

LEGISLATION SUMMARY SHEET

TRACKING NO. 0259-21

DATE: December 6, 2021

TITLE OF LEGISLATION: AN ACTION RELATING TO THE BUDGET AND FINANCE COMMITTEE; RESCINDING BFJA-04-20 AS IT RELATES TO THE TRAVEL POLICIES MANUAL FOR NAVAJO NATION OFFICIALS AND EMPLOYEES; REINSTATING THE TRAVEL POLICIES AND PROCEDURES APPROVED IN BFJA-01-02

PURPOSE OF THIS LEGISLATION: to rescind the 2020 Travel Policies Manual approved in BFJA-04-20 and reinstate the Navajo Nation Employees' Travel Policy and Procedures Handbook approved in BFJA-BFJA-01-02.

OLC No. 21-499-1

5-DAY BILL HOLD PERIOD:

Website Posting Time/Date:

Posting End Date:

Eligible for Action:

Budget & Finance Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL - Third Year, 2021

Introduced by:

(Prime Sponsor)

Tracking No.

AN ACTION

**RELATING TO THE BUDGET AND FINANCE COMMITTEE; RESCINDING
BFJA-04-20 AS IT RELATES TO THE TRAVEL POLICIES MANUAL FOR
NAVAJO NATION OFFICIALS AND EMPLOYEES; REINSTATING THE
TRAVEL POLICIES AND PROCEDURES APPROVED IN BFJA-01-02**

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee is a standing committee with the authority to promulgate policies and regulations concerning wages, expenditure reimbursements, and fringe benefits for Navajo Nation officials and employees. 2 N.N.C. §301(B)(8).
- B. In 2019, the Office of the Controller developed new travel policies and procedures for Navajo Nation officials and employees, titled: "Travel Policies Manual." This new Manual was approved by the Budget and Finance Committee in January 2020 via Resolution No. BFJA-04-20. **EXHIBIT 1.**
- C. The Budget and Finance Committee has oversight authority over the Office of the Controller. 2 N.N.C. §301(B)(13).

SECTION TWO. FINDINGS

- A. In January 2020, via Resolution No. BFJA-04-20, the Budget and Finance Committee

1 approved the Controller's newly developed Travel Policies Manual. BFJA-04-20
2 rescinded the old employee travel policies and procedures previously approved in
3 Resolution No. BFJA-01-02. BFJA-01-02 with the old procedures is attached hereto as
4 **EXHIBIT 2.**

5 B. Since the new Travel Policies Manual was adopted in January 2020, Navajo Nation
6 Council delegates and Navajo Nation employees have encountered numerous problems
7 whenever attempting to get travel advances approved, obtaining reimbursements for
8 travel expenses, using their personal vehicles to travel, and incurring other costs while
9 traveling. These problems have resulted in the unnecessary loss of personal finances on
10 the part of delegates and employees due to official travel necessary for them to perform
11 their job duties for the Navajo Nation.

12 C. Prior to January 2020, the use of the old "NAVAJO NATION EMPLOYEES' TRAVEL
13 POLICY AND PROCEDURES HANDBOOK" approved in Resolution No. BFJA-01-02
14 (EXHIBIT 2) was much simpler and easier to follow, and use of the old Handbook
15 resulted in fewer problems and financial issues for Navajo Nation officials and
16 employees who needed to travel.

17 D. Due to the problems experienced with the new Travel Policies Manual approved in
18 BFJA-04-20, there is an urgent need to return to the old travel policies and procedures,
19 and the Navajo Nations finds that implementing the old pre-2020 procedures is in the
20 best interest of the Navajo Nation.

21
22 **SECTION THREE. RESCINDING BFJA-04-20 AS IT RELATES TO THE**
23 **TRAVEL POLICIES MANUAL APPROVED THEREIN; REINSTATING THE**
24 **TRAVEL POLICIES AND PROCEDURES APPROVED IN BFJA-01-02**

25 A. The Navajo Nation hereby rescinds those portions of Resolution No. BFJA-04-20
26 related to the Travel Policies Manual adopted in BFJA-04-20.

27 B. The Navajo Nation hereby reinstates "THE NAVAJO NATION EMPLOYEES' TRAVEL
28 POLICY AND PROCEDURES HANDBOOK" attached as Sub-Exhibit A to Resolution
29 No. BFJA-01-02. **EXHIBIT 2.**

1 **SECTION FOUR. DIRECTIVES**

2 Except as may be provided otherwise in applicable Navajo Nation or federal laws,
3 regulations, or contract/agreement terms, as of January 1, 2022 all Navajo Nation
4 governmental divisions, departments, programs, offices, officials, and employees shall
5 immediately implement and comply with the “THE NAVAJO NATION EMPLOYEES’
6 TRAVEL POLICY AND PROCEDURES HANDBOOK” (see Sub-Exhibit A to the attached
7 **EXHIBIT 2**) in their handling of all matters related to official travel by Navajo Nation
8 officials and employees; and compliance with such Handbook shall be mandatory unless
9 and until the Budget and Finance Committee by resolution amends or rescinds any
10 provision(s) therein.

11
12 **SECTION FIVE. EFFECTIVE DATE**

13 This legislation shall become effective upon certification by the Budget and Finance
14 Committee, pursuant to 2 N.N.C. §301(B)(8).

15
16 **SECTION SIX. SAVING CLAUSE**

17 If any provision of this legislation is determined invalid by the Navajo Nation Supreme
18 Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme
19 Court, those provisions of this legislation not determined invalid shall remain the law of the
20 Navajo Nation.

BFJA-04-20

RESOLUTION OF THE
BUDGET AND FINANCE COMMITTEE
OF THE NAVAJO NATION COUNCIL

24TH NAVAJO NATION COUNCIL - Second Year, 2020

AN ACTION

RELATING TO BUDGET AND FINANCE COMMITTEE; RESCINDING
RESOLUTIONS BFJY-114-86, RELATING TO THE USE OF PROCEEDS FROM
THE SALE OF TRIBAL VEHICLES AND BFD-37-14, RELATING TO
PURCHASE CARD POLICIES; AMENDING RESOLUTION BFJA-01-02,
RELATING TO THE EMPLOYEE TRAVEL POLICIES AND PROCEDURES;
APPROVING THE POLICIES OF THE NAVAJO NATION OFFICE OF THE
CONTROLLER

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee is the oversight committee for the Office of the Controller. The Budget and Finance Committee is empowered to review, recommend or propose the adoption, amendment or rescission of Plans of Operation for divisions and offices over which it has oversight authority. 2 N.N.C. § 301(B)(13).
- B. The Budget and Finance Committee is empowered to promulgate policies and regulations concerning wages, expenditure reimbursement, and fringe benefits for Navajo Nation officials and employees. 2 N.N.C. § 301(B)(8).

SECTION TWO. FINDINGS

- A. The Budget and Finance Committee previously approved resolutions relating to policies and procedures for the Office of the Controller including: BFJY-114-86 Relating to the Use of Proceeds from the Sale of Tribal Vehicles, BFJA-01-02, Relating to the Employee Travel Policies and Procedures, and BFD-37-14, Relating to Purchase Card Policies.
- B. The Budget and Finance Committee of the Navajo Nation held a work session on September 12, 2019 with the Office

of the Controller to discuss the current and proposed policies.

- C. The "Policies for the Navajo Nation Office of the Controller" (the "Policies") are attached as **Exhibit A**.
- D. The Policies govern the following areas: Accounts Payable, Accounts Receivable, Cashiers, Contract Accounting, Financial Statement, General Accounting, Investment, Office Supply Center, Office of the Controller Administration, Payroll, Purchase Card, Property Management, Travel and Systems.
- E. Procedures for the Office of the Controller, to the extent they are internal processes of the Office of the Controller, may be promulgated by the Controller without further approval by the Budget and Finance Committee. However, any processes that detail the methods to be employed by customers, Navajo Nation government employees, contractors, or elected officials, are considered regulations.
- F. All regulations for the Office of the Controller shall be approved by the Budget and Finance Committee.

SECTION THREE. RESCINDING RESOLUTIONS BFJY-114-86 and BFD-37-14

The Budget and Finance Committee rescinds the following previously approved policies of the Navajo Nation Office of the Controller: BFJY-114-86 "Relating to the Use of Proceeds from the Sale of Tribal Vehicles", and BFD-37-14, "Relating to Purchase Card Policies."

SECTION FOUR. AMENDING BFJA-01-02, THE EMPLOYEE TRAVEL POLICIES AND PROCEDURES HANDBOOK

The Budget and Finance Committee amends Resolution BFJA-01-02, "The Employee Travel Policies and Procedures Handbook." The policies in Resolution BFJA-01-02 are replaced by the Policies approved in **Exhibit A**. The procedures in Resolution BFJA-01-02 remain in effect until such time as the Budget and Finance Committee approves travel regulations to replace Resolution BFJA-01-02.

SECTION FIVE. DIRECTIVE TO THE CONTROLLER

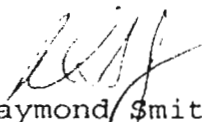
- A. Any regulations, as defined in section 2, paragraph E, above, shall be approved by the Budget and Finance Committee.
- B. The Controller is directed to review Resolution BFJA-01-02 and submit proposed travel regulations for approval by the Budget and Finance Committee within 90 days from the date this resolution is approved.

