

Class "C" Resolution
No BIA Action Required.

RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCIL

Recommending Enactment of Formal Resolution By the
Navajo Tribal Council Confirming Establishment of the
Navajo Veterans Committee as a Standing Committee of the
Navajo Tribal Council and Directing Implementation by
Advisory Committee Adoption of Plan of Operation

WHEREAS:

1. The Navajo Tribal Council is the governing body of the Navajo Tribal Government; and
2. The Advisory Committee of the Navajo Tribal Council is established as the standing executive committee to implement the laws, policies and directives of the Navajo Tribal Council, including authorization to approve, amend and rescind the plans of operation of all entities, committees, boards and commissions of the Navajo Nation, pursuant to Resolution CJA-1-81; and
3. Section 165 (1) of Title 2, Navajo Tribal Code, provides that "Any proposed resolution to be considered by the Navajo Tribal Council shall be drafted by the department making the request. For requests of Council members, the drafting shall be by the department closely related or concerned with the subject matter"; and
4. The Navajo Tribal Council, at its regular session on July 28, 1988 on motion entertained from the floor, voted and approved the establishment of the Navajo Veterans Committee as a Standing Committee of the Navajo Tribal Council composed of Council Delegates who are also Navajo Veterans, pursuant to the extract of minutes in the Record of the Navajo Tribal Council attached as Exhibit "A" hereto, but without enactment and certification of a drafted written Tribal Council Resolution; and
5. Said extract from the Record of the Navajo Tribal Council, attached hereto, include the directive for the Advisory Committee of the Navajo Tribal Council to implement said action by adoption of a Plan of Operation for the Navajo Veterans Committee as a standing committee of the Navajo Tribal Council, to be vested with the authority and responsibilities previously delegated to the Navajo Veterans Commission established by Navajo Tribal Council Resolution CF-14-82; and

6. The Record of the Navajo Tribal Council session of July 28, 1988 also reflects the report of caucuses of Council Delegates from the five (5) districts of the Navajo Nation submitting candidates for recommendations of Committee members for confirmation by the Navajo Tribal Council, in accordance with the Navajo Veterans Committee's Plan of Operation to be adopted by the Advisory Committee.

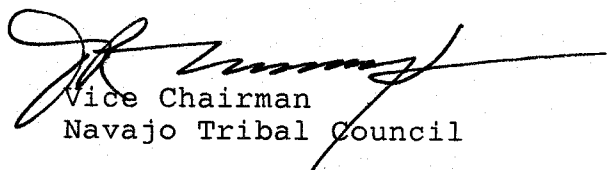
NOW THEREFORE BE IT RESOLVED THAT:

1. In order to implement the directives of the Navajo Tribal Council recorded in the Record of the Navajo Tribal Council session on July 28, 1988, in accord with the purposes and intent of the Navajo Tribal Council, the Advisory Committee hereby requests further confirmation and clarification by enactment of written Resolution of the Navajo Tribal Council addressing the motion and approval for establishment of the Navajo Veterans Committee as contained in said Record.

2. The Advisory Committee of the Navajo Tribal Council hereby recommends the Proposed Resolution of the Navajo Tribal Council attached as Exhibit "C" hereto, for enactment and/or amendment to confirm and clarify the intent of the Navajo Tribal Council for further implementation the Advisory Committee adoption of the Proposed Plan of Operation as Exhibit "B" hereto. Following such adoption and confirmation by members of the Navajo Tribal Council, the Navajo Veterans Committee may propose any amendments thereto for consideration and approval by the Advisory Committee consistent with the purposes, intent and directives of the Navajo Tribal Council.

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 11 in favor and 0 opposed, this 24th day of October, 1988.


Vice Chairman
Navajo Tribal Council

RECORD OF THE
NAVAJO TRIBAL COUNCIL1 NTC 7/28/88

July 28, 1988

The meeting was called to order by Chairman Peter MacDonald at 10:30 A.M., with a quorum of 46 Council Delegates present. Also present: Vice Chairman Johnny R. Thompson; Legislative Office - Senator James Henderson, Larry Foster, Kathy Holtsoi, Lorene Spencer, Rena Morris; Justice Department - Lynn Tetterington; Bureau of Indian Affairs - Chester Hubbard, Sr., Alyce Rouwalk. Invocation - Council Delegate Ernest Begay.

