

LEGISLATIVE SUMMARY SHEET

Tracking No. 0031-21

DATE: March 1, 2021

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

PURPOSE: To approve the reinstatement of Louise Rae Pavinyama 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:

Website Posting Time/Date: 03-02-2021 3:20 pm

Posting End Date: 03-07-2021

Eligible for Action: 03-08-2021

Health Education & Human Services Committee

Thence

Naabik'iyáti' Committee

Thence

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY



(Prime Sponsor)

OTTO TSO

TRACKING NO. 0031-21

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES,
NAABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL; APPROVING THE
REINSTATEMENT OF LOUISE RAE PAVINYAMA 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).

1 **SECTION TWO. FINDINGS**

- 2 A. The Navajo Nation Office of Vital Records confirmed Louise Rae Pavinyama (Ms.
3 Pavinyama) was enrolled with the Navajo Nation on July 14, 1971, with blood quantum
4 one-half Navajo and one-half Hopi. *See* Memorandum dated February 26, 2021
5 authored by Ronald D. Duncan, Program Manager I, Navajo Nation of Vital Records
6 as **Exhibit A**.
- 7 B. The Hopi Tribe furnished the Navajo Nation a letter verifying Louise Rae Pavinyama
8 was eligible to enroll in the Hopi Tribe. *See* Letter dated October 28, 2003 authored
9 by Mary L. Polacca, Director of the Hopi Tribal Enrollment Office as **Exhibit B**.
- 10 C. The Navajo Nation Office of Vital Records confirmed Louise Rae Pavinyama
11 requested relinquishment of her Navajo membership on November 3, 2003. *See* Letter
12 Requesting Relinquishment as **Exhibit C**.
- 13 D. The Navajo Nation Office of Vital Records confirmed Louise Rae Pavinyama
14 completed a Section 164 Review Process. *See* Section 164 Review Process # 17275 as
15 **Exhibit D**.
- 16 E. The Navajo Nation Office of Vital Records confirmed Louise Rae Pavinyama
17 relinquished her Navajo membership on February 13, 2004 for the purpose of enrolling
18 in the Hopi tribe. *See* Membership Relinquishment form endorsed by Navajo Nation
19 President Joe Shirley as **Exhibit E**.
- 20 F. The Navajo Nation Office of Vital Records has further confirmed Louise Rae
21 Pavinyama is one-half (1/2) Navajo blood and eligible to enroll as a member of the
22 Navajo Nation. 1 N.N.C. § 701 (B).
- 23 G. The Hopi Tribe has confirmed Louise Rae Pavinyama formally relinquished her Hopi
24 Tribal Membership on March, 5, 2020, for the purpose of applying for a home-site
25 lease and land. *See* Notarized Hopi Tribe Relinquishment Statement and Notice of
26 Relinquishment as **Exhibit F**.
- 27 H. The Hopi Tribe has confirmed Louise Rae Pavinyama was provided a formal Notice of
28 Relinquishment herein as **Exhibit G**.
- 29
30

1 I. Louise Rae Pavinyama has formally requested reinstatement as a Navajo Nation tribal
2 member. *See* letter authored by Louise Rae Pavinyama dated December 9, 2020 as
3 **Exhibit H.**
4

5 **SECTION THREE. REENROLLMENT**

6 Louise Rae Pavinyama is and shall be reinstated, or otherwise reenrolled, as a member of
7 the Navajo Nation. By this action of the Navajo Nation Council and pursuant to the laws
8 of the Navajo Nation, she shall be entitled to all rights, benefits and privileges associated
9 with membership with the Navajo Nation.
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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: February 26, 2021

RE: Reinstatement of LR Pavinyama

This memorandum is to verify the enrollment and subsequent relinquishment of Louise Rae Pavinyama, date of birth June 28, 1971.

Ms. Pavinyama enrolled with the Navajo Nation on July 14, 1971 with enrollment number Her blood quantum is one-half Navajo and one-half Hopi. Ms. Pavinayama petitioned for relinquishment from the Navajo Nation through the Section 164 Review Process, #17275, with the intent to enroll with the Hopi tribe.

Relinquishment occurred on February 13, 2004 upon the signature of Joe Shirley, President. Relevant documents from that time are attached for reference in her current request for reinstatement to the Navajo Nation.

