

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0249-26_

SPONSOR: Amber Kanazbah Crotty

TITLE: An Action Relating to the Naabik'iyáti' Committee, and the Navajo Nation Council; Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution No. CJY-43-26

Date posted: October 21, 2026 at 6:14PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0249-26

DATE: October 7, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; OVERRIDING THE NAVAJO NATION PRESIDENT'S VETO OF NAVAJO NATION COUNCIL RESOLUTION NO. CJY-43-26

PURPOSE: This legislation, if approved, would override the Navajo Nation President's veto of CJY-43-26.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: 2/3 Vote of Full Membership of Council

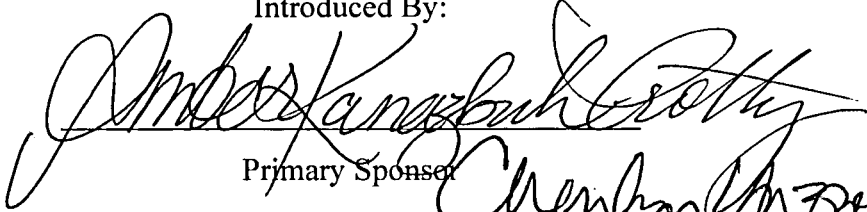
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD:
Website Posting Time/Date:
Posting End Date: 10-26-26
Eligible for Action: 10-27-26

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. 0249-26

AN ACTION
RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE, AND THE
NAVAJO NATION COUNCIL; OVERRIDING THE NAVAJO NATION
PRESIDENT'S VETO OF NAVAJO NATION COUNCIL RESOLUTION
NO. CJY-43-26

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. All proposed resolutions enacting new laws or amending existing law are subject to veto by the President of the Navajo Nation pursuant to 2 N.N.C. § 1005(C)(10) and (11), and may be overridden by the Navajo Nation Council pursuant to 2 N.N.C. § 164(A)(17).
- B. The Navajo Nation President shall have the power to veto legislation passed by the Navajo Nation Council subject to an override of the veto by a two-thirds (2/3) vote of the membership of the Navajo Nation Council. 2 N.N.C. § 1005(C)(11).
- C. A vetoed resolution shall be first submitted to the Naabik'iyáti' Committee before consideration by the Navajo Nation Council. 2 N.N.C. § 164(A)(17).

1 **SECTION TWO. FINDINGS**

- 2 A. Navajo Nation Council Resolution No. CJY-43-26 was duly considered and passed
3 by the 25th Navajo Nation Council by a vote of sixteen (16) in favor and two (2)
4 opposed on July 20, 2026. The title of CJY-43-26 is "AN ACT RELATING TO
5 THE LAW AND ORDER AND THE NAABIK'ÍYÁTI' COMMITTEES, AND
6 THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION
7 ELECTION CODE AT 11 N.N.C. § 241(A) TO REDUCE THE SIGNATURE
8 REQUIREMENTS FOR A RECALL PETITION," and is attached as **Exhibit A**.
- 9 B. Pursuant to 2 N.N.C. § 1005(C)(11), the Navajo Nation President vetoed CJY-43-
10 26 on August 7, 2026, and returned the resolution with a veto message stating,
11 among other reasons, that the twenty-five percent (25%) petition threshold is too
12 low, that the matter should receive broader voter input, that surrounding state
13 standards should not drive Navajo law, and that the Board of Election Supervisors
14 should have been formally consulted. The President's veto message is attached as
15 **Exhibit B**.
- 16 C. Recall is already part of Navajo Nation law. Under 11 N.N.C. § 241(A), elected
17 officials are subject to recall upon the filing of a petition signed by the required
18 percentage of voters who participated in the last election for the office. The current
19 forty-five percent (45%) requirement was established through Resolution No. CN-
20 79-18, which reduced the previous sixty percent (60%) requirement. CJY-43-26
21 lowers the petition threshold to twenty-five percent (25%) and also authorizes
22 verifiable electronic signatures.
- 23 D. The twenty-five percent (25%) threshold in CJY-43-26 governs only whether a
24 recall election may be initiated. Satisfying the petition requirement does not itself
25 remove an elected official from office. Once the signature requirement is met, a
26 special recall election is conducted in accordance with 11 N.N.C. § 244. The
27 electorate therefore retains the final decision whether the official remains in office.
- 28 E. The veto message's example suggesting that twenty-five percent (25%) of voters
29 could act against an official elected with seventy-five percent (75%) support
30 conflates the initiation of a recall election with removal from office. A petition

1 signed by twenty-five percent (25%) of the prior electorate may require that the
2 question be placed before the voters, but the petitioners cannot themselves reverse
3 the prior election. The decision remains with the voters in the recall election.

