

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0201-24_

SPONSOR: Herman Daniels, Jr.

TITLE: An Act Relating to the Law and Order and Naabik'iyáti' Committees and the Navajo Nation Council; Establishing a Referendum for the Diné Voters to Decide Whether to Change the Name of the "Navajo Nation" to "Diné Nation"

Date posted: September 03, 2024 at 5:30PM

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Executive Director
Office of Legislative Services
P.O. Box 3390
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LEGISLATIVE SUMMARY SHEET
Tracking No. 0201-24

DATE: August 30, 2024

TITLE OF RESOLUTION: AN ACT RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; ESTABLISHING A REFERENDUM FOR DINÉ VOTERS TO DECIDE WHETHER TO CHANGE THE NAME OF THE "NAVAJO NATION" TO "DINÉ NATION"

PURPOSE: The purpose of this legislation is to decide through referendum whether to change the name of the "Navajo Nation" to "Diné Nation."

Final Authority: Navajo Nation Council

Vote Required: Simple Majority

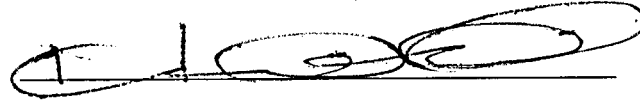
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL/HOLD PERIOD
Website Posting Time/Date
Posting End Date: 09-08-24
Eligible for Action: 09-09-24

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

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION
2 25th NAVAJO NATION COUNCIL – Second Year, 2024

3 INTRODUCED BY

4 

5 (Prime Sponsor)

6 TRACKING NO. 0201-24

7 AN ACT

8 RELATING TO THE LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES
9 AND THE NAVAJO NATION COUNCIL; ESTABLISHING A REFERENDUM FOR
10 DINÉ VOTERS TO DECIDE WHETHER TO CHANGE THE NAME OF THE
11 "NAVAJO NATION" TO "DINÉ NATION"

12 BE IT ENACTED:

13 SECTION ONE. AUTHORITIES

- 14 A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A).
- 15 B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council
16 empowered to review proposed legislation which requires final action by the Navajo
17 Nation Council. 2 N.N.C. §§ 700(A), 164(A)(9).
- 18 C. The Law and Order Committee is a standing committee of the Navajo Nation Council
19 empowered to review and make recommendations to the Navajo Nation Council on
20 proposed amendments to and enactments in the Navajo Nation Code. 2 N.N.C. §§ 600(A),
21 601(B)(14).
- 22 D. The Navajo Nation Council may refer a referendum for public vote. 11 N.N.C. §403(A).

23 SECTION TWO. FINDINGS

- 24 A. Presently, the Navajo Nation government is referred to as the "Navajo Nation." See. 1

1 N.N.C. § 501 and other sections of the Navajo Nation Code, statutes and resolutions.

2 B. The Navajo Nation electorate may, by referendum, change the name of the “Navajo Nation”
3 to “Diné Nation.”

4 C. The Navajo Nation Election Code, 11 N.N.C. § 403(A), states the procedure by which
5 referendum measures are referred for public vote by the Navajo Nation Council:

6
7 **§ 403. Referendum measures referred by the Navajo Nation Council and**
8 **Chapters**

9 A. The Navajo Nation Council shall, by resolution, refer a referendum measure for
10 public vote. The resolution shall place timelines for the election which shall be held at
11 the next regularly scheduled Navajo Nation election (primary, general or Navajo
12 Nation-wide chapter election) if such election is scheduled no sooner than 60 days
13 following the adoption of the resolution OR at a special election to be held no sooner
14 than 60 days and not later than 90 days from the date of the passage of the resolution
15 referring the enactment. The resolution shall provide the language to be placed on the
16 ballot in accordance with 11 N.N.C. §407(A). Where the language is not clear, the
17 Board of Election Supervisors shall, by resolution, amend the language for clarification
18 purposes only, with language provided or recommended by the Office of Legislative
19 Counsel and the Office of the Attorney General. The Board shall also review the
20 measure to ensure that the measure is not exempt pursuant to §401. The Council shall
21 direct that funding be identified and made available to conduct the election.

