LEGISLATIVE SUMMARY SHEET
Tracking No. 0383-19

DATE: December 31, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED SEVENTY-FOUR THOUSAND THREE HUNDRED FIFTY-THREE DOLLARS ($1,874,353) FOR CHAPTER EMERGENCY FUNDS; WAIVING 12 N.N.C. §§ 820 (E) AND (F) REGARDING TO THE RESTRICTION OVER MATCHING RECURRING REVENUES WITH RECURRING EXPENDITURES

PURPOSE: The purpose of this resolution is to approve an appropriation for chapters with less than $25,000 in available emergency funds.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: _____
Website Posting Time/Date: _____
Posting End Date: 01-05-20
Eligible for Action: 01-06-20

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

_____
(Prime Sponsor)

TRACKING NO. 0383-19

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED SEVENTY-FOUR THOUSAND THREE HUNDRED FIFTY-THREE DOLLARS ($1,874,353) FOR CHAPTER EMERGENCY FUNDS; WAIVING 12 N.N.C. §§ 820 (E) AND (F) REGARDING TO THE RESTRICTION OVER MATCHING RECURRING REVENUES WITH RECURRING EXPENDITURES

BE IT ENACTED:

SECTION 1. AUTHORITY

A. The Navajo Nation established the Resources and Development Committee (RDC) as a Navajo Nation Council standing committee and as such gave RDC oversight over Navajo Nation Chapters. 2 N.N.C. §§ 500 (A) and 501 (C)(1).

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 management of all funds. 2 N.N.C. §§ 300 (A) and 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 action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A)(9).

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

E. The Navajo Nation Council has the authority to approve supplemental appropriations. 12 N.N.C. § 820(L).

F. The Title 12 Finance Act Supplemental Appropriation requirements 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 designation 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 year) forecast shows that the operating deficit will not continue. Otherwise, non-recurring revenues

will be added to the Unreserved, Undesignated Fund balance. This provision may be amended or waived by a two-thirds vote of the full Navajo Nation Council." 12 N.N.C. § 820(F).

SECTION 2. FINDINGS

A. This supplemental funding request is made for the purpose of emergency financial stability to address all aspects of providing emergency services including, preparedness, mitigation, response, and recovery. The aim of the funding is to reduce the harmful effects of all hazards incurred by chapters.

B. The amount requested is One Million Eight Hundred Seventy-Four Thousand Three Hundred Fifty-Three Dollars ($1,874,353). The supplemental funding proposal and budget documents are attached as **Exhibit A**.

C. The intent of this supplemental funding request is to bring chapters with less than $25,000 in emergency funds to $25,000. Any chapter with a zero after it in **Exhibit A** had at least $25,000 in its emergency funds at the time the budget was prepared. Any chapter listed to receive more than $25,000 had a negative balance when the documents in **Exhibit A** were prepared.

D. The Executive Branch has completed a Section 164 Review which is attached as **Exhibit B**.

E. The memorandum provided by the Office of Management and Budget, dated October 8, 2019, satisfies the budget impact analysis required by 12 N.N.C. 820(M) and is included in **Exhibit B**.

F. The Office of the Controller provided a memorandum, dated November 1, 2019, indicating this request for funding is recurring. This memorandum satisfies the requirements provided in 12 N.N.C. § 820(L) and is included in **Exhibit B**.

SECTION 3. WAIVING 12 N.N.C. § 820 (E) AND (F)

The Navajo Nation Council waives 12 N.N.C. § 820(E) and (F) with regard to the restriction on matching recurring revenues with recurring expenditures.

SECTION 4. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED SEVENTY FOUR THOUSAND THREE HUNDRED FIFTY THREE DOLLARS ($1,874,353) FOR CHAPTER EMERGENCY FUNDS

A. This supplemental appropriation of $1,874,353 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller and as indicated the documents in **Exhibit A**.

B. The Navajo Nation hereby approves supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of $1,874,353 for chapter emergency funds as indicated in the documents in **Exhibit A**.

