

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

September 27, 2021

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

RE: CS-49-21, An Action Relating to Budget and Finance and Naabik'íyáti' Committees, and to the Navajo Nation Council; Approving the Navajo Nation Fiscal Year 2022 Comprehensive Budget; Waiving 12 N.N.C. § 820(I), § 860, § 840(B), 12 N.N.C. §§ 2001 et seq., and Resolution CF-07-11

Dear Speaker Damon,

We thank the Members of the 24th Navajo Nation Council for their hard work and long hours put into completing the Fiscal Year 2022 Comprehensive Budget. We also appreciate the time and effort of the legislative staff and finance staff with their equally long hours dedicated to assisting the Council.

After three annual rounds of setting up a comprehensive budget we all know the difficulties of meeting the need of our government programs. It would certainly be easier if the Nation had enough funds to provide all our programs with the money they need to carry out their duties. The public safety programs would have the resources to add more services to protect and serve, the Chapters would have the resources to meet their communities' needs, the Divisions that provide direct services would have the resources to hire and keep employees to provide direct services, and all our programs would have the resources to set up ideal offices. These are a few examples of how the Nation would prosper with sufficient funding, but we know that is not the case.

During the budget process we learn of the needs of all our programs and we know that need is more than we can fund. One fortunate aspect of Fiscal Year 2021 is the funds accumulated because of lower expenses due to office closures during the pandemic. The carryover of savings would help our programs to continue providing services and fill the gaps of funding need.

A couple of appropriations in the Comprehensive Budget should be looked at more closely. Meaning that the appropriations may be taken care of in a different manner that will meet the same goal. The separate appropriation for the Criminal Investigation Program is in addition to the carryover section that would allow an estimated \$1,000,000 in carryover. If the Program requires more funds in the fiscal year that may be done by a supplemental request. Also, the Chapter funds for projects will need a closer review of all Chapter funds currently available for capital outlay. This appropriation could be taken up during the year if additional money is necessary and considering the funds available through the American Rescue Plan, Fiscal Recovery Funds.

Conditions of Appropriation can be a useful tool to make sure programs will carry out their assigned tasks and responsibilities. However, in this budget there are several Conditions of Appropriation that are not within the program's responsibility or that have been met. In the same manner, there are Legislative Concerns that are either not within the program's area of responsibility or have been met. These Legislative Concerns should be discussed with each program and their oversight committee.

The Navajo People granted the authority of the line item veto to balance the responsibility of the Branches in financial matters, such as the appropriations in the comprehensive budget. We take this responsibility seriously and do our best to use this authority properly, as given by the Navajo People. In CS-49-21, we line item veto the following:

- A. Paragraph J, Permanent Trust Fund, (5) and (6). The appropriation of \$881,197 to the Department of Criminal Investigation, BU #New, is met by the carryover provision of Paragraph H(4). This carryover amount will not be known until later in Fiscal Year 2022 but if the Department requires additional funding that could be accomplished by a supplemental funding request.
The \$1,321,672 allocation to the Chapter Capital Outlay Match Funding Special Revenue Fund accounts is confusing. This allocation was done using the Chapter distribution formula in Title 12, commonly known as the 50/50 formula, but also given to the "Capital Outlay Match Funding Special Revenue Fund." There is no explanation or accounting of the Chapter's current fund balance and if the proper fund is being used for this allocation. It would be best if the allocation included more information and a clear appropriation to the proper fund. We would like this allocation to be revisited in the near future.
- B. The listed Conditions of Appropriation do not meet the requirements, for various reasons, for a condition to be placed on the appropriation or expenditure.
 - 1. Department of Health, Division of Aging and Long-Term Care Support. The program reported to their oversight committee with a list of repairs, maintenance, and capital improvements. Additionally, the improvement projects will be included in the Fiscal Recovery Funds' project listing.
 - 2. Division of Human Resources/Division of General Services, DHR Administration/DGS Administration. Regarding a survey of housing needs for government employees, the housing services does not fall within the responsibility of the Division of Human Resources and the proper program for such a survey would be the Housing Program and the Housing Committee.
 - 3. Judicial Branch. The Judicial Branch administers its personnel matters with no interaction from the Executive Branch's Department of Personnel Management.
 - 4. All Divisions, Departments, and Programs. Recommending implementation of ADA-compliant equipment and facilities in all work places and publicly accessible areas. The COA is overly broad and confusing in how funds will be allocated to this responsibility; either funds from the FY 2022 budget, supplemental funding in FY 2022, or in the FY 2023 comprehensive budget.

As to the Veterans budget, while the various veterans' organizations continue to debate their Agency budgets it has cause a split in the veterans' community. While some are vocal about individual Chapter Veterans Organization budgets others are clear on one budget for their

Agency. The question is, how will each veteran in each community receive proper assistance equal to other veterans in the community? The Agency budgets approved in CS-49-21 are now in question. To not approve some Agency budgets and approve others will create uncertainty in our budget process and add to the confusion of how the veteran's budgets will serve the veterans. Understanding the position of a couple of the Agency veterans organizations, it is in the best interest of the veterans to apply what the Navajo Nation Council has passed and recommend an amendment to the Comprehensive Budget to address the concerns and issues of all the veterans. To allow all parties to address this matter and to talk things out is best.

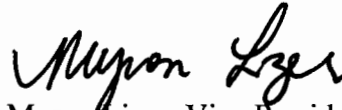
As a final note, the Office of Management and Budget reports, and the Branch Chiefs agreed, the Fiscal Year budget at \$177,205,000; however, the FY 2022 Comprehensive Budget fell short by \$175,102. This \$175,102 is a result of unbudgeted funds from the Fixed Costs accounts. While not a major concern we believe this amount should be directly addressed in the resolution by directing it to the Unreserved, Undesignated Fund Balance to insure proper accounting.

We continue to work with the Navajo Nation Council and the Navajo Judicial Branch in meeting our fiscal responsibility. Thank you for your continued efforts in providing services to the Navajo Nation.

Sincerely,



Jonathan Nez, President
THE NAVAJO NATION



Myron Lizer, Vice President
THE NAVAJO NATION

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

AN ACTION

RELATING TO THE BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES,
AND TO THE NAVAJO NATION COUNCIL; APPROVING THE NAVAJO NATION
FISCAL YEAR 2022 COMPREHENSIVE BUDGET; WAIVING 12 N.N.C. § 820(F),
§ 820(I), § 860, § 840(B), 16 N.N.C. § 1 AND § 205, AND RESOLUTION
NO. CF-07-11

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is assigned proposed resolutions that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- C. The Budget and Finance Committee makes recommendations concerning the budget and submits them to the Navajo Nation Council for deliberation and approval. 12 N.N.C. § 840(A).

SECTION TWO. ADOPTING THE NAVAJO NATION'S COMPREHENSIVE BUDGET FOR
FISCAL YEAR 2022

The Navajo Nation hereby adopts the Navajo Nation Fiscal Year 2022 Comprehensive Budget as follows:

- A. SPECIAL FUNDS. In accordance with the Navajo Nation Appropriations Act and other statutory provisions, the Navajo Nation appropriates \$50,118,000 for certain special funds for Fiscal Year 2022 ("FY2022"), which amount consists of the following allocations:
 - 1. 12% or \$22,479,000 into the Navajo Nation Permanent Trust Fund;
 - 2. 4% or \$7,493,000 into the Navajo Nation Veterans Trust Fund;
 - 3. 2% or \$3,746,000 into the Navajo Nation Land Acquisition Trust Fund;
 - 4. \$2,000,000 into the Capital Outlay Match Funding Special Revenue Fund;

5. \$2,000,000 into the Navajo Nation Water Rights Claim Fund;
6. \$12,400,000 into the Diné Higher Education Grant Fund.

