

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'ÍYÁTI' COMMITTEE, AND NAVAJO NATION COUNCIL; REAFFIRMING RESOLUTIONS NABIN-69-18, NABIMY-27-19, AND NABIAU-25-21, REQUESTING A TRIBAL COMMUNICATION WITH THE U.S. DEPARTMENT OF VETERANS AFFAIRS TO ESTABLISH DIRECT SERVICES ON THE NAVAJO NATION FOR NAVAJO 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).
- 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)(7) and (8).
- C. The Navajo Nation Council is the governing body of the Navajo Nation and shall supervise all powers delegated. 2 N.N.C. § 102.
- D. The Navajo Nation has a government-to-government relationship with the United States of America, Treaty of 1868, Aug. 12, 1868, 15 Stat. 667.
- E. The Naabik'iyati' Committee of the 24th Navajo Nation Council passed NABIAU-25-21 reaffirming Resolution NABIN-69-18 and NABIMY-27-19; requesting the United States Veteran Affairs Administration establish direct services on the Navajo Nation for Navajo veterans. See NABIAU-25-21 attached as **Exhibit 1**.
- F. The U.S. Department of Veterans Affairs FY 2018 - 2024 Strategic Plan commits the department to making its electronic and information technologies accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act (Title 29 U.S.C. § 794d) as amended in 1999.

- G. A Tribal Communication is any other communication with tribal officials that does not meet the criteria of tribal consultation is informal communication. This can include listening sessions. See VA Directive 8603(2)(d) attached as **Exhibit 2.**
- H. Pursuant to 38 U.S.C. § 501, et al., and 38 C.F.R. Part 39, there is a mechanism for Tribal Organizations to obtain a grant to establish a veterans' cemetery that meets the U.S. Department of Veterans Affairs' national shrine standards of appearance that will be owned by a Tribal Organization on trust land.
- I. The Navajo Nation requests a Tribal Communication with the U.S. Department of Veterans Affairs, to establish direct services on the Navajo Nation for Navajo veterans.

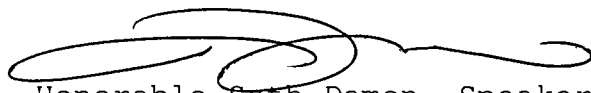
NOW THEREFORE, BE IT RESOLVED:

- A. The 24th Navajo Nation Council reaffirms NABIN-69-18, NABIMY-27-19, and NABIAU-25-21.
- B. The Navajo Nation requests a Tribal Communication with the Department of Veterans Affairs to establish direct services on the Navajo Nation for Navajo veterans. Specific items to be included in the discussion are as follows:
- a. Regional VA Office located on the Navajo Nation:
 - i. Veterans Benefits Administration
 - ii. Accredited Representatives - i.e.; Veterans Service Organization
 - iii. Housing Benefit Program
 - iv. Education and Training Opportunities
 - b. A Veterans Hospital
 - c. Disability Support Services
 - d. Records Support Services
 - e. Veterans Cemetery
 - f. Veterans Group Homes

- C. The Navajo Nation authorizes the Navajo Nation President, the Navajo Nation Speaker, Navajo Washington Office or their designees, and the Navajo Nation Veterans Administration Executive Director, to request a Tribal Communication with the U.S. Department of Veterans Affairs within ninety (90) days of passage.
- D. The Navajo Nation authorizes the Navajo Nation Veteran Administration Executive Director to seek external funding to establish a veteran's cemetery pursuant to 38 U.S.C. § 501, et al., and 38 C.F.R. Part 39. See 2 N.N.C. § 1032(B)(8).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th 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 22 in Favor, and 00 Opposed, on this 19th day of October 2022.



