

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0149-22

**DATE:** July 14, 2022

**TITLE OF RESOLUTION: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION, AND HUMAN SERVICES, LAW AND ORDER, AND THE NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE**

**PURPOSE:** This resolution, if approved, will be the Navajo Nation's firm position in opposing any state within the United States decriminalizing the use of peyote and urges all states to limit the non-criminal use of peyote for religious, ceremonial, and cultural purposes only, as it is stated in the American Indian Religious Freedom Act Amendments of 1994, 42 U.S.C § 1996a, P.L. 103-344.

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

5-DAY BILL HOLD PERIOD: Johnson  
Website Posting Time/Date: 11:05AM; 08-04-22  
Posting End Date: 08-09-22  
Eligible for Action: 08-10-22

Resources & Development Committee

Thence

Health Education & Human Services Committee

Thence

Law & Order Committee

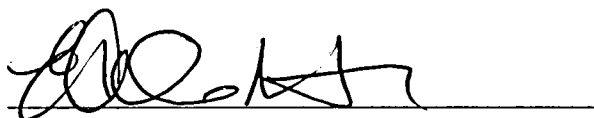
Thence

Naabik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24<sup>th</sup> NAVAJO NATION COUNCIL – Fourth Year, 2022

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0149-22

AN ACTION

**RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION, AND HUMAN SERVICES, LAW AND ORDER, AND THE NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE**

**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 Resources and Development Committee is a standing committee of the Navajo Nation Council empowered to represent the Navajo Nation at local, state, and federal levels, in cooperation and coordination with the President of the Navajo Nation and the appropriate committee of the Navajo Nation Council on proposed resolutions or actions affecting natural resources. . . 2 N.N.C. §§ 500(A), 501(B)(5)
- C. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council empowered to represent the Navajo Nation at local, state and federal levels, in coordination with the President of the Navajo Nation and the Naabik'íyáti' Committee on proposed legislation, funding and other actions affecting environmental health. 2 N.N.C. §§ 400(A), 401(B)(7)(a).

- 1 D. The Law and Order Committee is a standing committee of the Navajo Nation Council  
2 with its purpose to protect the rights and interests of the Navajo People by improving the  
3 quality and effectiveness of the justice system within the Navajo Nation. 2 N.N.C. §  
4 600(C)(2).
- 5 E. The use of peyote for ceremonial and cultural purposes by the Native American Church  
6 members is one of the oldest religious traditions in the Western Hemisphere; a recent  
7 carbon dating of peyote at an archeological site in Texas revealed that the peyote dated  
8 back to 4,220 B.C. (approximately 6,000 years ago). James D. Muneta, *Peyote Crisis*  
9 *Confronting Modern Indigenous Peoples: The Declining Peyote Population and a*  
10 *Demand for Conservation*, Amer. Ind. Law Journal: Vol. 9 : Iss. 1, Article 6., (2020).  
11 <https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=1228&context=ailj>
- 12 F. Tribal members whom are bonafide members of the Native American Church consume  
13 the sacred cactus plant (*lophophora williamsii*) known as peyote which contains the  
14 hallucinogenic drug “*mescaline*” during ceremonies. The hallucinogenic effect of  
15 mescaline is naturally found in the peyote cactuses (*lophophora williamsii*).
- 16 G. In the Southwest United States, including Texas, and Mexico, peyote is drastically  
17 declining due to land development, ranching, agriculture, poaching, psychedelic tourism,  
18 incorrect harvesting, and other factors such as recreational use and climate change.
- 19 H. Peyote is a slow-growing cactus that takes approximately ten or more years to grow from  
20 a seed to a mature plant to be consumed.
- 21 I. The Azeé Bee Nahaghá of Diné Nation, Inc., passed a resolution, attached as **Exhibit A**,  
22 requesting the Navajo Nation to oppose decriminalization of peyote by all states across  
23 the United States. The Azeé Bee Nahaghá of Diné Nation, Inc., further recognized  
24 through their resolution that peyote should only be strictly used by bonafide members of  
25 the Native American Church as it is stated in the American Indian Religious Freedom  
26 Act Amendments of 1994, 42 U.S.C 1996a, P.L. 103-344.
- 27 J. Azeé means medicine in Diné language. Diné Native American Church traditional  
28 practitioners identify Azeé to also mean peyote and is believed to spiritually heal a person  
29 through songs, prayers, and consumption of the Azeé (Peyote).
- 30 K. The Navajo Nation understands that peyote is classified as a Schedule I controlled  
substance under the Federal Controlled Substance Act. However, the Navajo Nation

1 government has allowed the ceremonial, cultural, and religious use of peyote since 1967  
2 within the Navajo Nation through Resolution No. CO-65-67. Resolution No. CO-65-67  
3 is hereby incorporated by reference only.

4 L. The Navajo Nation further understands that federal law, the American Indian Religious  
5 Freedom Act Amendments of 1994, 42 U.S.C. § 1996a, P.L. 103-344 provided  
6 authorization for bonafide members of the Native American Church to legally use peyote  
7 for religious purposes only.

8 M. It is in the best interest of the Navajo Nation to oppose decriminalizing the use of peyote  
9 as it is a cacti that could be excessively harvested and will endanger the plant (peyote)  
10 and will also substantially affect the religious, ceremonial and cultural practices of  
11 Indigenous People across the Western Hemisphere including members of the Navajo  
12 Nation who have a sincere religious belief and a strong connection to the use of peyote  
13 for ceremonial and cultural purposes.

14  
15 **NOW THEREFORE BE IT RESOLVED THAT,**

16 The Navajo Nation firmly opposes any state within the United States decriminalizing the use  
17 of peyote and urges all states to limit the non-criminal use of peyote for religious, ceremonial,  
18 and cultural purposes only, as it is stated in the American Indian Religious Freedom Act  
19 Amendments of 1994, 42 U.S.C § 1996a, P.L. 103-344.



**AZEE' BEE NAHAGHA OF DINE NATION, Inc.**  
P.O. Box 1570 Chinle, Arizona 86503



Willie Tracey Jr., President  
Albert Johnson, Vice President

Victoria Woody, Treasurer  
Reyanna Harvey, Secretary

**RESOLUTION OF THE AZEE' BEE NAHAGHA OF DINE NATION, Inc.**

**Respectfully Approving and Recommending the Navajo Nation Council to Oppose the  
National Peyote Decriminalization**

**WHEREAS:**

1. Azee Bee Nahagha of Dine Nation, Inc. (ABNDN Inc.) is governed by Board of Directors as provided for in its Articles of Incorporation, Constitution and Bylaws; and
2. The Native American Church of Navajoland, Inc. (NACNL Inc.), now known as ABNDN Inc. was established on June 11, 1966 as a non-profit organization, was incorporated within the State of New Mexico on May 15, 1972 and in December 1989, the Advisory Committee of the Navajo Tribal Council granted a Revocable Land Use Permit (Mission Site) for NACNL comprising of ten (10) acres of Navajo Nation Trust land at Chinle, Arizona; and
3. ABNDN, Inc. is vested with the authority to review all matters affecting it's membership while making appropriate delicate decisions as deem necessary and to make recommendation to various agencies while seeking resources; and
4. ABNDN recognizes the Azee (Peyote) plant to be sacred among the Navajo people; and
5. ABNDN recognizes Azee (Peyote) has been consumed by Navajo people for religious, cultural, and ceremonial purposes since time in immemorial; and
6. ABNDN recognizes certain lands in the Southwest part of Texas and in Northern Mexico are cultural places of significant importance where Azee (Peyote) plant grows in its aboriginal habitat; and
7. ABNDN recognizes the number of Azee (Peyote) plants has decreased in recent years, threatening the long-term sustainability of the Azee (Peyote) aboriginal habitats or populations, and depleting the number of Azee (Peyote) that could be available for future generations; and
8. ABNDN recognizes the personal and corporate cultivation of the Azee (Peyote) plant threatens the historical, cultural, and biological integrity of the plant by potentially exposing the population to hybridization, genetic modification, and sterilization, all of which is in violation of Public Law 103-344 American Indian Religious Freedom Act of 1994 (AIRFA of 1994); and
9. ABNDN recognizes the movement to decriminalize Azee (Peyote) use directly threatens the availability of Azee (Peyote) and integrity of the ceremonial use of Azee (Peyote) for Navajo people, including other Indigenous peoples, and would be contrary to the doctrine of

federal preemption, whereby federal law supersedes state law in this area (under Public Law 103-344 AIRFA of 1994).

10. ABNDN recognizes the decriminalization of Azeé (Peyote) consumption beyond the already hundreds of thousands of federally recognized tribes and other Indigenous peoples, including Navajo people, will create a demand and market for Azeé (Peyote) that further threatens the existing aboriginal inhabitants.

**NOW THEREFORE, BE IT RESOLVED THAT:**

1. ABNDN opposes the decriminalization of Azeé (Peyote). Usage should be only "by a federally enrolled tribal citizen who uses Azeé (Peyote) in a bona fide traditional ceremony.

2. ABNDN opposes the extraction and synthesis of mescaline, and any cultivation, tincture, or manufacturing for scientific purposes (research), or for any reasons outside of a traditional bone-fide ceremonial setting and purposes.


3. ABNDN hereby requests to protect and preserve Azeé (Peyote) strictly used for religious, cultural, and ceremonial purposes by the Navajo people, as protected under federal law.

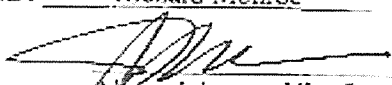
4. ABNDN hereby requests Navajo leadership to protect and preserve the Peyote Way of Life and the lands in which they reside within its natural aboriginal habitat.

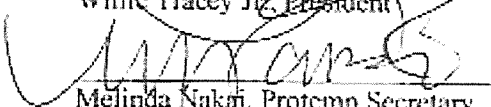
**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by the ABNDN, Inc. Executive Officials and Board of Directors at a duly called meeting at Chinle, Navajo Nation, Arizona, at which a quorum was present and that same was passed by a vote of 11 in favor, 00 opposed and 01 abstained, this 16<sup>th</sup> day of April, 2022.

