

LEGISLATIVE SUMMARY SHEET

Tracking No. 0234-20

DATE: September 18, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; WAIVING 11 N.N.C. §§ 3(B), (C) AND 6(A); POSTPONING THE 2020 NAVAJO NATION CHAPTER ELECTIONS FOR ONE YEAR AND EXTENDING THE CURRENT TERMS OF OFFICE FOR SUCH TIME; AND RESCINDING CJN-49-20 AND CJY-60-20

PURPOSE: This emergency resolution, if adopted, would waive 11 N.N.C. §§ 3(B), (C), 6(A), postpone the 2020 Navajo Nation Chapter Elections for one year and extend current terms of office for such time. The action would also rescind CJN-49-20 (a previous resolution cancelling the primary election in the 2020 Chapter Elections and setting only one election for November 2, 2020) and CJY-60-20 (overriding veto).

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 NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL -- Second Year, 2020

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0234-20

AN ACTION

RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; WAIVING 11
N.N.C. §§ 3(B), (C) AND 6(A); POSTPONING THE 2020 NAVAJO NATION
CHAPTER ELECTIONS FOR ONE YEAR AND EXTENDING THE CURRENT
TERMS OF OFFICE FOR SUCH TIME; AND RESCINDING CJN-49-20 AND
CJY-60-20

BE IT ENACTED:

SECTION ONE. AUTHORITY

1. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §
102(A).

2. Pursuant to 2 N.N.C. §164(A)(16):

“Matters constituting an emergency shall be limited to the cessation of law
enforcement services, disaster relief services, fire protection services or other
direct services required as an entitlement under the 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. “2 N.N.C. §164 (A)
(16).

1 3. Ensuring the health and safety of all residents and employees within the Navajo
2 Nation is an inherent attribute of sovereignty.

3
4 **SECTION TWO. FINDINGS**

5 1. COVID-19 is a dangerous respiratory virus. There have been over 500 deaths within
6 the Navajo Nation to date due to the virus. Although positive tests have declined within
7 the Navajo Nation, there is no vaccine for Covid-19 and the danger is still very imminent.

8 2. There have been significant increases in Covid-19 cases on the Navajo Nation once
9 more, and, consequently, the Office of the President and Vice-President has issued
10 another Public Health Emergency Order on September 22, 2020, prompting the re-
11 implementation of a 57-hour weekend lockdown to begin at 8:00 p.m. on Friday,
12 September 25, 2020.

13 3. On-going Navajo Nation Public Health Emergency Orders, first issued in March,
14 2020, restricting in person gatherings, requiring the wearing of masks and requiring
15 Navajo Nation residents to stay at home are still in full force and effect today.

16 4. Due to Covid-19 health concerns, the Navajo Nation Council, on July 01, 2020, by
17 resolution CJY-54-20 cancelled all of the Tribal Fairs, Rodeos and Ropings held on the
18 Navajo Nation, "due to the highly contagious nature of Covid-19, Dikos Nitsaaígíí
19 Náhast'éíts'áadah, and the need to prevent spread of the virus and to protect our Navajo
20 people from being infected by this virus, it is necessary to cancel all the fairs, rodeos and
21 roping events that would ordinarily be held on the Navajo Nation during 2020".

22 5. The Navajo Nation Council also cancelled all physical public meetings: Navajo
23 Nation Council Session, Oversight Committee meetings, Chapter Meetings and other
24 physical public meetings to prevent the spread of the deadly virus. Instead, the Navajo
25 Nation Council instituted meetings held via telephone.

26 6. All of these cancellations were to ensure that the Navajo People were not subject to
27 the deadly infections of Covid-19.

28 7. Finally, due to Covid-19 health concerns, the Navajo Nation Council, on June 19,
29 2020, by resolution CJN-49-20 cancelled the 2020 Chapter Primary Elections. It was
30 determined that one election would be conducted on November 3, 2020, with candidates

1 elected by plurality vote. Although the resolution was vetoed by the Navajo Nation
2 President, the Council overrode the veto by resolution CJY-60-20. See **Exhibit A**.

3 8. As a result of Council's action, two lawsuits were filed. One concerns the cancelled
4 primary election (*Brown v. Navajo Nation*, WR-CV-62-20), and the other concerns the
5 apportionment plan adopted for school boards for the next term (*Chavez v. Navajo Nation*
6 *et al.*, WR-CV-55-20).

7 9. In both legal actions, the plaintiffs filed Motions for Injunctive Relief to enjoin the
8 Navajo Nation from holding the 2020 Navajo Nation Chapter Elections. If the plaintiffs
9 prevail on their Motions for Injunctive Relief, the 2020 Navajo Nation Chapter Elections
10 will be enjoined. This will undoubtedly create confusion and will subject the Navajo
11 Nation voters to possible disenfranchisement and prompt further legal action.

12 10. A postponement of the 2020 Navajo Nation Chapter Elections until 2021 will ensure
13 that the postponed Chapter Elections will not be interrupted by any Court Orders as the
14 legal issues raised in the two lawsuits mentioned herein would have been resolved by the
15 time the filing period begins and the Primary Elections are held in 2021; the pending
16 lawsuits will have been heard by the Courts, a ruling issued or the parties may have
17 settled the matter.

18 11. For as long as the Navajo people have been exercising their right to vote, the Navajo
19 People are very use to voting in person at each of the polling site. That pattern has not
20 changed to date. Thereby, the majority of the Navajo People voting on November 03,
21 2020 will vote in person.

22 12. The State and Federal elections will be held concurrently with the 2020 Navajo
23 Nation Chapter Elections. However, the Arizona, New Mexico and Utah Secretary of
24 State offices have instituted highly innovative and effective "vote by mail" or "absentee
25 ballot" systems which will prevent a high rate of voters voting in person yet, the voters
26 will still be able to exercise their right to vote.

