LEGISLATIVE SUMMARY SHEET
Tracking No. 0225-20

DATE: September 11, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE AND HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING THE PLAN OF OPERATION FOR THE NAVAJO NATION VETERANS ADMINISTRATION

PURPOSE: This resolution, if approved, will revise the Navajo Nation Veterans Administration Plan of Operation.

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

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 6:58pm 09-11-20
Posting End Date: 09-16-20
Eligible for Action: 09-17-20

Budget & Finance Committee
Thence
Health Education & Human Services Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL -- Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0225-20

AN ACTION

RELATING TO BUDGET AND FINANCE AND HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING THE PLAN OF OPERATION FOR THE NAVAJO NATION VETERANS ADMINISTRATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Budget and Finance Committee is a standing committee of the Navajo Nation Council empowered to provide legislative oversight over lending programs, including the promulgation of rules and regulations for lending money to members of the Navajo Nation. 2 N.N.C. § 301 (B)(12).

B. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council empowered to exercise oversight authority on laws and policies affecting veteran services 2 N.N.C. §§ 400(C)(3) and 401 (C)(6).

C. Pursuant to 2 N.N.C. § 1035, the Health, Education and Human Services Committee is further empowered to exercise final approval of the plan of operation for the Navajo Nation Veterans Administration. *See*, CJA-3-16 and CJY-55-18.

SECTION TWO. FINDINGS

A. The Plan of Operation for the Navajo Nation Veterans Administration was approved and adopted by the Health, Education and Human Services Committee through Resolution No. HEHSCAU-12-16, attached as **Exhibit 1**.

B. Pursuant to its Plan of Operations adopted by HEHSCAU-12-16, attached as **Exhibit 1-A,** the Navajo Nation Veterans Administration is empowered to recommend policies and legislations regarding Veterans to the Navajo Nation Council through the Health, Education and Human Services Committee of the Navajo Nation Council consistent with applicable governmental laws and policies. **Exhibit 1-A**, Section III (D).

C. The Navajo Nation Veterans Administration recommends that its current Plan of Operation, adopted by HEHSCAU-12-16, attached as **Exhibit 1-A**, be amended as set forth in **Exhibit 2.**

D. The Navajo Nation Veterans Administration consulted with the Veterans Advisory Council on the proposed amendments to the Plan of Operation; the Veterans Advisory Council supports the proposed amendments to the Plan of Operation as set forth in NNVAC-07-20, attached as **Exhibit 3**.

C. The proposed Plan of Operation, set forth in **Exhibit 2,** was reviewed by the Navajo Nation Department of Justice and deemed legally sufficient as set forth in **Exhibit 4**.

SECTION THREE. APPROVAL

The Health, Education and Human Services Committee of the Navajo Nation Council hereby approves the amendments to the Navajo Nation Veterans Administration Plan of Operations as set forth in **Exhibit 2**.

SECTION FOUR. SAVINGS CLAUSE

Should any portion of the action adopted herein be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those portions of the action which are not determined invalid shall remain the law of the Nation.

EXHIBIT
1

HEHSCAU-12-16

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Of the 23rd Navajo Nation Council---Second Year 2016

AN ACT
RELATING TO BUDGET AND FINANCE AND HEALTH, EDUCATION AND HUMAN SERVICES; ENACTING PLAN OF OPERATION FOR NAVAJO NATION VETERANS ADMINISTRATION; RESCINDING DEPARTMENT OF NAVAJO VETERANS AFFAIRS PLAN OF OPERATION

BE IT ENACTED:

Section One. Authorities

A. The Budget and Finance Committee of the Navajo Nation Council, among other duties and responsibilities, generally oversees financial activities of the Navajo Nation. 2 N.N.C. §301.

B. The Health, Education and Human Services Committee of the Navajo Nation Council, among other duties and responsibilities, generally oversees veterans matters. 2 N.N.C. §401. Pursuant to 2 N.N.C. §1034, the committee is responsible for approving the plan of operation for the Navajo Nation Veterans Administration. See, CJA-3-16.

Section Two. Findings

A. The Navajo Nation Council on January 26, 2016 enacted enabling legislation establishing the Navajo Nation Veterans Administration and an advisory council. CJA-3-16.

B. Pursuant to CJA-3-16, the Department of Navajo Veterans Affairs is replaced by the newly-created Navajo Nation Veterans Administration.

C. Resolution CJA-3-16, was signed into law by the Navajo Nation President on February 13, 2016. See Exhibit "C," attached hereto.

Section Three. Enacting Plan of Operation for Navajo Nation Veterans Administration

The Navajo Nation hereby enacts the Plan of Operation for the Navajo Nation Veterans Administration as provided in Exhibit "A."

Section Four. Rescinding Plan of Operation for Department of Navajo Veterans Affairs

The Navajo Nation rescinds the Plan of Operation for the Department of Navajo Veterans Affairs, resolution GSCMY-40-03, as provided in Exhibit "B."

EXHIBIT "A"

PLAN OF OPERATION FOR
NAVAJO NATION VETERANS ADMINISTRATION

I. ESTABLISHMENT

The Navajo Nation Veterans Administration (NNVA) is established within the Executive Branch of the Navajo Nation Government and as a Navajo Nation Administration within the Office of the President and Vice President of the Navajo Nation.

II. OBJECTIVES

The NNVA shall be responsible for carrying out the following objectives on behalf of Veterans:

A. Advocate and provide administrative oversight and coordination for needed services for Veterans in areas such as housing, education, and other specialized training; such as legal, medical and small business development assistance and other related Veterans' benefits or programs.

B. To seek accreditation for veterans benefits and claims which are available pursuant to Title 38 U.S. Code and other benefits available from Arizona, New Mexico, Utah and the Navajo Nation.

C. Identify, prioritize and advocate for program services to assist Veterans.

D. To advocate for the preferential treatment of veterans in business and employment.

E. Evaluating and advocating for the needs of Veterans.

III. PURPOSES

The purposes of the Navajo Nation Veterans Administration (NNVA) shall be to:

A. Effectively and efficiently provide outreach, services and benefits to Veterans; and to identify the exclusive and distinctive needs of Veterans, their widow(er) and Gold Star Mothers.

B. Seek additional funding and make recommendations for the implementation, expansion and improvement of existing programs of the NNVA, divisions and offices of the Navajo Nation to ensure Veterans receive the benefits and services they are entitled to.

C. To the extent permitted by federal, state and/or Navajo Nation law, the NNVA shall monitor and assess all Veterans' benefit programs made available to the Navajo Nation and its Veterans, which affect the exclusive and distinctive needs and interest of Veterans.

D. Recommend overall policies and legislations regarding Veterans to the Navajo Nation Council through the Navajo Nation's respective committees and communities which consider and are consistent with applicable governmental laws and policies.

E. Seek and improve the quality and accessibility of healthcare benefits, health services for Veterans on the Navajo Nation.

F. Monitor, advocate and promote employment and educational training for Veterans, business preference, employment preference and other services.

G. Seek the establishment and funding of the Veterans' Housing Programs or services for Veterans on the Navajo Reservation. This may include seeking partnership(s) with local, tribal,

state or federal housing entities to provide the best services available for housing.

H. Determine, implement and provide program services for the needs and benefits of Veterans pursuant to Navajo Nation budget appropriations and pursuant to duly accepted and approved program funds received by the Navajo Nation.

I. Partner with Office of the Controller-Credit Service in implementing and maintaining a Navajo Veterans Loans Program in accordance with all applicable Navajo Nation Laws, and Operating procedures and guidelines for the program, as approved by the Budget and Finance Committee of the Navajo Nation Council.

J. Recommend the appropriation of available funds for use by the Navajo Veterans Loan Program.

K. Seek Federal recognition under 38 C.F.R section 14.628 to prepare, present and prosecute claims for Veterans Administration (VA) benefits.

L. Manage by administering, advocating and improving the Carl T. Hayden-Veterans Administration Medical Center (VAMC) Fee Reimbursement program for Traditional Healing Ceremony.

M. To the extent permitted by federal, state or Navajo Nation law, the NNVA shall assist Navajo Nation Chapters and Veterans in implementing the Navajo Nation Local Governance Act of 1998.

N. Collaborate with the Navajo Veterans Advisory Council on policy matters.

IV. ORGANIZATION

A. The NNVA shall be responsible for the administrative, operations and logistics of the NNVA under the President of the Navajo Nation.

B. The NNVA shall have a central administrative office located in Window Rock, Arizona and have sub-office across the Navajo Reservation which may include satellite areas of the Navajo Nation.

C. The organizational chart for the NNVA is attached as "Exhibit A" herein.

V. PERSONNEL

A. The NNVA shall be supervised by a Executive Director who shall be selected and contracted by the President of the Navajo Nation, in consultation with the Navajo Veterans Advisory Council.

B. The NNVA's staff shall be selected, employed, supervised and terminated by the Executive Director, pursuant to and in accordance with the Navajo Nation Personnel Policies Manual and all other laws, regulation and benefits applicable to executive employees of the Navajo Nation under the Office of the President and Vice President.

VI AUTHORITIES AND RESPONSIBILITIES

A. The responsibilities of the Executive Director shall be to:

1. Supervise personnel and administer the operations of the NNVA.

2. In absence of the Executive Director the next senior personnel or next delegated personnel on the organizational structure shall assume the duties and responsibilities of the Executive Director to ensure continuity of NNVA operations, accountability, responsibility and communication.

3. Report from time to time to and as requested to the Navajo Nation on the status of the NNVA.

4. Create a Veterans registry program that ensures a periodic Veterans population count.

5. Recommending necessary budget proposals for professional and/or technical positions and services as needed to carry out the duties and responsibilities set forth herein.

