LEGISLATIVE SUMMARY SHEET

Tracking No. 0035-19

DATE: February 8, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING UNITED STATES SENATE BILL 229 TITLED "INDIAN PROGRAMS ADVANCE APPROPRIATIONS ACT"

PURPOSE: The purpose of this resolution is support Senate Bill 229 titled "Indian Programs Advance Appropriations Act."

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: Jan 25
Website Posting Time/Date: _____
Posting End Date: 02/16/19
Eligible for Action: 02/17/19

Health, Education & Human Services Committee
Thence
Naabik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL—FIRST YEAR, 2019

INTRODUCED BY

Primary Sponsor

TRACKING NO. 0035-19

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING UNITED STATES SENATE BILL 229 TITLED "INDIAN PROGRAMS ADVANCE APPROPRIATIONS ACT"

WHEREAS:

A. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered the Naabik'íyáti' Committee to coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. *See* 2 N.N.C. §§ 700 (A), 701 (A)(6). *See also* CO-45-12.

B. The Navajo Nation established the Health, Education and Human Services Committee as a standing committee of the Navajo Nation Council. 2 N.N.C. § 400(A). The Committee exercises oversight authority over the matters concerning health, education, human services and veteran affairs. 2 N.N.C. §§ 400 (A), 401(B)(7). *See also* CO-45-12.

C. The Navajo Nation has a government-to-government relationship with the United States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.

D. On January 25, 2019, New Mexico Senator Tom Udall along with Senators Jon Tester, Catherine Cortez Mastro, Tina Smith, Martin Heinrich, Elizabeth Warren,

Brian Schatz and Jeff Merkley introduced to the 116th Congress Senate Bill 229 titled the "Indian Programs Advance Appropriations Act." *See* S. 229 attached hereto as **Exhibit A**.

E. The Indian Programs Advance Appropriations Act was introduced to "provide advance appropriations authority for certain accounts of the Bureau of Indian Affairs and Bureau of Indian Education of the Department of the Interior and the Indian Health Service of the Department of Health and Human Services, and for other purposes." *Id.*

THEREFORE, BE IT RESOLVED:

A. The Navajo Nation hereby supports Senate Bill 229 titled the "Indian Programs Advance Appropriations Act" attached hereto as **Exhibit A**.

B. The Navajo Nation hereby authorizes the Speaker of the Navajo Nation Council, President of the Navajo Nation, and their designees, to advocate the Navajo Nation's support of the Indian Programs Advance Appropriations Act.

U.S. GOVERNMENT INFORMATION GPO



116TH CONGRESS
1ST SESSION

S. 229

To provide advance appropriations authority for certain accounts of the Bureau of Indian Affairs and Bureau of Indian Education of the Department of the Interior and the Indian Health Service of the Department of Health and Human Services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 24), 2019

Mr. UDALL (for himself, Mr. TESTER, Ms. CORTEZ MASTO, Ms. SMITH, Mr. HEINRICH, Ms. WARREN, and Mr. SCHATZ) introduced the following bill; which was read twice and referred to the Committee on the Budget

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A BILL

To provide advance appropriations authority for certain accounts of the Bureau of Indian Affairs and Bureau of Indian Education of the Department of the Interior and the Indian Health Service of the Department of Health and Human Services, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Indian Programs Advance Appropriations Act".

SEC. 2. AUTHORIZATION FOR ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—For each fiscal year, beginning with fiscal year 2020, new budget authority provided in an appropriations Act for the covered accounts shall—

(1) be made available for that fiscal year; and

(2) include, for each such account, advance new budget authority that first becomes available for the first fiscal year after the budget year.

(b) ESTIMATES REQUIRED.—Each applicable Secretary shall include in documents submitted to Congress in support of the President's budget submitted pursuant to section 1105 of title 31, United States Code, detailed estimates of the funds necessary for the covered accounts of the Department of the Interior or the Department of Health and Human Services, as applicable, for the fiscal year following the fiscal year for which the budget is submitted.

(c) DEFINITIONS.—In this section:

(1) APPLICABLE SECRETARY.—The term "applicable Secretary" means—

(A) with respect to actions involving the covered accounts described in paragraph (2)(A), the Secretary of the Interior; and

(B) with respect to actions involving the covered accounts described in paragraph (2)(B), the Secretary of Health and Human Services.

(2) COVERED ACCOUNTS.—The term "covered accounts" means the following:

(A) The following accounts of the Department of the Interior that provide annual appropriations for the Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education account:

(i) Operation of Indian Programs.

(ii) Contract Support Costs.

(iii) Indian Guaranteed Loan Program Account.

(B) The following accounts of the Department of Health and Human Services that provide annual appropriations for the Indian Health Service account:

(i) Indian Health Services.

(ii) Contract Support Costs.

SEC. 3. INFORMATION ON APPROPRIATIONS ESTIMATES.

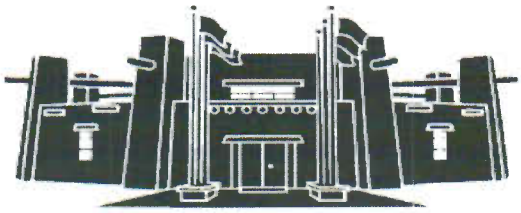
Section 1105(a) of title 31, United States Code, is amended by adding at the end the following:

"(40) information on estimates of appropriations for the fiscal year following the fiscal year for which the budget is submitted for the covered ac-

counts described in section 2(c)(2) of the Indian Programs Advance Appropriations Act.".

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Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Amber K. Crotty
24th Navajo Nation Council Delegate

FROM: Candace French, Attorney
Office of Legislative Counsel

DATE: February 8, 2019

RE: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING UNITED STATES SENATE BILL 229 TITLED "INDIAN PROGRAMS ADVANCE APPROPRIATIONS ACT"

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law, the resolution drafted is legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews based on the standing committees powers outlined in 2 N.N.C. §§ 301, 401, 501, 601, and 701. 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).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.