

LEGISLATIVE SUMMARY SHEET
Tracking No. 0083-16

DATE: March 9, 2016

TITLE OF RESOLUTION: AN ACTION RELATING TO NAABIK'ÍYÁTI';
CONFIRMING THE APPOINTMENT OF MR. PERCY DEAL TO SERVE ON THE NAVAJO
HOUSING AUTHORITY BOARD OF COMMISSIONERS FOR A TERM OF FOUR YEARS

PURPOSE: This resolution if approved, will appoint Mr. Percy Deal to serve on the Navajo Housing Authority Board of Commissioners, for a term of four years.

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

5-DAY BILL HOLD PERIOD: Clairnda Begay
Website Posting Time/Date: 2:10pm 3/16/16
Posting End Date: 3/21/16
Eligible for Action: 3/22/16

Resources & Development Committee

THENCE
Naa'bik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
23RD NAVAJO NATION COUNCIL – Second Year, 2016

INTRODUCED BY

Dwight Witherspoon
(Prime Sponsor)

TRACKING NO. 0083-16

AN ACTION

RELATING TO RESOURCES AND DEVELOPMENT AND NAABIK'ÍYÁTI';
CONFIRMING THE APPOINTMENT OF MR. PERCY DEAL TO SERVE ON THE
NAVAJO HOUSING AUTHORITY BOARD OF COMISSIONERS REPRESENTING
CHINLE AGENCY FOR A TERM OF FOUR YEARS

SECTION ONE. AUTHORITY

- A. Pursuant to 2 N.N.C. § 500 (C), the Resources and Development Committee (Committee) shall exercise oversight authority over housing; to establish policies and legislation appropriate to the housing needs of the Navajo Nation and its people. *See* 2 N.N.C. § 500 (C)(3).
- B. Pursuant to 2 N.N.C. § 501 (B)(9), the enumerated power of the Committee is to grant final confirmation of appointments to enterprise boards.
- C. Pursuant to 6 N.N.C. §606 (A), as revised by the Navajo Nation Housing Authority Reform Act of 2014, the Naabik'íyáti' Committee has authority to appoint, and to reappoint, members of the Board of Commissioners; a resolution of appointment or reappointment of any Commissioner shall be conclusive evidence of the due and proper appointment of the Commissioner.

SECTION TWO. FINDINGS

- 1
- 2 A. Pursuant to 6 N.N.C. § 602 (A), The Navajo Nation established a public body of
- 3 the Navajo Nation known as the Navajo Housing Authority (Authority) to:
- 4 remedy unsafe and unsanitary housing conditions that are injurious to the public
- 5 health, safety and morals; alleviate the acute shortage of decent, safe, and
- 6 sanitary dwellings for persons of low income; provide employment
- 7 opportunities through the construction, reconstruction, improvement, extension,
- 8 alteration or repair operation of low income dwellings; and promote economic
- 9 growth and development activities within and near the Navajo Nation. *See* 6
- 10 N.N.C. § 604 (A)-(D).
- 11 B. The affairs of the Authority shall be managed by a Board of Commissioners
- 12 composed of eight persons. *See* 6 N.N.C. § 605.
- 13 C. A Commissioner shall be a member of the Navajo Nation. *See* 6 N.N.C. § 606
- 14 (B).
- 15 D. There shall be one representative on the Board from each of the five agencies
- 16 comprising the Navajo Nation. *See* 6 N.N.C. § 606 (B).
- 17 E. These individuals shall have some formal education or at least three years of
- 18 leadership experience in a local unit of government. *See* 6 N.N.C. § 606 (B).
- 19 F. The term of office shall be four years and staggered. When a Board is first
- 20 established, one member's term shall be designated to expire in one year,
- 21 another to expire in two years, a third to expire in three years, and the last two in
- 22 four years. Thereafter, all appointments shall be for four years. *See* 6 N.N.C. §
- 23 607.
- 24 G. Mr. Percy Deal has expressed his interest in being appointed as a member of the
- 25 Navajo Housing Authority Board of Commissioners representing Chinle
- 26 Agency. *See* Exhibit A (Letter of Interest); *See also* 6 N.N.C. § 606 (B).
- 27 H. Mr. Percy Deal is an enrolled member of the Navajo Nation. *See* Exhibit B
- 28 (Certificate Indian Blood); *See also* 6 N.N.C. § 606 (B).
- 29 I. Mr. Percy Deal satisfies the education and three years of leadership experience
- 30 pursuant to 6 N.N.C. § 606 (B). *See* Exhibit C (Biography).

