

LEGISLATIVE SUMMARY SHEET

Tracking No. 0119-19

DATE: May 7, 2019

SUBJECT: AN ACTION RELATING TO THE HEALTH, EDUCATION AND
HUMAN SERVICES COMMITTEE, AMENDING THE NAVAJO OFFICE
OF VITAL RECORDS AND IDENTIFICATION

PURPOSE: The purpose of this legislation is to approve amendments to the Navajo Office of Vital Records and Identification.

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: 2 June 2019
Website Posting Time/Date: _____
Posting End Date: 5-19-19
Eligible for Action: 5-20-19

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY


Primary Sponsor

TRACKING NO. 0119-19

AN ACTION
RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES
COMMITTEE, AMENDING THE NAVAJO OFFICE OF VITAL RECORDS AND
IDENTIFICATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

The Health, Education and Human Services Committee is the oversight committee for Department of Diné Education and as such is empowered to adopt, amend, or rescind its Plan of Operation. 2 N.N.C. § 401(C)(1).

SECTION TWO. FINDING

- A. Proposed Amendments to the Plan of Operation for the Office of Vital Records and Identification are attached as **Exhibit A**.
- B. The Department of Justice reviewed the amendments to the Plan of Operation and noted the amendments were legally sufficient. The review documents are attached as **Exhibit B**.

SECTION THREE. APPROVAL

1 The Health, Education and Human Services Committee of the Navajo Nation Council
2 approves amendments to the Plan of Operation for the Office of Vital Records and
3 Identification as indicated in **Exhibit A**.



PLAN OF OPERATION
FOR
THE NAVAJO OFFICE OF VITAL RECORDS AND IDENTIFICATION

I. ESTABLISHMENT

The Navajo Office of Vital Records and Identification ("NOVRI") is hereby established within the Division of Human Resources in the Executive Branch of the Navajo Nation Government, for the purpose of planning, organizing and administering functions as contracted pursuant to P.L. 93-638 as amended, with the Bureau of Indian Affairs. Subject to available funds, the NOVRI shall also serve as the Navajo Nation ~~Photo Tribal Identification Card/Navajo Nation Passport~~ issuing office in accord with applicable laws and policies, including but not limited to, Western Hemisphere Travel Initiative, Department of Homeland Security, and federal and state voter identification requirements.

II. PURPOSE

- A. ~~The Navajo Office of Vital Records and Identification~~ NOVRI shall provide Navajo Nation enrollment, vital records, Navajo Nation ~~Photo Tribal Identification Card/Navajo Nation Passport~~ services at its Window Rock office, and each of the five agencies of Chinle, Crownpoint, Fort Defiance, Shiprock, and Tuba City, and in the three satellite communities of Alamo, To'hajiilee and Ramah.
- B. ~~The~~ NOVRI shall develop and maintain an accurate and current record of individual Navajo Nation enrolled members and families for purposes of vital statistics such as: records of birth, death, residence, benefit eligibility and related matters; domestic relations records such as marriage, divorce, child custody, paternity, adoption and related matters; and records pertaining to probate, descent, and distribution of property rights and related matters. NOVRI functions shall also specifically include the issuance of Certificates of Navajo Indian Blood, and other requested services, such as Navajo Nation marriage licenses and certificates, and Navajo Nation ~~Photo Tribal Identification Cards or Navajo Nation Passports~~ (compliant with, at a minimum, Western Hemisphere Travel Initiative, Department of Homeland Security, and federal and state voter identification requirements).
- C. ~~The Navajo Office of Vital Records and Identification~~ NOVRI shall further provide such assistance and maintain such records as may be required in connection with or in addition to the development and maintenance of an official Navajo Nation Roll.

III. PERSONNEL

- A. NOVRI staff shall consist of a Manager and technical support staff. The technical support staff shall be located at the Window Rock, Agency, and satellite community offices. The Manager shall be assigned to the Window Rock office.
- B. The Manager shall be hired and supervised by the Director, Division of Human Resources, to carry out the objectives of the program.

