



# Navajo Nation Fiscal Year 2012 Budget Priorities Presentation



Bureau of Indian Affairs  
National Budget Meeting  
March 15, 2010



# Navajo Nation Priorities for FY 2012

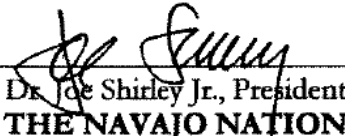
Presented to the Navajo Area  
Bureau of Indian Affairs

February 2010  
Window Rock, Navajo Nation (Arizona)

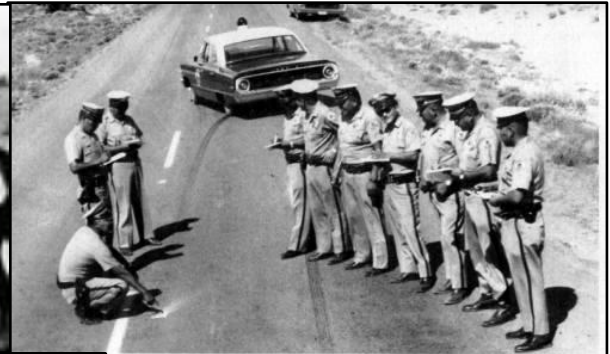
The Navajo Nation has a long-standing government-to-government relationship with the federal government. A central piece of the government-to-government relationship is the trust responsibility that exists between the U.S. government and the Navajo People, and the responsibility of the federal government to fund Navajo Nation needs. Below are the Navajo Nation's budget priorities for Fiscal year 2012 for the Bureau of Indian Affairs and the Bureau of Indian Education. The Navajo Nation's priorities are:

1. Public Safety and Justice
2. Economic/Community Development
3. Education
4. Natural Resources Management
5. Human Services
6. Contract Support

These priorities are based upon an objective assessment of the Navajo Nation budget justifications and projected needs and successes of each tribal division's program. These priorities form the foundation of the economic and social developmental needs of the Navajo People to ensure the long-term viability, self-sufficiency, and self-determination of the Navajo Nation.

