

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0172-25\_

SPONSOR: Arbin Mitchell

**TITLE: An Action Relating to Resources and Development, Budget and Finance and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving \$10,000,000 from the Unreserved, Undesignated Fund Balance ("UUFB") for the Navajo Department of Transportation to fund Route N9402 Road Improvement for the Communities of Houck, Tsé Sí Aní and Nahata Dził**

***Date posted:*** July 08, 2025 at 1:57PM

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

Written comments may be mailed to:

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

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

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

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0172-25

**DATE:** July 07, 2025

**TITLE OF RESOLUTION:** AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; APPROVING \$10,000,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUF") FOR THE NAVAJO DEPARTMENT OF TRANSPORTATION TO FUND ROUTE N9402 ROAD IMPROVEMENT FOR THE COMMUNITIES OF HOUCK, TSE SI ANI AND NAHATA DZIIL

**PURPOSE:** This proposed resolution will approve \$10,000,000 from the Unreserved, Undesignated Fund Balance for the Navajo Department of Transportation to fund Route N9402 road improvement for the communities of Houck, Tse Si Ani and Nahata Dziil.

**FINAL AUTHORITY:** Navajo Nation Council

**VOTE REQUIREMENT:** Simple Majority

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

5-DAY BILL HOLD PERIOD: AM M. K. M.  
Website Posting Time/Date: 1:57 PM 07-08-25  
Posting End Date: 07-13-25  
Eligible for Action: 07-14-25

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
25<sup>th</sup> NAVAJO NATION COUNCIL - Third Year, 2025

Introduced by:



(Prime Sponsor)

Tracking No. 0172-25

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE  
AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL;  
APPROVING \$10,000,000 FROM THE UNRESERVED, UNDESIGNATED FUND  
BALANCE ("UUF") FOR THE NAVAJO DEPARTMENT OF TRANSPORTATION  
TO FUND ROUTE N9402 ROAD IMPROVEMENT FOR THE COMMUNITIES OF  
HOUCK, TSE SI ANI AND NAHATA DZIL

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Resources and Development Committee is established as a Navajo Nation Council standing committee with oversight for the land, communications, and utilities to establish Navajo Nation policy with respect to the optimum utilization of all Navajo Nation resources and to protect the rights, interest, sacred sites and freedoms of the Navajo Nation and People to such resources, now and for future generations. 2 N.N.C. § 500(A); 2 N.N.C. § 500(C) (2).

B. 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).

- 1 C. The Naabik'iyáti' Committee was established as a standing committee of the Navajo  
2 Nation Council with the authority to hear all proposed resolutions that require final  
3 action by the Navajo Nation Council. 2 N.N.C. § 164 (A)(9), § 700(A).
- 4 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §  
5 102(A). As such, the Council “. . . may adopt and approve supplemental  
6 appropriations to the Annual Comprehensive Budget during the fiscal year.  
7 Supplemental appropriations of General Funds within the current fiscal year are  
8 permitted, if and when additional sources of revenues above and beyond the initial or  
9 current revenue projections are projected and which are also in excess of the reserve  
10 amount set forth at § 820(J).” 12 N.N.C. § 820(L).
- 11 E. The restrictions on supplemental appropriations, including all amounts from the  
12 UUFB, include:
- 13 1. Payment of recurring government operating expenses shall be from recurring  
14 revenues, and payment of nonrecurring expenses shall be from nonrecurring  
15 revenues such as UUFB funds. 12 N.N.C. § 820(E), § 820(F).
  - 16 2. Specifically, the UUFB shall not be used for recurring government  
17 expenditures or operations. 12 N.N.C. § 820(J), § 820(L).
  - 18 3. Nonrecurring revenues such as UUFB funds may be used only after the  
19 Controller determines whether or not such revenues are subsidizing an  
20 imbalance between the Navajo Nation's recurring revenues and expenditures,  
21 and government expenditures shall only be authorized if a long-term (3-year  
22 to 5-year) forecast shows that the operating deficit will not continue;  
23 otherwise, nonrecurring revenues will be added to the Unreserved,  
24 Undesignated Fund Balance. 12 N.N.C. § 820(F).
  - 25 4. The above provisions in Title 12 may be amended or waived by a two-thirds  
26 vote of the full Navajo Nation Council. 12 N.N.C. § 820(F).
  - 27 5. In compliance with 12 N.N.C. § 820(F), all UUFB funding requests must be  
28 reviewed by the Controller. Such review is also required because the  
29 Controller determines which revenues and expenses are recurring and which  
30 are non-recurring. 12 N.N.C. § 820(L).

6. In compliance with 12 N.N.C. § 820(B) and (M), all UUFB funding requests must be submitted to the Office of Management and Budget ("OMB") for a budget impact analysis.

7. Pursuant to 12 N.N.C. § 820(N)(4), UUFB appropriations revert to the General Fund at the end of the fiscal year unless the Navajo Nation Council waives such reversion by a 7/8 vote.

## **SECTION TWO. FINDINGS**

A. The Navajo Department of Transportation is requesting \$10,000,000 in supplemental funding from the UUFB to fund Route N9402 road improvement project to include Nahata Dziil, Houck, and Tse Ani Chapters. Appendix J - Supplemental Funding Proposal Summary is attached as **Exhibit A**.

B. The Navajo Department of Transportation has provided the required Navajo Nation budget forms attached as **Exhibit B**.

C. The Office of the Controller has provided a memorandum as required by 12 N.N.C. §820(L), indicating that the proposed expenditures are *non-recurring*. The Controller's memo is attached as **Exhibit C**.

D. The Office of Management and Budget has provided its budget impact analysis as required by 12 N.N.C. §820(M). The OMB memo is attached as **Exhibit D**.

## **SECTION THREE. APPROVAL OF \$10,000,000 FROM THE UUFB FOR THE NAVAJO DEPARTMENT OF TRANSPORTATION TO FUND ROUTE N9402 ROAD IMPROVEMENT FOR THE COMMUNITIES OF HOUCK, TSE SI ANI AND NAHATA DZIIL**

A. The Navajo Nation hereby approves supplemental appropriation in the amount of \$10,000,000 from the Unreserved, Undesignated Fund Balance for the Navajo Department of Transportation to fund Route N9402 road improvement project for the communities of Houck, Tse Si Ani and Nahata Dziil, in accordance with the attached **Exhibit B**.

B. This supplemental appropriation approved herein shall be from those funds that exceed

1 the minimum fund reserve balance of the UUFB required by 12 N.N.C. § 820(J).

2 C. Pursuant to 12 N.N.C. §820(N), any amount of the \$10,000,000 approved herein that  
3 remains unspent or unencumbered at the end of FY2025 shall revert to the General  
4 Fund, unless Council waives such reversion by a 7/8 vote prior to the date in which the  
5 funds are scheduled to revert.

6  
7 **SECTION FOUR. EFFECTIVE DATE**

8 This Action shall become effective in accordance with 2 N.N.C. §221(B).

9  
10 **SECTION FIVE. SAVING CLAUSE**

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