



23rd Navajo Nation Council

MEMORANDUM

To : Manuel Rico, Senior Programs and Projects Specialist
OFFICE OF LEGISLATIVE SERVICES

From : 1-711
Tom Platero, Executive Director
OFFICE OF LEGISLATIVE SERVICES

Date : January 9, 2019

Subject : ***23rd Navajo Nation Council Expired Legislation***

Pursuant to 2 N.N.C. § 164 (A) (1), "The last day for consideration of resolutions shall be December 31st of the year immediately preceding the swearing in of the new Council", the following legislation need to be closed out and labeled as "expired":

NAVAJO NATION COUNCIL:

0399-17	0424-17	0098-18	0136-18
0183-18	0224-18	0328-18	0344-18
0356-18	0358-18	0367-18	0373-18
0385-18	0393-18	0404-18	0416-18
0422-18			

NAABIK'YATI' COMMITTEE:

0224-15	0361-16	0341-18	0406-18
0418-18	0427-18		

BUDGET AND FINANCE COMMITTEE:

0021-17	0392-17	0099-18	0261-18
0287-18	0398-18	0435-18	0436-18

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE:

0414-18	0419-18	0451-18
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LAW AND ORDER COMMITTEE:

0114-17	0031-18	0217-18	0307-18
0353-18	0360-18	0364-18	0437-18

RESOURCES AND DEVELOPMENT COMMITTEE:

0402-15	0104-16	0121-16	0183-16
0282-16	0296-16	0370-16	0384-16
0135-17	0176-17	0386-17	0400-17
0076-18	0395-18	0415-18	0443-18

Legislation need to be closed out as soon as possible. If you have any questions, please let me know.

CONCURRENCE:



Honorable LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

COPIES: Pete K. Atcitty, Chief of Staff, Office of the Speaker
Ed McCool, Acting Chief Legislative Counsel, Office of Legislative Counsel
Files

LEGISLATIVE SUMMARY SHEET

Tracking No. 0451-18

DATE: December 21, 2018

AN ACT RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; MAKING CERTAIN AMENDMENTS TO THE POLICIES AND PROCEDURES FOR FINANCIAL ASSISTANCE FROM THE NAVAJO NATION VETERANS TRUST FUND AS ADMINISTERED BY THE NAVAJO NATION DEPARTMENT OF VETERANS AFFAIRS AND ORIGINALLY APPROVED BY RESOLUTION HEHSCF-002-12

PURPOSE: The purpose of this legislation is to make certain amendments to the policies and procedures for financial assistance from the Navajo Nation Veterans Trust Fund.

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:
Website Posting Time/Date: 12:16PM 12/24/18
Posting End Date: 12/29/2018
Eligible for Action: 12/30/2018

PROPOSED NAVAJO NATION COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL—Fourth Year, 2018

INTRODUCED BY

EDUCATION

Primary Sponsor

TRACKING NO. 0451-18

AN ACT

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; MAKING
CERTAIN AMENDMENTS TO THE POLICIES AND PROCEDURES FOR
FINANCIAL ASSISTANCE FROM THE NAVAJO NATION VETERANS TRUST
FUND AS ADMINISTERED BY THE NAVAJO NATION DEPARTMENT OF
VETERANS AFFAIRS AND ORIGINALLY APPROVED BY RESOLUTION
HEHSCF-002-12

BE IT ENACTED:

SECTION ONE. AUTHORITY

The Health, Education and Human Services Committee has the statutory oversight of Navajo Nation policies regarding the delivery of social services and health services to the Navajo People. 2 N.N.C. § 400 (C)(4)

SECTION TWO. FINDINGS

A. The Health, Education and Human Services Committee of the Navajo Nation, through Resolution HEHSCF-002-12, approved amendments to the Department of Navajo Veterans Affairs policies and procedures for financial assistance from the Navajo Nation Trust Fund. See Exhibit A.

1 B. The Navajo Veterans Administration has requested additional amendments be made to
2 the Policy and Procedures and such revisions have been reviewed by the Department of
3 Justice. See Exhibit B.

4 C. The Health, Education and Human Services Committee finds it to be in the best interest
5 of the Navajo People to approve the amendments to the Policy and Procedures of the
6 Navajo Veterans Administration as found at Exhibit C.

7
8 **SECTION THREE. Approval**

9 The Health, Education and Human Services Committee of the Navajo Nation Council
10 hereby approves the proposed amendments to the Navajo Veterans Administration as
11 found at Exhibit C.
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HEHSCF-002-12

**RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
OF THE NAVAJO NATION COUNCIL**

22nd NAVAJO NATION COUNCIL – SECOND YEAR, 2012

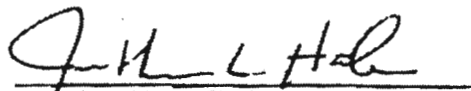
**AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES: APPROVING
THE AMENDMENT OF THE DEPARTMENT OF NAVAJO VETERANS AFFAIRS POLICIES
AND PROCEDURES FOR FINANCIAL ASSISTANCE FROM THE NAVAJO NATION TRUST
FUND**

BE IT ENACTED:

1. The Navajo Nation finds that the Navajo Nation approved six Navajo Nation Department of Veterans Affairs Financial Assistance Policies and Procedures for Navajo Veterans Affairs by Resolution HSCAU-10-10 including the Financial Assistance from the Navajo Nation Trust Fund.
2. The Navajo Nation hereby approves the amendment of the Department of Navajo Veterans Affairs Policies and Procedures for Financial Assistance from the Navajo Nation Trust Fund attached as Exhibit A.
3. The Navajo Nation shall implement the amended Department of Navajo Veterans Affairs Policies and Procedures for Financial Assistance from the Navajo Nation Trust Fund until such time as it is amended by resolution.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly considered by the Health, Education and Human Services Committee of the Navajo Nation Council at a duly called meeting at Fort Defiance, Navajo Nation (Arizona), at which a quorum was present and the same was passed by a vote of 4 in favor, 0 opposed and 0 abstained, this 8th day of February, 2012.


Jonathan Hale, Chairperson
Health, Education and Human Services
Committee

Motion: Honorable Walter Phelps
Second: Honorable Charles Damon

Policies and Procedures
Financial Assistance from the Navajo Nation Veterans Trust Fund
Department of Navajo Veterans Affairs
Division of Human Resources

I. Authorities

Pursuant to its Plan of Operation, the Department of Navajo Veterans Affairs, (hereinafter "DNVA") may provide financial assistance funded by the Navajo Nation Veterans Trust Fund (hereinafter "Veterans Trust Fund").

Pursuant to 12 N.N.C. § 1176(B), DNVA may provide assistance to individual Navajo veterans or other eligible individuals, see Section IV, and grants to Chapter Veterans Organizations (hereinafter "CVO") from the Veterans Trust Fund based on a formula as may be designated by DNVA.

All financial assistance and grants from the Veterans Trust Fund are contingent on the availability of funds.

II. Background

The Navajo Nation Council established the Veterans Trust Fund pursuant to Resolution CIY-46-98 with an initial appropriation of \$6.0 million. The intention was that the fund income/interest would be available for expenditure beginning October 1, 2003 or Fiscal Year 2004. The Navajo Nation Council approved the initial appropriation from the Veterans Trust Fund in September 2003.

Resolution CN-55-06 amended the Veterans Trust Fund by authorizing an annual transfer of 4% of all projected revenues of the Navajo Nation to the Veterans Trust Fund. 12 N.N.C. § 1176(C) provides that 95% of the 4% shall be used for veterans services and programs and 5% shall be used for administering the Veterans Trust Fund.

III. Purpose

The Veterans Trust Fund will provide funds for veterans programs, projects, services and activities which include but are not limited to program/project development, community/economic development, housing, training and employment opportunities, leveraging or matching funds for exemplary projects, protection and advocacy services, benefits-related services, education and scholarship, and survivor's benefits for surviving spouses of deceased veterans.

IV. Eligibility Criteria

Assistance will be provided, upon approval, for a Navajo veteran, a surviving spouse of a deceased Navajo veteran or a Gold Star mother. Grants will be approved for CVOs in accordance with each CVO's Veterans Trust Fund budget. Navajo veterans or other eligible individuals and CVOs must meet the following eligibility criteria:

- A. Must be a Navajo veteran whose character of discharge is other than dishonorable and must submit a copy of a DD-214 or Discharge Certificate.
- B. Must be an enrolled member of the Navajo Nation and be registered to vote in his/her Navajo chapter.
- C. Is a surviving spouse of a Navajo veteran and must submit a copy of the Navajo veteran's death certificate and a DD-214.
- D. Is a Gold Star mother and must submit a copy of a U.S. Department of Defense official notification that her son or daughter was killed in action or a death certificate.
- E. Is a duly organized CVO with duly elected or appointed CVO officers.
- F. DNVA employees who are Navajo veterans are not eligible to receive assistance from the Veterans Trust Fund. (Any DNVA employee who is a Navajo veteran may request assistance from the Navajo Nation Employee Assistance Program or other appropriate programs.)

V. Allowable Expenditures

The following specific types of needs, services and activities may be approved for assistance or grants. Assistance goes to individuals and grants are for CVOs.

- A. Assistance for Navajo veterans, surviving spouses or Gold Star Mothers:
 - 1. Emergency assistance for food, vehicle fuel and utilities to cover costs for one month not to exceed \$300 (three hundred dollars) per assistance. This assistance is limited to two times per fiscal year per individual requesting such assistance.
 - 2. Emergency assistance for heating costs including firewood, pellets, coal, and propane not to exceed \$300 (three hundred dollars) per assistance. This assistance is limited to two times per fiscal year per individual requesting such assistance.

3. Home improvement costs for items such as lumber, windows, doors, insulation, paint, brushes, rollers, nails, doorknobs, septic tank clean-out, and chimney pipes not to exceed \$700 (seven hundred dollars). This assistance is limited to one time per fiscal year per individual requesting such assistance.

