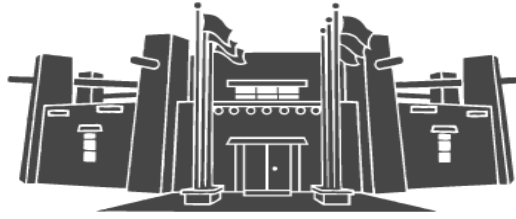


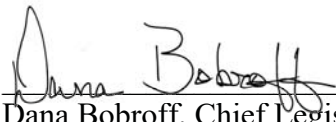
Office of Legislative Counsel
Telephone: (928) 871-7166
Fax No. (928) 871-7576



Honorable Crystallyne Curley
Speaker
25th Navajo Nation Council

MEMORANDUM

TO: Julissa Johnson
Acting Executive Director
Office of Legislative Services

FROM: 
Dana Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: February 5, 2024

SUBJECT: Closeout of Resolution No. CJA-01-24

The Office of the President and Vice-President returned Resolution No. CJA-01-24 (Legislation No. 0018-24) to the Office of Legislative Services because of a legal error. Chief Legislative Counsel concurred that there was an error that resulted in CJA-01-24 being legally insufficient under Navajo law. Chief Legislative Counsel indicated that the legal error could not be corrected through technical amendment and recommended new legislation to replace CJA-01-24. Consistent with Chief Legislative Counsel's advice, Resolution No. CJA-11-24 was enacted to replace CJA-01-24. For the forgoing reasons, Resolution No. CJA-01-24 should be closed out.

You may contact me at the Office of Legislative Counsel if you wish to discuss this matter further. Thank you.

Cc: Hon. Speaker Curley
25th Navajo Nation Council

Manuel Rico, Chief of Staff
Office of the Speaker



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáadi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

January 30, 2024

Honorable Crystalyne Curley, Speaker
Office of the Speaker
Navajo Nation Council
P.O. Box 3390
Window Rock, AZ 86515

Honorable Crystalyne Curley:

I appreciate the discussion with yourself, Honorable George Tolth, and the guidance from your Legislative Counsel to legally correct Legislation No. 0018-24 to appropriate \$3,850,000 from the UFB for Chapters Emergency Fund Accounts.

As advised, I request a special session of the Navajo Nation Council to correct the legislation to properly waive 12 N.N.C. § 820 (O) to fulfill the legislative intent of equal distribution of \$35,000 to each chapter. I respectfully request the special session be convened Wednesday, January 31, 2024 at 10:00 am. This is so we can get the chapters their emergency funding as quickly as possible.

I appreciate the assistance of the Office of the Speaker in facilitating this request for a special session to take place as quickly as possible as to not hold up the emergency funds needed by chapters. I am prepared to sign this legislation into law once I receive the corrected legislation. Additionally, my staff stands ready to assist to expedite the distribution of funds once the legislation is enacted.

Respectfully,

A blue ink signature of Dr. Buu Nygren, consisting of stylized initials and a surname.

Dr. Buu Nygren, *President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - SECOND YEAR, 2024

AN ACTION

RELATING TO AN EMERGENCY FOR THE NAVAJO NATION COUNCIL; APPROVING \$3,850,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUFb") FOR THE 110 NAVAJO NATION CHAPTERS TO REPLENISH THEIR EMERGENCY FUND ACCOUNTS SO THEY ARE READY TO ADDRESS EMERGENCIES IN THEIR COMMUNITIES; AND PROVIDING \$2,147,317 TO THE NAVAJO NATION DEPARTMENT OF EMERGENCY MANAGEMENT TO ADDRESS EMERGENCIES ACROSS THE NAVAJO NATION; WAIVING 12 N.N.C. § 820(E), § 820(F), § 820(J), AND § 820(L) TO ALLOW USE OF THE UUFb FOR RECURRING EXPENSES AND WAIVING § 820(M) REGARDING THE ANALYSIS REQUIRED BY THE OFFICE OF MANAGEMENT AND BUDGET

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A). As such, the Council may consider emergency legislation. 2 N.N.C. § 164(A)(16). "[M]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief 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(A)(16).
- B. As the governing body of the Navajo Nation, 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).
- C. A "supplemental appropriation" is defined as: "[a]n appropriation of funds from the UUFb during the fiscal year, outside of the annual Comprehensive Budget Process." See Section XIV.33 of the FY2023 Budget Instructions Manual.
- D. Further Title 12 restrictions on supplemental appropriations, including all amounts from the UUFb include:

1. Payment of recurring government operating expenses shall be from recurring revenues, and payment of nonrecurring government 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. Nonrecurring revenues 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 will be added to the UUFB. 12 N.N.C. § 820(F).
 4. The above provisions in Title 12 may be amended or waived by a two-thirds vote of the full membership of the Navajo Nation Council. 12 N.N.C. § 820(F); 12 N.N.C. § 880.
 5. Pursuant to 12 N.N.C. § 820(F) all UUFB funding requests must be reviewed by the Controller, to ensure compliance with 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.
- E. This resolution is being offered as an emergency action because, due to heavy precipitation this winter, the 110 Navajo Nation Chapters have significantly depleted their Emergency Fund accounts by various amounts, and some accounts are completely exhausted. These critical Emergency Fund accounts are used by the 110 Chapters to respond to weather-related and other emergency situations in their communities.

SECTION TWO. FINDINGS

- A. After recent snowstorms and heavy precipitation, the 110 Navajo Nation Chapters have depleted their Emergency Fund accounts, which are used by the Chapters to respond to weather-related and other emergency situations in their communities.
- B. As soon as possible, these Chapter accounts need to be replenished because further emergencies are expected across

the Navajo Nation due to anticipated winter weather, muddy roads, and other difficulties.

- C. The Division of Community Development ("DCD") has provided a list of the dollar amount needed by each of the 110 Chapters to replenish each Chapter's Emergency Fund account. This list prepared by DCD is attached hereto as **EXHIBIT A**.
- D. For this UUFB funding request, the required Navajo Nation Budget Forms and the required Appendix J "Supplemental Funding Proposal Summary" from the FY2024 Budget Instructions Manual, are attached hereto as **EXHIBIT B**.
- E. The Office of the Controller has provided a memorandum regarding the requested UUFB funding, as required by 12 N.N.C. § 820(L). This memorandum indicates that the proposed expenditures are recurring. **EXHIBIT C**.
- F. The Office of Management and Budget has provided a memorandum regarding the proposed expenditures for the 110 Chapters. 12 N.N.C. § 820(M). **EXHIBIT D**.
- G. This legislation is offered as an emergency measure because of the current "pressing public need" for this funding for all 110 Chapters. These funds will enable Chapters to provide local services to quickly mitigate dire weather-related emergencies and prevent potential disasters, property damage, and injury or loss of life to people and livestock.
- H. The Navajo Nation finds it in the best interest of the Navajo Nation and the Navajo People to approve the needed emergency funds from the UUFB for all 110 Navajo Nation Chapters.

SECTION THREE. APPROVING \$3,850,000 FROM THE UUFB FOR THE 110 NAVAJO NATION CHAPTERS TO REPLENISH THEIR EMERGENCY FUND ACCOUNTS

- A. The Navajo Nation hereby approves \$3,850,000 from the UUFB to the Division of Community Development for the 110 Chapters' Emergency Fund accounts. **EXHIBIT A**.
- 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. Upon the effective date of this Action, the approved UUFB funds shall be transferred to the Division of Community Development, and DCD shall then promptly provide the approved with \$35,000 distributed to each Chapter, in equal amounts.

- D. As provided in 12 N.N.C. § 820(N), the UUFB funds approved herein shall not lapse at the end of Fiscal Year 2023, so long as each Chapter budgets these funds in the subsequent fiscal year for the same emergency purposes.

SECTION FOUR. APPROVING AN ADDITIONAL \$2,147,317 FROM THE UUFB FOR THE NAVAJO NATION DEPARTMENT OF EMERGENCY MANAGEMENT

- A. The Navajo Nation hereby approves an additional \$2,147,317 from the UUFB to the Navajo Nation Department of Emergency Management for emergency purposes as shown in the attached **EXHIBIT E**.
- 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. Upon the effective date of this Action, the approved UUFB funds shall be transferred to the Department of Emergency Management, in accordance with **EXHIBIT E**.
- D. As provided in 12 N.N.C. § 820(N), the UUFB funds approved herein shall lapse at the end of Fiscal Year 2024, unless the Navajo Nation Council decides otherwise by a 7/8 vote.

