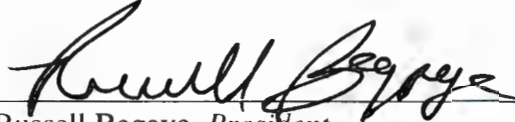




THE NAVAJO NATION RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

MEMORANDUM

TO: Honorable LoRenzo Bates, *Speaker*
23rd Navajo Nation Council

FROM: 
Russell Begaye, *President*
THE NAVAJO NATION

DATE: November 2, 2018

SUBJECT: Resolution No. CO-70-18: AN ACT RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, LAW AND ORDER AND NAA'BIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. §§ 1031, 1033, 1034 AND 1035 RELATING TO THE VETERANS ADVISORY COUNCIL

Pursuant to 2 N.N.C. § 1005(C)(10), action for Resolution No. CO-70-18 is being submitted to the Navajo Nation Council, through the Office of the Speaker, within the ten (10)-day requirement.

After thorough review of Resolution No. CO-70-18, I hereby exercise my veto authority, pursuant to 2 N.N.C. § 1005(C)(11), to **Resolution No. CO-70-18: An Act Relating to Health, Education and Human Services, Law and Order and Naa'bik'íyáti' Committees and the Navajo Nation Council; Amending 2 N.N.C. §§ 1031, 1033, 1034 and 1035 Relating to the Veterans Advisory Council.** The justification for the use of the President's veto authority is set forth below:

Resolution No. CO-70-18 is premature as it was drafted and passed by the Navajo Nation Council without input from all five Navajo Nation Agencies. Resolution No. CO-70-18 is divisive as evidenced by the Eastern Navajo Agency Veterans Organization's Resolution No. ENA-CVO-010-18 (see attachment) strongly opposing the amendments of 2 N.N.C. §§ 1031, 1033, 1034 and 1035, and requesting the Health, Education and Human Services Committee, Law and Order Committee and the Naa'bik'íyáti' Committees and the Navajo Nation Council to oppose the proposed legislation in the best interests of the Eastern Navajo Agency Veterans Organization:

6. Mr. Kee Allen Begay the sponsor of the legislation has not come before us the Eastern Navajo Agency Veterans Organization meeting to orientate the proposed legislation to our (31) Chapters Veterans Organization; and

7. The Eastern Navajo Agency Veterans Organization have observed we do not have all the membership of the Navajo Veterans Advisory Council serving in our Easter[sic] Navajo Agency Veterans Organization best interest.

ENA-CVO-010-18

A veteran's advisory body should be one that is unifying and equally representative of all Navajo veterans from all agencies. In order to create an advisory body that is truly representative of all Navajo veterans, it is the firm belief of this Administration that any modifications to the current Veterans Advisory Council shall be done so with the input from veterans from all five agencies. This task should be accomplished through public forums held throughout the Navajo Nation—an opportunity for all Navajo veterans to speak to the potential reorganization of an advisory body tasked with the responsibility of representing their best interests.

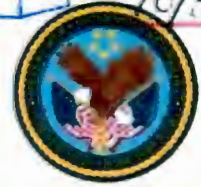
For these reasons, I must exercise my veto authority, pursuant to 2 N.N.C. §1005(C)(11) to Resolution No. CO-70-18.

SCANNED
702020181030

E-MAIL
10/30/18



Eastern Navajo Agency Veterans Organization
P. O. Box 570
Crownpoint, New Mexico 87313
(Contact Number: 505/786-2030)



George H. Tolth, Commander

Lester Emerson, Vice-Commander

Jerry Whiterock, Secretary/Treasurer

ENA-CVO-010-18

RESOLUTION OF THE EASTERN NAVAJO AGENCY VETERANS ORGANIZATION

THE EASTERN NAVAJO AGENCY VETERANS ORGANIZATION HEREBY STRONGLY OPPOSED THE AMENDING 2 N.N.C. § § 1031, 1033, 1034, AND 1035 RELATING TO THE VETERANS ADVISORY COUNCIL TO CHANGE TO THE BOARD OF COMMISSIONER. REQUESTING THE HEALTH, EDUCATION & HUMAN SERVICE COMMITTEE, THE LAW AND ORDER AND NAABIK'IYATI' COMMITTEES AND THE NAVAJO NATION COUNCIL TO DISAPPROVE THE PROPOSED LEGISLATION 0467-17 THE BOARD OF COMMISSIONER FOR THE NAVAJO NATION VETERANS ADVISORY COUNCIL.

