

LEGISLATIVE SUMMARY SHEET

Tracking No. 0261-21

DATE: December 15, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR NAVAJO NATION COUNCIL; APPROVING \$1,808,538 IN SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR THE 110 NAVAJO NATION CHAPTERS' EMERGENCY FUND ACCOUNTS; WAIVING 12 N.NC. § 820 (O)

PURPOSE: This resolution, if approved, will allocate \$1,808,538 from the UUFB to bring all Navajo Nation Chapter Emergency Fund account balances to \$25,000.

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.

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY

Thomas Walker, Jr.

(Prime Sponsor)

TRACKING NO. 0261-21

AN ACTION

RELATING TO AN EMERGENCY FOR NAVAJO NATION COUNCIL;
APPROVING \$1,808,538 IN SUPPLEMENTAL FUNDING FROM THE
UNRESERVED, UNDESIGNATED FUND BALANCE FOR THE 110 NAVAJO
NATION CHAPTERS' EMERGENCY FUND ACCOUNTS; WAIVING 12 N.N.C.

§ 820 (O)

BE IT ENACTED:

SECTION ONE. AUTHORITY.

- A. The Navajo Nation Council is the governing body of the Navajo Nation with the authority to approve supplemental appropriations. 2 N.N.C. §102(A) and 12 N.N.C. §820(L).
- B. The Navajo Nation Code provides, “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council. 2 N.N.C. § 164(16).
- C. This proposed Resolution is offered as an emergency due to the decimation visited on

Chapter's Emergency Fund accounts by the COVID-19 pandemic and the vital need to have emergency funds available to respond to seasonal emergencies at the local level.

D. The Navajo Nation Council has the authority to approve supplemental appropriations. 12 N.N.C. § 820(L). Pursuant to 12 N.N.C. § 820(L), "[t]he Navajo Nation Council may adopt and approve supplemental appropriations to the Annual Comprehensive Budget 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)."

E. The Navajo Nation Appropriations Act requirements regarding Supplemental Appropriations include:

1. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis. 12 N.N.C. § 820(M).
2. When the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be approved by the Navajo Nation Council. 12 N.N.C. § 820(L).
3. Supplemental Appropriations made from non-recurring revenues shall only be made for non-recurring operations or purposes, as set forth at § 820(F). The Controller of the Navajo Nation shall be responsible for the designation of recurring and non-recurring revenues. 12 N.N.C. § 820(L).
4. The Nation shall budget all recurring operating expenses, including capital maintenance, from recurring revenues. Long term debt shall not be used to finance recurring operating expenses. 12 N.N.C. § 820(E).
5. The Navajo Nation Code provides, "[t]he Nation shall restrict non-recurring revenues to budget non-recurring expenditures. In addition, non-recurring revenues will be budgeted only after an examination by the Controller to determine whether or not the revenues are subsidizing an imbalance between recurring revenues and expenditures, and expenditures may be authorized only if a long-term (three-five

1 year) forecast shows that the operating deficit will not continue. Otherwise, non-
2 recurring revenues will be added to the Unreserved, Undesignated Fund balance.
3 This provision may be amended or waived by a two-thirds vote of the full Navajo
4 Nation Council.” 12 N.N.C. § 820(F).