SECTION FIVE. DIRECTIVE

- A. All 110 Chapters are hereby directed to use the \$35,000 allocation specifically for legitimate emergency activities in accordance with all applicable provisions in the FY2024 Budget Instructions Manual. Chapters shall not transfer any of the \$35,000 allocation to other accounts, or use any such funds for other purposes. Each Chapter shall maintain proper recordkeeping for its expenditures of the \$35,000 and other funds, if any, in their Emergency Fund accounts.
- B. In accordance with the Condition of Appropriation adopted by the Council in CS-78-23, the Administrative Service Centers under the Division of Community Development shall work with the 110 Chapters to ensure each Chapter completes a draft of its Emergency Fund Management Plan to present to the Resources and Development Committee by the end of the 3rd Quarter FY2024 deadline established in CS-78-23.
- C. The Office of the Controller, Office of Management and Budget, and the Division of Community Development shall work together to process and disburse these emergency funds to all the

Chapters within 10 days of the effective date of this legislation. This shall be their main priority until completed.

SECTION SIX. WAIVING 12 N.N.C. §820(E), §820(F), §820(J), and §820(L) TO ALLOW USE OF UUFB FUNDS FOR RECURRING EXPENSES and waiving § 820(M) regarding the analysis required by the office of management and budget

The Navajo Nation hereby waives 12 N.N.C. §820(E), §820(F), §820(J), and §820(L) to allow use of the UUFB for the proposed UUFB expenditures approved herein. Such waivers are necessary because the proposed UUFB expenditures are considered recurring government expenses. In addition, the Navajo Nation hereby waives § 820(M) regarding the analysis required by the Office of Management and Budget, because such memorandum is not available at this time.

SECTION SEVEN. EFFECTIVE DATE

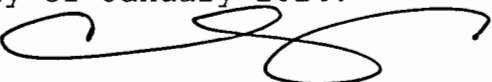
This Action shall become effective as provided in 2 N.N.C. §221(B) and 2 N.N.C. §164(A) (17).

SECTION EIGHT. 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 25th 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 16 in Favor, and 00 Opposed, on this 24th day of January 2024.


Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

1/26/2024

Date

Motion: Honorable Vince R. James
Second: Honorable Rickie Nez

Speaker Crystalyne Curley 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 _____ day of _____, 2024.

Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2024 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, 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 _____, 2024.

Buu Nygren, President
Navajo Nation

Fiscal Year 2024
Navajo Nation Chapters Even Distribution for \$3,850,000.00



	Business Unit	Chapter Name	Allocations
CHINLE AGENCY			
1	108014	Black Mesa	\$ 35,000.00
2	108015	Chinle	\$ 35,000.00
3	108016	Forest Lake	\$ 35,000.00
4	108017	Hard Rock	\$ 35,000.00
5	108018	Lukachukai	\$ 35,000.00
6	108019	Many Farms	\$ 35,000.00
7	108020	Nazlini	\$ 35,000.00
8	108021	Pinon	\$ 35,000.00
9	108022	Round Rock	\$ 35,000.00
10	108023	Tse Ch'izhi (Rough Rock)	\$ 35,000.00
11	108024	Tachee/Blue Gap	\$ 35,000.00
12	108025	Tsaile/Wheatfields	\$ 35,000.00
13	108026	Tselani/Cottonwood	\$ 35,000.00
14	108027	Whippoorwill	\$ 35,000.00
		SUBTOTAL	\$ 490,000.00

