

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE;
RECOMMENDING FOR APPROVAL BY THE NAABIK'ÍYÁTI' COMMITTEE THE
RENEWED DESIGNATION OF THE TSÉHOOTSOOÍ MEDICAL CENTER OF THE FORT
DEFIANCE INDIAN HOSPITAL BOARD, INC. AS A NAVAJO NATION "TRIBAL
ORGANIZATION" FOR A PERIOD OF THREE (3) YEARS, FOR THE PURPOSES OF
CONTRACTING WITH THE UNITED STATES INDIAN HEALTH SERVICE AND
AUTHORIZING IT TO NEGOTIATE AND ENTER INTO TITLE I, INDIAN SELF-
DETERMINATION ACT (P.L. 93-638, AS AMENDED) CONTRACTS, SUCH
DESIGNATION OF "TRIBAL ORGANIZATION" BEING REVOCABLE AND
CONTINGENT ON COMPLIANCE WITH ALL TERMS AND CONDITIONS AS REQUIRED

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee (Committee) is an established Committee of the Navajo Nation Council. 2 N.N.C. §400(A).
- B. The Health, Education and Human Services Committee exercises oversight responsibility over all matters related to health on the Navajo Nation. 2 N.N.C. §400 (C)(1).
- C. The Health, Education and Human Services Committee exercises authority to review and recommend the authorization and designation of a for-profit or non-profit health or social services organization as a tribal organization for the purposes of contracting or compacting under the Indian Self-Determination and Education Assistance Act. 2 N.N.C. § 401 (B)(6)(e).
- D. Navajo Nation Council Resolution CJY-33-10 authorized the previously existing Intergovernmental Relations Committee of the Navajo Nation Council to act as final approval authority, only upon a recommendation for approval by the Health, Education and Social Services Committee and each of the Navajo Nation Chapters to be served, for all additional designations of "tribal organizations". CJY-33-10.
- E. Upon reorganization of the Navajo Nation Council and Committees the Naabik'íyáti' Committee assumed, unless otherwise specified, all the responsibilities of the previous Navajo Nation Council's Intergovernmental Relations Committee

and the Health, Education and Social Services Committee was renamed the Health, Education and Human Services Committee. CAP-10-11.

- F. The Naabik'iyáti' Committee of the Navajo Nation Council, only upon the recommendation for approval by the Health, Education and Human Services Committee and the approval of each of the Navajo Nation Chapters to be served, is to act as the final authority for approving the revocable designation of "tribal organization" for purposes of contracting under the Indian Self-Determination Act (P.L. 93-638, as amended).

SECTION TWO. FINDINGS

- A. The Fort Defiance Indian Hospital Board, Inc. was initially designated a "tribal organization" by the Navajo Nation, August 3, 2009 by Resolution IGRAU-118-09. See **Exhibit A**.
- B. The term of the Fort Defiance Indian Hospital Board, Inc.'s designation of "tribal organization" was later determined by the Health, Education and Human Services, and Naabik'iyáti' Committees through Resolution NABIN-67-15, for a definite term of three (3) years. See **Exhibit A-1**.
- C. The Fort Defiance Indian Hospital Board, Inc. as a "tribal organization" entered into a contract with the Secretary of the Department of Health and Human Services effective October 1, 2015 for a period of three (3) years, ending September 30, 2018. See **Exhibit A-2**.
- D. The Navajo Nation, through Resolution NABIS-58-18, approved the Fort Defiance Indian Hospital Board, Inc. entering into a ninety (90) day contract extension, expiring December 29, 2018, with the Indian Health Service until such time as it was able to obtain the necessary Chapter resolutions approving renewal of the "tribal organization" designation. See **Exhibit A-3**.
- E. Fort Defiance Indian Hospital Board, Inc. has obtained the necessary Chapter resolutions and now seeks renewal of its designation as a "tribal organization" for a three year period. See **Exhibit B**.
- F. The Health, Education and Human Services Committee of the Navajo Nation Council finds it to be in the best interest of the Navajo Nation to Nation to approve and recommend to the Naabik'iyáti' Committee that the Fort Defiance Indian Hospital Board, Inc. be given the revocable designation of "tribal organization" for a period of three (3) years,

beginning December 29, 2018 and ending December 28, 2021 for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts, subject to continuing compliance with the Terms and Conditions as found attached at **Exhibit C**.

SECTION THREE. APPROVAL

- A. The Health, Education, and Human Services Committee of the Navajo Nation Council hereby approves and recommends to the Naabik'iyáti' Committee that the Fort Defiance Indian Hospital Board, Inc. be given the designation of "tribal organization" for a period of three (3) years, beginning December 29, 2018 and ending December 28, 2021 for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts, such designation being revocable and subject to continuing compliance with the Terms and Conditions as found attached at **Exhibit C**.
- B. The recommendation of the Health, Education and Human Services Committee is contingent on there being no changes to the Terms and Conditions as found at Exhibit C without the approval of the Health, Education and Human Services Committee.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Health, Education, and Human Services Committee of the 23rd Navajo Nation Council at a duly called meeting at Window Rock, (Navajo Nation) Arizona, at which a quorum was present and that same was passed by a vote of 4 in Favor, 0 Oppose, on this 10th day of December 2018.



Norman M. Begay, Vice-Chairperson
Health, Education, and Human Services Committee
Of the 23rd Navajo Nation Council

Motion: Honorable Nelson S. BeGaye
Second: Honorable Olin Kieyoomia

LEGISLATIVE SUMMARY SHEET
Tracking No. 0305-18



DATE: September 14, 2018

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'IYATI' COMMITTEES; RECOMMENDING FOR APPROVAL BY THE NAABIK'IYATI' COMMITTEE OF AN EMERGENCY EXTENSION OF SIXTY TO NINETY (60-90) DAYS OF THE EXISTING CONTRACT BETWEEN THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDIAN HEALTH SERVICE WHICH IS SCHEDULED TO EXPIRE SEPTEMBER 30, 2018; SUCH EXTENSION TO BE GRANTED IN ORDER THAT THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. MAY OBTAIN THE CHAPTER RESOLUTIONS NECESSARY FOR CONTINUED DESIGNATION AS A "TRIBAL ORGANIZATION" BY THE NAVAJO NATION

PURPOSE: The purpose of this legislation is to permit a contract extension between the Fort Defiance Indian Hospital Board, Inc. and the Indian Health Service in order that entity can obtain the necessary chapter resolutions.

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 review the proposed resolution in detail.

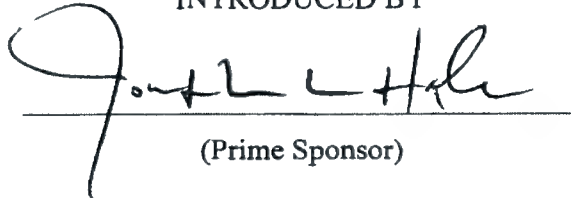
5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 9:48am 9/17/18
Posting End Date: 9/22/2018
Eligible for Action: 9/23/2018

Health, Education & Human Services Committee
Thence
Naa'bik'iyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0305-18

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND
NAABIK'IYATI' COMMITTEES; RECOMMENDING FOR APPROVAL BY THE
NAABIK'IYATI' COMMITTEE OF AN EMERGENCY EXTENSION OF SIXTY TO
NINETY (60-90) DAYS OF THE EXISTING CONTRACT BETWEEN THE FORT
DEFIANCE INDIAN HOSPITAL BOARD, INC. AND THE SECRETARY OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDIAN HEALTH SERVICE
WHICH IS SCHEDULED TO EXPIRE SEPTEMBER 30, 2018; SUCH EXTENSION TO
BE GRANTED IN ORDER THAT THE FORT DEFIANCE INDIAN HOSPITAL BOARD,
INC. MAY OBTAIN THE CHAPTER RESOLUTIONS NECESSARY FOR CONTINUED
DESIGNATION AS A "TRIBAL ORGANIZATION" BY THE NAVAJO NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee (Committee) is an established Committee of the Navajo Nation Council. 2 N.N.C. §400(A).
- B. The Health, Education and Human Services Committee exercises oversight responsibility over all matters related to health on the Navajo Nation. 2 N.N.C. §400 (C)(1)
- C. The Health, Education and Human Services Committee exercises authority to review and recommend the authorization and designation of a for-profit or non-profit health or social services organization as a tribal organization for the purposes of contracting or

1 compacting under the Indian Self-Determination and Education Assistance Act. 2
2 N.N.C. § 401 (6)(e)

3 D. Navajo Nation Council Resolution CJY-33-10 authorized the previously existing
4 Intergovernmental Relations Committee of the Navajo Nation Council to act as final
5 approval authority, only upon a recommendation for approval by the Health, Education
6 and Social Services Committee and each of the Navajo Nation Chapters to be served,
7 for all additional designations of “tribal organizations”. CJY-33-10

8 E. Upon reorganization of the Navajo Nation Council and Committees the Naabik’iyati
9 Committee assumed, unless otherwise specified, all the responsibilities of the previous
10 Navajo Nation Council’s Intergovernmental Relations Committee and the Health,
11 Education and Social Services Committee was renamed the Health, Education and
12 Human Services Committee. CAP-10-11

13 F. The Naabik’iyati’ Committee of the Navajo Nation Council, only upon the
14 recommendation for approval by the Health, Education and Human Services
15 Committee and the approval of each of the Navajo Nation Chapters to be served, is to
16 act as the final authority for approving the revocable designation of “tribal
17 organization” for purposes of contracting under the Indian Self-Determination Act
18 (P.L. 93-638, as amended).

19 SECTION TWO. FINDINGS

20 A. The Fort Defiance Indian Hospital Board, Inc. was initially designated a “tribal
21 organization” by the Navajo Nation, August 3, 2009 by Resolution IGRAU-118-09.
22 See Exhibit A.

23 B. The term of the Fort Defiance Indian Hospital Board, Inc.’s designation of “tribal
24 organization” was later determined by the Health, Education and Human Services, and
25 Naabik’iyati’ Committees through Resolution NABIN-67-15, to for a definite term of
26 three (3) years. See Exhibit B

27 C. The Fort Defiance Indian Hospital Board, Inc. as a “tribal organization” has entered
28 into a contract with the Secretary of the Department of Health and Human Services
29 effective October 1, 2015 for a period of three (3) years, ending September 30, 2018.
30 See Exhibit C.

- 1 D. The Fort Defiance Indian Hospital Board, Inc. has requested a renewal of its
2 participation as a 638 hospital providing medical services on and to the Navajo Nation
3 as a designated "tribal organization".
- 4 E. The request lacked the necessary Chapter resolutions supporting such continued
5 participation.
- 6 F. Fort Defiance Indian Hospital Board, Inc. and the Indian Health Service have agreed,
7 contingent on the approval of the Navajo Nation, to a sixty to ninety (60-90) day
8 extension to the existing contract between the parties to allow time for the Fort
9 Defiance Indian Hospital Board, Inc. to obtain the necessary Chapter resolutions.
- 10 G. The Health, Education and Human Services Committee of the Navajo Nation Council
11 finds it to be in the best interest of the Navajo Nation to recommend approval by the
12 Naabik'iyati' Committee of a sixty to ninety (60-90) day extension of the existing
13 contract as found at Exhibit C, between the Fort Defiance Indian Hospital Board, Inc.
14 and the Secretary of the Department of Health and Human Services, Indian Health
15 Services.
- 16 H. The Naabik'iyati' Committee finds it to be in the best interest of the Navajo Nation to
17 accept the recommendation of the Health, Education and Human Services Committee
18 and approve a sixty to ninety (60-90) day extension of the existing contract as found at
19 Exhibit C, between the Fort Defiance Indian Hospital Board, Inc. and the Secretary of
20 the Department of Health and Human Services, Indian Health Services.

21 **Section Three. Approval**

- 22 A. The Health, Education and Human Services Committee of the Navajo Nation
23 Council hereby recommends approval by the Naabik'iyati' Committee of a sixty to
24 ninety (60-90) day extension of the existing contract as found at Exhibit C, between
25 the Fort Defiance Indian Hospital Board, Inc. and the Secretary of the Department
26 of Health and Human Services, Indian Health Services.
- 27 B. The Naabik'iyati' Committee hereby approves a sixty to ninety (60-90) day
28 extension of the existing contract as found at Exhibit C, between the Fort Defiance
29 Indian Hospital Board, Inc. and the Secretary of the Department of Health and
30 Human Services, Indian Health Services.



IGRAU-118-09

RESOLUTION OF THE
INTERGOVERNMENTAL RELATIONS COMMITTEE
OF THE NAVAJO NATION COUNCIL

21ST NAVAJO NATION COUNCIL - THIRD YEAR, 2009

AN ACTION

RELATING TO HEALTH AND INTERGOVERNMENTAL RELATIONS;
SANCTIONING THE FORT DEFIANCE INDIAN HOSPITAL BOARD INC.,
AS AN INDIAN TRIBAL ORGANIZATION, AUTHORIZED TO CONTRACT
FOR ALL HEALTH CARE SERVICES OF THE FORT DEFIANCE SERVICE
UNIT PURSUANT TO P.L. 93-638, THE INDIAN SELF-DETERMINATION
ACT, TITLE I, AS AMENDED

BE IT ENACTED:

1. The Navajo Nation hereby sanctions the Fort Defiance Indian Hospital Board Inc., as a Tribal Organization, as defined in P.L. 93-638, Sec. 4. (C) with authorization to contract with the Secretary of Health for all health care services of the Fort Defiance Service Unit pursuant to P.L. 93-638, The Indian Self Determination Act, Title I, as amended.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Intergovernmental Relations Committee of the Navajo Nation Council at a duly called meeting held at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 8 in favor, 0 opposed, this 3rd day of August, 2009.

A handwritten signature in dark ink, appearing to be "Francis Redhouse", written over a horizontal line.

Francis Redhouse, Pro Tem Chairperson
Intergovernmental Relations Committee

Motion: Ervin M. Keeswood, Sr.
Second: George Arthur



NABIN-67-15

RESOLUTION OF THE
NAABIK'İYATI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23RD Navajo Nation Council---First Year 2015

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND
NAABIK'İYATI' COMMITTEES; CLARIFYING THAT THE CONTRACT TERM IS
FOR THREE (3) YEARS IN RESOLUTION IGRAU-118-09, WHICH IS THE
RESOLUTION AUTHORIZING FORT DEFIANCE INDIAN HOSPITAL BOARD, INC.
TO PROVIDE HEALTH CARE SERVICES PURSUANT TO P.L. 93-638, TITLE
1, OF THE INDIAN SELF-DETERMINATION ACT, AS AMENDED

BE IT ENACTED:

SECTION ONE. FINDINGS:

- A. The Health, Education and Human Services Committee (HEHSC) has the power to review and recommend the authorization and designation of a for-profit or non-profit health or social services organization as a tribal organization for the purpose of contracting or compacting under the Indian Self-Determination and Education Assistance Act. 2 N.N.C. § 401(B) (6) (e).
- B. Pursuant to 2 N.N.C. § 401(C) (2), HEHSC has legislative oversight over all health related activities of the Navajo Nation and its tribal organizations.
- C. The Naabik'iyāti' Committee is established as a standing committee of the Navajo Nation Council and has the power to authorize, review, approve and accept all contracts, grants and associated budgets with the United States, its departments and agencies for implementation of the Indian Self-Determination and Education Assistance Act, as amended upon the recommendation of the standing committee which has oversight of the division, department or program applying for the contract. 2 N.N.C. §§ 164 (A) (9), 700 (A), 701 (A) (12) (2012); see also CJA-03-13.
- D. Pursuant to Resolution CJN-35-05, a procedure was established by the Navajo Nation Council for the authorization of 638 health care contracts. See CJN-35-05(4), attached as Exhibit A.

