

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0261-21

**DATE:** December 15, 2021

**TITLE OF RESOLUTION:** AN ACTION RELATING TO AN EMERGENCY FOR NAVAJO NATION COUNCIL; APPROVING \$1,808,538 IN SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR THE 110 NAVAJO NATION CHAPTERS' EMERGENCY FUND ACCOUNTS; WAIVING 12 N.NC. § 820 (O)

**PURPOSE:** This resolution, if approved, will allocate \$1,808,538 from the UUFB to bring all Navajo Nation Chapter Emergency Fund account balances to \$25,000.

**This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.**

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24<sup>th</sup> NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0261-21

AN ACTION

RELATING TO AN EMERGENCY FOR NAVAJO NATION COUNCIL;  
APPROVING \$1,808,538 IN SUPPLEMENTAL FUNDING FROM THE  
UNRESERVED, UNDESIGNATED FUND BALANCE FOR THE 110 NAVAJO  
NATION CHAPTERS' EMERGENCY FUND ACCOUNTS; WAIVING 12 N.N.C.

§ 820 (O)

BE IT ENACTED:

SECTION ONE. AUTHORITY.

- A. 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) and 12 N.N.C. §820(L).
- B. The Navajo Nation Code provides, “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. 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(16).
- C. This proposed Resolution is offered as an emergency due to the decimation visited on

Chapter's Emergency Fund accounts by the COVID-19 pandemic and the vital need to have emergency funds available to respond to seasonal emergencies at the local level.

D. The Navajo Nation Council has the authority to approve supplemental appropriations. 12 N.N.C. § 820(L). 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)."

E. The Navajo Nation Appropriations Act requirements regarding Supplemental Appropriations include:

1. 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).
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

1 year) forecast shows that the operating deficit will not continue. Otherwise, non-  
2 recurring revenues will be added to the Unreserved, Undesignated Fund balance.  
3 This provision may be amended or waived by a two-thirds vote of the full Navajo  
4 Nation Council.” 12 N.N.C. § 820(F).

## 5 6 **SECTION TWO. FINDINGS**

- 7 A. On behalf of the 110 Navajo Nation Chapters, the Division of Community  
8 Development (“DCD”) has submitted a Supplemental Funding Proposal Summary,  
9 dated October 13, 2021. With this form, DCD is requesting **\$1,808,538** out of the  
10 Unreserved, Undesignated Fund Balance to provide the 110 Chapters enough funds to  
11 replenish their Emergency Fund accounts back to the established amount of \$25,000.  
12 See Budget Instruction Manual (“BIM”) Appendix K attached hereto as **Exhibit A**.
- 13 B. A comprehensive list showing each Chapters’ funding need is attached as **Exhibit B**.  
14 If the total requested amount of **\$1,808,538** is approved by the Navajo Nation Council,  
15 different Chapters will receive different dollar amounts as shown in Exhibit B - but all  
16 110 Chapters will end up with the same balance of \$25,000 in their Emergency Fund  
17 accounts.
- 18 C. On behalf of the Chapters, DCD has provided the required Navajo Nation Budget  
19 Forms, attached as **Exhibit C**.
- 20 D. The OOC has not yet reviewed this supplemental funding request for the amount of  
21 **\$1,808,538** as required by 12 N.N.C. §820(L). However, OOC has provided a  
22 memorandum dated August 20, 2021 regarding a previous DCD request for Chapters’  
23 emergency funds in the amount of \$1,685,344. **Exhibit D**. OOC can present an  
24 updated memorandum with a review of this \$1,808,538 funding request when this  
25 legislation is presented for consideration by the Navajo Nation Council. The Controller  
26 has identified the Chapters’ emergency funding as non-recurring expenditures.
- 27 E. The Office of Management and Budget (“OMB”) has not yet reviewed this \$1,808,538  
28 funding request for a budget impact analysis as required by 12 N.N.C. §820(M).  
29 However, the OMB has provided a budget impact analysis dated October 12, 2021  
30 regarding a previous DCD request for Chapters’ emergency funds in the amount of

1       \$1,838,798. **Exhibit E.** OMB can present an updated budget impact analysis for this  
2       \$1,808,538 funding request when this legislation is presented for consideration by the  
3       Navajo Nation Council.  
4

5       **SECTION THREE. APPROVING \$1,808,538 FOR THE 110 NAVAJO NATION**  
6       **CHAPTERS FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE**