B. Assistance for Navajo veterans only:

1. Vehicle fuel costs, meals and lodging directly related to traveling to veterans hospitals for treatments and appointments but not to exceed \$150 (one hundred fifty dollars) in a fiscal year. See Section VI(F) relating to when an expedited procedure may be used.
2. Educational expenses limited to items such as books, course fees, and supplies not to exceed \$250 (two hundred fifty dollars) per fiscal year.
3. Travel expenses not to exceed \$75 (seventy five dollars) for individual Navajo veterans to attend workshops and conferences up to the amount allocated in the annual CVO budget.

Grant for CVOs only:

1. One time purchase or replacement cost of a United States flag or a Navajo Nation flag or a state flag (Arizona, New Mexico or Utah as appropriate) with a post and base.
2. Award plaques and certificates
3. Office supplies for a CVO
4. Food, paper ware, table cloths, decorations, and other similar items used for CVO meetings and holiday dinners.
5. Stipends up to \$75 (seventy five dollars) per meeting may be paid to each officer of a CVO for no more than 12 veterans meetings per fiscal year. The maximum number of officers to be compensated is three per CVO.
6. Travel expenses not to exceed \$150 (one hundred fifty dollars) per event for each CVO officer who attends workshops, conferences, and Agency meetings up to the amount allocated in the annual CVO budget.

7. Stipends up to \$200 (two hundred dollars) to assist a CVO upon its request to carry out welcome home activities and Memorial Day and Veterans Day activities contingent on the availability of funds.
8. Fuel costs to transport Navajo veterans in 501-C3 sponsored vans for medical appointments at veterans hospitals contingent on availability of funds.

VI. Procedures

- A. The Central DNVA Office shall allocate the annual Veterans Trust Fund appropriations in accordance with DNVA's formula such that each CVO shall be allocated a certain sum for its Veterans Trust Fund budget for the fiscal year.
- B. Each CVO shall develop and prepare a Veterans Trust Fund budget using Navajo Nation Budget Form 4 and based on its allocation for that fiscal year. This budget shall be duly approved by the CVO in a regularly scheduled meeting. The budget can include only the items listed in Section V. Agency DNVA Offices may assist CVOs in preparing the annual CVO budget.
- C. Each CVO shall forward its Veterans Trust Fund budget to the respective Agency DNVA Office and to the Central DNVA Office on or before October 15 of each fiscal year.
- D. No requests for assistance or grants shall be approved until the CVO's Veterans Trust Fund budget has been received by the respective Agency DNVA Office and the Central DNVA Office.
- E. Requests for assistance or a grant shall be processed according to the following:
 1. A Navajo veteran, a surviving spouse or a Gold Star mother must make his/her request in person or in writing for assistance in a regularly scheduled CVO meeting at his/her chapter. A CVO, through an officer, must make its request for assistance in a regularly scheduled CVO meeting at its respective chapter.
 2. The CVO may take action on the request for assistance or a grant.
 3. If the request is approved by the CVO, the individual or CVO requesting assistance or a grant shall prepare an assistance or grant packet that includes the sign-in sheet, the meeting agenda, the written minutes of the CVO meeting at which the assistance or grant was approved and any receipts, bill statements, invoices or other relevant documentation.

4. The individual or CVO requesting assistance or a grant shall forward the completed assistance or grant packet to the respective DNVA Agency Office and will complete the Financial Assistance Request form (Attachment A).
 5. The Agency Veterans Service Officer (hereinafter "VSO") will review and approve the assistance or grant, complete a Request for Direct Payment ("RDP") and forward the RDP, copies of the Financial Assistance Request form and the assistance or grant packet to Accounts Payable.
 6. The Agency DNVA personnel will send the assistance payment or grant to the individual or the CVO requesting assistance or grant or a vender, as appropriate.
- F. In the event that a Navajo veteran receives notice of a medical appointment for a date before the next regularly scheduled meeting and this notice is received in between CVO meetings, the Navajo veteran may use the following expedited procedure:
1. The Navajo veteran shall submit his/her medical appointment notification to his/her CVO Commander, or designee, and verbally request assistance for travel to his/her medical appointment.
 2. The CVO Commander shall immediately submit the request to the Agency VSO for prompt approval, and the VSO shall immediately forward the RDP to Accounts Payable with a "demand payment" memorandum.
 3. Central DNVA personnel shall immediately notify the VSO when the check is received.
 4. At the next regularly scheduled CVO meeting, the CVO Commander shall obtain ratification of any expedited approvals that were given since the last regularly scheduled CVO meeting.
- G. The Navajo Nation Procurement Policy shall be used where applicable and appropriate.

VII. Amendments

These Policies and Procedures may be amended upon the recommendation of DNVA, duly processed through the SAS review process, and upon review and approval of the Health, Education and Human Services Committee of the Navajo Nation Council.



NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

ETHEL B. BRANCH
ATTORNEY GENERAL


CHERIE ESPINOSA
ACTING DEPUTY ATTORNEY GENERAL



MEMORANDUM

TO: Ryan Sandoval, Acting Executive Director
Navajo Nation Veterans Administration
Office of the President and Vice President

FROM:


Christopher J. Schneider, Attorney
Human Services & Government Unit/NNDOJ
Office of the Attorney General



DATE: December 13, 2018

SUBJECT: **Additional Changes to “Policies and Procedures, Financial Assistance from the Navajo Nation Veterans Trust Fund.”**

The Department of Justice (DOJ) reviewed changes to these policies and procedures under Request for Services #18-2778. That review was completed on December 13, 2018. However, there were additional changes that the Navajo Nation Veterans Administration (NNVA) wanted reviewed DOJ has reviewed those changes.