5 6 **SECTION TWO. FINDINGS**

- 7 A. On behalf of the 110 Navajo Nation Chapters, the Division of Community
8 Development (“DCD”) has submitted a Supplemental Funding Proposal Summary,
9 dated October 13, 2021. With this form, DCD is requesting **\$1,808,538** out of the
10 Unreserved, Undesignated Fund Balance to provide the 110 Chapters enough funds to
11 replenish their Emergency Fund accounts back to the established amount of \$25,000.
12 See Budget Instruction Manual (“BIM”) Appendix K attached hereto as **Exhibit A**.
- 13 B. A comprehensive list showing each Chapters’ funding need is attached as **Exhibit B**.
14 If the total requested amount of **\$1,808,538** is approved by the Navajo Nation Council,
15 different Chapters will receive different dollar amounts as shown in Exhibit B - but all
16 110 Chapters will end up with the same balance of \$25,000 in their Emergency Fund
17 accounts.
- 18 C. On behalf of the Chapters, DCD has provided the required Navajo Nation Budget
19 Forms, attached as **Exhibit C**.
- 20 D. The OOC has not yet reviewed this supplemental funding request for the amount of
21 **\$1,808,538** as required by 12 N.N.C. §820(L). However, OOC has provided a
22 memorandum dated August 20, 2021 regarding a previous DCD request for Chapters’
23 emergency funds in the amount of \$1,685,344. **Exhibit D**. OOC can present an
24 updated memorandum with a review of this \$1,808,538 funding request when this
25 legislation is presented for consideration by the Navajo Nation Council. The Controller
26 has identified the Chapters’ emergency funding as non-recurring expenditures.
- 27 E. The Office of Management and Budget (“OMB”) has not yet reviewed this \$1,808,538
28 funding request for a budget impact analysis as required by 12 N.N.C. §820(M).
29 However, the OMB has provided a budget impact analysis dated October 12, 2021
30 regarding a previous DCD request for Chapters’ emergency funds in the amount of

1 \$1,838,798. **Exhibit E.** OMB can present an updated budget impact analysis for this
2 \$1,808,538 funding request when this legislation is presented for consideration by the
3 Navajo Nation Council.
4

5 **SECTION THREE. APPROVING \$1,808,538 FOR THE 110 NAVAJO NATION**
6 **CHAPTERS FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE**

- 7 A. The Navajo Nation hereby approves **\$1,808,538** from the Unreserved, Undesignated
8 Fund Balance for the 110 Navajo Nation Chapters Emergency Fund accounts. Each
9 Chapter shall receive the designated dollar amount as shown in **Exhibit B**, so as to
10 bring each Chapter's Emergency Fund account balance to \$25,000.
11 B. This supplemental appropriation of **\$1,808,538** shall be from that amount of funds that
12 exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as
13 determined by the Controller.
14 C. The Navajo Nation hereby waives 12 N.N.C. § 820 (O) (Chapter 50/50 formula) to
15 allow for this supplemental appropriation to all 110 Chapters.
16

17 **SECTION FOUR. EFFECTIVE DATE**

18 The provisions of this Act shall become effective in accordance with 2 N.N.C. §221(B)
19 and with 2 N.N.C. §164(A)(17).
20

21 **SECTION FIVE. SAVINGS CLAUSE**

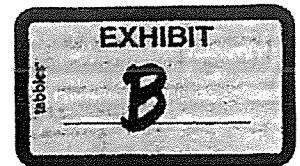
22 If any provision of this Action is determined invalid by the Supreme Court of the Navajo
23 Nation or by any Navajo Nation District Court, without appeal to the Navajo Nation
24 Supreme Court, the remainder of this Act shall remain valid as the law of the Navajo
25 Nation.
26
27
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30



Appendix K

THE NAVAJO NATION SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: <u>108014-108123</u>		Program Title: <u>Navajo Naiton Chapter Emergency Funds</u>	
Division/Branch: <u>Community Development/Executive</u>		Amount Requested: \$ <u>1,808,538.34</u>	Prepared By: <u>Lydell Davis</u>
Phone No.: <u>(928) 871-7246</u>		Email Address: <u>ldavis@nndcd.org</u>	
PART II. REASON FOR REQUEST AND STATEMENT OF NEED: Provide financial resources to the Navajo Nation Chapters that are in need of the Emergency funding. Emergency funding will be used for seasonal emergencies allowing Chapters to provide protective measures and remediation. Replenish Chapter emergency budgets to support chapters with disaster relief funds in the event of seasonal emergencies.			
PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED: 1. Undesignated, Unreserve Fund Balance - General Funds.			
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.			
<u><i>Deorlyellone</i></u> 10.13.21 REVIEWED BY: Division Director's Signature / Date		_____ RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date	



EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021

	Month End: 8/31/2021	\$25,000 Threshold	Difference (Column C - B)
Central Agency			
Black Mesa	22,100.00	25,000.00	2,900.00
Blue Gap/Tachee	21,443.00	25,000.00	3,557.00
Chinle	-	25,000.00	25,000.00
Forest Lake	56,554.00	25,000.00	-
Hard Rock	32,674.00	25,000.00	-
Lukachukai	50,185.00	25,000.00	-
Many Farms	2,013.00	25,000.00	22,987.00
Nazlini	2,212.00	25,000.00	22,788.00
Pinon	-	25,000.00	25,000.00
Round Rock	3,295.00	25,000.00	21,705.00
Tsaile/Wheatfields	40,443.00	25,000.00	-
Tse Ch'izhi (Rough Rock)	21,100.00	25,000.00	3,900.00
Tselani/Cottonwood	21,340.00	25,000.00	3,660.00
Whippoorwill	23,504.00	25,000.00	1,496.00
Total	296,863.00		132,993.00

EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021

	Month End: 8/31/2021	\$25,000 Threshold	Difference (Column C - B)
Eastern Agency			
Alamo	1,094.00	25,000.00	23,906.00
Baahaali	6,092.00	25,000.00	18,908.00
Baca-Prewitt	3,721.00	25,000.00	21,279.00
Becenti	12,996.00	25,000.00	12,004.00
Casamero Lake	(400.00)	25,000.00	25,400.00
Chichiltah	7,745.00	25,000.00	17,255.00
Church Rock	(9,672.00)	25,000.00	34,672.00
Counselor	79,693.00	25,000.00	-
Crownpoint	(17,253.00)	25,000.00	42,253.00
Huerfano	20,662.00	25,000.00	4,338.00
Iyanbito	(16,195.00)	25,000.00	41,195.00
Lake Valley	7,499.00	25,000.00	17,501.00
Littlewater	19,876.00	25,000.00	5,124.00
Manuelito	5,242.00	25,000.00	19,758.00
Mariano Lake	2,024.00	25,000.00	22,976.00
Nageezi	5,862.00	25,000.00	19,138.00
Nahodishgish	14,606.00	25,000.00	10,394.00
Ojo Encino	20,454.00	25,000.00	4,546.00
Pinedale	4,229.00	25,000.00	20,771.00
Pueblo Pintado	20,876.00	25,000.00	4,124.00
Ramah	(4,298.00)	25,000.00	29,298.00
Rock Springs	24,767.00	25,000.00	233.00
Smith Lake	(14,162.00)	25,000.00	39,162.00
Thoreau	(99,689.00)	25,000.00	124,689.00
Tohajiilee	(67,286.00)	25,000.00	92,286.00
Torreón/Star Lake	14,844.00	25,000.00	10,156.00
Tsayatoh	10,141.00	25,000.00	14,859.00
Tse' li'Ahi (Standing Rock)	6,606.00	25,000.00	18,394.00
Tse Lichif (Red Rock)	9,383.00	25,000.00	15,617.00
White Horse Lake	2,040.00	25,000.00	22,960.00
White Rock	11,692.00	25,000.00	13,308.00
Total	83,189.00		746,504.00

EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021

	Month End: 8/31/2021	\$25,000 Threshold	Difference (Column C - B)
Fort Defiance Agency			
Bahastl'ah' (Twin Lakes)	8,726.00	25,000.00	16,274.00
Cornfields	1.00	25,000.00	24,999.00
Coyote Canyon	16,852.00	25,000.00	8,148.00
Crystal	19,299.00	25,000.00	5,701.00
Dilkon	(46,802.00)	25,000.00	71,802.00
Fort Defiance	18,053.00	25,000.00	6,947.00
Ganado	2,011.00	25,000.00	22,989.00
Greasewood Springs	7,418.00	25,000.00	17,582.00
Houck	1,659.00	25,000.00	23,341.00
Indian Wells	No Response	25,000.00	-
Jeddito	4,756.00	25,000.00	20,244.00
Kin Dah Lichii (Kinlichee)	4,177.00	25,000.00	20,823.00
Klagetoh	25,803.00	25,000.00	-
Low Mountain	859.00	25,000.00	24,141.00
Mexican Springs	23,388.00	25,000.00	1,612.00
Nahata Dziil	11,219.00	25,000.00	13,781.00
Naschitti	9,063.00	25,000.00	15,937.00
Oak Springs	15,335.00	25,000.00	9,665.00
Red Lake #18	18,283.00	25,000.00	6,717.00
Sawmill	3,130.00	25,000.00	21,870.00
St. Michaels	50,130.00	25,000.00	-
Steamboat	10,188.00	25,000.00	14,812.00
Teesto	137.00	25,000.00	24,863.00
Tohatchi	7,328.00	25,000.00	17,672.00
Tse' Si Ani (Lupton)	4,320.00	25,000.00	20,680.00
White Cone	20,792.00	25,000.00	4,208.00
Wide Ruins	13,562.00	25,000.00	11,438.00
Total	249,687.00		426,246.00

EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021

	Month End: 8/31/2021	\$25,000 Threshold	Difference (Column C - B)
Northern Agency			
Aneth	48,116.00	25,000.00	-
Beclabito	56,303.00	25,000.00	-
Cove	16,729.00	25,000.00	8,271.00
Gadii' Ahi/To'koi	19,962.00	25,000.00	5,038.00
Mexican Water	(44,963.00)	25,000.00	69,963.00
Nenahnezad	36,798.00	25,000.00	-
Newcomb	7,113.00	25,000.00	17,887.00
Red Mesa	7,732.00	25,000.00	17,268.00
Red Valley	62,518.00	25,000.00	-
Rock Point	4,941.00	25,000.00	20,059.00
San Juan	20,835.00	25,000.00	4,165.00
Shiprock	30,545.00	25,000.00	-
Teec Nos Pos	19,004.00	25,000.00	5,996.00
Tiis Tsoh Sikaad (Burnham)	12,466.00	25,000.00	12,534.00
Toadlena/Two Grey Hills	17,045.00	25,000.00	7,955.00
Tolikan (Sweetwater)	13,507.00	25,000.00	11,493.00
Tooh' Haltsooi (Sheep Springs)	13,699.00	25,000.00	11,301.00
Tse Alnaozt'ii (Sanostee)	(16,686.00)	25,000.00	41,686.00
Tse Daa Kaan (Hogback)	1,355.66	25,000.00	23,644.34
Upper Fruitland	10,006.00	25,000.00	14,994.00
Total	337,025.66		272,254.34

EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021

	Month End: 8/31/2021	\$25,000 Threshold	Difference (Column C - B)
Western Agency			
Bodaway-Gap	12,700.00	25,000.00	12,300.00
Cameron	25,301.00	25,000.00	-
Chilchinbeto	15,610.00	25,000.00	9,390.00
Coalmine Canyon	15,585.00	25,000.00	9,415.00
Coppermine	-	25,000.00	25,000.00
Dennehotso	16,597.00	25,000.00	8,403.00
Kai' Bii To (Kaibeto)	(631.00)	25,000.00	25,631.00
Kayenta	37,962.00	25,000.00	-
LeChee	(647.00)	25,000.00	25,647.00
Leupp	2,346.00	25,000.00	22,654.00
Navajo Mountain	28,856.00	25,000.00	-
Oljato	69,229.00	25,000.00	-
Shonto	5,612.00	25,000.00	19,388.00
To' Nanees' Dizi'	-	25,000.00	25,000.00
Tolani Lake	No Response	25,000.00	-
Tonalea/Red Lake	24,926.00	25,000.00	74.00
Ts'ah Bii Kin (Inscription House)	(1,788.00)	25,000.00	26,788.00
Tsidii To'ii (Birdsprings)	4,075.00	25,000.00	20,925.00
Total	255,733.00		230,541.00
Grand TOTAL	1,222,497.66		1,808,538.34

