

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0019-19

**DATE:** January 31, 2019

**TITLE OF RESOLUTION:** AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; FOR THE PURPOSE OF DISCUSSION, REAFFIRMATION, AND POSSIBLE AMENDMENT OF NABIN-69-18 TITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; RESPECTFULLY REQUESTING THE UNITED STATES VETERAN AFFAIRS ADMINISTRATION TO ESTABLISH DIRECT SERVICES ON THE NAVAJO NATION FOR NAVAJO NATION VETERANS"

**PURPOSE:** The purpose of this resolution is to reaffirm and possibly amend NABIN-69-18.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD:                       
Website Posting Time/Date: 4:33pm / 02-06-19  
Posting End Date: 02-11-19  
Eligible for Action: 02-12-19

Health, Education & Human Services Committee  
Thence  
Naabik'iyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL—FIRST YEAR, 2019

INTRODUCED BY

  
Primary Sponsor

TRACKING NO. 0019-19

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND  
NAABIK'ÍYÁTI' COMMITTEE; FOR THE PURPOSE OF DISCUSSION,  
REAFFIRMATION, AND POSSIBLE AMENDMENT OF NABIN-69-18 TITLED "AN  
ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND  
NAABIK'ÍYÁTI' COMMITTEES; RESPECTFULLY REQUESTING THE UNITED STATES  
VETERAN AFFAIRS ADMINISTRATION TO ESTABLISH DIRECT SERVICES ON THE  
NAVAJO NATION FOR NAVAJO NATION VETERANS"

WHEREAS:

- A. The Navajo Nation established the Health, Education and Human Services Committee ("HEHSC") as a Navajo Nation Council standing committee and as such empowered HEHSC to review and recommend resolutions regarding veterans and/or veteran services. 2 N.N.C. §§ 164 (A)(9), 400 (A), 401 (B)(6)(a) (2012). *See also* CO-45-12.
- B. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'iyáti' Committee to coordinate with all committees, Chapters, branches and entities concerned with all Navajo appearances and testimony before Congressional committees, and departments of the United States government. *See* 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(7)(8) (2015); *See also* CO-45-12.

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

3 D. The Naabik'íyáti Committee of the 23<sup>rd</sup> Navajo Nation Council passed NABIN-69-18  
4 titled "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN  
5 SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; RESPECTFULLY  
6 REQUESTING THE UNITED STATES VETERAN AFFAIRS  
7 ADMINISTRATION TO ESTABLISH DIRECT SERVICES ON THE NAVAJO  
8 NATION FOR NAVAJO NATION VETERANS" and is attached hereto as **Exhibit**  
9 **A.**

10  
11 NOW THEREFORE, BE IT RESOLVED:

12 A. The 24<sup>th</sup> Navajo Nation Council hereby reaffirms NABIN-69-18 as passed by the 23<sup>rd</sup>  
13 Navajo Nation Council.

14 B. The Navajo Nation through the 24<sup>th</sup> Navajo Nation Council respectfully requests the  
15 United States Department of Veterans Affairs to establish direct services on the Navajo  
16 Nation for Navajo veterans through NABIN-69-18 and this resolution.

17 C. The Navajo Nation through the 24<sup>th</sup> Navajo Nation Council hereby authorizes the Navajo  
18 Nation President, the Navajo Nation Speaker, Navajo Washington Office and their  
19 designees, to advocate for this request.  
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NABIN-69-18

RESOLUTION OF THE  
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE  
23<sup>rd</sup> NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND  
NAABIK'ÍYÁTI' COMMITTEES; RESPECTFULLY REQUESTING THE UNITED  
STATES VETERAN AFFAIRS ADMINISTRATION TO ESTABLISH DIRECT  
SERVICES ON THE NAVAJO NATION FOR NAVAJO NATION VETERANS

WHEREAS:

- A. The Navajo Nation established the Health, Education and Human Services Committee (HEHSC) as a Navajo Nation Council standing committee and as such empowered HEHSC to review and recommend resolutions regarding veterans and/or veteran services. 2 N.N.C. §§ 164 (A)(9), 400 (A), 401 (B)(6)(a) (2012). See also CO-45-12.
- B. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'íyáti' Committee to coordinate with all committees, chapters, branches and entities concerned with all Navajo appearances and testimony before Congressional committees, and departments of the United States government. See 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(8) (2015); See also CO-45-12.
- C. The Navajo Nation has a government-to-government relationship with the United States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- D. Historically, Native Americans served in the military at a higher rate than any other ethnic group. U.S. Gov'T ACCOUNTABILITY OFFICE, HEALTH CARE ACCESS: IMPROVED OVERSIGHT, ACCOUNTABILITY, AND PRIORITIZATION CAN IMPROVE ACCESS FOR NATIVE AMERICAN VETERANS 1 (2014).
- E. Currently, there are over 128,000 living Native American veterans with approximately 10,000 from the Navajo Nation. See U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates: 2011-2015 American Community Survey American Indian and Alaska Native Tables.




- F. Native American veterans have provided invaluable service and allegiance to the United States of America and bring great honor to their tribal communities.
- G. Within the last 5 years, reports of excessive and sometimes deadly waiting times for veterans seeking government healthcare came to light, and President Obama promised accountability. Scott Bronstein & Tom Cohen, *Obama: Shinseki stays for now, but VA misconduct will be punished*, CNN (May 23, 2014) available at [www.cnn.com](http://www.cnn.com).
- H. In 2010, tribal leaders and representatives offered comments on the U.S. Department of Veterans Affairs (VA) and Indian Health Service (IHS) 2010 Memorandum of Understanding and other health related issues. One comment recorded showed that IHS understood the native culture, languages, and background; however, IHS did not understand the specific needs of Native veterans like the VA, i.e. post-traumatic stress disorder (PTSD) and traumatic brain injury (TBI). DEPARTMENT OF VETERANS AFFAIRS: 2012 TRIBAL CONSULTATION REPORT 11 (2012).
- I. There is currently no United States Veterans Affairs office or services on the Navajo Nation. This requires Navajo veterans to travel off reservation to seek veterans services. The Navajo Nation has established a Veterans Administration through appropriations from the Navajo Nation General Fund; however assistance through the Navajo Veterans Administration is limited to housing and financial assistance.
- J. It is in the best interest of the Navajo Nation to request the United States Department of Veterans Affairs to establish direct services on the Navajo Nation to meet the needs of the Navajo veterans.

**NOW, THEREFORE, BE IT RESOLVED:**

- A. The Navajo Nation respectfully requests the United States Department of Veterans Affairs to establish direct services on the Navajo Nation for Navajo veterans.
- B. The Navajo Nation hereby authorizes the Navajo Nation President, the Navajo Nation Speaker, Navajo Nation Washington Office and their designees, to advocate for this request.

**CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23<sup>rd</sup> 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 10 in Favor, and 00 Opposed, on this 09<sup>th</sup> day of November 2018.

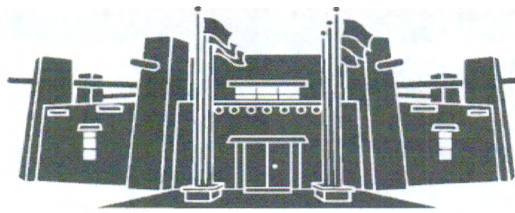
A handwritten signature in black ink, appearing to read 'LoRenzo C. Bates', written over a horizontal line.

LoRenzo C. Bates, Chairman  
Naabik'iyáti' Committee

Motioned: Honorable Lee Jack, Sr.  
Second : Honorable Leonard H. Pete

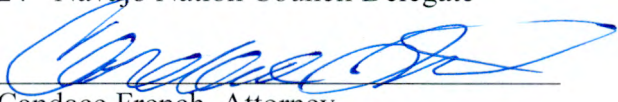
Chairman LoRenzo C. Bates not voting

*Pursuant to § 700 (D), A quorum of the committee shall be satisfied by the presence of two (2) members of each Standing Committee or a majority of delegates of the Navajo Nation Council.*



## MEMORANDUM

TO: Honorable Kee Allen Begay, Jr.  
24<sup>th</sup> Navajo Nation Council Delegate