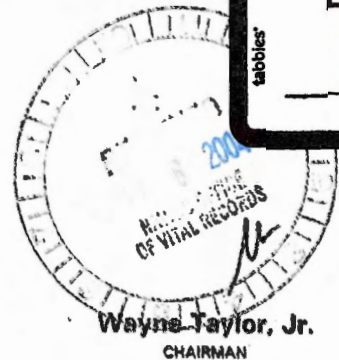
Pursuant to Title 1, § 703, no person may enroll as a member of the Navajo Nation who is on the roll of another Indian tribe. In this instance, Ms. Pavinyama would need to demonstrate that she has relinquished from the Hopi tribe. Should she be reinstated to the Navajo Nation, Ms. Pavinyama original enrollment number would be restored to her.

Please call our office at (928) 871-6883 if you have any questions about this matter.

Attachments

c: RQuintana, SOS, NOVRI
File

THE HOPI TRIBE



EXHIBIT

B

October 28, 2003

Caleb H. Johnson
VICE-CHAIRMAN

TO: The Navajo Nation
Western Navajo Agency

ATTENTION: Enrollment Officer

This is a letter of support for named individuals who are presently enrolled with the Navajo Nation, however, are seeking relinquishment from your respective Tribe to enroll with the Hopi Tribe.

Name	Date of Birth	Parents Names
1. Louise Pavinyama C#:		Lewis Ray Pavinyama - 4/4 Hopi Sally Dale - 4/4 Navajo

2.
3.
4.

In accordance with the Hopi Tribe's Article II-Membership, all named individuals are eligible for Hopi membership under Section 2(a) of the Article, provided, their Navajo tribal relinquishment is finalized and submitted to our Office to begin the enrollment application processing with the Hopi Tribe.

Your attention in processing the final relinquishment with your Tribe is appreciated.

Sincerely,

Mary L. Polacca, Director
Tribal Enrollment Office

Enc: Article II-Membership
Xc: Office File

To Whom it May Concern (The Navajo Nation),

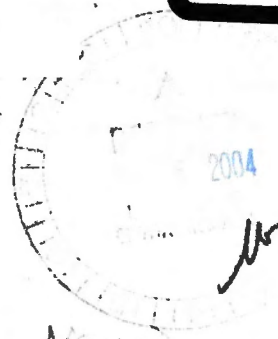
November 3, 2003

EXHIBIT

tabbies

C

Mr. Louise Rae Puringyan R#



I am writing this letter to the Navajo Nation because I would like to change my Tribal Enrollment from the Navajo Tribe to the Hopi Tribe for the following reasons:

1. That I was raised with my Paternal Grandparents since the age of 8 years old.
2. That I am fully involved with the Hopi Culture and Traditions.
3. That I would like to be a member of the Hopi Tribe because Hopi is all I know.

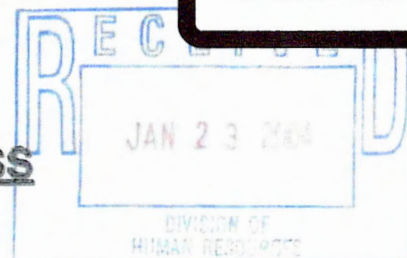
Your Cooperation and Understanding would be greatly appreciated in this Change.

Respectfully,
Louise Rae Puringyan

The Navajo Nation
Window Rock, Arizona 86515

SECTION 164 REVIEW PROCESS

17275



Dept. NAVAJO OFFICE OF VITAL RECORDS Name LEONARD BENALLY Phone No. 863-6386

DOCUMENT: RELINQUISHMENT OF NAVAJO MEMBERSHIP: 1. Louise Rae Pavinyana, RA

2. [REDACTED]

3. [REDACTED]

4. [REDACTED]

REVIEWERS

1. Sponsor/Program	: LBenally: NOVR <i>[Signature]</i>	Date: <u>1/23/04</u>
2. Division	: LOliver: DHR <i>[Signature]</i>	Date: <u>1-23-04</u>
3. Office of Management & Budget	: Navajo Land DEPT: <i>[Signature]</i>	Date: <u>01/28/04</u>
4. Office of the Controller	: Navajo Election Off: <i>[Signature]</i>	Date: <u>1-30-04</u>
5. Office of Attorney General	: <i>[Signature]</i>	Date: <u>02/02/04</u>
6. Office of the President	: <i>[Signature]</i>	Date: <u>2/6/04</u>
7. Legislative Counsel	:	Date: _____
8. Committee Chairperson	:	Date: _____

CONTRACTS/AGREEMENTS/GRANTS: RETURN ENTIRE DOCUMENTS TO O.M.B. FOR ADMINISTRATIVE IMPLEMENTATION.