22
23 D. The Navajo Nation finds it to be in the best interest of Diné voters to decide through
24 referendum whether to change the name of the “Navajo Nation” to “Diné Nation.”

25
26 **SECTION THREE. ESTABLISHING A REFERENDUM FOR DINÉ VOTERS TO**
27 **DECIDE WHETHER TO CHANGE THE NAME OF THE “NAVAJO NATION” TO**
28 **“DINÉ NATION”**

29 A. The Navajo Nation Council hereby establishes a referendum measure for Diné voters to
30 decide whether to change the name of the “Navajo Nation” to “Diné Nation.”

1 B. Subject to the authority of the Navajo Board of Election Supervisors under the Navajo
2 Election Code, including 11 N.N.C. §403(A) and §407, the measure referred herein shall
3 be placed on a special election ballot with the language to read as follows:
4

5 **Official Title:** REFERENDUM ON WHETHER TO CHANGE THE NAME OF THE
6 "NAVAJO NATION" TO "DINÉ NATION."

7 **Descriptive Summary:** Title 1 of the Navajo Nation Code, and other Navajo laws and
8 legal authorities, establishes the term "Navajo Nation." The referendum gives Diné
9 voters the opportunity to decide by majority vote whether to amend Navajo Nation law
10 by changing the name of the "Navajo Nation" to "Diné Nation."

11 **Brief Statement of Legal Effect:**

12 A. "YES" vote will approve the name change from "Navajo Nation" to "Diné Nation."

13 B. "NO" vote will have the legal effect of keeping the name "Navajo Nation."

14 **Referendum Ballot Question:** "Shall Navajo Nation law be amended to approve the
15 name change from 'Navajo Nation' to 'Diné Nation'?"

16 YES _____

17 NO _____
18
19

20 **SECTION FOUR. COMPLETE TEXT OF PROPOSED AMENDMENT FOR THE**
21 **REFERENDUM**

22 The Navajo Nation Council hereby refers the complete text of the proposed legislation
23 for the referendum to amend Title 1 of the Navajo Nation Code as follows:
24

25 _____
26 **Title 1. General Provisions**
27 **Chapter 5. Navajo Diné Nation**
28 **Subchapter 1. Navajo Nation Council**

29 ****

30 **§ 501. Use of term "Navajo Nation"; certification of resolutions; address**

1 A. The President of the ~~Navajo-Diné~~ Nation and all departments, divisions, agencies,
2 enterprises, and entities of the ~~Navajo-Diné~~ Nation shall use the phrase "~~Navajo-Diné~~
3 Nation" in describing the lands and people of the ~~Navajo-Diné~~ Nation.

4 B. All resolutions of the Navajo Nation government shall be certified as being duly
5 enacted at "Window Rock, ~~Navajo-Diné~~ Nation (Arizona)".

6 C. All correspondence, stationery and letterhead, of all divisions, agencies, etc., of the
7 ~~Navajo-Diné~~ Nation shall use the designation "~~Navajo-Diné~~ Nation." For example,
8 ~~Navajo-Diné~~ Nation letterhead should read "The ~~Navajo-Diné~~ Nation, Window Rock,
9 ~~Navajo-Diné~~ Nation (Arizona) 86515," or "Navajo Police Department, Crownpoint,
10 ~~Navajo-Diné~~ Nation (New Mexico) 87313".

11
12 **§ 502. Spelling of "Navajo"**

13 _____ All use of the name "Navajo" shall use the spelling "j", not "h".

14 *****
15 _____

16
17 **SECTION FIVE. NAME CHANGE DIRECTIVES BY THE DINÉ NATION**

18 A. Upon approval of the measure herein referred, the Diné Nation, the "Navajo Nation" and
19 the "Navajo people" shall be referred to as the Diné Nation.