WHEREAS:

1. Pursuant to CJA - 3- 16, the Health, Education, and Human Services Committee was given oversight responsibilities over the Navajo Nation Veterans Administration and the Navajo Nation Veterans Advisory Council. The committee was further authorized to approve plans of operation for these entities, respectively. 2N.N.C. § 1034.
2. Pursuant to the Health, Education & Human Services Committee of the Navajo Nation Government, the Eastern Navajo Agency Veterans Organization was sanctioned and certified as a sub-division of the Navajo Nation Government to serve in the best interest of the local Navajo people, including Veterans surviving spouses and dependents, and Gold Stars Mothers; and
3. Pursuant to the Navajo Nation Council Resolution CMA- 25-71, the Eastern Navajo Agency Veterans Organization was established, and which also established the Navajo Nation Administration Veterans Affairs within the Executive Branch of the Navajo Nation; and
4. The Eastern Navajo Agency Veterans Organization is comprised of 31 Eastern Agency Navajo Veterans Organizations; and
5. The Eastern Navajo Agency Veterans Organization and family members had their monthly meeting on July 12, 2018 at 8:00 am, at Sky City Casino, Acoma, New Mexico. The Veterans and family members had lengthy of discussion and disagreed with the proposed legislation by amending the Navajo Veterans Advisory Council to Board of Commissioner; and
6. Mr. Kee Allen Begay the sponsor of the legislation has not come before us the Eastern Navajo Agency Veterans Organization meeting to orientate the proposed legislation to our (31) Chapters Veterans Organization; and
7. The Eastern Navajo Agency Chapter Veterans Organization have observed we do not have all the membership of the Navajo Veterans Advisory Council serving in our Easter Navajo Agency Chapter Veterans Organization best interest.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Eastern Navajo Agency Chapter Veterans Organization hereby strongly opposed to amending 2 N.N.C. § 1031, 1033, 1034, and 1035 relating to the Veterans Advisory Council to change to the Board of Commissioner.
2. Therefore, we are requesting the Health, Education & Human Service Committee, the Law and Order and Naabik'iyati' Committees and the Navajo Nation Council to oppose the proposed Legislation 0467-17 in the best interest of the Eastern Navajo Agency Chapter Veterans Organization.

Motioned by: Mr. Willie Norton

Seconded by: Mr. Alvin Brown

CERTIFICATION

We hereby certify that the foregoing resolution was considered by a duly called regular special meeting of the Eastern Navajo Agency Veterans Organization, at Sky City Casino, Acoma, New Mexico (Navajo Nation) at which the same was approved by a vote of **40** in favor, **01** opposed, and **12** abstained on this 12th day of July 2018.

*George H. Tolth, Commander
Eastern Navajo Agency Veterans Organization*

*Lester Emerson, Vice-Commander
Eastern Navajo Agency Veterans Organization*

*Jerry Whiterock, Secretary/Treasurer
Eastern Navajo Agency Veterans Organization*

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACT

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, LAW AND ORDER
AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL;
AMENDING 2 N.N.C. §§ 1031, 1033, 1034 AND 1035 RELATING TO THE
VETERANS ADVISORY COUNCIL

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee of the Navajo Nation Council reviews and recommends resolutions relating to veterans and the Veterans Advisory Council. 2 N.N.C. §§ 400(A), 401 (B)(6)(a) and 1034.
- B. The Law and Order Committee of the Navajo Nation Council reviews and makes recommendations to the Navajo Nation Council proposed amendments to the Navajo Nation Code and possess oversight authority over the Navajo Nation Division of Public Safety. 2 N.N.C. §§ 601 (B)(14) and 601 (C)(1) (2012).
- C. The Naabik'iyáti' Committee of the Navajo Nation Council reviews proposed legislation which requires final action by the Navajo Nation Council. 2 N.N.C. § 164 (A)(9).
- D. Enactments of positive law must be reviewed and approved by resolution by the Navajo Nation Council. 2 N.N.C. § 164(A).