6. Implement, administer and enforce the following, but not limited to:

a. Recommending and providing coordination for implementation of authorized federal, state and tribal program for the benefit of Veterans pursuant to all applicable Navajo Nation, State, or Federal laws, rules and regulations.

b. Serving as a liaison to seek and identify additional state, federal and tribal sources to provide the maximum return for Navajo Nation general funds and private matching funds.

c. Recommending the negotiation and appropriation of available funds to use for Veterans.

d. Managing monetary assistance programs and/or services to all eligible Veterans, widow(er)s and Gold Star Mothers pursuant to duly approved program policies and procedures.

e. Developing, recommending and implementing policies and procedures for the administration of all programs for Veterans under the NNVA.

f. To provide administrative support and technical assistance to the Navajo Nation Veterans Advisory Council.

VII. LEGISLATIVE OVERSIGHT

A. Legislative oversight for the operation of the NNVA shall be provided by the Health,
Education and Human Services Committee of the Navajo Nation Council.

B. In consultation with the Health, Education and Human Services Committee, the Budget and Finance Committee of the Navajo Nation Council shall provide legislative oversight to the NNVA-Loan Program.

VIII. AMENDMENTS

This Plan of Operation may be amended periodically with approval by the Health, Education and Human Services Committee of the Navajo Nation Council.

"Exhibit A"

FY'2017 ORGANIZATIONAL STRUCTURE:
Navajo Nation Veterans Administration

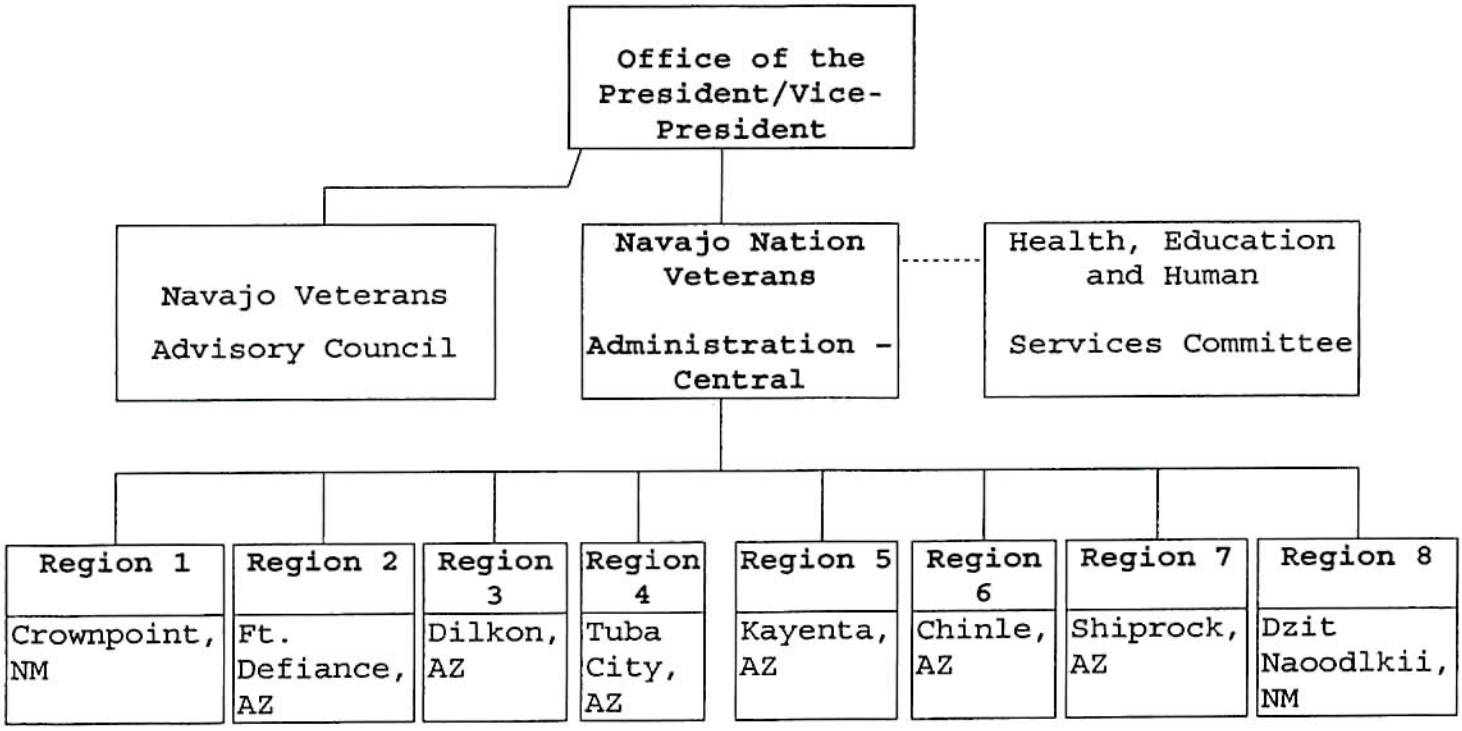

EXHIBIT "B"

~~Department of Navajo Veterans Affairs~~

~~Article I – Establishment~~

~~The Department of Navajo Veterans Affairs was established within the Executive Branch of the Navajo Nation Government and is hereby continued as a Navajo Nation Department within the Division of Human Resources of the Navajo Nation.~~

~~Article II – Purpose~~

~~The purpose of the Department of Navajo Veterans Affairs shall be:~~

~~A. To identify, assess and prioritize the special needs of Navajo Veterans, their dependents and survivors and Gold Star Mothers.~~

~~B. To seek out and identify additional funding sources and make recommendation for the implementation, expansion and improvement of existing programs of the divisions and offices of the Navajo Nation to ensure that the Navajo Veterans receive the benefits and services they are entitled to.~~

~~C. To the extent permitted by federal, state or Tribal Navajo Nation law, the Department shall monitor and assess all Veterans' benefit programs made available to the Navajo Nation and its Veterans which affect the special needs and interest of Navajo Veterans for compliance with all applicable Navajo Nation, state and federal laws.~~

~~D. To recommend overall policies and legislation regarding Navajo Veterans to the Navajo Nation Council through the Navajo Nation's respective committees and its respective communities which consider and are consistent with acceptable traditional and customary practices of the Navajo People.~~

~~E. To seek the establishment and funding of health care facilities for Navajo Veterans on the Navajo Nation.~~

~~F. To monitor, advocate and promote Navajo Nation efforts towards employment and educational training of Navajo Veterans, in business preference for Navajo Veterans, and in seeking out other services and benefits for Navajo Veterans provided by other Veteran agencies and special interest groups pursuant to established rules and regulations of the Navajo Nation.~~

~~G. To seek the establishment and funding of the Navajo Veterans' Housing Assistance Program for Navajo Veterans on the Navajo Reservation.~~

~~H. To determine, implement and provide program services for the needs and benefits of Navajo Veterans pursuant to Navajo Nation budget appropriations and pursuant to duly accepted and approved program funds received by the Navajo Nation on behalf of the Navajo Nation Veterans.~~

~~I. To administer and manage the Veterans Loan Program and all the assets and outstanding accounts receivable associated therein including, but not limited to:~~

~~a. Administration of the Veterans Loans Program in accordance with all applicable Navajo Tribal Nation laws, and the Operating Policies and Guidelines for the program, as approved by the Budget and Finance Committee of the Navajo Nation Council.~~

~~b. Servicing all accounts receivables associated with the Veterans Loan Program so as to protect the Navajo Nation's interest in property pledged to secure any loans made under the program.~~

~~c. Implementation of collect efforts in regards to funds due and owing the Navajo Nation resulting from loans made under the program.~~

~~d. Assisting the Budget and Finance committee of the Navajo Nation Council in the completion of their duties and responsibilities as set forth in their Plan of Operation as amended.~~

~~e. Recommending the negotiation and appropriation of available funds for use by the Navajo Veterans' Loan Program.~~

~~J. To seek the establishment and funding of a Navajo Nation Veterans Cemetery.~~

~~K. To seek the establishment, funding and maintenance of the Navajo Veterans Memorial Park.~~

~~L. To administer, implement, manage and monitor the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA) of the U.S. Department of Housing and Urban Development (HUD) as it applies to Navajo Nation housing for Navajo Veterans.~~

~~M. To administer and manage the Strengthening Alliance of Veterans and Families AmeriCorp Program of Corporation for National Service in accordance with applicable federal, state and Navajo laws, rules and regulations, and operating polices and guidelines.~~

~~N. To seek the establishment and funding of the VA Claims Examiner Program.~~

~~O. To administer and manage the Veterans Administration Medical Center (VAMC) Fee Reimbursement Traditional Healing Ceremony in collaboration with Carl T. Hayden VAMC of Phoenix, Arizona.~~

~~P. To the extent permitted by federal, state or Navajo Nation law, the Department shall assist Navajo Nation Chapters and Veterans in implementing the Navajo Nation Local Governance Act of 1995.~~

~~Article III – Authorities, Duties and Responsibilities~~

~~The responsibilities of the Department Director shall be:~~

~~1. To supervise and administer the Department of Navajo Veterans Affairs program and other duly approved programs as authorized under the provisions of this Plan of Operation for the Department of Navajo Veterans Affairs.~~

~~2. To implement, carry out and enforce authorized policies and directives as promulgate by virtue of the Plan of Operation of the Department of Navajo Veterans Affairs including, but not limited to:~~

~~a. Representing the Department of Navajo Veterans Affairs as directed and authorized by the Navajo Nation and in dealing with the public and representatives of other organizations.~~

~~b. Determining, evaluating and advocating for the needs of Navajo Veterans.~~

~~c. Recommending and providing coordination for implementation of authorized federal, state and tribal program for the benefit of Navajo Veterans pursuant to all applicable Navajo Nation laws, rules and regulations.~~

~~d. Serving as a liaison to seek and identify additional state, federal and tribal sources to insure the maximum return for Tribal Navajo Nation general funds and private matching funds.~~

