

SUMMARY OF PROPOSED LEGISLATION

TrackingNo. 0164-22

Date: September 12, 2022

Re: **AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; APPROVING THE REINSTATEMENT OF SHANDIIN DEPUTEE AS A MEMBER OF THE NAVAJO NATION**

Purpose of this Legislation:

to approve the reinstatement of Shandiin Deputee as an enrolled member of the Navajo Nation.

OLC No. 22-317-1

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: 2:15pm; 09-20-22
Posting End Date: 09-25-22
Eligible for Action: 09-26-22

Health Education & Human Services Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 24th NAVAJO NATION COUNCIL – Fourth Year, 2022

3 Introduced by:

4  Herman M. Daniels, Jr.

6 (Prime Sponsor)

8 Tracking No. 0164-22

10 AN ACTION
11 RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES,
12 AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION
13 COUNCIL; APPROVING THE REINSTATEMENT OF
14 SHANDIIN DEPUTEE AS A MEMBER OF THE NAVAJO NATION

16 BE IT ENACTED:

18 SECTION ONE. AUTHORITY

- 19 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A).
20 B. A proposed resolution that requires final action by the Navajo Nation Council shall be
21 assigned to standing committee(s) having authority over the subject matter at issue and the
22 Naabik'iyáti' Committee. 2 N.N.C. § 164(A)(9).
23 C. The Health, Education and Human Services Committee is a standing committee of the Navajo
24 Nation Council and has legislative oversight over the Navajo Nation Office of Vital Records
25 and Identification. 2 N.N.C. §400(A), §401(C)(2), and §1665.
26 D. Navajo Nation law provides, “[r]enunciation of membership” provides that [a]ny enrolled
27 member of the Navajo Nation may renounce his [her] membership by written petition to the
28 President of the Navajo Nation requesting that his [her] name be stricken from the Navajo
29 Nation roll. Such person may be reinstated in the Navajo Nation only by the vote of majority
30 of the Navajo Nation Council. 1 N.N.C. §705.

1 E. In addition, Navajo Law provides, “[n]o person, otherwise eligible for membership in the
2 Navajo Nation, may enroll as a member of the Navajo Nation, who, at the same time, is on
3 the roll of any other tribe of Indians.” 1 N.N.C. §703.
4

5 **SECTION TWO. FINDINGS**

6 A. The Navajo Nation Office of Vital Records issued a Certificate of Indian Blood (“CIB”) to
7 Shandiin Deputee on March 2, 2007. **EXHIBIT A.**

8 B. Ms. Deputee became a member of the Crow Tribe, relinquished her Crow tribal membership
9 on July 12, 2022. **EXHIBIT B.**

10 C. Ms. Deputee now requests reinstatement as a member of the Navajo Nation.

11 D. The Oljato Chapter has adopted Resolution No. OLJ08-02-2022-NB2 in support of Ms.
12 Deputee’s reinstatement request. **EXHIBIT C.**

13 E. Ms. Deputee is eligible for reinstatement pursuant to 1 N.N.C. §705.
14

15 **SECTION THREE. REINSTATEMENT OF SHANDIIN DEPUTEE**

16 The Navajo Nation Council hereby confirms that Shandiin Deputee is reinstated and re-enrolled
17 as a member of the Navajo Nation. Ms. Deputee shall hereafter be entitled to all rights, benefits,
18 and privileges associated with Navajo Nation membership.
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EXHIBIT A

THE NAVAJO NATION

JOE SHIRLEY, JR
PRESIDENT

BEN SHELLY
VICE PRESIDENT

UNACCEPTABLE IF ALTERED

CERTIFICATE OF NAVAJO INDIAN BLOOD

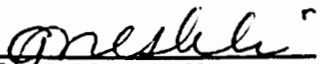
PART A (To be used if applicant is enrolled)

FORT DEFIANCE
AGENCY

MARCH 02, 2007
DATE

I certify that SHANDIIN DEPUTEE is listed on the Navajo Indian Census Roll, dated January 01, 1940, which is an official record of this office as being of 1/2 Degree Navajo Indian blood, with Roll Number, _____, Date of Birth _____.

Record: **OCTOBER 23, 1984.**


For Vital Statistics Manager
VST/

THE INFORMATION CONTAINED ON THIS DOCUMENT
HAS BEEN TAKEN FROM THE OFFICIAL TRIBAL ROLL OF THE NAVAJO NATION.

