LEGISLATIVE SUMMARY SHEET

Tracking No. 0322-19

DATE: October 29, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL; APPROVING THE REINSTATEMENT OF MS. KAREN RAE NIETO AS A MEMBER OF THE NAVAJO NATION

PURPOSE: This resolution will approve the reinstatement of Ms. Karen Rae Nieto 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.

5-DAY BILL HOLD PERIOD: [illegible]
Website Posting Time/Date: 2:33pm 10-24-19
Posting End Date: 11-3-19
Eligible for Action: 11-4-19

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

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

[signature]

(Prime Sponsor)

TRACKING NO. 0322-19

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL; APPROVING THE REINSTATEMENT OF MS. KAREN RAE NIETO AS A MEMBER OF THE NAVAJO NATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 400(A). The committee "serve[s] as the oversight committee for the Division of Health, Division of Social Services, Division of Human Resources Department of Diné Education, Division of General Services ...." 2 N.N.C. § 401(C)(1).

B. The Naa'bik´íyáti´ Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 700(A). All proposed legislation requiring final action by the Navajo Nation Council are assigned to the committee. 2 N.N.C. § 164 (A)(9).

C. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102. Pursuant to 1 N.N.C. § 705, the Navajo Nation Council, by majority vote, must approve all requests for reinstatement of membership enrollment with the Navajo Nation.

SECTION TWO. FINDINGS

A. Ms. Karen Rae Nieto (date of birth August 17, 1969) was an enrolled member of the Navajo Nation. See Exhibit "A," *Certificate of Navajo Indian Blood.* On October 15, 2011, upon her request, her membership with the Navajo Nation was relinquished. See Exhibit "B," enrollment relinquishment with the Navajo Nation. Subsequently, she enrolled with the Zuni Tribe (as her father is Zuni). Exhibit "C."

B. Ms. Karen Rae Nieto filed for relinquishment of her enrollment with the Zuni Tribe. On January 27, 2016, the Zuni Tribe approved Ms. Nieto's relinquishment request. See Exhibit "D."

C. Ms. Karen Rae Nieto is seeking reinstatement with the Navajo Nation. See Exhibit "E", letter dated June 3, 2019.

D. Ms. Karen Rae Nieto is Ashįįnį and is the originally from the Chinle community. Her mother is Navajo.

SECTION THREE. APPROVAL FOR REENROLLMENT

Ms. Karen Rae Nieto, is and shall be reinstated, or otherwise reenrolled, 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.

Form BIA - 4432
Revised March 1989

EXHIBIT
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A

VERIFICATION OF INDIAN PREFERENCE FOR EMPLOYMENT
IN BUREAU OF INDIAN AFFAIRS AND INDIAN HEALTH SERVICE ONLY

To establish eligibility for Indian preference for employment with BIA/IHS, complete one of the categories below and submit with your SF-171, Application for Federal Employment.

Category A — MEMBERS OF FEDERALLY-RECOGNIZED INDIAN TRIBES, BANDS OR COMMUNITIES.

This is to certify that the person named below is a member of the tribe indicated:

Karen Rae Nieto		1/2 Navajo -
Full Name	Date of Birth	Tribal Affiliation

I certify that the above information was taken from the official membership records of the Navajo Tribe and acknowledge the falsification and misrepresentation of this information is punishable under Federal Law.

[signature]	06-17-96	OR	None	
Tribal Representative	Date		BIA Representative	Date
Vital Statistic Technician			None	
Title			Title	
			Chinle	
			Agency Name	

Category B — DESCENDANTS OF MEMBERS OF FEDERALLY-RECOGNIZED INDIAN TRIBES, BANDS OR COMMUNITIES WHO WERE RESIDING ON ANY INDIAN RESERVATION ON JUNE 1, 1934.

This is to certify that the person named below has established to my satisfaction the he is a descendant of an enrolled member of the tribe named below and that he was living on an Indian reservation on June 1, 1934. The applicant's family history is outlined on the attached family history chart:

Name of Individual	Date of Birth	Reservation of Residence on June 1, 1934

Ancestor	Tribal Record of Affiliation
Date	BIA Representative
	Title
	Agency Name

EXHIBIT 13

RELINQUISHMENT OF NAVAJO NATION MEMBERSHIP

I, Karen Rae Nieto, DOB: , R , do hereby petition the President of the Navajo Nation that my name be stricken from the Navajo Census Rolls. I wish to become enroll member of The Zuni Tribe.