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- E. Under this procedure, the Ft. Defiance Indian Hospital Board, Inc. ("Ft. Defiance"), became a tribal organization authorized to contract for all health care services of the Fort Defiance Service Unit pursuant to P.L. 93-638, the Indian Self-Determination Act, Title I. See IGRAU-118-09 ("Authorizing Resolution"), attached as Exhibit B.
- F. The Authorizing Resolution for Ft. Defiance does not specify the contract authorization term, or whether the term is definite or indefinite for the self-determination contract.
- G. Pursuant to 25 U.S.C. § 450j(c), the term of self-determination contracts shall be (A) for a term not to exceed three years in the case of other than a mature contract, unless the appropriate Secretary and the tribe agree that a longer term would be advisable, and (B) for a definite or an indefinite term, as requested by the tribe (or, to the extent not limited by tribal resolution, by the tribal organization), in the case of a mature contract. (emphasis added)
- H. In accordance with the Authorizing Resolution and 25 U.S.C. 450j(c), the United States Department of Health and Human Services (HHS), through the United States Indian Health Service (IHS), entered into a 3-year contract with Ft. Defiance. See Contract attached as Exhibit C.
- I. The contract between Ft. Defiance and the Secretary of HHS is set to expire on September 30, 2015. See Exhibit C.
- J. At a HESHC Special Meeting held on September 11, 2015, representatives from IHS, who are currently in the process of renegotiating the contract with Ft. Defiance, asked the Committee for clarification as to whether the contract term was meant to be definite or indefinite based on the language in the authorizing resolution.
- K. HEHSC voted upon and decided that the term intended for the Ft. Defiance contract is a definite term of three (3) years.

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SECTION TWO. CLARIFYING RESOLUTION IGRAU-118-09 BY DEFINING THE CONTRACT TERM FOR THE FORT DEFIANCE CONTRACT TO BE A DEFINITE TERM OF THREE (3) YEARS.

The Navajo Nation hereby clarifies Authorizing Resolution IGRAU-118-09 by defining the contract term for the Ft. Defiance Indian Hospital Board, Inc. to be a definite term of three (3) years.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd 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 in 15 favor, and 0 oppose, this 12th Day of November, 2015.



Honorable Lorenzo C. Bates, Chairperson
Naabik'iyáti' Committee

Motion : Seth Damon
Second : Tom Chee

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SELF-DETERMINATION CONTRACT
BETWEEN
FORT DEFIANCE INDIAN HOSPITAL BOARD, INC.
AND THE SECRETARY OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES

(a) Authority and Purpose

(1) **Authority.** -- This agreement, denoted a Self-Determination Contract (referred to in this agreement as the 'Contract'), is entered into by the Secretary of Health and Human Services (referred to in this agreement as the 'Secretary'), for and on behalf of the United States pursuant to Title I of the Indian Self-Determination and Education Assistance Act, (25 U.S.C. § 450 et seq.) and by the authority of the Fort Defiance Indian Hospital Board, Inc. (referred to in this agreement as the 'Contractor'). The provisions of Title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 450 et seq.) are incorporated in this Contract.

(2) **Purpose.** -- Each provision of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 450 et seq.) shall be liberally construed for the benefit of the Contractor to transfer the funding and the related functions, services, activities, and programs (or portions thereof), identified in the Annual Funding Agreement ('AFA') incorporated by reference in subsection (f)(2), that are otherwise contractable under section 102(a) of such Act, including all related administrative functions, from the Federal Government to the Contractor.

(b) Terms, provisions and conditions

(1) **Term.** -- Pursuant to section 105(c)(1) of the Indian Self Determination and Education Assistance Act (25 U.S.C. § 450j(c)(1)), the term of this Contract shall begin on October 1, 2015 and extend through September 30, 2018. Pursuant to section 105(d)(1) of such Act (25 U.S.C. § 450j(d)), upon the election by the Contractor, the period of this Contract shall be determined on the basis of a calendar year, unless the Secretary and the Contractor agree on a different period in the AFA incorporated by reference in subsection (f)(2).

(2) -- **Effective date.** This Contract shall become effective on October 1, 2015.

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semiannual payments, or any other method of payment authorized by law, in accordance with such method as may be requested by the Contractor and specified in the AFA.

- (ii) **Method of quarterly payment.** If quarterly payments are specified in the AFA incorporated by reference pursuant to subsection (f)(2), each quarterly payment made pursuant to clause (i) shall be made on the first day of each quarter of the fiscal year, except that in any case in which the Contract year coincides with the Federal fiscal year, payment for the first quarter shall be made not later than the date that is 10 calendar days after the date on which the Office of Management and Budget apportions the appropriations for the fiscal year for the programs, services, functions, and activities subject to this Contract.
- (iii) **Applicability.** Chapter 39 of Title 31, United States Code, shall apply to the payment of funds due under this Contract and the AFA.

(7) – Records and monitoring.

(A) In general. Except for previously provided copies of tribal records that the Secretary demonstrates are clearly required to be maintained as part of the recordkeeping system of the Department of Health and Human Services, records of the Contractor shall not be considered Federal records for purposes of Chapter 5 of Title 5, United States Code.

(B) Recordkeeping system. The Contractor shall maintain a recordkeeping system and, upon reasonable advance request, provide reasonable access to such records to the Secretary.

(C) Responsibilities of Contractor. The Contractor shall be responsible for managing the day-to-day operations conducted under this Contract and for monitoring activities conducted under this Contract to ensure compliance with the Contract and applicable Federal requirements. With respect to the monitoring activities of the Secretary, the routine monitoring visits shall be limited to not more than one performance monitoring visit for this Contract by the head of each operating division, departmental bureau, or departmental agency, or duly authorized representative of such head unless--

- (i) the Contractor agrees to one or more additional visits; or

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- (ii) the appropriate official determines that there is reasonable cause to believe that grounds for reassumption of the Contract, suspension of Contract payments, or other serious Contract performance deficiency may exist.

No additional visit referred to in clause (ii) shall be made until such time as reasonable advance notice that includes a description of the nature of the problem that requires the additional visit has been given to the Contractor.

(8) - Property.

(A) In general. As provided in section 105(f) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 450j(f)), at the request of the Contractor, the Secretary may make available, or transfer to the Contractor, all reasonably divisible real property, facilities, equipment, and personal property that the Secretary has used to provide or administer the programs, services, functions and activities covered by this Contract. A mutually agreed upon list specifying the property, facilities, and equipment so furnished shall also be prepared by the Secretary, with the concurrence of the Contractor, and periodically revised by the Secretary, with the concurrence of the Contractor.

(B) Records. The Contractor shall maintain a record of all property referred to in subparagraph (A) or other property acquired by the Contractor under section 105(f)(2)(A) of such Act for purposes of replacement.

(C) Joint use agreements. Upon the request of the Contractor, the Secretary and the Contractor shall enter into a separate joint use agreement to address the shared use by the parties of real or personal property that is not reasonably divisible.

(D) Acquisition of property. The Contractor is granted the authority to acquire such excess property as the Contractor may determine to be appropriate in the judgment of the Contractor to support the programs, services, functions, and activities operated pursuant to this Contract.

(E) Confiscated or excess property. The Secretary shall assist the Contractor in obtaining such confiscated or excess property as may become available to tribes, tribal organizations, or local governments.

(F) Screener identification card. A screener identification card (General Services Administration form numbered 2946) shall be issued to the Contractor not later than the

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effective date of this Contract. The designated official shall, upon request, assist the Contractor in securing the use of the card.

(G) Capital equipment. The Contractor shall determine the capital equipment, leases, rentals, property, or services the Contractor requires to perform the obligations of the Contractor under this subsection, and shall acquire and maintain records of such capital equipment, property rentals, leases, property, or services through applicable procurement procedures of the Contractor.

(9) - Availability of funds. Notwithstanding any other provision of law, any funds provided under this Contract --

- (A) shall remain available until expended; and
- (B) with respect to such funds, no further --
 - (i) approval by the Secretary, or
 - (ii) justifying documentation from the Contractor, shall be required prior to the expenditure of such funds.

(10) - Transportation. Beginning on the effective date of this Contract, the Secretary shall authorize the Contractor to obtain interagency motor pool vehicles and related services for performance of any activities carried out under this Contract.

(11) -- Federal program guidelines, manuals or policy directives. Except as specifically provided in the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) the Contractor is not required to abide by guidelines, manuals, or policy directives of the Secretary, unless otherwise agreed to by the Contractor and the Secretary, or otherwise required by law.

(12) -- Disputes.

(A) Third-party mediation defined. For the purposes of this Contract, the term 'third-party mediation' means a form of mediation whereby the Secretary and the Contractor nominate a third party who is not employed by or significantly involved with the Secretary, or the Contractor, to serve as a third-party mediator to mediate disputes under this Contract.

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(B) Alternative procedures. In addition to, or as an alternative to, remedies and procedures prescribed by Section 110 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 450m-1), the parties to this Contract may jointly--

- (i) submit disputes under this Contract to third-party mediation;
- (ii) submit the dispute to the adjudicatory body of the Contractor, including the tribal court of the Contractor;
- (iii) submit the dispute to mediation processes provided for under the laws, policies, or procedures of the Contractor; or
- (iv) use the administrative dispute resolution processes authorized in Subchapter IV of Chapter 5 of Title 5, United States Code.

(C) Effect of decisions. The Secretary shall be bound by decisions made pursuant to the processes set forth in subparagraph (B), except that the Secretary shall not be bound by any decision that significantly conflicts with the interests of Indians or the United States.

(13) - Administrative procedures of Contractor. Pursuant to the Indian Civil Rights Act of 1968 (25 U.S.C. §1301 et seq.), the laws, policies and procedures of the Contractor shall provide for administrative due process (or the equivalent of administrative due process) with respect to programs, services, functions, and activities that are provided by the Contractor pursuant to this Contract.

(14) - Successor annual funding agreement.

(A) In general. Negotiations for a successor AFA, provided for in subsection (f)(2), shall begin not later than 120 days prior to the conclusion of the preceding AFA. Except as provided in section 105(c)(2) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 450j (c)(2)), the funding for each such successor AFA shall only be reduced pursuant to section 106(b) of such Act (25 U.S.C. § 450j-1(b)).

(B) Information. The Secretary shall prepare and supply relevant information, and promptly comply with any request by the Contractor for information that the Contractor reasonably needs to determine the amount of funds that may be available for a successor AFA, as provided for in subsection (f)(2) of this Contract.

(15) - Contract requirements; approval by Secretary.

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(A) **In general.** Except as provided in subparagraph (B), for the term of the Contract, Section 2103 of the Revised Statutes (25 U.S.C. § 81) and Section 16 of the Act of June 18, 1934 (48 Stat. 987, chapter 576; 25 U.S.C. § 476), shall not apply to any contract entered into in connection with this Contract.

(B) **Requirements.** Each contract entered into by the Contractor with a third party in connection with performing the obligations of the Contractor under this Contract shall--

- (i) be in writing;
- (ii) identify the interested parties, the authorities of such parties, and purposes of the contract;
- (iii) state the work to be performed under the contract; and
- (iv) state the process for making any claim, the payments to be made, and the terms of the contract, which shall be fixed.

(c) **Obligation of the Contractor.**

(1) - **Contract performance.** Except as provided in subsection (d)(2), the Contractor shall perform the programs, services, functions, and activities as provided in the AFA under subsection (f)(2) of this Contract.

(2) - **Amount of funds.** The total amount of funds to be paid under this Contract pursuant to section 106(a) shall be determined in an AFA entered into between the Secretary and the Contractor, which shall be incorporated into this Contract.

(3) - **Contracted programs.** Subject to the availability of appropriated funds, the Contractor shall administer the programs, services, functions, and activities identified in this Contract and funded through the AFA under subsection (f)(2).

(4) - **Trust services for individual Indians.**

(A) **In general.** To the extent that the AFA provides funding for the delivery of trust services to individual Indians that have been provided by the Secretary, the Contractor shall maintain at least the same level of service as the Secretary provided for such individual Indians, subject to the availability of appropriated funds for such services.

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ORIGINAL

(B) Trust services to individual Indians. For the purposes of this paragraph only, the term 'trust services for individual Indians' means only those services that pertain to land or financial management connected to individually held allotments.

(5) - Fair and uniform services. The Contractor shall provide services under this Contract in a fair and uniform manner and shall provide access to an administrative or judicial body empowered to adjudicate or otherwise resolve complaints, claims, and grievances brought by program beneficiaries against the Contractor arising out of the performance of the Contract.

(d) Obligations of the United States.

(1) - Trust responsibility.

(A) In general. The United States reaffirms the trust responsibility of the United States to the Navajo Nation to protect and conserve the trust resources of the Nation and the trust resources of individual Indians.

(B) Construction of contract. Nothing in this Contract may be construed to terminate, waive, modify, or reduce the trust responsibility of the United States to the Nation or individual Indians. The Secretary shall act in good faith in upholding such trust responsibility.

(2) - Good faith. To the extent that health programs are included in this Contract, and within available funds, the Secretary shall act in good faith in cooperating with the Contractor to achieve the goals set forth in the Indian Health Care Improvement Act (25 U.S.C. § 1601 et seq.).

(3) - Programs retained. As specified in the AFA, the United States hereby retains the programs, services, functions, and activities with respect to the Nation that are not specifically assumed by the Contractor in the AFA under subsection (f)(2).

(e) Other Provisions.

(1) - Designated officials. Not later than the effective date of this Contract, the United States shall provide to the Contractor a written designation of a senior official to serve as a representative for notices, proposed amendments to the Contract, and other purposes for this Contract.

(2) - Contract modifications or amendment.

Contract # HHSI245201600002C

ORIGINAL

(A) In general. Except as provided in subparagraph (B), no modification to this Contract shall take effect unless such modification is made in the form of a written amendment to the Contract, and the Contractor and the Secretary provide written consent for the modification.

