



23rd Navajo Nation Council

MEMORANDUM

To : Manuel Rico, Senior Programs and Projects Specialist
OFFICE OF LEGISLATIVE SERVICES

From : 15711
Tom Platero, Executive Director
OFFICE OF LEGISLATIVE SERVICES

Date : January 9, 2019

Subject : ***23rd Navajo Nation Council Expired Legislation***

Pursuant to 2 N.N.C. § 164 (A) (1), "The last day for consideration of resolutions shall be December 31st of the year immediately preceding the swearing in of the new Council", the following legislation need to be closed out and labeled as "expired":

NAVAJO NATION COUNCIL:

0399-17	0424-17	0098-18	0136-18
0183-18	0224-18	0328-18	0344-18
0356-18	0358-18	0367-18	0373-18
0385-18	0393-18	0404-18	0416-18
0422-18			

NAABIK'YATI' COMMITTEE:

0224-15	0361-16	0341-18	0406-18
0418-18	0427-18		

BUDGET AND FINANCE COMMITTEE:

0021-17	0392-17	0099-18	0261-18
0287-18	0398-18	0435-18	0436-18

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE:

0414-18	0419-18	0451-18
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LAW AND ORDER COMMITTEE:

0114-17	0031-18	0217-18	0307-18
0353-18	0360-18	0364-18	0437-18

RESOURCES AND DEVELOPMENT COMMITTEE:

0402-15	0104-16	0121-16	0183-16
0282-16	0296-16	0370-16	0384-16
0135-17	0176-17	0386-17	0400-17
0076-18	0395-18	0415-18	0443-18

Legislation need to be closed out as soon as possible. If you have any questions, please let me know.

CONCURRENCE:



Honorable LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

COPIES: Pete K. Atcitty, Chief of Staff, Office of the Speaker
Ed McCool, Acting Chief Legislative Counsel, Office of Legislative Counsel
Files

LEGISLATIVE SUMMARY SHEET
Tracking No. 0098-18

DATE: March 15, 2018

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF SIXTY THREE THOUSAND THREE HUNDRED SEVENTEE DOLLARS (\$63,317) FOR DINÉ COLLEGE, BUSINESS UNIT #NEW

PURPOSE: This legislation approves supplemental funding from the UUFB to Diné College to support a Community College Coordinator position for the purpose of determining the feasibility and success of a college in the Pinon region.

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.

5-DAY BILL HOLD PERIOD: CBH
Website Posting Time/Date: 5:00pm 3/20/18
Posting End Date: 3/25/18
Eligible for Action: 3/26/18

Health, Education & Human Services Committee

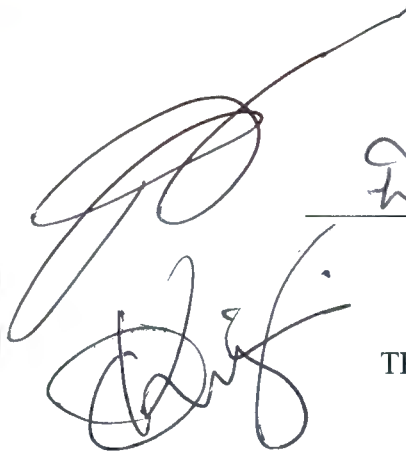
THENCE

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL – Fourth Year, 2018 **Budget & Finance Committee**

INTRODUCED BY

THENCE



Dwight Wetherington

Naa'bi'k'íyáti' Committee

(Prime Sponsor)

THENCE

TRACKING NO. 0098-18

Navajo Nation Council

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND
FINANCE, NAA'BIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; APPROVING
SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED
FUND BALANCE IN THE AMOUNT OF SIXTY THREE THOUSAND THREE
HUNDRED SEVENTEE DOLLARS (\$63,317) FOR DINÉ COLLEGE, BUSINESS
UNIT #NEW

Section One. Authority

- A. The Navajo Nation established the Health, Education and Human Services Committee as a Navajo Nation Council standing committee and as such gave the Committee oversight of the Navajo Nation Board of Education, colleges, and universities within the Navajo Nation. 2 N.N.C. §§ 400(A), 401(C)(3).
- B. The Navajo Nation established the Budget and Finance Committee (BFC) as a Navajo Nation Council standing committee and as such empowered BFC to review and recommend to the Navajo Nation Council the budgeting and management of all funds. 2 N.N.C. §§ 300 (A), 301 (B)(2).
- C. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final

1 action by the Navajo Nation Council shall be assigned to the Naabik'íyáti'
2 Committee. 2 N.N.C. §§ 164 (A)(9), 700 (A).

3 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §
4 102 (A).

5 E. The Title 12 Appropriations Act Supplemental Appropriation requirements include:

- 6 1. When the Controller identifies additional sources of revenues above and
7 beyond the initial or current revenue projections, supplemental
8 appropriations may be allocated by the Navajo Nation Council. 12 N.N.C. §
9 820(L).
- 10 2. Supplemental appropriations made from non-recurring revenues shall only be
11 made for non-recurring operations or purposes, as set forth at § 820(F). The
12 Controller of the Navajo Nation shall be responsible for designating recurring
13 and non-recurring revenues. 12 N.N.C. § 820(L).
- 14 3. All requests for annual operating funds and supplemental funds shall be
15 submitted to the Office of Management and Budget ("OMB") for budget impact
16 analysis. 12 N.N.C. § 820(M).

17 18 **Section Two. Findings**

19 A. Diné College was created for the purpose of providing educational opportunities
20 to the Navajo People and others in areas important to the economic and social
21 development of the Navajo Nation through college degree programs, technical
22 skills programs, and Navajo and Native American Studies Program. *See* 10
23 N.N.C. § 2002(A).

24 B. Diné College provides services to the Navajo communities by assessing and
25 identifying community needs, developing programs and working with other
26 agencies to meet community educational needs, and provides other services to
27 the communities related to the educational process. *See* 10 N.N.C. § 2002(B).

28 C. The Pinon Community College Project will determine the feasibility and success
29 of establishing a college in the Dzilyijiin Region and is in need of project
30 funding of \$63,317 to support a Community College Coordinator position to

1 focus on working with students to develop programs and courses based on
2 community needs, secure funding to support student educational costs, craft
3 general and marketable strategies to attract students, and promote the proposed
4 college.

5 D. The supplemental funding request forms are attached as **Exhibit A**.

6 E. The Office of Management and Budget provided a budget impact analysis pursuant
7 to 12 N.N.C. § 820(M). The memorandum is attached as **Exhibit B**.