Honorable Seth Damon, Speaker
24th Navajo Nation Council

10/25/2022
DATE

Motion: Honorable Jimmy Yellowhair

Second: Honorable Eugenia Charles-Newton

Speaker Seth Damon not voting



NABIAU-25-21

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE
24th NAVAJO NATION COUNCIL -- Third Year, 2021

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEE; REAFFIRMING RESOLUTIONS NABIN-69-18 AND NABIMY-27-19, REQUESTING THE UNITED STATES CONGRESS AND THE BIDEN-HARRIS ADMINISTRATION TO ESTABLISH DIRECT SERVICES ON THE NAVAJO NATION FOR NAVAJO 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)(7) and (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. The Naabik'íyáti' Committee of the 23rd Navajo Nation Council passed NABIN-69-18 requesting the United States Veteran Affairs Administration to establish direct services on the Navajo Nation for Navajo veterans. See NABIN-69-18 attached as Exhibit A.
- E. The Naabik'íyáti' Committee of the 24th Navajo Nation Council passed NABIMY-27-19 reaffirming Resolution NABIN-69-18 requesting the United States Veteran Affairs Administration to establish direct services on the Navajo Nation for Navajo veterans. See NABIMY-27-19 attached as Exhibit B.
- F. The U.S. Department of Veterans Affairs FY 2018 - 2024 Strategic Plan commits the department to making its electronic and information technologies accessible to individuals with

disabilities in accordance with section 508 of the Rehabilitation Act (Title 29 U.S.C. § 794d) as amended in 1999.

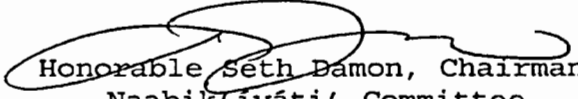
- G. The Navajo Nation hereby request the United States Congress and Joe Biden Administration, to establish direct services on the Navajo Nation for Navajo veterans.

NOW THEREFORE BE IT RESOLVED THAT:

- A. The 24th Navajo Nation Council hereby reaffirms NABIN-69-18 as passed by the 23rd Navajo Nation Council attached as Exhibit A.
- B. The 24th Navajo Nation Council hereby reaffirms NABIMY-27-19 as passed by the 24th Navajo Nation Council attached as Exhibit B.
- C. The Navajo Nation through the 24th Navajo Nation Council requests the United States Congress and President Joe Biden Administration to establish direct services on the Navajo Nation for Navajo veterans.
- D. The Navajo Nation through the 24th Navajo Nation Council hereby authorizes the Navajo Nation President, the Navajo Nation Speaker, Navajo 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 24th 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 21 in Favor, and 00 Opposed, on this 31st day of August 2021.

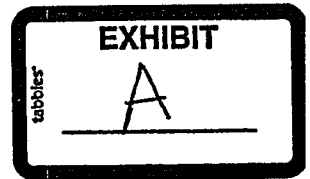

Honorable Seth Damon, Chairman
Naabik'iyáti' Committee

Sep 2, 2021
Date

Motion: Honorable Eugenia Charles-Newton
Second: Honorable Vince R. James

Chairman Seth Damon not voting

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE
23rd 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'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)(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.

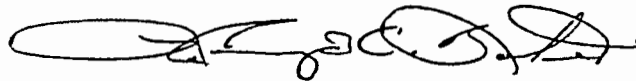
- F. Native American veterans have provided invaluable service and allegiance to the United States of America and bring great honor to their tribal communities.
- G. Within the last 5 years, reports of excessive and sometimes deadly waiting times for veterans seeking government healthcare came to light, 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.
- 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 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 10 in Favor, and 00 Opposed, on this 09th day of November 2018.



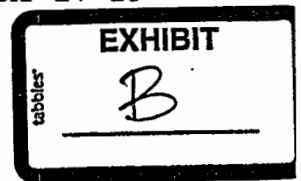
LoRenzo C. Bates, Chairman
Naabik'iyáti' Committee

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.