SECTION TWO. FINDINGS

- A. The Navajo Nation Veterans Advisory Council was established through Resolution CJA-3-16, attached as **Exhibit A**.
- B. The current Veterans Advisory Council is limited in their authority to properly execute the needs of Navajo veterans.
- C. Supporting resolution by the Fort Defiance Agency Veterans Organization is attached as **Exhibit B**.
- D. Supporting resolution by the Northern Agency Veterans Organization is attached as **Exhibit C**.
- E. Pursuant to 2 N.N.C. 1035, amendments to the articles require a two-thirds (2/3) vote of the Navajo Nation Council upon recommendation from the Navajo Nation Veterans Advisory

Council. See Navajo Veterans Advisory Council Recommendation attached as **Exhibit D**.

- F. It is in the best interest of the Navajo Nation to amend Title 2 of the Navajo Nation Code to change the composition of the Navajo Nation Veterans Advisory Council to a Navajo Nation Veterans Board of Commissioners.

SECTION THREE. AMENDING NAVAJO NATION CODE TITLE 2

The Navajo Nation amends the Navajo Nation Code, Title 2 as follows:

NAVAJO NATION CODE
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, upon the selection and continuing recommendation by the Navajo Nation Veterans Board of Commissioners.

ARTICLE 4. NAVAJO NATION VETERANS ~~ADVISORY COUNCIL~~ BOARD OF COMMISSIONERS

§ 1033. Navajo Nation Veterans ~~Advisory Council~~ Board of Commissioners Establishment

- A. The Navajo Nation Veterans ~~Advisory Council~~ Board of Commissioners is established under the Executive Branch of the Navajo Nation government with legislative oversight by the Health, Education and Human Services Committee.
- B. The purpose and authority of the Veterans ~~Advisory Council~~ Board of Commissioners is to ~~provide policy advice to~~

recommend and advise the President of the Navajo Nation and the Navajo Nation Council regarding veteran issues and concerns relating to funding, housing, Veterans Administration, policies, regulations, and other issues relating to veterans.

C. Membership, selection, term of office

1. A Navajo Nation Veterans Advisory Council Board of Commissioners is established consisting of eleven ten (10+) members.
2. The Advisory Council Board of Commissioners shall consist of the ten (10) Agency Veteran Commanders, one (1) female and one (1) male selected by each Agency.
3. All ten (10) as the Commissioners shall be designated voting members. with the Administration Executive Director and a designee from the Blue Star Mothers or Gold Star Mother and disabled veteran acting as a shall be non-voting members of the Commission.
34. The Advisory Council Board of Commissioners shall select from its voting members a Chair and Vice-Chair.
45. Designated members Commissioners shall be Veterans selected and/or removed by their respective Chapter Veteran Organizations, and confirmed by the Health, Education and Human Services Committee of the Navajo Nation Council. Commissioners shall be removed upon the recommendation by the Commissioner's respective Chapter Veterans Organization and a vote by the Health, Education and Human Services Committee of the Navajo Nation Council.
56. The Council Commissioners shall meet on a quarterly bi-monthly basis and as necessary. Voting members shall receive a meeting stipend, and travel expense reimbursement and budget pursuant to Navajo Nation laws, policies and procedures and budget.
7. The Board of Commissioners shall have a reoccurring budget and technical support for all meetings.

