

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0196-16

SPONSOR: Kee Allen Begav Jr.

TITLE: An Action Relating to Budget And Finance And Health, Education And Human Services; Enacting Plan Of Operation For Navajo Nation Veterans Administration; Rescinding Department Of Navajo Veterans Affairs Plan Of Operation

*Date posted:* June 21, 2016 at 5:00pm

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**LEGISLATIVE SUMMARY SHEET**

**Tracking No.** 01916-16

**DATE:** June 17, 2016

**TITLE OF RESOLUTION:** AN ACT RELATING TO BUDGET AND FINANCE AND HEALTH, EDUCATION AND HUMAN SERVICES; ENACTING PLAN OF OPERATION FOR NAVAJO NATION VETERANS ADMINISTRATION; RESCINDING DEPARTMENT OF NAVAJO VETERANS AFFAIRS PLAN OF OPERATION

**PURPOSE:** The Navajo Nation Council by resolution CJA-3-16 established a Veterans Administration. This new administration, as a result, replaces the Department of Navajo Veterans Affairs. This resolution will approve the Plan of Operation for the Navajo Nation Veterans Administration and will further rescind the Department of Navajo Veterans Affairs Plan of Operation.

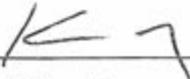
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL/HOLD PERIOD: None  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 10/26/2016  
Eligible for Action: 10/27/2016

Budget & Finance Committee  
THENCE  
Health, Education & Human Services Committee

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 23rd NAVAJO NATION COUNCIL - Second Year, 2016

3 INTRODUCED BY

4  
5   
6 \_\_\_\_\_  
7 (Prime Sponsor) Kee Allen Begay Jr

8 01916-16

9 AN ACT

10 RELATING TO BUDGET AND FINANCE AND HEALTH, EDUCATION AND  
11 HUMAN SERVICES; ENACTING PLAN OF OPERATION FOR NAVAJO NATION  
12 VETERANS ADMINISTRATION; RESCINDING DEPARTMENT OF NAVAJO  
13 VETERANS AFFAIRS PLAN OF OPERATION

14  
15 BE IT ENACTED:

16  
17 **Section One. Authorities**

18 A. The Budget and Finance Committee of the Navajo Nation Council, among other  
19 duties and responsibilities, generally oversees financial activities of the Navajo Nation. 2  
20 N.N.C. §301.

21 B. The Health, Education and Human Services Committee of the Navajo Nation  
22 Council, among other duties and responsibilities, generally oversees veterans matters. 2  
23 N.N.C. §401. Pursuant to 2 N.N.C. §1034, the committee is responsible for approving  
24 the plan of operation for the Navajo Nation Veterans Administration. See, CJA-3-16.

25  
26 **Section Two. Findings**

27 A. The Navajo Nation Council on January 26, 2016 enacted enabling legislation  
28 establishing the Navajo Nation Veterans Administration and an advisory council. CJA-3-  
29 16.

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1 B. Pursuant to CJA-3-16, the Department of Navajo Veterans Affairs is replaced by the  
2 newly-created Navajo Nation Veterans Administration.

3 C. Resolution CJA-3-16, was signed into law by the Navajo Nation President on  
4 February 13, 2016. See Exhibit "C," attached hereto.

5  
6 **Section Three. Enacting Plan of Operation for Navajo Nation Veterans**  
7 **Administration**

8 The Navajo Nation hereby enacts the Plan of Operation for the Navajo Nation  
9 Veterans Administration as provided in Exhibit "A."

10  
11 **Section Four. Rescinding Plan of Operation for Department of Navajo Veterans**  
12 **Affairs**

13 The Navajo Nation rescinds the Plan of Operation for the Department of Navajo  
14 Veterans Affairs, resolution GSCMY-40-03, as provided in Exhibit "B."

PLAN OF OPERATION FOR  
NAVAJO NATION VETERANS ADMINISTRATION

I. ESTABLISHMENT

The Navajo Nation Veterans Administration (NNVA) is established within the Executive Branch of the Navajo Nation Government and as a Navajo Nation Administration within the Office of the President and Vice President of the Navajo Nation.

II. OBJECTIVES

The NNVA shall be responsible for carrying out the following objectives on behalf of Veterans:

A. Advocate and provide administrative oversight and coordination for needed services for Veterans in areas such as housing, education, and other specialized training; such as legal, medical and small business development assistance and other related Veterans' benefits or programs.

