

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 7, 2021

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CAP-22-21, *An Act Relating to Resources and Development, Budget and Finance, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of \$1,244,913.00 for the Navajo Department of Criminal Investigations to Continue Providing Effective Services for the Navajo Nation; Waiving 12 N.N.C §§ 820 (E), (F), and (J)*


Dear Speaker Damon,

We have continuously supported our law enforcement services by working to protect them during the past pandemic year and advocating for increased services and funding at the federal level. We appreciate the Navajo Nation Council's support for the Criminal Investigation section of the Public Safety Department. We are all aware of the funding needs of our overall public safety services and the need for more patrol officers, criminal investigators, detention officers, dispatchers, emergency medical services, and support staff.

The Navajo Nation has assumed the public safety services from the federal government and along with those services comes the funds to support such services. We can all agree the federal funding is not adequate to support the full needs of our public safety services. There is an opportunity to address this matter through the anticipated American Rescue Plan Act funds. In addition to the anticipated funds we can work together with the Navajo Nation Council to continue advocating for proper funding to support law enforcement for the Navajo Nation.

We will support additional funding for law enforcement using Navajo general funds, but we need to continue to press the federal government to adequately fund Navajo law enforcement services. We sign CAP-22-21 into law.

Sincerely,


Jonathan Nez, President
THE NAVAJO NATION


Myron Lizer, Vice President
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - THIRD YEAR, 2021

AN ACT

RELATING TO LAW AND ORDER, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,244,913.00 FOR THE NAVAJO DEPARTMENT OF CRIMINAL INVESTIGATIONS TO CONTINUE PROVIDING EFFECTIVE SERVICES FOR THE NAVAJO NATION; WAIVING 12 N.N.C. §§ 820 (E), (F), AND (J)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation established the Law and Order Committee ("LOC") as a Navajo Nation Council standing committee, and as such gave LOC oversight over all departments within the Navajo Division of Public Safety. 2 N.N.C. §§ 600(A), 600(C)(5).
- 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 proposed legislation requiring final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164(A)(9) and 700(A).
- D. 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), 12 N.N.C. § 820(L).
- E. 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)."
- F. The Title 12 Supplemental Appropriation requirements include:

1. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget (OMB) 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 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 TWO. FINDINGS

- A. This request for supplemental funding seeks the amount of \$1,244,913.00 out of the Unreserved, Undesignated Fund Balance, to assist the Navajo Department of Criminal Investigations ("NDCI") in continuing to provide its daily services in an efficient and effective manner, while complying with required COVID-19 protocols. NDCI reports that its FY2021 base funding allocation is insufficient to meet NDCI's operational demands at all districts, due to increased financial burdens resulting from the COVID-19 pandemic, with NDCI having to ensure proper safety protocols for its staff and community members according to CDC and Navajo Nation guidelines.

- B. The supplemental funding proposal, budget forms and related documents, including Appendix K "Supplemental Funding Proposal Summary," for NDCI are attached as **Exhibit A**.
- C. The Office of the Controller issued a memorandum dated March 17, 2021, to satisfy the requirements in 12 N.N.C. § 820(L), attached as **Exhibit B**. The Controller has identified the NDCI expenditures as RECURRING and therefore a waiver of 12 N.N.C. § 820(E), (F), and (J) is required.
- D. The Office of Management and Budget issued a memorandum dated March 24, 2021, to satisfy the requirements in 12 N.N.C. § 820(M), attached as **Exhibit C**.

SECTION THREE. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE

- A. The Navajo Nation hereby approves \$1,244,913.00 in supplemental funding from the Unreserved, Undesignated Fund Balance for the Navajo Department of Criminal Investigations.
- B. This supplemental appropriation of \$1,244,913.00 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.

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

The Navajo Nation Council hereby waives 12 N.N.C. §§ 820(E), (F) and (J) in order to allow funds out of the Unreserved, Undesignated Fund Balance to be used for recurring expenditures and government operations.