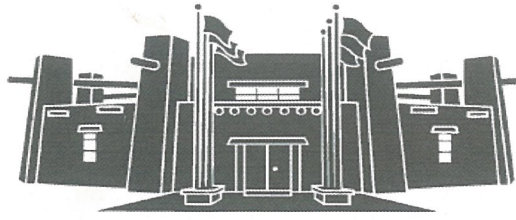
MOTION: Justin Dale SECOND: Richard Monroe

  
Willie Tracey Jr., President

  
Albert Johnson, Vice President

  
Melinda Nakai, Protemp Secretary

  
Victoria Woody, Treasurer



## MEMORANDUM

TO: Chairwoman, Eugenia Charles-Newton, Sponsor  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council

Vice-Chairman Thomas Walker, Jr., Co-Sponsor  
Resources and Development Committee  
24<sup>th</sup> Navajo Nation Council

FROM:   
Chad Abeyta, Attorney  
Office of Legislative Counsel

DATE: July 14, 2022

SUBJECT: **AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION, AND HUMAN SERVICES, LAW AND ORDER, AND THE NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE**

I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§300, 400, 500, 600 and 700. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

Please ensure that this resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. Ahehee!



THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0149-22\_

SPONSOR: Eugenia Charles-Newton

**TITLE: An Action Relating to the Resources and Development, Health, Education, and Human Services, Law and Order, and the Naabik'iyáti' Committees; Opposing States' Decriminalization of the Use of Peyote**

***Date posted:*** August 04, 2022 at 11:05AM

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*



**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0149-22**

**SPONSOR: Honorable Eugenia Charles-Newton**

**TITLE: An Action Relating to the Resources and Development, Health, Education, and Human Services, Law and Order, and the Naabik'íyáti' Committees; Opposing States' Decriminalization of the Use of Peyote**

**Posted: August 04, 2022 at 11:05 PM**

**5 DAY Comment Period Ended: August 09, 2022**

**Digital Comments received:**

<b>Comments Supporting</b>	<ol style="list-style-type: none"> <li>1) <b>Ronald Benally</b></li> <li>2) <b>Earl Morris, Jr.</b></li> <li>3) <b>ABNDN, District 17</b></li> <li>4) <b>David S. Clark</b></li> <li>5) <b>Richard Monroe</b></li> <li>6) <b>Alburt Johnson</b></li> <li>7) <b>Lula Monroe</b></li> <li>8) <b>ABNDN, District 3</b></li> <li>9) <b>ABNDN, District 5</b></li> <li>10) <b>Brooke Clark</b></li> <li>11) <b>Amber Begaye</b></li> <li>12) <b>Carlos Clark</b></li> <li>13) <b>Tamara Talayumptewa</b></li> <li>14) <b>Darlene Clark</b></li> <li>15) <b>Dudley Clark</b></li> <li>16) <b>Geraldyn Clark</b></li> <li>17) <b>Sharon Clark-Begaye</b></li> <li>18) <b>Byron Clark</b></li> <li>19) <b>Austin Wero</b></li> <li>20) <b>Camria Clark-Robinson</b></li> <li>21) <b>Darren Cling</b></li> <li>22) <b>David Cling</b></li> <li>23) <b>Maximus Oliver</b></li> <li>24) <b>Tristen Tsosie</b></li> <li>25) <b>Hershel Walker Clark</b></li> </ol>
<b>Comments Opposing</b>	<i>None</i>

Comments/Recommendations	1) Lorenzo Bedonie
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Legislative Tracking Secretary  
Office of Legislative Services

August 10, 2022; 7:30 AM  
Date/Time

# Peyote Decriminalization

Ronald Benally <redmesa91@gmail.com>

Tue 8/9/2022 3:01 PM

To: comments <comments@navajo-nsn.gov>;

Yaateeh Abini,

My name is Ronald Benally , I'm the Board of Director for 9-A , Tolikan ABNDN Chapter.

I' writing this response in regards to Peyote Decrimination legislation that is currently in place. We the majority of the board are full support to continue with the process to move forward and looking for your full support.

AHEE HEE

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# LEGISLATION NO: 0149-22

Earl Morris JR. <emjr.00@gmail.com>

Tue 8/9/2022 3:02 PM

To:comments <comments@navajo-nsn.gov>;

I am a registered member of the Azeé Bee Nahagha of Diné Nation organization and have been made aware by my local leaders of a recent legislation that proposes the decriminalization of peyote. I offer my disapproval of this legislation and encourage those with the power to oppose as well. I was raised with the peyote ceremony which to my family is a very sacred religion and the partaking of this form of medicine is also sacred to us Native people and is used in a very strict and sacred manner. To decriminalize the usage of peyote would result in unintended consequences that will destroy our way of life. Popularizing the usage of peyote to outside Native communities and allowing recreational usage of peyote would result in mass production efforts and attempts to commercialize this holy sacrament. The government has no business in trying to regulate our faith as Diné people. So again, I strongly oppose and hope it will be reconsidered to honor our religious beliefs and take account the effects these laws would have on Indigenous communities.

Thank You,  
Earl Morris Jr

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**A Supporting Resolution by Azeé Bee Nahaghá of Diné Nation District 17 to the 24th Navajo Nation Council to Oppose the Decriminalization of Peyote (mescaline) at the State, Local Governments, and Territories in the United States (US).**

**WHEREAS:**

1. District 17 Chapters (Ganado, Wide Ruins/Klagetoh, Steamboat, Cornfields, Kinlichee, Greasewood) is a local entity of Azeé Bee Nahaghá of Diné Nation (ABNDN) recognized and certified with authority and responsibility to act in the best interest of its members on matters in pertaining to the protection and preservation of our sacred Azeé (Peyote).
2. The ABNDN, formerly known as the Native American Church of Navajoland (NACNL), have fought numerous legal and political battles at the tribal, state, and federal level to achieve the right to use our sacred Azeé (Peyote) within our Navajo ceremonial and cultural ways.
3. District 17 Chapters (Ganado, Wide Ruins/Klagetoh, Steamboat, Cornfields, Kinlichee, Greasewood) understands Public Law 103-344 (P.L 103-344) American Indian Religion Freedom Amendment Act of 1994 (AIRFA of 1994) provides authorization for Navajo people and other federally recognized tribal members to legally possess, transport, and use peyote strictly for religious, cultural, and ceremonial purposes only.
4. District 17 Chapters (Ganado, Wide Ruins/Klagetoh, Steamboat, Cornfields, Kinlichee, Greasewood) urges all states, local government, and territories in the US to respect and fully support the continued federal protection of our sacred peyote medicine to be strictly used by a federally recognized tribal member as recognized under P.L 103-344 AIRFA of 1994.
5. District 17 Chapters (Ganado, Wide Ruins/Klagetoh, Steamboat, Cornfields, Kinlichee, Greasewood) recognizes the movement to decriminalize peyote (mescaline) by the state, local governments, and territories in the US directly violates P.L 103-344 AIRFA of 1994.
6. District 17 Chapters (Ganado, Wide Ruins/Klagetoh, Steamboat, Cornfields, Kinlichee, Greasewood) believes it is in the best interest for the Navajo Nation to oppose the decriminalization of peyote (mescaline) efforts in the US as it will affect the ceremonial and cultural practices of Indigenous peoples across the Western Hemisphere including members of the Navajo Nation who have a strong connection to the use of peyote for ceremonial and cultural purposes.

**NOW THEREFORE IT BE RESOLVED THAT:**

1. District 17 Chapters (Ganado, Wide Ruins/Klagetoh, Steamboat, Cornfields, Kinlichee,

Greasewood) sstrongly opposes the decriminalization of peyote (mescaline) and urge all states, local governments, and territories in the US to adhere to P.L. 103-344 AIRFA of 1994.

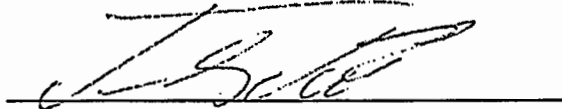
2. District 17 Chapters (Ganado, Wide Ruins/Klagetoh, Steamboat, Cornfields, Kinlichee, Greasewood) strongly opposes the extraction and synthesis of peyote (mescaline), and any cultivation, harvest, extraction, tincture, or other product manufactured or derived therefrom, or for any reasons outside of a traditional bone-fide ceremonial setting and purposes.
3. District 17 Chapters (Ganado, Wide Ruins/Klagetoh, Steamboat, Cornfields, Kinlichee, Greasewood) hereby requests Navajo Nation leadership to protect and preserve the Peyote Way of Life for the Navajo people by adhering to P.L. 103-344 AIRFA of 1994.

#### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered at a duly called meeting in Klagetoh,, Arizona, at which time a quorum was present and that the same was passed by a vote of 22 in favor, and 0 opposed, and 0

abstained, on this 24th day of July 2022.

Motion by: Marilyn Taliman Seconded by: Robert Begay

A handwritten signature in black ink, appearing to read 'T. Foster', is written over a horizontal line.

Trevor S. Foster, ABNDN District 17 BOD



**Azeé Bee Nahaghá of Diné Nation**  
Former President / Founder: David S. Clark

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August 6, 2022

Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

To Whom it May Concern,

The passing of Public Law 103-344 American Indian Religious Freedom Act of 1994 and Title 17, Section 394 of the Navajo Nation Criminal Code Controlled Substance Law protects federally recognized tribal members, including Navajos, to use, possess, and transport peyote for religious, cultural, and ceremonial purposes only. Navajo Nation should be at the forefront in opposing the decriminalization of peyote by standing firmly by the statutory and regulatory laws.

The Navajo Nation, including other Tribal Nations, have fought numerous legal and political battles at the tribal, state, and federal level to achieve the legal right to use our sacred Azeé (Peyote) for ceremonial and cultural purposes. Other Tribal Nations wait for Navajo leadership to move forward in a unifying effort. It takes great courage and leadership to do what is right.

We fought hard to legalize the use of our medicine. I whole heartily support the ABNDN Peyote Task Forces recommended revisions to uphold the statutory laws within the Navajo Nations proposed resolution to oppose the decriminalization of peyote. Please feel free to contact me if you have any questions at (928) . Thank you for your leadership.

Sincerely,

David S. Clark, Former President / Founder of ABNDN





**Azeé Bee Nahaghá of Diné Nation**  
Richard Monroe, District 5 Board of Director

---

August 7, 2022

24<sup>th</sup> Navajo Nation Council  
Post Office Box 3390  
Window Rock, Navajo Nation AZ 86515

Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

To Whom it May Concern,

It is with great pleasure that I am writing in support for the Navajo Nation proposed resolution to oppose the decriminalization of peyote throughout the country. However, additional revised language is needed within the proposed resolution. The recommended revisions will provide much needed support in protecting the ceremonial and cultural use of our sacred Azeé (peyote).