27 13. However, the Navajo Nation Election Office has failed to institute such highly
28 innovative and effective "vote by mail" or "absentee ballot" systems for the 2020 Navajo
29 Nation Chapter Elections. Thus, the majority of the Navajo Nation voters will be voting
30 "in-person".

1 14. By all known scientific facts and epidemiological conclusions, the Covid-19 virus
2 will not disappear by November 03, 2020. The deadly virus is beginning its upswing
3 prompting another 57-hour lockdown to be imposed. The Navajo Nation Council cannot
4 allow for the Navajo voters to be physically gathered at polling sites subjecting the
5 Navajo voters to an increased risk of Covid-19 infections.

6 15. By resolution TEE-JUN-17-2020, the Teesto Chapter is requesting and supports the
7 postponement of the 2020 Navajo Nation Chapter Election to 2021. See **Exhibit B**.

8 16. To ensure the fair and safe participation of voters in the Chapter Official election
9 process, it is in the best interest of the Navajo Nation to postpone the 2020 Chapter
10 Elections until 2021.

11
12 **SECTION THREE. POSTPONING THE 2020 CHAPTER ELECTIONS**

13 The Navajo Nation hereby postpones the 2020 Navajo Nation Chapter Elections.
14 Accordingly:

- 15 1. The 2020 Chapter Elections shall be postponed for one year. Resolution CJN-49-20
16 is rescinded, and filing fees paid shall be returned.
- 17 2. The terms of Office for the current Chapter Officials and other elected officials
18 elected to four-year terms in the 2016 Chapter Elections, or otherwise currently
19 serving, shall be extended for one year, until the newly-elected officials from the
20 2021 Navajo Nation Chapter General Election are certified and inaugurated,
21 consistent with this emergency action of the Navajo Nation.
- 22 3. The Navajo Board of Election Supervisors (board) shall issue a new schedule for the
23 2021 Chapter Election cycle, pursuant to the Navajo Nation Election law under 11
24 N.N.C. §1, et. seq., designating such matters as filing periods, registration timelines,
25 Primary and General election dates and all other necessary time periods. Filing fees
26 shall be prorated by the Navajo Board of Election Supervisors based on a three-year
27 term.
- 28 5. Except as otherwise provided herein, all requirements of the Navajo Election Code
29 shall continue to apply to the Chapter Elections to be conducted in 2021. All terms of
30

1 office from the 2021 election shall end upon the certification and inauguration of
2 newly elected officials from the 2024 Chapter Elections.

3 6. The Navajo Election Administration and the Navajo Board of Election Supervisors
4 shall ensure that adequate funds are available to conduct the primary and general
5 Chapter Elections, now set for 2021.

6 7. The Navajo Board of Election Supervisors shall be delegated the authority to adopt
7 rules and regulations for purposes of implementing the intent and purposes of this
8 action of the Navajo Nation.

9 8. For purposes of this action, 11 N.N.C. §§ 3(B), C and 6(A) are waived. These
10 sections, respectively, concern the Chapter General Election date, the primary
11 election date for Navajo elections, and 4-year terms for elective positions.

12 9. Filing fees paid for the postponed 2020 Chapter Elections shall be refunded.
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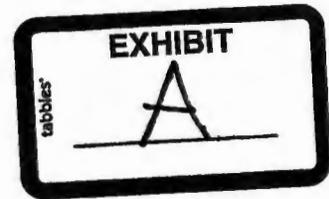
14 **SECTION FOUR. SAVINGS CLAUSE**

15 Should any part of this action be determined invalid by the Navajo Nation Supreme Court
16 or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme
17 Court, portions not determined invalid shall remain the law of the Navajo Nation.
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19 **SECTION FIVE. EFFECTIVE DATE**

20 This action shall become effective in accord with 2 N.N.C. § 221(B).
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RESOLUTION OF THE
 NAVAJO NATION COUNCIL
 24th NAVAJO NATION COUNCIL - SECOND YEAR, 2020



AN ACTION
 RELATING TO NAABIK'ÍYÁTI' AND NAVAJO NATION COUNCIL; OVERRIDING
 THE NAVAJO NATION PRESIDENT'S VETO OF NAVAJO NATION COUNCIL
 RESOLUTION CJN-49-20

BE IT ENACTED:

SECTION ONE. AUTHORITY

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

SECTION TWO. FINDINGS

- A. The Navajo Nation Council on April 20, 2020 approved resolution number CJN-49-20 entitled, "AN ACTION RELATING TO NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL; CANCELLING THE PRIMARY ELECTION FOR THE 2020 CHAPTER ELECTION; SETTING ONE CHAPTER ELECTION DATE FOR NOVEMBER 3, 2020; WAIVING 11 N.N.C. §§ 3 (C) AND 41."
- B. The Navajo Nation President vetoed CJN-49-20 on July 2, 2020. Attached as Exhibit A is his memorandum supporting his decision to veto the resolution of the Council.

SECTION THREE. OVERRIDE

The Navajo Nation Council hereby overrides the Navajo Nation President's veto of Resolution CJN-49-20.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 16 in Favor, and 04 Opposed, on this 22nd day of July 2020.



Honorable Seth Damon, Speaker
24th Navajo Nation Council

July 27, 2020

DATE

Motion: Honorable Paul Begay
Second: Honorable Herman M. Daniels

Speaker Seth Damon not voting

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT | MYRON LIZER | VICE PRESIDENT



July 2, 2020



Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CJN-49-20, *An Action Relating to Naabik'iyati and the Navajo Nation Council; Cancelling the Primary Election for the 2020 Chapter Election; Setting One Chapter Election Date for November 3, 2020; Waiving 11 N.N.C. §§ 3 (C) and 41*

Dear Speaker Damon,

Pursuant to the authority vested in the Navajo Nation President, I am vetoing CJN-49-20.