20 B. Upon approval the Diné Nation, the Navajo Nation government shall be referred to as the
21 Diné Nation government.

22 C. Upon approval by the Diné Nation, the following government titles shall be changed:

- 23 1. The Navajo Nation Council shall be renamed Diné Nation Council;
- 24 2. The Speaker of the Navajo Nation Council shall be renamed Speaker of the Diné
25 Nation;
- 26 3. The President of the Navajo Nation shall be renamed President of the Diné
27 Nation;
- 28 4. The Vice-President of the Navajo Nation shall be renamed Vice-President of the
29 Diné Nation
- 30 5. The Navajo Nation Supreme Court shall be renamed Diné Nation Supreme Court.

1 6. The Chief Justice of the Navajo Nation Supreme Court shall be renamed Chief
2 Justice of the Diné Nation Supreme Court.

3 D. Upon approval by the Diné Nation, all Diné Nation standing committees, commissions,
4 boards, branches, divisions, departments, programs, and other government bodies who
5 use the title “Navajo Nation” in their name, shall change their title to “Diné Nation”

6 E. Upon approval by the Diné Nation; all Diné Nation-owned enterprises, corporations,
7 companies, higher educational institutes, and authorities who use the title “Navajo
8 Nation” in their name, shall change their title to “Diné Nation”

9 F. Upon approval by the Diné Nation, all Diné Nation laws, statutes, rules, regulations,
10 policies, forms, letterhead, addresses, and other legal authorities shall use the name Diné
11 Nation.

12 G. Upon approval by the Diné Nation; the Speaker of the Diné Nation Council, President of
13 the Diné Nation, and Chief Justice of the Diné Nation Supreme Court shall submit any
14 necessary federal documentation, petition, motion or other requests to the United States
15 government to change the name of the “Navajo Nation” to the “Diné Nation.”

16 H. Upon approval by the Diné Nation; the Speaker of the Diné Nation Council, President of
17 the Diné Nation, and Chief Justice of the Diné Nation Supreme Court shall submit any
18 necessary documentation, petition, motion or other requests to the States of Union,
19 specifically the State of Arizona, State of New Mexico and State of Utah to change the
20 name of the “Navajo Nation” to the “Diné Nation.”

21 I. Upon approval by the Diné Nation; the Diné Nation directs and requests all people, nations
22 and governments to use the name “Diné Nation” when referring to government of the
23 Navajos, Navajo people, Navajo Tribe, or Navajo Tribe of Indians.

24
25 **SECTION SIX. REVIEW BY NAVAJO BOARD OF ELECTION SUPERVISORS**

26 The Navajo Board of Election Supervisors shall review the proposed referendum
27 measure for purposes of ensuring compliance with provisions of the Navajo Nation Election
28 Code, including 11 N.N.C. §§ 401, 402 and 407.

29
30 **SECTION SEVEN. VOTE REQUIRED FOR REFERENDUM MEASURE**

1 Pursuant to 11 N.N.C. § 406(A), the measure referred to herein shall pass by majority of
2 votes cast in the referendum.

3
4 **SECTION EIGHT. BUDGET RESOLUTION PREPARATION**

5 Upon approval of this resolution by the Navajo Nation Council, proposed budget
6 legislation for conducting the special referendum election shall be prepared for consideration
7 by the Navajo Nation Council.

8
9 **SECTION NINE. CODIFICATION**

10 If the referendum is approved, the approved sections shall be codified by the Office of
11 Legislative Counsel. The name change shall be reflected in all affected sections of the Navajo
12 Nation Code.

13
14 **SECTION TEN. EFFECTIVE DATE**

15 If the referendum is approved, the approved sections shall become effective upon
16 certification of referendum election results by the Navajo Board of Election Supervisors
17 pursuant to 11 N.N.C. § 408(E).

18
19 **SECTION ELEVEN. SAVING CLAUSE**

20 If any portion of this Legislation, or the amendments approved by the referendum
21 established herein, are determined invalid by the Navajo Nation Supreme Court, or by a
22 District Court of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those
23 portions of this Legislation, or the referendum, that are not determined invalid shall remain the
24 law of the Navajo Nation.