



THE NAVAJO NATION

RUSSELL BEGAYE

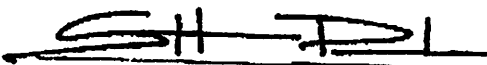
JONATHAN NEZ

**RISK MANAGEMENT PROGRAM**

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MEMORANDUM

TO : All Concerned

FROM:   
Shawnevan Dale, Program Supervisor II  
Risk Management Program

DATE : October 1, 2017

**SUBJECT: Chapter Facility Usage**

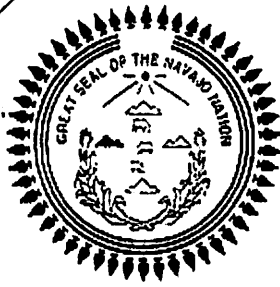
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Several questions have been posed to Navajo Nation Risk Management in regards to Insurance Coverage for activities at the chapter. Risk Management encourages chapters to have a policy in place to rent out their facilities to private individuals/non-Navajo Nation Government entities.

Private individuals may utilize the facility pursuant to the Chapter's Official Rental Policy. All Official Business activities are covered if the Chapter is conducting "Official Business" (i.e. Chapter Meetings, Planning Meetings, Grazing Officials, CLUPC, Housing Committee, Veterans Organization, etc.). Chapter must be up-to-date in it's insurance premiums.

Private rental, fundraisers, family gatherings, etc. are not "covered events" because they are not "Official" chapter-sanctioned events. Under no circumstance will RMP insure a private function. Chapters should require a security deposit or insurance in such circumstances. You may contact RMP for clarity on events, in some instances we will request for additional information to make appropriate determinations on insurance coverage.

If you should have any questions please don't hesitate to contact the Navajo Nation Risk Management Program at (928) 871-6335 or myself (sdale@navajo-nsn.gov) for further clarity.



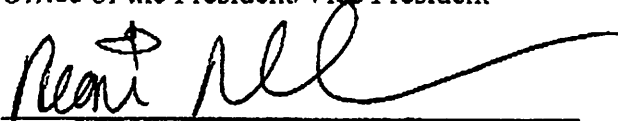
**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

ETHEL B. BRANCH  
ATTORNEY GENERAL

CHERIE ESPINOSA  
ACTING DEPUTY ATTORNEY GENERAL

MEMORANDUM

TO: Karis Begaye, Legal Counsel  
Office of the President/Vice President

FROM:   
Neomi M. Gilmore, Attorney Candidate  
Economic/Community Development Unit, Department of Justice

DATE: January 31, 2018

SUBJECT: **Chapter Veterans' Organization Facility Usage**

1. Issue: Whether chapters can deny chapter veterans' organizations from using chapter facilities?
2. Short Answer: If the chapter veterans' organization was created through a valid chapter resolution, and is acting within the scope of its limited authority as a standing or special committee, then chapters should not deny these chapter veterans' organizations from using chapter facilities, and should not charge for use of facilities.

**ANALYSIS**

**Chapter Veterans' Organizations approved Through a  
Valid Resolution are Chapter Committees.**

Chapter veterans' organizations established by a valid chapter resolution are chapter standing or special committees. The chapter veterans' organizations are special or standing committees because they are not specifically given authority in the Local Governance Act ("LGA") as opposed to Community Land Use Planning Committees ("CLUPC") which have been given authority in the LGA. However, pursuant to the LGA, the Chapter President shall "recommend the establishment of an appointment to the standing and special committees of the Chapter to the membership for approval." 26 N.N.C. 1001(B)(1)(d). As such, chapter veterans' organizations established and given authority under a valid chapter resolution are considered to be a part of the chapter. Any authority exercised by the chapter veterans' organization is limited to serving as a standing or special committee of the chapter and has no unilateral authority to

normal operating hours (M-F, 8am-5pm) or during "Official Chapter Business". For Private Fundraisers, Private gatherings, or Non-chapter functions we highly recommend that the renter obtain Event Insurance to cover any losses that might be incurred and name the Chapter & Navajo Nation as additional insured. You are correct that all other chapter volunteers should have their Workers' Compensation paid for prior to starting work. In this respect I would recommend you contact the Navajo Nation Worker's Compensation Program directly.

- **What types of accidents are not covered under the premium?**
  - This cannot be ascertained until we receive a claim. For the most part, claims are assumed to fall into one of the insurance policies. Until a thorough review is completed by the claims analyst a determination will be made on whether there is coverage or not. Details, investigations and findings will assist in that determination.
- **Do you have a copy of the insurance coverage that chapters sign?**
  - Chapters do not sign an insurance coverage statement. Prior to the beginning of the new fiscal year, chapters are required to submit an Underwriting Exposure Summary (UES) forms to Risk Management. Once those forms are completed, we review them for completeness and accuracy; once that is completed we will send an invoice and wait for premium payment from the Chapters. Based on the UES, the Chapters will fall into one of the 21 Master Policies. Policy can be reviewed at NNDOJ with Ms. Arita Yazzic, Advocate or at the Risk Management Program Office.

I thank you for your inquiry. It appears that chapters may have specific insurance related questions. Insurance Services Department (Risk Management, Worker's Comp and Employee Benefits) does provide a quarterly meeting for Chapters and Enterprises. If chapters have a specific question, it would be beneficial for those questions to be referred to RMP for interpretation as it relates to the policy. I hope this response is helpful to you, if you should have further questions please don't hesitate to contact me at [shirley@navajo-nsn.gov](mailto:shirley@navajo-nsn.gov).

Cc: 1. Harlan Charley, DMII ISD  
Arita Yazzic, Advocate NNDOJ