Fiscal Year 2024
Navajo Nation Chapters Even Distribution for \$3,850,000.00

	Business Unit	Chapter Name	Allocations
EASTERN AGENCY			
15	108028	Alamo	\$ 35,000.00
16	108029	Baca-Prewitt	\$ 35,000.00
17	108030	Becenti	\$ 35,000.00
18	108031	Baahaali	\$ 35,000.00
19	108032	Tohajiilee	\$ 35,000.00
20	108033	Casamero Lake	\$ 35,000.00
21	108034	Chichiltah	\$ 35,000.00
22	108035	Church Rock	\$ 35,000.00
23	108036	Counselor	\$ 35,000.00
24	108037	Crownpoint	\$ 35,000.00
25	108038	Huerfano	\$ 35,000.00
26	108039	Iyanbito	\$ 35,000.00
27	108040	Lake Valley	\$ 35,000.00
28	108041	Littlewater	\$ 35,000.00
29	108042	Manuelito	\$ 35,000.00
30	108043	Mariano Lake	\$ 35,000.00
31	108044	Nageezi	\$ 35,000.00
32	108045	Nahodishgish	\$ 35,000.00
33	108046	Ojo Encino	\$ 35,000.00
34	108047	Pinedale	\$ 35,000.00
35	108048	Pueblo Pintado	\$ 35,000.00
36	108049	Ramah	\$ 35,000.00
37	108050	Tse Lichli (Red Rock)	\$ 35,000.00
38	108051	Rock Springs	\$ 35,000.00
39	108052	Smith Lake	\$ 35,000.00
40	108053	Tse' li'Ahi (Standing Rock)	\$ 35,000.00
41	108054	Thoreau	\$ 35,000.00
42	108055	Torreon/Star Lake	\$ 35,000.00
43	108056	Tsayatoh	\$ 35,000.00
44	108057	White Horse Lake	\$ 35,000.00
45	108058	White Rock	\$ 35,000.00
		SUBTOTAL	\$ 1,085,000.00

Fiscal Year 2024
Navajo Nation Chapters Even Distribution for \$3,850,000.00

	Business Unit	Chapter Name	Allocations
FORT DEFIANCE AGENCY			
46	108059	Cornfields	\$ 35,000.00
47	108060	Coyote Canyon	\$ 35,000.00
48	108061	Crystal	\$ 35,000.00
49	108062	Dilkon	\$ 35,000.00
50	108063	Fort Defiance	\$ 35,000.00
51	108064	Ganado	\$ 35,000.00
52	108065	Houck	\$ 35,000.00
53	108066	Indian Wells	\$ 35,000.00
54	108067	Jeddito	\$ 35,000.00
55	108068	Kin Dah Lichli (Kinlichee)	\$ 35,000.00
56	108069	Klagetoh	\$ 35,000.00
57	108070	Low Mountain	\$ 35,000.00
58	108071	Greasewood Springs	\$ 35,000.00
59	108072	Tse' Si Ani (Lupton)	\$ 35,000.00
60	108073	Mexican Springs	\$ 35,000.00
61	108074	Naschitti	\$ 35,000.00
62	108075	Oak Springs	\$ 35,000.00
63	108076	Red Lake #18	\$ 35,000.00
64	108077	Sawmill	\$ 35,000.00
65	108078	St. Michaels	\$ 35,000.00
66	108079	Steamboat	\$ 35,000.00
67	108080	Teesto	\$ 35,000.00
68	108081	Tohatchi	\$ 35,000.00
69	108082	Bahastl'ah' (Twin Lakes)	\$ 35,000.00
70	108083	White Cone	\$ 35,000.00
71	108084	Wide Ruins	\$ 35,000.00
72	108085	Nahata Dziil	\$ 35,000.00
		SUBTOTAL	\$ 945,000.00

Fiscal Year 2024
Navajo Nation Chapters Even Distribution for \$3,850,000.00

	Business Unit	Chapter Name	Allocations
SHIPROCK AGENCY			
73	108086	Aneth	\$ 35,000.00
74	108087	Beclabito	\$ 35,000.00
75	108088	Tiis Tsoh Sikaad (Burnham)	\$ 35,000.00
76	108089	Cove	\$ 35,000.00
77	108090	Gadii' Ahi/To'koi	\$ 35,000.00
78	108091	Upper Fruitland	\$ 35,000.00
79	108092	Tse Daa Kaan (Hogback)	\$ 35,000.00
80	108093	Mexican Water	\$ 35,000.00
81	108094	Nenahnezad	\$ 35,000.00
82	108095	Newcomb	\$ 35,000.00
83	108096	Red Mesa	\$ 35,000.00
84	108097	Red Valley	\$ 35,000.00
85	108098	Rock Point	\$ 35,000.00
86	108099	San Juan	\$ 35,000.00
87	108100	Tse Alnaozt'ii (Sanostee)	\$ 35,000.00
88	108101	Tooh' Haltsooi (Sheep Springs)	\$ 35,000.00
89	108102	Shiprock	\$ 35,000.00
90	108103	Tolikan (Sweetwater)	\$ 35,000.00
91	108104	Teec Nos Pos	\$ 35,000.00
92	108105	Toadlena/Two Grey Hills	\$ 35,000.00
		SUBTOTAL	\$ 700,000.00