8 F. The Office of the Controller has provided a memorandum dated February 14, 2018
9 indicating the balance in the Unreserved, Undesignated Fund Balance as of February
10 14, 2018 is \$27,717,798. This memorandum is provided to meet the requirements of
11 12 N.N.C. 820 (L), however the Controller of the Navajo Nation has not designated
12 the funds at recurring or non-recurring. This memorandum is attached as **Exhibit C**.

13 G. The Navajo Nation finds it in the best interest of the Dzilyijiin Region and
14 community residents in need of educational opportunities to approve this
15 supplemental appropriation request.
16

17 **Section Three. Approving the Supplemental Appropriation from the Unreserved,**
18 **Undesignated Fund Balance in the Amount of \$63,317 for Diné College**

19 A. The Navajo Nation hereby approves the supplemental appropriation from the
20 Unreserved, Undesignated Fund Balance to Diné College, Business Unit #NEW
21 for \$63,317 to support a Community College Coordinator for the Pinon
22 Community College Project.

23 B. This supplemental appropriation of \$63,317 shall be from that amount of funds
24 that exceeds the minimum fund balance of the Unreserved, Undesignated Fund
25 Balance as determined by the Office of the Controller and to Diné College,
26 Business Unit #NEW.
27

28 **Section Four. Effective Date**

29 The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B).
30

**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

EXHIBIT

tabbles

A

PART I. Business Unit No.: New Program Title: Navajo Nation Dine' College
Division/Branch: Executive Branch Amount Requested: \$63,317.00 Phone No.: 928/871-6382
Prepared By: D. Witherspoon, NNC/bholgate Email Address: dwitherspoon@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Community College Coordinator (VISTA) when hired will work to provide capacity to the Community College Project, which is a local community-driven project initiated to help address local employment, education and resource concerns and issues of the Dziłíjín Region (Pinon, Black Mesa). The Coordinator (VISTA) will help promote the proposed college or university to potential students. The Coordinator will help craft general, marketable strategies to attract new and a wide range of students to the school from high schools or college fair. The Coordinator (VISTA) will work with students to develop programs and courses based on community need and work to secure funding necessary to support educational costs.

PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

Continue to seek support from the NN President/Vice President and NNC, and other governmental entity.

PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:

1. Chapter to seek Undesignated Unreserved Fund Balance (UUFB) for Project \$63,317.

**PART V. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE
APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.**


Carl Smith, Executive Director

1-10-18


Clara Pratte, Chief of Staff

REVIEWED BY: Division Director's Signature / Date

RECOMMEND APPROVAL: Branch Chief's Signature / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2018

PART I. Business Unit No.: <u> </u>		Program Title: <u> </u>		Navajo Nation Dine College		Division/Branch: <u> </u>		Executive Branch	
Prepared By: <u>bholgate for D. Witherspoon</u>		Phone No.: <u>928/871-7172</u>		Email Address: <u>bholgate@nndcd.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 (Column B - A)
NN General Funds UUF		10/01/2017-09/30/2018	63,317	100%							
					2001	Personnel Expenses					0
					3000	Travel Expenses					0
					3500	Meeting Expenses					0
					4000	Supplies					0
					5000	Lease and Rental					0
					5500	Communications and Utilities					0
					6000	Repairs and Maintenance					0
					6500	Contractual Services					0
					7000	Special Transactions					0
					8000	Public Assistance	1		63,317		63,317
					9000	Capital Outlay					0
					9500	Matching Funds					0
					9500	Indirect Cost					0
					TOTAL			\$0.00	63,317		63,317

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

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

Submitted By: Carl Smith, Executive Director
Carl Smith 1-10-15
 SUBMITTED BY: Program Manager's Signature and Date

Submitted By: Clara Pratte, Chief of Staff
Clara Pratte 1-10-15
 SUBMITTED BY: Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2018

PART I. PROGRAM INFORMATION:											
Business Unit No.:	New	Program Name/Title:	Navajo Nation Dine College								
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:		CAP-35-97: To provide educational opportunities to the Navajo people and others in areas important to the economic and social development of the Navajo Nation.									
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Program Performance Area: The Coordinator will facilitate/collect community planning initiatives through identifying and creating local employment, education, and resources concern opportunities.		1st QTR		2nd QTR		3rd QTR		4th QTR			
		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Goal Statement:											
To complete task by the end of 4th quarter.											
2. Program Performance Area:											
Goal Statement:											
3. Program Performance Area:											
Goal Statement:											
4. Program Performance Area:											
Goal Statement:											
5. Program Performance Area:											
Goal Statement:											
PART IV. I THEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Carl Smith, Executive Director <i>Carl Smith</i> Program Manager's Signature and Date 1-10-18						Clara Pratte, Chief of Staff <i>Clara Pratte</i> Division Director/Branch Chief's Signature and Date					

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Navajo Nation Dine College	Business Unit No.: New
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
8780	8000 ASSISTANCE Entities 8785 Entity Grants Funding will assist Dine College to create a position and personnel will focus/research if it is feasible and successful in establishing a college in Dziłyíjin Region (Pinon, AZ).	63,317	63,317
TOTAL		63,317	63,317



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO : Executive Order 164 Process Reviewers

FROM : Lisa Jymm
Lisa Jymm, Principal Budget Analyst
Office of Management & Budget
Ancita Largo
Ancita Largo, Senior Management Analyst
Office of Management & Budget

DATE : November 15, 2017

SUBJECT : OMB Review of 164 Document #8995: Supplemental request for Pinon Community College Project in the amount of \$54,006 from the UUFB.



R-CEIVED
017 NOV 27 PM 4 54
OFFICE OF SERVICES
F. E. SERVICES
CONTROLLER

The Office of Management and Budget (OMB) has reviewed the above packet and provides the following:

1. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2018 Budget Resolution CS-53-17 (paragraph 'L'), the FY 2018 Budget Instructions Manual (Section XIV), and the Appropriations Act § 800 (A). This activity should be completed by the three branches to determine priorities. In a memorandum dated October 2, 2017, OMB informed the Branch Chiefs and the Navajo Nation Council that there are 30 UUFB (Undesignated, Unreserved Fund Balance) proposals totaling more than \$46 million. Since then, there are more than 45 proposals and the new total amount requested is \$60.6 million. Again, what are the priorities?
2. OMB recommends compliance with the Navajo Nation Appropriations Act regarding Supplemental Appropriations (Section 820, L). This has not been done. Compliance includes:
 - a. Branch Chief's concurrence of the supplemental request (NN President).
 - b. Non-recurring expenses only. Personnel salary is a recurring expense.
3. The documents seems to indicate that this is a supplemental request from the UUFB. The documents attached indicate a different amount. The memo authored by Delegate Witherspoon has an amount of \$63,317 but the budget forms has an amount of \$54,006. It is difficult to determine which one is correct.
4. Division of Community Development (DCD) should provide the available fund balance in the general funds for Pinon Chapter who is currently a LGA certified chapter.