SECTION SIX. APPROVAL

The Budget and Finance Committee approves the Navajo Nation Office of the Controller Policies as attached in **Exhibit A.**

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting held at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 4 in favor and 0 opposed, this 21st day of January 2020.


Raymond Smith, Jr., Vice Chairperson
Budget and Finance Committee

Motion: Honorable Amber K. Crotty
Second: Honorable Elmer P. Begay

Exhibit A

Office of the Controller

The Navajo Nation

Travel Policies **Manual**



THE NAVAJO NATION – Office of the Controller

Accounting Policies Manual

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Accounting Policies Manual

DESCRIPTION	Travel	INDEX	
	Expense Management	POLICY	X
		PROCEDURES	
		EFFECTIVE DATE	

LEGAL AUTHORIZATION: 12 N.N.C. § 201, *et seq.*, 2 N.N.C. § 106 (CAP 10-11), (CO-45-12), 17 N.N.C. § 205 *et seq.*, Internal Revenue Service Publication 643, *Travel, Entertainment, Gift and Car Expenses*

PURPOSE:

This section establishes policies and procedures related to the proper accounting and processing of travel authorization and expense reimbursements.

RESPONSIBILITY:

Accounts Payable (AP) Section

- Processing travel reimbursements after the travel expense report is reviewed for allowable cost, accurate total, etc.
- Ensure the appropriate account is charged per type of expense

Purchase Card (P-card) Section

- Audit of travel P-card packets in accordance with this policy

Contract Accounting Section

- For grant funds, perform propriety review of the travel authorization form and supporting documentation prior to the submission to the AP section

POLICY:

The Navajo Nation (Nation) is responsible for employees or council delegates on travel for tribal business. The Nation's travel process is twofold:

1. A Travel Authorization (TA) is initiated when the form is prepared by the traveler and reviewed by the Approval Authority for allowable travel costs prior to the travel dates.
2. A Travel Expense Report (TER) is completed after the completion of travel dates. The report must include all supporting documentation required under this policy (i.e. Trip Report and Mileage Report).

Introduction

This policy will be applied consistently between General Funds and Grant Funds.

This manual provides information about approved business travel. The Nation will reimburse regular status employees and council delegates for travel related expenses that has been approved by an authorized individual under the following circumstances:

- The traveler has adhered to policies and procedures.
- The travel expenses are necessary, reasonable and allowable.
- The traveler acts in a prudent manner when expending Nation and Federal funds.
- The expenses have a legitimate business purpose and are supported by appropriate documentation.
- All expenditures are accurately reflected in the appropriate general ledger account.
- All expense claims are subject to corrections and/or adjustments during the review pursuant to these policies.



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Unless specifically stated, employees and council delegates are referred to as "individual" or "traveler."

Key travelers, such as political or professional "at will" individuals may run into situations where travel occurs prior to approval. In such cases, the traveler runs the risk of not being reimbursed for these travel expenses.

1. **Traveler's Responsibilities** – Travelers should use discretion when expending Nation funds and ensuring expenditures are necessary and appropriate for meeting business needs. In addition, travelers are expected to:

- Be familiar with, and follow the policies and procedures specified in this manual.
- Actual receipts for meals are required by non-card holders.
- Submit all travel expenses within the time frames specified in the "Accountable Plan Information" section below.
- Maintain an accurate record of daily expenses.

2. **Accountable Plan Information** – According to the IRS Pub. 463, for reimbursements or amounts paid directly by the Nation on behalf of the employee or council delegate, an Accountable Plan requires employees and council delegates to meet all the requirements listed below. The individual must:

- Have paid or incurred expenses while performing services as a Nation employee or council delegate.
- Adequately account for these expenses and return any reimbursement or allowance within a reasonable period*.

**Based on IRS guidance, the Nation has determined that "reasonable" with regards to accounting for travel-related expenses to be 60 days from the last day of the trip. Therefore, to be reimbursed for travel related expense on a non-taxable basis, individuals must complete and submit their TFR no later than 60 days from the last day of the trip. For more information regarding the Accountable Plan, please refer to Publication 463 at www.irs.gov.*

Per IRS Pub. 463, the definition of reasonable period of time depends on the facts and circumstances of your situation. However, regardless of the facts and circumstances of your situation, actions that take place within the times specified in the following list will be treated as taking place within a reasonable period of time.

- You will receive an advance within 5 business days prior to departure.
- You adequately account for your expenses within 60 days after they were paid or incurred (i.e. submit your TFR).
- TFRs submitted after 60 days from the last day of the trip will not be processed for reimbursement regardless of justification.

Note: It is important that expenses be accounted for in the fiscal year (October 1 – September 30) in which they were incurred. AP will seek the approval of the Controller before processing reimbursements that cross fiscal years.

3. **Approval Authority** – All employees below the level of department director shall obtain the approval of their department director, all department directors shall obtain the approval of their division director, all division directors shall obtain the approval of the President of the Navajo Nation for the Executive Branch, the Speaker of the Navajo Nation Council (NNC) for the Legislative Branch, the Chief Justice of the Navajo Nation for the Judicial Branch. The Speaker of the NNC shall approve all TA forms for council delegates. The Controller or his/her designee shall approve the President's, the Speaker of the NNC, and the Chief Justice's TA forms.



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Accounting Policies Manual

The Approval Authority is responsible for closely scrutinizing all travel by staff especially for attending training and conferences that are off the Navajo Nation.

4. **Falsification** – Falsifying travel documents is prohibited and will be handled pursuant to the applicable Nation Personnel Policies Manual and other applicable laws, rules and regulations.
5. **Changes to Travel Policies & Procedures** – The Office of the Controller (OOC) will periodically review travel policies and procedures, revisions may be made as part of the review process. The Nation traveler will be advised of any changes, all changes and or revisions will be published on the OOC's web page and will be effective when issued. Forms referenced throughout the manual are available on the OOC's website at www.nnooc.org.

Travel Policies

TA Forms – Each traveler on Nation business travel must complete a TA form, and the form must be approved prior to the travel occurring. Travelers and Approval Authorities are to exercise prudent management of available resources. The Approval Authority is responsible for the review of the TA.

The purpose of the TA form is to document the authorization of allowable travel expenses. Specifically, it documents the traveler, department, business purpose, and an estimate of the travel expenses to be incurred. The TA form includes a section for the following costs:

- Mileage rate
- Lodging
- Meals
- Miscellaneous
- Vehicle rental estimate
- Airfare estimate

Travel Advances – Regular status employees and council delegates who are non Peard holders are eligible for Travel Advances prior to their business travel.

- A regular status employee traveling under the authority of a specific Travel Authorization may request an advance against his or her salary to cover estimated travel expenses to be incurred. Temporary and Seasonal status employees are not eligible for travel advance against their salary.
- The maximum amount of the advance shall be the estimated allowable expenses incurred for Lodging and Meals.
- Travel advances that have been approved and paid to an employee shall be fully deducted from the individual's payroll check(s). Deductions for Travel advances will commence on the next payroll after the "Date of Return" on the Travel Authorization form. The request and acceptance of a Travel advance by employee or official authorizes this deduction.
- Employees cannot request a Travel Advance if there are two outstanding Travel Advances which have not been fully collected through payroll deduction.
- Travel advances shall be approved only if supported by a properly executed Travel Authorization which includes all prescribed approvals, and estimate of expenses and the encumbrance of these expenses.
- All requests for travel advance shall be submitted to the Office of the Controller at least sixteen (16) working hours prior to the time of departure, except where time is extremely important.
- When travel is cancelled and a travel advance was issued, the travel advance check must be returned to Accounts Payable Section immediately to be voided.
- Employees must plan their trips efficiently and effectively; therefore, no modifications will be accepted regarding Travel Advances.



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1. **Mileage Reimbursement Rate** – Travelers are required to use Navajo Nation Fleet Management (Fleet Management) vehicles first, and only use a **Privately Owned Vehicle (POV)** if a Fleet Management vehicle is not available. If the traveler decides to use a POV even though a Fleet Management vehicle is available, he/she may only request a reimbursement at the lower Federal GSA rate (if Fleet Management Vehicle is available). Alternatively, if Fleet Management vehicle is not available then the higher Federal GSA rate can be utilized. Refer to the OOC website for more updated rate information.

Additional requirements for use of POV, the operator should be licensed and have personal liability automotive insurance.

Local travel requires the use of Fleet Management vehicles. **Blanket Travel Authorization forms will not be accepted for local travel (50 mile radius).** Refer to Navajo Nation Motor Vehicles handbook.

In the event a traveler chooses a mileage reimbursement claim in lieu of reasonable airfare, the amount authorized for reimbursement is limited to the amount of the lowest logical airfare. Bridge and highway tolls and parking fees are reimbursable.

Official Duty Station

- **Employee** – An official duty station is his/her primary place of work, as documented in the Human Resource Information System (HRIS). However, this can differ from the individual's primary place of residence, as documented in the HRIS. When claiming a mileage reimbursement, the mileage calculation should be performed from the destination to either the official duty station or the primary place of residence, whichever is shorter. Support for the mileage must be provided as identified by the OOC (Mileage Report). The Nation does not reimburse for commute time, which is defined as the distance between the primary residence and the primary place of work. The Nation does not reimburse for local travel, which is defined as a 50-mile radius from the primary place of work.
- **Council delegate** – An official duty station is his/her primary place of residence, as documented in the HRIS. Council delegates may only use the address within this system when requesting reimbursement for mileage.