FROM:   
Candace French, Attorney  
Office of Legislative Counsel

DATE: January 31, 2019

RE: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND NAABIK'ÍYÁTI' COMMITTEE; FOR THE PURPOSE OF DISCUSSION, REAFFIRMATION, AND POSSIBLE AMENDMENT OF NABIN-69-18 TITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; RESPECTFULLY REQUESTING THE UNITED STATES VETERAN AFFAIRS ADMINISTRATION TO ESTABLISH DIRECT SERVICES ON THE NAVAJO NATION FOR NAVAJO NATION VETERANS"

Per your request, attached is the above-reference proposed resolution and associated legislative summary sheet. Based on existing law, the resolution drafted is legally sufficient. However, as with all legislation, the proposed resolution is subject to review by the courts in the event of a challenge.

The Office of Legislative Counsel recommends the appropriate standing committee(s) reviews 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).

Please review the proposed resolution to ensure it is drafted to your satisfaction. If you approve, please sign as "Primary Sponsor" and submit it to the Office of Legislative Services where the proposed resolution will be given a tracking number and referred to the Office of the Speaker. If the proposed legislation is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0019-19\_\_\_\_\_

SPONSOR: Kee Allen Begay, Jr.

**TITLE: An Action Relating to Health, Education and Human Services Committee and Naabik'iyati' Committee; for the Purpose of Discussion, Reaffirmation and Possible Amendment of NABIN-69-18 Titled "An Action Relating to Health, Education and Human Services and Naabik'iyati' Committees; Respectfully requesting the United States Veterans Affairs Administration to Establish Direct Services on the Navajo Nation for Navajo Nation Veterans**

***Date posted: February 6, 2019 at 4:33pm***

**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.: 0019-19

SPONSOR: Honorable Kee Allen Begay, Jr.

TITLE: An Action Relating to Health, Education and Human Services Committee and Naabik'iyati' Committee; for the Purpose of Discussion, Reaffirmation and Possible Amendment of NABIN-69-18 Titled "An Action Relating to Health, Education and Human Services and Naabik'iyati' Committees; respectfully requesting the United States Veterans Affairs Administration to Establish Direct Services on the Navajo Nation for Navajo Nation Veterans

Posted: February 6, 2019 at 4:33 PM

5 DAY Comment Period Ended: February 11, 2019

Digital Comments received:

Comments Supporting	None
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



Legislative Secretary  
Office of Legislative Services

2/12/19 11:42am

Date/Time

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

**LEGISLATION NO.:** 0019-19

**SPONSOR:** Honorable Kee Allen Begay, Jr.

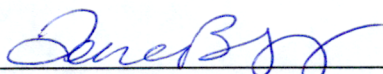
**TITLE:** An Action Relating to Health, Education and Human Services Committee and Naabik'iyati' Committee; for the Purpose of Discussion, Reaffirmation and Possible Amendment of NABIN-69-18 Titled "An Action Relating to Health, Education and Human Services and Naabik'iyati' Committees; respectfully requesting the United States Veterans Affairs Administration to Establish Direct Services on the Navajo Nation for Navajo Nation Veterans

**Posted:** February 6, 2019 at 4:33 PM

**5 DAY Comment Period Ended:** February 11, 2019

**Digital Comments received:**

<b>Comments Supporting</b>	<b>None</b>
<b>Comments Opposing</b>	<i>None</i>
<b>Inconclusive Comments</b>	<u><i>pjgeorge@citlink.net</i></u> <i>Requests President Nez to put together a disciplinary knowledgeable group, to explore a feasible way to get the Navajo Nation VA.</i>



**Legislative Secretary  
Office of Legislative Services**

2/25/19 10:47am

**Date/Time**



## 0019-19 and 0021-19

pjgeorge@citlink.net

Mon 2/25/2019 9:30 AM

To: comments &lt;comments@navajo-nsn.gov&gt;;

