

LEGISLATIVE SUMMARY SHEET

Tracking No. 0233-17

DATE: June 16, 2017

SUBJECT RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE; APPROVING A LIMITED WAIVER OF SOVEREIGN IMMUNITY ALLOWING THE NAVAJO NATION TO BE SUED IN FEDERAL DISTRICT COURT REGARDING COMPLIANCE WITH THE NATIONAL ENVIRONMNETAL POLICY ACT IN CARRYING OUT GRANTS FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVLEOPMENT AND AUTHORIZING THE PRESIDENT OF THE NAVAJO NATION OR THE EXECUTIVE DIRECTOR OF THE NAVAJO NATION DIVISION OF COMMUNITY DEVELOPMENT TO SIGN HUD FORM 7015.15

PURPOSE: The purpose of this legislation is to approve a limited waiver of sovereign immunity relative to HUD Form 7015.15.

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 review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 11/1/17
Website Posting Time/Date: 7:00pm 11/26/17
Posting End Date: 7/1/2017
Eligible for Action: 7/2/2017

Resources & Development Committee

THENCE

Naa'bik'íyáti' Committee

THENCE

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL—Third Year, 2017

Navajo Nation Council

INTRODUCED BY


Primary Sponsor 

TRACKING NO. 0233-17

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE,
NAABIK'ÍYÁTI' COMMITTEE; APPROVING A LIMITED WAIVER OF
SOVEREIGN IMMUNITY ALLOWING THE NAVAJO NATION TO BE SUED IN
FEDERAL DISTRICT COURT REGARDING COMPLIANCE WITH THE
NATIONAL ENVIRONMENTAL POLICY ACT IN CARRYING OUT GRANTS
FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
DEVLEOPMENT AND AUTHORIZING THE PRESIDENT OF THE NAVAJO
NATION OR THE EXECUTIVE DIRECTOR OF THE NAVAJO NATION DIVISION
OF COMMUNITY DEVELOPMENT TO SIGN HUD FORM 7015.15

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee has oversight over community development on the Navajo Nation and the Division of Community Development.
2 N.N.C. §§ 501(B) (1), (2) (g).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council. Pursuant to 2 N.N.C. § 164(A) (9), the Committee reviews proposed legislation which requires final action by the Navajo Nation Council.

1 C. The Navajo Nation Council enacts laws and sets policy for the Navajo Nation.
2 2 N.N.C. § 102.
3

4 **SECTION TWO. FINDINGS**

- 5 A. The Navajo Nation Division of Community Development for purposes of
6 administering Indian Community Development Block Grant (ICDBG) funds
7 is required to have a tribal official sign and execute HUD Form 7015.15-
8 "Request for Release of Funds and Certification" in which the Navajo Nation
9 consents to be sued in Federal district court regarding compliance with the
10 National Environmental Policy Act in carrying out the Department of Housing
11 and Urban Development (HUD) grants.
- 12 B. Pursuant to 24 CFR Part 58, HUD Form 7015.15 as signed by an authorized
13 tribal official is required as part of the HUD Environmental Review.
- 14 C. In order for the Navajo Nation to draw down funds needed to implement
15 projects an authorized tribal official must execute HUD Form 7015.15.
- 16 D. Pursuant to the Navajo Nation Sovereign Immunity Act neither the President
17 nor any other Navajo Nation official has the authority to waive the sovereign
18 immunity of the Navajo Nation without the expressed authorization of the
19 Navajo Nation Council. 1 N.N.C. §554.
- 20 E. The Navajo Nation Council approved Council Resolution CJA-04-13 on
21 January 31, 2013 which authorized a limited waiver of sovereign immunity in
22 order that the President of the Navajo Nation or the Executive Director of the
23 Navajo Nation Division of Community Development may sign HUD Form
24 7015.15 through Fiscal Year 2017. See Exhibit "A".
- 25 F. The Southwest Office of Native American Programs (HUD), in a letter dated
26 May 10, 2017, indicated the current Navajo Nation Council limited waiver of
27 sovereign immunity will expire on September 30, 2017. See Exhibit "B".
- 28 G. The request for this limited waiver of sovereign immunity has been reviewed
29 under the Section 164 Review Process and found sufficient. See Exhibit "C".
30