Fiscal Year 2024
Navajo Nation Chapters Even Distribution for \$3,850,000.00

	Business Unit	Chapter Name	Allocations
WESTERN AGENCY			
93	108106	Tsidii To'ii (Birdsprings)	\$ 35,000.00
94	108107	Bodaway-Gap	\$ 35,000.00
95	108108	Cameron	\$ 35,000.00
96	108109	Chilchinbeto	\$ 35,000.00
97	108110	Coalmine Canyon	\$ 35,000.00
98	108111	Coppermine	\$ 35,000.00
99	108112	Dennehotso	\$ 35,000.00
100	108113	Ts'ah Bii Kin (Inscription House)	\$ 35,000.00
101	108114	Kai' Bii To (Kaibeto)	\$ 35,000.00
102	108115	Kayenta	\$ 35,000.00
103	108116	LeChee	\$ 35,000.00
104	108117	Leupp	\$ 35,000.00
105	108118	Navajo Mountain	\$ 35,000.00
106	108119	Oljato	\$ 35,000.00
107	108120	Tonalea/Red Lake	\$ 35,000.00
108	108121	Shonto	\$ 35,000.00
109	108122	Tolani Lake	\$ 35,000.00
110	108123	To' Nanees' Dizi'	\$ 35,000.00
		SUBTOTAL	\$ 630,000.00

GRAND TOTAL	\$ 3,850,000.00
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PART I. Business Unit No.: 108014-108123		Program Title: DCD - 110 Navajo Nation Chapters		Division/Branch: Division of Community Development	
Prepared By: Robert Jumbo		Phone No.: 928-871-6221		Email Address: rjumbo@nndcd.org	
PART II. FUNDING SOURCE(S)		Fiscal Year	Amount	% of Total	
UUFB Supplemental		10/1/23-9/30/24	3,850,000.00	100%	
PART III. BUDGET SUMMARY					
		Fund Type Code	Original Budget	Proposed Budget	Difference or Total
	2001 Personnel Expenses				0.00
	3000 Travel Expenses				0.00
	3500 Meeting Expenses				0.00
	4000 Supplies				0.00
	5000 Lease and Rental				0.00
	5500 Communications and Utilities				0.00
	6000 Repairs and Maintenance				0.00
	6500 Contractual Services				0.00
	7000 Special Transactions				0.00
	8000 Public Assistance	1	0	3,850,000	3,850,000.00
	9000 Capital Outlay				0.00
	9500 Matching Funds				0.00
	9500 Indirect Cost				0.00
TOTAL			\$0.00	3,850,000.00	3,850,000.00
PART IV. POSITIONS AND VEHICLES					
Total # of Positions Budgeted:					
Total # of Vehicles Budgeted:					
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
SUBMITTED BY:		APPROVED BY:			
Manuel Rico, Jr., Chief of Staff		Crystalyne Curley, Speaker, 25th NNC			
Program Manager's Printed Name		Division Director / Branch Chief's Printed Name			
01-23-2024		1/23/2024			
Program Manager's Signature and Date		Division Director / Branch Chief's Signature and Date			



PART I. PROGRAM INFORMATION:		DCD - 110 Navajo Nation Chapters			
Business Unit No.:	108014-108123	Program Name/Title:			
PART II. PROGRAM PERFORMANCE CRITERIA:		1st QTR	2nd QTR	3rd QTR	4th QTR
		Goal	Goal	Goal	Goal
1. Program Performance Measure:					
Provide emergency relief to community members during active emergency.			110		
2. Program Performance Measure:					
3. Program Performance Measure:					
4. Program Performance Measure:					
5. Program Performance Measure:					
PART III. CONCURRENCE/APPROVAL:					
Manuel Rico, Jr., Chief of Staff		Crystalayne Curley, Speaker, 25th NNC			
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name			
01-23-2024		1/23/2024			
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date			

