

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



January 6, 2023

Hon. Otto Tso
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CD-66-22, *An Action Relating to Health, Education, and Human Services, the Budget and Finance, and the Naabik'iyáti' Committees, and to the Navajo Nation Council; Approving \$111,554 from the Unreserved, Undesignated Fund Balance ("UUFB") for the Department of Diné Education for Internet Costs at 56 Sites; Waiving 12 N.N.C. § 820 (E), § 820 (F), § 820 (J, and § 820 (L)*


Dear Speaker Tso,

Thank you to the Navajo Nation Council and Navajo Department of Diné Education for working together to present this resolution in support of our Navajo Head Start students and citizens who utilize the community libraries established in fifty-six (56) Chapter houses across the Navajo Nation. Now, more than ever, internet connectivity is a basic infrastructure need for our Navajo families.

As stated in the Office of the Controller's Memorandum, included in CD-66-22, this funding is a recurring cost; therefore, it should be budgeted for accordingly during the annual comprehensive budget deliberations. The incoming 25th Navajo Nation Council and Administration must keep these fixed costs in mind along with the fiscal responsibility that our leaders share for the preservation of finite Navajo Nation funds. Pursuant to the authority vested in the Navajo Nation President, I am signing Resolution CD-66-22 into law.

Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

AN ACTION

RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES, THE BUDGET AND FINANCE, AND THE NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; APPROVING \$111,554 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUF") FOR THE DEPARTMENT OF DINÉ EDUCATION FOR INTERNET COSTS AT 56 SITES; WAIVING 12 N.N.C. § 820(E), § 820(F), § 820(J), AND § 820(L)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council, and serves as the oversight committee for the Department of Diné Education. 2 N.N.C. § 400(A), § 401(C) (1).
- B. The Navajo Nation established the Budget and Finance Committee as a standing committee with the authority to review and recommend to the Navajo Nation Council the management of all funds, including the Navajo Nation's Unreserved, Undesignated Fund Balance ("UUF"). 2 N.N.C. § 164(A) (9); 2 N.N.C. § 300(A), § 301(B) (2).
- C. The Naabik'íyáti' Committee was created as a standing committee, and all proposed legislation that require final action by the Navajo Nation Council is assigned to the Naabik'íyáti' Committee for its review. 2 N.N.C. § 164(A) (9); 2 N.N.C. § 700(A).
- D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A). As such, the Council may approve supplemental appropriations during the fiscal year. "Supplemental appropriations of General Funds within the current fiscal year are permitted, if and when additional sources of revenues above and beyond the initial or current revenue projections are projected and which are also in excess of the reserve amount set forth at § 820(J)." 12 N.N.C. § 820(L).
- E. A "supplemental appropriation" is defined as: "[a]n appropriation of funds from the UUF during the fiscal year,

outside of the annual Comprehensive Budget Process." See Section XIV.33 of the FY2023 Budget Instructions Manual.

- F. The Title 12 restrictions on supplemental appropriations from the UUFB include:
1. Payment of recurring government operating expenses shall be from recurring revenues, and payment of nonrecurring expenses shall be from nonrecurring revenues such as UUFB funds. 12 N.N.C. § 820(E), § 820(F).
 2. Specifically, the UUFB shall not be used for recurring government expenditures or operations. 12 N.N.C. § 820(J), § 820(L).
 3. UUFB funds may be used only after the Controller determines whether or not such revenues are subsidizing an imbalance between the Navajo Nation's recurring revenues and expenditures, and government expenditures shall only be authorized if a long-term (3-year to 5-year) forecast shows that the operating deficit will not continue; otherwise, nonrecurring revenues are added to the UUFB account. 12 N.N.C. § 820(F).
 4. The above provisions in Title 12 may be amended or waived by a two-thirds (2/3) vote of the full membership of the Navajo Nation Council. 12 N.N.C. § 820(F), § 880.
 5. Pursuant to 12 N.N.C. § 820(F) all UUFB funding requests must be reviewed by the Controller. Such review is also required because the Controller determines which revenues and expenses are recurring and which are non-recurring. 12 N.N.C. § 820(L).
 6. Pursuant to 12 N.N.C. § 820(M) all UUFB funding requests must be submitted to the Office of Management and Budget ("OMB") for a budget impact analysis.

