

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

August 1, 2021

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CJY-46-21, *An Action Relating to the Resource and Development, Health Education and Human Services, Law and Order, and Naabik'iyáti Committees and Navajo Nation Council; Amending Navajo Nation Veteran's Trust Fund, Title 12, Subchapter 8, 12 N.N.C. § 1171*


Dear Speaker Damon,

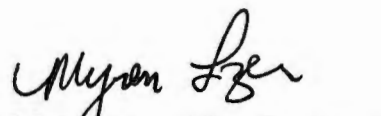
Our Navajo People have continuously answered the call to duty; serving in every branch of the U.S. military. With that service many veterans have returned to the Navajo Nation using their learned skills to contribute to their communities. As a Nation, we have established a trust fund to ensure that veterans will have the assistance they need for a home or home repair, this is one way of saying thank you for your service and for protecting our homeland. We are optimistic the changes to the Veterans Trust Fund will create a friendly process for home ownership or home repair.

As a separate matter, we note the obvious inaccuracy where CJY-46-21 cites to establishing the Navajo Veterans Housing Program. The resolution's Section Two refers to CJY-55-18 where it adds language that is not part of CJY-55-18. The reference to a Veterans Housing Program Manager is not part of CJY-55-18. In taking our action on CJY-46-21 we point out this miscue and leave it to the Legislative body to address as it does not have significant affect the intent of CJY-46-21 but could have other interpretation if not addressed.

We appreciate the Navajo Nation Veterans Advisory Council and the Navajo Veterans Administration Executive Director for bringing this Trust Fund modification to leadership. Thank you to Delegate Raymond Smith for working with the veterans on this campaign. We sign CJY-46-21 into law. Thank you for your service.

Sincerely,


Jonathan Nez, President
THE NAVAJO NATION


Myron Lizer, Vice President
THE NAVAJO NATION

RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - THIRD YEAR, 2021

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION AND HUMAN SERVICES, LAW AND ORDER, AND NAABIK'ÍYÁTI' COMMITTEES AND NAVAJO NATION COUNCIL; AMENDING NAVAJO NATION VETERANS TRUST FUND, TITLE 12, SUBCHAPTER 8, 12 N.N.C. § 1171

BE IT ENACTED:

SECTION ONE. AUTHORITIES

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to recommend resolutions to the Navajo Nation Council. 2 N.N.C. §§ 700 and 701(A)(3).
- C. The Law and Order Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to "review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments to the Navajo Nation Code." 2 N.N.C. §§ 600(A) and 601(B)(14).
- D. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and exercises oversight authority over veterans' services, among other duties and responsibilities. 2 N.N.C. §§ 400 and 401(C)(6).
- E. The Resources and Development Committee is a standing committee of the Navajo Nation Council with the delegated responsibility to "establish policies and legislation appropriate to the housing needs of the Navajo Nation and its People." 2 N.N.C. §§ 500 and 501(C)(3).

SECTION TWO. FINDINGS

- A. The Establishment provision of the Navajo Nation Veterans Trust Fund, 12 N.N.C. §§ 1171 - 1176, as updated by CS-48-13, states

§ 1171. Establishment

- A. The "Navajo Nation Veterans Trust Fund" hereinafter the "Trust Fund" is established with an initial appropriation of six million dollars (\$6,000,000.00) from revenues from

Undesignated Tribal Reserves. Each year, during the appropriation of the Navajo Nation Comprehensive Budget, the Navajo Nation Council shall budget a sum equal to at least four percent (4%) of any and all projected revenues of the Navajo Nation, including, but not limited to revenues received from taxes, oil and gas, mining and minerals, timber, land rentals, interest and dividends, gain on sale of securities and other revenue producing activities. One-half (1/2) of that four percent (4%) shall be transferred to the Navajo Veteran's Trust Fund to be used as set forth herein. The remaining one-half (1/2) of that four percent (4%) shall be administered by the Department of Navajo Veteran's Affairs (DNVA). Each of the five (5) DNVA Agency offices shall be allocated an equal share of that amount to provide construction of up to fifteen (15) homes equitably in each of their respective Agencies using all possible assistance program funds that such veterans may qualify for to construct as many homes as possible and provide minor home renovations and repairs for Navajo veterans.