EXHIBIT A

Office of Management & Budget
The Navajo Nation Window Rock, Arizona

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: 108014 -108123 Program Title: NN 110 Chapters

Division/Branch: Community Dev./Executive Amount Requested: $1,874,353 Phone No.: 928/871-7173

Prepared By: Brenda Holgate, PPS Email Address: bholgate@nndcd.org

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The purpose for the UUFB General Funds for the Navajo Nation 110 Chapters is for emergency fiancial stability to organize and dealing with all humanitarian aspects of emergency (preparedness, response, mitigation, and recovery). The aim is to reduce the harmful effects of all hazards, including disasters chapters incurred. No matter what type of emergency or disaster occurs, an emergency prepardness plan can make a differency between life and death.

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

1. Undesigned, Unreserve Fund Balance - General Funds.

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

Pearl Yellowman, Exeuctive Director

Pearl Yellowman 10.2.19

REVIEWED BY: Division Director's Signature / Date

Paulson Chaco, Chief of Staff

RECOMMEND APPROVAL: Branch Chief's Signature / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

BUDGET FORM 1

PART I. Business Unit No.: 108014 - 108123 Program Title: Navajo Nation 110 Chapters Division/Branch: Community Development/Executive

Prepared By: Brenda Holgate, PPS Phone No.: 928/871-7173 Email Address: bholgate@nndcd.org

PART II. FUNDING SOURCE(S)	Fiscal Year /Term	Amount	% of Total
UUFB General Funds	FY 2020	1,874,353	100%
TOTAL:		1,874,353	100%

PART III. BUDGET SUMMARY	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
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		1,874,353	1,874,353
9000 Capital Outlay				0
9500 Matching Funds				0
9500 Indirect Cost				0
TOTAL		$0.00	1,874,353	1,874,353

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.

Pearl Yellowman, Executive Director
SUBMITTED BY: Program Manager's Printed Name

SUBMITTED BY: Program Manager's Signature and Date

Paulson Chaco, Chief of Staff
APPROVED BY: Division Director/Branch Chief's Printed Name

APPROVED BY: Division Director/Branch Chief's Signature and Date

Received
OCT - 3 2019
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

PART I. PROGRAM INFORMATION:

Business Unit No.: 108014 - 108123 **Program Name/Title:** Navajo Nation 110 Chapters

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

CAP-34-98: 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:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: NN 110 Chapters to establish emergency management plan for the safety of community members.								
Program Performance Measure: Ensure steps are applied responding to an emergency and planning processes by 4th qtrs.							110	
2. Goal Statement:								
Program Performance Measure:								
3. Goal Statement:								
Program Performance Measure:								
4. Goal Statement:								
Program Performance Measure:								
5. Goal Statement:								
Program Performance Measure:								

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

Pearl Yellowman, Executive Director
Program Manager's Printed Name

Pearl Yellowman
Program Manager's Signature and Date

Paulson Chaco, Executive Director
Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

Received
OCT 03 2018
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

PART I. PROGRAM INFORMATION:

Program Name/Title: Navajo Nation 110 Chapters Business Unit No.: 108014 - 108123

PART II. DETAILED BUDGET:

(A) Object Code (LOD 6)	(B) Object Code Description and Justification (LOD 7)	(C) Total by DETAILED Object Code (LOD 6)	(D) Total by MAJOR Object Code (LOD 4)
	8000 Assistance		1,874,353
8705	Chapter		
	8715 Grant	1,874,353	
	The purpose of the funds is to financial security as a safety net to meet NN Chapters emergency needs.		
	ENA Chapters 575,000		
	FDA Chapters 500,000		
	NNA Chapters 250,000		
	WNA Chapters 329,314		
	CLA Chapters 220,039		
	1,874,353		
	TOTAL	1,874,353	1,874,353