SECTION TWO. FINDINGS

- A. The Department of Diné Education ("DODE") is requesting \$111,554 (rounded up) in supplemental funding from the UUFB to cover expenses for internet services and CIPA (Child Internet Protection Act) fees for 56 sites located across the Navajo Nation, starting as of January 1, 2023. DODE explains that Navajo Nation Telecommunication and Utilities has been paying these costs for the previous two years using federal funds from the USAC (Universal Service Administrative Company), but this

funding is expiring December 31, 2022. DODE's request memorandum is attached hereto as **EXHIBIT A**.

- B. In Resolution No. NNBOC-804-2022 the Navajo Nation Board of Education indicates its support for DODE's supplemental funding request, to keep internet services active for the 56 affected Navajo Nation Chapters (community libraries) and Head Start Centers that will lose online internet access as of January 1, 2023. **EXHIBIT B**.
- C. The 56 sites that will potentially lose their internet services are listed in the attached **EXHIBIT C**.
- D. DODE's required budget forms, and Appendix K "Supplemental Funding Proposal Summary" are attached as **EXHIBIT D**.
- E. The Office of the Controller issued a memorandum to satisfy the requirements in 12 N.N.C. § 820(L). **EXHIBIT E**. The Controller has identified DODE's proposed expenditures as recurring and therefore a waiver of 12 N.N.C. § 820(E), § 820(F), and § 820(J) is required.
- F. The Office of Management and Budget has provided its budget impact analysis pursuant to 12 N.N.C. § 820(M). **EXHIBIT F**.

SECTION THREE. APPROVING \$111,554 FROM THE UUFB FOR THE DEPARTMENT OF DINÉ EDUCATION FOR INTERNET COSTS AT 56 SITES

- A. The Navajo Nation Council hereby approves a supplemental appropriation of \$111,554 from the UUFB to the Department of Diné Education to cover expenses for internet services and CIPA fees at the 56 potentially affected Navajo Nation Chapters and Head Start Centers listed in **EXHIBIT C**.
- B. This supplemental appropriation shall be from those funds that exceed the minimum fund reserve balance in the UUFB required by 12 N.N.C. § 820(J), as determined by the Controller.
- C. This supplemental appropriation shall not lapse at the end of the fiscal year, as would otherwise occur pursuant to 12 N.N.C. § 820(N). However, any UUFB funds not spent or encumbered within 12 months of the date such funds are provided to DODE shall revert to the UUFB, unless otherwise approved prior to such reversion by both the Budget and Finance Committee and the Naabik'íyáti' Committee of the Navajo Nation Council.

SECTION FOUR. WAIVING 12 N.N.C. § 820(E), § 820(F), § 820(J), AND § 820(L)

The Navajo Nation Council hereby waives 12 N.N.C. § 820(E), § 820(F), § 820(J), and § 820(L) to allow use of UUFB funds for the DODE expenditures described in **EXHIBITS A-E**. Said waivers are necessary because DODE's proposed expenditures are considered recurring government costs.

SECTION FIVE. EFFECTIVE DATE

This Action shall become effective as provided in 2 N.N.C. § 221(B) and 2 N.N.C. § 164(A) (17).

SECTION SIX. SAVING CLAUSE

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

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in Favor, and 00 Opposed, on this 29th day of December 2022.



Honorable Otto Tso, Speaker
24th Navajo Nation Council

12.30.2022

DATE

Motion: Honorable Jamie Henio
Second: Honorable Eugene Tso

Speaker Otto Tso not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

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

Jonathan Nez, Myuan Lzer
Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2022 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2022.

Jonathan Nez, President
Navajo Nation



**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

P.O. Box 670 · Window Rock, Arizona 86515
PHONE (928) 871 - 7475 · FAX (928) 871 - 7474

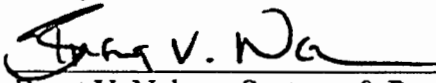
EXHIBIT A

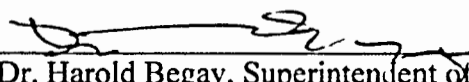
Jonathan Nez
President

Myron Lizer
Vice President

October 13, 2022

TO: Daniel Tso, Chair
Health, Education, and Human Services Committee
Navajo Nation Council