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2024

PART I. PROGRAM INFORMATION: Program Name/Title: _____ DCD - 110 Navajo Nation Chapters 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)
8705	8000 Public Assistance Funds for community emergency as declared by the Commission of Emergency Management and approved by the NN President. Chapter 8715 Grant Chinle Agency: Eastern Agency: Fort Defiance Agency: Shiprock Agency: Western Agency: TOTAL: \$ 490,000.00 \$ 1,085,000.00 \$ 945,000.00 \$ 700,000.00 \$ 630,000.00 \$ 3,850,000.00	3,850,000	3,850,000
TOTAL		3,850,000	3,850,000



DR. BUU NYGREN PRESIDENT
RICHELLE MONTOYA VICE PRESIDENT



The Navajo Nation | Yideeskáadi Nitsáhákees

Memorandum:

To: 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government
Robert Willie
From: Robert Willie, Accounting Manager
General Accounting Section
Office of the Controller
Date: January 23, 2024
Subject: UUFB request Chapter Emergency Funding \$3,850,000

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

1. The unaudited balance of the UUFB as of November 16, 2023, is \$182,485,284.
2. Request is for the total amount for UUFB in the amount of \$3,850,000 to DCD-110 Navajo Nation Chapters. The schedule attached breaks down amount per Chapter which is an equal amount of \$35,000.
3. There was a similar request in the prior fiscal year in the amount of \$3,000,000 (CJA-03-23). This request would be considered **RECURRING** funding for emergency needs in Fiscal Year 2024.

If you should have any questions, please contact me at tribal extension X6496.





The Navajo Nation **DR. BUU NYGRI**
Yideeskáadi Nitsáhákees **RICHELLE MONTON**

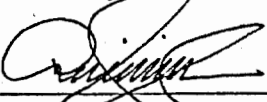
EXHIBIT

D

January 24, 2024

MEMORANDUM

TO : 25th Navajo Nation Council

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

SUBJECT : Legislation 0018-24 to Appropriate \$1,304,652 from UUFB for Chapters
Emergency Fund Accounts

OMB has been asked to review budget forms in the revised amount of \$3,850,000 which is based on \$35,000 to each Chapter. OMB understands this is intended to amend the original legislation.

1. OMB reviewed the original budget forms for \$1,304,652 (Exhibit 'A') and noted the budget forms are not signed by the Division of Community Development (DCD) or the Executive Branch. The DCD is the Division that prepares, monitors, and works with the Chapter budgets. The FY 2024 Budget Instructions Manual refers to this.
Instead, the revised Budget forms are signed by Legislative Branch officials (Speaker and Legislative Chief of Staff). The Budget Forms, however, were prepared by DCD.
2. In prior years, the DCD or the Auditor General's Office did a report periodically on Chapter Fund balances which was used to make further allocations. OMB does not know if a report was done and is available. This was a factor and was used to calculate the allocations because Chapter balances vary.
3. If the equal distribution method is chosen, then Section 820 (O) on the 50/50 percent formula in the Appropriations Act would need to be waived. The 50/50 rule was adopted to ensure fairness in allocations to each Chapter.
4. OMB is informed the Department of Emergency Management (DEM) in Division of Public Safety is also seeking funding for their emergency operations. This should be considered to truly address the current emergency.
5. The above issues should be addressed, and the involved offices should work together to prepare the appropriate plans and budgets.

OMB is available for any further information.

Xc: PSandoval, COS-OPVP
AMitchell, DD-DCD
MAnderson, DD-DPS



OFFICE OF MANAGEMENT AND BUDGET

POST OFFICE BOX 646 | WINDOW ROCK, AZ 86515 | PHONE: (928) 871-6570 | FAX: (928) 871-6567

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2024

PART I. PROGRAM INFORMATION:		Department of Emergency Management		Business Unit No.: 116019	
Program Name/Title:					
PART II. DETAILED BUDGET:					
(A)	(B)	(C)	(U)		
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)		
2001	Personnel expenses		251,565		
	employee salary and fringe benefits				
2110	Regular 2120	156,621			
	Four (4) Regular FT Positions				
	1- Emergency Coordinator	58,339			
	3- Emergency Services Liaison	98,282			
		156,621			
2510	Overtime 2520	10,832			
	Regular Status Employee				
	Overtime for staff responding to afterhours emergencies.				
2610	Holiday 2620	8,000			
	Regular Status Employee				
	Holiday for staff responding to emergencies during the holidays.				
2900	Fringe Benefits	76,112			
	Regular status Employee	67,942			
	Overtime: Regular Status Employee	4,699			
	Holiday: Regular Status Employee	3,470			
		76,112			
TOTAL		251,565	251,565		