- 7       A. The Navajo Nation hereby approves **\$1,808,538** from the Unreserved, Undesignated  
8       Fund Balance for the 110 Navajo Nation Chapters Emergency Fund accounts. Each  
9       Chapter shall receive the designated dollar amount as shown in **Exhibit B**, so as to  
10      bring each Chapter's Emergency Fund account balance to \$25,000.  
11      B. This supplemental appropriation of **\$1,808,538** shall be from that amount of funds that  
12      exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as  
13      determined by the Controller.  
14      C. The Navajo Nation hereby waives 12 N.N.C. § 820 (O) (Chapter 50/50 formula) to  
15      allow for this supplemental appropriation to all 110 Chapters.  
16

17      **SECTION FOUR. EFFECTIVE DATE**

18      The provisions of this Act shall become effective in accordance with 2 N.N.C. §221(B)  
19      and with 2 N.N.C. §164(A)(17).  
20

21      **SECTION FIVE. SAVINGS CLAUSE**

22      If any provision of this Action is determined invalid by the Supreme Court of the Navajo  
23      Nation or by any Navajo Nation District Court, without appeal to the Navajo Nation  
24      Supreme Court, the remainder of this Act shall remain valid as the law of the Navajo  
25      Nation.  
26  
27  
28  
29  
30



## Appendix K

### THE NAVAJO NATION SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: <u>108014-108123</u>		Program Title: <u>Navajo Naiton Chapter Emergency Funds</u>	
Division/Branch: <u>Community Development/Executive</u>		Amount Requested: \$ <u>1,808,538.34</u>	Prepared By: <u>Lydell Davis</u>
Phone No.: <u>(928) 871-7246</u>		Email Address: <u>ldavis@nndcd.org</u>	
<b>PART II. REASON FOR REQUEST AND STATEMENT OF NEED:</b> Provide financial resources to the Navajo Nation Chapters that are in need of the Emergency funding. Emergency funding will be used for seasonal emergencies allowing Chapters to provide protective measures and remediation. Replenish Chapter emergency budgets to support chapters with disaster relief funds in the event of seasonal emergencies.			
<b>PART III. LIST ALTERNATIVE FUNDING SOURCES BEING PURSUED AND CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:</b> 1. Undesignated, Unreserve Fund Balance - General Funds.			
<b>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.</b>			
<u><i>Lydell Davis</i></u> 10.13.21 REVIEWED BY: Division Director's Signature / Date		_____ RECOMMEND SUPPLEMENTAL: Branch Chief's Signature / Date	



EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021

	Month End: 8/31/2021	\$25,000 Threshold	Difference (Column C - B)
<b>Central Agency</b>			
Black Mesa	22,100.00	25,000.00	2,900.00
Blue Gap/Tachee	21,443.00	25,000.00	3,557.00
Chinle	-	25,000.00	25,000.00
Forest Lake	56,554.00	25,000.00	-
Hard Rock	32,674.00	25,000.00	-
Lukachukai	50,185.00	25,000.00	-
Many Farms	2,013.00	25,000.00	22,987.00
Nazlini	2,212.00	25,000.00	22,788.00
Pinon	-	25,000.00	25,000.00
Round Rock	3,295.00	25,000.00	21,705.00
Tsaile/Wheatfields	40,443.00	25,000.00	-
Tse Ch'izhi (Rough Rock)	21,100.00	25,000.00	3,900.00
Tselani/Cottonwood	21,340.00	25,000.00	3,660.00
Whippoorwill	23,504.00	25,000.00	1,496.00
<b>Total</b>	<b>296,863.00</b>		<b>132,993.00</b>

**EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021**

	<b>Month End: 8/31/2021</b>	<b>\$25,000 Threshold</b>	<b>Difference (Column C - B)</b>
<b>Eastern Agency</b>			
Alamo	1,094.00	25,000.00	23,906.00
Baahaali	6,092.00	25,000.00	18,908.00
Baca-Prewitt	3,721.00	25,000.00	21,279.00
Becenti	12,996.00	25,000.00	12,004.00
Casamero Lake	(400.00)	25,000.00	25,400.00
Chichiltah	7,745.00	25,000.00	17,255.00
Church Rock	(9,672.00)	25,000.00	34,672.00
Counselor	79,693.00	25,000.00	-
Crownpoint	(17,253.00)	25,000.00	42,253.00
Huerfano	20,662.00	25,000.00	4,338.00
Iyanbito	(16,195.00)	25,000.00	41,195.00
Lake Valley	7,499.00	25,000.00	17,501.00
Littlewater	19,876.00	25,000.00	5,124.00
Manuelito	5,242.00	25,000.00	19,758.00
Mariano Lake	2,024.00	25,000.00	22,976.00
Nageezi	5,862.00	25,000.00	19,138.00
Nahodishgish	14,606.00	25,000.00	10,394.00
Ojo Encino	20,454.00	25,000.00	4,546.00
Pinedale	4,229.00	25,000.00	20,771.00
Pueblo Pintado	20,876.00	25,000.00	4,124.00
Ramah	(4,298.00)	25,000.00	29,298.00
Rock Springs	24,767.00	25,000.00	233.00
Smith Lake	(14,162.00)	25,000.00	39,162.00
Thoreau	(99,689.00)	25,000.00	124,689.00
Tohajiilee	(67,286.00)	25,000.00	92,286.00
Torreón/Star Lake	14,844.00	25,000.00	10,156.00
Tsayatoh	10,141.00	25,000.00	14,859.00
Tse' li'Ahi (Standing Rock)	6,606.00	25,000.00	18,394.00
Tse Lichif (Red Rock)	9,383.00	25,000.00	15,617.00
White Horse Lake	2,040.00	25,000.00	22,960.00
White Rock	11,692.00	25,000.00	13,308.00
<b>Total</b>	<b>83,189.00</b>		<b>746,504.00</b>



EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021

	Month End: 8/31/2021	\$25,000 Threshold	Difference (Column C - B)
<b>Fort Defiance Agency</b>			
Bahastl'ah' (Twin Lakes)	8,726.00	25,000.00	16,274.00
Cornfields	1.00	25,000.00	24,999.00
Coyote Canyon	16,852.00	25,000.00	8,148.00
Crystal	19,299.00	25,000.00	5,701.00
Dilkon	(46,802.00)	25,000.00	71,802.00
Fort Defiance	18,053.00	25,000.00	6,947.00
Ganado	2,011.00	25,000.00	22,989.00
Greasewood Springs	7,418.00	25,000.00	17,582.00
Houck	1,659.00	25,000.00	23,341.00
Indian Wells	No Response	25,000.00	-
Jeddito	4,756.00	25,000.00	20,244.00
Kin Dah Lichii (Kinlichee)	4,177.00	25,000.00	20,823.00
Klagetoh	25,803.00	25,000.00	-
Low Mountain	859.00	25,000.00	24,141.00
Mexican Springs	23,388.00	25,000.00	1,612.00
Nahata Dziil	11,219.00	25,000.00	13,781.00
Naschitti	9,063.00	25,000.00	15,937.00
Oak Springs	15,335.00	25,000.00	9,665.00
Red Lake #18	18,283.00	25,000.00	6,717.00
Sawmill	3,130.00	25,000.00	21,870.00
St. Michaels	50,130.00	25,000.00	-
Steamboat	10,188.00	25,000.00	14,812.00
Teesto	137.00	25,000.00	24,863.00
Tohatchi	7,328.00	25,000.00	17,672.00
Tse' Si Ani (Lupton)	4,320.00	25,000.00	20,680.00
White Cone	20,792.00	25,000.00	4,208.00
Wide Ruins	13,562.00	25,000.00	11,438.00
<b>Total</b>	<b>249,687.00</b>		<b>426,246.00</b>

**EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021**

	<b>Month End: 8/31/2021</b>	<b>\$25,000 Threshold</b>	<b>Difference (Column C - B)</b>
<b>Northern Agency</b>			
Aneth	48,116.00	25,000.00	-
Beclabito	56,303.00	25,000.00	-
Cove	16,729.00	25,000.00	8,271.00
Gadii' Ahi/To'koi	19,962.00	25,000.00	5,038.00
Mexican Water	(44,963.00)	25,000.00	69,963.00
Nenahnezad	36,798.00	25,000.00	-
Newcomb	7,113.00	25,000.00	17,887.00
Red Mesa	7,732.00	25,000.00	17,268.00
Red Valley	62,518.00	25,000.00	-
Rock Point	4,941.00	25,000.00	20,059.00
San Juan	20,835.00	25,000.00	4,165.00
Shiprock	30,545.00	25,000.00	-
Teec Nos Pos	19,004.00	25,000.00	5,996.00
Tiis Tsoh Sikaad (Burnham)	12,466.00	25,000.00	12,534.00
Toadlena/Two Grey Hills	17,045.00	25,000.00	7,955.00
Tolikan (Sweetwater)	13,507.00	25,000.00	11,493.00
Tooh' Haltsooi (Sheep Springs)	13,699.00	25,000.00	11,301.00
Tse Alnaozt'ii (Sanostee)	(16,686.00)	25,000.00	41,686.00
Tse Daa Kaan (Hogback)	1,355.66	25,000.00	23,644.34
Upper Fruitland	10,006.00	25,000.00	14,994.00
<b>Total</b>	<b>337,025.66</b>		<b>272,254.34</b>