B. OVERALL FY2022 BUDGET. The Navajo Nation appropriates \$1,516,264,944 for the Navajo Nation's overall FY2022 Operating Budget, which amount consists of the following allocations (as shown in **EXHIBIT A**):

1. \$173,529,898 into the General Fund account;
2. \$25,000,000 into the Indirect Cost Funds account;
3. \$3,019,319 into the General Wage Adjustment account;
4. \$12,400,000 into the Higher Education Set-Aside account;
5. \$3,500,000 into the External Funds Cash Match (General Fund) account;
6. \$5,630,875 into the Personnel Lapse Fund account;
7. \$3,569,000 from the Permanent Fund Income for unmet needs;
8. \$91,828,678 into the Proprietary Funds account;
9. \$104,652,922 into the Fiduciary Funds account;
10. \$37,877,238 into the Special Revenue - Internal Funds account;
11. \$1,055,257,014 into the Special Revenue - External Funds account.

C. LEGISLATIVE BRANCH. The Navajo Nation appropriates \$17,181,778 for the Navajo Nation's Legislative Branch FY2022 Operating Budget, which amount consists of the following allocations (as shown in **EXHIBIT B**):

1. \$15,732,069 out of the General Fund account;
2. \$1,192,091 out of the \$25,000,000 allocation for the Indirect Cost Funds account;
3. \$256,618 out of the General Wage Adjustment account;
4. \$1,000 out of the Proprietary Funds account;

5. \$0 out of the Fiduciary Funds account;
 6. \$0 out of the Special Revenue - Internal Funds account;
 7. \$0 out of the Special Revenue - External Funds account.
- D. JUDICIAL BRANCH. The Navajo Nation appropriates \$21,618,341 for the Navajo Nation's Judicial Branch FY2022 Operating Budget, which amount consists of the following allocations (as shown in **EXHIBIT C**):
1. \$15,765,782 out of the General Fund account;
 2. \$144,564 out of the \$25,000,000 allocation for the Indirect Cost Funds account;
 3. \$439,253 out of the General Wage Adjustment account;
 4. \$283,478 out of the Personnel Lapse Fund account;
 5. \$0 out of the Proprietary Funds account;
 6. \$0 out of the Fiduciary Funds account;
 7. \$0 out of the Special Revenue - Internal Funds account;
 8. \$4,985,264 out of the Special Revenue - External Funds account.
- E. EXECUTIVE BRANCH. The Navajo Nation appropriates \$1,448,437,362 for the Navajo Nation's Executive Branch FY2022 Operating Budget, which amount consists of the following allocations (as shown in **EXHIBIT D**):
1. \$124,193,371 out of the General Fund account;
 2. \$15,474,558 out of the \$25,000,000 allocation for the Indirect Cost Funds account;
 3. \$2,323,448 out of the General Wage Adjustment account;
 4. \$12,400,000 out of the Higher Education Set-Aside account;
 5. \$3,500,000 out of the External Funds Cash Match (General Fund) account;
 6. \$2,347,397 out of the Personnel Lapse Fund account;
 7. \$3,569,000 out of the Permanent Fund Income;

8. \$91,827,678 out of the Proprietary Funds account;
 9. \$104,652,922 out of the Fiduciary Funds account;
 10. \$37,877,238 out of the Special Revenue - Internal Funds account;
 11. \$1,050,271,750 out of the Special Revenue - External Funds account.
- F. FIXED COSTS. The Navajo Nation appropriates \$29,027,463 to pay FY2022 Fixed Costs for certain Navajo Nation Programs, which amount consists of the following allocations (as shown in EXHIBIT E):
1. \$17,838,676 out of the General Fund account;
 2. \$8,188,787 out of the \$25,000,000 allocation for the Indirect Cost Funds account;
 3. \$3,000,000 out of the Personnel Lapse Fund account;
 4. \$0 out of the Proprietary Funds account;
 5. \$0 out of the Fiduciary Funds account;
 6. \$0 out of the Special Revenue - Internal Funds account;
 7. \$0 out of the Special Revenue - External Funds account.
- G. CHAPTER NON-ADMINISTRATIVE COSTS. The Navajo Nation appropriates \$12,675,211 to pay FY2022 Non-Administrative Costs for the 110 Navajo Nation Chapters; however, this appropriation shall not be used to pay Chapter expenses for the following: (1) stipend payments for Chapter officials' attendance at Chapter meetings or similar events; (2) Chapter personnel costs (i.e., employee wages, salaries, and similar payments) that are considered permanent costs for the Chapter; or (3) travel expenses incurred by any Chapter officials or Chapter staff, regardless of the purpose of travel.
- H. CARRYOVERS. The Navajo Nation approves carryovers from Fiscal Year 2021 to FY2022, all remaining dollar amounts in the following accounts:
1. the External Funds Cash Match account (Business Unit No. 118024);

2. All excess amounts, above the \$25,000,000 allocation in this legislation, in the Indirect Cost Funds account;
 3. the Capital Improvement Projects Fund account;
 4. the accounts of the various Programs as shown in **EXHIBIT F**; the Office of the Controller ("OOC") shall ensure that all carryover funds approved herein are used specifically, and strictly for, those proposed line-item amounts shown in **Exhibit F**; the OOC shall also inform the Office of Management and Budget ("OMB"), in writing, of any cancelled or reduced open encumbrances for Fiscal Year 2021, so that the OMB can make the appropriate budget adjustments as necessary.
- I. PERSONNEL LAPSE FUND. The Office of the Controller has reported that the Personnel Lapse Fund account currently has a dollar amount of **\$6,108,728**. The Navajo Nation appropriates **\$6,108,728** from the Personnel Lapse Fund account, which amount consists of the following allocations:
1. **\$2,630,875** to pay certain expenses for various Navajo Nation Programs, as shown in **EXHIBIT G**; and
 2. **\$3,477,853** to pay for a 3% General Wage Adjustment for all Navajo Nation employee wages and salaries for FY2022.
- J. PERMANENT TRUST FUND. The Office of Management and Budget has reported, by memorandum dated August 31, 2021, that the Permanent Trust Fund account currently has generated interest income of **\$3,569,000** which amount is considered "excess funds" that are available for unmet needs. Of this amount, the Navajo Nation appropriates the following amounts:
1. **\$3,000** to each of the 45 Local-Governance-Certified Chapters (certified pursuant to 26 N.N.C. § 102 (B)), a total of **\$135,000**, for use as a 3% general wage adjustment for Chapter employees' wages and salaries for Fiscal Year 2021, and **\$3,000** to each of the Local-Governance-Certified Chapters (**\$135,000**) for the same purpose for FY2022;
 2. **\$120,000** to the Dilkon Chapter for professional/contractual services for the construction and installation of broadband/internet equipment and provision of related services that will serve the Dilkon Chapter and other nearby Navajo Nation communities;
 3. **\$450,000** to the Navajo Nation Department of Agriculture - Veterinary and Livestock Program, Business Unit No. NEW;

4. \$526,131 to the Navajo Nation Department of Fish and Wildlife - Animal Control Program, Business Unit No. NEW;
5. ~~\$881,197 to the Division of Public Safety - Department of Criminal Investigations, Business Unit No. NEW;~~
6. ~~the remaining amount of \$1,321,672 is allocated to the Capital Outlay Match Funding Special Revenue Fund account.~~

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K. WAIVERS OF NAVAJO NATION LAW.

1. Appropriations Act. To accommodate the two appropriations described in (I)1-2 above, the Navajo Nation hereby waives 12 N.N.C. § 820(F) to the extent that this statutory provision mandates that excess and surplus funds held by the Navajo Nation at the end of the previous Fiscal Year must be deposited into the Unreserved, Undesignated Fund Balance account ("UUFb").
2. Resolution No. CF-07-11. The Navajo Nation hereby waives Resolution No. CF-07-11 to the extent that its provisions establish a moratorium on Budget Revisions and/or Reallocations from the Personnel Lapse Fund account, requires funds from that account to be used for annual General Wage Adjustments or step increases and other salary adjustments to the Pay Plan established by the Department of Personnel Management, and also requires that any excess or surplus funds must be deposited into the UUFb.
3. Capital Improvement Plan. The Navajo Nation hereby waives 12 N.N.C. § 820(I), § 840(B), and § 860 for the purpose of approving this Comprehensive Budget for FY2022, because the mandated Capital Improvement Plan is not available.
4. Land Acquisition Trust Fund. The Navajo Nation hereby approves a one-time waiver 16 N.N.C. § 1 and 16 N.N.C. § 205, the purposes of the Land Acquisition Trust Fund, such that additional expenses including operating expenses in the amount of \$241,189 for Business Unit 415000 Navajo Land Department Land Acquisition Trust Fund be expended from the Land Acquisition Trust Fund as follows:
 - a. 2001 series all except Senior Appraiser: \$92,387
 - b. 3000 series travel expenses: \$40,757
 - c. 4000 series supplies: \$15,450

