

ACJY-168-87

Class "C" Resolution
No BIA Action Required.

RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCIL

Rescinded by
NAI 713-88

Adopting a Plan of Operation for the Navajo Veterans Commission

WHEREAS:

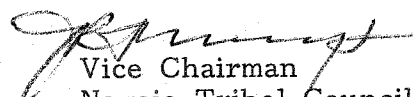
1. The Advisory Committee of the Navajo Tribal Council is authorized to approve Plans of Operation for all Tribal entities pursuant to Resolution CJA-1-81; and
2. The Navajo Veterans Commission was established by Navajo Tribal Council Resolution CF-14-82 and a Plan of Operation for said Commission was adopted by Advisory Committee Resolution ACAU-104-84; Resolution ACAU-104-84 has been rescinded by Resolution ACJY-167-87; and
3. The Plan of Operation approved pursuant to Resolution ACAU-104-84 combined the duties of the Navajo Veterans Commission with those of the staff and employees of the Office of Navajo Veterans Affairs; and
4. The Navajo Veterans Commission by Resolution VAJ-16-87 (Exhibit "A" attached hereto) has recommended re-enactment of separate and coordinated Plans of Operation for the Navajo Veterans Commission and the Office of Navajo Veterans Affairs; and
5. It is in the best interests of Navajo Veterans that the attached separate and coordinated Plan of Operation be approved and re-enacted by the Advisory Committee of the Navajo Tribal Council for the Navajo Veterans Commission.

NOW THEREFORE BE IT RESOLVED THAT:

The Advisory Committee of the Navajo Tribal Council hereby approves the Plan of Operation for the Navajo Veterans Commission attached hereto as Exhibit "B".

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 14 in favor and 0 opposed, this 28th day of July, 1987.


Vice Chairman
Navajo Tribal Council

RESOLUTION OF THE
 NAVAJO VETERANS COMMISSION
 OF THE NAVAJO TRIBAL COUNCIL .

Recommending to the Advisory Committee of the Navajo Tribal Council to Adopt Separate Coordinated Plans of Operation for the Navajo Veterans Commission and Office of Navajo Veterans Affairs, Respectively, and, to Rescind Resolution ACAU-104-84.

WHEREAS:

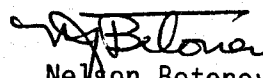
1. The Advisory Committee of the Navajo Tribal Council is authorized to approve plans of operation for all tribal entities pursuant to Resolution CJA-1-81; and
2. The Office of Navajo Veterans Affairs was established by Navajo Tribal Council Resolution CMA-25-71 and a Plan of Operation for said office was adopted by Advisory Committee Resolution ACJY-91-82; and
3. The Navajo Veterans Commission was established by Navajo Tribal Council Resolution CF-14-82 and a Plan of Operation for said Commission was adopted by Advisory Committee Resolution ACAU-104-84, which further rescinded Advisory Committee Resolution ACJY-91-82 and the previous Plan of Operation of the Office of Navajo Veterans Affairs; and
4. The Plan of Operation approved pursuant to ACAU-104-84 combined the duties of the Navajo Veterans Commission with those of the staff and employees; and
5. It is in the best interest of Navajo Veterans that the attached separate and coordinated Plans of Operation be approved and re-enacted by the Advisory Committee of the Navajo Tribal Council for the Navajo Veterans Commission and the Office of Navajo Veterans Affairs, respectively.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Navajo Veterans Commission hereby recommends that the Advisory Committee of the Navajo Tribal Council rescind Resolution ACAU-104-84; and
2. The Navajo Veterans Commission further recommends that the Advisory Committee of the Navajo Tribal Council approve and re-enact the Plan of Operation for the Navajo Veterans Commission attached hereto as Exhibit "B"; and
3. The Navajo Veterans Commission further recommends that the Advisory Committee of the Navajo Tribal Council approve and re-enact the Plan of Operation for the Office of Navajo Veterans Affairs attached hereto as Exhibit "C".

