

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0230-26

SPONSOR: Eugenia Charles-Newton

TITLE: An Action Relating to the Law and Order and Naabik'íyáti' Committees and the Navajo Nation Council; Declining to appoint and approve Joann Jayne as the Navajo Nation Attorney General; Declining to Recognize Joann Jayne as Attorney General in any Acting or Interim Capacity; And Directing Her Immediate Removal from the Office of the Attorney General

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0230-26

DATE: October 6, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; DECLINING TO APPOINT AND APPROVE JOANN JAYNE AS THE NAVAJO NATION ATTORNEY GENERAL; DECLINING TO RECOGNIZE JOANN JAYNE AS ATTORNEY GENERAL IN ANY ACTING OR INTERIM CAPACITY; AND DIRECTING HER IMMEDIATE REMOVAL FROM THE OFFICE OF THE ATTORNEY GENERAL

PURPOSE: This legislation, if approved, would decline to confirm JoAnn Jayne as the Navajo Nation Attorney General and direct her removal.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: 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: Alutah
Website Posting Time/Date: _____
Posting End Date: 10/11/26
Eligible for Action: 10/12/26

Law & Order Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL—Fourth Year, 2026

Introduced By:

Primary Sponsor

Tracking No. 0230-26

AN ACTION

RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI'
COMMITTEES AND THE NAVAJO NATION COUNCIL; DECLINING
TO APPOINT AND APPROVE JOANN JAYNE AS THE NAVAJO
NATION ATTORNEY GENERAL; DECLINING TO RECOGNIZE
JOANN JAYNE AS ATTORNEY GENERAL IN ANY ACTING OR
INTERIM CAPACITY; AND DIRECTING HER IMMEDIATE
REMOVAL FROM THE OFFICE OF THE ATTORNEY GENERAL

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is established as a standing committee of the Navajo Nation Council and serves as the oversight committee for the Navajo Nation Department of Justice, unless otherwise designated by Navajo Nation law. The Committee is authorized to review and make recommendations to the Navajo Nation Council on resolutions requiring Council approval that accomplish or affect the Committee's purposes. 2 N.N.C. §§ 600(A), 601(B)(5)(b), and 601(C)(2).
- B. The Naabik'iyáti' Committee is established as a standing committee of the Navajo Nation Council and is authorized to recommend resolutions to the Navajo Nation Council on matters within its jurisdiction. 2 N.N.C. §§ 700(A) and 701(A)(3).

1 C. The Navajo Nation Council is the governing body of the Navajo Nation. The
2 Attorney General and Deputy Attorney General are appointed by the Council upon
3 the recommendation of the President, their appointments become effective upon
4 Council approval, and they serve at the pleasure of the Council. 2 N.N.C. §§ 102(A)
5 and 1962(B).
6

7 **SECTION TWO. FINDINGS**

- 8 A. The Navajo Nation Code establishes the position of Attorney General and Deputy
9 Attorney General of the Navajo Nation, "and such other positions as may from time
10 to time be budgeted by the Navajo Nation Council or by any other source acceptable
11 to the President of the Navajo Nation." 2 N.N.C. § 1962(A).
12 B. The Attorney General and Deputy Attorney General shall be licensed attorneys. The
13 Attorney General and Deputy Attorney General shall be appointed by the Navajo
14 Nation Council, upon the recommendation of the President, to serve at a negotiated
15 salary. The appointment shall be effective upon the approval of the Navajo Nation
16 Council, for a term concurrent with the term of the President. The Attorney General
17 and Deputy Attorney General shall serve at the pleasure of the Navajo Nation
18 Council. 2 N.N.C. § 1962(B).
19 C. Section 1962(B) assigns the recommendation to the President and the appointment
20 and approval to the Navajo Nation Council. These are distinct steps in the
21 appointment process, and the President's recommendation does not substitute for the
22 Council's appointment and approval. 2 N.N.C. § 1962(B).
23 D. A recommendation by the President initiates the appointment process. Standing
24 alone, it does not satisfy the appointment and approval requirements for the office of
25 Attorney General or Deputy Attorney General. The appointment becomes effective
26 upon approval by the Navajo Nation Council. 2 N.N.C. § 1962(B).
27 E. Because the appointing and approving authorities belong to the Navajo Nation
28 Council, the Council is not bound to appoint nor approve any candidate
29 recommended by the President. The Council retains the full and independent
30

1 discretion to appoint and approve, or to decline to appoint and approve, a
2 recommended candidate.

