

RESOLUTION OF THE  
NAVAJO NATION COUNCIL  
24<sup>th</sup> NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

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.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the 24<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 23 in Favor, and 00 Opposed, on this 26<sup>th</sup> day of January 2022.

  
Honorable Seth Damon, Speaker  
24<sup>th</sup> Navajo Nation Council

Feb 3, 2022  
DATE

Motion: Honorable Jimmy Yellowhair

Second: Honorable Paul Begay, Jr.

Speaker Seth Damon not voting




# THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

## MEMORANDUM

TO: Office of Legislative Counsel  
Legislative Branch  
Navajo Nation

FROM:   
Ronald D. Duncan, Program Manager I  
Navajo Office of Vital Records & Identification (NOVRI)

DATE: August 19, 2021

RE: Reinstatement of NHarker

This memorandum is to verify the enrollment and subsequent relinquishment of Nizhoni Harker, date of birth

Ms. Harker enrolled with the Navajo Nation on January 18, 1994 with enrollment number . Her blood quantum is one-half Navajo and one-half Zuni according to our records. Ms. Harker's parents petitioned for relinquishment from the Navajo Nation through the Section 164 Review Process, #11313 with the intent to enroll her with the Zuni tribe.

Relinquishment occurred on October 19, 1999 upon the signature of President Kelsey A. Begaye when Nizhoni was six (6) years of age. Relevant documents are attached for reference in her current request for reinstatement to the Navajo Nation.

Pursuant to Title 1 § 703, no person may enroll as a member of the Navajo Nation who is on the roll of another Indian tribe. In this instance, Ms. Harker would need to demonstrate that she has relinquished from the Zuni Tribe. If this has been completed, then Ms. Harker would be eligible for reinstatement and should her request be granted, her original enrollment number would be restored to her.

Please contact me should you have any questions about this matter me at (928) 871-6883.

### Attachments

c: File

OCG Use:

Date: \_\_\_\_\_  
Page: \_\_\_\_\_

# OFFICE OF THE PRESIDENT

The Navajo Nation

Window Rock, Arizona 86515

SAS NO. **Nº 11313**

## SIGNATURE APPROVAL SHEET

(164 REVIEW PROCESS)

DEPT: NAVAJO OFFICE OF VITAL RECORDS (NAME) LEONARD FENALLY (Phone No.) 871-6386

DOCUMENT: RELINQUISHMENT OF NAVAJO MEMBERSHIP: 1. Nizhoni Harker, R# [REDACTED]

*****	Program	<u>NOVR/LE-FALLY, VSM</u>	DATE:	<u>9/28/99</u>	*****
*****	Division	<u>IHR/Deane, Exec. Dir.</u>	DATE:	<u>9-28-99</u>	*****
*****	Contracts & Grants/OMB	<u>Navajo: Land Dept. / Deputy Soling</u>	DATE:	<u>10/06/99</u>	*****
*****	Division of Finance	<u>Navajo: Exec. Dir. / Robert Noy</u>	DATE:	<u>10-14-99</u>	*****
*****	Department of Justice	<u>Sharon M. Noel</u>	DATE:	<u>10/19/99</u>	*****
*****	Office of the President		DATE:		*****
*****	Legislative Counsel		DATE:		*****

RETURN ENTIRE DOCUMENTS TO OFFICE OF CONTRACTS AND GRANTS WHEN SIGNED BY PRESIDENT/VICE PRESIDENT.

Business Regulatory: \_\_\_\_\_

Committee Review/Action: \_\_\_\_\_

Sign/Date: \_\_\_\_\_

OCG Final Receipt: \_\_\_\_\_

WHITE—President's Office

BLUE—OCG

YELLOW—Financial Services

PINK—Division





RELINQUISHMENT OF NAVAJO TRIBAL MEMBERSHIP

We, Dave F. Harker, Zuni Tribe and Shirley Douglas, R# [REDACTED] do hereby petition the President of the Navajo Nation that our daughter, Nizhoni Harker, R# [REDACTED]; DOB: [REDACTED], be stricken from the Navajo Census Rolls. Our reason is that We want our daughter to become an enrolled member of the Zuni Indian Tribe.

Subject to the acknowledgment of the Navajo Nation President, We do hereby withdraw and renounce our daughter membership in the Navajo Tribe.

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

Signed at Yahatahey NM this 02 day of Sept, 1998.