(B) Exception. The addition of supplemental funds for programs, functions, services and activities (or portions thereof) already included in the AFA under subsection (f)(2), and the reduction of funds pursuant to section 106(b)(2), shall not be subject to subparagraph (A).

(3) - Officials not to benefit. No member of Congress, or resident commissioner, shall be admitted to any share or part of any contract executed pursuant to this Contract, or to any benefit that may arise from such contract. This paragraph may not be construed to apply to any contract with a third party entered into under this Contract if such contract is made with a corporation for the general benefit of the corporation.

(4) - Covenant against contingent fees. The parties warrant that no person or selling agency has been employed or retained to solicit or secure any contract executed pursuant to this Contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business.

(f) Attachments.

(1) - Approval of Contract. Unless previously furnished to the Secretary, the resolution of the Navajo Nation authorizing the contracting of the programs, services, functions, and activities identified in this Contract is attached to this Contract as Attachment 1.

(2) - Annual Funding Agreements.

(A) In general. The AFA under this Contract shall only contain--

- (i) terms that identify the programs, services, functions, and activities to be performed or administered, the general budget category assigned, the funds to be provided, and the time and method of payment; and
- (ii) such other provisions, including a brief description of the programs, services, functions, and activities to be performed


Contract # HHSJ245201600002C

ORIGINAL


(including those supported by financial resources other than those provided by the Secretary), to which the parties agree.


(B) Incorporation by reference. The AFA is hereby incorporated in its entirety in this Contract and attached to this Contract as Attachment 2.

FORT DEFIANCE INDIAN HOSPITAL
BOARD, INC.


Dr. David J. Tsosie, Board President
Dated: 03-04-2016

UNITED STATES OF AMERICA,
DEPARTMENT OF HEALTH AND HUMAN
SERVICES


Dr. Douglas Peter, Acting Area Director
Navajo Area Indian Health Service
Dated: MAR 04 2016

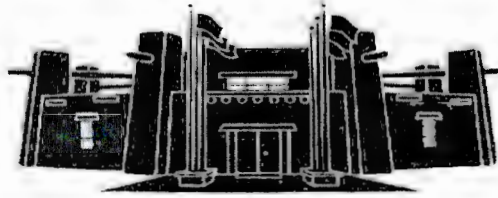

Margaret Shirley-Damon,
Acting Chief Contracting Officer
Navajo Area Indian Health Service
Dated: MAR 04 2016

Attachment 1 – NABIN-67-15, Resolution of the Naa'bi'iyati' Committee of the Navajo Nation Council

Attachment 2 – Annual Funding Agreement, Fiscal Year 2016

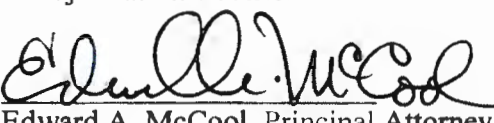
Contract # HHSI245201600002C

ORIGINAL



MEMORANDUM

TO: Honorable Jonathan Hale
Navajo Nation Council

FROM: 
Edward A. McCool, Principal Attorney
Office of Legislative Counsel

DATE: September 14, 2018

SUBJECT: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'IYATI' COMMITTEES; RECOMMENDING FOR APPROVAL BY THE NAABIK'IYATI' COMMITTEE OF AN EMERGENCY EXTENSION OF SIXTY TO NINETY (60-90) DAYS OF THE EXISTING CONTRACT BETWEEN THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDIAN HEALTH SERVICE WHICH IS SCHEDULED TO EXPIRE SEPTEMBER 30, 2018; SUCH EXTENSION TO BE GRANTED IN ORDER THAT THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. MAY OBTAIN THE CHAPTER RESOLUTIONS NECESSARY FOR CONTINUED DESIGNATION AS A "TRIBAL ORGANIZATION" BY THE NAVAJO NATION

As requested, 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. Please ensure that this 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 Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. 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).

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.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0305-18_____ SPONSOR: Jonathan Hale

TITLE: An Action Relating to Health, Education and Human Services and Naabik'iyati' Committees; Recommending for approval by the Naabik'iyati' Committee of an Emergency Extension of sixty to ninety (60-90) days of the existing contract between the Fort Defiance Indian Hospital Board, Inc. and the Secretary of the Department of Health and Human Services, Indian Health Service which is scheduled to expire September 30, 2018; such extension to be granted in order that the Fort Defiance Indian Hospital Board, Inc. may obtain the Chapter Resolution necessary for continued designation as a "Tribal Organization" by the Navajo Nation

Date posted: September 17, 2018 at 9:48am

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) 871-7590**

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.: 0305-18

SPONSOR: Honorable Jonathan L. Hale

TITLE: An Action Relating to Health, Education and Human Services and Naabik'iyati' Committees; Recommending for approval by the Naabik'iyati' Committee of an Emergency Extension of sixty to ninety (60-90) days of the existing contract between the Fort Defiance Indian Hospital Board, Inc. and the Secretary of the Department of Health and Human Services, Indian Health Service which is scheduled to expire September 30, 2018; such extension to be granted in order that the Fort Defiance Indian Hospital Board, Inc. may obtain the Chapter Resolution necessary for continued designation as a "Tribal Organization" by the Navajo Nation

Posted: September 17, 2018 at 9:48am

5 DAY Comment Period Ended: September 22, 2018

Digital Comments received:

Comments Supporting (3)	<ol style="list-style-type: none"> 1. Mr. Alex Montoya; NN Telecommunication Regulatory Commission member 2. Osenio Tom, President; FDIHB, Inc. Board of Directors 3. Sonny Clark, Crystal Community/Crystal Chapter
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>


Legislative Secretary
Office of Legislative Services

9/23/2018 1:20pm
Date/Time

9/23/2018

0305-18 - comments

0305-18

Sonny Clark <sonnyclark750@yahoo.com>

Sat 9/22/2018 1:20 PM

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

I am in support of the effort to renew the TMC's designation as a "Tribal Organization", what I strenuously disagree with is the effort by HEHSC to request support resolutions from the Chapters in TMC's service area at this late juncture. When TMC initially entered into the Title 1 contract it was understandable to secure supporting resolutions. Note the term "initially", there is no need to repeat this process every time a new designation for "Tribal Organization" is requested. The Intergovernmental Relations Committee erred when they changed the indefinite status of "Tribal Organization" with TMC to a term of 3 years. I suppose if you are adding an additional layer of red tape this is well and good. However, as it now stands the TMC must now secure support resolutions that are above what the Department of Health and Human Services would require of any Title 1 contracting entity. Please correct this egregious oversight and support our request for an indefinite status of "Tribal Organization".

These are my opinions and should not be construed as anything more than that simple fact. Self Determination under Title 1 will never succeed with TMC if it is not allowed the opportunity to manage its resources and services to the citizens in our service unit area. Again, your support is requested.

Sonny Clark, Crystal Community / Crystal Chapter

sonnyclark750@yahoo.com

9/23/2018

0305-18 - comments

0305-18

Alex Montoya <balexmontoya@yahoo.com>

Thu 9/20/2018 12:33 PM

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

Please allow Fort Defiance Hospital Board an extension on their 638 contract. There is a need for this health care facility to continue their services to our Navajo communities. They must remain a part of our healthcare community. Your favorable vote on this legislation is appreciated. Thank you.

Mr. Alex Montoya, P.O. Box 321, Sanders, AZ 86512
Navajo Nation Telecommunication Regulatory Commission member.

Sent from Mail for Windows 10

9/23/2018

Legislation 0305-18 - comments

Legislation 0305-18

Oscencio Tom <oscencio@gmail.com>

Fri 9/21/2018 11:08 AM

to comments <comments@navajo-nsn.gov>;

Dear Honorable Delegates of the Health, Education, Human Services Committee (HEHSC),

I write to you in full support of Legislation 0305-18. This legislation will ensure that FDIHB, Inc. continues to provide valuable services to the communities it serves while upholding the tenets of self-determination. FDIHB, Inc. primarily serves 16 communities on the Navajo Nation, however does not limit its patients to those 16 chapters; it assists in healing patients from all over the Navajo Nation. We are proud to serve our communities and this legislation will ensure it continues. Thank you.

Very respectfully,

Oscencio Tom
President, FDIHB, Inc. Board of Directors

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0305-18

SPONSOR: Honorable Jonathan L. Hale

TITLE: An Action Relating to Health, Education and Human Services and Naabik'iyati' Committees; Recommending for approval by the Naabik'iyati' Committee of an Emergency Extension of sixty to ninety (60-90) days of the existing contract between the Fort Defiance Indian Hospital Board, Inc. and the Secretary of the Department of Health and Human Services, Indian Health Service which is scheduled to expire September 30, 2018; such extension to be granted in order that the Fort Defiance Indian Hospital Board, Inc. may obtain the Chapter Resolution necessary for continued designation as a "Tribal Organization" by the Navajo Nation

Posted: September 17, 2018 at 9:48am

5 DAY Comment Period Ended: September 22, 2018

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inconclusive Comments (1)	1. CAPT Sandra Aretino, DDS, MAGD; Chief Executive Officer, Fort Defiance Indian Hospital Board, Inc.


**Legislative Secretary II
Office of Legislative Services**

9/24/18 5:13pm
Date/Time



TSÉHOOTSOOÍ

M e d i c a l C e n t e r

PO BOX 649 FORT DEFIANCE, AZ 86504 PHONE: 928.729.8000 FAX: 928.729.8019 WEBSITE: WWW.FDIHB.ORG

September 14, 2018

CAPT Brian K. Johnson
Acting Director
Navajo Area Indian Health Service
PO Box 9020
Window Rock, Arizona 86515-9020

Dear CAPT Johnson:

FDIHB has been provided a copy of your letter to Navajo Nation Council Delegate Jonathan Hale, dated September 11, 2018. The letter acknowledges that NAIHS received the FDIHB proposal to renew its Self-Determination contract on August 16, 2018. It points out that NAIHS has 90 days to negotiate the terms of the contract, which would be until November 24, 2018. Your letter also notes that NAIHS requested a resolution of the Navajo Nation Council designating FDIHB as Tribal Organization and acknowledges that FDIHB sent you a copy of IGRAU-118-09, which you also acknowledge remains legally effective designation. Somewhat inconsistently, you ask the Navajo Nation to confirm that designation and to do so by September 17, 2018.

This presents several problems for FDIHB. The Navajo Nation has asked that FDIHB provide resolutions from all of the chapters within the Fort Defiance Service Unit confirming their on-going support for FDIHB's role as a Tribal Organization. (These chapters originally expressed this support in resolutions dating from 2008, which also remain legally effective.) While FDIHB has begun the process of obtaining confirmation resolutions from the chapters, as a practical matter it is unlikely that we will have all of these available by next Monday. It also is unlikely that, without these confirmation resolutions from the chapters, the Navajo Nation Council and its committees will issue their own resolutions confirming FDIHB's continuing status as a Tribal Organization.

FDIHB therefore respectfully suggests that NAIHS extend its existing Self-Determination contract through November 24, 2018. This will then give FDIHB time to obtain confirming resolutions from the chapters and will also give the Navajo Nation Council and its committees time to draft and approve their own confirming resolutions. In addition, we can use that time to conduct negotiations for the new contract.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Aretino".

CAPT Sandra Aretino, DDS, MAGD
Chief Executive Officer
Fort Defiance Indian Hospital Board, Inc.

cc: Daalbaaleh (Dee) Hutchison, Executive Officer, NAIHS
Jeffrey Shun, Assistant Regional Counsel, Region IX, Office of General Counsel
Dr. Loretta Christensen, Chief Medical Officer, NAIHS
✓ Jonathan Hale, Chairman, Health, Education & Human Services Committee

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0305-18

SPONSOR: Honorable Jonathan L. Hale


TITLE: An Action Relating to Health, Education and Human Services and Naabik'iyati' Committees; Recommending for approval by the Naabik'iyati' Committee of an Emergency Extension of sixty to ninety (60-90) days of the existing contract between the Fort Defiance Indian Hospital Board, Inc. and the Secretary of the Department of Health and Human Services, Indian Health Service which is scheduled to expire September 30, 2018; such extension to be granted in order that the Fort Defiance Indian Hospital Board, Inc. may obtain the Chapter Resolution necessary for continued designation as a "Tribal Organization" by the Navajo Nation

Posted: September 17, 2018 at 9:48am

5 DAY Comment Period Ended: September 22, 2018

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inconclusive Comments (1)	1. Dr. Gloria Segay, Executive Director; Navajo Department of Health


Legislative Secretary II
Office of Legislative Services
9/25/2018 9:38am
 Date/Time



THE NAVAJO NATION

RUSSELL BEGAYE PI I
JONATHAN NEZ

The Honorable Jonathan Hale, Chairman
Health, Education & Human Services Committee (HEHSC)
The Navajo Nation Council
PO Box 3390
Window Rock, AZ 86515

September 20, 2018


Dear Honorable Chairman Hale,

The Navajo Nation Legislative Branch has opened for Internet Public Review Publication Legislative No. 0305-18. The Navajo Department of Health makes the following recommendations to make certain the Fort Defiance Indian Hospital Board, Inc.'s status as a Tribal Organization does not expire September 30, 2018 to Section 3, Approval of the Proposed Legislation:

- A. The Health, Education and Human Services Committee of the Navajo Nation Council hereby recommends approval by the Naa'bik'iyati' Committee of a sixty-to-ninety (60-90) day extension of the existing *tribal organization authorization and contract* as found at Exhibit C, between the Fort Defiance Indian Hospital Board, Inc. and the Secretary of the Department of Health and Human Services
- B. The Naa'bik'iyati' Committee hereby approves a 60-90 day extension of the existing *tribal organization authorization and contract* as found at Exhibit C, between the Fort Defiance Indian Health Board, Inc. and the Secretary of the Department of Health and Human Services, Indian Health Services.

We recommend the above changes in italics to avoid any ambiguities the FDIHB's Tribal Organization status expires September 30, 2018.