"There is no right more basic in our democracy than the right to participate in electing our political leaders." This principle is the basis of the Navajo Nation's legal argument to the New Mexico court in the case of *State of New Mexico, ex rel., M. Keith Riddle, et al. v. Maggie Toulouse Oliver* filed earlier this year supporting the Navajo People's right to vote in State elections. The Navajo Nation has also fought for the People's right to vote in Arizona and Utah elections. CJN-49-20 has the potential to undo all the legal arguments made by the Navajo Nation Department of Justice and cripple the Nation's position in State election cases. Had the Navajo Election Commission and the Navajo Nation Council consulted the Navajo Nation Department of Justice there may have been a solution to our own election situation rather than an immediate rush to cancel our Primary Election.

The Navajo Nation has fought for decades to secure certain rights for our People and the right to vote is a fight we continue to this day. We owe much to our parents and grandparents who lead that fight for our rights, so we have an obligation as Navajo leaders to protect those rights for future generations. We are in a difficult time now where we need to be seriously concerned for our People's health, safety, and welfare but we must balance that concern without giving up our hard earned right to vote. There are still many options available to the Navajo Election Office for the Primary Election; some of those options are expressed in the New Mexico case brief mentioned above.

We agree the coronavirus presents a major challenge for all of us but over the past months we have learned to meet that challenge head on. We live in a COVID world now with face coverings, washing our hands, limiting our movement outside our homes, and keeping our physical distance from others. Our People are well aware of the seriousness of the virus and we are learning new social norms. Election day was a time we met with our relatives to catch up on news, have a cup

of coffee and a hot meal. We cannot do these things now, but we can still exercise our right to choose our leaders.

The Navajo elections must be taken seriously. As a Nation we have made accommodations to have our own elections coincide with State elections to have our Navajo People participate in all elections. This is one of those years it is important to get out the vote. Our Navajo People have influence on State elections and the national election, but we will lose that influence with the cancellation of our Primary Election this year. The rationale for cancelling the Navajo Primary this year will have repercussions not only for Chapter elections but the State and national elections as well.

A veto of CJN-49-20 protects the right to vote of all Navajo People and we recommend the Navajo Election Office and the Navajo Nation Board of Election Supervisors consider alternative methods to allow Navajo People their vote in the Chapter elections. We also recommend the Election Office and Board of Supervisors review the Navajo Nation's position on State elections with the Navajo Department of Justice so that we are in step with each other on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Nez".

Jonathan Nez, President
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - SECOND YEAR, 2020

AN ACTION RELATING TO NAABIK'ÍYÁTI' AND THE NAVAJO NATION COUNCIL;
CANCELLING THE PRIMARY ELECTION FOR THE 2020 CHAPTER ELECTION;
SETTING ONE CHAPTER ELECTION DATE FOR NOVEMBER 3, 2020; WAIVING 11
N.N.C. §§ 3 (C) AND 41

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 700. Pursuant to 2 N.N.C. § 164 (A)(9), "a proposed resolution that requires final action by the Navajo Nation Council [must] be assigned to standing committee(s) having authority over the subject matter at issue and the Naabik'iyáti' Committee."
- C. The Navajo Board of Election Supervisors was created by the Navajo Nation Council as "an independent entity." 2 N.N.C. § 871 (A), Consistent with this status, the Board is responsible only to the Navajo Nation Council, with the authority to enforce provisions of the Navajo Election Code and to make rules and regulations furthering the intent and purposes of the Election Code. 2 N.N.C. § 873 (B)(6) and 11 N.N.C. §§ 321 (A)(6) and 322.

SECTION TWO. FINDINGS

- A. Under the Navajo Nation Election Code, primary election for the 2020 Chapter Elections must be conducted August 4, 2020. 11 § N.N.C. 3 (C).
- B. Pursuant to directive of the Navajo Nation Council for recommendations, the Navajo Board of Election Supervisors, "the board," is requesting that the primary election scheduled for August 4, 2020 be cancelled. **Exhibit A**, resolution BOESMY-024-20. The board expresses health concerns over the recent outbreak of coronavirus (COVID-19). The Navajo Election Administration (NEA) states similar concerns. **Exhibit B**, NEA memorandum. Essentially, the concerns are over the safety of

the voting public, candidates, poll officials, and staff of the Election Administration. For purposes of mitigating the spread of COVID-19, the request is made for the cancellation of the primary election and that one election be held on November 3, 2020.

- C. COVID-19 is a virus causing serious respiratory illness. It is pandemic, with many cases involving death continuing to be reported across the United States. In addressing the concerns, the Navajo Nation has issued a number of public health orders for all residents of the Navajo Nation. These orders include mandatory curfews, restrictions on public gatherings, the mandatory wearing of masks in public places and social distancing. Access to government offices has also been restricted to the general public. See, *Emergency Management Commission resolution CEM 20-03-11; Executive Orders Nos. 001-20, 002-20, 003-20, 004-20; Public Health Emergency Orders 2020-001, 2020-002, 2020-003, 2020-004, 2020-005, 2020-006, 2020-007, 2020-008* (incorporated herein by this reference).
- D. In spite of mitigation measures, COVID-19 has disproportionately affected the Navajo Nation. Today, the Navajo Nation has one of the highest per capita rates of positive tests for COVID-19 in the United States. See, <https://thehill.com/policy/healthcare/497091-navajo-nation-has-more-coronavirus-cases-per-capita-than-any-us-state>. The number of positive tests continues to increase at an alarming rate.
- E. Historically, elections within the Navajo Nation have been conducted in-person. Although mail-in balloting is permitted, most voters choose to cast their ballots at the polling sites that are established in each of the 110 chapters on election day. The emergency caused by COVID-19 has impacted preparations for the 2020 Chapter Elections.
- F. All voters, candidates and poll officials must be properly protected on election day. Preparations and precautionary measures must include the purchase and availability of Personnel Protective Equipment (PPE). The Navajo Election Administration calculates the costs for such protective equipment to range between \$57,884.68 and \$84,401.20. **Exhibit B.** In addition to these anticipated costs, the Election Administration is also reviewing the prospect of on-line voting, as well as purchasing computer software and additional equipment for election purposes. For the 2020 Chapter Elections, the Administration intends to continue working with

