LEGISLATIVE SUMMARY SHEET
Tracking No. 0216-20

DATE: August 28, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, LAW AND ORDER, AND NAABIK'ÍYÁTÍ COMMITTEES AND NAVAJO NATION COUNCIL; EXTENDING THE FUND LAPSE EXCEPTION TO THE ANNUAL APPROPRIATION TO THE VETERANS TRUST FUND, AS SET FORTH IN 12 N.N.C. § 1171 (B), THROUGH NAVAJO NATION FISCAL YEAR 2024

PURPOSE: If this resolution is approved, Veteran Trust Fund Housing Program funds will not lapse until the end of FY 2024.

This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 10:17pm 08-28-20
Posting End Date: 09-02-20
Eligible for Action: 09-03-20

Health Education & Human Services Committee
Thence
Budget & Finance Committee
Thence
Law & Order Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020
INTRODUCED BY

_____
Primary Sponsor

TRACKING NO. 0216-20

AN ACTION

RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, LAW AND ORDER, AND NAABIK'ÍYÁTÍ COMMITTEES AND NAVAJO NATION COUNCIL; EXTENDING THE FUND LAPSE EXCEPTION TO THE ANNUAL APPROPRIATION TO THE VETERANS TRUST FUND, AS SET FORTH IN 12 N.N.C. § 1171 (B), THROUGH NAVAJO NATION FISCAL YEAR 2024

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Health, Education and Human Services Committee is standing committee of the Navajo Nation Council with the delegated responsibility and authority to review and recommend resolutions regarding veterans' services. 2 N.N.C. §400 (C)(3).

B. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the delegated responsibility and authority to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. § 300 (C) (2).

D The Law and Order Committee is a standing committee of the Navajo Nation Council with the specific power to review and recommend to the Navajo Nation

Council proposed amendments to and enactments of the Navajo Nation Code. 2 N.N.C. § 601 (B)(14).

E. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the specific power to review proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 701 (A)(3).

F. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

SECTION TWO. FINDINGS

A. The Navajo Nation Veterans Trust Fund is set forth in the Navajo Nation Code at 12 N.N.C. § 1171 *et seq.*.

B. The establishment section of the Navajo Nation Veterans Trust Fund states as follows:

§ 1171. Establishment

A. The "Navajo Nation Veterans Trust Fund" hereinafter the "Trust Fund" is established with an initial appropriation of six million dollars ($6,000,000.00) from revenues from Undesignated Tribal Reserves. Each year, during the appropriation of the Navajo Nation Comprehensive Budget, the Navajo Nation Council shall budget a sum equal to at least four percent (4%) of any and all projected revenues of the Navajo Nation, including, but not limited to revenues received from taxes, oil and gas, mining and minerals, timber, land rentals, interest and dividends, gain on sale of securities and other revenue producing activities. One-half (1/2) of that four percent (4%) shall be transferred to the Navajo Veteran's Trust Fund to be used as set forth herein. The remaining one-half (1/2) of that four percent (4%) shall be administered by the Department of Navajo Veteran's Affairs (DNVA). Each of the five (5) DNVA Agency offices shall be allocated an equal share of that amount to provide construction of up to fifteen (15) homes equitably in each of their respective Agencies using all possible assistance program funds that such veterans may qualify

for to construct as many homes as possible and provide minor home renovations and repairs for Navajo veterans.

B. The annual appropriation authorized above shall continue and for purposes of this resolution, all unexpended funds shall not lapse back into the Veterans Trust Fund through Fiscal Year 2017, and shall expire thereafter, unless specifically re-authorized.

C. Navajo Nation Council Resolution No. CS-56-17, attached as **Exhibit 1**, extended 12 N.N.C. § 1171 (B)'s exception to the fund lapse provision for Veterans Housing Programs funds through Fiscal Year 2020.

D. Through NNVAC-10-20, attached as **Exhibit 2**, the Navajo Nation Veterans Advisory Council has recommended that the exception to the fund lapse provision for Veterans Housing Program funds be extended.

E. It is in the best interest of the Navajo Nation veterans and others effected that the Navajo Nation specifically re-authorize the continued availability of unexpended funds in the Navajo Nation Veterans Housing Program at the end of Fiscal Year 2020 by extending their exemption from lapsing until the end of Fiscal Year 2024.

SECTION THREE. APPROVAL

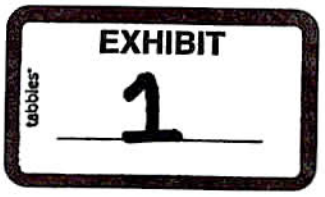
The Navajo Nation hereby specifically re-authorizes, as required by 12 N.NC. § 1171 (B), the continued availability of unexpended funds in the Navajo Nation Veterans Housing Program at the end of Fiscal Year 2020 by extending such funds exemption from lapsing until the end of Fiscal Year 2024.

SECTION FOUR. EFFECTIVE DATE

This action shall become effective in accord with 2 N.N.C. § 221(B).

.