The mile radius above is consistent with Federal Travel Regulations (41 CFR 300-3.1).

Expenses incurred due to automobile mechanical failure or accidents, including personal automobile insurance deductions are not reimbursed. Fuel and general wear and tear are not reimbursable as they are included in the mileage rate.

The Nation does not assume responsibility for deductibles or other uninsured loss to the vehicle.

2. **Lodging** – Allowable lodging is limited to the CONUS hotel rate for the destination city. Compliance with this section of the policy shall be determined based on the room rate alone, not including taxes and/or fees. If the city is not listed in the CONUS rates, then the lowest CONUS rate should be used. The traveler's personal preference in lodging shall be considered only when it does not result in an added expense to the Nation. Rates above the CONUS rate must be justified.

At times, it may be convenient or necessary to lodge in the private home of friends or acquaintances while traveling on Nation business. A token of appreciation for the host or hostess is appropriate and expenditures of up to \$25.00 per night may be reimbursed. The employee shall attach a receipt or written justification by the owner of the house noting that the expenditure was "in lieu" of lodging to the expense report.



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The traveler may choose to use a personal timeshare for lodging if business travel destination is in same location; however, the Nation will not reimburse the traveler for the value of their personal timeshare. Reimbursement will be based on the lowest CONUS rate for lodging.

3. **Meals** – The Nation shall reimburse the cost of meals when an individual is on official travel by adopting as the policy of the Nation the federal policy reflected in the following table (CFR 41 CFR 301-11.101)

When travel is	Travel Days	Your allowance is
Less than 12 hours	Not Applicable	No allowance
More than 12 but less than 24 hours	One Day Travel	75 percent of the applicable M&IE rate for each calendar day you are in a travel status
24 hours or more on	The first day of travel	75 percent of the applicable M&IE rate
	Full days of travel	100 percent of the applicable M&IE rate
	The last day of travel	75 percent of the applicable M&IE rate

In general, travel related meals will be reimbursed on an actual basis. Travelers using actual expenses may not exceed the CONUS rate for the travel location. If the city is not listed in the CONUS rates, then the lowest CONUS rate should be used. Amounts charged above these rates will not be reimbursed. Meals included as part of registration and conference fees shall reduce the maximum allowed for meals accordingly, unless the following apply:

- The individual is unable to consume the furnished meal because of medical restrictions or religious beliefs.
- The individual was unable to take part in a furnished meal due to the conduct of official business.

Meals incurred during travel defined as local travel are not reimbursable (50 mile radius).

4. Miscellaneous

- **Telephone Calls/International Phone Cards** – Telephone calls, specifically those necessary to obtain transportation and hotel reservations or to communicate to the office or one's family to indicate safe travel is reimbursable. A phone log must be completed and signed by the appropriate approval authority. Phone log forms can be found on the OGC website.
- **Tips** – Reasonable tips associated with baggage handling, storage, and other services are reimbursable at \$5.00 per day in total.
- **Travel Internet Connectivity** – Charges for internet connections for business use at hotels, conference sites, airports, and internet cafes while traveling are reimbursable with original receipts.

5. **Ground Transportation** – Reasonable charges for ground transportation such as taxicabs, shuttles, and internet-based transportation providers (e.g., Uber, Lyft) are allowed.

6. **Vehicle Rental** – Whenever possible, the traveler should use free hotel shuttle or public transportation. Rental vehicles are acceptable at a destination city when arriving by airplane and public transportation is either more expensive or logistically unreasonable (e.g., lack of shuttle, excessive luggage). Compact vehicles shall be the standard authorization for individual travelers. However, mid-size or larger vehicles (excluding luxury



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transportation) may be used when transporting clients or when four or more individuals are traveling together and sharing a rental.

All accidents involving rental vehicles shall be reported to the rental agency, and a copy of the accident report and bill of repairs, if available, shall be attached to the individual's travel expense report. If the rental car is damaged, the rental company shall be instructed by the traveler to submit a claim to the Insurance Services Department, and the traveler shall notify the Insurance Services Department in writing, including a detailed description of the damage and a police report. The Insurance Services Department shall then handle the matter. The traveler shall decline insurance coverage offered through the rental car agency.

The renter is responsible for payment of all citations issued to the driver of the rental vehicle.

7. **Airfare** – Travelers can book airfare through the AP Operation's P-card or directly with the airline. Reasonable airfare will be reimbursed.

Only coach class or promotional fares will be allowed by the Nation. First class air travel is not an allowable expense, however, individuals are permitted to travel business class for international flights only. All travelers shall utilize the lowest logical fare, which is defined as the least expensive fare that falls within two hours of the preferred departure time, whenever possible.

Because most discounted fares require advance purchase, it is in the Nation's interest that individuals plan their air travel as far in advance as possible. All air travel shall be scheduled as soon as the TA is approved.

When personal travel is combined with business travel, only the business portion of the trip shall be reimbursed.

Travelers are responsible for any additional costs associated with changes made to travel plans made for personal reasons. Additional costs from changes to travel plans are allowed, provided proper justification is given. The traveler is responsible for any additional charges for missed flights or changes to itinerary, except when the circumstance that prevented the individual from adjusting his or her flight schedule was beyond his or her control, such as a natural disaster or a Nation business obligation.

Because of difference in airline handling of cancelled flights, credits are not applied back to the card but to the traveler in the form of credit to be used at a future date. The credits not used for Nation business will be payroll deducted.

8. **International Travel** – Any request for travel outside of the contiguous United States requires the approval of the Navajo Nation President for the Executive branch; or the Speaker of the Navajo Nation Council for the Legislative branch, or the Chief Justice of the Navajo Nation for the Judicial branch. Travelers should refer to the Department of Defense website for lodging and per diem amounts outside of the contiguous United States.

TERs – TERs must be submitted within 60 working days of the conclusion of each trip.

Electronic receipts are acceptable provided that the detail contained in an electronic receipt is equivalent to the level of detail contained in an acceptable paper record (Facsimiles copies are not acceptable).

Trip Reports – A Trip Report shall be attached to the traveler's TER. A Trip Report is a form report addressed to the person who approved the TA. The narrative of the Trip Report shall include the following:

- The Travel Authorization number.
- Time of departure and return.
- The place(s) visited during the trip.
- The purpose of the trip.



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- The person(s) contacted during the trip
- The business purposes accomplished on the trip, and
- The original signature of the traveler and approval authority
- Justification for unauthorized expenses

TA and TER Review The P-card Section shall deploy a risk-based approach to its review of TAs and TER. The risk levels are as follows:

Risk	Criteria	Frequency
Low Risk	This designation is reserved for departments or programs that have demonstrated a historical pattern of compliance and timely submission of supporting documentation	Semi-annual
Medium Risk	This designation is reserved for departments or programs whose submission of supporting documentation is at times incomplete or late. However, they demonstrate a pattern of compliance with P-card policies	Quarterly
High Risk	This designation is reserved for departments or programs that have demonstrated a pattern of both untimely submissions of supporting documentation and non-compliance with P-card policies	Monthly

Sampling Methodology

In addition to the risk-based approach, the P-Card Section shall use sampling methodology to select TAs for testing each frequency period above.

Risk	Frequency	Sample Methodology	Sample Size
Low Risk	Semi-annual	Low-risk sample	25
Medium Risk	Quarterly	Medium risk sample	40
High Risk	Monthly	Known non-compliant cardholders	Not applicable

The P-Card section will select a random sample of departments or programs for each risk level based on the sampling methodology. The P-Card Section will review all transactions for the selected departments.

The P-Card section will utilize an acceptable difference of plus or minus 5% or \$25 when reviewing transactions, whichever is lower. If a transaction does not agree to the supporting documentation within this acceptable difference, the transaction can be approved.

Non-reimbursable Expenses - Travel expenditures that are not reimbursable include, but are not limited to:

- Costs incurred by your spouse or other dependents traveling with you, excluding reasonable accommodation costs for an employee with special needs (41 CFR 301.13.1-3)
- Personal use and "snack" purchase outside of normal meal purchases
- Additional travel insurance, travel accident insurance or trip cancellation premiums
- Alcoholic beverages consumed as part of a meal or otherwise while traveling on the Nation business
- Insurance (both Collision Damage Waiver and Liability) from a car rental agency



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- Additional expenses associated with the cost of first-class airfare
- Costs for commuting between your home and place of employment
- Costs for personal medications
- Costs incurred by your failure to cancel transportation or hotel reservation
- Entertainment expenses, including movies in your hotel room and restaurant game
- Gasoline expenses when the automobile mileage reimbursement rate is claimed
- Magazines or newspaper expenses
- Kennel boarding for pets
- Hairstyling and haircut expenses
- Laundry or dry-cleaning expenses for trips less than one week
- Other expenses not directly related to the business purpose of the travel assignment
- Fines incurred for parking or speeding tickets

Non reimbursable expenses incurred on the Nation P-card will be recouped through a payroll deduction

BFJA-01-02

RESOLUTION OF THE
BUDGET AND FINANCE COMMITTEE
OF THE NAVAJO NATION COUNCIL

Amending the Navajo Nation Employees' Travel Policies
And Procedures as Approved by BFAP-34-00

WHEREAS:

1. Pursuant to 2 N.N.C. §§ 371 and 374, the Budget and Finance Committee of the Navajo Nation Council is established and continued as a standing committee of the Navajo Nation Council with the authority to promulgate policies and regulations concerning wages, expenditures, reimbursement, and fringe benefits for the Navajo Nation officials and employees; and

2. By Resolution BFJN-62-95, the Budget and Finance Committee amended Resolution BFMV-55-95 and adopted the new Navajo Nation Travel Policy and Procedures Handbook; and

3. By Resolution BFS-109-99, the Budget and Finance Committee amended Resolution BFJN-62-95 and adopted the new Navajo Travel Policy and Procedures Handbook; and

4. By Resolution BFAP-34-00, the Budget and Finance Committee amended Resolution BFS-109-99 and adopted the new Navajo Nation Travel Policy and Procedures Handbook; and

5. In fulfilling its fiduciary responsibility, the Office of the Controller finds that revisions are necessary to manage cost and to keep abreast of the ever-changing travel industry.