Sincerely,


Dr. Glorinda Segay
Executive Director

cc: Honorable Russell Begaye, President, Navajo Nation
Honorable Jonathan Nez, Vice President, Navajo Nation
Honorable LoRenzo Bates, Chairperson, Naa'bik'iyati Committee
Michelle Begay, Attorney, NNDOJ
Ed McCool, HEHSC Legal Counsel

Committee Report

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

LEGISLATION NO. 0305-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK'IYATI' COMMITTEES; RECOMMENDING FOR APPROVAL BY THE NAABIK'IYATI' COMMITTEE OF AN EMERGENCY EXTENSION OF SIXTY TO NINETY (60-90) DAYS OF THE EXISTING CONTRACT BETWEEN THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDIAN HEALTH SERVICES, INDIAN HEALTH SERVICE WHICH IS SCHEDULED TO EXPIRE SEPTEMBER 30, 2018; SUCH EXTENSION TO BE GRANTED IN ORDER THAT THE FORT DEFIANCE INDIAN HEALTH BOARD, INC. MAY OBTAIN THE CHAPTER RESOLUTIONS NECESSARY FOR CONTINUED DESIGNATION AS A "TRIBAL ORGANIZATION" BY THE NAVAJO NATION

(Note: Eligible for Committee Action September 23, 2018)

Sponsor: Honorable Jonathan L. Hale

Has had under consideration and report the same with the recommendation that Legislation 0305-18 PASS with no Amendment and no Directive; and therefore referred the same to the NAABIK'IYATI' COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,



Nelson S. BeGaye, Pro-Tem Chairperson
Health, Education and Human Services Committee

September 24, 2018 - Main Motion

Motion by: Honorable Nathaniel Brown

Seconded by: Honorable Amber Kanazbah Crotty

Vote: 3 in favor; 0 Opposed; Pro-Tem Chairperson Not Voting

Yeas: Nathaniel Brown; Amber Kanazbah Crotty; Jonathan L. Hale

Nays: None

Absent (excused): Norman M. Begay; Steven Begay

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
September 24, 2018

Roll Call
Vote Tally Sheet

LEGISLATION NO. 0305-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK'IYATI' COMMITTEES; RECOMMENDING FOR APPROVAL BY THE NAABIK'IYATI' COMMITTEE OF AN EMERGENCY EXTENSION OF SIXTY TO NINETY (60-90) DAYS OF THE EXISTING CONTRACT BETWEEN THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. AND THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDIAN HEALTH SERVICES, INDIAN HEALTH SERVICE WHICH IS SCHEDULED TO EXPIRE SEPTEMBER 30, 2018; SUCH EXTENSION TO BE GRANTED IN ORDER THAT THE FORT DEFIANCE INDIAN HEALTH BOARD, INC. MAY OBTAIN THE CHAPTER RESOLUTIONS NECESSARY FOR CONTINUED DESIGNATION AS A "TRIBAL ORGANIZATION" BY THE NAVAJO NATION

(Note: Eligible for Committee Action September 23, 2018)

Sponsor: Honorable Jonathan L. Hale

September 24, 2018 - Main Motion

Motion by: Honorable Nathaniel Brown

Seconded by: Honorable Amber Kanazbah Crotty

Vote: 3 in favor; 0 Opposed; Pro-Tem Chairperson Not Voting

Yeas: Nathaniel Brown; Amber Kanazbah Crotty; Jonathan L. Hale

Nays: None

Absent (excused): Norman M. Begay; Steven Begay



Nelson S. BeGaye, Pro-Tem Chairperson
Health, Education and Human Services Committee



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



PO BOX 649 FORT DEFIANCE, AZ 86504 PHONE: 928.729.8000 FAX: 928.729.8019 WEBSITE: WWW.FDIHB.ORG

November 16, 2018

Mr. Jonathan Hale, Chairperson
Health, Education and Human Service Committee
P.O. Box 3390
Window Rock, AZ 86515

Re: Proposed Legislation for Fort Defiance Indian Hospital Board, Inc.

Dear Honorable Chairperson Hale:

On September 27, 2018, the Naabik'yati Committee of the Navajo Nation Council approved a resolution that extended the current contract between the Secretary of the U.S. Department Health and Human Services (Indian Health Service) and the Fort Defiance Indian Hospital Board, Inc. (FDIHB) for 90 days. The extension was given to FDIHB in order to secure resolutions of support for reauthorization from the sixteen chapters that are within our service unit.

As of November 19, 2018, FDIHB has secured all chapter resolutions. The chapter resolutions are enclosed. We want to thank you for allowing us to actively participate in this process as the engagement of our communities in seeking these resolutions ensured that we continue to hear concerns and accolades.

This letter is to request that you introduce updated legislation for the Health, Education and Human Services Committee (HEHSC) of the Navajo Nation Council and the Naabik'yati Committee to support reauthorization of FDIHB, Inc. as a tribal organization providing healthcare to the people of the Navajo Nation. The current contract will expire December 29, 2018, therefore, is it imperative that this legislation be expedited.

We are excited to continue to provide quality healthcare to the communities we serve while underscoring the Navajo Nation's successful use of the self-determination model. If you have any questions, please contact Mr. Oscencio Tom, Chairperson of FDIHB at 505-738-9362 or CAPT Aretino at 928-729-8902.

Thank you for your continued assistance on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Sandi Aretino".
Dr. Sandi Aretino, Chief Executive Officer
FDIHB

cc: Russell Begaye, President, The Navajo Nation
Jonathan Nez, Vice President, The Navajo Nation
Oscencio Tom, Chairperson, FDIHB

Enclosure



CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917

Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

RESOLUTION OF THE CORNFIELDS CHAPTER CF-OCT2018-196

Supporting the Public Law 93-638 Contract Renewal for Fort Defiance Indian Hospital Board, Inc.

WHEREAS:

1. Cornfields is a certified chapter of the Navajo Nation; and
2. Pursuant to Chapter 1, Subchapter 1. Generally, B. Purpose 1. The purpose of the Local Governance Act is to recognize governance at the local level. Through adoption of this Act, the Navajo Nation Council delegates to Chapters government authority with respect to local matters consistent with Navajo law, including custom and tradition; and
3. Cornfields Chapter is one of 16 chapters served by the Fort Defiance Indian Hospital Board, Inc (FDIHB); and
4. The current Public Law 93-638 contract for FDIHB will expire on December 29, 2018; and
5. It is in the best interests of this chapter to support FDIHB and to request that the Health, Education and Human Services Committee of the Navajo Nation Council approve and recommend to the Naabik' íyáti' Committee of the Navajo Nation Council the Public Law 93-638 contract renewal for FDIHB.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Cornfields Chapter supports the Public Law 93-638 contract renewal for the FDIHB.
2. The Cornfields Chapter requests that the Health, Education and Human Services Committee approve and recommend to the Naabik' íyáti' Committee of the Navajo Nation Council the Public Law 93-638 contract renewal for the FDIHB.

CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Cornfields Chapter at a duly called meeting in Cornfields, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 28 in favor, 00 opposed, 06 abstained, on this 7th day of October, 2018.



CORNFIELDS CHAPTER

P.O. Box 478, Ganado, Arizona 86505 – PH# (928) 755-5912 – FAX# (928) 755-5917

Email: cornfields@navajochapters.org Website: cornfields.navajochapters.org

Presiding Chapter President
CORNFIELDS CHAPTER

Motion: Mr. Lawrence Sam
Second: Mr. Henry A. Yazzie



PO Box 775, Navajo, New Mexico 87328

(505)777-2800/2801 (505)777-2805

CRY 09-2018-060

CRYSTAL CHAPTER RESOLUTION

The Crystal Chapter reaffirms its support of CRT-03-2009-037 approved on March 15, 2009, to support the Fort Defiance Indian Hospital Board, Inc., to be granted the status of a Tribal Organization under P.L. 93-638, Title I, as amended and to contract for all health care services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, the Indian Self-Determination Act, Title I, as amended.

WHEREAS:

1. Pursuant to 26 N.N.C. Section 3 (A), the Crystal Chapter is a certified Chapter of the Navajo Nation as listed under 11 N.N.C., Part 1, Section 10; and
2. Pursuant to 26 N.N.C. Section 1 (B), the Crystal Chapter is delegated the governmental authority to make decisions over local matters consistent with the Navajo law, custom and tradition; and
3. The Crystal Chapter reaffirms its support of CRT-03-2009-037 approved on March 15, 2009, to support the Fort Defiance Indian Hospital Board, Inc. to be granted the status of a Tribal Organization under P.L. 93-638, Title I, as amended and to contract for all health care services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, The Indian Self Determination Act, Title I, as amended.
3. On March 15, 2009, the Crystal Community Chapter approved Resolution CRT-03-2009-037, entitled "Supporting and Propelling the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of Tribal Organization Under P.L. 93-638, as amended, and to contract for all health care services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, the Indian Self-Determination Act, Title I, as amended," a copy of which is attached to this resolution; and
4. Resolution CRT-03-2009-037 resolved that "The Crystal Community Chapter hereby approves and support the Fort Defiance Indian Health Board, Inc. to be granted the status of a Tribal Organization under P. L. 93-638, Title I, as amended, and to contract for all health services of the Fort Defiance Service Unit through the auspices of P. L. 93-638, the Indian Self-Determination Act. Title 1, as amended;" and
5. The request of the Crystal Community Chapter in Resolution CRT-03-2009-037 was not time-limited in any way and was intended by the Chapter to be for an indefinite period; and
6. Pursuant to the request of the Crystal Community Chapter and the other chapters within the Fort Defiance Service Unit, FDIHB was designated as a Tribal

Organization by the Intergovernmental Relations Committee through IGRAU-118-09, and that designation was not time-limited in any way; and

7. FDIHB, acting as a Tribal Organization, assumed operation and management of the Fort Defiance Indian Hospital, now called the Tséhootsooí Medical Center, Nahata' Dził Health Center, and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), 8. P.L. 93-638, as amended; and

8. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and

9. During the past 8 ½ years, FDIHB has become an important asset to the Crystal community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and

10. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and

11. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and

12. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members - something that is uniquely ours and that is a shining example of local governance in action; and

13. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center and the Nahata'Dziil Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and

14. On November 12, 2015, the Naabik'íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which stated that the FDIHB self-determination contract be for a definite term of three (3) years, and the three year term expires on November 11, 2018 and that contract must be renewed if FDIHB is to continue the work highlighted in this resolution; and

15. As part of this process, the Navajo Nation Health, Education and Human Services Committee (HEHSC) has asked the chapters to reaffirm their support for FDIHB as a Tribal Organization and self-determination contractor; and

16. The HEHSC, among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." as authorized by the ISDEAA; and

17. FDIHB has requested that the HEHSC recommend that the "tribal organization" status of all Title One healthcare contractors under the ISDEAA, including FDIHB, and their self-determination contracts be extended for indefinite terms; and

18. It is in the best interests of this chapter to reaffirm our support to FDIHB as a superior and compassionate community medical facility and to request that the HEHSC approve and recommend to the Naabik'iyáti' Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEAA for an indefinite term.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Crystal Community Chapter hereby reaffirms Resolution CRT-03-2009-037 and declares that FDIHB should continue to be granted the status of a Tribal Organization and further, that this support by the Crystal Community Chapter is for an indefinite period or until revoked by a resolution of this Chapter.

2. The Crystal Community Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik'iyáti' Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEAA for an indefinite term.

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

I hereby certify that the foregoing resolution was considered by the Crystal Chapter, (Navajo Nation) at which a quorum was present and that the same was motioned by Patricia Begay and seconded by Betty Roanhorse and adopted with votes of 19 in favor, 0 opposed, and 10 abstained, on this 23rd day of September 2018.


Chapter President



THE NAVAJO NATION
FORT DEFIANCE CHAPTER
P.O. Box 366 • Fort Defiance, Arizona 86504
Phone: (928) 729-4352 • Fax (928) 729-4353
Email: fidefiance@navajochapters.org

Wilson C. Stewart, Jr., *President*
Aaron Sam, *Vice-President*
Brenda Wauneka, *Secretary/Treasurer*
Herman Billie, *Grazing Official*
Benjamin Bennett, *Council Delegate*

RUSSELL BEGAYE
Navajo Nation President

JONATHAN NEZ
Navajo Nation Vice President

RESOLUTION OF FORT DEFIANCE CHAPTER

FDC- 2018-08-30-02-Special

Supporting and Approving Tsehootsooi Medical Center's Request to Approve and Recommend to the Navajo Nation Naabik'iyati' Committee to review and Extend its Status as a "Tribal organization" pursuant to the Indian Self-Determination and Education Assistance Act (ISDEAA) for an Indefinite Term

WHEREAS:

1. Fort Defiance Chapter is a duly certified chapter of the Navajo Nation, pursuant to Title 26 of the Navajo Nation Code, Sections 4001 and 4006 and is vested with authority to take action to address the needs and concerns of its people; and
2. Fort Defiance Chapter was governance-certified on January 15, 2016, which provides autonomy in its structure and governance; and
3. The Fort Defiance Indian Health Board (FDIHB) assumed operation and management of the Fort Defiance Indian Hospital, now called the Tsehootsooi Medical Center, Nahata'Dziil Health Center, and related health program, on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and
4. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and
5. During the past 8 ½ years, FDIHB has become an important asset to the Fort Defiance community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and
6. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and
7. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and
8. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and Transformed it into the Tsehootsooi Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours; and

9. The chapter hopes that FDIHB will continue to operate the Tsehootsooi Medical Center and the Nahata'Dziil Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and
10. On November 12, 2015, the Naabik'iyati' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which confirmed the status of FDIHB as a "tribal organization" for purposes of ISDEAA contracting for a definite term of three (3) years, and that three year term expires on November 11, 2018 and must be renewed if it is to continue the work highlighted in this resolution; and
11. The Navajo Nation Health, Education and Human Services Committee (HEHSC), among other things, has responsibility, pursuant to 2 N.N.C. § 401(C) (2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo Nation people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." as authorized by the ISDEAA; and
12. FDIHB has requested that the HEHSC recommend that the "tribal organization" status of all Title Once healthcare contractors under the ISDEEA, including FDIHB, be extended for indefinite terms; and
13. It is in the best interest of this chapter to request the HEHSC approve and recommend to the Naabik'iyati' Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for an indefinite term.

NOW THEREFORE BE IT RESOLVED THAT:

The Fort Defiance Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik'iyati' Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for an indefinite term.

CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Fort Defiance Chapter at a duly called meeting at Fort Defiance, Arizona, within the Navajo Nation, at which a quorum was present and that the same was passed by a vote of 36 in favor, 0 opposed, 6 abstained, on this 29th day of August, 2018.

Motioned by: Dorothy Ashley

Seconded by: Charles Lee


Wilson C. Stewart, Jr., Chapter President

1. The Fort Defiance Chapter is a duly certified chapter of the Navajo Nation, pursuant to Title 26 of the Navajo Nation Code, Sections 4001 and 4006, and is vested with authority to take action to address the needs of its people; and

2. FDIHB assumed operation and management of the Fort Defiance Indian Hospital, now called the Tséhootsooí Medical Center, Nahata' Dził Health Center, and the Nihi Dine'e Ba' Wellness Center and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and

3. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and

4. During the past 8 ½ years, FDIHB has become an important asset to the Fort Defiance community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and

5. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and

6. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and

7. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours; and

8. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center, the Nahata' Dził Health Center, and the Nihi Dine'e Ba' Wellness Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and

9. On November 12, 2015, the Naabik' íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which confirmed the status of FDIHB as a "tribal organization" for purposes of ISDEAA contracting for a definite term of three (3) years, and that three year term expires on November 11, 2018 and must be renewed if it is to continue the work highlighted in this resolution; and

10. The Navajo Nation Health, Education and Human Services Committee (HEHSC), among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." as authorized by the ISDEAA; and

11. FDIHB has requested that the HEHSC recommend that the "tribal organization" status of all Title One healthcare contractors under the ISDEEA, including FDIHB, be extended for indefinite terms; and

12. It is in the best interests of this chapter to request that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for an indefinite term.

