

**RESOLUTION OF THE  
NAVAJO NATION COUNCIL**

**Waiving Resolutions CS-45-84, CAP-31-94 and CS-78-97 to the Extent Necessary to Execute this Appropriation and Establishing the "Navajo Nation Veterans Trust Fund" by Initial Appropriation of Six Million Dollars (\$6,000,000) from Undesignated Tribal Reserves**

**WHEREAS:**

1. The Navajo Nation Council is the governing body of the Navajo Nation, pursuant to 2 N.N.C. Section 102 (A); and
2. Pursuant to 2 N.N.C. Section 374 (B)(1), the Budget and Finance Committee of the Navajo Nation Council is empowered to recommend the annual operating budget and appropriation or supplemental appropriation to the Navajo Nation Council; and
3. Pursuant to Resolution BFMA-24-98 attached hereto as Exhibit "A", the Budget and Finance Committee of the Navajo Nation Council accepts the recommendation, by Resolution HSCD-53-97, of the Human Services Committee of the Navajo Nation Council and recommends approval of establishing the "Navajo Nation Veterans Trust Fund" by initial appropriation of \$6 Million from Undesignated Tribal Reserves and further approves the Plan of Operation for the Trust Fund; and
4. Pursuant to 2 N.N.C. Section 604 (A), the Human Services Committee of the Navajo Nation Council is empowered to coordinate the Navajo Nation efforts with respect to implementation and enforcement of Veterans Laws and Policies and to coordinate veterans services programs; and
5. Pursuant to 2 N.N.C. Section 604 (B)(1), (2), (3) and (5), the Human Services Committee of the Navajo Nation Council is empowered to promulgate regulations for the enforcement and implementation of the laws relating to veterans services, to represent the Navajo Nation in matters relating to veterans services, to recommend legislation regarding veterans services and to serve as the oversight authority for the Division of Human Resources, including the Department of Navajo Nation Veterans Affairs; and
6. Pursuant to Resolution GSCAU-49-91 of the Government Services Committee of the Navajo Nation Council, the purposes of the Department of Navajo Veterans Affairs under the Division of Human Resources among others are to: (a) seek out and identify additional funding sources and make recommendation for the implementation, expansion and improvement of existing programs of the divisions and offices of the Navajo Nation to ensure that the Navajo veterans receive the benefits and services they are entitled to; (b) monitor, advocate and promote Navajo Nation efforts towards employment and educational training of interest groups pursuant to established rules and regulations of the Navajo veterans provided by other veteran agencies and special interest

groups pursuant to established rules and regulations of the Navajo Nation; and (c) seek the establishment and funding of suboffice building complex, health care facilities, counseling services, veterans housing, veterans loan, financial and non-financial assistance and to provide technical assistance for V.A. benefits and services of tribal, state and federal agencies; and

7. By Resolution CJ-5-40, the Navajo Tribal Council resolved that the Navajo People stood ready to aid and defend the United States Government and its institutions against all subversive and armed conflicts and pledged loyalty to the system which recognized minority rights and a way of life; and

8. By resolution dated June 12, 1942, the Navajo Nation Council accepted responsibility for assisting the Selective Service Administration in the induction of the Navajo People for military services; and

9. It is in the best interest of all Navajo veterans, spouses, dependents and Gold Star mothers that the Navajo Nation address the many needs of Navajo veterans who have made personal sacrifices to preserve and protect the Navajo way of life by serving with the United States Armed Forces.


**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Navajo Nation Council hereby waives Resolutions CS-45-84, CAP-31-94 and CS-78-97 to the extent necessary to execute this appropriation and establishes the "Navajo Nation Veterans Trust Fund" by initial appropriation of Six Million Dollars (\$6,000,000) from Undesignated Tribal Reserves and approves the Plan of Operation attached as Exhibit "B".

2. The Navajo Nation Council further requests the States of Arizona, New Mexico and Utah to allocate \$6,000,000 and the Federal Government to allocate another \$6,000,000 to this Trust Fund to match this initiative 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 at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 70 in favor, 1 opposed and 0 abstained, this 20th day of July 1998.