Received
OCT - 1 2018
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

DIVISION OF COMMUNITY DEVELOPMENT

FY 2020 UUFB GENERAL FUNDS FOR NN CHAPTERS FOR EMERGENCY FUNDS

Received
OCT 3 2018
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

A	B	C
BUS. UNITS	AGENCY/CHAPTERS	UUFB GENERAL FUNDS CHAPTER EMERGENCY
	EASTERN AGENCY (31)	
108028	Alamo Chapter	0
108029	Baca Chapter	25,000
108030	Becenti Chapter	25,000
108031	Baahaali Chapter	0
108033	Casamero Lake Chapter	25,000
108034	Chichiltah Chapter	25,000
108035	Churchrock Chapter	25,000
108036	Counselor Chapter	0
108037	Crownpoint Chapter	0
108038	Huerfano Chapter	25,000
108039	Iyanbito Chapter	25,000
108040	Lake Valley Chapter	25,000
108041	Littlewater Chapter	25,000
108042	Manuelito Chapter	**0**
108043	Mariano Lake Chapter	25,000
108044	Nageezi Chapter	25,000
108045	Nahodishgish Chapter	25,000
108046	Ojo Encino Chapter	0
108047	Pinedale Chapter	25,000
108048	Pueblo Pintado Chapter	25,000
108049	Ramah Chapter	25,000
108050	Red Rock Chapter	0
108051	Rock Springs Chapter	25,000
108052	Smith Lake Chapter	25,000
108053	Standing Rock Chapter	25,000
108032	To'hajiilee Chapter	25,000
108054	Thoreau Chapter	0
108055	Torreon Chapter	25,000
108056	Tsayatoh Chapter	25,000
108057	Whitehorse Lake Chapter	25,000
108058	Whiterock Chapter	25,000
	SUBTOTAL	**575,000** ✓

Received
OCT - 3 2018
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

DIVISION OF COMMUNITY DEVELOPMENT

FY 2020 UUFB GENERAL FUNDS FOR NN CHAPTERS FOR EMERGENCY FUNDS

A	B	C
BUS. UNITS	**AGENCY/CHAPTERS**	**UUFB GENERAL FUNDS CHAPTER EMERGENCY**
	FT DEFIANCE AGENCY (27)	
108059	Cornfields Chapter	25,000
108060	Coyote Canyon Chapter	25,000
108061	Crystal Chapter	25,000
108062	Dilkon Chapter	25,000
108063	Ft. Defiance Chapter	25,000
108064	Ganado Chapter	25,000
108065	Houck Chapter	25,000
108066	Indian Wells Chapter	0
108067	Jeddito Chapter	0
108068	Kinlichee Chapter	0
108069	Klagetoh Chapter	25,000
108070	Low Mountain Chapter	25,000
108071	Lower Greasewood Chapter	25,000
108072	Lupton Chapter	25,000
108073	Mexican Spring Chapter	0
108074	Naschitti Chapter	25,000
108085	Nahata Dzil Chapter	25,000
108075	Oak Springs Chapter	25,000
108076	Red Lake Chapter	25,000
108077	Sawmill Chapter	25,000
108078	St. Michaels Chapter	0
108079	Steamboat Chapter	0
108080	Teesto Chapter	25,000
108081	Tohatchi Chapter	25,000
108082	Twin Lakes Chapter	25,000
108083	Whitecone Chapter	25,000
108084	Wide Ruins Chapter	0
	SUBTOTAL	**500,000** ✓

DIVISION OF COMMUNITY DEVELOPMENT

FY 2020 UUFB GENERAL FUNDS FOR NN CHAPTERS FOR EMERGENCY FUNDS

Received
3 2019
Office of Management & Budget
The Navajo Nation, Window Rock, Arizona

A	B	C
BUS. UNITS	AGENCY/CHAPTERS	UUFB GENERAL FUNDS CHAPTER EMERGENCY
	SHIPROCK AGENCY (20)	
108086	Aneth Chapter	0
108087	Beclabito Chapter	0
108088	Burnham Chapter	25,000
108089	Cove Chapter	25,000
108090	Gadii'ahi Chapter	25,000
108092	Hogback Chapter	0
108093	Mexican Water Chapter	25,000
108094	Nenahnezad Chapter	25,000
108095	Newcomb Chapter	25,000
108096	Red Mesa Chapter	0
108097	Red Valley Chapter	0
108098	Rock Point Chapter	0
108100	Sanostee Chapter	0
108099	San Juan Chapter	25,000
108101	Sheepsprings Chapter	25,000
108102	Shiprock Chapter	0
108103	Sweetwater Chapter	25,000
108104	Teecnospos Chapter	25,000
108105	Two Grey Hills Chapter	0
108091	Upper Fruitland Chapter	0
	SUBTOTAL	250,000 ✓

