

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0176-19

SPONSOR: Daniel Tso

**TITLE: An Action Relating To Law And Order, NAABIK'YATI' Committee And The Navajo Nation Council; Approving An Act To Amend The Navajo Nation Code, Title 2, Chapter 3, Subchapter 11, Boards And Commissions; Article 6 Navajo Nation Human Rights Commission Sections 921, 922(A)(C), 923 And 924**

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**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0176-19

**DATE:** June 19, 2019

AN ACT RELATING TO LAW AND ORDER, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; APPROVING AN ACT TO AMEND THE NAVAJO NATION CODE, TITLE 2, CHAPTER 3, SUBCHAPTER 11, BOARDS AND COMMISSIONS, ARTICLE 6 NAVAJO NATION HUMAN RIGHTS COMMISSION SECTIONS 921, 922(A)(C), 923, 924

**PURPOSE:** Approving certain amendments to Navajo Nation Code Title 2, Navajo Nation Human Rights Commission.

**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 review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: 2830  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 7.7.19  
Eligible for Action: 7.8.19

Law & Order Committee  
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Naa'bik'iyáti' Committee  
Thence  
Navajo Nation Council

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PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY

*Daniel E. Jr*

Primary Sponsor

TRACKING NO. 0176-19

AN ACT

RELATING TO LAW AND ORDER, NAABIK'ÍYÁTI' COMMITTEE AND THE  
NAVAJO NATION COUNCIL; APPROVING AN ACT TO AMEND THE NAVAJO  
NATION CODE, TITLE 2, CHAPTER 3, SUBCHAPTER 11, BOARDS AND  
COMMISSIONS; ARTICLE 6 NAVAJO NATION HUMAN RIGHTS COMMISSION  
SECTIONS 921, 922(A)(C), 923 AND 924

BE IT ENACTED:

**SECTION ONE. AUTHORITY**

- A. The Law and Order Committee of the Navajo Nation Council, pursuant to 2 N.N.C. 601(B)(14), reviews and makes recommendations to the Navajo Nation Council on proposed amendments to and enactments in the Navajo Nation Code.
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council. Pursuant to 2 N.N.C. § 164(A) (9), the committee reviews proposed legislation which requires final action by the Navajo Nation Council.
- C. The Navajo Nation Council enacts laws and sets policy for the Navajo Nation. 2 N.N.C. § 102.

**SECTION TWO. FINDINGS**

- 1 A. The Navajo Nation Human Rights Commission (Commission) was established within the  
2 Legislative Branch as an entity of the Navajo Nation Government pursuant to 2 N.N.C. §  
3 920.
- 4 B. The Commission is established as a clearinghouse to address discriminatory actions  
5 against citizens of the Navajo Nation; and to interface with the local, state, and federal  
6 governments and with national and international human rights organizations in  
7 accordance with its plan of operation and applicable laws and regulations of the Navajo  
8 Nation. 2 N.N.C. § 921.
- 9 C. The Commission has requested, by Commission Resolution NNHRCMAY-23-19, certain  
10 amendments be made to its enabling legislation. See Exhibit A.
- 11 D. The Navajo Nation Council finds it to be in the best interest of the Diné to approve such  
12 amendments as requested by the Commission pursuant to NNHRCMAY-23-19 and to  
13 make these amendments to Navajo Nation Code, Title 2, Chapter 3, Subchapter 11,  
14 Article 6, §§ 921,922 (A)(C), 923 and 924, at a Regular Session of the Navajo Nation  
15 Council.

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17 **SECTION THREE. AMENDING TITLE 2**

18 The Navajo Nation Council hereby amends the Navajo Nation Code, 2 N.N.C. § 921,922  
19 (A)(C), 923, 924 as follows:

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21 **THE NAVAJO NATION CODE**  
22 **TITLE 2 NAVAJO NATION GOVERNMENT**  
23 **Chapter 3 Legislative Branch**  
24 **Subchapter 11. Boards and Commissions**  
25 **Article 6. Navajo Nation Human Rights Commission**

26 \* \* \* \*

27 **§ 920. Establishment**

28 There is hereby established the Navajo Nation Human Rights Commission  
29 (herein referred to as the Commission) in the Legislative Branch as an entity  
30 of the Navajo Nation Government.