Navajo Nation Health Command in ensuring compliance with all guidelines for conducting a safe election.

- G. COVID-19 will likely affect voter turnout in the 2020 Chapter Elections, particularly for the primary. Voter turn-out is generally lower in primary elections than in general elections. In the last Chapter Election conducted in 2016, the primary election voter turn-out was 29.52 %. Aside this issue, the Navajo Board of Election Supervisors expresses concern regarding instances in which candidates will run unopposed in the primary election. Upon election, such candidates are automatically placed on the general election and certified upon such election.
- H. COVID-19 presents a major challenge in the conduct of the 2020 Chapter Elections. The pandemic facing the Navajo Nation makes it extremely difficult to proceed with elections as has been done in the past. As there is no vaccine, it is crucial that the spread of the virus be minimized.

SECTION THREE. CANCELLING PRIMARY ELECTION; AUTHORIZING CHAPTER ELECTION FOR NOVEMBER 3, 2020

- A. The Navajo Nation hereby cancels the primary election for the 2020 Chapter Elections. For purposes of this action, 11 N.N.C. §§ 3 (C) and 41 are waived.
- B. Chapter Elections shall be conducted on November 3, 2020. There shall be one election, with no primary election. All eligible candidates shall be placed on the election ballot and the winning results for each position shall be determined by plurality vote.
- C. The Navajo Board of Election Supervisors shall set the candidate filing period, and shall further adopt any necessary rules and regulations for purposes of implementing and furthering the intent and purposes of this resolution of the Navajo Nation Council.

SECTION FOUR. EFFECTIVE DATE

This action of the Navajo Nation Council herein shall be effective pursuant to 2 N.N.C. § 221(B). Further, the "President's authority to sign into law or veto legislation shall be deemed waived if not exercised within ten calendar days after certification of the legislation by the Speaker or Speaker Pro Tem and the legislation

shall be deemed enacted and become effective pursuant to 2 N.N.C. § 221." 2 N.N.C. § 1005 (C)(12).

SECTION FIVE. SAVINGS CLAUSE

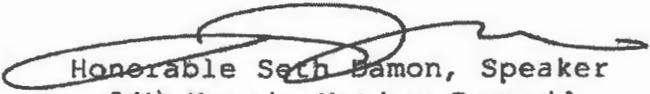
Should any provision of these amendments be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those amendments that are not determined invalid shall remain the law of the Nation.

SECTION SIX. DIRECTIVE

The Office of the Controller and Business Regulatory Department shall provide administrative support to the Navajo Nation Election Office for financial procurement of goods and services to ensure the 2020 election is held in a safe and orderly manner.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 15 in Favor, and 06 Opposed, on this 19th day of June 2020.


Honorable Seth Damon, Speaker
24th Navajo Nation Council

June 23, 2020

DATE

Motion: Honorable Vince James
Second: Honorable Eugenia Charles-Newton

Speaker Seth Damon not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this _____ day of _____, 2020.

Jonathan Nez, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this 03 day of July, 2020 for the reason(s) expressed in the attached letter to the Speaker.

J-NEZ
Jonathan Nez, President
Navajo Nation

RESOLUTION OF THE
NAVAJO BOARD OF ELECTION SUPERVISORS

Recommending the conduct of only the General Election for the 2020 Chapter Elections; recommending waiving 11 N.N.C. §§ 3(C) and 41 with a timeline attached at Exhibit A.

WHEREAS:

1. Pursuant to 2 N.N.C. § 871(A), the Navajo Board of Election Supervisors was created by the Navajo Nation Council as "an independent entity." Consistent with this status, the Board is responsible only to the Navajo Nation Council, with the authority to enforce provisions of the Navajo Election Code and to make rules and regulations furthering the intent and purposes of the Election Code. 2 N.N.C. § 873(B)(6) and 11 N.N.C. §§ 321(A)(6) and 322.
2. There are a number public health orders issued residents and members of the Navajo Nation for purposes of addressing COVID-19, orders including stay-at-home orders. It is uncertain when orders and restrictions will be lifted.
3. Under the current provisions of the Navajo Nation Election Code at 11 N.N.C § 3(C) primary elections are held on first Tuesday in August in any year in which a general election is held and at which candidates for public office are to be elected. The processes for a primary election are held in 11 N.N.C. § 41 as well. The new timeline is attached as Exhibit A.
4. It is not uncommon in a primary election to have only one interested candidate applying for a position. In these instances, the sole candidate, pursuant 11 N.N.C. § 25, is placed on the ballot as an "unopposed candidate" in both the primary and general elections. In the primary elections for 2016 Chapter Elections, there were 479 unopposed candidates.
5. Through a directive of the Navajo Nation Council issued on April 10, 2020, the Navajo Board of Election Supervisors must within 60 days thereof address through resolution, the Chapter Elections.

