TITLE: An Action Relating To Law And Order, And Health, Education & Human Services Committee, And The NAABIK’IYATI Committee; Supporting United States Senate Bill No. 788 – “Equality Act” Which Will Expand And Clarify The Protections And Remedies Against Discrimination on the Basis Of Sexual Orientation, Gender Identity, And Sex In The Areas Of Employment, Housing, Public Accommodations, Public Education, Federal Funding, And The Jury System

Date posted: July 10, 2019 at 7:08 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0195-19

DATE: July 3, 2019

TITLE OF RESOLUTION: RELATING TO THE LAW AND ORDER, AND HEALTH, EDUCATION & HUMAN SERVICES COMMITTEES, AND THE NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING UNITED STATES SENATE BILL NO. 788 - “EQUALITY ACT” WHICH WILL EXPAND AND CLARIFY THE PROTECTIONS AND REMEDIES AGAINST DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION, GENDER IDENTITY, AND SEX IN THE AREAS OF EMPLOYMENT, HOUSING, PUBLIC ACCOMODATIONS, PUBLIC, PUBLIC EDUCATION, FEDERAL FUNDING, AND THE JURY SYSTEM.

PURPOSE: The purpose of the resolution is to support US Senate Bill S. 788 - “Equality Act” and to authorize the Speaker of Navajo Nation, President of Navajo Nation, and the Navajo Nation Washington office, and their designees, to advocate Navajo Nation’s support.

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.
PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL—FIRST YEAR, 2019

INTRODUCED BY

[Signature]

Primary Sponsor

TRACKING NO. 0195-19

AN ACTION

RELATING TO THE LAW AND ORDER, AND HEALTH, EDUCATION & HUMAN SERVICES COMMITTEES, AND THE NAABIK’IYÁTI’ COMMITTEE; SUPPORTING UNITED STATES SENATE BILL NO. 788 - “EQUALITY ACT” WHICH WILL EXPAND AND CLARIFY THE PROTECTIONS AND REMEDIES AGAINST DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION, GENDER IDENTITY, AND SEX IN THE AREAS OF EMPLOYMENT, HOUSING, PUBLIC ACCOMODATIONS, PUBLIC, PUBLIC EDUCATION, FEDERAL FUNDING, AND THE JURY SYSTEM.

WHEREAS:

Section One. Authority

A. The Navajo Nation established the Law and Order Committee (“LOC”) as a Navajo Nation Council standing committee and as such empowered LOC to review and recommend resolutions relating to public safety within the Navajo Nation. 2 N.N.C. § 600.

B. The Navajo Nation established the Health, Education, and Human Services Committee (“HEHSC”) as a Navajo Nation Council standing committee and as such empowered HEHSC to review and recommend resolutions relating to health within the Navajo Nation 2 N.N.C. § 400(C)(1).
C. The Navajo Nation established the Naabik’iyyyyit’ Committee as a Navajo Nation Council standing committee. 2 N.N.C. § 700 (A) (2012) see also CJA-03-13.

D. The Naabik’iyyyyit’ Committee has the power to coordinate all federal, county and state programs with other standing committees and branches of the Navajo Nation government to provide the most efficient delivery of services to Navajo Nation. 2 N.N.C. § 701(A)(4).


Section Two. Findings

A. Senator Jeff Merkley (D-Oregon) introduced Senate Bill No. 788 “to expand as well as clarify, confirm, and create greater consistency in the protections and remedies against discrimination on the basis of all covered characteristics and to provide guidance and notice to individuals, organizations, corporations, and agencies regarding their obligations under the law.” See Exhibit A.

B. U.S. Senate Bill S. 788 - “Equality Act.” proposes updating the Civil Rights Act of 1964. See Exhibit A.

C. Upon passage, Senate Bill S. 788 will expand and clarify the protections and remedies against discrimination on the basis of sexual orientation, gender identity, and sex in the areas of employment, housing, public accommodations, public education, federal funding, credit, and the jury system.

D. US Senate Bill S. 788 will define and include sex, sexual orientation, and gender identity among the prohibited categories of discrimination or segregation based on actual or perceived membership in the class, or association with members of a protected class. See Exhibit A.

E. Further, Senate Bill S. 788 will modernize the federal definition of “public accommodations” to include places or establishments that provide (1) exhibitions, recreation, exercise, amusement, gatherings, or displays; (2) goods, services, or programs; and (3) transportation services. It will also prohibit an individual from
being denied access to a shared facility such as a restroom, locker room, or dressing room based on the individual’s gender identity. This will extend discrimination protections in the public sphere, thereby providing discrimination-free access and use of social and public spaces to protected classes. See Exhibit A.

F. Since time immemorial, Navajo Two-Spirit LGBTQ people have held a sacred place within Navajo society.

G. The Navajo Nation through the Naabik’íyáti Committee, finds US Senate Bill 788 aligns with the Navajo Nation’s compassion and respect for LGBTQ people, and finds it is in Navajo Nation’s best interest to support US Senate Bill 788 as a step in allowing LGBTQ communities, including our Two-Spirit LGBTQ communities, the freedom from discrimination, protection from injurious practices, and the full pursuit of happiness as citizens.

NOW THEREFORE, BE IT RESOLVED:


B. The Navajo Nation hereby authorizes the Speaker of the Navajo Nation Council, President of the Navajo Nation, the Navajo Nation Washington Office, and their respective designees, to advocate on the behalf of the Navajo Nation to support the passage and enactment of Senate Bill S. 788 - “Equality Act.”