

LEGISLATIVE SUMMARY SHEET

Tracking No. 0107-23

DATE: May 16, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; APPROVING CERTAIN AMENDMENTS TO THE PLAN OF OPERATION FOR THE OFFICE OF THE PRESIDENT AND VICE-PRESIDENT, RELATING TO THE EXECUTIVE PROTECTION SERVICES PROGRAM

PURPOSE: This resolution, if approved, will enact certain amendments to the Plan of Operation for the Office of the President and Vice-President relating to the Executive Protective Services Program.

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

5-DAY BILL HOLD PERIOD ASD
Website Posting Time/Date 5:23 PM/05-16-23
Posting End Date: 05-21-23
Eligible for Action: 05-22-23

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL - First Year, 2023

3 Introduced by:

4
5 
6 Primary Sponsor

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8 Tracking No. 0107-23
9

10 AN ACTION

11 RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; APPROVING
12 CERTAIN AMENDMENTS TO THE PLAN OF OPERATION FOR THE
13 OFFICE OF THE PRESIDENT AND VICE-PRESIDENT, RELATING
14 TO THE EXECUTIVE PROTECTION SERVICES PROGRAM
15

16 **BE IT ENACTED:**
17

18 **SECTION ONE. AUTHORITY**

19 The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council that
20 oversees the operations of Navajo Nation government entities not specifically under the
21 oversight of other standing committees, which includes the Navajo Nation Office of the
22 President and Vice-President. 2 N.N.C. §701(A)(2). This authority includes the power to
23 approve and amend the Plans of Operation for Navajo Nation offices that the Naabik'iyáti'
24 Committee oversees.
25

26 **SECTION TWO. FINDINGS**

27 A. The Plan of Operation for the Office of the President and Vice-President ("OP/VP") has not
28 been updated in nearly 30 years; thus, it is overdue for an update. A copy of the original Plan
29 of Operation, along with the approving Resolution of the former Government Services
30 Committee of the Navajo Nation Council, is attached hereto as **EXHIBIT A**.

1 B. The current Nygren-Montoya Administration at the OP/VP has determined that, while it
2 would be ideal to have formally certified officers in the Executive Protection Services
3 Program, this has not occurred because there are not enough certified officers available to
4 serve the Navajo Nation.

5 C. Given the lack of available certified officers on the Navajo Nation, the requirement for
6 certified officers serving in the Executive Protection Services Program should be removed.

7 D. Removal of this requirement will allow for flexibility in hiring needed staff at OP/VP. The
8 staff will be thoroughly trained in security measures, and can adequately serve in the EPS
9 Program without formal certification. The EPS Program can always hire certified officers
10 when the opportunity arises, and EPS can coordinate with the Navajo Nation Department of
11 Public Safety to obtain certified officers, if necessary.

12 E. The Naabik'íyáti' Committee has determined that it is in the best interest of the Navajo
13 Nation to approve the amendments to the OP/VP's Plan of Operation, as shown in the
14 attached **EXHIBIT B**.

15 F. A copy of the strikethrough/underlined version of the amendments is attached hereto as
16 **EXHIBIT C**.

17
18 **SECTION THREE. APPROVAL OF AMENDED PLAN OF OPERATION**

19 The Naabik'íyáti' Committee hereby approves the amended Plan of Operation for the Navajo
20 Nation Office of the President and Vice-President, as shown in the attached **EXHIBIT B**.

21
22 **SECTION FOUR. EFFECTIVE DATE**

23 This Action shall become effective in accordance with 2 N.N.C. §701(A)(2) and 2 N.N.C.
24 §221(C).

25
26 **SECTION FIVE. SAVING CLAUSE**

27 If any provision of this Action is determined invalid by the Supreme Court of the Navajo
28 Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme
29 Court, the remainder of this Action shall be the law of the Navajo Nation.