In addition, this resolution, with revisions, will ensure federal protection of our Azeé (peyote) and will be in accordance with Public Law 103-344 American Indian Religious Freedom Amendment Act of 1994, which provides authorization for Navajo people and other federally recognized tribal members to legally possess, transport, and use peyote strictly for religious, cultural, and ceremonial purposes only. I am aware of the decriminalization of peyote efforts in the US. I believe it is in the best interest for the Navajo Nation to oppose the decriminalization of peyote and mescaline efforts in the US. Furthermore, this peyote initiative has created a stronger need for the Navajo Nation to advocate for the enforcement of federal regulations on peyote.

I believe the proposed resolution, with recommended revisions by the ABNDN Peyote Task Force, will further protect the rights for Navajo people to use our Azeé (peyote) in a respectful and meaningful way. I appreciate your continuous leadership during this time. I wish you the best and thank you for your time regarding this important matter for the Navajo people.

Sincerely,

Richard Monroe, ABNDN District 5 Board of Director



**Azeé Bee Nahaghá of Diné Nation:  
Ceremonial Protection Committee**

Richard Monroe, Chairperson  
Al Yazzie, Vice Chairperson

---

August 8, 2022

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

To Whom it May Concern,

The Azeé Bee Nahaghá of Diné (ABNDN) Ceremonial Protection Committee thanks and appreciates the Honorable Delegate Charles-Newton for acknowledging the ABNDN Peyote Task Force revised recommendations to the proposed resolution. However, additional revised language is still needed within the proposed resolution. Therefore, ABNDN Ceremonial Protection Committee respectfully requests the Navajo Council to revise the language within the proposed resolution to be in accordance with the Navajo Nation Title 17 Controlled Substance Code and the American Indian Religious Freedom Act Amendment of 1994.

ABNDN Ceremonial Protection Committee whole heartily supports the 24<sup>th</sup> Navajo Nation Council proposed resolution to oppose the decriminalization of peyote with recommended revisions. We appreciate your leadership as we continue to protect and preserve our Navajo way of life. Please feel free to contact the ABNDN Ceremonial Protection Committee Chairperson, Richard Monroe at (928) [redacted] for any questions or additional information. Ahéhee. Thank you for your time.

Respectfully,

ABNDN Ceremonial Protection Chairperson



**Azeé Bee Nahaghá of Diné Nation:  
Peyote Task Force Committee**

Alburt Johnson, Chairperson  
Emmett Johnson, Treasurer  
Lenora Hataathlie, Secretary

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August 7, 2022

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

To Whom it May Concern,

The Azeé Bee Nahaghá of Diné (ABNDN) Peyote Task Force appreciates the Honorable Delegate Charles-Newton for acknowledging ABNDN Task Forces revised recommendations to the proposed resolution. However, additional revised language is still needed within the proposed resolution. Therefore, ABNDN Peyote Task Force will respectfully work with the Navajo leadership to further strengthen the Navajo Nations position to oppose the decriminalization of peyote in the US.

ABNDN Peyote Task Force whole heartly supports the Navajo Nation proposed resolution to oppose the decriminalization of peyote with recommended revisions. We appreciate your leadership as we continue to protect and preserve our Navajo way of life. Please feel free to contact the ABNDN Peyote Task Force Chairperson, Alburt Johnson at (928) for any questions or additional information. Ahéhee. Thank you for your time.

Respectfully,

Alburt Johnson, ABNDN Peyote Task Force Chairperson



August 7, 2022

24<sup>th</sup> Navajo Nation Council  
Post Office Box 3390  
Window Rock, Navajo Nation AZ 86515

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

To Whom it May Concern,

It is with great pleasure that I am writing in support for the Navajo Nation proposed resolution to oppose the decriminalization of peyote throughout the country. However, additional revised language is needed within the proposed resolution. The recommended revisions will provide much needed support in protecting the ceremonial and cultural use of our sacred Azeé (peyote).

In addition, this resolution, with revisions, will ensure federal protection of our Azeé (peyote) and will be in accordance with Public Law 103-344 American Indian Religious Freedom Amendment Act of 1994, which provides authorization for Navajo people and other federally recognized tribal members to legally possess, transport, and use peyote strictly for religious, cultural, and ceremonial purposes only. I am aware of the decriminalization of peyote efforts in the US. I believe it is in the best interest for the Navajo Nation to oppose the decriminalization of peyote and mescaline efforts in the US. Furthermore, this peyote initiative has created a stronger need for the Navajo Nation to advocate for the enforcement of federal regulations on peyote.

I believe the proposed resolution, with recommended revisions by the ABNDN Peyote Task Force, will further protect the rights for Navajo people to use our Azeé (peyote) in a respectful and meaningful way. I appreciate your continuous leadership during this time. I wish you the best and thank you for your time regarding this important matter for the Navajo people.

Sincerely,

Lula Monroe, District 5 Secretary  
Azeé Bee Nahaghá of Diné Nation

Winslow, AZ 86047  
Email: monroelula56@gmail.com



**A Supporting Resolution by Azeé Bee Nahaghá of Diné Nation District 3 to the 24th Navajo Nation Council to Oppose the Decriminalization of Peyote (mescaline) at the State, Local Governments, and Territories in the United States (US).**

**WHEREAS:**

1. District 3 Chapter (Tuba City, Bodaway Gap, Cameron, and Coalmine) is a local entity of Azeé Bee Nahaghá of Diné Nation (ABNDN) recognized and certified with authority and responsibility to act in the best interest of its members on matters in pertaining to the protection and preservation of our sacred Azeé (Peyote).
2. The ABNDN, formerly known as the Native American Church of Navajoland (NACNL), have fought numerous legal and political battles at the tribal, state, and federal level to achieve the right to use our sacred Azeé (Peyote) within our Navajo ceremonial and cultural ways.
3. District 3 Chapter understands Public Law 103-344 (P.L 103-344) American Indian Religious Freedom Amendment Act of 1994 (AIRFA of 1994) provides authorization for Navajo people and other federally recognized tribal members to legally possess, transport, and use peyote strictly for religious, cultural, and ceremonial purposes only.
4. District 3 Chapter urges all states, local government, and territories in the US to respect and fully support the continued federal protection of our sacred peyote medicine to be strictly used by a federally recognized tribal member as recognized under P.L 103-344 AIRFA of 1994.
5. District 3 Chapter recognizes the movement to decriminalize peyote (mescaline) by the state, local governments, and territories in the US directly violates P.L 103-344 AIRFA of 1994.
6. District 3 Chapter believes it is in the best interest for the Navajo Nation to oppose the decriminalization of peyote (mescaline) efforts in the US as it will affect the ceremonial and cultural practices of Indigenous peoples across the Western Hemisphere including members of the Navajo Nation who have a strong connection to the use of peyote for ceremonial and cultural purposes.

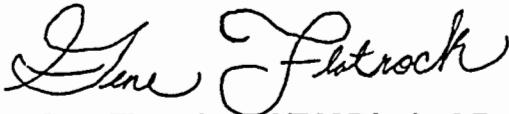
**NOW THEREFORE IT BE RESOLVED THAT:**

1. District 3 Chapter (Tuba City, Bodaway Gap, Cameron, and Coalmine) strongly opposes the decriminalization of peyote (mescaline) and urge all states, local governments, and territories in the US to adhere to P.L. 103-344 AIRFA of 1994.

2. District 3 Chapter strongly opposes the extraction and synthesis of peyote (mescaline), and any cultivation, harvest, extraction, tincture, or other product manufactured or derived therefrom, or for any reasons outside of a traditional bone-fide ceremonial setting and purposes.
3. District 3 Chapter hereby requests Navajo Nation leadership to protect and preserve the Peyote Way of Life for the Navajo people by adhering to P.L. 103-344 AIRFA of 1994.

#### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered at a duly called meeting in Tuba City, Arizona, at which time a quorum was present and that the same was passed by a vote of 29 in favor, and 0 opposed, and 1 abstained, on this 20th day of July 2022.

A handwritten signature in cursive script, reading "Gene Flatrock". The signature is written in dark ink and is positioned above the printed name.

Gene Flatrock, ABNDN District 3 Board of Director



**A Supporting Resolution by Azeé Bee Nahaghá of Diné Nation District 5 to the 24th Navajo Nation Council to Oppose the Decriminalization of Peyote at the State, Local Governments, and Territories in the United States (US).**

**WHEREAS:**

District 5 Chapter (Birdsprings, Leupp, Tolani Lake) is a local entity of Azeé Bee Nahaghá of Diné Nation (ABNDN) recognized and certified with authority and responsibility to act in the best interest of its members on matters in pertaining to the protection and preservation of our sacred Azeé (Peyote).

The ABNDN, formerly known as the Native American Church of Navajoland (NACNL), have fought numerous legal and political battles at the tribal, state, and federal level to achieve the right to use our sacred Azeé (Peyote) within our Navajo ceremonial and cultural ways.

District 5 Chapter understands Public Law 103-344 (P.L 103-344) American Indian Religious Freedom Amendment Act of 1994 (AIRFA of 1994) provides authorization for Navajo people and other federally recognized tribal members to legally possess, transport, and use peyote strictly for religious, cultural, and ceremonial purposes only.

District 5 Chapter urges all states, local government, and territories in the US to respect and fully support the continued federal protection of our sacred peyote medicine to be strictly used by a federally recognized tribal member as recognized under P.L 103-344 AIRFA of 1994.

District 3 Chapter recognizes the movement to decriminalize peyote (mescaline) by the state, local governments, and territories in the US directly violates P.L 103-344 AIRFA of 1994.

District 3 Chapter believes it is in the best interest for the Navajo Nation to oppose the decriminalization of peyote (mescaline) efforts in the US as it will affect the ceremonial and cultural practices of Indigenous peoples across the Western Hemisphere including members of the Navajo Nation who have a strong connection to the use of peyote for



ceremonial and cultural purposes.

**NOW THEREFORE IT BE RESOLVED THAT:**

District 5 Chapters strongly opposes the decriminalization of peyote (mescaline) and urge all states, local governments, and territories in the US to adhere to P.L. 103-344 AIRFA of 1994.

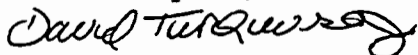
District 5 Chapters strongly opposes the extraction and synthesis of peyote (mescaline), and any cultivation, harvest, extraction, tincture, or other product manufactured or derived therefrom, or for any reasons outside of a traditional bone-fide ceremonial setting and purposes.

District 5 Chapter hereby requests Navajo Nation leadership to protect and preserve the Peyote Way of Life for the Navajo people by adhering to P.L. 103-344 AIRFA of 1994.

**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered at a duly called meeting in Winslow, Arizona, at which time a quorum was present and that the same was passed by a vote of 10 in favor, and 0 opposed, and 1 abstained, on this 5<sup>th</sup> day of August 2022.