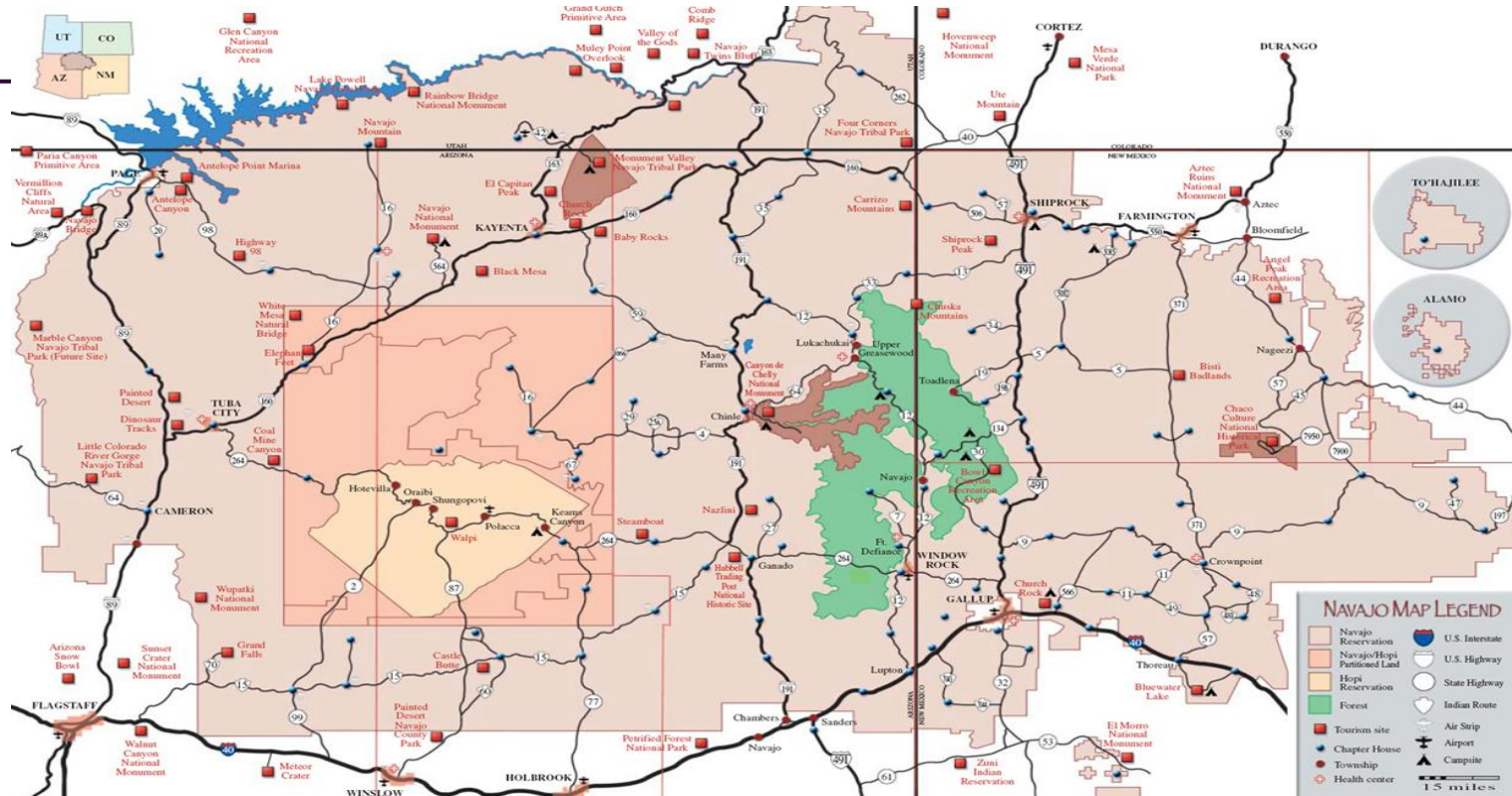
  
Dr. Joe Shirley Jr., President  
THE NAVAJO NATION

# Public Safety and Justice



# Division of Public Safety (DPS)

638 Contracted Programs – Patrol, Corrections, Criminal Investigations



- Service Area & Size of Operation: 110 Navajo Chapters
- Land Base: 27,000 Square miles
- Population: exceeds 280,000
- 638 Funds: 0.6 Police Officers per 1,000 population
- Direct service: 24 hrs a day/7 days a week/365 days a year

# Division of Public Safety Cont'd

- ❑ Consists of seven (7) police Districts & six (6) Adult Correctional Facilities
- ❑ Services provided include:
  - ❖ Law Enforcement
  - ❖ Criminal Investigation
  - ❖ Corrections
  - Highway Safety
  - Emergency Medical
  - Emergency Mgmt
  - Fire and Recue
  
- ❖ Partially Funded by 638.
  - Funded by non 638



# DPS Budget - Request

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- FY 2010 funding for DPS last through October 31, 2010
  - Additional **\$7,203,304** required immediately to end of CY 12/31/10.
    - \$3,795,104 – Law Enforcement
    - \$1,159,085 – Criminal Investigations
    - \$2,249,115 – Corrections
- FY 2012 funding request is **\$68,117,948** to provide services to five agencies located in seven police districts.
  - \$45,519,667 – Law Enforcement
  - \$13,601,960 – Criminal Investigations
  - \$ 8,996,321 – Corrections
- Additional funds will increase number of Police Officers' positions by 200; Overall ratio to 2.5 Officers per 1,000 population.