Business Regulatory Dept., DED: _____ Date: _____

COMMENTS:

RELINQUISHMENT OF NAVAJO TRIBAL MEMBERSHIP

I, Louise Rae Pavinyama, R# _____ DOB: _____, do hereby petition the President of the Navajo Nation that my name be stricken from the Navajo Census Rolls, My reason is that I want to become an enrolled member of the Hopi 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 Tuba City, Arizona this 3rd day of November, 2003

Louise Rae Pavinyama
Louise Rae Pavinyama, R# _____

ADDRESS:
Tuba City, Arizona 86045

WITNESSES:

Damon Kachitwa
NAME

P.O. Box # _____

ADDRESS:
Tuba City, AZ 86045

Y. J. Jansworth
NAME

P.O. Box # _____

ADDRESS:
Tuba City, AZ 86045

ACKNOWLEDGED:

Joe Suway
President, The Navajo Nation

FEB 13 2004

Date Approved

RECORDED on Page 86 Western Navajo Indian Census Roll, Arizona and Family Application 77-1466 also Family Applications 89-847 & 2004-227 on March 04, 2004/

Leonard Benally
Leonard Benally, Program Supervisor I
Navajo Office of Vital Records

cc: The Hopi Tribe, PO Box 123, Kykotsmovi, Arizona 86039
Tribal Enrollment Services, Western Navajo Agency, PO Box 1510, Tuba City, Arizona 86045

THE



HOPI TRIBE

Timothy L. Nuvangyaoma
CHAIRMAN

Clark W. Tenakhongva
VICE-CHAIRMAN

RELINQUISHMENT STATEMENT
(Relinquishment of Membership in the Hopi Tribe)

I, Louise Rae Pavinyama
First Name Middle Name Last Name Maiden Name

an adult member of the Hopi Tribe, have willingly and knowingly decided to relinquish my membership in the Hopi Indian Tribe, in order that I may be enrolled with the Navajo Tribe, with which I am eligible for membership. I am making this relinquishment voluntarily with the understanding that this relinquishment will terminate my tribal rights as a member of the Hopi Tribe and that this may not affect the rights within my village membership. Furthermore, this relinquishment will be effective immediately when received by the Enrollment Office of the Hopi Tribe. I also understand that I must have the approval of the Hopi Tribal Council if I should re-enroll with the Hopi Tribe.

*STATEMENT OF REASONS FOR MY HOPI RELINQUISHMENT: I want to Apply
for a Homeside Lease - Land

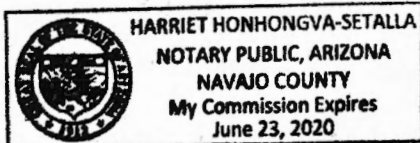
Louise Pavinyama
Signature of Person Relinquishing

March 5, 2020
Date

STATE OF: Arizona

COUNTY OF: Navajo

Subscribed and sworn before me this 05 day of March, 2020.



Harriet Honhongva-Setalla
Signature of Notary Public
My Commission Expires: 06/23/2020

FOR ENROLLMENT OFFICE USE ONLY:
Date relinquishment received: March 05, 2020
Date relinquished: March 05, 2020



Timothy L. Nuvangyaoma
CHAIRMAN

Clark W. Tenakhongva
VICE-CHAIRMAN

EXHIBIT
tabbies
G

NOTICE OF RELINQUISHMENT

DATE: March 5, 2020

Louise Rae Pavinyama
PO Box
Tuba City, AZ 86045

Dear Ms. Pavinyama:

NOTICE IS HEREBY GIVEN that your request to be relinquished as a member of the Hopi Tribe has been received in the Enrollment Office. Therefore, your request has been entered into record and you are hereby relinquished from the tribal enrollment records. You are to return your photo ID card that was issued to you and you are no longer authorized to use your Hopi Enrollment number for any purposes.

Effective Date: ☒ Immediate this date: March 5, 2020 ☐ Specific Date _____

The Hopi Enrollment Ordinance #33, Section 11.1 (A) states "Any adult member who decides to relinquish his or her membership from the Hopi Tribe shall so notify the Hopi Tribal Enrollment Office in writing, stating the reasons for relinquishment. The relinquishment shall be effective as of the date of its receipt by the Enrollment Office, unless the relinquishment itself states otherwise. The Enrollment Office shall provide a copy of the notice of relinquishment to the Hopi Tribal Council and to the member's Village affiliation. Only an adult member of the Hopi Tribe may relinquish his or her membership."