NOW THEREFORE BE IT RESOLVED THAT:

1. To minimize the contact amidst COVID-19 and for the purposes of compliance with the various Navajo Nation Health Orders issued to date, the Navajo Board of Elections Supervisors, in respect to the 2020 Chapter Elections, recommends that requirements of conducting a primary election this year to be waived and to have only a General Election in November 2020. See Exhibit A.
2. Pursuant to the Navajo Nation Election Code, the Navajo Board of Election Supervisors states that the General Election of the 2020 Chapter Election be conducted on November 3, 2020.

CERTIFICATION

I hereby certify that the foregoing resolution was duly adopted by the Navajo Board of Election Supervisors at a duly called special meeting at Window Rock, Navajo Nation (Arizona) at which a quorum was physically present and that the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstaining this 13th day of May, 2020.



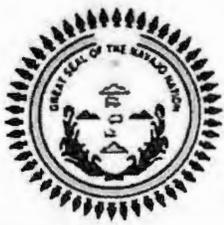
Melvin Harrison, Chairperson
Navajo Board of Election Supervisors

Motion: Jackie Burbank
Second: Arlene Brown

"Exhibit A"

New Timeline for the 2020 Navajo Chapter Elections

- 1 July 25 to August 5, 2020 Candidates filing date opens and closes.
2. August 10, 2020 Deadline for Certification of Candidates.
3. August 20, 2020 Deadline or Candidates to file a grievance.
4. October 5, 2020 Voter registration closes.
5. October 5, 2020 Absentee voting begins.
6. October 19, 2020 Deadline for early voters, (voters must be in NEA office by 5pm that day).
7. October 30, 2020 Last day for absentee voting.
8. November 2, 2020 Chief Poll Judges meeting and training.
9. November 3, 2020 General Election.



NAVAJO ELECTION ADMINISTRATION

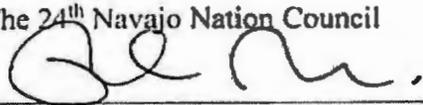
Strength and Dignity Through Voting



May 14, 2020

MEMORANDUM

To: The 24th Navajo Nation Council

From: 
Rodriquez Morris, Interim Executive Director
Navajo Election Administration



RE: Support for the NBOES Resolution BOESMY-024-20
*Recommending the conduct of only the General Election for the
2020 Chapter Elections: recommending waving 11 N.N.C. §§ 3(C) and 41.*

This memorandum is written to support and to provide information to the Navajo Nation Council on the Navajo Board of Election Supervisors resolution to recommend waving 11 N.N.C. §§ 3 (C) and 41. and to proceed directly to the General Election and not have a Primary Election for the 2020 Election.

The Navajo Elections Administration (NEA) has assessed the current office standing as for available resources in operations to proceed with the planning and the implementation of the 2020 election without a primary election. And our office has identified the following as to support our aforementioned position for the 2020 Election:

1. The primary concern in proceeding with elections as codified within the election code is the safety of the NEA staff, volunteers and the general public. The COVID19 (CCP Virus) pandemic makes it difficult to proceed with the elections as it has been done in the past. We are tasked with procuring building material to build barriers, counter space to direct public traffic for open filing and the elections, establishing a controlled environment to mitigate direct and community spread of the virus, partitions to separate staff work stations and establishing a decontamination work stations for all 6 offices to process the submission of public documents to mitigate the indirect spread of the virus to the NEA offices and staff who will have to handle documents submitted by candidates. The NEA will have to seek additional supplemental funding immediately from council to prepare for this election year, as we will incur significant additional expenditures for this election cycle.
2. The NEA has also identified that we will have to acquire Personal Protective Equipment (PPE) --- which includes masks, hand sanitizer stations, gloves and disinfectant supplies---for staff members to operate in the normal course of business serving the general public and candidates. The PPEs will also have to be procured and made available for poll workers, volunteers, registered voters and staff members who may enter into the polling sites on the designated election days. The anticipated registered voters for the 2020 elections is 108,968 and thus it is estimated to provide sufficient PPEs for a safe election it will cost at the least \$57,884,68 and \$84,401.20 on the high end.

NAVAJO ELECTION ADMINISTRATION

Strength and Dignity Through Voting

3. The NEA, as result of the unique situation posed by the pandemic, time lines for printing the ballots has been directly affected and thus having to focus on a primary and a general election could hinder sufficient time to ensure the ballots would be ready for both the primary and general election. We have to also consider possible further delays which may come from candidates who may file within the Office of Hearings & Appeals and the Navajo Nation courts. This election cycle will result in possible instances of first impression and thus may further impinge upon the overall election process schedule.
4. It is recommended to have open filing for candidates to be set for July 23, 2020 to August 5, 2020 as opposed to June 4, 2020 as the NEA is currently working to establish online filing for candidates to limit person to person contact and to prevent contamination of our offices from documents which may have latent viruses upon them. We are acquiring a license to establish a viable online platform to allow for candidates to file for candidacy online. The initial cost of the annual licensure is \$700.00 and thus will have to include in operations expenditures.
5. The NEA administration has been seriously neglected and thus the interim Executive Director is working bring the office back up to sufficient operation standards. The computer system and the voter data base are both obsolete and operating on Window 2003, new computers have been ordered and some have arrived and have yet to be installed, computer software also need to be ordered for all the new computers, we also need additional equipment to include scanners, printers and hard drives. In addition to the office equipment the NEA is having to resubmit an application to acquire an Operational PCard to streamline purchasing office supplies and equipment.
6. The NEA requires additional time to work with the Navajo Nation Health Command to establish protocols and procedures for a safe election process for the November 3, 2020 General Election. This includes dispatching all protective measures at all the polling sites, train all staff and temporary support staff to properly deploy protective protocols for all sites, consider alternatives for casting ballots to include absentee ballots, mail in ballots and/or curb side voting. The NEA will also be looking to work with State entities to cost share on equipment and supplies for all polling sites. The NEA will be looking at alternative options to include limiting and consolidating polling sites for the General Election. We have also been tasked to attempt to implement online voting however such a platform would most likely not be available until the next years voting cycle.
7. The COVID19 (CCP Virus) has caused many Navajo Nation Offices to shut down or operate on limited staffing and hours which has affected processing of and approving purchase orders and request for direct payments, this has hindered NEA operations. Should the Navajo Nation reopen by June 2020, or thereafter we should be able to push all our purchasing forward within the process or via an operational PCard (which would be the best option for the NEA).
8. Statistics from the 2016 Primary Elections is recorded as follow; 118,673 persons registered to vote and only 35,027 (29.52 %) voted in the primary election in 2016.
9. Lastly, we also are establishing an internal administrative work group to work with and advise the Automated Election Services (AES), who primarily prints all Navajo Nation ballots and houses our voting machines, to work out details for ballot printing and to amend our agreement to utilize voting machines that could accommodate alternative voting for curbside voting, mail in and absentee balloting and to accommodate ballots that will have back to back printing to accommodate candidate ballots and referendums. The use of the updated voting machines would make tallying ballots efficiently and will also

