

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0176-21_

SPONSOR: Daniel E. Tso

TITLE: An Action Relating to the Health, Education and Human Services and Naabik'iyáti' Committees; Approving and Supporting the Navajo Department of Health's Written Comments to the U.S. Department of Health & Human Services for Regions VI, VIII and IX Tribal Consolation to Address Issues and Concerns that Affect Delivery of Health Care and Public Health Services on the Navajo Nation

Date posted: August 25, 2021 at 4:04 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. **0176-21**

DATE: August 25, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'YATI' COMMITTEES; APPROVING AND SUPPORTING THE NAVAJO DEPARTMENT OF HEALTH'S WRITTEN COMMENTS TO THE U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES FOR REGIONS VI, VIII AND IX TRIBAL CONSULTATION TO ADDRESS ISSUES AND CONCERNS THAT AFFECT DELIVERY OF HEALTH CARE AND PUBLIC HEALTH SERVICES ON THE NAVAJO NATION

PURPOSE: This resolution, if adopted, will support Navajo Department of Health's written comments to the U.S. Department of Health and Human Services in addressing the health issues and concerns that affect the delivery of health care and public health services on the Navajo Nation.

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: August 30, 2021
Eligible for Action: August 31, 2021

PROPOSED STANDING COMMITTEE RESOLUTION
24TH NAVAJO NATION COUNCIL—Third Year, 2021

INTRODUCED BY

Daniel E. Joe

Primary Sponsor

TRACKING NO. 0174-21

AN ACTION

RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES AND
NAABIK'YATI' COMMITTEES; APPROVING AND SUPPORTING THE NAVAJO
DEPARTMENT OF HEALTH'S WRITTEN COMMENTS TO THE U.S.
DEPARTMENT OF HEALTH & HUMAN SERVICES FOR REGIONS VI, VIII AND
IX TRIBAL CONSULTATION TO ADDRESS ISSUES AND CONCERNS THAT
AFFECT DELIVERY OF HEALTH CARE AND PUBLIC HEALTH SERVICES ON
THE NAVAJO NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and is empowered to represent the Navajo Nation at local, state and federal levels in coordination with the President of the Navajo Nation and the Naabi'kiyati Committee on proposed legislation, funding and other actions affecting health, environmental health, social services, education, veteran's services, employment, training and labor. 2 N.N.C. §§ 400(A), 401(B)(7).
- B. The Naabi'kiyati Committee is a standing committee of the Navajo Nation Council and empowered to coordinate all federal, county, and state programs with other standing

1 committees and branches of the Navajo Nation government to provide the most efficient
2 delivery of services to the Navajo Nation. 2 N.N.C. §§ 700(A), 701(A)(4).

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4 **SECTION 2. FINDINGS**

- 5 A. The Navajo Department of Health (NDOH) produced written comments for the U.S.
6 Department of Health and Human Services (HHS) Regions VI, VIII and IX in response
7 to HHS plan to strengthen HHS' Tribal Consultation Policy attached as **Exhibit A**.
- 8 B. NDOH's written comments present the health issues and concerns that affect the delivery
9 of health care and public health services on the Navajo Nation.
- 10 C. On January 26, 2021, the President of the United States issued a Presidential
11 Memorandum on tribal consultation and strengthening Nation-to-Nation relationships
12 that requires HHS to submit a detailed plan for implementing Executive Order 13175,
13 which charges all executive departments and agencies to engage in regular, meaningful,
14 and robust consultation with Tribal officials in the development of federal policies that
15 have Tribal implications.
- 16 D. Executive Order 13175 was issued on November 6, 2000 by the President of the United
17 States which established regular and meaningful consultation and collaboration with
18 tribal officials in the development of Federal policies that have tribal implications, to
19 strengthen the United States government-to-government relationships with Indian tribes,
20 and to reduce the imposition of unfunded mandates upon Indian tribes.
- 21 E. On November 5, 2009, the President of the United States issued a Presidential
22 Memorandum (Tribal Consultation) that required each agency to prepare and periodically
23 update a detailed plan of action to implement the policies and directives of Executive
24 Order 13175.
- 25 F. HHS convened a special workgroup of the Secretary's Tribal Advisory Committee
26 (STAC) which comprises of Tribal leaders and federal officials, who will work
27 collaboratively to review the written comments submitted to HHS to strengthen HHS's
28 Tribal Consultation Policy. See **Exhibit B**.
- 29 G. NDOH's written comments to HHS were reviewed by the Navajo Nation Department of
30 Justice and deemed legally sufficient. See **Exhibit C**.

1 **SECTION THREE. APPROVAL**

2 A. The Navajo Nation hereby supports Navajo Department of Health’s written comments to
3 the U.S. Department of Health and Human Services Regions VI, VIII and IX which
4 present the health issues and concerns that affect the delivery of health care and public
5 health services on the Navajo Nation.
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