SECTION FIVE. REIMBURSEMENT TO THE NAVAJO NATION UNRESERVED, UNDESIGNATED FUND BALANCE

The Navajo Nation Council approves any future funding to the Navajo Nation from the United States Treasury, whether through congressional appropriation, or other designation, including the American Rescue Plan Act, for the purpose of COVID-19 relief and recovery to reimburse the Unreserved, Undesignated Fund Balance of the General Fund up to the full amount approved in this Resolution, to the extent allowed by federal and Navajo Nation law. The Navajo Nation Council shall authorize and approve reimbursement to the Unreserved, Undesignated Fund Balance of the General Fund as the initial priority in any future Expenditure Plan Resolutions for COVID-19 relief and recovery.

SECTION SIX. SAVING CLAUSE

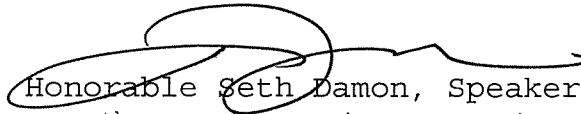
Should any provision(s) of this Act be determined invalid by the Navajo Nation Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, the remainder of the Act shall remain the law of the Navajo Nation.

SECTION SEVEN. EFFECTIVE DATE

The provisions of this Act shall become effective in accordance with 2 N.N.C. § 221(B).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 20 in Favor, and 00 Opposed, on this 19th day of April 2021.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

4.27.2021

DATE


Motion: Honorable Herman M. Daniels, Jr.

Second: Honorable Raymond Smith, Jr.

Speaker Seth Damon 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 7th day of May, 2021.

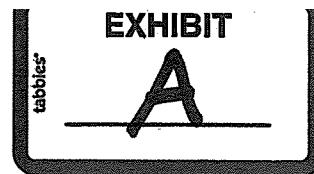

Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2021 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this _____ day of _____, 2021.

Jonathan Nez, President
Navajo Nation



Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: 116011 Program Title: Dept of Navajo Criminal Investigations
Division/Branch: DPS / Executive Amount Requested: 1,244,913 Prepared By: Michael Henderson
Phone No.: 928.871.6390 Email Address: sgravatt@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

NDCI was allocated funds at the base of \$700,000 for FY2021. With increases of yearly fixed and recurring costs such as mileage, monthly maintenance costs, fringe benefits, workman's comp, basic phone services, and autopsy bills. It has become strenuous on meeting the operational needs to continue to comply with the requirements of the standard daily operations in ensuring the safety and welfare of the staff who are called upon to conduct critical investigations regarding; deaths with and/or without COVID, aggravated assaults, sexual assaults, and other egregious crimes that occur within the boundaries of the Navajo Nation. With this continuous pandemic in which the department has had to exert their efforts in cautiously ensuring proper safety protocols have been met within the CDC guidelines. It has taken a toll on the department's funding with having to safeguard proper supplies such as sanitation of offices and vehicles, and personnel protective equipment, and other crucial supplies needed has played a major impact within the department's needs which the base funding allocated cannot fulfill the demands at all districts. It has become difficult within the department on what would be a priority to assure compliance and to continue daily operations in the safe keeping of the investigative department's welfare.

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

At the present moment, NDCI has exhausted any and all external funding provided by the B.I.A. P.L. 93-638, due to the pandemic and having to pay for sanitation supplies, Personnel Protective Equipment, Special Duty Pay and Hazard Pay. If not funded, the possibility of limited services with prioritizing situation and circumstances of cases that are will be presented before each district.

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.


Otto Tso, Vice Chair-Law Order Committee

 3/10/2021
Seth Damon, Speaker, 24th Navajo Nation Council

REVIEWED BY: Division Director's Signature / Date

RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 21

PART I. Business Unit No.: 116011		Navajo Department of Criminal Investigations		Division/Branch: DPS/Executive	
Prepared By: Shannon Gravatt		Phone No.: x6390		Email Address: sgravatt@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
Supplemental Funding		10/1/20-9/30/21	1,244,913	100%				1	438,462	285,603	(152,859)
				0%	2001 Personnel Expenses			1			
				0%	3000 Travel Expenses			1		346,010	346,010
				0%	3500 Meeting Expenses				17,200		(17,200)
				0%	4000 Supplies			1	2,600	335,200	332,600
				0%	5000 Lease and Rental			1	27,540	2,600	(24,940)
				0%	5500 Communications and Utilities			1	14,100	27,540	13,440
					6000 Repairs and Maintenance			1	165,313	52,000	(113,313)
					6500 Contractual Services			1	34,785	165,313	130,528
					7000 Special Transactions			1		30,647	30,647
					8000 Public Assistance						0
					9000 Capital Outlay						0
					9500 Matching Funds						0
					9500 Indirect Cost						0
					TOTAL				\$700,000	1,244,913.00	544,913

