

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0170-21\_

SPONSOR: Otto Tso

**TITLE: An Action Related to Law and Order, Budget and Finance, and Naabik'iyáti Committees; Approving and Authorizing a Contract Between the Navajo Nation and the United States Department of the Interior Under 25 U.S.C § 5301 et. seq (P.L. 93-638, as Amended), for a Five (5) Year Term for the Period Beginning January 1, 2022 and Ending December 31, 2026 for the Navajo Nation Judicial Branch-Tribal Courts; Approving and Authorizing the Navajo Nation Judicial Branch-Tribal Courts Fiscal Year 2022 Annual Funding Agreement and Scope of Work**

*Date posted:* August 18, 2021 at 5:17PM

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Executive Director  
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P.O. Box 3390  
Window Rock, AZ 86515  
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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0170-21

**DATE:** August 11, 2021

**TITLE OF RESOLUTION:** AN ACTION RELATING TO LAW AND ORDER, BUDGET AND FINANCE, AND NAABIK'ÍYÁTI' COMMITTEES; APPROVING AND AUTHORIZING A CONTRACT BETWEEN THE NAVAJO NATION AND THE UNITED STATES DEPARTMENT OF THE INTERIOR UNDER 25 U.S.C. § 5301 et seq. (P.L. 93-638, AS AMENDED), FOR A FIVE (5) YEAR TERM FOR THE PERIOD BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2026 FOR THE NAVAJO NATION JUDICIAL BRANCH-TRIBAL COURTS; APPROVING AND AUTHORIZING THE NAVAJO NATION JUDICIAL BRANCH-TRIBAL COURTS FISCAL YEAR 2022 ANNUAL FUNDING AGREEMENT AND SCOPE OF WORK

**PURPOSE:** An action related to the Law and Order, Budget and Finance, and Naabik'iyati' Committees; approving and authorizing a contract between the Navajo Nation and the United States Department of the Interior under 25 U.S.C. § 5301 et seq. (P.L. 93-638, as amended), for a five (5) year period beginning January 1, 2022 and ending December 31, 2026, for the Navajo Nation Judicial Branch – Tribal Courts; approving and authorizing the Navajo Nation Judicial Branch – Tribal Courts Fiscal Year 2022 Annual Funding Agreement and Scope of Work.

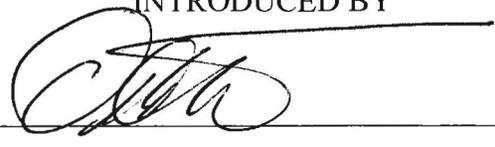
**This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: Wednesday  
Website Posting Time/Date:  
Posting End Date: August 23, 2021  
Eligible for Action: August 24, 2021

Law & Order Committee  
Thence  
Budget & Finance Committee  
Thence  
Naabik'iyáti' Committee

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 24<sup>th</sup> NAVAJO NATION COUNCIL - Third Year, 2021

3 INTRODUCED BY

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5

6 (Sponsor)

7  
8 TRACKING NO. 0170-21

9  
10 AN ACTION

11 RELATING TO LAW AND ORDER, BUDGET AND FINANCE, AND  
12 NAABIK'ÍYÁTI' COMMITTEES; APPROVING AND AUTHORIZING A  
13 CONTRACT BETWEEN THE NAVAJO NATION AND THE UNITED STATES  
14 DEPARTMENT OF THE INTERIOR UNDER 25 U.S.C. § 5301 *et seq.* (P.L. 93-638,  
15 AS AMENDED), FOR A FIVE (5) YEAR TERM FOR THE PERIOD BEGINNING  
16 JANUARY 1, 2022 AND ENDING DECEMBER 31, 2026 FOR THE NAVAJO  
17 NATION JUDICIAL BRANCH-TRIBAL COURTS; APPROVING AND  
18 AUTHORIZING THE NAVAJO NATION JUDICIAL BRANCH-TRIBAL COURTS  
19 FISCAL YEAR 2022 ANNUAL FUNDING AGREEMENT AND SCOPE OF WORK

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21 **BE IT ENACTED:**

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23 **SECTION ONE. AUTHORITY**

- 24 A. The Law and Order Committee is established as a standing committee of the Navajo  
25 Nation Council. 2 N.N.C. § 600.  
26 B. The Law and Order Committee is the oversight committee for the Judicial Branch of  
27 the Navajo Nation. 2 N.N.C. § 601(C)(1).  
28 C. The Budget and Finance Committee is established as a standing committee of the  
29 Navajo Nation Council. 2 N.N.C. § 300.  
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1 D. The Budget and Finance Committee is authorized to approve and accept contracts  
2 from federal authorities upon the recommendation of the standing committee which  
3 has oversight of the program which requested the contract. 2 N.N.C. § 301(B)(15).

4 E. The Naabik'iyáti' Committee is authorized to approve contracts between the Navajo  
5 Nation and the United States Department of Interior for the implementation of the  
6 Indian Self-Determination and Education Assistance Act, 25 U.S.C. §5301 *et seq.* (P.  
7 L. 93-638 as amended). 2 N.N.C. §701(A)(12).

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9 **SECTION TWO. FINDINGS**

10 A. The Annual Funding Agreement between the Department of Interior and the Navajo  
11 Nation is a self-determination contract under the Indian Self-Determination and  
12 Education Assistance Act and as such is an intergovernmental agreement.

13 B. It is in the best interest of the Navajo Nation to enter into a contract with the United  
14 States Department of Interior Bureau of Indian Affairs for the contract term as set  
15 forth in the documents attached as **Exhibit A**.

16 C. The proposed contract, pursuant to 25 U.S.C. § 5301 *et seq.* (P.L. 93-638, as  
17 amended), between the Navajo Nation and United States Department of Interior, has  
18 been has been endorsed by requisite reviewers and is determined legally sufficient  
19 and eligible for signature. *See Exhibit B*.

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21 **SECTION THREE. APPROVALS**

22 A. The Navajo Nation hereby approves and authorizes a contract between the Navajo  
23 Nation and the United States Department of the Interior, Bureau of Indian Affairs,  
24 under 25 U.S.C. § 5301 *et seq.* (P.L. 93-638, as amended), for a five (5) year period  
25 beginning January 1, 2022 and ending December 31, 2026 for Judicial Branch-Tribal  
26 Courts as set forth in the documents attached as **Exhibit A**.

27 B. The Navajo Nation hereby approves and authorizes the Annual Funding Agreement  
28 and Scope of Work for the Navajo Nation Judicial Branch, Tribal Courts for the  
29 contract term as set forth in the documents attached as **Exhibit A**.

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C. The Navajo Nation hereby authorizes the Chief Justice of the Navajo Nation to execute and effectuate the Contract, Annual Funding Agreement, and Scope of Work, provided the terms and conditions in such documents are substantially similar to those approved by this resolution.