The above finding should be addressed, at this OMB finds this document "insufficient". If you have any questions, please contact our office at 928-871-6230.

CONCURRENCE:

Dominic Begay
Dominic Begay, Executive Director
Office of Management and Budget

xc: OMB File





THE NAVAJO NATION

RUSSELL BEGAYE ~~PRESIDENT~~
JONATHAN NEZ VICE PRESIDENT




Memorandum

Date: February 14, 2018

To: Honorable Russell Begaye, President
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker
Navajo Nation Council

Honorable JoAnn Jayne, Chief Justice
Judicial Branch

From: 
Pearline Kirk, Controller
Office of the Controller

Subject: Controller's Financial Update As of January 31, 2018

I am pleased to present to you the following information related to General Fund financial data up to January 31, 2018.

The General Fund Financial data is as follows:

The gross General Fund Revenues (see **Exhibit "A"**) as of January 31, 2018 is \$99,205,877, and the total set asides total \$33,057,058. The Net Revenue for the General Fund is \$66,148,819, which is 44.45% of the projection.

The total expenditures by branch are shown on **Exhibit "B"**.

- The Legislative Branch has expenditures of \$4,736,197, encumbrances of \$540,894 with a remaining budget of \$11,563,745.
- The Executive Branch expenditures are \$60,501,243 encumbrances are \$5,813,170 with a remaining budget of \$109,189,810.
- The Judicial Branch expenditures are \$3,933,787 with zero encumbrances and remaining budget of \$9,914,134.
- Total General Fund expenditures are \$69,171,228; total encumbrances are \$6,354,064 with an overall remaining budget of \$130,667,690.

The updated UUFB as of February 14, 2018 is \$27,717,798 (see **Exhibit "C"**). There have been two supplemental appropriations during Fiscal Year 2018 in the total amount of \$3,909,557.

If you should have any questions, you can contact me at Tribal extension X6308.



THE NAVAJO NATION
General Fund Revenue Schedule
(Unaudited)

FY 2018

January 31, 2018

GENERAL FUND REVENUE

	Original Budget	Revised Budget	Actual Revenue Received	Revenue to be collected	% Revenue of Total
TNN: ROYAL; GAS; OIL	\$ 25,378,000	\$ 25,378,000	\$ 9,327,940	\$ 16,050,060	36.76
TNN: COAL REVENUES	45,381,000	45,381,000	13,027,475	32,353,525	28.71
TNN:OTR MINERALS REV			14,807	(14,807)	
TNN: LAND REVENUES	62,644,000	62,644,000	44,562,838	18,081,162	71.14
TNN: BUSINESS FEES			24,995	(24,995)	
TNN: INTEREST INCOME	2,500,000	2,500,000	2,247,521	252,479	89.90
TNN: TAX REVENUES	62,965,000	62,965,000	28,568,428	34,396,572	45.37
COURT FINES + FEES	400,000	400,000	136,722	263,278	34.18
TNN: OTHER REVENUES	750,000	750,000	1,142,582	(392,582)	152.34
BIA: ROYAL; GAS; OIL			106,680	(106,680)	
BIA: COAL REVENUES			26	(26)	
BIA:OTR MINERALS REV			-	-	
BIA: LAND REVENUES	\$ 200,018,000	\$ 200,018,000	99,205,877	(1) \$ 100,812,123	49.60
			45,863	(45,863)	
TOTAL REVENUE	\$ 200,018,000	\$ 200,018,000	99,205,877	(1) \$ 100,812,123	49.60
LESS:SET ASIDES					
CAPITAL OUTLAY MATCH	\$ (2,000,000)	\$ (2,000,000)	(2,000,000)	\$ -	100.00
LAND FUND TRANSFER	(4,000,000)	(4,000,000)	(1,984,118)	(2,015,882)	49.60
PERMANENT FUND TRNSF	(24,002,000)	(24,002,000)	(11,904,705)	(12,097,295)	49.60
WATER RIGHTS CLAIM FU	(2,000,000)	(2,000,000)	(2,000,000)	-	100.00
DINE' HIGHER EDUCATIO	(11,200,000)	(11,200,000)	(11,200,000)	-	100.00
VETERANS TRUST FUND S	(8,001,000)	(8,001,000)	(3,968,235)	(4,032,765)	49.60
TOTAL SET ASIDE	\$ (51,203,000)	\$ (51,203,000)	\$ (33,057,058)	(2) \$ (18,145,942)	64.56
SUB TOTAL	\$ 148,815,000	\$ 148,815,000	\$ 66,148,819	(3) \$ 82,666,181	44.45
PERMANENT FUND INCOME TRANSFER					
OTHER REVENUE TRANSFER	\$ 10,881,000	\$ 10,881,000	\$ 10,881,000	(4) \$ -	100.00
ADD: PF FIVE-YEAR CONTINGENCY	2,885,000	2,885,000	2,885,000	(5) -	100.00
TOTAL PFI TRANSFER	\$ 13,766,000	\$ 13,766,000	\$ 13,766,000	\$ -	100.00
NET PFI TRANSFER	\$ 13,766,000	\$ 13,766,000	\$ 13,766,000	\$ -	100.00
GRAND TOTAL	\$ 162,581,000	\$ 162,581,000	\$ 79,914,819	(6) \$ 82,666,181	49.15

- (1) Gross General Fund Revenues
(2) Total Set Asides for General Fund Revenue
(3) Net General Fund Revenue
(4) Permanent Fund Income allocation to General Fund
(5) Permanent Fund Income allocation reserve (CO-54-16)
(6) Grand total General Fund Revenues

Controller's Report-Special Session-February 2018

Prepared by:
General Accounting
2/15/2018

EXHIBIT "A"



FY 2018 EXHIBIT "B"

