

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, 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 ONE MILLION, TWO HUNDRED THOUSAND DOLLARS (\$1,200,000) TO THE NAVAJO NATION VETERANS ADMINISTRATION CENTRAL OFFICE, BUSINESS UNIT 103015; WAIVING 12 N.N.C. §§ 820 (E), (F), AND (O)

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).
- B. The Health, Education and Human Services Committee (HEHSC) has oversight authority of veterans services. 2 N.N.C. § 401(C)(6).
- C. The Budget and Finance Committee (BFC) is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. §301 (B)(2).
- D. A proposed resolution that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. § 164 (A)(9).
- E. The Title 12 Appropriations Act Supplemental Appropriation requirements include:
 - 1. 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. 12 N.N.C. § 820(L).
 - 2. 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 designating recurring and non-recurring revenues. 12 N.N.C. § 820(L).

3. All requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget for budget impact analysis and other appropriate actions. 12 N.N.C. § 820(M).

Section Two. Findings

- A. This is a funding request to provide a supplemental appropriation from the Unreserved, Undesignated Fund Balance (UUFB) to the Navajo Nation Veterans Administration to continue financial assistance for Navajo Nation veterans.
- B. Many Navajo Nation Veterans organizations have depleted their financial assistance resources. These organizations provide financial assistance to veterans in need for food, fuel, utilities, and needed housing repairs.
- C. The Budget Forms are attached as **Exhibit A**. The appropriation will be made directly to Business Unit 103015, the Navajo Nation Veterans Administration - Central Office. The Central Office is responsible to ensure the money is distributed to the Chapter Veterans Organizations, using the 50/50 distribution formula provided in 12 N.N.C. §820(O).
- D. The Office of the Controller provided a memorandum indicating that as of April 11, 2018, the unaudited balance in the UUFB is \$ 10,076,560. The Controller has also determined this request to be for recurring costs. This information is attached as **Exhibit B**.
- E. The Office of Management and Budget has provided a budget impact analysis, which is attached as **Exhibit C**.
- F. The Northern Agency Veterans Organization passed a resolution in support of this legislation, which is attached as **Exhibit D**.

Section Three. Approving the Supplemental Appropriation from the Unreserved, Undesignated Fund Balance in the Amount of One Million, Two Hundred Thousand Dollars (\$1,200,000) to the Navajo Nation Veterans Administration - Central Office, Business Unit 103015

- A. This supplemental appropriation of One Million, Two Hundred Thousand Dollars (\$1,200,000) 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.

- B. The Navajo Nation hereby approves the supplemental appropriation from the Unreserved, Undesignated Fund Balance to the Navajo Nation Veterans Administration - Central Office, Business Unit 103015, in accordance with **Exhibit A.**

Section Four. Waiving 12 N.N.C. §§ 820 (E), (F), and (O)

- A. With the Controller's designation of this appropriation as a recurring cost, the Navajo Nation waives 12 N.N.C. §§ 820 (E) and (F) regarding the restriction on recurring and non-recurring costs.
- B. The Navajo Nation waives the use of the 50/50 formula provided in 12 N.N.C. § 820(O). The Controller shall distribute the supplemental appropriation as indicated in the budget form attached as **Exhibit A.**

Section Five. Appropriations

The Navajo Nation approves the supplemental funding to the Navajo Nation Veterans Administration Central Office and the funding shall not lapse at the end of Fiscal Year 2018. 12 N.N.C. § 820 (N)

Section Six. 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 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 18 in Favor and 00 Opposed, on this 18th day of July 2018.


Seth Damon, Speaker Pro Tem
23rd Navajo Nation Council

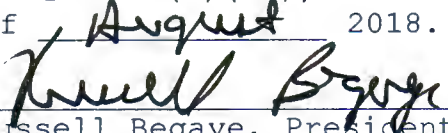
July 31, 2018
Date

Motion: Honorable Steven Begay
Second: Honorable Raymond Smith, Jr.

Speaker Pro Tem 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 4th day of August 2018.



Russell Begaye, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(11), on this _____ day of _____ 2018 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 _____ 2018.