# DPS Accomplishments w/ FY 2009 Funding

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- ✓ Reduce violent crime through partnership with Community anchors.
- ✓ Continue police presence & decrease police response time.
- ✓ Improve the law enforcement image & encourage Community support.
- ✓ Facilitate the government-to-government relationship through daily contact, effective communication, collaboration, & cooperation.
- ✓ Enhance & support the application of Community Oriented Policing in urban & rural Navajo Communities.
- ✓ Continue & encourage local support & involvement by networking & the sharing of information in critical problem solving.
- ✓ Streamline & enhance overall telecommunications interoperability & information management systems.

# Department of Corrections (DOC)



## Statistics based on FY 2010 Funding & Budget Request:

- 638 Funds cover 60% of Annual Operating Budget
- Business/funding drives additional jobs and operational activities.
- Ratio at an all time low with 1 Correctional Officer per 28 inmates.
- National Rural ratio average is 1 Correctional Officer per 8 inmates.
- An increase of \$3,600,000 is needed for the operating and maintenance costs to maintain the six adult facilities.
- Centers severely understaffed due to limited funding to operate and maintain facilities.
  - Additional 6 Adult Corrections officers needed at each of 6 centers.



# DOC Budget - Request



- FY 2010 enacted base budget: \$2,069,676.
- Additional funds requested: \$6,926,645.
- Total FY 2012 budget requested: **\$8,996,321.**
- Received BIA Planning funds of \$450,000 for new facilities for Tuba City, Kayenta and Crownpoint.

## Future Master Plan for Facility

### Types:

- 5 Large (Peacemaking, 3 Courts, 48 Detention Beds & Large Police Office)
- 3 Medium (Peacemaking, 2 Courts, 32 Detention Beds & Medium Police Office)
- 4 Small (Peacemaking, 1 Court, 16 Detention Beds & Small Police Office)
- 1 Correctional Rehabilitation Center with 388 Beds

# DOC Accomplishments w/FY 2009 Funding



**Window Rock Correctional Officers**

- 211,917 Adults detainees served
- Personnel provided 48,000 hours of prevention education to local communities
- 210,910 detainees referred to services by local resources
- Services to 40,000 individuals at a daily rate of \$45.00 x 5 days (average stay) for a total cost of \$1,400,000.
- No audit findings for FY '07 and '08.
- Arrest: 9,789
- Released: 11,067
- Average: Males – 24; Females – 4
- Service calls : 136,012

# DOC Juvenile Services Accomplishments & Budget Request



## Accomplishments w/FY 2009 \$\$

- Juveniles booked: 867
- Adults booked: 28,132
- Served 8,000 juvenile -5 yrs
- Corrections personnel provided 25,000 hours of prevention education to local communities;
- 650,00 detainees referred to other service providers

- FY 2010 enacted base budget: \$2,911,539.
- Additional funds requested: \$5,363,988.
- Total FY 2012 budget requested: **\$8,275,527.**

## Requested are:

- Increase six ( 6) juvenile corrections officers
- \$600,000 for facility operating & maintenance needed to adequately operate & maintain two juvenile facilities.
- \$800,000 needed to complete basic maintenance /repairs for facility heating/cooling systems.
- \$1,300,000 (\$65/day x 5 days -average stay) to provide 4,000 youth in detention facilities with shelter, food and clothing
- \$2,300,000 (\$115/day ) to maintain current levels of jail case management services, e.g., booking, daily logs, referrals, transport to courts, and medical/dental and home districts;

# Department of Criminal Investigations (CI) Challenges

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- Under funded approximately \$4,500,000 for personnel and operations costs.
- CI field personnel ratio to general public is 1 to 6410 individuals - creates excessive individual caseloads.
- Budget constraints have limited CI's overall resource capabilities; e.g. manpower, response time, etc.
- Limited and deteriorating facilities.
- Difficulty maintaining an updated technological environment.



# Judicial Branch-Tribal Courts

Judicial Branch (Branch) provides judicial, peacemaking and probation services within Navajo Nation pursuant to the laws, regulations and policies of the Diné and federal laws. The Branch will continue to provide just, prompt, economical and efficient P.L. 93-638 services.