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9 NTC 7/28/88 CHAIRMAN: Thank you very much, Stanley. You asked the Chair a question on the procedures here that we're following, yes, we said that any report made will not require a floor motion for acceptance, but in this case when a suggestion was made that the Veterans Committee be discussed with this report, the establishment of a Veterans Committee of the Navajo Tribal Council, the motion is in order if your wish is to establish the Navajo Veterans Committee from the Navajo Tribal Council membership, standing committee or oversight committee, in addition to the commission that we have. That was the way the agenda was placed when it was over at that time Item 21, it was lifted from there to be discussed here. So the motion is in order to not only except but more importantly the establishment of the Navajo Veterans Committee made up of the Navajo Tribal Council delegates.

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 CHAIRMAN: Thank you, Mr. Burbank, for your portion of the presentation to the Council. I want to thank Senator Henderson also for the report made on question of the \$1 million matching funds that was appropriated from the Arizona State Legislature. At this time I'd like to now go to the moving party to respond to those requests that were made. So I will now yield the floor to Larry Anderson.

LARRY ANDERSON: Honorable Vice Chairman Thompson, Distinguished Guests that are here with us, Honorable Senator Henderson, Veterans Office, Mr. Burbank, Members of the Council: We thank you for these comments, I would like to also thank my colleagues here for the recommendations and recommendations that have been asked here. Mr. Wallace Tsosie, I again respectfully say

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that I thank you for your questions and your comments here in regards to the funding and to the Commission status. Also Mr. Boyd I believe requested that he had some questions and some directives and I will accept the directives that Mr. Boyd has suggested and recommended here in regards to the budget allocation of fair and equal budget allocations. He also requested a nontransferable clause be developed for that program. Also Mr. Boyd requested that the Veterans Office be given some authorization to revise the plan of operation to assist with the Veterans program and toward a standing committee.

I will accept Mr. Buddy Mexicano's request of financial support for the Veterans there in the Alamo Chapter with housing assistance. I will accept Mr. Curley's request that there be a Navajo Nation appropriation funds set aside for the newly created standing committee of the Veterans Committee. Also there's another request here to establish a veterans committee which I believe we've been all discussing and unanimously requesting. For my colleague, Stanley Yazzie, I respectfully accept his comments and questions in regards to our Veterans here in the Western Agency in regards to budgeting and other areas of assistance. My colleague, Mr. Beck, requested that Mr. Jackie Burbank be given some time here to make a report to the Council which just has happened and I'll also accept that request.

Mr. Clark, I will accept his request that a directive be made to establish a facility somewhere within the Navajo Reservation to establish an army reserve unit. This is for establishing some facilities, I believe that's requesting for some land withdrawals for such a unit to be on the Navajo Reservation. My colleague, Mr. Whitehorse, that again also that a standing committee of the Navajo Tribal Council veterans be established and that this was a very strong advantage to the lobbying purposes where the Council Delegates will have a better advantage of doing so. Also Ms. John came to me and also requested that possibly either such a committee under the standing committee of the Veterans, that a report be given to the Council quarterly to see what the situation is of the veterans program.

With that, Honorable Vice Chairman, I'll accept these requests and also I would like to request that a strong directive be forwarded to the Advisory Committee of establishing a standing committee and also request of the Chair here if we could maybe possibly take ten minutes of the Chair's time today, this afternoon, to have the Tribal Council caucus from each agency and possibly select one or two veterans from the full Tribal Council here to possibly further selected or further recommended for the standing committee of the Veterans office or the Affairs here that has been suggested. I would like to include in my motion here to have Exhibit "A", Vice Chairman, a list of veterans of the Navajo Tribal Council, I don't know if my colleagues have a copy of the list of names of the Tribal Council and I would like to have that as Exhibit "A" also. Thank you.

WALLACE TSOSIE: Presiding Chairman, Navajo Tribal Council, Colleagues, Larry Anderson: I think Mr. Anderson made some good points in accepting the directives and some comments, so with that I'll concur.

CHORUS: Vote! Vote!