1 H. It is in the best interest of the Navajo Nation that a limited waiver of sovereign
2 immunity be approved by the Navajo Nation Council and that the President of
3 the Navajo Nation or the Executive Director of the Navajo Nation Division of
4 Community Development be authorized to sign HUD Form 1715.15 allowing
5 the Navajo Nation to be sued in Federal District Court regarding compliance
6 with the National Environmental Policy Act in carrying out HUD grants
7 through Fiscal Year 2022.
8

9 **SECTION THREE. Approval**

10 A. The Navajo Nation Council hereby approves a limited waiver of sovereign
11 immunity through Fiscal Year 2022 allowing the Navajo Nation to be sued in
12 Federal District Court regarding compliance with the National Environmental
13 Policy Act in carrying out HUD grants.

14 B. The Navajo Nation Council hereby authorizes the President of the Navajo Nation
15 and the Executive Director of the Division of Community Development to sign
16 HUD Form 7015.15 through Fiscal Year 2022.
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EXHIBIT "A"

CJA-04-13

RESOLUTION OF THE
NAVAJO NATION COUNCIL

22ND NAVAJO NATION COUNCIL - Third Year, 2013

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND THE
NAABIK'ÍYÁTI'; APPROVING A LIMITED WAIVER OF SOVEREIGN
IMMUNITY ALLOWING THE NAVAJO NATION TO BE SUED IN FEDERAL
DISTRICT COURT REGARDING COMPLIANCE WITH THE NATIONAL
ENVIRONMENTAL POLICY ACT IN CARRYING OUT GRANTS FROM THE
UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
AND AUTHORIZING THE PRESIDENT OF THE NAVAJO NATION AND THE
DIVISION DIRECTOR OF THE NAVAJO NATION DIVISION OF
COMMUNITY DEVELOPMENT TO SIGN FORM 7015.15

BE IT ENACTED:

1. The Navajo Nation finds the following with respect to
this limited waiver of sovereign immunity:

- a) The Navajo Nation Division of Community Development for purposes of administering Indian Community Development Block Grant (ICDBG) funds requires a tribal official to sign and execute HUD Form 7015.15 "Request for Release of Funds and Certification" which consents to suit in Federal District Court regarding compliance with the National Environmental Policy Act in carrying out the Department of Housing and Urban Development (HUD) grants; and
- b) Pursuant to 24 CFR Part 58, the HUD Environmental Review requires an authorized tribal official to execute HUD Form 7015.15; and
- c) In order to draw down federal funds that implement projects, an authorized tribal official must execute HUD Form 7015.15; and
- d) Pursuant to the Navajo Sovereign Immunity Act, 1 N.N.C. §554, neither the President nor any other Navajo Nation official has the authority to waive sovereign immunity of the Navajo Nation; and

- e) The Navajo Nation Council approved a limited waiver of sovereign immunity, CO-32-09, attached as Exhibit "1", on November 2, 2009, in order for the President of the Navajo Nation to sign HUD Form 7015.15 through Fiscal Year 2012; and
- f) The Southwest Office of Native American Programs-DHUD, in a letter dated February 28, 2012, attached as Exhibit "2", indicated the current Navajo Nation Council limited waiver of sovereign immunity will expire on September 30, 2012.
- g) It is the purpose of to this limited waiver of sovereign immunity, and the authorization of the President of the Navajo Nation and the Division Director of the Navajo Nation Division of Community Development to sign HUD Form 7015.15, to allow the Navajo Nation to be sued in Federal District Court regarding compliance with the National Environmental Policy Act in carryout HUD grants.

2. The Navajo Nation hereby approves a limited waiver of sovereign immunity that allows the Navajo Nation to be sued in Federal District Court regarding compliance with the National Environmental Policy Act in carrying out HUD grants.

3. The Navajo Nation hereby authorizes the President of the Navajo Nation and the Director of the Division of Community Development to sign HUD Form 7015.1 through Fiscal Year 2017.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 17 in favor and 0 opposed, this 29th day of January 2013.