- C. The technical support staff will be hired by the Manager to carry out the purposes stated herein and in accordance with the Navajo Nation Personnel Policies Manual.

IV. RESPONSIBILITIES AND AUTHORITY

- A. The Manager shall be responsible to the Director, Division of Human Resources, to carry out the objectives of the program.
- B. The responsibilities of the Manager are to:
 - 1. Formulate administrative and operating policies and procedures, under the direction of the Director, Division of Human Resources.
 - 2. Formulate plans and provide program direction and evaluation to accomplish program and contract objectives pursuant to the program's Scope of Work.
 - 3. Maintain general supervision, direction, discipline and evaluation of all personnel in the performance of their duties, in accordance with the Navajo Nation Personnel Policies Manual.
 - 4. Seek outside funding sources, including contracts, for program operation, equipment and technical assistance, in accordance with all applicable laws and policies.
 - 5. Provide or obtain training, as necessary, for personnel.
 - 6. Oversee the financial and property management functions, such as payroll, equipment maintenance and security according to applicable laws and policies.
 - 7. Assist in the enrollment process in accordance with 1 N.N.C., Section 701, et seq.
 - 8. Provide administrative and technical assistance to the Enrollment Screening Committee in accordance with 1 N.N.C., Section 701, et seq.
 - 9. Provide testimony and technical assistance to the Navajo Nation courts and other courts on enrollment matters, as needed.
 - 10. Initiate and maintain working relationships with the Bureau of Indian Affairs, federal and state agencies, other tribal enrollment programs, and the Navajo Election Administration.
 - 11. Prepare an annual budget for external and general funds, and other reports as may be required, in coordination with the ~~Office of~~ Contracts and Grants Section, Office of Management and Budget, and Division of Human Resources.
 - 12. Administer special revenue and/or enterprise fund accounts for fees collected by the Navajo Office of Vital Records and Identification as user charges to process and issue Navajo Nation marriage licenses, various proof of enrollment documents, and Navajo Nation ~~Photo~~ Tribal Identification Cards or Navajo Nation Passports, pursuant to 9 N.N.C. § 6, and other applicable laws and policies.

- C. The NOVRI shall protect all enrollment records and other vital statistics records from unlawful, unwarranted or indiscriminate disclosure and shall keep all records secure and confidential in accordance with applicable Navajo Nation and federal laws.
- D. Subject to available funds, at the request of enrolled Navajo individuals, on established forms and for established fees, the NOVRI will process and issue Navajo Nation ~~Photo Tribal~~ Identification Cards/~~Navajo Nation Passports~~ which will be acceptable forms of photo identification for state and federal elections, and meet Western Hemisphere Travel Initiative and the Department of Homeland Security international travel requirements.

V. LEGISLATIVE OVERSIGHT

Legislative oversight for the Navajo Office of Vital Records and Identification shall be provided by the Health, Education and Human Services Committee of the Navajo Nation Council pursuant to 2 N.N.C. § ~~604(B)(5)~~ 401(C)(1) & (6).

IV. AMENDMENT

This Plan of Operation may be amended, modified or rescinded as deemed necessary by the ~~Government~~ Health, Education, and Human Services Committee of the Navajo Nation Council at the recommendation of the Division of Human Services Committee of the Navajo Nation Council Resources.

