LEGISLATION SUMMARY
Tracking No. 0024-22

Date: January 28, 2022

Re: **AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, LAW AND ORDER, AND NAABIK'ÍYÁTÍ COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION VETERANS TRUST FUND AT 12 N.N.C. §1176 TO CREATE SEPARATE BUSINESS UNIT NUMBERS WHEN FUNDING NAVAJO VETERANS' ORGANIZATIONS**

Purpose: to amend the Veterans Trust Fund statute to require the creation of separate business unit numbers whenever Navajo Nation funds are awarded to local veterans' organizations.

OLC No. 21-440-1

5-DAY BILL HOLD PERIOD: February
Website Posting Time/Date: January 28, 2022 3:45 pm
Posting End Date: February 2, 2022
Eligible for Action: February 3, 2022

Resources & Development Committee
Thence
Health Education & Human Services Committee
Thence
Budget & Finance Committee
Thence
Law & Order Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – Fourth Year, 2022

Introduced by:

(Prime Sponsor) Kee A Allan Begay Jr. Amber Kanazbah Crotty

Tracking No. 0024-22

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, LAW AND ORDER, AND NAABIK'ÍYÁTÍ COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION VETERANS TRUST FUND AT 12 N.N.C. §1176 TO CREATE SEPARATE BUSINESS UNIT NUMBERS WHEN FUNDING NAVAJO VETERANS' ORGANIZATIONS

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Resources and Development Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to "establish policies and legislation appropriate to the housing needs of the Navajo Nation and its People." 2 N.N.C. §500, §501(C)(3).

B. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and exercises oversight authority over veterans' services, among other duties and responsibilities. 2 N.N.C. §400, §401(C)(6).

C. The Budget and Finance Committee is a standing committee of the Navajo Nation Council that has the authority to review and recommend the budgeting, appropriation, investment, and management of all funds. 2 N.N.C. §301(B)(2).

D. The Law and Order Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to "review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments to the Navajo Nation Code." 2 N.N.C. §600(A), §601(B)(14).

E. The Naabik'íyáti Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to recommend resolutions to the Navajo Nation Council. 2 N.N.C. §700, §701(A)(3).

F. The Navajo Nation Council is the governing body of the Navajo Nation, and as such is empowered to amend Navajo Nation law. 2 N.N.C. §102.

SECTION TWO. FINDINGS

A. The Navajo Nation Veterans Trust Fund, 12 N.N.C. §§1171 - 1176, was established to provide funding for programs, projects and services or activities for Navajo veterans.

B. During the FY2022 Comprehensive Budget process, confusion arose regarding allocation of funds for local chapter veterans' organizations. Some funds were allocated in a single business unit for various local chapter veterans' organizations. This use of a single business unit number has concerned local chapter veterans' organizations because with this procedure there is no way to determine the amount of funds allocated for each of their respective organizations.

C. Clarity and transparency is recommended by Navajo veterans and they have therefore requested that the Navajo Nation Veterans Administration create individual business unit codes during the comprehensive budget process for each of the several local chapter veterans' organizations.

D. The Navajo Nation Council recognizes that there is a need to continue and prioritize funding for Navajo veterans, particularly at the local level.

SECTION THREE. APPROVING AMENDMENTS TO 12 N.N.C. § 1176

The Navajo Nation hereby amends the Navajo Nation Veterans Trust Fund, 12 N.N.C. §1176, as follows:

Title 12. Fiscal Matters

Subchapter 8. Navajo Nation Veterans Trust Fund

*****

§1176. Expenditure of Trust Fund

A. 75 percent (75%) of the total income earned, plus the current projected set aside of the Fund ~~will~~ shall be used as supplemental funding for programs and services to benefit veterans, as noted under §1172 on an annual basis, excluding two percent (2%), which shall be for the exclusive use of the Veterans Housing Program in accordance with 2 N.N.C. §1171(A) and with Navajo Nation Council Resolution No. CS-56-17. The Fund's income earned at the end of the previous audited fiscal year, plus the current fiscal year projected set aside, will be used to determine the allowable expenditure (i.e., budget purposes). The excess of the Fund income over expenditures shall be reinvested in the Fund to cover the rate of inflation and to provide for reasonable Fund growth.

B. Tribal grants to non-tribal government programs and projects shall be awarded in accordance with rules and regulations developed by the ~~Department of~~ Navajo Nation Veterans ~~Affairs~~ Administration, ~~in consultation with~~ and approved by the Health, Education and Human Services Committee of the Navajo Nation Council and, if required, the Navajo Nation Council.