- d. 5500 series communications and utilities: \$7,632
 - e. 6000 series repairs and maintenance: \$47,667
 - f. 6500 series contractual services: \$32,200
 - g. 7000 series special transaction: \$5,096
 - h. Total: \$241,189
- L. UUFB FUND. Regarding the UUFB, the Navajo Nation recommends that \$20,000,000 be set aside for the Fiscal Year 2023 Budget, which amount is consistent with the Three Branch Chiefs' Agreement dated June 18, 2021 and with Navajo Nation Council Resolution No. CN-88-20.
- M. CONDITIONS OF APPROPRIATION. The Navajo Nation Council and its Standing Committees, according to Title 2 and other provisions of the Navajo Nation Code, are responsible for ensuring that all Navajo Nation Divisions, Departments and Programs provide adequate, timely, and professional services to the Navajo Nation and the Navajo People. One pragmatic and effective method to carry out such responsibilities is to establish certain Conditions of Appropriation mandating the performance of specific tasks within a particular time period determined by the Navajo Nation Council. The Navajo Nation therefore approves and adopts the Conditions of Appropriation, as shown in **EXHIBIT H**, which Exhibit shall be attached to this legislation when finalized by the Office of Legislative Counsel.
- N. LEGISLATIVE CONCERNS. Related to the goals described in Paragraph (M) above, the Navajo Nation hereby approves the Legislative Concerns for Navajo Nation FY2022, as set forth in the attached **EXHIBIT I**, which Exhibit shall be attached to this legislation when finalized by the Office of Legislative Counsel.
- O. EXPENDITURES NOT RESTRICTED BY BUDGET INFORMATION. The Navajo Nation hereby acknowledges that all federal, state, and local government funds addressed in the Navajo Nation FY2022 Comprehensive Budget are provided primarily for information purposes, as directed in the Budget Instructions Manual. Such dollar amounts and account descriptions should not be deemed to limit the expenditure authority for any Program, provided that additional funds are accepted or approved pursuant to 2 N.N.C. § 164(B), 2 N.N.C. § 301(B)(15), and 2 N.N.C. § 701(A)(10).

- P. BIA ACCOUNT NO. PL7341701. The Navajo Nation hereby authorizes monthly drawdowns of all funds deposited into BIA Account, PL7341701, Navajo Tribe, Arizona/New Mexico, which funds are considered Navajo Nation General Funds as part of the overall revenue projection, and are used for the administrative support of the operations of the Navajo Nation Government.
- Q. BUDGET DETAIL. The Navajo Nation hereby approves the FY2022 Budget Detail, as shown in the attached **EXHIBIT J**, which Exhibit shall be attached to this legislation when finalized by the Office of Management and Budget.

SECTION THREE. DIRECTIVES

- A. Office of Management and Budget. The Navajo Nation hereby directs the Office of Management and Budget to recalculate all dollar amounts shown throughout this legislation, in order to verify that final monetary totals are accurate and conform to all amendments to this legislation, if any.
- B. Office of Legislative Services. The Navajo Nation hereby directs the Office of Legislative Services, in consultation with the Office of Legislative Counsel, to make technical edits to this legislation as necessary and appropriate to correct grammatical and/or scrivener's errors, and to correct numerical errors, so long as such edits effectuate the Navajo Nation Council's intent in approving this legislation.
- C. Division of Community Development. The Navajo Nation Council hereby directs the Division of Community Development to develop the Navajo Nation Capital Improvement Plan in accordance with 12 N.N.C. § 860.
- D. Auditor General. The Navajo Nation hereby directs the Office of the Auditor General to conduct an audit of the Land Acquisition Trust Fund dating from 2005 to 2021.

SECTION FOUR. EFFECTIVE DATE

The Navajo Nation FY2022 Comprehensive Budget approved and adopted herein shall be effective pursuant to 2 N.N.C. § 164(A)(17) and § 221(B).

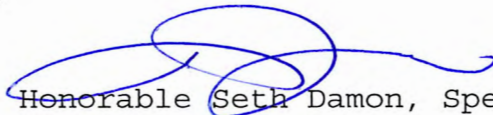
SECTION FIVE. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those remaining

provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 18 in Favor, and 03 Opposed, on this 10th day of September 2021.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

Sept 17, 2021
DATE

Motion: Honorable Kee Allen Begay, Jr.

Second: Honorable Edmund Yazzie

Speaker Seth Damon not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this _____ day of _____, 2021.

Jonathan Nez, President
Navajo Nation

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

Jonathan Nez, President
Navajo Nation

3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navajo People in 2009, on this 27th day of September, 2021.

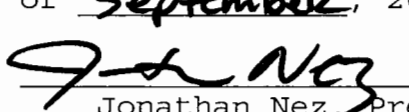

 
Jonathan Nez, President
Navajo Nation

EXHIBIT A

The Navajo Nation Fiscal Year 2022 Budget Summary

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Business Unit	Description	Navajo Nation General Fund	Indirect Cost Fund	GWA	Higher Education Setaside	External Fund Cash Match	Personnel Lapse Fund	Permanent Fund Income	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
100xxx	Executive Branch	124,193,371	15,474,558	2,323,448	12,400,000	3,500,000	2,347,397	3,569,000	91,827,678	104,652,922	37,877,238	1,050,271,750	1,448,437,362
101xxx	Legislative Branch	15,732,069	1,192,091	256,618					1,000				17,181,778
102xxx	Judicial Branch	15,765,782	144,564	439,253			283,478					4,985,264	21,618,341
118xxx	Fixed Costs	17,838,676	8,188,787				3,000,000						29,027,463
	Total:	173,529,898	25,000,000	3,019,319	12,400,000	3,500,000	5,630,875	3,569,000	91,828,678	104,652,922	37,877,238	1,055,257,014	1,516,264,944

Note: 1) The External Funds listed are for informational purposes only.



The Navajo Nation
Fiscal Year 2022 Legislative Branch Budget Summary

EXHIBIT B

A	B	C	D	E	F	G	H	I	J
Business Unit	Program	Navajo Nation General Fund	Indirect Cost Fund	GWA	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1	101001 Navajo Nation Council	2,064,537	298,891						2,363,428
2	101003 Budget and Finance Committee	21,576	11,310						32,886
3	101014 Navajo Nation Labor Commission	276,400	33,081	5,387					314,868
4	101015 Ofc of the Speaker	1,971,695	253,549	37,178					2,262,422
5	101016 Ofc of Government Development	502,593	59,201	12,607					574,401
6	101017 Ofc of Legislative Counsel	1,643,783	133,430	44,188					1,821,401
7	101018 Navajo Utah Commission	293,757		6,152					299,909
8	101019 Ofc of Legislative Services	1,800,553	198,375	49,085					2,048,013
9	101020 Ethics and Rules Office	541,394	85,012	14,812					641,218
10	101021 Ofc of Election Administration	1,098,804		27,477					1,126,281
11	101022 Board of Elections Supervisors	137,999		2,632					140,631
12	101023 Black Mesa Review Board	25,512							25,512
13	101024 Ofc of the Auditor General	1,495,815	36,682	34,301					1,566,798
14	101025 Navajo-Hopi Land Commission	186,094							186,094
15	101026 Commission on Emergency Mgmt	8,000							8,000
16	101027 Eastern Agency Land Commission	108,018							108,018
17	101028 Office of Eastern Navajo Land Commission	308,541		7,987					316,528
18	101029 Human Rights Commission	632,414		14,812					647,226
19	101030 Health, Educ. and Human Services Commission	48,189	17,931						66,120
20	101031 Resources and Development Committee	57,662	13,349						71,011
21	101032 Law and Order Committee	52,691	12,929						65,620
22	101033 Nabik'iyatii Committee	466,520	38,351						504,871
23	101034 Legislative District Assistants	1,989,522							1,989,522
24	901001 Navajo Nation Code Enterprise				1,000				1,000
25	Total:	15,732,069	1,192,091	256,618	1,000	0	0	0	17,181,778