  
\_\_\_\_\_  
Kelsey A. Begaye, Speaker  
Navajo Nation Council  
7-22-98  
\_\_\_\_\_  
Date Signed

Motion: Sampson Begay  
Second: Marlene Thomas

**ACTION BY THE NAVAJO NATION PRESIDENT:**

1. I hereby ~~give notice that I will not veto~~ <sup>sign into law</sup> the foregoing legislation, pursuant to 2 N.N.C. §1005 (C)(10), on this 3rd day of August 1998.

*Milton Bluehouse, Sr.*

\_\_\_\_\_  
Milton Bluehouse, Sr., President  
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C)(10), this \_\_\_ day of \_\_\_\_\_, 1998 for the reason(s) expressed in the attached letter to the Speaker.

\_\_\_\_\_  
Milton Bluehouse, Sr., President  
Navajo Nation

**RESOLUTION OF THE  
BUDGET AND FINANCE COMMITTEE  
OF THE NAVAJO NATION COUNCIL**

**Recommending Approval of Establishing the "Navajo Nation Veterans Trust Fund" by Appropriating \$6 Million from Undesignated Tribal Reserves**

**WHEREAS:**

1. Pursuant to 2 N.N.C. § 374 (B) (1), the Budget and Finance Committee of the Navajo Nation Council is empowered to recommend the annual operating budget and appropriations to the Navajo Nation Council; and

2. Pursuant to 2 N.N.C. § 374 (B) (2), the Budget and Finance Committee of the Navajo Nation Council is empowered to the extent permitted by federal or Navajo Nation laws and regulations, to appropriate, allocate, cancel, reappropriate and review the use of Navajo Nation funds received including but not limited to all grants, contracts, gifts and other funds from all sources; and

3. Pursuant to 2 N.N.C. § 604 (A), the Human Services Committee of the Navajo Nation Council is empowered to coordinate the Navajo Nation's efforts with respect to implementation and enforcement of Veterans Laws and Policies and to coordinate veterans services programs; and

4. Pursuant to 2 N.N.C. § 604 (B) (1), (2), (3), and (5), the Human Services Committee of the Navajo Nation Council is empowered to promulgate regulations for the enforcement and implementation of the laws relating to veterans services, to represent the Navajo Nation in matters relating to veterans services, to recommend legislation regarding Veterans services and to serve as the oversight authority for the Division of Human Resources, including the Department of Navajo Veterans Affairs; and

5. The Department of Navajo Veterans Affairs under the Division of Human Resources was established to best foster the interests of Navajo veterans by advocating and providing administration oversight and coordination of veterans programs and services of federal, state and tribal governments and private agencies; and

6. Pursuant to Resolution HSCD-53-97, attached hereto as Exhibit "A", the Human Services Committee of the Navajo Nation Council recommends the Budget and Finance Committee of the Navajo Nation Council accept and recommend this legislation to the full Navajo Nation Council for enactment during the 1998 Winter Session and approve the Plan of Operation, attached hereto as Exhibit "B" and incorporated by reference, of the Navajo Nation Veterans Trust Fund; and

7. It is in the best interest of all Navajo veterans, spouses, dependents and Gold Star Mothers that the Navajo Nation address the many needs of Navajo veterans who have made personal sacrifices to preserve and protect the Navajo Way of Life by serving with United States Armed Forces.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Budget and Finance Committee of the Navajo Nation Council hereby recommends the full Navajo Nation Council approval of establishing the "Navajo Nation Veterans Trust Fund" by appropriating \$6 million from the Undesignated Tribal Reserves; and approves the Plan of Operation, attached hereto as Exhibit "B" and incorporated by reference, of the Navajo Nation Trust Fund.

2. The Budget and Finance Committee of the Navajo Nation Council hereby requests the States of Arizona, New Mexico and Utah to allocate \$6,000,000 and the Federal Government to allocate another \$6,000,000 to this Trust Fund to match this initiative of the Navajo Nation.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Budget and Finance Committee of the Navajo Nation 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 4 in favor, 0 opposed and 0 abstained this 17th day of March, 1998.