Johnny Naize, Speaker
Navajo Nation Council

Jan 31, 13
Date

Motion: Honorable Alton Joe Shepherd
Second: Honorable Jonathan Hale

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (10), on this _____ day of FEB 11 2013 2013.



Ben Shelly, President
Navajo Nation

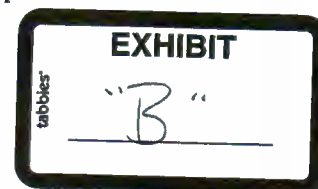
2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2013 for the reason(s) expressed in the attached letter to the Speaker.

Ben Shelly, President
Navajo Nation



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
SOUTHWEST OFFICE OF NATIVE AMERICAN PROGRAMS

May 10, 2017



Honorable Russell Begaye
President
Navajo Nation
PO Box 7440
Window Rock, AZ 86515-7440

Dear President Begaye:

SUBJECT: Indian Community Development Block Grant (ICDBG) Program
Certifying Officer Designation for Environmental Compliance (Status)
Mr. Carl Smith, Executive Director of Division of Community Development

The purpose of this letter is to further memorialize history related to Navajo Nation Council resolution number CJA-04-13 and a recent memorandum from the Navajo Nation that authorizes Mr. Carl Smith, as the Executive Director, to assume all responsibilities of this role as certifying officer (24 CFR 58.13). Based on supporting documentation, this designation expires on September 30, 2017 and will require additional actions by the Navajo Nation to ensure there are no lapses in designation of the certifying officer authority under 24 CFR 58.13.

The resolution CJA-04-13 authorized the President of the Navajo Nation and the Nation's Division of Community Development Director the authority to sign and execute form HUD 7015.15 Request for Release of Fund and Certification, which consents to suit in Federal District Court regarding compliance with the National Environmental Policy Act in carrying out U.S. Department of Housing and Urban Development assisted projects. The resolution was initially received by the Southwest Office of Native American Programs (SWONAP) via email attachment on February 12, 2013. The SWONAP disseminated a February 23, 2013 SWONAP letter (enclosed) that served to provide confirmation back to the Navajo Nation. Based on the language in the body of the resolution, the resolution CJA-04-013 designation is only valid through September 30, 2017, or the end of the Navajo Nation's fiscal year. An extension of this action, in a manner consistent with the Nation's process, will be required for environmental reviews prepared and certified starting October 1, 2017.

The SWONAP looks forward to getting similar notification for our files, so that we have the necessary assurance that any form HUD 7015.15 submitted to our office is signed by the correct individual and we don't unnecessarily frustrate the regulatory process awaiting any confirmation. A PDF submission by email with the original retained in Navajo Nation environmental file is sufficient. If you have any questions, please contact Sarah Olson, Grants Management Specialist, at (602) 379-7233 or via email at Sarah.D.Olson@hud.gov.

Sincerely,

Sarah D. Olson
Grants Management Specialist

Document No. 008041Date Issued: 05/18/2017**SECTION 164 REVIEW FORM**Title of Document: Limited Waiver of Sovereign Immunity Contact Name: ADAKAI, JAMES F.Program/Division: DIV. OF COMMUNITY DEVELOPMENTEmail: james_adakai@nnchid.org Phone Number: (928) 871-6717/6564Division Director Approval for 164A: *Carl Smith*

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

<input checked="" type="checkbox"/>	Statement of Policy or Positive Law:		Date: <u>6/6/17</u>	Sufficient <input checked="" type="checkbox"/>	Insufficient <input type="checkbox"/>
	1. OAG:	<u><i>WBF</i></u>			
		<u><i>AD 31 may 17</i></u>			
<input type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)				
	1. OMB:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. OOC:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	3. OAG:		Date:	<input type="checkbox"/>	<input type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input type="checkbox"/>	Grant/Funding Agreement or amendment:				
	1. Division:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:				
	1. Division:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:				
	1. Division:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:				
	1. Division:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC:		Date:	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG:		Date:	<input type="checkbox"/>	<input type="checkbox"/>



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
5/30/17 1137a
DATE / TIME
<input checked="" type="checkbox"/> 7 Day Deadline
DOC #: 008041
SAS #:
UNIT: ECDL