CS-56-17



RESOLUTION OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL - THIRD YEAR, 2017

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE COMMITTEE, LAW AND ORDER, AND NAABIK'ÍYÁTI' COMMITTEE; REAUTHORIZING THE EXCEPTION TO FUND LAPSE REQUIREMENTS WITH RESPECT TO THE ANNUAL APPROPRIATION TO THE VETERANS TRUST FUND AS AMENDED AND PROVIDED FOR IN NAVAJO NATION COUNCIL RESOLUTION CS-48-13 AND AUTHORIZING EXTENDING THAT EXCEPTION FROM FUND LAPSE THROUGH FISCAL YEAR 2020

BE IT ENACTED:

Section One. Authority

A. The Navajo Nation established the Health, Education and Human Services Committee (HEHSC) as a Navajo Nation Council standing committee and as such empowered HEHSC to review and recommend resolutions regarding veterans' services. 2 N.N.C. §400(C)(3).

B. The Budget and Finance Committee of the Navajo Nation Council is empowered to review and recommend to the Navajo Nation Council the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. §300(8)(2).

C. The Law and Order Committee of the Navajo Nation Council, pursuant to 2 N.N.C. §601 (B)(14), reviews and makes recommendations to the Navajo Nation Council proposed amendments to the Navajo Nation Code.

D. The Naabik'íyáti' Committee of the Navajo Nation Council, pursuant to 2 N.N.C. §164 (A)(9), reviews proposed legislation which requires final action by the Navajo Nation Council.

Section Two. Findings

A. The Navajo Nation Council adopted Council Resolution CS-48-13, September 9, 2013 and such was signed by the President September 13, 2013. See Exhibit "A".

B. Council Resolution CS-48-13 amended the Navajo Nation Veterans Trust Fund to provide for equal distribution of the annual comprehensive budgeted amount between the Navajo Nation Trust Fund and the Department of Navajo Veterans Affairs to construct up to 15 homes and to provide minor

renovation and repairs for Navajo veterans in each of the Five (5) Navajo Agencies. See Exhibit "A".

C. In addition, Council Resolution CS-48-13 provided that the annual appropriation authorized by the Resolution continue for the purposes of the resolution and that all expended funds shall not lapse back into the Veterans Trust Fund through Fiscal Year 2017.

D. The Navajo Nation Auditor General completed and presented an audit report of the Navajo Nation Veterans Administration-Veterans Housing Program in January 2017. Report 17-15

E. The Auditor General's Report No. 17-15, called for numerous corrective actions and determined a substantial balance of unexpended funds remaining as the deadline of the end of Fiscal Year 2017 approaches.

F. In order that the necessary funds remain available for proper use for the Veterans Housing Program and not lapse on September 30, 2017, the end of Fiscal Year 2017, it is necessary to specifically re-authorize, as required by CS-48-13, the continued availability of those funds by extending their exemption from the lapsing requirement until the end of Fiscal Year 2020.

G. This proposed action is supported by the Northern Agency Veterans Organization and Fort Defiance Agency Veterans Organization. See Exhibit "B".

H. It is in the best interest of the Navajo Nation that the Navajo Nation specifically re-authorize, as required by CS-48-13, the continued availability of such unexpended funds in the Navajo Nation Veterans Housing Program at the end of Fiscal Year 2017 by extending their exemption from the lapsing requirement until the end of Fiscal Year 2020.

Section Three. Approval

The Navajo Nation hereby specifically re-authorizes, as required by CS-48-13, the continued availability of such unexpended funds in the Navajo Nation Veterans Housing Program at the end of Fiscal Year 2017 by extending their exemption from the lapsing requirement until the end of Fiscal Year 2020. Prior to any additional distribution or expenditure of funds for its Veterans Housing Program, the Veterans Administration must complete the following items:

1. The Veterans Administration is required to have the following documents approved by the Health, Education and Human Services Committee: (a) a Housing Action Plan,

(b) an amended Plan of Operation, and (c) amended Policies and Procedures that incorporate procedures about how the money will be expended for the Veterans Administration Housing Program. The Housing Action Plan must contain practices designed to remediate the Veterans Administration audit findings in order to implement the corrective action plan. The Housing Action Plan and the Veterans Administration's amended Policies and Procedures must include specific language allowing the Housing Program to contract with manufactured home builders and other vendors to fulfill program obligations.

2. The Housing Action Plan must contain the following sections: (a) purpose and objectives specific to housing for veterans, (b) eligibility criteria, (c) documentation required to satisfy the eligibility criteria, (d) the standard to which the homes will be built, such as applicable building codes and accessibility under the Americans with Disabilities Act, (e) contracting procedures that conform to the Navajo Nation Procurement Act (12 N.N.C § 301 *et seq.*), and (f) accounting, expenditure, and cash control procedures.

3. As part of the corrective action plan approved through Resolution BFAU-24-17, the Veterans Administration must submit a written status report to the Office of the Auditor General and the Chief of Staff, Office of the President and Vice-President six months after the approval of the corrective action plan. If the plan is not submitted or if the Veterans Administration has not implemented a majority of the corrective action plan, the Office of the Auditor General shall immediately report this to both the Budget and Finance Committee and the Health, Education and Human Services Committee. Failure to report to the Office of the Auditor General will result in the termination of any future fund disbursements to the Veterans Administration to fund the Veterans Housing Program.

4. The Office of the Controller is directed to ensure the Veterans Administration has satisfied the conditions set forth in subsections 1-3 above prior to any disbursements to the Veterans Administration for the Veterans Housing Program.

Section Four. Effective Date

This legislation shall become effective in accordance with 2 N.N.C. § 221(B).

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 14 in Favor and 00 Opposed, this 21th day of September, 2017.

