

# THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

August 6, 2020

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

RE: CJY-58-20, *An Action Relating to, Resources and Development, Budget and Finance, Naa'bik'iyati' Committees, and Navajo Nation Council; Approving supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of three thousand dollars (\$3,000) for Forest Lake Chapter Officials' stipends for fiscal year 2017; waiving 12 N.N.C. §§ 820 (E) and 820 (F) regarding the designation of recurring and non-recurring revenues*

Dear Speaker Damon,

Pursuant to the authority provided by the Navajo People and vested in the Navajo Nation President, I am using the line item veto authority for CJY-58-20.

Using Fiscal Year 2020 funds for outstanding expenses in Fiscal Year 2017 is not good financial management or sound fiscal practice. There is no supporting documentation for this resolution and no rational explanation of the shortfall for the Forest Lake Chapter. The Navajo Division of Community Development is put in a difficult situation of rectifying a situation that should have been addressed in Fiscal Year 2017, or at the latest Fiscal Year 2018. Also, there is no indication from the Office of the Controller on the appropriateness of opening Fiscal Year 2017 financial records to resolve a stipend issue with 2020 funds.

The Chapter Official's stipend is a constant issue each year and our Administration has addressed this matter to ensure sufficient funding for Chapter Officials. We are open to policy changes to address this issue; however, Forest Lake Chapter's issue may be beyond financial repair. Nevertheless, we will look closely at the matter for other possible solutions. The only reasonable choice at this time is a line item veto of Resolution CJY-58-20.

Sincerely,

  
Jonathan Nez, President  
THE NAVAJO NATION

  
Myron Lizer, Vice President  
THE NAVAJO NATION



RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
24<sup>th</sup> NAVAJO NATION COUNCIL - SECOND YEAR, 2020

AN ACTION

RELATING TO, RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ~~THREE THOUSAND DOLLARS (\$3,000)~~ FOR FOREST LAKE CHAPTER OFFICIALS' STIPENDS FOR FISCAL YEAR 2017; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) REGARDING THE DESIGNATION OF RECURRING AND NON-RECURRING REVENUES

JMN  
ML

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation established the Resources and Development Committee (RDC) as a Navajo Nation Council standing committee and as such gave RDC oversight over Navajo Nation Chapters. 2 N.N.C. §§ 164 (A)(9), 500 (A), and 501 (C)(1).
- B. The Navajo Nation established the Budget and Finance Committee (BFC) as a Navajo Nation Council standing committee and as such empowered BFC to review and recommend to the Navajo Nation Council the management of all funds. 2 N.N.C. §§ 164 (A)(9), 300 (A), and 301 (B)(2).
- C. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A)(9) and 700 (A).
- D. 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. 12 N.N.C. § 820 (M).

## SECTION TWO. FINDINGS

- A. This is a request for supplemental funding to pay Forest Lake Chapter Officials stipends from Fiscal Year 2017.
- B. In Fiscal Year 2017, Forest Lake suffered a budget shortfall and was unable to pay stipend compensation in the amount of \$3,000 to its chapter officials.
- C. A supplemental funding proposal summary, budget forms 1, 2, and 4 are attached as **Exhibit A**.
- D. A section 164 review is attached as **Exhibit B**. The 164 review includes a budget impact analysis by the Office of Management and Budget, a memorandum from the Controller. The Controller has indicated these costs are recurring.
- E. As a result of the Controller's designation of the costs as recurring, waiver language is included.
- F. Forest Lake Chapter submitted Resolution FLC-19-04-002 in support of this request for supplemental funding, which is attached as **Exhibit C**.

## SECTION THREE. WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) REGARDING THE DESIGNATION OF RECURRING AND NON-RECURRING REVENUES

The Navajo Nation Council hereby waives 12 N.N.C. §§ 820 (E) and (F) with regard to the restriction of the appropriating of non-recurring revenues to recurring costs.