NAVAJO ELECTION ADMINISTRATION

Strength and Dignity Through Voting

help in over reporting of statistics. This also will open possible discussion to initiate the implementation of a new voter and election data base.

This memorandum is not written to undermine nor infringe upon the general public's right to vote but is made to ensure that the safety of the Navajo Nation tribal members in this years' election, which also includes the NEA staff and volunteers. Should you require additional information I may be reached at my office and will also be available to appear before the Navajo Nation Council when this matter is addressed in a regular or special meeting.

NAVAJO NATION

345

6/19/2020

Navajo Nation Council Special Session

11:22:08 PM

Amd# to Amd#	Legislation 0123-20: Cancelling	PASSED
MOT James, V	the Primary Election for the	
SEC Charles-Newton	2020 Chapter Election; Setting	
	one Chapter Election date...	

Yeas : 15

Nays : 6

Excused : 1

Not Voting : 1

Yea : 15

Begay, P	James, V	Stewart, W	Walker, T
Charles-Newton	Nez, R	Tso	Wauneka, E
Halona, P	Slater, C	Tso, D	Yazzie
Henio, J	Smith	Tso, E	

Nay : 6

Begay, E	Brown	Freeland, M	Yellowhair
Begay, K	Crotty		

Excused : 1

Daniels

Not Voting : 1

Tso, C

Presiding Speaker: Damon

NAVAJO NATION

389

Navajo Nation Council 2020 Summer Session

7/22/2020
04:53:54 PM

Amd# to Amd# MOT Begay, P SEC Daniels	Legislation 0152-20: Overriding the Navajo Nation President's Veto of Navajo Nation Council Resolution CJN-49-20	PASSED
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Yeas : 16 Nays : 4 Excused : 0 Not Voting : 3

Yea : 16

Begay, P	Henio, J	Smith	Tso, E
Charles-Newton	James, V	Stewart, W	Walker, T
Daniels	Nez, R	Tso	Wauneka, E
Halona, P	Slater, C	Tso, D	Yazzie

Nay : 4

Freeland, M	Crotty	Begay, E	Begay, K
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Excused : 0

Not Voting : 3

Brown	Tso, C	Yellowhair
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Presiding Speaker: Damon



**THE
NAVAJO
NATION**

TEESTO CHAPTER

P.O. BOX 7385 – Teesto CPU
Winslow, Arizona 86047

Phone: (928) 657-8042 – Fax: (928) 657-8046



"Saddle Butte Mountain"



**RESOLUTION OF THE TEESTO CHAPTER
Fort Defiance Agency, Navajo Nation
RESOLUTION No.: TEE-JUN-17-2020**

Requesting and Recommending the Navajo Nation Council and the Office of the President and Vice President of the Navajo Nation the Postponement of the Navajo Nation Chapters 2020 General Election to 2021

WHEREAS:

1. The Teesto Chapter is a duly recognized and certified chapter of the Navajo Nation government pursuant to 26 N.N.C. Section 3 and 12 N.N.C. Section 10; and
2. Pursuant to Title 10 N.N.C. Section 1 (B) the Teesto Chapter is a Local Governance certified chapter vested with the authority to review all matters affecting the community; make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate action; and
3. The Coronavirus 19 has profoundly impacted the Navajo Nation government, Navajo Nation schools, Navajo Nation chapters and the general welfare and wellbeing of the Navajo people putting the everyday livelihood as we know it on hold including the counties, states, national and globally; and
4. The trend has been on the increase steadily throughout the last few months reaching over 6,000 positive cases and over 300 deaths even when the Navajo Nation instituted weekend and nightly curfews; and
5. The 2020 Navajo Nation general election is proposed to be held on November 3, 2020 while the primary election is to be canceled that raises many questions with respect to voting rights infringement that invites legal challenges and a possible injunction; and
6. A second wave of the Coronavirus that could even be more devastating in the fall and winter is being projected by the national Center for Disease Control and Prevention; and to be compounded by seasonal influenza impacting the general election in many ways that is potentially very risky and hazardous. An election after a vaccine is in place in 2021 will provide some stability and assurance a later election would be much safer and conducive to safety and protection of our citizens; and
7. The new Teesto Chapter replacement facility, after 7 years of emergency declaration to replace, has finally contracted a contractor to begin construction perhaps by the end of this month and that may take 10 months to complete; and
8. The Teesto Chapter officials are concern for the need for continuity to complete this \$4.0 million project as a turnover may jeopardize the project due to the election as it once did to a prior senior citizens center that stands vandalized today.