DIVISION OF COMMUNITY DEVELOPMENT

FY 2020 UUFB GENERAL FUNDS FOR NN CHAPTERS FOR EMERGENCY FUNDS

A	B	C
BUS. UNITS	**AGENCY/CHAPTERS**	**UUFB GENERAL FUNDS CHAPTER EMERGENCY**
	WESTERN AGENCY (18)	
108106	Birdsprings Chapter	0
108107	Bodaway-Gap Chapter	25,000
108108	Cameron Chapter	28,000
108109	Chilchinbeto Chapter	25,000
108110	Coalmine Mesa Chapter	25,000
108111	Coppermine Chapter	25,000
108112	Dennehotso Chapter	25,000
108113	Inscription House Chapter	25,000
108114	Kaibeto Chapter	25,000
108115	Kayenta Chapter	0
108116	LeChee Chapter	25,000
108117	Leupp Chapter	25,000
108118	Navajo Mountain Chapter	0
108119	Oljato Chapter	0
108121	Shonto Chapter	25,000
108122	Tolani Lake Chapter	25,000
108120	Tonalea/Red Lake Chapter	0
108123	To'nanees'dizi Chapter	26,314
	SUBTOTAL	**329,314**
	CHINLE AGENCY (14)	
108014	Black Mesa Chapter	25,000
108015	Chinle Chapter	25,000
108016	Forest Lake Chapter	0
108017	Hardrock Chapter	0
108018	Lukachukai Chapter	23,535
108019	Many Farms Chapter	0
108020	Nazlini Chapter	25,000
108021	Pinon Chapter	11,097
108023	Rough Rock Chapter	25,000
108022	Round Rock Chapter	35,407
108024	Tachee/Blue Gap Chapter	0
108025	Tsaile/Wheatfields Chapter	25,000
108026	Tselani/Cottonwood Chapter	0
108027	Whippoorwill Chapter	25,000
	SUBTOTAL	**220,039**
	GRAND TOTAL	**1,874,353**
		bholgate 9/17/19
0	Chapters Fund Balances over $25,000	

EXHIBIT
tabbies
B

Document No. 013542 Date Issued: 10

SECTION 164 REVIEW FORM

Title of Document: UUFBGF Request for NN Chapters Emergency Contact Name: SMITH JR, RAYMOND R.

Program/Division: LEGISLATIVE BRANCH

Email: rsmithjr@navajo-nsn-gov Phone Number: 928/871-6380

Division Director Approval for 164A: Pearl Yellowman

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

☐ **Statement of Policy or Positive Law:**

			Sufficient	Insufficient
1. OAG:		Date:	☐	☐

☑ **IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**

1. OMB:	Bryan - See Memo	Date: 10-14-19	☐	☑
2. OOC:	[signature]	Date: 10.01.19	☐	☑
3. OAG:	[signature]	Date: 11/13/19	☑	☐

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

☐ **Grant/Funding Agreement or amendment:**

1. Division:		Date:	☐	☐
2. OMB:		Date:	☐	☐
3. OOC:		Date:	☐	☐
4. OAG:		Date:	☐	☐

☐ **Subcontract/Contract expending or receiving funds or amendment:**

1. Division:		Date:	☐	☐
2. BRD:		Date:	☐	☐
3. OMB:		Date:	☐	☐
4. OOC:		Date:	☐	☐
5. OAG:		Date:	☐	☐

☐ **Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**

1. Division:		Date:	☐	☐
2. OAG:		Date:	☐	☐

☐ **M.O.A. or Letter of Assurance expending or receiving funds or amendment:**

1. Division:		Date:	☐	☐
2. OMB:		Date:	☐	☐
3. OOC:		Date:	☐	☐
4. OAG:		Date:	☐	☐

NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM

☐ RESUBMITTAL

RECEIVED
NOV 12 2019
DEPARTMENT OF JUSTICE
RECEPTIONIST OFFICE

DOJ
11-12-19 @ 2:40pm
DATE / TIME
☐ 7 Day Deadline
DOC #: 013542
SAS #:
UNIT: ECDev