## SECTION FOUR. APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF ~~\$3,000~~ FOR FOREST LAKE CHAPTER OFFICIALS' STIPENDS FOR FISCAL YEAR 2017, BUSINESS UNIT NUMBER 108016

- A. This supplemental appropriation of ~~\$3,000~~ 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 for the Forest Lake Chapter officials' stipends for Fiscal Year 2017, Business Unit Number 108016.
- B. The Navajo Nation hereby approves supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of



~~\$3,000~~ for the Forest Lake Chapter officials' stipends for JMN  
Fiscal Year 2017, Business Unit Number 108016.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24<sup>th</sup> 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 19 in Favor, and 02 Opposed, on this 22<sup>nd</sup> day of July 2020.

  
Honorable Seth Damon, Speaker  
24<sup>th</sup> Navajo Nation Council

July 27, 2020

DATE

Motion: Honorable Mark A. Freeland

Second: Honorable Pernell Halona

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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
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 \_\_\_\_\_, 2020 for the reason(s) expressed in the attached letter to the Speaker.

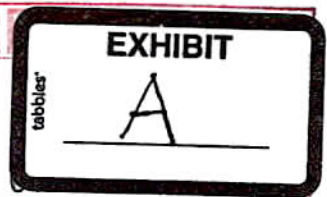
\_\_\_\_\_  
Jonathan Nez, President  
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the 2010 Certified Initiative, over the supplemental appropriations approved herein by the Navajo Nation Council; on this 06 day of August, 2020.

Jonathan Nez Wynne Lee  
Jonathan Nez, President  
Navajo Nation



THE NAVAJO NATION  
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY



OFFICE OF MANAGEMENT & BUDGET  
NAVAJO NATION

PART I. Business Unit No.: 108016 Program Title: Forset Lake Chapter  
Division/Branch: Community Development/Executiv Amount Requested: ~~\$3,000~~ Phone No.: 928/677-3252  
Prepared By: Ella M. Benally, CSC Email Address: [forestlake@navajochapters.org](mailto:forestlake@navajochapters.org)

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

Stipends aren't performance-based or hours based, but given only when a Chapter conducts an official meeting for a purpose; stipends are usually given out in increments of \$500 per meeting whether for planning or regular meetings. In FY 2017 Forest Lake Chapter fell into a shortfall in the amount of \$3,000. Since, FY 2017 Forest Lake Chapter has yet to pay out compensation to their elected Chapter Officials due to this short fall incurred.

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


Seek requested funding from the Undesigned, Unreserved, Fund Balance.

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

Pearl Yellowman, Executive Director

Paulson Chaco, Chief of Staff, NNOPVP

  
REVIEWED BY: Division Director's Signature / Date

  
RECOMMEND APPROVAL: Branch Chief's Signature / Date



FY 2020

# THE NAVAJO NATION PROGRAM BUDGET SUMMARY

 Page 1 of 3  
BUDGET FORM 1

PART I. Business Unit No.: <u>108016</u>		Program Title: <u>Forest Lake Chapter</u>		Division/Branch: <u>Community Development/Executive</u>	
Prepared By: <u>Ella M. Benally, CSC</u>		Phone No.: <u>928/677-3252</u>		Email Address: <u>forestlake@navajochapters.org</u>	

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)
UUFB General Funds	2019	3,000	100%					
				2001 Personnel Expenses				0
				3000 Travel Expenses				0
				3500 Meeting Expenses				0
				4000 Supplies				0
				5000 Lease and Rental				0
				5500 Communications and Utilities				0
				6000 Repairs and Maintenance				0
				6500 Contractual Services				0
				7000 Special Transactions				0
				8000 Public Assistance	1		<del>3,000</del>	<del>3,000</del>
				9000 Capital Outlay				0
				9500 Matching Funds				0
				9500 Indirect Cost				0
<b>TOTAL:</b>						\$0.00	<del>3,000</del>	<del>3,000</del>

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

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

Johnny Johnson, Department Manager II SUBMITTED BY: Program Manager's Printed Name  SUBMITTED BY: Program Manager's Signature and Date	Pearl Yellowman, Executive Director APPROVED BY: Division Director/Branch Chief's Printed Name  APPROVED BY: Division Director/Branch Chief's Signature and Date
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AUG - 7 2019  
 OCT - 3 2018  
 OFFICE OF MANAGEMENT & BUDGET  
 NAVAJO NATION



FY 2020

**THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA**

Page 2 of 3  
BUDGET FORM 2

**PART I. PROGRAM INFORMATION:**

Business Unit No.: 108016

Program Name/Title: Forest Lake Chapter

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

CAP-34-98: To direct the Chapter Administration and management control system, by promoting efficiency and accountability to the Chapter membership, and to effectuate plans of action to improve the standard of living for the Chapter Membership.