The Navajo Nation
Fiscal Year 2022 Judicial Branch Budget Summary

EXHIBIT C

A	B	C	D	E	F	G	H	I	J	K
Business Unit	Program	Navajo Nation General Fund	Indirect Cost Fund	GWA	Personnel Lapse Fund	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1 102001	Administrative Office of the Courts	1,471,982	144,564	44,373					4,985,264	6,646,183
2 102002	Chinle Judicial District	1,116,631		31,347						1,147,978
3 102003	Crownpoint Judicial District	950,636		27,032						977,668
4 102004	Window Rock Judicial District	1,167,606		33,356						1,200,962
5 102005	Shiprock Judicial District	1,130,534		32,076						1,162,610
6 102006	Tuba City Judicial District	1,065,191		30,153						1,095,344
7 102007	Ramah Judicial District	627,116		14,990	17,318					659,424
8 102008	Supreme Court	1,343,201		37,771						1,380,972
9 102009	Peacemaker Division	1,243,111		35,077	149,300					1,427,488
10 102010	Kayenta Judicial District	871,689		23,829						895,518
11 102011	Dilkon Judicial District	774,480		21,136	47,325					842,941
12 102012	Utah Judicial District	648,241		17,642						665,883
13 102013	Tohajililee Judicial District	652,279		17,642	40,471					710,392
14 102014	Alamo Judicial District	175,533		4,315	29,064					208,912
15 102015	Dził Yíjín Judicial District	456,978		12,501						469,479
16 102017	Pueblo Pintado Circuit Court	199,533		5,595						205,128
17 102018	Probation Services	1,843,829		50,418						1,894,247
18 102019	Judicial Conduct Commission	27,212								27,212
19	Total:	15,765,782	144,564	439,253	283,478	0	0	0	4,985,264	21,618,341

The Navajo Nation
Fiscal Year 2022 Executive Branch Budget Summary

EXHIBIT D

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Business Unit	Program	Navajo Nation General Fund	Indirect Cost Fund	GWA	Higher Education Setaside	External Fund Cash Match	Personnel Lapse Fund	Permanent Fund Income	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1 103xxx	Executive Offices	8,968,548	1,532,197	104,356			140,185		15,000	8,027,189			18,787,475
2 104xxx	Department of Justice	6,374,091	2,104,138	228,703			268,622					2,412,215	11,387,769
3 105xxx	Office of Management and Budget	1,431,153	1,131,025	70,322									2,632,500
4 106xxx	Office of Navajo Tax Commission	1,424,404		39,918									1,464,322
5 107xxx	Office of the Controller	4,119,633	3,144,517	205,306			377,086		1,090,378	29,070,249	6,624,092		44,631,261
6 108xxx	Division of Community Development	4,975,707	753,410	124,686									28,048,073
7 108xxx	Navajo Nation Chapters	27,628,270		180,597			429,709	1,711,672			2,179,782		32,130,030
8 109xxx	Department of Dine' Education	8,149,902	360,839	190,379	12,400,000	2,512,661	20,000			664,511	4,302,948	120,225,510	148,826,750
9 110xxx	Division of Economic Development	5,065,311	446,824	115,314			44,000		300,000		128,576		6,100,025
10 111xxx	Environmental Protection Agency	1,312,945	117,792	31,718		153,196					3,733,394	3,459,764	8,808,809
11 112xxx	Division of General Services	4,420,357	2,809,276	149,375		72,157			80,046,800			8,763,589	96,261,554
12 113xxx	Department of Health	12,128,209	147,962	328,941		418,913	418,479			279,073		159,714,879	173,436,456
13 114xxx	Division of Human Resources	2,669,100	1,650,266	109,179		343,073			105,000	66,611,900		34,850,104	106,338,622
14 115xxx	Division of Natural Resources	19,958,631	268,373	350,439			373,065	976,131	9,960,000		4,957,278	127,441,762	164,285,679
15 116xxx	Division of Public Safety	8,946,408	355,725	21,548			276,251	881,197	75,500		8,767,968	91,963,553	111,288,150
16 117xxx	Division of Social Services	4,161,183	447,593	53,982					15,000			331,570,087	336,247,845
17 120xxx	Office of Gaming Regulatory								200,000				200,000
18 121xxx	Navajo Division of Transportation	2,459,519	204,621	18,685					20,000		7,183,200	147,676,017	157,562,042
19	Total:	124,193,371	15,474,558	2,323,448	12,400,000	3,500,000	2,347,397	3,569,000	91,827,678	104,652,922	37,877,238	1,050,271,750	1,448,437,362

Note: 1) The External Funds listed are for informational purposes only.



The Navajo Nation
Fiscal Year 2022 Fixed Costs Budget Summary

EXHIBIT E

A	B	C	D	E	F	G	H	I	J
Business Unit	Program	Navajo Nation General Fund	Indirect Cost Fund	Personnel Lapse Fund	Proprietary Fund	Fiduciary Fund	Special Revenue Fund - Internal	Special Revenue Fund - External	Total
1 118001	Annual Audit - OOC	266,963	762,782						1,029,745
2 118004	Insurance Premiums - DGS	2,745,717	1,760,017						4,505,734
3 118005	Utilities - DGS	3,301,183	2,069,042						5,370,225
4 118007	Telecommunications - DGS	288,108	1,069,949						1,358,057
5 118008	Radio Communications - DGS	112,770	373,418						486,188
6 118010	FMIS Debt Service - OOC	350,000							350,000
7 118013	Hopi Partitioned Land Rental - NHLCO	134,000							134,000
8 118007	Indirect Cost Plan - OMB	18,385							18,385
9 118018	Retirement Plan Account - DHR			3,000,000					3,000,000
10 118019	NN Integrated Justice Info. Sharing - JB	375,000							375,000
11 118020	Fixed Cost Investment Fees - OOC	146,639							146,639
12 118022	FMIS Maintenance Services - OOC	1,180,947	627,609						1,808,556
13 118023	Fixed Cost - Facility Maintenance	901,070	1,525,970						2,427,040
14 118026	Fixed Cost - Information Technology	800,000							800,000
15 N01000	Fixed Cost Litigation - DOJ	5,000,000							5,000,000
16 NEW	NGS Transmission Costs - DNR	1,900,000							1,900,000
17 NEW	Office Rental - ONTC	87,811							87,811
18 NEW	Office Rental - NNHRC	30,481							30,481
19 NEW	Office Rental - Navajo Utah Commission	15,153							15,153
20 NEW	Office Rental - DED	184,449							184,449
21	Total:	17,838,676	8,188,787	3,000,000	0	0	0	0	29,027,463

**The Navajo Nation
Carryovers for the FY 22 NN Budget**



BU#	Division	Program Title	Amount	Proposed Carryovers for the Fiscal Year 2022 General Fund Budget
101014	Legislative	NN Labor Commission	Remaining operating balances	Renovation of NNLC office & upgrade of equipment
101024	Legislative	Office of the Auditor General		All remaining funds to complete audits identified in Comprehensive FY22 Budget. Program will report to oversight every quarter.
103004	Executive Offices	Office of Hearings and Appeals	Remaining operating balances	The Law and Order Committee recommends the carryover of all the unexpended balances for the Navajo Office of Hearings and Appeals, Business Unit #103004.
104003	Executive Offices	Office of Navajo Public Defender		In the event unmet needs are not funded, the Office of the Public Defender is requesting that unspent carryover funds from FY21 be approved.
104001	DOJ	Office of the Attorney General	Remaining operating balances	All unexpended balances consolidated to 104005 to support the Prosecutor's Office.
104002	DOJ	Navajo Hopi Legal Services		
104005	DOJ	Office of the Prosecutors		
108001	DCD	Division of Community Development - Admin.	Remaining operating balances	All remaining funds to support solid waste and recycling infrastructure and program development, in addition to chapter cemetery fencing. Funds will be consolidated to 108001. Program will report to oversight every quarter.
108003	DCD	Solid Waste Management Program		
108004	DCD	Community Housing and Infrastructure Dept. (CHID)		
108125	DCD	Administrative Service Centers (ASC)		
108127	DCD	Capital Projects Management Dept. (CPMD)		
110001	DED	Division of Economic Development - Admin.	Remaining operating balances	All remaining funds to support economic analysis and planning; economically valuable historical site preservation and clean up; marketing of Navajo Nation tourism; and standing up small business training and coaching. Consolidate to 110001. Program will report to oversight every quarter.
110003	DED	Business Regulatory Dept.		
110004	DED	Project Development Dept. (PDD)		
110005	DED	SBDD - Chinle RBDO		
110006	DED	SBDD - Eastern RBDO		
110007	DED	SBDD - Northern RBDO		
110009	DED	SBDD - Shiprock RBDO		
110010	DED	SBDD - Western RBDO		
110011	DED	SBDD - Ft. Defiance RBDO		
110012	DED	Support Services Dept.		
110013	DED	Small Business Development Dept. (SBDD)		
110015	DED	Navajo Real Estate Dept.		