Document No. 012171

Date Issued: _____

EXHIBIT

B

EXECUTIVE OFFICIAL REVIEWTitle of Document: Plan of Operation Revision-Vital Records Contact Name: DUNCAN, RONALD DProgram/Division: DIVISION OF HUMAN RESOURCESEmail: rduncan@navajo-nsn.gov Phone Number: (928) 871-6883

		Sufficient	Insufficient
<input type="checkbox"/>	Business Site Lease		
1. Division:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)			
3. Office of the Attorney General:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions		
1. Division:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications		
1. Office of Management and Budget:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Navajo Housing Authority Request for Release of Funds		
1. NNEPA:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Lease Purchase Agreements		
1. Office of the Controller:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
(recommendation only)			
2. Office of the Attorney General:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Grant Applications		
1. Office of Management and Budget:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval		
1. Division:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Relinquishment of Navajo Membership		
1. Land Department:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Elections:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ Land Withdrawal or Relinquishment for Commercial Purposes

Sufficient Insufficient

1. Division: _____ Date: _____ ☐ ☐
2. Office of the Attorney General: _____ Date: _____ ☐ ☐

☐ Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases

1. NLD _____ Date: _____ ☐ ☐
2. F&W _____ Date: _____ ☐ ☐
3. HPD _____ Date: _____ ☐ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA _____ Date: _____ ☐ ☐
6. DNR _____ Date: _____ ☐ ☐
7. DOJ _____ Date: _____ ☐ ☐

☐ Rights of Way

1. NLD _____ Date: _____ ☐ ☐
2. F&W _____ Date: _____ ☐ ☐
3. HPD _____ Date: _____ ☐ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA _____ Date: _____ ☐ ☐
6. Office of the Attorney General: _____ Date: _____ ☐ ☐
7. OPVP _____ Date: _____ ☐ ☐

☐ Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease

1. Minerals _____ Date: _____ ☐ ☐
2. OPVP _____ Date: _____ ☐ ☐
3. NLD _____ Date: _____ ☐ ☐

☐ Assignment of Mineral Lease

1. Minerals _____ Date: _____ ☐ ☐
2. DNR _____ Date: _____ ☐ ☐
3. DOJ _____ Date: _____ ☐ ☐

☐ ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)

1. NLD _____ Date: _____ ☐ ☐
2. F&W _____ Date: _____ ☐ ☐
3. HPD _____ Date: _____ ☐ ☐
4. Minerals _____ Date: _____ ☐ ☐
5. NNEPA _____ Date: _____ ☐ ☐
6. DNR _____ Date: _____ ☐ ☐
7. DOJ _____ Date: _____ ☐ ☐
8. OPVP _____ Date: _____ ☐ ☐



☒ OTHER: Plan of Operation

1. Division - Human Resources See file Date: 3/11/2019 ☒ ☐
2. OMB - MPS _____ Date: _____ ☐ ☐
3. DOJ V. Blum Date: 3/14/19 ☒ ☐
4. _____ Date: _____ ☐ ☐
5. _____ Date: _____ ☐ ☐



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ	
3/11/19 4:26pm	DATE / TIME
<input type="checkbox"/> 7 Day Deadline	
DOC #: 012171	
SAS #:	
UNIT: H59w	

☐ RESUBMITTAL

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE			
DATE OF REQUEST: <u>March 11, 2019</u>		ENTITY/DIVISION: <u>DJR-NOVRI</u>	
CONTACT NAME: <u>RON DUNCAN</u>		DEPARTMENT: <u>Vital Records</u>	
PHONE NUMBER: <u>928 871 6883</u>		E-MAIL: <u>rduncan@navajo-nm.gov</u>	
TITLE OF DOCUMENT: <u>Plan of Operations Revision - NOVRI</u>			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: <u>3/11/19 @ 4:30 PM</u>		REVIEWING ATTORNEY/ADVOCATE: <u>CJS</u>	
DATE/TIME OUT OF UNIT: <u>3/14/19 @ 3:40 PM</u>			
DOJ ATTORNEY / ADVOCATE COMMENTS			
<u>Sufficient With a Couple minor suggestions.</u>			
REVIEWED BY: (PRINT) <u>Chris Sweitzer</u>	DATE / TIME <u>14 MAR 15 / 9:23</u>	SURNAMED BY: (PRINT) <u>V Blackhat</u>	DATE / TIME <u>3/14/19 3:14 PM</u>
DOJ Secretary Called: <u>Called X6883 3x's no answer Ron</u>		for Document Pick Up on <u>3/14/19</u> at <u>3:40 PM</u> By: <u>[Signature]</u>	
PICKED UP BY: (PRINT) <u>RON DUNCAN</u>		DATE / TIME: <u>3/19/19 11:17 AM</u>	

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO: Reviewers

FROM:

A blue ink signature of Ronald D. Duncan, consisting of stylized initials and a surname.

