

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0029-26_

SPONSOR: George H. Tolth

TITLE: An Action Relating to an Emergency for the Navajo Nation Council; Approving \$6,000,000 from the Unreserved, Undesignated Fund Balance ("UUFb") for 110 Navajo Nation Chapters to Provide Emergency Assistance for Fiscal Year 2026; Waiving 12 N.N.C. § 820 (E), § 820 (F), § 820 (J), and § 820 (L)

Date posted: January 29, 2026 at 5:53PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0029-26

DATE: January 29, 2026

AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION COUNCIL; APPROVING \$6,000,000 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE (“UUF”) FOR 110 NAVAJO NATION CHAPTERS TO PROVIDE EMERGENCY ASSISTANCE FOR FISCAL YEAR 2026; WAIVING 12 N.N.C. §820(E), §820(F), §820(J), AND §820(L)

PURPOSE: This resolution, if approved, would allocate \$6,000,000 from the Unreserved, Undesignated Fund Balance to provide emergency assistance for 110 Navajo Nation Chapters for FY 2026.

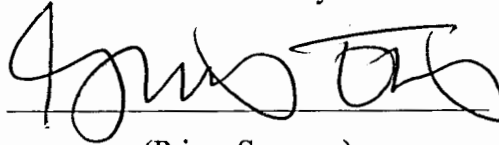
FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: 2/3 vote of the Navajo Nation Council

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.

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL – FOURTH YEAR, 2026

Introduced by:



(Prime Sponsor)

Tracking No. 0029-26

AN ACTION

**RELATING TO AN EMERGENCY FOR THE NAVAJO NATION COUNCIL;
APPROVING \$6,000,000 FROM THE UNRESERVED, UNDESIGNATED FUND
BALANCE (“UUF”) FOR 110 NAVAJO NATION CHAPTERS TO PROVIDE
EMERGENCY ASSISTANCE 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 Navajo Nation Council is the governing body of the Navajo Nation and may consider proposed action regarding an emergency matter. 2 N.N.C. §§ 102 (A) and 164 (A) (16).
- B. “[M]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.” 2 N.N.C. § 164 (A) (16).
- C. Across the Navajo Nation, recent extreme weather events have caused road closures, utility disruptions, and limited access to essential services, creating immediate risks to

1 the health and safety of the Navajo people. Funds are immediately needed for Chapters
2 to respond quickly to emergencies to protect life, property, and community well-being
3 during weather-related emergencies.

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

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

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

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

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

7
8 **SECTION TWO. FINDINGS.**

9 A. The Division of Community Development ("DCD") is requesting \$6,000,000.00 in
10 supplemental funding from the UUFB to provide emergency assistance for 110 Navajo
11 Nation Chapters for the remainder of Fiscal Year 2026 ("FY 2026").

12 B. The DCD has provided the required Navajo Nation budget forms, along with the
13 Appendix J - Supplemental Funding Proposal Summary. Budget Forms are attached as
14 **Exhibit A.**

15 C. The Office of the Controller provided a memorandum as required by 12 N.N.C.
16 §820(L), indicating that the proposed expenditure includes non-recurring expenditures.
17 The Controller's Memo is attached as **Exhibit B.**

18 D. The Office of Management and Budget provided its memorandum as required by 12
19 N.N.C. §820(M). The OMB Memo is attached as **Exhibit C.**

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21 **SECTION THREE. APPROVAL OF \$6,000,000 FROM THE UUFB FOR 110 NAVAJO**
22 **NATION CHAPTERS TO PROVIDE EMERGENCY ASSISTANCE FOR THE**
23 **REMAINDER OF FY 2026**

24 A. The Navajo Nation hereby approves supplemental appropriation in the amount of
25 \$6,000,000 from the UUFB for 110 Navajo Nation Chapters to provide emergency
26 assistance for the remainder of FY 2026, in accordance with the attached **Exhibit A.**

27 B. This supplemental appropriation approved herein shall be from those funds that exceed
28 the minimum fund reserve balance of the UUFB required by 12 N.N.C. § 820(J).

29 C. Upon the effective date of this resolution, the approved UUFB funds shall be promptly
30 transferred into those budget line items listed in the attached **Exhibit A.**

1 D. Pursuant to 12 N.N.C. §820(N), any amount of the \$6,000,000 approved herein that
2 remains unspent or unencumbered at the end of FY2026 shall revert to the General
3 Fund, unless Council waives such reversion by a 7/8 vote prior to the date in which the
4 funds are scheduled to revert.
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6 **SECTION FOUR. WAIVING 12 N.N.C. §820(E), §820(F), §820(J), and §820(L)**

7 The Navajo Nation waives 12 N.N.C. §820(E), §820(F), §820(J), and §820(L) to the extent it
8 will allow UUFB funds to be used for the 110 Navajo Nation Chapters' non-recurring
9 expenditures for FY2026.
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11 **SECTION FIVE. EFFECTIVE DATE**

12 This Action shall become effective in accordance with 2 N.N.C. §221(B) and 2 N.N.C.
13 §164(A)(17).
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15 **SECTION SIX. SAVING CLAUSE**

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