Dave F. Harker  
Dave F. Harker  
Shirley D. Douglas  
Shirley Dawes Douglas  
[REDACTED]  
ADDRESS:  
Yahatahey nm 87375

WITNESSES:

Darlene Curley  
NAME [REDACTED]  
ADDRESS Tehatchi nm 87325

Michael Bann  
NAME [REDACTED]  
ADDRESS [REDACTED]  
Zuni, New Mexico

ACKNOWLEDGED:

Korby  
President, The Navajo Nation

10-19-99  
Date Approved

Recorded on page 134 Southern Navajo Indian Census Roll, New Mexico and on Family Application #99-670. Recorded on November 16, 1999.

E. S. Mch. 11-16-99  
Leonard Benally, Vital Statistics Manager  
Navajo Office of Vital Records

cc: Tribal Enrollment Services, Fort Defiance Agency, The Navajo Nation  
P.O. Box 290, Fort Defiance, Arizona 86504

Pueblo of Zuni, P.O. 339, 1203-B State Highway 53, Zuni, New Mexico 87327-0339



November 16, 1999

Shirley Dawes  
[REDACTED]

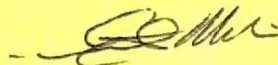
Yahtahey New Mexico 87375

Dear Ms. Dawes:

Enclosed is your child, Nizhoni Harker's finalized Relinquishment of Navajo Nation Membership. Navajo Enrollment Number [REDACTED] has been cancelled and should no longer be used.

If there are any questions, please call our office at 520/871-6386, extension 6406.

Sincerely,



Evelyn Mike  
Vital Statistics Technician

Enclosure (1)

Cc: Tribal Enrollment Office, Fort Defiance Agency, The Navajo Nation, PO Box 290, Fort Defiance, AZ 86515

Pueblo of Zuni, Enrollment Office, PO box 339, 1203-B State Highway 53, Zuni, NM 87327-0339

Files-Relinquishment  
Emike Files

July 21-98

To Whom concerned:

I'm withdrawing my daughter, Nighoni Harker from the Navajo Tribe and enrolling her with the Zuni Tribe.

Her father Dave Harker and I Shirley Douglas have decided its best for our children to be enrolled together. Also for her school which she starts this fall.

Thank you,  
Shirley Douglas





MALCOLM B. BOWEKATY  
Governor

BARTON MARTZA  
Lt. Governor

ELDRED P. BOWEKATY  
Head Councilman

DAVID W. WYACO, SR.  
Councilman

## PUEBLO OF ZUNI

P.O. Box 339  
1203-B State Highway 53  
Zuni, New Mexico 87327-0339  
505-782-4481

ARDEN KUCATE  
Councilman

DAN SIMPLICIO, JR.  
Councilman

VIVIAN M. HATTIE  
Councilwoman

ANTHONY OTTO LUCIO  
Councilman

March 15, 1999

The Navajo Nation  
Fort Defiance Agency  
Tribal Enrollment Services  
P.O. Box 290  
Ft. Defiance, AZ 86504

Dear Enrollment Director:

SUBJECT: MEMBERSHIP ELIGIBILITY OF: HARKER, NIZHONI  
Social Security Number: [REDACTED]  
Date of Birth: [REDACTED]  
Degree of Blood: 1/2 ZUNI; 1/2 NAVAJO  
Mother: SHIRLEY M. DAWES DOUGLAS Father: DAVID FRANCIS HARKER

According to the information provided on the Zuni Tribal Enrollment Application, together with all other evidence concerning the above individual's eligibility for membership, it is without hesitation to inform you that NIZHONI HARKER, is eligible for membership in the Zuni Tribe.

The enrollment/membership determination is according to the established provisions in the Constitution of the Zuni Tribe, Article II, Section 1(b).

However, her Zuni Tribal Enrollment Application will not be processed until acceptance of relinquishment is received from the Navajo Nation to finalize the enrollment of NIZHONI HARKER with the Zuni Tribe.

Sincerely,  
PUEBLO OF ZUNI

A handwritten signature in cursive script, reading "Shirley Leekela".