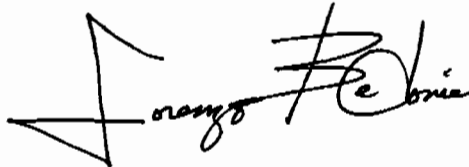
NOW THEREFORE BE IT RESOLVED THAT:

1. The Budget and Finance Committee of the Navajo Nation Council hereby approves the amended "Navajo Nation Employees' Travel Policies and Procedures Handbook", attached hereto as Exhibit "A".

2. The Budget and Finance Committee of the Navajo Nation Council also directs that these amendments become effective immediately and that the Office of the Controller implement the attached amended Travel Policy and Procedures.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona) at which a quorum was present and that same was passed by a vote of 6 in favor, 0 opposed and 0 abstained, this 2nd day of January, 2002.

A handwritten signature in black ink, appearing to read "Lorenzo Bedonie", written over a large, stylized "X" mark.

Lorenzo Bedonie
Chairperson

Motion: Albert E. Ross, Jr.

Second: Bennie Shelly

THE NAVAJO NATION EMPLOYEES' TRAVEL POLICY AND PROCEDURES HANDBOOK

I. OVERVIEW

Travel and related costs represent the third largest budget category, behind payroll and data management, yet it is the category least likely to be monitored for cost effectiveness. As the amount of travel increases, the need for strict cost efficient controls also grows. It is evident that the Navajo Nation must have an effective, cost efficient and enforceable travel policy to maintain an edge against ever inflating travel expenses. The Navajo Nation Employees' Handbook has been prepared to address these concerns.

Travel and related activities are necessary and legitimate parts of doing business. There is no reason to restrain them unnecessarily. Nor is there any reason to free them from all restraints. As with any other area of business activity, they must be approached cautiously, prudently, and fairly. The following pages provide definitions, guidelines, and instructions for dealing with Navajo Nation travel and related expenditures.

II. SCOPE

It is Navajo Nation policy to reimburse employees for all expenses that are reasonably necessary and actually incurred when traveling on authorized Navajo Nation business. While it is the Navajo Nation's intention that employees travel in comfort, it is also the Navajo Nation policy that all travel be undertaken in the most economical mode consistent with business objectives. In no event shall modes of travel, accommodations, or meals be lavish or extravagant, except as otherwise provided herein.

To be reimbursable, travel expenses shall be reasonable, necessary, lawful, and properly approved in accordance with the requirements of these policies. These requirements not only follow good business practice but also comply with IRS requirements for deductible expenditures, which must be "ordinary, necessary, and reasonable to the conduct of a business." As most travel expenses--transportation, lodging, meals--meet the test of necessity, potential problems, for the employee and the Navajo Nation, hang on the test of reasonableness. The Navajo Nation, therefore, defines a reasonable expenditure as a payment, tendered for goods or services that primarily benefit the Navajo Nation rather than the employee, in an amount that the employee would readily pay if he were paying the expense himself.

III. STATEMENT OF PURPOSE

This Navajo Nation Employees' Travel Policies and Procedures Handbook has been designed in order to provide the following:

1. Policies regarding the types of expenditures that are allowable and not allowable;
2. Guidance on the Navajo Nation Policies and Procedures pertaining to prior approval of travel and the related estimate of allowable expenses;
3. Guidance on the Navajo Nation Policies and Procedures pertaining to travel advances,
4. Guidance on The Navajo Nation Policies and Procedures pertaining to travel and related expenditures; and,

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5. The employees' responsibilities for controlling and reporting travel and related business expenditures.

IV. GENERAL POLICY

It is Navajo Nation policy neither to encourage nor to discourage travel and related business activity, but to expect that all employees use their best judgment and act prudently regarding travel expenditures. This policy and procedures handbook provides the policies employees must comply with and also provides guidelines for such legitimate expenditures.

1. Only reasonable and necessary expenses that are incurred in the course of accomplishing Navajo Nation business objectives shall be reimbursed.
2. Allowable expenses shall be authorized by a Travel Authorization unless, otherwise provided herein and approved by the appropriate Navajo Nation official authorized to approve such expenses.
 - A. All employees below the level of department director shall obtain the approval of their department director; all department directors shall obtain the approval of their division director; all division directors shall obtain the approval of the President of the Navajo Nation for the Executive Branch, the Speaker of the Navajo Nation Council for the Legislative Branch, or the Chief Justice of the Navajo Nation for the Judicial Branch. The Speaker of the Navajo Nation Council shall approve all Travel Authorization forms for Council Delegates. The Controller or his designee shall approve the Presidents, Speaker of the Navajo Nation Council and Chief Justice's Travel Authorization form.
 - B. In addition to the department approvals outlined in 2.A. of this section any person who will be traveling for and incurring travel expenses to be charged against the budgetary accounts of a department other than his own shall have the approval of the department to be charged, including Division Directors traveling on funds budgeted to departments under his control.
Travel must be in line with budgetary intent of the funds.
3. In addition to the approvals outlined in 2.A. and 2.B of this section, any request authorizing international travel (Area "B" Travel) shall be approved by the President of The Navajo Nation for the Executive Branch or the Speaker of the Navajo Nation Council for the Legislative Branch or the Chief Justice of the Navajo Nation for the Judicial Branch.
4. Department Directors, Division Directors, the Vice President and President of the Navajo Nation for the Executive Branch, the Speaker of the Navajo Nation Council for the Legislative Branch, or the Chief Justice of the Navajo Nation for the Judicial Branch, may delegate to certain subordinates, in writing, the authority to departmentally approve travel unless otherwise codified in the Navajo Nation Code. These delegations shall be on file with the Office of the Controller/Travel Office.

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5. Documentation of proposed travel shall be submitted on a "Travel Authorization" (TA) form provided by the Office of the Controller unless otherwise provided herein. This form shall be properly completed and departmentally approved prior to departure to reimburse allowable expenses. An estimate of the allowable expenses (if any) shall appear on the Travel Authorization forms and shall be submitted to the Office of the Controller twelve (12) working hours prior to the time of departure, except where time is extremely important. The Controller may establish minimum thresholds for encumbrance in order to streamline the processing of Travel Authorization forms.
6. Reimbursable expenses shall be reported promptly, accurately, and with the required documentation as provided herein.
7. Employees shall exercise good judgment with respect to travel expenses by employing the most economical means of transportation, lodging, and meals that is consistent with the need for comfort and for the effective conduct of business.
8. All travel arrangements for airline, hotel, and car rental reservations shall be placed through the Navajo Nation's designated travel agent, who shall make the arrangements within the guidelines established herein.
9. Where travel provisions of a grant or contract are more liberal than the provisions contained herein, the Navajo Nation employee's Travel Policies and Procedures Handbook shall apply.
10. Where provisions of a grant or contract are more restrictive than the provisions contained herein, the provisions of the grant or contract shall apply.
11. Falsifying travel documents is prohibited, and will be handled pursuant to the applicable Navajo Nation Personnel Policies Manual and other applicable Navajo Nation laws, rules and regulations.
12. The Handbook is not intended to cover or include extended education or training expenses, which should be addressed within each respective program's educational policy and budget.

V. DEFINITIONS

1. An employee of the Navajo Nation is hereby defined for purposes for this policy as any person, who receives a salary or other form of periodic compensation from the Navajo Nation. Members of Boards/Commissioners of the Navajo Government and Chapter Officials shall be subject to these policies and procedures when they travel on Navajo Nation business and payment or reimbursement of expenses (other than mileage and per diem paid to attend committee meetings, or Chapter meetings) is to be made by the Navajo Nation. Chapter Officials shall be exempted from the Navajo Nation Travel Policy and Procedures Handbook upon governance certification of their respective chapter. The fact that an individual's salary may be funded by proprietary fund, a grant or contract shall not exclude that person from this class.

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2. The areas are hereby defined as follows:
 - a. AREA "A"--The Navajo Nation and all other locations within the United States of America.
 - b. AREA "B"-- All locations outside of the United States of America.
3. The "designated travel agent" is hereby defined as the single travel agency with which the Navajo Nation shall contract to provide travel planning, assistance to employees and to aid the Navajo Nation in controlling costs consistent with this policy.
4. "Departmental Approval Authority" is hereby defined as those Navajo Nation Officials authorized to approve travel expenses at Section IV.2. A, and B.
5. Designee is hereby defined as the Assistant Controller or Travel Manager.
6. "Official travel" by employees of the Navajo Nation is hereby defined for purposes of this travel policy as travel to perform business on behalf of the Navajo Nation when such performance cannot be accomplished by any other means at the office or workstation to which the employee is assigned. Travel between an employee's home and office or workstation is not considered official travel.
7. "Local travel" is hereby defined as travel within thirty-five miles one-way and four hours from workstation or residence.

