

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0106-24\_

SPONSOR: Eugenia Charles-Newton

**TITLE: An Action Relating to the Law and Order, the Health, Education, and Human Services, the Resources and Development, the Budget and Finance, and the Naabik'iyáti' Committees, and the Navajo Nation Council; Recognizing Navajo Nation Council Delegate Membership on the Tribal-Interior Budget Council and Establishing the Process for Selecting an Alternate Tribal Representative**

*Date posted:* May 10, 2024 at 9:23PM

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0106-24

**DATE:** May 7, 2024

**TITLE OF RESOLUTION: AN ACTION RELATING TO THE LAW AND ORDER, THE HEALTH, EDUCATION, AND HUMAN SERVICES, THE RESOURCES AND DEVELOPMENT, THE BUDGET AND FINANCE, AND THE NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; RECOGNIZING NAVAJO NATION COUNCIL DELEGATE MEMBERSHIP ON THE TRIBAL-INTERIOR BUDGET COUNCIL AND ESTABLISHING THE PROCESS FOR SELECTING AN ALTERNATE TRIBAL REPRESENTATIVE**

**PURPOSE:** This resolution, if approved, would recognize the appointments of Navajo Nation Council Delegates on the Tribal-Interior Budget Council, and establish the process for selecting an "Alternate Tribal Representative."

**Final Authority:** Navajo Nation Council

**Vote Required:** Simple Majority

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

5-DAY BILL HOLD PERIOD                       
Website Posting Time/Date                       
Posting End Date: 05-15-24  
Eligible for Action: 05-16-24

Law & Order Committee  
Thence  
Health Education & Human Services Committee  
Thence  
Resources & Development Committee  
Thence  
Budget & Finance Committee  
Thence  
Naabik'iyáti' Committee  
Thence  
Navajo Nation Council

PROPOSED COUNCIL RESOLUTION  
25th NAVAJO NATION COUNCIL—Second Year, 2024

INTRODUCED BY

\_\_\_\_\_  
Primary Sponsor

TRACKING NO. 0106-24

**AN ACTION**

**RELATING TO THE LAW AND ORDER, THE HEALTH, EDUCATION, AND HUMAN SERVICES, THE RESOURCES AND DEVELOPMENT, THE BUDGET AND FINANCE, AND THE NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; RECOGNIZING NAVAJO NATION COUNCIL DELEGATE MEMBERSHIP ON THE TRIBAL-INTERIOR BUDGET COUNCIL AND ESTABLISHING THE PROCESS FOR SELECTING AN ALTERNATE TRIBAL REPRESENTATIVE**

**BE IT ENACTED:**

**SECTION ONE. AUTHORITY**

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council with the authority to represent the Navajo Nation at local, state, and federal levels, in coordination with the President of the Navajo Nation, appropriate committees of the Navajo Nation Council and the Chief Justice, in advocating for legislation, funding or actions relating to the justice systems, administrative legal tribunals, and public safety activities. 2 N.N.C. § 601(B)(13).
- B. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council empowered to represent the Navajo Nation at local, state

1 and federal levels, in coordination with the President of the Navajo Nation and the  
2 Naabik'íyáti Committee on proposed legislation, funding and other actions affecting  
3 health, environmental health, social services, education, veteran services,  
4 employment, training and labor; and reviews and recommends Divisions and  
5 Programs applications and reauthorizations for Indian Self-Determination and  
6 Education Assistance Act contracts and grants. 2 N.N.C. §§ 401(B)(6)(d),  
7 401(B)(7)(a).

8 C. The Resources and Development Committee is a standing committee of the Navajo  
9 Nation Council empowered to represent the Navajo Nation at local, state and federal  
10 levels, in coordination with the Navajo Nation President and the appropriate  
11 committee of the Navajo Nation Council, on proposed resolutions or actions affecting  
12 natural resources, energy resources, economic and community development, road and  
13 transportation matters, and capital improvement projects which include  
14 recommending approval of the annual capital improvement projects budget of the  
15 Bureau of Indian Affairs ("BIA"), Indian Health Services ("IHS"), and other  
16 departments or agencies of the United States and housing development. 2 N.N.C. §  
17 501(B)(5).

18 D. The Budget and Finance Committee is a standing committee of the Navajo Nation  
19 Council empowered to review the annual budgets of the BIA, the HIS, and other  
20 departments and agencies of the United States government and to recommend the  
21 approval and disapproval of such budgets. 2 N.N.C. §301(B)(11).