  
Vice Chairperson

Motion: Kelly Wood Harvey  
Second: Eula C. Yazzie

## **EXHIBIT "B"**

# **ESTABLISHING AND AUTHORIZING THE NAVAJO NATION VETERANS TRUST FUND**

### **Section 1. Establishment**

The "Navajo Nation Veterans Trust Fund" hereinafter the "Trust Fund" is established with an initial appropriation of \$6 Million from revenues from Undesignated Tribal Reserves. Any funds deposited into the Trust Fund, plus accrued interest, shall be used only as provided for as explained hereinafter.

### **Section 2. Purpose**

The purpose of the Trust Fund is to provide funding for veterans programs, projects and services or activities which may include, but not limited to program/project development, community/economic development, housing, training and employment opportunities, leveraging or matching funds for exemplary projects, protection and advocacy services, financial assistance of benefits and services, education and scholarship, and survivor's benefits for the surviving spouses of deceased veterans.

The Navajo Nation has a clear understanding and responsibility to its Navajo Nation Veterans based on Navajo Nation Council Resolution CJ-5-40 which pledged its people the loyalty to stand ready, to aid and defend conflicts and pledges its loyalty to the system which recognized minority rights and the Navajo Way of Life. Many more than 16,000 Navajo veterans have served their country in war or Peacetime from World War I, World War II, Korean, Vietnam, Persian Gulf and to the present.

### **Section 3. Fund Investment**

All monies deposited in the Trust Fund shall be invested in accordance with Investment Policies of the Navajo Nation as adopted by the Budget and Finance Committee of the Navajo Nation Council.

### **Section 4. Expenditure of Fund Principal**

Fund principal shall not be expended except pursuant to a referendum adopted by a two-thirds vote of all registered Navajo voters. The Navajo Nation Council may place a referendum to expend Trust Fund principal on the ballot of any primary, general or special election by a two-thirds vote of the full membership of the Navajo Nation Council.

## **Section 5. Definition of Principal and Income**

(a) Trust Fund principal shall consist of all Navajo Nation Council appropriations made pursuant to the tribal appropriation processes and procedures; and any contributions made by any parties or entities.

(b) Trust Fund income shall consist of all earnings (interest, dividends, etc.) generated by the principal and interests of the fund.

## **Section 6. Expenditure of Trust Fund**

The fund income shall not be expended, except as provided in Section 7, from Fiscal Year 1998 to Fiscal Year 2003. From Fiscal Year 2004, the fund income shall be expended as following:

(a) 4% of the average market value of the fund covering the past three (3) fiscal years will be used as supplemental funding for programs and services to benefit veterans, as noted under Section 2 Purpose on an annual basis. The market value of the fund at the end of the previous twelve (12) quarters will be used to determine the average market value of the fund for expenditure (i.e. budget purposes). The excess of the fund income over expenditures shall be reinvested in the fund to cover the rate of inflation and to provide for reasonable fund growth.

(b) Tribal grants to non-tribal government programs and projects shall be awarded in accordance with rules and regulations developed by the Department of Navajo Veterans Affairs, in consultation with the Human Services Committee of the Navajo Nation Council and, if required, the Navajo Nation Council.

(c) Of the 4% of the fund (Market Value), 95% of the proceeds will be used for Section 6 (a), (b) and 5% will be used for administrative purposes, and this will be reviewed further by the Office of Management and Budget and the Program.

Except as provided at Section 7, all trust fund income distribution shall be determined pursuant to all eligible Navajo Veterans and distributed among those applicable Navajo Nation Chapters to be expended in accordance with Section 2 of this plan.

**Section 7. Expenses**

All expenses directly associated with the administration and management of the fund shall be paid from the Trust Fund Income as approved by the Budget and Finance Committee of the Navajo Nation Council prior to the distribution of income under Section 6. Such expenses shall include investment advisory and management fees, audit costs and other related expenses, all pursuant to duly approved contracts for such services.

**Section 8. Amendments**

Any section or sections herein may be amended upon the recommendation of the Human Services Committee and the Budget and Finance Committee of the Navajo Nation Council by majority vote of the full membership of the Navajo Nation Council except that Section 4 may only be amended as provided herein.