TITLE: An Action Relating to Health, Education and Human Services, Naabik’íyáti’ and Navajo Nation Council; Approving the Reinstatement of Nizhoni Harker as a Member of the Navajo Nation

Date posted: September 10, 2021 at 12:16PM

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DATE: September 9, 2021

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK’ÍYÁTI’ AND NAVAJO NATION COUNCIL; APPROVING THE REINSTATEMENT OF NIZHONI HARKER AS A MEMBER OF THE NAVAJO NATION

PURPOSE: An action related to Health, Education and Human Services and Nabik’iyati’ Committees; approving the reinstatement of Nizhoni Harker as a member of 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.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0195-21

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES,
NAABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL; APPROVING THE
REINSTATEMENT OF NIZHONI HARKER AS A MEMBER OF THE NAVAJO
NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. Under the laws of the Navajo Nation, any enrolled member of the Navajo Nation may
renounce [her] membership by written petition to the President of the Navajo Nation
requesting that his name be stricken from the Navajo Nation roll. See 1 N.N.C. § 705
(Renunciation of membership).

B. The Navajo Nation in addition states, “[n]o person, otherwise eligible for membership
in the Navajo Nation, may enroll as a member of the Navajo Nation, who, at the same
time, is on the roll of any other tribe of Indians.” See 1 N.N.C. § 703 (Member of
another tribe).

C. Renounced members may be reinstated by the Navajo Nation only by the vote of
majority of the Navajo Nation Council. See 1 N.N.C. § 705 (Renunciation of
membership).
SECTION TWO. FINDINGS

A. The Navajo Nation Office of Vital Records has issued a memorandum dated August 19, 2021, attached as Exhibit A, confirming Nizhoni Harker ("Ms. Harker") was enrolled with the Navajo Nation on January 18, 1994. Ms. Harker is one-half (1/2) Navajo blood and eligible for re-enrollment with the Navajo Nation so long as she is not enrolled with another Indian tribe.

B. On September 2, 1998, Ms. Harker’s parents petitioned for relinquishment of Ms. Harker from the Navajo Nation through the Section 164 Review Process #11313, attached as Exhibit B, with the intent to enroll her with the Zuni tribe.

C. Ms. Harker has formally requested reinstatement into the Navajo Nation. See letter dated July 31, 2021, as Exhibit C.

D. The Zuni Tribe has confirmed, as provided in Exhibit D, Ms. Harker formally relinquished her Zuni tribal membership on June 19, 2019.

SECTION THREE. REENROLLMENT

Nizhoni Harker is and shall be reinstated, or otherwise re-enrolled, as a member of the Navajo Nation. By this action of the Navajo Nation Council and pursuant to the laws of the Navajo Nation, she shall be entitled to all rights, benefits and privileges associated with membership with the Navajo Nation.