D. Authority of the Board of Commissioners

1. To hire and terminate the Administration Executive Director.

2. To approve the rules, policies and procedures for the Board of Commissioners and the Veterans Administration in accordance with the laws of the Navajo Nation.
3. To recommend to the Health, Education and Human Services Committee and Navajo Nation Council the adoption of legislation appropriate to address the concerns of veterans and veteran affairs.
4. To review and make recommendations for funding and budget matters of the Board of Commissioners and the Veterans Administration.

§ 1034. Oversight

The Navajo Nation authorizes the establishment of the Navajo Nation Veterans Administration and the Navajo Nation Veterans ~~Advisory Council~~ Board of Commissioners. Legislative oversight and confirmation and removal of voting Commissioners 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

~~These~~ 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~~ Board of Commissioners.

SECTION FOUR. APPROVAL AND ACCEPTANCE OF AMENDMENTS TO 2 N.N.C. §§ 1031, 1033, 1034 AND 1035 RELATING TO VETERANS AGENCY COUNCIL

The Navajo Nation hereby approves the Amendments to 2 N.N.C. §§ 1031, 1033, 1034 AND 1035.

SECTION FIVE. DIRECTIVE TO AMEND PLANS OF OPERATION

Divisions, departments and programs of which these amendments affect, shall within 90 days of approval of this action amend the respective Plans of Operation to ensure conformity with these amendments.

SECTION SIX. CODIFICATION

The provisions of the 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. SAVINGS CLAUSE

Should any provision of this Act 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, the remainder of the Act shall remain the law of the Navajo Nation.

SECTION EIGHT. EFFECTIVE DATE

The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B) and § 1035.

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 19 in favor and 00 opposed, on this 17th day of October 2018.



LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

10-23-18

Date

Motion: Honorable Alton Joe Shepherd

Second: Honorable Jonathan Perry

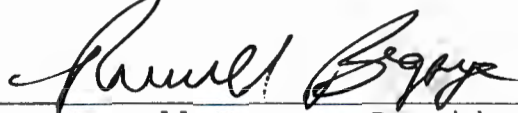
Speaker LoRenzo C. Bates not voting

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 _____ day of _____ 2018.

Russell Begaye, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c) (11), on this 2nd day of November 2018 for reason(s) expressed in the attached letter to the Speaker



Russell Begaye, President
Navajo Nation



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.

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

§ 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.~~

EB. The Executive Director of the Division of Human Resources shall have the following responsibilities and authorities:...

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




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

NAVAJO NATION

RCS# 359

Winter Session

1/26/2016
03:55:58 PM

Amd# to Amd#	Legislation No. 0006-16	PASSED
MOT Perry SEC Filfred	Establishing the NN Veterans Administration and NN Veterans Advisory Council	

Yea : 20

Nay : 0

Not Voting : 4

Yea : 20

Begay, K	Brown	Jack	Slim
Begay, M	Damon	Perry	Smith
Begay, NM	Daniels	Pete	Tso
BeGaye, N	Filfred	Pheips	Tsosie
Bennett	Hale	Shepherd	Witherspoon

Nay : 0

Not Voting : 4

Yazzie	Chee	Crotty	Bates
--------	------	--------	-------



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT
REVIEW
REQUEST
FORM



DOJ
12/10/15 @ 1:00pm
DATE / TIME
 7 Day Deadline
DOC #: 005129
SAS #:
UNIT: Hsqn

RESUBMITTAL

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

CLIENT TO COMPLETE			
DATE OF REQUEST: 12-10-15	ENTITY/DIVISION: DHR		
CONTACT NAME: Edul / Pops	DEPARTMENT: DNVA		
PHONE NUMBER: 929-871-6958	E-MAIL: edul@navajo-nsa.gov		
TITLE OF DOCUMENT: Navajo Nation Veterans Act 2014			
#143 DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 12/10/15 @ 10:15	REVIEWING ATTORNEY/ADVOCATE: Chere		
DATE/TIME OUT OF UNIT: 12-10-15 @ 4:05			
DOJ ATTORNEY / ADVOCATE COMMENTS			
legally sufficient - see attached			
REVIEWED BY: (PRINT) Chere Espinosa	DATE / TIME 12/10/15 3:30pm	SURNAMED BY: (PRINT) Yandis Martine	DATE / TIME 12/10/15 3:40pm
DOJ Secretary Called: email-Edul		for Document Pick Up on 12-10-15 at 4:00 By: gmgan	
PICKED UP BY: (PRINT)		DATE / TIME:	