## Challenges:

- Transcripts not readily available due to lack of trained bilingual court reporters.
- Private counsel outsources transcripts: records blank because hired court reporter unable to understand the Navajo language.

# Tribal Courts Budget - Request

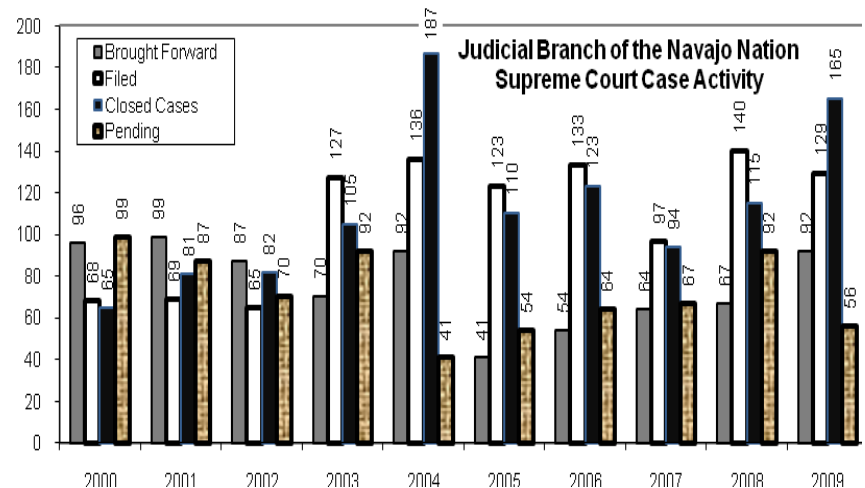


- ❑ **\$144,940** needed for electronic / bilingual electronic court reporters:
  - Two reporters to do court reporting- transcription services
  - Current court clerks not trained.
- ❑ Reporters will be trained in electronic recording equipment and transcribing proceedings.
- ❑ Reporters will be assigned to any district court on the Navajo Nation
- ❑ Reporters will train district court clerks to properly and effectively program and use the recording equipment, and provide transcription training.
- ❑ Court reporters will transcribe the Navajo language portion of the recording.
- ❑ BIA provides approximately 8.05% of the Judicial Branch's annual budget, never at satisfactory level.

# Branch Accomplishments

- BIA funds salary of 22 court clerks who assist judges in processing an annual load of approximately 70,000 cases at the district court level.
- A five percent funding increase will only cover the district court clerks' salaries and limited recurring operating costs.

Navajo Nation Case Statistics										
	FY 2005		FY 2006		FY 2007		FY 2008		FY 2009	
	Caseload	Closed	Caseload	Closed	Caseload	Closed	Caseload	Closed	Caseload	Closed
District Courts	71,434	54,662	73,053	53,400	69,506	48,382	69,268	49,705	63,597	47,180
Probation/Parole	6,870	5,301	6,948	5,585	8,895	6,792	9,029	7,642	8,463	6,778
Supreme Court	164	110	187	123	161	94	207	115	221	165
Peace making	1,160	900	1,144	920	1,189	983	947	726	912	647
<b>Total:</b>	<b>79,628</b>	<b>60,973</b>	<b>81,332</b>	<b>60,028</b>	<b>79,751</b>	<b>56,251</b>	<b>79,451</b>	<b>58,188</b>	<b>73,193</b>	<b>54,770</b>



# Economic & Community Development

## Navajo Division of Transportation (NDOT)

### Budget Request

Navajo Transportation Planning Program's (TPP) continues:

- Accounts for all roads for inventory data base;
- Improve the inventory collection,
- Improve submittal / maintenance processes,
- Streamline deliverables and reporting mechanisms
- Train personnel efficiently and effectively to collect, analyze, submit inventory data and
- Develop standard operating procedures for staff use.