1 J. The Office of the President and Vice-President has included a letter in support
2 of Mr. Percy Deal's appointment to the Board of Commissioners for the Navajo
3 Housing Authority. *See* Exhibit D (Letter from Navajo Nation President).

4 K. The appointment of Mr. Percy Deal shall be for four years. *See* 6 N.N.C. § 607.
5

6 **SECTION THREE. CONFIRMING APPOINTMENT**
7

8 Pursuant to 6 N.N.C. 606 (B), the Navajo Nation hereby confirms the appointment
9 of Mr. Percy Deal to serve on the Navajo Housing Authority Board of Commissioners as a
10 representative for the Chinle Agency, for a term of four years.
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Lorenzo Bates, Speaker
Office of the Speaker
Navajo Nation Council
Window Rock, Arizona 86515

February 17, 2016



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RECEIVED
17
OFFICE OF THE
SPEAKER

The Most Honorable Speaker

Please accept this letter of interest to serve on Board of Directors, Navajo Housing Authority representing the Chinle Agency. I understand the position is vacant and available.

I am retired and hold no elective office, not a member of any Board, Commission or Task Force with the Navajo Nation or the State. However, do serve on the Hardrock Chapter CLUPC updating the land use plan, this is a small committee at the very local level.

After serving in public service for 43 years in various capacity within the Navajo Nation and the Navajo County I've decided to retire in 2004. Currently I do a lot of volunteer work for the chapters (7) of Dzil Yijiin region. Writing resolution and seeking and bring them information especially on water and other natural resources. Attend their meetings at their chapter and community. This also includes meeting and assisting residents in Hopi Partition land, with various development effecting their lives. I also attend many of the Navajo Nation Committee meetings to gather information for the communities, and if given an opportunity speak at these meetings. Due to our location to the Hopi Tribe I also meet with their leaderships on roads and other needs. I also make contact with federal agencies and member of Congress on various issues.

I am aware of the past adverse federal policies on Navajo Communities, which prevented various services (housing and infrastructures), especially those in the remote and isolated locations. I believe I can be of assistance in addressing these issues in those areas.

Please see the attached resume, and if you have any questions please contact me at 928-
or email _____@_____ your time and consideration is greatly appreciated.

Respectfully,


Percy Deal
P.O. Box
Kykotsmovi, Arizona 86039





THE NAVAJO NATION

BEN SHELLY
PRESIDENT

REX LEE JIM
VICE PRESIDENT

UNACCEPTABLE IF ALTERED

CERTIFICATE OF NAVAJO INDIAN BLOOD

PART A (To be used if applicant is enrolled)

CHINLE
AGENCY

March 11, 2013
DATE

I certify that PERCY DEAL is listed on the Navajo Indian Census Roll, dated
January 01, 1940, Which is an official record of this office as being of 4/4 Degree Navajo
Indian blood, with Roll Number, | Date of Birth .

Record: JULY 24, 1952

A handwritten signature in cursive script.
Vital Statistics Manager
OA/

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

NAVAJO NATION OFFICE OF VITAL RECORDS & IDENTIFICATION
P.O. BOX 3240 ♦ Window Rock, ARIZONA 86515

Percy Deal

Biography

Education:

June, 1969 graduated from Snowflake Union High School

June, 1971 graduated from Eastern Arizona College with Civil Engineer Degree

Summer session of 1971 at Northern Arizona University took classes for teaching, Junior High School

Employment: For 43 years worked in political field and never a day in engineer. Due to home situation in late 1960s and 70s, the Navajo, Hopi and federal dispute over land ownership, local pressure force me to enter into the political arena.