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FY 2024

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PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(U)
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)
3000 Travel Expenses	Monthly Mileage and fleet rental, meals, lodging directly related to program business and other miscellaneous travel expenses		26,252
3110 Fleet	Mileage Truck= \$0.47 x 2500 x 8 = \$9400 Mileage SUV= \$0.44 x 2000 x 8 = \$7,040 16,440.00	16,440	
3230 Personal Travel		9,812	
3210	Meals: \$69 x 3 x 2 x 4 x 2 = 3,312 Lodging: \$126 x 3 x 2 x 4 x 2 = 6,500 9,812		
TOTAL		26,252	26,252

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PART II. DETAILED BUDGET:				
(A)	(B)			(U)
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)
	4000 Supplies			197,500
	Desktop Supplies, folders, envelopes, pens, Computer software, Printer/Xeroxing, toner cartridges,			
4120	Office Supplies			
	4130	General Office Supplies	5,000	5,000
4410	Operating Supplies			
	4420	Operating Supplies	169,200	169,200
4200	Non Cap Asset			
	4210	Non Cap Furniture & Equipment	6,000	6,000
	4230	Non Cap Computer & Equipment	8,300	8,300
			14,300	14,300
4610	Supplies			
	4620	Parts & Supplies	5,000	5,000
	4630	Tires & Tubes	5,000	5,000
			10,000	10,000
TOTAL				197,500
				197,500

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2024

PART I. PROGRAM INFORMATION:		Department of Emergency Management		Business Unit No.: 116019
Program Name/Title:				
PART II. DETAILED BUDGET:				
(A)	(B)	(C)	(D)	
Object Code (LOD 6)	Object Code Description and Justification (LOD 7)	Total by DETAILED Object DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)	
5360	5300 Lease & Rental Equipment & Supplies 5370 Equipment Rental 5,000	5,000	5,000	
TOTAL		5,000	5,000	5,000

PART I. PROGRAM INFORMATION:		Department of Emergency Management		Business Unit No.: 116019
Program Name/Title:				
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)	
6410	6000 Repair & Maintenance Vehicle R&M- External 6340 Specialized Vehicle Univ/Track x2 Service and Instal	25,000	25,000	
TOTAL		25,000	25,000	

Program Name/Title: _____		Business Unit No.: 116019	
Department of Emergency Management			
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)
7000 Special Transaction			5,000
7510 Training & Professional Fees	5,000	5,000	
7520 (CPR, First Aid, CER Program, COOP Program, Enhanced all Hazard Incident Management Command)			
TOTAL		5,000	5,000

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 2024

PART I. PROGRAM INFORMATION:		Business Unit No.: 116019	
Program Name/Title:		Department of Emergency Management	
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			250,000
8020 Social			
8050	Emergency Assistance Stockpile: Firewood, Water and Food Boxes \$2,272 per chapter to help their community 250,000/110 = 2,272.00	250,000	
TOTAL		250,000	250,000

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY 2024

PART I. PROGRAM INFORMATION:		Department of Emergency Management		Business Unit No.: 116019
Program Name/Title:				
PART II. DETAILED BUDGET:				
(A)	(B)	(C)	(U)	
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)	
9000 Capital Outlay			1,387,000	
9050 Buildings				
9052	Building (Storage Garage)	20,000	20,000	
9140 Equipment				
9142	Equipment Heavy Duty Generator to provide during an event (Fairs & Search and Rescue)	60,000.00	60,000	
9160 Vehicles				
9162	Automobile 1 Ton Truck Command Units	120,000 900,000	1,307,000	
9164	Specialized Vehicle Snowmobile x2	210,000 77,000 1,307,000		
TOTAL		1,387,000	1,387,000	1,387,000

**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

PART I. Business Unit No.: <u>116019</u>	Program Title: <u>Navajo Department of Emergency Management</u>		
Division/Branch: <u>Public Safety</u>	Amount Requested: <u>2,147,317</u>	Prepared By: <u>Lyla Smallcanyon</u>	
Phone No.: <u>928-871-6892</u>	Email Address: <u>lsmallcanyon@navajo-nsn.gov</u>		

