

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0074-25_

SPONSOR: Nathan Notah

**TITLE: An Action Relating to the Law and Order and Naabik'iyáti' Committees;
Authorizing the Navajo Nation Department of Corrections to Submit a Lease
Proposal to the U.S Department of the Interior for the Kayenta District Adult
Corrections Building No. 149**

Date posted: May 05, 2025 at 6:19PM

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Office of Legislative Services
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LEGISLATIVE SUMMARY SHEET

Tracking No. 0074-25

DATE: April 23, 2025

TITLE OF RESOLUTION: AN ACTION RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES; AUTHORIZING THE NAVAJO NATION DEPARTMENT OF CORRECTIONS TO SUBMIT A LEASE PROPOSAL TO THE U.S. DEPARTMENT OF THE INTERIOR FOR THE KAYENTA DISTRICT ADULT CORRECTIONS BUILDING NO. 149

PURPOSE: The purpose of this proposed resolution is to authorize the Navajo Nation Department of Corrections to submit a lease proposal to the U.S. Department of Interior of the Kayenta District Adult Corrections Building No. 149.

FINAL AUTHORITY: Naabik'íyáti' Committee

VOTE REQUIRED: Simple Majority

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:
Website Posting Time/Date:
Posting End Date: 05-10-25
Eligible for Action: 05-11-25

Law & Order Committee
Thence
Naabik'iyáti' Committee

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 25th NAVAJO NATION COUNCIL – Third Year, 2025

3 INTRODUCED BY

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6 (Prime Sponsor)

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8 TRACKING NO. 0074-25

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10 AN ACTION

11 RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI'
12 COMMITTEES; AUTHORIZING THE NAVAJO NATION DEPARTMENT OF
13 CORRECTIONS TO SUBMIT A LEASE PROPOSAL TO THE U.S.
14 DEPARTMENT OF THE INTERIOR FOR THE KAYENTA DISTRICT ADULT
15 CORRECTIONS BUILDING NO. 149

16
17 **BE IT ENACTED:**

18 **Section One. Authority**

- 19 A. The Law and Order Committee is a standing committee of the Navajo Nation
20 Council. 2 N.N.C. § 600(A).
- 21 B. The Law and Order Committee of the Navajo Nation Council has authority to
22 grant final approval for “agreements negotiated by justice systems entities,
23 administrative legal tribunals and public safety programs with other
24 federal...governmental agencies, subject to Naabik'iyáti' Committee approval
25 when required by law.” 2 N.N.C. § 601 (B)(1)(a).
- 26 C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation
27 Council. 2 N.N.C. § 700(A).
- 28 D. The Naabik'iyáti' Committee has the authority “[t]o authorize, review, approve
29 and accept any and all contracts, grants and associated budgets with the United
30 States, its departments and agencies for the implementation of the Indian Self-

1 Determination and Education Assistance Act [ISDEAA], as amended upon the
2 recommendation of the standing committee which has oversight of the division,
3 department or program applying for the contract and/or grant.” 2 N.N.C. § 701
4 (A)(12).

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6 **Section Two. Findings**

- 7 A. Federal Law requires the Secretary of the U.S. Department of the Interior to enter
8 into a lease agreement with a tribe proposing a lease. 25 U.S.C. §5324(1). *See*
9 *also* Public Law 93-638 sec. 105(l). Further, the lease compensation shall be
10 calculated in accordance with 25 C.F.R. Part 900 Subpart H (beginning at 25
11 C.F.R. §900.69).
- 12 B. The U.S. Department of the Interior requires tribes and tribal organizations to
13 certify that all information provided by the tribe or tribal organization for the
14 purposes of calculating lease compensation under Section 105(l) of Public Law
15 93-638 is true and correct. The Appraisal Report for the Kayenta Correctional
16 (Adult) Facility is attached as **Exhibit A**.
- 17 C. The 105(l) Lease will be used for the Kayenta District Adult Correctional
18 Building No. 149. The Permanent Certificate of Occupancy is attached as **Exhibit**
19 **B**.
- 20 D. A letter dated August 31, 2022 from the Office of Facilities, Property, and Safety
21 Management Director to the Navajo Nation President regarding a request to enter
22 into an ISDEAA 105(l) lease is attached as **Exhibit C**.
- 23 E. The Executive Official Review Document No. 023839 is attached as **Exhibit D**.

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25 **Section Three. Approval**

- 26 A. The Navajo Nation authorizes the Navajo Nation President to submit a lease
27 proposal to the U.S. Department of the Interior for the Kayenta District Adult
28 Correctional Building No. 149 pursuant to Public Law 93-638.
- 29 B. The Navajo Nation authorizes the Navajo Nation President to negotiate and
30 execute said lease agreement and to take all measures necessary to implement said

1 lease agreement for fiscal year 2025 and subsequent lease periods for which funds
2 are available.

- 3 C. The Navajo Nation designates the Navajo Nation President as the appropriate
4 official to verify the information provided by the Navajo Nation for purposes of
5 calculating lease compensation under Section 105(l) of Public Law 93-638, and
6 is hereby authorized to attest as to the accuracy of such.

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