

LEGISLATIVE SUMMARY SHEET
Tracking No. **0023-22**

DATE: January 23, 2022

TITLE OF RESOLUTION: AN ACT RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, LAW AND ORDER, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING CERTAIN SECTIONS OF THE NAVAJO NATION CODE TO TRANSFER LEGISLATIVE OVERSIGHT OVER VETERAN SERVICES TO THE NAABIK'ÍYÁTI' COMMITTEE

PURPOSE: This resolution, if approved, will amend certain sections of the Navajo Nation Code to transfer legislative oversight over veteran services to the Naabikiyati Committee.

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: VORLAWSE
Website Posting Time/Date: January 27, 2022 7:15pm
Posting End Date: February 1, 2022
Eligible for Action: February 2, 2022

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Fourth Year, 2022

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. **0023-22**

AN ACT

RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, LAW
AND ORDER, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO
NATION COUNCIL; AMENDING CERTAIN SECTIONS OF THE NAVAJO
NATION CODE TO TRANSFER LEGISLATIVE OVERSIGHT OVER
VETERAN SERVICES TO THE NAABIK'ÍYÁTI' COMMITTEE

BE IT ENACTED:

SECTION ONE. FINDINGS

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and has the power to review and recommend resolutions relating to veterans and veteran services. 2 N.N.C. §§ 400(A), 401(B)(6). In addition, the Health Education and Human Services Committee shall recommend to the Navajo Nation Council... to rescind that plan of operation or an existing plan of operation for any Division or Department under the Committee's oversight. 2 N.N.C. § 401 (C)(1).
- B. The Law and Order Committee is a standing committee of the Navajo Nation Council and has the power to review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments in the Navajo Nation Code. 2 N.N.C. §§ 600(A), 601(B) (14)

- 1 C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council
2 and has the power to review proposed legislation which requires final action by the
3 Navajo Nation Council. 2 N.N.C. §§ 700(A), 164(A)(9). In addition, the Naabikiyati
4 Committee serves as the oversight for the Office of Legislative Services and other
5 offices, programs, commissions, boards or task forces under the Legislative Branch
6 of the Navajo Nation Government, unless otherwise designated by Navajo Nation
7 law, and to approve and amend plans of operation thereto. 2 N.N.C. § 701 (A)(5)
- 8 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §
9 102(A).

11 **SECTION TWO. FINDINGS**

- 12 A. In 2011, the Navajo Nation Council adopted Resolution CAP-10-11 which amended
13 certain sections of the Navajo Nation Code, Title 2 §§ 101 through 835, to conform
14 to the newly established 24-member Navajo Nation Council and made necessary
15 revisions to the legislative process and current standing committee structure.
- 16 B. Resolution CAP-10-11 established the Health, Education and Human Services
17 Committee with legislative oversight over veteran services. 2 N.N.C. § 400(C)(3).
- 18 C. The purpose of this legislation is to transfer legislative oversight over veteran services
19 from the Health, Education and Human Services Committee to the Naabikiyati
20 Committee.
- 21 D. The Navajo Nation Council finds it in the best interest for the Navajo Nation Veterans
22 Administration and Navajo Nation Veterans Advisory Council to be under the
23 legislative oversight of the Naabikiyati Committee because Diné veterans are highly
24 honored in Diné society and culture and all veteran matters and concerns should be
25 addressed by the full Council at the Naabikiyati Committee level.

27 **SECTION THREE. AMENDING TITLE 2 OF THE NAVAJO NATION CODE TO** 28 **TRANSFER LEGISLATIVE OVERSIGHT FOR THE NAVAJO NATION** 29 **VETERANS ADMINISTRATION AND NAVAJO NATION VETERANS** 30 **ADVISORY COUNCIL TO THE NAABKIYATI COMMITTEE**

1
2 The Navajo Nation hereby amends the Navajo Nation Code, Title 2, as follows:
3

4
5 **TITLE 2. NAVAJO NATION GOVERNMENT**

6 **CHAPTER 5. EXECUTIVE BRANCH**

7 **SUBCHAPTER 1. Generally**

8 ****

9 **Article 3. Navajo Nation Veterans Administration**

10 ****

11 **§ 1033. Navajo Housing Program**

- 12 A. There is hereby established a Navajo Veterans Housing Program within the Navajo
13 Veterans Administration.
- 14 B. The Navajo Veterans Housing Program shall be administered by the Navajo Veterans
15 Administration.
- 16 C. Duties and Responsibilities of the Navajo Veterans Housing Program shall include
17 administering the Navajo Nation Veterans Administrations Housing Program Policies
18 and Procedures. The Veterans Administration Housing Program Policies and
19 Procedures shall be approved by the ~~Health, Education and Human Services Committee~~
20 Naabik'íyáti' Committee, upon the recommendation of the Navajo Nation Veterans
21 Advisory Council.