B. To seek accreditation for veterans benefits and claims which are available pursuant to Title 38 U.S. Code and other benefits available from Arizona, New Mexico, Utah and the Navajo Nation.

C. Identify, prioritize and advocate for program services to assist Veterans.

D. To advocate for the preferential treatment of veterans in business and employment.

E. Evaluating and advocating for the needs of Veterans.

III. PURPOSES

The purposes of the Navajo Nation Veterans Administration (NNVA) shall be to:

A. Effectively and efficiently provide outreach, services and benefits to Veterans; and to identify the exclusive and distinctive needs of Veterans, their widow(er) and Gold Star Mothers.

1 B. Seek additional funding and make recommendations for the implementation,  
2 expansion and improvement of existing programs of the NNVA, divisions and offices of  
3 the Navajo Nation to ensure Veterans receive the benefits and services they are entitled  
4 to.

5 C. To the extent permitted by federal, state and/or Navajo Nation law, the NNVA shall  
6 monitor and assess all Veterans' benefit programs made available to the Navajo Nation  
7 and its Veterans, which affect the exclusive and distinctive needs and interest of  
8 Veterans.

9 D. Recommend overall policies and legislations regarding Veterans to the Navajo Nation  
10 Council through the Navajo Nation's respective committees and communities which  
11 consider and are consistent with applicable governmental laws and policies.

12 E. Seek and improve the quality and accessibility of healthcare benefits, health services  
13 for Veterans on the Navajo Nation.

14 F. Monitor, advocate and promote employment and educational training for Veterans,  
15 business preference, employment preference and other services.

16 G. Seek the establishment and funding of the Veterans' Housing Programs or services  
17 for Veterans on the Navajo Reservation. This may include seeking partnership(s) with  
18 local, tribal, state or federal housing entities to provide the best services available for  
19 housing.

20 H. Determine, implement and provide program services for the needs and benefits of  
21 Veterans pursuant to Navajo Nation budget appropriations and pursuant to duly accepted  
22 and approved program funds received by the Navajo Nation.

23 I. Partner with Office of the Controller-Credit Service in implementing and maintaining  
24 a Navajo Veterans Loans Program in accordance with all applicable Navajo Nation Laws,  
25 and Operating procedures and guidelines for the program, as approved by the Budget and  
26 Finance Committee of the Navajo Nation Council.

27 J. Recommend the appropriation of available funds for use by the Navajo Veterans Loan  
28 Program.

29 K. Seek Federal recognition under 38 C.F.R section 14.628 to prepare, present and  
30 prosecute claims for Veterans Administration (VA) benefits.

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1 L. Manage by administering, advocating and improving the Carl T. Hayden-Veterans  
2 Administration Medical Center (VAMC) Fee Reimbursement program for Traditional  
3 Healing Ceremony.

4 M. To the extent permitted by federal, state or Navajo Nation law, the NNVA shall assist  
5 Navajo Nation Chapters and Veterans in implementing the Navajo Nation Local  
6 Governance Act of 1998.

7 N. Collaborate with the Navajo Veterans Advisory Council on policy matters.

8  
9 IV. ORGANIZATION

10 A. The NNVA shall be responsible for the administrative, operations and logistics of the  
11 NNVA under the President of the Navajo Nation.

12 B. The NNVA shall have a central administrative office located in Window Rock,  
13 Arizona and have sub-office across the Navajo Reservation which may include satellite  
14 areas of the Navajo Nation.

15 C. The organizational chart for the NNVA is attached as "Exhibit A" herein.

16  
17 V. PERSONNEL

18 A. The NNVA shall be supervised by a Executive Director who shall be selected and  
19 contracted by the President of the Navajo Nation, in consultation with the Navajo  
20 Veterans Advisory Council.

21 B. The NNVA's staff shall be selected, employed, supervised and terminated by the  
22 Executive Director, pursuant to and in accordance with the Navajo Nation Personnel  
23 Policies Manual and all other laws, regulation and benefits applicable to executive  
24 employees of the Navajo Nation under the Office of the President and Vice President.

25  
26 VI. AUTHORITIES AND RESPONSIBILITIES

27 A. The responsibilities of the Executive Director shall be to:

28 1. Supervise personnel and administer the operations of the NNVA.