FR: 
Brent V. Nelson, Systems & Programming Manager
Department of Diné Education

THRU: 
Dr. Harold Begay, Superintendent of Schools
Department of Diné Education

Honorable Delegate Tso,

On October 6, 2022, the Navajo Nation Board of Education supported and passed resolution to seek internal and/or external funding to continue and aid E-Rate chapter libraries [see attachment 1.]. In 2020, the Navajo Nation received \$53 million from the national E-Rate program, which helped chapter houses become eligible libraries, including Head Start centers. For the past two years, Navajo Nation Telecommunication and Utilities (NNTU) paid monthly costs for internet service and CIPA filtering fees, totally \$9,296.15 per month and \$111,553.80 per year, for 56 sites (Community Libraries) [see attachment 2. for list of sites]. Unfortunately, funding to support these monthly costs are expiring January 2023 by NNTU.

As a result of the upcoming end, DODE has been advocating for various forms of available funding to continue and pay for internet and CIPA filtering fees, but each were not successful. This is a critical situation, and DODE continues its call-to-action campaign to retrieve any available funding to support these accessible resources for our students and community members across the Navajo Nation. Again, there is an immediate need for any internal or external funds to further expedite these payments for all 56 sites, including any new sites that have been approved for USAC Funding Year 2021 and 2022 so that students continue to access the internet and its resources for educational use.

If this is an opportunity of support, we invite you to a meeting to further discuss this situation. We invite your full support and considerations on varying avenues to pursue so that our students continue to be supported following 2022.

Thank you for your time.

NAVAJO NATION BOARD OF EDUCATION

Dr. Henry Fowler, President · Dr. Pauletta White, Vice President · Dr. Victoria Yazzie, Secretary
Member: Sharon A. Toadecheenie · Andrea K. Thomas
Joan A. Gray · Emerson John · Spencer W. Willie · Freda Nells · Priscilla Benally
Dr. Harold G. Begay, Ph.D., Superintendent of Schools



Jonathan Nez
President

**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

P.O. Box 670 · Window Rock, Arizona 86515
PHONE (928) 871 – 7475 · FAX (928) 871 – 7474

EXHIBIT B

Myron Lizer
Vice-President

NNBEOC-804-2022

**RESOLUTION OF THE
NAVAJO NATION BOARD OF EDUCATION**

Relating to Education; Supporting a Request for Internal/External Funding in the Amount of \$111,553.80 Per Year to Expedite Recurring Costs to Maintain 56 Chapter Satellite Libraries Through the E-Rate Consortium

WHEREAS:

1. The Navajo Nation Board of Education (hereinafter the “Board”) is the education agent in the Executive Branch for the purposes of overseeing the operation of all schools serving the Navajo Nation. 10 N.N.C. § 106 (A). The Board carries out its duties and responsibilities through the Department of Diné Education (hereinafter the “Department”). 10 N.N.C. §106 (G)(3).
2. The Department is the administrative agency within the Navajo Nation with responsibility and authority for implementing and enforcing the educational laws of the Navajo Nation. 2 N.N.C. §1801(B); 10 N.N.C. §107(A). The Department is under the immediate direction of the Navajo Nation Superintendent of Schools, subject to the overall direction of the Board. 10 N.N.C. §107(B).
3. In 2020, the Navajo Nation received \$53 million from the Universal Service Administrative Company commonly known as the E-Rate Program. This funding supports schools and libraries access to broadband services and helped the Navajo Nation Chapter Houses establish community libraries that are extension of the Navajo Nation Library located in Window Rock, AZ. This funding also supported the Navajo Head Start in obtaining affordable broadband for their centers. For the past two years, Navajo Nation Telecommunication and Utilities (NNTU) has been paying for monthly recurring costs for internet service and CIPA (Child Internet Protection Act) filtering fees, totally \$9,296.15 per month and \$111,553.80 per year for 56 sites (Community Libraries or Navajo Head Start Centers).
4. However, funding to support these monthly costs are expiring December 2022 as NNTU can no longer support this cost.
5. The Board has reviewed the proposed recurring funding request for internal/external funding in the amount of \$111,553.80 per year (attached as “EXHIBIT A”) as being in the best interests of the Navajo Nation, including students, chapters, communities and affected stakeholders.