4 F. The Navajo Nation Council finds that twenty-five percent (25%), representing one
5 of every four voters who participated in the prior election for the office, remains a
6 meaningful threshold. It substantially lowers the current forty-five percent (45%)
7 barrier while still requiring significant constituent support before the Nation must
8 conduct a recall election. This balance advances the purpose of recall as a usable
9 accountability mechanism without making removal automatic or dependent on a
10 small number of individuals.

11 G. CJY-43-26 cites Arizona and New Mexico only as comparative context. Arizona
12 requires recall petition signatures equal to twenty-five percent (25%) of votes cast
13 in the last general election for the office, and New Mexico requires thirty-three and
14 one-third percent (33 1/3%) for certain local elected officials. The Navajo Nation
15 Council does not adopt those standards because the Navajo Nation is subordinate to
16 those states; rather, the comparisons demonstrate that a twenty-five percent (25%)
17 petition threshold is a recognized and workable level for initiating a recall election.
18 The Council independently determines the appropriate Navajo Nation standard
19 pursuant to Navajo law and the Nation's inherent sovereignty.

20 H. The President's veto message confirms that CJY-43-26 proceeded from
21 introduction on June 26, 2026, through the Law and Order Committee, the
22 Naabik'iyáti' Committee, and final action by the Navajo Nation Council on July 20,
23 2026. Although the President believes additional public deliberation should have
24 occurred, the veto message does not identify any provision of Navajo Nation law
25 requiring a referendum, a longer public comment period, or direct voter approval as
26 a condition precedent to the Council's amendment of 11 N.N.C. § 241(A). Policy
27 disagreement with the length of the legislative process does not, by itself, establish
28 that the Council lacked authority to enact CJY-43-26.

29 I. The President also urged formal consultation with the Board of Election
30 Supervisors because the Board oversees election administration, including recalls.

1 The Council recognizes the value of administrative input on implementation.
2 However, the veto message does not identify a provision of Navajo Nation law
3 granting the Board approval authority over amendments to the Navajo Nation
4 Election Code or making Board consultation a condition to the validity of Council
5 legislation. CJY-43-26 changes the legal threshold established by the Council;
6 election officials remain responsible for administering the law as enacted.

7 J. The acceptance of verifiable electronic signatures under CJY-43-26 does not
8 eliminate verification requirements. The amendment expressly requires electronic
9 signatures to be verifiable and therefore preserves the integrity of the petition
10 process while providing an additional method for eligible voters to participate.

11 K. The Navajo Nation Council further finds that Finding G of CJY-43-26 contains a
12 reference to a ten percent (10%) threshold, while the title, the President's veto
13 message, and the operative amendment to 11 N.N.C. § 241(A) in Section Three of
14 CJY-43-26 identify the enacted threshold as twenty-five percent (25%). For
15 purposes of this override, the Council confirms that CJY-43-26 amends 11 N.N.C.
16 § 241(A) to require twenty-five percent (25%) of the registered voters who voted in
17 the last election for the office in question.

18 L. The Navajo Nation Council finds that the reasons stated in the President's veto do
19 not outweigh the public purpose and legislative policy underlying CJY-43-26. The
20 resolution does not remove any official, predetermine any recall election, or
21 diminish the right of Navajo voters to decide who shall hold elected office. Instead,
22 it makes the existing recall process more accessible while preserving a substantial
23 petition requirement, a separate recall election, verifiable signatures, and the
24 electorate's ultimate decision. Overriding the veto therefore strengthens direct
25 accountability to Navajo voters while maintaining electoral stability and respect for
26 the voters' final choice.

1 **SECTION THREE. OVERRIDING VETO**

2 The Navajo Nation Council hereby overrides the Navajo Nation President's veto of
3 Navajo Nation Council Resolution No. CJY-43-26.

4
5 **SECTION FOUR. EFFECTIVE DATE**

6 The override shall become effective upon certification of the Speaker of the Navajo
7 Nation Council, as provided for in 2 N.N.C. §§ 164(A)(17) and 221(A).