

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0078-26_

SPONSOR: Dr. Andy Nez

TITLE: An Action Relating to the Budget and Finance and Naabik'íyáti' Committees and the Navajo Nation Council; Approving \$8,695,132.00 From the Unreserved, Undesignated Fund Balance ("UUFB") for The Navajo Nation Department of General Services to Address Accessibility Deficiencies in Navajo Chapter Houses and Other Public Facilities; Approving \$201,200.00 From the UUFB for the Navajo Election Administration to Accommodate Voters with Disabilities; and Waiving 12 N.N.C. § 820 (E), § 820 (F), § 820 (J), and 820 (L)

Date posted: April 10, 2026 at 3:46PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0078-26

DATE: April 8, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO THE BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; APPROVING \$8,695,132.00 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE ("UUFB") FOR THE NAVAJO NATION DEPARTMENT OF GENERAL SERVICES TO ADDRESS ACCESSIBILITY DEFICIENCIES IN NAVAJO CHAPTER HOUSES AND OTHER PUBLIC FACILITIES; APPROVING \$201,200.00 FROM THE UUFB FOR THE NAVAJO ELECTION ADMINISTRATION TO ACCOMMODATE VOTERS WITH DISABILITIES; AND WAIVING 12 N.N.C. § 820 (E), § 820 (F), § 820(J), AND § 820 (L)

PURPOSE: This legislation, if approved, will provide supplemental appropriation in the amount of \$8,695,132.00 from the UUFB for the Navajo Department of General Services to address accessibility deficiencies in Navajo Chapter Houses and other public facilities and will provide supplemental appropriation in the amount of \$201,200.00 from the Unreserved, Undesignated Fund Balance (UUFB) for the Navajo Election Administration to pay for costs associated with providing accommodations to disabled voters.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: 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: Al Mike
Website Posting Time/Date: _____
Posting End Date: 4/15/26
Eligible for Action: 4/16/26

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

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL - Fourth Year, 2026

3 Introduced by:

4 
5 _____
6 (Prime Sponsor)

7
8 Tracking No. 0078-26

9
10 AN ACTION

11 RELATING TO THE BUDGET AND FINANCE AND NAABIK'ÍYÁTI'
12 COMMITTEES AND THE NAVAJO NATION COUNCIL; APPROVING
13 \$8,695,132.00 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE
14 ("UUFb") FOR THE NAVAJO NATION DEPARTMENT OF GENERAL SERVICES
15 TO ADDRESS ACCESSIBILITY DEFICIENCIES IN NAVAJO CHAPTER HOUSES
16 AND OTHER PUBLIC FACILITIES; APPROVING \$201,200.00 FROM THE UUFb
17 FOR THE NAVAJO ELECTION ADMINISTRATION TO ACCOMMODATE
18 VOTERS WITH DISABILITIES AND WAIVING
19 12 N.N.C. § 820 (E), § 820 (F), § 820(J), AND § 820 (L)

20
21 BE IT ENACTED:

22
23 SECTION ONE. AUTHORITY

24 A. The Budget and Finance Committee was established as a standing committee of the
25 Navajo Nation Council with the authority to review and recommend to the Council
26 the budgeting, appropriation, investment and management of all funds. 2 N.N.C. §§
27 300(A) and 301(B)(2).

28 B. The Naabik'iyáti' Committee was established as a standing committee of the
29 Navajo Nation Council with the authority to hear all proposed resolutions that
30

1 require final action by the Navajo Nation Council. 2 N.N.C. §§ 164 (A)(9) and
2 700(A).