Yá'át'ééh! Legislation No. 0019-19 and 0021-19 are identical in nature, asking VA to provide direct veterans service on Navajo Nation. This is like a dog trying to get a porcupine off a tree. VA has MOU with Indian Health Service for veteran health care service. There are several VA community base health clinic in border towns, such as Farmington and Gallup. VA also have contract veterans counseling service in each state, i.e. Farmington has Veterans Counseling Service. The porcupine is not coming down to the dog. Tree is home to porcupine. For these reasons, I recommend Health, Education and Human Service Committee to request the President Nez to put together a study group, consists of multiply disciplinary knowledgeable people to explore the feasible way to get Navajo Nation designate Veterans Service Agency. Goals: 1st. Navajo Nation to request VA to designate NN as Veterans Service Agency. Similar to states are designated Veterans Service Agency. The VA Regional Office operate hospital, financial services, cemetery, nursing home and etc. in the designated veterans service agency area. The U.S. This may require Congressional action. 2nd Navajo Nation need to have update statistical data of the veterans population. 3rd Nation need to have NVA strategy plan develop and implement it (daily use). 4th Staff NVA with qualified Veterans. This mean to update the Navajo Veteran Preference Policy. I thank you for your service and advocacy for the veterans and families. Paul J. GeorgeCommanderTse' Daa Kaan CVONorthern Agency



Committee Report

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

LEGISLATION NO. 0019-19

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'IYATI'COMMITTEE; FOR THE PURPOSE OF DISCUSSION, REAFFIRMATION, AND POSSIBLE AMENDMENT OF NABIN-69-18 TITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'IYATI'COMMITTEES; RESPECTFULLY REQUESTING THE UNITED STATES VETERANS AFFAIRS ADMINISTRATION TO ESTABLISH DIRECT SERVICES ON THE NAVAJO NATION FOR NAVAJO NATION VETERANS"

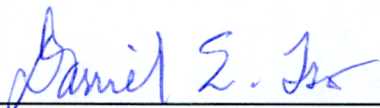
(Note: Eligible for Committee Action February 12, 2019)

Sponsor: Honorable Kee Allen Begay, Jr.

Sponsor: Honorable Charlaine Tso

Has had under consideration and report the same with the recommendation that Legislation 0019-19 DO NOT PASS with a recommendation to reassign back to Health, Education and Human Services Committee; no Amendment and no Directive; and therefore referred the same to the NAABIK'IYATI' COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,



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Daniel E. Tso, Chairperson  
Health, Education and Human Services Committee

February 25, 2019 - Main Motion

Motion by: Honorable Pernell Halona

Seconded by: Honorable Edison Wauneka

Vote: 4 in favor; 1 Opposed; Chairperson Not Voting

Yeas: Paul Begay; Pernell Halona; Charlaine Tso; Edison Wauneka

Nays: Nelson BeGaye

Absent (excused): None



HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE

Regular Meeting  
February 25, 2019

Roll Call  
Vote Tally Sheet

LEGISLATION NO. 0019-19

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'YATI' COMMITTEE; FOR THE PURPOSE OF DISCUSSION, REAFFIRMATION, AND POSSIBLE AMENDMENT OF NABIN-69-18 TITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'YATI' COMMITTEES; RESPECTFULLY REQUESTING THE UNITED STATES VETERANS AFFAIRS ADMINISTRATION TO ESTABLISH DIRECT SERVICES ON THE NAVAJO NATION FOR NAVAJO NATION VETERANS"

(Note: Eligible for Committee Action February 12, 2019)

Sponsor: Honorable Kee Allen Begay, Jr.

Sponsor: Honorable Charlene Tso

Has had under consideration and report the same with the recommendation that Legislation 0019-19 **DO NOT PASS with a recommendation to reassign back to Health, Education and Human Services Committee**; no Amendment and no Directive; and therefore referred the same to the **NAABIK'YATI' COMMITTEE OF THE NAVAJO NATION COUNCIL**

February 25, 2019 - Main Motion

Motion by: Honorable Pernell Halona

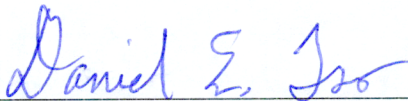
Seconded by: Honorable Edison Wauneka

Vote: 4 in favor; 1 Opposed; Chairperson Not Voting

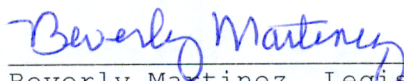
Yeas: Paul Begay; Pernell Halona; Charlene Tso; Edison Wauneka

Nays: Nelson BeGaye

Absent (excused): None



Daniel E. Tso, Chairperson  
Health, Education and Human Services Committee



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