Subject to the acknowledgment of the Navajo Nation President, I do hereby withdraw and renounce my membership in the Navajo Nation.

I understand and agree that by executing this Relinquishment, I am forfeiting any and all rights and benefits I have, including, but not limited to, any personal or other property of any kind or character, which is based on Navajo membership. I further understand that this Relinquishment will become effective upon receipt of the Navajo Nation Office Vital Records.

Signed at Fort Defiance this 25th day of August, 2011

Karen Rae Nieto, I

P.O. Box

ADDRESS:

Window Rock Az 86515

WITNESSES:

Amilta Tom
NAME

PO Box Window Rock
ADDRESS

Az 86515

Ron Nieto
NAME

P.O. Box
ADDRESS

Zuni New Mexico 87327

ACKNOWLEDGED:

President, The Navajo Nation

10/3/2011
Date Approved

Recorded on Page 142 Pinon Southern Indian Census Roll, Arizona and Family Application #73-584 on October 13, 2011/Am and Family Application #2012-279/Am

Benally
Leonard ~~Boanally,~~ Vital Statistics Manager
Navajo Office of Vital Records

CC: Karen Rae Nieto, P.O. Box 4304, Window Rock, AZ 86515
Pueblo of Zuni Tribe Tribal Enrollment Services, P.O. Box 339, Zuni, NM 87327-0339
Chinle Tribal Enrollment Services, P.O. Box 2527, Chinle, AZ 86503

ARLEN P. QUETAWKI, SR.
Governor

STEVE K. BOONE
Lt. Governor

ARDEN KUCATE
Head Councilman

VACANT
Councilman

ZUNI TRIBE
Tribal Census Office
P.O. Box 339
1203-B State Highway 53
Zuni, New Mexico 87327-0339
www.ashiwi.org
fvicen@ashiwi.org
505-782-7071 (☎)
505-782-7208 (🖷)

LOREN L. LEEKELA, SR.
Councilman

GERALD HOOEE, SR.
Councilman

MARK MARTINEZ
Councilman

BIRDENA SANCHEZ
Councilwoman

EXHIBIT
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C

DATE: March 14, 2012

TO: Karen Nieto
P.O. Box
Window Rock, AZ 86515

FROM: Tribal Census Office, Pueblo of Zuni

SUBJECT: Enrollment Status of: **NIETO, KAREN RAE**

Date of Birth: _____

Degree of Blood: **½ ZUNI; ½ NAVAJO**

Mother: **ROSEMARY LEE** Father: **ROY NIETO**

I hereby depose that **KAREN RAE NIETO** **is** an enrolled member of the Zuni Tribe with Census Number

OR

I hereby depose that ---------- **IS NOT** an enrolled member of the Zuni Tribe.

Xyla Johnson
Vital Records Technician

I hereby certify that the above information are true, exact and complete record on file in the Zuni Tribe of the Zuni Indian Reservation Tribal Census Office, Zuni, New Mexico.

SEAL

Fabian Vicenti, Sr.
Tribal Census Director of the Zuni Tribe

VAL R. PANTEAH, SR.
Governor

BIRDENA SANCHEZ
Lt. Governor

VACANT
Head Councilman

VIRGINIA R. CHAVEZ
Councilwoman

ZUNI TRIBE
Tribal Census Office
P.O. Box 339
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CARLETON R. BOWEKATY
Councilman

AUDREY A. SIMPLICIO
Councilwoman

VACANT
Councilwoman

ERIC BOBELU
Councilman

EXHIBIT
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D

RELINQUISHMENT OF MEMBERSHIP

The Zuni Tribal Council hereby acknowledge the receipt of a Notice of, Relinquishment of Membership from the Zuni Tribe, for Karen Rae Nieto born ___ ___, Census Number ___ ___ and has ½ degree of Zuni Indian blood and also possesses ½ Navajo Blood.

Having reviewed the said Notice, the Zuni Tribal Council is satisfied that this relinquishment of Membership was made voluntarily, and for reasons satisfactory to the party involved, and that the said party has full knowledge on the consequences of this relinquishment.

[XX] Relinquishee has full knowledge of the consequences and accordingly, the Zuni Tribal Council hereby accept and recognize this relinquishment of Membership of Karen Rae Nieto whom will no longer be considered a member of the Zuni Tribe, effective this _____day of _____, 2016.