C. Of the 75 percent (75%) of the Fund~~, total amount as set forth~~ as described in paragraph A, ninety-five percent (95%) ~~of the proceeds will~~ shall be used for the purposes set forth in Subsections (A) and (B) of this Section and five percent (5%) ~~will~~ shall be used for administrative purposes~~, and this will be reviewed further by the Office of Management and Budget and the Program~~.

D. The Navajo Nation Veterans Administration shall maintain a separate business unit for budgeting purposes for each local chapter veterans' organization whose plan of operation has been duly approved by its respective certified/non-certified Chapter or Township.

Except as provided at §1171, all Trust Fund income distribution shall be determined pursuant to all eligible Navajo veterans and distributed among those applicable Navajo Nation chapters to be expended in accordance with §1172 of this Plan.

****

SECTION FOUR. EFFECTIVE DATE

This legislation shall become effective in accordance with 2 N.N.C. §221(B).

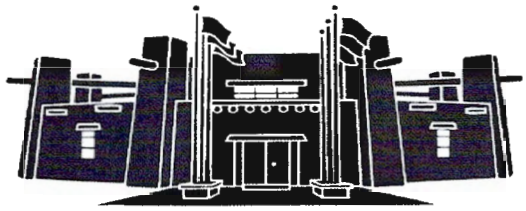
SECTION FIVE. CODIFICATON

The provisions of this legislation that amend the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

SECTION SIX. SAVING CLAUSE

If any provision of this legislation is determined invalid by the Navajo Nation Supreme Court, or a District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those portions of this legislation not determined invalid shall remain valid and effective.

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



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Hon. Kee Allen Begay, Jr.
Resources and Development Committee

FROM: Dana Bobroff
Dana Bobroff, Chief Legislative Counsel
Office of Legislative Counsel

DATE: January 28, 2022

RE: **AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, LAW AND ORDER, AND NAABIK'ÍYÁTÍ COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION VETERANS TRUST FUND AT 12 N.N.C. §1176 TO CREATE SEPARATE BUSINESS UNIT NUMBERS WHEN FUNDING NAVAJO VETERANS' ORGANIZATIONS**

Per your request, the Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to review by the Navajo Nation courts in the event of proper legal challenge.

Please ensure that this legislation is precisely what you want. You are encouraged to review this proposed legislation to ensure that it is drafted to your satisfaction.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. Nevertheless, the Speaker of the Navajo Nation Council may assign this legislation to committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find this document unacceptable for any reason, please immediately contact me at the Office of Legislative Counsel (at extension 7166) and advise me of the changes you would like made to this proposed legislation. Thank you.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0024-22__ **SPONSOR: Kee Allen Begay Jr.**

TITLE: An Action Relating to the Resources and Development, Health, Education and Human Services, Budget and Finance, Law and Order, and Naabik'íyáti Committees and the Navajo Nation Council; Amending the Navajo Nation Veterans Trust Fund at 12 N.N.C. §1176 to Create Separate Business Unit Numbers When Funding Navajo Veterans' Organizations

***Date posted*: January 28, 2022 at 3:45 PM**

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0024-22

SPONSOR: Honorable Kee Allen Begay Jr.

TITLE: An Action Relating to the Resources and Development, Health, Education and Human Services, Budget and Finance, Law and Order, and Naabik'íyáti Committees and the Navajo Nation Council; Amending the Navajo Nation Veterans Trust Fund at 12 N.N.C. §1176 to Create Separate Business Unit Numbers When Funding Navajo Veterans' Organizations

Posted: January 28, 2022 at 3:45 PM

5 DAY Comment Period Ended: February 2, 2022

Digital Comments received:

Comments Supporting	**1.) Gilbert Platero** **2.) Northern Navajo Veterans' Organization** **3.) Ronald Roy**
Comments Opposing	**1.) Marie Zwierlein**
Comments/Recommendations	**1.) Eugene Marshall**

VSRedhorse
Legislative Tracking Secretary
Office of Legislative Services

February 3, 2022; 10:30 AM
Date/Time

Legislation No: 0024-22

G Platero <gplatero60@gmail.com>

Tue 2/1/2022 1:11 PM

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

As Commander of the Eastern Navajo Veterans Organization, I am in total support of this legislation. It is imperative that each Chapter Veterans Organization receives their own Business Unit Number along with their own separate allocation of the Veterans Trust Funds.