Shirley Leekela,  
Tribal Census Officer

/sl

Enclosure: [ ] Membership Relinquishment  
[x] ZCIB of Parent

**Troy D. Cook**

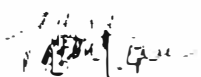
**From:** Nizhoni Jooy <joyynizhoni@gmail.com>  
**Sent:** Wednesday, September 8, 2021 11:52 AM  
**To:** Troy D. Cook  
**Subject:** Reinstatement Letter

**July 31, 2021**

**My name is Nizhoni Harker and I am from Yatahey, New Mexico. I moved back in 2019 and withdrew from the Zuni Tribe on June 19th, 2019. A Relinquishment of Membership was finalized. My father was deceased and i simply did not have no intent of going back to Zuni. I had started the application process to enroll back with the Navajo Nation tribe and retain my census number. All documents were filled out and returned to Vital Records there in Window Rock, Arizona. I was then informed I had to attain a repre ntative in order for my application to be approved for my census. The Vice President of Rock Springs Chapter did acknowledge you, Eugenia for representation. I am not sure how the whole process works and I am willing to do what I can to move forward with this. Being a member of the Navajo Tribe will give me more opportunities to employment and move further with my career as some places do enforce the Navajo Preference Act. I have attached the relinquishment from the Zuni Tribe.**

**Any questions or concerns, please don't hesitate to contact me on my cell**

**Thank you,**



**Nizhoni Harker  
PO Box  
Yatahey, NM 87375**



VAL R. PANTEAH SR.  
Governor  
CARLETON R. BOWEKATY  
Lt. Governor  
VIRGINIA R. CHAVEZ  
Head Councilwoman  
CLYDE YATSATTIE  
Councilman

**ZUNI TRIBE**  
Tribal Census Office  
P.O. Box 339  
1203-B State Highway 53  
Zuni, New Mexico 87327-0339  
[www.ziiohs@zshwz.org](http://www.ziiohs@zshwz.org)  
[fricen@zshwz.org](mailto:fricen@zshwz.org)  
505-782-7071 (T)  
505-782-7208 (M)

ARLEN P. QUETAWKI, SR.  
Councilman  
ERIC BOBELU  
Councilman  
RICKY R. PENKETEWA, SR.  
Councilman  
ARDEN KUCATE  
Councilman

### RELINQUISHMENT OF MEMBERSHIP

The Zuni Tribal Council hereby acknowledges the receipt of a Notice of, Relinquishment of Membership from the Zuni Tribe, for Nizhoni Harker born November 30, 1992, Census Number 100 and has 1/2 degree of Zuni Indian 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.

☒ Relinquishee has full knowledge of the consequences and accordingly, the Zuni Tribal Council hereby accept and recognize this relinquishment of Membership of Nizhoni Harker whom will no longer be considered a member of the Zuni Tribe, effective this 19th day of June, 2019.

☐ Relinquishment denied due to: \_\_\_\_\_

FOR: _____	AGAINST: _____	Lt. Governor Bowekaty: <u>Absent</u>
FOR: _____	AGAINST: _____	Hd. Councilwoman Chavez: <u>Absent</u>
FOR: <u>✓</u>	AGAINST: _____	Councilman Yatsattie: <u>[Signature]</u>
FOR: _____	AGAINST: _____	Councilman Quetawki, Sr.: <u>Absent</u>
FOR: <u>✓</u>	AGAINST: _____	Councilman Bobelu: <u>[Signature]</u>
FOR: <u>✓</u>	AGAINST: _____	Councilman Penketewa, Sr.: <u>[Signature]</u>
FOR: <u>✓</u>	AGAINST: _____	Councilman Kucate: <u>[Signature]</u>

### 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 19 day of June, 2019.

[Signature]  
Val R. Panteah, Sr.  
Governor, Pueblo of Zuni

# NAVAJO NATION

979

Navajo Nation Council 2022 Winter Session

1/26/2022

04:30:58 PM

Amd# to Amd#	11. NEW BUSINESS - Item (K)	PASSED
MOT Yellowhair	Legislation 0195-21: Approving	
SEC Begay, P	the Reinstatement of Nizhoni	
	Harker as a member of the . .	

**Yeas : 23**

**Nays : 0**

**Excused : 0**

**Not Voting : 0**

## **Yea : 23**

Begay, E	Daniels	Slater, C	Tso, E
Begay, K	Freeland, M	Smith	Walker, T
Begay, P	Halona, P	Stewart, W	Wauneka, E
Brown	Henio, J	Tso	Yazzie
Charles-Newton	James, V	Tso, C	Yellowhair
Crotty	Nez, R	Tso, D	

## **Nay : 0**

## **Excused : 0**

## **Not Voting : 0**

**Presiding Speaker: Damon**