

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0110-25_

SPONSOR: Vince James

TITLE: An Action Relating to Naabik'iyáti' Committee; Approving and Authorizing a Public Law 93-638 Contract (Model 108) Between the Navajo Nation and U.S. Department of the Interior Under 25 USC §§ 5301 *et seq.* (P.L. 93-638, as Amended) for a Period of Five Years for the Department of Children and Family Services' P.L. 102-477 Plan Contract; Approving and Authorizing Annual Funding Agreement

Date posted: June 06, 2025 at 10:41PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0110-25

DATE: June 6, 2025

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI' COMMITTEE; APPROVING AND AUTHORIZING A PUBLIC LAW 93-638 CONTRACT (MODEL 108) BETWEEN THE NAVAJO NATION AND U.S. DEPARTMENT OF THE INTERIOR UNDER 25 U.S.C. §§ 5301 ET SEQ. (P.L. 93-638 AS AMENDED) FOR A PERIOD OF FIVE YEARS FOR THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES' P.L. 102-477 PLAN CONTRACT; APPROVING AND AUTHORIZING ANNUAL FUNDING AGREEMENT

PURPOSE: The purpose of this proposed resolution is to approve and authorize a five-year Public Law 102-477 contract between the Navajo Nation Department of Children and Family Services and U.S. Department of Interior as well as to approve and authorize an annual funding agreement for the contract.

FINAL AUTHORITY: Naabik'iyati' Committee

VOTING REQUIREMENT: 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: Johnson
Website Posting Time/Date: _____
Posting End Date: 06-11-25
Eligible for Action: 06-12-25

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

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0110-25

AN ACTION

RELATING TO NAABIK'ÍYÁTI' COMMITTEE; APPROVING AND AUTHORIZING
A PUBLIC LAW 93-638 CONTRACT (MODEL 108) BETWEEN THE NAVAJO
NATION AND U.S. DEPARTMENT OF THE INTERIOR UNDER 25 U.S.C. §§ 5301
ET SEQ. (P.L. 93-638 AS AMENDED) FOR A PERIOD OF FIVE YEARS FOR THE
DEPARTMENT OF CHILDREN AND FAMILY SERVICES' P.L. 102-477 PLAN
CONTRACT; APPROVING AND AUTHORIZING ANNUAL FUNDING
AGREEMENT

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council. It has the authority to "authorize, review, approve and accept any and all contracts, grants and associated budgets with the United States, its departments and agencies for the implementation of the Indian Self-Determination and Education Assistance Act, as amended upon the recommendation of the standing committee which has oversight of the division, department or program applying for the contract and/or grant." 2 N.N.C. §701(A)(12).

1 B. The Navajo Nation has a government-to-government relationship with the federal
2 government. *Treaty of 1849*, 9 Stat. 974. and *Treaty of 1868*, 15 Stat. 667.

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4 **SECTION TWO. FINDINGS**

5 A. The Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-
6 638) authorizes government agencies, such as the U.S. Department of the Interior, to
7 enter into contracts with, and make grants directly to, federally
8 recognized Indian tribes. The areas of agreements includes various government
9 operations such as social services, education, law enforcement services and other
10 programs of the federal government.

11 B. Public Law 102-477 (often referred to as “477”) is the Indian Employment, Training
12 and Related Services Demonstration Act, which was passed in 1992 and amended in
13 2000.

14 C. Contracts entered into under P.L. 102-477 allow for the consolidation of federal funds
15 and services into a single plan, single budget, a single audit, and a single report.

16 D. The Bureau of Indian Affairs delivers the funds to the Nation “through a Public Law
17 93-638 grant award designed for 477 or a 477 modification to a Public Law 93-638
18 self-governance compact.” See [https://www.bia.gov/service/starting-business/477-](https://www.bia.gov/service/starting-business/477-economic-opportunities)
19 [economic-opportunities](https://www.bia.gov/service/starting-business/477-economic-opportunities).

20 E. The Division for Children and Family Services, a division established within Executive
21 Branch of the Navajo Nation, applied for a P.L. 102-477 Plan Contract (“477 Plan
22 Contract”) after the P.L. 102-477 Plan was approved by the Navajo Nation Council in
23 Resolution No. CJN-31-24 and is attached as **Exhibit A**.

24 F. The Navajo Nation received notice the P.L. 102-477 Plan was approved by the U.S.
25 Department of Interior, Bureau of Indian Affairs on October 9, 2024.

26 G. On March 17, 2025, the Division for Children and Family Services was awarded a five-
27 year 477 Plan Contract for a term beginning October 1, 2024, to September 30, 2029,
28 for a total of \$68,722,886.00 which includes services to be rendered by the Department
29 of Child Care and Development, Department for Self-Reliance, Department of Family
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Services, and the Navajo Indian Child Welfare Act Program. The Award Letter is attached as **Exhibit B**.

H. The 477 Plan Contract, which consists of the Pub. L. 93-638 Model 108 Agreement and Attachment 2, Pub. L. 477 Funding Agreement with Attachments A-C are attached as **Exhibit C**.

I. The P.L. 102-477 Fund ("477 Fund") is available for drawing down which the Navajo Nation will invest in an interest-bearing account to be used for enhancing eligible activities and services that are outlined in the approved P.L. 102-477 Plan.

J. The Division for Children and Family Services seeks approval of the 477 Plan Contract and authorization to draw down the \$68,722,886.00 and all future 477 Funds, into the Navajo Nation coffers to provide 477 services and activities for the benefit of Navajo children and families.

K. The Navajo Nation Department of Justice determines the proposed 477 Plan Contract, which consists of the Pub. L. 93-638 Model 108 Agreement and Attachment 2, Pub. L. 477 Funding Agreement with Attachments A-C attached as **Exhibit C**, for Division for Children and Family Services, is legally sufficient.

L. It is in the best interests of the Navajo Nation that proposed 477 Plan Contract for Division for Children and Family Services be approved.

SECTION THREE. APPROVING CONTRACT

A. The Navajo Nation hereby approves and authorizes the 477 Plan Contract, which consists of the Pub. L. 93-638 Model 108 Agreement and Attachment 2, Pub. L. 477 Funding Agreement with Attachments A-C attached as **Exhibit C**, for Division for Children and Family Services between the Navajo Nation and U.S. Department of the Interior for a period of five years beginning October 1, 2024 and ending September 30, 2029, for the services approved under the Division of Children and Family Services 477 Plan and approves the drawing down of \$68,722,866.00 and future 477 Plan awards into a single budget.

1 B. The Navajo Nation hereby authorizes the Navajo Nation President, or his duly
2 authorized designee or successor, to execute the Contract and related documents
3 attached as **Exhibit C**.
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