CHAIRMAN: Members of the Tribal Council: You've heard the response to those requests being made to the motioning party, so at this time I'd like to give a few minutes to respond also to the report that was made by our Veterans Office.

Members of the Council, as you know the veterans is an organization, I'm sure the whole Navajo Nation is very proud of, in that essence my position from my office is to support this organization as much as possible. So with that in mind, I directed the staff to pursue with diligence and define the sources of funding from the outside and to address those regulations, federal regulations and if it could be done, establish a dialogue with the Congressional people, those federal regulations. I'm speaking in the area of Veterans Administration here to amend those regulations so that this Nation can take advantage of the many benefits that are available to the veterans. I believe that is very important.

Secondly, Mr. MacDonald and I strongly support the creation of the Veterans Cemetery at all five agencies that you've heard in the report that Fort Defiance is a frontrunner in withdrawing lands to accommodate veterans for their agency, but I encourage other agencies and you, the Council Delegates, to talk to your constituents to see if they can relinquish some of their grazing areas to establish veterans in those areas as well. Insofar as the concerns that were problems that were expressed, I support that, I believe there's really no one to blame except all of us as leaders. Each one of us has that duty to communicate with the people who work in the Veterans Office, as well as working with the Veterans Commission. So I believe pointing fingers at other people is really at this point unnecessary, because this organization is important for all of us to consider supporting and making recommendations, directives as you have done today during the discussion.

So, Members of the Council, as the motion is on the floor, as the resolution reflects establishment of a Navajo Veterans Committee and that resolution is on the floor at this time, Members of the Council. All those in favor of adopting the proposed resolution with those requests that were accepted plus the exhibits that were added onto the motion; opposed.

With your vote of 49 in favor, 16 opposing and 2 abstaining, you have hereby adopted the proposed resolution. I'd like to thank the sponsors of this legislation from our Veterans Office and also for the appearance of the Veterans Commission and Senator Henderson for their participation and their presentation

NAVAJO VETERANS COMMITTEE
OF THE NAVAJO TRIBAL COUNCIL

PLAN OF OPERATION

I. ESTABLISHMENT

The Navajo Veterans Committee (hereinafter referred to as the "Committee") is hereby established as a Standing Committee of the Navajo Tribal Council.

II. PURPOSE

The Navajo Veterans Committee's purposes shall be:

- A. To identify, assess and prioritize the special needs of Navajo Veterans, their dependents and survivors, including unmarried survivors, widows/ers, Gold Star Mothers and children of deceased Navajo veterans.
- B. 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 the Navajo Veterans,
- C. 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 and to recommend policies regarding Navajo veterans to the Navajo Tribal Council and its respective communities which consider and are consistent with acceptable traditional and customary practices of the Navajo people; and
- D. 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.
- E. To seek the establishment and funding of health care facilities for Navajo Veterans on the Navajo Reservation.
- F. To adopt, amend or rescind operating policies and guidelines pertaining to program services and benefits provided by the Office of Navajo Veteran Affairs.
- G. To monitor and oversee Navajo Nation efforts towards employment of Navajo Veterans, business preference for Navajo Veterans, and to seek out other services and benefits for Navajo Veterans provided by other Veteran agencies and special interest groups.

III. MEMBERSHIP; SELECTION; CHAIRMAN AND VICE CHAIRMAN; TERM OF OFFICE

A. Membership

The Committee shall consist of six (6) members of the Navajo Tribal Council who are also Navajo Veterans.

B. Selection

The Committee shall be selected as follows:

1. The members of the Committee shall be selected by the Chairman of the Navajo Tribal Council and confirmed by the Navajo Tribal Council.
2. One member of the Committee shall be selected from each Agency together with one member at large.

C. Chairman and Vice Chairman

The Chairman and Vice Chairman of the Committee shall be selected by the Chairman of the Navajo Tribal Council from among the six (6) Committee members finally confirmed by the Navajo Tribal Council. These two candidates shall be selected based on their education, experience and interest in the area of advocating for the Navajo Veterans.

D. Term of Office

Committee members shall serve a term of office coinciding with the terms of office for members of the Navajo Tribal Council or until their successors are appointed.

IV. POWERS

A. General

The Committee and its officers shall, consistent with all applicable Tribal and Federal laws, have all powers necessary and proper to carry out the purposes set forth in Section II of this Plan of Operation.