Russell Begaye, President
Navajo Nation



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

MEMORANDUM

HONORABLE LORENZO C. BATES
SPEAKER, 23RD NAVAJO NATION COUNCIL

Date : July 27, 2018

To : Russell Begaye, President
Navajo Nation

From : 
Pete Ken Atcitty,
Chief of Staff


Subject : **4 DAY EXTENSION FOR RESOLUTIONS**

Resolution No. CJY-59-18 and CJY-60-18 are delayed due to Council Delegate Seth Damon's unavailability until Monday, July 30, 2018. Delegate Damon was the Speaker Pro Tem during the presentation of the legislation and his signature is required certifying the Resolutions. Understanding that Rule 4 of the Navajo Nation Council Rules of Order state that the Speaker shall certify all resolutions no later than 10 days after the adjournment of the session and ensure delivery to your Office, this request is pursuant to Rule 4 for a four day extension. Your agreement to the extension on Resolution No. CJY-59-18 and CJY-60-18 will be appreciated.





The review and processing of this request is greatly appreciated. If you have any questions, please feel free to contact me at ext. 7160/6358.

Thank you.

Concurrence to a 4 day extension:


Russell Begaye, President
Navajo Nation

LEGISLATIVE BRANCH

PART I. Business Unit No.: 103015 Program Title: NN Veterans Administration - Central Office Division/Branch: EXECUTIVE					
Prepared By:		Hon. Walter Phelps	Phone No.:	(928) 871-6383	Email Address: walterphelps@navajo-nsn.gov
PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	
Undesignated Unreserved Fund Balance		4/16/18-9/30/18	\$ 1,200,000.00	100%	
PART III. BUDGET SUMMARY					
	Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)	
2001 Personnel Expenses	1	\$ 365,260.00		\$	365,260.00
3000 Travel Expenses	1	\$ 17,947.00		\$	17,947.00
3500 Meeting Expenses	1	\$ 3,600.00		\$	3,600.00
4000 Supplies	1	\$ 29,349.00		\$	29,349.00
5000 Lease and Rental	1	\$ 5,607.00		\$	5,607.00
5500 Communications and Utilities	1	\$ 1,565.00		\$	1,565.00
6000 Repairs and Maintenance	1	\$ 1,600.00		\$	1,600.00
6500 Contractual Services					
7000 Special Transactions	1	\$ 12,303.00		\$	12,303.00
8000 Public Assistance	1	\$ 6,400.00	\$ 1,200,000.00	\$	1,206,400.00
9000 Capital Outlay					
9500 Matching Funds					
9500 Indirect Cost					
TOTAL		\$ 443,631.00	\$ 1,200,000.00	\$	1,643,631.00
PART IV. POSITIONS AND VEHICLES					
		(D)		(E)	
Total # of Positions Budgeted:		8		0	
Total # of Permanently Assigned Vehicles:		2		0	
PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.					
<div style="display: flex; justify-content: space-between;"> <div> SUBMITTED BY: Program Manager's Printed Name  </div> <div> APPROVED BY: Division Director/Branch Chief's Printed Name  </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div> SUBMITTED BY: Program Manager's Signature and Date  </div> <div> APPROVED BY: Division Director/Branch Chief's Signature and Date  </div> </div>					

THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.: 103015

Program Name/Title: Navajo Nation Veterans Administration - Central Administration

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM Resolution NO. HEHSCAU-12-16

1. Effectively and efficiently provide outreach, services and benefits to Veterans; and to identify the exclusive needs of Veterans, their widow(er) and Gold Star Mothers; 2. Seek additional funding and make recommendations for the implementation, expansion and improvement of existing programs of the NNVA, divisions and offices of the Navajo Nation to ensure Veterans receive the benefits and services they are entitled to; 3. Seek and improve the quality and accessibility of healthcare benefits, health services for Veterans on the Navajo Nation; 4. Monitor, advocate and promote employment and educational training for Veterans; business preference, employment preference and other services; 5. Determine, implement and provide program services for the needs and benefits of Veterans pursuant to Navajo Nation budget appropriations and pursuant to duly accepted and approved program funds received by the Navajo Nation; and 6. Manage by administering, advocating and improving the Carl T. Hayden - Veterans Administration Medical Center (VAMC) Fee Reimbursement program for Traditional Healing Ceremony.

PART III. PROGRAM PERFORMANCE CRITERIA:

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

1. Goal Statement:

To provide Financial Assistance for Veterans.

