

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0197-25\_

SPONSOR: Germaine Simonson

**TITLE: An Action Relating to the Naabik'iyáti' Committee; Opposing States' Decriminalization of the Use of Peyote, Affirming the Navajo Nation's Sovereign Right to Protect Sacred Ceremonial Practices, and Urging Federal Partnership to Ensure Preservation of Peyote for Religious Purposes**

***Date posted:*** August 21, 2025 at 6:25PM

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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0197-25

**DATE:** August 19, 2025

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE NAABIK'IYÁTI' COMMITTEE; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE, AFFIRMING THE NAVAJO NATION'S SOVEREIGN RIGHT TO PROTECT SACRED CEREMONIAL PRACTICES, AND URGING FEDERAL PARTNERSHIP TO ENSURE PRESERVATION OF PEYOTE FOR RELIGIOUS PURPOSES

**PURPOSE:** The purpose of this proposed resolution is to oppose the decriminalization of peyote, and preserve peyote for religious purposes, under the Federal Government.

**FINAL AUTHORITY:** Naabik'íyáti' Committee

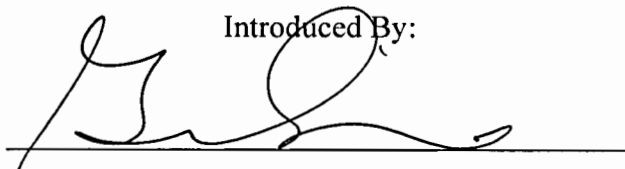
**VOTING REQUIREMENT:** Simple Majority

**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: 8-20  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 08-26-25  
Eligible for Action: 08-27-25

PROPOSED STANDING COMMITTEE RESOLUTION  
25<sup>TH</sup> NAVAJO NATION COUNCIL — Third Year, 2025

Introduced By:



Primary Sponsor

Tracking No. 0197-25

**AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; OPPOSING  
STATES' DECRIMINALIZATION OF THE USE OF PEYOTE, AFFIRMING  
THE NAVAJO NATION'S SOVEREIGN RIGHT TO PROTECT SACRED  
CEREMONIAL PRACTICES, AND URGING FEDERAL PARTNERSHIP TO  
ENSURE PRESERVATION OF PEYOTE FOR RELIGIOUS PURPOSES**

**WHEREAS:**

- A. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council empowered to assist and coordinate all requests for information, appearances, and testimony relating to proposed county, state, and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 700 (A), 701 (A)(6).
- B. The Navajo Nation has a government-to-government relationship with the United States of America. Treaty of 1868, signed June 1, 1868, proclaimed August 12, 1868, 15 Stat. 667. The Navajo Nation is a federally recognized tribe.
- C. The Navajo Nation recognizes that Indigenous peoples have been historically persecuted and prosecuted for their ceremonial use of peyote and have fought legal and political battles at the tribal, state, and federal levels to affirm their religious rights.
- D. The American Indian Religious Freedom Act of 1978 (AIRFA), P.L. 95-341, 92 Stat. 469, and its 1994 Amendments, P.L. 103-344, 108 Stat. 3125, guarantee Native

1 Americans the right to exercise traditional religions, including access to sacred sites and  
2 ceremonial use of sacred objects such as peyote.

3 E. The AIRFA of 1994, codified at 42 U.S.C. § 1996a, P.L. 103-344, explicitly provide  
4 that the use, possession, or transportation of peyote by an Indian for bona fide  
5 traditional ceremonial purposes is lawful and shall not be prohibited by the United  
6 States or any State. Members of the Navajo Nation who are bona fide members of the  
7 Aze'e' Bee Nahagha of Diné Nation (Native American Church of Navajo) consume the  
8 sacred cactus plant, peyote (*Lophophora williamsii*), as part of religious ceremonies  
9 that include prayer, song, and offerings for spiritual healing.

10 F. Peyote contains the naturally occurring hallucinogenic compound mescaline, which  
11 classifies it as a Schedule I controlled substance under federal law. However, its  
12 ceremonial use by Native American Church members is legally protected under the  
13 American Indian Religious Freedom Act Amendments of 1994. Peyote is a slow-  
14 growing cactus that takes approximately 10 or more years to reach maturity, and it is  
15 increasingly threatened by land development and climate change.

16 G. Peyote and mescaline extracted from peyote were decriminalized that would exacerbate  
17 current supply shortages and could deprive Native American Church members of  
18 access to this sacred medicine, violating the intent of AIRFA and undermining religious  
19 sovereignty.

20 H. The Navajo Nation formally recognized and protected the religious use of peyote  
21 within its jurisdiction through Council Resolution CO-65-67 in 1967, incorporated  
22 herein by reference.

23 I. On November 3, 2023, Navajo Nation President Buu Nygren issued a proclamation  
24 opposing the federal decriminalization of peyote and urged collaboration with the  
25 United States and other tribes to conserve and protect the sacred plant.

26 J. The Controlled Substances Act (Comprehensive Drug Abuse Prevention and Control  
27 Act of 1970) maintains peyote as a Schedule I substance but exempts religious use,  
28 further solidifying the narrow legal framework under which peyote may be consumed.  
29  
30

1 K. The Navajo Nation opposes all efforts to decriminalize peyote and mescaline extracted  
2 from peyote, and to oppose the creation of synthetic variants of peyote and their  
3 commercialization, to protect the sacred use of Azee' by Navajo practitioners.  
4

5 **NOW THEREFORE, BE IT RESOLVED:**  
6

7 A. The Navajo Nation hereby affirms its position that it is our sovereign right and sacred  
8 duty to protect, preserve, and conserve Azee' (peyote) by strongly opposing the  
9 decriminalization of peyote and mescaline extracted from peyote by states and the  
10 federal government.

11 B. The Navajo Nation hereby urges all United States local governments, states, and  
12 territories to respectfully adhere to the American Indian Religious Freedom Act of 1978  
13 and its Amendments of 1994, and to avoid policies that increase pressure on peyote  
14 availability or undermine tribal religious rights.

15 C. The Navajo Nation calls on the United States government to partner with the Navajo  
16 Nation and other impacted tribes in addressing the decline in peyote supply. through  
17 conservation policy, sacred site protections, research funding, and inclusion in federal  
18 religious freedom initiatives.

19 D. The Navajo Nation calls on the governments of states which are considering the  
20 decriminalization of peyote and mescaline extracted from peyote to establish  
21 committees featuring input from tribes that utilize peyote for ceremonial or cultural  
22 purpose within the respective states. If no such tribe exists within the state, the Navajo  
23 Nation recommends the state reaches out to tribes outside of the state that utilize peyote  
24 for ceremonial or cultural purposes.

25 E. The Navajo Nation hereby authorizes the President of the Navajo Nation, the Speaker  
26 of the Navajo Nation Council, and their designees to engage with the White House,  
27 U.S. Congress, federal agencies, state governments, and other tribal governments to  
28 affirm the Nation's position, to protect, preserve, and conserve Azee' (peyote) by  
29 strongly opposing the decriminalization of peyote and mescaline extracted from peyote  
30 by states and the federal government.