NAVAJO NATION BOARD OF EDUCATION

*Dr. Henry Fowler, President · Dr. Pauletta White, Vice President · Dr. Victoria Yazzie, Secretary
Member: Sharon A. Toadecheenie · Andrea K. Thomas
Joan A. Gray · Emerson John · Spencer W. Willie · Freda Nells · Priscilla Benally
Dr. Harold G. Begay, Ph.D., Superintendent of Schools*

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Board of Education supports and approves the proposed recurring funding request for internal/external funding in the amount of \$111,553.80 per year (attached as “**EXHIBIT A**”)
2. The Navajo Nation Board of Education hereby directs and empowers the Superintendent of Schools to take any actions deemed as necessary and proper to carry out the purposes of this resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Board of Education of the Navajo Nation at a duly called meeting at Window Rock, AZ (Navajo Nation) at which a quorum was present, motion by Joan A. Gray and seconded by Sharon A. Toadecheenie and that the same was passed by a vote of vote of 7 in favor; 0 opposed; 0 abstained, this 6th day of October 2022.



Dr. Henry Fowler, President
Navajo Nation Board of Education

Exhibit A



DEPARTMENT OF DINÉ EDUCATION THE NAVAJO NATION

P.O. Box 670 · Window Rock, Arizona 86515
PHONE (928) 871 - 7475 · FAX (928) 871 - 7474

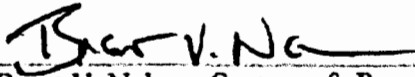


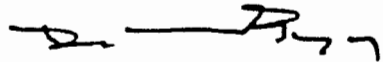
Jonathan Nez
President

Myron Lizer
Vice President

MEMORANDUM

TO: Dr. Henry Fowler, President
Navajo Nation Board of Education

FROM: 
Brent V. Nelson, Systems & Programming Manager
Navajo Nation Department of Diné Education (DODE)
THE NAVAJO NATION

THRU: 
Dr. Harold Begaye, Superintendent of Schools
Department of Diné Education
THE NAVAJO NATION

DATE: September 29, 2022

SUBJECT: Recurring Costs Shortfall

In 2020, the Navajo Nation received \$53 million from the Universal Service Administrative Company commonly known as the E-Rate Program. This funding supports schools and libraries access to broadband services and helped the Navajo Nation Chapter Houses establish community libraries that are extension of the Navajo Nation Library located in Window Rock, AZ. This funding also supported the Navajo Head Start in obtaining affordable broadband for their centers. For the past two years, Navajo Nation Telecommunication and Utilities (NNTU) has been paying for monthly recurring costs for internet service and CIPA (Child Internet Protection Act) filtering fees, totally \$9,296.15 per month and \$111,553.80 per year for 56 sites (Community Libraries or Navajo Head Start Centers). [See attached list of sites]. However, funding to support these monthly costs are expiring December 2022 as NNTU can no longer support this cost.

The costs for the Navajo Head Start Centers have been in transition to the applicable Navajo Head Start budget. The internet services and CIPA filtering cost for the branch libraries remains unfunded. During the Fiscal Year 2023 Navajo Nation annual budget process, DODE submitted a request for General Fund Fixed Cost Allocation to cover these cost but it was not funded. At this point, we are in the process of requesting for supplemental appropriation to address this shortfall.

NAVAJO NATION BOARD OF EDUCATION

Dr. Henry Fowler, President · Dr. Paulietta White, Vice President · Dr. Victoria Yazzie, Secretary
Member: Sharon A. Toadecheenie · Andrea K. Thomas
Joan A. Gray · Emerson John · Spencer W. Willie · Freda Nells · Priscilla Bonally
Dr. Harold G. Begaye, Ph.D., Superintendent of Schools



**DEPARTMENT OF DINÉ EDUCATION
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**Jonathan Nez
President**

**Myron Lizer
Vice President**

On behalf of DODE, this memo serves as a call-to-action and a strong recommendation from the Navajo Nation Board of Education and Department of Diné Education to consider. There is an immediate need for any internal or external funds to further expedite these payments for all 56 sites, including any new sites that have been approved for USAC Funding Year 2021 and 2022 so that students and community members continue to receive internet and resource accessibility.

