

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0223-26_

SPONSOR: Vince R. James

TITLE: An Action Relating to the Health, Education, and Human Services; Budget and Finance; and Naabik'iyáti' Committees; Approving and Authorizing a Contract Between the Navajo Nation and the United States Department of the Interior, Bureau of Indian Affairs, Pursuant to 25 U.S.C. § 5301 Et Seq. (Public Law 93-638, as Amended), for a Seven (7) Year Term Beginning January 1, 2027 and Ending December 31, 2033, for the Navajo Nation Higher Education Program

Date posted: October 05, 2026 at 3:08PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0223-26

DATE: September 23, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES; BUDGET AND FINANCE; AND NAABIK'ÍYÁTI' COMMITTEES; APPROVING AND AUTHORIZING A CONTRACT BETWEEN THE NAVAJO NATION AND THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF INDIAN AFFAIRS, PURSUANT TO 25 U.S.C. § 5301 ET SEQ. (PUBLIC LAW 93-638, AS AMENDED), FOR A SEVEN (7) YEAR TERM BEGINNING JANUARY 1, 2027 AND ENDING DECEMBER 31, 2033, FOR THE NAVAJO NATION HIGHER EDUCATION PROGRAM

PURPOSE: This legislation, if approved, would approve and authorize a contract between the Navajo Nation and the United States Department of the Interior, Bureau of Indian Affairs, pursuant to 25 U.S.C. § 5301 et seq. (Public Law 93-638, as amended), for a seven (7) year term beginning January 1, 2027 and ending December 31, 2033, for the Navajo Nation Higher Education Program. It would further approve and authorize the Navajo Nation Higher Education Program Fiscal Year 2027 Annual Funding Agreement and Scope of Work, covering the period January 1, 2027 through December 31, 2027 in the proposed amount of \$13,580,558.00, and would authorize the President of the Navajo Nation to execute and effectuate the Contract, the Annual Funding Agreement, and the Scope of Work.

FINAL AUTHORITY: Naabik'iyáti' 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: 10-10-26
Eligible for Action: 10-11-26

Health Education & Humans Services Committee
Thence
Budget & Finance Committee
Thence
Naabik'iyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL—Fourth Year, 2026

Introduced by:

Primary Sponsor

Tracking No. 0223-26

AN ACTION

RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES;
BUDGET AND FINANCE; AND NAABIK'ÍYÁTI' COMMITTEES;
APPROVING AND AUTHORIZING A CONTRACT BETWEEN THE
NAVAJO NATION AND THE UNITED STATES DEPARTMENT OF THE
INTERIOR, BUREAU OF INDIAN AFFAIRS, PURSUANT TO 25 U.S.C. §
5301 ET SEQ. (PUBLIC LAW 93-638, AS AMENDED), FOR A SEVEN (7)
YEAR TERM BEGINNING JANUARY 1, 2027 AND ENDING
DECEMBER 31, 2033, FOR THE NAVAJO NATION HIGHER
EDUCATION PROGRAM

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council with the purpose of promulgating regulations, promoting accountability to policies, and providing legislative oversight on matters involving health, social service, education, and general governmental services and human services, and is the oversight committee for the Higher Education Program of the Navajo Nation. 2 N.N.C. §§ 400(A) and (C)(1).

- 1 B. The Budget and Finance Committee is a standing committee of the Navajo Nation
2 Council and is authorized to approve and accept contracts and grants from federal
3 authorities upon the recommendation of the standing committee which has
4 oversight of the program which requested the contract. 2 N.N.C. §§ 300 and
5 301(B)(15).
- 6 C. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council
7 with the authority to coordinate the Navajo Nation's engagement with federal
8 agencies, review federal programs impacting the Nation, and authorize and approve
9 contracts and grants with the United States, including contracts with the United
10 States Department of the Interior for the implementation of the Indian Self-
11 Determination and Education Assistance Act, 25 U.S.C. § 5301 et seq. (Public Law
12 93-638, as amended). 2 N.N.C. §§ 700(A) and 701(A)(3), (4), (7), and (12).