Elmer Clark, President - LeRoy Thomas, Vice President - Sophia Francis, Secretary/Treasurer - Morgan Yazzie, Grazing Official- Elmer P. Begay., Council Delegate (Teesto/Dilkon/Indian Wells/Greasewood/Whitecone)

RESOLUTION No.: TEE-JUN-17-2020

NOW THEREFORE BE IT RESOLVED THAT:

1. The Teesto Chapter hereby requests and recommends the Navajo Nation Council and the Office of the President and Vice President to postpone the 2020 Navajo Nation General Election to 2021 due to the dangerous Coronavirus 19 outbreak that is projected for a second wave in the coming fall and winter season potentially subjecting the Navajo People to this dangerous health risk.
2. The Teesto Chapter, out of concern for its constituents and community, recommends a much more assured safe general election in 2021 in Teesto Chapter and other chapters pursuant to a vaccine anticipated to become available early next year.
3. The Teesto Chapter requests and recommends the postponement of the 2020 Navajo Nation General Election to allow the current officials and administration to carry, monitor and ensure the completion of certain projects within the community including the construction and completion of the Teesto Community Center that replaces a chapter house burnout seven (7) years ago.

CERTIFICATION

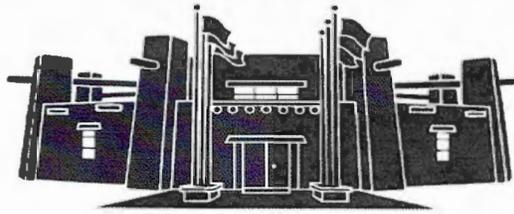
I, hereby certify that the foregoing resolution was duly considered at a duly called meeting at Teesto, Navajo Nation, Arizona, at which a quorum was present and the same was passed with a vote of 5 in favor, 0 opposed and 2 abstained on this 15th Day of June, 2020.



Elmer Clark, President

Motion by: Elmer Begay

Second by: Elmer Jackson



MEMORANDUM

To : Hon. Elmer Begay, Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : September 18, 2020

Re : AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; WAIVING 11 N.N.C. §§ 3(B), (C) AND 6(A); POSTPONING THE 2020 NAVAJO NATION CHAPTER ELECTIONS FOR ONE YEAR AND EXTENDING THE CURRENT TERMS OF OFFICE FOR SUCH TIME; AND RESCINDING CJN-49-20 AND CJY-60-20

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 20-254-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0234-20_

SPONSOR: Elmer P. Begay

TITLE: An Action Relating To An Emergency For The Navajo Nation; Waiving 11 N.N.C. §§ 3(B), (C) And 6(A); Postponing The 2020 Navajo Nation Chapter Elections For One Year And Extending The Current Terms Of Office For Such Time; And Rescinding CJN-49-20 And CJY-60-20

Date posted: September 28, 2020 at 11:06AM

Digital comments may be e-mailed to 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.: 0234-20

SPONSOR: Honorable Elmer P. Begay

TITLE: An Action Relating To An Emergency For The Navajo Nation; Waiving 11 N.N.C. §§ 3(B), (C) And 6(A); Postponing The 2020 Navajo Nation Chapter Elections For One Year And Extending The Current Terms Of Office For Such Time; And Rescinding CJN-49-20 And CJY-60-20

Posted: September 28, 2020 at 11:06 AM

5 DAY Comment Period Ended: Not Subject to Five Day Hold

Digital Comments received:

Comments Supporting	<ul style="list-style-type: none"> 1) Elouise Brown 2) Priscilla Wayne 3) New Mexico Navajo Central Agency School Board 4) Pinon Community School Board 5) Marth Tate 6) Willie Grayeyes 7) Perry Tso 8) Jerry Williams 9) Black Mesa Community School Board 10) Ward W. Hunter, Jr. 11) John D. Hunter 12) Monica L. Yazzie 13) Lucita L. Nolan 14) Faye BlueEyes 15) Raymond Lancer 16) Jordan Etcitty 17) Ervin Chavez 18) Rose Nofchissey
Comments Opposing	<ul style="list-style-type: none"> 1) Kris Benally 2) Gregg Whitehat, Sr. 3) Naatsis'aan Veteran's Organization 4) Victoria Henio 5) RedDawn George 6) Aaron Edsitty 7) Sharlinda Martin 8) Kenbah Tisi 9) Rannita Henderson

	10) Samuel Pete 11) Roberta Gorman 12) Theresa Hatathlie 13) Elsa Johnson 14) Gjermundson C. Jake
Inconclusive Comments	<i>None</i>



**Legislative Tracking Secretary
Office of Legislative Services**

10/06/20 11:42AM
Date/Time

Email to: comments@navajo-nsn.gov

**NAVAJO NATION COUNCIL DELEGATES, PLEASE SUPPORT
LEGISLATION NO. 0234-20 to**

**Postpone the 2020 Navajo Nation Chapter Elections for One
Year and Extending the Current Terms of Office for Such Time**

- ❖ The Health and Safety of our Diné voters surrounding the Covid-19 virus is very sensitive. It has not diminished and as we begin the fall season, it is anticipated to spike. We cannot carelessly subject our Diné voters to the virus.
- ❖ We have already lost many of our loved ones to Covid-19 and we cannot afford to lose any more valuable lives.
- ❖ The Navajo Nation Election Office has neglected to institute an extensive mail-in/absentee system as the states have to protect the people and giving them the opportunity to exercise their right to vote.
- ❖ The outright cancellation of the primary election is a violation of our individual election civil rights, but an election postponement DOES NOT infringe on these rights.
- ❖ You are the voice of the Diné people and you must hear us as we have elected you to make decisions that are in the best interest of our people.
- ❖ It is also your duty to uphold the wishes of the Diné people as the elected Navajo Nation Council Delegates.