~~e. Recommending the negotiation and appropriation of available funds to use for Navajo Veterans' program to the Budget and Finance Committee of the Navajo Nation Council through recommendation by the appropriate Navajo Nation Council Committees.~~

~~f Overseeing and conducting program monetary assistance and/or services to all eligible Navajo Veterans and eligible spouses,~~

~~widow(er)s and dependent children of deceased Navajo Veterans pursuant to duly approved program policies and procedures.~~

~~g. Recommending necessary budget proposals for professional and/or technical positions and services as needed to carry out the duties and responsibilities set forth herein.~~

~~h. Developing, recommending and implementing policies and procedures for the administration of all programs to Navajo Veterans under the Department of Navajo Veterans Affairs.~~

~~3. To carry out the purposes for the Veterans Loan Program as set forth in Section II of this Plan of Operation; including, but not limited to:~~

~~a. Accepting, reviewing, evaluating and processing applications for loans in accordance with Operating Policies and Guidelines adopted by the Budget and Finance Committee.~~

~~b. Closing approved loans in accordance with Operating Policies and Guidelines approved by the Budget and Finance Committee and accounting policies and procedures of the Navajo Nation.~~

~~c. Managing and servicing loan accounts arising from loans made and to take, cause to be taken all appropriate actions to protect property interests of the Navajo Nation.~~

~~d. Initiating collections procedures, including the referral of accounts to the Department of Justice for litigation or other appropriate action, for all sums due and owing the Navajo Nation arising from loans made under the program.~~

~~e. Recommending policies and procedures to the Budget and Finance committee and other appropriate Committees of the Navajo Nation Council.~~

~~f. Preparing and presenting periodic accounting and operational reports to appropriate parties.~~

~~g. Executing documents on behalf of the Navajo Nation in regards to the closing of loans, the placement and release of liens on personal property, and the release of leasehold mortgages pertaining to loans that have been paid in full.~~

~~h. Publishing or causing to be published, public information material pertaining to the program.~~

~~i. Completing such other assignments, or take such other actions as it is necessary to protect the property and assets of the Navajo Nation.~~

~~Article IV – Objectives~~

~~The Department of Navajo Veterans Affairs shall be responsible for carrying out the following objectives on behalf of Navajo Veterans:~~

~~1. To advocate and provide administrative oversight and coordination for needed services for Navajo Veterans in such areas as housing, housing assistance, education, vocational, and other special training, legal, medical and small business development assistance, compensation and pensions, memorial affairs and other related Veterans' benefits.~~

~~2. To promote utilization of benefits available pursuant to Title 238 U.S. Code and other related federal laws and regulations.~~

~~3. To promote utilization of benefits available pursuant to Arizona, New Mexico, Utah and other applicable state laws pertaining to Veterans.~~

~~4. To promote utilization of benefits available pursuant to the laws of the Navajo Nation.~~

~~5. To identify, prioritize and advocate for program services to assist special needs to Navajo Veterans.~~

~~6. To identify, prioritize and advocate for program services to assist special needs of Navajo Veterans.~~

~~7. To advocate for the preferential treatment of veterans in business and employment.~~

~~8. To report from time to time and as requested to the Navajo Nation on the status of Navajo Nation Office of Veterans Affairs.~~

~~Article V – Organization~~

~~1. The Department of Navajo Veterans Affairs shall be administratively responsible within the Division of Human Resources, to the Executive Director.~~

~~2. The Department of Navajo Veterans Affairs shall have a central office located in Window Rock Arizona and may locate sub offices in each agency and satellite areas of the Navajo Nation.~~

~~3. The organizational chart for the Department of Navajo Veterans Affairs is attached and incorporated as "Exhibit A" herein.~~

~~Article VI – Personnel~~

~~A. The Department of Navajo Veterans Affairs shall be supervised by a Department Director who shall be appointed selected and employed by the Executive Director of the Division of Human Resources pursuant to and in accordance with the Navajo Nation Personnel Policies Manual. The Department Director shall be an enrolled member of the Navajo Nation and preferably, an honorably discharged Veteran.~~

~~B. The Department of Navajo Veterans Affairs' staff shall be selected, employed, supervised and terminated by the Department Director, pursuant to and in accordance with the Navajo Nation~~

~~Personnel Policies Manual and all other laws, regulation and benefits applicable to employees of the Navajo Nation.~~

~~Article VII – Legislative Oversight~~

~~Legislative oversight for the operation of the Department of Navajo Veterans Affairs shall be provided by the Human Services Committee of the Navajo Nation Council. In consultation with the Human Services Committee, the Budget and Finance Committee of the Navajo Nation Council shall provide the Loan Program oversight.~~

~~Article VIII – Amendments~~

~~This Plan of Operation for the Department of Navajo Veterans Affairs may be amended from time to time by the Government Services Committee of the Navajo Nation Council upon recommendation of the Human Services Committee of the Navajo Nation Council and the Budget and Finance Committee of the Navajo Nation Council relating to Navajo Veterans' Loan Program.~~

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Health, Education and Human Services Committee of the 23rd Navajo Nation Council at duly called meeting at Navajo Nation Council Chamber, Window Rock, Arizona, at which a quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 1 abstained this 22nd day of August, 2016

Jonathan L. Hale, Chairperson
Health, Education and Human Services Committee
of the 23rd Navajo Nation Council

Motion : Honorable Nathaniel Brown
Second : Honorable Norman M. Begay
Vote : 3 in favor, 0 Opposed, 1 Abstained
Chairperson not voting

EXHIBIT
C

CJA-3-16

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Second Year, 2016

AN ACT

RELATING TO LAW AND ORDER, HEALTH, EDUCATION, AND HUMAN SERVICES, AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; ESTABLISHING THE NAVAJO NATION VETERANS ADMINISTRATION AND NAVAJO NATION VETERANS ADVISORY COUNCIL AND AMENDING 2 N.N.C. § 1703 AND 1704

BE IT ENACTED:

Section One. Findings

A. The Law and Order Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 601(B)(14), reviews and makes recommendations to the Navajo Nation Council on proposed amendments to and enactments in the Navajo Nation Code.

B. The Health, Education and Human Services Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 401(B)(6), has the power to review and recommend resolutions relating to veterans and veteran services.

C. The Naabik'íyáti' Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 164(A)(9), reviews proposed legislation which requires final action by the Navajo Nation Council.

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.

E. The legislation also establishes a Navajo Nation Veterans Advisory Council to recognize veterans and ensure veteran participation in policy and data system development.

F. Since the time of Naayéé'neizghání and Tóbájíshchíní, Navajos revere and respect warriors in our society.

G. Native American Tribes throughout North America have participated and contributed to the United States Government through acts of military service in every minor and major military conflict that the United States has been involved in.

H. Today, Native Americans represent the highest per capita for military enlistment of any ethnic group in the United States Military and the Navajo Nation foresees this to continue of further Native American Generations to come.

I. It is appropriate to recognize all Navajo veterans of foreign wars and military service men and women who have provided distinguished service and their families.

J. It is essential to recognize and honor Navajo veterans for their remarkable military service and sacrifice.

K. The Navajo Code Talkers exemplify the exceptional military service that is unique to the Navajo people through the use of the Navajo language to defend our homeland.

L. Navajo veterans work tirelessly at the local level to ensure Navajo veterans are recognized for their extraordinary service in protecting our homeland.

M. There is a need to ensure that Navajo veterans have direct involvement in policy-making decisions regarding veteran's services and benefits;

N. It is necessary to ensure veterans on the Navajo Nation have access to creating Navajo, federal, and state benefit claims without being hindered by long distance travel.

O. Veterans' programs and services are a priority for all veterans.

P. The Executive Director position shall be created through a contract to provide flexibility, stability and continuity.

Q. The Department of Navajo Veterans Affairs must be a separate Administration within the Executive branch to seek recognition from the United States Department of Veterans Affairs.

R. Navajo veterans face tremendous challenges accessing veterans' benefits and services for health care, housing, education, and employment, often times traveling hundreds of miles round trip from Navajo communities to federal Veterans Administration health care facilities or service offices.

S. The Office of the President and Vice-President, in collaboration with the Department of Veterans Affairs, Division of Health and the Agency Veteran's Organizations, conducted eight public hearings on the establishment of the veterans' administration at various locations including Fort Defiance, Chinle, To'naness'dizi, Crownpoint, Tohajiilee, Nenahnezad, Tolani Lake and Shiprock and received numerous comments on the proposal for a veterans' administration.

T. It is in the best interest of Navajo Nation Veterans that an executive level administration be established to ensure quality services are provided to those Veterans and may partner with other veterans organizations.

Section Two. Establishing the Navajo Veterans Administration

The Navajo Nation hereby establishes the Navajo Veterans Administration within the Navajo Nation Code, Title 2, Sections 1031 *et seq.*, as follows:

TITLE 2. NAVAJO NATION GOVERNMENT

CHAPTER 5. EXECUTIVE BRANCH

SUBCHAPTER 1. Generally

****

Article 3. Navajo Nation Veterans Administration

§ 1031. Navajo Nation Veterans Administration establishment

A. The Navajo Nation Veterans Administration is established under the Office of the President and Vice-President of the Navajo Nation. The President of the Navajo Nation, after consultation with the Navajo Nation Veterans Advisory Council, shall retain by contract for a term of six (6) years an Executive Director who shall head the Veterans Administration.

B. The Navajo Nation Veterans Administration shall perform its assigned functions as identified in its approved Plan of Operation.

§ 1032. Responsibility and Authority

A. The Navajo Nation Veterans Act is enacted to establish an executive administration that effectively and efficiently provides outreach, services and benefits to veterans.

B. In carrying out its responsibilities the Administration, through the Executive Director, is authorized to:

Assist individuals in presenting, providing, and establishing claims, privileges, rights and benefits they may have under Navajo, federal, state, or local law.