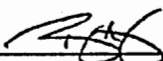
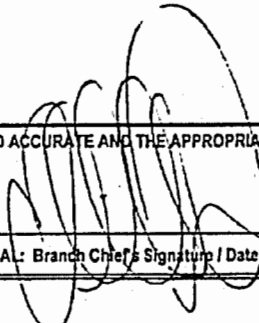
PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

The Navajo Department of Emergency Management (NDEM) is committed to serving the Navajo people, but faces critical understaffing and resource limitations that hinder our ability to protect them during times of crisis. This proposal outlines eleven priority areas where urgent supplemental funding is needed. Firstly, hiring additional personnel will address staffing shortages and ensure effective emergency response coordination. Increased overtime and holiday pay will compensate our dedicated staff for extended hours and holidays during operations. Moreover, travel expenses for lodging and meals will support NDEM personnel deployed to distant emergencies. Beyond personnel, securing essential resources and equipment is crucial. We request funding for office supplies, cold weather gear, chainsaws, shelter kits, communication devices, and heavy machinery rentals like skid steers and forklifts. Additionally, increasing public assistance funding will enable us to distribute more emergency supplies such as heating fuel, food, water, and blankets to Navajo communities. To enhance our long-term capabilities, funding for a dedicated storage garage and specialized vehicles like UTVs with snow tracks and snowmobiles is vital for efficiently storing and deploying resources. Investing in a commercial generator will also ensure reliable power for mobile command units, emergency operations centers, and mobile lighting during field operations. Finally, purchasing additional command vehicles will equip our personnel for improved field operations and emergency response coordination. Investing in NDEM's capabilities is an investment in the safety and well-being of the Navajo people. By addressing staffing shortages, providing adequate compensation, and securing essential resources and equipment, we can protect lives and property, improve response times, and better serve Navajo communities during emergencies. We urge the Budget and Finance Committee to consider this proposal favorably, for the betterment of the Navajo Nation.

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

Undesignated Unreserved Fund Balance. No other funding being proceed.

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>11/22/24</u> REVIEWED BY: Division Director's Signature / Date	 <u>23 Jan 2024</u> RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date
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DR. BUU NYGREN *PRESIDENT*
RICHELLE MONTROYA *VICE PRESIDENT*

The Navajo Nation | Yideeskáadi Nitsáhákees

Memorandum:

To: 2 NNC § 164 Reviewers
Delegates & 2 NNC '164 Reviewers
Navajo Nation Government
Robert Willie
From: Robert Willie, Accounting Manager
General Accounting Section
Office of the Controller
Date: January 23, 2024
Subject: UUFB request Chapter Emergency Funding \$2,147,317

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

1. The unaudited balance of the UUFB as of November 16, 2023, is \$182,485,284.
2. Request is for the total amount for UUFB in the amount of \$2,147,317 for Department of Emergency Management. The funding will be used to plan for emergencies in the future. There currently is a business unit 116019 set up for the Department of Emergency Management, this business unit had an allocation of \$311,917 in FY 2024. There is also another business unit 116020 DEM-Disaster Assistance Fund which had an allocation of \$466,285 in FY 2024. The request would go into business unit 116019.
3. This request is requesting additional dollars to prepare for emergencies in the future. This request would be considered **RECURRING** supplemental funding for emergency needs in Fiscal Year 2024.

If you should have any questions, please contact me at tribal extension X6496.



NAVAJO NATION

303

1/24/2024

Navajo Nation Council 2024 Winter Session

02:20:14 PM

Amd# to Amd#

New Business: Item A. (MAIN)

PASSED

MOT James, V

#0018-24 (Un-Tabled)

SEC Nez, R

[Modified]

Yeas : 16

Nays : 0

Excused : 6

Not Voting : 0

Yea : 16

Arviso, S

Crotty, A

Nez, R

Simpson, D

Aseret, L

James, V

Notah, N

Slater, C

Begay, H

Jesus, B

Parrish, S

Tolth, G

Begay, N

Johnson, C

Simonson, G

Yazzie, C

Nay : 0

Excused : 6

Charles-Newton, E

Daniels, H

Tso, O

Yanito, C

Claw, S

Nez, A

Not Voting : 0

Presiding Speaker: Curley, C