RESOLUTION OF THE
GOVERNMENT SERVICES COMMITTEE
OF THE NAVAJO NATION COUNCIL



Approving the Plan of Operation For the Navajo
Executive Protection Services Program

WHEREAS:

1. Pursuant to 2 N.T.C. §§341 and 343 (b)(2), the Government Services Committee of the Navajo Nation Council was established as a standing committee of the Navajo Nation Council authorized to create any division or department of the Executive Branch of the Navajo Nation government by adoption of its Plan of Operation and to amend or rescind that Plan or the existing Plan of Operation for any division or department; and

2. By Resolution GSCAU-61-95, the Government Services Committee of the Navajo Nation Council deleted the responsibilities of the Office of Internal Affairs to provide executive protection services to the President and the Vice President of the Navajo Nation; therefore, the Executive Protection Services Program has been established in the Office of the President and the Vice President of the Navajo Nation government; and

3. The Executive Protection Service Program has prepared a proposed Plan of Operation, attached as Exhibit "A"; and

4. It would be in the best interest of the Navajo Nation and the Executive Offices that the proposed Plan of Operation be approved.

NOW THEREFORE BE IT RESOLVED THAT:

The Government Services Committee of the Navajo Nation Council hereby approves and adopts the Plan of Operation for the Navajo Executive Protection Services Program to be funded by general fund, attached hereto and incorporated herein as Exhibit "A".

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Government Services Committee of the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 6 in favor, 0 opposed and 0 abstained, this 13th day of October 1995.

A handwritten signature in cursive script that reads "Milton Bluehouse, Sr."

Milton Bluehouse, Sr., Chairperson
Government Services Committee

Motion: Ervin Keeswood, Sr.
Second: Wallace Davis

PLAN OF OPERATION

NAVAJO EXECUTIVE PROTECTION SERVICES PROGRAM

I. ESTABLISHMENT

There is hereby established the Navajo Executive Protection Services Program within the Office of the President and Vice President of the Navajo Nation. The Supervisor of the Executive Protection Services Program shall be under the direct supervision of the Chief of Staff of Office of the President and the Vice President of the Navajo Nation.

II. PURPOSE AND OBJECTIVES

The purpose of the Navajo Executive Protection Service Program is to ensure the health, welfare and safety of the President and Vice President of the Navajo Nation, their immediate family members and visiting dignitaries. The application of this objective is subject to the availability of the General funds of the Navajo Nation.

III. STAFFING AND ORGANIZATION

- A. All personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies Manual, and the Supervisor of the Navajo Executive Protection Service Program shall be recommended by the Office of the President and Vice President, in accordance with established Navajo Nation Personnel Policy Manual.
- B. The Navajo Executive Protection Service Program shall be staffed sufficiently to accomplish the purpose and objectives of the program.
- C. The Supervisor shall be authorized to make decisions regarding additional professional, technical and clinical positions as needed to carry out the organizational purpose and objectives as stated herein. Additional positions shall be acquired within applicable rules established for conducting the annual Navajo Nation budget process.

- D. All personnel providing direct security protection services must have met the requirements of a certified officer with a special training in protection and preliminary investigations.

IV. RESPONSIBILITIES & AUTHORITY

- A. The responsibilities of the Navajo Executive Protection Services Program shall include, but not limited to the following:
1. To ensure the health, welfare and safety of the President and Vice President of the Navajo Nation, their immediate family and visiting dignitaries.
 2. To conduct investigations and assess potential security threats in advance, at designated locations in which the President and Vice President will be in attendance, in order to provide effective and efficient executive security protection service.
 3. To exercise control and authority over executive security protection services, including arrangements for transportation and other assignments requested by the President and Vice-President of the Navajo Nation.
 4. To maintain security and medical equipment necessary to provide effective and efficient executive security protection services.
- B. The responsibilities of the Supervisor of the Navajo Executive Protection shall include, but are not limited to, the following:
1. To ensure that duties and responsibilities are performed with professionalism ensuring integrity and confidentiality of the Navajo Executive Protection Services Program.