The Navajo Nation Budget Status_Income Statement As of January 31, 2018

Branch / Object Account	Original Budget	Revised Budget	Actual Expenses	Encumbrances	Budget Available	% Available
LEGISLATIVE BRANCH						
2001 - Personnel Expenses	\$ 10,202,527	11,839,705	3,512,857		\$ 8,326,848	70.33
3000 - Travel Expenses	1,500,400	1,431,847	472,450	39,034	920,363	64.28
3500 - Meeting Expenses	258,642	362,097	117,727	-	244,370	67.49
4000 - Supplies	295,427	450,263	169,613	37,874	242,775	53.92
5000 - Lease & Rental	222,665	226,788	79,109	45,480	102,199	45.06
5500 - Communications & Utilities	144,802	144,850	33,157	-	111,693	77.11
6000 - Repairs & Maintenance	71,281	125,726	66,720	649	58,357	46.42
6500 - Contractual Services	499,854	1,437,403	153,074	271,827	1,012,502	70.44
7000 - Special Transactions	369,412	382,308	130,778	14,087	237,443	62.11
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	217,412	439,849	711	131,943	307,196	69.84
9500 - Matching & Indirect Cost	-	-	-	-	-	-
Total LEGISLATIVE BRANCH	\$ 13,782,222	\$ 16,840,836	\$ 4,736,197 (1a)	\$ 540,894 (1b)	\$ 11,563,745 (1c)	68.66
EXECUTIVE BRANCH						
2001 - Personnel Expenses	80,000,411	83,204,401	23,095,938	-	\$ 60,108,463	72.24
3000 - Travel Expenses	9,602,678	9,472,050	2,935,764	3,580	6,532,706	68.97
3500 - Meeting Expenses	922,101	536,613	47,314	-	489,299	91.18
4000 - Supplies	5,051,048	5,188,141	1,218,528	522,644	3,446,969	66.44
5000 - Lease & Rental	2,905,239	4,431,047	2,115,269	130,093	2,185,684	49.33
5500 - Communications & Utilities	6,405,226	7,138,720	1,712,530	518,303	4,907,887	68.75
6000 - Repairs & Maintenance	4,881,542	6,653,922	1,774,347	1,432,554	3,447,021	51.80
6500 - Contractual Services	5,462,198	9,106,568	584,079	2,951,390	5,571,099	61.18
7000 - Special Transactions	10,247,095	10,282,575	3,790,524	141,339	6,350,713	81.76
8000 - Assistance	32,211,358	33,940,942	21,463,857	72,584	12,404,502	36.55
9000 - Capital Outlay	1,067,855	1,265,866	167,851	40,685	1,057,331	83.63
9300 - Other Income and Expense	-	-	-	-	-	-
9500 - Matching & Indirect Cost	4,283,378	4,283,378	1,595,243	-	2,688,135	62.76
Total EXECUTIVE BRANCH	\$ 163,040,129	\$ 175,504,224	\$ 60,501,243 (2a)	\$ 5,813,170 (2b)	\$ 108,189,810 (2c)	62.21
JUDICIAL BRANCH						
2001 - Personnel Expenses	\$ 12,487,393	12,492,946	3,681,025		\$ 8,811,921	70.54
3000 - Travel Expenses	367,211	438,932	64,362	-	374,570	85.34
3500 - Meeting Expenses	27,250	45,250	1,410	-	43,840	96.88
4000 - Supplies	226,217	297,219	43,215	-	254,004	85.46
5000 - Lease & Rental	9,805	14,592	9,819	-	4,773	32.71
5500 - Communications & Utilities	98,802	108,030	20,025	-	88,005	81.46
6000 - Repairs & Maintenance	50,211	183,801	44,067	-	139,734	76.02
6500 - Contractual Services	5,050	11,550	3,592	-	7,958	68.90
7000 - Special Transactions	161,958	255,603	66,272	-	189,330	74.07
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	-	-	-	-	-	-
9300 - Other Income and Expense	-	-	-	-	-	-
Total JUDICIAL BRANCH	13,433,897	13,847,922	3,933,787 (3a)	\$ - (3b)	\$ 9,914,134 (3c)	71.59
GRAND TOTAL:	\$ 190,256,248	\$ 206,192,982	\$ 69,171,228 (4a)	\$ 6,354,064 (4b)	\$ 130,667,690 (4c)	63.37

Footnotes:

Legislative Branch

- (1a) Legislative Expenses
- (1b) Legislative Encumbrances
- (1c) Legislative Budget Available

Executive Branch

- (2a) Executive Expenses
- (2b) Executive Encumbrances
- (2c) Executive Budget Available

Judicial Branch

- (3a) Judicial Expenses
- (3b) Judicial Encumbrances
- (3c) Judicial Budget Available

Total General Fund

- (4a) General Fund Expenses
- (4b) General Fund Encumbrances
- (4c) General Fund Budget Available

Prepared By:
General Accounting
2/15/2018

FY 2018
EXHIBIT "C"



Undesignated, Unreserved, Fund Balance (UUFB)
February 14, 2018

09-30-17 UUFB balance <u>(Un-Audited)</u>		31,627,355
Less Supplementals:		
CD-72-17 Grazing, Farm Board, Land Board	2,452,257	
CD-73-17- UNM Housing	1,457,300	
Total Supplementals		<u>3,909,557</u>
UUFB -unaudited 02/14/18		<u><u>27,717,798</u></u>




THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

Memorandum:

To: 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government

From: 
Robert Willie, Accounting Manager
Office of the Controller

Date: November 30, 2017

Subject: 164 Review-008995-UUFB-Supplemental Request for Pinon Community
College Project in the amount of \$54,006 from UUFB.

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

1. The balance of the UUFB is \$31,258,217 as of October 8, 2017, this supplemental request is for \$63,317.
2. The proposed supplemental request is to fund a Community College Coordinator position which it appears will be under the Division Community Development program. These would be considered recurring expenses.

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

EXHIBIT "C"

Memo Dated Sept. 8, 2017

Financial Update

**Undesignated, Unreserved, Fund Balance (UUFB)
September 8, 2017**

09-30-16 UUFB balance <u>(Audited)</u> CJY-15-17		26,763,946
Less Supplementals:		
CO-55-16 Election	510,616	
CN-58-16-Budget	3,848,764	
CJA-05-17 Bennett Freeze	254,656	
CAP-22-17-Dine Bii Association	239,200	
CJN-34-17 Summer Youth Employment	2,161,748	
CJY-37-17- Transportation Stimulus Election	218,943	7,233,927
Total UUFB less Supplementals		19,530,019
Add:		
CJY-50-17 Deposit into UUFB.		11,728,198
UUFB 09-08-17		31,258,217

Prepared by: General Accounting

10/13/2017

4:37 PM

Document No. 008995Date Issued: 10/19/2017**SECTION 164 REVIEW FORM**OCT 2017
DIVISION OF
COMMUNITY DEVELOPMENTTitle of Document: Pinon Community - Community College Proj Contact Name: WITHERSPOON, DWIGHTProgram/Division: DIV. OF COMMUNITY DEVELOPMENTEmail: dwitherspoon@navajo-nsn.gov Phone Number: 928/871-7166Division Director Approval for 164A: *Johnny Johnson*