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2 **§ 921. Purpose**

3 The Commission is organized as a Navajo human rights clearinghouse entity to  
4 administratively address and when necessary, litigate discriminatory actions taken  
5 against citizens of the Navajo Nation, and to interface with the local, state, and federal  
6 governments and with national and international human rights organization in accordance  
7 with its plan of operation and applicable laws and regulations of the Navajo Nation.  
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9 **§ 922. Organization; powers; and office**

- 10 A. The Commission shall consist of five commissioners appointed in accordance  
11 with the plan of operation. Qualifications for the commissioners in  
12 accordance with the plan of operation shall include persons with reputable and  
13 established backgrounds in the fields of education, business, law enforcement,  
14 and social services and Navajo traditional culture. A majority of the  
15 commissioners shall be Navajo. The commissioners shall be appointed by the  
16 Speaker of the Navajo Nation Council and confirmed by the  
17 ~~Intergovernmental Relations~~ Naabik'iyáti' Committee.
- 18 B. Commissioners shall receive no additional compensation for their activities in  
19 connection with the Commission, other than reimbursement for required and  
20 authorized expenses incurred in the performance of their duties.
- 21 C. The Commission shall receive reports of discrimination ~~ory~~ and ~~racia~~ acts of  
22 racism perpetrated against citizens of the Navajo Nation enrolled members of  
23 the Navajo Nation. The Commission will compile this data and track  
24 occurrences of these events, ~~and~~ refer documented incidents to the proper  
25 authorities, subject to applicable laws, and offer technical and administrative  
26 support to enrolled members of the Navajo Nation as they seek guidance to  
27 remedy their grievances.
- 28 D. The Commission shall have the authority to approve the rules, policies and  
29 procedures for the Commission and its office, to conduct public hearings, and  
30 to issue subpoenas, in accordance with the laws of the Navajo Nation.

1 Commissioners shall hire and supervise an Executive Director for the  
2 Commission in accordance with the Navajo Personnel Policies Manual.

3 E. The Executive Director shall administer the daily operations of the  
4 Commission through the Office of the Navajo Nation Human Rights  
5 Commission. The executive Director shall be responsible and accountable to  
6 the Commission and shall be authorized to employ necessary personnel in  
7 accordance with the Navajo Nation Personnel Policies Manual and the Navajo  
8 Nation operating budget.

9 F. The Commission shall coordinate with other Navajo Nation offices,  
10 departments, and other governmental entities as necessary to carry out the  
11 Commission's purposes and authorities, subject to applicable laws. This Act  
12 shall not be construed to diminish the operation of the Navajo Nation Business  
13 Opportunity Act, the Navajo Nation Business and Procurement Act, the  
14 Navajo Preference in Employment Act, the Navajo Nation Bill of Rights, or  
15 any other laws of the Navajo Nation.

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17 **§ 923. Legislative Oversight**

18 The Commission shall operate under the legislative oversight of the  
19 ~~Intergovernmental Relations~~ Naabik'iyáti' Committee of the Navajo Nation  
20 Council, pursuant to 2 N.N.C. § 701(A)(5). The Commission shall operate  
21 pursuant to a plan of operation recommended by the Office of the Speaker and  
22 adopted by the Navajo Nation Council.

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24 **§ 924. Amendments**

25 The enabling legislation for the Commission may be amended by the Navajo  
26 Nation Council upon recommendation of the ~~Intergovernmental Relations~~  
27 Naabik'iyáti' Committee of the Navajo Nation Council.

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29 **SECTION FOUR. CODIFICATION**

1           The provisions of the Act which amend or adopt new sections of the Navajo Nation  
2 Code shall be codified by the Office of Legislative Counsel. The Office of Legislative  
3 Counsel shall incorporate such amended provisions in the next codification of the Navajo  
4 Nation Code.

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6 **SECTION FIVE. SAVING CLAUSE**

7           Should any provision of this Act be determined invalid by the Navajo Nation Supreme  
8 Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation  
9 Supreme Court, the remainder of the Act shall remain the law of the Navajo Nation.

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11 **SECTION SIX. EFFECTIVE DATE**

12           The provisions of this Act shall become effective pursuant to 2 N.N.C. §§ 221(B) and  
13 1005 (C)(12).