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

I hereby certify that the foregoing resolution was duly considered by the Navajo Veterans Commission at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 09 in favor and 00 opposed, this 15th day of June.


 Nelson Betoney, Chairman
 Navajo Veterans Commission

PLAN OF OPERATION
OF THE
NAVAJO VETERANS COMMISSION

- ARTICLE I: Establishment
- ARTICLE II: Purpose
- ARTICLE III: Commission's Powers, Authorities
and Duties
- ARTICLE IV: Membership of the Commission
- ARTICLE V: Meetings, Procedures, Commissioner's
Responsibilities and Compensation
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- ARTICLE VII: Amendment

PLAN OF OPERATION
OF THE
NAVAJO VETERANS COMMISSION

ARTICLE I
Establishment

The Navajo Veterans Commission was established by Navajo Tribal Council Resolution CF-14-82 and an initial Plan of Operation for the Navajo Veterans Commission was adopted by Advisory Committee Resolution ACAU-104-84. The Navajo Veterans Commission is hereby established as a Navajo Tribal Entity.

ARTICLE II
Purposes

The Navajo Veterans Commission's purposes shall be:

1. To identify, assess and prioritize the special needs of Navajo Veterans, their dependents and survivors.
2. To seek out and identify additional funding sources and make recommendation for the implementation and expansion of established programs of the divisions and offices of the Navajo Nation for necessary assistance to Navajo Veterans.
3. To oversee compliance with applicable Tribal and Federal laws and efficient implementation by all programs of the Navajo Nation which affect the special needs and interests of Navajo Veterans, to recommend policies regarding Navajo veterans to the Navajo Tribal Council and its respective communities; and
4. To oversee compliance with the fiscal and administrative policies of the Budget and Finance Committee of the Navajo Tribal Council, the Division of Administration and Finance and the Office of Management and Budget of the Navajo Nation, in the implementation of funding appropriated by the Navajo Tribal Council for all programs affecting the special needs and interests of Navajo Veterans.
5. Seek the establishment and funding of health care facility for the Navajo Veterans on the Navajo Reservation.

ARTICLE III
Commission's Powers, Authorities and Duties

A. General:

The Navajo Veterans Commission shall, consistent with all applicable Tribal and Federal laws, have the powers necessary and proper to carry out the purposes set forth in this Plan of Operation.

B. Enumerated:

1. Propose written policies together with revision or rescission thereof from time to time, for the implementation of the purposes set forth in this Plan of Operation, subject to approval and adoption by the Navajo Tribal Council, and its duly authorized committees.

2. To disseminate by print, electronic media or otherwise, information regarding assistance available to Navajo Veterans and Navajo Veteran's activities, problems, needs and concerns.
3. To foster and support the implementation of duly approved Navajo Veterans' preference and benefits, including but not limited to such areas as health care, vision and dental services, psychological counseling, housing, personal financial assistance, small business assistance, education, vocational training, preference in hiring, contracting and legal assistance.
4. To foster and oversee the application of traditional Navajo values in restoring or securing harmony, balance, and, cooperating among Navajo Veterans.
5. To represent the Navajo Nation, in consultation and coordination with responsible committees and the Chairman/Vice-Chairman of the Navajo Tribal Council, before federal, state, tribal and local officials, legislative committees and administrative agencies and other bodies to advocate for the rights and needs of Navajo Veterans.
6. To encourage, support and coordinate local participation in community organizations of Navajo Veterans in policy making which affects Navajo Veterans, their families and communities. The Commission is the authorized and appropriate tribal government agency to provide general oversight, support and coordination for tribal-recognized local and community Navajo Veterans' organizations; to foster local implementation and control of their programs and affairs; and to promote support and cooperation with such local groups and organizations of Navajo Veterans in obtaining their rights, entitlements, and, assistance under Federal, State and Tribal laws.
7. To report quarterly to the Navajo Tribal Council and from time to time to the Advisory Committee of the Navajo Tribal Council, on the status of Navajo Veteran Affairs. The Commission is authorized to consult with local community groups and organizations of Navajo Veterans, and to oversee all programs within the jurisdiction of the Navajo Nation which affect the special needs and affairs of Navajo Veterans, for inclusion in the Commission's reports to the Navajo Tribal Council and Advisory Committee, respectively.
8. Where necessary and with review and consultation with appropriate committees of the Navajo Tribal Council, to recommend proposed legislation or amendments to legislation affecting the interests, needs and concerns of Navajo Veterans.
9. Seek the establishment and funding of health care facility for the Navajo Veterans on the Navajo Reservation.