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

9 D. The restrictions on supplemental appropriations, including all amounts from the
10 UUFb, include:

- 11 1. Payment of recurring government operating expenses shall be from recurring
12 revenues, and payment of nonrecurring expenses shall be from nonrecurring
13 revenues such as UUFb funds. 12 N.N.C. § 820(E) and (F).
- 14 2. Specifically, the UUFb shall not be used for recurring government
15 expenditures or operations. 12 N.N.C. § 820(J) and 820(L).
- 16 3. Nonrecurring revenues such as UUFb funds may be used only after the
17 Controller determines whether or not such revenues are subsidizing an
18 imbalance between the Navajo Nation’s recurring revenues and expenditures,
19 and government expenditures shall only be authorized if a long-term (3-year
20 to 5-year year) forecast shows that the operating deficit will not continue;
21 otherwise, nonrecurring revenues will be added to the Unreserved,
22 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
24 vote of 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
27 Controller determines which revenues and expenses are recurring and which
28 are non-recurring. 12 N.N.C. § 820(L).

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

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

7
8 **SECTION TWO. FINDINGS**

9 A. In July 2018, the Navajo Nation Council passed the Navajo Nation Civil Rights of
10 Individuals with Disabilities Act, that requires entities and agencies across the
11 Navajo Nation to provide reasonable accommodations for Navajos with disabilities.
12 The Act does not include specific regulations to be enforced on the Navajo Nation.
13 Certain Navajo entities, such as those that receive federal funds, are required to
14 abide by Section 504 of the Rehabilitation Act of 1973 and Americans with
15 Disability Act standards for accessibility. Not all Navajo entities are required to
16 follow these standards, causing inconsistent applications of accessibility on the
17 Navajo Nation.

18 B. The Navajo Nation Advisory Council on Disabilities (NNACOD) has advocated
19 for the Navajo Nation to adopt regulations and policies to provide equal access to
20 employment, housing, education, services, and buildings in furtherance of the Civil
21 Rights Act of Individuals with Disabilities of 2018.

22 C. The NNACOD provides the following recommendations on good practices and
23 ways to reasonably accommodate Navajo citizens with disabilities for future
24 elections inside voting areas, as stated in its May 2013 report:

25 1. Voting instructions should be printed in 14-type print and prominently
26 displayed.

27 2. The voting area should be arranged with a minimum of 36-inch-wide
28 pathways and aisles to provide maneuvering for voters using wheelchairs,
29 walkers or other mobility devices.

30 3. All necessary parts of the voting system should be no higher than 48 inches.

- 1 4. The tops of tables and counters used for voting should be between 28 to 34
- 2 inches high.
- 3 5. The voting booths/tables should have a writing shelf clearance of at least 27
- 4 inches underneath.
- 5 6. The voting tables should be at least 19 inches deep.
- 6 7. Magnifying devices should be available for those who request them.
- 7 8. The area where votes are cast should be well lit.
- 8 9. Seating in a waiting area should be available for all individuals with various
- 9 types of disabilities.
- 10 10. ADA Training for election staff and poll workers, purchase of adjustable
- 11 voting booths, with lights for wheel chair compatibility, lighting for existing
- 12 voting booths, and notification system for voter assistance.

13 D. NNACOD also recommends that polling locations follow the 2016 Americans with
14 Disabilities Act checklist to determine whether a polling place has basic
15 accessibility features needed by voters with disabilities

16 E. The Navajo Department of General Services is requesting \$8,695,132.00 in
17 supplemental funding from the UUFB to pay for costs addressing accessibility
18 deficiencies in Navajo Chapter Houses and other public facilities.

19 F. The Navajo Department of General Services provided the required Navajo Nation
20 budget forms, along with the Appendix J - Supplemental Funding Proposal
21 Summary, attached as **Exhibit A**.

22 G. The Office of the Controller provided a memorandum as required by 12 N.N.C.
23 §820(L), attached as **Exhibit B**, indicating that the proposed expenditures are
24 *nonrecurring*.

25 H. The Office of Management and Budget provided its budget impact analysis
26 memorandum as required by 12 N.N.C. §820(M), attached as **Exhibit C**,

27 I. The Navajo Election Administration is requesting \$201,200.00 in supplemental
28 funding from the UUFB to pay for costs associated with accommodations for
29 disabled voters.