2. To coordinate and oversee the daily operations of the Navajo Executive Protection Services Program.
3. To supervise, control and administer the Navajo Executive Protection Services Program in compliance with all applicable Navajo Nation Laws, rules and regulations.
4. To ensure that every employee is provided the necessary training and education to effectively and efficiently carry out his/her duties and responsibilities.
5. To coordinate executive security protection services between the Program and other law enforcement agencies.
6. To develop an annual budget for the Navajo Executive Protection Services Program.
7. To formulate policies and procedures governing executive security protection services.
8. To ensure that accurate records are maintained regarding executive security protection services.
9. To conduct annual evaluations of staff to determine program effectiveness and make recommendations for staff training and skills development, when appropriate, in order to provide effective and efficient executive security protection services.
10. To report directly to the Office of the President and Vice-President regarding all activities of the Navajo Executive Protection Services Program on a regular basis.
11. To negotiate contracts, grants and agreements on behalf of the Navajo Executive Protection

Services Program in compliance with all Navajo Nation laws, rules and regulations.

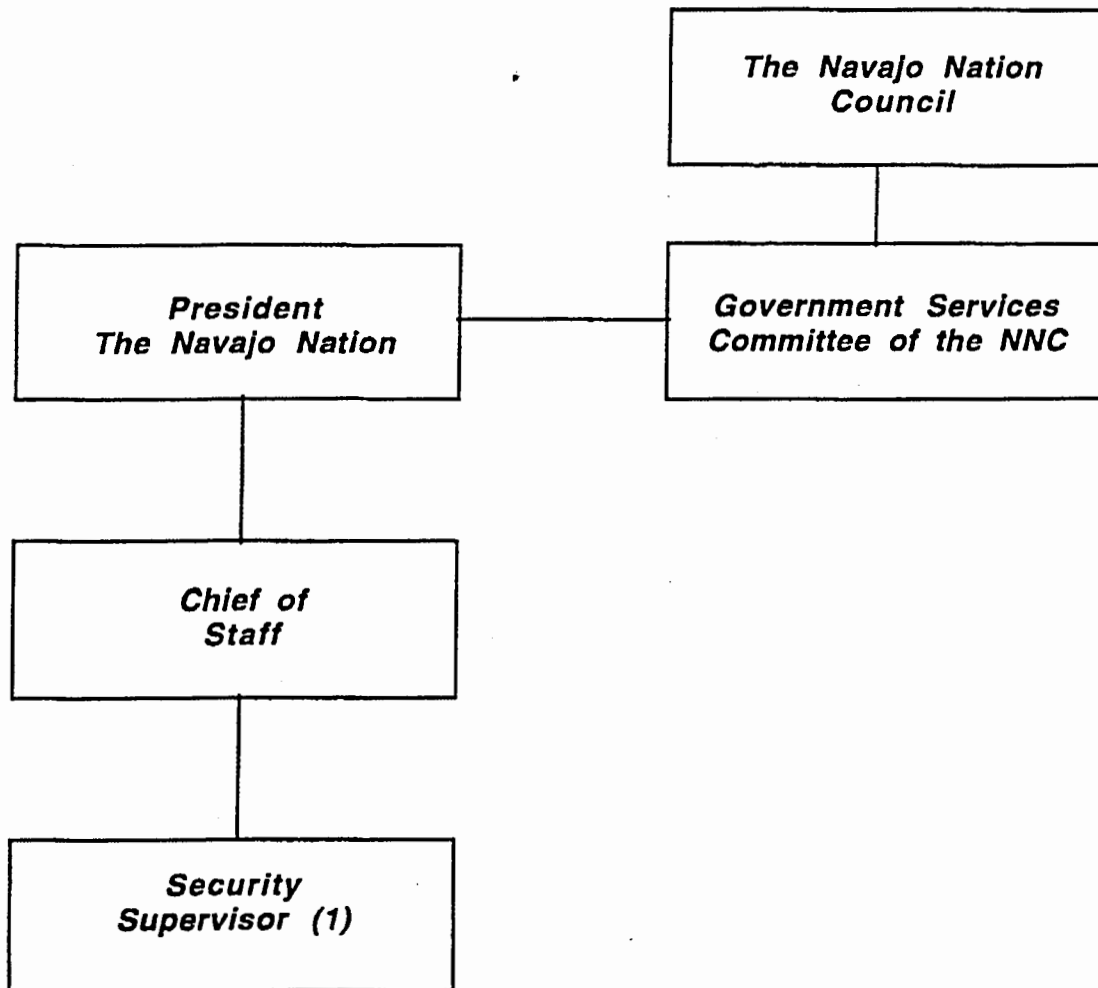
V. LEGISLATIVE OVERSIGHT

The Navajo Executive Protection Services Program, Office of the President and Vice-President, shall operate under the legislative oversight of the Government Services Committee of the Navajo Nation Council, pursuant to the powers granted that committee in Title 2 N.T.C. Sub. Sec. 341 et seq.

VI. AMENDMENTS

This plan of Operation may be amended from time to time by the Government Services Committee of the Navajo Nation Council as deemed appropriate.

Navajo Executive Protection Services Organization Chart



PLAN OF OPERATION
NAVAJO EXECUTIVE PROTECTION SERVICES PROGRAM

I. ESTABLISHMENT

There is hereby established the Navajo Executive Protection Services Program within the Office of the President and Vice-President of the Navajo Nation. The Supervisor of the Executive Protection Services Program shall be under the direct supervision of the Chief of Staff of the Office of the President and Vice-President of the Navajo Nation.

II. PURPOSE AND OBJECTIVES

The purpose of the Navajo Executive Protection Service Program is to ensure the health, welfare and safety of the President and Vice-President of the Navajo Nation, their immediate family members and visiting dignitaries. This objective is subject to the availability of funds.

III. STAFFING AND ORGANIZATION

- A. All personnel of the Navajo Executive Protection Service Program shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual. The Supervisor of the Navajo Executive Protection Service Program shall be recommended by the Office of the President and Vice-President, in accordance with the Navajo Nation Personnel Policy Manual.
- B. The Navajo Executive Protection Service Program shall include a Supervisor and be sufficiently staffed to accomplish the purpose and objectives of the program.