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

CLIENT TO COMPLETE

DATE OF REQUEST:	11/11/2013	DIVISION:	Community Development
CONTACT NAME:	Brenda Holgate	DEPARTMENT:	Administration
PHONE NUMBER:	928/871-7173	E-MAIL:	bholgate@nndcd.org

TITLE OF DOCUMENT: *Doc. No. 013542, Funding Proposal by DCD for NN 110 Chapters Emergency Financial Stability..*

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: NOV 12 2019 4pm

REVIEWING ATTORNEY/ADVOCATE: Latonia Johnson

DATE TIME OUT OF UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

Sufficient. See checklist

REVIEWED BY: (*Print*)	Date / Time	SURNAMED BY: (*Print*)	Date / Time
LBJ	11/13/19 1043am	LBJ	11/13/19 1043am

DOJ Secretary Called: Sharon Blatchford for Document Pick Up on NOV 13 2019 at 1155am By: ah

PICKED UP BY: (*Print*) DATE / TIME:

NNDOJ/DRRF-July 2013

RECEIVED
NOV 12 2019
ECONOMIC COMMUNITY DEVELOPMENT UNIT

CHECKLIST
Supplemental Appropriation Request
Capital Improvements and Non-Capital Improvements

TYPE OF REQUEST:

NN 110 Chapter 3 Emergency, Financial Stability

PURPOSE:

All supplemental appropriation requests should be in compliance with the Appropriation Act, 12 N.N.C. § 800, *et. seq.*, the Fiscal Year 2020 Budget Instruction Manual (BIM), including Section XII and Appendix K, and the Budget Policies Manual (BPM).

CHECKLIST:

- [x] Supplemental Request Form: See BIM, Section XII(B)(1)(b)-Appendix K.
  - [x] Explain why funding is being requested outside the regular or annual fiscal year budget development process. See BIM, Section XIV(B)(1)(b)(i).
  - [x] Identify any other sources of funding that have been considered and that may be pursued if the supplemental request is not funded. See BIM, Section XIV(B)(1)(b)(ii).
  - [x] Signatures:
    - [x] Signature of the appropriate Division Director.
    - [x] Approval by the appropriate Branch Chief.

- [x] Program Operating Budget Forms 1 thru 5: See BIM, Section XII(B)(1)(a).
  - [x] Form 1
    - [x] Signature of the appropriate Division/Department.
    - [x] Concurrence by the Branch Chief/Division Director.
  - [x] Form 2
    - [x] Signature of the appropriate Division/Department.
    - [x] Concurrence by the Branch Chief/Division Director.
  - [ ] Form 3, if the request involves personnel or positions to be funded. If not applicable, please write "not applicable" n/a.
  - [x] Form 4
  - [ ] Form 5, if the request involves personnel or positions to be funded. If not applicable, please write "not applicable" n/a.
  - [ ] Form 6, if the request involves supplemental funding for an externally-funded entity. If not applicable, please write "not applicable" n/a.

Other BIM requirements:

- [x] *If applicable*, any supplemental request that is not initially funded must be updated every four months or as necessary to reflect any changes. See BIM, Section XII(B)(1)(c). If not applicable, please write "not applicable" n/a.

- ☐ *If applicable*, if a supplemental funding proposal is not funded in the previous fiscal year, the proposal must be revised and resubmitted for the current fiscal year. See BIM, Section XIV(B)(1)(d). If not applicable, please write "not applicable" n/a.
- ☐ *If applicable*, the budget for supplemental funding requests must be prorated to fund only the remaining portion of the fiscal year. See BIM, Section XII(B)(2). If not applicable, please write "not applicable" n/a.
- ☐ *If applicable,* if the supplemental is granting funds to an external entity, a grant application form should be filled out as provided by Appendix G. See BIM, Section XIV(B)(1). If not applicable, please write "not applicable" n/a.

For Capital Improvement Projects:

- ☐ *If applicable, s*ubmit all requests for supplemental appropriations to the Capital Projects Management Department (CPMD) of the Division of Community that it meets all requirements in the Transportation and Community Development Objective Criteria in Resolution No. TCDCJY-77-99. See BIM, Section XII(C)(1). If not applicable, please write "not applicable" n/a.

