TITLE: An Action Relating to the Health, Education and Human Services Committee; Approving and Adopting the Amended Navajo Nation Veterans Administration Housing Program Policy, NNVA Veterans Housing Program – Housing Action Plan, and the NNVA Home Improvement Program Policy

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DATE: August 25, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPROVING AND ADOPTING THE AMENDED NAVAJO NATION VETERANS ADMINISTRATION HOUSING PROGRAM POLICY, NNVA VETERANS HOUSING PROGRAM—HOUSING ACTION PLAN, AND THE NNVA HOME IMPROVEMENT PROGRAM POLICY

PURPOSE: This resolution, if adopted, will amend the Navajo Nation Veterans Administration housing program policy, NNVA Veterans Housing Program- Housing Action Plan, and the NNVA Home Improvement Program Policy to include Tribal General Welfare Exclusion Act, and related IRS compliance provisions, along with other clarification within the policies.

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.
PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY

(Primary Sponsor)

TRACKING NO. 0177-21

AN ACTION

RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPROVING AND ADOPTING THE AMENDED NAVAJO NATION VETERANS ADMINISTRATION HOUSING PROGRAM POLICY, NNVA VETERANS HOUSING PROGRAM—HOUSING ACTION PLAN, AND THE NNVA HOME IMPROVEMENT PROGRAM POLICY

BE IT ENACTED:

SECTION ONE. AUTHORITIES

A. The Health, Education, and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 400(A). Among other powers, the Committee shall review and recommend resolutions relating to social services, health, environmental health, education, veterans and veterans services, employment and labor. 2 N.N.C. § 401(B)(6).

B. The Health, Education, and Human Services Committee is to promulgate regulations, promote accountability to policies, and provide legislative oversight on matters involving health, social service, education, general governmental services and human services. 2 N.N.C. § 400(C)(1).

C. The Health, Education, and Human Services Committee has legislative oversight and will have final approval of the respective plans of operation over the Navajo Nation
SECTION TWO. FINDINGS

A. The Navajo Nation Veterans Administration and the Navajo Nation Veterans Advisory Council were established within the Executive Branch, 2 N.N.C. §§ 1031 et. al., in the best interest of the Navajo Nation Veterans to ensure quality services are provided to the Navajo Veterans pursuant to CJA-3-16.

B. The Health, Education and Human Services Committee has legislative oversight and will have final approval of the respective plans of operation over the Navajo Nation Veterans Administration and the Navajo Nation Veterans Advisory Council pursuant to 2 N.N.C. § 1035 and CJY-55-18.

C. The Navajo Nation Veterans Administration (NNVA) established a plan of operation through HEHSCAU-12-16 which was amended by HEHSCN-16-20. NNVA’s objectives provide administrative oversight and coordination for needed services and programs for Navajo Veterans in areas such as housing, education, healthcare,... and other related Veterans’ benefits or programs. NNVA Plan of Ops, Sec. II (A). Furthermore, NNVA’s purpose includes recommending overall policies and legislations regarding Navajo Veterans to the Navajo Nation Council Committees that are consistent with applicable Navajo Nation laws and policies. NNVA Plan of Ops, Sec. III (E). In addition, the NNVA shall establish and fund the Veterans’ Housing programs... for Navajo Veterans... NNVA Plan of Ops, Sec. III (H). Attached as Exhibit E.

D. The Health, Education and Human Services Committee established the original Navajo Nation Veterans Housing Program Policies and Procedures and the Housing Action Plan by HEHSCF-03-18. The HEHSCF-03-18 Housing Program Policies and Procedures were rescinded by HEHSCAP-04-21 attached as Exhibit A, which also adopted the Navajo Nation Veterans Housing Program Policy attached as Exhibit B, NNVA Veterans Housing Program—Housing Action Plan attached as Exhibit C, and the NNVA Home Improvement Program Policy attached as Exhibit D.

E. The Navajo Nation Veterans Housing Program Policy Exhibit B is hereby amended by Exhibit 1. The amendments are formatted as underline-strikeout.
F. The NNVA Veterans Housing Program—Housing Action Plan Exhibit C is hereby amended by Exhibit 2. The amendments are formatted as underline-strikeout.

G. the NNVA Home Improvement Program Policy Exhibit D is hereby amended by Exhibit 3. The amendments are formatted as underline-strikeout.

H. The amendments provided are to ensure that homes provided to the Navajo Veterans under the Navajo Nation Veterans Housing Program shall be in compliant with the Tribal General Welfare Exclusion Act, and related IRS guidance. Also, the amendments provide clarification throughout the housing policies.

I. It is in the best interest of the Navajo Nation to approve and adopt the Exhibit 1, Exhibit 2, and Exhibit 3 amendments to Navajo Nation Veterans Housing Program Policy, Housing Action Plan, and Home Improvement Program Policy.

SECTION THREE. APPROVING NAVAJO NATION VETERANS ADMINISTRATION HOUSING PROGRAM POLICY, NNVA VETERANS HOUSING PROGRAM—HOUSING ACTION PLAN, AND THE NNVA HOME IMPROVEMENT PROGRAM POLICY

The Health, Education and Human Services Committee hereby approves and adopts the amendments attached as Exhibit 1, Exhibit 2, and Exhibit 3 to Navajo Nation Veterans Housing Program Policy, Housing Action Plan, and Home Improvement Program Policy.

SECTION FOUR. EFFECTIVE DATE

This Act shall become effective upon its approval pursuant to 2 N.N.C. § 221(B).

SECTION FIVE. SAVINGS CLAUSE

If any provision of this Action is determined invalid by the Supreme Court of the Navajo Nation, or by any District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, the portions of this Action not determined invalid shall remain as the law of the Navajo Nation.