If this is an opportunity for support, one suggestion is to draft a resolution for the NNBOE to consider, and each approval should eventually become part of the Navajo Nation Council's discussion.

NAVAJO NATION BOARD OF EDUCATION

***Dr. Henry Fowler, President • Dr. Pauletta White, Vice President • Dr. Victoria Yazzie, Secretary
Member: Sharon A. Toadecheenie • Andrea K. Thomas
Joan A. Gray • Emerson John • Spencer W. Willie • Freda Nellis • Priscilla Bonally
Dr. Harold G. Begay, Ph.D., Superintendent of Schools***

EXHIBIT C

MRC information

NTUAW-AZ (CO14854) Chapters

Cost of Monthly Internet Service per site = \$227.90

Cost of Monthly CIPA Filtering per site = \$50.00 (Paid to SWC)

NNTU will make payments up to December 2022

Total Monthly Internet Service Cost = \$5,469.60

Yearly Cost = \$65,635.20

Total Monthly CIPA Filtering Cost = \$1,200.00

Yearly Cost = \$14,400.00

1. Chinle Chapter
2. Dilkon Chapter
3. Forest Lake Chapter
4. Ganado Chapter
5. Kayenta Library
6. Low Mountain Chapter
7. Lukachukai Chapter
8. Oak Springs Chapter
9. Red Lake Chapter
10. Red Valley Chapter
11. Rock Point Chapter
12. Dennehotso Chapter
13. Blue Gap - Tachee Chapter
14. Navajo Nation Main Library
15. Tonalea Chapter
16. Pinon Chapter
17. Tselani/Cottonwood Chapter
18. Nahata Dził Chapter
19. Greasewood Springs Chapter
20. Many Farms Chapter
21. Kayenta Chapter
22. Indian Wells Chapter
23. Round Rock Chapter
24. Whippoorwill Chapter

NTUAW-NM (CO14853) Chapters

Cost of Monthly Internet Service per site = \$227.90

Cost of Monthly CIPA Filtering per site = \$50.00 (Paid to SWC)

NNTU will make payments up to December 2022

Total Monthly Internet Service Cost = \$1,139.50

Yearly Cost = \$13,674.00

Total Monthly CIPA Filtering Cost = \$250.00

Yearly Cost = \$3,000.00

- 25. Nachitti Chapter
- 26. Newcomb Chapter
- 27. Twin Lakes Chapter
- 28. Sheep Springs Chapter
- 29. Hogback Chapter

SWC (CO14855) Chapters

Cost of Monthly Internet Service per site = \$87.45

Cost of Monthly CIPA Filtering per site = \$50.00

NNTU will make payments up to December 2022

Total Monthly Internet Service Cost = \$787.05

Yearly Cost = \$9,444.60

Total Monthly CIPA Filtering Cost = \$450.00

Yearly Cost = \$5,400.00

- 30. Church Rock Chapter
- 31. Red Rock Chapter
- 32. Thoreau Chapter
- 33. Nenahnezad Chapter
- 34. Tohajiilee Chapter
- 35. Baca Prewitt Chapter
- 36. Upper Fruitland Chapter
- 37. Iyanbito Chapter
- 38. San Juan Chapter

Total Monthly Cost for Internet Services and CIPA Filtering for all Chapters = \$9,296.15

Total Yearly Cost for Internet Services and CIPA Filtering for all Chapters = \$111,553.80

NTUAW-AZ (CO14854) Head Start Sites

Cost of Monthly Internet Service per site = \$227.90

Cost of Monthly CIPA Filtering per site = \$50.00 (Paid to SWC)

NTTU will make payments up to December 2022

Total Monthly Internet Service Cost = \$2,051.10

Yearly Cost = \$24,613.20

Total Monthly CIPA Filtering Cost = \$450.00

Yearly Cost = \$5,400.00

1. Lukachukai Head Start
2. Pinon Head Start
3. Pinon II Head Start
4. St. Michaels Head Start
5. Tonalea Head Start
6. Sanders Head Start
7. Dennehotso Head Start
8. Kayenta Head Start
9. Whippoorwill Head Start

NTUAW-NM (CO14853) Head Start Sites

Cost of Monthly Internet Service per site = \$227.90

Cost of Monthly CIPA Filtering per site = \$50.00 (Paid to SWC)