22 ****

23 **§ 1035. Oversight**

24 The Navajo Nation authorizes the establishment of the Navajo Nation Veterans
25 Administration, the Navajo Veterans Housing Program, and the Navajo Nation Veterans
26 Advisory Council. Legislative oversight shall be provided by the ~~Health, Education, and~~
27 ~~Human Services Committee~~ Naabik'íyáti' Committee of the Navajo Nation Council, which
28 will have final approval of the respective plans of operation.

29 ****
30

1 **SECTION FOUR. AMENDING 2 N.N.C §§ 400 *et. seq.* AND 2 N.N.C. § 701 TO**
2 **TRANSFER LEGISLATIVE OVERSIGHT FOR VETERAN SERVICES FROM**
3 **THE HEALTH EDUCATION AND HUMAN SERVICES COMMITTEE TO THE**
4 **NAABKIYATI COMMITTEE**

5 The Navajo Nation hereby amends the Navajo Nation Code, Title 2, as follows:
6
7

8 **TITLE 2. NAVAJO NATION GOVERNMENT**

9 **CHAPTER 3. LEGISLATIVE BRANCH**

10 **SUBCHAPTER 9. STANDING COMMITTEES**

11 ********

12 **Article 2. Health, Education and Human Services Committee**
13

14 **§ 400. Establishment; Membership; Purposes**

15 ********

16 (C) The purposes of Committee are:
17

17 ********

18 (3) To oversee Navajo Nation efforts in implementing and ensuring compliance with
19 employment and labor laws and policies of the Navajo Nation, ~~and the laws relating to~~
20 ~~veterans services.~~
21

22 **§ 401. Powers**

23 ********

24 B. The Committee Shall have the following enumerated powers:
25

25 ********

26 6. To review and recommend:

- 27 a. Resolutions relating to social services, health, environmental health,
28 education, ~~veterans and veterans services~~, employment and labor.
29 b. Navajo Nation agreements and contracts negotiated with federal, state,
30 regional, and tribal governments, private and Navajo Nation health and

1 social service authorities, including environmental health, ~~Veterans~~
2 ~~service or~~ education services subject to applicable laws of the Navajo
3 Nation.

4 ****

5 7. To represent the Navajo Nation:

- 6 a. at local, state, federal levels, in coordination with the President of the
7 Navajo Nation and Naabik'iyáti' Committee on proposed legislation,
8 funding and other actions affecting health, environmental health,
9 social services, education, ~~veterans services~~, employment, training
10 and labor.

11 ****

12 **C. Oversight**

13 *****

14 6. To serve the oversight authority for employment, labor, ~~veteran services~~, training
15 and statistics.

16 ****

17
18 **SUBCHAPTER 9. STANDING COMMITTEES**

19 **ARTICLE 5. Naabik'iyáti'**

20 ****

21 **§ 701. Powers**

22 ****

23 14. To serve as the oversight committee for all veterans and veteran services unless
24 otherwise designated by Navajo Nation law, and to approve and amend plans of
25 operation thereto.

26 *****

27 **SECTION FIVE. EFFECTIVE DATE**

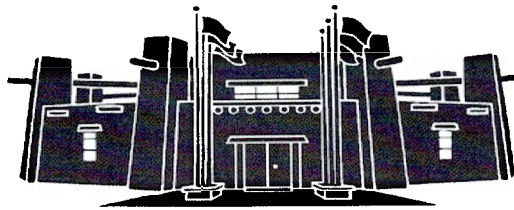
28 This Act and the Navajo Nation Code amendments enacted herein shall be effective
29 pursuant to 2 N.N.C. § 221(B).
30

1 **SECTION SIX. CODIFICATION**

2 The provisions of this legislation which amend the Navajo Nation Code shall be codified
3 by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate
4 such amended provisions in the next codification of the Navajo Nation Code.


5
6 **SECTION SEVEN. SAVINGS CLAUSE**

7 Should any provisions of this legislation be determined invalid by the Navajo Nation
8 Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo
9 Nation Supreme Court, those portions of this legislation which are not determined invalid
10 shall remain the law of the Navajo Nation.



MEMORANDUM

TO : Eugenia Charles-Newton., Sponsor
24th Navajo Nation Council

FROM : 
Chad Abeyta, Attorney
Office of Legislative Counsel

DATE : January 23, 2022

RE : **AN ACT RELATING TO HEALTH EDUCATION AND HUMAN SERVICES, LAW AND ORDER, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING CERTAIN SECTIONS OF THE NAVAJO NATION CODE TO TRANSFER LEGISLATIVE OVERSIGHT OVER VETERAN SERVICES TO THE NAABIK'ÍYÁTI' COMMITTEE**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution as drafted is legally sufficient. Regarding substance, as with any legislation, 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.