- C. The Supervisor shall be authorized to make decisions regarding additional professional, technical and clinical positions as needed to carry out the organizational purpose and objectives as stated herein. Additional positions shall be acquired through the Navajo Nation budget process.

IV. RESPONSIBILITIES & AUTHORITY

- A. The responsibilities of the Navajo Executive Protection Services Program shall include, but are not limited to, the following:
 - 1. To ensure the health, welfare and safety of the President and Vice-President of the Navajo Nation, their immediate family and visiting dignitaries.
 - 2. To conduct investigations and assess potential security threats in advance at designated locations where the President and Vice-President will be in attendance, in order to provide effective and efficient executive security protection services.
 - 3. To exercise control and authority over executive security protection services, including arrangements for transportation and other assignments, as requested by the President and Vice-President of the Navajo Nation.

4. To maintain security and medical equipment necessary to provide effective and efficient executive security protection services.
 5. To ensure the Office of the President and Vice-President is appropriately and effectively protected from security threats.
- B. The responsibilities of the Supervisor of the Navajo Executive Protection shall include, but are not limited to, the following:
1. To ensure that duties and responsibilities are performed with professionalism, while ensuring integrity and confidentiality of the Navajo Executive Protection Services Program.
 2. To coordinate and oversee the daily operations of the Navajo Executive Protection Service Program.
 3. To supervise, control and administer the Navajo Executive Protection Services Program in compliance with all applicable Navajo Nation Laws, rules and regulations.
 4. To ensure that all Executive Protection Services staff is provided with the necessary training and education to effectively and efficiently carry out EPS duties and responsibilities.
 5. To coordinate executive security protection services between the EPS Program and other law enforcement agencies.
 6. To develop an annual budget for the Navajo Executive Protection Services Program.
 7. To formulate policies and procedures governing executive security protection services.
 8. To ensure that accurate records are maintained regarding executive security protection services.
 9. To conduct annual evaluations of EPS staff to determine EPS Program effectiveness and to make recommendations for staff training and skills development, when appropriate, in order to provide effective and efficient executive security protection services.
 10. To report directly to the Office of the President and Vice-President, on a regular basis, regarding all activities of the Navajo Executive Protection Services Program.
 11. To negotiate contracts, grants and agreements on behalf of the Navajo Executive Protection Services Program, in compliance with all Navajo Nation laws, rules and regulations.