NOW THEREFORE BE IT RESOLVED THAT:

The Fort Defiance Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for an indefinite term.

CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Fort Defiance Chapter at a duly called meeting at Fort Defiance, Arizona, within the Navajo Nation, at which a quorum was present and that the same was passed by a vote of ___ in favor, ___ opposed, abstained, on this _____ day of August, 20__.

Motioned by: Dorothy Ashley

Second by: Charles Lee

Wilson C. Stewart
XXXXX, Chapter President



Greasewood Springs Chapter
Diwozhii Bii' To doo' Bi'Naha'ta'

Calvin F. Lee, President
Emery Lester, Vice-President
Omercita Begay, Secretary/Treasurer

Bill Spencer, Grazing Official
Lee Jack Sr., Council Delegate

GSC10-18-0886

**RESOLUTION OF THE
GREASEWOOD SPRINGS CHAPTER**

The Greasewood Springs Chapter Reaffirms its Support of GSC12-08-0345 Approved on December 14, 2008, to Support the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of a Tribal Organization under P.L.93-638, Title I, as Amended and to Contract for all Health Care Services of the Fort Defiance Service Unit Through the Auspices of P.L. 93-638, The Indian Self-Determination Act, Title 1, as Amended.

WHEREAS:

1. The Greasewood Springs Community Chapter is a duly certified chapter of the Navajo Nation, pursuant to Title 26 of the Navajo Nation Code, Sections 4001 and 4006, and is vested with authority to take action to address the needs of its people; and
2. On December 14, 2008 the Greasewood Springs Community Chapter approved Resolution GSC12-08-0345, entitled "Support and Propelling the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of Tribal Organization Under P.L. 93-638, as Amended, and to Contract for all Health Care Services of the Fort Defiance Service Unit Through the Auspices of P.L. 93-638, the Indian Self Determination Act, Title I, as Amended," a copy of which is attached to this resolution; and
3. Resolution GSC12-08-345 resolved that "The Greasewood Springs Community Chapter hereby approves and support the Fort Defiance Indian Health Board, Inc. to be granted the status of a Tribal Organization under P.L. 93-638, Title I, as amended, and to contract for all health services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, the Indian Self Determination Act, Title I, as amended;" and
4. The request of the Greasewood Springs Community Chapter in Resolution GSC12-08-0345 was not time-limited in any way and was intended by the Chapter to e for an indefinite period; and
5. Pursuant to the request of the Greasewood Springs Community Chapter and the other chapters within the Fort Defiance Service Unit, FDIHB was designated as a Tribal Organization by the Intergovernmental Relations Committee through IGRAU-118-09, and that designation was not time-limited in any way; and
6. FDIHB, acting as a Tribal Organization, assumed operation and management of the Fort Defiance Indian Hospital, now called Tse'hootsooi Medical Center, Nahata' Dziil Health Center and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and
7. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and

8. During the past 8 ½ years, FDIHB has become an important asset to the Greasewood Springs Community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and
9. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and
10. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and
11. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tse'hootsooi' Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours and that is a shining example of local governance in action; and
12. The chapter hopes that FDIHB will continue to operate the Tse'hootsooi' Medical Center and the Nahata' Dził Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and
13. On November 12, 2015, the Naabik' iyati' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which stated that the FDIHB self-determination contract be for a definite term of three (3) years, and that three year term expires on November 11, 2018 and that contract must be renewed if FDIHB is to continue the work highlighted in this resolution; and
14. As part of this process, the Navajo Nation Health, Education and Human Services Committee (HEHSC) has asked the chapters to reaffirm their support for FDIHB as a Tribal Organization and self-determination contractor; and
15. The HEHSC among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." As authorized by the ISDEAA; and
16. FDIHB has requested that the HEHSC recommend that the "tribal organization" status of all Title One healthcare contractors under the ISDEAA, including FDIHB, and their self-determination contracts be extended for indefinite term; and
17. It is in the best interests of this chapter to reaffirm our support to FDIHB as a superior and compassionate community medical facility and to request that the HEHSC approve and recommend to the Nabik' iyati; Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEAA for an indefinite term.

—NOW THEREFORE IT BE RESOLVED THAT:

1. The Greasewood Springs Community Chapter hereby reaffirms Resolution GSC12-08-0345 and declares that FDIHB should continue to be granted the status of a Tribal Organization and further,

that this support by the Greasewood Springs Community Chapter is for a indefinite period or until
revoked by a resolution of this Chapter.

2. The Greasewood Springs Community Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik' iyati' Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEAA for an finiteitee term.

CERTIFICATION

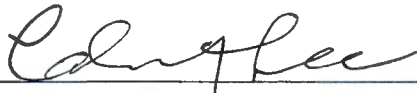
We, hereby certify that the foregoing was duly considered by the Greasewood Springs Chapter at a duly called regular chapter meeting in Greasewood Springs (Navajo Nation), Arizona, at which a quorum of community membership was present and the same had passed with a vote of: 26 in favor, 00 in opposed and 00 in abstained on this 25th day of October, in the year 2018.

Motioned By:

Priscilla Lee

Seconded By:

Bill Spencer



Calvin F. Lee, President

GANADO CHAPTER

Willie Tracey Jr., Manager
Philandra Nelson, Administrative Assistant
Larry Tsosie, Projects Manager
Esther Kirk, Office Assistant



Vince R. James, President
Walter Jones, Vice-President
Richie Nez, Sr., Secretary/Treasurer
Alton J. Shepherd, Council Delegate
Dickerson Smith, Grazing Official

Post Office Box 188 Ganado, Arizona 86505

Telephone: (928) 755-5920

Facsimile: (928) 755-5927

Email: ganado@navajochapters.org

RESOLUTION No. GAN-106-2018

RESOLUTION OF THE GANADO CHAPTER

Respectfully Supporting the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of a Tribal Organization Under P.L. 93-638, Title I, as amended and to Contract for all Health Care Services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, The Indian Self Determination Act, Title I, as amended

WHEREAS;

1. The Ganado Chapter is a duly certified local governing entity recognized by the Navajo Nation Council through 11 N.N.C. § 10(A), to advocate and address the needs and development of the local people to interact with other departments of the Navajo Nation, federal and local agencies which serve and affect the Navajo Nation; and
2. The Ganado Chapter is a Governance Certified Chapter of the Navajo Nation vested authority under 26 N.N.C. § 101 et. seq; and
3. On December 7, 2008 the Ganado Community Chapter approved a Resolution entitled "Supporting and Propelling the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of Tribal Organization Under P.L. 93-638, as Amended, and to Contract for all Health Care Services of the Fort Defiance Service Unit Through the Auspices of P.L. 93-688, The Indian Self-Determination Act, Title I, as Amended," a copy of which is attached to this resolution; and
4. The December 7, 2008 Resolution resolved that "The Ganado Community Chapter hereby approves and support the Fort Defiance Indian Health Board, Inc. to be granted the status of a Tribal Organization under P. L. 93-638, Title I, as amended, and to contract for all health services of the Fort Defiance Service Unit through the auspices of P. L. 93-638, the Indian Self-Determination Act. Title 1, as amended;" and
5. The request of the Ganado Community Chapter in the December 7, 2008 Resolution was not time-limited in any way and was intended by the Chapter to be for an indefinite period; and
6. Pursuant to the request of the Ganado Community Chapter and the other chapters within the Fort Defiance Service Unit, FDIHB was designated as a Tribal Organization by the Intergovernmental Relations Committee through IGRAU-118-09, and that designation was not time-limited in any way; and
7. FDIHB, acting as a Tribal Organization, assumed operation and management of the Fort Defiance Indian Hospital, now called the Tséhootsooi Medical Center, Nahata' Dził Health Center, and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and

8. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and

9. During the past 8 ½ years, FDIHB has become an important asset to the Ganado community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and

10. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and

11. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and

12. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours and that is a shining example of local governance in action; and

13. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center and the Nahata' Dził Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and

14. On November 12, 2015, the Naabik' íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which stated that the FDIHB self-determination contract be for a definite term of three (3) years, and that three year term expires on November 11, 2018 and that contract must be renewed if FDIHB is to continue the work highlighted in this resolution; and

15. As part of this process, the Navajo Nation Health, Education and Human Services Committee (HEHSC) has asked the chapters to reaffirm their support for FDIHB as a Tribal Organization and self-determination contractor; and

16. The HEHSC, among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." as authorized by the ISDEEA; and

17. FDIHB has requested that the HEHSC recommend that the "tribal organization" status of all Title One healthcare contractors under the ISDEEA, including FDIHB, and their self-determination contracts be extended for indefinite terms; and

18. It is in the best interests of this chapter to reaffirm our support to FDIHB as a superior and compassionate community medical facility and to request that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEEA for an indefinite term.

NOW, THEREFORE BE IT RESOLVED THAT;

GANADO CHAPTER

Willie Tracey Jr., Manager
Philandra Nelson, Administrative Assistant
Larry Tosic, Projects Manager
Esther Kirk, Office Assistant



Vince R. James, President
Walter Jones, Vice-President
Richie Nez, Sr., Secretary/Treasurer
Alton J. Shepherd, Council Delegate
Dickerson Smith, Grazing Official

Post Office Box 188 Ganado, Arizona 86505 Telephone: (928) 755-5920 Facsimile: (928) 755-5927 Email: ganado@navajochapters.org

1. The Ganado Community Chapter hereby reaffirms the December 7, 2008 Resolution and declares that FDIHB should continue to be granted the status of a Tribal Organization and further, that this support by the Ganado Community Chapter is for an indefinite period or until revoked by a resolution of this Chapter.

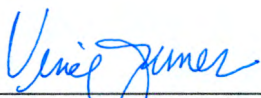
2. The Ganado Community Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEAA for an indefinite term.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Ganado Chapter at a duly called meeting at Ganado, Navajo Nation, Arizona, at which a quorum was present and that same passed by a vote of 27 in favor, 00 opposed and 03 abstained on this 25th day of September, 2018.

MOTION by: Pauline Begay

SECOND by: Calvin Kirk



Vince James, Chapter President
GANADO CHAPTER

ATTEST:



Richie Nez Sr., Secretary/Treasurer
GANADO CHAPTER

HCR 09091204

Resolution of the Houck Community Chapter

The Houck Chapter reaffirms its support of HRC-110998-07 approved on November 9, 2008, to support the Fort Defiance Indian Hospital Board, Inc. to be granted the status of a Tribal Organization under P.L. 93-638, Title I, as amended and to contract for all health care services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, The Indian Self Determination Act, Title I, as amended.

1. The Houck Community Chapter is a duly certified chapter of the Navajo Nation, pursuant to Title 26 of the Navajo Nation Code, Sections 4001 and 4006, and is vested with authority to take action to address the needs of its people; and
2. On November 9, 2008, the Houck Community Chapter approved Resolution HCR 110908-07, entitled "Supporting and Propelling the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of Tribal Organization Under P.L. 93-638, as Amended, and to Contract for all Health Care Services of the Fort Defiance Service Unit Through the Auspices of P.L. 93-688, The Indian Self-Determination Act, Title I, as Amended," a copy of which is attached to this resolution; and
3. Resolution HCR 110908-07 resolved that "The Houck Community Chapter hereby approves and support the Fort Defiance Indian Health Board, Inc. to be granted the status of a Tribal Organization under P. L. 93-638, Title I, as amended, and to contract for all health services of the Fort Defiance Service Unit through the auspices of P. L. 93-638, the Indian Self-Determination Act. Title 1, as amended;" and
4. The request of the Houck Community Chapter in Resolution HCR 110908-07 was not time-limited in any way and was intended by the Chapter to be for an indefinite period; and
5. Pursuant to the request of the Houck Community Chapter and the other chapters within the Fort Defiance Service Unit, FDIHB was designated as a Tribal Organization by the Intergovernmental Relations Committee through IGRAU-118-09, and that designation was not time-limited in any way; and
6. FDIHB, acting as a Tribal Organization, assumed operation and management of the Fort Defiance Indian Hospital, now called the Tséhootsoof Medical Center, Nahata' Dził Health Center, and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and
7. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and

Title V - Koyukta
Title I - Fort Def

8. During the past 8 ½ years, FDIHB has become an important asset to the Houck community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and

9. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and

10. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and

11. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours and that is a shining example of local governance in action; and

8. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center and the Nahata' Dził Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and

9. On November 12, 2015, the Naabik' íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which stated that the FDIHB self-determination contract be for a definite term of three (3) years, and that three year term expires on November 11, 2018 and that contract must be renewed if FDIHB is to continue the work highlighted in this resolution; and

10. As part of this process, the Navajo Nation Health, Education and Human Services Committee (HEHSC) has asked the chapters to reaffirm their support for FDIHB as a Tribal Organization and self-determination contractor; and

11. The HEHSC, among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." as authorized by the ISDEAA; and

12. FDIHB has requested that the HEHSC recommend that the "tribal organization" status of all Title One healthcare contractors under the ISDEEA, including FDIHB, and their self-determination contracts be extended for indefinite terms; and

13. It is in the best interests of this chapter to reaffirm our support to FDIHB as a superior and compassionate community medical facility and to request that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEAA for an indefinite term.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Houck Community Chapter hereby reaffirms Resolution HCR 110908-07 and declares that FDIHB should continue to be granted the status of a Tribal Organization and further, that this support by the Houck Community Chapter is for an indefinite period or until revoked by a resolution of this Chapter.
2. The Houck Community Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik' iyáti' Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEAA for an indefinite term.

CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Houck Community Chapter at a duly called meeting in Houck, Arizona, within the Navajo Nation, at which a quorum was present and that the same was passed by a vote of 14 in favor, 0 opposed, 05 abstained, on this 09 day of September, 2018.

Motioned by: Alex Fishley Jr.

Second by: James Golden

[Signature]
Houck Chapter President

KINDAHLICHII CHAPTER

Roger Shirley
PRESIDENT

Brunella Yazzie
VICE PRESIDENT

Mike Tsosie
SECRETARY/TREASURER

Juanita Dennison
CHAPTER MANAGER



Alton J. Shepherd
COUNCIL DELEGATE

Theresa Watchman
ADMINISTRATIVE ASSISTANT

Terry Kelewood
GRAZING OFFICIAL

Minifred Lilly
OFFICE ASSISTANT

KDLC 10-082-2018

Supporting and Requesting the Navajo Nation Health, Education and Human Services Committee (HEHSC) and the Naabikiyati Committee for Renewal and Extension of all Title One Health Care Contractors under the Indian Self-Determination and Education Assistance Act (ISDEAA).