David Turquoise, ABNDN District 5 President



**August 8, 2022**

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

**To Whom It May Concern,**

**Our Navajo way of life is our only future in which we must protect. Our tribal leaders fought hard to protect and preserve our sacred peyote medicine in the passing of the American Indian Religious Freedom Act of 1994. With a great sense of gratitude, I ask you to please pass the resolution to oppose the decriminalization of peyote. Much of the Navajo people who want better laws for protecting our Navajo way of life are with you. Thank you.**

**Respectfully,**

**Brooke Clark**

**Brooke Clark, ABNDN Member**

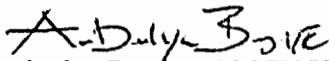
August 7, 2022

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

To Whom it May Concern,

Our Navajo way of life is our only future in which we must protect. Our tribal leaders fought hard to protect and preserve our sacred peyote medicine in the passing of the American Indian Religious Freedom Act of 1994. With a great sense of gratitude, I ask you to please pass the resolution to oppose the decriminalization of peyote. Much of the Navajo people who want better laws for protecting our Navajo way of life are with you. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "Amber Begaye". The signature is stylized with a large, looped "A" and a cursive "B".

Amber Begaye, ABNDN Member

August 7, 2022

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

To Whom It May Concern,

Our Navajo way of life is our only future in which we must protect. Our tribal leaders fought hard to protect and preserve our sacred peyote medicine in the passing of the American Indian Religious Freedom Act of 1994. With a great sense of gratitude, I ask you to please pass the resolution to oppose the decriminalization of peyote. Much of the Navajo people who want better laws for protecting our Navajo way of life are with you. Thank you.

Respectfully,

A handwritten signature in cursive script that reads "Carlos Clark".

Carlos Clark, ABNDN Member

**August 8, 2022**

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

**To Whom it May Concern,**

**Our Navajo way of life is our only future in which we must protect. Our tribal leaders fought hard to protect and preserve our sacred peyote medicine in the passing of the American Indian Religious Freedom Act of 1994. With a great sense of gratitude, I ask you to please pass the resolution to oppose the decriminalization of peyote. Much of the Navajo people who want better laws for protecting our Navajo way of life are with you. Thank you.**

**Respectfully,**



**Tamara Talayumptewa, ABNDN Member**

**August 7, 2022**

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'YÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

**To Whom it May Concern,**

The vote in the 24<sup>th</sup> Navajo Nation Council to pass the decriminalization of peyote resolution is the undeniable wish of the people. Several ABNDN chapters and leaders presented their own supporting documents expressing their wish for the Navajo leadership to oppose the decriminalization of peyote and mescaline in the United States. The resolution will have a tremendous affect in protecting the ceremonial and cultural practices for the Navajo people.

The Navajo Nation cannot go wrong when it acts to protect the Navajo way of life. Please pass the resolution with ABNDN Peyote Task Forces revised recommendations. We must respect the laws we fought hard to pass such as the American Indian Religious Freedom Act of 1994. Thank you for your time. May the Creator continue to bless the Navajo leadership. Ahéhee.

Sincerely,



**Darlene Clark, ABNDN Member**

August 7, 2022

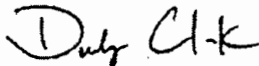
Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

To Whom it May Concern,

The vote in the 24<sup>th</sup> Navajo Nation Council to pass the decriminalization of peyote resolution is the undeniable wish of the people. Several ABNDN chapters and leaders presented their own supporting documents expressing their wish for the Navajo leadership to oppose the decriminalization of peyote and mescaline in the United States. The resolution will have a tremendous affect in protecting the ceremonial and cultural practices for the Navajo people.

The Navajo Nation cannot go wrong when it acts to protect the Navajo way of life. Please pass the resolution with ABNDN Peyote Task Forces revised recommendations. We must respect the laws we fought hard to pass such as the American Indian Religious Freedom Act of 1994. Thank you for your time. May the Creator continue to bless the Navajo leadership. Ahéhee.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dudley Clark". The signature is stylized with a large "D" and a long horizontal stroke.

Dudley Clark, ABNDN Member



**August 7, 2022**

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

**To Whom it May Concern,**

**The vote in the 24<sup>th</sup> Navajo Nation Council to pass the decriminalization of peyote resolution is the undeniable wish of the people. Several ABNDN chapters and leaders presented their own supporting documents expressing their wish for the Navajo leadership to oppose the decriminalization of peyote and mescaline in the United States. The resolution will have a tremendous affect in protecting the ceremonial and cultural practices for the Navajo people.**

**The Navajo Nation cannot go wrong when it acts to protect the Navajo way of life. Please pass the resolution with ABNDN Peyote Task Forces revised recommendations. We must respect the laws we fought hard to pass such as the American Indian Religious Freedom Act of 1994. Thank you for your time. May the Creator continue to bless the Navajo leadership. Ahéhee.**

**Sincerely,**

A handwritten signature in cursive script, appearing to read "Geraldyn Clark".

**Geraldyn Clark, ABNDN Member**

**August 7, 2022**

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

**To Whom it May Concern,**

**The vote in the 24<sup>th</sup> Navajo Nation Council to pass the decriminalization of peyote resolution is the undeniable wish of the people. Several ABNDN chapters and leaders presented their own supporting documents expressing their wish for the Navajo leadership to oppose the decriminalization of peyote and mescaline in the United States. The resolution will have a tremendous affect in protecting the ceremonial and cultural practices for the Navajo people.**

**The Navajo Nation cannot go wrong when it acts to protect the Navajo way of life. Please pass the resolution with ABNDN Peyote Task Forces revised recommendations. We must respect the laws we fought hard to pass such as the American Indian Religious Freedom Act of 1994. Thank you for your time. May the Creator continue to bless the Navajo leadership. Ahéhee.**

**Sincerely,**

*Sharon Clark-Begaye*

**Sharon Clark-Begaye, ABNDN Member**

August 7, 2022

Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

To Whom it May Concern,

Our Navajo way of life is our only future in which we must protect. Our tribal leaders fought hard to protect and preserve our sacred peyote medicine in the passing of the American Indian Religious Freedom Act of 1994. With a great sense of gratitude, I ask you to please pass the resolution to oppose the decriminalization of peyote. Much of the Navajo people who want better laws for protecting our Navajo way of life are with you. Thank you.

Respectfully,

*Byron Clark*

Byron Clark, ABNDN Member

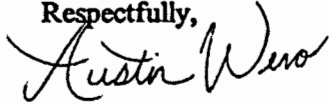
August 6, 2022

Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

To Whom it May Concern,

I am a Navajo youth who encourages you to please pass the proposed resolution to oppose the decriminalization of peyote. I have witnessed many of my Navajo relatives who are concerned about our peyote medicine. I know this resolution will do two things: *1) Help ensure my relatives are able to pray and heal with the use of our sacred peyote medicine; and 2) Will create a healthier relationship in the use of our peyote medicine for our people, especially for our Navajo youth and future generations to come.* Please, I urge you to pass the proposed resolution for the Navajo Nation. Ahéhee'!

Respectfully,

A handwritten signature in black ink that reads "Austin Wero". The signature is written in a cursive, flowing style.

Austin Wero, ABNDN Youth

August 6, 2022

Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

To Whom It May Concern,

I am a Navajo youth who encourages you to please pass the proposed resolution to oppose the decriminalization of peyote. I have witnessed many of my Navajo relatives who are concerned about our peyote medicine. I know this resolution will do two things: *1) Help ensure my relatives are able to pray and heal with the use of our sacred peyote medicine; and 2) Will create a healthier relationship in the use of our peyote medicine for our people, especially for our Navajo youth and future generations to come.* Please, I urge you to pass the proposed resolution for the Navajo Nation. Ahéhee'!

Respectfully,

A handwritten signature in black ink, appearing to read "Cambria Clark-Robinson", with a stylized flourish at the end.

Cambria Clark-Robinson, ABNDN Youth

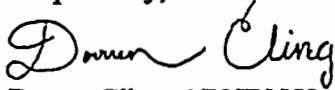
August 6, 2022

**Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**

**To Whom it May Concern,**

I am a Navajo youth who encourages you to please pass the proposed resolution to oppose the decriminalization of peyote. I have witnessed many of my Navajo relatives who are concerned about our peyote medicine. I know this resolution will do two things: *1) Help ensure my relatives are able to pray and heal with the use of our sacred peyote medicine; and 2) Will create a healthier relationship in the use of our peyote medicine for our people, especially for our Navajo youth and future generations to come.* Please, I urge you to pass the proposed resolution for the Navajo Nation. Ahéhee'!

Respectfully,

A handwritten signature in cursive script that reads "Darren Cling". The signature is written in black ink and is positioned above the printed name.

Darren Cling, ABNDN Youth

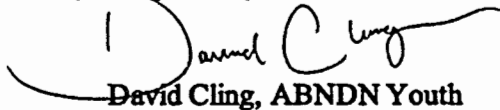
August 6, 2022

Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'YÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

To Whom it May Concern,

I am a Navajo youth who encourages you to please pass the proposed resolution to oppose the decriminalization of peyote. I have witnessed many of my Navajo relatives who are concerned about our peyote medicine. I know this resolution will do two things: *1) Help ensure my relatives are able to pray and heal with the use of our sacred peyote medicine; and 2) Will create a healthier relationship in the use of our peyote medicine for our people, especially for our Navajo youth and future generations to come.* Please, I urge you to pass the proposed resolution for the Navajo Nation. Ahéhee'!

Respectfully,

A handwritten signature in black ink, appearing to read "David Cling". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline that extends to the left.

David Cling, ABNDN Youth



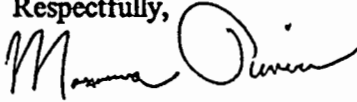
August 6, 2022

Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'YÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

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Respectfully,

A handwritten signature in black ink, appearing to read "Maximus Oliver". The signature is fluid and cursive, with a large, stylized "O" at the end.

Maximus Oliver, ABNDN Youth

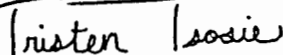
August 6, 2022

Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'YÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

To Whom It May Concern,

I am a Navajo youth who encourages you to please pass the proposed resolution to oppose the decriminalization of peyote. I have witnessed many of my Navajo relatives who are concerned about our peyote medicine. I know this resolution will do two things: *1) Help ensure my relatives are able to pray and heal with the use of our sacred peyote medicine; and 2) Will create a healthier relationship in the use of our peyote medicine for our people, especially for our Navajo youth and future generations to come.* Please, I urge you to pass the proposed resolution for the Navajo Nation. Ahéhee'!

Respectfully,

A handwritten signature in cursive script that reads "Tristen Tsosie". The signature is written in dark ink and is positioned above the printed name.