- Remove “Division of Human Resources” from the top of the first page. NNVA is not a program of that Division any longer. NNVA under the Office of the President and Vice President.
- §VI(F)(2) is not clear. It appears that most of that paragraph is struck through but there is also a notation there is a part of it is okay. DOJ is not clear what is part of that paragraph is being eliminated and what part is being kept.

If this document is being sent to the Health, Education, and Human Services Committee (HEHSC) for consideration of these changes; that Committee will require that the changes be made using strike-through for the portions of the Policies and Procedures that NNVA wants eliminated and new language that is being inserted needs to be underlined so it is easier to quickly understand what is being changed. NNVA cannot submit handwritten changes to HEHSC.

If you have any questions, please feel free to contact me at (928) 871-6275.

CJS/cb.497

Polices and Procedures

Financial Assistance from the Navajo Nation Veterans Trust Funds

Department of Navajo Veterans Affairs Division of Human Resources

1. Authorities

Pursuant to its plan of Operation, the Department of Navajo Veterans Affairs, (hereinafter "~~DNVA~~" NNVA) (hereinafter "Veterans Trust Funds).

Pursuant to 12 N.N.C section 1176(B), NNVA may be provide assistance to individual Navajo veterans or other eligible individuals, see Section IV, and grant to Chapter Veterans Organizations (hereinafter ' CVO) from the Veterans Trust Fund based on the formal as may be designated by ~~DNVA~~ NNVA.

All financial assistance and grants from the Veterans Trust Fund are contingent on the availability of funds.

IV. Eligibility Criteria

f. ~~DNVA~~ NNVA employees who are Navajo veterans ~~are not~~ are eligible to receive assistance from the Veterans Trust Fund. (Any ~~DNVA~~ employee who is a Navajo veterans may request assistance from the Navajo Nation Employee Assistance Program or other appropriate programs).

VI. Procedures

→ Add - Chapt. Voter Registration should be Eliminated. NNVA is sufficient to show enrollment.

3. ~~If the request is approved by the CVO, the individual or CVO requesting assistance or a grant shall prepare an assistance of grant packet that includes the sign in sheet, the meeting agenda, the written minutes of the CVO meeting at which the assistance or grant was approved and pay receipts, bill statement, invoices or other relevant documentation.~~

3. The Navajo Veteran or surviving spouse will go to the perspective veterans agency office and directly request the Trust Funds assistance.

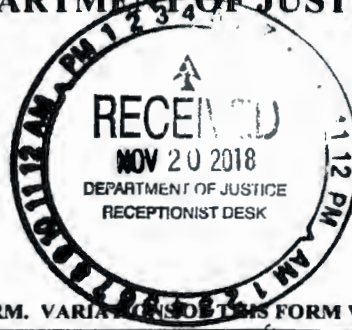
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NAVAJO NATION DEPARTMENT OF JUSTICE

REQUEST FOR SERVICES



DOJ
11/20/18 @ 3:44
DATE / TIME
RFS #: 18-2778
UNIT: #59W

☐ RESUBMITTAL

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

CLIENT TO COMPLETE

DATE OF REQUEST: 11-20-18 ENTITY/DIVISION: OPVD
CONTACT NAME: Ryan Sandoval DEPARTMENT: NMVA
PHONE NUMBER: 871-6958 E-MAIL: rsandoval@nmva.gov

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (attach documents):
Review and Amend Policy.

DEADLINE: BAD REASON:

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 11/20/18 @ 4:45 pm REVIEWING ATTORNEY/ADVOCATE: CJS
DATE/TIME OUT OF UNIT: 12/13/18 @ 10:20 am PREPARED BY (initial):

DOJ ATTORNEY / ADVOCATE COMMENTS

Sufficient - See notation on Document

REVIEWED BY: (PRINT) [Signature] DATE / TIME 13 Dec 18 / 8:33

DOJ Secretary Called: Ryan Sandoval for Document Pick Up on 12/13/18 at 1020 By: cb

PICKED UP BY: (PRINT) DATE / TIME:

Policies and Procedures
Financial Assistance from the Navajo Nation Veterans Trust Fund
Department of Navajo Veterans Affairs
Division of Human Resources

— Remove —
NNVA is under
OP/P now.

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III. Purpose

The Veterans Trust Fund will provide funds for veterans programs, projects, services and activities which include but are not limited to program/project development, community/economic development, housing, training and employment opportunities, leveraging or matching funds for exemplary projects, protection and advocacy services, benefits-related services, education and scholarship, and survivor's benefits for surviving spouses of deceased veterans.