**PART III. PROGRAM PERFORMANCE CRITERIA:**

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

**1. Goal Statement:**

To disburse all Chapter Officials Stipend by the end of 4th quarter.

**Program Performance Measure:**

To compensate Chapter Officials Stipend for attending Planning/Regular Meetings.

						1	
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**2. Goal Statement:****Program Performance Measure:**

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**3. Goal Statement:****Program Performance Measure:**

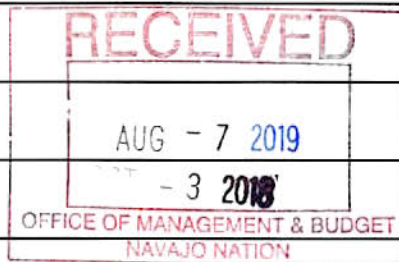
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**4. Goal Statement:****Program Performance Measure:**

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**5. Goal Statement:****Program Performance Measure:**

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

Johnny Johnson, Dept. Manager II

Program Manager's Printed Name

*Johnny Johnson* 7.29.19

Program Manager's Signature and Date

Pearl Yellowman, Executive Director

Division Director/Branch Chief's Printed Name

*Pearl Yellowman*

Division Director/Branch Chief's Signature and Date



FY 2020

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

Page 3 of 3  
BUDGET FORM 4

PART I. PROGRAM INFORMATION:			
Program Name/Title: _____		Forest Lake Chapter	Business Unit No.: _____ 108016
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 ASSISTANCE Chapter 8715 Grant Forest Lake Chapter requesting \$3,000 for Chapter Officials Stipend.	<del>3,000</del>	<del>3,000</del>
<div style="border: 1px solid black; padding: 10px; width: fit-content;"> <p style="color: red; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="color: blue;">AUG - 7 2019</p> <p style="color: blue;">OCT - 3 2018</p> <p style="color: red; font-size: 0.8em;">OFFICE OF MANAGEMENT &amp; BUDGET NAVAJO NATION</p> </div>			
TOTAL		<del>3,000</del>	<del>3,000</del>

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Document No. 012551Date Issued: 0

EXHIBIT

B

**SECTION 164 REVIEW FORM**Title of Document: Forest Lake Chapter Chapter Offic. Stipe Contact Name: BENALLY, ELLA MAEProgram/Division: DIV. OF COMMUNITY DEVELOPMENTEmail: forestake@navajochapters.org Phone Number: 928/677-3252Division Director Approval for 164A: *Dearyelloma*

**Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days,** except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

**Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council**

<input type="checkbox"/>	Statement of Policy or Positive Law:		Sufficient	Insufficient
	1. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
	1. OMB: <u><i>Dearyelloma</i></u>	Date: <u>10-14-19</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	2. OOC: <u><i>Robinson</i></u>	Date: <u>11-1-19</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	3. OAG: <u><i>OMB</i></u>	Date: <u>11/3/19</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

<input type="checkbox"/>	Grant/Funding Agreement or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>





# NAVAJO NATION DEPARTMENT OF JUSTICE

## DOCUMENT REVIEW REQUEST FORM

☐ RESUBMITTAL



DOJ	
11-12-19 @ 235pm	DATE / TIME
<input checked="" type="checkbox"/> 7 Day Deadline	
DOC #: 012551	
SAS #:	
UNIT: ECDU	

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

### CLIENT TO COMPLETE

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

TITLE OF DOCUMENT: Doc. No. 012551, Funding Proposal by DCD for Forest Lake Chapter Official Stipend.

### DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT:	NOV 12 2019 4pm	REVIEWING ATTORNEY/ADVOCATE:	Latonia Johnson
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DATE TIME OUT OF UNIT:

### DOJ ATTORNEY / ADVOCATE COMMENTS

Sufficient. See checklist

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
UPJ	957am 11/13/19	UPJ	957am 11/13/19

DOJ Secretary Called: Sharon Blatchford for Document Pick Up on NOV 13 2019 at 11:55am By: el

PICKED UP BY: (Print) DATE / TIME:

NNDJ/DRRF-July 2013





UPJ 11/13/19

**CHECKLIST**  
**Supplemental Appropriation Request**  
**Capital Improvements and Non-Capital Improvements**

**TYPE OF REQUEST:**

Forest Lake chapter - stipends

**PURPOSE:**

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

**CHECKLIST:**

- ☒ Supplemental Request Form: See BIM, Section XII(B)(1)(b)-Appendix K.
  - ☒ Explain why funding is being requested outside the regular or annual fiscal year budget development process. See BIM, Section XIV(B)(1)(b)(i).
  - ☒ Identify any other sources of funding that have been considered and that may be pursued if the supplemental request is not funded. See BIM, Section XIV(B)(1)(b)(ii).
  - ☒ Signatures:
    - ☒ Signature of the appropriate Division Director.
    - ☒ Approval by the appropriate Branch Chief.
- ☐ Program Operating Budget Forms 1 thru 5: See BIM, Section XII(B)(1)(a).
  - ☒ Form 1
    - ☒ Signature of the appropriate Division/Department.
    - ☒ Concurrence by the Branch Chief/Division Director.
  - ☒ Form 2
    - ☒ Signature of the appropriate Division/Department.
    - ☒ Concurrence by the Branch Chief/Division Director.
  - ☐ Form 3, if the request involves personnel or positions to be funded. If not applicable, please write "not applicable" not applicable.
  - ☒ Form 4
  - ☐ Form 5, if the request involves personnel or positions to be funded. If not applicable, please write "not applicable" not applicable.
  - ☐ Form 6, if the request involves supplemental funding for an externally-funded entity. If not applicable, please write "not applicable" not applicable.

Other BIM requirements:

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



Utg 11/13/19

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

For Capital Improvement Projects:

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



# THE NAVAJO NATION


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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



## Memorandum:

To: 2 NNC § 164 Reviewers  
Delegates & 2 NNC '164 Reviewers  
Navajo Nation Government

From:   
Pearline Kirk, Controller  
Office of the Controller

Date: November 1, 2019

Subject: 164-013551-Funding Proposal by Division of Community Development for  
Forest Lake Chapter Official Stipend in the Amount of \$3,000

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

1. The balance of the unaudited UUFB is \$16,960,422 as of September 30, 2019. Unmet needs amounts for FY2020 Comprehensive Budgets have yet to be determined and if any are approved would also reduce this available balance. In addition, there are currently requests from the UUFB for water rights and UNM Lobo Rainforest that would further reduce the amount of the UUFB, if approved.
2. This request is for \$3,000 for Forest Lake Chapter Officials Stipends.
3. This request would be considered **RECURRING** for operational expenses.

If you should have any questions you can contact me at tribal extension X6308.




# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



## MEMORANDUM

TO: Navajo Nation 164 Reviewers

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

DATE: October 9, 2019



SUBJECT: Review of Doc. No. 012551, Funding Proposal by Division of Community Development for Forest Lake Chapter Official Stipend in the Amount of \$3,000

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

1. It is not clear about the how the stipends were not paid to Chapter Official and no supporting documents are attached. Normally, OMB understands that the Chapter Officials FY 2017 September stipend would be paid with the FY 2018 carryover. Is there a reason why this has not been done?
2. The Office of the Controller says the UUFB has an amount of \$16,960,422 available at this time. This project appears to be eligible for funding from this source.
3. Because of the limited availability of funds, OMB advises the Branch Chiefs to prioritize all supplemental funding proposals pursuant to the FY 2020 Budget Resolution CS-30-19 (paragraph 'N'), the FY 2020 Budget Instructions Manual (Section XII), and the Appropriations Act. This activity should be completed by the three branches to determine priorities.
  - a) The Resources Development Committee by resolution RDCJY-033-19, recommended a total of \$11,310,074 for a number of DCD unmet needs. There are now 5 proposals (#'s 012551, 031448, 013449, 013542, 013544), totaling \$9,187,427 in the Executive Order review process.
  - b) Because of all these proposals totaling over \$90 million from all 3 Branches, including the group from DCD, the President/Vice-President said the 3 Branches will decide on prioritize as indicated in the September 3, 2019, budget message to the Navajo Nation Council.
  - c) Therefore, DCD should prioritize these proposals and the OPVP should prioritize all Executive Branch proposals.

