

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0013-23\_

SPONSOR: Vince James

**TITLE: An Action Relating to the Budget and Finance and Naabik'iyáti' Committees; Approving the Indirect Cost Rate and the Indirect Cost Agreement with the U.S. Department of Interior Cost Agreement with the U.S. Department of Interior/Interior Business Center, for Fiscal Year 2023**

***Date posted:*** February 02, 2023 at 10:03PM

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**SUMMARY OF PROPOSED LEGISLATION**

Tracking No. 0013-23

Date: February 1, 2023

**Re: AN ACTION RELATING TO THE BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES; APPROVING THE INDIRECT COST RATE AND THE INDIRECT COST AGREEMENT WITH THE U.S. DEPARTMENT OF INTERIOR/INTERIOR BUSINESS CENTER, FOR FISCAL YEAR 2023**

**Purpose of this Legislation:**

to approve the DOI/IBC's proposed IDC rate and IDC Agreement for the Navajo Nation for Fiscal Year 2023

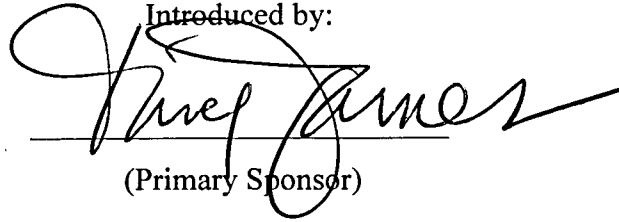
OLC No. 23-006-1

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 02/07/23  
Eligible for Action: 02/08/23

Budget & Finance Committee  
Thence  
Naabik'iyáti' Committee

1 PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION  
2 25<sup>th</sup> NAVAJO NATION COUNCIL - First Year, 2023

3 Introduced by:

4   
5 \_\_\_\_\_  
6 (Primary Sponsor)

7  
8 Tracking No. 0013-23

9  
10 AN ACTION

11 RELATING TO THE BUDGET AND FINANCE AND NAABIK'ÍYÁTI'  
12 COMMITTEES; APPROVING THE INDIRECT COST RATE AND THE  
13 INDIRECT COST AGREEMENT WITH THE U.S. DEPARTMENT OF  
14 INTERIOR/INTERIOR BUSINESS CENTER, FOR FISCAL YEAR 2023

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16 **BE IT ENACTED:**

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18 **SECTION ONE. AUTHORITY**

19 A. The Budget and Finance Committee ("BFC") is a standing committee of the Navajo Nation  
20 Council empowered to review and recommend to the Council the budgeting, appropriation,  
21 investment, and management of all funds. BFC also has oversight responsibility for the  
22 Navajo Nation's Office of Management and Budget ("OMB"). 2 N.N.C. §301(B)(2) and  
23 §301(B)(13).

24 B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council  
25 empowered to review and approve agreements with the appropriate federal agency for the  
26 setting of the Navajo Nation's indirect cost rate for each fiscal year. 2 N.N.C. §701(A)(10).

27  
28 **SECTION TWO. FINDINGS**

29 A. The U.S. Department of the Interior/Interior Business Center ("DOI/IBC") has submitted  
30 its "Indian Organization Indirect Cost Negotiation Agreement" ("IDC Agreement") for the

1 Navajo Nation, in a letter dated 11/08/2022. The proposed rate in the IDC Agreement is  
2 12.59% for the period of 10/01/2022 to 09/30/2023, for all Navajo Nation Programs.

3 **EXHIBIT A.**

4 B. The Executive Director of OMB has provided a memorandum dated January 6, 2023,  
5 indicating the 12.59% IDC rate and describing the required procedures for the Navajo  
6 Nation to formally approve this proposed rate for Fiscal Year 2023. **EXHIBIT B.**

7 C. Pursuant to the Navajo Nation's 2 N.N.C. §164(A) review process, the OMB, the Navajo  
8 Nation's Office of the Controller and Department of Justice, and other reviewers, have  
9 indicated that the negotiated IDC Agreement and supporting documents are legally  
10 sufficient. **EXHIBIT C.**

11 D. The Navajo Nation finds that approving DOI/IBC's proposed IDC rate of 12.59% for  
12 Fiscal Year 2023, and entering into the IDC Agreement with the DOI/IBC that provides for  
13 such rate, is financially prudent and in the best interest of the Navajo Nation.

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15 **SECTION THREE. APPROVAL OF IDC RATE AND IDC AGREEMENT**

16 A. The Navajo Nation hereby approves the IDC rate of 12.59% for the Navajo Nation for  
17 Fiscal Year 2023 that has been proposed by the U.S. Department of the Interior/Interior  
18 Business Center, as described in **EXHIBIT A** and **EXHIBIT B** attached hereto.

19 B. The Navajo Nation hereby approves the Indian Organizations Indirect Cost Negotiation  
20 Agreement with the U.S. Department of the Interior/Interior Business Center for the  
21 Navajo Nation for Fiscal Year 2023, attached as **EXHIBIT A.**

22 C. The Navajo Nation authorizes the President of the Navajo Nation, or his duly approved  
23 designee, to execute the IDC Agreement on behalf of the Navajo Nation, attached as  
24 **EXHIBIT A.**

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26 **SECTION FOUR. EFFECTIVE DATE**

27 This Action shall become effective pursuant to 2 N.N.C. §701(A)(10) and 2 N.N.C. §221(C).

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29 **SECTION FIVE. SAVING CLAUSE**

30 If any portion of this Action is invalidated by the Supreme Court of the Navajo Nation, or by

1 any Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the  
2 remainder of this Action shall be the law of the Navajo Nation.

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