

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0264-23\_

SPONSOR: Seth Damon

**TITLE: 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 2024**

***Date posted:*** December 13, 2023 at 8:04PM

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## LEGISLATION SUMMARY

Tracking No. 0264-23

Date: December 12, 2022

Title of Legislation: **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 2024**

Purpose: To accept and approve the federal IDC rate for FY2024 and the 2024 IDC Agreement.


OLC No. 22-542-1

5-DAY BILL HOLD PERIOD 5/22  
Website Posting Time/Date \_\_\_\_\_  
Posting End Date: 12-18-23  
Eligible for Action: 12-19-23

1 PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION

2 25<sup>th</sup> NAVAJO NATION COUNCIL - First Year, 2023

3 Introduced by:

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

8 Tracking No. 0264-23

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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 2024

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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).

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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 10/04/2023. The proposed rate in the IDC Agreement is  
2 15.90% for the period of 10/01/2023 to 09/30/2024, for all Navajo Nation Programs.

3 **EXHIBIT A.**

4 B. The Executive Director of OMB has provided a memorandum dated October 19, 2023,  
5 indicating the 15.90% IDC rate and describing the required procedures for the Navajo  
6 Nation to formally approve this proposed rate for Fiscal Year 2024. **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 15.90% for  
12 Fiscal Year 2024, 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 15.90% for the Navajo Nation for  
17 Fiscal Year 2024 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 2024, 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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