1. Create outreach services in relation to health, education, employment, housing, and benefits.

2. Collect information relating to veterans as such services and facilities available to Veterans.

3. Adopt rules deemed necessary to administer this Act.

5. Enter into agreements with Veterans' organizations in the Navajo Nation for the purpose of the Navajo Nation Veterans Trust Funds pursuant to 12 N.N.C. Sections 1171 *et seq.*

6. Adopt necessary procedures to effectively and efficiently provide services to Veterans.

7. Provide administrative support and technical assistance to the Navajo Nation Veterans Advisory Council.

8. Seek external funding to ensure creation, expansion and improvement of programs serving veterans throughout the Navajo Nation.

9. Coordinate and collaborate within the Navajo Nation government, health care facilities, educational institutions, employment entities, and housing programs providing services for Veterans.

10. Advocate for and promote health care services, educational opportunities, employment opportunities, and housing programs for veterans.

Article 4 Navajo Nation Veterans Advisory Council

§ 1033. Navajo Nation Veterans Advisory Council Establishment

A. The Navajo Nation Veterans Advisory Council is established under the Executive Branch of the Navajo Nation government.

B. The purpose and authority of the Veterans Advisory Council is to provide policy advice to the President of the Navajo Nation regarding veteran issues and concerns.

C. Membership, selection, terms of office

1. A Navajo Nation Veterans Advisory Council is established consisting of eleven (11) members.

2. The Advisory Council shall consist of the ten (10) Agency Veteran Commanders, one ((1) female and one (1) male selected by each Agency, as the designated voting members with the Administration Executive Director acting as a non-voting member.

3. The Advisory Council shall select from its members a Chair.

4. Designated members shall be Veterans selected and/or removed by the respective Chapter Veteran Organizations.

5. The Council shall meet on a quarterly basis and as necessary. Voting members shall receive meeting stipend and travel expense reimbursement pursuant Navajo Nation laws, policies and procedures and budget.

§ 1034. Oversight

The Navajo Nation authorizes the establishment of the Navajo Nation Veterans Administration and the Navajo Nation Veterans Advisory Council. Legislative oversight shall be provided by the Health, Education, and Human Services Committee of the Navajo Nation Council, which will have final approval of the respective plans of operation.

§ 1035. Amendments

This Articles may be amended by a two-thirds (2/3) vote of the Navajo Nation Council upon recommendation from the Navajo Nation Veterans Advisory Council.

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Section Three. Amending 2 N.N.C. §§ 1703 and 1704

The Navajo Nation hereby amends the Navajo Nation Code, Title 2, Sections 1703 and 1704 as follows:

TITLE 2. NAVAJO NATION GOVERNMENT

Chapter 5. Executive Branch

SUBCHAPTER 27. Division of Human Resources

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§ 1703. Personnel and organization

B. Organization.

1. The Division of Human Resources shall be comprised of programs and administrative components as may be deemed necessary subject to legislative review and approval of the department's and/or program's plans of operation.

2. The Division of Human Resources shall consist of the following departments and offices:

   a. Department of Personnel Management
   b. Navajo Department of Workforce Development
   c. Navajo Department of Retirement Services
   ~~d. Department of Veterans Affairs.~~
   ~~e.~~d. Office of Broadcast Services
   ~~f.~~e. Office of Navajo Labor Relations
   ~~g.~~f. Office of Navajo Women and Families
   ~~h.~~g. Navajo Office of Vital Records
   ~~i.~~h. Navajo Occupational Safety and Health Administration
   ~~j.~~i. Department of Child Support Enforcement
   ~~k.~~j. Staff Development and Training Program
   ~~l.~~k. Navajo Nation Band

§ 1704. Responsibility and Authority

A. The Division of Human Resources provides centralized and decentralized human resources program services to the Navajo Nation government. The Division management is accountable to the President of the Navajo Nation for performance of its functional responsibilities in an effective and efficient

manner. All management Personnel within the Division shall have sufficient authority established by their plans of operation to perform their job responsibilities not inconsistent with the Master Plan or Navajo law.

~~B. The Department of Veterans Affairs shall develop and implement all veterans program services that are funded by Navajo Nation General Funds in accordance with the definition:~~

~~A Navajo veteran is an individual who is enrolled member of the Navajo Nation and has been discharged under honorable conditions from the United States military service with a DD Form 214, Certificate of Release or Discharge from Active Duty.~~

~~C~~B. The Executive Director of the Division of Human Resources shall have the following responsibilities and authorities:…

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Section Four. Rescinding CO-39-10

The Navajo Nation, in amending the above Title 2, Chapter 5, Subchapter 27, Section 1704, hereby rescinds CO-39-10 which specifically amended Section 1704 B.

Section Five. Effective Date

The Navajo Nation Code amendment enacted herein shall be effective pursuant to 2 N.N.C. § 221(B).

Section Six. Codification

The provisions of this Act which amend or adopt new sections of 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 Seven. Saving Clause

Should any provisions of this ordinance be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, those portions of this ordinance which are not determined invalid shall remain the law of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 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 20 in favor and 0 opposed, this 26th day of January 2016.

LoRenzo Bates, Speaker
Navajo Nation Council

Feb 3, 2016
Date

Motion: Honorable Jonathan Perry
Second: Honorable Davis Filfred

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C)(10), on this 13th day of February 2016.

Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2016 for the reason(s) expressed in the attached letter to the Speaker.

Russell Begaye, President
Navajo Nation

EXHIBIT 2

PLAN OF OPERATION FOR NAVAJO NATION VETERANS ADMINISTRATION

I. ESTABLISHMENT

The Navajo Nation Veterans Administration (NNVA) is established within the Executive Branch of the Navajo Nation Government and as a Navajo Nation Administration within the Office of the President and Vice President of the Navajo Nation.

II. OBJECTIVES

The NNVA shall be responsible for carrying out the following objectives on behalf of Navajo Veterans:

A. Advocate, prioritize, evaluate and provide administrative oversight and coordination for needed services and programs for Navajo Veterans in areas such as housing, education, healthcare, ~~and other~~ specialized training~~; such as~~ provide support for legal, medical and small business development assistance and other related Veterans' benefits or programs.

B. To seek accreditation for veterans' benefits and claims which are available pursuant to Title 38 U.S. Code and other benefits available from Arizona, New Mexico, Utah and the Navajo Nation.

C. ~~Identify, prioritize and advocate for program services to assist Veterans~~.

D. To advocate for ~~the preferential treatment of~~ veterans preference in business and employment.

E. ~~Evaluating and advocating for the needs of Veterans~~.

III. PURPOSES

The purposes of the Navajo Nation Veterans Administration (NNVA) shall be to:

A. Seek Federal recognition under 38 C.F.R section 14.628 to prepare, present and ~~prosecute~~ follow through with claims for Veterans Administration (VA) benefits.

B. Effectively and efficiently provide outreach, services and benefits to Navajo Veterans; and to identify the ~~exclusive and distinctive~~ unique needs of Navajo Veterans, their widow(er) and Gold Star Mothers.

C. Seek ~~additional~~ funding, ~~and~~ make recommendations, and ~~for the~~ implementation, ~~expansion~~ expand and improve~~ment~~ of existing NNVA programs ~~of the NNVA~~, and Navajo Nation divisions and offices ~~of the Navajo Nation~~ to ensure Navajo Veterans receive the benefits and services they are entitled to.

D. The extent permitted by federal, state and/or Navajo Nation law, the NNVA shall monitor and assess all Veterans' benefit programs made available to the Navajo Nation and its Veterans, which affect the unique ~~exclusive and distinctive~~ needs and interests of Navajo Veterans.

E. Recommend ~~overall~~ policies and legislation regarding Navajo Veterans to the Navajo Nation Council, ~~through the~~ Navajo Nation Council Committees ~~'s respective committees~~ and Navajo Chapter communities that ~~which consider and~~ are consistent with applicable Navajo Nation ~~governmental~~ laws and policies.

F. ~~Seek~~ Identify and improve the quality and accessibility of healthcare benefits, ~~health~~ and services for Navajo Veterans on the Navajo Nation.

G. Monitor, advocate and promote employment and educational benefits and training for Navajo Veterans, business preference, employment preference, and other services.

H. ~~Seek the~~ Establish~~ment~~ and fund~~ing~~ ~~of~~ the Veterans' Housing Programs or services for Navajo Veterans ~~on~~ within the Navajo ~~Reservation~~ Nation. This may include seeking partnership(s) with local, tribal, state or federal housing entities to provide the best services available for housing.

I. Determine, implement and provide program services to address the critical ~~for the~~ needs and benefits ~~of~~ for Navajo Veterans pursuant to Navajo Nation budget appropriations, and ~~pursuant to~~ duly accepted and approved program funds received by the Navajo Nation on behalf of Navajo veterans.

J. Partner with the Office of the Controller-Credit Services to ~~in~~ implement~~ing~~ and maintain~~ing~~ a Navajo Veterans Loans Program in accordance with all applicable Navajo Nation Laws, and operating procedures and guidelines for the Navajo Veterans Loan Program, as approved by the Budget and Finance Committee of the Navajo Nation Council.

K. ~~Recommend~~ Seek Navajo Nation, Federal, State and business-financial sources of ~~the appropriation of available~~ funds for ~~use by~~ the Navajo Veterans Loan Program.

L. Advocate, improve, manage and administer ~~Manage by administering, advocating and improving~~ the Carl T. Hayden-Veterans Administration Medical Center (VAMC) Fee Reimbursement program for Traditional Navajo and Native American Healing Ceremonies.

M. To the extent permitted by ~~federal, state or~~ Navajo Nation, federal or state law, the NNVA shall assist Navajo Nation Chapters and Veterans to ~~in~~ implement~~ing~~ the Navajo Nation Local Governance Act of 1998.