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		0	0
Total # of Vehicles Budgeted:		38	41

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

<p>OTTO TSO, Vice Chair-Law Order Committee</p> <p>SUBMITTED BY: Program Manager's Printed Name</p> <p>SUBMITTED BY: Program Manager's Signature and Date</p>	<p>Seth Damon, Speaker, 24th Navajo Nation Council</p> <p>APPROVED BY: Division Director/Branch Chief's Printed Name</p> <p>APPROVED BY: Division Director/Branch Chief's Signature and Date</p>
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THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 21

PART I. PROGRAM INFORMATION:		Business Unit No.: 116011		Program Name/Title: Navajo Department of Criminal Investigations									
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:													
(LOCMA-01-18) The purpose of the Navajo Department of Criminal Investigations is to provide efficient criminal investigative services within the territorial jurisdiction of the Navajo Nation as defined by Title 2 N.N.C. § 1151 on a twenty-four (24) hour basis. The application of these objectives are subject to available of funds.													
External Funds K210711				1st QTR		2nd QTR		3rd QTR		4th QTR			
				Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual		
1. Goal Statement:													
Number of criminal cases received and opened													
Program Performance Measure:													
Respond to reported major crimes occurring on the Navajo Nation				200		200		200		200			
2. Goal Statement:													
number of criminal cases closed or suspended													
Program Performance Measure:													
Investigations of major crimes occurring on the Navajo Nation				85		85		85		85			
3. Goal Statement:													
Number of cases referred to the United States Attorney													
Program Performance Measure:													
Refer cases to U.S. Attorney for Federal Prosecution				50		50		50		50			
4. Goal Statement:													
Number of cases referred to Navajo Nation Prosecutor's Office													
Program Performance Measure:													
Refer cases to the Navajo Nation Prosecutor's Office for Tribal Prosecution				50		50		50		50			
5. Goal Statement:													
Meet training requirements for 37 commissioned officers													
Program Performance Measure:													
Obtain training hours per commissioned officer in accordance with B.I.A. P.L. 93-638 requirement				370		370		370		370			

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

Otto Tso, Vice Chair-Law Order Committee

Program Manager's Printed Name

Program Manager's Signature and Date

Seth Damon, Speaker, 24th Navajo Nation Council

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 21

PART I. PROGRAM INFORMATION: Program Name/Title: Navajo Department of Criminal Investigations		Business Unit No.: 116011	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
External Funds	Object Code Description and Justification (LOD 7)	DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
K210711	2001 PERSONNEL EXPENSES: Personnel expenses for overtime and holiday for individuals who are on-call to investigate or assist with additional technical situations which arise during COVID-19 and regular routine call-outs.	4,186,716	285,603
2510	Overtime 2520 Overtime Pay Regular Regular Status Comm 27 x \$ 3,000 Regular Status Civ 14 - \$ 3,000 Total Cost \$81,000 \$42,000 \$123,000	123,000	
2610	Regular 2620 Double Holiday Comm 31 x \$1,500 Double Holiday Civ 15 x \$1,500 Total Cost \$46,500 \$22,500 \$69,000	69,000	
2900	Fringe Benefits Regular Status Comm \$81,000 x 49.86% Double Holiday Comm \$46,500 x 49.86% Regular Status Civ \$42,000 x 46.56% Double Holiday Civ \$22,500 x 46.56% Total Cost \$40,386.60 \$23,184.90 \$63,571.50 \$19,555.20 \$10,476.00 \$30,031.20	93,603	
TOTAL		285,603	285,603