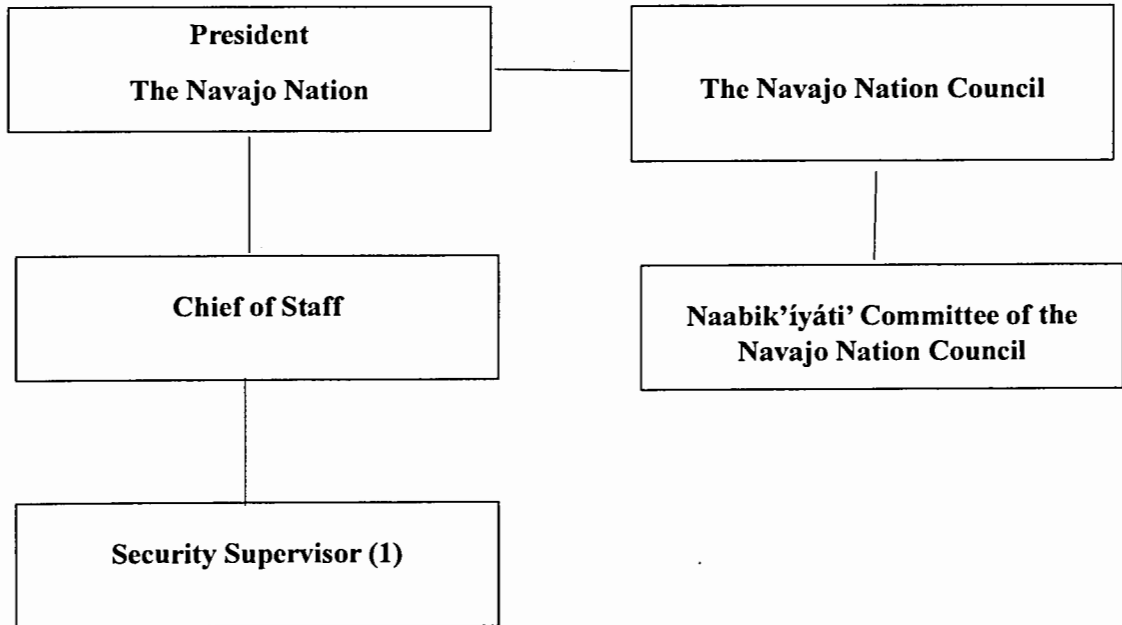
V. LEGISLATIVE OVERSIGHT

The Navajo Executive Protection Services Program, Office of the President and Vice President, shall operate under the legislative oversight of the Naabik'iyáti' Committee of the Navajo Nation Council, pursuant to 2 N.N.C. §701(A)(2).

VI. AMENDMENTS

This Plan of Operation may be amended by Resolution of the Naabik'iyáti' Committee of the Navajo Nation Council.

Navajo Executive Protection Services Organization Chart



PLAN OF OPERATION
NAVAJO EXECUTIVE PROTECTION SERVICES PROGRAM

I. ESTABLISHMENT

There is hereby established the Navajo Executive Protection Services Program within the Office of the President and Vice-President of the Navajo Nation. The Supervisor of the Executive Protection Services Program shall be under the direct supervision of the Chief of Staff of the Office of the President and Vice-President of the Navajo Nation.

II. PURPOSE AND OBJECTIVES

The purpose of the Navajo Executive Protection Service Program is to ensure the health, welfare and safety of the President and Vice-President of the Navajo Nation, their immediate family members and visiting dignitaries. ~~The application of this~~ This objective is subject to the availability of ~~the General funds of the Navajo Nation.~~ funds.