29 2. In absence of the Executive Director the next senior personnel or next delegated  
30 personnel on the organizational structure shall assume the duties and responsibilities

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1 of the Executive Director to ensure continuity of NNVA operations, accountability,  
2 responsibility and communication.

3 3. Report from time to time to and as requested to the Navajo Nation on the status of  
4 the NNVA.

5 4. Create a Veterans registry program that ensures a periodic Veterans population  
6 count.

7 5. Recommending necessary budget proposals for professional and/or technical  
8 positions and services as needed to carry out the duties and responsibilities set forth  
9 herein.

10 6. Implement, administer and enforce the following, but not limited to:

11 a. Recommending and providing coordination for implementation of authorized  
12 federal, state and tribal program for the benefit of Veterans pursuant to all  
13 applicable Navajo Nation, State, or Federal laws, rules and regulations.

14 b. Serving as a liaison to seek and identify additional state, federal and tribal  
15 sources to provide the maximum return for Navajo Nation general funds and  
16 private matching funds.

17 c. Recommending the negotiation and appropriation of available funds to use for  
18 Veterans.

19 d. Managing monetary assistance programs and/or services to all eligible  
20 Veterans, widow(er)s and Gold Star Mothers pursuant to duly approved program  
21 policies and procedures.

22 e. Developing, recommending and implementing policies and procedures for the  
23 administration of all programs for Veterans under the NNVA.

24 f. To provide administrative support and technical assistance to the Navajo  
25 Nation Veterans Advisory Council.

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27 VII. LEGISLATIVE OVERSIGHT

28 A. Legislative oversight for the operation of the NNVA shall be provided by the Health,  
29 Education and Human Services Committee of the Navajo Nation Council.

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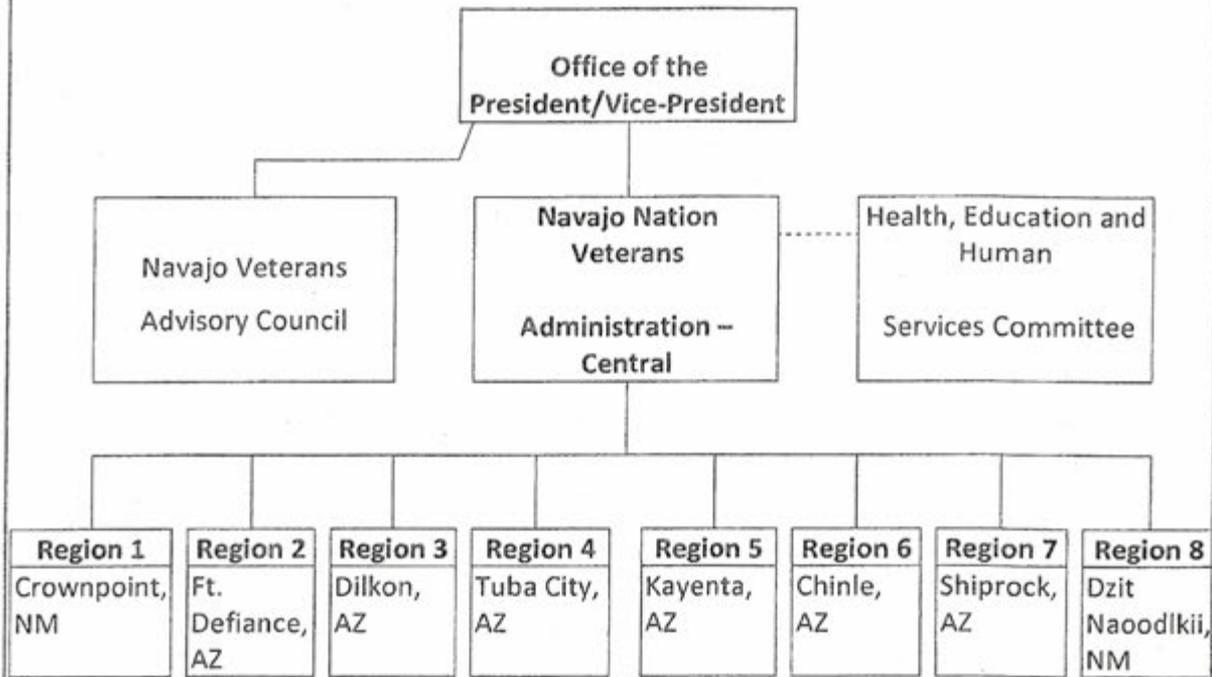
1 B. In consultation with the Health, Education and Human Services Committee, the  
2 Budget and Finance Committee of the Navajo Nation Council shall provide legislative  
3 oversight to the NNVA-Loan Program.

