LEGISLATIVE SUMMARY SHEET

Tracking No. 0134-19

DATE: May 23, 2019

TITLE OF RESOLUTION: **AN ACTION RELATING TO NAABIKI'IYATI'; ESTABLISHING A NEGOTIATING TEAM FOR P.L. 638 CONTRACTS**

PURPOSE: This bill will establish a negotiating team for P.L. 638 contracts.

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: [illegible]
Website Posting Time/Date: 5-28-19 5:33pm
Posting End Date: 6-2-19
Eligible for Action: 6-3-19

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL - First Year, 2019

INTRODUCED BY

(Prime Sponsor) Kee Allen Begay Jr

TRACKING NO. 0134-19 R. Nez

AN ACTION

RELATING TO NAABIKI'IYATI'; ESTABLISHING A NEGOTIATING TEAM FOR P.L. 638 CONTRACTS

BE IT ENACTED:

Section One. Findings

1. The Indian Self Determination and Education Assistance Act allows Indian tribes some control over management of federal programs that impact tribal government, its members and resources. P.L. 93-638. See also, *www.doi.gov.*
2. Navajo Nation negotiates and receives several federal grants for numerous programs it manages pursuant to P.L. 93-638 contracts.
3. Prior to final acceptance of funds under P.L. 93-638 contracts, it is necessary that the Navajo Nation adequately negotiate terms on funding amounts.

Section Two. Establishing 638 Negotiating Team

The Naabik'íyáti' Committee of the Navajo Nation Council hereby establishes a negotiating team for all proposed or anticipated Navajo Nation P.L. 93-638 contracts.

The negotiating team shall consist of five (5) members, representing the Navajo Nation Office of the President/Vice President, the Office of the Speaker, the Office of the Controller, the Attorney General and the program seeking federal funds under contract. Upon recommendation of the entities named herein, the Naabik'íyáti' Committee shall confirmed the appointments.

Section Three. Duties and Responsibilities

The duties and responsibilities of the Negotiating Team shall be as follows:

1. The entity shall only exist for the duration of the 24th Navajo Nation Council.
2. The Negotiating Team shall meet periodically, upon duly-called meetings.
3. The Negotiating Team shall not delay contract reviews and the approval process under Navajo law. The authority of the Negotiating Team shall be limited to providing recommendations and serving as an advisory role to Navajo Nation officials responsible for 638 contracting.
4. Notwithstanding the establishment of the Negotiating Team herein, the Navajo Nation's procedural requirements of Title 2 for federal contracts shall remain the same.
5. Except for necessary expenses and subject to available program funds, members attending meetings shall not be compensated.

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576

Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

To : Hon. Kee Allen Begay, Jr., Council Delegate
Navajo Nation Council

From : Ron Haven, Attorney
Office of Legislative Counsel

Date : May 23, 2019

Re : AN ACTION RELATING TO NAABIKI'IYATI'; ESTABLISHING A NEGOTIATING TEAM FOR P.L. 638 CONTRACTS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution drafted is legally sufficient, although, as with all legislation, challenges are possible in the courts. You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. As you may be aware, the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title.

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. Also, you have a similar bill request under OLC Request Form # 19-239-1. I recommend that you consult with the Office of the President/Vice President, the Attorney General and OMB regarding that proposal and assess/consider any significant concerns (particular on Title 2 and the separation of powers). Ahéhee'.

OLC # 19-63-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: 0134-19 **SPONSOR: Kee Allen Begay Jr.**

TITLE: An Action Relating To NAABIK'IYATI'; Establishing A Negotiating Team For P.L. 638 Contracts

***Date posted*: May 28, 2019 at 5:33 PM**

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.: 0134-19

SPONSOR: Honorable Kee Allen Begay Jr.

TITLE: An Action Relating To NAABIKI'IYATI'; ESTABLISHING A NEGOTIATING TEAM FOR P.L.638 CONTRACTS

Posted: May 28, 2019 at 5:33 PM

5 DAY Comment Period Ended: June 02, 2019

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Inconclusive Comments	*None*

Legislative Tracking Secretary
Office of Legislative Services

6-3-19 8:23am
Date/Time

24th NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
First Year 2019

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

NAVAJO LEGISLATIVE BILL #0134-19

An Action Relating to Naabik'íyáti'; Establishing a Negotiating Team for P.L. 638 Contracts

Sponsored by: Honorable Kee Allen Begay, Jr.
Co-Sponsored by: Honorable Rickie Nez

Has had it under consideration and reports the same that the legislation **WAS TABLED AND REMAINS WITH THE NAABIK'ÍYÁTI' COMMITTEE**.

Respectfully Submitted,

Honorable Seth Damon, Chairman
NAABIK'ÍYÁTI' COMMITTEE

8 August 2019

TABLING MOTION
Motion to table legislation 0134-19 for 30 days.
Motioned by: Honorable Daniel E. Tso
Seconded by: Honorable Jamie Henio
Vote: 11 in Favor, 04 Opposed (Chairman Damon Not Voting)

MAIN MOTION
Motioned by: Honorable Daniel E. Tso
Seconded by: Honorable Pernell Halona
Vote: VOTE PENDING

Amd# to Amd#	Table Legislation 0134-19 For 30 days	PASSED
MOT Tso, D		
SEC Henio, J		

Yea : 11 **Nay : 4** **Excused : 4** **Not Voting : 3**

Yea : 11

Begay, E	Halona, P	Tso, D	Wauneka, E
Begay, P	Henio, J	Tso, E	Yellowhair
Charles-Newton	Tso, C	Walker, T	

Nay : 4

Tso, O	Nez, R	Daniels	Brown

Excused : 4

Stewart, W	James, V	Freeland, M	Begay, K

Not Voting : 3

Crotty	Smith	Yazzie

Presiding Chair: Damon