III. STAFFING AND ORGANIZATION

- A. All personnel of the Navajo Executive Protection Service Program shall be employed and compensated in accordance with the applicable Navajo Nation Personnel Policies Manual, ~~and the~~ The Supervisor of the Navajo Executive Protection Service Program shall be recommended by the Office of the President and Vice-President, in accordance with established the Navajo Nation Personnel Policy Manual.
- B. The Navajo Executive Protection Service Program shall include a Supervisor and be staffed sufficiently staffed to accomplish the purpose and objectives of the program.
- C. The Supervisor shall be authorized to make decisions regarding additional professional, technical and clinical positions as needed to carry out the organizational purpose and objectives as stated herein. Additional positions shall be acquired ~~within applicable rules established for conducting the annual~~ through the Navajo Nation budget process.
- ~~D. All personnel providing direct security protection services must have met the requirements of a certified officer with a special training protection and preliminary investigations.~~

IV. RESPONSIBILITIES & AUTHORITY

- A. The responsibilities of the Navajo Executive Protection Services Program shall include, but are not limited to, the following:
1. To ensure the health, welfare and safety of the President and Vice-President of the Navajo Nation, their immediate family and visiting dignitaries.
 2. To conduct investigations and assess potential security threats in advance, at designated locations where the President and Vice-President will be in attendance, in order to provide effective and efficient executive security protection services.

3. To exercise control and authority over executive security protection services, including arrangements for transportation and other assignments, as requested by the President and Vice-President of the Navajo Nation.
4. To maintain security and medical equipment necessary to provide effective and efficient executive security protection services.
5. To ensure the Office of the President and Vice-President is appropriately and effectively protected from security threats.

B. The responsibilities of the Supervisor of the Navajo Executive Protection shall include, but are not limited to, the following:

1. To ensure that duties and responsibilities are performed with professionalism, while ensuring integrity and confidentiality of the Navajo Executive Protection Services Program.
2. To coordinate and oversee the daily operations of the Navajo Executive Protection Service Program.
3. To supervise, control and administer the Navajo Executive Protection Services Program in compliance with all applicable Navajo Nation Laws, rules and regulations.
4. To ensure that ~~every employee is~~ Executive Protection Services staff are provided with the necessary training and education to effectively and efficiently carry out ~~his/her~~ EPS duties and responsibilities.
5. To coordinate executive security protection services between the EPS Program and other law enforcement agencies.
6. To develop an annual budget for the ~~Navajo Executive Protection Services~~ EPS Program.
7. To formulate policies and procedures governing executive security protection services.
8. To ensure that accurate records are maintained regarding executive security protection services.
9. To conduct annual evaluations of EPS staff to determine EPS ~~p~~Program effectiveness and to make recommendations for staff training and skills development, when appropriate, in order to provide effective and efficient executive security protection services.
10. To report directly to the Office of the President and Vice-President, on a regular basis, regarding all activities of the Navajo Executive Protection Services Program ~~on a regular basis~~.
11. To negotiate contracts, grants and agreements on behalf of the Navajo Executive Protection Services Program, in compliance with all Navajo Nation laws, rules and regulations.