- B. The annual appropriation authorized above shall continue and for purposes of this resolution, all unexpended funds shall not lapse back into the Veterans Trust Fund through Fiscal Year 2017, and shall expire thereafter, unless specifically re-authorized.
- B. The 2017 unexpended funds lapse deadline set forth in 12 N.N.C. § 1171(B) was extended to 2020 by CS-56-17 and to 2024 by CS-78-20.
- C. Resolution No. CJY-55-18 established the Navajo Veterans Housing Program within the Navajo Nation Veterans Administration at 2 N.N.C. § 1033 as follows:

§ 1033. Navajo Housing Program

- A. There is hereby established a Navajo Veterans Housing Program within the Navajo Veterans Administration.
- B. The Navajo Veterans Housing Program shall be administered by the Navajo Veterans Administration. The Veterans Housing Program shall be supervised by a Program Manager hired by the Director of the Navajo Veterans Administration pursuant to the Navajo Nation Personnel Policies and Procedures Manual. Personnel of the Veterans Housing Program shall include a Housing Specialist at each agency of the Navajo Nation.

- C. Duties and Responsibilities of the Navajo Veterans Housing Program shall include administering the Navajo Nation Veterans Administrations Housing Program Policies and Procedures. The Veterans Administration Housing Program Policies and Procedure shall be approved by the Health, Education and Human Services Committee, upon the recommendation of the Navajo Nation Veterans Advisory Council.
- D. The Navajo Nation Veterans Advisory Council recommends that 12 N.N.C. § 1171 be amended as set forth in **Exhibit A**.

SECTION THREE. APPROVING AMENDMENTS TO 12 N.N.C. § 1171

The Navajo Nation hereby amends the Navajo Nation Veterans Trust Fund, 12 N.N.C. § 1171, as follows:

Title 12. Fiscal Matters
Subchapter 8. Navajo Nation Veterans Trust Fund

§ 1171. Establishment

- A. The "Navajo Nation Veterans Trust Fund" hereinafter the "Trust Fund" is established with an initial appropriation of six million dollars (\$6,000,000.00) from revenues from Undesignated Tribal Reserves.
- B. Each year, during the appropriation of the Navajo Nation Comprehensive Budget, the Navajo Nation Council shall budget a sum equal to at least four percent (4%) of any and all projected revenues of the Navajo Nation, including, but not limited to revenues received from taxes, oil and gas, mining and minerals, timber, land rentals, interest and dividends, gain on sale of securities and other revenue producing activities as follows:
1. One-half (1/2) of ~~that~~ the four percent (4%) shall be transferred to the Navajo Veteran's Trust Fund to be used as set forth herein.
 2. The remaining one-half (1/2) of ~~that~~ the four percent (4%) shall be allocated to the Navajo Veterans Housing Program and administered by the Department of Navajo Veteran's Affairs (DNVA) Navajo Nation Veterans Administration (NNVA).

- a. The Navajo Veterans Housing Program will maximize the use of the allocated funds, including through leveraging additional funding sources such as match funding when available, in order to construct as many turnkey homes as possible for veterans without permanent housing, as well as to provide major and minor home renovations and repairs to veterans with permanent housing.
- b. Subparagraph (a) above shall apply to honorably discharged Navajo veterans, without regard to age, gender or geographical location, as long as such location is within the exterior boundaries of the Navajo Nation.
- c. Subparagraph (a) above shall also apply to honorably discharged Navajo veterans living beyond the exterior boundaries of the Navajo Nation, without regard to age, gender or geographical location, except that assistance shall be limited to financial assistance as set forth in the Navajo Nation Veterans Housing Program Policies.

