## RESOLUTION OF THE <br> NAVAJO NATION COUNCIL

23 ${ }^{\text {RD }}$ NAVAJO NATION COUNCIL -- Third Year, 2017

AN ACT
RELATING TO EMERGENCY FOR THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF $\$ 2,161,748$ (TWO MILLION ONE HUNDRED SIXTY ONE THOUSAND AND SEVEN HUNDRED FORTY EIGHT DOLLARS) FOR SUMMER YOUTH EMPLOYMENT TO 110 NAVAJO NATION COUNCIL

BE IT ENACTED:

SECTION 1. AUTHORITY
A. The Navajo Nation Council has the authority to approve supplemental appropriations.
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." 2 N.N.C. § 164 (A) (16).
C. This legislation is offered as an emergency legislation due to the critical nature summer youth employment plays in the local economy as well as to the students employed by the chapters.

## SECTION 2. FINDINGS

A. A supplemental appropriation is requested to cover the expenses of summer youth employment. The budget forms are provided in Exhibit A.
B. Each chapter is to receive an appropriation to bring the balance in its Summer Youth Employment Fund to $\$ 35,000$. However, no chapter is eligible to receive more than $\$ 35,000$. Moreover, any chapter with more than $\$ 35,000$ in its Summer Youth Employment Fund, is not eligible to receive an appropriation. Any chapter that currently has a negative balance in its Summer Youth Employment Fund will receive a maximum appropriation of $\$ 35,000$. A schedule has been prepared to show how each chapter is affected. This schedule is attached as Exhibit B.
C. The Title 12 Supplemental Appropriation requirements include:

1. Pursuant to 12 N.N.C. $\$ 820(L)$, when the Controller identifies additional sources of revenues above and beyond the initial or
current revenue projections, supplemental appropriations may be allocated by the Navajo Nation Council. The Office of the Controller has provided a memorandum that as of March 28, 2017 the updated balance in the Unreserved, Undesignated Fund Balance (UUFB) is $\$ 6,824,260.00$. This memorandum is attached as Exhibit C. OOC may provide an updated review based on Exhibit C.
2. Pursuant to 12 N.N.C. § $820(\mathrm{M})$, all requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget (OMB) for budget impact analysis. The OMB budget impact analysis is attached as Exhibit D.
D. Diné Customary Law declares and teaches that: " [i]t is the right and freedom of the people that our children are provided with education to absorb wisdom, self-knowledge, and knowledge to empower them to make a living and participate in the growth of the Navajo Nation." 1 N.N.C. § 204 (F).
E. One way for the Navajo Nation to honor Diné Customary Law is to assist high school and college students with temporary employment.
F. The Summer Youth Employment program offers high school and college students the opportunity to gain work experience during their summer breaks and pay some of their school expenses.
G. The Summer Youth Employment program aligns with Diné Customary Law by providing Navajo Nation youth with "education to absorb wisdom, self-knowledge, and knowledge to empower them to make a living and participate in the growth of the Navajo Nation." 1 N.N.C. § 204 (F).

SECTION 3. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF $\$ 2,161,748$ (TWO MILLION ONE HUNDRED SIXTY ONE THOUSAND AND SEVEN HUNDRED FORTY EIGHT DOLLARS) TO
the business units for the navajo nation chapters
A. This supplemental appropriation of $\$ 2,161,748$ 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 to the Business Unit Numbers for the Navajo Nation chapters.
B. The Navajo Nation hereby approves supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of $\$ 2,161,748$ to the Business Unit Numbers for the Navajo Nation chapters to fund the Summer Youth Employment program.
C. The supplemental funding shall be deposited in accordance with the budget forms in Exhibit A.
D. The Supplemental Funds shall not be distributed until a Chapter's current balance for summer youth employment is depleted. The supplemental funds not used in FY2017 shall lapse, therefore, 12 N.N.C. $\S 820(\mathrm{~N})$ authorizing chapters' unexpended balance to carryover is hereby waived. Chapter with a negative balance shall bring the account current prior to distribution of funds.

SECTION 4. WAIVING 12 N.N.C. $§ 820(0)$ DISTRIBUTIONS TO CHAPTER.
The Navajo Nation Council waives 12 N.N.C. § 820 ( 0 ), which requires a 50/50 method of distribution when an appropriation is to be distributed to all Navajo Nation chapters.

SECTION 5. DIRECTIVE TO THE NAVAJO NATION OFFICE OF THE CONTROLLER, OFFICE OF MANAGEMENT AND BUDGET, AND DIVISION OF COMMUNITY DEVELOPMENT

The Navajo Nation Departments of the Office of Management and Budget, the Office of the Controller, and the Division of Community Development are directed to update the Chapter Summer Youth Employment Fund balances within 7 calendar days.

## CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 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 17 in favor and 04 opposed, this $19^{\text {th }}$ day of June, 2017.


Navajo Nation Council
$\frac{6-21-17}{\text { Date }}$
Motion: Honorable Alton Joe Shepherd
Second: Honorable Edmund Yazzie

## ACTION BY the NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005

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2. I hereby veto the foregoing
    legislation, pursuant to 2 N.N.C. §1005
    (c)(11), on this day of
                                2017 for reason(s)
    expressed in the attached letter to the
    Speaker
            Russell Begaye, President
                Navajo Nation
3. I hereby exercise line item veto
pursuant to the 2010, certified
Initiative, over the supplemental
appropriations approved herein by the
Navajo Nation Council; on this
day of
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$\qquad$

``` 2017.
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Russell Begaye, President
    Navajo Nation
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OFFICE OF DINE YOUTH
CROWNPOINT AGENCY
FISCAL YEAR 2017

| CHAPTER | COLLEGE HIRED | $\begin{aligned} & \text { HIGH } \\ & \text { SCHOOL } \\ & \text { HIRED } \end{aligned}$ | COLLEGE APPLICANTIONS GIVEN OUT | HIGH SCHOOL APPLICATIONS gIVEN OUT |
| :---: | :---: | :---: | :---: | :---: |
| AI $\Lambda$ M ) |  |  | 2 | 7 |
| BACA | 2 | 3 | 4 | 4 |
| BECENTI | 7 | 7 | 8 | 8 |
| BAAHAALI |  |  | 2 | 4 |
| CASAMERO LAKE |  | 2 | 2 | 6 |
| CHICHILTAH | 1 |  | 2 | 4 |
| CHURCHROCK | 1 | 2 | 3 | 4 |
| COUNSELOR |  |  | 2 | 4 |
| CROWNPOINT | 11 | 6 | 7 | 12 |
| HUERFANO |  |  | 2 | 4 |
| IYANBITO | 2 | 3 | 5 | 4 |
| LAKE VALLEY | 2 | 4 | 3 | 6 |
| LITTLEWATER | 1 | 2 | 3 | 6 |
| MANUELITO | 4 | 3 | 4 | 7 |
| MARIANO LAKE | 1 | 1 | 4 | 6 |
| NAGELZ/I | 2 | 1 | 2 | 4 |
| NAHODISHGISH | 3 | 4 | 2 | 4 |
| OJ() ENCINO |  |  | 2 | 4 |
| PINEIDALE |  | 7 | 2 | 9 |
| PUEBLO PINTADO | 2 | 1 | 3 | 4 |
| RAMAH | 3 | 1 | 3 | 4 |
| RED ROCK |  | 2 | 2 | 4 |
| ROCKSPRINGS |  | 1 | 3 | 4 |
| SMITH LAKE | 2 | 2 | 3 | 4 |
| STANDING ROCK | 3 | 2 | 5 | 4 |
| TOHAJIILEE |  |  | 3 | 3 |
| TORREON |  |  | 2 | 4 |
| THOREA |  | 1 | 2 | 6 |
| TSAYATOH | 1 |  | 3 | 4 |
| WHITEHORSE LAKE | 2 | 1 | 3 | 5 |
| WHITER()CK |  |  | 2 | 4 |
| TOTAL | 50 | 56 | 95 | 157 |




| (D) |
| :---: | :---: |
| Total by <br> MAJOR <br> Object Code |
| $\$ \quad 2,161,748.00$ |

## CHINLE AGENCY



Division Of Community Development 110 Chapter's Summer Youth Employment Fund Balances as of May 23, 2017

## EASTERN AGENCY

## Current Balance <br> Balance After \$35,000 Appropriation. <br> Total Agency Appropriation.

10 Huerfano Chapter
11 Iyanbito Chapter
12 Lake Valley Chapter
13 Littlewater Chapter
14 Manuelito Chapter
15 Mariano Lake Chapter
16 Nageezi Chapter
17 Nahodishgish Chapter
18 Ojo Encino Chapter
19 Pinedale Chapter
20 Pueblo Pintado Chapter
21 Ramah Navajo Chapter
22 Red Rock Chapter
23 Rock Springs Chapter
24 Smith Lake Chapter
25 Standing Rock Chapter
26 Tsayatoh Chapter
27 Tohajiilee Chapter
28 Thoreau Chapter
29 Torreon Chapter