- FY 2009 enacted base budget: \$2,380,056
- Additional funds requested: \$303,147
- Total FY 2012 budget requested: **\$2,683,203**
- Additional FY 2012 FTE requested is 5.





# Housing Improvement Program (HIP) Budget Request



- FY 2009 enacted base budget: \$1,072,806
- Additional funds requested: \$3,695,758
- Total FY 2012 budget requested: **\$4,768,564**
- HIP proposes to serve approximately forty (40) eligible applicants with housing assistance.

# HIP Accomplishments

Table below shows impact of budget cuts & uncertainty of funding:

<b>Pending availability of funding</b>	
<b>Fiscal Year</b>	<b>No. Eligible Applicants</b>
2010	584
2009	648
2008	684
2007	626
2006	778
2005	1022

<b>NHIP Accomplishments</b>		
<b>Fiscal Year</b>	<b>Funding Amount</b>	<b>No. of Projects</b>
2010	\$0.00	?
2009	\$1.0	10
2008	\$1.5	13
2007	\$2.6	47
2006	\$2.7	40
2005	\$3.8	65

# Former Bennett Freeze Area (FBFA)- HIP Budget Request Cont'd

- ❑ Housing assessment- existence of 2,391 houses of which 61% of the total numbers of houses surveyed were in poor or very poor condition.
- ❑ Another 27% rated as fair, and are in need of significant repair.
- ❑ Substandard housing conditions deteriorated over 41 year freeze without repairs and/or improvements.
- ❑ Replacement housing need is estimated at 2,000 to be constructed by 2020.
- ❑ At \$250,000 per house, a total of \$500 million will be required from 2010 to 2020.



- FY 2007 enacted base budget: \$1,000,000
- Additional funds requested: \$1,200,000
- Total FY 2012 budget requested: **\$2,200,000**
- To build ten (10) new construction houses



# Higher Education-Scholarship Budget Request

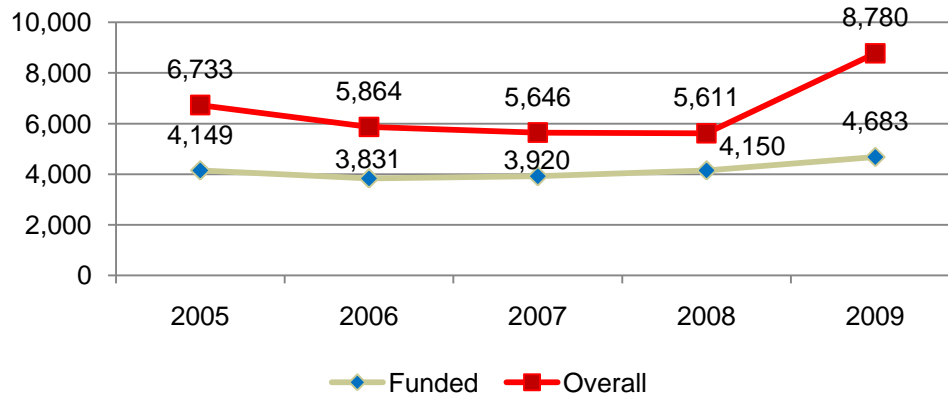
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- FY 2010 enacted base budget: \$11,011,132.
- Additional funds requested: \$550,557.
- Total FY 2012 budget requested: **\$11,561,689.**
- Higher Education-Scholarship needs an additional \$18 million to meet the needs of increasing number of students pursuing higher education.
- Present economic downturn causes many non-traditional students to pursue a postsecondary education and apply for a Navajo Nation scholarship and financial assistance.