The beginning of the current FY has been a total disaster. The entire ENA Veterans Trust Fund was depleted within two months. Many Veterans did not receive assistance, this was due to the manner in which the assistance requests were processed, with no accountability.

Many Veterans who did not need a specific type of assistance made the request and were awarded the funds, leaving many still in dire need. Agency Veterans Organizations and CVO's CANNOT wholeheartedly provide assistance to Veterans within their Chapters under the Consolidated Agency Budget Formula.

At an ENA Veterans Meeting, held 6 January 2022, many concerns were raised by Commanders of the ENA Veterans Organization. Commanders expressed the need for separate business accounts to better manage Trust Funds within their perspective Chapters.
The Eastern Navajo Agency Veterans Organization is in total support of Separate Business Unit Numbers as indicated within Legislation 0024-22 and to return to the 50/50 Formula to allocate funding to Chapter Veterans Organizations.

--
Gilbert Platero, Commander, ENA Veterans Organization
WARNING: External email. Please verify sender before opening attachments or clicking on links.

NORTHERN NAVAJO VETERANS' ORGANIZATION
Commander: Elouise Brown
Co-Commander: Vern Lee
Vice Commander: Calvin Charley
Secretary: Vacant

Resolution of Northern Navajo Veterans Organization

NNVO-04-22

NORTHERN NAVAJO VETERANS' ORGANIZATION SUPPORTS LEGISLATION RELATING TO THE RESOURCE AND DEVELOPMENT, HEALTH EDUCATION AND HUMAN SERVICES, LAW AND ORDER, AND NAABIK'ÍYÁTÍ COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING NAVAJO NATION VETERANS TRUST FUND, 12 N.N.C. § 1176, EXPENDITURE OF TRUST FUND

Whereas:

1. Pursuant to the Navajo Nation Veterans Act, Section One. Findings paragraph D. The purpose of this legislation is to establish a Veterans' administration under the Office of the President and Vice-President, which effectively and efficiently provides outreach, services and benefits to veterans; and

2. Pursuant to the same Act, Section One. Findings paragraph E. The legislation established Navajo Nation Veterans Advisory Council to recognize veterans and ensure participation in policies and data system development; and

3. Pursuant to the same Act, Section One. Findings paragraph M. There is a need to ensure that Navajo veterans have direct involvement in policy-making decisions regarding veteran's services and benefits; and

4. The **Northern Navajo Veterans Organization** is locally, regionally and Navajo Nation wide recognized to address concerns, issues and advocate for its veterans; and

5. The **Northern Navajo Veterans Organization**

NOW THEREFORE BE IT RESOLVED THAT:

NORTHERN NAVAJO VETERANS' ORGANIZATION SUPPORTS LEGISLATION RELATING TO THE RESOURCE AND DEVELOPMENT, HEALTH EDUCATION AND HUMAN SERVICES, LAW AND ORDER, AND NAABIK'ÍYÁTÍ COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING NAVAJO NATION VETERANS TRUST FUND, 12 N.N.C. § 1176, EXPENDITURE OF TRUST FUND

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

The Northern Navajo Veterans Organization Hereby Certifies the Foregoing Resolution that was Considered at a Duly Call Meeting at San Juan College, Farmington, NM and that the same was approved and passed with a vote of 33 in Favor; 1 Opposed and 2 Abstain on the 14th of January 2022.

Motioned: Sanford Tsosie
Seconded: Henry Lee

Elouise Brown

Commander, Elouise Brown

0024-22

Roy Ronald <roy.ronald880@gmail.com>

Reply all

Yesterday, 12:47 PM

comments

Action Items

Navajo Nation Council,
My name is Ronald Roy, on behalf of the Red Valley veterans organization, we want to maintain a separate business unit and we approve of Legislation 24-22 and vote "yes". Please pass this Legislation for our CVO's to avoid the next Comprehensive Budget confusion.
Thank you
Ronald Roy
Red Valley veterans commander
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Legislation 24-22

