

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0091-25

SPONSOR: Carl R. Slater

TITLE: An Action Relating to Budget and Finance and Naabik'íyáti' Committees, and the Navajo Nation Council; Approving \$579,295 from the Unreserved, Undesignated Fund Balance ("UUFB") to the Navajo Nation Washington Office to Fund its Unmet Needs for the Remainder of Fiscal Year 2025; Waiving 12 N.N.C. § 820 (E), § 820 (F), § 820 (J), and § 820 (L)

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0091-25

DATE: May 20, 2025

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; APPROVING \$579,295 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUFb") TO THE NAVAJO NATION WASHINGTON OFFICE TO FUND ITS UNMET NEEDS FOR THE REMAINDER OF FISCAL YEAR 2025; WAIVING 12 N.N.C. § 820 (E), § 820 (F), § 820(J), AND § 820 (L)

PURPOSE: This proposed resolution will approve supplemental appropriation in the amount of \$579,295 from the Unreserved, Undesignated Fund Balance for the Navajo Nation Washington Office to fund its unmet needs for the remainder of FY2025.

FINAL AUTHORITY: Navajo Nation Council

VOTING REQUIREMENT: 2/3 Vote

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

5-DAY BILL HOLD PERIOD:
Website Posting Time/Date:
Posting End Date: 05-26-25
Eligible for Action: 05-27-25

Budget & Finance Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL - Third Year, 2025

INTRODUCED BY:

(Prime Sponsor)

TRACKING NO. 0091-25

AN ACTION

RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES,
AND THE NAVAJO NATION COUNCIL; APPROVING \$579,295 FROM THE
UNRESERVED, UNDESIGNATED FUND BALANCE ("UUFB") TO
THE NAVAJO NATION WASHINGTON OFFICE TO FUND ITS UNMET NEEDS
FOR THE REMAINDER OF FISCAL YEAR 2025; WAIVING 12 N.N.C. § 820 (E),
§ 820 (F), § 820(J), AND § 820 (L)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Budget and Finance Committee was established as a standing committee of the Navajo Nation Council with the authority to review and recommend to the Council the budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 300(A), § 301(B)(2).
- B. The Naabik'iyáti' Committee was established as a standing committee of the Navajo Nation Council with the authority to hear all proposed resolutions that require final action by the Navajo Nation Council. 2 N.N.C. § 164 (A)(9), § 700(A).
- C. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A). As such, the Council “. . . may adopt and approve supplemental appropriations to the Annual Comprehensive Budget during the fiscal year.

1 Supplemental appropriations of General Funds within the current fiscal year are
2 permitted, if and when additional sources of revenues above and beyond the initial or
3 current revenue projections are projected and which are also in excess of the reserve
4 amount set forth at § 820(J).” 12 N.N.C. § 820(L).

5 D. The restrictions on supplemental appropriations, including all amounts from the
6 UUFB, include:

- 7 1. Payment of recurring government operating expenses shall be from recurring
8 revenues, and payment of nonrecurring expenses shall be from nonrecurring
9 revenues such as UUFB funds. 12 N.N.C. § 820(E), § 820(F).
- 10 2. Specifically, the UUFB shall not be used for recurring government
11 expenditures or operations. 12 N.N.C. § 820(J), § 820(L).
- 12 3. Nonrecurring revenues such as UUFB funds may be used only after the
13 Controller determines whether or not such revenues are subsidizing an
14 imbalance between the Navajo Nation’s recurring revenues and expenditures,
15 and government expenditures shall only be authorized if a long-term (3-year
16 to 5-year year) forecast shows that the operating deficit will not continue;
17 otherwise, nonrecurring revenues will be added to the Unreserved,
18 Undesignated Fund Balance. 12 N.N.C. § 820(F).
- 19 4. The above provisions in Title 12 may be amended or waived by a two-thirds
20 vote of the full Navajo Nation Council. 12 N.N.C. § 820(F).
- 21 5. In compliance with 12 N.N.C. § 820(F), all UUFB funding requests must be
22 reviewed by the Controller. Such review is also required because the
23 Controller determines which revenues and expenses are recurring and which
24 are non-recurring. 12 N.N.C. § 820(L).
- 25 6. In compliance with 12 N.N.C. § 820(B) and (M), all UUFB funding requests
26 must be submitted to the Office of Management and Budget (“OMB”) for a
27 budget impact analysis.
- 28 7. Pursuant to 12 N.N.C. § 820(N)(4), UUFB appropriations revert to the
29 General Fund at the end of the fiscal year unless the Navajo Nation Council
30 waives such reversion by a 7/8 vote.