☐ RESUBMITTAL

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST:	5/30/2017	DIVISION:	Community Development
CONTACT NAME:	James Adakai, Prog. & Proj. Spec.	DEPARTMENT:	Community Dev. Block Grant Prog/CHID
PHONE NUMBER:	(928) 871-7420/6564	E-MAIL:	james_adakai@nnchid.org

TITLE OF DOCUMENT: 164 Document #8041: Approving a Waiver of Sovereign Immunity to Allow the Navajo Nation to be Sued in Federal District Court regarding Compliance of the National Environmental Policy Act

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 5/30/17 @ 1:20p REVIEWING ATTORNEY/ADVOCATE: Adjua

DATE TIME OUT OF UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

Legally sufficient

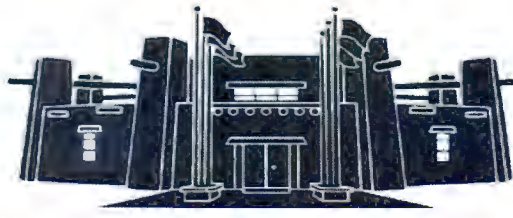
REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
ADJUA ADJEI - DANSO	31 st May 2017, 3 ²² pm	<i>[Signature]</i>	6/6/17 12pm

DOJ Secretary Called: _____ for Document Pick Up on _____ at _____ By: _____

PICKED UP BY: (Print) _____ DATE / TIME: _____


NNDOJ/DRRF-July 2013





MEMORANDUM

TO: Honorable Raymond Smith, Jr.
Navajo Nation Council

FROM: 
Edward A. McCool, Principal Attorney
Office of Legislative Counsel

DATE: June 16, 2017

SUBJECT: RELATING TO RESOURCES AND DEVELOPMENT COMMITTEE, NAABIK'ÍYÁTI COMMITTEE; APPROVING A LIMITED WAIVER OF SOVEREIGN IMMUNITY ALLOWING THE NAVAJO NATION TO BE SUED IN FEDERAL DISTRICT COURT REGARDING COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT IN CARRYING OUT GRANTS FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVLEOPMENT AND AUTHORIZING THE PRESIDENT OF THE NAVAJO NATION OR THE EXECUTIVE DIRECTOR OF THE NAVAJO NATION DIVISION OF COMMUNITY DEVELOPMENT TO SIGN HUD FORM 7015.15

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0233-17_

SPONSOR: Raymond Smith, Jr.

TITLE: An Action Relating To Resources And Development Committee, Naabik'iyati Committee; Approving A Limited Waiver Of Sovereign Immunity Allowing The Navajo Nation To Be Sued In Federal District Court Regarding Compliance With The National Environmental Policy Act In Carrying Out Grants From The United States Department Of Housing And Urban Development And Authorizing The President Of The Navajo Nation Or The Executive Director of the Navajo Division Of Community Development To Sign HUD Form 7015.15

Date posted: June 26, 2017 at 7:00PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0233-17

SPONSOR: Honorable Raymond Smith, Jr.

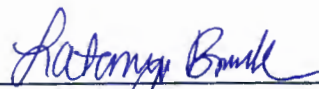
TITLE: An Action Relating To Resources And Development Committee, Naabik'iyati Committee; Approving A Limited Waiver Of Sovereign Immunity Allowing The Navajo Nation To Be Sued In Federal District Court Regarding Compliance With The National Environmental Policy Act In Carrying Out Grants From The United States Department Of Housing And Urban Development And Authorizing The President Of The Navajo Nation Or The Executive Director of the Navajo Division Of Community Development To Sign HUD Form 7015.15

Posted: June 26, 2017 at 7:00 PM

5 DAY Comment Period Ended: July 01, 2017

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inclusive Comments	<i>None</i>