VITAL RECORDS & TRIBAL ENROLLMENT PROGRAM
THE NAVAJO NATION ♦ P.O. BOX 3240 ♦ WINDOW ROCK, ARIZONA 86515



CROW TRIBE EXECUTIVE BRANCH

Enrollment Department & Per Capita

P.O. Box 159

338 Heritage Rd. Crow Agency (Baaxuwuaashe), Montana 59022

Phone: (406)638-2178

Frank White Clay
CHAIRMAN

Lawrence DeCrane
VICE-CHAIRMAN

Levi Black Eagle
SECRETARY

Channis Whiteman
VICE-SECRETARY

July 13, 2022

Shandiin Deputee

PO Box

Holbrook, AZ 86025

Sandiin Deputee,

This is to advise you that your request for relinquishment from the Absaalooke Nation (Crow Tribe) has been approved by the Enrollment Committee on **07/12/2022**. This letter certifies that you have been relinquished and are no longer on the Crow Nation's rolls as an enrolled member.

Please be advised of the following information:

According to Resolution 99-63, enacted on July 10, 1999, Section VII Relinquishment of Enrollment, E.: Adults who relinquish Crow Tribal Membership cannot reapply for Crow Tribal Membership. However, the minor or adult children of any person relinquishing Crow Tribal Enrollment are not foreclosed from application. Children of relinquished parents are eligible for enrollment on condition that child will be eligible for reinstatement of membership in the Crow Tribe if so, requested upon reaching majority, and provided all other enrollment requirements are met. If the child is still a minor, the Crow parent's consent is required if the child wishes to be reenrolled.

If you have any questions or concerns regarding this matter, you may contact us at (406)638-2178.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephanie White".

Stephanie White

Crow Enrollment Director



OLJATO CHAPTER/ADMINISTRATION
 PO BOX 360455
 MONUMENT VALLEY, UTAH 84536
 Email: oljato@navajochapters.org
 Phone: 435-727-5850/Fax: 5852

Herman Daniels, Council D
 Willis Begay, President
 Jean Holiday, Vice-President
 Marietta Bedonie, Secretary/Treasurer
 Benedict Daniels, Grazing Committee Member

EXHIBIT C

RESOLUTION OF THE OLJATO CHAPTER

RESOLUTION NO.: OLJ08-02-2022-NB2

SUPPORTING RESOLUTION OF THE OLJATO CHAPTER FOR THE REINSTATEMENT OF SHANDIIN DEPUTEE AS A MEMBER OF THE NAVAJO NATION.

WHEREAS;

1. Pursuant to N.N.C., § 4001 (D) and 4028 (A)(B), the Oljato Chapter is established and certified a local government entity of the Navajo Nation vested with the authority to review all matters affecting the Chapter and submit appropriate recommendations to the Navajo Nation government or other local agencies by resolution; and
2. The Oljato Chapter recognizes that under the laws of the Navajo Nation, any enrolled member of the Navajo Nation may renounce [his] membership by written petition to the President of the Navajo Nation requesting that his name be stricken from the Navajo Nation roll, 1 N.N.C. §705.
3. The Navajo Nation in addition states, "[no] person, otherwise eligible for membership in the Navajo Nation, may enroll as a member of the Navajo Nation, who, at the same time, is not enrolled with another Indian tribe, 1 N.N.C. §703.
4. The Oljato Chapter also recognizes that renounced members may be reinstated by the Navajo Nation only by the vote of majority of the Navajo Nation Council, 1 Navajo Nation Code § 705.
5. The Navajo Nation Office of Vital Records has issued a Certificate of Indian Blood dated March 02, 2007. See attachment, confirming Shandiin Deputee was enrolled with the Navajo Nation on January 01, 1940 and provided Navajo Nation Census Number.
6. The Navajo Nation Office of Vital Records has further confirmed 1/2-degree Navajo blood and therefore, is eligible for re-enrollment as a member with the Navajo Nation, 1 N.N.C. § 701 (B).
7. The Crow Tribe has confirmed Shandiin Deputee formally relinquished her Absaalooke Nation (Crow Tribe) membership on July 12, 2022. See attachment, The Absaalooke Nation (Crow Tribe) Tribal Resolution No.: 99-63.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Oljato Chapter supports the request to reinstate, or otherwise re-enroll, Shandiin Deputee as a member of the Navajo Nation. By this action and pursuant to the laws of the Navajo Nation and Oljato Chapter, shall be entitled to all rights, benefits and privileges associated with membership with the Navajo Nation.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Oljato Chapter at a Regular duly called meeting at Oljato, Navajo Nation, Utah at which a quorum was present and that same was passed by a vote of 2 in favor, 0 opposed and 0 abstained, this 20th day of August 2022.