LoRenzo C. Bates, Speaker
Navajo Nation Council

9-29-17
Date

Motion: Honorable Nelson S. BeGaye
Second: Honorable Leonard Pete

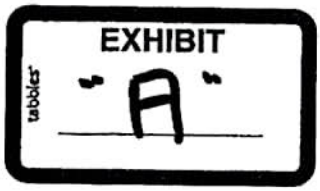
ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(10), on this 9th day of October 2017.

Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(11), on this _____ day of _____ 2017 for reason(s) expressed in the attached letter to the Speaker

Russell Begaye, President
Navajo Nation



CS-48-13

RESOLUTION OF THE
NAVAJO NATION COUNCIL

22nd NAVAJO NATION COUNCIL -- Third Year, 2013

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, LAW AND ORDER, AND NAABIK'ÍYÁTI' COMMITTEE; AMENDING THE NAVAJO NATION VETERANS TRUST FUND, 12 N.N.C. §1171 TO PROVIDE FOR EQUAL DISTRIBUTION OF THE ANNUAL COMPREHENSIVE BUDGETED AMOUNT BETWEEN THE NAVAJO NATION VETERANS TRUST FUND AND THE DEPARTMENT OF NAVAJO VETERANS AFFAIRS TO CONSTRUCT UP TO 15 HOMES AND TO PROVIDE MINOR RENOVATION AND REPAIRS FOR NAVAJO VETERANS IN EACH OF THE FIVE (5) NAVAJO AGENCIES

BE IT ENACTED:

Section 1. Findings and Purpose

The Navajo Nation finds it to be in the best interest of the Navajo Nation and the Navajo people to hereby amend the Navajo Nation Veterans Trust Fund, 12 N.N.C. §1171, in order to provide equal distribution of the annual comprehensive budgeted amount between the Navajo Nation Veterans Trust Fund and the Department of Veterans Affairs to provide for veterans' housing for each of the five Agencies. 2% Navajo Veterans Trust Funds, Allocation for Home Construction Proposal August 2013, attached hereto as Exhibit A.

Section 2. Navajo Nation Veterans Trust Fund Amendment

The Navajo Nation amends the Navajo Nation Veterans Trust Fund, 12 N.N.C. §1171, as follows:

Chapter 10, Navajo Nation Trust Fund
Subchapter 8. Navajo Nation Veterans Trust Fund

§ 1171. Establishment.

A. The "Navajo Nation Veterans Trust Fund" hereinafter the "Trust Fund" is established with an initial appropriation of six

million dollars ($6,000,000) from revenues from the Undesignated Tribal Reserves. Each year, during the appropriation of the Navajo Nation Comprehensive Budget, the Navajo Nation Council shall budget a sum equal to at least 4% of any and all projected revenues of the Navajo Nation, including, but not limited to revenues received from taxes, oil and gas mining and minerals, timber, land rentals interest and dividends, gain on sale of securities and other revenue producing activities. One-half of that 4% shall be transferred to the Navajo Veteran's Trust Fund to be used as set forth herein. The remaining one-half of that 4% shall be administered by the Department of Navajo Veteran's Affairs (DNVA). Each of the five (5) DNVA Agency Offices shall be allocated an equal share of that amount to provide construction of up to 15 homes equitably in each of their respective agencies using all possible assistance program funds that such veterans may qualify for to construct as many homes as possible and provide minor home renovations and repairs for Navajo Veterans.

B. The annual appropriation authorized above shall continue and for purposes of this resolution, all unexpended funds shall not lapse back into the Veterans Trust Fund through Fiscal Year 2017, and shall expire thereafter, unless specifically re-authorized.

Section 3. Effective Date

The amendments enacted herein shall be effective pursuant to 2 N.N.C. § 221(B).

Section 4. Codification

The provisions of this Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Council. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

Section 5. Savings Clause

Should any portion of the amendment enacted herein be determined invalid by the Navajo Nation Supreme Court, or the District Court of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, those portions not determined invalid shall remain the law of the Navajo Nation.

CS-48-13

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 13 in favor and 3 opposed, this 9th day of September 2013.

Johnny Naize, Speaker
Navajo Nation Council

Sept 10, 13
Date

Motion: Honorable Jonathan Hale
Second: Honorable Russell Begaye

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 SEP 13 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

EXHIBIT "B"

FORT DEFIANCE AGENCY VETERANS ORGANIZATION
AGENCY MEETING
P.O. Box 430
Window Rock, Arizona, 86515
Phone: (928) 871-6413 Fax: (928) 871-7288.
Commander: Olin T. Kieyoomia Vice Commander: Ryan Sandoval Secretary: Clara Williams

RESOLUTION

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; SUPORTING AND REQUESTING THE "EXTENSION" OF LEGISLATION NO. 0193-13 (TO CONSTRUCT 15 HOMES AND TO PROVIDE MINOR HOME RENOVATIONS AND REPAIRS FOR NAVAJO VETERANS IN EACH OF THE FIVE NAVAJO NATION AGENCIES FOR THE NEXT FOUR YEARS) TO HELP COMPLETE AND FULFILL ANY OBLIGATIONS OF THE NAVAJO NATION VETERANS ADMINSTRATION HOUSING PROGRAM FOR NAVAJO VETERANS THAT HAVE STILL YET TO RECEIVE OR COMPLETE HOMES FRO YEARS 2016 AND 2017.