EMERGENCY FUND CHAPTER BALANCES AS OF 7/31/2021

	Month End: 8/31/2021	\$25,000 Threshold	Difference (Column C - B)
<b>Western Agency</b>			
Bodaway-Gap	12,700.00	25,000.00	12,300.00
Cameron	25,301.00	25,000.00	-
Chilchinbeto	15,610.00	25,000.00	9,390.00
Coalmine Canyon	15,585.00	25,000.00	9,415.00
Coppermine	-	25,000.00	25,000.00
Dennehotso	16,597.00	25,000.00	8,403.00
Kai' Bii To (Kaibeto)	(631.00)	25,000.00	25,631.00
Kayenta	37,962.00	25,000.00	-
LeChee	(647.00)	25,000.00	25,647.00
Leupp	2,346.00	25,000.00	22,654.00
Navajo Mountain	28,856.00	25,000.00	-
Oljato	69,229.00	25,000.00	-
Shonto	5,612.00	25,000.00	19,388.00
To' Nanees' Dizi'	-	25,000.00	25,000.00
Tolani Lake	No Response	25,000.00	-
Tonalea/Red Lake	24,926.00	25,000.00	74.00
Ts'ah Bii Kin (Inscription House)	(1,788.00)	25,000.00	26,788.00
Tsidii To'ii (Birdsprings)	4,075.00	25,000.00	20,925.00
<b>Total</b>	<b>255,733.00</b>		<b>230,541.00</b>
<b>Grand TOTAL</b>	<b>1,222,497.66</b>		<b>1,808,538.34</b>

THE NAVAJO NATION  
PROGRAM BUDGET SUMMARY

FY 2022

PART I. Business Unit No.: 108014-108123		NAVAJO NATION CHAPTER EMERGENCY		DIVISION OF COMMUNITY DEVELOPMENT	
Program Title:		Division/Branch:		Development	
Prepared By: LYDELL DAVIS		Phone No.: (928) 871-7246		Email Address: ldavis@nndcd.org	
PART II. FUNDING SOURCE(S)		Fiscal Year /Term	Amount	% of Total	
UUF8		FY22	1,808,538.34	100%	
PART III. BUDGET SUMMARY		Fund Type Code	Original Budget	Proposed Budget	Difference or Total
		2001 Personnel Expenses			
		3000 Travel Expenses			
		3500 Meeting Expenses			
		4000 Supplies			
		5000 Lease and Rental			
		5500 Communications and Utilities			
		6000 Repairs and Maintenance			
		6500 Contractual Services			
		7000 Special Transactions			
		8000 Public Assistance	1	1,808,538	1,808,538
		9000 Capital Outlay			
		9500 Matching Funds			
		9500 Indirect Cost			
		TOTAL	\$0.00	1,808,538.34	1,808,538
PART IV. POSITIONS AND VEHICLES		(D)	(E)		
Total # of Positions Budgeted:			0		
Total # of Vehicles Budgeted:			0		
TOTAL: \$1,808,538.34		100%			

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

SUBMITTED BY: Sonlalsa Jim-Martin, Department Manager II  
 Program Manager's Printed Name: Sonlalsa Jim  
 Program Manager's Signature and Date: 10.13.21

APPROVED BY: Pearl Yellowman, Executive Director  
 Division Director / Branch Chief's Printed Name: Pearl Yellowman  
 Division Director / Branch Chief's Signature and Date: 10.13.21



THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

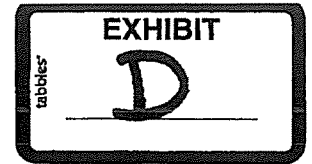
FY 2022

PART I. PROGRAM INFORMATION:		NAVAJO NATION CHAPTER EMERGENCY REPLENISHMENT FUNDS							
Business Unit No.:	108014-108123	Program Name/Title:							
PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:									
CAP-34-08: 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:									
Secure NN Chapters with financial resource for community emergency response.									
Program Performance Measure/Objective:									
Implement emergency management plan with financial resource appropriated.								110	
2. Goal Statement:									
Program Performance Measure/Objective:									
3. Goal Statement:									
Program Performance Measure/Objective:									
4. Goal Statement:									
Program Performance Measure/Objective:									
5. Goal Statement:									
Program Performance Measure/Objective:									
PART IV. THEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.									
Sonlalsa Jim-Martin, Department Manager II		Pearl Yellowman, Executive Director							
Program Manager's Printed Name		Division Director/Branch Chief's Printed Name							
12.13.21		<i>Charles Yellowman</i>							
Program Manager's Signature and Date		Division Director/Branch Chief's Signature and Date							

THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION

FY 2022

PART I. PROGRAM INFORMATION:			
Program Name/Title:		NAVAJO NATION CHAPTER EMERGENCY REPLENISHMENT FUNDS	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 ASSISTANCE  Chapter 8715 Grant Funds to assist the Chapters in the upcoming 2021-2022 winter months.  ENA Chapters 745,504.00 FDA Chapters 425,246.00 NNA Chapters 272,254.34 WNA Chapters 230,541.00 CLA Chapters 132,993.00 <u>1,808,538.34</u>	1,808,538	1,808,538
TOTAL		1,808,538	1,808,538



# 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: August 20, 2021

Subject: Supplemental Funding Request for Division of Community Development

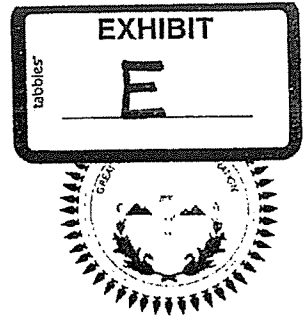
The Office of the Controller has reviewed the above referenced document.

1. The balance of the UUFB is \$25,786,238 as of June 30, 2021.
2. This request is for a total of \$1,685,344 to the Navajo Nation Chapters business units 108014 to 108123. This request is to secure Navajo Nation Chapters with financial resources for community emergency response. Currently the Navajo Nation is going through the 2022 budget process the forms being utilized state FY 2021 but the fiscal year term is 10/01/21 to 09/30/22 which is FY 2022.
3. This request would be considered **NON-RECURRING** for emergency needs of the chapter.

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

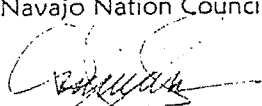
# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT   MYRON LIZER | VICE PRESIDENT



## MEMORANDUM

TO: Navajo Nation Council/164 Reviewers

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

DATE: October 12, 2021

SUBJECT: Legislation No. 0206-21: Division of Community Development Budget for 110 Navajo Nation Chapters' Emergency Response plans in amount of \$1,838,798 from UUFB.

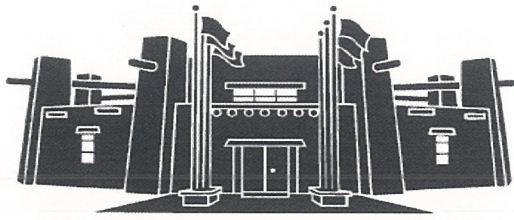
Pursuant to 12 NNC 820 (M) requiring OMB reviewed the subject document and provides the following information:

1. The Exhibit 'A' Supplemental Fund Summary page is signed by DCD in early August, 2021, and it refers to 'flood relief for monsoon season. It seems the rainy season is over and perhaps winter snow and freezing will soon be the need. OMB recommends the document be updated.
2. The Appropriation Act, Section 820, O; Distributions to Chapter, provides guidance on this. The language is: "Where not otherwise prohibited by existing law, any appropriation intended for distribution to all chapters of the Navajo Nation shall be allocated as follows: fifty percent (50%) of the appropriation shall be divided equally among all chapters and the remaining fifty percent (50%) shall be divided proportionately among the chapters using a percentage equal to that figure which the number of registered voters in each chapter bears to the whole of registered Navajo Nation voters as determined by the most current voter registration figures available as of the date of the appropriation...." As proposed, a waiver of this section may be required. DOJ should advise.
3. Some Chapters have deficit spending in FY 21: e.g. Churchrock (\$9,672.49), Crownpoint (\$11,434.93), Dilkon (\$46,801.68), Iyanbito (\$16,194.74), Thoreau (\$99,688.88). Additional funding would cover these deficits and leave a balance of \$25,000. How do these deficits occur and what controls are used to prevent this? It appears Chapters are allowed to go into deficit and the main government simply covers it.
4. Some Chapters have balances far exceeding the \$25,000 threshold amount: e.g. Forest Lake \$56,544, Lukachukai \$50,185, Tsaile/Wheatfields \$40,433, Counselors \$79,693, St. Michaels \$50,130, Beclabito \$56,866, Shiprock \$31,749, Red Valley \$62,518, Oljato \$69,299, and others.
5. The Office of Auditor General issued a Report (No. 21-29) on Chapters available balance as of 6/30/21. Some of the balances differ from Exhibit 'A'.