**The Navajo Nation
Carryovers for the FY 22 NN Budget**

BU#	Division	Program Title	Amount	Proposed Carryovers for the Fiscal Year 2022 General Fund Budget
112001	DGS	Division of General Services - Administration	Remaining operating balances	All remaining funds will address the unmet needs for the Division of General Services / Administration to conduct a comprehensive facilities and building assessment/valuation. Consolidate to 112001. Program will report to oversight every quarter.
112003	DGS	Insurance Services Dept. - Admin.		
112004	DGS	ISD - Safety & Loss Control		
112006	DGS	Telecommunications & Utilities Dept.		
112007	DGS	Air Transportation Dept.		
112008	DGS	Facilities Maintenance Dept.		
112009	DGS	Dept. of Information Technology		
112010	DGS	Records Management Dept.		
113001	NDOH	Navajo Department of Health - Administration	Remaining operating balances	Request to carry forward into FY2022 all remaining balances from FY2021.
113010	NDOH	DALTCS - Administration		
113011	NDOH	DALTCS - Chinle		
113012	NDOH	DALTCS - Ft. Defiance		
113013	NDOH	DALTCS - Crownpoint		
113014	NDOH	DALTCS - Tuba City		
113015	NDOH	DALTCS - Shiprock		
114001	DHR	Division of Human Resources - Admin.	Remaining operating balances	All remaining funds to support compliance with FY22 COAs and modernize the hiring process for NN employees, including digitizing the application process. Additionally, the program will create a management institute or internal professional development regime for NN employees in consultation with HEHSC. Program will report to oversight every quarter.
114009	DHR	Dept. of Personnel Management		
115002	DNR	District Grazing Comm	235,722.76	or remaining operating balance.
115004	DNR	Minerals Dept.	6,505.00	or remaining operating balance.
115005	DNR	Eastern Navajo Land Board	79,758.75	or remaining operating balance.
115007	DNR	Farm Board	291,041	or remaining operating balance.
116001	DPS	NPD - Admin.	Remaining operating balances	All remaining funds consolidated to 116002 to support crime/gang activity reduction and drug enforcement initiatives, including sub-offices and officer hiring at local chapters. Program will report to oversight every quarter.
116002	DPS	NPD - Chinle		
116014	DPS	NPD - Dept. of Corrections		
116011	DPS	Dept. of Criminal Investigations	Remaining operating balance	Request to carry forward into FY2022 all remaining balances from FY2021.

**The Navajo Nation
Carryovers for the FY 22 NN Budget**

BU#	Division	Program Title	Amount	Proposed Carryovers for the Fiscal Year 2022 General Fund Budget
117001	DSS	Division of Social Services - Administration	Remaining operating balances	All remaining funds to provide one-time grants to domestic violence shelters, 50% of which will be allocated to on-reservation domestic violence shelters and 50% of which will be provided to off reservation domestic violence shelters serving Navajo clients. DSS funds will be consolidated into 117001. Program will report to oversight every quarter.
117008	DSS	School Clothing Program		
117022	DSS	Dept. of Family Services		
120001	Executive	Navajo Gaming Regulatory Office	Remaining operating balance	The Resource and Development Committee recommends the carryover of all the unexpended balances for the Navajo Gaming Regulatory Office, Business Unit #120001.
121004	NDOT	Dept. of Roads - General Funds	Remaining operating balance	All remaining funds to complete road maintenance, monsoon and washout assistance, and culvert repairs. Program will report to oversight every quarter.

The Navajo Nation Fiscal Year 2022 Personnel Lapse Fund Allocations

BU #	Program	Allocation	Brief Description of Need
102007	Ramah Judicial District	17,318	Travel, Supplies, Repair & Maintenance, Contractual Services, and Special Transactions
102009	Peacemaking Court	149,300	Travel, Supplies, Lease & Rental, Repair & Maintenance, Contractual Services, Special Transactions, and Capital Outlay
102011	Dilkon Judicial District	47,325	Travel, Supplies, Repair & Maintenance, and Special Transactions
102013	Tohajilee Judicial District	40,471	Travel, Supplies, Repair & Maintenance, and Special Transactions
102014	Alamo Judicial District	29,064	Travel, Supplies, Repair & Maintenance, and Special Transactions
	Judicial Branch Total:	283,478	
103015	NNVA - Administration	99,165	For furniture to furnish new building
	NNVA Total:	99,165	
104003	Office of the Public Defender	41,020	Personnel and operating
	Executive Offices Total:	41,020	
104005	Office of the Prosecutor	268,622	Personnel and operating
	Department of Justice Total:	268,622	
107022	OOC - Administration	377,086	Temporary Personnel
	Office of the Controller Total:	377,086	
108014-108027	Chps - Stipends (Chinle)	61,393	Except for Chinle Chapter, to fund the NN Chapter Official's Stipend within Chinle Agency, to conduct official meetings.
108028-108058	Chps - Stipends (Eastern)	146,382	To fully fund the NN Chapter Official's Stipend to conduct official meetings on behalf of their community.
108059-108085	Chps - Stipends (Ft. Defiance)	127,494	To fully fund the NN Chapter Official's Stipend to conduct official meetings on behalf of their community.
108086-108105	Chps - Stipends (Northern)	94,440	To fully fund the NN Chapter Official's Stipend to conduct official meetings on behalf of their community.
	Chapter Total:	429,709	
109008	DODE - OONSFA	20,000	Diné Bizaad College Fund - 4 students
	Dept. of Dine Education Total:	20,000	
110006	DED - Eastern RBDO	44,000	Personnel
	Division of Economic Development Total:	44,000	
113014	DALTCS Tuba City	418,479	Senior Citizen Vans
	Department of Health Total:	418,479	
115021	Navajo Land Dept.	61,245	Cover maintenance agreement for Prism software license, R&M and data system hardware for the NN System.
115025	Fish & Wildlife - Heritage Program	211,820	Wildlife Biologist positions to complete biological reviews for projects and homesite leases.
	Colorado Ranch	100,000	To protect and enhance the land, improve livestock production to strengthen financial returns. Colorado Ranch counties designated as Extreme Drought conditions affecting operation and production.
	Division of Natural Resources Total:	373,065	
116006	NPD - Shiprock	150,834	Temp. Overtime/Holiday Pay/Fringe Benefits, Mileage Fleet/Prog., Rental-Prog., Non Capital, Operating Supplies, Repairs & Maintenance Bldg., Consultant, Insurance, Capital.
116009	NPD - Dilkon	50,000	Personnel and operating
116011	Department of Criminal Investigations	75,417	Personnel and operating
	Division of Public Safety Total:	276,251	
	Executive Branch Total:	2,347,397	
	Grand Total:	2,630,875	TOTAL FOR ALL BRANCHES/DIVISIONS/PROGRAMS

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CONDITIONS OF APPROPRIATION ("COA")

FOR FY2022 APPROVED BUDGETS FOR THE FOLLOWING
 NAVAJO NATION DIVISIONS, DEPARTMENTS, AND PROGRAMS:

DEPARTMENT OF HEALTH ("DOH")

Division of Aging and Long-Term Care Support ("DALTCS");

1. ~~The DALTCS Director shall prepare a plan to address the repairs, maintenance, and capital improvement needs for all existing DALTCS operated facilities. As part of this plan, the DALTCS Director shall research and investigate all potential sources of funding from federal, state, Navajo Nation, and private sources. The DALTCS Director shall complete this plan and provide a report, both verbally and in writing, to the HEHSC by the end of 3rd Quarter FY2022.~~

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DIVISION OF HUMAN RESOURCES ("DHR")

DHR Administration:

1. ~~The DHR Director shall work with the Division of General Services to conduct a comprehensive survey of the current housing needs for Navajo Nation Government employees. The DHR Director shall complete this comprehensive survey and along with the DGS Director shall provide a report, both verbally and in writing, to the HEHSC by the end of 3rd Quarter FY2022.~~

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Department of Personnel Management ("DPM"):

1. The DPM Director shall review DPM's policies and procedures that apply to DHR employee position classifications and the hiring of DHR employees, and shall provide a report, both verbal and written, to the HEHSC by the end of 2nd Quarter FY2022.