Document No. 005129

Date Issued: 12/09/2015

SECTION 164 REVIEW FORM

Title of Document: Navajo Nation Veterans Act 2016 Contact Name: PETE, EDESEL


Program/Division: DIVISION OF HUMAN RESOURCES

Email: epete@navajo-nsn.gov Phone Number: 9288716958

Division Director Approval for 164A: 

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

			Sufficient	Insufficient
<input checked="" type="checkbox"/>	Statement of Policy or Positive Law			
	1. OAG: 	Date: <u>12/09/15</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
	1. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input type="checkbox"/>	Grant/Funding Agreement or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



**FORT DEFIANCE AGENCY VETERANS ORGANIZATION
AGENCY MEETING**

P.O. Box 430

Window Rock, Arizona, 86515

Phone: (928) 871-6413 Fax: (928) 871-7288.

Commander: Olin T. Kleyoomia

Vice Commander: Ryan Sandoval

Secretary: Clara Williams

RESOLUTION

**Supporting Legislation 0198-17: Amending 2 NNC Ss 1031, 1033, 1034,
and 1035 with recommend Amendments by Fort Defiance Agency
Council**

FD- No. 020

WHEREAS:

1. Pursuant to The Navajo Nation Veterans Act; Title II, Section One (E,I,M,N,O,R,T); SS 1032 (B-5,9,10), The Ft. Defiance Agency Veterans Organization is duly recognized by the Navajo Nation through resolution of the Veterans Agency; and
2. Pursuant to Navajo Nation Council Resolution CMA-25-71; The Navajo Veterans were recognized and an 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
3. The Ft. Defiance Agency Veterans Organization is duly recognized by the Navajo Nation with a Plan of Operation to address the issues, concerns and advocate for all Navajo Veterans; and
4. The Ft. Defiance Agency Veterans Organization recognizes and acknowledges that it is entrusted to strive toward unification of all Navajo Nation Veterans and Local Leadership to provide leadership and coordinate with the needs of the veterans; and
5. In 1942, the Navajo Nation Council passed a resolution to aid and defend the United States against all subversive and assisted in the United States Selective Services Board to draft the eligible Navajo to serve in the United States Armed Services and reaffirm allegiance to the United States and expression of patriotism; and
6. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the approval of SS 1031 *"upon the selection and recommendation by the Navajo Veterans Board of Commissioners"*; and
7. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the Amendment to SS 1033 (C-1) *"the Five Agency Commanders and Five Women Veteran Representatives shall be designated Veterans Commissioners and be designated voting members"*.
8. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the Amendment to SS 1033 (C-2, A, B, C) stricken.
9. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the Amendment to SS 1033 (C-5) *"designated members shall be veterans selected by the veterans agency organization and confirmed by Navajo Nation council Health Education and Human Services Committee"*.



**FORT DEFIANCE AGENCY VETERANS ORGANIZATION
AGENCY MEETING**

P.O. Box 430

Window Rock, Arizona, 86515

Phone: (928) 871-6413 Fax: (928) 871-7288.