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

<input type="checkbox"/>	Statement of Policy or Positive Law:		Sufficient	Insufficient
	1. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
	1. OMB: <u><i>Byrd - See Memo</i></u>	Date: <u>11-16-17</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	2. OOC: <u><i>River</i></u>	Date: <u>11-30-17</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	3. OAG: <u><i>UPJ</i></u>	Date: <u>12/19/17</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input type="checkbox"/>	Grant/Funding Agreement or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM

RECEIVED
DEC - 4 2017
DEPARTMENT OF JUSTICE
RECEPTIONIST DESK

DOJ
12/04/17 1243, pm
DATE / TIME
<input checked="" type="checkbox"/> 7 Day Deadline
DOC #: 008995
SAS #:
UNIT: ECDW

☐ RESUBMITTAL

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

CLIENT TO COMPLETE

DATE OF REQUEST:	12/4/2017	DIVISION:	Community Development
CONTACT NAME:	Dwight Witherspoon	DEPARTMENT:	Administration
PHONE NUMBER:	928/871-7166	E-MAIL:	dwitherspoon@navajo-nsn.gov

TITLE OF DOCUMENT: Doc. No. 008995 - UUFB Pinon Community - Community College Project

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 12/04/17 @ 1:52, REVIEWING ATTORNEY/ADVOCATE: LaTonia Johnson

DATE TIME OUT OF UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

Insufficient. See memo

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
LBJ	12/19/17 349 pm	LBJ	12/19/17 349 pm

DOJ Secretary Called: for Document Pick Up on at By:

PICKED UP BY: (Print) DATE / TIME:

NNDOJ/DRRF-July 2013





NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

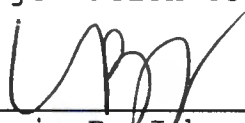
ETHEL B. BRANCH
ATTORNEY GENERAL

RODGERICK T. BEGAY
DEPUTY ATTORNEY GENERAL

M E M O R A N D U M

TO: Dwight Witherspoon, Council Delegate
Navajo Nation Council

FROM:


LaTonia B. Johnson, Assistant Attorney General
Economic/Community Development Unit, Dept. Of Justice

DATE: December 19, 2017

SUBJECT: Doc No. 8995: Supplemental Request for the Pinon
Community College Project

The Navajo Nation Department of Justice (DOJ) has reviewed the above-mentioned document and deems the document to be "insufficient." As you know, all supplement requests must be made consistent with the Budget Instruction Manual (BIM) Section XI(E), and Appropriation Act (Act), 12 N.N.C. § 800 et. seq. I have attached a checklist that I have created for all supplemental appropriation requests that do not involve capital projects. The checklist reflects the requirements of the BIM and Act.

First, in reviewing the documents, it is not clear how the Pinon Community College Project would be organized and set-up. The Office of Management and Budget (OMB) and Office of the Controller (OOC) make reference that this is under Pinon Chapter and under the Division of Community Development (DCD). However, in reviewing the brief overview of this request, it appears that it could be a separate program that is not under Pinon Chapter or DCD. It is recommended that this inquiry is clarified. Second, please review the attached checklist as there are requirements that are lacking and those requirements need to be submitted.

Memorandum to: Dwight Witherspoon
RE: 8995: Supplemental Request for the Pinon Community College Project
December 19, 2017
Page 2 of 2

Third, the Supplemental Appropriation form was signed by yourself and concurred by Speaker Bates. Considering the signatories on the above-mentioned form and that the request may not be from the Pinon Chapter or DCD, the budget forms should reflect the same signatories as provided on the Supplemental Appropriation forms. The current budget forms are currently signed by yourself and concurred by Carl Smith, Executive Director, DCD. *Fourth*, OMB, in a memorandum dated November 15, 2017, noted that the requesting amount is different than what is reflected on the budget forms. In your cover letter, it is noted that your request is in the amount of \$63,317.00 yet the budget forms reflect \$54,006.00. It is recommended that this requesting amount is clarified.

Lastly, as noted by OMB and OOC, this request is deemed as a recurring expense. Pursuant to the Act, 12 N.N.C. §820(L), supplemental appropriations made from non-recurring revenues shall only be made for non-recurring operations or purposes. Generally, personnel costs are deemed as recurring expenses. However, it is not clear whether the Coordinator position is specifically limited to a temporary one-year position. If so, the facts could be reevaluated to determine that it is non-recurring expense. Nevertheless, it should be noted that while the Department of Justice (DOJ) may make this position about whether this is a recurring or non-recurring expense and could advise OOC as such, the Act, § 820(L) clearly makes it OOC's responsibility to make that determination. Without more information to substantiate a strong argument in favor of it being a non-recurring purpose, DOJ is deferring to Mr. Willie's determination that it is recurring. It is recommended that there is clarification regarding this program and the expense.

If you have any questions regarding this memorandum, please contact me at 928-871-6933. Thank you.

LBJ/ah/283
Attachment

xc: Carl Smith, Executive Director
Division of Community Development

CHECKLIST¹
Supplemental Appropriation Request
Non-Capital Improvement request

TYPE OF REQUEST:

UUFB Pinon Community - Comm College
Board

PURPOSE:

All supplemental appropriation requests should be in compliance with the Appropriation Act, 12 N.N.C. § 300, *et. seq.*, the Budget Instruction Manual (BIM), Section XIV and Appendix J and K and, if the supplemental is grant funding request for organizations external to the Navajo Nation government, Appendix G.

CHECKLIST:

☒ Supplemental Request Form: See BIM, Section XIV(B)(1)- Appendix K.

☐ Outline why funding is being requested outside the regular or annual fiscal year budget development process. See BIM, Section XIV(B)(2)(b)(i).

☒ Outline what other sources of funding have been considered and pursued if the supplemental request is not funded. See BIM, Section XIV(B)(2)(b)(ii).

☒ Signatures:

☒ Signature of the appropriate Division Director.

☒ Concurrence by the appropriate Branch Chief.

☐ Program Operating Budget Forms 1 thru 5: See BIM, Section XIV(B)(1).

☒ Form 1

☒ Signature of the appropriate Division/Department.

☐ Concurrence by the Branch Chief/Division Director.

☒ Form 2

☒ Signature of the appropriate Division/Department.

☐ Concurrence by the Branch Chief/Division Director.

☒ If applicable, Form 3² (see footnote 2 below).

☒ Form 4

☐ If applicable, Form 5³ (see footnote 3 below).

¹ This checklist reflects the requirements of the 2018 BIM.

² Forms 3 is only required if the supplemental request involves personnel or positions to be funded. See BIM, XV(B).