Program Performance Measure:

To provide Financial Assistance and Health Care Services for Veterans.

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.

Ryan Sandoval, Executive Director

Program Manager's Printed Name

Robert Joe, Chief of Staff

Division Director/Branch Chief's Printed Name

Program Manager's Signature and Date

Division Director/Branch Chief's Signature and Date

THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION

FY'2018

PART I. PROGRAM INFORMATION:		Business Unit No.: 103015	
Program Name/Title: NN Veterans Administration - Central Office			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
8000 PUBLIC ASSISTANCE		\$ 1,200,000.00	\$ 1,200,000.00
8020 Social			
	8055: Burial Assistance \$300,000.00		
	8060: Emergency Assistance \$300,000.00		
	8065: Energy Assistance \$300,000.00		
	8070: Weatherization Assistance \$300,000.00		
TOTAL \$		1,200,000.00	\$ 1,200,000.00

**THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY**

PART I. Business Unit No.: 103015 Program Title: NN Veterans Administration - Central Office
Division/Branch: Executive / OPVP Amount Requested: \$1,500,000 Phone No.: 871-6413
Prepared By: Glenna Grebb Email Address: ggrebb@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

This is a funding request for a supplemental appropriation to provide financial assistance to Navajo Nation Veterans.

PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

Navajo Nation Veterans will have to find other places for assistance off Navajo Nation and will have to face the issues of seeking other options for their Burial, Emergency, Energy, and Weatherization needs.

PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:

Not at this time. The need is continuous and the Nation will pursue other types of grants and funding sources to continue providing services to our Navajo Veterans to ensure continuity of their basic needs.

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

Senette Lee 4/16/18

REVIEWED BY: Division Director's Signature / Date

Clayton R. R. R. R. 4/16/18

RECOMMEND APPROVAL: Branch Chief's Signature / Date



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

Memorandum:

To: Navajo Nation Delegates
Navajo Nation Government

From: 
Pearline Kirk, Controller
Office of the Controller

Date: April 19, 2018

Subject: Legislation 0135-18-UUFB \$1,500,000 for Navajo Veterans Assistance

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

1. The un-audited balance of the UUFB is \$10,073,560 as of April 11, 2018. There have been seven legislations that have been approved to date in the Spring Session which total \$9,067,112. That would leave a UUFB balance of \$1,006,448, but the President then has signature authority on which legislations to be approved. This supplemental request is \$1,500,000 for burial assistance, emergency assistance, energy assistance and weatherization assistance. Also please be reminded that the UUFB balance is unaudited and is subject to change pending the completion of the FY 2017 audit.
2. The costs for this request we determined are RECURRING costs.
3. The Veterans Trust Fund chapter business units had an original budget of \$4,650,528, revised budget of \$5,436,152.56(includes carryovers) , total expenses of \$2,889,793.21, encumbrances of \$28,301.27, a remaining available chapter budget balance of \$2,518,058 as of March 31, 2018.
4. Important Note: Our office is currently monitoring the Nation's actual minerals revenue to-date versus the projected revenues for FY 2018. Additionally, our office has started

the revenue projection task for the upcoming 2019 operating budgets. Being that minerals revenue levels are decreasing, we recommend the Nation spend the UUFB in a prudent and conservative manner for these reasons The Navajo Nation actual minerals revenue to date vs. the projection for FY 2018 is a real concern going forward as well as for the upcoming Fiscal 2019 therefore is this type of spending prudent as there may be possible shortfall in revenue in the near future which would affect the UUFB.

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



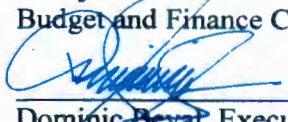
THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT



Memorandum

To: Navajo Nation Council
Budget and Finance Committee

From: 
Dominic Begaye, Executive Director
Office of Management and Budget

Date: April 18, 2018

Subject: Review of Navajo Nation Veterans Administration, Central Office, Supplemental Budget Funding Request

The Office of Management and Budget reviewed the above subject documents and finds the following:

1. The completed budget forms are in good order and there are not findings in regards to the proposed budget with the exception of paragraph #4 below.
2. The proposed budget that is being reviewed by OMB does not have a proposed legislation or resolution with the appropriate tracking number as it goes before the oversight committees for review and recommendation.
3. The proposed budget has not been reviewed or considered by the appropriate oversight committees, including the Budget and Finance Committee which has the responsibility to review and make recommendations on all financial matters of the Navajo Nation.
4. To OMB's knowledge, the Navajo Nation Veterans program was established to seek financial assistance for veterans from the State of Arizona Veterans Administration as well other states that surround the Navajo Nation. Apparently, this has not been accomplished in the several years that the program has been in existence.
5. This is only one of the many supplemental requests that may exceed the amount of funds available and the Navajo Nation Council in its budget resolution for the Fiscal Year 2018 gave itself directions to prioritize these many supplemental requests going before the Council and this has not been done with the exception of the Judicial Branch.

For any questions regarding this memorandum, contact Mr. Emmett Francis, OMB Budget Officer, at (928) 871-7648, or the program manager, Tracey Clyde, at (928) 871-6413 in regards to the supplemental request.

NORTHERN AGENCY VETERANS ORGANIZATION



Commander: Vern R. Lee Representative: Candice Pioche-Zunie
Vice Commander: Jerry J. Todacheene Secretary: Harlin Benally

RESOLUTION

Recommending and supporting the 23rd Navajo Nation Council and the President of the Navajo Nation, President Russell Begay to approve \$1.5 million from UUFB for Navajo Veterans and urging the Controller of the Navajo Nation to immediately release the \$1.5 million upon the passing of this legislation

NAVO-009-18

WHEREAS:

1. Pursuant to The Navajo Nation Veterans Act; Title II, Section One (E, I, M, N, O, R, T); §1032 (B- 5, 9, 10), The Northern Agency Veterans Organization is duly recognized by the Navajo Nation; and
2. Pursuant to Navajo Nation Council Resolution CMA-25-71; The Northern Agency Veterans Organization is established and established the Department of Navajo Nation Veterans Affairs Department under the Executive Branch of the Navajo Nation Government; and
3. The Northern Agency Veterans Organization recognizes, understands and acknowledges that to pursue the Veterans Trust Fund Increase Income is controversial and may require a lawsuit by the Veterans that would be a lengthy process; and
4. The Northern Agency Veterans Organization recognizes, understands and acknowledges that the \$1.5 Million from UUFB will not be reoccurring and is more expedient then fighting and lawsuit; and

NOW THEREFORE BE IT RESOLVED THAT:

The Northern Agency Veterans Organization is recommending and supporting the 23rd Navajo Nation Council and the President of the Navajo Nation, President Russell Begay to approve taking \$1.5 million from UUFB for Navajo Veterans and urging the Controller of the Navajo Nation to immediately release the \$1.5 million upon the passing of this legislation.

NORTHERN AGENCY VETERANS ORGANIZATION




Commander: Vern R. Lee Representative: Candice Pioche-Zunie
Vice Commander: Jerry J. Todacheene Secretary: Harlin Benally

C-E-R-T-I-F-I-C-A-T-I-O-N

The Northern Agency Veterans Organization Hereby Certifies the Foregoing Resolution that was Considered at a Regular Duly Called Meeting in Upper Fruitland Chapter, New Mexico (Navajo Nation) and that same was approved and passed with a vote of 37 in Favor; 0 Opposed and 3 Abstain on the 13th day of April, 2018.

Motioned: Lloyd Begay
Seconded: Harry F. Johnson


Candice Pioche-Zunie, Representative
Northern Agency Veterans Organization



Vern R. Lee, Commander
Northern Agency Veterans Organization

NAVAJO NATION

RCS# 1175

2018 Summer Session

7/18/2018

03:09:04 PM

Amd# to Amd#

Legislation 0149-18: Approving

PASSED

MOT Begay, S

Supplemental Funding from UUFB

SEC Smith

\$1,200,000 to NN Veterans

Administration Central Office...

Yea : 18

Nay : 0

Excused : 3

Not Voting : 3

Yea : 18

Bates

Bennett

Perry

Tso

Begay, K

Brown

Phelps

Tsosie

Begay, NM

Chee

Slim

Witherspoon

Begay, S

Crotty

Smith

Yazzie

BeGaye, N

Daniels

Nay : 0

Excused : 3

Filfred

Shepherd

Pete

Not Voting : 3

Hale

Jack

Damon