# Higher Education – Scholarship Program

Statistics on Need vs. Actual Service Delivered:

**Undergraduate Applicants / Students Funded**



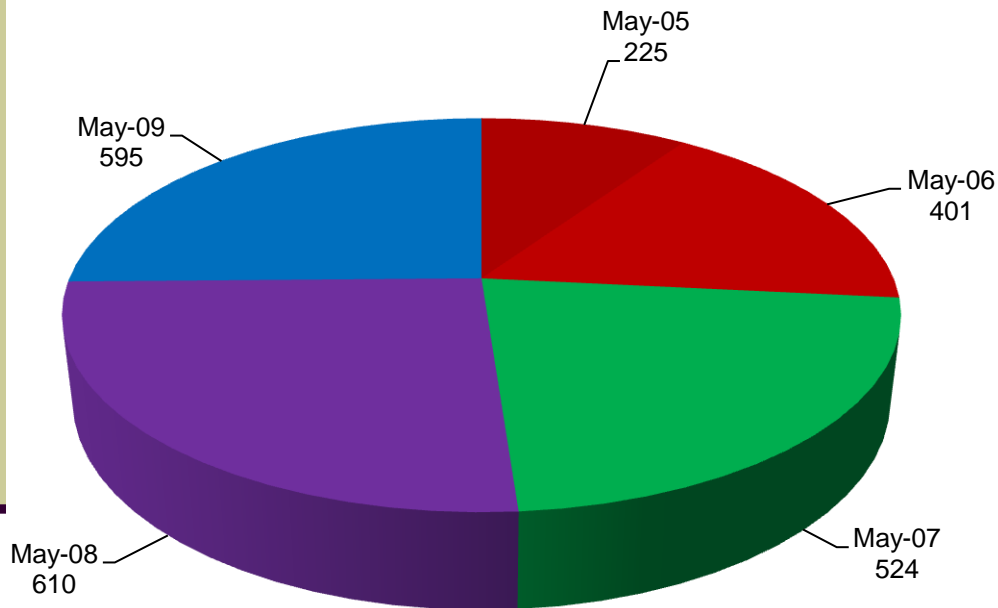
- BIA funding is lower than the need
- BIA funding has positive youth impact

UNDERGRADUATE - ENTERING FRESHMAN		
CLASS	STUDENTS	AMOUNT
2008FA	1,199	\$1,954,203.00
2009FA	1,586	\$2,303,986.00
<b>Grand Total</b>	<b>2,388</b>	<b>\$4,258,189.00</b>

- Shows a 32% increase in freshman enrollment,
- Rate of increase for funding at 18% has not kept pace w/demand

# Higher Ed-Scholarship Accomplishments w/FY 2009 Funding

## College Under- Graduates w/ Degrees



- ❑ BIA funds has improved & increased Navajo students that now have a college degree at the undergraduate level
- ❑ Availability of BIA funding has a significant positive impact on the youth
- ❑ BIA provides 70% of the total funds received for higher education by the Navajo Nation.
- ❑ Scholarship Office is grateful for funding and looks forward to receiving not only continued but increased funding.