VI. TRAVEL POLICY: TRAVEL AUTHORIZATIONS

1. Each person traveling shall have a separate Travel Authorization form unless the Controller or his designee has approved the use of a Group Travel Authorization.
2. An employee utilizing a Navajo Nation vehicle within the Navajo Nation in the regular performance of his or her duties may not need to fill out a Travel Authorization form if the only travel expense to be incurred is the use of a Navajo Nation Vehicle and the employee will not seek reimbursement of expenses; except that those unforeseen expenses of less than \$50.00 can be processed for reimbursement through the Cashiers Office. The Approval Authority may issue an internal memorandum authorizing travel instead of using the travel authorization form.
3. All Travel Authorizations shall be either Blanket Travel Authorizations or Specific Travel Authorizations, as outlined below:
 - A. Blanket Travel Authorizations may be issued to employees who routinely travel in the regular performance of their duties within the Navajo Nation. The Blanket Travel Authorization Forms for the estimated use of privately owned vehicles shall be for a stated period of time not to exceed one (1) month. The provisions stated in Section XII, Personal Vehicle of the Handbook regarding approvals and insurance must also be adhered to before approval of the TA. All similar Blanket Travel Authorizations issued by a department shall encompass the same period.

Travel advances will not be issued for expenses estimated on a Blanket Travel Authorization.

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- B. A Specific Travel Authorization shall be issued for all travel not covered by a Blanket Travel Authorization, unless a Travel Authorization is specifically not required herein.
- C. The Controller or his designee may authorize the use of a Specific Travel Authorization for a group of employees traveling to the same location for the same purpose if all related cost are to be directly billed to the Navajo Nation through the Purchase Requisition process (SEE XVIII. PAYMENT METHOD Paragraph 4, 5 & 6). This authorization shall be obtained for each trip where the use of a Specific Travel Authorization is desired for group travel.
4. Division Directors are to exercise prudent management of available resources. The Approval Authority is responsible for closely scrutinizing all travel by staff, especially for attending training and conferences that are off the Navajo Nation. It is often unnecessary to send two or more staff to attend the same meeting/conference. In addition, training and conferences shall be scheduled in off-peak seasons to avoid high travel cost due to major events/activities held in various locations.
5. An estimate of the allowable expenses to be incurred shall be prepared by the employee or the Departmental Approval Authority. The estimate shall be sufficient to cover all expenses to be incurred except the rental cost of Navajo Nation vehicles. These estimated expenses shall be indicated on the Travel Authorization form and submitted to the Office of the Controller at least twelve (12) working hours prior to the time of departure to insure the availability of funds, except where time is extremely important. Expenses shall be estimated whether a Blanket or Specific Travel Authorization is utilized. Allowable expenses in excess of the estimate or when an estimate was not prepared on a Travel Authorization form may be reimbursed, provided that funds are available in the appropriate budget account and justified in the Trip Report. The written justification shall be approved by the approval authority. The Trip Report shall explain why an estimate was not prepared or why the actual expenses exceeded the estimate.
6. A group, as a means of cost efficiency may use a Purchase Requisition. Travel for conference and meetings that include groups **(20 or more)** shall submit a cover letter outlining a true and complete cost analysis identifying all travel related expenses and submit all pertinent information as a package (i.e. Travel Authorizations form, Agenda, and Purchase Requisition.
7. All travel, especially in Area "B", SHALL accomplish objectives that are **crucial** to The Navajo Nation. Maximum daily rates for meals, lodging and other allowable expenses to be incurred in Travel Area "B" shall be negotiated with the Controller or designee before the estimate of the allowable expenses to be incurred can be prepared. The negotiation of allowable expenses shall be completed twenty (20) working days prior to date of departure.
8. Arrangements by departments for meetings or conferences shall be coordinated and finalized through the Travel Office, prior to any commitments with outside entities (hotel or eating establishments). Employees shall not sign agreements with lodging or eating establishments.
9. Meals shall not be allowed for travel defined as local travel. (See V. 6 DEFINITION)

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VII. MAKING TRAVEL ARRANGEMENTS

The Navajo Nation shall contract with a single travel agent to make its governmental travel arrangements. The travel agent shall be familiar with the Navajo Nation Employees' Travel Policy and Procedures Handbook, offer assistance to Navajo Nation employees, and aid the Navajo Nation in controlling travel costs consistent with this Travel Policy and Procedures Handbook. ALL NAVAJO NATION EMPLOYEES SHALL USE THE DESIGNATED TRAVEL AGENT TO MAKE THEIR BUSINESS TRAVEL ARRANGEMENTS FOR AIRFARE AND COMMERCIAL CAR RENTAL.

1. To assist the travel agency in providing efficient, economical service, each employee and Public Official shall complete a personal profile sheet, which shall be on file with the travel agency. The profile sheet shall detail the employee's preferred airline, aircraft seating, hotel chain, etc., and shall record any frequent flyer membership numbers.
2. All airline and rental car reservations booked for official travel of the Navajo Nation shall be charged to the Navajo Nation.
3. All employees traveling by air shall utilize the Lowest Logical Fare Routing (LLFR) whenever possible. Employees shall accept the LLFR reservation.
 - A. The designated travel agent shall offer and employees shall accept the lowest fare within the authorized class of travel, reservations within one (1) hour of the employee's requested flight time to any airport in the destination city. In order to standardize travel and protect the Navajo Nation and the employee, the employee shall utilize the designated travel agent. Therefore, in the event, the employee finds lower airfare; they shall coordinate it with the designated travel agent.
 - A. The designated travel agent shall document an employee's failure to accept any reservation offered in compliance with Navajo Nation Travel Policy and Procedures Handbook.
4. When pre-departure changes in travel plans require revision or cancellation of airline, hotel, or rental car reservations, employees shall immediately notify the designated travel agent so that the required changes can be made. Emergency en route changes may be made directly with the provider by the employee, or through designated travel agent using their 24-hour 1-800 phone number. In instances, where the employee makes the changes for personal reasons and not business, any additional charges will be paid for by the employee.
5. Any instances of the designated travel agent providing less than satisfactory services or failing to secure Lowest Logical Fare Routing shall be reported to the Controller of the Navajo Nation or designee in writing.
6. The Controller or designee shall periodically evaluate the performance of the Navajo Nation's designated travel agent. When determined advantageous to or in the best interest of the Navajo Nation, a change of designated travel agent may be made or the use of designated travel agents may

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be discontinued all together.

7. All group travel shall be coordinated through the Travel Office, prior to final arrangements or commitments with lodging establishments or meeting facilities. Complete packets must be submitted to the Travel Office 3 business days (24 hours) prior to travel.

VIII. TRAVEL ADVANCES AGAINST SALARY

1. A regular status employee traveling under the authority of a specific Travel Authorization may request an advance against his or her salary to cover estimated travel expenses to be incurred.
2. The maximum amount of the advance shall be the estimated allowable per diem expenses to be incurred less the amount, if any, of the expenses to be charged to the Navajo Nation (airline tickets, rental cars, hotel, etc.).
3. The travel advance approved and paid to an employee shall be deducted in full from the individual's payroll check(s). Deductions shall be taken in full from the next paycheck after the "Date of Return" on the Travel Authorization form. Expense Reports (XVII. EXPENSE REPORTING) not received within ten working days after the conclusion of a trip may cause the advance to be deducted from the pay check before the reimbursement is processed. This procedure shall be followed unless the Controller or designee approves different arrangements in advance. The request and acceptance of an advance by an employee or official so authorizes this deduction. Travel advances for Delegates of the Navajo Nation Council are governed by 2 N.N.C. Chapter 3, Subchapter 1, Section 107(A), (B), (C) and are exempt from this Travel Policy and Procedures Handbook.
4. In order for a travel advance to be approved, it shall be requested on a Travel Authorization form provided by the Office of the Controller. Travel advances shall be approved only if supported by a properly executed Travel Authorization, which includes all prescribed approvals, and estimate of expenses and the encumbrance of these expenses.
5. All requests for travel advance shall be submitted to the Office of the Controller at least sixteen (16) working hours prior to the time of departure, except where time is extremely important.
6. When travel is cancelled and a travel advance was issued, the travel advance check must be reported and returned to payroll section immediately so it can be voided. If the employee fails to return the travel advance check, the payroll section shall immediately initiate a payroll deduction.
7. Employees must plan their trips efficiently and effectively, **only one advance per Travel Authorization form will be allowed.**
8. The Navajo Nation has facilitated charge cards largely in lieu of travel advances. The responsibility of payment for the travel card lies with each cardholder (SEE IX. TRAVEL CHARGE CARD)
9. The Navajo Nation may issue purchase orders to cover the cost of lodging and meals in lieu of travel advances if there are 20 or more travelers. (SEE XVIII. PAYMENT METHODS Paragraph 4 & 5) Request for group travel shall be negotiated with the Office of the Controller prior to approval.