1. To adopt written policies and guidelines together with amendment thereof from time to time, for implementation of the purposes set forth in this Plan of Operation, subject to all approved laws, rules, regulation and policies of the Navajo Nation.
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, business, contracting and legal assistance.

4. To foster and oversee the application of traditional Navajo values in restoring or securing harmony, balance, and cooperation 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 Committee 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 review and approve all local and community organization Plans of Operation, by-laws and Articles of Incorporation; 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 Committee is authorized to consult with local community groups and organizations of Navajo Veterans, for inclusion in the Committee'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. To seek the establishment and funding of health care facilities for the Navajo Veterans on the Navajo Reservation.
10. To review and recommend for approval all agreements and contracts negotiated with federal, state, tribal, local, Veterans agencies, or private authorities to the appropriate Committee of the Navajo Tribal Council, Central Loan Committee, Budget and Finance Committee or the Advisory Committee of the Navajo Tribal Council.

11. To provide for the compensation of Committee members in a manner consistent with that of other standing committees of the Navajo Tribal Council.
12. To prepare and recommend a Committee budget each fiscal year for submission to the Office of Legislative Affairs of the Legislative Branch of the Navajo Tribal Council.

V. MEETING: PROCEDURES

A. Meetings

1. All regular meetings of the Committee shall be held on the second Thursday of each month, and whenever called by the Chairman of the Committee, the Chairman of the Navajo Tribal Council, or upon written request of any four (4) members of the Committee.
2. All meetings shall be held at Window Rock, Navajo Nation (Arizona), for the transaction of regular Committee business unless another location is designated by the Chairman of the Committee for special purposes. Meetings held elsewhere must be authorized by the Chairman of the Navajo Tribal Council.
3. At any meeting, a quorum shall consist of any four (4) members present and voting.
4. If the Chairman of the Committee is not present at any regular or special meeting of the committee, the Vice Chairman shall serve as presiding Chairman or officer of the meeting. If the Vice Chairman is not present, a presiding officer shall be selected by a majority vote of those Committee members present at the meeting.
5. Compensation and reimbursement shall be provided for all necessary and proper expenses incurred by the Committee consistent with expense and reimbursement procedures developed by the Legislative Office and approved by the Navajo Tribal Council.

B. Voting

A majority vote of a quorum of members present and voting at any meeting shall be necessary for any Committee action.

C. Technical Advice

At the discretion of the Committee, it may request the attendance of Federal, State, Tribal and local Veterans organizations and/or Veterans interest groups of their regular or special meetings

including but not limited to the Veterans Administration, Veteran Administration Medical Center, State Veteran Administration Personnel, Navajo Tribal Division and Department Directors, and local Veteran Organizations Officers to report on current and new developments for Navajo Veterans Whenever possible and feasible, other Federal, State, Tribal and local agencies, group and individuals may be requested to provide technical assistance to the Committee. Additionally, the Navajo Nation Tribe Washington Office shall advise the committee on any and all current and the new legislations concerning veterans in general and specifically on all legislation affecting Navajo Nation veterans.

D. Procedure

Until such time as the Navajo Tribal Council shall adopt procedures and rules for the conduct of Committee business, the Committee is empowered to develop its own procedures for the conduct of meetings, and the submission of requests for Committee action; provided that all formal substantive action shall be taken by written resolution duly certified by the presiding officer, or memorialized by memorandum setting forth the action taken and signed by the presiding officer and filed with the Central Records Department of the Navajo Nation.

VI. SUBCOMMITTEES

The Committee is empowered to create, by appointment of the presiding officer and the concurrence of the Committee, subcommittees to research the concerns and issues of the Navajo Veterans and to review and make recommendations on Navajo Veterans services, benefits and other new and continuing program projects. Subcommittee recommendations must be presented to the Committee for full review and final approval.

A. Membership

Each subcommittee shall consist of not less than two (2) members, all of whom shall be members of the Committee.

B. Reimbursement

Members of the subcommittees shall be reimbursed for meeting expenses for attendance at any meeting where assigned or designated business is conducted upon presentation of the subcommittees report to the full committee.