Commander: Olin T. Kieyoomia

Vice Commander: Ryan Sandoval

Secretary: Clara Williams

10. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the Amendment to SS 1033 (C-6) *"The commissioners shall meet on a bi monthly basis and as necessary. Voting members shall receive meeting stipends and travel expense reimbursement and Budget pursuant to Navajo Nation Laws, policies, and procedures"*.
11. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the Amendment to SS 1033 (C-7) *"The Veterans Commission shall have a re-occurring budget and technical support for all meetings."*
12. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the Amendment to SS 1034 *"Legislative oversight and confirmation will be by the Health Education and Human Services Committee"*.
13. The Ft. Defiance Agency Veterans Organization recognizes, understands and acknowledges the following additional Amendments to Legislation 0198-17:
 - A. The Veterans Board of Commissioners has the authority to hire and terminate the veterans' executive director.
 - B. The Veterans Board of Commission shall approve and disapprove of the Veterans Administration Policies and Procedures.
 - C. The Veterans Board of Commissioners shall be a standalone board.
 - D. The veterans Board of Commissioners shall have a detailed description of their position, rules and responsibility.
 - E. Mandatory Orientation for all new members.

NOW THEREFORE BE IT RESOLVED THAT:

1. **Supporting Legislation 0198-17: Amending 2 NNC Ss 1031, 1033, 1034, and 1035 with recommend Amendments by Fort Defiance Agency Council**
2. **The following amendments are recommendation to the sponsor Honorable Kee Allen Begay and Navajo Nation Council; and**
3. **The Fort Defiance Agency Veterans Organization supports the Legislation, Only if the amendments are implemented.**

NORTHERN AGENCY VETERANS ORGA



Commander: Candice Pioche-Zunie
Vice Commander: Tommy Sandman

Commander: Vern R. Lee
Secretary: Irving Gleason

NAVO-27-17

RESOLUTION

NORTHERN AGENCY VETERANS ORGANIZATION SUPPORTS NEW LEGISLATION: AMENDING 2 NNC SECTION 1031, 1033, 1034, and 1035 WITH RECOMMEND AMENDMENTS

WHEREAS:

1. Pursuant to The Navajo Nation Veterans Act; Title II, Section One (E, I, M.N, O, R, T); SS 1032 (B-5,9,10), The Northern Agency Veterans Organization duly recognized by the Navajo Nation through resolution of the Veterans Agency; and
2. 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
3. The Northern Agency Veterans Organization recognizes, understands and acknowledges the approval of Section 1031 ***“upon the selection and recommendation by the Navajo Veterans Board of Commissioners”***; and
4. The Northern Agency Veterans Organization recognizes, understands and acknowledges the Amendment to Section 1033 (C-1) ***“the Five Agency Commanders and Five Women Veteran Representatives shall be designated Veterans Commissioners and be designated voting members”***.
5. The Northern Agency Veterans Organization recognizes, understands and acknowledges the Amendment to Section .1033 (C-2, A, B, C) **stricken**.
6. The Northern Agency Veterans Organization recognizes, understands and acknowledges the Amendment to Section 1033 (C-2) ***“designated members shall be veterans selected by the veterans agency organization and confirmed by Navajo Nation Council Health Education and Human Services Committee”***.
7. The Northern Agency Veterans Organization recognizes, understands and acknowledges the Amendment to Section 1033 (C-5) ***“The commissioners shall meet on a bi monthly basis and as necessary. Voting members shall receive meeting stipends and travel expense reimbursement and Budget pursuant to Navajo Nation Laws, policies, and procedures”***.

NORTHERN AGENCY VETERANS ORGANIZATION



Commander: Candice Pioche-Zunie
Vice Commander: Tommy Sandman

Commander: Vern R. Lee
Secretary: Irving Gleason

8. The Northern Agency Veterans Organization recognizes, understands and acknowledges the Amendment to Section 1033 (C-6) ***"The Veterans Commission shall have a re-occurring budget and technical support for all meetings."***
9. The Northern Agency Veterans Organization recognizes, understands and acknowledges the Amendment to Section 1034 ***"Legislative oversight and confirmation will be by the Health, Education and Human Services Committee"***.
10. The Northern Agency Veterans Organization recognizes, understands and acknowledges the following additional Amendments to the New Legislation :
 - A. The Veterans Board of Commissioners has the authority to hire and terminate the veterans' executive director.
 - B. The Veterans Board of Commission shall approve and disapprove of the Veterans Administration Policies and Procedures.
 - C. The Veterans Board of Commissioners shall be a standalone board.
 - D. The veterans Board of Commissioners shall have a detailed description of their position, rules and responsibility.
 - E. Mandatory Orientation for all new members.