WHEREAS:

1. Kindahlichii Chapter is governance certified pursuant to 26 N.N.C. Section 102(B) which permits the Kindahlichii Chapter to exercise local governance authorities contained within 26 N.N.C., Section 103; and
2. The Kindahlichii Chapter pursuant to 26 N.N.C., Section 1 (B) is vested with the authority to review all matters affecting the community and to make appropriate decisions when necessary and make recommendation to the Navajo Nation and other local agencies for appropriate actions; and
3. The Ft. Defiance Indian Hospital Board (FDIHB) assumed operation and management of the Ft. Defiance Indian Hospital, now called Tsehootsooi Medical Center (TMC), Nahata Dziil Health Center and related health programs March 28, 2010 pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act as amended; and
4. The FDIHB is an important asset to the Kindahlichii community by providing employment opportunities for our Chapter members, delivering health care education and outreach programs; and
5. The FDIHB which has taken a health care facility of the United States and transformed it into the TMC and the Nahata Dziil Health Center and be a model for what each and every Navajo community can do for them selves in respect of health care; and.
6. It is in the best interests of this Chapter to request that the HEHSC approve and recommend to the Naabikiyati Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for a five year term.

NOW THEREFORE BE IT RESOLVED THAT:

The Kindahlichii Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabikiyati Committee the renewal and extension of its status as a “tribal organization” pursuant to the ISDEAA.


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

We hereby certify the foregoing resolution was duly considered by the Kindahlichii Chapter at a duly called meeting at which a quorum was present and that same was approved by a vote 29 favor, 0 opposed, and 3 abstained on this 14th day of October 2018.

MOTION: Davitta Begay

SECOND: Harrison Williams

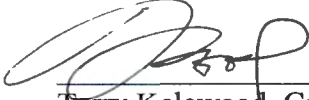
Roger Shirley, President



Mike Tsosie, Secretary/Treasurer



Brunella Yazzie, Vice-President



Terry Kelewood, Grazing Official



Klagetoh Chapter

Unit 42 HC 58 Box 90
Ganado, AZ 86505
(928)652-2700/2704



Ernest Benally, President
Raymond Smith Jr., Council Delegate

Leon Jackson, Vice President
Linda Begay, Community Service Coordinator

Dorinda Roan, Secretary/Treasurer
Linda Begay, Community Service Coordinator

Frank Begay, Jr., Grazing Officer
Lela Sangster, AMS

RESOLUTION KLA-1962-08/2018

RESOLUTION OF THE KLAGETOH CHAPTER

The Klagetoh Chapter calls on Navajo Nation President Russell Begay and the Department of Interior to uphold the position of the Klagetoh Chapter and to represent the best interest of the Navajo Nation Communities along Interstate 40 and make it known to the appropriate Agencies and Offices that we strongly oppose the transport of Uranium. We further call on our Navajo Nation Council to create a Task Force that can work on behalf of the impacted communities to ensure that would eliminate transportation risks within our communities and comply with Radioactive Substances Transportation Act of 2012 passed by our Navajo Nation Council

WHEREAS:

1. Pursuant to 2 N.N.C. and 26 N.N.C., the Klagetoh Chapter is a Certified Chapter of the Navajo Nation authorized to act on behalf of the health, well-being and safety of our community; and
2. Whereas, these Uranium Cores will be transported back and forth on trucks through three states – new Mexico, Arizona, and California – along Interstate 40 which runs through the heart of our community; and
3. Whereas, the transportation of hazardous materials across our interstate is an on-going concern because of the lack of communication with our chapter from the state, county and Navajo Nation agencies tasked with responding to accidents that put our community at risk; and
4. Whereas, the plans made by the Department of Energy violates the Radioactive Substances Transportation Act of 2012, which was passed by the entire Navajo Nation Council and prohibits the transportation of radioactive materials across tribal land, except in limited circumstances that must be approved by the Navajo Nation Environmental Protection Agency; and
5. Whereas, the Klagetoh Chapter has not been informed that any such approval has taken place and would reject approval, if there is on, for unnecessary risks imposed on our community and others when more reasonable and safe transportation alternatives can be arranged.

NOW, THEREFORE BE IT RESOLVED THAT:

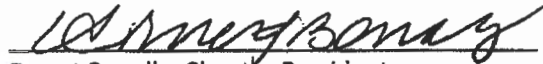
Klaegtoh Chapter calls on Navajo Nation President Russell Begay and the Department of Interior to uphold the position of the Klagetoh Chapter and to represent the best interest of the Navajo Nation Communities along Interstate 40 and make it known to the appropriate Agencies and Offices that we strongly oppose the transport of Uranium. We further call on our Navajo Nation Council to create a Task Force that can work on behalf of the impacted communities to ensure that would eliminate transportation risks within our communities and comply with the Radioactive Substances Transportation Act of 2012 passed by our Navajo Nation Council.

CERTIFICATION

We, hereby, certify that the foregoing resolution was duly considered by the Klagetoh Chapter membership at a duly called regular chapter meeting at the Klagetoh Chapter of Klagetoh (Navajo Nation), Arizona, at which a quorum was present and that the same was passed by a vote of 43 IN FAVOR; 00 OPPOSED; and 02 ABSTENTIONS on this 26th day of August, 2018.

MOTIONED BY: Alex Montoya

SECONDED BY: Jane Reed

A handwritten signature in black ink, appearing to read "Ernest Benally", is written over a horizontal line.

Ernest Benally, Chapter President
Klagetoh Chapter



TSA-2018-09-065

Resolution of the Tse Si Ani (Lupton) Community Chapter

The Tse Si Ani (Lupton) Chapter reaffirms its support of resolution LUPT-2008-11 approved on November 10, 2008, to support the Fort Defiance Indian Hospital Board, Inc. to be granted the status of a Tribal Organization under P.L.93-638, Title I, as amended and to contract for all health care services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, The Indian Self Determination Act, Title I, as amended.

1. The Tse Si Ani (Lupton) Community Chapter is a duly certified chapter of the Navajo Nation, pursuant to Title 26 of the Navajo Nation Code, Sections 4001 and 4006, and is vested with authority to take action to address the needs of its people; and
2. On November 10, 2008, the Tse Si Ani (Lupton) Community Chapter approved Resolution LUPT-2008-11, entitled "Supporting and Propelling the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of Tribal Organization Under P.L. 93-638, as Amended, and to Contract for all Health Care Services of the Fort Defiance Service Unit Through the Auspices of P.L. 93-688, The Indian Self-Determination Act, Title I, as Amended," a copy of which is attached to this resolution; and
3. Resolution LUPT-2008-11 resolved that "The Tse Si Ani (Lupton) Community Chapter hereby approves and support the Fort Defiance Indian Health Board, Inc. to be granted the status of a Tribal Organization under P. L. 93-638, Title I, as amended, and to contract for all health services of the Fort Defiance Service Unit through the auspices of P. L. 93-638, the Indian Self-Determination Act. Title 1, as amended;" and
4. The request of the Tse Si Ani (Lupton) Community Chapter in Resolution LUPT-2008-11 was not time-limited in any way and was intended by the Chapter to be for an indefinite period; and
5. Pursuant to the request of the Tse Si Ani (Lupton) Community Chapter and the other chapters within the Fort Defiance Service Unit, FDIHB was designated as a Tribal Organization by the Intergovernmental Relations Committee through IGRAU-118-09, and that designation was not time-limited in any way; and
6. FDIHB, acting as a Tribal Organization, assumed operation and management of the Fort Defiance Indian Hospital, now called the Tsehootsoof Medical Center, Nahata' Dził Health Center, and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and
7. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and

RAYMOND SMITH JR.
COUNCIL DELEGATE
YVONNE S. MURPHY
PRESIDENT
ALVIN BLACKGOT
VICE PRESIDENT
MARLENE S. APACHE
SECRETARY/TREASURER
RANDALL COMB
GRAZING OFFICIAL

TSE SI ANI CHAPTER

P.O. Box 403 • Lupton, AZ 86508
P: 928.688.2128 F: 928.688.3150



8. During the past 8 ½ years, FDIHB has become an important asset to the Tse Si Ani (Lupton) community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and

9. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and

10. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and

11. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours and that is a shining example of local governance in action; and

8. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center and the Nahata' Dził Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and

9. On November 12, 2015, the Naabik' íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which stated that the FDIHB self-determination contract be for a definite term of three (3) years, and that three year term expires on November 11, 2018 and that contract must be renewed if FDIHB is to continue the work highlighted in this resolution; and

10. As part of this process, the Navajo Nation Health, Education and Human Services Committee (HEHSC) has asked the chapters to reaffirm their support for FDIHB as a Tribal Organization and self-determination contractor; and

11. The HEHSC, among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." as authorized by the ISDEAA; and

12. FDIHB has requested that the HEHSC recommend that the "tribal organization" status of all Title One healthcare contractors under the ISDEEA, including FDIHB, and their self-determination contracts be extended for indefinite terms; and

13. It is in the best interests of this chapter to reaffirm our support to FDIHB as a superior and compassionate community medical facility and to request that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEAA for an indefinite term.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Tse Si Ani (Lupton) Community Chapter hereby reaffirms Resolution LUPT-2008-11 and declares that FDIHB should continue to be granted the status of a Tribal Organization and further, that this support by the Tse Si Ani (Lupton) Community Chapter is for an indefinite period or until revoked by a resolution of this Chapter.
2. The Tse Si Ani (Lupton) Community Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik'iyati' Committee the renewal and extension of its status as a "tribal organization" and its self-determination contract pursuant to the ISDEAA for an indefinite term.

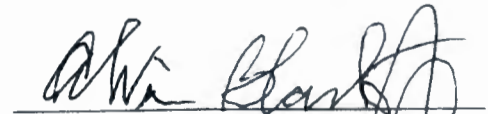
CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Tse Si Ani (Lupton) Community Chapter at a duly called meeting in Lupton, Arizona, within the Navajo Nation, at which a quorum was present and that the same was passed by a vote of 16 in favor 0 opposed, 5 abstained, on this 11th day of September, 2018.

Motioned by: Annie Yazzie

Second by: Esther Bodie


Yvonne S. Murphy, Chapter President

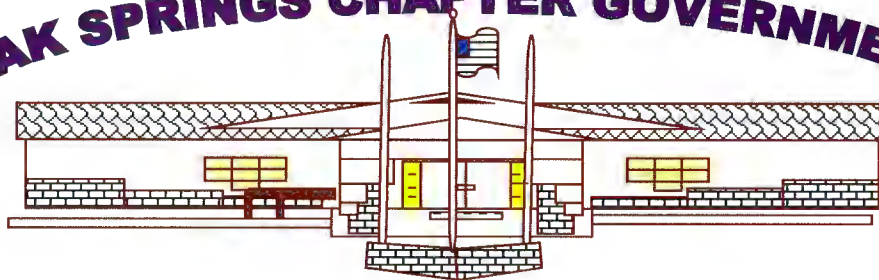

Alvin Blackgoat, Chapter Vice President


Marlene Apachee, Chapter Secretary
Sherman Yazzie, Pro-Temp Chapter Secretary


Raymond Smith, Jr., Council Delegate

OAK SPRINGS CHAPTER GOVERNMENT

President
Edison J. Wauneka
Vice-President
Darryle S. Nelson
Secretary/Treasurer
Arlene Radisch
Grazing Representative
Jim Sam



Council Delegate
Jonathan Hale
Chapter Coordinator
Elizabeth H. Kuipers
Account Maint. Spec.
Vacant

OSC-0102318-94

RESOLUTION OF THE OAK SPRINGS CHAPTER

SUPPORTING AND APPROVING THE PUBLIC LAW 93-638 CONTRACT RENEWAL BETWEEN THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. AND THE INDIAN HEALTH SERVICE

WHEREAS:

1. The Oak Springs Chapter is a recognized Chapter of the Navajo Nation Government organized and consistent with the Navajo Nation Council Resolution CAP-34-98, also known as the Navajo Nation Local Governance Act and is codified in title twenty-six (26) of the Navajo Nation Code; and
2. Title twenty-six (26) of the Navajo Nation Code allows Oak Springs Chapter to make decisions over local matters consistent with Navajo law and is under supervision of Division of Community Development ("DCD") until it becomes an LGA certified chapter. This authority, in the long run, will improve community decision making, allow communities to excel and flourish, enable Navajo leader to lead towards a prosperous future, and improve the strength and sovereignty of the Navajo Nation; and
3. The Oak Springs Chapter is one of 16 chapters served by the Fort Defiance Indian Hospital Board, Inc (FDIHB); and
4. By Resolution OSCR-06-09, the Oak Springs Chapter approved a Resolution entitled "Supporting and Propelling the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of Tribal Organization Under P.L. 93-638, as Amended, and to Contract for all Health Care Services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, the Indian Self-Determination Act, Title I, as Amended;" and
5. It is in the best interests of this chapter to support FDIHB and to request that the Health, Education and Human Services Committee of the Navajo Nation Council approve and recommend to the Naabik' íyáti' Committee of the Navajo Nation Council the Public Law 93-638 contract renewal between the FDIHB and the Indian Health Service; and
6. The current Public Law 93-638 contract between FDIHB and the Indian Health Service expires on December 29, 2018.

NOW, THEREFORE BE IT RESOLVED THAT:

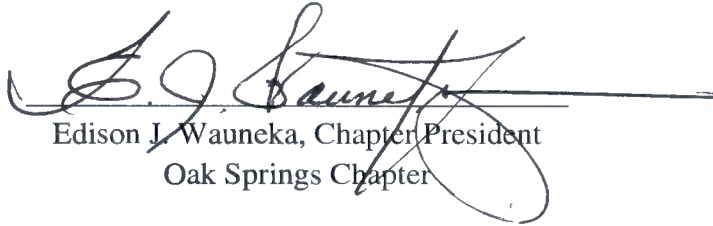
1. The Oak Springs Chapter members hereby support and approve the Public Law 93-638 Contract Renewal between the Fort Defiance Indian Hospital Board, Inc. and the Indian Health Service.
2. The Oak Springs Chapter requests that the Health, Education and Human Services Committee approve and recommend to renew the contract to the Naabik'íya'ti' Committee of the Navajo Nation Council the Public Law 93-638 between the FDIHB and Indian Health Service.

CERTIFICATION

We hereby certify the foregoing resolution was duly considered by the community members of Oak Springs Chapter, Arizona (Navajo Nation) at a duly called chapter meeting, at which a quorum was present and the same was passed by a vote of 20 in favor, 0 opposed and 3 abstained on this **23rd** day of **October, 2018**.