# Johnson O'Malley Program (JOM)

## Scope of Service includes:

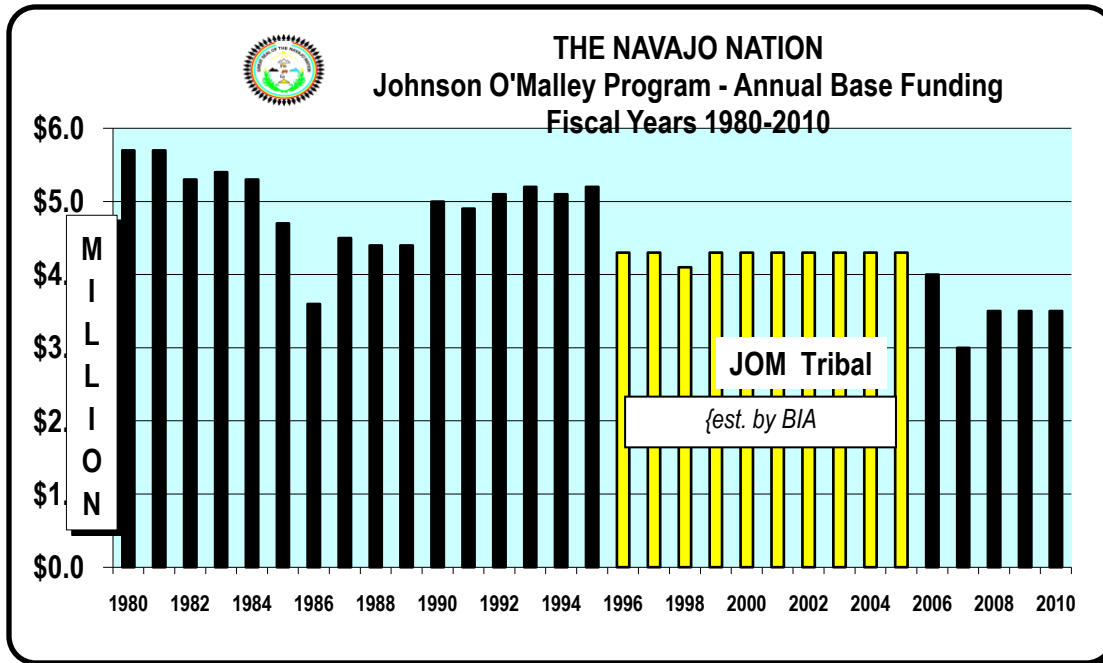
- ✓ Service population includes federally-recognized Native American students ages 3-12 grade.
- ✓ Method B Fixed Student Count (ca. 1995) is 51,309 students.
- ✓ Thirty (30) subcontractors, mostly state public school districts in AZ, NM and Utah, and border town school districts.
- ✓ Administration needs on hold due to the budget reduction, i.e., photocopier is over twenty years old and a modern photocopier is needed.
- ✓ Unfunded mandates of P.L. 110-107 "No Child Left Behind Act" are supported by NN JOM Subcontractor Education Plans. Subcontractors may not implement supplemental programs due to inadequate funding.
- ✓ Increased number of schools met Adequate Yearly Progress (AYP) of the "No Child Left Behind Act", driven by test scores and attendance. JOM supported increase through specialized tutoring programs, parental support, and home-school liaisons.

## EXEMPLARY!

Gallup High School Hogan Project  
Students built the Hogan and will be recognized by the National Johnson O'Malley Association for "Exemplary Award" to be awarded during the NJOMA in Phoenix, AZ in November 2009.



# JOM Budget - Request



- Increase Funding due to:
- More eligible students requires more funding.
  - For instructional materials & professional / development for staff teaching Navajo studies.
  - Schools do not support Navajo studies and do not provide funds or staffing for teaching Navajo subjects.

- FY 2010 enacted base budget: \$3,541,413.
- Additional funds requested: \$177,071.
- Total FY 2012 budget requested: **\$3,718,484.**



# Natural Resources Management



Natural Resource Programs	FY 2012 Overall Requested Amounts
Fish & Wildlife Mgmt	\$546,658
Environmental Quality – HPD Roads Planning Program	\$1,303,714
Forest Management	\$4,300,213
Archaeological Services, CRCS (NonRoads)	\$427,465
Archaeological Services, Facilities Maintenance (Non-Roads)	\$377,395
Archaeological Services, Forestry/Natural Resources (Non-Roads)	\$358,732
Agricultural (IRMP)	\$182,836
Water Management, Planning & Pre-Development	\$5,700,000 (new)
Natural Heritage Program	\$374,289
Right-of-Way Clearance	\$175,000
Safety of Dams \$889,163	\$889,163
Water Development Program	\$2,110,026
Water Monitoring and Inventory	\$1,253,528
Water Management, Planning & Pre-Development (Dilkon); LeChee Water Supply \$ 5.7 Million	\$1,500,000