NOW THEREFORE: BE IT RESOLVED THAT:

**NORTHERN AGENCY VETERANS ORGANIZATION SUPPORTS NEW LEGISLATION:
AMENDING 2 NNC SECTION 1031, 1033, 1034, and 1035 WITH RECOMMEND
AMENDMENTS**

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

The Northern Agency Veterans Organization Hereby Certifies the Foregoing Resolution that was Considered at a Regular Duly Called Meeting in Shiprock Chapter, NM (Navajo Nation) and that same was approved and passed with a vote of 28 in Favor; 0 Opposed and 1 Abstain on the 20th day of October 2017.

Motioned: Jerry Todacheeme

Seconded: Mike Belkis

Candice Pioche-Zunie

**Candice Pioche-Zunie: Commander
Northern Agency Veterans Organization**

NORTHERN AGENCY VETERANS ORGANIZATION



Commander: Candice Pioche-Zunie
Vice Commander: Tommy Sandman

Commander: Vern R. Lee
Secretary: Irving Gleason

Handwritten signature of Vern R. Lee.

Vern R. Lee: Commander
Northern Agency Veterans Organization



EXHIBIT "D"

NAVAJO VETERANS ADVISORY COUNCIL

CHAIR: Candice M. Ploche-Zunie VICE CHAIR: Olin T. Kieyoomia
ACTING DIRECTOR: Ryan Sandoval

RESOLUTION

An Act Relating To Health, Education And Human Service Committee, Law And Order and Naabik'iyati' Committees; And The Navajo Nation Council: Amending 2 N.N.C. §§ 1033, 1034, and 1035 Relating To The Veterans Advisory Council.

WHEREAS:

1. Pursuant to Resolution of the Navajo Nation Council CJA-3-16, Navajo nation Veterans Act; Title II, Section One (E, I, M, N, O, R, T); SS 1032 (B-5,9,10), The Navajo Nation Veterans Advisory Council is duly recognized by the Navajo Nation; and
2. Pursuant to Navajo Nation Council Resolution CMA-25-71; The Navajo Veterans were recognized and an 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
3. The Navajo Nation Veterans Advisory Council is duly recognized by the Navajo Nation with a Plan of Operation to address the issues, concerns and advocate for all Navajo Veterans; and
4. The Navajo Nation Veterans Advisory Council recognizes and acknowledges that it is entrusted to strive toward unification of all Navajo Nation Veterans and Local Leadership to provide leadership and coordinate with the needs of the veterans; and
5. The Navajo Nation Veterans Advisory Council recognizes, understands and acknowledges the following amendments under **Article 4. Navajo Nation Veterans Advisory Council:**

A. § 1033.

- C, 2: ~~The Advisory Council Navajo Nation Veteran Board of Commissioners shall consist of the ten (10); five (5) Agency Veteran Commanders, and one (1) additional member of the opposite sex, 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.~~
- C, 3: All ten (10) as the Commissioners shall be designated voting members. with The Administration Executive Director and a designee from a Blue Star Parent or Gold Star Parent, which shall be selected by the Board of Commissioners and disabled veteran acting as a shall be non-voting members of the commission.
- C, 4: The Advisory Council Board of Commissioners Shall select from its voting members a Chair, Vice Chair and Secretary.
- C, 5: Designated members Commissioners shall be veterans selected and/or removed by their respective Agency Chapter Veteran Organizations and confirmed by the Health, Education and Human Services Committee of the Navajo Nation Council. Commissioners shall be removed upon the recommendations by the commissioner's respective Agency Veteran



NAVAJO VETERANS ADVISORY COUNCIL

CHAIR: Candice M. Pioche-Zunie **VICE CHAIR: Olin T. Kleyoomia**
ACTING DIRECTOR: Ryan Sandoval

Organization and a vote by the Health, Education and Human Services Committee of the Navajo Nation Council.