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 21

PART I. PROGRAM INFORMATION:		Navajo Department of Criminal Investigations		Business Unit No.: 116011	
am Name/Title:					
PART II. DETAILED BUDGET:					
(A)	(B)	(C)	(D)		
External Funds K210711	Object Code Description and Justification (LOD 7)	4,186,716 DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)		
3110	3000 TRAVEL EXPENSES Fleet monthly / perm and mileage, and Program maintenance and mileage. Vehicle rental (off reserv), air, personal travels for program business and other travel expenses.		346,010		
	Fleet				
	3113 Mileage: 7 veh x 2,000 mi/mo x 0.31 * 12 mo.	Annual Cost 6% Sales Tax Total	55,205		
		\$52,080 \$3,124.80 \$55,204.80			
		\$52,080 \$3,125 \$55,204.80			
3120	Program				
	3123 Mileage	Annual Cost 6% Sales Tax Total	277,805		
		39 Vehicles x 2,000 mi/mo x \$0.28 x 12 m \$262,080 \$15,724.80 \$277,804.80			
		39 Vehicles x 2,000 mi/mo x \$0.28 x 12 m \$262,080 \$15,725 \$277,805			
	(Group E, Class XI Sport Utility (5 Passenger) 4WD)				
3230	Personal Travel				
	3240 Per Diem Meals	\$6,000			
	3250 Lodging	\$6,000			
	3260 POV Mileage	\$500			
	3290 Other Travel Expenses	\$500			
		\$13,000			
			13,000		
	TOTAL		346,010		

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 21

PART I. PROGRAM INFORMATION:			
1 Name/Title: _____		Business Unit No.: 116011	
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
External Funds	Object Code Description and Justification (LOD 7)	DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
K210711	5000 LEASE & RENTAL		2,600
5310	Building / Space		
	.5320 Meeting Space		
	.5330 Storage Space		
	.5350 Other Space Rental		
			2,600
5520	5500 COMMUNICATION & UTILITIES		
	Basic telephone services and line charges, services for DSL, internet, wireless, and two-way radio		
	Telephone		
	.5530 Basic Services		
	.5550 Optional Charges		
	.5560 Hardware/Install		
			11,200
5570	Internet		
	.5580 DSL		
	6 dist x 120 x 12		
			8,640
5610	Wireless		
	.5620 Cellular \$600 x 12		
	.5630 Two Way Radio		
			7,700
TOTAL		30,140	30,140

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 21

PART I. PROGRAM INFORMATION: n Name/Title: Navajo Department of Criminal Investigations Business Unit No.: 116011			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
External Funds	Object Code Description and Justification (LOD 7)	4,186,716 DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)
K210711	6000 REPAIRS & MAINTENANCE Repairs and maintenance fees for equipment and other computers and or upgrade of hardware		52,000
6300	Technology 6310 Computer Hardware R&M 52 Staff x \$1000 \$52,000	52,000	
6910	6500 CONTRACTUAL SERVICES Bring training to staff to enhance and meet training hour requirements. Pay forTowing Fees, Comprehensive Toxicologies, Comprehensive Drugs, Autopsies and other mediological testings. Other Contractual Services 6921 Other Services (Autopsy) 65313.38+100000 \$165,313 \$165,313.38	165,313	165,313
TOTAL		217,313	217,313

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY 21

PART I. PROGRAM INFORMATION:		Navajo Department of Criminal Investigations		Business Unit No.: 116011	
1 Name/Title:					
PART II. DETAILED BUDGET:					
(A)	(B)	(C)	(D)		
External Funds K210711	Object Code Description and Justification (LOD 7)	4,186,716 DETAILED Object Code (LOD 6)	Total by MAJOR Object Code (LOD 4)		
7110	7000 SPECIAL TRANSACTIONS Provide and support training, mandatory professional dues, and insurances. Program needing items for community outreach as well as using during man-hunts or search and rescue or search and recovery	28,000	30,647		
	Programs				
	7180 Catering	8 dist x \$1,500			
		\$12,000.00			
	7190 Refreshments	8 dist x \$2,000			
		\$16,000.00			
		<u>\$28,000.00</u>			
7710	Insurance Premiums		2,647		
	7765 Policy Payment				
	Regular Status Comm	(\$81,000 + \$40,386.60)/100*\$0.41	497.69		
	Double Holiday Comm	(\$46,500 + \$23,184.90)/100*\$0.41	285.71		
	Regular Status Civ	(\$42,000 + 19,555.20)/100*\$0.41	252.38		
	Double Holiday Civ	(\$22,000 + \$10,476)/100*\$0.41	133.15		
		<u>1,168.92</u>			
	7767 Worker's Comp				
	Regular Status Comm	(\$81,000)/100*\$0.77	623.70		
	Double Holiday Comm	(\$46,500)/100*\$0.77	358.05		
	Regular Status Civ	(\$42,000)/100*\$0.77	323.40		
	Double Holiday Civ	(\$22,500)/100*\$0.77	173.25		
		<u>1,478.40</u>			
TOTAL		30,647	30,647		