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- Eligible*
- A. Must be a Navajo veteran whose character of discharge is ~~other than~~ *Honorable* and must submit a copy of a DD-214 or Discharge Certificate.
- B. ~~(Must be an enrolled member of the Navajo Nation) and be registered to vote in the Navajo chapter.~~ *↑ Provide CIB*
- C. Is a surviving spouse of a Navajo veteran and must submit a copy of the Navajo veteran's death certificate and a DD-214. *and Marriage License.*
- D. Is a Gold Star mother and must submit a copy of a U.S. Department of Defense official notification that her son or daughter was killed in action or a death certificate.
- E. Is a duly organized CVO with duly elected ~~or appointed~~ CVO officers.
- F. ~~DNVA employees who are Navajo veterans are not eligible to receive assistance from the Veterans Trust Fund. (Any DNVA employee who is a Navajo veteran may request assistance from the Navajo Nation Employee Assistance Program or other appropriate programs.)~~

V. Allowable Expenditures

The following specific types of needs, services and activities may be approved for assistance or grants. Assistance goes to individuals and grants are for CVOs.

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3. Home improvement costs for items such as lumber, windows, doors, insulation, paint, brushes, rollers, nails, doorknobs, septic tank clean-out, and chimney pipes not to exceed \$700 (seven hundred dollars). This assistance is limited to one time per fiscal year per individual requesting such assistance.

B. Assistance for Navajo veterans only:

1. Vehicle fuel costs, meals and lodging directly related to traveling to veterans hospitals for treatments and appointments but not to exceed \$150 (one hundred fifty dollars) in a fiscal year. See Section VI(F) relating to when an expedited procedure may be used.
2. Educational expenses limited to items such as books, course fees, and supplies not to exceed \$250 (two hundred fifty dollars) per fiscal year.
3. Travel expenses not to exceed \$75 (seventy five dollars) for individual Navajo veterans to attend workshops and conferences up to the amount allocated in the annual CVO budget.

Grant: for CVOs only:

1. One time purchase or replacement cost of a United States flag or a Navajo Nation flag or a state flag (Arizona, New Mexico or Utah as appropriate) with a post and base.
2. Award plaques and certificates
3. ~~Office supplies for a CVO~~
and Supplies
4. Food, ~~paper ware, table cloths, decorations, and other similar items~~ used for CVO meetings and holiday dinners.
5. Stipends up to \$75 (seventy five dollars) per meeting may be paid to each officer of a CVO for no more than ~~12~~ 6 veterans meetings per fiscal year. The maximum number of officers to be compensated is three per CVO.
6. Travel expenses not to exceed \$150 (one hundred fifty dollars) per event for each CVO officer who attends workshops, conferences, and Agency meetings up to the amount allocated in the annual CVO budget.

~~7. Stipends up to \$200 (two hundred dollars) to assist a CVO upon its request to carry out welcome home activities and Memorial Day and Veterans Day activities contingent on the availability of funds.~~

8. Fuel costs to transport Navajo veterans in 501-C3 sponsored vans for medical appointments at veterans hospitals contingent on availability of funds.

VI. Procedures

A. The Central DNVA Office shall allocate the annual Veterans Trust Fund appropriations in accordance with DNVA's formula such that each CVO shall be allocated a certain sum for its Veterans Trust Fund budget for the fiscal year.

B. Each CVO shall develop and prepare a Veterans Trust Fund budget using Navajo Nation Budget Form 4 and based on its allocation for that fiscal year. This budget shall be duly approved by the CVO in a regularly scheduled meeting. The budget can include only the items listed in Section V. Agency DNVA Offices may assist CVOs in preparing the annual CVO budget.

C. Each CVO shall forward its Veterans Trust Fund budget to the respective Agency DNVA Office and to the Central DNVA Office on or before ~~October 15~~ of each fiscal year. *July 31st*

D. No requests for assistance or grants shall be approved until the CVO's Veterans Trust Fund budget has been received by the respective Agency DNVA Office and the Central DNVA Office.

E. Requests for assistance or a grant shall be processed according to the following:

1. A Navajo veteran, a surviving spouse or a Gold Star mother must make his/her request in person or in writing for assistance ~~in a regularly scheduled CVO meeting at his/her chapter. A CVO, through an officer, must make its request for assistance in a regularly scheduled CVO meeting at its respective chapter.~~ *to the Agency NNVA Office.*

~~2. The CVO may take action on the request for assistance or a grant.~~

3. ~~If the request is approved by the CVO, the individual or CVO requesting assistance or a grant shall prepare an assistance or grant packet that includes the sign-in sheet, the meeting agenda, the written minutes of the CVO meeting at which the assistance or grant was approved and any receipts, bill statements, invoices or other relevant documentation.~~

4. ~~The individual or CVO requesting assistance or a grant shall forward the completed assistance or grant packet to the respective DNVA Agency Office and will complete the Financial Assistance Request form (Attachment A).~~
5. The Agency Veterans Service Officer (hereinafter "VSO") will review and approve the assistance or grant, complete a Request for Direct Payment ("RDP") and forward the RDP, copies of the Financial Assistance Request form and the assistance or grant packet to Accounts Payable.
6. The Agency DNVA personnel will send the assistance payment or grant to the individual or the CVO requesting assistance or grant or a vender, as appropriate.

