LEGISLATIVE SUMMARY SHEET

Tracking No. 0160-20

DATE: July 17, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY; REQUESTING CONGRESS TO EXTEND THE DEADLINE FOR NATIVE AMERICAN VETERANS TO FILE FOR U.S. VETERANS ADMINISTRATION DISABILITY CLAIMS AND CLAIMS AGAINST THE INDIAN HEALTH SERVICE FOR SUBSTANDARD MEDICAL CARE

PURPOSE: This bill will REQUESTING CONGRESS TO EXTEND THE DEADLINE FOR NATIVE AMERICAN VETERANS TO FILE FOR U.S. VETERANS ADMINISTRATION DISABILITY CLAIMS AND CLAIMS AGAINST THE INDIAN HEALTH SERVICE FOR SUBSTANDARD MEDICAL CARE

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.

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0160-20

AN ACTION

RELATING TO AN EMERGENCY; REQUESTING CONGRESS TO EXTEND THE DEADLINE FOR NATIVE AMERICAN VETERANS TO FILE FOR U.S. VETERANS ADMINISTRATION DISABILITY CLAIMS AND CLAIMS AGAINST THE INDIAN HEALTH SERVICE FOR SUBSTANDARD MEDICAL CARE

WHEREAS:

A. The Navajo Nation Council enacts laws, amends laws, and adopts statements of policy. 2 N.N.C. § 164 (A)(4)

B. Pursuant to 2 N.N.C. §164 (A)(16) "[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council." The federal government provides essential health care to veterans, and a bill is currently pending before Congress concerning such care.

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

D. Congress provides Veteran's Health Care to Veterans through the Veteran's Administration.

E. Congress proposes to extend the deadlines for filing for VA benefits and disability claims against the Veteran's Administration in H.R. 6800, the HEROES Act passed by the House of Representatives on May 15, 2020.

F. Native Americans serve in the armed forces at the highest per capita rates of any group in the United States.

G. Many Navajo and Native American Veterans with disabilities have difficulty getting the health care that they were promised through the Veteran's Administration, Native American Veterans often are not listened to by VA doctors, and face long wait times for appointments and VA health services; *see*, KTAR News January 19, 2020: "Native American veterans struggling to get health care they were promised."

H. Many Navajo and Native American Veterans must go to the Indian Health Service for medical services because they cannot get health services at the VA.

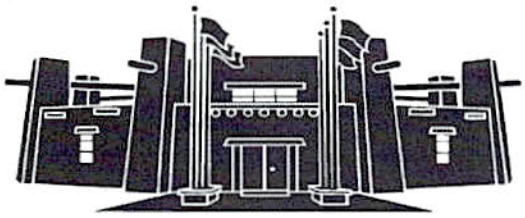
I. The National COVID-19 Pandemic Public Health Emergency has required a stay home, stay safe policy, limiting the access of Native American Veterans to medical care and other services, and Native American Veterans may have been subjected to inadequate or negligent medical care by the Indian Health Service and face deadlines for claims and complaints arising therefrom.

NOW THEREFORE BE IT RESOLVED THAT:

A. The Navajo Nation urges Congress to extend the deadline for Native American Veterans to file claims or appeals for VA benefits and disability claims during the National COVID-19 Pandemic Public Health Emergency and for 90 days thereafter in the Urban Indian Health Care Providers Act, the HEROES Act, or other appropriate legislative vehicle.

B. The Navajo Nation urges Congress to extend the deadline for Native Americans Veterans to file claims or appeals against the Indian Health Service for substandard medical care during the the National COVID-19 Pandemic Public Health Emergency and for 90 days thereafter in the Urban Indian Health Care Providers Act, the HEROES Act, or other appropriate legislative vehicle.

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



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

To : Hon. Seth Damon, Speaker
Navajo Nation Council

Hon. Pernell Halona, Delegate
Navajo Nation Council

From : _____
Ron Haven, Attorney
Office of Legislative Counsel

Date : July 17, 2020

Re : REQUESTING CONGRESS TO EXTEND THE DEADLINE FOR NATIVE AMERICAN VETERANS TO FILE FOR U.S. VETERANS ADMINISTRATION DISABILITY CLAIMS AND CLAIMS AGAINST THE INDIAN HEALTH SERVICE FOR SUBSTANDARD MEDICAL CARE

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. Ahéhee'.

OLC # 20-244-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0160-20__ **SPONSOR: Seth Damon**

TITLE: An Action Relating To An Emergency; Requesting Congress To Extend The Deadline For Native American Veterans To File For U.S. Veterans Administration Disability Claims And Claims Against The Indian Health Service For Substandard Medical Care

***Date posted*: July 17, 2020 at 2:22 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.: 0160-20

SPONSOR: Honorable Seth Damon

TITLE: An Action Relating To An Emergency; Requesting Congress To Extend The Deadline For Native American Veterans To File For U.S. Veterans Administration Disability Claims And Claims Against The Indian Health Service For Substandard Medical Care

Posted: July 17, 2020 at 2:22 PM

5 DAY Comment Period Ended: Not Subject to the 5-Day Comment Period

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Inconclusive Comments	**1) Paul J. George, Tse'Daa Kaan CVO**

J Johnson

Legislative Tracking Secretary
Office of Legislative Services

07/22/20 1:51pm

Date/Time

0160-20

Paul J. George <pjgeorge@citlink.net>

Tue 7/21/2020 1:23 AM

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

VETERANS' BENEFIT CLAIMS

1. Navajo Nation Veterans Act of 2016.

On February 13, 2016 the Navajo Nation Council unanimously enacted Navajo Nation Veterans Act. The Navajo Veterans Act provides the Navajo veterans an opportunity to enhance veterans outreach services, claim benefits and other earned veteran's benefits.

2. Veterans' Benefit Claims: U.S. Code of Federal Regulation, Title 38, Part 14.638

a. On March 21, 2016, then Navajo Nation President, Russell Begaye, tended a support letter (VA Tribal Consultation) of amending U.S. Code of Federal Regulation, Title 38, Part 14.638; Recognition of Federal Benefit Claim, to recognize the Native veterans' participation in federal veterans' benefit claims.

b. On March 21, 2017 U.S. Veterans Administration amended its regulations consistent with the approve the requirements to assistance American Indian and Alaska Native Veterans Claimants with their VA benefits, and alternatively, to allow Tribal government employees to purse accreditation through existing State organization. Subsequently, the State Department Of Veterans Services in Four Corners Region agreed to designate Arizona Department of Veterans Services to provide training for Tribal Veterans Services personnel on veterans' claims benefit. In that, Navajo Veterans Service Officers (VSO) received training and certified to file the claims for veterans on the Navajo Nation.