N. ~~Consult with the Navajo Veterans Advisory Council on policy matters~~.

IV. ORGANIZATION

A. The NNVA shall be responsible for the administration, operations and ~~logistics~~ management of the NNVA ~~under~~ within the Office of President and Vice President of the Navajo Nation.

B. The NNVA shall ~~have~~ establish a central administrative office located near Window Rock, Arizona and ~~have~~ shall establish sub-office across the Navajo ~~Reservation~~ Nation ~~which may include satellite areas of the Navajo Nation~~.

C. The NNVA organizational chart ~~for the NNVA~~ is attached as "Exhibit A" ~~herein~~.

V. PERSONNEL

A. ~~The NNVA shall be supervised by a Executive Director who shall be selected and contracted by the President of the Navajo Nation in consultation with the Navajo Veterans Advisory Council.~~ The NNVA shall be supervised by an Executive Director who shall be selected by the President of the Navajo Nation in consultation with the Navajo Veterans Advisory Council and retained by contract for a term of six (6) years.

B. The NNVA's staff shall be selected, employed, supervised and terminated by the Executive Director, pursuant to and in accordance with the Navajo Nation Personnel Policies Manual and ~~all other~~ related Navajo Nation laws, regulations and benefits ~~applicable~~ available to

~~executive~~ Navajo Nation employees ~~of the Navajo Nation~~ under the Office of the President and Vice President.

VI. AUTHORITIES AND RESPONSIBILITITES

A. The responsibilities of the Executive Director shall be to:

1. Administer the operations and management of the NNVA, including the supervision of NNVA personnel and contractors. ~~Supervise personnel and administer the operations of the NNVA.~~

2. In the absence of the Executive Director the ~~next senior personnel or next delegated personnel on the organizational structure~~ Deputy Director or delegated personnel shall assume ~~all~~ delegated duties and responsibility of the Executive Director to ensure continuity of NNVA operations and management, accountability, responsibility and communication.

3. Report on a quarterly basis or ~~from time to time to and~~ as requested, to the Navajo Nation Office of the President and Vice President, the Navajo Nation Council and legislative oversight committee on the status of the NNVA projects and work undertaken to provide support and assistance to Navajo veterans.

4. Create a Veterans ~~registry~~ census program ~~that~~ to ensure an accurate and periodic Veterans population count, to include demographics on housing, employment, healthcare, education, and other relevant information to support the NNVA's work to support and assist Navajo veterans.

5. Pursue and recommend~~ing~~ ~~necessary budget~~ proposals and related budgets for professional and/or technical assistance positions and services, as needed, to carry out the ~~duties and responsibilities set forth herein~~ objectives and purpose of the NNVA.

6. Implement, administer and enforce the following, but not limited to:

a. Recommend~~ing~~ and provide~~ing~~ coordination for the implementation of authorized federal, state and tribal program for the benefit of Veterans pursuant to ~~all applicable~~ Navajo Nation, State, or Federal laws, rules and regulations.

b. ~~Serving as a liaison to seek and~~ Identify additional state, federal and tribal financial resources to supplement and provide the maximum return for Navajo Nation general funds and private matching funds.

c. Recommend,~~ing the~~ negotiate,~~tion~~ and advocate for Navajo Nation, federal and state funding appropriations ~~of~~ to be used ~~available funds to use~~ for Veterans services and programs administered by the NNVA.

d. Manage ~~monetary~~ Navajo veterans' financial assistance programs, including the Veterans Trust Fund, and/or services to ~~all~~ eligible Veterans, Widow(er)s and Gold Star Mothers pursuant to ~~duty~~ approved programs, policies, and procedures.

e. Develope~~ing~~, recommend~~ing~~, and implement~~ing~~ policies and procedures for the administration of all programs for veterans under the NNVA.

f. To provide administrative support and technical assistance to the Navajo Nation Veterans Advisory Council.

7. Direct, manage and operate the Navajo Nation Veterans administration pursuant to the NNVA Plan of Operations.

VII. LEGISLATIVE OVERSIGHT

A. The Health, Education, and Human Services Committee of the Navajo Nation Council shall exercise legislative oversight ~~for the operation~~ of the NNVA ~~shall be provided by the Health,~~

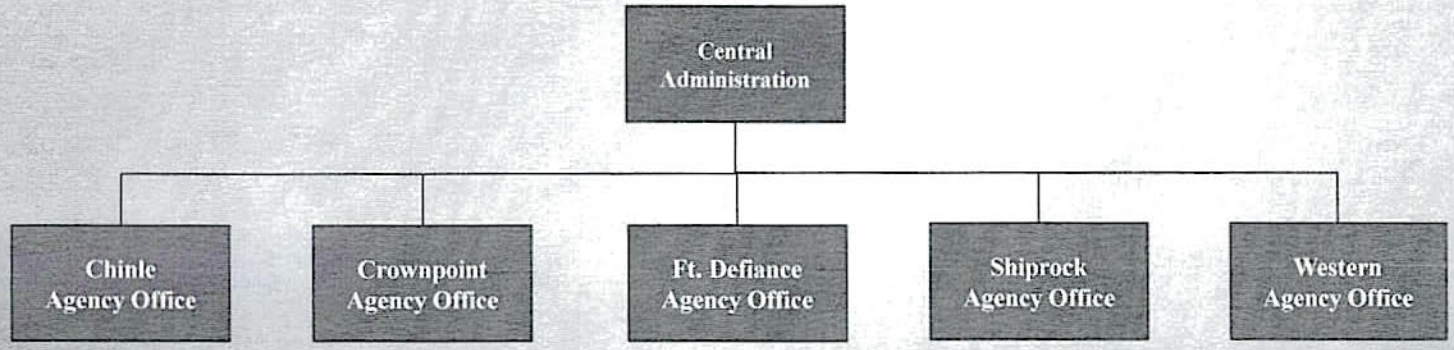
~~Education and Human Services Committee of the Navajo Nation Council~~.

B. ~~In consultation with the~~ The Navajo Nation Council's Health, Education and Human Services Committee, and the Budget and Finance Committee ~~of the Navajo Nation Council~~ shall ~~provide~~ jointly exercise legislative oversight ~~to~~ of the NNVA- Veterans Loan Program.

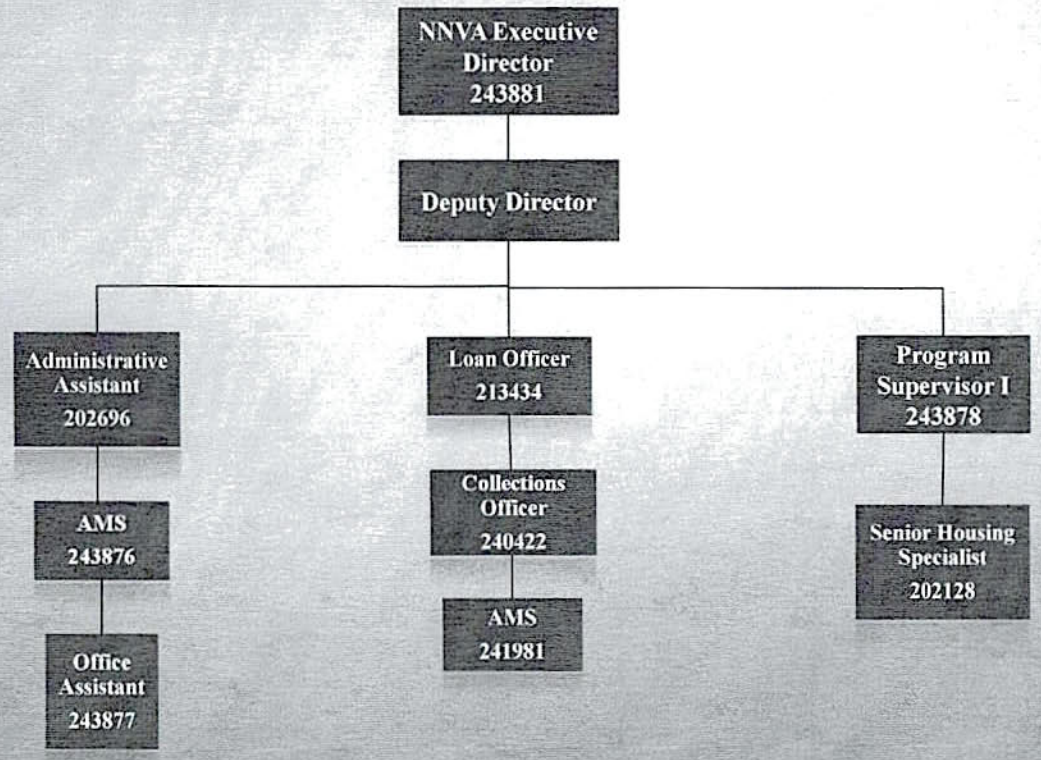
VIII. AMENDMENTS

This Plan of Operations may be amended ~~periodically~~ as needs arise with approval by the Health, Education and Human Services Committee of the Navajo Nation Council.

