

TRAINING PACKET FOR NON-CERTIFIED CHAPTERS

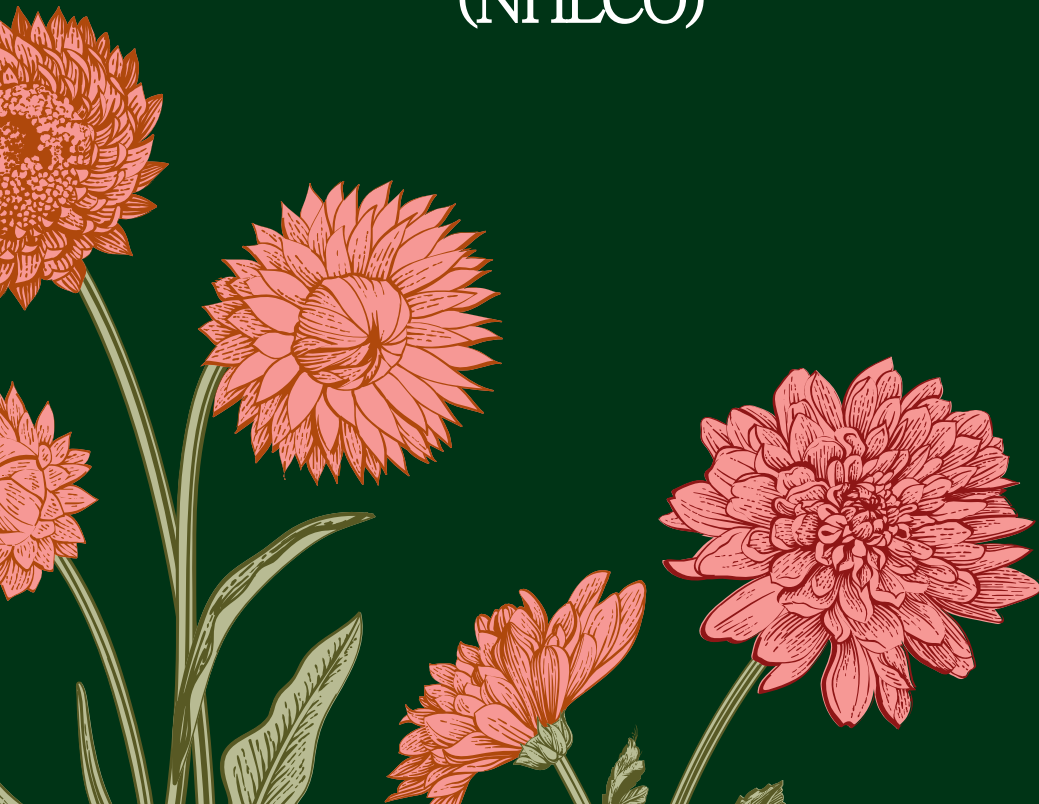
Implementing ESCROW-Funded Projects in the Former
Bennett Freeze Area (FBFA)

In Partnership with the Navajo Hopi Land Commission Office
(NHLCO)

NHLCO March 2026

Prepared for the FBFA Chapters non-certified

Forging connections and growing our community





Agenda

- Purpose of This Training Packet
- This packet helps non-certified chapters understand:
- How ESCROW funds work
- What the IGA does
- Roles of the Chapter and NHLCO
- How procurement works
- How to monitor projects
- How to certify invoices
- What to expect from start to finish



About us



NHLCO & the Escrow Funds: A Short Community Story

For decades, families living in the Navajo Partitioned Lands (NPL), Hopi Partitioned Lands (HPL), the Former Bennett Freeze Area (FBFA), and the New Lands have carried the impacts of relocation, land disputes, and federal restrictions. These decisions limited home repairs, community development, and families' ability to live freely on their homelands.

The Navajo Hopi Land Commission Office (NHLCO) was created to support these communities. NHLCO listens to families, works with chapters, and makes sure the federal government follows through on its promises. Our goal is simple: protect our people and help communities move forward.

One important resource is the **Escrow Funds**—money set aside many years ago to help Navajo families and chapters affected by relocation and land restrictions. These funds were meant to support home repairs, community projects, and basic needs. But for a long time, the process was confusing, slow, and difficult to access.

NHLCO stepped in to change that.

We began meeting with chapters, elders, and grazing permit holders to explain the process in plain language. We pushed federal agencies for answers. We helped non-certified chapters find a path forward. And we made sure families understood what the funds could be used for and how to apply.