The Navajo Nation (Veterans Administration) is in the proper position to administrate, promote and advocate for the U.S. Veterans' services and benefits. Since Navajo Nation (Navajo Veterans Administration) is recognized organization, that authorizes the preparation, presentation and prosecution of the Federal Veterans' Benefit claims, is part of U.S. Code of Federal Regulation, Title 38, Part 14.638.

Problem

In the last couple years, Navajo Veterans Administration (NVA) have neglected to maintain VSO training and maintain trained VSO employed. There are approximately 27,000 (estimated) Navajo veterans in vast Navajo Nation land. The state Department of Veterans Services (DVS) in Four Corners Region (AZ, NM, UT) employed one (1) VSO per county, but the locate Veterans Organizations (VFW, American Legion, American Veterans of Foreign War, ANVET, etc.) have trained VSOs within their organization that assistance veterans to file Veteran's Benefit Claims.

VETERANS HEALTH CARE

Memorandum of Understanding (MOU) between U.S. Veterans Administration (VA) and Indian Health Services (IHS) was done without consultation with the Navajo Nation Government. It definitely need to be re-evaluate to correct the deficient health care for the Navajo veterans. Indian Health Service approached VA to allow IHS to provide health care services for Native American Veterans (Navajo Veterans) on fee for service base. In that, when IHS providers treat a Navajo veteran, IHS filed a claim to VA for the service. All fund collected from VA goes into IHS Service Unit miscellaneous accounts.

Some Native American (Navajo) Veterans acquaint lifelong health problem from military operations, and other veterans acquaint latent health problems related to military service, such as agent orange. IHS is a public health service operation that provide varieties of health care services, which overlook the veteran's health care needs. It is especially a problem with the elderly veterans who have limited English language to describe their physical and/or psychological health problem. IHS does not refer a Navajo Veterans patient to VA Medical Center for the needed specialty health care services.

BUILDING NAVAJO VETERANS ADMINISTRATION AND ORGANIZATION

The Navajo Nation have administrated veterans services close to 30 years (1971) – that's a blink of an eye to some, and yet it's a long time when you consider that the vast majority of Navajo Veterans population are aging without receiving their rightful earned U.S. Veterans' benefits and services. The Navajo Nation must build the Veterans Services with longevity in

mind, from policies and organization structural that can withstand weather and time. We are currently going through some changes in how we organize ourselves, and as will as how these changes may impact our future. Building an organization that will stand the test of time is culture and people.

First, the culture – a healthy workplace culture acts as a foundation on which strong organizations are built. Navajo cultures, whether they're good or bad, had solidified over time. An organization with healthy cultures will be able to weather whatever challenges come their way.

Second, the people - closely tied to the culture. The people in organization help define our culture – they are the individual that make up our organization's culture. Therefore, as we go through leadership transitions, and when we bring new people into the organization, it is vital to pay close attention to how and who we hire. In doing so, we work to solidify our foundation for the future.

I am confident that by focusing on these two things, our future will be bright!

Paul J. George
Tse' Daa Kaan CVO

-

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

24th NAVAJO NATION COUNCIL
ACTION REPORT
Second Year 2020

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

NAVAJO LEGISLATIVE BILL #0160-20

An Action Relating to an Emergency; Requesting Congress to Extend the Deadline for Native American Veterans to File for U.S. Veterans Administration Disability Claims and Claims Against the Indian Health Service for Substandard Medical Care

Sponsored by: Honorable Seth Damon
Co-Sponsored by: Honorable Kee Allen Begay, Jr.
Co-Sponsored by: Honorable Pernell Halona

Has had it under consideration and reports the same that the legislation **WAS REFERRED TO THE NAABIK'ÍYÁTI' COMMITTEE**.

Respectfully Submitted,

Honorable Seth Damon, Speaker
24th NAVAJO NATION COUNCIL

22 JULY 2020

REFERRAL MOTION
Motion to Refer Legislation 0160-20 to the Naabik'íyáti' Committee.
Motioned by: Honorable Rickie Nez
Seconded by: Honorable Eugenia Charles-Newton
Vote: 13 in Favor, 09 Opposed (Speaker Damon Not Voting)

MAIN MOTION
Motioned by: Honorable Rickie Nez
Seconded by: Honorable Eugene Tso
Vote: VOTE PENDING

----------*FAILED MOTION(S)*----------

TABLING MOTION

Motion to Table Legislation 160-20 Until the Next Navajo Nation Council Session

Motioned by: Honorable Raymond Smith, Jr.

Seconded by: Honorable Jimmy Yellowhair

Vote: 07 in Favor, 15 Opposed (Speaker Damon Not Voting)

NAVAJO NATION

396

7/22/2020

Navajo Nation Council 2020 Summer Session

06:31:18 PM

Amd# to Amd# Table Legislation 0160-20

FAILED

MOT Smith

SEC Yellowhair

Yeas : 7 **Nays : 15** **Excused : 0** **Not Voting : 1**

Yea : 7

Begay, E	James, V	Tso, D	Yazzie
Charles-Newton	Smith	Tso, E	

Nay : 15

Begay, K	Daniels	Nez, R	Walker, T
Begay, P	Freeland, M	Slater, C	Wauneka, E
Brown	Halona, P	Stewart, W	Yellowhair
Crotty	Henio, J	Tso	

Excused : 0

Not Voting : 1

Tso, C

Presiding Speaker: Damon

NAVAJO NATION

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7/22/2020

Navajo Nation Council 2020 Summer Session

07:45:24 PM

Amd# to Amd# | Refer back to Naabik'iyati' Committee - Legislation 0160-20 | PASSED

MOT Nez, R

SEC Charles-Newton

Yeas : 13 **Nays : 9** **Excused : 0** **Not Voting : 1**

Yea : 13

Begay, E	Crotty	Smith	Tso, E
Begay, P	Nez, R	Tso, C	Walker, T
Brown	Slater, C	Tso, D	Yellowhair
Charles-Newton			