Motion: Jim Sam

Second: Lionel Allen



Edison J. Wauneka, Chapter President
Oak Springs Chapter



Red Lake Chapter

Arval T. McCabe
PRESIDENT

Pauline J. Garnenez
VICE PRESIDENT

Loberta Redhouse
SECRETARY/TREASURER

Charles Chee
GRAZING OFFICIAL

RLC-09-18-38

Resolution of the Red Lake Chapter #18

Supporting and Approving Tsehootsooi Medical Center's Request to Approve and Recommend to the Navajo Nation Naabik'iyati' Committee to Review and Extend its' Status as a "Tribal organization" pursuant to the Indian Self-Determination and Education Assistance Act (ISDEAA) for an Indefinite Term

WHEREAS:

1. The Red Lake Chapter is a duly certified chapter of the Navajo Nation, pursuant to Title 26 of the Navajo Nation Code, Sections 4001 and 4006, and is vested with authority to take action to address the needs of its people; and
2. The Fort Defiance Indian Health Board (FDIHB) assumed operation and management of the Fort Defiance Indian Hospital, now called the Tséhootsooí Medical Center, Nahata' Dził Health Center, and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and
3. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and
4. During the past 8 ½ years, FDIHB has become an important asset to the Red Lake community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and
5. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and
6. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and
7. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours; and

8. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center and the Nahata' Dził Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and
9. On November 12, 2015, the Naabik' íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which confirmed the status of FDIHB as a "tribal organization" for purposes of ISDEAA contracting for a definite term of three (3) years, and that three year term expires on November 11, 2018 and must be renewed if it is to continue the work highlighted in this resolution; and
10. The Navajo Nation Health, Education and Human Services Committee (HEHSC), among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." as authorized by the ISDEAA; and
11. FDIHB has requested that the HEHSC recommend that the "tribal organization" status of all Title One healthcare contractors under the ISDEAA, including FDIHB, be extended for indefinite terms; and
12. It is in the best interests of this chapter to request that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for an indefinite term.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Red Lake Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for an indefinite term.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by Red Lake Chapter at a duly called meeting at Red Lake, Navajo Nation, New Mexico at which a quorum was present and that the same was passed by a vote of **19** in favor, **-0-** opposed, and **06** abstained on this **16th** day of **September, 2018**.



Arval McCabe, Chapter President

Motioned: **Lolita Martin**

Seconded: **Tim Yazzie**

Woodie Bennett, President
Lewis Shirley, Vice President
Laurita Begay, Sec/Treasurer
Benjamin Bennett, Council Delegate
Tom Billman, Grazing Representative

Sawmill

P.O. Box 1786
Fort Defiance, AZ 86504
(928) 729-4433 / 4432
(928) 729-4435 FAX

Vacant, Community Service Coordinator
Ronald Deschinny, Account Maint. Specialist
Calandra Begay, Records Clerk
Patreva Benally, CHR
Rudi John, Senior Center Spv.

SAW-2018-09-006

Resolution of the Sawmill Chapter

The Sawmill Chapter support and approved of this resolution for the Fort Defiance Indian Hospital Board, Inc. to be granted the status of a Tribal Organization under P.L.93-638, Title I, as amended and to contract for all health care services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, The Indian Self Determination Act, Title I, as amended.

1. The Sawmill Community Chapter is a duly certified chapter of the Navajo Nation, pursuant to Title 26 of the Navajo Nation Code, Sections 4001 and 4006, and is vested with authority to take action to address the needs of its people; and
2. The Sawmill Community Chapter approved a Resolution entitled "Supporting and Propelling the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of Tribal Organization Under P.L. 93-638, as Amended, and to Contract for all Health Care Services of the Fort Defiance Service Unit Through the Auspices of P.L. 93-688, The Indian Self-Determination Act, Title I, as Amended," a copy of which is attached to this resolution; and
3. "The Sawmill Community Chapter hereby approves and support the Fort Defiance Indian Health Board, Inc. to be granted the status of a Tribal Organization under P. L. 93-638, Title I, as amended, and to contract for all health services of the Fort Defiance Service Unit through the auspices of P. L. 93-638, the Indian Self-Determination Act. Title 1, as amended;" and
4. Pursuant to the request of the Sawmill Community Chapter and the other chapters within the Fort Defiance Service Unit, FDIHB was designated as a Tribal Organization by the Intergovernmental Relations Committee through IGRAU-118-09, and that designation was not time-limited in any way; and
5. FDIHB, acting as a Tribal Organization, assumed operation and management of the Fort Defiance Indian Hospital, now called the Tséhootsooí Medical Center, Nahata' Dził Health Center, and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and
6. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and
7. During the past 8 ½ years, FDIHB has become an important asset to the Sawmill community by providing employment opportunities for our chapter members, delivering



Sawmill Chapter

healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and

8. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and

9. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and

10. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours and that is a shining example of local governance in action; and

11. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center and the Nahata' Dził Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and

12. On November 12, 2015, the Naabik' íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which stated that the FDIHB self-determination contract be for a definite term of three (3) years, and that three year term expires on November 11, 2018 and that contract must be renewed if FDIHB is to continue the work highlighted in this resolution; and

13. As part of this process, the Navajo Nation Health, Education and Human Services Committee (HEHSC) has asked the chapters to reaffirm their support for FDIHB as a Tribal Organization and self-determination contractor; and

14. The HEHSC, among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and “tribal organizations.” as authorized by the ISDEEA; and

15. FDIHB has requested that the HEHSC recommend that the “tribal organization” status of all Title One healthcare contractors under the ISDEEA, including FDIHB, and their self-determination contracts be extended for indefinite terms; and

16. It is in the best interests of this chapter to reaffirm our support to FDIHB as a superior and compassionate community medical facility and to request that the HEHSC approve and

Sawmill Chapter

12. FDIHB has requested that the HEHSC recommend that the “tribal organization” status of all Title One healthcare contractors under the ISDEEA, including FDIHB, and their self-determination contracts be extended for indefinite terms; and

13. It is in the best interests of this chapter to reaffirm our support to FDIHB as a superior and compassionate community medical facility and to request that the HEHSC approve and recommend to the Naabik’ íyáti’ Committee the renewal and extension of its status as a “tribal organization” and its self-determination contract pursuant to the ISDEAA for an indefinite term.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Sawmill Community Chapter hereby reaffirms the XXXXX resolution and declares that FDIHB should continue to be granted the status of a Tribal Organization and further, that this support by the Sawmill Community Chapter is for an indefinite period or until revoked by a resolution of this Chapter.

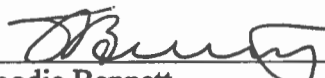
2. The Sawmill Community Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik’ íyáti’ Committee the renewal and extension of its status as a “tribal organization” and its self-determination contract pursuant to the ISDEAA for an indefinite term.

CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Sawmill Community Chapter at a duly called meeting in Sawmill, Arizona, within the Navajo Nation, at which a quorum was present and that the same was passed by a vote of 25 in favor, 01 opposed, 02 abstained, on this 17th day of September, 2018.

Motioned by: Larry Foster

Second by: Juanita Martinez


Woodie Bennett
Sawmill Chapter President



Sawmill Chapter

We hereby certify that the foregoing resolution was duly considered by the Sawmill, Chapter at a duly called regular chapter meeting at Sawmill, Chapter, NAVAJO NATION (ARIZONA), at which a quorum was present and that the same was passed by a vote of 25 in favor, 01 opposed, and 02 abstained, on this 17th day of September, 2018



Chapter President

Motioned: **Lary M. Foster**
Seconded: **Juanita Martinez**

Seconded by:

Janis Damon, President
 Alfred Mike, Sr., Vice-President
 P Baldwin, Secretary/Treasurer
 Jonathan Hale, Council Delegate
 Marilyn Yazzie, Grazing Official
 Donna Whitehair, CSC
 Teresa Tabaha, AMS



Russell Begay, Navajo Nation President

Jonathan Nez, Navajo Nation Vice-President

ST. MICHAELS CHAPTER , P.O. BOX 829 , ST. MICHAELS, ARIZONA, 86511

PHONE: 928-871-7842

FAX: 871-3023

EMAIL: STMICHAELS@NAVAJOCHAPTERS.ORG

St. Michaels Chapter Resolution

Reaffirming its support of RES# 12-12-08# 21 approved on December 12, 2008, to support the Fort Defiance Indian Hospital Board, Inc. to be granted the status of a Tribal Organization under P.L.93-638, Title I, as amended and to contract for all health care services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, The Indian Self Determination Act, Title I, as amended.

No. 10-21-18-04

WHEREAS:

1. Pursuant to 26 N.N.C. Section 3 (A), the St. Michaels Chapter is a certified Chapter of the Navajo Nation as listed under 11 N.N.C. Part 1, Section 10; vested with the authority and responsibility to provide and address local planning within its community; and
2. Pursuant to 26 N.N. C. Section 1(B), the St. Michaels Chapter is delegated the governmental authority to make decision over local matters consistent with the Navajo law, custom and tradition; and to allow the chapter to make decisions to govern with responsibility and accountability to the community membership; and
3. On December 12, 2008 the St. Michaels Chapter approved Resolution RES# 12-12-08# 21, entitled "Supporting the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of Tribal Organization Under P.L. 93-638, Title 1, as Amended, and to Contract for all Health Care Services of the Fort Defiance Service Unit Through the Auspices of P.L. 93-638, The Indian Self-Determination Act, Title I, as Amended," a copy of which is attached to this resolution; and
4. Resolution RES# 12-12-08# 21 resolved that "The St. Michaels Chapter supports the Fort Defiance Indian Health Board, Inc. to be granted the status of a Tribal Organization under P. L. 93-638, Title I, as amended, and to contract for all health services of the Fort Defiance Service Unit through the auspices of P. L. 93-638, the Indian Self-Determination Act. Title 1, as amended;" and
5. The request of the St. Michaels Chapter in Resolution RES# 12-12-08# 21 was not time-limited in any way and was intended by the Chapter to be for an indefinite period; and
6. Pursuant to the request of the St. Michaels Chapter and the other chapters within the Fort Defiance Service Unit, FDIHB was designated as a Tribal Organization by the Intergovernmental

Relations Committee through IGRAU-118-09, and that designation was not time-limited in any way; and

7. FDIHB, acting as a Tribal Organization, assumed operation and management of the Fort Defiance Indian Hospital, now called the Tséhootsooí Medical Center, Nahata' Dził Health Center, and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and

8. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and

9. During the past 8 ½ years, FDIHB has become an important asset to the St. Michaels community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and

10. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and

11. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and

12. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours and that is a shining example of local governance in action; and

13. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center and the Nahata' Dził Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and

14. On November 12, 2015, the Naabik' íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which stated that the FDIHB self-determination contract be for a definite term of three (3) years, and that three year term expires on November 11, 2018 and that contract must be renewed if FDIHB is to continue the work highlighted in this resolution; and

15. As part of this process, the Navajo Nation Health, Education and Human Services Committee (HEHSC) has asked the chapters to reaffirm their support for FDIHB as a Tribal Organization and self-determination contractor; and

16. The HEHSC, among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." as authorized by the ISDEAA; and

17. FDIHB has requested that the HEHSC recommend that the “tribal organization” status of all Title One healthcare contractors under the ISDEEA, including FDIHB, and their self-determination contracts be extended for indefinite terms; and

18. Recommendations of the St. Michaels Chapter include: FDIHB incorporate cultural sensitivity as one of its practices; prioritize quality patient care; adhere to Navajo Preference in Employment Act; value and treat all its employees fairly; add student registration to the FDIHB website and collaborate with chapters to ensure all college students are informed; waive the wellness center membership fee so all community members may get the health benefits of exercise; and

19. It is in the best interests of this chapter to reaffirm our support to FDIHB as a superior and compassionate community medical facility and to request that the HEHSC approve and recommend to the Naabik’ íyáti’ Committee the renewal and extension of its status as a “tribal organization” and its self-determination contract pursuant to the ISDEAA for a term of four years; beginning November 1, 2018, and ending October 31, 2022.

NOW THEREFORE BE IT RESOLVED THAT:


1. The St. Michaels Chapter hereby reaffirms Resolution RES# 12-12-08# 21 and declares that FDIHB should continue to be granted the status of a Tribal Organization and further, that this support by the St. Michaels Community Chapter is for a term of four years, beginning November 1, 2018, and ending October 31, 2022.

2. Recommendations of the St. Michaels Chapter include: FDIHB incorporate cultural sensitivity as one of its practices; prioritize quality patient care; adhere to Navajo Preference in Employment Act; value and treat all its employees fairly; add student registration to the FDIHB website and collaborate with chapters to ensure all college students are informed; waive the wellness center membership fee so all community members may get the health benefits of exercise; and

3. The St. Michaels Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik’ íyáti’ Committee the renewal and extension of its status as a “tribal organization” and its self-determination contract pursuant to the ISDEAA for a term of four years, beginning November 1, 2018 and ending October 31, 2022.

CERTIFICATION

I hereby certify that the foregoing resolution was considered at a duly called meeting of the St. Michaels Chapter, (Navajo Nation), St. Michaels, Arizona, at which a quorum was present and that the same was motioned by Willie Keeto, Jr., seconded by Gloria Smiley, and passed with votes of 32 in favor, 0 opposed, 7 abstained, on this 21st day of October, 2018.



Janis Damon, President
St. Michaels Chapter

STEAMBOAT COMMISSION GOVERNMENT

Matthew Noble *Commission President*
Teddy H. Begay, *Commission Vice President*
Bessie Yellowhair-Simpson, *Commission Sec/Treasurer*
Paul Williams Jr *Commissioner Member*
Roman Gorman, *Commissioner Member*



Alton J. Shepherd, *Council Delegate*
Duane Yazzie, *Grazing Committee Member*
James Ahasteen, *Commission Manager*
Stephanie Curley, *Administrative Assistant*

P.O. Box 117 Ganado, Arizona 86505 • Phone (928)736-2631/33 • Fax (928)736-2631 • www.steamboat.nndes.org

Russell Begaye, Navajo Nation President

Jonathan Nez, Navajo Nation Vice President

SGC-2018-10-05

RESOLUTION OF STEAMBOAT COMMISSION GOVERNMENT STEAMBOAT CHAPTER

The Steamboat Commission Government hereby respectfully requests that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for an indefinite term.

WHEREAS:

1. The Steamboat Commission Government is a duly certified chapter of the Navajo Nation, pursuant to Title 26 of the Navajo Nation Code, Sections 4001 and 4006, and is vested with authority to take action to address the needs of its people; and
2. FDIHB assumed operation and management of the Fort Defiance Indian Hospital, now called the Tséhootsooí Medical Center, Nahata' Dził Health Center, and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and
3. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and
4. During the past 8 ½ years, FDIHB has become an important asset to the Steamboat Chapter community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and
5. FDIHB has consulted with this Steamboat Chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and
6. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and
7. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours; and

8. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center and the Nahata' Dził Health Center and be a model for what each and every Navajo community can do for themselves in respect to halthcare; and
9. On November 12, 2015, the Naabik' íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which confirmed the status of FDIHB as a "tribal organization" for purposes of ISDEAA contracting for a definite term of three (3) years, and that three year term expires on November 11, 2018 and must be renewed if it is to continue the work highlighted in this resolution; and
10. The Navajo Nation Health, Education and Human Services Committee (HEHSC), among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and "tribal organizations." as authorized by the ISDEAA; and
11. FDIHB has requested that the HEHSC recommend that the "tribal organization" status of all Title One healthcare contractors under the ISDEEA, including FDIHB, be extended for indefinite terms; and
12. It is in the best interests of this Steamboat Chapter to request that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for an indefinite term.