F. In the event that a Navajo veteran receives notice of a medical appointment for a date before the next regularly scheduled meeting and this notice is received in between CVO meetings, the Navajo veteran may use the following expedited procedure:

1. The Navajo veteran shall submit his/her medical appointment notification to his/her CVO Commander, or designee, and verbally request assistance for travel to his/her medical appointment: *the Agency DNVA office*

2. *Paragraph 2 is unclear* The CVO Commander shall immediately submit the request to the Agency VSO for prompt approval, and the VSO shall immediately forward the RDP to Accounts Payable with a "demand payment" memorandum. *OK*

3. Central DNVA personnel shall immediately notify the VSO when the check is received.

4. ~~At the next regularly scheduled CVO meeting, the CVO Commander shall obtain ratification of any expedited approvals that were given since the last regularly scheduled CVO meeting.~~

G. The Navajo Nation Procurement Policy shall be used where applicable and appropriate.

VII. Amendments

These Policies and Procedures may be amended upon the recommendation of DNVA, duly processed through the SAS review process, and upon review and approval of the Health, Education and Human Services Committee of the Navajo Nation Council.



Policies and Procedures

Financial Assistance from the Navajo Nation Veterans Trust Fund

Department of Navajo Veterans Affairs

~~Division of Human Resources~~

Office of the President and Vice-President

1. Authorities

Pursuant to its Plan of Operation, the Department of Navajo Veterans Affairs, (hereinafter "~~DNVA~~" NNVA) may provide financial assistance funded by the Navajo Nation Veterans Trust Fund (hereinafter "Veterans Trust Funds").

Pursuant to 12 N.N.C. § 1176(B), ~~DNVA~~ NNVA may provide assistance to individual Navajo veterans or other eligible individuals, see Section IV, and grants to Chapter Veterans Organizations (hereinafter "CVO") from the Veterans Trust Fund based on a formula as may be designated by the ~~DNVA~~ NNVA.

All financial assistance and grants from the Veterans Trust Fund are contingent on the availability of funds.

* * * *

IV. Eligibility Criteria

Assistance will be provided upon approval, for a Navajo veteran, a surviving spouse or a deceased Navajo veteran or a Gold Star mother. Grants will be approved for CVOs in accordance with each CVO's Veterans Trust Fund budget. Navajo veterans or other eligible individuals and CVOs must meet the following eligibility criteria:

- A. Must be a Navajo veteran whose character of discharge is other than dishonorable and must submit a copy of a DD-214 or Discharge Certificate.
- B. Must be an enrolled member of the Navajo Nation ~~and be registered to vote in his/her Navajo chapter.~~
- C. Is a surviving spouse of a Navajo veteran and must submit a copy of the Navajo Veteran's death certificate and a DD-214.

- D. Is a Gold Star mother and must submit a copy of the U.S. Department of Defense official notification that her son or daughter was killed in action or a death certificate.
- E. Is a duly organized CVO with duly elected or appointed CVO officers.
- F. ~~DNVA~~ NNVA employees who are Navajo veterans are ~~not~~ eligible to receive assistance from the Veterans Trust Fund. (Any ~~DNVA~~ NNVA employee who is a Navajo veteran may request assistance from the Navajo Nation Employee Assistance Program or other appropriate programs.)

* * * *

VI Procedures

- A. The Central ~~DNVA~~ NNVA Office shall allocate the annual Veterans Trust Fund appropriations in accordance with the ~~DNVA~~ NNVA formula such that each CVO shall be allocated a certain sum for its Veterans Trust Fund budget for the fiscal year.
- B. Each CVO shall develop and prepare a Veterans Trust Fund budget using Navajo Nation Budget Form 4 and based on its allocation for that fiscal year. This budget shall be duly approved by the CVO in a regularly scheduled meeting. The budget can include only the items listed in Section V. Agency ~~DNVA~~ NNVA Offices may assist CVOs in preparing the annual CVO budget.
- C. Each CVO shall forward its Veterans Trust Fund budget to the respective Agency ~~DNVA~~ NNVA Office and to the Central ~~DNVA~~ NNVA Office on or before October 15 of each fiscal year.
- D. No requests for assistance or grants shall be approved until the CVO's Veterans Trust Fund budget has been received by the respective Agency ~~DNVA~~ NNVA and the Central ~~DNVA~~ NNVA Office.
- E. Requests for assistance or a grant shall be processed according to the following:
 - 1. A Navajo veteran, a surviving spouse or a Gold Star mother must make his/her request in person or in writing for assistance in a regularly scheduled CVO meeting at his/her chapter. A CVO, through an officer, must make its request for assistance in a regularly scheduled CVO meeting at its respective chapter.
 - 2. The CVO may take action on the request for assistance or a grant.
 - 3. ~~If the request is approved by the CVO, the individual or CVO requesting assistance or a grant shall prepare an assistance or grant packet that includes the sign-in sheet, the meeting agenda, the written minutes of the CVO meeting at which the assistance or grant was approved and any receipts, bill statement, invoices or other relevant documentation.~~

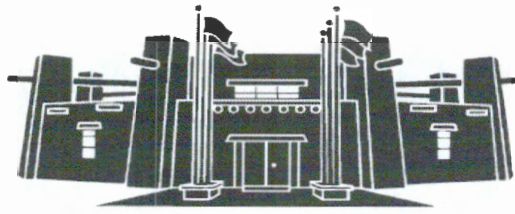
The Navajo Veteran or surviving spouse will go to the respective veterans agency office and directly request the Trust Funds assistance.