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE
24th NAVAJO NATION COUNCIL -- First Year, 2019



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.
- 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. The Naabik'iyáti Committee of the 23rd Navajo Nation Council passed 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" and is attached hereto as Exhibit A.

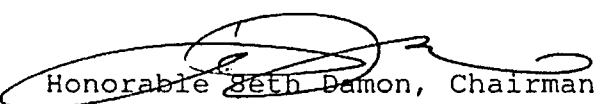
- E. The U.S. Department of Veterans Affairs FY 2018 - 2024 Strategic Plan commits the department to making its electronic and information technologies accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act (Title 29 U.S.C. § 794d) as amended in 1999.

NOW THEREFORE, BE IT RESOLVED

- A. The 24th Navajo Nation Council hereby reaffirms NABIN-69-18 as passed by the 23rd Navajo Nation Council.
- B. The Navajo Nation through the 24th Navajo Nation Council respectfully requests the United States Department of Veterans Affairs to establish direct services on the Navajo Nation for Navajo veterans through NABIN-69-18 and this resolution.
- C. The Navajo Nation through the 24th Navajo Nation Council hereby authorizes the Navajo Nation President, the Navajo Nation Speaker, Navajo 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 24th 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 17 in Favor, and 00 Opposed, on this 28th day of May 2019.


Honorable Seth Damon, Chairman
Naabik'iyáti' Committee

Motion: Honorable Jamie Henio
Second: Honorable Wilson Stewart, Jr.

Chairman Seth Damon not voting



**CONSULTATION AND COMMUNICATION WITH FEDERALLY-RECOGNIZED
INDIAN TRIBES**

- 1. REASON FOR ISSUE.** To update the Department of Veterans Affairs (VA) policy for consulting and communicating with federally-recognized Indian Tribes.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES.** This directive sets forth policies, roles, and responsibilities for consulting and communicating with federally-recognized Indian Tribes.
- 3. RESPONSIBLE OFFICE.** Office of Public and Intergovernmental Affairs (002) – Office of Tribal Government Relations (075).
- 4. RELATED HANDBOOK.** VA Handbook 8603, *Consultation and Communication with Federally-Recognized Indian Tribes*.
- 5. RESCISSION.** VA Directive 8603, dated January 5, 2007.

CERTIFIED BY:

/s/
Stephen W. Warren
Executive in Charge and
Chief Information Officer

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/
Maura C. Sullivan
Assistant Secretary for
Public and Intergovernmental Affairs

Distribution: Electronic Only

CONSULTATION AND COMMUNICATION WITH FEDERALLY-RECOGNIZED INDIAN TRIBES

1. PURPOSE. This directive contains the Department's policy for consulting and communicating with federally-recognized Indian Tribes and applies to all organizational elements across the Department. This directive establishes that the Office of Public and Intergovernmental Affairs-Office of Tribal Government Relations (OPIA-OTGR) manages and facilitates the tribal consultation process, while providing advice and guidance on tribal communications.

2. POLICY.

a. General. American Indian Tribes have a unique political status that entitles them to a special government-to-government relationship with the United States (U.S.) based on their federally-recognized status as sovereign nations. Formal tribal consultations and ongoing tribal communications are critical components of this relationship. Consultations promote the meaningful exchange of ideas and information while building trusted relationships between the Department and tribal governments. Pursuant to the Federally-Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a-479a-1, Indian Tribes are Federally-Recognized by the Department of Interior (DOI).

b. Definition of Tribal Consultation.

(1) Tribal consultation is a formal, documented process by which input is sought from tribal officials from federally-recognized Indian Tribes on proposed Departmental actions, which may:

- (a) Require tribal and VA senior leadership involvement;
- (b) Involve the potential for direct, and substantial impact upon more than one Tribe or on the relationship between VA and Tribes;
- (c) Affect tribal resources, rights, or land;
- (d) Entail policy, legislative, or legal actions involving Tribes; or
- (e) Change the distribution of authority and responsibilities between VA and Indian Tribes.