Today, the Escrow Funds are finally moving toward their true purpose:

helping communities rebuild, restore stability, and support families affected by federal actions.

NHLCO continues to guide chapters, provide outreach, and ensure no family is left behind. This work is about healing, restoring trust, and strengthening our connection to the land. It is a reminder that our people are resilient and that together, we can build a stronger future for the next generation.



Background: Why ESCROW Funds Exist

For 43 years, the Former Bennett Freeze Area was under federal restrictions that prevented:

- Home repairs
- Infrastructure development
- Economic growth
- Housing construction

ESCROW funds were created to:

- Support community—identify home repairs in the FBFA
- Address long-term impacts of the Freeze
- Improve living conditions for families
- Restore basic infrastructure and services

NHLCO is designated as the fund manager under the ESCROW Policy Plan.

Combining functionality and user-friendliness, we empower users to streamline operations and boost efficiency

Why Non-Certified Chapters Need an IGA

Non-certified chapters cannot:

- Enter contracts
- Manage procurement
- Disburse funds
- Administer federal or Navajo Nation accounts

The Intra-Governmental Agreement (IGA)

allows:

- NHLCO to manage procurement and contracting
- The Chapter to participate in planning and oversight
- ESCROW funds to be used safely and legally
- Projects to move forward without audit risk
- The IGA is required before any procurement begins.



Roles and Responsibilities



A. Chapter Responsibilities

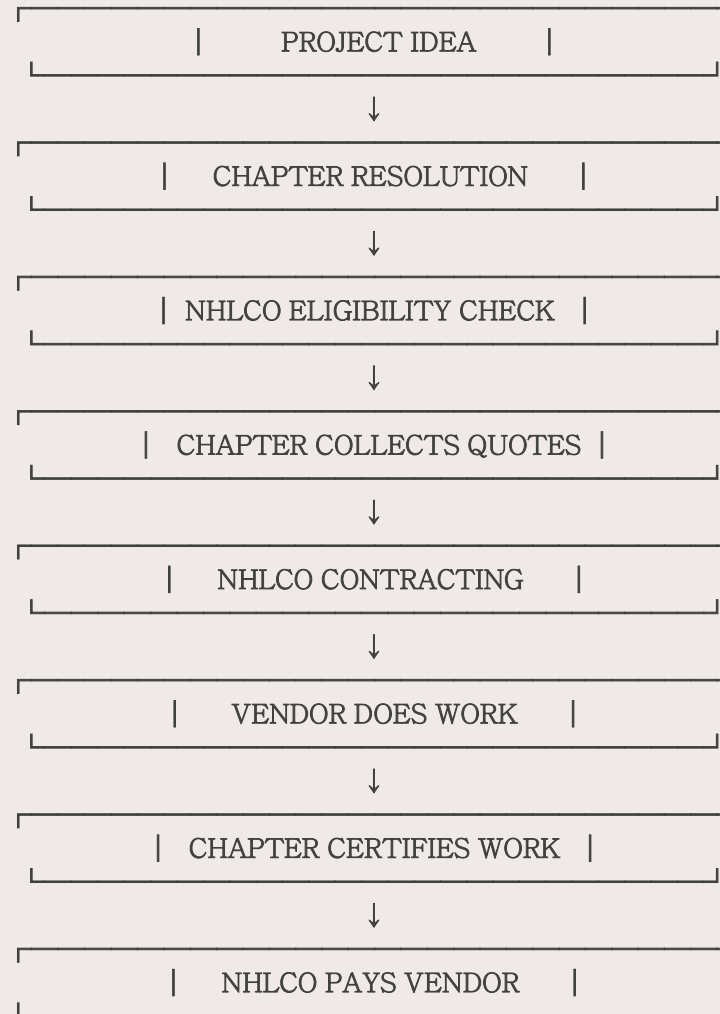
- Identify and prioritize projects
- Approve projects by Chapter Resolution
- Assist with collecting quotes
- Monitor vendor work
- Certify invoices after verifying work
- Report progress to the community

B. NHLCO Responsibilities

- Verify project eligibility
- Manage procurement and contracting
- Complete 164(B) review
- Maintain ESCROW accounts
- Pay vendors directly
- Provide technical assistance
- Provide financial and project report



The ESCROW Procurement Process (Simple Version)



Step-by-Step Training Guide

Step 1 — Project Identification

Chapters gather community input through:

- Chapter meetings
- Planning sessions
- FBFA community outreach
- Elder and family requests

Projects must be located in the FBFA and meet ESCROW Policy Plan criteria.