4. The individual or CVO requesting assistance or a grant shall forward the completed assistance or grant packet to the respective ~~DNVA~~ NNVA Agency Office and will complete the Financial Assistance Request form (Attachment A).
5. The Agency Veterans Service Officer (hereinafter "VSO") will review and approve the assistance or grant, complete a Request for Direct Payment ("RDP") and forward the RDP, copies of the Financial Assistance Request form and the assistance or grant packet to Accounts Payable.
6. The Agency ~~DNVA~~ NNVA personnel will send the assistance payment or grant to the individual or the CVO requesting assistance or grant or a vender, as appropriate.

* * * *

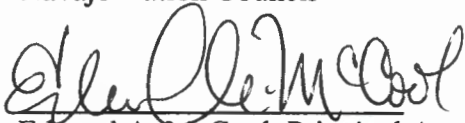
VII. Amendments

These Policies and Procedures may be amended upon the recommendation of the ~~DNVA~~ NNVA, duly processed through the SAS review process, and upon review and approval of the Health, Education and Human Services Committee of the Navajo Nation Council.



MEMORANDUM

TO: Honorable Olin Kieyoomia
Navajo Nation Council

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

DATE: December 21, 2018

AN ACT RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; MAKING CERTAIN AMENDMENTS TO THE POLICIES AND PROCEDURES FOR FINANCIAL ASSISTANCE FROM THE NAVAJO NATION VETERANS TRUST FUND AS ADMINISTERED BY THE NAVAJO NATION DEPARTMENT OF VETERANS AFFAIRS AND ORIGINALLY APPROVED BY RESOLUTION HEHSCF-002-12

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: 0451-18

SPONSOR: Olin Kieyoomia

TITLE: An Act Relating to Health, Education and Human Services; Making certain amendments to the Policies and Procedures for financial assistance from the Navajo Nation Veterans Trust Funds as administered by the Navajo Nation Department of Veterans Affairs and originally approved by resolution HEHSCF-002-12

Date posted: December 24, 2018 at 12:18pm

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.: 0451-18

SPONSOR: Honorable Olin Kieyoomia


TITLE: An Act Relating to Health, Education and Human Services; Making certain amendments to the Policies and Procedures for financial assistance from the Navajo Nation Veterans Trust Funds as administered by the Navajo Nation Department of Veterans Affairs and originally approved by resolution HEHSCF-002-12

Posted: December 24, 2018 at 12:18pm

5 DAY Comment Period Ended: December 29, 2018

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing (3)	1. Paul J. George 2. John I King 3. Hubert Smith
Inconclusive Comment	<i>None</i>



**Legislative Secretary II
Office of Legislative Services**

12/30/2018 7:58 pm

Date/Time

0451-18

pjgeorge@citlink.net

Fri 12/28/2018 11:29 AM

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

Do not pass Legislation No. 0451-18 There is no detail amendment provided in Legislation No. 0451-18 regarding what is being proposed amending to Veterans Trust Fund policies. The issue is that the sponsor is interim council delegate and that show he lack the understanding of the NN appropriation policies and procedures, and how the funds are processes. The current Veterans' Trust Fund policies and procedures is not broken nor is a problem with the chapter veterans organizations (CVO) handing the financial assistance for the needy veterans and beneficiaries. The chapter veterans' organizations are more knowledgeable about the needy veterans and beneficiaries in their communities than the Agency Veterans' Administrations. Secondly, Veteran and beneficiary applying from financial assistance at the Agency NVA. Allow veterans and beneficiaries filing for financial assistance with Agency Veterans Administration is potential for favoritism and/or greed. Examples: In 2018 the NN Audit General findings with Fort Defiance Agency Navajo Veterans Administration, a non-veteran by-passed the chapter veterans' organization and that non-veteran was assisted with veteran's house. (favoritism) In FY 2018, at Tsé Daa Kaan Chapter, a greedy veteran, a full time employed, by passed Shiprock Agency NVA and went directly to Central NVA to claimed hardship, energy and home improvement assistance. Central NVA approved his claims and he was issued a check in less than 2 weeks. This veteran claimed he was denied assistance at CVO and Agency NVA. CVO approved this veteran for home improvement material and energy. (Favoritism and Greedy) Lastly, the use of voter registration. The NN fund distribution policy, 50/50 format is base on voter registration. In 1989, Veterans Trust Fund established the Trust Income distribution on 50/50 format. It work well for the veterans and beneficiaries in the smaller populated chapters and larger populated chapters. Accountability is necessity in the use of the veterans trust fund. Destroying the veterans Trust fund policy is not good for the veterans and beneficiaries.