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. 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. Ahéhee'.

22-025-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0023-22_

SPONSOR: Eugenia Charles-Newton

TITLE: An Act Relating to Health, Education and Human Services, Law and Order, and Naabik'íyáti' Committees and the Navajo Nation Council; Amending Certain Sections of the Navajo Nation Code to Transfer Legislative Oversight Over Veteran Services to the Naabik'íyáti' Committee

Date posted: January 27, 2022 at 7:15PM

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.: 0023-22

SPONSOR: Honorable Eugenia Charles-Newton

TITLE: An Act Relating to Health, Education and Human Services, Law and Order, and Naabik'iyáti' Committees and the Navajo Nation Council; Amending Certain Sections of the Navajo Nation Code to Transfer Legislative Oversight Over Veteran Services to the Naabik'iyáti' Committee

Posted: January 27, 2022 at 7:15 PM

5 DAY Comment Period Ended: February 1, 2022

Digital Comments received:

Comments Supporting	1.) Edward Wagner Jr. 2.) Calvin Charlie 3.) Lloyd Begaye
Comments Opposing	<i>None</i>
Comments/Recommendations	1.) Paul J. George

VSRedhorse

**Legislative Tracking Secretary
Office of Legislative Services**

February 3, 2022; 10:00 AM

Date/Time

0023-22

Edward Wagner <wagneredward676@gmail.com>

Tue 2/1/2022 1:11 PM

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

I am in support of Legislation 0023-22

Ed Wagner Jr

Many Farms Veteran

WARNING: External email. Please verify sender before opening attachments or clicking on links.

0023-22

Calvin Charlie <ccharlie4969@gmail.com>

Tue 2/1/2022 1:11 PM

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

Yá'át'ééh, to all concerned from TeecNosPos King/Clark Veterans we are in concurrence with moving the Navajo Nation Veterans Advisory council from the HEHS committee to Náábí'k'lyátí. This will enhance greater exposure of veterans issues to all Navajo Nation council delegates for better understanding and promote results that benefit the veterans. Áhé'héé
Calvin Charlie, TeecNosPos CVO cmdr.

Sent from my iPhone

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Lloyd Begaye <begaye15.l@gmail.com>

Yesterday, 1:13 PM
comments

Reply all |

Legislation IS IN THE BEST INTEREST FOR OUR VETERANS!!

Lloyd Begaye <begaye15.l@gmail.com>

Yesterday, 1:13 PM

EDITING : isn't to Is!!

Lloyd Begaye <begaye15.l@gmail.com>

Yesterday, 1:13 PM

As the Commander of the Shiprock Chapter Veterans Organization, I support and acknowledge the proposed Legislation isn't the best interest of our CVO members.
Thank you,
Lloyd Begaye, SCVO Cmdr

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February 2, 2022

NNC LEGISLATION NO. 0023-22 is redundant legislation to Navajo Nation Council Standing Committees to attempt transfer oversight over veterans' services.

REDUNDANCY COMMITTEE'S RESPONSIBILITY

AMENDING CERTAIN SECTIONS OF THE NAVAJO NATION CODE TO TRANSFER LEGISLATIVE OVERSIGHT OVER VETERAN SERVICES TO THE NAABIK'IY ATI' COMMITTEE.

A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and has the power to review and recommend resolutions relating to veterans and veteran services.

B. The Law and Order Committee is a standing committee of the Navajo Nation Council and has the power to review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments in the Navajo Nation Code.

C. The Naabik'iyati' Committee is a standing committee of the Navajo Nation Council and has the power to review proposed legislation which requires final action by the Navajo Nation Council.

REMEDATION

Instead of passing the buck (transfer oversight), Navajo Nation Council to create Interim Navajo Nation Council Committee to address "Military and Veterans Affairs". The applicable Navajo Nation Council Standing Committee appoint its member to the Interim Council Committee.

The Navajo Nation Veterans' Services is the least understood Navajo Nation Program Services. On February 3, 2016 the Navajo Nation enacted Navajo Veterans Act that codified the Navajo Veterans legal entity of the Navajo Nation government. In 1971 Navajo Nation established the Office of Navajo Veterans Affairs, did not codify.

RECOGNITION OF NATIVE AMERICAN VETERANS

March 21, 2016 then NN President, Russell Begaye, wrote a question letter to U.S. Veterans Administration, re: "VA not recognized organized Native American Veterans under U.S. Code of Federal Regulations. Title 38 Part 14.628: that authorizes preparation, presentation and prosecution of Federal Veterans' Benefit claims." March 21, 2017 VA amended its regulation to recognition of tribal organization.