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IX. TRAVEL CHARGE CARD

The Navajo Nation may allow for the use of Travel Charge Cards, which may be issued to qualified employees for the sole purpose of paying for travel expenses authorized by this Policy and approved through a Travel Authorization.

1. Employees qualify to have a Travel Charge Card issued if they meet the following:
 - A. Travel at least two times per year
 - B. Incur at least \$500.00 in travel expenses excluding car rental and airfare per year
 - C. Have a salary of \$15,000 or more; and,
 - D. The employee's Division Director authorizes the issuance in writing.

The Controller or designee may waive requirements A & B above on a one-time basis for a single request if justified in writing by the employee's Division Director.

2. Responsibilities for payment of Travel Charge Card monthly statements are as follows:
 - A. All travel expenses and purchases paid for with the Travel Charge Card shall be the **responsibility** of the employee to whom the card was issued.
 - B. Failure to pay for travel expenses and purchases when the monthly statement is received shall cause the employee to pay late charges and may result in cancellation of the Travel Charge Card. In addition, failure to make payments will result in disciplinary action pursuant to the Navajo Nation Personnel Policies Manual and other applicable Navajo Nation Laws, Rules and Regulations.
 - C. The Controller or designee may payroll deduct an employee to pay off the employee's delinquent travel charge card.
3. The Travel Charge Card shall be issued and controlled as follows:
 - A. The Controller or designee shall have the authority to cancel Travel Charge Cards at any time for good cause while the cardholder is still employed by the NATION.
 - B. The employees shall agree to relinquish the Travel Charge Card to the Travel Office upon termination of employment or when requested to do so.
 - C. Travel Charge Cards shall be issued through and relinquished to the Travel Office.
 - D. Travel Charge Cards shall be issued in lieu of salary advances for travel when appropriate.
 - E. The Controller or designee may establish additional internal controls.

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X. AIR TRANSPORTATION

The Navajo Nation utilizes the lowest logical commercial fare. These tickets are non-refundable; therefore, the employee should not ticket a flight if there is a possibility of not being able to travel. Changes are costly and should be made, only in case of true emergencies. Subsections 1,2,3,4,5,6, and 7 of this section are applicable only to commercial fares, not the Navajo Nation Department of Air Transportation and charter aircraft. **All employees shall utilize the Nation's designated travel agent. In the event, the employee finds lower airfare; they shall coordinate with the designated travel agent to obtain desired rate.**

1. Lowest Logical Fare Routing

All employees traveling by air shall utilize Lowest Logical Fare Routing (LLFR). LLFR is the lowest fare for the trip, which meets the following requirements:

- A. Schedule falls within a two-hour "window" around the requested departure and arrival.
- B. Has no more than one interim stop each way.
- C. Results in scheduled layover time not exceeding two hours domestic or four hours international.

2. Negotiated Fares

Some Navajo Nation employees are eligible as non-mandatory users of Federal Government Airfares and may become eligible as mandatory users. The designated travel agent and/or the Navajo Nation Government may from time to time negotiate with carriers for special discount fares. The designated travel agent shall automatically book air travel on airlines offering discount fares appropriate for the given employee. Employees shall not request other carriers when airlines offering discount fares have available seating.

3. Advance Reservations

Because most discounted fares require advance purchase, it is in the Navajo Nation's interest that employees plan their air travel as far in advance as possible.

- A. All travel shall be scheduled at least seven (7) calendar days in advance, except when time is extremely important.
- B. Employees who travel to regularly scheduled meetings shall purchase air travel tickets (30) thirty calendar days in advance to secure the lowest fares.

4. Class of Services

Tourist, Coach (Y) or specially reduced fares shall be used for domestic and international travel, with

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the following exceptions:

- A. On international flights (except to Canada and Mexico), Business Class may be used, but only if the flying time exceeds four hours past U.S. departure point.
- B. In the event that no Coach or Business Class accommodations are available, and alternate flights or rescheduling is not feasible, upgrades to First Class may be used.

5. Airfare Booking

The travel agent shall book all business travel by the most direct route and with the lowest fare within a "two-hour window" of the requested departure/arrival time. Employees may not request particular airlines or particular routes to accumulate mileage in a frequent flyer program, unless fares for these airlines and routes are consistent with the Lowest Logical Fare Routing.

6. Personal/Business Travel

When personal travel is combined with business travel, only the LLFR business portion of the trip shall be reimbursed, with the amount determined as of the date ticketed. Details of personal travel shall be identified at the time of booking.

However, if an employee secures overall travel savings by using a discounted fare that requires a weekend stay, at the beginning or end of the trip, the Navajo Nation shall reimburse reasonable hotel and meal expenses for the extension, provided such expenses do not exceed the amount of savings realized from the discounted air fare.

7. Changes in Travel Arrangements

When changes in travel plans require either cancellation of or changes to airline tickets, the travel agent shall be notified immediately. En route changes that do not require a fare change may be handled directly by the employee with the airline ticket counter. Changes that do require a fare change shall be handled by calling the designated travel agent's 24-hour 1-800 number. If changes are made for personal reasons rather than business, the employee shall pay any additional fines/fares. Changes for business reasons shall be justified on trip report. The employee is responsible for any additional charges for missed flights, except when the circumstance that prevented the employee to adjust his or her flight schedule was beyond his or her control such as a natural disaster, or Navajo Nation business obligation.

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7. Use of Navajo Nation Department of Air Transportation

- A. The Navajo Nation operates their own aircraft and use is subject to approval from appropriate Approval Authority and/or Division Directors. Aircraft are scheduled on a first come first serve basis. Priority will be given to the Office of the President to conduct Navajo Nation business.
- B. The use of Department of Air Transportation aircraft shall be used when it is economically feasible as compared to other modes of transportation.
- C. Employee time/productivity should be used to calculate the total cost of travel by each user. The wages and lost productivity time of employees should be used in calculating the true cost of traveling on the Navajo Nation aircraft.
- D. When arrangements are made with the Department of Air Transportation employee must provide a copy of an encumbered Travel Authorization form to the Department of Air Transportation.

8. Use of Charter Aircraft

- A. Use only in the event that there is no Navajo Nation Air Transportation Aircraft Available.
- C. Use of Chartered aircraft is subject to approval by the Approval Authority and/or Division Director.
- D. All Charter aircraft must be operated in accordance with Federal Aviation Regulations part 135 and pilots must be certified to operate in Instrument Flying Conditions.
- E. All Pilots of Chartered Aircraft must operate in accordance with Federal Aviation Regulations part 135 and must be qualified for flight in instrument flying conditions in accordance with part 135 regulations.
- F. All corporations contracted to provide charter service shall carry a minimum insurance liability of \$1,000,000 per passenger seat.

10. Expenses Not Reimbursed

- A. Upgraded Class of Service--Employees who wish to upgrade, which is sometimes permitted at check-in for a nominal expense, may do so at their own expense.
- B. Trip Insurance--The Navajo Nation provides coverage for accidental injury or death for all employees traveling on Navajo Nation business. Additional coverage may be purchased at the employees' expense.
- C. Airport Lounges--The Navajo Nation shall not pay for or reimburse expenses on airport lounge club memberships for employees.

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D. Excess Baggage--The Navajo Nation shall reimburse for excess baggage only when such excess is Navajo Nation equipment.

E. Additional charges on flight changes for personal reasons.

XI. GROUND TRANSPORTATION

The Navajo Nation recognizes that vehicle rental is expensive, and it is often unnecessary. It is therefore Navajo Nation policy that employees shall use rental vehicles only when no other modes of transportation are available. When considering ground transportation at destination, employees shall use the following in the order of availability: (1) Navajo Nation vehicles, (2) courtesy vehicles, (3) airport limousines, (4) buses, (5) subway, (6) taxis, and (7) rental vehicles.

If a definite business requirement or the unavailability of other means of transportation makes a rental vehicle necessary, the following guidelines shall apply:

1. All arrangements for vehicle rentals shall be made through the travel agent. Companies with whom the Navajo Nation has discount rates shall be used, wherever available.
2. Compact vehicles (B Class) shall be the standard authorization for individual employees. However, Mid-size (C Class) or larger vehicles may be used when transporting clients or when four or more employees are traveling together and sharing rental.
3. One vehicle per four passengers may be rented for employees traveling together.
4. In the U.S.A., its territories, possessions, and Canada, **all extra cost insurance coverage shall be declined by the employees (emphasis added)**. Navajo Nation Risk Management Department insures coverage on rental vehicles rented through the designated travel agent and charged to the Navajo Nation.
5. All accidents involving rental vehicles shall be reported to the rental agency, and a copy of the accident report and bill of repairs, if available, shall be attached to the employee's travel expense report. If the rental car is damaged, the rental company shall be instructed by the employee to submit a claim to the Insurance Services Department, and the employee shall notify the Insurance Services Department in writing, including a detailed description of the damage. The Insurance Services Department shall then handle the matter.
6. The renter is responsible for payment of all citations issued to driver of rental vehicle. The Controller or designee at their discretion can pay charges to the rental company and recover funds, through payroll deduction.
7. Where applicable, vehicle rental agreements that the Navajo Nation has with given vehicle rental companies shall be used to take advantage of maximum discounts.
8. Where applicable, rented vehicles shall be returned with full tanks of gasoline to avoid the high prices charged by rental companies.