FD- No. 007

WHEREAS:

1. Pursuant to The Navajo Nation Veterans Act; Title II, Section One (E,I,M.N,O,R,T); SS 1032 (B-5,9,10), The Ft. Defiance Agency Veterans Organization is duly recognized by the Navajo Nation through resolution of the Veterans Agency; and
2. Pursuant to Navajo Nation Council Resolution CMA-25-71; The Navajo Veterans were recognized and an Navajo Nation Veterans Administration was established under the Executive Branch of the Navajo Nation Government- Office of the President and Vice President of the Navajo Nation; and
3. The Ft. Defiance Agency Veterans Organization is duly recognized by the Navajo Nation with a Plan of Operation to address the issues, concerns and advocate for all Navajo Veterans; and
4. The Ft. Defiance Agency Veterans Organization recognizes and acknowledges that it is entrusted to strive toward unification of all Navajo Nation Veterans and Local Leadership to provide leadership and coordinate with the needs of the veterans; and
5. In 1942, the Navajo Nation Council passed a resolution to aid and defend the United States against all subversive and assisted in the United States Selective Services Board to draft the eligible Navajo to serve in the United States Armed Services and reaffirm allegiance to the United States and expression of patriotism; and
6. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the Legislation 0193-13 would use 2014 fiscal year revenue projections that would start building 15 homes every year, for the next four years (300 homes); and
7. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the need for Navajo veterans Housing Program and assistance to veterans; and

FORT DEFIANCE AGENCY VETERANS ORGANIZATION
AGENCY MEETING
P.O. Box 430
Window Rock, Arizona, 86515
Phone: (928) 871-6413 Fax: (928) 871-7288.
Commander: Olin T. Kieyoomia Vice Commander: Ryan Sandoval Secretary: Clara Williams

8. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the Ft. Defiance Agency Veterans would like to "Extend" the legislation and program until all of year 2016 and 2017 veterans homes are complete and finished; and
9. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the recent halt to the Navajo Veterans Housing Program and the report from the Navajo Nation Auditor Generals citing major and minor violations with the program; and
10. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges that such finding from the AG's report halted the housing program, year 2016 and 2017 veterans applicants should NOT be penalized for the faults and misappropriations of others.

NOW THEREFORE BE IT RESOLVED THAT:

1. **AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; SUPORTING AND REQUESTING THE "EXTENSION" OF LEGISLATION NO. 0193-13 (TO CONSTRUCT 15 HOMES AND TO PROVIDE MINOR HOME RENOVATIONS AND REPAIRS FOR NAVAJO VETERANS IN EACH OF THE FIVE NAVAJO NATION AGENCIES FOR THE NEXT FOUR YEARS) TO HELP COMPLETE AND FULFILL ANY OBLIGATIONS OF THE NAVAJO NATION VETERANS ADMINSTRATION HOUSING PROGRAM FOR NAVAJO VETERANS THAT HAVE STILL YET TO RECEIVE OR COMPLETE HOMES FRO YEARS 2016 AND 2017.**
2. It is in the best interest of the Navajo Nation Government to support the request of the Navajo Nation Veterans, in order to honor and fulfill obligations to Navajo Veterans that have requested and or approved for such funding. .

C-E-R-T-I-F-I-C-A-T-I-O-N

The Ft. Defiance Agency Veterans Hereby Certifies the Foregoing Resolution that was Considered at a Regular Duly Called Meeting in Bahastl'ah Chapter, Twin Lakes, New Mexico (Navajo Nation) and that same was approved and passed with a vote of **31** in Favor; **00** Opposed and **01** Abstain on the **13th day of April 2017.**

Motioned: Lee Bitsui- Steamboat Veterans Org.
Seconded: Eugene Atcitty- Ft. Defiance Veterans Org.

Olin T. Kieyoomia- Commander
Ft. Defiance Agency Veterans Organization



Commander: Vern R. Lee Commander: Candice Pioche-Zunie
Vice Commander: Tommy Sandman Secretary: Irving Gleason

RESOLUTION

SUPPORTING AND REQUESTING HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; FOR THE "EXTENSION" OF LEGISLATION NO. 0193-13 (TO CONSTRUCT 15 HOMES AND TO PROVIDE MINOR HOME RENOVATIONS AND REPAIRS FOR NAVAJO VETERANS IN EACH OF THE FIVE NAVAJO NATION AGENCIES FOR THE NEXT FOUR YEARS) TO HELP COMPLETE AND FULFILL ANY OBLIGATIONS OF THE NAVAJO NATION VETERANS ADMINSTRATION HOUSING PROGRAM FOR NAVAJO VETERANS WAITING TO RECEIVE OR COMPLETE HOMES FROM YEARS 2016 AND 2017.

