

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0259-25\_

SPONSOR: Vince R. James

**TITLE: An Action Relating to Health, Education and Human Services, Budget and Finance, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving \$3,878,184 from the Unreserved, Undesignated Fund Balance ("UUFB") for the Department of Diné Education to Fund a Supplemental Fiscal Need for Operations for Fiscal Year 2026; Waiving 12 N.N.C. § 820(E), § 820(F), § 820(J), and § 820(L)**

***Date posted:*** November 17, 2025 at 7:10PM

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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0259-25

**DATE:** November 17, 2025

**TITLE OF RESOLUTION:** AN ACTION RELATING TO HEALTH, EDUCATION, AND HUMAN SERVICES, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; APPROVING \$3,878,184 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUF") FOR THE NAVAJO NATION DEPARTMENT OF DINÉ EDUCATION TO FUND A SUPPLEMENTAL FISCAL NEED FOR OPERATIONS FOR FISCAL YEAR 2026; WAIVING 12 N.N.C. §820(E), §820(F), §820(J), AND §820(L)

**PURPOSE:** This proposed resolution will approve \$3,878,184 from the Unreserved, Undesignated Fund Balance for the Navajo Nation Department of Diné Education to fund operations for FY2026.

**FINAL AUTHORITY:** Navajo Nation Council

**VOTE REQUIREMENT:** 2/3 vote of the Navajo Nation Council

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.

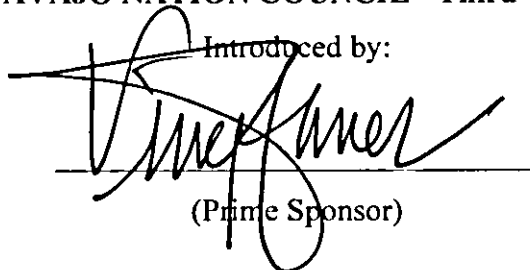
5-DAY BILL HOLD PERIOD: Adrian  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 11-22-25  
Eligible for Action: 11-23-25

Health Education & Human Services 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. 0259-25

AN ACTION

RELATING TO HEALTH, EDUCATION, AND HUMAN SERVICES, BUDGET AND  
FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION  
COUNCIL; APPROVING \$3,878,184 FROM THE UNRESERVED, UNDESIGNATED  
FUND BALANCE ("UUFBS") FOR THE DEPARTMENT OF DINÉ EDUCATION TO  
FUND A SUPPLEMENTAL FISCAL NEED FOR OPERATIONS FOR FISCAL YEAR  
2026; WAIVING 12 N.N.C. §820(E), §820(F), §820(J), AND §820(L)

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council with oversight authority of the Navajo Nation Department of Diné Education. 2 N.N.C. § 400(A) and § 401(C)(1).
- B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council and has the authority to review and recommend to the Council the budgeting, appropriation, investment and management of all funds. 2 N.N.C. § 300(A) and § 301(B)(2).
- C. The Naabik'iyáti' Committee is 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) and § 700(A).

1 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §  
2 102(A). As such, the Navajo Nation Council “may adopt and approve supplemental  
3 appropriations to the Annual Comprehensive Budget during the fiscal year.  
4 Supplemental appropriations of General Funds within the current fiscal year are  
5 permitted, if and when additional sources of revenues above and beyond the initial or  
6 current revenue projections are projected and which are also in excess of the reserve  
7 amount set forth at § 820(J).” 12 N.N.C. § 820(L).

8 E. The restrictions on supplemental appropriations, including all amounts from the  
9 UUFB, include:

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

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

5           **SECTION TWO. FINDINGS.**

- 6           A. The Navajo Department of Diné Education is requesting \$3,878,184 in supplemental  
7           funding from the UUFB to fund its unmet needs for Fiscal Year 2026. A memo and  
8           information packet from the Navajo Department of Diné Education explaining its  
9           unmet needs for FY 2026 are attached as **Exhibit A**.
- 10          B. The Navajo Department of Diné Education has provided the required Navajo Nation  
11          budget forms, along with the Appendix J - Supplemental Funding Proposal Summary.  
12          Budget Forms are attached as **Exhibit B**.
- 13          C. The Office of the Controller provided a memorandum as required by 12 N.N.C.  
14          §820(L), indicating that the proposed expenditures are both recurring and non-  
15          recurring expenditures. The Controller's Memo is attached as **Exhibit C**.
- 16          D. The Office of Management and Budget provided its memorandum as required by 12  
17          N.N.C. §820(M). The OMB Memo is attached as **Exhibit D**.
- 18

19           **SECTION THREE. APPROVAL OF \$3,878,184 FROM THE UUFB FOR THE**  
20           **NAVAJO DEPARTMENT OF DINÉ EDUCATION TO FUND ITS UNMET**  
21           **NEEDS FOR FY2026**

- 22          A. The Navajo Nation hereby approves supplemental appropriation in the amount of  
23          \$3,878,184 from the UUFB for the Navajo Department of Diné Education to fund its  
24          unmet needs for FY2026, in accordance with the attached **Exhibit B**.
- 25          B. This supplemental appropriation approved herein shall be from those funds that exceed  
26          the minimum fund reserve balance of the UUFB required by 12 N.N.C. § 820(J).
- 27          C. Upon the effective date of this resolution, the approved UUFB funds shall be promptly  
28          transferred into those budget line items listed in the attached **Exhibit B**.
- 29          D. Pursuant to 12 N.N.C. §820(N), any amount of the \$3,878,184 approved herein that  
30          remains unspent or unencumbered at the end of FY2026 shall revert to the General

1 Fund, unless Council waives such reversion by a 7/8 vote prior to the date in which the  
2 funds are scheduled to revert.

3  
4 **SECTION FOUR. WAIVING 12 N.N.C. §820(E), §820(F), §820(J), and §820(L)**

5 The Navajo Nation waives 12 N.N.C. §820(E), §820(F), §820(J), and §820(L) to allow  
6 UUFB funds to be used for DODE's recurring expenditures for FY 2026.

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.