**Policy Analyst
Office of Legislative Services**

7/3/17 9:00am

Date/Time

**RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL**

THIRD YEAR 2017

COMMITTEE REPORT

Mr. Speaker,

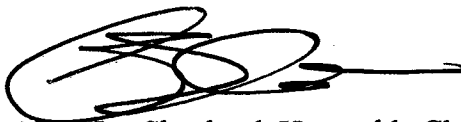
The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION # 0233-17: AN RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'IYATI COMMITTEE; APPROVING A LIMITED WAIVER OF SOVEREIGN IMMUNITY ALLOW THE NAVAJO NATION TO BE SUED IN FEDERAL DISTRICT COURT REGARDING COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT IN CARRYING OUT GRANTS FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING THE PRESIDENT OF THE NAVAJO NATION OR THE EXECUTIVE DIRECTOR OF THE NAVAJO NATION DIVISION OF COMMUNITY DEVELOPMENT TO SIGN HUD FORM 7015.15. *Sponsor: Honorable Raymond Smith; Co-Sponsor: Honorable Benjamin Bennett*

Has had it under consideration and report a **DO PASS** with no amendment.

Thereafter the legislation was referred to NAABIK'IYATI Committee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alton Joe Shepherd', with a long horizontal line extending to the right.

Alton Joe Shepherd, Honorable Chairperson
Resources and Development Committee of
the 23rd Navajo Nation Council

DATE: July 13, 2018

MEETING LOCATION: NDOT Administrative Complex, Tse Bonito, NM

Main Motion: Honorable Davis Filfred

Second: Honorable Leonard Pete

Vote: 4-0-1(CNV)

**23rd NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
Third Year 2017**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0233-17

An Action Relating to Resources and Development, Naabik'íyáti' Committee; Approving a Limited Waiver of Sovereign Immunity Allowing the Navajo Nation to be Sued in Federal District Court Regarding Compliance with the National Environmental Policy Act in Carrying Out Grants from the United States Department of Housing and Urban Development and Authorizing the President of the Navajo Nation or the Executive Director of the Navajo Nation Division of Community Development to sign HUD Form 7015.15

Sponsored by: Honorable Raymond Smith, Jr.

Co-Sponsored by: Honorable Benjamin L. Bennett

Has had it under consideration and reports the same **LOST QUORUM**

Respectfully Submitted,


Honorable Kee Allen Begay, Jr., Chairman Pro Tem
NAABIK'ÍYÁTI' COMMITTEE

25 JULY 2017

MAIN MOTION:

Motioned by: Honorable Walter Phelps

Seconded by: Honorable Otto Tso

Vote: Naabik'íyáti' Committee LOST QUORUM

**23rd NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
Third Year 2017**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

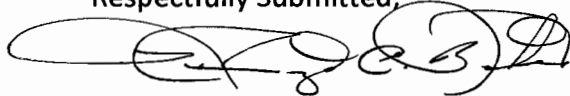
NAVAJO LEGISLATIVE BILL #0233-17

An Action Relating to Resources and Development Committee, Naabik'íyáti' Committee; Approving a Limited Waiver of Sovereign Immunity Allowing the Navajo Nation to be Sued in Federal District Court Regarding Compliance with the National Environmental Policy Act in Carrying Out Grants from the United States Department of Housing and Urban Development and Authorizing the President of the Navajo Nation or the Executive Director of the Navajo Nation Division of Community Development to Sign HUD Form 7015.15

*Sponsored by: Honorable Raymond Smith, Jr.
Co-Sponsored by: Honorable Benjamin Bennett*

Has had it under consideration and reports the same **WAS PASSED AND REFERRED TO THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman
NAABIK'ÍYÁTI' COMMITTEE*

03 AUGUST 2017

MAIN MOTION:

*Motioned by: Honorable Davis Filfred
Seconded by: Honorable Otto Tso*

Vote: 10 in Favor, 02 Opposed (Chairman Bates Not Voting)

⑦

**23rd Navajo Nation Council
Naabik'iyati' Committee**

Date: August 3, 2017

Legislation No. 0233-17

Motion: Davis Filfred

Second: Otto Tso

ALL DELEGATES:

	Yea	Nay
BATES, LoRenzo C.		
BEGAY, Kee Allen Jr.	✓	
BEGAY, Norman M.		
BEGAY, Steven	✓	
BEGAYE, Nelson		✓
BENNETT, Benjamin L.		
BROWN, Nathaniel	✓	
CHEE, Tom T.	✓	
CROTTY, Amber K.		
DAMON, Seth		
DANIELS, Herman	✓	
FILFRED, Davis		
HALE, Jonathan L.		
JACK, Lee Sr.	✓	
PERRY, Jonathan		
PETE, Leonard H.	✓	
PHELPS, Walter		
SHEPHERD, Alton Joe		✓
SLIM, Tuchoney Jr.		
SMITH, Raymond Jr.	✓	
TSO, Otto	✓	
TSOSIE, Leonard		
WITHERSPOON, Dwight	✓	
YAZZIE, Edmund		

GRAND TOTAL

10 | 2

CERTIFICATION:



Honorable LoRenzo C. Bates
Speaker

BY COMMITTEE:

	Yea	Nay	TOTAL
BFC:			
CHEE, Tom T.			
DAMON, Seth			
JACK, Lee Sr.			
SLIM, Tuchoney Jr.			
WITHERSPOON, Dwight			
TSOSIE, Leonard			
HEHSC:			
BEGAY, Norman M.			
BEGAY, Steven			
BEGAYE, Nelson			
BROWN, Nathaniel			
CROTTY, Amber K.			
HALE, Jonathan L.			
LOC:			
BEGAY, Kee Allen Jr.			
DANIELS, Herman			
SMITH, Raymond Jr.			
TSO, Otto			
YAZZIE, Edmund			
RDC:			
BENNETT, Benjamin L.			
FILFRED, Davis			
PERRY, Jonathan			
PETE, Leonard H.			
PHELPS, Walter			
SHEPHERD, Alton Joe			
SPEAKER:			
BATES, LoRenzo C.			
(Votes only in a tie)			

GRAND TOTAL

|

23rd NAVAJO NATION COUNCIL ACTION REPORT Third Year 2017

The **NAVAJO NATION COUNCIL** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0233-17

An Act Relating to Resources and Development Committee, Naabik'íyáti' Committee; Approving a Limited Waiver of Sovereign Immunity Allowing the Navajo Nation to be Sued in Federal District Court Regarding Compliance with the National Environmental Policy Act in Carrying Out Grants from the United States Department of Housing and Urban Development and Authorizing the President of the Navajo Nation or the Executive Director of the Navajo Nation Division of Community Development to Sign HUD Form 7015.15

Sponsored by: Honorable Raymond Smith, Jr.

Has had it under consideration and reports the same **FAILED**

Respectfully Submitted,



Honorable LoRenzo C. Bates, Speaker
NAVAJO NATION COUNCIL

11 SEPTEMBER 2017

MAIN MOTION:

Motioned by: Honorable Alton Joe Shepherd

Seconded by: Honorable Walter Phelps

Vote: 10 in Favor, 04 Opposed (Speaker Bates not voting) – FAILED DUE TO VOTE OF 16 IN FAVOR NEEDED)

23rd Navajo Nation Council
Special Session
Monday, September 11, 2017

6

Legislation 0233-17 (Main Motion)

Motion: Alton Joe Shepherd

Second: Walter Phelps

ALL DELEGATES:

	Yea	Nay
BATES, LoRenzo C.		
BEGAY, Kee Allen Jr.	✓	
BEGAY, Norman M.		
BEGAY, Steven	✓	
BEGAYE, Nelson		✓
BENNETT, Benjamin L.		
BROWN, Nathaniel		
CHEE, Tom T.	✓	
CROTTY, Amber K.	✓	
DAMON, Seth	✓	
DANIELS, Herman	✓	
FILFRED, Davis		
HALE, Jonathan L.		
JACK, Lee Sr.		
PERRY, Jonathan		
PETE, Leonard H.		✓
PHELPS, Walter	✓	
SHEPHERD, Alton Joe		
SLIM, Tuchoney Jr.		✓
SMITH, Raymond Jr.	✓	
TSO, Otto	✓	
TSOSIE, Leonard		✓
WITHERSPOON, Dwight	✓	
YAZZIE, Edmund		

GRAND TOTAL

10 4

CERTIFICATION:


Honorable LoRenzo C. Bates
Speaker