22 E. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §  
23 102 (A).

24 F. A proposed resolution requiring final action by the Navajo Nation Council shall be  
25 assigned to the Naabik'íyáti Committee. 2 N.N.C. §164(A)(9).

## 26 27 **SECTION TWO. FINDINGS**

28 A. The Federal Government established the Tribal-Interior Budget Council ("TIBC") in  
29 1999 to provide a forum and process for tribes and Federal officials to work together  
30 in developing annual budget requests for Indian programs within the Department of

1 the Interior trust responsibilities and duties. TIBC provides cooperative participation  
2 in Indian Affairs budget formulation, justification, and information on programs.  
3 TIBC meetings serve as an education forum to better inform tribes of the Indian  
4 Affairs budget process and advise on the status of Indian country initiatives  
5 throughout the Federal Government. <https://www.bia.gov/as-ia/obpm/tibc>.

6 B. The mission of TIBC is to provide an advisory government-to-government forum and  
7 process for Tribes and the Department of the Interior to develop budgets that allow  
8 for the fulfillment of tribes' self-determination, self-governance, sovereignty, and  
9 treaty rights, as well as sufficient levels of funding to address the needs of Tribes and  
10 their tribal citizens. [https://www.ncai.org/initiatives/bia-tribal-budget-advisory-](https://www.ncai.org/initiatives/bia-tribal-budget-advisory-council)  
11 [council](https://www.ncai.org/initiatives/bia-tribal-budget-advisory-council).

12 C. TIBC membership includes Indian Affairs Representatives, White House  
13 Representatives, and Tribal Representatives. The Tribal Representatives consist of  
14 twenty-four (24) elected or appointed Tribal officials who are nominated and selected  
15 to serve on the TIBC. Each of the twelve (12) Bureau of Indian Affairs ("BIA")  
16 Regions are to have two (2) Tribal officials who are the voting members at TIBC. The  
17 Tribal officials may formally designate a non-elected representative by written  
18 notification. The Tribal Representatives advocate on behalf of the Tribes in their  
19 region and are appointed for three (3) year terms. *See* Tribal/Interior Budget Council  
20 Protocol attached as **Exhibit A**.

21 D. The Navajo Nation is recognized as its own BIA region and holds two Tribal  
22 Representative voting positions on TIBC. The Navajo Nation President and Speaker  
23 of the Navajo Nation Council are recognized as the Navajo BIA region Tribal  
24 Representatives on the TIBC.

25 E. The TIBC also established subcommittees to address the various programs under the  
26 Department of the Interior tribal trust responsibilities which include: The Public  
27 Safety & Justice Subcommittee, Education Subcommittee, Transportation  
28 Subcommittee, Data Management Subcommittee, Road Maintenance Subcommittee,  
29 and Budget Subcommittee.

30

- 1 F. Each TIBC Subcommittee consists of five elected voting members, includes 1-2  
2 chairs, and are open to attendance and participation by the full TIBC membership.  
3 The TIBC Subcommittee members may miss one meeting and provide an alternate  
4 representative. If attendance obligations cannot be met, the TIBC Subcommittees will  
5 work together to replace a non-attending member. **Exhibit A.**
- 6 G. During the TIBC election period, Navajo Nation Council Delegates, as elected  
7 leadership, may independently volunteer to participate on TIBC Subcommittees or  
8 Workgroups. The last elections were held on April 11, 2023, and five Navajo Nation  
9 Council Delegates were elected as TIBC Subcommittee/Working group members.
- 10 H. Therefore, it is in the best interest of the Navajo Nation to recognize and authorize the  
11 Navajo Nation Council Delegate's on the TIBC Subcommittees, as advocates  
12 promoting the best interests of the Navajo Nation.

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14 **SECTION THREE. RECOGNIZING AND AUTHORIZING THE NAVAJO**  
15 **NATION COUNCIL DELEGATE REPRESENTATION ON THE TIBC**  
16 **SUBCOMMITTEES**

- 17 A. On April 11, 2023, the TIBC held nominations and elections for their Subcommittees.  
18 The following Navajo Nation Council Delegates were elected as TIBC members and will  
19 be referred to as "TIBC Delegate members":
- 20 1. Honorable Delegate Eugenia Charles-Newton, Co-chair of the TIBC Public  
21 Safety and Justice Subcommittee.
  - 22 2. Honorable Delegate Cheryl Yazzie, voting member of the TIBC Public Safety  
23 and Justice Subcommittee.
  - 24 3. Honorable Nathen Notah, voting member of the TIBC Land, Water, and Natural  
25 Resources Subcommittee.
  - 26 4. Honorable Delegate Otto Tso, Co-Chair of the TIBC Road Maintenance  
27 Subcommittee.
- 28 B. The TIBC Delegate members are authorized to represent the Navajo Nation in  
29 discussion and advocacy regarding the detailed budgets and budget policies pertaining to  
30 their elected TIBC Subcommittees.