ARTICLE IV
Membership of the Commission

A. Membership:

The Veterans Commission shall be composed of eleven (11) voting members; two (2) from each of the five tribal agencies, and one (1) representative of the Office of the Chairman. The Director or Acting Director of the Office of

Navajo Veterans Affairs shall be a non-voting ex-officio member and designated as Executive Director of the Commission the Office of Navajo Veteran Affairs.

B. Qualifications:

Each voting member of the Navajo Veterans Commission must possess all of the following qualifications:

1. Enrolled membership of the Navajo Tribe.
2. A certified veteran of active duty as a member of the U.S. Armed Forces.
3. Honorably discharged from active duty.
4. Knowledge of the exceptional needs of Navajo Veterans and their families and communities.
5. Sincere commitment to discharge the important and time consuming responsibilities of a member of the Commission.

C. Selection and Confirmation:

1. The Navajo veterans honorably discharged from active duty in the U.S. Armed Forces and residing in each agency, in consultation with their respective local and community veterans organization chapter and agency council, shall by a fair process of their own choice jointly submit in writing two (2) qualified nominees selected from each respective agency, to the Executive Director of the Office of Navajo Veteran Affairs.
2. Such nominees shall each be subject to confirmation by the Advisory Committee of the Navajo Tribal Council, and thereafter take oath of office.
3. The qualified representative of the Office of the Chairman shall be selected in writing by the Chairman of the Navajo Tribal Council, subject to confirmation by the Advisory Committee of the Navajo Tribal Council, and thereafter take oath of office.

D. Term:

1. Voting Commission members shall serve a term of four (4) years, concurrent with the terms of Tribal Council Delegates, or until their successors as Commissioners are duly selected and confirmed. The Staff Direct shall serve concurrent with his or her office, ex-officio, as Director or Acting Director of the Office of Navajo Veterans Affairs.

E. Removal:

1. Automatic - Upon two (2) unexcused absence from a regular or special duly notice Navajo Veterans Commission meetings.
2. Discretionary - For cause upon notice and opportunity for hearing before the Advisory Committee of the Navajo Tribal Council and in

accordance with all other applicable laws of the Navajo Nation, including the requirements of due process of law.

F. Chairman and Vice-Chairman:

1. The Chairman and Vice-Chairman of the Navajo Veterans Commission shall be selected by the Commission from the confirmed voting members of the Commission, each to serve a term of one (1) year.

G. Vacancies:

1. Any vacancy in the position of a voting Commission member, whether resulting from resignation in writing, removal, death or incapacity prior to expiration of said Commissioner's current term of office, shall be immediately filled for the balance of that remaining term, by the same selection and confirmation authority by which the former Commissioner held office or by virtue of being pre-selected or alternate for the office.

ARTICLE V
Meetings, Procedures, Commissioner's
Responsibilities and Compensation

A. Meetings:

1. Time and Number

Regular - There Shall be one (1) regular meeting each month.

Special - There may be special meetings from time to time, but the prior written concurrence of the Commission Chairman and two additional Commission members is required to convene a special meeting.