30 Whitehorse Chapter
31 Whiterock Chapter
\$
\$
$\$$
\$
$\$$
\$
\$
$\$$\$$\$$

| $(1,364.89)$ | $\$$ | $33,635.11$ |
| ---: | :--- | ---: |
| $(466.37)$ | $\$$ | $34,533.63$ |
| $5,671.53$ | $\$$ | $29,328.47$ |
| $24,093.73$ | $\$$ | $10,906.27$ |
| $30,365.86$ | $\$$ | $4,634.14$ |
| $39,956.58$ |  |  |
| $19,061.58$ | $\$$ | $15,938.42$ |
| $19,279.54$ | $\$$ | $15,720.46$ |
| $59,146.22$ | $\$$ | - |
| $26,328.60$ | $\$$ | $8,671.40$ |
| $8,448.53$ | $\$$ | $26,551.47$ |
| $13,392.02)$ | $\$$ | $21,607.98$ |
| $12,332.99$ | $\$$ | $22,667.01$ |
| $6,077.26$ | $\$$ | $28,922.74$ |
| $34,660.27$ | $\$$ | 339.73 |
| $15,875.53$ | $\$$ | $19,124.47$ |
| $18,650.56$ | $\$$ | $16,349.44$ |
| $19,661.20$ | $\$$ | $15,338.80$ |
| $24,093.77$ | $\$$ | $10,906.23$ |
| $5,553.38$ | $\$$ | $29,446.62$ |
| $3,338.33$ | $\$$ | $31,661.67$ |
| $1,073.77$ | $\$$ | $33,926.23$ |
| $5,180.73$ | $\$$ | $29,819.27$ |
| $9,602.98$ | $\$$ | $25,397.02$ |
| $36,805.92$ | $\$$ | $30,843.37$ |
| $4,156.63$ | $\$$ | $17,468.85$ |
| $17,531.15$ | $\$$ | - |
| $38,202.68$ | $\$$ | $-24,279.06$ |
| $39,143.81$ | $\$$ | - |
| 720.94 | $\$$ | - |
| $66,360.72$ | $\$$ |  |

Eastern Agency BALANCES $\$ 576,151.51$ \$ $548,017.86 \$ 563,241.14$

## Division Of Community Development

 110 Chapter's Summer Youth EmploymentFund Balances as of
May 23, 2017

## Fort Defiance Agency

## Current Balance

| 1 Cornfields | $\$$ |
| :--- | ---: |
| 2 Coyote Canyon Chapter | $\$$ |
| 3 Crystal Chapter | $\$$ |
| 4 Dilcon | $\$$ |
| 5 Fort Defiance Chapter | $\$$ |
| 6 Ganado | $\$$ |
| 7 Greasewood Chapter | $\$$ |
| 8 Houck Chapter | $\$$ |
| 9 Indian Wells | $\$$ |
| 10 Jeddito | $\$$ |
| 11 Kinlichee Chapter | $\$$ |
| 12 Klagetoh Chapter | $\$$ |
| 13 Low Mountain Chapter | $\$$ |
| 14 Lupton Chapter | $\$$ |
| 15 Mexican Springs Chapter | $\$$ |
| 16 Nahatahdzill | $\$$ |
| 17 Naschitti Chapter | $\$$ |
| 18 Oak Springs Chapter | $\$$ |
| 19 Red Lake Chapter | $\$$ |
| 20 Sawmill Chapter | $\$$ |
| 21 Steamboat Chapter | $\$$ |
| 22 St. Michaels Chapter | $\$$ |
| 23 Teesto | $\$$ |
| 24 Tohatchi Chapter | $\$$ |
| 25 Twin Lakes Chapter (Bahastl a a) | $\$$ |
| 26 White Cone | $\$$ |
| 27 Wide Ruins | $\$$ |

Balance After \$35,000 Appropriation.

Total Agency Appropriation.

Division Of Community Development 110 Chapter"s Summer Youth Employment Fund Balances as of May 23, 2017

## NORTHERN AGENCY



Division Of Community Development 110 Chapter's Summer Youth Employment Fund Balances as of May 23, 2017

## WESTERN AGENCY

## Current Balance

Balance After \$35,000 Appropriation.

Total Agency Appropriation.

| 1 Birdsprings Chapter | $\$$ | 23.72 | $\$$ | $34,976.28$ |  |
| :--- | :--- | ---: | :--- | ---: | :--- |
| 2 Bodaway Gap | $\$$ | $21,951.41$ | $\$$ | $13,048.59$ |  |
| 3 Cameron | $\$$ | $3,933.65$ | $\$$ | $31,066.35$ |  |
| 4 Chilchinbeto Chapter | $\$$ | $8,013.50$ | $\$$ | $26,986.50$ |  |
| 5 Coalmine Chapter | $\$$ | $8,586.58$ | $\$$ | $26,413.42$ |  |
| 6 Coppermine Chapter | $\$$ | $15,357.98$ | $\$$ | $19,642.02$ |  |
| 7 Dennehotso Chapter | $\$ 824.77)$ | $\$$ | $34,175.23$ |  |  |