Nay : 9

Begay, K	Halona, P	James, V	Tso
Daniels	Henio, J	Stewart, W	Yazzie
Freeland, M			

Excused : 0

Not Voting : 1

Wauneka, E

Presiding Speaker: Damon

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0160-20

SPONSOR: Honorable Seth Damon

TITLE: An Action Relating To An Emergency; Requesting Congress To Extend The Deadline For Native American Veterans To File For U.S. Veterans Administration Disability Claims And Claims Against The Indian Health Service For Substandard Medical Care

Posted: July 17, 2020 at 2:22 PM

5 DAY Comment Period Ended: Not Subject to the 5-Day Comment Period

Digital Comments received:

Comments Supporting	**1) Daryl R. Begay**
Comments Opposing	***None***
Inconclusive Comments	***None***

Legislative Tracking Secretary
Office of Legislative Services

07/30/20 11:19 PM
Date/Time

Sent: Tuesday, July 28, 2020 7:24 AM
Subject: Briefing Material - Legislation No. 0160-20 - NABI Committee

Good Morning Delegates Halona and Damon -

Please find attached a briefing paper with attachments on Legislation No. 0160-20, which was referred from the Navajo Nation Council to the NABI Committee.

The briefing provides a detailed, point-by-point explanation of the issue of Extending the VA and IHS Deadlines for Veterans. We have included a summary of the HEROES Act (specifically, the tribal provisions), a bipartisan Letter from the Senate Committee on Veteran's Affairs o to the Secretary of Veterans Affairs, and a press release from the House Committee on Veteran's Affairs on its version of the bill. As noted, the Senate is currently drafting a new version of the bill.

I was on a phone call with Senate Veteran Committee staff, who explained the Senate Veteran's Affairs Committee, like the House Committee, is determined to provide clear relief to veterans during the national pandemic.

I am including Mr. Mark Van Norman and Ms. Shannon Atcitty on this email. We are available to answer any questions you may have.

I am also including NABI Legislative Advisor, Mr. Tom Platero, so he can distribute to members of the NABI Committee for today's meeting. I am also including Ms. Dana Bobroff, Ms. Hope McDonand, and Ms. Sherylene Yazzie on this email.

Best Regards,

Daryl R. Begay

SUPPORT FOR RESOLUTION NO. 0160-20 –
URGING CONGRESS TO EXTEND THE DEADLINE FOR NATIVE VETERANS TO FILE U.S. VETERANS AFFAIRS DISABILITY CLAIMS AND CLAIMS AGAINST THE INDIAN HEALTH SERVICE FOR SUBSTANDARD CARE
July 2020

- The Navajo Nation (NN) has had more people infected with COVID-19 per capita than any state in the U.S. Every aspect of daily life has been affected, including work, school, business, personal matters and family life. Traditional Navajo funeral rites and services have also been affected due to public gatherings limits. NN has had to provide emergency food, additional public safety, increased health care services, and enhanced sanitation, water and sewer services.

- This public health crisis is particularly difficult for our Navajo Veterans. After serving our country at home and abroad, many of our Veterans return home facing a lack of housing, lack of employment and lack of healthcare to address service-related physical and mental health care needs. Navajo Veterans who are able to live with family often times have no electricity or running water, and limited or no telephone or internet access.

- Nationally, about 23 million people have served in uniform in the United States, but just 9 million are interacting with U.S. Department of Veterans (VA) services. "Nine million is a lot of people to be getting health care and education benefits, but it's not the whole addressable market of 23 million people," says the Chief Information Officer at the U.S. Office of Personnel Management.

- The U.S. and NN have struggled to meet the needs of our Navajo Veterans. The VA and I.H.S. have worked to meet these healthcare needs but due to ongoing challenges (travel distance to VA center/hospitals; budgetary limitations, etc.) these agencies still have difficulty meeting our Veteran needs. Clearly more work needs to be done.

- A key opportunity for our Navajo Veterans is legislation currently under development in Congress. Since March, Congress has passed several emergency funding bills as the Coronavirus continues to surge in most parts of the country, and Congress is aiming to complete another measure by early August, since most of the protections, benefits, and funding authorized under the CARES Act are scheduled to expire at the end of July 2020. The House Bill, HEROES Act, will be negotiated with the Senate Package of Amendments Released tonight, the HEALS Act.

BACKGROUND – VETERANS PROVISIONS IN CARES ACT

- On March 27, 2020, Congress enacted the CARES Act, "to address the coronavirus crisis by delivering critical resources and support to American workers, families, small businesses, nonprofits and health care systems, including resources to boost the quality and safety of veterans' health care and housing," said Congressman Sarbanes. "The CARES Act will help

improve the resiliency of the VA health care system and ensure that it has the resources it needs to provide effective treatment and fight the virus. The bill will also allow veterans to continue accessing VA health care services by expanding the use of telehealth technology. Importantly, the bill will boost investments in state-run Veterans Homes and support programs that reduce veteran homelessness."

- Key veterans-focused provisions of the CARES Act include:
  - ✓ **Enhancing VA Health System Capabilities**: Delivered $17.2 billion to the Veterans Health Administration to hire new staff and access critical medical resources to help manage the evolving needs of the pandemic, such as adding beds and purchasing ventilators, pharmaceuticals and personal protective equipment.
  - ✓ **Expanding Telehealth**: Allowed the VA to enter into short-term agreements with telecommunications companies to deliver free or subsidized mental health services through a telehealth connection or through the VA's Video Connect service. It also ensures that veterans participating in the HUD-VA Supportive Housing program (HUD-VASH) have access to telehealth equipment.
  - ✓ **Combatting Homelessness**: Increased the amount of support to organizations that aid homeless veterans. Gave veteran borrowers the right to loan forbearance upon request and protected against foreclosures, evictions and adverse credit reporting.
  - ✓ **Supporting State Veterans Homes**: Waived a requirement that State Veterans Homes must maintain a 90 percent occupancy rate in order to receive federal benefits. Also allowed State Veterans Homes to admit more spouses of Veterans and Gold Star parents. Allocated $150 million for emergency State Veterans Home construction.

