

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0197-21_

SPONSOR: Otto Tso

TITLE: An Action Relating to Resources and Development, Budget and Finance, and Naabik'iváti' 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 Three-Year Term Beginning January 1, 2022 and Ending on December 31, 2024, for the Safety Dams Program; Approving and Authorizing the Fiscal Year Annual Funding Agreement and Scope of Work for the Period of the Contract Term

Date posted: September 15, 2021 at 6:52PM

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**Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586**

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0197-21

DATE: September 7, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO RESOURCES AND DEVELOPMENT, 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 THREE-YEAR TERM BEGINNING JANUARY 1, 2022, AND ENDING ON DECEMBER 31, 2024, FOR THE SAFETY OF DAMS PROGRAM; APPROVING AND AUTHORIZING THE FISCAL YEAR ANNUAL FUNDING AGREEMENT AND SCOPE OF WORK FOR THE PERIOD OF THE CONTRACT TERM

PURPOSE: An action related to Resources and Development, 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 three-year term for the Safety of Dams Program, approving and authorizing the Fiscal Year Annual Funding Agreement and Scope of Work for the period of the contract term.

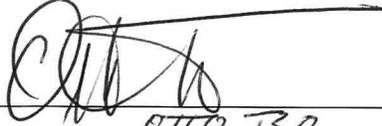
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 09/20/21
Eligible for Action: 09/21/21

Resources & Development Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee

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

3 INTRODUCED BY

4 
5 _____
6 (Sponsor)

8 TRACKING NO. 0197-21

10 AN ACTION

11 RELATING TO RESOURCES AND DEVELOPMENT, BUDGET AND FINANCE,
12 AND 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-
15 638, AS AMENDED), FOR A THREE-YEAR TERM BEGINNING JANUARY 1,
16 2022 AND ENDING ON DECEMBER 31, 2024, FOR THE SAFETY OF DAMS
17 PROGRAM; APPROVING AND AUTHORIZING THE FISCAL YEAR ANNUAL
18 FUNDING AGREEMENT AND SCOPE OF WORK FOR THE PERIOD OF THE
19 CONTRACT TERM

21 **BE IT ENACTED:**

23 **SECTION ONE. AUTHORITY**

- 24 A. The Resources and Development Committee is established as a standing committee
25 of the Navajo Nation Council. 2 N.N.C. § 500 (A).
26 B. The Resources and Development Committee has the power to promulgate rules and
27 regulations governing community development. 2 N.N.C. § 501 (B)(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 (A).
30

- 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.*
7 (P. L. 93-638 as amended). 2 N.N.C. §701 (A)(12).
- 8 F. It is in the best interest of the Navajo Nation to enter into a contract with the United
9 States Department of Interior for the Safety of Dams Program, for the contract term
10 beginning January 1, 2022, and ending on December 31, 2024, as set forth in the
11 documents attached hereto as **Exhibit A**.

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13 SECTION TWO. FINDINGS

- 14 A. The Annual Funding Agreement between the Department of Interior and the Navajo
15 Nation is a self-determination contract under the Indian Self-Determination and
16 Education Assistance Act and as such is an intergovernmental agreement.
- 17 B. It is in the best interest of the Navajo Nation to enter into a contract with the United
18 States Department of Interior Bureau of Indian Affairs for the contract term
19 beginning January 1, 2022, and ending on December 31, 2024, as set forth in the
20 documents attached as **Exhibit A**.
- 21 C. The proposed contract, pursuant to 25 U.S.C. § 5301 *et seq.* (P.L. 93-638, as
22 amended), between the Navajo Nation and United States Department of Interior,
23 has been endorsed by requisite reviewers and is determined legally sufficient and
24 eligible for signature as set forth in the documents attached as **Exhibit B**.

25

26 SECTION THREE. APPROVALS

- 27 A. The Navajo Nation hereby approves and authorizes a contract between the Navajo
28 Nation and the United States Department of the Interior, Bureau of Indian Affairs,
29 under 25 U.S.C. § 5301 *et seq.* (P.L. 93-638, as amended), for a three-year term
30

1 beginning January 1, 2022, and ending on December 31, 2024, for the Safety of
2 Dams Program as set forth in the documents attached as **Exhibit A**.

3 B. The Navajo Nation hereby approves and authorizes the Annual Funding Agreement
4 and Scope of Work for the Safety of Dams Program, for the contract term as set
5 forth in the documents attached as **Exhibit A**.

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

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