Ronald D. Duncan, Program Manager I
Navajo Office of Vital Records & Identification (NOVRI)

DATE: March 11, 2019

RE: Revised Plan of Operation - NOVRI

This memorandum is to provide information regarding the proposed revision of the Plan of Operation for NOVRI. Previous proposed revisions in the 164 process are to be disregarded.

The statutory reference for the current Plan of Operation for NOVRI is GSCMY-14-09 from 2009. The Plan of Operation refers to legislative committees no longer in existence and this proposed revision is to update the Plan of Operation to reflect our current legislative oversight committee to the Health, Education, and Human Services Committee.

There were also changes made to refer to the Scope of Work as established by the Annual Funding Agreement since NOVRI is a Public Law 93-638 program and receives Federal funding via a 638 contract. What work is to be performed by NOVRI is established through the Scope of Work as negotiated between the Navajo Nation and the Bureau of Indian Affairs.

There is also a change to reflect the current policy and procedure for the Navajo Nation Tribal Identification Card – the card is not called a passport although it will function as one once international travel requirements are met.

Should you have any questions about this proposed Plan of Operation revision, please contact me at (928) 871-6883

c: RQuintana, SOS, NOVRI
 File

NAVAJO OFFICE OF VITAL RECORDS & IDENTIFICATION

POST OFFICE BOX 3240 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6386 · FAX: (928) 871-6397

RESOLUTION OF THE
GOVERNMENT SERVICES COMMITTEE
OF THE NAVAJO NATION COUNCIL

21ST NAVAJO NATION COUNCIL - THIRD YEAR, 2009

AN ACTION

RELATING TO HUMAN SERVICES AND GOVERNMENT SERVICES;
AMENDING THE PLAN OF OPERATION FOR THE NAVAJO OFFICE OF
VITAL RECORDS AND IDENTIFICATION

BE IT ENACTED:

1. The Navajo Nation hereby amends the Plan of Operation for the Navajo Office of Vital Records and Identification, as set forth in the attached Exhibit A.

2. The amended Plan of Operation for the Navajo Office of Vital Records and Identification approved herein shall supersede the Plan of Operation for the Navajo Office of Census and Vital Statistics approved by Resolution ACD-181-82, and the Plan of Operation for the Navajo Office of Vital Records contained in the Master Plan of Operation for the Division of Human Resources approved by Resolution GSCAU-39-90.

3. The amended Plan of Operation for the Navajo Office of Vital Records and Identification approved herein will authorize the Office to develop, process and issue Navajo Nation Photo Identification Cards or Navajo Nation Passports that will meet state and federal voter identification specifications and enable international travel in accord with the Western Hemisphere Travel Initiative.

ORIGINAL

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Government Services 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 5 in favor, 0 opposed, this 12th day of May, 2009.