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: Pearline Kirk, Controller
Office of the Controller

Date: November 1, 2019

Subject: 164-013542-Funding Proposal by DCD for NN 110 Chapters Emergency Financial Stability in the Amount of $1,874,353

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

1. The balance of the UUFB is $16,960,422 as of September 30, 2019. Unmet needs amounts for FY2020 Comprehensive Budgets have yet to be determined and if any are approved would also reduce this available balance. In addition, there are currently requests from the UUFB for water rights and UNM Lobo Rainforest that would further reduce the amount of the UUFB, if approved.
2. This request is for $1,874,353 for funding of Emergency Financial Stability. This amount to bring the chapters funding levels for emergency purposed back up to an adequate amount. There is no current emergency the funding is for the chapters to have the financial stability and be prepared for any type of emergency that comes up.
3. This request would be considered **RECURRING** expenses.

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

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

RECEIVED OCT 29 2019 General Accounting
RECEIVED OCT 18 2019 Office Services
RECEIVED OCT 1 2019 General Accounting
RECEIVED OCT 16 2019 Office Services

MEMORANDUM

TO: Navajo Nation 164 Reviewers

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

DATE: October 8, 2019

SUBJECT: Review of Doc. No. 013542, Funding Proposal by Division of Community Development for NN 110 Chapters Emergency Financial Stability in the Amount of $1,874,353

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

1. The Proposal is for NN 110 Chapters for emergency financial stability, but some Chapters has zero amounts, some are less or more than $25,000. The amounts for each Chapters are inconsistent. No explanation is provided why Chapters are at either zero or $25,000. This should be justified.
2. According to Office of the Auditor General's latest report as of June 30, 2019 (Exhibit B) has available fund balances for the 110 NN Chapters for Emergency and Disaster Relief Funds varying from $101,000 to zero balance for each Chapters.
3. The Office of the Controller says the UUFB has an amount of $16,960,422 available at this time. This project appears to be eligible for funding from this source.
4. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2020 Budget Resolution CS-30-19 (paragraph 'M'), the FY 2020 Budget Instructions Manual (Section XII), and the Appropriations Act. This activity should be completed by the three branches to determine priorities.

    a) The Resources Development Committee by resolution RDCJY-033-19, recommended a total of $11,310,074 for a number of DCD unmet needs. There are now 5 proposals (#'s 012551, 031448, 013449, 013542, 013544), totaling $9,187,427 in the Executive Order review process.
    b) Because of all these proposals totaling over $90 million from all 3 Branches, including the group from DCD, the President/Vice-President said the 3 Branches will decide on prioritize as indicated in the September 3, 2019, budget message to the Navajo Nation Council.
    c) Therefore, DCD should prioritize these proposals and the OPVP should prioritize all Executive Branch proposals.

Contact OMB, Selena Begay, Senior Budget Analyst, at (928) 871-6570 if there are any questions and/or concerns regarding this memorandum.

xc: OMB file;
Copy of Auditor General report-Exhibit B

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

September 3, 2019

Hon. Seth Damon, Speaker
24th Navajo Nation Council
PO Box 3390
Window Rock, AZ 86515

Navajo Nation Fiscal Year 2020 Comprehensive Budget Session Message

Dear Honorable Members of the 24th Navajo Nation Council,

The Office of the President and Vice President is grateful for the dedicated work of the 24th Navajo Nation Council in developing a proposed Fiscal Year 2020 Comprehensive Budget.

As leaders of the Navajo government, we are responsible to account for public funds, to manage finances wisely, and to plan for the adequate funding of services desired by the Navajo People. Furthermore, we assert the 2018 Navajo Nation election expressed the will of the Navajo People to change how government manages its financial resources. We as leaders can no longer tolerate poor use of the financial resources of the people by the government. The Nez-Lizer Administration honors and supports this position of responsible, accountable, and effective use of all public funds as we carry out the mandate of change. We must protect the Navajo peoples' money.