NNVA Organizational Chart



NNVA Organizational Chart
Central Administration



NNVA Organizational Chart
Agency Offices

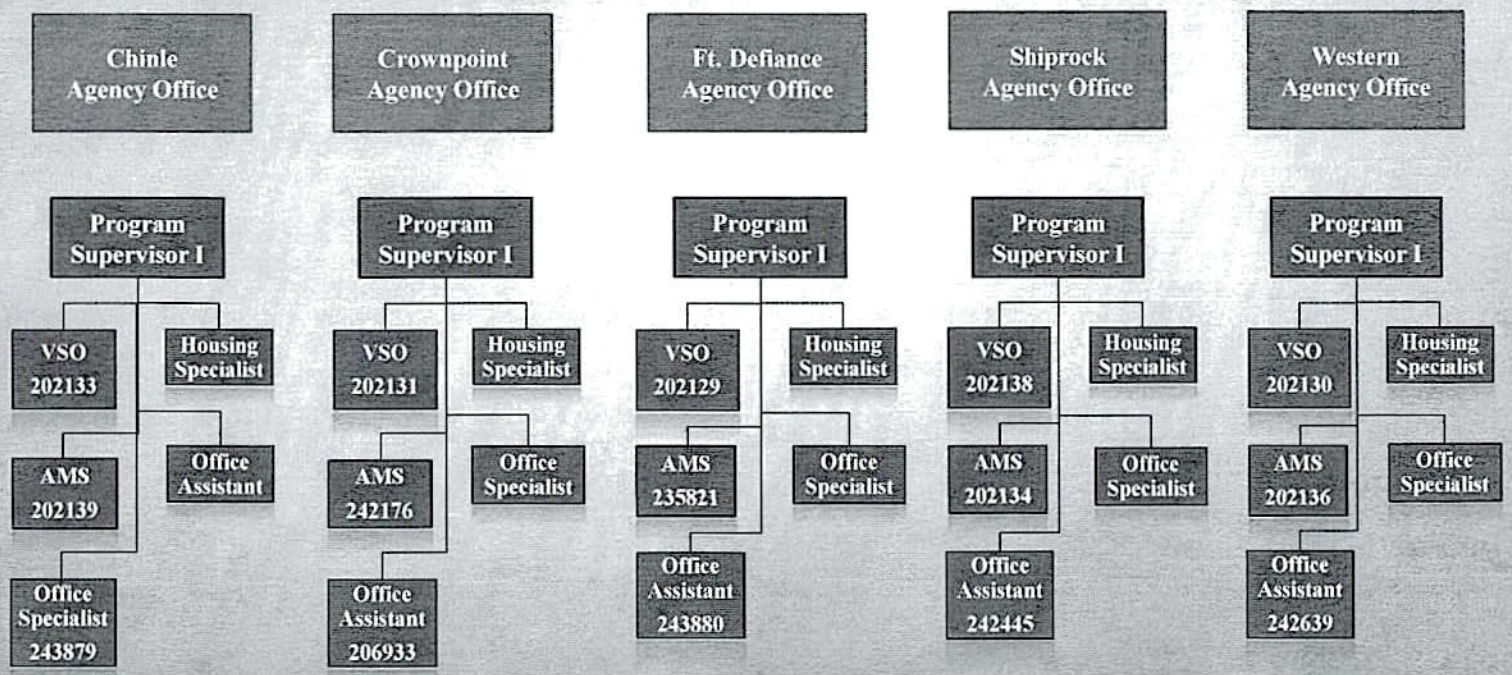


EXHIBIT 3

NAVAJO NATION VETERANS ADVISORY COUNCIL

Chairman: Olin Kieyoomia Vice Chairman: Pete Tsinnijinnie Secretary: Billy Goodman, Jr.
Eastern Agency Fort Defiance Agency Chinle Agency Western Agency Shiprock Agency

RESOLUTION

AN ACTION RELATING TO THE NAVAJO NATION VETERANS ADMINISTRATION PLAN OF OPERATION

NNVAC-07-20

WHEREAS:

1. Pursuant to Navajo Nation Council Resolution CMA-25-71; The Navajo Veterans were recognized and a Navajo Nation Veterans Administration was established under the Executive Branch of the Navajo Nation Government- Office of the President and Vice President of the Navajo Nation; and
2. Pursuant to Navajo Nation Council Resolution CJA-3-16, Navajo Nation Veterans Act; Title II, Chapter 5, Subchapter 1, Article 4, SS 1033, The Navajo Nation Veterans Advisory Council is duly established by the Navajo Nation; and
3. The Navajo Nation Veterans Advisory Council is duly recognized by the Navajo Nation with a Plan of Operation to provide recommendations to the Navajo Nation President, Vice President, and NNVA Executive Director and advocate on behalf of all Navajo Nation veterans with quality, transparent and consistent service; and
4. All leaders chosen by the Diné are to carry out their duties and responsibilities in a moral and legal manner in representing the people and the government; the people's trust and confidence in the leaders and the continued status as a leader are dependent upon adherence to the values and principles of Diné bi beenahazáanii.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Veterans Advisory Council has reviewed the NNVA Plan of Operations, and was afforded an opportunity to make recommendations to the Executive Director on proposed changes.
2. The NNVAC understands the importance of the NNVA Plan of Operation, and the impact is has on the Administrations ability to provide services to the Navajo veteran population, surviving spouses, and Gold Star Mothers.
3. The NNVAC supports the changes to the NNVA Plan of Operation and asks that the Health, Education, and Human Services Committee adopt the new plan prior to the end of the current fiscal year.

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

Navajo Nation Veterans Administration. Post Office Box 430. Window Rock, Arizona 86515 Phone: (928) 871-6413/ Fax: (928) 871-7288

NAVAJO NATION VETERANS ADVISORY COUNCIL

Chairman: Olin Kieyoomia Vice Chairman: Pete Tsinnijinnie Secretary: Billy Goodman, Jr.
Eastern Agency Fort Defiance Agency Chinle Agency Western Agency Shiprock Agency

The Navajo Nation Veterans Advisory Council hereby certifies the foregoing resolution that was considered at a duly called meeting in Window Rock, Arizona (Navajo Nation) and that same was approved and passed with a vote of **4** in Favor; **0** Opposed and **2** Abstain on the **5th Day of AUG 2020**.

Motioned: James Zwierlein
Seconded: Nelda Achee

George Tolth, Acting Chair
Navajo Nation Veterans Advisory Council

Navajo Nation Veterans Administration. Post Office Box 430. Window Rock, Arizona 86515 Phone: (928) 871-6413/ Fax: (928) 871-7288

EXHIBIT 4

NAVAJO NATION DEPARTMENT OF JUSTICE

☐ RESUBMITTAL

REQUEST FOR SERVICES

RECEIVED SEP 11 2020 DEPARTMENT OF JUSTICE ADMINISTRATION

DOJ 9/11/20 339p DATE / TIME

RFS #: 20-1080

UNIT: HSGW

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

CLIENT TO COMPLETE

DATE OF REQUEST: 9/11/2020 ENTITY/DIVISION: OPVP

CONTACT NAME: Jim Zwierlein DEPARTMENT: NNVA

PHONE NUMBER: 505-371-8463 E-MAIL: jameszwierlein@navajo-nsn.gov

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):

REVIEW: NNVA Plan of Operation Review

DEADLINE: Click here to enter a date. REASON:

DOJ SECRETARY TO COMPLETE

Emailed by: m

DATE/TIME IN UNIT: 9/11/2020 @ 3:45pm REVIEWING ATTORNEY/ADVOCATE: Chris J. Schneider

DATE TIME OUT OF UNIT: PREPARED BY *(initial)*: m

DOJ ATTORNEY / ADVOCATE COMMENTS

SUFFICIENT

REVIEWED BY: *(PRINT)* Chris Schneider DATE / TIME: 11 SEP 2020 4:15

DOJ Secretary Called James Zwierlein for Document Pick Up on 9/11/2020 at 4:42p By: m

PICKED UP BY: *(PRINT)* DATE / TIME:

NNDOJ/DRRF-July 2013

AN ACTION

RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; AMENDING THE PLAN OF OPERATION FOR THE NAVAJO NATION VETERANS ADMINISTRATION

BE IT ENACTED:

Section One. Authority

A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council empowered to exercise oversight authority on laws and policies affecting veteran services 2 N.N.C. s 400(C)(3); 401 (C)(6).

B. The Health, Education and Human Services Committee is also empowered to approve the plan of operation for the Navajo Nation Veterans Administration pursuant to 2 N.N.C. s 1034.

Section Two. Findings

A. The Navajo Nation Veterans Administration (NNVA) is empowered to recommend policies and legislations regarding Veterans to the Navajo Nation Council through Health, Education and Human Services Committee of the Navajo Nation Council consistent with applicable governmental laws and policies. See **Exhibit "A",** Section III(E).

B. The NNVA recommends that its current plan of operation, adopted by HEHSCAU-12-16, be amended as set forth in **Exhibit A**.

C. The proposed plan of operation set forth in Exhibit A was reviewed by NNDOJ and deemed legally sufficient. See **Exhibit "B".**

Section Three. Approval

A. The Health, Education and Human Services Committee of the Navajo Nation Council hereby approves the amendments to the Plan of Operations for the Navajo Nation Veterans Administration as set forth in **Exhibit A.**

HEHSCAU-12-16

Exhibit "A"

PLAN OF OPERATION FOR NAVAJO NATION VETERANS ADMINISTRATION

I. ESTABLISHMENT

The Navajo Nation Veterans Administration (NNVA) is established within the Executive Branch of the Navajo Nation Government and as a Navajo Nation Administration within the Office of the President and Vice President of the Navajo Nation.

II. OBJECTIVES

The NNVA shall be responsible for carrying out the following objectives on behalf of Veterans:

A. Advocate, and provide administrative oversight and coordination for needed services for Veterans in areas such as housing, education, and other specialized training; such as legal, medical and small business development assistance and other related Veterans' benefits or programs.

B. To seek accreditation for veterans' benefits and claims which are available pursuant to Title 38 U.S. Code and other benefits available from Arizona, New Mexico, Utah and the Navajo Nation.

C. Identify, prioritize and advocate for program services to assist Veterans.

D. To advocate for the preferential treatment of veterans in business and employment.

E. Evaluating and advocating for the needs of Veterans.

III. PURPOSES

The purposes of the Navajo Nation Veterans Administration (NNVA) shall be to:

A. Seek Federal recognition under 38 C.F.R section 14.628 to prepare, present and prosecute claims for Veterans Administration (VA) benefits.

B. Effectively and efficiently provide outreach, services and benefits to Veterans; and to identify the exclusive and distinctive needs of Veterans, their widow(er) and Gold Star Mothers.