(2) Examples of Departmental actions requiring tribal consultation include, but are not limited to: rules and regulations, tribal authorizations or delegations involving Tribes; legislative comments or proposed legislation involving Tribes; policies, guidance, activities or programs affecting grants and funding, or operational activities involving Tribes.

VA DIRECTIVE 8603

(3) Tribal Consultations that are conducted on matters relating to historic preservation, cultural resources, and the impacts of proposed actions under the National Environmental Policy Act as referenced in VA Directive and Handbook 7545 and VA Directive 0067, are not required to follow the consultation procedures set forth in this Directive, as VA Directive and Handbook 7545 and VA Directive 0067 dictate tribal consultation for those matters. However, all tribal consultations and communications on such matters must be reported to OPIA-OTGR, as set forth in section 3.c. of this Directive, to ensure any necessary coordination and collaboration occurs.

c. Process for Tribal Consultation. OPIA-OTGR manages, facilitates, and documents tribal consultations for the Department. Administrations and Staff Offices wanting to consult with an Indian Tribe must seek guidance from, and coordinate with, OPIA-OTGR before, during, and after the consultation process. Should legal questions arise, Administrations and Staff Offices must also consult with the Office of the General Counsel (OGC), as needed. Refer to Handbook 8603 for a step-by-step description of the tribal consultation process.

d. Definition of Tribal Communication. Any other communication (verbal, electronic or written exchange of information) with tribal officials that does not meet the criteria of tribal consultation is informal communication. This can include listening sessions. If an Administration or Staff Office is unsure of the distinction between tribal consultation and tribal communication, contact OPIA-OTGR for further guidance.

e. Process for Tribal Communication. OPIA-OTGR provides advice and guidance on tribal communications across the Department. Administrations and Staff Offices should communicate key findings from tribal communications to OPIA-OTGR for situational awareness. Refer to Handbook 8603 for a step-by-step description of the tribal communication process.

f. Exclusions. Exclusions to this policy include those matters that are the subject of litigation or in settlement negotiations, or matters undertaken in accordance with an administrative or judicial order where VA has no discretion with respect to consultation.

3. RESPONSIBILITIES.

a. Office of Public and Intergovernmental Affairs-Office of Tribal Government Relations (OPIA-OTGR). OPIA-OTGR will:

- (1) Manage, facilitate, and document the tribal consultation process;
- (2) Provide advice and guidance on tribal consultation and communication;

VA DIRECTIVE 8603

(3) Issue periodic data calls within VA requesting issues for tribal consultation, prior communication with tribal governments, and inputs required for annual reports to OMB and/or other entities;

(4) Communicate any tribal-initiated or VA-initiated issues for consultation to relevant Administrations and Staff Offices; and

(5) Comply with all laws, regulations, policies, and handbooks relating to tribal consultation and communication.

b. Under Secretaries, Assistant Secretaries, and Other Key Officials. Under Secretaries, Assistant Secretaries, and Other Key Officials, or their designee(s) will:

(1) Coordinate with OPIA-OTGR throughout the tribal consultation process;

(2) Seek advice and guidance from OPIA-OTGR on tribal consultation and communication;

(3) Respond to data calls received from OPIA-OTGR in a timely manner;

(4) Communicate any tribal-initiated or Administration/Staff Office-initiated issues for consultation to OPIA-OTGR;

(5) Comply with all laws, regulations, policies, and handbooks relating to tribal consultation and communication.

c. Office of Acquisitions, Logistics, and Construction (OALC), Office of Construction and Facilities Management (CFM). OALC, CFM will: As needed and in response to data calls, provide OPIA-OTGR with information on consultations and communications conducted with federally-recognized tribes on matters relating to historic preservation, cultural resources, and the impacts of proposed actions under the National Environmental Policy Act as set forth in VA Directive and Handbook 7545 and VA Directive 0067 as related to Major (or other) Projects under their direction.