DEPARTMENT OF DINE EDUCATION ("DODE")

DODE Administration:

1. The DODE Director, through the DODE Superintendent and the Navajo Nation Board of Education ("NNBOE") and consistent with the Navajo Nation Sovereignty in Education Act, shall resume all efforts of the Navajo Nation to negotiate, execute, and implement all education-related P.L. 93-638 federal contracts. The DODE Director's goal shall be to effect the complete transfer to the Navajo Nation of all administrative duties and responsibilities over the education of Navajo children within the Navajo Nation, which duties and responsibilities are currently held by the U.S. Bureau of Indian Education. At the end of 2nd Quarter FY2022, the DODE Director, through the DODE Superintendent and the NNBOE, shall provide the HEHSC with a written report describing the Navajo Nation's progress toward the transfer goal.

DIVISION OF SOCIAL SERVICES ("DSS")

DSS Administration:

1. The DSS Director shall prepare a report, both verbally and in writing, regarding DSS' recurring Audit Findings as reported to the Navajo Nation Council on August 26, 2021. This report shall include a new Fund Management Plan for all DSS-operated Day Care Centers. This report and Fund Management Plan shall be presented to the Health, Education, and Human Services Committee by the end of 2nd Quarter FY2022.

DIVISION OF GENERAL SERVICES ("DGS")

DGS Administration:

- ~~1. The DGS Director shall work with the Division of Human Resources ("DHR") to conduct a comprehensive survey of the current housing needs for Navajo Nation Government employees. The DGS Director shall complete this comprehensive survey and along with the DHR Director shall provide a report, both verbally and in writing, to the Health, Education, and Human Services Committee by the end of 3rd Quarter FY2022.~~

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JUDICIAL BRANCH

Judicial Branch Administration:

1. The Judicial Branch Chief shall take all appropriate measures to address the untimely nature of notices provided by Peacemaking Programs at all Navajo Nation Judicial Districts. Such measures shall include the review and evaluation of private process servers who are certified by the courts and regularly serve litigation participants, especially with regard to probate cases. The Judicial Branch Chief shall provide a report regarding these tasks, both verbally and in writing, to the Law and Order Committee by the end of 2nd Quarter FY2022.
- ~~2. The Judicial Branch Chief shall work with the Department of Personnel Management in preparing a report regarding the number of vacant employee positions in the Judicial Branch, and present this report to the Law and Order Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.~~

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DIVISION OF PUBLIC SAFETY ("DPS")

DPS Administration:

1. By the end of 2nd Quarter FY2022 the DPS Director shall ensure that a police officer is stationed at the DPS Suboffices at the New Lands and To'hajiilee communities, in accordance with DPS' P.L. 93-638 federal contract governing the Navajo Nation's public safety and law enforcement services.
2. By the end of 2nd Quarter FY2022 the DPS Director shall ensure that the Navajo Nation's Enhanced 911 Service is established and implemented across the Navajo

Nation. The DPS Director shall provide a report regarding DPS' progress with this task, both verbally and in writing, to the Law and Order Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.

3. By the end of 2nd Quarter FY2022 the DPS Director shall establish and implement a Missing Persons Unit within DPS. The DPS Director shall provide a report regarding this task, both verbally and in writing, to the Law and Order Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.
4. By the end of 2nd Quarter FY2022 the DPS Director shall comply with LOCD-20-18 by establishing within the Department of Criminal Investigations a funded employee position for a licensed Medical Examiner.
5. By the end of 2nd Quarter FY2022 the DPS Director shall prepare a comprehensive plan to attract and recruit students attending high schools within the Navajo Nation, into the Police Officer Training Program. The DPS Director shall provide a report regarding this task, both verbally and in writing, to the Law and Order Committee by the end of 2nd Quarter FY2022.
6. By the end of 2nd Quarter FY2022 the DPS Director shall prepare a plan for all Navajo Nation Police Officers, Rangers, Forestry Officers, and Fish and Wildlife Officers to be formally certified by the Navajo Nation after successfully completing the Police Officer Standards Training Program. The DPS Director shall provide a report regarding its progress with this task, both verbally and in writing, to the Law and Order Committee by the end of 2nd Quarter FY2022.
7. The Division of Public Safety Director shall provide the Navajo Nation Council ("NNC") a copy of all current Public Law ("P.L.") 93-638 law enforcement, criminal investigation, and detention contracts, and annual funding agreements and scopes of work. These documents shall be provided to the NNC by the end of the 1st Quarter of Fiscal Year 2022.

DIVISION OF NATURAL RESOURCES ("DNR")

DNR Administration and Navajo Land Department ("NLD"):

1. The DNR Director and the NLD Director shall work with the Department of Justice in preparing appropriate amendments to the Navajo Nation Land Acquisition Trust Fund ("LATF"), at 16 N.N.C. §§201 et seq., which amendments shall allow the expenditure of LATF interest income for operational, incidental, and other expenses that the Navajo Land Department deems necessary for the acquisition of real property for the Navajo Nation. Said amendments shall be readied by the end of 2nd Quarter FY2022, for presentation to the Navajo Nation Council at the April 2022 Spring Session.

EXECUTIVE BRANCH

Navajo-Hopi Land Commission Office ("NHLCO"):

1. The NHLCO Director shall coordinate with the federal Office of Navajo-Hopi Indian Relocation to provide for the remediation and renovation of the many dilapidated

homes and buildings in the East Mills/Little Silversmith area of the New Lands community, the Hard Rock area, and the Coalmine Mesa Chapter. The NHLCO Director shall provide a report regarding its progress with this task, both verbally and in writing, to the Navajo-Hopi Land Commission by the end of 2nd Quarter FY2022.

Office of Management and Budget (“OMB”):

1. By the end of 2nd Quarter FY2022, the Office of Management and Budget shall complete the Navajo Nation’s Budget Policies Manual and submit this to the Department of Justice for review.
2. Pursuant to CS-44-12, OMB was awarded \$400,000 to be used for an “Analysis and study of the Federal Budget/Performance Budget/Branches Structure Project.” The OMB Director shall report, in writing and verbally, the detailed results of the analysis and study of the Federal Budget/Performance Budget/Branches Structure Project to the Budget and Finance Committee by the end of the 1st Quarter of Fiscal Year 2022.

Office of the Controller (“OOC”) and Office of Management and Budget (“OMB”):

1. The OOC and OMB shall create appropriate Business Unit numbers for all capital improvement projects and other projects that have been fully funded with Navajo Nation Council appropriations during Fiscal Year 2021 and in the Comprehensive Budget for FY2022, and funded with other federal, state, or private funds. By the end of 2nd Quarter FY2022 the OOC and OMB shall provide a joint report, both verbal and in writing, to the Budget and Finance Committee, regarding the streamlining and expediting of the issuance of Business Unit numbers for said projects.

Office of the President and Vice-President

1. By the end of 2nd Quarter FY2022, the Youth Advisory Council (BU# 103021) in coordination with the Office of the President and Vice President (BU # 103001) shall prepare and present a proposed Plan of Operation for the Youth Advisory Council to the Naabik'iyáti' Committee.