C. Seek additional funding and make recommendations for the implementation, expansion and improvement of existing programs of the NNVA, divisions and offices of the Navajo Nation to ensure Veterans receive the benefits and services they are entitled to.

D. The extent permitted by federal, state and/or Navajo Nation law, the NNVA shall monitor and assess all Veterans' benefit programs made available to the Navajo Nation and its Veterans, which affect the exclusive and distinctive needs and interests of Veterans.

E. Recommend overall policies and legislation regarding Veterans to the Navajo Nation Council, through the Navajo Nation Council Committees's respective committees and communities that which consider and are consistent with applicable Navajo Nation governmental laws and policies.

F. Seek and improve the quality and accessibility of healthcare benefits, health services for Veterans on the Navajo Nation.

G. Monitor, advocate and promote employment and educational training for Veterans, business preference, employment preference, and other services.

H. Seek the Establishment and funding of the Veterans' Housing Programs or services for Veterans on the Navajo Reservation. This may include seeking partnership(s) with local, tribal, state or federal housing entities to provide the best services available for housing.

I. Determine, implement and provide program services for the needs and benefits of Veterans pursuant to Navajo Nation budget appropriations, and pursuant to duly accepted and approved program funds received by the Navajo Nation.

J. Partner with Office of the Controller-Credit Services to in implementing and maintaining a Navajo Veterans Loans Program in accordance with all applicable Navajo Nation Laws, and operating procedures and guidelines for the Program, as approved by the Budget and Finance Committee of the Navajo Nation Council.

K. Recommend the appropriation of available funds for use by the Navajo Veterans Loan Program.

L. Manage by administering, advocating and improving the Carl T. Hayden-Veterans Administration Medical Center (VAMC) Fee Reimbursement program for Traditional Healing Ceremonies.

M. To the extent permitted by federal, state or Navajo Nation, law, the NNVA shall assist Navajo Nation Chapters and Veterans in implementing the Navajo Nation Local Governance Act of 1998.

N. Consult with the Navajo Veterans Advisory Council on policy matters.

IV. ORGANIZATION

A. The NNVA shall be responsible for the administration, operations and logistics of the NNVA under the President of the Navajo Nation.

B. The NNVA shall have a central administrative office located Window Rock, Arizona and have sub-office across the Navajo Reservation which may include satellite areas of the Navajo Nation.

C. The organizational chart for the NNVA is attached as "Exhibit A" herein.

V. PERSONNEL

A. The NNVA shall be supervised by a Executive Director who shall be selected and contracted by the President of the Navajo Nation in consultation with the Navajo Veterans Advisory Council.

B. The NNVA's staff shall be selected, employed, supervised and terminated by the Executive Director, pursuant to and in accordance with the Navajo Nation Personnel Policies Manual and all other laws, regulations and benefits applicable to executive employees of the Navajo Nation under the Office of the President and Vice President.

VI AUTHORITIES AND RESPONSIBILITITES

A. The responsibilities of the Executive Director shall be to:

1. Supervise personnel and administer the operations of the NNVA.

2. In the absence of the Executive Director the next senior personnel or next delegated personnel on the organizational structure shall assume all duties and responsibility of the Executive Director to ensure continuity of NNVA operations, accountability, responsibility and communication.

3. Report on a quarterly basis or from time to time to and as requested, to the Navajo Nation on the status of the NNVA.

4. Create a Veterans registry program that ensure an periodic Veterans population count.

5. Recommending necessary budget proposals for professional and/or technical positions and services, as needed, to carry out the duties and responsibilities set forth herein.

6. Implement, administer and enforce the following, but not limited to:

a. Recommending and providing coordination for implementation of authorized federal, state and tribal program for the benefit of Veterans pursuant to all applicable Navajo Nation, State, or Federal laws, rules and regulations.

b. Serving as a liaison to seek and Identify additional state, federal and tribal sources to provide the maximum return for Navajo Nation general funds and private matching funds.

c. Recommending the negotiation and appropriations of available funds to use for Veterans.

d. Manage monetary assistance programs, and/or services to all eligible Veterans, Widow(er)s and Gold Star Mothers pursuant to duty approved programs, policies, and procedures.

e. Developing, recommending, and implementing policies and procedures for the administration of all programs for veterans under the NNVA.

f. To provide administrative support and technical assistance to the Navajo Nation Veterans Advisory Council.

VII. LEGISLATIVE OVERSIGHT

A. legislative oversight for the operation of the NNVA shall be provided by the Health, Education and Human Services Committee of the Navajo Nation Council.

B. In consultation with the Health, Education and Human Services Committee, the Budget and Finance Committee of the Navajo Nation Council shall provide legislative oversight to the NNVA-Loan Program.

VIII. AMENDMENTS

This Plan of Operations may be amended periodically with approval by the Health, Education and Human Services Committee of the Navajo Nation Council.

HEHSCxx-xx-20

Exhibit "A"

PLAN OF OPERATION FOR
NAVAJO NATION VETERANS ADMINISTRATION

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3. Report on a quarterly basis or ~~from time to time to and~~ as requested, to the Navajo Nation Office of the President and Vice President, the Navajo Nation Council and legislative oversight committee on the status of the NNVA projects and work undertaken to provide support and assistance to Navajo veterans.

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e. Develope~~ing~~, recommend~~ing~~, and implement~~ing~~ policies and procedures for the administration of all programs for veterans under the NNVA.

f. To provide administrative support and technical assistance to the Navajo Nation Veterans Advisory Council.

7. Direct, manage and operate the Navajo Nation Veterans administration pursuant to the NNVA Plan of Operations.

VII. LEGISLATIVE OVERSIGHT

A. The Health, Education, and Human Services Committee of the Navajo Nation Council shall exercise legislative oversight ~~for the operation~~ of the NNVA ~~shall be provided by the Health, Education and Human Services Committee of the Navajo Nation Council~~.

B. ~~In consultation with the~~ The Navajo Nation Council's Health, Education and Human Services Committee, and the Budget and Finance Committee ~~of the Navajo Nation Council~~ shall ~~provide~~ jointly exercise legislative oversight ~~to~~ of the NNVA- Veterans Loan Program.

VIII. AMENDMENTS

This Plan of Operations may be amended ~~periodically~~ as needs arise with approval by the Health, Education and Human Services Committee of the Navajo Nation Council.

DRAFT

PLAN OF OPERATION FOR NAVAJO NATION VETERANS ADMINISTRATION

I. ESTABLISHMENT

The Navajo Nation Veterans Administration (NNVA) is established within the Executive Branch of the Navajo Nation Government and as a Navajo Nation Administration within the Office of the President and Vice President of the Navajo Nation.

II. OBJECTIVES

The NNVA shall be responsible for carrying out the following objectives on behalf of Navajo Veterans:

A. Advocate, prioritize, evaluate and provide administrative oversight and coordination for needed services and programs for Navajo Veterans in areas such as housing, education, healthcare, specialized training provide support for legal, medical and small business development assistance and other related Veterans' benefits or programs.

B. To seek accreditation for veterans' benefits and claims which are available pursuant to Title 38 U.S. Code and other benefits available from Arizona, New Mexico, Utah and the Navajo Nation.

C. To advocate for veterans preference in business and employment.

III. PURPOSES

The purposes of the Navajo Nation Veterans Administration (NNVA) shall be to:

A. Seek Federal recognition under 38 C.F.R section 14.628 to prepare, present and follow through with claims for Veterans Administration (VA) benefits.

B. Effectively and efficiently provide outreach, services and benefits to Navajo Veterans; and to identify the unique needs of Navajo Veterans, their widow(er) and Gold Star Mothers.

C. Seek funding, make recommendations, and implement, expand and improve~~ment~~ of existing NNVA programs, and Navajo Nation divisions and offices to ensure Navajo Veterans receive the benefits and services they are entitled to.

D. The extent permitted by federal, state and/or Navajo Nation law, the NNVA shall monitor and assess all Veterans' benefit programs made available to the Navajo Nation and its Veterans, which affect the unique needs and interests of Navajo Veterans.

E. Recommend policies and legislation regarding Navajo Veterans to the Navajo Nation Council, Navajo Nation Council Committees and Navajo Chapter communities that are consistent with applicable Navajo Nation laws and policies.

F. Identify and improve the quality and accessibility of healthcare benefits, and services for Navajo Veterans on the Navajo Nation.

G. Monitor, advocate and promote employment and educational benefits and training for Navajo Veterans, business preference, employment preference, and other services.

H. Establish and fund the Veterans' Housing Programs or services for Navajo Veterans ~~on~~ within the Navajo Nation. This may include seeking partnership(s) with local, tribal, state or federal housing entities to provide the best services available for housing.

I. Determine, implement and provide program services to address the critical needs and benefits for Navajo Veterans pursuant to Navajo Nation budget appropriations, and duly accepted and approved program funds received by the Navajo Nation on behalf of Navajo veterans.

J. Partner with the Office of the Controller-Credit Services to implement and maintain a Navajo Veterans Loans Program in accordance with all applicable Navajo Nation Laws, and operating procedures and guidelines for the Navajo Veterans Loan Program, as approved by the Budget and Finance Committee of the Navajo Nation Council.

K. Seek Navajo Nation, Federal, State and business-financial sources of funds for the Navajo Veterans Loan Program.

L. Advocate, improve, manage and administer the Carl T. Hayden-Veterans Administration Medical Center (VAMC) Fee Reimbursement program for Traditional Navajo and Native American Healing Ceremonies.

M. To the extent permitted by Navajo Nation, federal or state law, the NNVA shall assist Navajo Nation Chapters and Veterans to implement~~ing~~ the Navajo Nation Local Governance Act of 1998.

IV. ORGANIZATION

A. The NNVA shall be responsible for the administration, operations and ~~logistics~~ management of the NNVA within the Office of President and Vice President of the Navajo Nation.

