

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0058-26

SPONSOR: Crystalyne Curley

TITLE: An Action Relating to the Naabik'iyáti' Committee; Opposing United States Congressional Bill H.R. 7296, The "Safeguard American Voter Eligibility Act" Due to its Disproportionate and Harmful Impact on Navajo Citizens and Voters; and Affirming the Navajo Nation's Commitment to Protecting Voting Rights, Access, and Tribal Sovereignty

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0058-26

DATE: March 20, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; OPPOSING UNITED STATES CONGRESSIONAL BILL H.R. 7296, THE "SAFEGUARD AMERICAN VOTER ELIGIBILITY ACT" DUE TO ITS DISPROPORTIONATE AND HARMFUL IMPACT ON NAVAJO CITIZENS AND VOTERS; AND AFFIRMING THE NAVAJO NATION'S COMMITMENT TO PROTECTING VOTING RIGHTS, ACCESS, AND TRIBAL SOVEREIGNTY

PURPOSE: This resolution, if approved, would formally oppose H.R. 7296, the Safeguard American Voter Eligibility (SAVE) Act, and affirm the Navajo Nation's commitment to protecting the voting rights of its citizens by opposing federal legislation that would impose unnecessary and discriminatory barriers to participation in federal elections.

FINAL AUTHORITY: Naabik'iyáti' Committee

VOTE REQUIRED: Simple Majority

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

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

Introduced by:



Primary Sponsor

Tracking No. 0058-26

AN ACTION

RELATING TO THE NAABIK'ÍYÁTI' COMMITTEE; OPPOSING UNITED STATES CONGRESSIONAL BILL H.R. 7296, THE "SAFEGUARD AMERICAN VOTER ELIGIBILITY ACT" DUE TO ITS DISPROPORTIONATE AND HARMFUL IMPACT ON NAVAJO CITIZENS AND VOTERS; AND AFFIRMING THE NAVAJO NATION'S COMMITMENT TO PROTECTING VOTING RIGHTS, ACCESS, AND TRIBAL SOVEREIGNTY

WHEREAS:

- A. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council empowered to coordinate all request for information, appearances, and testimony related to proposed county, state, and federal legislation impacting the Navajo Nation. 2. N.N.C. §§ 700 (A) and 701 (A)(6).
- B. The Navajo Nation Council, as the governing body of the Navajo Nation, is entrusted with the responsibility to safeguard the interest, rights, and traditions of the Navajo people. 2 N.N.C. § 102 (A).
- C. The Navajo Nation is a sovereign Tribal Nation with a government-to-government relationship with the United States, as recognized under the Treaty Between the United States of America and the Navajo Tribe of Indians, June 1, 1868, 15 U.S. Stat 667, and has an enrolled membership of over 420,000.

- 1 D. The right to vote is a fundamental right and cornerstone of democracy, and for
2 American Indians and Alaska Natives, including the Navajo people, that right has
3 been hard fought, repeatedly challenged, and too often denied through law, policy,
4 and practice.
- 5 E. Although Congress enacted the Indian Citizenship Act of 1924 Public Law 68-175,
6 43 Stat. 253, also known as the Snyder Act, to recognize United States citizenship for
7 Native Americans born in the United States, many states continued for decades to
8 prevent Native people from fully participating in local, state, and federal elections
9 through exclusionary laws, discriminatory practices, and administrative barriers .
- 10 F. Native American voters have been subjected to many of the same suppressive
11 devices historically used against other marginalized communities including residency
12 challenges, literacy barriers, unequal access to registration, intimidation, and
13 discretionary election administration.
- 14 G. Even decades after enactment of the Indian Citizenship Act, Native voting rights
15 remained contested, including efforts to exclude reservation voters on the basis that
16 Tribal citizens residing on reservation lands were not proper state electors; for
17 example, following the 1960 election for Lieutenant Governor of New Mexico, a
18 legal challenge was brought seeking to invalidate votes cast by Navajo voters residing
19 on the reservation, a claim that was ultimately rejected by the New Mexico Supreme
20 Court, thereby affirming the voting rights of Navajo citizens and illustrating that
21 citizenship alone did not guarantee meaningful access to the ballot in practice. *See*
22 *Montoya v. Bolack*, 372 P.2d 387, 70 N.M. 196
- 23 H. Federal protections, including the Voting Rights Act of 1965, Public Law 89-110, 79
24 Stat. 437 (currently codified within 52 U.S.C Subtitle I §§ 10101–10702) and
25 subsequent amendments, were necessary to more fully secure Native American
26 voting rights because state and local systems had failed to ensure equal participation
27 for American Indian voters.
- 28 I. For Navajo people, the right to vote carries particular importance because federal,
29 state, and local elections directly affect matters central to Tribal survival and self-
30 determination, including Indian health care, education, housing, water rights,

1 infrastructure, public safety, sacred sites, environmental protection, and the federal
2 trust responsibility

3 J. Voting is one of the principal means by which Navajo citizens influence the laws,
4 policies, budgets, and public officials whose decisions affect Tribal communities both
5 on and off the reservation, and meaningful access to the ballot is inseparable from the
6 Navajo Nation's sovereign interests and the ability of its people to protect their
7 political, cultural, and economic future.