Lee Jack, Sr., Pro Tem Chairperson
Government Service Committee

Motion: Charles Damon, II
Second: Orlanda Smith Hodge

ORIGINAL

Exhibit A

PLAN OF OPERATION
FOR THE
NAVAJO OFFICE OF CENSUS
AND VITAL STATISTICS RECORDS AND IDENTIFICATION

I. ESTABLISHMENT

~~Pursuant to functional statements for the present Division of Administration and Finance, as approved by Navajo Tribal Council Resolution CAU 50-59, a The Navajo Office of Vital Records and Identification ("NOVRI") is hereby Statistics Department was established within the Division of Administration and Finance, Human Resources, in the Executive Branch of the Navajo Nation Government, for the purpose of planning, organizing and administering functions as contracted pursuant to P.L. 93-638 as amended, with the Bureau of Indian Affairs. Subject to available funds, the NOVRI shall also serve as the Navajo Nation Photo Identification Card/Navajo Nation Passport issuing office in accord with applicable laws and policies, including but not limited to, Western Hemisphere Travel Initiative, Department of Homeland Security, and state and federal voter identification requirements. a program designed to produce an official Navajo Tribal Roll, as set forth in Title 2, Navajo Tribal Code, prior Sec. 2201. The 1978 Budget, page III-1 substituted "Information Services Department" for "Vital Statistics Department", as codified by present Title 2, Navajo Tribal Code, Sec. 2203, with the same duties and responsibilities for producing an official Navajo Tribal Roll, together with the duties and responsibilities contained in the Plan of Operation for a Central Records Department approved and adopted by Advisory Committee Resolution ACAU-163-77 and codified by present Title 2, Navajo Tribal Code, Sees. 2201 and 2202. The 1983 Budget and organizational chart for the Information Services Department with the Division of Administration and Finance (Exhibit "A"), assigns the functions and responsibilities for developing an official Navajo Tribal Roll to the Office of Census and Statistical Services, separately from the functions of the Office of Records and~~

~~Communications, as enumerated in the Plan of Operation for the Central Records Office, approved by ACAU-163-77.~~

~~The Office of Census and Statistical Services is hereby redesigned and established by the Advisory Committee of the Navajo Tribal Council as the Navajo Office of Census and Vital Statistics, within the Information Services Department, Division of Administration and Finance.~~

~~II. PROCEDURES, RULES AND STANDARDS PURPOSE~~

~~In 1954, the Navajo Tribal Council authorized the Advisory Committee to establish procedures, rules and standards for membership and enrollment in the Navajo Tribe (1 N.T.C. Sec. 504). Navajo Tribal membership and enrollment procedures were established by Navajo Tribal Council Resolution CJ 50-53 as amended by CJY 70-69 and Advisory Committee Resolution ACS 39-55, presently codified by 1 N.T.C. Sec. 501 through 560. These provisions are not rescinded or modified by 2 N.T.C. Sec. 2201 through 2203. Thus, the Navajo Office of Census and Vital Statistics remains under the legislative oversight of the Advisory Committee of the Navajo Tribal Council.~~

~~A. The Navajo Office of Vital Records and Identification shall provide Navajo Nation enrollment, vital records, Navajo Nation Photo Identification Card/Navajo Nation Passport services at its Window Rock office, and each of the five agencies of Chinle, Crownpoint, Fort Defiance, Shiprock and Tuba City, and in the three satellite communities of Alamo, Tóhajiilee and Ramah.~~

~~III. PURPOSE AND OBJECTIVES~~

~~The purposes and objectives of the Navajo Office of Census and Vital Statistics are to be responsible to the Division of Administration and Finance for planning, organizing, and administering a program designed to produce a Navajo Tribal Roll. The Department shall study problems and procedures related to Tribal rolls, adopted by various other tribes, in the application of their constitutional provisions and regulations. This is to provide information upon which to base recommendations for the establishment of Navajo regulations for a Tribal Roll. Upon acceptance by the Tribal Council, the~~

~~Department shall cooperate with the Navajo Agency Census Office to establish a Navajo Tribal Roll. The purpose of such a roll will be to clearly designate and identify all Navajo persons entitled to share in the services provided by the Tribe and such property as may hereafter be determined to be distributed in accordance with such procedures as the Navajo Tribal Council may establish. (2 N.T.C. Sec. 2203).~~

B. Additional functions The NOVRI shall be to develop and maintain an accurate and current record of individual Navajo Nation Tribal enrolled members and families for purposes of vital statistics such as; records of birth, death, residence, benefit eligibility and related matters; domestic relations records such as marriage, divorce, child custody, paternity, adoption and related matters; and records pertaining to probate, descent, and distribution of property rights and related matters. NOVRI functions shall also specifically include the issuance of Certificates of Indian Blood, and other requested services, such as Navajo Nation marriage licenses and certificates, and Navajo Nation Photo Identification Cards or Navajo Nation Passports (compliant with, at a minimum, Western Hemisphere Travel Initiative, Department of Homeland Security, and state and federal voter identification requirements).