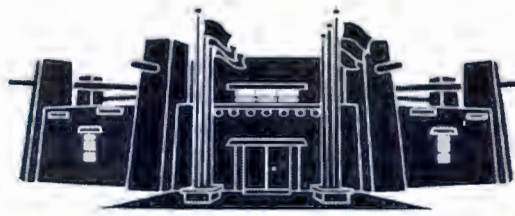
³ Form 5 is only required if the supplemental request involves personnel or positions to be funded. See BIM, XV(B).

Other BIM requirements:

- ☐ *If applicable*, any supplemental request that is four (4) months or older must be updated in the event the budget information or the proposal changes during the four (4) month period. See BIM, Section XIV(B)(2)(c).
- ☐ Funding requests must be prorated based on the remaining time left within the fiscal year. See BIM, Section XIV(B)(2)(d).
- ☐ Written assessment of the supplemental request by the Office of Management and Budget which should include a review of the budget, performance, expenditures and other pertinent program information. See BIM, Section XIV(B)(3) and to meet requirements of the 164 review process.
- ☐ Include a program performance assessment of on-going program, which should include a review of the performance data, expenditures and other pertinent program information.

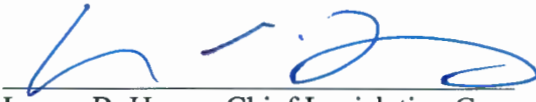
There is no indication that the above mentioned was complied with.

UBJ 12/19/17



MEMORANDUM

TO: Hon. Dwight Witherspoon
23rd Navajo Nation Council

FROM: 
Levon B. Henry, Chief Legislative Counsel
Office of Legislative Counsel

DATE: March 15, 2018

SUBJECT: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF SIXTY THREE THOUSAND THREE HUNDRED SEVENTEE DOLLARS (\$63,317) FOR DINÉ COLLEGE, BUSINESS UNIT #NEW

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) reviews based on the standing committees' powers outlined in 2 N.N.C. §§ 300, 400 and 164. 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 review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Prime Sponsor", and submit it to the Office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of changes you would like made to the proposed resolution. You may contact me at (928) 871-7166. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0098-18_

SPONSOR: Dwight Witherspoon

TITLE: An Action Relating To Health, Education And Human Services, Budget And Finance, NAABIK'IYATI', And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of Sixty Three Thousand Three Hundred Seventeen Dollars (\$63,317) Diné College, Business Unit #New

Date posted: March 20, 2018 at 5:00 PM

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.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0098-18

SPONSOR: Honorable Dwight Witherspoon


TITLE: An Action Relating To Health, Education And Human Services, Budget And Finance, NAABIK'IYATI', And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Amount Of Sixty Three Thousand Three Hundred Seventeen Dollars (\$63,317) Diné College, Business Unit #New

Posted: March 20, 2018 at 5:00 PM

5 DAY Comment Period Ended: March 25, 2018

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inclusive Comments	<i>None</i>



**Legislative Secretary II
Office of Legislative Services**

3/26/2018 8:18am

Date/Time

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0098-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, NAA'BIK'IYATI', AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF SIXTY THREE THOUSAND THREE HUNDRED SEVENTEEN DOLLARS (\$63,317) FOR DINE COLLEGE, BUSINESS UNIT #NEW

Sponsor: *Honorable Dwight Witherspoon*

Has had under consideration and report the same with the recommendation that Legislation 0098-18 **FAILED** with no amendment and no directive; and therefore referred the same to the **BUDGET AND FINANCE COMMITTEE OF THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



Jonathan L. Hale, Chairperson
Health, Education and Human Services Committee

Dated: March 26, 2018

Main Motion:

Motion by: Honorable Nelson BeGaye

Seconded by: Honorable Nathaniel Brown

Vote: 1 in favor 2 Opposed; Chairperson Not Voting

Yeas: Nelson BeGaye

Naes: Nathaniel Brown; Jonathan L. Hale

Not Voting: Amber Kanazbah Crotty; Norman M. Begay

23rd NAVAJO NATION COUNCIL

Fourth Year 2018

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

NAVAJO LEGISLATIVE BILL # 0098-18:

An Action Relating to Health, Education and Human Services, Budget and Finance, Naabikiyati and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Sixty Three Thousand Three Hundred Seventeen Dollars (\$63,317) for Dine College, Business Unit # *New Sponsored by Dwight Witherspoon, Council Delegate*

has had it under consideration and reports the same with the recommendation that It **Do Pass** with 1 amendment.

1. On page 3, line 7, strike and insert "The memorandum is attached as Exhibit B. The Office of Management and Budget has provided as updated Budget Impact Analysis is attached as Exhibit D."

On page 3, line 11, strike and insert "N.N.C. § 820(L), ~~however the Controller of the Navajo Nation has not designated the funds as recurring or non-recurring.~~ This memorandum is attached as Exhibit C. The Office of the Controller has provided an additional memorandum providing and updated balance of the Unreserved, Undesignated Fund Balance and stating that the costs for this project are considered non-recurring and is attached as Exhibit E."

Amendment 1 Motion: Leonard Tsosie Second: Tom T. Chee Vote: 4-0 Yeas: Leonard Tsosie, Lee Jack, Sr., Dwight Witherspoon, Tom T. Chee Nays: 0

And therefore, referred to the **NAABIKIYATI** Committee

Respectfully submitted,


Seth Damon, Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

3 April 2018

The vote was **3** in favor **1** opposed *Yeas: Lee Jack, Sr., Tom T. Chee, Dwight Witherspoon Nays: Leonard Tsosie*

Motion: Lee Jack, Sr.

Second: Tom T. Chee



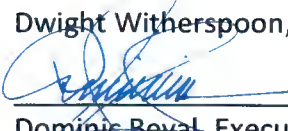
THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

Office of Management and Budget

Memorandum

To: Dwight Witherspoon, Council Delegate

From: 
Dominic Beyal, Executive Director

Date: March 28, 2018

Subject: Legislation 0098-18: OMB Budget Impact Analysis Regarding Funding From the UUFB in the Amount of \$63,317 for a Grant to Dine' College

The above subject document was reviewed by the Office of Management and Budget and the findings are documented below. An initial review was completed by the Office of Management on November 15, 2017 (a little more than four months ago) and it appears that some of the findings have been addressed with revisions to the budget.

