TITLE: An Action Relating To Health, Education And Human Services, Budget And Finance, NABIK’IYATI’ Committee And Navajo Nation Council; Approving And Authorizing The Indian Child Welfare Act Intergovernmental Agreement Between The State Of Utah’s Department Of Human Services, Division Of Child And Family Services And The Navajo Nation And Its Division Of Social Services

Date posted: May 02, 2019 at 5:20 PM

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DATE: March 26, 2019

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, NABIK'IYÁTÍ' COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING AND AUTHORIZING THE INDIAN CHILD WELFARE ACT INTERGOVERNMENTAL AGREEMENT BETWEEN THE STATE OF UTAH'S DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILD AND FAMILY SERVICES AND THE NAVAJO NATION AND ITS DIVISION OF SOCIAL SERVICES

PURPOSE: The purpose of this legislation is to approve the Indian Child Welfare Act Intergovernmental Agreement between the Navajo Nation Division of Social Services and the State of Utah.

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 review the proposed resolution in detail.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0102-19

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, NABIK’IYÁTI’ COMMITTEE AND NAVAJO NATION COUNCIL; APPROVING AND AUTHORIZING THE INDIAN CHILD WELFARE ACT INTERGOVERNMENTAL AGREEMENT BETWEEN THE STATE OF UTAH’S DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILD AND FAMILY SERVICES AND THE NAVAJO NATION AND ITS DIVISION OF SOCIAL SERVICES

BE IT ENACTED:

Section One. Authority

A. The Health, Education and Human Services Committee is the oversight committee for the Division of Social Services. 2 N.N.C. §401(C)(1).

B. The Budget and Finance Committee is established as a standing committee of the Navajo Nation Council with the authority to approve and accept Intergovernmental Agreements between the Navajo Nation and the State of Utah upon the recommendation of the standing committee which has oversight of the program which requested the Agreement. 2 N.N.C. §301 (B)(15).

C. The Naabik’iyáti’ Committee is authorized to recommend resolutions to the Navajo Nation Council and coordinate all federal, county and state programs.
D. The Navajo Nation Council must approve all intergovernmental agreements by resolution. 2 N.N.C 164(A)

Section Two. Findings
A. The Indian Child Welfare Intergovernmental Agreement between the Navajo Nation and its Division of Social Services and the State of Utah and its Department of Human Services, Division of Child and Family Services is entered into under 25 U.S.C. §1919 and the Utah Joint Powers Act and is predicated on a government to government relationship between the State of Utah and the Navajo Nation in a spirit of cooperation, coordination, communication, collaboration and good will.

B. This Indian Child Welfare Intergovernmental Agreement has been reviewed by the Navajo Nation Department of Justice and determined to be legally sufficient. See Exhibit A.

C. The Navajo Nation finds it to be in the best interest of the Navajo People and the children of the Navajo Nation to enter into this Indian Child Welfare Intergovernmental Agreement with the State of Utah, Department of Humans Services, Division of Child and Family Services as found at Exhibit A.

Section Three. Approvals
A. The Navajo Nation hereby approves and authorizes this Indian Child Welfare Intergovernmental Agreement between the Navajo Nation and its Division of Social Services and the State of Utah, Department of Humans Services, Division of Child and Family Services, as found at Exhibit A.

B. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute and effectuate this Agreement.