

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0193-26_

SPONSOR: Eugenia Charles-Newton

**TITLE: An Action Relating to an Emergency for the Navajo Nation Council;
Amending Resolution BFAP-09-26 and the Budget Instructions Manual; Amending
the Fiscal Year 2027 Planning Base Amounts**

Date posted: August 24, 2026 at 3:19PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0193-26

DATE: August 24, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION COUNCIL; AMENDING RESOLUTION BFAP-09-26 AND THE BUDGET INSTRUCTIONS MANUAL; AMENDING THE FISCAL YEAR 2027 PLANNING BASE AMOUNTS

PURPOSE: This resolution, if approved, would amend BFAP-09-26 and the Budget Instruction Manual; amending the FY 2027 planning base amounts.

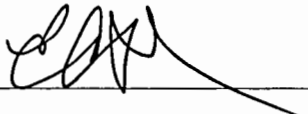
FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: Simple Majority

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. 0193-26

AN ACTION

**RELATING TO AN EMERGENCY FOR THE NAVAJO NATION COUNCIL;
AMENDING RESOLUTION BFAP-09-26 AND THE BUDGET INSTRUCTIONS
MANUAL; AMENDING THE FISCAL YEAR 2027 PLANNING BASE AMOUNTS**

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation and retains all powers not delegated by law, including the power to consider proposed action regarding an emergency matter. 2 N.N.C. § 102 (A) and (B) and 2 N.N.C. § 164 (A)(16)
- B. The Navajo Nation Council also has the specific authority and responsibility to supervise all powers it delegates. 2 N.N.C. § 102 (C).
- C. “[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).

- 1 D. The Budget and Finance Committee is a standing committee of the Navajo Nation
2 Council with the delegated authority to make recommendations to the Council on the
3 budgeting and management of Navajo Nation funds, 2 N.N.C. §§ 300 and 301(B)(2),
4 including the delegated authority to make budget recommendations to the Council
5 regarding the Navajo Nation's annual Comprehensive Budget for each Fiscal Year.
6 12 N.N.C. 840(A).
- 7 E. The Appropriations Act at 12 N.N.C. § 830 (A) – (I) sets forth the framework for the
8 Navajo Nation's comprehensive budget planning and preparation. The
9 Appropriations Act further provides, "the budget instructions shall include fiscal,
10 operational, policy guidelines, budget development timelines, and planning base
11 amounts for each fiscal year for the Executive Branch, the Judicial Branch, and the
12 Legislative Branch." 12 N.N.C. § 830(H).
- 13 F. The Appropriations Act at 12 N.N.C. § 840(A) establishes oversight committee
14 involvement in the Comprehensive Budget process. In part, § 840(A) it states:
15 "[E]ach oversight committee shall review and make recommendations to the Budget
16 and Finance Committee concerning the budget in accordance with the annual budget
17 instructions. ... The oversight committees shall make recommendations concerning
18 the budget and pass resolutions recommending appropriations and conditions of
19 appropriations for activities within their respective areas of oversight to the Budget
20 and Finance Committee pursuant to the time-lines established in the Budget
21 Instructions Manual. Oversight committee recommendations shall not exceed the
22 planning base amounts set pursuant to § 830(H). The Budget and Finance Committee
23 shall consult and negotiate with the respective oversight committee(s) if any changes
24 are to be made before making final recommendations to the Navajo Nation Council.
25 Changes made pursuant to this consultation and negotiation process shall neither
26 increase nor decrease the planning base amount set for the Executive Branch
27 divisions, the Judicial Branch and Legislative Branch, but shall be limited to internal
28 reallocations of the planning base amounts for the entities"
- 29
30

1 **SECTION TWO. FINDINGS**

- 2 A. The Navajo Nation Council is required by the Appropriations Act to adopt the Navajo
3 Nation's comprehensive budget no less than 20 days prior to the expiration of each
4 fiscal year. 12 N.N.C. § 840(B).
- 5 B. Pursuant to 12 N.N.C. § 840(A), the Fiscal Year 2027 ("FY 2027") budget
6 development process is currently underway, and the FY 2027 planning base amounts
7 and budget instructions, i.e., Budget Instruction Manual ("BIM"), enacted through
8 Budget and Finance Committee Resolution BFAP-09-26, are being utilized in the
9 development of the comprehensive budget.
- 10 C. Pursuant to 12 N.N.C. § 830(H), the BIM approved by the Budget and Finance
11 Committee through BFAP-09-26, incorporated herein by reference, is limited to
12 "fiscal, operational, policy guidelines, budget development timelines and planning
13 base amounts for each fiscal year for the Executive Branch, the Judicial Branch and
14 the Legislative Branch."
- 15 D. Pursuant to 12 N.N.C. § 840(A), the standing committees of the Navajo Nation
16 Council are to make recommendations to the Budget and Finance Committee as to
17 the budgets for the divisions and programs under each standing committee's
18 oversight and the Budget and Finance Committee is required to consult and negotiate
19 with the respective standing committees if any changes to budgets under their
20 oversight are to be made.
- 21 E. When the Budget and Finance Committee compiled the base planning amounts set
22 forth in BFAP-09-26 and included in the BIM, the Budget and Finance Committee
23 included \$13,763,738 of projects and other funding falling under the oversight of
24 other standing committees. The Budget and Finance Committee did not, however,
25 engage in any "consultation and negotiation" with the standing committees having
26 oversight over the \$13,763,738 of projects and other funding. *See* the overstricken
27 portion of SECTION THREE below.
- 28 F. Also, while "[t]he Budget and Finance Committee shall review and make
29 recommendations concerning the budget according to the annual budget
30 instructions", the Budget and Finance Committee itself did not follow all of the