1. The Navajo Nation Grant Application form needs to be completed since this appears to be a grant funding arrangement with an entity external to the Navajo Nation government. The appropriate signature of the authorized signature from Dine' College should be provided at the bottom of the form. Refer to the Fiscal Year 2018 Budget Instructions Manual in Appendix G on page 71 for the form and the form to be completed is also on the OMB website. In addition, other instructions are provided in the Fiscal Year 2018 Budget Instructions Manual, Section XI, on page 13.
2. The completed budget forms in the budget package will require certain corrections, as follows:
 - a. The Supplemental Funding Proposal Summary should have the signature of the Superintendent from the Department of Dine' Education rather than the Division Director of the Division of Community Development, again, since the funding will be as a grant to Dine' College. The Department of Dine' Education will provide certain recommendations on the grant as well as to monitor the grant funds and activities. This requirement is in the FY 2018 Budget Instructions Manual, Section XI, B, second paragraph on page 13. Related provisions are also in the Appropriations Act, Section 820, (P), 2.
 - b. The amount budgeted in object code 8000 should be shown in object code 2001 which indicates that a position or positions is being funded rather than for public assistance. When the expenditure reports are submitted to the grant administrator by the grantee to be charged to the account, the personnel account will be used for this purpose rather than the public assistance object code.

- c. The use of the UUFB for recurring cost is questionable since the funds requested are considered nonrecurring. This needs to be addressed by the Controller before consideration of this proposed budget.
 - d. Budget Form 1 at the bottom of the page for the Program Manager's signature should have the appropriate official from Dine' College signature rather than the Division Director from the Division of Community Development.
 - e. Same with Budget Form 2 as above. The Program Manager's signature should have an appropriate official's signature from Dine' College rather than the Division Director from the Division of Community Development.
 - f. Budget Form 2 in Part III should include the activities or tasks that will be performed by the position during the funding period. It appears that the funding period will be only in the fourth quarter and the activities or tasks to be performed are not specified sufficiently to know what will be accomplished other than simply completing the task as written in the Program Performance Criteria portion of Part III.
 - g. Budget Form 4 needs to be re-done to budget object code 2001 Personnel in column (B) and object code 2110 in column (A) both for \$63,317.
- 3. The Navajo Nation Department of Dine' Education (NNDODE), it appears, has not been consulted on this proposal as no documentation is included in the proposal from them. This proposal should also be routed through the NNDODE and have the Superintendent sign any supplemental forms as required by the Fiscal Year 2018 Budget Instructions Manual.
 - 4. The proposal lacks an updated UUFB funds availability report from the Controller. Since some supplementals have been approved by the Navajo Nation earlier, the UUFB has been reduced by the approved supplementals. OMB's estimate of the UUFB funds is about \$10.8 million now rather than \$27 million as previously reported by the Controller as supported by the outdated report attached to this supplemental request.
 - 5. The Dine' College should have more than sufficient funds from their FY 2018 Navajo Nation general fund setaside allocation of \$4.2 million to provide funds for this request.

This proposed budget and attached documents was reviewed by Mr. Emmett Francis, Budget Officer and, if needed, he is available on any questions regarding this memorandum.

EXHIBIT A
FY 2018



Undesignated, Unreserved, Fund Balance (UUFB)
March 20, 2018

09-30-17 UUFB balance <u>(Un-Audited)</u>		31,627,355
Less Supplementals:		
CD-72-17 Grazing, Farm Board, Land Board	2,452,257	
CD-73-17- UNM Housing	1,457,300	
CF-14-18 Tachee-Blue Gap	580,000	
CF-16-18 Asaayi Lake	764,408	
CF-17-18 St. Bonaventure	209,379	
CF-21-18 Phoenix Indian Center	44,460	
CF-22-18 Uranimum Workers Repairs to buildings	200,000	
CF-23-18 Dept of Health	55,785	
CF-25-18 Elections	396,621	
CF-24-18 Housing Assessments	100,000	
CF-26-18 Museum	350,000	
CF-27-18 Headstart	6,333,333	
Cf-20-18 Group Health	3,500,000	
CF-19-18 Toyei Industries	108,607	
CF-15-18 Chinle Nursing Home	4,200,000	
Total Supplementals		<u>20,752,150</u>
UUFB -unaudited 03/20/18		<u><u>10,875,206</u></u>



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

Memorandum:

To: Navajo Nation Delegates
Navajo Nation Government

From: Natasha Damon, Senior Accountant 
Office of the Controller

Date: April 3, 2018

Subject: Legislation 0098-18: Request for feasibility studies for the Dzilyijiin region

1. The un-audited balance in the UUFB is \$10,875,206 (see attached Exhibit A) as of March 20, 2018. There are additional supplemental requests that will be considered by the Navajo Nation Council in the near future. This supplemental request is for \$63,317 for feasibility studies for potential community college structure in the Dzilyijiin region.
2. The costs for this project are determined to be NON-RECURRING costs.
3. Important Note: Our office is currently monitoring the Nation's current actual minerals revenue versus the projected revenues for FY 2018. Additionally, our office has started the revenue projection task for the upcoming 2019 operating budgets. As a result of minerals revenue levels decreasing, we recommend the Nation spend the UUFB in a prudent and conservative manner. The Nation's current actual minerals revenue vs. the projection for FY 2018 is a significant concern going forward as well as for the upcoming Fiscal 2019 and may create a shortfall in revenue in the near future which would affect UUFB.

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

23rd NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2018

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

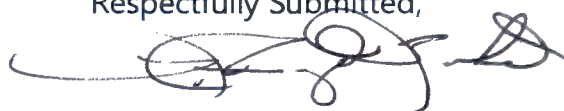
NAVAJO LEGISLATIVE BILL #0098-18

An Action Relating to Health, Education and Human Services, Budget and Finance, Naabik'íyáti', and Navajo Nation Council; Approving Supplemental Funding From the Unreserved, Undesignated Fund Balance in the Amount of Sixty Three Thousand Three Hundred Seventeen Dollars (\$63,317) for Diné College, Business Unit #NEW

Sponsored by: Honorable Dwight Witherspoon

Has had it under consideration and reports the same **WAS PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman
NAABIK'ÍYÁTI' COMMITTEE*

10 MAY 2018

MAIN MOTION:

Motioned by: Honorable Otto Tso

Seconded by: Honorable Lee Jack, Sr.

Vote: 09 in Favor, 01 Opposed (Chairman Bates Not Voting)

Per N.N.C. § 700 (D), "A quorum of the committee shall be satisfied by the presence of two (2) members of each standing committee..."