13 14 **SECTION TWO. FINDINGS**

- 15 A. The Navajo Nation Higher Education Program is administered by the Office of
16 Navajo Nation Scholarship and Financial Assistance ("ONNSFA") within the
17 Department of Diné Education, and provides scholarships and financial assistance
18 to enrolled members of the Navajo Nation pursuing certificates and undergraduate,
19 graduate, and doctoral degrees.
- 20 B. The Navajo Nation administers the Higher Education Program under a self-
21 determination contract with the United States Department of the Interior, Bureau of
22 Indian Affairs, entered into pursuant to Title I of the Indian Self-Determination and
23 Education Assistance Act, 25 U.S.C. § 5301 et seq. (Public Law 93-638, as
24 amended) ("ISDEAA"). *See Exhibit A.*
- 25 C. A self-determination contract and its annual funding agreement between the
26 Secretary of the Interior and the Navajo Nation constitute an intergovernmental
27 agreement, and each provision of the ISDEAA and of the contract is to be liberally
28 construed for the benefit of the Navajo Nation as the contractor. *See Exhibit A.*
- 29 D. The proposed contract provides for a seven (7) year term beginning January 1,
30 2027 and ending December 31, 2033, with the contract period determined on the

1 basis of a calendar year pursuant to Section 105(d)(1) of the ISDEAA, 25 U.S.C. §
2 5324(d)(1). *See Exhibit B.*

3 E. The Navajo Nation Higher Education Program Fiscal Year 2027 Annual Funding
4 Agreement covers the period January 1, 2027, through December 31, 2027,
5 incorporates the attached Scope of Work, and reflects a proposed program budget
6 in the amount of \$13,580,558.00 under Assistance Listing Number 15.114, subject
7 to the availability of Congressional appropriations. The award requires no matching
8 funds from the Navajo Nation. *See Exhibit B.*

9 F. Document No. 026928 has completed the 164 review required by 2 N.N.C. §
10 164(A). The Office of Management and Budget, the Office of the Controller, and
11 the Office of the Attorney General each determined the document sufficient, and
12 the Navajo Nation Department of Justice determined the proposed contract renewal
13 and Scope of Work legally sufficient and eligible for signature, as set forth in the
14 documents attached hereto as **Exhibit C.**

15 G. The Navajo Nation Department of Justice has further advised that the contract
16 documents are not to be executed by the President of the Navajo Nation until
17 authorizing legislation for the contract renewal is approved.

18 H. The proposed Contract between the Secretary of the Department of the Interior and
19 the Navajo Nation, the Fiscal Year 2027 Annual Funding Agreement, and the
20 Scope of Work are attached hereto as **Exhibit B.**

21 I. It is in the best interest of the Navajo Nation, and of the Navajo students served by
22 the Higher Education Program, to approve and authorize the Contract, the Fiscal
23 Year 2027 Annual Funding Agreement, and the Scope of Work, and to authorize
24 the President of the Navajo Nation to execute the same, so that scholarship and
25 financial assistance services continue without interruption beginning January 1,
26 2027.

1 **SECTION THREE. APPROVAL AND AUTHORIZATION OF CONTRACT,**
2 **ANNUAL FUNDING AGREEMENT, AND SCOPE OF WORK**

3 A. The Navajo Nation hereby approves and authorizes a contract between the Navajo
4 Nation and the United States Department of the Interior, Bureau of Indian Affairs,
5 pursuant to 25 U.S.C. § 5301 et seq. (Public Law 93-638, as amended), for a seven
6 (7) year term beginning January 1, 2027 and ending December 31, 2033, for the
7 Navajo Nation Higher Education Program, as set forth in the documents attached
8 hereto as **Exhibit B**.

9 B. The Navajo Nation hereby approves and authorizes the Navajo Nation Higher
10 Education Program Fiscal Year 2027 Annual Funding Agreement and Scope of
11 Work, as set forth in the documents attached hereto as **Exhibit B**.

12 C. The Navajo Nation hereby authorizes the President of the Navajo Nation to execute
13 and effectuate the Contract, the Fiscal Year 2027 Annual Funding Agreement, and
14 the Scope of Work, provided that the terms and conditions of such documents are
15 substantially similar to those approved by this resolution.

16 D. Nothing in this resolution shall be construed as a waiver of the sovereign immunity
17 of the Navajo Nation, and nothing herein shall be construed to authorize or require
18 the termination of any existing trust responsibility of the United States to the
19 Navajo Nation, the Navajo People, or Indian beneficiaries.