C. The Navajo Office of Census and Vital Statistics Records and Identification shall further provide such assistance and maintain such current records as may be required by the Advisory Committee of the Navajo Tribal Council and the Enrollment Screening Committee, pertaining to their duties and authority (1 N.T.C. Chapter 7) for establishing eligibility for membership, enrollment, renunciation and reinstatement of enrollment in the Navajo Tribe, in connection with or in addition to the development and maintenance of an official Navajo Nation Tribal Roll, as prescribed by 2 N.T.C. Sec. 2203.

IV. ORGANIZATION

III. PERSONNEL

A. The Navajo Office of Census and Vital Statistics shall maintain a central office at Window Rock with satellite offices at each agency.

B. The NOVRI staff shall consist of a Manager and technical support staff. The technical support staff shall be located at the Central and Window Rock, Agency offices,

and satellite community offices. The Manager shall be assigned to the Window Rock Central Office.

V. ~~PERSONNEL~~

B.A. The Manager shall be hired and supervised by the Director, ~~Information Services Department, Division of Human Resources,~~ in accordance to with the Navajo Tribal Nation pPersonnel procedures Policies Manual and will serve according thereto.

C.B. The technical support staff will be hired by the Manager to carry out the purposes stated herein, and in accordance to with the Navajo Tribal Nation pPersonnel Policies Manual ~~procedures and will serve according thereto.~~

~~VI.IV. OFFICE MANAGER: AUTHORITY, DUTIES AND RESPONSIBILITIES~~
AND AUTHORITY

A. The Manager shall be responsible to the Director, ~~Information Services Department of the Division of Administration and Finance,~~ Human Resources, and to carry out the objectives of the program.

B. The responsibilities of the Manager are to:

1. ~~To f~~Formulate administrative and operating policies, ~~with the assistance of the legal staff, for the improvement of the Vital Statistics Program~~ under the direction of the Director, ~~Division of Administration and Finance~~ Human Resources and the ~~Advisory Committee.~~

2. ~~To f~~Formulate plans and ~~to~~ provide program direction and evaluation to accomplish objectives.

3. ~~To m~~Maintain general supervision, direction, discipline and evaluation of all personnel in the performance of their duties. ~~Cooperation in daily supervision at Agency offices may be assigned by agreement with the senior Bureau specialist at the Agency office , in accordance with Tribal~~ the Navajo Nation pPersonnel procedures, Policies Manual ~~which will be used in supervision of all Tribal personnel.~~

4. ~~To s~~Seek outside funding sources, including contracts, for program operation, equipment and technical assistance, ~~for final approval by the Advisory Committee of the Navajo Tribal Council~~ in accordance with all applicable laws and policies.