Allocating Funds Based on Priorities

With the Executive Branch allocation, we have prioritized program expenditures for operational use to deliver needed services to the Navajo People through the *Hozhó Diné Bi Nahat'á Plan*. This plan is a carefully thought out strategy designed to guide us over the next four years. Executive Branch Division Directors deliberated the proper use of these public funds as authorized by the Branch Chiefs Agreement. However, by amending their proposed program budgets without consulting Division Directors, tribal programs may be adversely impacted and these changes could lead to setbacks for programs.

Budget and Finance Committee Amendments

One such example is the amendment approved by the Budget and Finance Committee to reduce the allocated amount for chapter stipends and compensation from $2 million to $1 million. In years past, chapters have called on us to fully fund this line item. With this in mind, the Division of Community Development recommended that it be funded at $2 million in this

year's budget through the use of the Personnel Lapse Fund, but with this amendment, we will once again be kicking the can down the road and be faced with a budget shortfall. Recently, the Eastern Agency Council passed a resolution requesting full funding for chapter stipends as well. While this amendment had good intentions, it creates financial uncertainty and threatens the stability we seek to establish through the *Nahat'a Plan*. We respectfully ask the Council to fully fund the chapter stipends.

Another amendment approved by the Budget and Finance Committee is the reallocation of $250,000 from the Retirement Plan Account for Radiation Exposure Compensation Act lobbying efforts. While our Administration strongly supports the reauthorization of the Radiation Exposure Compensation Act, we feel the best way to lobby is through the Navajo Nation Washington Office and through face-to-face meetings with House and Senate members. Our Administration is committed to continuing the advocacy efforts to ensure compensation for downwinders and others, but not at the expense of risking the retirement plan for our retired employees who earned this benefit through years of dedicated work to the Nation. We propose to restore the Retirement Plan Account to $500,000 and work together to strengthen our advocacy efforts to ensure that the reauthorization of RECA with expanded benefits is passed through the House and Senate and signed into law.

Unmet Needs – UUFB

We are aware of unexpected and unmet needs. To this end, the Nez-Lizer Administration will consider proposals that use the Unreserved, Undesignated Fund Balance (UUFB) to address unmet program and project needs. Each offered UUFB request will be individually evaluated based on its own merits. We ask that you work directly with Division Directors to create meaningful legislation that resolves a particular need and keeps us within our budget.

In short, we must coordinate the use of public funds to optimize effectiveness. Our government must learn to strategically plan and create expected results with existing funds. We request that the Council hold a special session dedicated to addressing and considering unmet needs, in accordance with 12 N.N.C. § 820(L), which requires the three branches to prioritize unmet needs.

We appreciate your willingness to save a significant part of the $40 million from the UUFB for anticipated decline in revenues for the Nation. That saved amount of $21 million is part of the FY2020 budget. It is through this shared exercise that we can survive unknown economic trials that loom ahead of us. In addition, we greatly appreciate your support of the General Wage Adjustment for all Navajo Nation employees, including employees of the 110 chapters.

Closing Remarks/Request for Special Session

In closing, the financial times we live in are challenging. We can no longer continue the undisciplined spending practices of the past. As President of the Navajo Nation, I am held to

the highest standard to ensure fiscal responsibility and financial integrity. I will not violate my fiduciary responsibility to the Navajo People by overspending or any other means.
We respectfully request for your support of the FY2020 Comprehensive Budget and to fully fund chapter stipends, and consideration for a special session to address unmet needs. Once again, we thank you for your leadership and advocacy on behalf of our people and our communities. We look forward to a productive and positive budget session. Ahe'hee'

Sincerely,

Jonathan Nez, *President*
THE NAVAJO NATION

Myron Lizer, *Vice President*
THE NAVAJO NATION

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576

Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Raymond Smith, Jr
24th Navajo Nation Council

FROM: RHm for KL
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: December 31, 2019

SUBJECT: **AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAA'BIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED SEVENTY-FOUR THOUSAND THREE HUNDRED FIFTY-THREE DOLLARS ($1,874,353) FOR CHAPTER EMERGENCY FUNDS; WAIVING 12 N.N.C. §§ 820 (E) AND (F) REGARDING TO THE RESTRICTION OVER MATCHING RECURRING REVENUES WITH RECURRING EXPENDITURES**

As requested, 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.

Please ensure that this 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 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).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.