1 budget instructions set forth in the BIM when including certain projects (as listed in
2 the overstricken portion of SECTION THREE below) in BFAP-09-26 and the BIM.
3 For example, in addition to not consulting nor negotiating with the respective
4 oversight committee(s), the Budget and Finance Committee did not comply with
5 BIM, Section 11 [*Navajo Nation Grants To External Entities Using Internal Navajo*
6 *Nation Funding*] when including funding to external entities in BFAP-09-26's base
7 planning amounts.

8 G. The Navajo Nation Council finds that the amounts included or recommended for
9 specific projects that are not legitimate planning base amounts and/or have not
10 satisfied applicable approval requirements, including consultation and negotiation
11 with the standing committee having oversight over the project or funding, should not
12 be included in the FY 2027 planning base amounts or budget instructions.

13 H. The Navajo Nation Council finds that FY 2027 planning base amounts and budget
14 instructions must accurately reflect the purposes for which those documents are
15 established pursuant to 12 N.N.C. § 830(H) and must not circumvent approval
16 processes required by Navajo Nation law, including the budget approval process set
17 forth in 12 N.N.C. § 840.

18 I. Pursuant to its 2 N.N.C. § 102(C) authority and responsibility to supervise the powers
19 delegated to the Budget and Finance Committee, the Navajo Nation Council has
20 determined that certain amounts included in BFAP-09-26's FY 2027 planning base
21 amounts and the BIM exceed the power(s) delegated to the Budget and Finance
22 Committee and need to be corrected.

23 J. The Navajo Nation Council must adopt the FY 2027 Comprehensive Budget by no
24 later than September 10, 2026. *See* 12 N.N.C. § 840(B). To ensure that the Budget
25 and Finance Committee's actions do not exceed its delegated power and to ensure
26 that all amounts included in the base planning amount strictly comply with Navajo
27 Nation law, regulations, and policies, the Navajo Nation Council determines that it
28 is in the best interest of the Navajo Nation to immediately amend the base planning
29 amounts set forth in BFAP-09-26.
30

SECTION THREE. AMENDING THE FISCAL YEAR 2027 BASE PLANNING AMOUNTS

The Navajo Nation hereby amends the Fiscal Year 2027 total base planning amounts set forth in Resolution BFAP-09-26, Section Two (A), as follows:

Fixed Costs Allocations	\$34,354,705.00
External funds Cash Match	\$5,500,000.00
Executive Branch	\$101,933,403.00
Legislative Branch	\$16,397,000.00
Judicial Branch	\$14,552,000.00
Chapters (Non-Administrative Costs)	\$15,000,000.00
Department of Information Technology	\$2,213,738.00
Judicial Branch— Probate Quiet Titles	\$1,300,000.00
Chapter Veteran's Fund (Fund 16)	\$550,000.00
Summer Youth Employment	\$1,000,000.00
Office of the Auditor General— Training	\$1,200,000.00
Office of the Prosecutor— White Collar Crime Unit	\$2,000,000.00
Missing and Murdered Diné Relatives Victim Services	
Northern Arizona Victim Witness	\$2,000,000.00
Services/Program/Division for	
Children and Family Services	
Utah Navajo Health System/	\$1,500,000.00
Department of Health	
Navajo Technical University—	\$1,000,000.00
Data Institute	
Dept. of Public Safety, Police	\$500,000.00
Department/Missing and Murdered	
Unit	
Office of the Prosecutor Victim	\$300,000.00
Witness Advocates	

Four Corners K-9 Search and Rescue/ \$200,000.00

Dept. of Public Safety, Department of

Emergency Management

Total **\$201,500,846.00**

\$187,737,108.00

SECTION FOUR. DIRECTIVES

The Office of Management and Budget shall amend the Fiscal Year 2027 Budget Instructions Manual to reflect the updated total base planning amount(s) set forth above.

SECTION FIVE. EFFECTIVE DATE

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

SECTION SIX. SAVING CLAUSE

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