HEROES ACT - VETERANS PROVISIONS – PASSED BY U.S. HOUSE OF REPRESENTATIVES

- On May 15, 2020, the U.S. House of Representatives passed H.R. 6880, The Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act, a $3 Trillion emergency funding package to address the public health and economic crisis arising from the global COVID-19 pandemic. The key provisions include: **$1 Trillion** for states, local and tribal gov'ts, including **$20B Tribal Set Aside**; extends unemployment insurance benefits; provides direct payments of $1,200 to individuals; creates a $200 billion Heroes Fund to give hazard pay to essential workers; and provides more than **$26B** in direct aid and grants to Indian Country (*see* pgs 5-6, below).

- The HEROES Act also includes essential provisions to meet the needs of Veterans, primarily through the VA, and authorizes new purposes[i] for CARES Act $17.2 Billion funding, including:
  - ✓ **Expanded Health Care Coverage Due To and During the COVID-19 Emergency–**
    i. Authorizes VA healthcare for all veterans who have lost their health insurance;
    ii. Helps VA streamline the payment of emergency care claims to health care providers;

iii. Grants prior authorization for any veteran emergency care at non-VA hospitals, including diagnosis and treatment, and ambulance transportation related to COVID-19; and
iv. Eliminates any copays or cost-sharing for Veterans' preventative treatment or services related to COVID-19.

- ✓ **Support for Homeless Veterans –**
  i. Allows VA to provide transportation and purchase food, shelter, phones, clothing, blankets, and toiletry items for homeless veterans. Authorizes VA to set up temporary encampments on the grounds of VAMCs for homeless veterans to stay temporarily in VA parking lots;
  ii. Covers children of homeless veterans by allowing VA to reimburse social service providers receiving grants for the costs of services for minor children; and
  iii. Streamlines the provision of HUD-VASH vouchers to homeless veterans by allowing public housing agencies administering rental assistance vouchers to process applications electronically and waive in-person inspection requirements to rapidly house veterans.
- ✓ **In-Home Care for Vulnerable Veterans –** Increases the amount VA can pay for in-home care and aid by 25% during the current emergency period due to COVID-19 as well as covering key PPE supplies for these veterans and caregivers.
- ✓ **Mental Health Care for Guard & Reserve Members –** Ensures that servicemembers who deploy for more than 14 days during the COVID-19 pandemic will be eligible for mental health care and services through VA Vet Centers.
- ✓ **Consumer Protections for Servicemembers –** The COVID-19 pandemic disruption and DoD's stop-movement order has caused financial harm. Allows affected servicemembers to terminate home/vehicle leases and utilities without penalty. Authorizes families of fallen and catastrophically injured servicemembers to do the same without being financially penalized.
- ✓ **Debt Collection Relief –** Temporarily suspends debt collection activities during the COVID-19 public health emergency and for 60 days following the end of the emergency period.
- ✓ **Extended Deadlines for Claims and Appeals:** Given the uncertainty of the COVID-19 pandemic, extends the deadline for veterans to file claims and appeals for VA benefits, including disability compensation, during the public health emergency and 90 days after the emergency has ended.

- In accordance with 38 U.S.C. § 5104C, a Veteran (or other claimant, i.e., spouse) has one-year from the date the VA renders a decision on a claim to (a) file a request for a higher-level review; (b) file a supplemental claim; or (c) file a notice of disagreement. Under Title VI, Division H, Section 80013 of the HEROES Act, the one-year deadline to file claims and appeals for VA benefits will be extended during the COVID-19 public health emergency and for 90 days after the emergency has ended if passed by the Senate.

- This extension is important regarding retroactive payments to survivors, when a Veteran dies with a VA claim pending. A surviving spouse, or in some cases a child or dependent parent, can file a claim for the retroactive benefits that would have been due the veteran

had he or she not died, which are known as "accrued benefits" after the claimant's death. VA Form 21P-534EZ is the proper application for dependency & indemnity compensation (DIC), death pension, and accrued benefits. If an eligible person files an application for accrued benefits within one year of the claimant's death, VA must make a decision on the claim based on the information in the C-file at the date of death. If an award results, the survivor will receive a retroactive payment of the benefits that the deceased claimant would have received, in addition to any survivor benefits (DIC, burial allowance, etc.) that they are eligible to receive. For this and other reasons, the extension in the HEROES Act to file these types of claims is an important way to protect for our Veterans. The AARP explains that difficulty filing for Veterans benefits has been a long-standing problem. *See* https://www.aarp.org/home-family/voices/veterans/info-2018/survivor-benefits.html - AARP Article: 7 Important Veterans Benefits.

- **Effective Dates:** VA's calculation of effective dates for claims is important because benefits relate back if the claims are filed within a year of separation of service and accrued monetary benefits are lost for that period if the claims are made more than one year after separation, so effective dates are important.[ii] If a claim lapses, when it is refiled then it is assigned a new effective date with a potential loss of accrued benefits.

- The Senate wrote a bi-partisan letter[iii] from Veterans Committee Chairman Jerry Moran (R-KS), and Ranking Member Jon Tester (D-MT) asking VA to utilize existing authority to extend claims and appeals deadlines, but the Committee did not receive an affirmative response, so the Senate Veterans Affairs Committee supports the House HEROES Act Veterans provisions, including the extension of deadlines.

NNC RESOLUTION NO. 0160-20

- Speaker Damon and Delegate Halona introduced Resolution No. 0160-20 in support of Navajo Veterans who may need additional time to file VA claims and appeals pursuant to 38 U.S.C. § 5104C. And, given the fact that many Navajo Veterans seek medical care through the I.H.S., Resolution 0160-20 seeks an extension or tolling of the time to file claims regarding substandard care provided by the I.H.S.

- Under the Federal Torts Claims Act, claims must be presented in writing to the respective federal agency within 2 years after a tort claim accrues (i.e., when a person knows or reasonably should have known he or she has been injured); and the claimant has six months after the notice of final agency denial of a claim to commence an action in federal district court. *See* 28 U.S. Code § 2401.

- Resolution No, 0160-20 simply provides our Navajo veterans additional time to files claims for VA benefits and for any substandard care received at the I.H.S. during the public emergency caused by the Coronavirus pandemic, and through 90 days following the last day of public emergency (per federal declaration).

