

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0239-23_

SPONSOR: Vince R. James

TITLE: An Action Relating to Health, Education and Human Services 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 Three-Year Term for the Johnson O'Malley Program; Beginning January 1, 2024 Through December 31, 2026; Approving and Authorizing the Annual Funding Agreement and Scope of Work for the Period of the Contract Term

Date posted: October 16, 2023 at 4:42PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0239-23

DATE: October 9, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES 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 FOR THE JOHNSON O'MALLEY PROGRAM; BEGINNING JANUARY 1, 2024 THROUGH DECEMBER 31, 2026; APPROVING AND AUTHORIZING THE ANNUAL FUNDING AGREEMENT AND SCOPE OF WORK FOR THE PERIOD OF THE CONTRACT TERM

PURPOSE: The purpose of this proposed resolution is approve the contract term and annual funding agreement for the Johnson O'Malley Program under P.L. 93-638.

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 Al M... ..
Website Posting Time/Date _____
Posting End Date: 10/21/23
Eligible for Action: 10/22/23

PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL – First Year 2023

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0239-23

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES 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 FOR THE JOHNSON
O'MALLEY PROGRAM; BEGINNING JANUARY 1, 2024 THROUGH
DECEMBER 31, 2026; APPROVING AND AUTHORIZING THE ANNUAL
FUNDING AGREEMENT AND SCOPE OF WORK FOR THE PERIOD OF THE
CONTRACT TERM

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is the oversight committee for the Department of Dine' Education. 2 N.N.C. § 401 (C) (1).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council and among other statutory powers, the committee has the authority to approve contracts between the Navajo Nation and the United States Department of Interior for the implementation of the Indian Self-Determination and Education Assistance Act, 25 U.S.C. § 5301 *et seq.* (P.L. 93-638 as amended). 2 N.N.C. § 701 (A) (12).

SECTION TWO. FINDINGS

- 1
- 2 A. The Contract between the Department of Interior and the Navajo Nation is self-
- 3 determination contract under the Indian Self-Determination and Education
- 4 Assistance Act and as such is an intergovernmental agreement.
- 5 B. The Navajo Nation finds it to be in the best interest of the Navajo Nation to enter
- 6 this Contract with the United States Department of Interior for the contract term as
- 7 set forth in the Agreement between the Secretary of the Department of the Interior
- 8 and the Navajo Nation, which is attached as **Exhibit A**.
- 9 C. The Navajo Nation further finds that it is in the best interests of the Navajo Nation
- 10 to accept the annual funding agreement (“AFA”) for the period January 01, 2024
- 11 through December 31, 2024, which is attached as **Exhibit B**.
- 12 D. The Navajo Nation Department of Justice has provided a legal review of the
- 13 Contract and AFA attached as **Exhibits A and B**, respectively. The documents
- 14 were determined to be legally sufficient.
- 15

16 **SECTION THREE. APPROVALS**

- 17 A. The Navajo Nation hereby approves and authorizes the Contract between the
- 18 Navajo Nation and the United States Department of Interior, under 25 U.S.C. §
- 19 5301 *et seq.* (P.L. 93-638, as amended), for the contract term of three years
- 20 beginning January 1, 2024 and ending December 31, 2026, for the Johnson-
- 21 O’Malley Program as set forth in the documents as found at **Exhibit A**.
- 22 B. The Navajo Nation hereby approves and authorizes the AFA as set forth in **Exhibit**
- 23 **B**.
- 24 C. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute
- 25 and effectuate the Contract, Annual Funding Agreement and Scope of Work,
- 26 provided the terms and conditions in such documents are substantially similar to
- 27 those approved by this resolution.
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