Contact OMB at (928) 871-6570 if there are any questions and/or concerns regarding this memorandum.

XC: OMB file: DCD





## MEMORANDUM

TO: Honorable Thomas Walker  
24<sup>th</sup> Navajo Nation Council

FROM:

Dana L. Bobroff, Chief Legislative Counsel  
Office of Legislative Counsel

DATE: December 15, 2021

SUBJECT: **AN ACTION RELATING TO AN EMERGENCY FOR NAVAJO NATION COUNCIL; APPROVING \$1,808,538 IN SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE FOR THE 110 NAVAJO NATION CHAPTERS' EMERGENCY FUND ACCOUNTS; WAIVING 12 N.N.C. § 820 (O)**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0261-21\_

SPONSOR: Thomas Walker, Jr.

**TITLE: An Action Relating to an Emergency for Navajo Nation Council;  
Approving \$1,808,538 in Supplemental Funding from the Unreserved, Undesignated  
Fund Balance for the 110 Navajo Nation Chapters' Emergency Fund Accounts;  
Waiving 12 N.N.C. § 820(O)**

***Date posted:*** December 17, 2021 at 10:25AM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0261-21**

**SPONSOR: Honorable Thomas Walker, Jr.**

**TITLE: An Action Relating to an Emergency for Navajo Nation Council;  
Approving \$1,808,538 in Supplemental Funding from the Unreserved,  
Undesignated Fund Balance for the 110 Navajo Nation Chapters' Emergency  
Fund Accounts; Waiving 12 N.N.C. § 820(O)**

**Posted: December 17, 2021 at 10:25 AM**

**5 DAY Comment Period Ended: Not Subject to 5 Day Hold**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	<i>None</i>
<b>Comments/Recommendations</b>	<i>None</i>

  
\_\_\_\_\_  
**Legislative Tracking Secretary  
Office of Legislative Services**

*01/07/22 9:58 AM*  
\_\_\_\_\_  
**Date/Time**

# **24<sup>th</sup> NAVAJO NATION COUNCIL ACTION REPORT Fourth Year 2022**

The **NAVAJO NATION COUNCIL** to whom has been assigned:

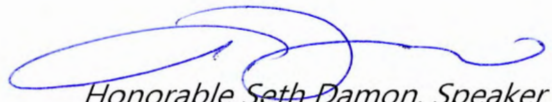
## **NAVAJO LEGISLATIVE BILL #0261-21**

An Action Relating to an Emergency for Navajo Nation Council; Approving \$1,808,538 in Supplemental Funding from the Unreserved, Undesignated Fund Balance for the 110 Navajo Nation Chapters' Emergency Fund Accounts; Waiving 12 N.N.C. § 820(O)

*Sponsored by: Honorable Thomas Walker, Jr.*

Has had it under consideration and reports the same that the legislation **WAS DELETED OFF THE AGENDA.**

Respectfully Submitted,



*Honorable Seth Damon, Speaker*  
**24<sup>th</sup> NAVAJO NATION COUNCIL**

**26 JANUARY 2022**

### **MOTION TO AMEND THE AGENDA\***

Motion to Delete Legislation 0209-21 and 0261-21 off the agenda.

*Motioned by: Honorable Amber Kanazbah Crotty*

*Seconded by: Honorable Paul Begay*

*Vote: 21 In Favor, 02 Opposed (Speaker Damon Not Voting)*

\* 2 N.N.C. § 163 (C), Agenda: C. Once an agenda is adopted, it shall be amended only by two thirds (2/3) vote of the Council.

# NAVAJO NATION

965

Navajo Nation Council 2022 Winter Session

1/26/2022

10:29:52 AM

Amd#1 to Amd#	Motion to Amend the Agenda	PASSED
MOT Crotty	Delete Legislation 0261-21 &	
SEC Begay, P	0209-21	

**Yeas : 21**

**Nays : 2**

**Excused : 0**

**Not Voting : 0**

**Yea : 21**

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

**Nay : 2**

Daniels	Begay, E
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**Excused : 0**

**Not Voting : 0**

**Presiding Speaker: Damon**