4. REFERENCES.

a. Executive Order 13175.

b. Department of Veterans Affairs Tribal Consultation Policy signed by the Secretary of Veterans Affairs.

5. DEFINITIONS.

a. **Administration.** A generic term used to identify one of the three major VA operational elements:

VA DIRECTIVE 8603

- (1) Veterans Health Administration (VHA);
- (2) Veterans Benefits Administration (VBA); and
- (3) National Cemetery Administration (NCA).

When VHA, VBA, and NCA are referred to as a group, the term "Administrations" may be used.

b. Department. A generic reference to the entire Department of Veterans Affairs, which includes VA Central Office and all field facilities.

c. Staff Office. A generic term used to identify one of the offices included under VA Central Office. This does not refer to VHA, VBA, and NCA, nor does it refer to medical facilities, regional offices, or cemeteries.

d. Federally-Recognized Indian Tribe. An American Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of Interior acknowledges to exist as an Indian Tribe pursuant to the Federally-Recognized Indian Tribe List Act of 1994, 25 U.S.C. 479a-479a-1.

e. Government-to-Government Relationship. The relationship of the U.S. with tribal governments, in which the U.S. recognizes tribes as sovereign entities and interacts with them on the basis of respect for their sovereign status.

f. Listening Sessions. Sessions in which government officials listen to input or feedback from tribal leaders or members, for the purpose of sharing information on topics of interest to the government, tribes, or both. These sessions can be used to gather information or gain understanding about complex issues. These differ from tribal consultations, which focus on proposed Departmental actions.

g. Tribal Consultation.

- (1) Formal, documented process by which input is sought from tribal officials on proposed Departmental actions, which may:
 - (a) Require tribal and VA senior leadership involvement;
 - (b) Involve the potential for direct and substantial impact upon more than one Tribe or on the relationship between VA and Tribes;
 - (c) Affect tribal resources, rights or land;
 - (d) Entail policy, legislative, or legal actions involving Tribes;

VA DIRECTIVE 8603

(e) Change the distribution of authority and responsibilities between VA and Indian Tribes.

(2) Tribal Consultations that are conducted on matters relating to historic preservation, cultural resources, and the impacts of proposed actions under the National Environmental Policy Act as referenced in VA Directive and Handbook 7545 and VA Directive 0067, are not required to follow the consultation procedures set forth in this Directive, as VA Directive and Handbook 7545 and VA Directive 0067 dictate tribal consultation for those matters. However, all tribal consultations and communications on such matters must be reported to OPIA-OTGR, as set forth in this Directive, to ensure any necessary coordination and collaboration occurs.

h. Tribal Officials. Elected or duly appointed officials of Indian Tribes or authorized intertribal organizations.

i. Tribal Communication. Any other communication (verbal, electronic or written exchange of information) with tribal officials that does not meet the definition of tribal consultation.

j. Tribal Government. Governing structure of a sovereign, federally-recognized government of an Indian Tribe.

NAVAJO NATION

1209

10/19/2022

Navajo Nation Council 2022 Fall Session

12:40:03 PM

Amd# to Amd#	Legislation 0184-22: Reaffirming	PASSED
MOT Yellowhair	Resolutions NABIN-69-18,	
SEC Charles-Newton	NABIMY-27-19, and NABIAU-25-21,	
	Requesting a Tribal....	

Yeas : 22

Nays : 0

Excused : 1

Not Voting : 0

Yea : 22

Begay, E	Daniels	Smith	Tso, E
Begay, K	Freeland, M	Stewart, W	Walker, T
Begay, P	Halona, P	Tso	Wauneka, E
Brown	Henio, J	Tso, C	Yazzie
Charles-Newton	James, V	Tso, D	Yellowhair
Crotty	Nez, R		

Nay : 0

Excused : 1

Slater, C

Not Voting : 0

Presiding Speaker: Damon