ALL DIVISIONS, DEPARTMENTS, AND PROGRAMS:

~~All Navajo Nation Government Divisions, Departments, and Programs should implement the Americans With Disabilities Act, at 28 C.F.R. §35 and §36 (“ADA”), by ensuring the construction and installation of ADA-compliant equipment and facilities in all of their workplaces and publicly accessible areas, to the extent that the expenditures for such construction and installation are possible within their approved FY2022 Budgets. They should identify and list all equipment, furniture, buildings, offices, rooms, bathrooms, hallways, entrances, parking areas, and other facilities that, in order to be ADA-compliant, will require any construction, modification, installation, or replacement. They should also prepare an appropriate budget covering such expenditures. This ADA budget should be included in the Navajo Nation's Comprehensive Budget for FY2023; alternatively, the ADA budget should be the subject of a supplemental funding request(s) submitted to the Council as soon as possible during FY2022.~~

~~In addition, all Divisions, Departments, and Programs should work with the Department of Justice to amend their Plans of Operation or other enabling authorities, as necessary, to include ADA-related policies and procedures.~~

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~~All Divisions, Departments, and Programs should provide reports, both verbally and in writing, to the Health, Education, and Human Services Committee by the end of 2nd Quarter FY2022, which reports should explain their ongoing efforts and accomplishments in complying with this COA.~~

~~The Director of each Division, Department, and Program should be primarily responsible for the implementation and completion of this COA, for his/her Division, Department, or Program.~~

~~Notwithstanding the above, this COA should not apply to those Divisions, Departments, and Programs that already have ADA-compliant workplaces and public areas, and that submit proof of such compliance to their respective Oversight Committees by the end of 2nd Quarter FY2022.~~

INSTRUCTIONS TO ALL NAVAJO NATION DIVISION, DEPARTMENT, AND PROGRAM DIRECTORS

A **Condition of Appropriation** means a condition placed on an appropriation or expenditure by the Navajo Nation Council at the time the appropriation or expenditure is made, which requires performance of a specific task by a program within a specific time period within the fiscal year. The condition may require that failure to perform the specific tasks within the time period set out by the Navajo Nation Council will result in restrictions on future expenditure of the funds until the condition is met. See 12 N.N.C. §810(I), as amended by CS-52-17.

Failure to comply with a Condition of Appropriation may result in the following:

1. Based on its Quarterly COA Status Report, the Office of Management & Budget ("OMB") will immediately report a Program's non-compliance to the respective Division Director, appropriate Branch Chief, appropriate Oversight Committee and to the Budget and Finance Committee.
2. The OMB will notify the Budget and Finance Committee of any non-compliance. After consultation with the Program Director, the Office of the Controller, the OMB, and upon recommendation of the appropriate Oversight Committee, the Budget and Finance Committee may, by resolution, vote to:
 - (a) implement a freeze on the Program's expenditure of travel funds, or withhold up to 10% of the Program Director's gross salary;
 - (b) extend the time period for the Program to fulfill the condition; or
 - (c) vacate the condition if it is infeasible for the program to fulfill.
3. The Controller shall immediately freeze the Program's travel funds or withhold 10% of the gross salary of the Program Director of the responsible Program after 10 working days from the Budget and Finance Committee's resolution, provided that there has been no filing with the Office of Hearings and Appeals.
4. Prior to the approval of a COA in the comprehensive budget resolution, per 12 N.N.C. §820(R)(4), the Navajo Nation Council shall consult with the Director of the Program

required to fulfill the condition, as well as the Office of the Controller, and the Office of Management and Budget. This consultation shall include a discussion of the feasibility of the program fulfilling the condition within the time frame proposed by the Council, and any possible alternatives to the proposed condition.

LEGISLATIVE CONCERNS
FOR FY2022 - RELATED TO THE FOLLOWING
NAVAJO NATION DIVISIONS, DEPARTMENTS, AND PROGRAMS:

DEPARTMENT OF HEALTH (“DOH”)

DOH Administration:

1. DOH should provide a report to the Budget and Finance Committee regarding all payouts of Special Duty/Hazard Pay to DOH employees during FY2021. DOH should use any approved FY2021 carryover funds, and any other available funding sources, for prospective Special Duty/Hazard Pay payouts to DOH employees who worked on the job during Navajo Nation COVID-related shutdowns. This report should be presented to the Budget and Finance Committee by the end of 2nd Quarter FY2022.
2. DOH should ensure that all DOH legal settlements, liabilities, and interest payments related thereto, are fully and timely paid to claimants, as approved and directed by the Department of Justice. By the end of 2nd Quarter FY2022 the Director should provide a report to the Health, Education, and Human Services Committee regarding all such payouts and ongoing liabilities, if any.

Division of Aging and Long-Term Care Support (“DALTCS”):

1. DALTCS should prepare a plan to address the repairs, maintenance, and capital improvement needs for existing DALTCS facilities. This plan should include a description of all potential sources of funding from federal, state, Navajo Nation, and private sources. DALTCS should provide a report regarding this plan to the Health, Education, and Human Services Committee by the end of 3rd Quarter FY2022.
2. DALTCS should prepare a report explaining FY2021 funding shortfalls for utility payments, trash removal, and food shortages at DALTCS-operated Senior Centers, as well shortfalls for sufficient insurance coverage for DALTCS-operated vehicles. This report should be presented to the Health, Education, and Human Services Committee by the end of 2nd Quarter FY2022. DALTCS should work with the Department of Justice to determine whether such expenses are considered "fixed costs" as defined in the FY2022 BIM, and should prepare an appropriate budget that adequately covers all such expenses, which budget should be included in the FY2023 Comprehensive Budget; alternatively, such expenses should be the subject of a supplemental funding request(s) submitted to the Council.

VETERANS ADMINISTRATION (“VA”)

VA Administration:

1. The VA Director should prepare a plan explaining how veterans’ organizations at various Chapters can be involved in the distribution of funding appropriated to the Navajo Nation Veterans Administration. The VA Director should complete this plan

and provide a report, both verbally and in writing, to the Health, Education, and Human Services Committee by the end of 2nd Quarter FY2022.

2. The VA Director should research and prepare a comprehensive count of all living Navajo veterans, categorized by each Agency and by each Chapter. The VA Director should provide a report regarding this census, both verbally and in writing, to the Health, Education, and Human Services Committee by the end of 2nd Quarter FY2022.

DIVISION OF HUMAN RESOURCES (“DHR”)

Department of Personnel Management (“DPM”):

1. DPM should provide a report describing the total number of vacant employee positions within all Divisions, Departments, and Programs within the Navajo Nation Government, including the total dollar amount allocated for those vacant positions. This report should be presented to the Health, Education, and Human Services Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.

Office of Vital Records (“OVR”):

1. OVR should prepare a plan to address the ongoing difficulties experienced by many applicants for funding under the Navajo Nation CARES Act Hardship Assistance Program, related to the prompt and timely issuance of CIBs. OVR should provide a report regarding its progress to the Health, Education, and Human Services Committee by the end of 2nd Quarter FY2022.

DEPARTMENT OF DINÉ EDUCATION (“DODE”)

Board of Education:

1. Pursuant to the requirements of Navajo Nation Law, the Navajo Board of Education should forward a resolution, drafted without any conditions, providing for the appointment of a DODE Superintendent and for his/her confirmation by the Council.

DIVISION OF SOCIAL SERVICES (“DSS”)

DSS Administration:

1. DSS should work with the Division of Public Safety and the Department of Justice/Office of the Prosecutor to plan and establish a Child Advocacy Center for the Navajo Nation. DSS should provide a report regarding its progress to the Naabik’iyáti’ Committee by the end of 2nd Quarter FY2022.
2. DSS should work with the Department of Family Services/Family Harmony Program to provide support to families of missing persons. DSS should provide a report regarding its progress to the Naabik’iyáti’ Committee by the end of 2nd Quarter FY2022.

3. DSS should work with the Division of Human Resources and the Division of General Services to identify a suitable building that can be occupied and used for newly established DSS programs. DSS should provide a report regarding its progress to the Naabik'iyáti' Committee by the end of 2nd Quarter FY2022.
4. DSS should work with the Office of the Controller and the Department of Justice in preparing a Fund Management Plan for Social Security Act Title IV-E federal funding for foster care, adoption assistance, and relative guardianship payments. DSS should prepare a plan to address the need for timely processing of Title IV-E reimbursement claims and payments, and to address other Title IV-E compliance issues.