NAVO-12-17

WHEREAS:

1. Pursuant to The Navajo Nation Veterans Act; Title II, Section One (E, I, M, N, O, R, T); §1032 (B- 5, 9, 10), The Northern Agency Veterans Organization is duly recognized by the Navajo Nation; and

2. Pursuant to Navajo Nation Council Resolution CMA-25-71; The Northern Agency Veterans Organization is established and which established the Department of Navajo Nation Veterans Affairs Department under the Executive Branch of the Navajo Nation Government; and

3. The Northern Agency Veterans Organization is duly recognized by the Navajo Nation with a Plan of Operation to address the issues, concerns and advocate for all Navajo Veterans; and

4. The Northern Agency Veterans Organization recognizes, understands and acknowledges the Legislation 0193-13 would use 2014 fiscal year revenue projections that would start building 15 homes every year, for the next four years (300 homes); and

5. The Northern Agency Veterans Organization recognizes, understands and acknowledges the need for Navajo veterans Housing Program and assistance to veterans; and

6. The Northern Agency Veterans Organization recognizes, understands and acknowledges the Northern Agency Veterans would like to "Extend" the legislation and program until all year 2016 and 2017 veteran homes are complete and finished; and

7. The Northern Agency Veterans Organization recognizes, understands and acknowledges the recent halt to the Navajo Veterans Housing Program and the report from the Navajo Nation Auditor Generals citing major and minor violations with the program; and

8. The Northern Agency Veterans Organization recognizes, understands and acknowledges that such finding by the AG's halted the housing program in 2016 and 2017, veteran applicants should not be penalized for the faults and misappropriations of others.

5

NORTHERN AGENCY VETERANS ORGANIZATION

Commander: Vern R. Lee **Commander: Candice Pioche-Zunie**
Vice Commander: Tommy Sandman **Secretary: Irving Gleason**

NOW THEREFORE BE IT RESOLVED THAT:

1. SUPPORTING AND REQUESTING HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; FOR THE "EXTENSION" OF LEGISLATION NO. 0193-13 (TO CONSTRUCT 15 HOMES AND TO PROVIDE MINOR HOME RENOVATIONS AND REPAIRS FOR NAVAJO VETERANS IN EACH OF THE FIVE NAVAJO NATION AGENCIES FOR THE NEXT FOUR YEARS) TO HELP COMPLETE AND FULFILL ANY OBLIGATIONS OF THE NAVAJO NATION VETERANS ADMINSTRATION HOUSING PROGRAM FOR NAVAJO VETERANS WAITING TO RECEIVE OR COMPLETE HOMES FROM YEARS 2016 AND 2017.

2. It is in the best interest of the Navajo Nation Government to support the request of the Navajo Nation Veterans, to honor and fulfill obligations to Navajo Veterans that have requested and or approved for such funding.

C-E-R-T-I-F-I-C-A-T-I-O-N

The Northern Agency Veterans Hereby Certifies the Foregoing Resolution that was Considered at a Regular Duly Called Meeting in Sanostee, New Mexico (Navajo Nation) and the same was approved and passed with a vote of 22 in Favor: 0 Opposed and 0 Abstain on the **13th day of May 2017.**

Motioned: Raymond Yazzie, TNP
Seconded: Mike Bekis, Upper Fruitland

V Lee for Candice Pioche-Zunie

Commander Candice Pioche-Zunie
Commander: Vern R. Lee

FORT DEFIANCE AGENCY VETERANS ORGANIZATION
AGENCY MEETING
P.O. Box 430
Window Rock, Arizona, 86515
Phone: (928) 871-6413 Fax: (928) 871-7288.
Commander: Olin T. Kieyoomia Vice Commander: Ryan Sandoval Secretary: Clara Williams

RESOLUTION

Supporting The Fort Defiance Agency Veterans Housing Board

FD- No. 017

WHEREAS:

1. Pursuant to The Navajo Nation Veterans Act; Title II, Section One (E,I,M.N,O,R,T); SS 1032 (B-5,9,10), The Ft. Defiance Agency Veterans Organization is duly recognized by the Navajo Nation through resolution of the Veterans Agency; and
2. Pursuant to Navajo Nation Council Resolution CMA-25-71; The Navajo Veterans were recognized and an Navajo Nation Veterans Administration was established under the Executive Branch of the Navajo Nation Government- Office of the President and Vice President of the Navajo Nation; and
3. The Ft. Defiance Agency Veterans Organization is duly recognized by the Navajo Nation with a Plan of Operation to address the issues, concerns and advocate for all Navajo Veterans; and
4. The Ft. Defiance Agency Veterans Organization recognizes and acknowledges that it is entrusted to strive toward unification of all Navajo Nation Veterans and Local Leadership to provide leadership and coordinate with the needs of the veterans; and
5. In 1942, the Navajo Nation Council passed a resolution to aid and defend the United States against all subversive and assisted in the United States Selective Services Board to draft the eligible Navajo to serve in the United States Armed Services and reaffirm allegiance to the United States and expression of patriotism; and
6. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the need for accountability, responsibility, and transparency in the review and selection of veteran's applications for New Veterans Housing.
7. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the lack of accountability and transparency by the Navajo Nation Veterans Administration in the selection, approval and construction of New Veterans Homes; and
8. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the members of the Veterans Housing Board will be members of the Fort Defiance Agency Veterans Organization; and
9. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the selection of members shall be selected and voted in by the Fort Defiance Agency Veterans Organization; and
10. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the members shall have expertise and experience in housing construction and or procurement and budget expenditures; and

FORT DEFIANCE AGENCY VETERANS ORGANIZATION
AGENCY MEETING
P.O. Box 430
Window Rock, Arizona, 86515
Phone: (928) 871-6413 Fax: (928) 871-7288.
Commander: Olin T. Kieyoomia Vice Commander: Ryan Sandoval Secretary: Clara Williams

11. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the need for such a board to provide accountability and transparency to Navajo Veterans and to reestablish trust among the veterans the veteran's communities.