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: March 17, 2021

Subject: Legislation- Department of Navajo Criminal Investigations

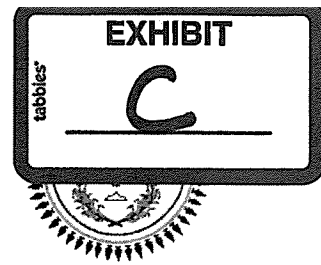
The Office of the Controller has reviewed the above referenced document.

1. The balance of the UUFB is \$28,533,151 as of March 17, 2021.
2. This request is for unmet needs for the program in the amount of \$1,244,913 to the Navajo Department of Criminal Investigations. The requested budget includes overtime, holiday pay and fringe benefits, travel costs, office supplies, building space, telephone services and wireless charges, catering/refreshment and insurance.
3. This request would be considered **RECURRING** for operational unmet needs therefore would need waiver language to utilize the Undesignated, Unreserved Fund Balance.

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

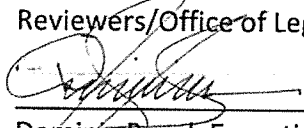
THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



MEMORANDUM

TO: Reviewers/Office of Legislative Counsel

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

DATE: March 24, 2021

SUBJECT: Supplemental request for the Department of Navajo Criminal Investigations in the amount of \$1,244,913 from the Undesignated, Unreserved Fund Balance (UUFb).

Pursuant to 12 NNC 820 (M) OMB reviewed the subject document and provides the following information. This budget request was forwarded by the Office of Legislative Counsel.

1. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2021 Budget Instructions Manual (Section XII, D), and the Appropriations Act. This activity should be completed by the branches to determine priorities.
2. OMB recommends compliance with the Navajo Nation Appropriations Act regarding Supplemental Appropriations (Section 820, L). This has not been done. Compliance includes:
 - a. Branch Chief's concurrence of the supplemental request (NN President).
3. Per the FY21 BIM (Section XII, D) states the appropriate Branch Chief shall review and provide recommendations. In this case, because the Department of Criminal Investigations is organizationally located in the Division of Public Safety, which is under the Executive Branch, the Branch Chief is the President.
4. Further, the signators of the Budget Forms are acknowledged to be the manager/supervisor of the program and business unit as well as the Division or Branch Chief. In this case, it would be the Corrections Director and Public Safety Division Director. Instead, Navajo Nation Council Delegates are the signators.
5. The figure for the 6910 object code is not sufficiently explained/justified.

Contact OMB/Lisa Jymm at (928) 871-6230 if there are any questions and/or concerns regarding this memorandum.

xc: OMB file
Jesse Delmar, DPS Division Director
Paulson Chaco, Chief of Staff, OPVP
Pearline Kirk, Controller, OOC
Robert Willie, Manager, General Accounting, OOC



NAVAJO NATION

742

4/19/2021

Navajo Nation Council Spring Session

06:19:16 PM

Amd# to Amd#	Legislation 0058-21; Approving	PASSED
MOT Daniels	Supplemental Funding from the	
SEC Smith	UUFB in the Amount of \$1,244,913	
	for the Navajo Department of ...	

Yeas : 20

Nays : 0

Excused : 0

Not Voting : 3

Yea : 20

Begay, E	Crotty	Nez, R	Tso, C
Begay, K	Daniels	Slater, C	Tso, D
Begay, P	Freeland, M	Smith	Walker, T
Brown	Halona, P	Stewart, W	Wauneka, E
Charles-Newton	James, V	Tso	Yellowhair

Nay : 0

Excused : 0

Not Voting : 3

Yazzie	Tso, E	Henio, J
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Presiding Speaker: Damon