- 1 C. The TIBC Delegate members will provide recommendations, supporting data, and  
2 current needs analysis, in alignment with each Navajo Nation Standing Committee  
3 priority list, to support the Navajo Nation's efforts of ensuring accountability of the  
4 Department of the Interior's fulfillment of Trust responsibilities and Treaty obligations.
- 5 D. The TIBC Delegate members shall attend all required TIBC meetings and identify an  
6 Alternate TIBC Delegate member if they are not able to attend. Alternate TIBC  
7 Delegate members shall understand the issues, policies, budgets, and interests of the  
8 Navajo Nation being presented at the TIBC Subcommittees.
- 9 E. The TIBC Delegate members shall provide written or oral reports to the Navajo Nation  
10 Standing Committees with oversight over the perspective P.L. 93-638 contracts at their  
11 request.
- 12 F. The TIBC Delegate members shall work with the Office of Management and Budget in  
13 the P.L. 93-638 contracts negotiation process to ensure their advocacy efforts are  
14 realized.
- 15 G. The TIBC Delegate members shall work, meet, and coordinate with the various Navajo  
16 Nation Departments, Agencies, and Divisions prior to attending the TIBC and  
17 develop a strategic plan for advocating on behalf of the Navajo Nation as a whole.

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19 **SECTION FOUR. ESTABLISHING THE PROCESS FOR SELECTING AN**  
20 **ALTERNATE TIBC TRIBAL OFFICIAL**

- 21 A. It is in the best interest of the Navajo Nation to set forth a process for selecting an  
22 Alternative TIBC Tribal representative, to ensure a unified and consistent advocacy  
23 for funding of the various programs under the trust responsibility of the Federal  
24 Government. The "Alternate TIBC Tribal representative" will have the right to vote  
25 at the TIBC.
- 26 B. The Navajo Nation therefore establishes the following process for selecting an  
27 Alternative TIBC Tribal Representative:
- 28 1. If the Navajo Nation President and/or the Speaker of the Navajo Nation  
29 Council is unable to attend the TIBC, they shall choose a current TIBC  
30 Delegate member as the Alternate TIBC Tribal representative.

- 1           2. If no TIBC Delegate members is able to attend, the Navajo Nation President  
2           and/or the Speaker of the Navajo Nation Council shall choose the Navajo  
3           Nation Vice-President or any Navajo Nation Council Delegate as the  
4           Alternate TIBC Tribal representative.
- 5           3. If the Navajo Nation Vice-President nor any Navajo Nation Council Delegate  
6           is able to attend the TIBC, then the Navajo Nation President and/or the  
7           Speaker of the Navajo Nation Council may choose any Navajo Nation official  
8           as the Alternate TIBC Tribal representative.
- 9           4. The Navajo Nation President and/or the Speaker of the Navajo Nation Council  
10          shall notify the Alternate TIBC Tribal representative two weeks prior to the  
11          TIBC meeting through written notification.

#### 12 13 **SECTION FIVE. DIRECTIVES**

- 14          **A.** The Speaker's Chief of Staff shall assign one policy analyst to assist the TIBC  
15          Delegate members in their preparation for the TIBC meetings. They shall compile the  
16          recommendations, supporting data, and current needs analysis, in alignment with each  
17          Navajo Nation Standing Committee priority listing, for the TIBC Delegate members to  
18          utilize in their advocacy.
- 19          **B.** The Speaker's Chief of Staff shall assign two Office of Legislative Services staffers  
20          for every three (3) TIBC Delegate members. The Office of Legislative Services  
21          staffers will travel with the TIBC Delegate members and will accompany the  
22          members to all functions and activities related to their TIBC responsibilities, assisting  
23          with note taking, keeping a TIBC calendar, setting up meetings, tracking P.L. 93-638  
24          contracts, monitoring the P.L. 93-638 contracts negotiation process, collecting the  
25          detailed budgets and budget policies, and any other functions and activities related to  
26          the TIBC Delegate member's responsibilities.
- 27          **C.** The Speaker shall identify the funds and establish a budget for the TIBC Delegate  
28          members' participation in TIBC meetings and participation in all functions and  
29          activities related to their TIBC responsibilities.



1 **SECTION SIX. EFFECTIVE DATE.**

2 This Action and selection process shall be effective pursuant to 2 N.N.C. § 221 (C).

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