NAVAJO VETERANS ACT

Upmost important purpose of the Navajo Veterans Act is to get Navajo Nation designated U.S. Veterans Administration (VA) Region. This allow federal veterans' benefits and services be make available on Navajo Nation and neighboring Native land. Navajo Nation is in three (3) VA Regions (AZ, NM & Ut), but there are no VA operated services on Navajo Nation, and /or any of other Native land in U.S.

PROBLEMATICAL NAVAJO VETERANS ADMINISTRATION

The problem of Navajo Veterans Administration (NVA) is misunderstanding the intended purpose of the veterans' program services is challenging.

1. The absence of Navajo Veterans Administration program strategic plans and no collaboration work relationship with federal and state veterans' program services for veterans' benefits and services.
2. Secrecy of Navajo Veterans Administration. In the past two (2) years there have been obscured changes made to veterans' benefit and services policies and management procedures. In fact, the VTF Financial Assistance policies and procedures were deleted without justification. The changes are made irrational, without justification (no documented legal opinions nor financial service recommendations) and absence of consultation with clienteles (Navajo Veterans, veteran's beneficiaries and communities). This show lack of understanding and disrespect the sensitivity of the Navajo culture (Naayéé' neizhóní) and tradition (Tóóáíshchíní) way of life of the Navajo people, and lack of an empathy for vulnerable veterans and veteran's beneficiaries' needs to maintain quality of life.

SOLUTION

To be blunt the Navajo veterans Administration is in disarray conditions with excruciating management problems and there is no resolution insight. It reminded me of an instant I encounter in my early years.

On summer my brother and I came upon a man at the bottom of deep arroyo with a wagon loaded with three (3) 55-gallon barrels of water that was stuck. The man was whipping the team of mule to get them pull the wagon forward, but the mules refused to move, they just kicked and backing out.

Problem: Two mules (team) were physically tired from pulling heavy load over 5 miles distance in hot weather on rough road. The man failed to take care the mules – feed, water and rest.

Solution: My brother unhitched the mules, gave them water and let them eat some vegetation. He walked them around and rubbed their backs and talk to them.

Result: The mules respond, pull the wagon out of the arroyo and completed the journey.

Cause: The man was a hired hand who have no experiences in caring (managing) for the animals.

NVA is like tired mules, cannot pull the load anymore. Whipping the NVA program with new management policies, procedures, consolidating or redirecting resources, releasing personnel, etc. is not going to strengthen the old system. Potentially causes greater disharmony within the program operation and distant relation with clienteles.

1. To salvage the damage made to Navajo Veterans Administration, President and Council of the Navajo Nation to assume the leadership in the total Navajo Veterans Affairs to revitalize the program services to acceptable level of the Navajo veterans and surviving beneficiaries. Secondly, to implement comprehensive analysis of Navajo Nation Veterans' legislations, regulations, rules, policies and staffing. Lastly, develop a comprehensive strategic Plan (unbiased) for the Navajo Nation Veterans Program and services.
3. Program Review and Evaluation: NVA needs to undergo complete review and evaluation by independent study group, consisted of relevant professional and technical knowledgeable personnel and grassroot clienteles. Grassroot clientele's involvement is important to identify obstacles to service and needed services and developing new or add program services applicable to clientele needs and identify resources for program service improvement and development.

4. Strategic Planning is essential management tools for the programing and staff development, financial management and collaboration service delivery system. NVA is administered with multi-sorts of NN policies and procedures that impeded NVA staffing, financial management, programing veterans' service delivery system. The origin of NN Veterans Program Services is embedded within Navajo culture and traditional practices and subsequently integrated to US Veterans Administration.
5. Human Resource Development. Sad situation at the Navajo Veterans Offices that lacks qualified (certified VSO and Record Manager) staff to assistance veterans with their VA benefit claims and applicable services. It is important to have qualified staff (trained and certified)-Director, VSO, AMS, program manager and chapter veterans' organization members-to assist the veteran, surviving spouse and dependent with veteran's benefit claims. A single certified VSO per Agency is totally insufficient. VA claims are process through difficult path of VA system. Self-proclaimed know it all will do more harm to the claimants.

BIG QUESTION?

Is Navajo Nation going take the major responsibilities for the care of Navajo Veterans which include financial (disability, home loan), health care, social services (nursing services, handicap equipment) and cemetery. The Navajo veterans are eligible for federal veterans' benefits and services under the U.S. Veterans Administration.

Enclosing, the whole Navajo Veterans Administration Program Service is in your hands. Do the right things to enhance the service to the Navajo veterans and surviving beneficiaries. Should you have question, you may contact me at , email: pjgeorge@citlink.net. Thank you, stay safe and healthy.

/s/

Paul J. George

Tse' Daa Kaan CVO

Shiprock, NM 87420