- On July 17, 2020, the Navajo Veterans Advisory Council passed a resolution in support of NNC Resolution No. 0160-20.

- Resolution No. 0160-20 does not seek to change nor does it seek to revise existing VA and I.H.S. claims processes and procedures. Resolution No. 0160-20 is purely protective and seeks to make sure that our Navajo Veterans' VA and healthcare claims are not unduly disadvantaged or hampered during this ongoing pandemic.

- The HEROES Act has been referred to the U.S. Senate, and that body is currently developing a legislative proposal (which is being released today) in response to HEROES Act. The House and Senate leaders along with Administration officials have publicly stated their desire to complete negotiations by the first of August 2020, which is critically important given that existing funding and protections afforded in the CARES Act are set to expire on July 31, 2020.

- Passage of Resolution No. 0160-20 is not specifically tied to the HEROES Act, but gives the NN Congressional Delegation the flexibility to advocate for these provisions in any final Coronavirus relief package that is agreed to by the House, Senate and Administration officials. The House is committed to the provisions of the HEROES Act and Senate Democrats, including Senator Udall, will seek their inclusion in the final bill.

TRIBAL GOVERNMENT PROVISIONS IN HEROES ACT

The HEROES Act contains key funding provisions for Tribes and Tribal organizations:

- ✓ **$20B/Treasury Department** for direct aid to Tribal Gov'ts that can be used to make up for revenue loss during the pandemic.
- ✓ **$900M/BIA** for cleaning facilities ($780M); isolation/quarantine space ($366M); overcrowded housing ($100M); and sanitation needs ($20M);
- ✓ **$2.1B/I.H.S.** for 3rd party revenue loss ($1B); health care services ($500M); broadband & info technology for telehealth & e-health records systems ($140M); Urban Indian Orgs ($64M); health care & housing/isolation units for DV victims & homeless ($20M); sanitation, hydration and hygiene needs ($10M);
- ✓ **$100M/CDC** for Tribes, Tribal orgs, Urban Indian health orgs, or health providers serving Tribes;
- ✓ **$150M/SAMHSA** for Tribes, Tribal orgs, Urban Indian health orgs or health service providers across a variety of programs;
- ✓ **$150M/FHWA** for the Tribal Transportation Program;
- ✓ **$250M/FCC** for schools and libraries that serve people living on Tribal lands for Wi-Fi Hotspots, equipment and devices during COVID-19 emergency;
- ✓ **$4M/VAWA** for Tribal VAWA program support;
- ✓ **Urban Veterans -** Allows Urban Indian Orgs to be reimbursed from VA for care provided to qualified Urban Native Veterans and ensures coverage for Native veterans; and
- ✓ **Other Provisions** - homeowner assistance; COVID-19 testing coordination with tribes, with grant award support; broadband benefits for tribal households; voting notification and precinct location requirements on tribal lands.
- ✓ **Broadband Benefit** for internet service during COVID-19 emergency, a $75 benefit to put towards the monthly price of internet service on Tribal lands is available for household in which a member has been laid off or furloughed.

- ✓ **Assistance to Homeowners** for Tribes to aid homeowners with direct assistance with mortgage payments, property taxes, property insurance, utilities, and other housing related costs.
- ✓ **COVID-19 Testing** - requires the CDC to coordinate with Tribes to establish and implement a national evidence-based system for testing, contact tracing, surveillance, containment and mitigation of COVID-19, as well as award grants to carry out testing.
- ✓ **Voting Assistance** – requires states or political subdivisions to collect ballots from designated locations and to provide Indian Tribes with accurate precinct maps for all precincts located within Indian lands at least 60 days before an election. Permits Tribes to designate buildings as ballot pickup and collection locations at no cost. Also permits absentee ballots for federal elections, use of designated buildings for addresses, language accessibility, and enforcement by the Attorney General.

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[i] See Attachment A. – May 12, 2020 press release of House Committee on Veterans' Affairs Chairman Mark Takano (D-Calif.) issued the Committee's legislation to aid veterans during the COVID-19 pandemic.

[ii] See Attachment B – Examples from VA on calculation of claims effective dates and the importance of filing deadlines.

[iii] See Attachment C – March 31, 2020 letter from Senate Veterans Committee Chairman Jerry Moran and Ranking Member John Tester to Robert Wilkie, Secretary of U.S. Department of Veterans Affairs.

Attachment A

HOUSE VETERANS AFFAIRS CHAIRMAN TAKANO: "THE COVID- 19 PANDEMIC REQUIRES IMMEDIATE, BOLD ACTION." Press Contact MAY 12, 2020 Jenni Geurink (202-819-4684)

RIVERSIDE, CA – Today, after Introducing The Heroes Act, House Committee on Veterans' Affairs Chairman Mark Takano (D-Calif.) issued the following statement regarding the Committee's new legislation to aid veterans during the COVID-19 pandemic and ensure VA can continue to serve our nation's veterans as we address this public health emergency.

"As veteran unemployment skyrockets to 12 percent and VA steps up to serve both our nation's veterans and civilians through its Fourth Mission, it is clear that the COVID-19 pandemic requires immediate, bold action," said Chairman Mark Takano. "The Heroes Act is critical. By supporting homeless veterans, suspending debt collection, expanding health coverage, and caring for our most vulnerable, we can help ensure that those who have served our country have an opportunity to succeed."

The House Committee on Veterans' Affairs secured key provisions in the Heroes Act to continue to safeguard our nation's veterans from the COVID-19 pandemic: Expanded Health Coverage Amid COVID-19: As we work to stop the spread of COVID-19, it is crucial that anyone who needs healthcare during this crisis can get it. That is why the Heroes Act will authorize VA healthcare for all veterans who lost their health insurance due to the pandemic. The Heroes Act will also include legislation introduced by Subcommittee Chair Pappas that helps VA streamline the payment of emergency care claims to community providers during the pandemic and grants prior authorization for any emergency care sought by veterans at non-VA hospitals, including those related to COVID-19 diagnosis and treatment, and ambulance transportation.