B. The NNVA shall establish a central administrative office located near Window Rock, Arizona and shall establish sub-office across the Navajo Nation

C. The NNVA organizational chart is attached as "Exhibit A".

V. PERSONNEL

A. The NNVA shall be supervised by an Executive Director who shall be selected by the President of the Navajo Nation in consultation with the Navajo Veterans Advisory Council and retained by contract for a term of six (6) years.

B. The NNVA's staff shall be selected, employed, supervised and terminated by the Executive Director, pursuant to and in accordance with the Navajo Nation Personnel Policies Manual and related Navajo Nation laws, regulations and benefits available to Navajo Nation employees under the Office of the President and Vice President.

VI AUTHORITIES AND RESPONSIBILITITES

A. The responsibilities of the Executive Director shall be to:

1. Administer the operations and management of the NNVA, including the supervision of NNVA personnel and contractors.

2. In the absence of the Executive Director the Deputy Director or delegated personnel shall assume delegated duties and responsibility of the Executive Director to ensure continuity of NNVA operations and management, accountability, responsibility and communication.

3. Report on a quarterly basis or as requested, to the Navajo Nation Office of the President and Vice President, the Navajo Nation Council and legislative oversight committee on the status of the NNVA projects and work undertaken to provide support and assistance to Navajo veterans.

4. Create a Veterans census program to ensure an accurate and periodic Veterans population count, to include demographics on housing, employment, healthcare, education, and other relevant information to support the NNVA's work to support and assist Navajo veterans.

5. Pursue and recommend proposals and related budgets for professional and/or technical assistance positions and services, as needed, to carry out the objectives and purpose of the NNVA.

6. Implement, administer and enforce the following, but not limited to:

a. Recommend and provide coordination for the implementation of authorized federal, state and tribal program for the benefit of Veterans pursuant to Navajo Nation, State, or Federal laws, rules and regulations.

b. Identify additional state, federal and tribal financial resources to supplement and provide the maximum return for Navajo Nation general funds and private matching funds.

c. Recommend, negotiate, and advocate for Navajo Nation, federal and state funding appropriations ~~of~~ to be used for Veterans services and programs administered by the NNVA.

d. Manage Navajo veterans' financial assistance programs, including the Veterans Trust Fund, and/or services to ~~all~~ eligible Veterans, Widow(er)s and Gold Star Mothers pursuant to approved programs, policies, and procedures.

e. Develop, recommend, and implement policies and procedures for the administration of all programs for veterans under the NNVA.

f. To provide administrative support and technical assistance to the Navajo Nation Veterans Advisory Council.

7. Direct, manage and operate the Navajo Nation Veterans administration pursuant to the NNVA Plan of Operations.

VII. LEGISLATIVE OVERSIGHT

A. The Health, Education, and Human Services Committee of the Navajo Nation Council shall exercise legislative oversight of the NNVA.

B. The Navajo Nation Council's Health, Education and Human Services Committee, and the Budget and Finance Committee shall jointly exercise legislative oversight of the NNVA- Veterans Loan Program.

VIII. AMENDMENTS

This Plan of Operations may be amended as needs arise with approval by the Health, Education and Human Services Committee of the Navajo Nation Council.

DRAFT

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

Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

TO: Honorable Pernell Halona
24th Navajo Nation Council

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

DATE: September 11, 2020

SUBJECT: **AN ACTION RELATING TO BUDGET AND FINANCE AND HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING THE PLAN OF OPERATION FOR THE NAVAJO NATION VETERANS ADMINISTRATION**

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.

The Office of Legislative Counsel confirms the appropriate standing committee(s) 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 ensure that his 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 NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0225-20__ **SPONSOR: Pernell Halona**

TITLE: An Action Relating To Budget And Finance And Health, Education And Human Services; Amending The Plan Of Operation For The Navajo Nation Veterans Administration

***Date posted*: September 11, 2020 at 6:58 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.: 0225-20

SPONSOR: Honorable Pernell Halona

TITLE: An Action Relating To Budget And Finance And Health, Education And Human Services; Amending The Plan Of Operation For The Navajo Nation Veterans Administration

Posted: September 11, 2020 at 6:58 PM

5 DAY Comment Period Ended: September 16, 2020

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Inconclusive Comments	1) Kyle L. Rockbridge 2) Jefferson Begay 3) Anderson Tullie

Legislative Tracking Secretary
Office of Legislative Services

09/17/20 8:16AM
Date/Time

Legislation: _0225-20_

Kyle L. Rockbridge

Tue 9/15/2020 12:59 PM

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

As an AMS with the Navajo Veterans administration for the past 3 years i have observed many issues and one issue being the housing Program. The fact, we are now opening up additional positions, which in my opinion is Unneecessary and undermines all the work previous executive directors have complete. I have had over 10 Executive directors and all have one way or another worked for the administration and making it better. Yet they have also understood that funding is not there for additional staff. Please understand we are copying a service that is provide by NHA and other programs. Those programs also have better knowledge than the veteran adminstration on housing.

Kyle Rockbridge, Accounts Maintenance Specialist
Fort Defiance Agency Veterans Administration
P.O. Box 1419
Window Rock, Arizona 86515

0225-20 An Action Relating to Budget and Finance and Health, Education and Human Services; Amending the Plan of Operation for the Navajo Nation Veterans Administration

JL Begay <rezbldr@gmail.com>

Mon 9/14/2020 11:49 AM

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

Cc:Billy Goodman <billy.goodman.jr@gmail.com>; Leslie Dele <lesliedele1952@gmail.com>; Darlene Pino <zedi1836@gmail.com>; Gregg Whitehat <gwhitehat48@gmail.com>;

Honorable Council Delegates:
While considering the Plan of Operation for the Navajo Veteran's Administration I wish to propose that the Chapter Supplemental Veteran funds be transferred to the administration and oversight by the Health, Education and Human Services Committee. It would alleviate double jeopardy for the Navajo veterans by eliminating the discretion of the Chapter politics, misappropriation and mismanagement. The Navajo veteran's deserve use of these funds and the Agency Navajo Veteran's Administration has shown due diligence in providing prompt and unencumbered processing of the Navajo Veteran's Trust funds. An option would be to eliminate the Chapter Veteran's Supplemental funding is they are not going to be provided use of these funds.Thank you for your care and appreciation of our Navajo veterans.

Jefferson Begay, Commander
Naatsis'aan Veteran's Organization

E: Rezbldr@gmail.com

WARNING: External email. Please verify sender before opening attachments or clicking on links.

BLUE GAP/TACHEE VETERANS ORGANIZATION

P.O. BOX 4427

BLUE GAP, ARIZONA 86520

Navajo Nation Council Delegates

24th Navajo Nation Council

Window Rock, AZ 86515

Dear Honorable Delegates:

I am writing to express the strong opposition of the six (6) resolutions passed by Navajo Nation Veterans Advisory Council (NNVAC) on August 5, 2020. After studying and thoroughly reviewing the Resolutions and the Memorandum of August 19, 2020 by James Zwielein, I find it there are many desecrations pursuant to the existing policies that we are currently operating on. My main concern is the fact that local Chapter Veterans Organizations were not properly consulted. This is an extreme measure that would make it virtually impossible for the local Veterans Organizations to issue any meaningful policies which is threatening the health and safety of the Veterans communities. The proposal by Mr. James Zwielein would cripple a regulatory process that already causes excessive delays in the issuance of crucial financial assistance for the Veterans.

The following are the utmost concerns the Veterans had allude to:

1. Resolutions NNVAC-05-20 and NNVAC-06-20 Removal of an officer for unsatisfactory performance and conduct unbecoming of a member. No ample time or notification of allegations were assured to the respondent, thereby DUE PROCESS OF LAW was not afforded.
2. Resolution NNVAC-07-20 An action relating to the Navajo Nation Veterans Administration Plan of Operation. Several drafts of the Plan of Operation were done by the Veterans Organizations and presented to the oversight Committee but Mr. Zwielein developed his own version without input from the local Veterans groups. The intent gives the idea that the Chapter Veterans Organization is slated for abolishment.
3. Resolution NNVAC-08-20 An action relating to the Veterans Housing Program Policy. The approved Housing policy was never presented to the local Chapter Veterans Organizations for their review and approval. The understanding is that the design for housing construction of a Hogan style is already approved by the Navajo Nation President and Mr. Zwielein. As far as the cost is concerned Hogan style is not going to be cost effective, normally the Hogan style is more than the regular frame house construction.

4. Resolution NNVAC-09-20 An action relating to the Navajo Nation Veterans Administration Veterans Housing Program. The Legislation review and revision was never brought before the local Veterans Organizations, therefore no input from the Veterans.
5. Resolution NNVAC-10-20 An action relating to the Funds Lapse Requirement of the Veterans Housing Program. The Veterans has been requesting for an update on the entire Veterans Trust Fund, but no one knows the status of the Trust Fund. We have no idea as to how the housing construction will proceed, who will be the contractor, and the location of manufacture. The understanding is that Mr. James Zwieneil's prior work history consisted of being a building contractor in New Mexico and building a Hogan style construction. This means that Mr. Zwielein is presumably still owns the building contactor that is prearrange to build Veterans homes, which is discernably mean millions of dollars will end up in his and his friends' pockets. Tribal employees are prohibited from conducting outside business for self-interest and personal gain. FURTHERMORE, the previous financial policy for Veteran Trust Fund allocation was distributed 50/50 and by the number of active Veterans at each Chapter. This policy is also being abolished according to the memorandum by Mr. Zwielein.

My fellow council Delegate we ask you to demonstrate your leadership abilities and support to table the Legislation that is coming before the full Council soon and refer the issues back to the local Veterans Organization.

Sincerely,

Anderson Tullie, Veterans Commander

Blue Gap/Tachee Chapter Veterans Organization