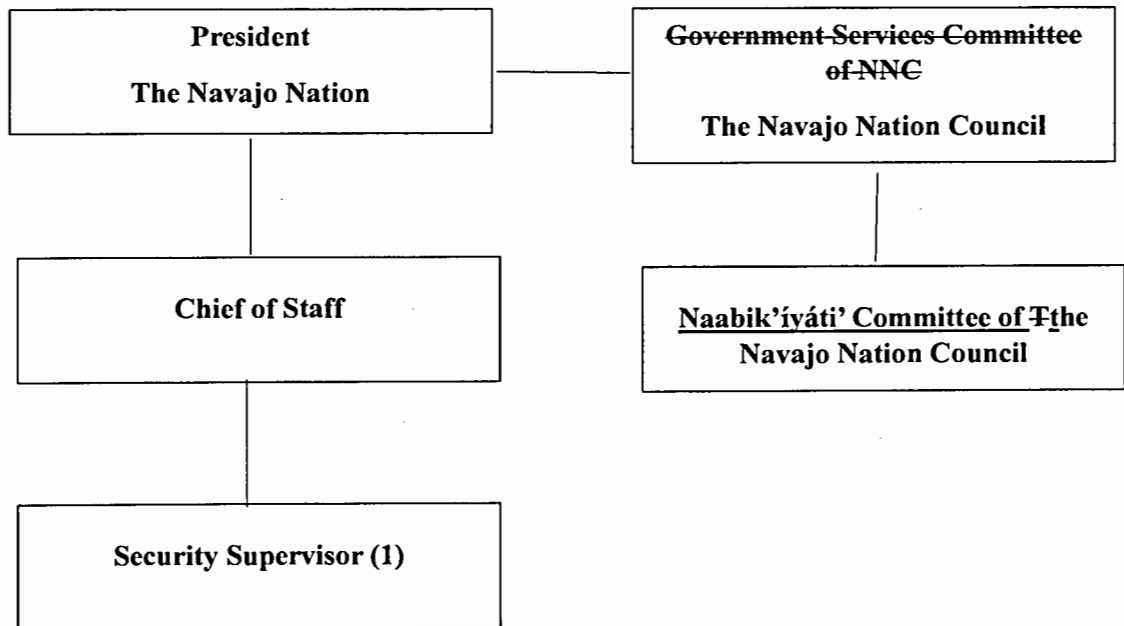
V. LEGISLATIVE OVERSIGHT

The Navajo Executive Protection Services Program, Office of the President and Vice President, shall operate under the legislative oversight of the Naabik'íyáti' ~~Government Services~~ Committee of the Navajo Nation Council, pursuant to 2 N.T.C. N.N.C. §701(A)(2). ~~Sub Sec. 341 et seq.~~

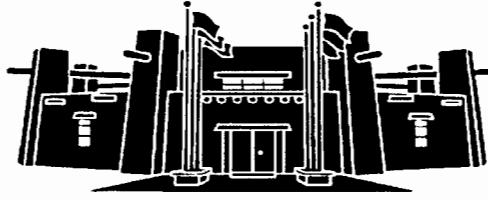
VI. AMENDMENTS

This Plan of Operation may be amended by Resolution of the Naabik'iyáti' Government Services Committee of the Navajo Nation Council as ~~deemed~~ appropriate.

Navajo Executive Protection Services Organization Chart



Office of Legislative Counsel
Telephone: (928) 871-7166
Fax No.: (928) 871-7576



Honorable Crystalyne Curley
Speaker
25th Navajo Nation Council

MEMORANDUM

TO: Hon. Seth Damon, Council Delegate
25th Navajo Nation Council

FROM: *Luralene D. Tapahe*
Luralene D. Tapahe, Principal Advocate
Office of Legislative Counsel

DATE: May 16, 2023

SUBJECT: **AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE;
APPROVING CERTAIN AMENDMENTS TO THE PLAN OF
OPERATION FOR THE OFFICE OF THE PRESIDENT AND VICE-
PRESIDENT, RELATING TO THE EXECUTIVE PROTECTION
SERVICES PROGRAM**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0107-23_

SPONSOR: Seth Damon

TITLE: An Action Relating to the Naabik'iyáti' Committee; Approving Certain Amendments to the Plan of Operation for the Office of the President and Vice-President, Relating to the Executive Protection Services Program

Date posted: May 16, 2023 at 5:23PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0107-23

SPONSOR: Honorable Seth Damon

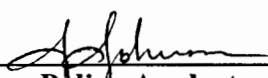
TITLE: An Action Relating to the Naabik'iyáti' Committee; Approving Certain Amendments to the Plan of Operation for the Office of the President and Vice-President, Relating to the Executive Protection Services Program

Posted: May 16, 2023 at 5:23 PM

5 DAY Comment Period Ended: May 21, 2023

Digital Comments received:

| | |
|---------------------------------|-------------|
| Comments Supporting | <i>None</i> |
| Comments Opposing | <i>None</i> |
| Comments/Recommendations | <i>None</i> |



Policy Analyst
Office of Legislative Services

May 22, 2023; 8:30 AM
Date/Time