Step 2 — Chapter Resolution

The Chapter passes a resolution that:

- Approves the project
- Requests NHLCO support
- Authorizes entering the IGA (if not already signed)

This step ensures transparency and community consent.



Step-by-Step Training Guide

Step 3 — NHLCO Eligibility Review

NHLCO checks:

- ESCROW Policy Plan compliance
- Project scope and budget
- Environmental or regulatory requirements
- Duplication of funding

Only eligible projects move forward.

Step 4 — Chapter Collects Quotes

The Chapter helps gather:

- Three quotes
- Proposals
- Bids

Chapters do not sign contracts or commit funds.

Step-by-Step Training Guide

Step 5 — NHLCO Contracting

NHLCO:

- Drafts the contract
- Ensures procurement compliance
- Submits for 164(B) review
- Finalizes vendor agreements

This protects the Chapter from audit findings

Step 6 — Vendor Performs Work

The Chapter monitors:

- Timeliness
- Quality
- Safety
- Community impact

Chapters should document progress with photos and notes.



What Is the Navajo Nation 164(B) Review?

What Is the 164(B) Review?

- The **164(B) Review** is the Navajo Nation's official approval process for agreements, contracts, and funding documents. It ensures that every agreement is **legal, safe, and in the best interest of the Navajo people** before it is signed.

Why Does It Matter?

- The 164(B) process protects our communities by making sure:
- Agreements follow Navajo Nation laws
- Funds are used correctly and responsibly
- The Nation is not put at financial or legal risk
- All required offices review and approve the document
- This process helps safeguard community projects, chapter funds, and long-term development.

How the 164(B) Review Works

1. Program Prepares the Agreement

- A Navajo Nation program receives funding or enters into an agreement that requires approval.

2. A 164(B) Package Is Created

- This includes the award letter, budget, scope of work, and draft agreement.

3. Navajo Nation Offices Review the Package

- Departments such as:
- Department of Justice (DOJ)
- Office of the Controller (OOC)
- Division leadership
- Each office checks for accuracy and compliance.

4. Final Approval by the Navajo Nation President

- The President signs only after all reviewers agree the document is ready.

5. Agreement Becomes Official

- Once approved, the Nation can begin the project or accept the funding.



What Is the Navajo Nation 164(B) Review continued

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When Is 164(B) Required?

- Agreements with federal, state, private, or tribal partners
- Any document involving funding or legal obligations
- Contracts that bind the Navajo Nation

When Is 164(B) *Not* Required?

- Under 2 N.N.C. §110(O), agreements **between Navajo Nation programs or chapters do not need 164(B) approval.**

Why It's Important for Our Communities

- The 164(B) process:
- Protects community resources
- Ensures fairness and transparency
- Prevents misuse of funds
- Supports strong, accountable governance
- It may take time, but it ensures that every agreement truly benefits the Navajo people.

Navajo Hopi Land Commission Office (NHLCO)

- Working to protect families, support chapters, and strengthen our Nation through clear processes and community education.

Step-by-Step Training Guide

Step 7 — Chapter Certifies Work

Before payment:

- Chapter verifies work is complete
- Confirms accuracy of the invoice
- Signs certification
- Sends to NHLCO

This step ensures accountability.

Step 8 — NHLCO Pays Vendor

NHLCO:

- Processes payment
- Pays vendor directly
- Updates financial records
- Reports to the Chapter

ESCROW funds never pass through the Chapter.



Common Questions (FAQ)

Q: Can the Chapter pay the vendor directly?

No. ESCROW funds remain in NHLCO accounts.

Q: Can the Chapter choose any vendor?

Vendors must meet Navajo Nation Procurement Act requirements.

Q: Can the Chapter modify the project after approval?

Yes, but changes must be approved by NHLCO and may require an amendment.

Q: What if the vendor does poor work?

The Chapter should notify NHLCO immediately. NHLCO enforces contract requirements.



Tools for Chapters

The following was generated:

- DRAFT – INTRA-GOVERNMENTAL AGREEMENT
- Eligibility criteria
- Escrow Project ranking priority sheet
- FBFA home repair application form
- NHLCO Home Repair Assistant Standard Operating Procedure (SOP)



Closing Message for Chapters

This process is designed to:

- Protect your Chapter
- Ensure compliance
- Deliver real improvements to families
- Restore dignity and opportunity in the FBFA

NHLCO and the Chapters are partners — each with a role in ensuring projects are completed safely, legally, and in the best interests of the community.

Thank you

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