Paul J. George
Commander
Tse Daa Kaan CVO

As Commander for the Iyanbito Chapter veterans organization, I am speaking on behalf of the organization and express opposition to the proposed Legislation No. 0451-18, concerning changes to the current Navajo Nation Veterans Funds Financial Assistance Policies and Procedures for the following reasons:

1. Changes to many parts of the current Navajo Nation Trust Funds Policies and Procedures for Financial Assistance at this particular time is not in the best interest or beneficial use for NN veterans because there are confusing and misleading. The proposed changes also appear to be without input from all concerned veterans, as I am learning of some of the changes for the first time. The current Policies and Procedures has been in effect since it was distributed in July of 2010. Regardless that the policies and procedures needed updating over the past 2-3 administrations, it still provides general and useful guidance for veterans, and especially the Chapter Veterans Officers (CVO), for their use of the trust funds allocations and requests for related financial assistance. There are parts of the Policies and Procedures that require updating to reflect local veterans organization needs and concerns and relevant current industry standards, trends, and technology. However, the current proposed changes in this legislation does not properly or accurately reflect all changes needed. This includes language in the Legislated Navajo Nation Veterans Act and Navajo Nation Veterans Advisory Council roles and responsibilities that appear to conflict and/or confuse the concerned policies and procedures.
2. To delete the requirement for chapter voters registration as an eligibility requirement to receive financial assistance is a haphazard proposal as this will only open the door for more problems which the CVOs do not need or have time for:
 - a. The CVOs are volunteer individuals and not paid as employees of the NN for production, thereby creating more unnecessary burden on them to see if a veteran submitting a request is part of their community or not is not good judgment and policy.
 - b. Then there is the potential for double dipping opportunities by some and thus causing more grief and unnecessary work to verify (travel, calls, and follow ups) for the VSOs. It is critical to keep the voters registration a major part of the eligibility requirement.
 - c. There is also a direct relationship between the allocation of veterans trust funds and/or any other legislated funding for veterans under the general funds to each chapter veterans organization. The veterans trust funds distribution for each chapter is based on the developed and approved 50/50 formula which includes the voters registration tally. To delete the voters registration requirement for veterans will create cascading problems and issues for veterans and chapters, including inaccurate funding levels for chapter veterans organizations. This will in turn create more accountability issues for the veterans, NNVA and chapters.
3. To require each eligible requestor for financial assistance to trek clear up to the NN Central Veterans Affairs office to make/submit requests for financial assistance is also burdensome and just not well thought out. Most of the requests made with the local chapter veterans organization works and is not hindering any of the processing. The hindrance lies between the NNVA office and NN Accounts Payable due to lack of staff and/or outdated business practices and protocol. To require our veterans to travel clear to Window Rock from the far reaches of the NN is placing extreme added hardship on our veterans, especially the disabled and disadvantaged veterans. Furthermore, creating the seemingly shortcut for veterans straight to NNVA is not the answer when the current business process or resources is not corrected. The

agency NNVA offices provide a service that is more local and accessible for many as opposed to creating a more challenged access to services if all located in Window Rock NNVA. Again, it is preferred to have a complete review and overhaul of the current policies and procedures in a blueprint format that can be supported by the veterans in general before casting in stone.

4. The proposed Legislation No. 0451-18 is simply NOT A GOOD IDEA! It is A BAD IDEA! It is not based on any data or supporting material as to why it benefits more or how it will provide more or increased services or support for the veterans. There is agreement at some point the name change to the Navajo Nation Veterans Affairs in the document is required.

John I King
Commander, Iyanbito Chapter Veterans
505-401-3455

legislation 0451-18

Hubert Smith <hubertsmith335@yahoo.com>

Sat 12/29/2018 4:57 PM

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

Legislation 0451-18

I am writing this letter expressing my opposition to **Legislation 0451-18**. Although we need to change out certain language such as DNVA to NNVA, the current Navajo Nation Veterans Funds Financial Assistance Policies and Procedures should not be changed until all the veterans' organizations are aware of the proposed changes.

1. I am opposed to taking out the Chapter Voter Registration because;
 - a. The distribution of funds is based on the 50/50 format where the **veteran's voter registration** is the key criteria. Using this format allows equal distribution of funds to all small and large chapter communities.
 - b. We are currently aware that several veterans have registered with different agencies to get more assistance but have been caught because of the chapter voter registration.
 - c. Also, without a chapter voter registration, a veteran cannot be granted any funds for their funeral expenses from the Navajo Nation Social Services.
2. The elimination of the second policy will be replaced by making all veterans, Gold Star Mothers, and widow(er)s go to their respective agency offices to directly apply for funds from the veterans' trust funds.
 - a. This policy change will make it much harder for our members receive funding. A lot of veterans don't have either funds to travel, a transportation, time to go to the office and favoritism at the agency offices. Our NNVA offices are lacking staff and sending all our members there will be too much for them.
3. Lastly, both Eastern and Western veterans agencies along with the VA Advisory Council passed an opposing resolution at their respective duly called meeting. Health, Education and Human Service members should have been aware of these resolutions.
4. **Legislation 0451-18** is not a good idea at this time. Please consider my points as well as other veterans who have expressed their frustration. All veteran need to be made aware of these proposed changes and at this time, the majority of veterans have **NOT** been made aware about this proposed legislation and its content.

Respectfully,

Hubert Smith
Eastern Navajo Veterans Organization