Marie Zwierlein <maz016@hotmail.com>

Mon 1/31/2022 5:18 PM

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

Legislation 24-22

1. Sponsor does not have absolute consensus from the entire Navajo Veterans organization, many CVO's are in acceptance of one business unit at each agency to manage the trust fund budgets.
2. The reason for that is equal opportunity to receive trust fund assistance without waiting for a CVO meeting, waiting for a budget transfer (which takes about 2 or so months) or meeting a stringent rule that a CVO demands like having the veteran's residency for a period of six month to possible a year.
3. Trust fund is for every eligible Veteran, not just those who are favored to receive assistance by CVO officers or for other purposes but for equal financial assistance.
4. Previous years, B&F committee questioned trust fund carryovers, and have wanted to know why there was even any carryover. The one business unit utilizes all of the funds and so far, there is no carryover, which is something B&F committee wanted, for the funds to be expended not carried over.
5. Has the sponsor asked the about the time and effort that is required to manage 110 business units? These are administrative business and should not be demanded by someone who does not understand the process of administering a program.
6. My CVO, Nahodishgish is accepting of the one business unit administration of the trust funds, this allows use to help as many Veterans when they need it and for the sponsor to unilaterally make a demand without asking us is wrong and we request that the council vote no on this legislation or any other legislation that involves Veterans for these sponsors do not have the authority to seek changes.
7. Council needs to let the Navajo Nation Programs, administrations and departments do their jobs instead of impeding progress.

Marie Zwierlein
USMC Veteran/ Eastern Agency
maz016@hotmail.com

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legislation 0024-22

Eugene Marshall <marshalleugene51@gmail.com>

Reply all

Yesterday, 12:48 PM

comments

---------- Forwarded message ---------
From: **Eugene Marshall** <marshalleugene51@gmail.com>
Date: Tue, Feb 1, 2022 at 4:50 PM
Subject: legislation 0024-22
To: <comments@navajonsn.gov>

Hello everyone, my name is Eugene Marshall. I am the Veterans Commander for the community of Iyanbito,NM. It is in our best interest that we re-establish the Veterans Trust Fund Budget back to the local Veterans Chapter Organizations. By doing so, we (Veterans Organizations) will be able to have complete control of our budgets and we will have accountability of the funding. We will know who is getting what assistance and that will help us to be able to help more of our veterans.

The consolidated budget has its pros and cons. Yes, it is a quicker way to dis-burst funding, but it allows for any veteran to submit for funding with no limitations. This is why the Veterans Trust Funds budget was depleted in a two-month span and not all veterans were assisted.

I understand that the allocated dollar amount to each Veterans Organization will differ, and it will be based on the current veterans count for that chapter. With that being said, I would like to recommend that we (Veterans Affairs offices and Veterans Organizations) start requesting more funding from Washington. I recommend at least increasing it to 10%. So, 5% going to the Navajo Nation Veterans, 3% going to the Veterans Housing, and 2% going to the veterans administration. The veterans population is growing each year and we need to be able to assist all veterans in any way we can. This also gives the funding to allow for more veterans administration to help in all our veterans offices.

Thank you for your time. Any questions i can be reached at emailed at marshalleugene51@gmail.com, or send a letter to me at ort Wingate, NM, 87316.

Sincerely, Commander Eugene Marshall (Iyanbito Chapter House)

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THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

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Posted: January 28, 2022 at 3:45 PM

5 DAY Comment Period Ended: February 2, 2022

Digital Comments received:

Comments Supporting	**1.) Freda Johnson**
Comments Opposing	***None***
Comments/Recommendations	***None***

VSRedhorse
Legislative Tracking Secretary
Office of Legislative Services

February 9, 2022; 3:30 PM
Date/Time

Legislation 24-22 Bill to Amend Navajo Veteran laws Comment

Johnson, Freda <fj588120@ohio.edu>

Mon 2/7/2022 12:54 PM

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

Yatahey to the 24th Navajo Nation Council

I am submitting my comment to support Delegate Kee Allen Begaye Jr. as he recently sponsored 3 bills- Legislation 24-22 to support Navajo Veterans. I support this as clarification is needed in Veteran funding. In the past, the Navajo Veteran funds have been mismanaged and there have been no input from Navajo Veterans on various concerns such as fund allocation, housing, and assistance (home improvement, scholarship, propane, and etc.). Moving forward with more input from Navajo Veterans is healthy communication with those who are affected.

While funding was depleted in a short time span, it is time to request for a more funding for Navajo Veterans. At least a 10% increase as inflation is at its highest since the Raegan administration. As Americans across the country seek means to adjust to inflation, our Navajo people need to be considered. Our Navajo Veterans reside on the Navajo reservation with little resources and need additional funding. The Veteran population is growing each year as many Veterans look to return to the Navajo Nation. While resources are scarce in some areas, the Navajo Nation is our home and with support from the Navajo Nation Veterans Administration, many young Navajo Veterans will return home.

Freda Johnson
Navajo Veteran
Ft. Defiance Agency

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