NOW THEREFORE BE IT RESOLVED THAT:

1. **Supporting The Fort Defiance Agency Veterans Housing Board.**
2. **The Fort Defiance Agency Veterans Organization is advocating for accountability and transparency within the Veterans Administration and the Navajo Veterans Housing Program**

C-E-R-T-I-F-I-C-A-T-I-O-N

The Ft. Defiance Agency Veterans Hereby Certifies the Foregoing Resolution that was Considered at a Regular Duly Called Meeting in Bahastl'ah Chapter, Twin Lakes, New Mexico (Navajo Nation) and that same was approved and passed with a vote of **64** in Favor; **00** Opposed and **00** Abstain on the **13th day of June 2017.**

Motioned: Albert Natonabah
Seconded: Frank Apache

Olin T. Kieyoomia- Commander
Ft. Defiance Agency Veterans Organization

NAVAJO NATION VETERANS ADVISORY COUNCIL

RESOLUTION

SUPPORTING LEGISLATION0 258-17; AN ACTION RELATING TO HELATH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANACE COMMITTEE, LAND ORDER AND NAABIK'IYATI' COMMITTEE; REAUTHORIZING THE EXCEPTION TO FUND LAPSE REQUIREMENTS WITH RESPECT TO THE ANNUAL APPROPRIATION TO THE VETERANS TRUST FUND AS AMENDED AND PROVIDED FOR THE IN NAVAJO NATION COUCNIL→ RESOLUTION CS-48-13 AND AUTHORIZING EXTENDING THAT EXCEPTION FROM FUND LAPSE THROUGH FISCAL YEAR 2018.

NNVAC- No. 005

WHEREAS:

1. Pursuant to The Navajo Nation Veterans Act; Title II, Section One (E, I, M.N, O, R, T); SS 1032 (B-5,9,10), The Navajo Nation Veterans Advisory Council is duly recognized by the Navajo Nation through resolution of the Veterans Agency; and
2. Pursuant to Navajo Nation Council Resolution CMA-25-71; The Navajo Veterans were recognized and an Navajo Nation Veterans Administration was established under the Executive Branch of the Navajo Nation Government- Office of the President and Vice President of the Navajo Nation; and
3. The Navajo Nation Veterans Advisory Council is duly recognized by the Navajo Nation with a Plan of Operation to address the issues, concerns and advocate for all Navajo Veterans; and
4. The Navajo Nation Veterans Advisory Council recognizes and acknowledges that it is entrusted to strive toward unification of all Navajo Nation Veterans and Local Leadership to provide leadership and coordinate with the needs of the veterans; and
5. In 1942, the Navajo Nation Council passed a resolution to aid and defend the United States against all subversive and assisted in the United States Selective Services Board to draft the eligible Navajo to serve in the United States Armed Services and reaffirm allegiance to the United States and expression of patriotism; and
6. The Navajo Nation Veterans Advisory Council recognizes, understands and acknowledges THE PURPOSE OF THIS LEGISLATIN IS TO APPROVE CONTINUED AVAILABILITY OF Veterans Housing Funds Thru Fiscal Year 2018; and
7. The Navajo Nation Veterans Advisory Council recognizes, understands and acknowledges The Navajo Nation Council adopted Council Resolution CS-48-13, September 9, 2013 and such was signed by the president of the President September 13, 2013; and
8. The Navajo Nation Veterans Advisory Council recognizes, understands and acknowledges Council Resolution CS-48-13 mended the Navajo Nation Veterans Trust Fund to provide for equal distribution of the annual comprehensive budgeted amount between the Navajo Nation Trust

Fund and the Department of Navajo Veterans Affairs to construct up to 15 homes and to provide minor renovation and repair for Navajo veterans in each of the five (5) Navajo Agencies; and

9. The Navajo Nation Veterans Advisory Council recognizes, understands and acknowledges council resolution cs-48-13 provided that annual appropriation authorized by the resolution continue for the purposes of the resolution and that all expended funds shall not lapse back into the Veterans Trust Fund through Fiscal Year 2017; and
10. The Navajo Nation Veterans Advisory Council recognizes, understands and acknowledges the Navajo Nation Auditor General completed and presented an audit report of the Navajo Nation Veterans Administration- veterans Housing Program in January 2017. Report 17-15; and
11. The Navajo Nation Veterans Advisory Council recognizes, understands and acknowledges the Auditor's generals Report No. 17-15, Called for Numerous corrective actions and determined a substantial balance of unexpected funds remaining as the deadline of the end of the fiscal year 2017 approaches; and
12. The Navajo Nation Veterans Advisory Council recognizes, understands and acknowledges in order that the necessary funds remain available for proper use for the Veterans Housing Program and not lapse on September 30, 2017, the end of Fiscal Year 2017, is necessary to specifically re-authorize, as required byCS-48-13, the continued availability of those funds by extending their exemptions from the lapsing requirement until the end of fiscal year 2018; and
13. The Navajo Nation Veterans Advisory Council recognizes, understands and acknowledges the proposed action is supported by the Northern Agency Veterans Organization and Fort Defiance Agency Veterans Organization; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Veterans Advisory Council Support LEGISLATION0258-17; AN ACTION RELATING TO HELATH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANACE COMMITTEE, LAND ORDER AND NAABIK'IYATI' COMMITTEE; REAUTHORIZING THE EXCEPTION TO FUND LAPSE REQUIREMENTS WITH RESPECT TO THE ANNUAL APPROPRIATION TO THE VETERANS TRUST FUND AS AMENDED AND PROVIDED FOR THE IN NAVAJO NATION COUCNIL RESOLUTION CS-48-13 AND AUTHORIZING EXTENDING THAT EXCEPTION FROM FUND LAPSE THROUGH FISCAL YEAR 2018.
2. It is in the best interest of the Navajo Nation that the Navajo Nation specifically re-authorize, as required by CS48-13, the continued availability of such unexpected funds in the Navajo Nation Veterans Housing Program at the end of Fiscal Year 2017 by extending their exemptions from the lapsing requirement until the end of Fiscal Year 2018.