Chapter Official: Served as Vice President and President for several terms. Had to learn quickly how to work with the Administration, Navajo Nation Council, General Legal Counsel, Hopi Tribe and the Bureau of Indian Affairs.

Navajo Nation: Held two positions within the Navajo Nation. Executive Director of the Navajo Hopi Land Commission and Staff Assistant to the first Speaker of the Navajo Nation Council.

Executive Director: 1980 – 1987, I served as a key officer for the Navajo Nation on all issues resulting from the land dispute. Made reports and advised the Commissioners, Council, Chairman, Divisions, chapters and communities. Also maintained contact with Hopi Tribal Administration and their Council, Bureau of Indian Affairs both Navajo and Phoenix Areas. Lobbied and testified before members of Congress and appeared as witness before the Federal District Court defending the rights of the people.

Staff Assistant to the Speaker: 1991 – 1993; Provided all assistant and advise relating to Intergovernmental Relation with other tribes, states, federal governments and congress. Arrange appointments with states and national officials and help prepare statements and reports for the Speaker. Wrote resolutions for Council. Meet with local chapters and communities regards their issues. Got invited to National Democratic Presidential Convention and elected Bill Clinton.

Navajo Nation Council Delegate: Elected to one four year term in 1987 to the Navajo Nation Council, served on the Economic Development Committee and the Navajo Hopi Land Commission. Worked with Bureau of Indian Affairs, Department of the Interior, Department of Justice, Hopi Tribe, Members of Congress, local chapters and communities. The 1972 Federal District Court ordered moratorium on all development, 1974 Relocation Act was in effect, negotiation between the Navajo and Hopi tribes failed, federal court intervened and divided the land, livestock reduction was in progress, relocation begin. As member of the Commission was involved in all issues every day. As member of the Economic Development Committee help

develop the Business and Industrial Development Funds to simulate local economy to create jobs.

While serving on the Council in 1989, due to political turmoil within the government help amend 'Title Two' of the Navajo Nation Code and created the three branch government to provide check and balance between the branches to be more responsible and accountable to the people.

Navajo County Board of Supervisor: In 1980 when all else appeared to be failing, impacted communities were looking for other venues to vent their frustration they asked me and elected me to the Navajo County Board of Supervisors. Even before the primary election I was hit with a legal challenge by non-Natives claiming I was not eligible to hold county elective office, lived on reservation and do not pay property tax. After winning the general election and took office in January, 1981 serving for only three months I was removed by a lower county court. Two years later in 1983 the Supreme Court overturned the decision and I was reelected. That was quickly followed by the county to re-draw the Supervisorial districts to assure there will never be two Native Americans elected to a Board of 5. After losing that battle, with the help of Navajo, Hopi and White Apaches we appealed to U.S. Department of Justice, Civil Rights Divisions their plan was rejected and my plan was adopted and approved by US DOJ. The plan would guarantee election of two Natives or possibly third on a Board of five. During the general election of 2008, I saw my dream come true, today there is three Native Americans sitting on the Board.

During my tenure I gain great respect from the county, state and members of Congress. I served as Board Chairman several times, was active in the National Association of Counties (NACO). Served on National Public Lands Committee, was appointed by NACO President to the National Indian Task Force to design County-Tribal relationship model which was adopted as NACO policy. In 2004 was appointed by Governor Napolitano to the Homeland Security Council.

As a Board we set and collected taxes, over saw all county departments and services, set budgets, approved/disapproved development zone districts which includes housing, streets, infrastructures, businesses, flood, schools and held public hearings to address any and all issues effecting the county. Held general and special elections. Worked with the three tribes and the Bureau of Indian Affairs through Intergovernmental Agreements.

Volunteer Service: Currently very active and provide numerous volunteer work to all Dził Yíjín Regional chapters with writing resolutions for communities. Provide information on watershed at meetings. I also provide assistance to two Dine' groups and volunteer for events and presentations on water, land, air, language and the government.