3 F. Section 1962(A) establishes the positions of Attorney General and Deputy Attorney
4 General and permits other positions budgeted by the Navajo Nation Council or
5 another source acceptable to the President. That provision does not expressly
6 authorize the President to dispense with the Council's appointment and approval of
7 the Attorney General or Deputy Attorney General required by 2 N.N.C. § 1962(B).

8 G. The Navajo Nation Council determines that an acting or interim designation does not
9 substitute for the Council's appointment and approval under 2 N.N.C. § 1962(B).
10 Through this Action, the Council declines to appoint and approve JoAnn Jayne as
11 Attorney General and declines to recognize her service in that office in a permanent,
12 acting, or interim capacity.

13 H. Section 1962(C) provides for the Deputy Attorney General to exercise the Attorney
14 General's authority following the Attorney General's death, disability, or removal
15 until the Council approves a new Attorney General. Read with 2 N.N.C. § 1962(B),
16 this succession provision applies to an individual appointed and approved by the
17 Council as Deputy Attorney General; it does not independently appoint an individual
18 to either office. 2 N.N.C. § 1962(B) and (C).

19 I. On December 9, 2025, President Buu Nygren recommended JoAnn Jayne to serve
20 as Deputy Attorney General of the Navajo Nation and thereafter held her out as
21 "Acting" Deputy Attorney General.

22 J. Under 2 N.N.C. § 1962(B), the Attorney General and Deputy Attorney General are
23 appointed by the Navajo Nation Council upon the recommendation of the President,
24 and *the appointment becomes effective upon approval of the Navajo Nation Council*.
25 The President's recommendation of Ms. Jayne therefore did not, in itself, appoint or
26 approve her as Deputy Attorney General or confer upon her the authority of that
27 office.

28 K. No legislation seeking the appointment and approval of Ms. Jayne as Deputy
29 Attorney General was introduced before the Navajo Nation Council, and the Council
30 did not appoint or approve her to that office.

- 1 L. Following the December 9, 2025 recommendation, Ms. Jayne served under the title
2 of “Acting” Deputy Attorney General without having been appointed or approved by
3 the Navajo Nation Council. Navajo Nation Department of Justice reports identified
4 Ms. Jayne as Acting Deputy Attorney General during that period.
- 5 M. On August 27, 2026, Legislation No. 0196-26 was certified as Resolution No. CAU-
6 49-26. Through Resolution No. CAU-49-26, the Navajo Nation Council declined to
7 appoint and approve Ms. Jayne as Deputy Attorney General; declined to recognize
8 her as Deputy Attorney General or “Acting” Deputy Attorney General in any acting
9 or interim capacity; determined that she could not succeed to or act in place of the
10 Attorney General pursuant to 2 N.N.C. § 1962(C); and directed her removal from the
11 Office of the Deputy Attorney General.
- 12 N. Resolution No. CAU-49-26 further provides that nothing therein prevents the
13 President from recommending another qualified candidate for Deputy Attorney
14 General and directs the President to recommend a qualified candidate within thirty
15 (30) days after the Resolution becomes effective.
- 16 O. On August 31, 2026, President Buu Nygren announced the recommendation of
17 JoAnn Jayne to serve as Attorney General of the Navajo Nation, the President’s
18 recommendation is attached as **Exhibit A**.
- 19 P. The present recommendation concerns the office of Attorney General, a separate
20 office from the Deputy Attorney General position addressed in Resolution No. CAU-
21 49-26. 2 N.N.C. § 1962(A).
- 22 Q. The President’s recommendation of Ms. Jayne for Attorney General remains subject
23 to the appointment and approval requirements of 2 N.N.C. § 1962(B). The
24 recommendation, standing alone, does not satisfy those requirements, and the
25 appointment becomes effective upon approval by the Navajo Nation Council.
- 26 R. The lawful appointment of the Attorney General is necessary to avoid uncertainty
27 concerning the authority of the individual exercising the powers of that office and
28 acting on behalf of the Navajo Nation in legal matters. This Action addresses the
29 President’s recommendation of Ms. Jayne through the Council’s appointment and
30 approval authority under 2 N.N.C. § 1962(B).

1 S. On _____, 2026, the Navajo Nation Council considered Legislation No.
2 _____-26 for the appointment and approval of Ms. Jayne as Attorney General. The
3 legislation failed by a vote of _____ in favor and _____ opposed, with _____ excused
4 and _____ not voting. The Navajo Nation Council therefore declines to appoint and
5 approve Ms. Jayne as Attorney General.