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5 VIII. AMENDMENTS

6 This Plan of Operation may be amended periodically with approval by the Health,  
7 Education and Human Services Committee of the Navajo Nation Council.

**FY'2017 ORGANIZATIONAL STRUCTURE: Navajo  
Nation Veterans Administration**

"Exhibit  
A"



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Department of Navajo Veterans Affairs

Article I Establishment

The Department of Navajo Veterans Affairs was established within the Executive Branch of the Navajo Nation Government and is hereby continued as a Navajo Nation Department within the Division of Human Resources of the Navajo Nation.

Article II Purpose

The purpose of the Department of Navajo Veterans Affairs shall be:

A. To identify, assess and prioritize the special needs of Navajo Veterans, their dependents and survivors and Gold Star Mothers.

B. To 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.

C. To the extent permitted by federal, state or Tribal Navajo Nation law, the Department shall monitor and assess all Veterans' benefit programs made available to the Navajo Nation and its Veterans which affect the special needs and interest of Navajo Veterans for compliance with all applicable Navajo Nation, state and federal laws.

D. To recommend overall policies and legislation regarding Navajo Veterans to the Navajo Nation Council through the Navajo Nation's respective committees and its respective communities which consider and are consistent with acceptable traditional and customary practices of the Navajo People.

E. To seek the establishment and funding of health care facilities for Navajo Veterans on the Navajo Nation.

F. To monitor, advocate and promote Navajo Nation efforts towards employment and educational training of Navajo Veterans, in business preference for Navajo Veterans, and in seeking out other services and benefits for Navajo Veterans provided by other Veteran agencies and special interest groups pursuant to established rules and regulations of the Navajo Nation.

1 ~~G. To seek the establishment and funding of the Navajo Veterans' Housing Assistance~~  
2 ~~Program for Navajo Veterans on the Navajo Reservation.~~

3 ~~H. To determine, implement and provide program services for the needs and benefits of~~  
4 ~~Navajo Veterans pursuant to Navajo Nation budget appropriations and pursuant to duly~~  
5 ~~accepted and approved program funds received by the Navajo Nation on behalf of the~~  
6 ~~Navajo Nation Veterans.~~

7 ~~I. To administer and manage the Veterans Loan Program and all the assets and~~  
8 ~~outstanding accounts receivable associated therein including, but not limited to:~~

9 ~~a. Administration of the Veterans Loans Program in accordance with all applicable~~  
10 ~~Navajo Tribal Nation laws, and the Operating Policies and Guidelines for the~~  
11 ~~program, as approved by the Budget and Finance Committee of the Navajo Nation~~  
12 ~~Council.~~

13 ~~b. Servicing all accounts receivables associated with the Veterans Loan Program so~~  
14 ~~as to protect the Navajo Nation's interest in property pledged to secure any loans~~  
15 ~~made under the program.~~

16 ~~c. Implementation of collect efforts in regards to funds due and owing the Navajo~~  
17 ~~Nation resulting from loans made under the program.~~

18 ~~d. Assisting the Budget and Finance committee of the Navajo Nation Council in the~~  
19 ~~completion of their duties and responsibilities as set forth in their Plan of Operation as~~  
20 ~~amended.~~

21 ~~e. Recommending the negotiation and appropriation of available funds for use by the~~  
22 ~~Navajo Veterans' Loan Program.~~

23 ~~J. To seek the establishment and funding of a Navajo Nation Veterans Cemetery.~~

24 ~~K. To seek the establishment, funding and maintenance of the Navajo Veterans~~  
25 ~~Memorial Park.~~

26 ~~L. To administer, implement, manage and monitor the Native American Housing~~  
27 ~~Assistance and Self-Determination Act of 1996 (NAHASDA) of the U.S. Department of~~  
28 ~~Housing and Urban Development (HUD) as it applies to Navajo Nation housing for~~  
29 ~~Navajo Veterans.~~