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9. All expenses for which the employee seeks reimbursement shall be documented on the expense report. Reimbursable expenses and the necessary documentation are as follows (Original receipts are required where applicable):
- A. Airport Limousine or Bus -- cash receipt, required. if over \$10.00.
 - B. Taxi -- cash receipt, required. if over \$10.00.
 - C. Gasoline -- cash receipt and / or credit card receipt required and odometer readings on Navajo Nation Vehicles (for reporting purpose to Fleet Management).
 - F. Parking Fees-- receipt required.
 - G. Tolls, Subway or bus tokens -- no receipt required.

XII. PERSONAL VEHICLE

When feasible and with the approval of the Departmental Approval Authority, employees shall only use their privately owned vehicle for Navajo Nation business trips, if they carry the minimum personal liability insurance in the amount required by the state in which their car is registered. Programs, departments and divisions shall maintain photo copies of their employees' up to date personal liability insurance who are authorized to use their privately owned vehicle to conduct Navajo Nation business; a copy of the same shall be filed with the Navajo Nation Travel Office.

- 1. Mileage rate, bridge and highway tolls, and parking fees are reimbursable when properly documented on the travel expense report.
- 2. Mileage allowance shall be the per mile rate for business miles published in the Federal Travel Regulations at the beginning of The Navajo Nation's fiscal year. The Controller or designee through a memorandum will provide notification of per mile rate changes.
- 3. The employee shall be reimbursed for the actual business miles traveled in a privately owned vehicle provided by the employee. Mileage will be reimbursed using the most direct route with not more than ten (10) miles per day for incidental travel added when there is no justification provided by the employee. The employee shall submit the actual odometer readings taken at the beginning and end of the trip as part of his expense report. If odometer readings are not furnished, the standard mileage chart published by the Office of the Controller or a Rand McNally map shall be used to reimburse the employee, without consideration for any intra-city travel.
- 4. Where an employee submits actual odometer readings for travel beyond the allowable mileage: the supporting schedule shall include a point by point itemization including date of travel, beginning and ending odometer reading, miles traveled and destination.

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5. The reimbursement request for a blanket Travel Authorization must be supported by a detailed schedule of official travel performed using the employee's privately owned vehicle during the Travel Authorization period. This supporting schedule shall include a point-by-point itemization including the date of travel, beginning and ending odometer readings, miles traveled and destination.
6. Business mileage travel is reimbursed from home or workstation whichever is less.
7. When more than one (1) employee utilizes the same privately owned vehicle, only the person owning the vehicle or responsible for the vehicle may include on his or her Travel Authorization form an estimate of these expenses and claim reimbursement for these expenses.
8. A privately owned vehicle shall not be used for travel if a Navajo Nation vehicle is available to transport the employee and if the employee is authorized to use a Navajo Nation vehicle. Reimbursement for use of a privately owned vehicle shall not be allowed if there is space available in a Navajo Nation vehicle or chartered aircraft departing and returning at approximately the same time with the same destination, unless use of the privately owned vehicle is required at the destination. The person departmentally approving the Travel Authorization form shall be responsible for assuring that no other means of travel are available and verifying that the owner of the vehicle is insured before approving the travel. When two (2) or more persons are going on a trip for the same purpose, they shall travel together to avoid duplication of expenses.
9. Total reimbursement for the trip (mileage, tolls, other living expenses en route) when a personal vehicle is used in lieu of the commercial air transportation shall be limited to the amount that would have been incurred had the employee used Lowest Logical Fare routing means of commercial air transportation.
10. Mileage shall be reimbursed based on distances shown on the standard mileage chart published by the Office of the Controller or a Rand McNally road maps, with not more than ten (10) miles per day for incidental travel added when there is no justification provided by the employee.

XIII. NAVAJO NATION VEHICLE

1. The employee shall use a Navajo Nation vehicle if one is available and must be authorized to operate a Navajo Nation vehicle. Since the Navajo Nation vehicles are leased or rented from the Navajo Nation Fleet Management through the use of an Interdepartmental Charge Requisition, an estimate of the cost for use of a Navajo Nation vehicle shall not appear on the Travel Authorization form.
2. Employees utilizing a Navajo Nation vehicle outside of the Navajo Nation shall submit a separate and specific Travel Authorization form to identify the specific destination and purpose of travel unless the employee utilizes the Navajo Nation vehicle in the regular performance of his or her duties as provided in Section VI: 2. of this Navajo Nation Employees' Travel Policy and Procedures Handbook.

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XIV. LODGING

1. Reasonable commercial accommodations and rates shall be utilized at all times.
2. Employees shall use the services of the designated travel agent for making all lodging reservations, since the designated travel agent can guarantee that the most economical and appropriate establishment is used while checking to see what payment methods are accepted. Unless another establishment is more economical, or site location poses a major problem, reservations shall be made with the lodging chains, if any, with whom the Navajo Nation, or designated travel agent, has negotiated reduced rates.
3. The employee's personal preference in lodging shall be considered only when it does not result in added expense to the Nation.
4. Approved rates are for single occupancy and for accommodations priced no higher than mid-range in the hotel's published prices.
5. Only room rates including mandatory taxes shall be reimbursable; charges for personal items such as movies, haircuts, liquor, and personal telephone charges shall not be reimbursed.
6. Employees shall always confirm at the check-in desk that the corporate or other discount rate is being honored. They shall also check their bill carefully at checkout, being sure not to pay for services that were not provided.
7. Additional costs incurred in traveling with a dependent shall not be reimbursed, unless the presence of the dependent was necessary for the completion of Navajo Nation business; such type of travel arrangement shall require the approval of the Departmental Approval Authority.
8. Employees shall cancel any unneeded reservations directly or through the designated travel agent; cancellations shall be recorded with the designated travel agent by the employee for future use to protect the Navajo Nation and the employee from possible billing or collection. No show bills are an unnecessary and completely avoidable expense and shall not be reimbursed.
9. Whenever possible, appropriate and acceptable, (as accepted by the employee and approval authority), employees traveling together should reserve and stay in a double room. Employees shall report the other employee's name and travel authorization number on expense report to avoid duplication of payment.
10. At times, it may be convenient or necessary to lodge in the private home of friends or acquaintances while traveling on Navajo Nation business. A token of appreciation for the host or hostess is appropriate, and expenditures of up to \$25.00 per night may be reimbursed. The employee shall attach a receipt or written justification by the owner of the house noting that the expenditure was "in lieu of" lodging to the expense report. The name, address, amount, telephone number and number of nights stay at the recipient's residence shall be indicated on the expense report.
11. When hotels with discount rates are available but not conveniently located to conduct business, the designated travel agent shall reserve space where the employee chooses. The rate for such space shall comply with the established designated "Areas."

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12. To be reimbursed, all incurred room charges shall be supported by original itemized /receipt(s), with name of hotel, address and phone number. **A credit card slip is insufficient and not acceptable for reimbursement.**

13. The maximum allowable reimbursement for daily lodging in Areas "A" shall be the amount specified in the CONUS Per Diem rates (which is published by the GSA Travel Services) for the city in question. If the city where lodging is purchased is not listed in the CONUS Per Diem rates, then the Standard CONUS Per Diem rate shall be used. Lodging and all applicable taxes and occupancy fees will be paid per Federal CONUS Per Diem rates.

14. Employees shall be aware of check out time to avoid additional charges, as the Navajo Nation will not reimburse for these charges.

15. A group, as a means of cost efficiency may use a Purchase Requisition for lodging.

XV. MEALS

The Navajo Nation shall reimburse the cost of meals, when an employee is on travel status from his or her workstation and/or home in excess of twenty-five (25) miles (one-way) and four hours on Navajo Nation business, except otherwise provided herein.

1. The maximum allowable reimbursement for daily meals in Areas "A" shall be the amount specified in the CONUS Per Diem rates (which is published by GSA Travel Services) for the city in question. If the city where meals are purchased is not listed in the CONUS Per Diem rates, then the standard CONUS Per Diem rate shall be used.
2. Meals included, as part of Registration and Conference Fees shall reduce the maximum allowed for meals accordingly (XVI. MISCELLANEOUS EXPENSES, Paragraph 3).
3. Expenses for alcoholic beverages are not allowable for reimbursement.

XVI. MISCELLANEOUS EXPENSES

1. Telephone

Expenses for business calls paid for by the employee shall be reimbursed. Whenever possible, business calls shall be made at the employee's hotel or motel and charged to his or her bill. In such cases, the employee shall indicate on his or her hotel bill the party to whom the call was placed and the purpose of the call. Telephone calls may not be charged to a Navajo Nation telephone from a third number. Business calls placed from a telephone other than at the employee's hotel or motel shall be supported by a billing and telephone statement indicating the date, the party called, the purpose, and cost of the call, upon receipt of statement.

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2. Tips

Tips for meals are included in CONUS Per Diem rates. The actual amount paid by the employee for tips, not automatically the maximum allowable, shall be considered allowable expenses subject to the following limitations: Tips for taxis are limited to 15% of the actual cost. Tips for baggage handling at hotels and airports are limited to \$2 per departure or arrival.

3. Registration and Conference Fees

The actual cost of required registration and conference fees paid by the employee shall be considered allowable expenses. Receipts shall be obtained and submitted to the Office of the Controller for reimbursement purposes. If the fees include meals, the maximum allowable reimbursement for meals shall be reduced accordingly.