Tristen Tsosie, ABNDN Youth



**Azeé Bee Nahaghá of Diné Nation**  
Public Health Advisor

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August 8, 2022

Re: Revised Recommendation to Legislation, RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, RESOURCES AND DEVELOPMENT, AND NAABIK'ÍYÁTT' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.

To Whom it May Concern,

It is with great pleasure that I am writing in support for the Navajo Nation resolution to oppose the decriminalization of peyote in the United States. However, additional revised language is still needed within the proposed resolution. Therefore, I respectfully request revisions to the proposed resolution to be in accordance with Title 17, Section 394 of the Navajo Nation Criminal Code Controlled Substance Law, and American Indian Religious Freedom Act Amendment of 1994.

Recommended revisions by the ABNDN Peyote Task Force will further strengthen Navajo Nations position to oppose the decriminalization of peyote efforts in the US. It is in the best interest for the Navajo Nation to establish a strong legal stance by adhering to the federal and tribal regulations that protect our sacred Azeé (peyote) for generations to come.

In closing, I support the Navajo Nation proposed resolution with recommended revisions by the ABNDN Peyote Task Force. I appreciate your continuous efforts to protect our Navajo way of life. If there is anything more that I can do to support this important peyote initiative, please let me know. I wish you the best and thank you for your time regarding this important concern for the Navajo people.

Sincerely,

*Hershel W. Clark*

Hershel Walker Clark, ABNDN Public Health Advisor

# Legislation # 0149-22 Comments

DLBedonie <dlbedonie@gmail.com>

Tue 8/9/2022 6:29 PM

To:comments <comments@navajo-nsn.gov>;

Subjected amendments on page 2 of 3:

Page 2 of 3: line 5 – add “s” to “American”,

Page 2 of 3: Line 6 - delete “church members”.

Line 12 – insert “Many Federally recognized” – before Tribal members.

Line 16 – Insert – part of ..... after the word “southwest”, delete “United States, including”.

Lorenzo Bedonie

ABNDN Board of Director, District 4

WARNING: External email. Please verify sender before opening attachments or clicking on links.

**RESOURCES AND DEVELOPMENT COMMITTEE  
24th NAVAJO NATION COUNCIL**

**FOURTH YEAR 2022**

**COMMITTEE REPORT**

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

**LEGISLATION #0149-22: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION, AND HUMAN SERVICES, LAW AND ORDER, AND THE NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.**     *Sponsor:*  
*Honorable Eugenia Charles-Newton*

Has had it under consideration and reports a **DO PASS** with no amendments.

And thereafter the legislation was referred to Health, Education, & Human Services Committee.

Respectfully submitted,



Mark A. Freeland, *Pro Tem Chairperson*  
Resources and Development Committee of  
the 24th Navajo Nation Council

Date: August 10, 2022 – Regular Meeting (Teleconference)  
Location: Resources and Development Committee also called in via teleconference  
from their location within the boundary of the Navajo Nation.

**Main Motion:**

**M:** Wilson C. Stewart, Jr.                      **S:** Thomas Walker, Jr.                      **V:** 4-0-1 (CNV)  
**In Favor:** Thomas Walker, Jr.; Kee Allen Begay, Jr.; Herman M. Daniels; Wilson C. Stewart, Jr.  
**Opposition:** None  
**Excused:** Rickie Nez, *Chairperson*  
**Not Voting:** Mark A. Freeland, *Pro Tem Chairperson*

(NOTE: VOTE TALLY attached hereto)

**RESOURCES AND DEVELOPMENT COMMITTEE  
24th NAVAJO NATION COUNCIL**

**FOURTH YEAR 2022**


**ROLL CALL  
VOTE TALLY SHEET**

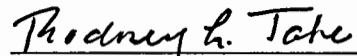
**LEGISLATION #0149-22: AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION, AND HUMAN SERVICES, LAW AND ORDER, AND THE NAABIK'ÍYÁTI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE.      *Sponsor:*  
*Honorable Eugenia Charles-Newton***

Date: August 10, 2022 – Regular Meeting (Teleconference)  
Location: Resources and Development Committee also called in via teleconference from their location within the boundary of the Navajo Nation.

**Main Motion:**

**M:** Wilson C. Stewart, Jr.                      **S:** Thomas Walker, Jr.                      **V:** 4-0-1 (CNV)  
**In Favor:** Thomas Walker, Jr.; Kee Allen Begay, Jr.; Herman M. Daniels; Wilson C. Stewart, Jr.  
**Opposition:** None  
**Excused:** Rickie Nez, *Chairperson*  
**Not Voting:** Mark A. Freeland, *Pro Tem Chairperson*

  
\_\_\_\_\_  
Honorable Mark A. Freeland, *Pro Tem Chairperson*  
Resources and Development Committee

  
\_\_\_\_\_  
Rodney L. Pahe, *Legislative Advisor*  
Office of Legislative Services

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
24<sup>TH</sup> NAVAJO NATION COUNCIL  
FOURTH YEAR 2022**

**COMMITTEE REPORT**

Mr. Speaker,

The **HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE** to whom has been assigned:

**Legislation No. 0149-22:** An Action Relating to the Resources and Development, Health, Education, and Human Services, Law and Order, and the Naabik'iyáti' Committees; Opposing States' Decriminalization of the Use of Peyote

**Sponsor:** *Council Delegate Eugenia Charles Newton*

Has had it under consideration and reports the same with the recommendation that it **DO PASS with no amendment** and is thence referred to the Law and Order Committee.

Respectfully submitted,



---

Carl R. Slater, Vice-Chairperson  
Health, Education and Human Services Committee  
24<sup>th</sup> Navajo Nation Council

Date: August 17, 2022

Main Motion:

Motion: Honorable Pernell Halona

Second: Honorable Edison J. Wauneka

Vote: 5-0-0

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE**  
**Regular Meeting**  
**August 17, 2022**

**Legislation No. 0149-22:** An Action Relating to the Resources and Development, Health, Education, and Human Services, Law and Order, and the Naabik'iyáti' Committees; Opposing States' Decriminalization of the Use of Peyote

**Sponsor:** *Council Delegate Eugenia Charles Newton*

**VOTE TALLY SHEET:**

Main Motion:

Motion: Honorable Pernell Halona

Second: Honorable Edison J. Wauneka

Yea: Paul Begay Jr.; Pernell Halona; Charlaine Tso; Daniel E. Tso; Edison J. Wauneka

Nay:

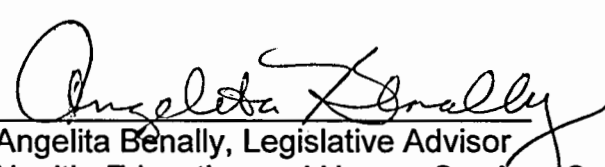
Not Voting: Carl R. Slater (Presiding Vice-Chair)

Excused:

Absent:

Vote: 5-0-0

  
\_\_\_\_\_  
Carl R. Slater, Vice-Chairperson  
Health, Education and Human Services Committee  
24<sup>th</sup> Navajo Nation Council

  
\_\_\_\_\_  
Angelita Benally, Legislative Advisor  
Health, Education and Human Services Committee  
Office of Legislative Services



**LAW AND ORDER COMMITTEE  
24<sup>TH</sup> NAVAJO NATION COUNCIL**

**FOURTH YEAR 2022**

**COMMITTEE REPORT**

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

**Legislation No. 0149-22:** An Action Relating to the Resources and Development, Health, Education and Human Services, Law and Order, and the Naabik'iyati Committees, Opposing States' Decriminalization of the Use of Peyote – *Sponsor: Honorable Eugenia Charles-Newton*

Has had it under consideration and reports a DO PASS with no amendments.

And thereafter the legislation was referred to Naabik'iyati Committee.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'O. Tso', written over a horizontal line.

Otto Tso, Chair Pro Tem  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council

Date: August 22, 2022

Main Motion:

Motion : Honorable Vince James  
Second : Honorable Eugene Tso  
Vote : 4-0-1

**LAW AND ORDER COMMITTEE**

**Regular Meeting**

**August 22, 2022**

**Legislation No. 0149-22:** An Action Relating to the Resources and Development, Health, Education and Human Services, Law and Order, and the Naabik'iyati Committees, Opposing States' Decriminalization of the Use of Peyote – *Sponsor: Honorable Eugenia Charles-Newton*

**VOTE TALLY SHEET:**

**Main Motion:**

Motion: Honorable Vince James

Second: Honorable Eugene Tso

Vote: 4-0-1

Yea: Honorable Eugenia Charles-Newton/Honorable Vince James/Honorable Eugene Tso/  
Honorable Edmund Yazzie

Nay: None

Not Voting: Honorable Otto Tso

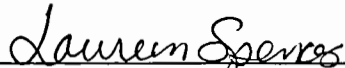
Excused: None

Absent: None



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Otto Tso, Chair Pro Tem  
Law and Order Committee  
24<sup>th</sup> Navajo Nation Council



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Lauren Spencer, Legislative Advisor  
Office of Legislative Services

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0149-22**

**SPONSOR: Honorable Eugenia Charles-Newton**

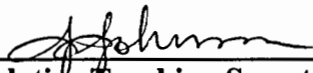
**TITLE: An Action Relating to the Resources and Development, Health, Education, and Human Services, Law and Order, and the Naabik'iyáti' Committees; Opposing States' Decriminalization of the Use of Peyote**

**Posted: August 04, 2022 at 11:05 PM**

**5 DAY Comment Period Ended: August 09, 2022**

**Digital Comments received:**

<b>Comments Supporting</b>	1) Ruby Tallsalt 2) Dr. David J. Tsosie 3) Delbert & Natalie Tsinnijinnie 4) Louise Claw-Nockideneh
<b>Comments Opposing</b>	<i>None</i>
<b>Comments/Recommendations</b>	1) Tracie & Therill Tso 2) Hershel W. Clark

  
 Legislative Tracking Secretary  
 Office of Legislative Services

August 23, 2022; 10:30 AM  
 Date/Time

# Legislation # 0149-22

Ruby Tallsalt <rutallsalt@yahoo.com>

Tue 8/9/2022 9:14 PM

To: comments <comments@navajo-nsn.gov>;

Ya'aat'eeh shinaat'aanii,

## Legislation # 0149-22 Opposing Decriminalization on Peyote

My husband Paul and I, Ruby Tallsalt live in Coppermine, Az. We have been members of Native American Church of Navajoland for quite a long time. As NAC of Navajoland transitioned to Azee Bee Nahagha of Dine' Nation, we too, made the transition as well.