5. ~~To~~pProvide or obtain training, as necessary, for personnel.
 6. ~~To~~eOversee the financial and property management functions, such as payroll, equipment maintenance and security according to Navajo Tribal applicable laws and policies.
 7. ~~To~~aAssist in the enrollment process according to 1 N.F.N.C. § 701 et seq. Sec. 501 through 551, et. seq., and Tribal Enrollment Manual, as authorized and directed by the Advisory Committee of the Navajo Tribal Council.
 8. ~~To~~pProvide administrative and technical assistance to the Advisory Committee Enrollment Screening Committee in accordance with 1 N.N.C. § 701 et. seq. in enrollment matters.
 9. ~~To resolve unusual questions or issues with the Navajo Area or Agency personnel according to applicable Tribal rules and procedures.~~
 10. ~~To~~pProvide testimony and technical assistance to the Enrollment Screening Committee and the Tribal Navajo Nation Courts and other courts in on enrollment matters, as needed.
 10. Initiate and maintain contact and working relationships with the Bureau of Indian Affairs, federal and state agencies, other tribal enrollment programs, and the Navajo Election Administration.
 11. Prepare an annual budget for external and general funds, and other reports as may be required, in coordination with Office of Contracts and Grants, Office of Management and Budget, and Division of Human Resources.
 12. Administer special revenue and/or enterprise fund accounts for fees collected by the Navajo Office of Vital Records and Identification as user charges to process and issue Navajo Nation marriage licenses, various proof of enrollment documents, and Navajo Nation Photo Identification Cards or Navajo Nation Passports, pursuant to 9 N.N.C. § 6, and other applicable laws and policies.
- C. The NOVRI shall protect all enrollment records and other vital statistics records from unlawful, unwarranted or indiscriminate disclosure and shall keep all records secure and confidential in accordance with applicable Navajo Nation and federal laws.

D. Subject to available funds, at the request of enrolled Navajo individuals, on established forms and for established fees, the NOVRI will process and issue Navajo Nation Photo Identification Cards/Navajo Nation Passports which will be acceptable forms of photo identification for state and federal elections, and meet Western Hemisphere Travel Initiative and Department of Homeland Security international travel requirements.

~~VII. COORDINATION WITH ENROLLMENT SCREENING COMMITTEE~~

~~A. Cases, in which an applicant cannot be administratively enrolled for membership in the Navajo Tribe under the provisions of 1 N.T.C. Sec. 501 et seq., shall be presented by the Manager of the Navajo Office of Census and Vital Statistics to the Enrollment Screening Committee with a recommendation for disposition in the form of a proposed resolution with supporting documentation.~~

~~B. The Enrollment Screening Committee shall be guided by 1 N.T.C. Secs. 552 and 553, in considering the evidence on enrollment applications.~~

~~C. The Enrollment Screening Committee shall meet at the call of the Chairman or Vice Chairman, upon the request of the Manager, Navajo Office of Census and Vital Statistics to hear a case.~~

~~VIII. RECORDS~~

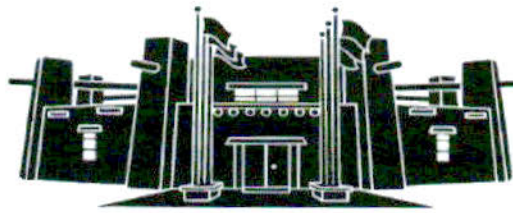
~~Navajo vital records developed by the Bureau of Indian Affairs according to the Treaty of 1868 between the Navajo Tribe and the United States are Federal records and as such, are protected by the Privacy Act 1974, 5 U.S.C. 552. Nothing herein shall be construed however, as limiting full access to such records as may be required by members of the Advisory Committee of the Navajo Tribal Council or The Enrollment Screening Committee in the performance of their official duties as prescribed in 1 N.T.C. Secs. 501 through 560, et. seq.~~

V. LEGISLATIVE OVERSIGHT

Legislative oversight for the Navajo Office of Vital Records and Identification shall be provided by the Human Services Committee of the Navajo Nation Council pursuant to 2 N.N.C. § 604(B)(5).

IX VI. AMENDMENT

This Plan of Operation may be amended, modified or rescinded as deemed necessary by the ~~Advisory~~ Government Services Committee of the Navajo ~~Tribal~~ Nation Council at the recommendation of the Human Services Committee of the Navajo Nation Council.



MEMORANDUM

TO: Honorable Edison J. Wauneka
24th Navajo Nation Council
Health, Education, and Human Services Committee

FROM: Kristen Lowell
Kristen Lowell, Principal Attorney
Office of Legislative Counsel

DATE: May 7, 2019

SUBJECT: AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, AMENDING THE NAVAJO OFFICE OF VITAL RECORDS AND IDENTIFICATION

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. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

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.