2. Notice - The Staff Director shall provide notice to each Commissioner of the time and place of all regular and special meetings. Notices shall be in writing together with a proposed agenda and mailed two (2) weeks preceding regular meetings; and except in case of emergency requiring shorter telephone or other notice, in writing together with a proposed agenda and mailed not less than four (4) days preceding special meetings.
3. Location - Regular and special meetings shall be held in Window Rock, Arizona; except that meetings may be held in a different location if the Commission Chairman and two additional members concur in writing and upon sufficient prior written notice.
4. Quorum - The presence of a majority of the voting members of the entire Commission shall constitute a quorum for the transaction of business at any duly convened meeting of the Commission.
5. Voting - The act of the majority of the voting members of the Commission present at any meeting at which a quorum is present shall be the act of the Commission unless the act of a different number is required by other applicable Tribal law.

6. Agenda - A proposed agenda shall be drafted in writing for regular and special meetings by the Chairman of the Commission assisted by the staff Executive Director and mailed together with each respective meeting notice. This agenda shall be subject to revision by majority vote of a quorum at the onset of Commission meetings.

7 Pending adoption of uniform rules of procedure for the conduct of meetings of commissions of the Navajo Nation, the Commission is empowered to develop and/or adopt its own procedure for the conduct of its meetings, which is otherwise in accordance with all requirements of the laws of the Navajo Nation and the provisions of this Plan of Operation.

8. Record - A complete record of all official discussions and actions of the Commission shall be recorded and maintained by the Staff Director, accessible to the public and interested tribal offices. All policy directives and important actions of the Commission shall be by written resolutions of the Commission and certified by the presiding officer.

B. Responsibilities and Authority of the Chairman of the Commission:

1. The Chairman of the Commission shall be the principal officer of the Commission and as such shall preside at all meetings of the Commission, and shall in general perform all duties and incidental to the office of the Chairman/Vice-Chairman and as otherwise provided in the Commission's Plan of Operation.

C. Responsibility and Authority of the Vice-Chairman of the Commission:

1. The Vice-Chairman shall be authority and perform the duties of the Chairman in the event of the absence of the Chairman, or when requested to do so by the Chairman.

D. Chairman Pro Tempore:

1. If the Chairman and Vice-Chairman are absent, and neither, has appointed a Chairman Pro Tempore, the Commission membership shall select a Chairman Pro Tempore.

E. Subcommittees:

1. The Chairman and Vice-Chairman of the Commission may appoint subcommittees to make recommendations pertaining to the business items of the Commission. No final action may be taken by any subcommittee without full review and final approval by the Commission. Each subcommittee shall consist of members of the Navajo Veterans Commission.

F. Compensation:

1. Commissioners shall receive no compensation except for actual costs incurred in attending a regular or special meeting of the Commission or an authorized meeting of a subcommittee of the Commission at which its assigned business was conducted, or subject to the prior written assent of the Chairman of the Commission and the Staff Director, for

duly assigned travel on Commission business. Actual costs shall not be reimbursed if in excess of budgetary constraints.

ARTICLE VI
Miscellaneous

A. Offices:

1. The Navajo Veterans Commission shall maintain offices in cooperation with the Office of Navajo Veterans Affairs. Appropriate staff, personnel, technical assistants and secretaries will be made available to the Commission by the Office of Navajo Veterans Affairs.

B. Training and Technical Assistance:

1. The Staff Director with the assistance of proper tribal, federal and state offices, shall provide and/or present training and technical assistance to the Commissioners consistent with their authority and responsibilities.

C. Ethics:

1. Members of the Commission shall bear a fiduciary responsibility to Navajo veterans and to the Navajo Tribe, and shall treat all funds, services or information to which they have access in a manner which avoids a conflict of interest or the appearance of conflict of interest and in full compliance with the ethics laws of the Navajo Nation.
2. The business of the Commission shall be conducted with utmost propriety and highest respect for the honor and the decency of persons who appear before the Commission.

ARTICLE VII
Amendment

The Plan of Operation in consultation with the Navajo Veterans Commission may be amended from time to time by the Advisory Committee of the Navajo Tribal Council.