[ ] Relinquishment denied due to: _____

FOR: ✓ AGAINST: _____ **Lt. Governor Sanchez:** Birdena Sanchez

FOR: _____ AGAINST: _____ **Vacant:** _____

FOR: ✓ AGAINST: _____ **Councilwoman Chavez:** Virginia R Chavez

FOR: _____ AGAINST: _____ **Councilman Bowekaty:** Absent

FOR: ✓ AGAINST: _____ **Councilwoman Simplicio:** Audrey Simplicio

FOR: _____ AGAINST: _____ **Vacant:** _____

FOR: ✓ AGAINST: _____ **Councilman Bobelu :** Eric Bobelu

CERTIFICATION

I hereby certify that the foregoing relinquishment was duly considered by the Zuni Tribal Council at a duly called Executive Meeting in Zuni, New Mexico, at which a quorum was present and that the same was respected with an overall vote of 5 in favor (**FOR**), 0 opposed (**AGAINST**) and 0 **ABSTAINED**. According to recommendations presented, it is without hesitation that the relinquishment application for the said applicant, is hereby **APPROVED/DISAPPROVED**, which we as the Zuni Tribal Council officially executed this 27th day of January, 2016.

Val R. Panteah, Sr.
Governor, Pueblo of Zuni

Recorded in the Pueblo of Zuni Tribal Census Office, Zuni, New Mexico on January 27, 2016.



June 3rd, 2019

Navajo Office of Vital Records

Indian Rte100

Window Rock, Arizona 86515

Dear Sir/Ma'am:

I am requesting to have my tribal census number reinstated. I originally left the Navajo Nation to get a house built on Zuni Tribal lands and in order to do this, I had to get a census number with that tribe. Its been a few years since I have moved to Gallup, NM and I am no longer with the Zuni tribe.

The reason why I am requesting this is because my father has taken over the home that was built for us and evicted my family and I – so, we had nowhere else to move but into Gallup, NM and leave that tribe behind.

My mother Rosemary Lee, born in Winslow AZ. She is registered with the Navajo Nation, census ____.

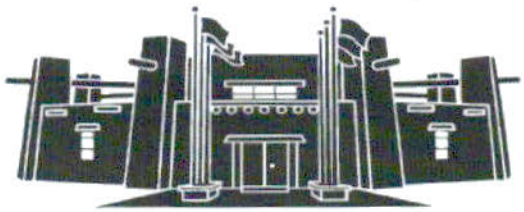
So, I am kindly requesting to have my Navajo Nation tribal census number of reinstated.

If you need any further information, you may reach me at (505) . Thank you for your time.

Karen Nieto

Karen Nieto

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

To : Hon. Eugene Tso, Delegate
Navajo Nation Council

From : Ron Haven, Attorney
Office of Legislative Counsel

Date : October 29, 2019

Re : AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, NAABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL; APPROVING THE REINSTATEMENT OF MS. KAREN RAE NIETO AS A MEMBER OF THE NAVAJO NATION

As requested, 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 (at least to format).[1] As with any legislation, it can be subject to review by the courts in the event of proper challenge. Also, the Speaker (or designee) may decide to assign the proposed resolution for other committees than those referenced in the title of the resolution. Please ensure that this 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.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 19-571-1

[1] Personal information (such as personal telephone numbers) redacted on exhibits pursuant to confidential information provisions of the *Navajo Nation Privacy Act*. 2 N.N.C. §81 *et seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0322-19_____ **SPONSOR:** Eugene Tso

TITLE: An Action Relating to Health, Education and Human Services, Naabik'iyati and Navajo Nation Council; Approving the Reinstatement of Ms. Karen Rae Nieto as a member of the Navajo Nation

Date posted: October 29, 2019 at 2:33pm

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 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.: 0322-19

SPONSOR: Honorable Eugene Tso

TITLE: An Action Relating to Health, Education and Human Services, Naabik'iyati and Navajo Nation Council; Approving the Reinstatement of Ms. Karen Rae Nieto as a member of the Navajo Nation

Posted: October 29, 2019 at 2:33 AM

5 DAY Comment Period Ended: November 03, 2019

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Inconclusive Comments	*None*

Legislative Tracking Secretary
Office of Legislative Services

11/04/19 8:38 AM
Date/Time