Additionally, thanks to Rep. Underwood's efforts, veterans will not have any copays or cost-sharing for preventative treatment or services related to COVID-19. Support for Homeless Veterans: The COVID-19 crisis has affected tens of thousands of homeless veterans as shelters have closed and funding for vital services have become strained. As this crisis exacerbates economic challenges, we must take steps now to assist this vulnerable population and help prevent more veterans from being forced into homelessness. Subcommittee Chair Mike Levin has been a leader addressing homelessness and has drafted the following provisions, included in the Heroes Act, to be introduced as standalone legislation in the coming days.

The Heroes Act allows VA to provide transportation and purchase food, shelter, phones, clothing, blankets, and toiletry items for homeless veterans. It also authorizes VA to set up temporary encampments on the grounds of VAMCs to allow homeless veterans to stay temporarily in VA parking lots. It covers children of homeless veterans by allowing VA to provide reimbursements to social service providers receiving grants for the costs of services for minor children. Additionally, it streamlines the provision of HUD-VASH vouchers to homeless veterans by allowing public housing agencies administering rental assistance vouchers to process applications electronically and waive in-person inspection requirements so we can rapidly house veterans during the COVID-19 public health emergency.

Caring For Our Most Vulnerable: In-home care is critical to serving some of our most vulnerable veteran populations and ensures that those who need assistance with daily activities are not forgotten. The Committee has worked to include language in the Heroes Act to increase the amount VA can pay for Aid and Attendance by twenty-five percent during the current emergency period due to COVID-19 as well as covering key PPE supplies for these veterans and caregivers.

Mental Health Care for Guard & Reserve Members Serving During COVID-19: As National Guard and Reserve members deploy in support of the COVID-19 public health emergency, the Heroes Act will ensure that servicemembers who deploy for more than 14 days will be eligible for mental health care and services through VA's Vet Centers.

Debt Collection Relief: As veteran unemployment skyrocketed to 12 percent this month, the economic uncertainty caused by COVID-19 continues to impact millions of veterans across the country who may be stretching incomes, struggling to cover the cost for housing, or pay their utilities. Through the Heroes Act, VA will temporarily suspend debt collection activities during the public health emergency caused by COVID-19 and for 60 days following the end of the emergency….

Extended Deadlines for Claims and Appeals: Given the uncertainty of the COVID-19 pandemic, the Heroes Act will extend the deadline for veterans to file claims and appeals for VA benefits, including disability compensation, during the public health emergency and 90 days after the emergency has ended.

Bolstered Consumer Protections for Servicemembers Impacted by COVID-19: The abrupt disruption caused by the COVID-19 pandemic and DoD's stop movement order has left servicemembers stuck with unfair financial consequences. The Heroes Act includes legislation from

Rep. Levin, Rep. Bustos, and Rep. Harder that allows these servicemembers to terminate home and vehicle leases, as well as cable, internet, and phone contracts without penalty. It also authorizes the families of fallen and catastrophically injured servicemembers to do the same without being financially penalized.

Critical Protections for VA employees: Across our country, we have witnessed the heroic actions of doctors, nurses, healthcare professionals, and VA staff who have continued to place themselves in harm's way to serve our veteran population. The Heroes Act would:

Establish the COVID-19 Heroes Fund to ensure VA and other federal healthcare providers and first responders are eligible for hazard pay for their efforts caring for COVID-19 patients. Ensure VA doctors and nurses receive paid sick leave if exposed or diagnosed with coronavirus. Guarantee that federal employees who fall ill from the coronavirus will be covered when filing a workers compensation claim.

For more information about the Committee's efforts to address the COVID-19 crisis and resources for available for veterans, please visit: Https://Veterans.house.gov/Covid-19.

Attachment B

How does VA decide effective dates?

It depends on the situation. Learn how we decide effective dates in different cases.

Direct service connection

The effective date for a disability that was caused—or made worse—by military service is whichever of these comes later:

- The date we get your claim, **or**
- The date you first got your illness or injury (also known as the date your entitlement arose)

If we get your claim within one year of the day you left active service, the effective date can be as early as the day following separation.

Example 1

Shaun is a Veteran who ended his active service on September 30, 2013, with a hearing disability. He filed a claim for his hearing problem more than a year later.

We got Shaun's claim on November 15, 2014. On March 10, 2015, we awarded Shaun a 30% disability rating with an effective date of November 15, 2014—the date we got the claim.

Example 2

Ric is a Veteran who ended his active service on September 30, 2013, with a hearing disability. He filed a claim for his hearing problem less than a year later.

We got Ric's claim on July 5, 2014. Because we got it within 1 year of his separation from active service, we awarded Ric a 30% disability rating with an effective date of October 1, 2013—the day after Ric's separation from the military.

ATTACHMENT C

JERRY MORAN, KANSAS
CHAIRMAN
JOHN BOOZMAN, ARKANSAS
BILL CASSIDY, LOUISIANA
MIKE ROUNDS, SOUTH DAKOTA
THOM TILLIS, NORTH CAROLINA
DAN SULLIVAN, ALASKA
MARSHA BLACKBURN, TENNESSEE
KEVIN CRAMER, NORTH DAKOTA
KELLY LOEFFLER, GEORGIA

CAROLINE CANFIELD, STAFF DIRECTOR

United States Senate

COMMITTEE ON VETERANS' AFFAIRS
WASHINGTON, DC 20510

JON TESTER, MONTANA
RANKING MEMBER
PATTY MURRAY, WASHINGTON
BERNARD SANDERS, VERMONT
SHERROD BROWN, OHIO
RICHARD BLUMENTHAL, CONNECTICUT
MAZIE K. HIRONO, HAWAII
JOE MANCHIN III, WEST VIRGINIA
KYRSTEN SINEMA, ARIZONA

TONY McCLAIN, STAFF DIRECTOR

March 31, 2020

The Honorable Robert Wilkie
Secretary of Veterans Affairs
810 Vermont Ave, NW
Washington, DC 20420

Dear Secretary Wilkie,

We write today to encourage you to provide waivers to veterans who may not meet their filing deadlines because of COVID-19. The Department of Veterans Affairs (VA) has broad authority to waive many required deadlines under the law and we believe the current crisis warrants liberal provision of such waivers.