6 T. The Navajo Nation Council has not appointed and approved Ms. Jayne as Attorney
7 General. Through this Action, the Council expressly declines to appoint and approve
8 her under the President's recommendation and directs the actions necessary to
9 implement that decision. 2 N.N.C. § 1962(B).

10
11 **SECTION THREE. ACTION OF THE NAVAJO NATION COUNCIL UPON THE**
12 **PRESIDENT'S RECOMMENDATION**

13 A. Exercising the appointment and approval authority vested in the Navajo Nation
14 Council alone by 2 N.N.C. § 1962(B), the Navajo Nation Council hereby declines to
15 appoint and approve JoAnn Jayne as the Attorney General of the Navajo Nation.

16 B. The Navajo Nation Council does not recognize, approve, or consent to JoAnn Jayne
17 serving as Attorney General or "Acting" Attorney General. JoAnn Jayne is not
18 appointed Attorney General of the Navajo Nation and shall not assume, occupy, or
19 serve in that office in any capacity, whether permanent, acting, or interim.

20 C. Ms. Jayne shall not succeed in or act in place of the Attorney General pursuant to 2
21 N.N.C. § 1962(C). Resolution No. CAU-49-26 declines to appoint and approve Ms.
22 Jayne as Deputy Attorney General, and she therefore does not hold the office through
23 which succession under 2 N.N.C. § 1962(C) may occur.

24 D. The office of Attorney General shall remain vacant until the Navajo Nation Council
25 appoints and approves an individual recommended for that office pursuant to 2
26 N.N.C. § 1962(B).

27
28 **SECTION FOUR. REMOVAL FROM OFFICE**

29 A. Ms. Jayne shall immediately cease holding herself out as Attorney General or
30 "Acting" Attorney General, cease exercising the authority or functions of that office,

1 vacate the office, and surrender all Navajo Nation property, credentials, records,
2 files, devices, and other materials held by reason of her purported occupation of that
3 office.

- 4 B. Upon the effective date of this Action, Navajo Nation Government departments,
5 divisions, programs, chapters, and entities shall implement the Council's decision by
6 declining to recognize JoAnn Jayne as Attorney General or "Acting" Attorney
7 General, and shall not rely upon counsel, opinions, directions, or actions
8 subsequently issued by her while purporting to exercise the authority of that office.
- 9 C. If Ms. Jayne refuses to vacate the office after being directed to do so, her continued
10 presence on the premises of the Navajo Nation Department of Justice and Office of
11 the Attorney General shall be without the consent or permission of the Navajo Nation
12 and may be subject to enforcement under 17 N.N.C. § 350(A), if the elements of that
13 offense are met, and other applicable Navajo Nation law.
- 14 D. Nothing in this Action shall be construed to ratify, approve, or validate any act
15 undertaken by Ms. Jayne while purporting to exercise an office for which she did not
16 hold a lawful appointment. This Action does not, however, automatically invalidate
17 any prior action of the Office of the Attorney General, and any challenge to a specific
18 action shall be determined under applicable Navajo Nation law.

19 20 **SECTION FIVE. DIRECTIVES**

- 21 A. The Office of the Speaker shall transmit a certified copy of this Resolution to the
22 President of the Navajo Nation; JoAnn Jayne; the Navajo Nation Department of
23 Justice; the Department of Personnel Management; the Office of the Controller; the
24 Navajo Nation Department of Information Technology; and the Navajo Police
25 Department.
- 26 B. The Navajo Nation Department of Justice and the Department of Personnel
27 Management shall immediately process and complete all personnel actions necessary
28 to terminate Ms. Jayne's employment with the Navajo Nation Department of Justice,
29 including completion of all required separation and clearance procedures and
30

1 cessation of salary and employee benefits in accordance with applicable Navajo
2 Nation law and personnel policies.

- 3 C. Upon the termination described in Subsection (B), the Department of Personnel
4 Management, Office of the Controller, Department of Information Technology, and
5 other appropriate Navajo Nation offices shall take all administrative actions
6 necessary to ensure that Ms. Jayne is no longer carried as an employee of the Navajo
7 Nation Department of Justice and no longer retains employee credentials, system
8 access, or other authority arising from such employment.

9
10 **SECTION SIX. EFFECTIVE DATE**

11 This Action shall become effective upon certification by the Speaker of the Navajo Nation
12 Council pursuant to 2 N.N.C. § 221(A) and (C).