# Water Development Program (WDP) Budget Request:

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Develop and improve livestock water facilities to promote livestock economy for Navajo families including:

- Serve twelve (12) families with installations and fabrications of five (5) water stock troughs and related development of water sources.
- Install by fabrications on-site welding, sandblasting and painting of five (5) 24,000 gallon water storage tanks to include extensive drilling for water wells, installation of casings, well screens, gravel packing and pumping equipment on windmills. These projects will serve 60 or more families.
- Install three (3) waterline extensions by fabrications of fifteen (15) stock troughs; installations and fabrications of ten (10) 4,000 gallon water storage tanks to serve fifteen (15) families.
- Provide (minor/major) repairs and preventative maintenance on the existing water facilities constructed under this program throughout the Navajo Nation.

# WDP Continued

## Request & Accomplishments

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- FY 2010 enacted base budget: \$463,261
- Additional funds requested: \$1,646,765
- Total FY 2012 budget requested: \$2,110,026.
- Additional FTE requested is 06, for total FTE of 19 for FY 2012.

### **Accomplishments w/ FY 2009 Funding**

- Drilled 1 water well at Manuelito, NM.
- Set up (1) 24,000 gallon water storage tank at Tohatchi, N M.
- Set up 3 mile waterline at Lake Valley, NM.
- Installed (3) 4,000 gallon storage tanks at Grand Falls, AZ; Shiprock, NM and Dilcon, AZ.
- Rehabilitated, repaired and maintained 9 livestock water wells constructed under this program.

# Contract Support Cost (CSC)- Direct & Indirect

- ❑ Contract support cost (CSC) funds are to cover 100% of the costs the Navajo Nation incurs in FY 2012 to operate and administer funding awards under Title I of the Indian Self-Determination and Education Assistance Act, 25 USC § 450 – 450n.
- ❑ Pursuant to 25 USC 450 j-1, the Navajo Nation is entitled to receive CSC funds in the full amount necessary for the reasonable costs of activities required to ensure compliance with the terms of the funding awards and prudent management of the funded programs.
- ❑ Of the different types of CSC, the Navajo Nation only intends to receive direct and indirect (IDC) contract costs in FY 2012.

<u>Fiscal Year</u>	<u>Shortfall Amount</u>
FY 2003	\$4,452,458
FY 2004	\$2,261,000
FY 2005	\$4,731,603
FY 2006	\$5,435,079
FY 2007	\$1,681,109
FY 2008	\$3,922,163
FY 2009	\$ 572,918

- ❖ Per FY 2007 BIA shortfall report only 1.8% was allocated for Direct CSC.
- ❖ BIA needs to make a good faith effort, subject to applicable law, to secure funding to address shortfalls.
- ❖ BIA shall **not** reduce CSC allocation to subsidize funding shortfalls for other programs.

# Contract Support- Indirect (IDC)

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IDC is the primary source of operating funds for central support services programs. Examples of central support services provided on BIA funding from application through contract close out include:

- Set up contract in the Financial Management Information System in compliance with applicable rules, policies, regulations and contract terms.
- Maintain accounting records of financial transactions and generate financial reports.
- Process and document procurement awards and payments on invoices.
- Process Personnel Action Forms (PAF) to document personnel employment status with the Navajo Nation.
- Process employee payroll.
- Maintain equipment and property inventories and reconciliations.
- Perform legal services required to execute, operate, and administer contracts.

# Conclusion

Navajo Nation's Priorities represents efforts to provide its people opportunities to ensure longevity and prosperity including:

- Promote government to government relationship
- Safe and healthy communities/environment
- Promote employment & working environment
- Decent and sanitary housing
- Provide Dine justice with holistic traditions
- Provide improved transportation systems
- Provide educational opportunities
- Promote Navajo language, culture & government studies
- Promote economic opportunities in natural resources
- Provide efficient/effective contract administration to fulfill program goals