| 8 Inscription House (Tsah Bii kin) | $\$$ | $16,495.34$ | $\$$ | $18,504.66$ |  |
| 9 Kaibeto | $\$$ | $19,423.31$ | $\$$ | $15,576.69$ | $5,779.59$ |
| 10 Lechee | $\$$ | $29,220.41$ | $\$$ | $26,423.19$ |  |
| 11 Leupp Chapter | $8,576.81$ | $\$$ | $25,362.08$ |  |  |
| 12 Navajo Mountain | $9,637.92$ | $\$$ | $22,120.16$ |  |  |
| 13 Oljato Chapter | $\$$ | $12,879.84$ | $\$$ | $28,182.26$ |  |
| 14 Shonto | $\$$ | $6,817.74$ | $\$$ | $28,212.02$ |  |
| 15 Tolani Lake Chapter | $\$$ | $3,987.98$ | $\$$ | $1,071.49$ |  |
| 16 Tonalea/ Red Lake Chapter | $\$$ | $4,680.51$ | $\$$ | $\$$ | $30,319.41$ |
| 17 Tuba City/ To'Nanees'Dizi Chapter | $\$$ | $19,071.43$ | $\$$ | $15,928.57$ |  |
| 18 Kayenta | $\$$ | $224,561.95$ | $\$$ | $403,788.51$ | $\$$ |

Division Of Community Development 110 Chapter's Summer Youth Employment Fund Balances as of May 23, 2017

## Balance Totals

|  | Current Balance | Balance After $\$ 35,000$ <br> Appropriation. | Total Agency <br> Appropriation. |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Chinle Agency BALANCES | $\$$ | $157,666.80$ | $\$$ | $331,405.12$ | $\$$ | $340,911.11$ |
| Eastern Agency BALANCES | $\$$ | $576,151.51$ | $\$$ | $548,017.86$ | $\$$ | $563,241.14$ |
| Fort Deflance Agency BALANCES | $\$$ | $374,215.94$ | $\$$ | $544,544.47$ | $\$$ | $561,407.22$ |
| Northern Agency BALANCES | $\$$ | $483,044.97$ | $\$$ | $289,691.06$ | $\$$ | $291,575.10$ |
| Tuba City Agency BALANCES | $\$$ | $224,561.95$ | $\$$ | $403,788.51$ | $\$$ | $404,613.28$ |
| AGENCY BALANCES | $\$$ | $1,815,641.17$ | $\$$ | $2,117,447.02$ | $\$$ | $2,161,747.85$ |

DATE : June 19, 2017

SUBJECT : Legislation 0219-17: Approving Emergency Supplemental Funding from the Unreserved, Undesignated Fund Balance in the amount of $\$ 2,103,140$ for 110 Chapters, Summer Youth Employment Program.

1. The balance in the available UUFB as of April 30,2017 is $\$ 6,585,060$, according to the Office of the Controller.
2. Legislation $0166-17$ for $\$ 1,400,000$ for DODE Office of Dine' Youth (ODY) summer youth employment, is on tabled status in the Naabik'iya'ti' Committee. This legislation proposes to serve all Chapters.
3. The Office of President/Vice President indicated that current available Chapter balances for youth employment should be expended first. The DODE Office of Dine' Youth (ODY), in Legislation\# 0166-17 for $\$ 413,494$ (amended to $\$ 1,400,000$ ) indicates that many Chapters have current balances totaling $\$ 1,824,761.91$ overall.
4. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2017 budget resolution CS-49-16 (paragraph 'M'), the FY 2017 Budget Instructions Manual (Section XIV), and the Appropriations Act. This activity should be completed by the three branches to determine priorities.
5. During the Spring Session, the Navajo Nation Council decided to defer all UUFB supplementals until the FY 2018 revenue projection is made clear due to a possible budget shortfall. Funds may be needed for the overall budget.
6. OMB received this legislation this afternoon for a quick review.

Contact OMB at 871-6470 if there are any questions and/or concerns regarding this memorandum.