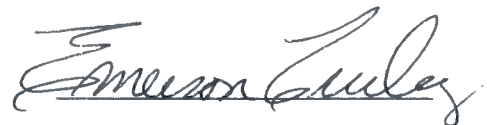
NOW THEREFORE BE IT RESOLVED THAT:

SCG-2018-10-05

The Steamboat Commission Government hereby respectfully requests that the HEHSC approve and recommend to the Naabik' íyáti' Committee the renewal and extension of its status as a "tribal organization" pursuant to the ISDEAA for an indefinite term.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Steamboat Commission Government at a duly called meeting in Steamboat, Navajo Nation, Arizona at which a quorum was present, motioned by **Teddy H. Begay** and seconded by **Paul Williams, Jr.** and that the same was passed by a vote of 4 in favor and 0 opposed, 1 abstained, this 5 day of October, 2018.



Emerson Curley
Commission President

WIDE RUINS COMMUNITY CHAPTER

Post Office Box 208, Chambers, Arizona, 86502 Phone: 928-652-3223 Fax: 928-652-3253
Cecil Hubbell, Sr, President Louise J. Nelson, Vice-President Bernice Wilson, Secretary/Treasurer
Shawnevan Dale, Grazing Ofcr. Raymond Smith, Council Delegate Vernita S. Tsosie, Comm. Serv. Coord

WDR-09-050-18

RESOLUTION OF THE WIDE RUINS COMMUNITY CHAPTER

Reaffirming the chapter resolution approved on May 3, 2009, to support the Fort Defiance Indian Hospital Board, Inc. to be granted the status of a Tribal Organization under P.L. 93-638, Title I, as amended and to contract for all health care services of the Fort Defiance Service Unit through the auspices of P.L. 93-638, The Indian Self Determination Act, Title I, as amended.

WHEREAS:

1. By Resolution CJ-20-55, the Navajo Nation Council certified Wide Ruins Community as a chapter of the Navajo Nation; and
2. Pursuant to Chapter 1, Subchapter 1. Generally, B. Purpose 1. The purpose of the Local Governance Act is to recognize governance at the local level. Through adoption of this Act, the Navajo Nation Council delegates to Chapters government authority with respect to local matters consistent with Navajo law, including custom and tradition; and
3. Wide Ruins Community Chapter is one of 16 chapters served by the Fort Defiance Indian Hospital Board, Inc; and
4. On May 3, 2009 the Wide Ruins Chapter approved a Resolution entitled "Supporting and Propelling the Fort Defiance Indian Hospital Board, Inc. to be Granted the Status of Tribal Organization Under P.L. 93-638, as Amended, and to Contract for all Health Care Services of the Fort Defiance Service Unit through the auspices of P.L. 93-688, the Indian Self-Determination Act, Title I, as Amended," a copy of which is attached to this resolution; and
5. The May 3, 2009 resolution resolved that "The Wide Ruins Community Chapter hereby approves and support the Fort Defiance Indian Health Board, Inc. to be granted the status of a Tribal Organization under P. L. 93-638, Title I, as amended, and to contract for all health services of the Fort Defiance Service Unit through the auspices of P. L. 93-638, the Indian Self-Determination Act. Title 1, as amended;" and
6. The request of the Wide Ruins Community Chapter in Resolution GSC12-08-0345 was not time-limited in any way and was intended by the Chapter to be for an indefinite period; and

7. Pursuant to the request of the Wide Ruins Community Chapter and the other chapters within the Fort Defiance Service Unit, FDIHB was designated as a Tribal Organization by the Intergovernmental Relations Committee through IGRAU-118-09, and that designation was not time-limited in any way; and
8. FDIHB, acting as a Tribal Organization, assumed operation and management of the Fort Defiance Indian Hospital, now called the Tséhootsooí Medical Center, Nahata' Dził Health Center, and related health programs on March 28, 2010, pursuant to a self-determination contract pursuant to Title One of the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, as amended; and
9. FDIHB is an organization established by this chapter's community and it is staffed and operated by many of the most talented members of our community; and
10. During the past eight and half years, FDIHB has become an important asset to the Wide Ruins community by providing employment opportunities for our chapter members, delivering healthcare education and outreach programs, building new facilities, such as the Wellness Center, that are the pride of our community, and lifting up and helping those members of our chapter who are sick and injured; and
11. FDIHB has consulted with this chapter at every step of the way as FDIHB has moved forward with the growth of its facilities and the expansion of the services it offers; and
12. The chapter appreciates and honors the spirit of cooperation that has characterized the relationship between FDIHB and the chapter; and
13. The successes of FDIHB are the successes of our community, which has taken a healthcare facility of the United States and transformed it into the Tséhootsooí Medical Center: a healthcare facility of this chapter and its members – something that is uniquely ours and that is a shining example of local governance in action; and
14. The chapter hopes that FDIHB will continue to operate the Tséhootsooí Medical Center and the Nahata' Dził Health Center and be a model for what each and every Navajo community can do for themselves in respect to healthcare; and
15. On November 12, 2015, the Naabik' íyáti' Committee of the Navajo Nation Council passed Legislation No. NABIN-67-15, which stated that the FDIHB self-determination contract be for a definite term of three (3) years, and that three year term expires on November 11, 2018 and that contract must be renewed if FDIHB is to continue the work highlighted in this resolution; and
16. As part of this process, the Navajo Nation Health, Education and Human Services Committee (HEHSC) has asked the chapters to reaffirm their support for FDIHB as a Tribal Organization and self-determination contractor; and

17. The HEHSC, among other things, has responsibility, pursuant to 2 N.N.C. § 401(C)(2), to oversee Navajo Nation policies and priorities to optimize the delivery of health services to the Navajo people, including the delivery of those services pursuant to Self-Determination contracts between the United States and “tribal organizations.” as authorized by the ISDEAA; and

18. FDIHB has requested that the HEHSC recommend that the “tribal organization” status of all Title One healthcare contractors under the ISDEEA, including FDIHB, and their self-determination contracts be extended for indefinite terms; and

19. It is in the best interests of this chapter to reaffirm our support to FDIHB as a superior and compassionate community medical facility and to request that the HEHSC approve and recommend to the Naabik’ íyáti’ Committee the renewal and extension of its status as a “tribal organization” and its self-determination contract pursuant to the ISDEAA for an indefinite term.


NOW THEREFORE BE IT RESOLVED THAT:

1. The Wide Ruins Community Chapter reaffirms the May 3, 2009 resolution and declares that FDIHB should continue to be granted the status of a Tribal Organization and further, that this support by the Wide Ruins Community Chapter is for an indefinite period or until revoked by a resolution of this Chapter.

2. The Wide Ruins Community Chapter hereby respectfully requests that the HEHSC approve and recommend to the Naabik’ íyáti’ Committee the renewal and extension of its status as a “tribal organization” and its self-determination contract pursuant to the ISDEAA for an indefinite term.

CERTIFICATION

I hereby certify that the foregoing resolution was considered by the Wide Ruins Community Chapter at a duly called meeting in Wide Ruins, Arizona, within the Navajo Nation, at which a quorum was present and that the same was passed by a vote of 27 in favor, 0 opposed, 4 abstained, on this 12th day of September, 2018.



Cecil Hubbell, Sr.
Wide Ruins, Chapter President



NAVAJO NATION CONDITIONS FOR DESIGNATION AS
TRIBAL ORGANIZATION FOR HEALTH CARE PURSUANT TO
INDIAN SELF-DETERMINATION ACT
(P.L. 93-638 AS AMENDED)

**Navajo Nation Conditions for
Designation as Tribal Organization for Health Care Pursuant to the Indian Self-
Determination Act (P.L. 93-638, as amended)**

The Navajo Nation and the designated “Tribal Organizations” shall cooperate under the principles of Ké to ensure that the health care needs of all Navajo citizens are fully met.

The designation of “Tribal Organization” for participation in the Indian Self-Determination Act (P.L. 93-638 as amended) is a revocable designation and is conditioned on the continued, ongoing and full compliance with the terms and conditions as set forth below:

1. The designated “Tribal Organization”
Must qualify as a participant under the Indian Self Determination Act (P.L. 93-638, as amended) as follows:
 - (A) Completing, to the satisfaction of the Health, Education and Human Services Committee and the Naabik’iyati’ Committee of the Navajo Nation Council, a planning phase as described under the Act and which includes:
 - (1) Legal and budgetary research; and
 - (2) Internal tribal government planning and organizational preparation relating to the administration of health care programs.
 - (B) Requesting participation Title V, Self-Governance, by resolution of the Health, Education and Human Services Committee and the Naabik’iyati’ Committee of the Navajo Nation Council; and
 - (C) Demonstrating financial stability and financial management capability for the three (3) fiscal years immediately preceding the application for Title V, Self-Governance.
2. The designated Tribal Organization shall maintain its eligibility for third party payments under the Centers for Medicare and Medicaid Services (CMS).

3. The designated Tribal Organization shall maintain continued accreditation by a nationally recognized accreditation program.
4. The designated Tribal Organization shall operate and administer their Self-Governance Compact programs under the oversight of the Health, Education and Human Services Committee
5. The designated Tribal Organization shall appear before and report to the Health Education and Human Services Committee and the Naabik'iyati Committee of the Navajo Nation Council whenever requested to do so.
6. The designated Tribal Organization shall maintain compliance with all monitoring and reporting requirements duly established by the Health, Education and Human Services Committee, including:
 - (A) Submission to the Health, Education and Human Services Committee of copies upon receipt, of all final Federal Single Audit Act audit reports, including Audited Financial Statements, and final survey reports issued by its nationally recognized accreditation organizations(s) and all associated corrective action plans, with copies to the Navajo Nation Department of Health.
 - (B) Submission of copies of the Self-Governance Compact and all Annual Funding Agreements to the Navajo Nation Department of Health.
 - (C) Submission of copies of the designated "Tribal Organization's" Annual Report, upon acceptance of same by the "Tribal Organization", to the Health, Education and Human-Services Committee and to the Navajo Nation Department of Health. The format, criteria and due date of the Annual report shall be determined by the Health, Education and Human Services Committee.
 - (D) Submission of a listing of the Board of Directors-identified by Chapter, description of method of selection of Board, length of term and by-laws.
7. The designated "Tribal Organization" shall maintain continued compliance with all applicable Navajo Nation laws and regulations, including, but not limited to, the Navajo Preference in Employment Act and shall provide a report on employment compliance to the Health, Education and Human Services Committee annually and upon request.

8. The designated "Tribal Organization" shall maintain compliance with all applicable Navajo Nation Health care policies and priorities duly adopted by the Health and Social Services Committee and shall demonstrate the establishment and operation of a traditional medicine program as an integral component of the provision of health care.
9. The designated "Tribal Organization" will consult and cooperate with the Navajo Nation Department of Health concerning the public health needs and programs of the Navajo Nation.
10. The designated "Tribal Organizations" and Navajo Nation Department of Health shall timely develop and on-going written policy for consultation on matters of public health and have such policy approved by the Health, Education and Human Services Committee.
11. The designated "Tribal Organizations" and Navajo Nation Department of Health and Navajo Nation Department of Emergency Medical Service shall enter Memorandum of Understandings for the Navajo Nation's use and occupancy of the designated Tribal Organization's facilities as long as such use and occupancy does not interfere with direct care services.
12. The designated "Tribal Organization", in its dealings with the federal and state government, be it lobbying, advocacy, litigation, or negotiating efforts, shall only take positions or make arguments, consistent with official published Navajo Nation positions. The designated "Tribal Organization" shall report and consult with the Health, Education and Human Services Committee prior to such undertakings.
13. The designated "Tribal Organization" shall not directly charge any tribal member for health care services nor charge the Navajo Nation Employee Benefit Plan or Workers Compensation Plan for health care services provided to a covered tribal member unless the Indian Health Service would be able to charge the tribal member for the same service under the same circumstances unless otherwise authorized by the Naabik'iyati' Committee of the Navajo Nation Council.
14. The designated "Tribal Organization" shall provide direct patient care to all Native American eligible users unless otherwise authorized by the Naabik'iyati' Committee of the Navajo Nation Council.

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
December 10, 2018

Roll Call
Vote Tally Sheet

LEGISLATION NO. 0380-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE;
RECOMMENDING FOR APPROVAL BY THE NAABIK'IYATI' COMMITTEE THE RENEWED
DESIGNATION OF THE TSEHOOTSOOI MEDICAL CENTER OF THE FORT DEFIANCE
INDIAN HOSPITAL BOARD, INC. AS A NAVAJO NATION "TRIBAL ORGANIZATION"
FOR A PERIOD OF FIVE (5) YEARS, FOR THE PURPOSES OF CONTRACTING WITH
THE UNITED STATES INDIAN HEALTH SERVICE AND AUTHORIZING IT TO NEGOTIATE
AND ENTER INTO TITLE I, INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS
AMENDED) CONTRACTS, SUCH DESIGNATION OF "TRIBAL ORGANIZATION" BEING
REVOCABLE AND CONTINGENT ON COMPLIANCE WITH ALL TERMS AND CONDITIONS AS
REQUIRED

(Note: Eligible for Committee Action December 04, 2018)
Sponsor: Honorable Jonathan L. Hale

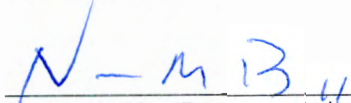
Amendment One (1): Page 1, Line 14; Page 3, Lines 8, 13, 22, 23: Motion
to change all five (5) years to three (3) years - throughout entire
Legislation 0380-18; Page 3, Line 13, 23: Motion to change all "ending
December 28, 2023" to "ending December 28, 2021" - throughout entire
Legislation 0380-18

December 10, 2018 - Amendment One (1) Motion


Motion by: Honorable Nathaniel Brown
Seconded by: Honorable Olin Kieyoomia
Vote: 4 in favor; 0 Opposed; Vice-Chairperson Not Voting
Yeas: Olin Kieyoomia; Nathaniel Brown; Jonathan L. Hale; Nelson BeGaye
Nays: Nelson BeGaye; Absent (excused): Amber Kanazbah Crotty
Not Voting: Amber Kanazbah Crotty

December 10, 2018 - Main Motion

Motion by: Honorable Nelson BeGaye
Seconded by: Honorable Olin Kieyoomia
Vote: 3 in favor; 1 Opposed; Vice-Chairperson Not Voting
Yeas: Olin Kieyoomia; Nathaniel Brown; Jonathan L. Hale
Nays: Nelson BeGaye; Absent (excused): Amber Kanazbah Crotty;
Not Voting: Amber Kanazbah Crotty



Norman M. Begay, Vice-Chairperson
Health, Education and Human Services Committee



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