1 J. The Navajo Election Administration has provided the required Navajo Nation
2 budget forms, along with the Appendix J - Supplemental Funding Proposal
3 Summary, attached as **Exhibit D**.

4 K. The Office of the Controller provided a memorandum as required by 12 N.N.C.
5 §820(L), attached as **Exhibit E**, indicating that the proposed expenditures are
6 *recurring*.

7 L. The Office of Management and Budget provided its budget impact analysis
8 memorandum as required by 12 N.N.C. §820(M), attached as **Exhibit F**.

9
10 **SECTION THREE. APPROVAL OF \$8,695,132.00 FROM THE UUFB FOR THE**
11 **NAVAJO DEPARTMENT OF GENERAL SERVICES TO ADDRESS**
12 **ACCESSIBILITY DEFICIENCIES IN NAVAJO CHAPTERS HOUSES AND**
13 **OTHER PUBLIC FACILITIES**

14 A. The Navajo Nation hereby approves a supplemental appropriation in the amount of
15 \$8,695,132.00 from the UUFB for the Navajo Department of General Services to
16 address accessibility deficiencies in Navajo Chapter Houses and other public
17 facilities, in accordance with the attached **Exhibit A**.

18 B. This supplemental appropriation approved herein shall be from those funds that
19 exceed the minimum fund reserve balance of the UUFB required by 12 N.N.C. §
20 820(J).

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

23 D. Pursuant to 12 N.N.C. §820(N), any amount of the \$8,695,132.00 approved herein
24 that remains unspent or unencumbered at the end of FY2027 shall revert to the
25 General Fund, unless Council waives such reversion by a 7/8 vote prior to the date
26 in which the funds are scheduled to revert.

27
28 **SECTION FOUR. APPROVAL OF \$201,200.00 FROM THE UUFB FOR THE**
29 **NAVAJO ELECTION ADMINISTRATION TO ACCOMODATE VOTERS WITH**
30 **DISABILITIES**

- 1 A. The Navajo Nation hereby approves a supplemental appropriation in the amount of
2 \$201,200.00 from the UUFb for the Navajo Election Administration to pay for
3 costs associated with providing accommodations to voters with disabilities, in
4 accordance with the attached **Exhibit D**.
- 5 B. This supplemental appropriation approved herein shall be from those funds that
6 exceed the minimum fund reserve balance of the UUFb required by 12 N.N.C. §
7 820(J).
- 8 C. Upon the effective date of this resolution, the approved UUFb funds shall be
9 promptly transferred into those budget line items listed in the attached **Exhibit D**.
- 10 D. Pursuant to 12 N.N.C. §820(N), any amount of the \$201,200.00 approved herein
11 that remains unspent or unencumbered at the end of FY2027 shall revert to the
12 General Fund, unless Council waives such reversion by a 7/8 vote prior to the date
13 in which the funds are scheduled to revert.

14
15 **SECTION FIVE. WAIVING 12 N.N.C. § 820(E), § 820(F), § 820(J), AND § 820(L)**
16 **TO ALLOW USE OF UUFb FUNDS FOR RECURRING EXPENSES**

17 The Navajo Nation hereby waives 12 N.N.C. § 820(E), § 820(F), § 820(J), and 820(L) to
18 allow use of the UUFb for costs associated with providing accommodations to voters
19 with disabilities by the Navajo Election Administration, as shown in **Exhibit D**. These
20 waivers are necessary because the proposed UUFb expenditures are considered recurring
21 government expenses as determined by the Controller, as shown in **Exhibit E**.

22
23 **SECTION SIX. EFFECTIVE DATE**

24 This Action shall become effective in accordance with 2 N.N.C. §§ 221(B) and
25 164(A)(17).

26
27 **SECTION SEVEN. SAVING CLAUSE**

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