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

xc: OMB file



# THE NAVAJO NATION

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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



*AB*  
*C NNC*  
*9/3 12:04*

September 3, 2019

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

## **Navajo Nation Fiscal Year 2020 Comprehensive Budget Session Message**

Dear Honorable Members of the 24<sup>th</sup> Navajo Nation Council,

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

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

### **Allocating Funds Based on Priorities**

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


### **Budget and Finance Committee Amendments**

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



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

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



#### **Unmet Needs - UUFB**

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

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

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

#### **Closing Remarks/Request for Special Session**

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

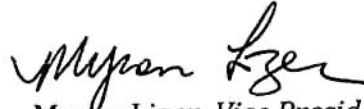


the highest standard to ensure fiscal responsibility and financial integrity. I will not violate my fiduciary responsibility to the Navajo People by overspending or any other means. We respectfully request for your support of the FY2020 Comprehensive Budget and to fully fund chapter stipends, and consideration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

Sincerely,



Jonathan Nez, *President*  
**THE NAVAJO NATION**



Myron Lizer, *Vice President*  
**THE NAVAJO NATION**





**FOREST LAKE CHAPTER**  
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Council Delegate

Pr

Vice-P

Secretary/Treasurer, Brenda White

Grazing Representative, Irene Begaye

Community Services Coordinator, Ella Mae Benally

**EXHIBIT**

C

**Jonathan Nez**  
**PRESIDENT**

**Myron Lizer**  
**VICE PRESIDENT**

## RESOLUTION OF THE FOREST LAKE CHAPTER

RESOLUTION # FLC-19-04-002

Requesting the Budget & Finance Committee, Navajo Nation Council and the Navajo Nation President to Reallocate and Dispense Omitted Meeting Stipend Funds for the Forest Lake Chapter Officials for September 2017

### WHEREAS:

1. Pursuant to the Local Governance Act, 26 N.N.C., Chapter 1, Sub-Chapter , Section 3 (a) the Forest lake Chapter is continued as a certified Chapter of the Navajo Nation by the Navajo Nation Council Resolution number CAP-34-98; and
2. Pursuant to Chapter 1, Section 131 (1) (2), of the same Act, the Chapter has the responsibility and authority to promote, protect and preserve the interest and general welfare including the safety of it community, people, programs, property , etc.; and
3. The three Forest Lake Chapter officials (President, Vice, President and Secretary-Treasurer) were not compensated for any monthly meeting stipends in fiscal year 2017, in the month of September.
1. Pursuant to 2 N.N.C. Title 26, 1002 (Resolution number CN-50-10 passed in Dec. 8, 2010) states Each chapter president, vice president, secretary/treasurer shall be paid \$500 each for one regular chapter meet and one chapter planning meeting per month in accordance with the approved fiscal year budget; and
2. The Forest Lake Chapter officials have actively pursued the reallocation starting in November 2017 by discussing budget shortfall with the Chapter CSC and consulting their council Delegate, B&F committee members and President's Chief of Staff and lastly Legislative Legal Counsel; and
3. No solution has been offered, and recently in March 2019, the lacking and omitted fund was brought to the Navajo Nation Speaker's attention; he is the former Chair of Budget and Finance Committee and a chapter resolution was call for.



**FLC-19-04-002**



## NAVAJO NATION

7/22/2020

Navajo Nation Council 2020 Summer Session

04:14:09 PM

Amd# to Amd#	Legislation 0043-20: Approving	PASSED
MOT Freeland, M	Supplemental Funding from UUFB -	
SEC Halona, P	Amount of \$3,000 for Forest Lake	
	Chapter Officials' Stipend...	

Yeas : 19

Nays : 2

Excused : 0

Not Voting : 2

## Yea : 19

Begay, K	Freeland, M	Smith	Walker, T
Begay, P	Halona, P	Tso	Wauneka, E
Brown	Henio, J	Tso, C	Yazzie
Charles-Newton	James, V	Tso, D	Yellowhair
Daniels	Nez, R	Tso, E	

## Nay : 2

Stewart, W	Crotty
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## Excused : 0

## Not Voting : 2

Slater, C	Begay, E
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Presiding Speaker: Damon