

RESOLUTION OF THE

NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE  
23RD NAVAJO NATION COUNCIL - Fourth Year, 2018

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; CONCURRING WITH THE NAVAJO NATION PRESIDENT'S DONATION ACCEPTANCE FROM BNSF RAILWAY FOUNDATION ON BEHALF OF THE NAVAJO NATION VETERANS ADMINISTRATION; AND DIRECTING THE NAVAJO NATION VETERANS ADMINISTRATION TO RECORD THE DONATION WITH THE ETHICS AND RULES OFFICE.

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation President is authorized to accept gifts to the Navajo Nation with the Naabik'íyáti' Committee's concurrence. 2 N.N.C. § 1010.

SECTION TWO. FINDING

- A. The BNSF Railway Foundation (the Foundation) made a \$10,000.00 donation to the Navajo Nation to be used for its veterans' programs. A letter from BNSF detailing the donation is included in **Exhibit A**.
- B. The President of the Navajo Nation previously accepted the donation from the Foundation. The acceptance is attached as **Exhibit B**.

SECTION THREE. ACCEPTANCE

- A. The Naabik'íyáti' Committee concurs with the Navajo Nation President's acceptance of \$10,000.00 from BNSF Railway Foundation.
- B. The Navajo Nation directs the Navajo Nation Veterans Administration to record the receipt of \$10,000.00 from the BNSF Railway Foundation with the Ethics and Rules Office as required by 2 N.N.C. § 1012.

**CERTIFICATION**

I, hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 13 in Favor and 00 Opposed, on this 22<sup>nd</sup> day of February, 2018.



LoRenzo C. Bates, Chairperson  
Naabik'iyáti' Committee

Motion: Honorable Davis Filfred  
Second: Honorable Leonard Tsosie

Chairperson Bates not voting



Zak A. Andersen  
President

**SCANNED**  
5/16/2018 01:18  
**E-MAILED**  
1/18/18  
A  
BNSF Railway Foundation  
P.O. Box 981057  
Fort Worth, TX 76161-0057  
2500 Lou Menk Dr. AOB-2  
Fort Worth, TX 76131-2830  
817-867-6250  
817-352-7924 fax  
Zak.andersen@bnsf.com

January 8, 2018

Mr. Kelsey A. Begaye  
President  
The Navajo Nation  
P. O. Box 7440  
Window Rock, AZ 86515



**EXHIBIT "A"**

RE: Request ID 43308  
Request Project Title: Navajo Veterans programs  
Request Date: 12/6/2016

Dear Mr. Begaye,

On behalf of the BNSF Railway Foundation (the Foundation), please accept the enclosed \$10,000 contribution towards the Navajo Veterans programs. This unsolicited gift is given in conjunction with the 2016 BNSF Railway Holiday Express. This check and accompanying letter supersede and replace our previous check #17827 dated 12/7/2016, which was lost and subsequently voided.

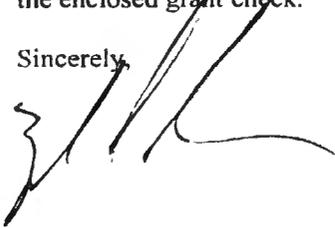
We would like to inform you of the following terms and conditions that apply to this grant:

- The Navajo Nation warrants that it is an Indian tribe described in the IRC section 7871 and being listed in Revenue Procedure 2002-64, and as a result it and its political subdivisions (including the Navajo Veterans Program) are determined by the IRS to be organizations to which contributions may be tax deductible.
- These grant funds may not be used to lobby or otherwise attempt to influence legislation, to influence the outcome of any public election, or to carry on any voter registration drive. The Navajo Nation accepts full responsibility for compliance with terms and conditions in the agreement and must exercise full control over the grant and the expenditure of grant funds.
- At the Foundation's request, The Navajo Nation must promptly provide such additional information, reports and documents. For the purposes of conducting financial reviews, verifications, or program evaluations, The Navajo Nation will allow the Foundation and its representatives to have reasonable access during regular business hours to files, records, accounts, or personnel associated with this grant, as deemed necessary by the Foundation.
- The Foundation reserves the right to discontinue, modify, or withhold any payments to be made under this grant award or to require a total or partial refund of any grant funds if the Foundation, in its sole discretion, determines that such action is necessary:
  - Because The Navajo Nation has not fully complied with the terms and conditions of this grant,

- To protect the purpose and objectives of the grant or any other charitable activities of the Foundation, or
- To comply with any law or regulation applicable to The Navajo Nation, the Foundation, or this grant.
- The Navajo Nation's deposit, negotiation, or endorsement of the enclosed check constitutes its agreement to the terms and conditions set forth above.

If you have any questions, please contact Deanna Dugas, Manager, BNSF Railway Foundation, at (817) 867-6458 or at [deanna.dugas@bnsf.com](mailto:deanna.dugas@bnsf.com). We extend our best wishes for your continued success and look forward to hearing of your accomplishments during the coming years. It is a pleasure to be among your current supporters. If you would like to publicize this grant, please feel free to do so. Also, you may apply again for future grant consideration one year from the date on the enclosed grant check.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Dugas', written over a horizontal line.

19862

**BNSF RAILWAY FOUNDATION**

**The Northern Trust Company**  
Chicago, IL 0710  
Payable Through  
Northern Trust Bank/DuPage  
Oakbrook Terrace, IL  
70-2382/719

U.S. Dollar Check Fraud  
Indicates to Suspect

1/8/2018

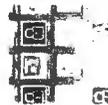
PAY TO THE ORDER OF The Navajo Nation

\$ 10,000.00

Ten Thousand and 0/100ths

DOLLARS

VOID AFTER 120 DAYS



*[Handwritten Signature]*

AUTHORIZED SIGNATURE

MEMO

⑈019862⑈ ⑆071923828⑆ 0002743132⑈

Security features. Details on back.



**NAVAJO NATION**

RCS# 797

Naa'bik'iyati Committee

2/22/2018  
12:26:54 PM

Amd# to Amd#

Legislation 0476-17:

**PASSED**

MOT Filfred

Concurring with Navajo Nation

SEC Tsosie

President's Donation Acceptance  
from BNSF Railway Foundation...

**Yea : 13**

**Nay : 0**

**Excused : 0**

**Not Voting : 11**

**Yea : 13**

Begay, K

Chee

Hale

Smith

Begay, S

Crotty

Jack

Witherspoon

BeGaye, N

Daniels

Slim

Yazzie

Bennett

**Nay : 0**

**Excused : 0**

**Not Voting : 11**

Bates

Damon

Pete

Tso

Begay, NM

Filfred

Phelps

Tsosie

Brown

Perry

Shepherd