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2022

PART I. Business Unit No.: 108014-108123		NAVAJO NATION CHAPTER EMERGENCY		DIVISION OF COMMUNITY DEVELOPMENT	
Program Title: REPLENISHMENT FUNDS		Division/Branch: [davis@nndcd.org]			
Prepared By: LYDELL DAVIS		Phone No.: (928) 871-7246		Email Address: [davis@nndcd.org]	

PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total
UUF8		FY22	1,808,538.34	100%

PART III. BUDGET SUMMARY		Fund Type Code	NNC Approved Original Budget (A)	Proposed Budget (B)	Difference or Total (C)
2001	Personnel Expenses				
3000	Travel Expenses				
3500	Meeting Expenses				
4000	Supplies				
5000	Lease and Rental				
5500	Communications and Utilities				
6000	Repairs and Maintenance				
6500	Contractual Services				
7000	Special Transactions				
8000	Public Assistance	1		1,808,538	1,808,538
9000	Capital Outlay				
9500	Matching Funds				
9500	Indirect Cost				
TOTAL			\$0.00	1,808,538.34	1,808,538

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

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

SUBMITTED BY:	Sonlalsa Jim-Martin, Department Manager II	APPROVED BY:	Pearl Yellowman, Executive Director
	Program Manager's Printed Name		Division Director / Branch Chief's Printed Name
	<i>Sonlalsa Jim</i> 10.13.21		<i>Pearl Yellowman</i> 10.13.21
	Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date



THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

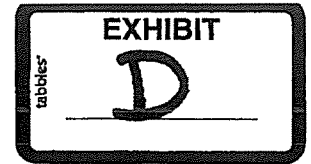
FY 2022

PART I. PROGRAM INFORMATION:		NAVAJO NATION CHAPTER EMERGENCY REPLENISHMENT FUNDS									
Business Unit No.: 108014-108123		Program Name/Title:									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:											
CAP-34-08: To direct the Chapter Administration and management control system, by promoting efficiency and accountability to the Chapter membership, and to effectuate plans of action to improve the standard of living for the Chapter membership.											
PART III. PROGRAM PERFORMANCE CRITERIA:											
1. Goal Statement:		1st QTR		2nd QTR		3rd QTR		4th QTR			
Secure NN Chapters with financial resource for community emergency response.		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
Program Performance Measure/Objective:											
Implement emergency management plan with financial resource appropriated.										110	
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. THEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.											
Sonlalsa Jim-Martin, Department Manager II						Pearl Yellowman, Executive Director					
Program Manager's Printed Name						Division Director/Branch Chief's Printed Name					
12.13.21						12.13.21					
Program Manager's Signature and Date						Division Director/Branch Chief's Signature and Date					

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2022

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Business Unit No.:	108014-108123
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
8000 ASSISTANCE			1,808,538
8705	<p>Chaplar</p> <p>8715 Grant</p> <p>Funds to assist the Chaplars in the upcoming 2021-2022 winter months.</p> <p>1,808,538.34</p>	1,808,538	
	<p>ENA Chaplars 745,504.00</p> <p>FDA Chaplars 425,246.00</p> <p>NNA Chaplars 272,254.34</p> <p>WNA Chaplars 230,541.00</p> <p>CLA Chaplars 132,993.00</p> <p>1,808,538.34</p>		
TOTAL		1,808,538	1,808,538



THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

Memorandum:

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

From: *Robert Willie*
Robert Willie, Accounting Manager
Office of the Controller

Date: August 20, 2021

Subject: Supplemental Funding Request for Division of Community Development

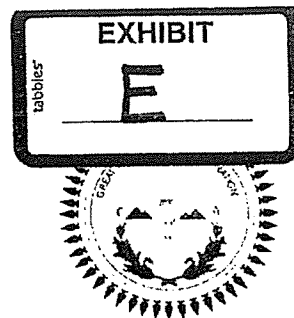
The Office of the Controller has reviewed the above referenced document.

