



25TH NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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HEHSC approves legislation recognizing same-sex marriage on the Navajo Nation

Alamo, N.M. – On July 26, the 25th Navajo Nation Council’s Health, Education, and Human Services Standing Committee approved Legislation 0139-23, which seeks to repeal Title 9 of the Navajo Nation Code and recognize same-sex marriages on the Navajo Nation.

HEHSC Chair Vince James (Jeddito, Cornfields, Ganado, Kinlichee, Steamboat) said the legislation fundamentally addresses spousal rights that are already afforded to male and female unions.

“We need to come to an agreement for our Navajo couples so they can identify their beneficiaries,” Chair James said. “The couples who decide to share their lives together should be able to make these decisions.”

In 2005, the 20th Navajo Nation Council enacted Resolution No. CJN-34-05 which prohibited same-sex marriages in Title 9 of the Navajo Nation Code.

Legislation 0139-23, sponsored by Council Delegate Seth Damon (Baahaali, Chilchiltah, Manuelito, Red Rock, Rock Springs, Tsayatoh), amends provisions within the Navajo Nation Code to conform with this repeal. Although the legislation repeals the prohibition against same-sex marriages in Title 9, the method for a traditional Navajo wedding ceremony involving a man and woman shall remain unchanged.

Chair James said even if the method for a traditional Navajo wedding ceremony remains unchanged, there are issues that can arise.

“Issues can arise where same-sex couples get married at the state level but still return home and conduct same-sex traditional marriages,” he said. “Because there isn’t a traditional wedding ceremony that involves same-sex couples, there is concern about who will enforce upholding traditional marriages as they stand.”

The legislation will now move forward to the Law and Order Standing Committee.

“If there are no amendments, as it stands, this legislation is about marriage and I understand where the legislation is coming from,” Chair James said. “If amendments come in regarding enforcement, punishment and penalties, it will make a difference in how I vote.”

During HEHSC's regular meeting, held in Alamo, N.M., Legislation 0139-23 was approved with a vote of two in favor, one opposed, two excused, and Chair James not voting.

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