C-E-R-T-I-F-I-C-A-T-I-O-N

The Navajo Nation Veterans Advisory Council Hereby Certifies the Foregoing Resolution, that was Considered at a Special Called Meeting in Navajo Housing Authority, Ft. Defiance, Arizona (Navajo Nation) and that same was approved and passed with a vote of 05 in Favor; 00 Opposed and 01 Abstain on the 7th day of September 2017.

Motioned: George Tolth

Seconded: Anderson Tullie

Vern Lee- Chairman
Navajo Nation Veterans Advisory Council

EXHIBIT 2

NAVAJO NATION VETERANS ADVISORY COUNCIL

Chairman: Olin Kieyoomia Vice Chairman: Pete Tsinnijinnie Secretary: Billy Goodman, Jr.
Eastern Agency Fort Defiance Agency Chinle Agency Western Agency Shiprock Agency

RESOLUTION

AN ACTION RELATING TO THE FUND LAPSE REQUIREMENT OF THE VETERANS HOUSING PROGRAM

NNVAC-10-20

WHEREAS:

1. Pursuant to Navajo Nation Council Resolution CMA-25-71; The Navajo Veterans were recognized and a Navajo Nation Veterans Administration was established under the Executive Branch of the Navajo Nation Government- Office of the President and Vice President of the Navajo Nation; and
2. Pursuant to Navajo Nation Council Resolution CJA-3-16, Navajo Nation Veterans Act; Title II, Chapter 5, Subchapter 1, Article 4, SS 1033, The Navajo Nation Veterans Advisory Council is duly established by the Navajo Nation; and
3. The Navajo Nation Veterans Advisory Council is duly recognized by the Navajo Nation with a Plan of Operation to provide recommendations to the Navajo Nation President, Vice President, and NNVA Executive Director and advocate on behalf of all Navajo Nation veterans with quality, transparent and consistent service; and
4. All leaders chosen by the Diné are to carry out their duties and responsibilities in a moral and legal manner in representing the people and the government; the people's trust and confidence in the leaders and the continued status as a leader are dependent upon adherence to the values and principles of Diné bi beenahazáanii.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Veterans Advisory Council has reviewed CS-56-17.
2. The NNVAC is aware that without Committee and Council action, the Veterans Housing Program funds will lapse at the end of the current fiscal year.
3. The NNVAC believes that the Executive Director has sufficiently addressed the fund lapse issue in the requested revisions to CS-48-13 for the Veterans Housing Program.
4. The NNVAC asks that the Navajo Nation Council adopt the new legislation prior to the end of the current fiscal year to avoid fund lapse for the Veterans Housing Program.

C-E-R-T-I-F-I-C-A-T-I-O-N

Navajo Nation Veterans Administration. Post Office Box 430. Window Rock, Arizona 86515 Phone: (928) 871-6413/ Fax: (928) 871-7288

NAVAJO NATION VETERANS ADVISORY COUNCIL

Chairman: Olin Kieyoomia Vice Chairman: Pete Tsinnijinnie Secretary: Billy Goodman, Jr.
Eastern Agency Fort Defiance Agency Chinle Agency Western Agency Shiprock Agency

The Navajo Nation Veterans Advisory Council hereby certifies the foregoing resolution that was considered at a duly called meeting in Window Rock, Arizona (Navajo Nation) and that same was approved and passed with a vote of **4** in Favor; **0** Opposed and **2** Abstain on the **5th Day of Aug 2020**.

Motioned: Nelda Achee
Seconded: Billy Goodman

George Tolth, Acting Chair
Navajo Nation Veterans Advisory Council

Navajo Nation Veterans Administration. Post Office Box 430. Window Rock, Arizona 86515 Phone: (928) 871-6413/ Fax: (928) 871-7288

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

Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Eugenia Charles-Newton
24th Navajo Nation Council

FROM: Dana L. Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: August 28, 2020

SUBJECT: **AN ACTION RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, LAW AND ORDER, AND NAABIK'ÍYÁTÍ COMMITTEES AND NAVAJO NATION COUNCIL; EXTENDING THE FUND LAPSE EXCEPTION TO THE ANNUAL APPROPRIATION TO THE VETERANS TRUST FUND, AS SET FORTH IN 12 N.N.C. § 1171 (B), THROUGH NAVAJO NATION FISCAL YEAR 2024**

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.