8 K. On January 30, 2026, U.S. Representative Chip Roy introduced H.R. 7296, attached
9 as **Exhibit A**, known as the "Safeguard American Voter Eligibility Act," or the
10 "SAVE America Act," which would prohibit states from accepting and processing an
11 application to register to vote in a federal election unless the applicant presents
12 documentary proof of U.S. citizenship. The bill specifies what documents are
13 considered acceptable proof of U.S. citizenship, such as identification that complies
14 with the REAL ID Act of 2005 that indicates U.S. citizenship.

15 L. H.R. 7296 recently passed the U.S. House of Representatives and has been sent to the
16 U.S. Senate for consideration.

17 M. The Navajo Nation Washington Office recommends that the Navajo Nation oppose
18 H.R. 7296, based on its legislative analysis, attached as **Exhibit B**.

19 N. The SAVE America Act would require individuals to provide documentary proof of
20 United States citizenship to register to vote in federal elections and to cast ballots,
21 including specific forms of identification such as a form of identification issued
22 consistent with the requirements of the REAL ID Act of 2005, a valid U.S. passport,
23 military identification with proof of birthplace, or government-issued identification
24 accompanied by additional citizenship documentation.

25 O. Many Navajo Nation citizens may not readily possess, including birth certificates or
26 passports, due to historical, geographic, economic, and systemic barriers such as
27 many Navajo citizens having been born in remote households instead of hospital
28 facilities.

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- 1 P. The Navajo Nation's Tribal Identification and Certificate of Indian Blood (CIB) do
2 not include a person's place of birth, thereby limiting their effectiveness under the
3 SAVE America Act's requirements.
- 4 Q. The SAVE America Act allows for an alternative process for individuals lacking
5 documentary proof of citizenship; however, the process is vague, burdensome, and
6 subject to discretionary determinations by state or local officials without clearly
7 defined standards.
- 8 R. The lack of uniform standards creates a significant risk of inconsistent application,
9 discrimination, and denial of voter registration for Navajo Nation citizens and other
10 tribal members.
- 11 S. The SAVE America Act further requires documentary proof of citizenship not only at
12 registration but also when voting, including absentee voting, compounding barriers to
13 participation in federal elections.
- 14 T. The bill's provisions requiring states to regularly review and purge voter rolls of
15 those who have yet to show proof of citizenship increase the risk that eligible Navajo
16 Nation voters may be improperly removed without notice.
- 17 U. The provisions of the bill would disproportionately have a negative impact on rural,
18 elderly, low-income, and non-English speaking Navajo citizens, and would further
19 exacerbate existing inequities in access to the ballot.
- 20 V. The Navajo Nation has a sovereign interest in ensuring that its citizens can fully
21 participate in federal, state, and local elections without unnecessary barriers or
22 discriminatory practices.
- 23 W. The Navajo Nation supports efforts to protect election integrity, however, such efforts
24 must not come at the expense of disenfranchising eligible voters or undermining tribal
25 sovereignty and self-determination.
- 26 X. For these reasons, the Navajo Nation finds that H.R. 7296, the SAVE America Act,
27 poses a significant threat to the ability of Navajo Nation citizens and other Native
28 voters to fully participate in the democratic process, and that its enactment would
29 erode and potentially reverse decades of progress in securing voting rights for Native
30

1 people; the Navajo Nation cannot support a return to policies or practices that restrict
2 or deny access to the ballot and therefore strongly opposes this legislation.

3
4 **NOW, THEREFORE, BE IT RESOLVED:**

5 A. The Navajo Nation hereby opposes United States Congressional bill H.R. 7296, the
6 “Safeguard American Voter Eligibility Act,” “also known as the SAVE America
7 Act,” due to its disproportionate and harmful impacts on eligible Navajo voters.

8 B. The Navajo Nation calls upon all Congressional members, including the U.S. Senate,
9 to reject the SAVE America Act and any similar legislation that imposes unnecessary
10 barriers to voter registration and participation for Navajo citizens.

11 C. The Navajo Nation calls on Congress and federal agencies to hold tribal consultation
12 and uphold the federal trust responsibility when considering any bills affecting
13 Navajo voters.

14 D. The Navajo Nation reaffirms its commitment to protecting and expanding access to
15 voting for its citizens and to opposing policies that result in voter suppression or
16 disenfranchisement.

17 E. The Navajo Nation hereby authorizes the Navajo Nation President, Navajo Nation
18 Vice-President, and the Speaker of the Navajo Nation Council and their designees to
19 take all steps necessary to advocate for the Navajo Nation’s position with respect to
20 this resolution.