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1 ~~M. To administer and manage the Strengthening Alliance of Veterans and Families~~  
2 ~~AmeriCorp Program of Corporation for National Service in accordance with applicable~~  
3 ~~federal, state and Navajo laws, rules and regulations, and operating policies and~~  
4 ~~guidelines.~~

5 ~~N. To seek the establishment and funding of the VA Claims Examiner Program.~~

6 ~~O. To administer and manage the Veterans Administration Medical Center (VAMC) Fee~~  
7 ~~Reimbursement Traditional Healing Ceremony in collaboration with Carl T. Hayden~~  
8 ~~VAMC of Phoenix, Arizona.~~

9 ~~P. To the extent permitted by federal, state or Navajo Nation law, the Department shall~~  
10 ~~assist Navajo Nation Chapters and Veterans in implementing the Navajo Nation Local~~  
11 ~~Governance Act of 1995.~~

12 Article III — Authorities, Duties and Responsibilities

13 The responsibilities of the Department Director shall be:

14 ~~1. To supervise and administer the Department of Navajo Veterans Affairs program and~~  
15 ~~other duly approved programs as authorized under the provisions of this Plan of~~  
16 ~~Operation for the Department of Navajo Veterans Affairs.~~

17 ~~2. To implement, carry out and enforce authorized policies and directives as promulgate~~  
18 ~~by virtue of the Plan of Operation of the Department of Navajo Veterans Affairs~~  
19 ~~including, but not limited to:~~

20 ~~a. Representing the Department of Navajo Veterans Affairs as directed and~~  
21 ~~authorized by the Navajo Nation and in dealing with the public and representatives of~~  
22 ~~other organizations.~~

23 ~~b. Determining, evaluating and advocating for the needs of Navajo Veterans.~~

24 ~~e. Recommending and providing coordination for implementation of authorized~~  
25 ~~federal, state and tribal program for the benefit of Navajo Veterans pursuant to all~~  
26 ~~applicable Navajo Nation laws, rules and regulations.~~

27 ~~d. Serving as a liaison to seek and identify additional state, federal and tribal sources~~  
28 ~~to insure the maximum return for Tribal Navajo Nation general funds and private~~  
29 ~~matching funds.~~

1 ~~e. Recommending the negotiation and appropriation of available funds to use for~~  
2 ~~Navajo Veterans' program to the Budget and Finance Committee of the Navajo~~  
3 ~~Nation Council through recommendation by the appropriate Navajo Nation Council~~  
4 ~~Committees.~~

5 ~~f. Overseeing and conducting program monetary assistance and/or services to all~~  
6 ~~eligible Navajo Veterans and eligible spouses, widow(er)s and dependent children of~~  
7 ~~deceased Navajo Veterans pursuant to duly approved program policies and~~  
8 ~~procedures.~~

9 ~~g. Recommending necessary budget proposals for professional and/or technical~~  
10 ~~positions and services as needed to carry out the duties and responsibilities set forth~~  
11 ~~herein.~~

12 ~~h. Developing, recommending and implementing policies and procedures for the~~  
13 ~~administration of all programs to Navajo Veterans under the Department of Navajo~~  
14 ~~Veterans Affairs.~~

15 ~~3. To carry out the purposes for the Veterans Loan Program as set forth in Section II of~~  
16 ~~this Plan of Operation; including, but not limited to:~~

17 ~~a. Accepting, reviewing, evaluating and processing applications for loans in~~  
18 ~~accordance with Operating Policies and Guidelines adopted by the Budget and~~  
19 ~~Finance Committee.~~

20 ~~b. Closing approved loans in accordance with Operating Policies and Guidelines~~  
21 ~~approved by the Budget and Finance Committee and accounting policies and~~  
22 ~~procedures of the Navajo Nation.~~

23 ~~c. Managing and servicing loan accounts arising from loans made and to take, cause~~  
24 ~~to be taken all appropriate actions to protect property interests of the Navajo Nation.~~

25 ~~d. Initiating collections procedures, including the referral of accounts to the~~  
26 ~~Department of Justice for litigation or other appropriate action, for all sums due and~~  
27 ~~owing the Navajo Nation arising from loans made under the program.~~

28 ~~e. Recommending policies and procedures to the Budget and Finance committee and~~  
29 ~~other appropriate Committees of the Navajo Nation Council.~~