The Office of Legislative Counsel confirms the appropriate standing committee(s) 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 ensure that his 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 NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0216-20__ **SPONSOR: Eugenia Charles-Newton**

TITLE: An Action Relating to Health Education and Human Services, Budget and Finance, Law and Order, and Naabik'íyáti' Committees and Navajo Nation Council; Extending the Fund Lapse Exception to the Annual Appropriation to the Veterans Trust Fund, as set forth in 12 N.N.C. § 1171 (B), Through Navajo Nation Fiscal Year 2024

***Date posted*: August 28, 2020 at 10:17PM**

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.: 0216-20

SPONSOR: Honorable Eugenia Charles-Newton

TITLE: An Action Relating to Health Education and Human Services, Budget and Finance, Law and Order, and Naabik'íyáti' Committees and Navajo Nation Council; Extending the Fund Lapse Exception to the Annual Appropriation to the Veterans Trust Fund, as set forth in 12 N.N.C. § 1171 (B), Through Navajo Nation Fiscal Year 2024

Posted: August 28, 2020 at 10:17PM

5 DAY Comment Period Ended: September 02, 2020

Digital Comments received:

Comments Supporting	**1) Vern R. Lee**
Comments Opposing	***None***
Inconclusive Comments	***None***

Legislative Tracking Secretary
Office of Legislative Services

09/03/20 8:28AM
Date/Time

Legislation 0216-20

Vern Lee <vernrlee@gmail.com>

Tue 9/1/2020 1:21 PM

To:comments <comments@navajo-nsn.gov>;

Ye teeh Natanni,
I am in support of this legislation as a Shiprock Veteran and former commander of Northern Agency Veterans Organization long as the contract is followed and Shiprock, Chinle and Western gets their Homes.

CS-56-17

(b) an amended Plan of Operation, and (c) amended Policies and Procedures that incorporate procedures about how the money will be expended for the Veterans Administration Housing Program. The Housing Action Plan must contain practices designed to remediate the Veterans Administration audit findings in order to implement the corrective action plan. The Housing Action Plan and the Veterans Administration's amended Policies and Procedures must include specific language allowing the Housing Program to contract with manufactured home builders and other vendors to fulfill program obligations.

.

The Late Honorable Steven Begay sponsored Legislation 0258-20 (Resolution CS-56-17) and we are very thankful to the 23rd Navajo Nation Council. Today, thanks to Honorable Eugenia Charles-Newton for sponsoring Legislation 0216-20.
An agreement was entered with the NNVAC and President Russell Begay and Vice-President Jonthan Nez to build 5 homes per Agency. Contract was entered by Begay/Nez with Southwest Indian Foundation. Five homes were built and delivered to Eastern Veterans Agency and five for Fort Defiance Veterans Agency. Shiprock, Chinle and Western never received their homes.
The three Veterans Agencies expect NVA and Nez Adm. to follow through with the agreement.
Ahe'Hee'
Vern R. Lee
505-
WARNING: External email. Please verify sender before opening attachments or clicking on links.

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0216-20

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, LAW AND ORDER, AND NAABIK'IYATI' COMMITTEES AND NAVAJO NATION COUNCIL; EXTENDING THE FUND LAPSE EXCEPTION TO THE ANNUAL APPROPRIATION TO THE VETERANS TRUST FUND, AS SET FORTH IN 12 N.N.C. § 1171 (B), THROUGH NAVAJO NATION FISCAL YEAR 2024

Sponsor: Honorable Eugenia Charles-Newton; Co-Sponsor: Honorable Seth Damon

(Eligible for Committee Action September 03, 2020)

Has had under consideration and report the same with the recommendation that Legislation 0216-20 **PASS** with No Amendment and No Directive; and therefore referred the same to the **BUDGET AND FINANCE COMMITTEE OF THE NAVAJO NATION COUNCIL**

Respectfully Submitted,

Daniel E. Tso, Chairperson
Health, Education and Human Services Committee

September 09, 2020 - Main Motion
Motion by: Honorable Paul Begay, Jr.
Seconded by: Honorable Pernell Halona
Vote: 4 in favor; 0 Opposed; Chairperson Not Voting
Yeas: Paul Begay, Jr.; Carl R. Slater; Pernell Halona; Edison J. Wauneka
Nays: none
Not Voting: Charlaine Tso
Absent (excused): all present

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
September 09, 2020

Roll Call
Vote Tally Sheet

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0216-20

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, LAW AND ORDER, AND NAABIK'IYATI' COMMITTEES AND NAVAJO NATION COUNCIL; EXTENDING THE FUND LAPSE EXCEPTION TO THE ANNUAL APPROPRIATION TO THE VETERANS TRUST FUND, AS SET FORTH IN 12 N.N.C. § 1171 (B), THROUGH NAVAJO NATION FISCAL YEAR 2024

Sponsor: Honorable Eugenia Charles-Newton; Co-Sponsor: Honorable Seth Damon

(Eligible for Committee Action September 03, 2020)

September 09, 2020 - Main Motion
Motion by: Honorable Paul Begay, Jr.
Seconded by: Honorable Pernell Halona
Vote: 4 in favor; 0 Opposed; Chairperson Not Voting
Yeas: Paul Begay, Jr.; Carl R. Slater; Pernell Halona; Edison J. Wauneka
Nays: none
Not Voting: Charlaine Tso
Absent (excused): all present

Daniel E. Tso, Chairperson
Health, Education and Human Services Committee

Beverly Martinez, Legislative Advisor
Health, Education and Human Services Committee