While growing up in the Western part of the Navajo Nation, my parents the late Kee and Alice Tsinnijinnie conducted many ceremonies for our relatives, praying with nihima Azee, peyote to help our ailing relatives to get better, so that they may live long productive lives. They provided prayers and ceremonies at all hours of the night, sometimes for several nights in a row. I have seen and witnessed many healings with the help of nihima azee. The fireplace and nahalahi has been passed onto my brothers, to this day they continue to pray for our relatives.

Our young people are developing confidence with prayers, so that they may continue their education at university levels, trade schools and/or job force. Many times, we prayed with azee for a good life and that has been bestowed upon us. Some have started businesses with prayers, as a result their businesses are thriving.

Relatives that have sought help and healing from the nihima azee are now going out of their way to ensure the medicine is being used as it was meant to be. Our way of praying and singing in ceremonial settings is now being affected by Senate Bills that are surfacing, which would enable any non-native persons to have access to this medicine. If we allow this to continue, we will find ourselves without our healing azee. At this date and time, azee is already scarce and hard to find. It is our duty to protect, preserve and foster our azee, so that our grandchildren, great grandchildren will have azee to turn to when they need guidance, healing and building confidence. If we allow our azee to be available to non-natives, we will not have any left for generations to come.

We implore your approval for this legislation, shinaat'aanii, so that we can continue to use our ceremonial ways without having to worry about one day, losing it to non-native people. Your YES vote would be greatly appreciated. Axe'hee and have a beautiful day.

Ruby Tallsalt

P.O. Box

Tuba City, Az 86045

[rutallsalt@yahoo.com](mailto:rutallsalt@yahoo.com)

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We as indigenous people have historically been subject to encroachment on and abrogation of our way of life since the arrival of the Western Europeans. We have seen this in the land that has been taken from us and ending in our removal to reservations; the forced placement of our children in boarding schools to be part of the acculturation policy; and finally, the attempt to disconnect us from our sacred sites and spiritual practices/ways. I firmly believe the current attempt to decriminalize the use of peyote is a continuous effort of the latter practice upon indigenous people.

I was the President of the Azee Bee Nahahga of Dine Nation (ABNDN) from 2008 to 2012 and during my administration I became aware of the plight of the Navajo people regarding the legalization of peyote on the Navajo reservation over a period of over 25 years. Also, the concerted efforts of the members of Native American Church of Navajoland to affect the passage of the American Indian Religious Freedom Act Amendment of 1994 (P.L. 102-344). The main emphasis of the membership of ABNDN was the legislative support of P.L. 103-344 which was "the use, possession, or transportation of peyote by an Indian for bona fide traditional ceremonial purposes in connection with the practice of a traditional Indian religion is lawful, and shall not be prohibited by the United States or an State."

The main position expressed by the ABNDN members, directly or indirectly, was that the use of peyote should be for federally recognized Indian Tribes to be used in conjunction with bona fide traditional ceremonies originating from the cultures of the Indian people. The movement to decriminalize peyote undermines the legislative mandate of AIRFA of 1995. It also opens an avenue for public excess to the already limited availability of peyote. This is not to mention the likelihood of the pharmaceutical companies having excess to peyote for researching for medicinal purposes. This is a desecration of our sacred spiritual way of life. I plead with the Honorable Navajo Nation Council to support the resolution opposing the States' decriminalization of peyote.

Dr. David J. Tsosie

August 09, 2022

RE: **Legislation 0149-22**

**States Opposing the Decriminalization of the Use of Peyote**

Delbert Tsinnijinnie, Board of Director of ABNDN  
Natalie Tsinnijinnie, Secretary, Coppermine Chapter ABNDN  
Address: PO Box  
Cameron, Arizona 86020  
Email: [ntsinnij@gmail.com](mailto:ntsinnij@gmail.com)

Statement/Position:

As members of the Azeé Be Nahagha Dine' Nation for many years, we have the full support of backing the Opposition of Decriminalization of the Use of Peyote. I, Delbert have been a lifetime user of peyote, and I, Natalie being a user of peyote of nearly 50 years, we both grew up and around the holy sacrament peyote. Our parents raised us in this way of life; therefore, we have a very strong belief in this medicine. Our testimony being how it shaped our lives, and we greatly benefited from providing and establishing a good homestead for our children. To this day, we are happy with our marriage, and as medicine people (Roadman/woman), we continue to share and carry on our traditional values and teachings to others who seek advice and prayers. Whether it be marriage, education, job or health, we stand for our people with peyote as our holy sacrament. We partake the medicine that humble us to be reverent, as we lead a life without abusing alcohol or drugs.

With this said, we do not enjoy other people interrupting our way of life. We have always stood by protecting our medicine, Azeé (peyote). Our prayers with the peyote in our system, we feel the essence of sacredness that heals and protect us every day. Peyote does not compare to any other element in this world that works holistically, as a healing matter. Therefore, we are against the decriminalization of peyote. We want the peyote to remain in its current state, without anyone tempering with it. We are afraid that if peyote is decriminalized, our way of life will tarnish.

Please understand our stance, let us continue to use our medicine as we have for many years. We do not believe in or support anyone who wishes to benefit financially from our powerful healing medicine.

Yours sincerely,

Delbert & Natalie Tsinnijinnie

# Opposing States' Decriminalization of the Use of Peyote-

## LEGISLATION NO: \_0149-22\_\_

LC Nockideneh <lnockideneh@gmail.com>

Tue 8/16/2022 10:11 AM

To: comments <comments@navajo-nsn.gov>;

Ya'at'eeh,

As a member of recognized Organization/Incorporation for many years, I am supporting to continue with the process to move forward with Legislation No.0149-22.

Sacred has been the catalyst thus far...the pursuit of protecting and preserving what is sacred that was passed to us today from yesterday that we need to protect and preserve for those coming tomorrow. It is a task in and of itself that has been well taken and addressed for us by various relatives and officials. Some who are no longer with us today, I think of our spiritual advisors and mentors that have laid out a wonderful way of this peyote way, now it is up to us to safeguard.

I appreciated the continuous leadership during this time. I wish you the best and thank you for your time regarding this important matter for the Navajo People.

Louise Claw-Nockideneh  
ABNDN Tonalea Chapter  
ABNDN District 01

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# 0149-22 legislation number

Tracie Yellowman Tso <traciyellowmantso@gmail.com>

Wed 8/17/2022 8:15 AM

To: comments <comments@navajo-nsn.gov>;

Tracie Tso and Therill Tso  
Diné  
Aneth Chapter

Council Delegate Charlaine Tso

Are in support of Eugenia Charles Newton requested legislation 0149-22 please help us to pass this for protection of our Azéé Peyote.

Thank you for all you do and representing our community.

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# ABNDN Peyote Task Force Recommended Revisions

Hershel Clark <hclark@bhcaih.org>

Wed 8/10/2022 11:11 AM

To: comments <comments@navajo-nsn.gov>;

Cc: Alanthony Johnson <alanthony4456@yahoo.com>; leojohnson185@gmail.com <leojohnson185@gmail.com>; Vjohnson8083@yahoo.com <Vjohnson8083@yahoo.com>; Emmett Johnson <emmettabndn@yahoo.com>; Lenora Hatathlie <lhatathlie@gmail.com>; Monroerichard9@gmail.com <monroerichard9@gmail.com>; Thomas Walker Jr. <thomaswalkerjr@navajo-nsn.gov>; dave.fred23@yahoo.com <dave.fred23@yahoo.com>; Ferlin Clark <ferlinclark@yahoo.com>; Frank.dayish@gmail.com <frank.dayish@gmail.com>; Alfred Yazzie <alfred.yazzie54@gmail.com>; Al Yazzie <al\_yazz@yahoo.com>;

1 attachments (21 KB)

ABNDN Task Force\_ Recommended edits to NNC Decriminalization of Peyote Legislation\_8 9 2022.docx;

Ya'ahtech,

On behalf of the Azeé Bee Nahaghá of Diné Nation Peyote Task Force Committee, I am submitting revised recommendations for NNC resolution titled, *"An Action Relating to the Resources and Development, Health, Education, and Human Services, Law and Order, and the Naabik'iyati' Committees; Opposing States' Decriminalization of the Use of Peyote", Resolution No. 0149-22 (see attachment)*. We appreciate the continuous efforts to protect the use of our sacred peyote medicine for the Navajo people. Ahe'hee! Thank you!

Respectfully,

**Hershel W. Clark, MPH**  
ABNDN Public Health Advisor

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## **ABNDN Peyote Task Force: Opposing Decriminalizing of Peyote Resolution Recommended Revisions**

Task Force Meeting: Sunday August 7, 2022

Revised recommendation by the ABNDN Peyote Task Force Committee.

**Resolution: Tracking No. 0149-22:** RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION, AND HUMAN SERVICES, LAW AND ORDER, AND THE NAABIK'ITYATI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE

### **Amendment 1:**

Page 1 of 3 lines 13 and 14 delete language, ~~OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE~~. Insert language, OPPOSING THE DECRIMINALIZATION USE OF PEYOTE AND Mescaline AT THE STATES, LOCAL GOVERNMENTS, AND TERRITORIES IN THE UNITED STATES OF AMERICA.

Page 2 of 3 lines 5 and 6 delete language, ~~the Native American Church members~~ and insert language Indigenous tribes.

Page 2 of 3, line 5, insert language, The Navajo Nation has a government – to – government relationship with the United States of America, Treaty of 1868, August 12, 1868, 15 Stat. 667.

Page 2, line 12 delete language ~~Tribal members whom are bonafide members of the Native American Church~~ and insert language Federally recognize tribal members and other Indigenous tribes.

Page 2, line 14 insert language after ceremonies, and for cultural purposes.

Page 2, line 16 delete ~~In the Southwest United States, including Texas, and in Mexico.~~ Insert language, In the southwest part of Texas and parts of Mexico.

Page 2, line 18 delete, ~~recreational use.~~

Page 2, line 24 and 25 delete language, ~~by bonafide members of the Native American Church.~~ Insert language used for bona-fide traditional ceremonial purposes in connection with the practice of a traditional Indian religion by a federally recognized tribal member.

Page 2 of 3, line 27 delete language, ~~Dine' Native American Church.~~ Insert language, Diné traditional practitioners.

Page 2 of 3, line 30 insert language, and mescaline, after peyote.

Page 2 of 3, in line 30 delete language, ~~Federal Controlled Substance Act.~~ Insert language, Federal Public Law 91-513 Comprehensive Drug Abuse Prevention and Control Act of 1970.

Page 3 of 3, line 6 delete language, ~~Native American Church~~. Insert language, federally recognized tribal members in the United States.