4. Other Expenses

Any other reasonable expenses paid by the employee, which is necessary to conduct official business, shall be considered allowable. Such expenses shall be included in the estimate on the Travel Authorization form as miscellaneous. Laundry, entertainment, haircuts, literature, liquor, and other incidental items are considered personal expenses and shall not be reimbursed.

5. Per Diem or Expenses of other Authorized Travelers or Employees.

If an authorized employee finds himself or herself responsible for unforeseen expenses of clients during their travel, they may submit claim on their expense report with justification and receipts for reimbursement.

The employee shall not include in his estimate or make payment to others for mileage or meals of employees traveling with him. Each employee shall make his/her own claim for meals.

XVII. EXPENSE REPORTING

Employees shall only submit the properly completed Travel Expense Report portion of the Travel Authorization form for all business travel and related business expenses incurred on behalf of the Navajo Nation to the employee's Departmental Approval Authority for approval and original signatures. The supervisor shall be responsible for the timeliness, completeness, reasonableness, and propriety of expenditures, in accordance with Navajo Nation Travel Employees' Policy and Procedures Handbook and other Navajo Nation laws.

1. Travel Expense Reports SHALL be submitted within ten working days of the conclusion of each trip. All Travel Authorizations will be disencumbered after (45) forty-five calendar days. Travel Expense Reports submitted after the timeline shall be reviewed by the Controller or designee for approval.

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2. Trip Report

A Trip Report shall be attached to the employee's Travel Expense Report for a trip authorized by a Specific Travel Authorization. A Trip Report is a form report addressed to the person who approved the Travel Authorization. The narrative of the Trip Report shall include the following:

- a. The Travel Authorization number.
- b. Time of departure and return.
- c. The place(s) visited during the trip.
- d. The purpose of the trip.
- e. The person(s) contacted during the trip.
- f. The business purposes accomplished on the trip.
- g. The original signatures of the employee and approval authority.

If nothing was accomplished on the trip or the Navajo Nation received no benefits from the trip, the trip should not have been taken and the person who authorized the trip may disallow any reimbursement, except when the circumstance was beyond the control of the employee.

3. Expenses shall be reported chronologically (day by day). The use of averages or approximations shall not be accepted. When the period of travel is greater than seven (7) days, a photocopy of the Expense Report portion of the Travel Authorization form shall be used to report the additional days.
4. When expenses are shared between two or more employees, each employee shall include his or her share of the expense (SEE XVI. MISCELLANEOUS EXPENSES, Paragraph 5) and document the circumstances.
5. Employees shall be required to maintain an accurate record of daily expenses.
6. **All Expense Claims are subject to corrections and/or adjustments during the propriety review pursuant to these policy and procedures.**
7. Photo copies of Travel Expense Reports submitted in lieu of the original Travel Expense Reports for reimbursements shall have original signatures.

XVIII. PAYMENT METHODS

Allowable expenses, except those paid directly by the Navajo Nation, which are incurred by the employee and included in his or her Travel Authorization estimate shall be reimbursable by the Navajo Nation, provided that funds availability is verified and approved by the Office of the Controller or designee prior to departure, except as otherwise provided herein.

Unless authorized by the Controller or designee, only the following expenses may be billed directly to the

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Navajo Nation. All other expenses shall be paid for by the employee and may be reimbursed.

1. Commercial Air Fares

- A. If authorized to utilize commercial aircraft, the employee shall obtain an itinerary and an estimate of the cost of the ticket shall be included on the Travel Authorization. The itinerary shall be attached to the Travel Authorization form showing the time, date, and location of each departure and arrival, and the name of airline and flight number. The employee must submit an approved Travel Authorization form containing estimated cost to the Travel Office for encumbrance and ticketing. The cost of the ticket shall be billed to the Navajo Nation. The majority of airlines issue electronic tickets; therefore the employee must show their identification to obtain their ticket at the Airline Ticket Counter. If a change of plans requires the employee to change routes, or obtain another ticket, any additional cost may be charged to the employee.
- B. The employee shall plan his or her trip sufficiently so that changes in itinerary that result in unused flight tickets or additional flight tickets will be held to a minimum. Any employee guilty of habitually changing flight tickets shall be required by the Controller or designee to purchase his or her ticket out of his or her personal funds and request reimbursement upon completion of travel. Advances shall not be approved to cover the cost of airline tickets for an employee required to make such arrangements (See X. AIR TRANSPORTATION Paragraph 7)

2. Charter Air Flights

- A. If authorized (SEE X. AIR TRANSPORTATION, Paragraph 8) to utilize chartered aircraft, the employee shall arrange for all "Charter Flights" through the Navajo Nation Air Transportation Department. Charter flights shall be used for emergency or cost saving purposes only and not merely for the convenience of the employee.
- B. The Air Transportation Department is hereby authorized to restrict and/or prohibit the use of charter flights when regularly scheduled flights or other means of transportation are available and more economical.

3. Rental Cars

If authorized to utilize a rental car, the employee shall obtain an itinerary from the Travel Agent for confirmation number and a car rental voucher if applicable from the Travel Office. (SEE XI. GROUND TRANSPORTATION, Paragraph 1).

4. Lodging Costs

Hotel/Motel costs may not be billed to the Navajo Nation except through the Purchase Requisition with prior approval of the Controller or his designee. A group, as a means of cost efficiency may use a Purchase Requisition only when a group of 20 or more employees are traveling to a single location for the same purpose or when there will be an extended stay at a single location.

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A. General Guidelines for Purchase Requisitions:

The general guidelines that employees should follow in the initial review of a Purchase Requisition with respect to lodging expenses are:

1. Length of individuals stays at the same location. If the individual will be staying at the same location for 7 or more continuous nights, there is justification for the processing of a Purchase Requisition.
2. If a group of 20 or more employees are staying at the same location there is justification for the processing of a Purchase Requisition (XIV LODGING; paragraph10).
3. Purchase Requisitions shall be submitted three working days (24 business hours) prior to travel.

A written justification and proper approval is required to process a Purchase Requisition prior to encumbering and processing. Purchase Requisitions need to be submitted to the Travel Office at least three business days prior to travel. A Purchase Requisition not meeting these general guidelines will be returned to the originating department or program.

5. Meal Cost

Meal cost may not be billed to The Navajo Nation except through the Purchase Requisition for group travel. All meals shall be claimed on a Travel Expense Report at CONUS Per Diem Rates. Meals may not be claimed individually when the employee is listed on the Purchase Requisition.

XIX. CLARIFICATIONS TO THE POLICIES AND PROCEDURES

The Controller or designee may issue whatever additional directives and memoranda deemed necessary to clarify the intent of these Travel Policy and Procedures.

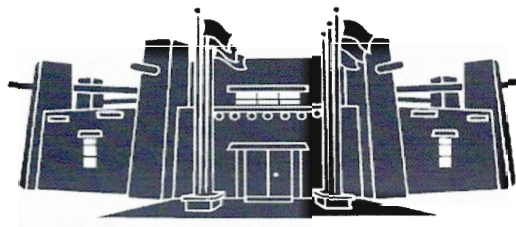
XX. AMENDMENT TO THE POLICIES AND PROCEDURES

Upon recommendation of the Controller of the Navajo Nation, the Budget and Finance Committee of the Navajo Nation Council may amend the Navajo Nation Travel and Policies and Procedures.

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**SUMMARY OF
COSTS NOT REIMBURSED**

- 1. Additional charges for flight changes not business related.**
- 2. Citations issued to driver of rented vehicles.**
- 3. Personal items (i.e. laundry, entertainment, movies, haircuts, liquor).**
- 4. Personal calls.**
- 5. Additional cost for unauthorized traveler (wife, child).**
- 6. No show bills.**
- 7. Additional charges for late check out.**
- 8. Meals that are part of a registration to a meeting/conference.**
- 9. Alcoholic beverages**



MEMORANDUM

TO: Hon. Delegate Vince R. James
Law and Order Committee
24th Navajo Nation Council

FROM: 
Luralene D. Tapahe, Principal Advocate
Office of Legislative Counsel

DATE: December 6, 2021

SUBJECT: **AN ACTION RELATING TO THE BUDGET AND FINANCE COMMITTEE; RESCINDING BFJA-04-20 AS IT RELATES TO THE TRAVEL POLICIES MANUAL FOR NAVAJO NATION OFFICIALS AND EMPLOYEES; REINSTATING THE TRAVEL POLICIES AND PROCEDURES APPROVED IN BFJA-01-02**

Per your request, the Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to review by the Navajo Nation courts in the event of proper legal challenge.

Please ensure that this legislation is precisely what you want. You are encouraged to review this proposed legislation to ensure that it is drafted to your satisfaction.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. Nevertheless, the Speaker of the Navajo Nation Council may assign this legislation to committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find this document unacceptable for any reason, please immediately contact me at the Office of Legislative Counsel (at extension 7166) and advise me of the changes you would like made to this proposed legislation. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0259-21_

SPONSOR: Vince R. James

TITLE: An Action Relating to the Budget and Finance Committee; Rescinding BFJA-04-20 as it Relates to the Travel Policies Manual for Navajo Nation Officials and Employees; Reinstating the Travel Policies and Procedures Approved in BFJA-01-02

Date posted: December 06, 2021 at 4:56PM

Digital comments may be e-mailed to 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.*