NAVAJO NATION

RCS# 900

Naa'bik'iyati Committee

5/10/2018

07:00:23 PM

Amd# to Amd#

Legislation0098-18

PASSED

MOT Tso

Approving Supplemental Funding

SEC Jack

from UUFB \$63,317 Dine College

Business Unit #NEW

Yea : 9

Nay : 1

Excused : 2

Not Voting : 12

Yea : 9

Begay, K
Begay, NM
BeGaye, N

Bennett
Filfred

Hale
Jack

Tso
Witherspoon

Nay : 1

Tsosie

Excused : 2

Brown

Yazzie

Not Voting : 12

Bates
Begay, S
Chee

Crotty
Damon
Daniels

Perry
Pete
Phelps

Shepherd
Slim
Smith

23rd NAVAJO NATION COUNCIL ACTION REPORT Fourth Year 2018

The **NAVAJO NATION COUNCIL** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0098-18

An Action Relating to Health, Education and Human Services, Budget and Finance, Naabik'íyáti', and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Sixty-Three Thousand Three Hundred Seventeen Dollars (\$63,317) for Diné College, Business Unit #NEW

Sponsored by: Honorable Dwight Witherspoon

Co-Sponsored by: Honorable Seth Damon

Has had it under consideration and reports the same **WAS TABLED AND REMAINS WITH THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Speaker
23rd NAVAJO NATION COUNCIL*

19 JULY 2018

TABLING MOTION:

Motion to Table up to Fall Session

Motioned by: Honorable Herman M. Daniels

Seconded by: Honorable Steven Begay

Vote: 12 in Favor, 04 Opposed (Speaker Bates Not Voting)

MAIN MOTION:

Motioned by: Honorable Davis Filfred

Seconded by: Honorable Lee Jack, Sr.

Vote: PENDING VOTE

NAVAJO NATION

RCS# 1197

2018 Summer Session

7/19/2018

03:14:20 PM

Amd# to Amd#

Table up to Fall Session

PASSED

MOT Daniels

SEC Begay, S

Yea : 12

Nay : 4

Excused : 1

Not Voting : 7

Yea : 12

Begay, S
Bennett
Brown

Daniels
Filfred
Hale

Jack
Perry
Pete

Slim
Smith
Witherspoon

Nay : 4

Tsosie

Crotty

Damon

Begay, K

Excused : 1

BeGaye, N

Not Voting : 7

Bates
Begay, NM

Chee
Phelps

Shepherd
Tso

Yazzie

23rd NAVAJO NATION COUNCIL ACTION REPORT Fourth Year 2018

The **NAVAJO NATION COUNCIL** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0098-18

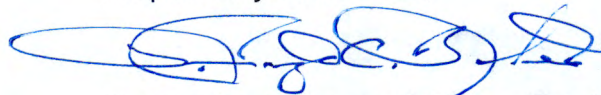
An Action Relating to Health, Education and Human Services, Budget and Finance, Naabik'íyáti', and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Sixty Three Thousand Three Hundred Seventeen Dollars (\$63,317) For Diné College, Business Unit #New

Sponsored by: Honorable Dwight Witherspoon

Co-Sponsored by: Honorable Seth Damon

Has had it under consideration and reports the same was **REFERRED BACK TO THE NAABIK'ÍYÁTI' COMMITTEE**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Speaker
23rd NAVAJO NATION COUNCIL*

16 OCTOBER 2018

REFERRAL MOTION:

Motion to refer back to the next Naabik'íyáti' Committee Meeting (Oct. 25, 2018).

Motioned by: Honorable Seth Damon

Seconded by: Honorable Davis Filfred

Vote: 17 in favor, 01 opposed (Speaker Bates Not Voting)

MAIN MOTION:

Motioned by: Honorable Davis Filfred

Seconded by: Honorable Lee Jack, Sr.

Vote: PENDING VOTE

23rd Navajo Nation Council

1

Spring Session

Date: October 16, 2018

Refer back to NABI - Legislation 0098-18

Motion: Hon. Seth Damon

Second: Hon. Davis Filfred

ALL DELEGATES:

	Yea	Nay
BATES, LoRenzo C.		
BEGAY, Kee Allen Jr.		X
BEGAY, Norman M.	X	
BEGAY, Steven		
BEGAYE, Nelson	X	
BENNETT, Benjamin L.	X	
BROWN, Nathaniel	X	
CHEE, Tom T.	X	
CROTTY, Amber K.	X	
DAMON, Seth	X	
DANIELS, Herman	X	
FILFRED, Davis	X	
HALE, Jonathan L.	X	
JACK, Lee Sr.	X	
PERRY, Jonathan		
PETE, Leonard H.	X	
PHELPS, Walter		
SHEPHERD, Alton Joe		
SLIM, Tuchoney Jr.	X	
SMITH, Raymond Jr.	X	
TSO, Otto	X	
TSOSIE, Leonard	E	
WITHERSPOON, Dwight	X	
YAZZIE, Edmund	X	

GRAND TOTAL

17	1
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CERTIFICATION:


Honorable Lorenzo C. Bates
Navajo Nation Council Speaker

10-17-18

23rd NAVAJO NATION COUNCIL NAABIK'ÍYÁTI' COMMITTEE REPORT Fourth Year 2018

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

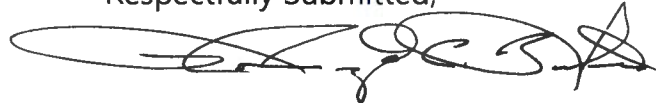
NAVAJO LEGISLATIVE BILL #0098-18

An Action Relating to Health, Education and Human Services, Budget and Finance, Naabik'íyáti', and Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Sixty-Three Thousand Three Hundred Seventeen Dollars (\$63,317) for Diné College, Business Unit #New

*Sponsored by: Honorable Dwight Witherspoon
Co-Sponsored by: Honorable Seth Damon*

Has had it under consideration and reports the same legislation **WAS TABLED AND REFERRED TO THE NAVAJO NATION COUNCIL.**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman
NAABIK'ÍYÁTI' COMMITTEE*

25 OCTOBER 2018

TABLING MOTION

Motion to table legislation 0098-18 for 30 days to provide updated budget forms.

Motioned by: Honorable Dwight Witherspoon

Seconded by: Honorable Alton Joe Shepherd

Vote: 15 in Favor, 03 Opposed

MAIN MOTION (Chairman Bates Recognized original motion/second)

Motioned by: Honorable Otto Tso

Seconded by: Honorable Lee Jack, Sr.

NAVAJO NATION

RCS# 1077

Naa'bik'iyati Committee

10/25/2018

02:36:07 PM

Amd# to Amd#

Table Legislation 0098-18

PASSED

MOT Filfred

for 30 days

SEC Shepherd

Yea : 15

Nay : 3

Excused : 2

Not Voting : 4

Yea : 15

Begay, K
BeGaye, N
Bennett
Chee

Crotty
Daniels
Filfred
Hale

Kieyoomia
Perry
Pete
Shepherd

Slim
Smith
Witherspoon

Nay : 3

Damon

Tsosie

Brown

Excused : 2

Yazzie

Tso

Not Voting : 4

Begay, NM

Jack

Phelps

Bates