



25TH NAVAJO NATION COUNCIL

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25th Navajo Nation Council applauds enactment of new Procurement Act

WINDOW ROCK, Ariz. — The 25th Navajo Nation Council applauds the enactment of a comprehensive new Procurement Act following the recent signing of Resolution No. CMA-22-26 by Navajo Nation President Dr. Buu Nygren, marking a significant step forward in strengthening the Nation's financial governance framework.

The resolution, developed through the efforts of the 25th Navajo Nation Council, was formally introduced during a special session by Budget and Finance Committee Chair Shaandiin Parrish.

"This new Procurement Act ensures accountability, transparency, and puts the Navajo people first," Chair Parrish said. "This law creates a modern and legally sound framework that protects public funds, upholds our sovereignty, and delivers better results for our communities."

Resolution No. CMA-22-26 replaces the existing procurement framework established under Resolution No. CO-81-23. Unlike prior proposals that sought to amend the existing system, the new law establishes a comprehensive procurement structure with more consistent and transparent processes.

The Procurement Act governs how the Navajo Nation purchases goods, procures services, and contracts with vendors using public funds, including tribal appropriations and federal funding. These processes affect nearly every area of government operations, from infrastructure development to professional services.

A key distinction in the new law is the clarification of authority. Under the previous framework, the relationship between statutory law, regulations, and executive authority was less defined, with significant reliance on the Office of the Controller for regulatory oversight.

The new act establishes a clear hierarchy by placing statute above regulation and affirming that the Budget and Finance Committee retains direct, non-delegable authority over procurement regulations, strengthening legislative oversight and clarifying governance.

Resolution No. CMA-22-26 also establishes standardized procurement methods, including sealed bidding for goods, sealed proposals for services and construction, simplified acquisition for mid-range purchases, micro-purchasing for smaller transactions, and noncompetitive procurement for limited circumstances such as emergencies or sole-source needs.

While the previous system relied heavily on centralized control, often resulting in delays, the new act adopts a hybrid model. Large and complex procurements will be managed through

a central procurement office, while individual departments are authorized to handle smaller purchases more efficiently.

Oversight and reporting requirements are further strengthened under the new law. The Office of the Controller is now required to collect procurement data across all departments and provide regular reports to the Budget and Finance Committee and the Office of the Auditor General.

The act also establishes a formal bid protest process and administrative appeals pathway, granting the Office of Hearings and Appeals jurisdiction over procurement disputes. Decisions issued through this process will be final, providing greater legal certainty for both vendors and the Navajo Nation.

Additionally, the law includes a provision addressing sovereignty and compliance with external requirements, stating that the Navajo Nation will adhere to outside legal obligations only to the extent that they do not conflict with Navajo law or infringe on tribal sovereignty. Implementation of this provision may require coordination to ensure compliance with conditions tied to federal funding sources, including grants and American Rescue Plan Act funds.

The law will not take effect immediately. It becomes effective only after the Budget and Finance Committee adopts the necessary procurement regulations. Until that time, the current procurement system will remain in place.

The 25th Navajo Nation Council supports the enactment of this legislation and will continue working to support its implementation and refinement to ensure it meets the evolving needs of the Navajo people.

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