1. The balance of the UUFB is \$25,786,238 as of June 30, 2021.
2. This request is for a total of \$1,685,344 to the Navajo Nation Chapters business units 108014 to 108123. This request is to secure Navajo Nation Chapters with financial resources for community emergency response. Currently the Navajo Nation is going through the 2022 budget process the forms being utilized state FY 2021 but the fiscal year term is 10/01/21 to 09/30/22 which is FY 2022.
3. This request would be considered **NON-RECURRING** for emergency needs of the chapter.

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

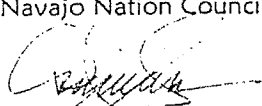
THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO: Navajo Nation Council/164 Reviewers

FROM: 
Dominic Beyer, Executive Director
Office of Management and Budget

DATE: October 12, 2021

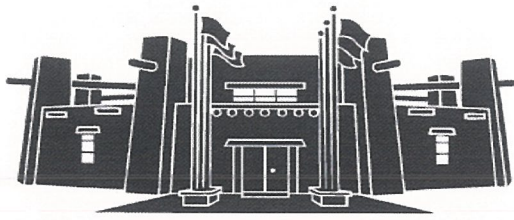
SUBJECT: Legislation No. 0206-21: Division of Community Development Budget for 110 Navajo Nation Chapters' Emergency Response plans in amount of \$1,838,798 from UUFB.

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

1. The Exhibit 'A' Supplemental Fund Summary page is signed by DCD in early August, 2021, and it refers to 'flood relief for monsoon season. It seems the rainy season is over and perhaps winter snow and freezing will soon be the need. OMB recommends the document be updated.
2. The Appropriation Act, Section 820, O; Distributions to Chapter, provides guidance on this. The language is: "Where not otherwise prohibited by existing law, any appropriation intended for distribution to all chapters of the Navajo Nation shall be allocated as follows: fifty percent (50%) of the appropriation shall be divided equally among all chapters and the remaining fifty percent (50%) shall be divided proportionately among the chapters using a percentage equal to that figure which the number of registered voters in each chapter bears to the whole of registered Navajo Nation voters as determined by the most current voter registration figures available as of the date of the appropriation...." As proposed, a waiver of this section may be required. DOJ should advise.
3. Some Chapters have deficit spending in FY 21: e.g. Churchrock (\$9,672.49), Crownpoint (\$11,434.93), Dilkon (\$46,801.68), Iyanbito (\$16,194.74), Thoreau (\$99,688.88). Additional funding would cover these deficits and leave a balance of \$25,000. How do these deficits occur and what controls are used to prevent this? It appears Chapters are allowed to go into deficit and the main government simply covers it.
4. Some Chapters have balances far exceeding the \$25,000 threshold amount: e.g. Forest Lake \$56,544, Lukachukai \$50,185, Tsaile/Wheatfields \$40,433, Counselors \$79,693, St. Michaels \$50,130, Beclabito \$56,866, Shiprock \$31,749, Red Valley \$62,518, Oljato \$69,299, and others.
5. The Office of Auditor General issued a Report (No. 21-29) on Chapters available balance as of 6/30/21. Some of the balances differ from Exhibit 'A'.

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

XC: OMB file: DCD



MEMORANDUM

TO: Honorable Thomas Walker
24th Navajo Nation Council

FROM:

Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: December 15, 2021

SUBJECT: **AN ACTION RELATING TO AN EMERGENCY FOR NAVAJO NATION COUNCIL; APPROVING \$1,808,538 IN SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR THE 110 NAVAJO NATION CHAPTERS' EMERGENCY FUND ACCOUNTS; WAIVING 12 N.N.C. § 820 (O)**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. 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 ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0261-21_

SPONSOR: Thomas Walker, Jr.

**TITLE: An Action Relating to an Emergency for Navajo Nation Council;
Approving \$1,808,538 in Supplemental Funding from the Unreserved, Undesignated
Fund Balance for the 110 Navajo Nation Chapters' Emergency Fund Accounts;
Waiving 12 N.N.C. § 820(O)**

Date posted: December 17, 2021 at 10:25AM

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.*