible for assistance for four years. If the fiscal year in which you were awarded closes without your receipt, you are expected to pay back the Chapter in the assisted amount or forfeit future Housing Discretionary assistance.
- I. If you do not pick up your items, use the check within ninety (90) days, the check will be voided, and it will not be replaced. You will have to reapply to get assisted.

- I. If you do not pick up your items, use the check within ninety (90) days, the check will be voided, and it will not be replaced. You will have to reapply to get assisted.
- J. If applicant misuses/abuses the financial assistance they will be ineligible for three (3) years or indefinitely depending on the circumstances.
- K. All services, repair and maintenance shall be completed within sixty (60) Calendar days from purchase date.
- L. Minor home repairs and maintenance does not include new foundations or new additions, however if the foundation exists and the exterior walls and roof are 30% complete, assistance may be feasible. An assessment will have to be completed by the Chapter Administration.
- M. All Housing Discretionary financial assistance is contingent upon availability of funds.
- N. Distribution of Housing Discretionary Assistance application will cease on the 1st. of August and all pending applications must be complete and processed by August 15 due to the Navajo Nation/Chapter Fiscal year end and closeout.

V. CATEGORIES OF ASSISTANCE

Categories of assistance and ceiling limits:

- Home Site/Residential Lease Survey \$ 300.00
- Archaeological Clearance \$ 300.00
- Minor Home Repairs and Maintenance \$ 600.00
- Septic Tank Cleaning \$ 300.00

VI. ADMINISTRATIVE DUTIES AND RESPONSIBILITIES

- A. The Chapter Administration shall make applications readily available to community members upon request along with the policies and procedures.
- B. The Chapter Administration shall keep a running log of all applications that are issued and received.
- C. The Chapter Administration shall contact the applicant in writing whether their application was approved or denied with justification.

VII. PROCEDURES

- A. The applicant will submit a completed Chapter Housing Discretionary application with all required supporting documents. It will be stamped with the date and time of receipt.

- B. If the application is incomplete or missing documents, it is returned to the applicant to correct discrepancies and resubmit.
- C. The completed application is reviewed and verified by the Accounts Maintenance Specialist, then forwarded to the Community Service Coordinator (CSC).
- D. The CSC will evaluate for approval or denial.
- E. If the number of applicants exceed the available funds, these factors or basis in identifying those with the greatest needs must be considered.
The following criteria will be the determining factors for assistance:
 - a. Referral from IHS or Community Health Worker.
 - b. Overcrowded conditions.
 - c. Unsanitary or unsafe conditions
 - d. High risk health condition(s), elderly, handicapped, or disabled.
 - e. Natural disaster
- F. Based on the assessment and materials listed on the quotes, the CSC will approve the financial assistance. If the materials differ from the assessment, the applicant is required to submit three brand new quotes.
- G. The AMS will process an FAF (Funds Approval Form) with all supporting documents for approval by the CSC and Chapter Official.
- H. The CSC will return the FAF with all documents to the AMS for check issuance.
- I. The Chapter Administration will contact the applicant to pick up the check.

VIII. AMENDMENTS

The Housing Discretionary Funds Policy and Procedures may be amended by the Thoreau Chapter Administration/Membership as deemed necessary. Otherwise, the duration of this Policy shall be effective throughout the Fiscal Year in which it is approved. It will coincide with the Chapter Five Management System (FMS), Chapter Operating Budget cycle and Navajo Nation Laws.

All proposed amendments shall be presented at a Chapter Meeting for discussion and approval by Resolution.

This Policy and Procedures will supersede all previous Policy and Procedures.