~~Each of the five (5) DNVA Agency offices shall be allocated an equal share of that amount to provide construction of up to fifteen (15) homes equitably in each of their respective Agencies using all possible assistance program funds that such veterans may qualify for to construct as many homes as possible and provide minor home renovations and repairs for Navajo veterans.~~

C. Navajo veterans shall be limited to assistance from the Navajo Veterans Housing Program for the construction or purchase of one new home, not including renovations and repairs.

BD. The annual appropriation authorized above shall not expire continue and for purposes of this resolution, all and unexpended funds shall not lapse back into the Veterans Trust Fund through Fiscal Year 2017, and shall expire thereafter, unless specifically re authorized, and shall continue to be expended for the purposes for which they were appropriated.

SECTION FOUR. EFFECTIVE DATE

This legislation shall become effective in accord with 2 N.N.C. § 221(B).

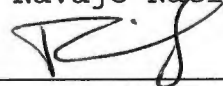
SECTION FIVE. SAVINGS CLAUSE

Should any provision of this legislation be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those portions of the policies and procedures not determined invalid shall remain valid and effective.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 18 in Favor, and 00 Opposed, on this 23rd day of July 2021.

Honorable Rickie Nez, Speaker Pro Tem
24th Navajo Nation Council



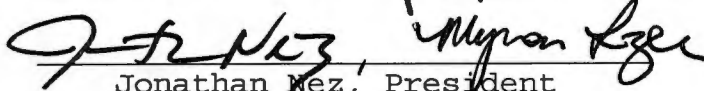
DATE 07-27-20

Motion: Honorable Pernell Halona
Second: Honorable Paul Begay, Jr.

Speaker Pro Tem Rickie Nez not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 5 day of August, 2021.


Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2021 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation



NAVAJO NATION VETERANS ADVISORY COUNCIL

**Chairperson: George H. Tolth Vice-Chairperson: Arthur Hardy, Jr. Secretary: Cassandra Morgan
Eastern Agency Tuba City Agency Central Agency Fort Defiance Agency Northern Agency**

THE NAVAJO NATION VETERANS ADVISORY COUNCIL IS RESPECTFULLY REQUESTING THE HEALTH, EDUCATION & HUMAN SERVICES COMMITTEE TO CONSIDER AND TO APPROVE THE AMENDMENTS OF NAVAJO NATION VETERANS TRUST FUND; 12 N.N.C. 1171, CODE AMENDMENTS.

NNVAC – 020-20

WHEREAS:

01. Pursuant to Navajo Nation Council Resolution CMA-25-71; the Navajo Veterans were recognized, and a Navajo Nation Veterans Administration was established under the Executive Branch of the Navajo Nation Government – Office of the President and Vice-President of the Navajo Nation; and
02. Pursuant to Navajo Nation Council Resolution CJA-3-16, the Navajo Nation Veterans Act; Title II, Chapter 5, Subchapter 1. Article 4, §§ 1033, the Navajo Nation Veterans Advisory Council is duly established by the Navajo Nation; and
03. The Navajo Nation Veterans Advisory Council is duly recognized by the Navajo Nation with a Plan of Operation to provide recommendations to the Navajo Nation President, Vice-President, and NNVA Executive Director and advocate on behalf of all Navajo Nation Veterans with quality, transparent and consistent service; and
04. All leaders chosen by the Dine are to carry out their duties and responsibilities in a moral and legal manner in representing the people and the government; the people's trust and confidence in the leaders and the continued status as a leader are dependent upon adherence to the values and principles of Dine bibeenahazaanii; and
05. The Navajo Nation Veterans Advisory Council had their Special Teleconference Call meeting, which was held at the Department of Veterans Administration on November 13, 2020. During this meeting, the Veterans Advisory Council had a lengthy discussion and agrees to amend the Veterans Trust Fund; 12 N.N.C. 1171, Code Amendments which is recommended by the Department of Justice and Executive Director of the Department of Veterans Administration. *The amendments are attached to this resolution.*

NOW, THEREFORE BE IT RESOLVED THAT:

01. The Navajo Nation Veterans Advisory Council is hereby respectfully requesting the Navajo Nation Health, Education & Human Services Committee to consider and approve the amendments of the Veterans Trust Fund; 12 N.N.C. 1171 Code Amendments, which is recommended by the Department of Justice and Executive Director of the Department of Veterans Administration.

