

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0067-20_____

SPONSOR: Seth Damon

TITLE: An Action Relating to an Emergency for the Navajo Nation; Opposing the State of Arizona's all mail in voting for the elections; Requesting the State of Arizona consult with the Navajo Nation on other alternatives

Date posted: March 20, 2020 at 4:00pm

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Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0067-20

DATE: March 20, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; OPPOSING THE STATE OF ARIZONA'S ALL MAIL IN VOTING FOR THE ELECTIONS; REQUESTING THE STATE OF ARIZONA CONSULT WITH THE NAVAJO NATION ON OTHER ALTERNATIVES

PURPOSE: This resolution, if approved, will oppose the State of Arizona's all mail in voting for Elections and Requesting the State of Arizona consult with the Navajo Nation on other alternatives.

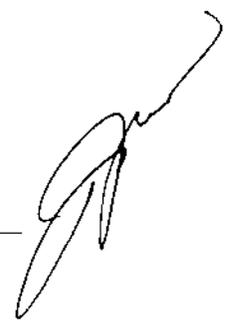
This written summary does not address recommended amendments as may be provided by the standing committee. The Office of Legislative Counsel requests each committee member to review the proposed resolution in detail.

OLC No. 20-117-1

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)



TRACKING NO. 0067-20

AN ACTION
RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; OPPOSING
THE STATE OF ARIZONA’S ALL MAIL IN VOTING FOR THE ELECTIONS;
REQUESTING THE STATE OF ARIZONA CONSULT WITH THE NAVAJO
NATION ON OTHER ALTERNATIVES

BE IT ENACTED:

WHEREAS:

- A. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. § 102(A).
- B. Pursuant to 2 N.N.C. §164 (A)(16) “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council.”
- C. All-mail voting presents extreme challenges for the Navajo Nation.

- 1 D. Navajo voters have difficulties accessing their mail due to the limited postal
2 services on the Navajo Nation. A majority of Navajo voters do not have home mail
3 delivery service but receive their mail at P.O. Boxes.
- 4 E. There are a limited number of P.O. Boxes and P.O. Box facilities on and around
5 the Navajo Nation. P.O. Box facilities are usually sold out of P.O. Boxes.
6 Moreover, P.O. Box facilities are primarily open during normal business hours
7 when most individuals are at work.
- 8 F. Some Navajo voters have to travel great distances to access their mail. Traveling
9 to access mail can be a burdensome task for Navajo voters, especially those who
10 do not have access to reliable transportation.
- 11 G. All of these factors result in Navajo voters having limited access P.O. Boxes.
- 12 H. Navajo voters, who participate in vote by mail, have difficulties receiving and
13 returning their ballots on time because of how the U.S. Postal Services routes mail
14 on the Nation.
- 15 I. The Navajo language is covered by Section 203 of the Voting Rights Act, requiring
16 counties to provide Navajo voters assistance in the Navajo language.
- 17 J. For these reasons the Nation is concerned about the ability of Navajo voters to
18 participate in the elections if the counties move an all-mail voting system.
- 19 K. The Nation understands the current health crisis of COVID- 19 and the importance
20 protecting Navajo voters, but also wants to ensure that any responses do not
21 negatively impact the rights of Navajo voters to participate in elections.
- 22 L. The Nation is willing to work with State and County officials for additional
23 alternatives to all-mail voting that do not diminish Navajo voting rights.
- 24 M. The State and Counties must consult the Nation, in the implementation of all-mail
25 voting, to ensure that Navajo voters are not effectively denied the right to vote.

26 NOW THEREFORE, BE IT RESOLVED:

- 27 A. The Navajo Nation opposes the State of Arizona's holding all-mail elections
28 for the 2020 election cycle.
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B. The Navajo Nation respectfully requests the state of Arizona consult with the Navajo Nation in order to provide alternatives from an all-mail election for Navajo voters.