NTTU will make payments up to December 2022

Total Monthly Internet Service Cost = \$683.70

Yearly Cost = \$8,204.40

Total Monthly CIPA Filtering Cost = \$150.00

Yearly Cost = \$1,800.00

10. Newcomb Head Start
11. Shiprock Head Start
12. Tohatchi Head Start

SWC (CO14855) Head Start Sites

Cost of Monthly Internet Service per site = \$87.45

Cost of Monthly CIPA Filtering per site = \$50.00

NTTU will make payments up to December 2022

Total Monthly Internet Service Cost = \$524.70

Yearly Cost = \$6,296.40

Total Monthly CIPA Filtering Cost = \$300.00

Yearly Cost = \$3,600.00

13. Church Rock Head Start
14. Red Rock Head Start
15. San Juan Head Start
16. Upper Fruitland Head Start
17. Thoreau Head Start
18. Nenahnezad Head Start

Total Monthly Cost for Internet Services and CIPA Filtering for all Head Starts = \$4,159.50

Total Yearly Cost for Internet Services and CIPA Filtering for all Head Starts = \$49,914.00

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2023

PART I. Business Unit No.: 109006		Program Title: Navajo Nation Library		Division/Branch: Dine Education/Executive	
Prepared By: Donovan Pete		Phone No.: 928-871-7303		Email Address: donovanpete@nndode.org	

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)
JUFB-Supplemental		10/01/22 - 9/30/23	111,554.00	100%				1	401,592		401,592
					2001 Personnel Expenses			1	9,631		9,631
					3000 Travel Expenses			1	6,050		6,050
					3500 Meeting Expenses						
					4000 Supplies						
					5000 Lease and Rental						
					5500 Communications and Utilities			1	111,554.00		111,554
					6000 Repairs and Maintenance						
					6500 Contractual Services						
					7000 Special Transactions			1	3,683		3,683
					8000 Public Assistance						
					9000 Capital Outlay						
					9500 Matching Funds						
					9500 Indirect Cost						
					TOTAL				\$420,966.00	\$111,554.00	\$532,510

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		8	0
Total # of Permanently Assigned Vehicles:		1	0

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

Dr. Harold G. Begaye, Superintendent of Schools
 APPROVED BY: Division Director/Branch Chief's Printed Name
Harold G. Begaye 12/05/22
 APPROVED BY: Division Director/Branch Chief's Signature and Date

Donovan Pete, Community Library Manager
 SUBMITTED BY: Program Manager's Printed Name
Donovan Pete 12/05/2022
 SUBMITTED BY: Program Manager's Signature and Date

EXHIBIT D

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2023

PART I. PROGRAM INFORMATION			
Program Name/Title: _____		Business Unit No.: 109006	
Navajo Nation Library			
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
5500	5500 COMMUNICATIONS & UTILITIES To pay for monthly internet services and monthly cost of CIPA filtering for chapter branch libraries		\$ 111,554.00
Internet			
5600	Internet Service (15 sites x \$87.45 per month x 9 months= \$11,805.75) (38 sites x \$227.90 per month x 9 months= \$77,941.80) CIPA Filtering	\$ 89,747.55	
		\$ 21,806.45	
TOTAL		\$ 111,554.00	\$ 111,554.00

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION: Business Unit No.: <u>109006</u>		Program Name/Title: <u>Navajo Nation Library</u>									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM: HEHSCS-16-21: The purpose of the Navajo Nation Library is to provide educational, informational, cultural, and materials to all residents of the Navajo Nation.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement: To provide internet services for community library sites for community use. Program Performance Measure/Objective: Number of payment processed for internet services		1st QTR Goal Actual		2nd QTR Goal Actual		3rd QTR Goal Actual		4th QTR Goal Actual			
		0		53		53		53			
2. Goal Statement: Program Performance Measure/Objective:											
3. Goal Statement: Program Performance Measure/Objective:											
4. Goal Statement: Program Performance Measure/Objective:											
5. Goal Statement: Program Performance Measure/Objective:											
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Donovan Pete, Community Library Manager Program Manager's Printed Name				Dr. Harold G. Begaye, Superintendent of Schools Division Director/Branch Chief's Printed Name							
<u>12/15/2022</u> Program Manager's Signature and Date				<u>12/15/22</u> Division Director/Branch Chief's Signature and Date							