DIVISION OF GENERAL SERVICES ("DGS")

DGS Administration:

1. DGS should prepare a plan for the sale or auction of the hundreds of fleet vehicles that are unused or inoperable and are currently being stored. DGS should provide a report regarding this plan and its implementation, both verbally and in writing, to the Health, Education, and Human Services Committee and the Budget and Finance Committee by the end of 3rd Quarter FY2022.
2. DGS should prepare a plan to address the repeated DGS audit findings issued by the Office of the Auditor General. DGS should provide a report regarding this plan, both verbally and in writing, to the Health, Education, and Human Services Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.

JUDICIAL BRANCH

1. The Judicial Branch should work with the Department of Justice/Office of the Prosecutor, the Division of Public Safety, the Office of the Public Defender, and other entities as appropriate, to mitigate the serious problem of extreme delays in scheduling and hearing cases, and to address ongoing problems with the proper collection, receipt, safekeeping, recording, tracking, and production of documents and evidence related to pending cases. The Judicial Branch should implement all appropriate measures to improve the administration of justice with respect to all aspects of its daily operations and its interactions with litigants, witnesses, practicing attorneys, and advocates. The Judicial Branch should work diligently toward the goal of increasing public respect and confidence in the Navajo Nation's court system. The Judicial Branch should provide a report regarding its progress, both verbally and in writing, to the Law and Order Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.
2. The Judicial Branch should research and prepare an inventory and listing of all judicial facilities across the Navajo Nation. The Judicial Branch should provide a report regarding the need for construction of new facilities, or the renovation or expansion of existing facilities, including the identification of which facilities are considered urgent priorities. The Judicial Branch should provide a report regarding its progress, both verbally and in writing, to the Law and Order Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.

3. The Court Administrator at each Navajo Nation Judicial District should review, assess, and evaluate the activities of their Peacemaking Programs and should prepare a report regarding the effectiveness of their Peacemaking Programs at resolving and settling disputes. The Judicial Branch should provide a report regarding its progress, both verbally and in writing, to the Law and Order Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.
4. The Piñon Court Administrator and Piñon Court Judge should be involved in the planning of the new Piñon Court facility. The Judicial Branch should provide a report regarding its progress, both verbally and in writing, to the Law and Order Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.

LABOR COMMISSION

1. The Labor Commission should revise its old and outdated policies and rules, and should draft necessary and appropriate amendments to those Navajo Nation Code provisions that affect the cases and proceedings before the Labor Commission. The Labor Commission should provide a report regarding its progress, both verbally and in writing, to the Law and Order Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.

DIVISION OF COMMUNITY DEVELOPMENT ("DCD")

1. DCD should prepare a report explaining how Local-Governance-Certified Chapters can receive a 3% general wage adjustment for their Chapter employees, calculated as 3% of each Chapter's average employee wage/ salary. DCD should provide a report regarding this task, both verbally and in writing, to the Resources and Development Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.
2. DCD should work with Chapter officials and staff to review and revise the current job descriptions for Chapter Managers, so that such descriptions are consistent with the job descriptions for Chapter Coordinators. DCD should provide a report regarding this task, both verbally and in writing, to the Resources and Development Committee and the Budget and Finance Committee by the end of 2nd Quarter FY2022.
3. DCD should work with the Department of Justice, the Office of Management and Budget, and other Navajo Nation governmental entities in preparing a report regarding fixed costs for Chapter operations. The report should explain the statutory and regulatory changes needed to allow an expanded definition of "fixed costs" in the BIM for governance-certified Chapters. DCD should provide such report, both verbally and in writing, to the Budget and Finance Committee by the end of 2nd Quarter FY2022.

ENVIRONMENTAL PROTECTION AGENCY ("EPA")

1. EPA should address the need for hiring Resource Enforcement Officers by looking into using the Drought Insurance Fund to pay employee position wages and salaries. EPA

should provide a report describing its progress, both verbally and in writing, to the Resources and Development Committee by the end of 2nd Quarter FY2022.

2. EPA should engage in recruitment and hiring activities to fill vacant employee positions, and should provide a report regarding its progress to the Resources and Development Committee by the end of 3rd Quarter FY2022.

LEGISLATIVE BRANCH:

1. The Office of the Auditor General should perform an audit of the Office of the Speaker, particularly focusing on the lack of proper documentation for certain expenditures, such as expenses for food/meals when no Council or Committee meetings are held; excessive travel resulting in budget shortfalls; payments of employee bonuses; and budget transfers. The audit period should be determined by the Navajo Nation Council. This audit should specifically identify all offending programs and individuals by name. The Office of Legislative Counsel and the Office of the Speaker should cooperate with the audit procedures and freely provide all relevant information regarding potentially improper or illegal expenditures. The Office of the Auditor General should provide the audit report describing its progress, both verbally and in writing, to the Budget and Finance Committee and the Naabik'iyati' Committee by the end of 2nd Quarter FY2022.

EXECUTIVE BRANCH

Department of Justice ("DOJ"):

1. The Attorney General shall report, verbally and in writing, to the Navajo Nation Council, in Executive Session if necessary, on (1) the status on any appeals or litigation, past or present, concerning E-Rate funding or eligibility funding; (2) what Navajo Nation government entities, specifically Chapters, are eligible to apply for E-Rate funding; and (3) the result or status of any litigation related to OnSat, by no later than the end of the 1st Quarter of FY2022.

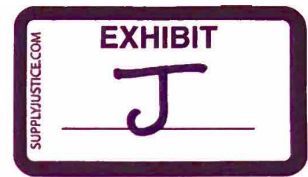
Office of the President and Vice-President ("OP/VP"):

1. By the end of 2nd Quarter FY2022 the OP/VP should provide a report to the Naabik'iyati' Committee regarding the ongoing activities and issues experienced by the Subcommittee on the Missing and Murdered Persons.
2. The OP/VP should work with the Division of Public Safety/Missing Persons Unit in preparing a comprehensive plan to better publicize cases of missing Navajo persons by funding the purchase of billboards and print media such as posters, newspaper ads and flyers, and by engaging in media outreach via all forms of broadcast, internet, and other media. The OP/VP should provide a report regarding this plan and its implementation, both verbally and in writing, to the Naabik'iyati' Committee by the end of 2nd Quarter FY2022.
3. The OP/VP should work with the Missing Persons Unit and other appropriate federal, state/county, and tribal governmental entities, as well as private organizations, to

provide appropriate support services for victims, their families, and affected communities. The OP/VP should provide a report regarding its progress, both verbally and in writing, to the Naabik'iyáti' Committee by the end of 2nd Quarter FY2022.

Office of the Controller (“OOC”) and Office of Management and Budget (“OMB”)

1. The OOC and OMB should immediately create appropriate Business Unit numbers for all capital improvement projects and other projects that have been fully funded with Navajo Nation Council appropriations during Fiscal Year 2021 and in the Comprehensive Budget for FY2022, and funded with other federal, state, or private funds. By the end of 2nd Quarter FY2022 the OOC and OMB should provide a joint report, both verbal and in writing, to the Budget and Finance Committee, regarding the streamlining and expediting of the issuance of Business Unit numbers for said projects.



THE NAVAJO NATION

Fiscal Year 2022

Comprehensive Budget



Tsé ligai niti' (White Rock Trail), Arizona



Prepared by:
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NAVAJO NATION

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9/10/2021

Navajo Nation Council Budget Session

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Amd# to Amd#	Legislation 0182-21: Approving	PASSED
MOT Begay, K	the Navajo Nation Fiscal Year	
SEC Yazzie	2022 Comprehensive Budget;	
	Waiving 12 N.N.C. SS 820(1).....	

Yeas : 18

Nays : 3

Excused : 0

Not Voting : 2

Yea : 18

Begay, E	Halona, P	Stewart, W	Walker, T
Begay, P	Henio, J	Tso	Wauneka, E
Brown	Nez, R	Tso, C	Yazzie
Daniels	Slater, C	Tso, E	Yellowhair
Freeland, M	Smith		

Nay : 3

Tso, D	Charles-Newton	Crotty
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Excused : 0

Not Voting : 2

James, V	Begay, K
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Presiding Speaker: Damon