

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0291-18

**DATE:** August 28, 2018

**TITLE OF RESOLUTION:** AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING HEHSCF-002-12, NAVAJO VETERANS AFFAIRS POLICES AND PROCEDURES FOR FINANCIAL ASSISTANCE FROM NAVAJO NATION TRUST FUND; DELETING CHAPTER VOTER REGISTRATION REQUIREMENT

**PURPOSE:** This resolution will amend HEHSCF-002-12, a resolution enacting the Navajo Veterans Affairs Policies and Procedures for Financial Assistance from Navajo Nation Trust Fund. The amendment will delete the chapter voter registration requirement under eligibility provisions of the policies.

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.

8-DAY BILL HOLD PERIOD: None  
Website Posting Time/Date: 4:18pm 8/24/18  
Posting End Date: 9/3/2018  
Eligible for Action: 9/4/2018

PROPOSED NAVAJO NATION STANDING COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL - Fourth Year, 2018

INTRODUCED BY



(Prime Sponsor)

0291-18

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING  
HEHSCF-002-12, NAVAJO VETERANS AFFAIRS POLICIES AND PROCEDURES  
FOR FINANCIAL ASSISTANCE FROM NAVAJO NATION TRUST FUND;  
DELETING CHAPTER VOTER REGISTRATION REQUIREMENT

BE IT ENACTED:

**Section One. Authorities**

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

B. The Health, Education and Human Services Committee has the authority to "establish Navajo Nation policy, promulgate rules and regulations governing health, social services, human services and general government services of the Navajo Nation and its tribal organizations, entities, and enterprises." 2 N.N.C. §401(B)(1).

**Section Two. Findings**

A. The Health, Education and Human Services Committee on February 8, 2012 enacted HEHSCF-002-12, "An Action Relating to Health, Education and Human Services; approving the amendment of the Department of Navajo Veterans Affairs Policies and

1 Procedures for Financial Assistance from the Navajo Nation Trust Fund." Incorporated  
2 herein by this reference. These policies state generally: "Assistance will be provided,  
3 upon approval, for a Navajo veteran, a surviving spouse of a deceased Navajo veteran or  
4 a Gold Star mother." See *Section IV. Eligibility Criteria*. Other more particular  
5 requirements include, "Must be ... registered to vote in his/her Navajo chapter." *Id.* at  
6 Section IV (B) (cited in part).

7 B. Registration to vote in a chapter should not be a requirement for financial assistance  
8 under the veterans' policies for assistance under the trust fund. Such policies approved  
9 under HEHSCF-002-12 must be amended.

### 11 **Section Three. Amending Veterans Assistance Policies**

12 A. The Navajo Nation hereby amends section IV of the *Department of Navajo Veterans*  
13 *Affairs Policies and Procedures for Financial Assistance from the Navajo Nation Trust*  
14 *Fund*, as follows:

15  
16 \*\*\*\*\*

#### 17 **IV. Eligibility Criteria**

18 \*\*\*\*\*

19 B. Must be an enrolled member of the Navajo Nation and be registered  
20 ~~to vote in his/her Navajo chapter~~ with the appropriate Veteran agency  
21 office.

22 \*\*\*\*\*  
23

24  
25 B. By this action, HEHSCF-002-12 is amended as provided above.  
26  
27  
28  
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## MEMORANDUM

To : Hon. Jonathan Hale, Council Delegate  
Navajo Nation Council

From :   
Ron Haven, Attorney  
Office of Legislative Counsel

Date : August 28, 2018

Re : AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN  
SERVICES; AMENDING HEHSCF-002-12, NAVAJO VETERANS  
AFFAIRS POLICIES AND PROCEDURES FOR FINANCIAL  
ASSISTANCE FROM NAVAJO NATION TRUST FUND; DELETING  
CHAPTER VOTER REGISTRATION REQUIREMENT

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution drafted is legally sufficient, although, as with all legislation, challenges are possible in the courts. You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. As you may be aware, the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title.

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. Ahéhee'.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0291-18\_\_\_\_\_ SPONSOR: Jonathan Hale

**TITLE: An Action Relating to Health, Education and Human Services; Amending HEHSCF-002-12, Navajo Veterans Affairs Policies and Procedures for Financial Assistance from Navajo Nation Trust Fund; Deleting Chapter Voter Registration Requirement**

**Date posted: August 29, 2018 at 4:18pm**

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.: 0291-18**

**SPONSOR: Honorable Jonathan L. Hale**

**TITLE: An Action Relating to Health, Education and Human Services; Amending HEHSCF-002-12, Navajo Veterans Affairs Policies and Procedures for Financial Assistance from Navajo Nation Trust Fund; Deleting Chapter Voter Registration Requirement**

**Posted: August 29, 2018 at 4:18 PM**

**5 DAY Comment Period Ended: September 4, 2018**

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing (2)</b>	<i>1) John I King, Commander - Iyanvito Veterans 2) Paul J. George, Commander – Norther Navajo Agency</i>
<b>Inconclusive Comments</b>	<i>None</i>



**Office Assistant  
Office of Legislative Services**



**Date/Time**



# 0291-18: An Action Relating to Health, Education and Human Services; Amending HEHSCF-002-12, Navajo Veterans Affairs Policies and Procedures for Financial Assistance from Navajo Nation Trust Fund; Deleting Chapter Voter Registration Requirement

JOHN I KING <nizhonispirithorse@msn.com>

Fri 8/31/2018 12:06 PM

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

My comments as follows:

1. What is the reason for DELETING this?
2. I have not heard any complaints about this chapter voter registration requirement at the Chapter or Agency level that warrants consideration to DELETE it from the veterans trust funds policies and procedures.
3. The proposed Legislation, in my opinion, provides no advantageous outcomes by DELETING this requirement.
4. The requirement for chapter voter registration, in my opinion and experience, is that it serves as a check and balance at the Chapter and Agency VA Office level as to who is registered where and prevents potential double-dipping across agencies or communities when requesting financial assistance.
5. By deleting the chapter voter registration requirement from the Veterans Trust Funds Policies and Procedure, it sends a wrong message to veterans that can possibly affect/impact their ability to receive other available chapter assistance.
6. By deleting the chapter voter registration requirement from the Veterans Trust Funds Policies and Procedure, it sends a wrong message to veterans that can possibly affect or impact their membership and may be excluded in the Nation census count for all other available resources for which veterans can be eligible.
7. By deleting the chapter voter registration requirement from the Veterans Trust Funds Policies and Procedure, it sends the wrong message to veterans that it is not important to be a registered voter.
8. It is important we encourage and reinforce all Navajo veterans, widows, and Gold Star Mothers are part of and remain part of the overall census count across the Nation and demonstrate we are registered at chapters.
9. Deleting this Chapter Voter Registration requirement will open a can of worms that we do not need, especially at the Chapter level.

Therefore, with all due respect, I cannot support this proposed legislation. It is recommended to retain the chapter voter registration requirement as part of the requirement for the Veterans Trust Funds Policies and Procedures.

Respectfully,

John I King, Commander, Iyanbito Veterans



0291-18

Paul J. George &lt;pjgeorge@citlink.net&gt;

Mon 9/3/2018 8:07 PM

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

The propose amend to the Navajo Nation Veterans Trust Fund Financial Assistance Criteria, deleting the chapter voter, is contradiction to the Navajo Nation public assistance policies and procedures. Navajo Nation Veterans Trust Fund is Navajo Nation fund for public assistance program to assistance needy Navajo veterans, surviving spouses and Gold Star Mothers. The distribution of any Navajo Nation fund appropriated for public assistance required census and voters' registration (50/50 formula). Navajo Nation Veterans Trust fund is established as public assistance program to assistance needy Navajo veterans, surviving spouses and Gold Star Mothers. The Navajo Nation Veterans Act of 2017, specified that local chapter veterans organization manage (prepare the budget) the Navajo Veterans Trust Fund for it members (chapter voters). Agency Navajo Veterans Administration provide administration and accounting services for the Navajo Veterans Trust Fund and Veterans Grant Fund (subsequent Navajo Nation Council appropriation of fund) and it maintain the Navajo Veterans' Federal Veterans Documents (DD 214) and the Navajo Nation membership (census and voter registration). The Legislation No. 0291-18 is discriminatory to local chapter veterans organizations which takes the local chapter veterans organizations back before 2017, when the Navajo Veterans were not recognize as legal entity of the Navajo Nation. In that, I strongly recommend for Health, Education and Human Services Committee to take no action on Legislation No. 0291-18. I thank you for your advocate for the Navajo Veterans and their families.

Paul J. George, Commander  
Tse' Da'a' Ka'a'n Chapter Veterans Organization  
Northern Navajo Agency

Committee Report

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

LEGISLATION NO. 0291-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING HEHSCF-002-12, NAVAJO VETERANS AFFAIRS POLICIES AND PROCEDURES FOR FINANCIAL ASSISTANCE FROM NAVAJO NATION TRUST FUND; DELETING CHAPTER VOTER REGISTRATION REQUIREMENTS

(Note: Eligible for Committee Action September 04, 2018)

Sponsor: Honorable Jonathan L. Hale

Has had under consideration and report the same with the recommendation that Legislation 0291-18 **FAILED** with no Amendment and no Directive; and therefore referred the same to the **HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL**

Respectfully Submitted,



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Norman M. Begay, Vice-Chairperson  
Health, Education and Human Services Committee

**September 10, 2018 - Main Motion**

Motion by: Honorable Steven Begay

Seconded by: Honorable Jonathan L. Hale

Vote: 1 in favor; 2 Opposed; Vice-Chairperson Not Voting

Yeas: Jonathan L. Hale

Nays: Nelson BeGaye; Steven Begay

Absent (excused): Amber Kanazbah Crotty; Nathaniel Brown

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
Regular Meeting  
September 10, 2018

Roll Call  
Vote Tally Sheet

LEGISLATION NO. 0291-18

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING  
HEHSCF-002-12, NAVAJO VETERANS AFFAIRS POLICIES AND PROCEDURES FOR  
FINANCIAL ASSISTANCE FROM NAVAJO NATION TRUST FUND; DELETING CHAPTER  
VOTER REGISTRATION REQUIREMENTS

(Note: Eligible for Committee Action September 04, 2018)

Sponsor: Honorable Jonathan L. Hale

Has had under consideration and report the same with the recommendation  
that Legislation 0291-18 **FAILED** with no Amendment and no Directive; and  
therefore referred the same to the **HEALTH, EDUCATION AND HUMAN SERVICES**  
**COMMITTEE OF THE NAVAJO NATION COUNCIL**

**September 10, 2018 - Main Motion**

Motion by: Honorable Steven Begay

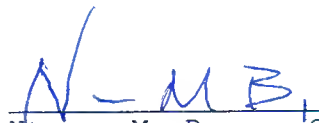
Seconded by: Honorable Jonathan L. Hale

Vote: 1 in favor; 2 Opposed; Vice-Chairperson Not Voting

Yeas: Jonathan L. Hale

Nays: Nelson BeGaye; Steven Begay

Absent (excused): Amber Kanazbah Crotty; Nathaniel Brown



Norman M. Begay, Chairperson  
Health, Education and Human Services Committee



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