- C.5-6: The Council Commissioners shall meet on a quarterly bi-monthly basis and as necessary. Voting members shall receive a meeting stipend, and travel expense reimbursement and budget pursuant to Navajo Nation laws, policies and procedures and budget.
- C.7: The board of Commissioners shall have a reoccurring budget and technical support for all meetings.

D. Authority of the Board of Commissioners

- 1.: To hire and terminate the Administration Executive Director.
- 2.: To approve the rules, policies and procedures for the Board of Commissioners and the Veterans Administration in accordance with the laws of the Navajo Nation.
- 3.: To recommend to the Health, Education and Human Services Committee and Budget, Finance Committee and Navajo Nation Council the adoption of legislation appropriate to address concerns on veterans affairs.
- 4.: The Navajo Nation Veteran Board of Commissioners shall review and make recommendations for funding and budget matters of the Board of Commissioners and Navajo Nation Veterans Administration, during the budget allocation, including Navajo Nation Veteran Trust Fund.
- 5: The Navajo Nation Veteran Board of Commissioners shall recommend the allocation and expenditure of the Navajo Nation Veterans Trust Fund.
- 6: The Navajo Nation Veteran Board of Commissioners to consult and advocate with Federal, State, County, Tribal, and Private Entities, regarding Veterans Affairs.
- 7.: The Navajo Nation Veteran Board of Commissioners shall be entitled to retain its own legal counsel, when such legal assistance is unobtainable.

1034. Oversight

The Navajo Nation authorizes the establishment of the Navajo Nation Administration and the Navajo Nation Veterans Advisory Council Board of Commissioners. Legislative oversight and confirmation and removal of voting commissioners 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 Board of Commissioners.



NAVAJO VETERANS ADVISORY COUNCIL

CHAIR: Candice M. Pioche-Zunie **VICE CHAIR: Olin T. Kieyoomia**
ACTING DIRECTOR: Ryan Sandoval

NOW THEREFORE BE IT RESOLVED THAT:

1. An Act Relating To Health, Education And Human Service Committee, Law And Order and Naabik'iyati' Committees; And The Navajo Nation Council: Amending 2 N.N.C. § § 1033, 1034, and 1035 Relating To The Veterans Advisory Council.
2. If approved, this resolution will amend Title II, Sections 1031, 1033, 1034, and 1035 of the Navajo Nation Code to change the Navajo Nation Veterans Advisory Council to the Navajo Nation Veterans Commissioners, the authority of the Board of Commissioners and Board Membership.
3. That every amendment on this this resolution shall be identified as "Yellow".

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

The Navajo Nation Veterans Advisory Council Hereby Certifies the Foregoing Resolution that was Considered at a Duly Called Meeting in Shiprock, NM (Navajo Nation) and that same was approved and passed with a vote of 04 in Favor; 00 Opposed and 02 Abstain on the **21st Day of September 2018**.

Motioned: Olin T. Kieyoomia

Seconded: Inann Johns

A handwritten signature in black ink, appearing to read "Candice M. Pioche-Zunie", written over a horizontal line.

Candice M. Pioche-Zunie - Chair
Navajo Nation Veterans Advisory Council

NAVAJO NATION

RCS# 1291

10/17/2018

2018 Fall Session

04:11:08 PM

Amd# to Amd#	Legislation 0467-17: Amending	PASSED
MOT Shepherd	2 NNC SS 1031, 1033, 1034, and	
SEC Perry	1035 Relating to the Veterans	
	Advisory Council	

Yea : 19

Nay : 0

Excused : 0

Not Voting : 4

Yea : 19

Begay, K	Crotty	Perry	Tso
BeGaye, N	Damon	Pete	Tsosie
Bennett	Daniels	Shepherd	Witherspoon
Brown	Filfred	Slim	Yazzie
Chee	Jack	Smith	

Nay : 0

Excused : 0

Not Voting : 4

Begay, NM	Bates	Phelps	Hale
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