Page 3 of 3, line 7, delete language ~~religious~~. Insert language ceremonial, religious, and cultural.

**Additional Recommendations to add under WHEREAS section:**

The Navajo Nation understands the American Indian Religious Freedom Act of 1978 provides federal recognition for federally recognized tribal members, including Navajos, as stated, “protects the rights of Native Americans to exercise their traditional religions by ensuring access to sites, use, and possession of sacred objects, and the freedom to worship through ceremonies and traditional rites” (42 U.S.C 1996.).

The Navajo Nation understands Navajo people, including other American Indians, were historically persecuted and prosecuted for their ceremonial use of peyote for more than a century and had to fight numerous legal and political battles at the tribal, state, and federal level to achieve the right to use peyote within their respected traditional ceremonial and cultural practices.

In 1967, the Navajo Nation government legalized peyote by passing Resolution No. CO-65-67, first amendment to the Navajo Bill of Rights, Declaring the Freedom of Religion as a Basic Human Right, which made an exception to the Navajo criminal code to allow Azeé (Peyote) to be used for religious purposes in the Navajo Nation.

Furthermore, in 2005, the Navajo Nation government revised Title 17, Section 394 of the Navajo Nation Criminal Code Controlled Substance Law which states, “the listing of peyote in Subsection A does not apply to the use of Azeé by an enrolled member of an Indian tribe for bona fide ceremonial purposes in connection with Nahaghá. Individuals who use, possess, or transport Azeé for use in Nahaghá are exempt from this prohibition. Azeé is lawful on the Navajo Nation.” This recognized the use of peyote to be strictly used in a bone fide traditional ceremonial purpose or in connection with the practice of a traditional Indian religion by a federally recognized tribal member within the jurisdiction of the Navajo Nation, as in accordance with the American Indian Religious Freedom Act Amendments of 1994, 42 U.S.C 1996a, P.L. 103-344.

Page 3 of 3, lines 16 through 19 delete language, ~~The Navajo Nation firmly opposes any state within the United States decriminalizing the use of peyote and urges all states to limit the non-criminal use of peyote for religious, ceremonial, and cultural purposes only, as it is stated in the American Indian Religious Freedom Act Amendments of 1994, 42 U.S.C 1996a, P.L. 103-344.~~

Page 3 of 3, insert language after line 19, The Navajo Nation hereby affirms its position to protect and preserve our sacred Azeé (peyote) by strongly opposing the decriminalization of peyote and mescaline in the United States of America.

Page 3 of 3, insert language after line 19, The Navajo Nation hereby urges all states, local governments, and territories in the United States to respectfully adhere to American Indian Religious Freedom Act Amendments of 1994, 42 U.S.C 1996a, P.L. 103-344.

**24<sup>th</sup> NAVAJO NATION COUNCIL  
NAABIK'ÍYÁTI' COMMITTEE REPORT  
Fourth Year 2022**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:


**NAVAJO LEGISLATIVE BILL #0149-22**

An Action Relating to the Resources and Development, Health, Education, and Human Services, Law and Order, and the Naabik'íyáti' Committees; Opposing States' Decriminalization of the Use of Peyote

*Sponsored by: Honorable Eugenia Charles-Newton*

Has had it under consideration and reports the same that the legislation **WAS TABLED AND REMAINS WITH THE NAABIK'ÍYÁTI' COMMITTEE.**

Respectfully Submitted,



*Honorable Seth Damon, Chairman  
NAABIK'ÍYÁTI' COMMITTEE*

**31 August 2022**

**TABLING MOTION**

Motion to Table Legislation 0149-22 for no more than 45 days to allow the Azeé Bee Nahaghá Diné Nation, Inc. (ABNDN, Inc.) adequate time to provide a resolving resolution.

*Motioned by: Honorable Carl R. Slater*

*Seconded by: Honorable Vince R. James*

*Vote: 21 in Favor, 00 Opposed (Chairman Damon Not Voting)*

**MAIN MOTION**

*Motioned by: Honorable Kee Allen Begay, Jr.*

*Seconded by: Honorable Pernell Halona*

*Vote: VOTE PENDING*

# NAVAJO NATION

1336

8/31/2022

Naa'bik'iyati' Committee Special Meeting

11:55:31 AM

Amd# to Amd#

TABLE: Item E.

PASSED

MOT Slater, C

45 Days or Less;

SEC James, V

Refer back to ABNDN

-Legislation 0149-22

Yeas : 21

Nays : 0

Excused : 2

Not Voting : 0

Yea : 21

Begay, E

Freeland, M

Slater, C

Tso, O

Begay, K

Halona, P

Stewart, W

Walker, T

Begay, P

Henio, J

Tso, C

Wauneka, E

Brown

James, V

Tso, D

Yazzie

Charles-Newton

Nez, R

Tso, E

Yellowhair

Daniels

Nay : 0

Excused : 2

Crotty

Smith

Not Voting : 0

Presiding Speaker: Damon

**THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY**

**LEGISLATION NO.: 0149-22**

**SPONSOR: Honorable Eugenia Charles-Newton**

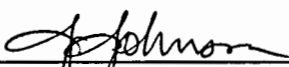
**TITLE: An Action Relating to the Resources and Development, Health, Education, and Human Services, Law and Order, and the Naabik'íyáti' Committees; Opposing States' Decriminalization of the Use of Peyote**

**Posted: August 04, 2022 at 11:05 PM**

**5 DAY Comment Period Ended: August 09, 2022**

**Digital Comments received:**

<b>Comments Supporting</b>	1) Lenora Hatathlie 2) Theresa Hatathlie 3) Ella and Dennis Bedonie
<b>Comments Opposing</b>	<i>None</i>
<b>Comments/Recommendations</b>	1) Azcee' Bee Nahagha of Diné Nation, Inc.

  
\_\_\_\_\_  
**Legislative Tracking Secretary  
Office of Legislative Services**

**October 12, 2022; 4:03 PM**  
**Date/Time**

# Legislation #0149-22

Lenora Hatathlie <lhatathlie@gmail.com>

Tue 8/30/2022 10:11 AM

To: comments <comments@navajo-nsn.gov>;

Dear Honorable Council Delegates,

The Navajo people has a history of persecution and prosecution for the ceremonial use of peyote including my parents. Often my mother had to take my older sisters and I into the jail with her. Peyote was legalized by the Navajo government in 1967.

I humbly request support for Legislation #0149-22 with the recommended amendment by the ABNDN Task Force that was established by the ABNDN Board of Directors to work with Navajo Nation Council and other organizations to address the decriminalization of peyote and mescaline. The scope of the work has been to protect Indian religion and the use, possession and transport of our sacred Azee' to be only for federally recognized American Indians per AIRFA Amendments 1994 and Navajo Nation Code Title 17, section 394.

On July 16, 2022, ABNDN Task Force provided a thorough presentation to ABNDN Board of Directors on legislation #100-22 and recommended revisions with Delegate Charles-Newton in the audience. These are the same amendments being presented by Delegate Walker. She brought the Legislation that is now #149-22 to the meeting to report on but instead tried to have the Board of Directors approve it without any review or discussion.

Delegate Charles-Newton has never presented her legislations to the Board of Directors or the General Membership. The legislations have never been on the Agendas for discussion or action. A thorough presentation was made of all the recommendations for amendment and the reasons for inclusion at the August 20, 2022 General Meeting. She was online and I sincerely hope she listened to them.

We support legislation #0149-22 with recommended amendments. We need a strong position from our great Navajo Nation that will be heard throughout the land before our four sacred mountains.

Thank you for your leadership.

Respectfully,

Lenora Hatathlie  
Life time user of Azee'  
P.O. Box .....  
Tuba City, AZ 86045

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# ABNDN Legislation 0149-22

theresa hatathlie <ms.thatathlie@gmail.com>

Tue 8/30/2022 11:56 AM

To: comments <comments@navajo-nsn.gov>;

Cc: Daniel E. Tso <detso@dinecollege.edu>;

Honorable Council Delegates:

I support ABNDN Legislation #0149-22 and the ABNDN Task Force Committee's proposed amendments.

Now, of all times it is the utmost importance to pass legislation and stand in solidarity with those who carry on this faith. Our forefathers had teachings they passed to us and we pray to carry it forward to the generations here today and into the future.

Decriminalization of Peyote for the sake of profit for use or synthesization of mescaline is a violation and disrespecting those who utilize it with unwavering faith.

I was born into this way of spirituality and have personally experienced healing of my heart, mind and soul, at a time when I experienced loss of my child. Then again, when I was physically hurt. I can't fathom the possibilities of commercial use or garnering of personal profit. This is a western concept that will only further continue to sabotage Indigenous Nation's spiritual ways praying and honoring the Divine Natures.

I humbly request your understanding and support to include the ABNDN Taskforce Amendments to further protect, not just my religious spiritual rights, but hundreds more. These amendments will provide the impenetrable shield to speak truth and advocate to oppose the decriminalization of peyote thorough the states and provide strong support in Washington DC to pass laws that will respect American Indian Freedom of Religion laws.

Ahxé'ée, NABI Committee your favorable approval is appreciated.

Theresa Hatathlie  
Coalmine Mesa, Arizona  
Lifetime member  
[ms.thatathlie@gmail.com](mailto:ms.thatathlie@gmail.com)

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# ABNDN LEGISLATION #0149-22

Ella Bedonie <ellabedonie@gmail.com>

Wed 8/31/2022 7:56 AM

To: comments <comments@navajo-nsn.gov>;

Honorable Council Delegates.

We as a family support ABNDN TASK FORCE COMMITTEE'S purposed amendments.