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1 ~~f. Preparing and presenting periodic accounting and operational reports to~~  
2 ~~appropriate parties.~~

3 ~~g. Executing documents on behalf of the Navajo Nation in regards to the closing of~~  
4 ~~loans, the placement and release of liens on personal property, and the release of~~  
5 ~~leasehold mortgages pertaining to loans that have been paid in full.~~

6 ~~h. Publishing or causing to be published, public information material pertaining to~~  
7 ~~the program.~~

8 ~~i. Completing such other assignments, or take such other actions as it is necessary to~~  
9 ~~protect the property and assets of the Navajo Nation.~~

10 Article IV—Objectives

11 ~~The Department of Navajo Veterans Affairs shall be responsible for carrying out the~~  
12 ~~following objectives on behalf of Navajo Veterans:~~

13 ~~1. To advocate and provide administrative oversight and coordination for needed~~  
14 ~~services for Navajo Veterans in such areas as housing, housing assistance, education,~~  
15 ~~vocational, and other special training, legal, medical and small business development~~  
16 ~~assistance, compensation and pensions, memorial affairs and other related Veterans'~~  
17 ~~benefits.~~

18 ~~2. To promote utilization of benefits available pursuant to Title 238 U.S. Code and~~  
19 ~~other related federal laws and regulations.~~

20 ~~3. To promote utilization of benefits available pursuant to Arizona, New Mexico,~~  
21 ~~Utah and other applicable state laws pertaining to Veterans.~~

22 ~~4. To promote utilization of benefits available pursuant to the laws of the Navajo~~  
23 ~~Nation.~~

24 ~~5. To identify, prioritize and advocate for program services to assist special needs to~~  
25 ~~Navajo Veterans.~~

26 ~~6. To identify, prioritize and advocate for program services to assist special needs of~~  
27 ~~Navajo Veterans.~~

28 ~~7. To advocate for the preferential treatment of veterans in business and employment.~~

29 ~~8. To report from time to time and as requested to the Navajo Nation on the status of~~  
30 ~~Navajo Nation Office of Veterans Affairs.~~

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1 Article V—Organization

2 1. ~~The Department of Navajo Veterans Affairs shall be administratively responsible~~  
3 ~~within the Division of Human Resources, to the Executive Director.~~

4 2. ~~The Department of Navajo Veterans Affairs shall have a central office located in~~  
5 ~~Window Rock Arizona and may locate sub-offices in each agency and satellite areas of~~  
6 ~~the Navajo Nation.~~

7 3. ~~The organizational chart for the Department of Navajo Veterans Affairs is attached~~  
8 ~~and incorporated as "Exhibit A" herein.~~

9 Article VI—Personnel

10 A. ~~The Department of Navajo Veterans Affairs shall be supervised by a Department~~  
11 ~~Director who shall be appointed selected and employed by the Executive Director of the~~  
12 ~~Division of Human Resources pursuant to and in accordance with the Navajo Nation~~  
13 ~~Personnel Policies Manual. The Department Director shall be an enrolled member of the~~  
14 ~~Navajo Nation and preferably, an honorably discharged Veteran.~~

15 B. ~~The Department of Navajo Veterans Affairs' staff shall be selected, employed,~~  
16 ~~supervised and terminated by the Department Director, pursuant to and in accordance~~  
17 ~~with the Navajo Nation Personnel Policies Manual and all other laws, regulation and~~  
18 ~~benefits applicable to employees of the Navajo Nation.~~

19 Article VII—Legislative Oversight

20 ~~Legislative oversight for the operation of the Department of Navajo Veterans Affairs~~  
21 ~~shall be provided by the Human Services Committee of the Navajo Nation Council. In~~  
22 ~~consultation with the Human Services Committee, the Budget and Finance Committee of~~  
23 ~~the Navajo Nation Council shall provide the Loan Program oversight.~~

24 Article VIII—Amendments

25 ~~This Plan of Operation for the Department of Navajo Veterans Affairs may be amended~~  
26 ~~from time to time by the Government Services Committee of the Navajo Nation Council~~  
27 ~~upon recommendation of the Human Services Committee of the Navajo Nation Council~~  
28 ~~and the Budget and Finance Committee of the Navajo Nation Council relating to Navajo~~  
29 ~~Veterans' Loan Program.~~

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