Marital Status: Married to Christine Deal for 45 years have two children and seven grandchildren. Retired and living in Big Mountain, raising cattle and plant crops. Hold no elective office, not a member of any Board or Commission of Navajo Nation or the State.



THE NAVAJO NATION

RUSSELL BEGAYE **PRESIDENT**
JONATHAN NEZ **VICE PRESIDENT**



March 3, 2016

Dwight Witherspoon, Honorable Council Delegate
Navajo Nation Council
P.O. Box 3390
Window Rock, Arizona 86515

RE: Appointment of Percy Deal to the Navajo Housing Authority

Mr. Witherspoon,

The Navajo Housing Authority is one of the most important entities on the Navajo Nation, as housing is gravely needed. We must have individuals that are not only diverse in their knowledge of needs of the Navajo Nation and People but must also be strong advocates.

With that said, the Office of the President and Vice-President fully support the appointment of Percy Deal to the Board for the Navajo Housing Authority. He is a great advocate for the Navajo people. Furthermore, he has great vision for the future of the Navajo Nation.

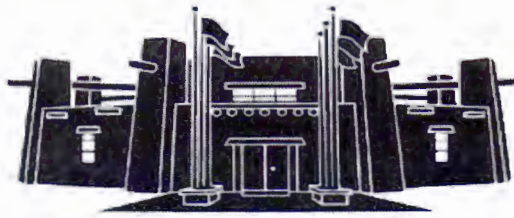
If there is anything further needed from this office to assist in his confirmation please do not hesitate to contact me.

Respectfully,

THE NAVAJO NATION

Russell Begaye, *President*





MEMORANDUM

TO: Honorable Dwight Witherspoon
Navajo Nation Council

FROM: Rhonda L. Tuni
Rhonda L. Tuni
Office of Legislative Counsel

THRU: Levon Henry
Levon Henry, Attorney
Office of Legislative Counsel

DATE: March 9, 2016

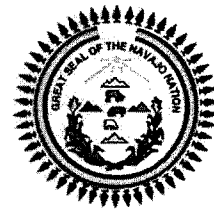
SUBJECT: AN ACTION RELATING TO NAABIK'ÍYÁTI'; CONFIRMING THE
APPOINTMENT OF MR. PERCY DEAL TO SERVE ON THE
NAVAJO HOUSING AUTHORITY BOARD OF COMMISSIONERS
FOR A TERM OF FOUR YEARS

Pursuant to your request, attached is the above-referenced proposed resolution and associated legislative summary sheet. Based on existing law and review of the documents submitted, the resolution as drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of a challenge.

Please review the proposed resolution to ensure it is drafted to your satisfaction. If this proposed resolution is acceptable to you, please sign it where it indicates "Sponsor", and submit it to the office of Legislative Services for the assignment of a tracking number and referral to the Speaker.

If the proposed resolution is unacceptable to you, or if you have further questions, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution. You may contact me at (928) 871-7251. Thank you.
Commission:

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0083-16

SPONSOR: Dwight Witherspoon

TITLE: An Action Relating To Resources and Development and Naa'bik'iyati' Committees; Confirming the Appointment of Mr. Percy Deal to Serve on the Navajo Housing Authority Board of Commissioners for a Term of 4 Years

Date posted: March 16, 2016 at 2:10pm

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) 871-7590**

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 Nav, ajo 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.: 0083-16

SPONSOR: Honorable Dwight Witherspoon

TITLE: An Action Relating To Resources and Development and Naa'bik'iyati' Committees; Confirming the Appointment of Mr. Percy Deal to Serve on the Navajo Housing Authority Board of Commissioners for a Term of 4 Years.

Posted: March 16, 2016 at 2:10pm

5 DAY Comment Period Ended: March 21, 2016

Digital Comments received:

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



Policy Analyst
Office of Legislative Services

3/22/16 8:07am
Date/Time