Motioned made by Ms. Nelda Achee of Western Agency.
Seconded made by Ms. Candice Pioche-Zunie of Northern Agency

CERTIFICATION

I hereby certify that the foregoing resolution was considered by a duly called special Teleconference calls meeting of the Navajo Nation Veterans Advisory Council, which the same was approved by a vote of 8 in favor, 0 opposed, and 2 abstained on this 13th day of November 2020.

Mr. George H. Tolth, Chairperson
Navajo Nation Veterans Advisory Council

Navajo Nation Veterans Trust Fund Amendment

The Navajo Nation amends the Navajo Nation Veterans Trust Fund, 12 N.N.C. 1171, as follows:

Chapter 10, Navajo Nation Trust Fund

Subchapter 8. Navajo Nation Veterans Trust Fund

1171. Establishment

A. The "Navajo Nation Veterans Trust Fund" hereinafter the "Trust Fund" is established with an initial appropriation of six million dollars (\$6,000,000) from revenues from the Undesignated Tribal Reserves. Each year, during the appropriation of the Navajo Nation Comprehensive Budget, the Navajo Nation Council shall budget a sum equal at least 4% of any and all projected revenues received from taxes, oil and gas mining and minerals, timber, land rentals interest and dividends, gain on sale of securities and other revenue producing activities. One-half of that 4% shall be transferred to the Navajo Veteran's Trust Fund to be used as set forth herein. The remaining one-half of that 4% shall be administered by the ~~Navajo Veterans Affairs (DNVA)~~ Navajo Nation Veterans Administration (NNVA). ~~Each of the five (5) DNVA Agency offices shall be allocated an equal share of that amount to provide construction of up to fifteen (15) homes equitably in each of their respective Agencies using all possible assistance program funds that such veterans may qualify for to construct as many homes as possible and provide minor home renovations and repairs for Navajo veterans.~~ The Navajo Nation Veterans Housing Program, under the supervision of the Executive Director, shall expend the funds in such a manner as to be able to leverage all available funds and matching funding sources in order to be able to construct as many turnkey homes as possible for homeless veterans, as well as provide for major and minor home renovations and repairs. This shall apply to honorably discharged Navajo veterans, without regard to age or gender or geographical location.

B. The annual appropriation authorized above shall continue and for the purposes of this resolution, all unexpended funds shall not lapse back into the Veterans Trust Fund, ~~through Fiscal Year 2024, and shall expire thereafter, unless specifically re-authorized and shall not expire.~~

NAVAJO NATION

852

7/23/2021

Navajo Nation Council Summer Session

01:08:29 PM

Amd# to Amd#

Legislation 0052-21: Amending

PASSED

MOT Halona, P

Navajo Nation Veteran's Trust

SEC Begay, P

Fund, Title 12, Subchapter 8,
12 N.N.C. SS117

Yeas : 18

Nays : 0

Excused : 3

Not Voting : 2

Yea : 18

Begay, K

Daniels

Smith

Tso, E

Begay, P

Freeland, M

Stewart, W

Walker, T

Brown

Halona, P

Tso

Wauneka, E

Charles-Newton

Henio, J

Tso, C

Yazzie

Crotty

James, V

Nay : 0

Excused : 3

Tso, D

Slater, C

Damon

Not Voting : 2

Yellowhair

Begay, E

Presiding Speaker: Nez, R