VII. CONFLICT OF INTEREST

Committee members who have personal business interests or close family relationships in business or personal matters brought before the

Committee will not be eligible to vote on the conflicting matters in accordance with the Navajo Nation in Ethics in Government Law.

VIII. AMENDMENT TO PLAN OF OPERATION

This Plan of Operation may be amended from time to time by the Advisory Committee of the Navajo Tribal Council.

EXHIBIT "C"

PROPOSED RESOLUTION
OF THE
NAVAJO TRIBAL COUNCIL

Establishing the Navajo Veterans Committee as a Standing Committee
of the Navajo Council composed of Navajo Council Delegate Veterans
to Accomplish the Oversight, Authority, Duties and Responsibilities
Formerly Delegated to the Navajo Veterans Commission

WHEREAS:

1. The Navajo Tribal Council established the Navajo Veterans Commission by Resolution CF-14-82 which was implemented by a Plan of Operation adopted by Advisory Committee Resolution ACAU-104-84, rescinded and replaced by Resolution ACJY-167-87.

2. The Navajo Veterans Commission was established for the purpose of identifying the problems and special needs of Navajo Veterans, to promote and provide general oversight for all programs and sources of benefits of the Navajo Nation addressing the special needs and interests of Navajo Veterans and to identify and prioritize and recommend appropriation of available funds to implement such programs of the Navajo Nation, in coordination with all available Federal, State and private agencies and programs providing necessary benefits, services and treatment for veterans; and

3. Based on reports and recommendations from the Navajo Veterans Commission and the Office of Navajo Veterans Affairs, the Navajo Tribal Council has determined that these priority goals, purposes and objectives of the present administration of the Navajo Tribal Government and its various offices, agencies and programs affecting the special needs of Navajo Veterans will be best served by the establishment of a Standing Committee composed of Navajo Veterans who are delegates to the Navajo Tribal Council, to exercise the powers and responsibilities previously delegated to the Navajo Veterans Commission.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Tribal Council as the governing body of the Navajo Nation, hereby establishes the Navajo Veterans Committee as a Standing Committee of the Navajo Tribal Council, to be composed of Navajo Veterans who are Tribal Council Delegates equitably representing the interests of Navajo Veterans from each of the five (5) respective districts of the Navajo Nation.

2. The Navajo Tribal Council further directs that the Navajo Veterans Committee of the Navajo Tribal Council, be vested with all authority and responsibility heretofore delegated to the former Navajo Veterans Commission, including general oversight of the implementation, coordination and effective utilization of services and appropriations for all Tribal programs and benefits serving the needs and benefits of Navajo Veterans; reporting and recommendations to the Navajo Tribal Council for necessary and appropriate legislation, implementation and coordination to advance and accomplish the purposes, policies of the Navajo Nation and its respective entities and local organizations in securing benefits and programs serving the special needs of Navajo Veterans; and representing the Navajo Nation and Navajo Veterans in advocating for increased benefits, services, care and delivery from Federal, State and other

non-Tribal organizations and sources to meet the general and special needs of Navajo Veterans.

3. The Navajo Tribal Council hereby amend Navajo Tribal Council Resolution CF-14-82 by deleting all references therein to the Navajo Veterans Commission and by re-enacting all said references to the Navajo Veterans Committee of the Navajo Tribal Council.

4. The Navajo Tribal Council further directs the Advisory Committee to implement the establishment of the Navajo Veterans Committee by approving and adopting its Plan of Operation as a Standing Committee of the Navajo Tribal Council and superseding all contrary or inconsistent enactments and by rescinding the Plan of Operation of the Navajo Veterans Commission adopted by Advisory Committee Resolution ACJY-167-87.

5. The Navajo Tribal Council further directs the Chairman of the Navajo Tribal Council nominate and submit the names of Navajo Veterans serving as delegates of the Navajo Tribal Council for membership and officials of the Navajo Veterans Committee, for confirmation by the Navajo Tribal Council in accordance with the criteria established herein and implemented by the Plan of Operation of the Navajo Veterans Committee, adopted by the Advisory Committee of the Navajo Tribal Council as directed hereby.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by 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 ___ in favor and ___ opposed, this ___ day of October, 1988.

Chairman
Navajo Tribal Council