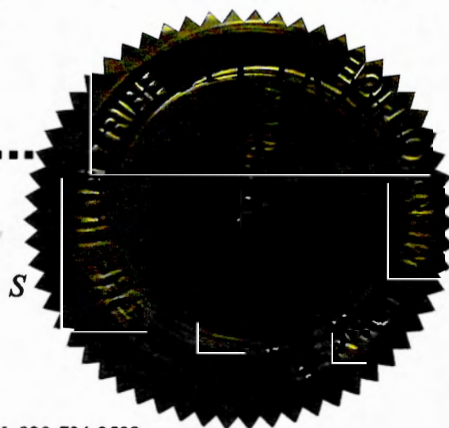
Entered this 5th day of March, 2020.

Muriel Scott
Muriel Scott, Director

Entered into Record:

By [Signature]
Verification Clerk

3/5/2020
Date



December 9, 2020

To: The Navajo Nation

Fr: Louise R. Pavinyama

My Name is Louise R. Pavinyama from Tuba City, Arizona. I was a Member of the Navajo Tribe, switched Enrollment to The Hopi Tribe. My Mother is Sallie Dale from Tuba City. Her enrollment number is : . I would like to Re-enroll back into the Navajo Tribe. I relinquished my Tribal Membership with The Hopi Tribe on March 5, 2020. Due to the Pandemic, I was unable to take care of the process to re-enroll. So, I am writing this letter, to state I would like to become a Member of the Navajo Nation. I would like to apply for a Homesite lease. I hope to hear back from the Navajo Tribe on this matter. If there should be any questions regarding this matter, I may be reached at the following;

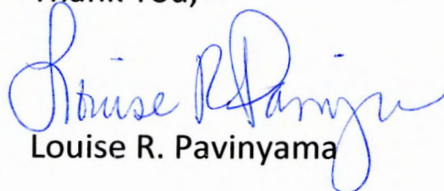
Email; lrpavinyama7@yahoo.com

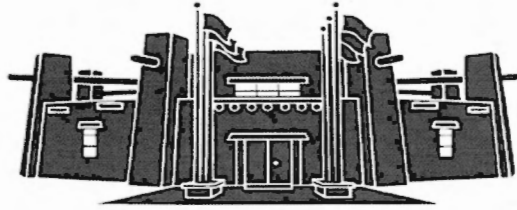
Phone; (928) .

Address; P.O. Box

Tuba City, Az. 86045

Thank You,


Louise R. Pavinyama



MEMORANDUM

TO : Hon. Otto Tso, Delegate
Navajo Nation Council

FROM :

Troy D. Cook, Senior Tribal Court Advocate
Office of Legislative Counsel

DATE : March 1, 2021

RE : **AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN
SERVICES, NAABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL;
APPROVING THE REINSTATEMENT OF LOUISE RAE
PAVINYAMA 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. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want.

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'.

21-033-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0031-21__

SPONSOR: Otto Tso

**TITLE: An Action Relating to Health, Education and Human Services,
Naabik'íyáti' and Navajo Nation Council; Approving the Reinstatement of
Louise Rae Pavinyama as a Member of the Navajo Nation**

Date posted: March 02, 2021 at 3:20PM

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.: 0031-21

SPONSOR: Honorable Otto Tso

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

Posted: March 2, 2021 at 3:20 PM

5 DAY Comment Period Ended: March 7, 2021

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Comments/Recommendations	1.) Rock Kyle



Legislative Tracking Secretary
Office of Legislative Services

MARCH 8, 2021 9:32 AM
Date/Time

Legislation _0031-21__

Rock_Kyle_365 <rockbridgekyle@gmail.com>

Thu 3/4/2021 10:40 AM

To:comments <comments@navajo-nsn.gov>;

Good day,

I feel it is not only unfair but it is not right that Louise Rae Pavinyama re-enroll into the Navajo Nation. I say this without prejudice. I make this statement because her only reason to make the re-enrollment request is to obtain a Homesite lease. Which I, myself a full navajo has yet to receive and if Council is to approve her request then they are setting an example. The example being that any Tribe should they be part navajo relinquish their tribal enrollment and only return to be approved for a homesite lease, for about 5 years maybe less. The newly enrolled navajo may opted out, of the navajo nation again and keep the land as a Hopi or another tribe. It's like giving away our precious Navajo Land so the individual may claim Navajo, only for a short period of time before claiming their real tribe. I do not stand behind my Navajo Nation losing land to another tribe because for a short time that New Member decided to be Navajo for 5 years or less. It is not feasible especially since there is still a HOPI and Navajo Land Dispute.

I urge Council to fully consider this decision as it may do more harm in the long run than good.

WARNING: External email. Please verify sender before opening attachments or clicking on links.