We, The Bedonie family firmly stand with the ABNDN Task Force Committee in having this legislation passed, so we can practice pray and use azéé' in its natural form. We do not believe it should fall into the hands of the pharmaceutical companies. Axehee'

Ella Bedonie, Dennis Bedonie, [ellabedonie@gmail.com](mailto:ellabedonie@gmail.com)

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**AZEE' BEE NAHAGHA OF DINE NATION, Inc.**  
P.O. Box 1570 Chinle, Arizona 86503

Willie Tracey Jr., President  
Roxyanne Harvey, Secretary

Alburt Johnson, Vice President  
Victoria Woody, Treasurer

October 10, 2022

Honorable Eugenia Charles-Newton  
24<sup>th</sup> Navajo Nation Council  
The Legislative Branch  
P.O. Box 9000  
Window Rock, Arizona 86515  
Via email: [echarlges-newton@navajo-nsn.gov](mailto:echarlges-newton@navajo-nsn.gov)

Re: Legislative Tracking No. 0149-22

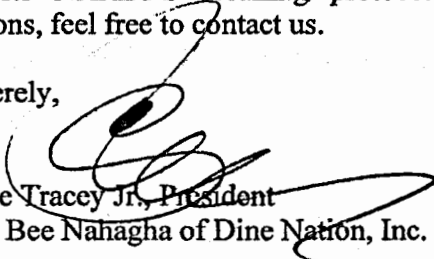
**AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH,  
EDUCATION, AND HUMAN SERVICES, LAW AND ORDER, AND THE NAABIK'IYATI'  
COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE**

Dear Honorable Charles-Newton,

Azee Bee Nahagha of Dine Nation, Inc. Executive Officials / Board of Directors (EO/BOD) held a Special Meeting on October 9, 2022; 1:00 p.m. at it's Chinle Spiritual Site specifically to address proposed amendments as a formal request entertained during Naabi'iyati' Committee's (NAABI) tabling of Legislative Tracking No. 0149-22 for forty-five (45) days. An ABNDN resolution was entertained for proposed amendments, however upon presentation and receiving all amendments the EO/BOD voted down all amendments (see attachments).

Therefore, ABNDN Inc. hereon supports NAABI'S recalling protocols of Legislative Tracking No. 0149-22 for action. Any questions, feel free to contact us.

Sincerely,

  
Willie Tracey Jr., President  
Azee Bee Nahagha of Dine Nation, Inc.

ATTACHMENTS: ABNDN Resolution

Cc: EO/BOD (via email)  
File



**AZEE' BEE NAHAGHA OF DINE NATION, Inc.**

P.O. Box 1570 Chinle, Arizona 86503

Willie Tracey Jr., President  
Alburt Johnson, Vice President

Victoria Woody, Treasurer  
Roxyanne Harvey, Secretary

**Resolution No. ABNDN-002-2023**

**RESOLUTION OF THE AZEE' BEE NAHAGHA OF DINE NATION, Inc.**

Approving Recommended Amendments to Legislation Tracking No. 0149-22 RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION, AND HUMAN SERVICES, LAW AND ORDER, AND THE NAABIK'IYATI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE

**WHEREAS:**

1. Azee Bee Nahagha of Dine Nation, Inc. (ABNDN Inc.) is governed by Board of Directors as provided for in its Articles of Incorporation, Constitution and Bylaws; and
2. The Native American Church of Navajoland, Inc. (NACNL Inc.), now known as ABNDN Inc. was established on June 11, 1966 as a non-profit organization, was incorporated within the State of New Mexico on May 15, 1972 and in December 1989, the Advisory Committee of the Navajo Tribal Council granted a Revocable Land Use Permit (Mission Site) for NACNL comprising of ten (10) acres of Navajo Nation Trust land at Chinle, Arizona; and
3. ABNDN, Inc. is vested with the authority to review all matters affecting it's membership while making appropriate delicate decisions as deem necessary and to make recommendation to various agencies while seeking resources; and
4. ABNDN, Inc. recognizes the American Indian Religious Freedom Act (AIRFA) as amended in 1994, Congress recognized that "for many Indian people, the traditional ceremonial use of the peyote cactus as a religious sacrament has for centuries been integral to a way of life, and significant in perpetuating Indian tribes and cultures", and further provided that the use, possession, or transportation of peyote by an Indian for bona fide traditional ceremonial purposes in connection with the practice of a traditional Indian religion is lawful, and shall not be prohibited by the United States or any State"; and
5. ABNDN, Inc. remains conscious that the AIRFA affirms use of Peyote only in "bona fide ceremonies" for use only by members of Indian tribes as defined in the AIRFA amendment of 1994, in order to ensure this traditional medicine is protected; and
6. ABNDN, Inc. is mindful that the legalization and decriminalization of peyote consumption beyond the already hundreds of thousand of members of ABNDN and Native American Church organizations will create a demand and market for Peyote that further threatens the existing wild population; and
7. ABNDN Inc. stands aware of the movement to legalize and/or decriminalize peyote use at the state and local government level directly threatens the availability of peyote and therefore

threatens the integrity of the ceremonial use of Peyote by AI/AN people and would be contrary to the doctrine of federal preemption, whereby federal law supersedes state law.

**NOW THEREFORE, BE IT RESOLVED THAT:**

1. The Azee' Bee Nahagha of Dine Nation, Inc. is hereby approving recommended amendments to Legislation Tracking No. 0149-22 RELATING TO THE RESOURCES AND DEVELOPMENT, HEALTH, EDUCATION, AND HUMAN SERVICES, LAW AND ORDER, AND THE NAABIK'IYATI' COMMITTEES; OPPOSING STATES' DECRIMINALIZATION OF THE USE OF PEYOTE; and

2. The Azee Bee Nahagha of Dine Nation, Inc. were provided an official presentation of Attachment "A" with rational reason(s) for each proposed amendments.

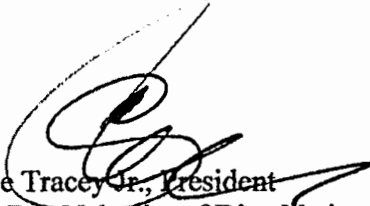
**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by the ABNDN, Inc. at a special called meeting at Chinle, Navajo Nation, Arizona, at which a quorum was present and that same voted with 07 in favor, 09 opposed and 00 abstained, this 9<sup>th</sup> day of October, 2022.

***GAN-002-2023 Resolution FAILED***

**MOTION:** Emmett Johnson

**SECOND:** Richard Monroe

  
Willie Tracey Jr., President  
Azee Bee Nahagha of Dine Nation, Inc.

**ATTACHMENT "A": Proposed Amendments**

# Attachment "A"

## Amendment Legislation No. 0149-22

1. Page 1, lines 13 and 14 delete and insert language as follows  
OPPOSING STATES' THE DECRIMINALIZATION OF THE USE OF PEYOTE AND Mescaline AT THE STATES, LOCAL GOVERNMENTS, AND UNITED STATES TERRITORIES
2. Page 2, line 5, insert a new Paragraph E as follows and re-letter remaining paragraphs.  
E. 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.
3. Page 3, line 8 insert new Paragraph M as follows:  
M. The Navajo Nation understands the American Indian Religious Freedom Act of 1978 protects the rights of Native Americans to exercise their traditional religions by ensuring access to sites, use, and possession of sacred objects, and the freedom to worship through ceremonies and traditional rites. 42 U.S.C 1996, P.L. 95-341.
4. Page 3, line 8 insert new Paragraph N as follows:  
N. The Navajo Nation understands Navajo people, including other American Indians, were historically persecuted and prosecuted for their ceremonial use of peyote for more than a century and had to fight numerous legal and political battles at the tribal, state, and federal levels to achieve the right to use peyote within their respected traditional ceremonial and cultural practices.
5. Page 3, line 8 insert new Paragraph O as follows:  
O. In 1967, the Navajo Nation government legalized peyote by passing Resolution No. CO-65-67 that amended to the Navajo Bill of Rights, Declaring the Freedom of Religion as a Basic Human Right, which made an exception to the Navajo criminal code to allow Azee' (Peyote) to be used for religious purposes in the Navajo Nation.
6. Page 3, line 8 insert Paragraph P as follows:  
P. In 2005, the Navajo Nation government amended the Navajo Nation Criminal Code, 17 N.N.C. § 394(C), Possession or Sale of Controlled Substances. It states:  
"The listing of peyote (more commonly known as Azee') in Subsection A does not apply to the use of Azee' by an enrolled member of an Indian tribe for bona fide ceremonial purposes in connection with Nahaghá. Individuals who use, possess, or transport Azee' for use in Nahaghá are exempt from this prohibition. Azee' is lawful on the Navajo Nation."

## Attachment "A"

This recognized the use of Azcee' (peyote) to be strictly used in a bona fide traditional ceremonial purpose or in connection with the practice of a traditional Indian religion within the jurisdiction of the Navajo Nation, as in accordance with the American Indian Religious Freedom Act Amendments of 1994, 42 U.S.C 1996a, P.L. 103-344.

7. Page 2, lines 5 and 6 delete ~~the Native American Church members~~ and insert Indigenous tribes
8. Page 2, line 12 amend as follows: Tribal members whom are bona fide members of the ~~Native American Church~~ Azcee' Bee Nahagha consume
9. Page 2, line 14 insert after the word "ceremonics" insert and for cultural purposes.
10. Page 2, line 16 delete ~~In the Southwest United States, including Texas, and in Mexico~~ and insert: In the southwest part of Texas and parts of Mexico
11. Page 2, line 18 delete ~~recreational use and.~~
12. Page 2, lines 24 and 25 delete ~~by bonafide members of the Native American Church~~ and replace with for bona fide traditional ceremonial purposes in connection with the practice of a traditional Indian religion as is stated in the
13. Page 2, line 27 delete language as follows: ~~Diné Native American Church traditional practitioners~~ Diné Azcee' yee Nahalaha (Diné peyote practitioners)
14. Page 2, line 30 after the word "peyote" insert and mescaline.
15. Page 2, line 31 delete language, ~~Federal Controlled Substance Act~~ and replace with Federal Public Law 91-513 Comprehensive Drug Abuse Prevention and Control Act of 1970
16. Page 3, line 6 delete ~~authorization for bonafide members of the Native American Church to legally use peyote for religious purposes only~~ and replace with: P.L. 103-344 provided that "the use, possession, or transportation of peyote by an Indian for bona fide traditional ceremonial purposes in connection with the practice of a traditional Indian religion is lawful and shall not be prohibited by the United States or any State."
17. Page 3 line 16 insert a new Paragraph A and a new Paragraph B as follows:
  - A. The Navajo Nation hereby affirms its position to protect and preserve our sacred Azcee' (peyote) by strongly opposing the decriminalization of peyote and mescaline in the United States of America.

## Attachment "A"

- B. ~~The Navajo Nation firmly opposes any state within the United States decriminalizing the use of peyote and hereby~~ urges all states, local governments, and territories in the United States to respectfully adhere to limit the non-criminal use of peyote for religious, ceremonial, and cultural purposes only, as it is stated in the American Indian Religious Freedom Act Amendments of 1994, 42 U.S.C 1996a, P.L. 103-344.
18. Renumber or re-letter succeeding paragraphs, sections and/or exhibits accordingly, if necessary; and this amendment shall supersede inconsistent language contained in any other committee amendment, which shall be conformed to the intent or language of this amendment. The Office of Legislative Services is hereby authorized to make necessary grammatical changes.
19. Conform the Navajo language spelling to Young, Morgan, The Navajo Language: A Grammar and Colloquial Dictionary.