1 **SECTION TWO. FINDINGS.**

- 2 A. The Navajo Nation Washington Office (“NNWO”) is requesting \$579,295 in
3 supplemental funding from the UUFB to fund its unmet needs for the remainder of
4 Fiscal Year 2025. A memo from the NNWO explaining its funding shortfall for FY
5 2025 is attached as **Exhibit A**.
- 6 B. The Navajo Nation Washington Office has provided the required Navajo Nation
7 budget forms, along with the Appendix J - Supplemental Funding Proposal Summary.
8 Budget Forms are attached as **Exhibit B**.
- 9 C. The Office of the Controller has provided a memorandum as required by 12 N.N.C.
10 §820(L), indicating that the proposed expenditures are *recurring*. The Controller
11 Memo is attached as **Exhibit C**.
- 12 D. The Office of Management and Budget has provided its memorandum as required by
13 12 N.N.C. §820(M). The OMB Memo is attached as **Exhibit D**.
- 14

15 **SECTION THREE. APPROVAL OF \$579,295 FROM THE UUFB TO THE**
16 **NAVAJO NATION WASHINGTON OFFICE TO FUND ITS UNMET NEEDS**
17 **THE REMAINDER OF FY2025**

- 18 A. The Navajo Nation hereby approves supplemental appropriation in the amount of
19 \$579,295 from the Unreserved, Undesignated Fund Balance for the Navajo Nation
20 Washington Office to fund its unmet needs for the remainder of FY2025, in accordance
21 with the attached **Exhibit B**.
- 22 B. This supplemental appropriation approved herein shall be from those funds that exceed
23 the minimum fund reserve balance of the UUFB required by 12 N.N.C. § 820(J).
- 24 C. Upon the effective date of this resolution, the approved UUFB funds shall be promptly
25 transferred into those budget line items listed in the attached **Exhibit B**.
- 26 D. Pursuant to 12 N.N.C. §820(N), any amount of the \$579,295 approved herein that
27 remains unspent or unencumbered at the end of FY2025 shall revert to the General
28 Fund, unless Council waives such reversion by a 7/8 vote prior to the date in which the
29 funds are scheduled to revert.
- 30

1 **SECTION FOUR. WAIVING 12 N.N.C. § 820(E), § 820(F), § 820(J), AND § 820(L)**
2 **TO ALLOW USE OF UUFB FUNDS FOR RECURRING EXPENSES**

3 The Navajo Nation hereby waives 12 N.N.C. § 820(E), § 820(F), § 820(J), and 820(L) to
4 allow use of the UUFB for the unmet needs of the Navajo Nation Washington Office, as
5 shown in **Exhibit B**. These waivers are necessary because the proposed UUFB
6 expenditures are considered recurring government expenses.

7
8 **SECTION FIVE. EFFECTIVE DATE**

9 This Action shall become effective in accordance with 2 N.N.C. §221(B) and 2 N.N.C.
10 §164(A)(17).

11
12 **SECTION SIX. SAVING CLAUSE**

13 If any portion of this Action is determined invalid by the Navajo Nation Supreme Court,
14 or by a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme
15 Court, the remainder of this Action shall be the law of the Navajo Nation.