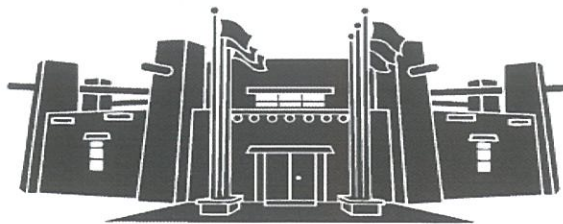
1st Motion: Marietta Bedonie

2nd Motion: Jean Holiday

Willis Begay
 Willis Begay, Oljato Chapter President


Jean Holiday
 Jean Holiday, Oljato Chapter Vice-President

Marietta Bedonie
 Marietta Bedonie, Oljato Chapter Secretary/Treasurer



MEMORANDUM

To: Hon. Herman M. Daniels, Member
Resources and Development Committee
24th Navajo Nation Council

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

Date: September 12, 2022

Subject: **AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; APPROVING THE REINSTATEMENT OF SHANDIIN DEPUTEE AS A MEMBER OF THE NAVAJO NATION**

The Office of Legislative Counsel has prepared the above-referenced proposed legislation and related summary sheet. Based on existing Navajo Nation law and other applicable laws, and upon review of all supporting documents regarding your request that were submitted to OLC, this legislation as drafted is legally sufficient. However, as with any action of government, this legislation may be subject to judicial review in the event of a legal challenge.

Please review this legislation to make sure it is drafted to your satisfaction, and that all necessary and appropriate supporting documents have been provided and all attached Exhibits are correct.

OLC has reviewed the appropriate standing committees' authorities to consider this legislation, based on the standing committees' powers and responsibilities set forth in Title 2 of the Navajo Nation Code. Based on its review, OLC has listed those committees in the title of this legislation. However, the Speaker may assign this legislation to any committee(s) other than those shown in the title, pursuant to his authority under 2 N.N.C. §164(A)(5).

If you find anything unacceptable, please let me know immediately and advise me of your desired changes. I can be reached at phone no. (928)871-7166 or by email at: LuraleneTapahe@navajo-nsn.gov

Thank you for your cooperation.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0164-22_

SPONSOR: Herman Daniels, Jr.

TITLE: An Action Relating to the Health, Education and Human Services, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving the Reinstatement of Shandiin Deputee as a Member of the Navajo Nation

Date posted: September 20, 2022 at 2:15PM

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.: 0164-22

SPONSOR: Honorable Herman M. Daniels, Jr.

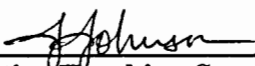
TITLE: An Action Relating to the Health, Education and Human Services, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving the Reinstatement of Shandiin Deputee as a Member of the Navajo Nation

Posted: September 20, 2022 at 2:15 PM

5 DAY Comment Period Ended: September 25, 2022

Digital Comments received:

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



**Legislative Tracking Secretary
Office of Legislative Services**

September 26, 2022; 8:15 AM

Date/Time

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
24TH NAVAJO NATION COUNCIL
FOURTH YEAR 2022

COMMITTEE REPORT

Mr. Speaker,

The **HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE** to whom has been assigned:

Legislation No. 0164-22: An Action Relating to the Health, Education and Human Services, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving the Reinstatement of Shandiin Deputee as a Member of the Navajo Nation

Sponsor: *Council Delegate Herman M. Daniels*

Has had it under consideration and reports the same with the recommendation that it **DO PASS with no amendment** and is thence referred to the Naabik'iyáti' Committee.

Respectfully submitted,



Carl R. Slater, Vice-Chairperson
Health, Education and Human Services Committee
24th Navajo Nation Council

Date: September 28, 2022

Main Motion:

Motion: Honorable Daniel E. Tso
Second: Honorable Paul Begay, Jr.
Vote: 5-0-0

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
September 28, 2022

Legislation No. 0164-22: An Action Relating to the Health, Education and Human Services, and Naabik'iyáti' Committees, and the Navajo Nation Council; Approving the Reinstatement of Shandiin Deputee as a Member of the Navajo Nation

Sponsor: *Council Delegate Herman M. Daniels*

VOTE TALLY SHEET:

Main Motion:

Motion: Honorable Daniel E. Tso
Second: Honorable Paul Begay, Jr.

Yea: Paul Begay, Jr.; Pernell Halona; Charlaine Tso; Daniel E. Tso; Edison J. Wauneka


Nay:

Not Voting: Carl R. Slater (Presiding Vice-Chair)

Excused:

Absent:

Vote: 5-0-0



Carl R. Slater, Vice-Chairperson
Health, Education and Human Services Committee
24th Navajo Nation Council



Angelita Benally, Legislative Advisor
Health, Education and Human Services Committee
Office of Legislative Services