RESOLUTION OF THE

NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE
23RD NAVAJO NATION COUNCIL - Fourth Year, 2018

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; CONCURRING WITH THE NAVAJO NATION PRESIDENT'S DONATION ACCEPTANCE FROM BNSF RAILWAY FOUNDATION ON BEHALF OF THE NAVAJO NATION VETERANS ADMINISTRATION; AND DIRECTING THE NAVAJO NATION VETERANS ADMINISTRATION TO RECORD THE DONATION WITH THE ETHICS AND RULES OFFICE.

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Navajo Nation President is authorized to accept gifts to the Navajo Nation with the Naabik’íyáti’ Committee’s concurrence. 2 N.N.C. § 1010.

SECTION TWO. FINDING

A. The BNSF Railway Foundation (the Foundation) made a $10,000.00 donation to the Navajo Nation to be used for its veterans’ programs. A letter from BNSF detailing the donation is included in Exhibit A.

B. The President of the Navajo Nation previously accepted the donation from the Foundation. The acceptance is attached as Exhibit B.

SECTION THREE. ACCEPTANCE

A. The Naabik'íyáti' Committee concurs with the Navajo Nation President’s acceptance of $10,000.00 from BNSF Railway Foundation.

B. The Navajo Nation directs the Navajo Nation Veterans Administration to record the receipt of $10,000.00 from the BNSF Railway Foundation with the Ethics and Rules Office as required by 2 N.N.C. § 1012.
CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 13 in Favor and 00 Opposed, on this 22nd day of February, 2018.

[Signature]

LoRenzo C. Bates, Chairperson
Naabik'íyáti' Committee

Motion: Honorable Davis Filfred
Second: Honorable Leonard Tsosie

Chairperson Bates not voting
January 8, 2018

Mr. Kelsey A. Begaye
President
The Navajo Nation
P. O. Box 7440
Window Rock, AZ 86515

RE: Request ID 43308
Request Project Title: Navajo Veterans programs
Request Date: 12/6/2016

Dear Mr. Begaye,

On behalf of the BNSF Railway Foundation (the Foundation), please accept the enclosed $10,000 contribution towards the Navajo Veterans programs. This unsolicited gift is given in conjunction with the 2016 BNSF Railway Holiday Express. This check and accompanying letter supersede and replace our previous check #17827 dated 12/7/2016, which was lost and subsequently voided.

We would like to inform you of the following terms and conditions that apply to this grant:

- The Navajo Nation warrants that it is an Indian tribe described in the IRC section 7871 and being listed in Revenue Procedure 2002-64, and as a result it and its political subdivisions (including the Navajo Veterans Program) are determined by the IRS to be organizations to which contributions may be tax deductible.
- These grant funds may not be used to lobby or otherwise attempt to influence legislation, to influence the outcome of any public election, or to carry on any voter registration drive. The Navajo Nation accepts full responsibility for compliance with terms and conditions in the agreement and must exercise full control over the grant and the expenditure of grant funds.
- At the Foundation’s request, The Navajo Nation must promptly provide such additional information, reports and documents. For the purposes of conducting financial reviews, verifications, or program evaluations, The Navajo Nation will allow the Foundation and its representatives to have reasonable access during regular business hours to files, records, accounts, or personnel associated with this grant, as deemed necessary by the Foundation.
- The Foundation reserves the right to discontinue, modify, or withhold any payments to be made under this grant award or to require a total or partial refund of any grant funds if the Foundation, in its sole discretion, determines that such action is necessary:
  - Because The Navajo Nation has not fully complied with the terms and conditions of this grant,
- To protect the purpose and objectives of the grant or any other charitable activities of the Foundation, or
- To comply with any law or regulation applicable to The Navajo Nation, the Foundation, or this grant.

- The Navajo Nation’s deposit, negotiation, or endorsement of the enclosed check constitutes its agreement to the terms and conditions set forth above.

If you have any questions, please contact Deanna Dugas, Manager, BNSF Railway Foundation, at (817) 867-6458 or at deanna.dugas@bnsf.com. We extend our best wishes for your continued success and look forward to hearing of your accomplishments during the coming years. It is a pleasure to be among your current supporters. If you would like to publicize this grant, please feel free to do so. Also, you may apply again for future grant consideration one year from the date on the enclosed grant check.

Sincerely,

[Signature]
EXHIBIT "B"

The Northern Trust Company
Chicago, IL 60710
Payable Through
Northern Trust Bank/DuPage
Oakbrook Terrace, IL
70-2382/719

1/8/2018

BNSF RAILWAY FOUNDATION

PAY TO THE ORDER OF The Navajo Nation

$ 10,000.00

Ten Thousand and 0/100ths

DOLLARS

VOID AFTER 120 DAYS

Authorized Signature
NAVAJO NATION

RCS# 797

Naabik'íyáti Committee

Amd# to Amd#
MOT Filfred
SEC Tsosie

Legislation 0476-17:
Concurring with Navajo Nation
President's Donation Acceptance
from BNSF Railway Foundation...

PASSED

Yea : 13 Nay : 0 Excused : 0 Not Voting : 11

Yea : 13
Begay, K Chee Hale Smith
Begay, S Crotty Jack Witherspoon
BeGaye, N Daniels Slim Yazzie
Bennett

Nay : 0

Excused : 0

Not Voting : 11
Bates Damon Pete Tso
Begay, NM Filfred Phelps Tsosie
Brown Perry Shepherd