THE NAVAJO NATION SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: <u>109006</u>		Program Title: <u>Navajo Nation Library</u>	
Division/Branch: <u>DODE/Executive</u>		Amount Requested: <u>\$111,554.00</u>	
Prepared By: <u>Donovan Pete</u>		Phone No.: <u>928-871-7303</u>	
Email Address: <u>donovanpete@nndode.org</u>			

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Funds to pay for monthly Internet and CIPA filtering for 53 Navajo Nation community libraries at the chapter houses from January 1, 2023 to September 30, 2023. The ERate funding from the Federal Government covers 90% of the monthly costs. The Navajo Nation is required to pay the remaining 10%. The Navajo Nation Telecommunications & Utilities (NNTU) will cover the 10% cost through December 31, 2022.

The ERate project benefits not only the education sector but invest in the communities at the chapter level. Due to a recent ruling change by the Federal ERate team, the general public, through the local chapter, has access to high-quality (fiber), high-speed Internet (100 mbps upload/20 mbps download). This will provide access to further their livelihood, education and economic development at the local chapter level. The opportunities for our Navajo people are endless to bridge the digital divide and information gaps.

PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

A long-term solution is required as these monthly cost will go on for the foreseeable future. To that end, the Navajo Nation Broadband Office (NNBO) and the Navajo Telecommunications Regulatory Commission (NNTRC) is facilitating meetings with the Navajo Nation Division of Community Development (DCD) and the Navajo Department of Dine Education (DODE) to find a long-term solution.

PART IV. AFFIRMATION IS PROVIDED THAT THE BUDGET AND PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL AS A PRIORITY.

M. J. Muffet

12/5/22

REVIEWED BY: Division Director's Signature / Date

RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



Memorandum:

To: 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government
Robert Willie
From: Robert Willie, Accounting Manager
Office of the Controller
Date: December 2, 2022
Subject: UUFB- NN 56 Chapters Internet Fees

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

1. The un-audited balance of the UUFB is \$22,165,889 as of October 31, 2022.
2. This request is for funding for 56 chapters' internet fees. A total amount of \$111,553.80 is being requested.
3. This request would be considered RECURRING for funding internet fees for 56 Navajo Nation Chapters.

If you should have any questions, you can contact me at tribal extension X6070.

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO: Navajo Nation 164 Reviewers

FROM:

A handwritten signature in black ink, appearing to read "Dominic Bernal", is written over a horizontal line.

Dominic Bernal, Executive Director
Office of Management and Budget

DATE: December 6, 2022

SUBJECT: Review of Budget Forms from DODE requesting internet service funds in amount of \$111,554 from UUFB.

Pursuant to 12 NNC 820 (M) requiring OMB review the subject document was considered and OMB provides the following information:

1. Budget forms 1, 2 & 4 are sufficient. Appendix "K" is missing approval signature.
2. There apparently is no proposal or document that clearly explains how this project works or will work. It appears to be hastily done and the Budget Forms were finally received by OMB at 1:00 PM today. Therefore, if legislation for this request is introduced, OMB can review it and do a more thorough review with additional comments, if warranted.

Contact OMB at (928) 871-6570 if there are any questions and/or concerns regarding this memorandum.

xc: OMB file
DODE

NAVAJO NATION

1271

12/29/2022

Navajo Nation Council Special Session

05:09:11 PM

Amd# to Amd#

New Business: (Item L.)

PASSED

MOT Henio, J

CONSENT AGENDA-(12)Legislations:

SEC Tso, E

0221-22,0234-22,0239-22,0262-22,

0263-22,0265-22,0268-22,. . .

Yeas : 21

Nays : 0

Excused : 2

Not Voting : 0

Yea : 21

Begay, E

Damon

James, V

Tso, E

Begay, K

Daniels

Nez, R

Walker, T

Begay, P

Freeland, M

Smith

Wauneka, E

Brown

Halona, P

Stewart, W

Yazzie

Charles-Newton

Henio, J

Tso, D

Yellowhair

Crotty

Nay : 0

Excused : 2

Tso, C

Slater, C

Not Voting : 0

Presiding Speaker: Tso