VA has authority under section 3.109(b) of title 38, Code of Federal Regulations (C.F.R.), to extend evidence filing deadlines for good cause. Section 3.1(r) of title 38, C.F.R., allows VA to use the post mark date if there is natural or man-made interference with the normal course of business. We think we can agree that threshold has been met. VA can also waive many of the required deadlines veterans face when applying for benefits, by interpreting the COVID-19 pandemic as "good cause" under existing regulations. Given the unprecedented situation many communities are facing because of this pandemic, VA should be broadly using its regulatory authority to grant waivers or extensions to every veteran during this period.

In late February, states and local communities began declaring emergencies and issued shelter-in-place directives. On March 13, President Trump declared a national emergency in response to the COVID-19 pandemic. As of March 24, twenty-seven states including New York and California issued stay-at-home orders, with those numbers increasing with each day of this crisis. Because of self-isolation instructions and general shelter-in-place orders, many veterans will not be able to file the necessary paperwork for their claims and appeals in a manner that abides by the instructions provided in their states and local communities and keeps them safe.

Veterans make up one of the most vulnerable populations to this virus. The average age of veterans in the United States is 58 years old, and the largest group of veterans are between ages 45 and 64 years old. Many veterans seeking claims already suffer from pre-existing conditions such as heart and respiratory diseases and diabetes. According to the Center for Disease Control and Prevention (CDC), older adults with health conditions are the most vulnerable to COVID-19 and should avoid contact with others by staying at home. We have been encouraging veterans to stay healthy and avoid going out into public, unless absolutely necessary. With these extreme safety measures in-place, veterans are burdened to make sure they

are still filing proper paperwork and confirming it is mailed by statutory deadlines or else suffer from a potential loss-of-benefits. Veterans may feel paralyzed with anxiety and fear over this pandemic and they should not be penalized for missing deadlines when their focus should be on maintaining their own health.

Veterans also may not have access to their representatives to help-guide them through the complicated claims and appeals process during this national emergency. Many veterans rely on Veterans Service Organizations (VSOs), veteran legal clinics, and attorney's offices for assistance. Numerous representative offices are currently closed and deemed non-essential by order of their state and local officials. Law schools that operate legal clinics may be operating virtually. While the post office may still be open, if the claims forms are going to a representative of the veteran, that veteran may not see the Statement of the Case (SOC) from the VA before the sixty-day requirement to respond expires. If the veteran does receive his or her SOC, the options to appeal can be overwhelming. In their response, veterans can file a Supplemental Claim form, ask for a Higher Level Review, appeal to the BVA with a Form 9, or file a Notice of Disagreement (NOD) to be decided by a Veterans Law Judge. Veterans need access to their VSO or legal representative to help decide which is the most prudent option to pursue. This crisis is preventing veterans from consulting with their representatives' in-person. Many future appeals can be avoided if veterans get help up-front with filing initial paperwork, rather than on the backend and needing to file an appeal.

Therefore, we encourage VA to institute a waiver for all veterans who are facing filing deadlines and consider establishing a retroactive date for all new claim submissions. We would like to see the VA use its broad regulatory authority to toll all veteran-facing deadlines for 180 days. Furthermore, we ask VA to consider all new filings between April 1, 2020 and the end of the Presidential emergency declaration, to be treated as if they were filed on March 31, 2020 so that veterans who are unable to file claims or Supplemental Claims during the early days of this crisis benefit from an earlier effective date.

Please provide responses to the following questions and requests as to how VA is currently handling claims and appeals during this crisis:

- Is there legislation needed to grant VA the authority to provide waivers for any filing deadline a veteran may face?
- What is the plan to handle intent to file forms? Will VA provide a grace period, or is it expecting veterans to continue to file initial claims during this national emergency?
- How is VA informing VSOs and all representatives that missing a filing deadline will be waived for "good cause" under existing VA regulations?
- We also request bi-weekly data on the number of veterans filing for waivers, and how many are granted.

We appreciate your work on behalf of veterans during this trying time. We hope we can continue working together ensuring veterans are not faced with an unfair choice, risking their health or receiving their benefits. We look forward to your response.

Sincerely,

Jerry Moran
Chairman
Senate Committee on Veterans' Affairs

Jon Tester
Ranking Member
Senate Committee on Veterans' Affairs

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0160-20

SPONSOR: Honorable Seth Damon

TITLE: An Action Relating To An Emergency; Requesting Congress To Extend The Deadline For Native American Veterans To File For U.S. Veterans Administration Disability Claims And Claims Against The Indian Health Service For Substandard Medical Care

Posted: July 17, 2020 at 2:22 PM

5 DAY Comment Period Ended: Not Subject to the 5-Day Comment Period

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	**1) Northern Agency Veterans Organization**
Inconclusive Comments	*None*

Legislative Tracking Secretary
Office of Legislative Services

08/10/20 2:28pm
Date/Time

The Northern Agency Veterans Organization Supports
Extending Filing Deadlines for Native Veterans

NAVO-10-20

WHEREAS:

1. Pursuant to The Navajo Nation Veterans Act, Title II, Section One (E, I, M, M, O, R, T); §1032 (B-5. 9. 10), §1033 (C. 2), The Northern Agency Veterans Organization is duly recognized by the Navajo Nation (NN); and
2. Pursuant to NN Council Resolution CMA-25-71: The Northern Agency Veterans Organization is established and established the NN Veterans Affairs Department under the Executive Branch of the Navajo Nation Government; and
3. The Northern Agency Veterans Organization is duly recognized by the NN to address the issues and concerns and to advocate for all Navajo Veterans; and
4. Over the last 90 years, Native American Veterans have volunteered to serve in the United States Armed Forces to protect the United States at a higher rate than any other ethnic group of persons in the United States, and many have paid the ultimate sacrifice for their effort. Many, more have served and come home to their Tribal Nations, but often, like any group of military veterans, they have lingering illnesses or injuries, or, as they age, they need specialized medical attention.
5. On March 13, 2020, the President of the United States declared the National COVID-19 Pandemic to be a national emergency effective March 1, 2020. The Governors of the States of Arizona, New Mexico and Utah similarly declared a state of emergency due to the COVID-19 Pandemic; and
6. Beginning on March 13, 2020, the NN Office of the President and Vice President declared a public health state of emergency due to the COVID-19 pandemic, and issued five additional Executive Orders extending the state of emergency on the NN and closure of government offices due to the COVID-19 Pandemic, the sixth extension is in effect through August 16, 2020; and
7. In order to slow down and stop community spread of the Coronavirus, beginning on March 20, 2020, the NN issued more than a dozen Public Health Emergency Orders including: to stay-at-home (shelter-in-place), to avoid contact with persons outside of family members, to limit movements outside immediate communities, except for essential travel necessary to obtain necessities of life, including health care, food, and sanitation, to limit public gatherings of more than 5 people, and to abide by curfew and travel restrictions; and
8. Native Americans are a vulnerable population. The Navajo Nation has been particularly ravaged by the COVID-19 Pandemic, with 9,195 positive cases and 467 deaths, as of August 5, 2020.
9. Since the COVID-19 Pandemic reached the NN, every aspect of Navajo daily life has been affected, including work, school, business, personal matters and family life. Even traditional funeral rites were not be observed in the normal manner due to restrictions on public gatherings.
10. Even though the Coronavirus curve appears to have flatten on the NN, just recently, 39 new COVID-19 positive cases and four more deaths were reported on August 6, 2020.
11. The Northern Agency Veterans Organization acknowledges that the COVID-19 has had a devastating impact on Navajo Veterans, many of whom have experienced loss of employment, loss of family members, illness, and death; and
12. Congress provides Veteran's Health Care to Veterans generally through the Veteran's Administration; and
13. Many Native American Veterans have difficulty getting the health care that they were promised through the Veteran's Administration, Native American Veterans often are not listened to by VA doctors, and face long wait times for appointments and VA health services; *see* KTAR News January 19, 2020: "Native American veterans struggling to get health care they were promised"; and
14. Native American Veterans must go to the Indian Health Service (I.H.S.) for medical services because many cannot travel lengthy distances to access health services at VA centers off the reservation, and

the National COVID-19 Pandemic has required a stay home, stay safe policy, limiting the access of Native American Veterans to medical care and other services, and some Native American Veterans may have been subjected to substandard, inadequate or negligent or negligently delayed medical care by the Indian Health Service; and

15. On May 15, 2020, the U.S. House of Representatives passed H.R. 6880, The Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act; pursuant to Title VI, Division H, Section 80013 of the HEROES Act, the one-year deadline to file claims and appeals for VA benefits will be extended during the COVID-19 emergency and for 90 days after the emergency has ended; and
16. On July 17, 2020, NN Council Speaker Seth Damon and Delegate Pernell Halona introduced Legislation No. 0160-20 entitled, "An Action Relating To An Emergency; Requesting Congress To Extend The Deadline For Native American Veterans To File For U.S. Veterans Administration Disability Claims And Claims Against The Indian Health Service For Substandard Medical Care"; and
17. On July 17, 2020, the Navajo Veterans Advisory Council passed a resolution entitled, "Protecting Native American Veteran's Benefits and Claims By Extending The Veteran's Administration and The Indian Health Service Deadlines During The National Covid-19 Public Health Emergency"; and
18. The HEROES Act has been referred to the U.S. Senate. The U.S. House and Senate leaders along with Administration officials have publicly stated their desire to complete negotiations by the first of August 2020.

NOW THEREFORE BE IT RESOLVED THAT:

The Northern Agency Veterans Organization Supports the Congressional Proposal to Extend the One-Year Deadline for Veterans to File Claims and Appeals for Benefits from the Veterans Administration, as set forth in Title VI, Division H, Section 80013 of H.R. 6880.

The Northern Agency Veterans Organization Supports Navajo Nation Council Legislation No. 0160-20, and urges swift passage by the Navajo Nation Council.

The Northern Agency Veterans Organization Urges Congress to provide Native American Veterans additional time to file health care claims against the Indian Health Service by passing legislation to pause or toll the deadlines for filing such claims or complaints by Native American Veterans during the National COVID-19 Pandemic Public Health Emergency, and for 90 days after the emergency has ended.

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

The Northern Agency Veterans Organization Hereby Certifies the Foregoing Resolution that was Considered at a Regular Duly Called Meeting at Shiprock VFW Hall, NM and that the same was approved and passed with a vote of **5** in Favor; **51** Opposed and **1** Abstain on the **7th day of August 2020**.

Motioned: Howard Yazzie, Sweetwater, AZ, Commander
Seconded: Fernando Foster, Sheepsprings, NM, Commander

Commander Wallace Charley
Northern Agency Veterans Organization

Commander Candice Pioche-Zunie
Northern Agency Veterans Organization

24th NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
Second Year 2020

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

NAVAJO LEGISLATIVE BILL #0160-20

An Action Relating to an Emergency; Requesting Congress to Extend the Deadline for Native American Veterans to File for U.S. Veterans Administration Disability Claims and Claims Against the Indian Health Service for Substandard Medical Care

Sponsored by: Honorable Seth Damon
Co-Sponsored by: Honorable Kee Allen Begay, Jr.
Co-Sponsored by: Honorable Pernell Halona

Has had it under consideration and reports the same that the legislation **FAILED AND IS REFERRED TO THE NAVAJO NATION COUNCIL**.

Respectfully Submitted,

Honorable Seth Damon, Chairman
NAABIK'ÍYÁTI' COMMITTEE

13 August 2020

MAIN MOTION
Motioned by: Honorable Charlaine Tso
Seconded by: Honorable Jimmy Yellowhair
Vote: 04 in Favor, 16 Opposed (Chairman Damon Not Voting)

NAVAJO NATION

619 8/13/2020

Navajo Nation Naabikiyati Regular Meeting 03:05:21 PM

Amd# to Amd#	Legislation No. 0160-20	FAILED
MOT Tso, C	Requesting to Congress to Extend	
SEC Yellowhair	the deadline for Native American Veterans to File for U.S.	

Yeas : 4 **Nays : 16** **Excused : 2** **Not Voting : 1**

Yea : 4

Brown	Halona, P	James, V	Yazzie

Nay : 16

Begay, E	Daniels	Smith	Tso, O
Begay, P	Freeland, M	Stewart, W	Walker, T
Charles-Newton	Nez, R	Tso, C	Wauneka, E
Crotty	Slater, C	Tso, D	Yellowhair

Excused : 2

Begay, K	Tso, E

Not Voting : 1

Henio, J

Presiding Speaker: Damon