Name: Eloise Brown Signature: 

Email address: thebrownmachine@hotmail.com

October 5, 2020

Priscilla Wayne
P.O. Box
Ramah, NM 87321

RE: Legislative Alert: 234-20 Postponing the 2020 Navajo Chapter Election

To all:

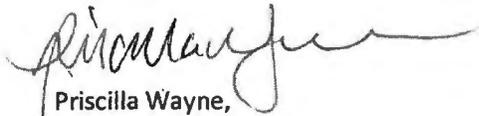
I agree with postponing the 2020 Navajo Chapter Election. Due how we started off the year with the pandemic (COVID-19) I feel that its right to give others the opportunity to throw in their hats for certain open positions.

With the pandemic notices were not made available to the local community that the Election was back on. Only a handful of people were aware of this. In order, to have positive changes for all communities, we need to be given the opportunity to allow qualified applicants to run for office.

We all realize that some applicants will be upset over postponing the election however, this give the opportunity to have others participate and I'm sure most communities agree. In our small community we want leadership that will move forward and not keep going backwards. We are fortunate to have P.L. 93-638 contracts and if we allow to have the same people to run "un-opposed" for their current position(s) we fail as a community. Our community has in the public view over the past several years only due to the present leadership. We, (I) certainly want a change and we should be given the opportunity.

I sincerely hope you as leaders for the people will take into consideration all communities not just your local ones. We must make the necessary changes to progress.

Thank you.



Priscilla Wayne,
Community Member
Ramah Navajo Chapter



**NEW MEXICO NAVAJO CENTRAL AGENCY SCHOOL
BOARDS**

P.O. Box 509

Crownpoint, New Mexico 87313

(505)786-6150/6152 Fax# (505) 786-6112



Lucita Nolan, President

Kyle Augustine, Vice-President

George H. Tolth, Secretary

THE NEW MEXICO NAVAJO CENTRAL AGENCY SCHOOL BOARD IS SUPPORTING LEGISLATION 0234-20: AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION; WAIVING 11 N.N.C. § 3(B), (C) AND 6(A); POSTPONING THE 2020 NAVAJO NATION CHAPTER ELECTIONS FOR ONE YEAR AND EXTENDING THE CURRENT TERMS OF OFFICE FOR SUCH TIME; AND RESCINDING CJN-49-20 AND CJY-60-20

WHEREAS:

01. The New Mexico Navajo Central Agency School Board, formerly known as the Eastern Navajo Agency_School Board, is authorized and empowered to function as the policy making body for the New Mexico Navajo Central Agency (NMNCA) consistent with the authority granted by CFR 25 Code Federal Regulations § 32.0 (4), Public Law 95-561 and Public Law 100-297; and
02. The New Mexico Central Agency School Board; henceforth, shall be referred to as the Agency School Board and shall exercise Indian Self-determination and Local Control in the planning, development, management, operation, budget, staffing, priority setting and evaluation of all aspects of the Agency education process as outlined under P.L. 95-561, P.L. 100-297; and 25 Code of Federal Regulations § 32.4 (3); and
03. The New Mexico Navajo Central Agency School Board is established and empowered by the Navajo Nation Council pursuant to Navajo Nation Council Resolution CAU-87-69 and the Navajo Sovereignty in Education Act of 2005 (CJY-37-05), §251 and 253; and
04. The New Mexico Navajo Agency Central School Board leaders and educators of Bureau Funded Schools have a common interest to preserve in unity the education services we provide our students through local community schools and that our united voices are expressed by using the same language in our resolutions and is therefore respectfully requested of our elected leaders not to disregard our voices just because our resolution languages are the same; and
05. The Covid-19 virus will not subside by November 03, 2020 and is beginning to spike an increase in cases currently and the Navajo Nation Council cannot allow for the Navajo voters to be physically gathered at polling sites subjecting the Navajo voters to an increased risk of COVID-19 infections.
06. The Navajo Nation Council Delegates must hear their Diné people's voices and take every measure to protect our Nation from any further devastation of losing precious, unreplaceable lives.
07. The Navajo Nation Election Office has failed to institute an extensive "mail-in/absentee" system as the Secretary of State offices have implemented which allows all voters to exercise their right to vote; and
08. The Navajo Nation Council overrode the Navajo Nation President's veto of resolution CJN-49-20 for the primary election to proceed which resulted in two lawsuits being filed. One concerns the primary election and the other concerns the apportionment plan adopted for school boards for the next term; and

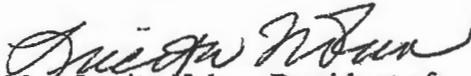
09. A postponement of the 2020 Navajo Nation Chapter Elections until 2021 will ensure that the postponed Chapter Elections will not be interrupted by any Court Orders as the legal issues raised in the two lawsuits mentioned herein would have been resolved by the time the filing period begins and the Primary Elections are held in 2021; the pending lawsuits will have been heard by the Courts, a ruling issued or the parties may have settled the matter; and
10. The postponement of an election is NOT a violation of individual election civil rights, but outright cancellation is and is why there is a lawsuit.

NOW, THEREFORE, BE IT RESOLVED THAT:

01. The New Mexico Navajo Central Agency School Board is in concurrence with the Navajo Nation Council's Legislation 0234-20 to postpone the election for one year.
02. The New Mexico Navajo Central Agency School Board urges and supports that ALL Navajo Nation elections be postpone for one year as this has been previously practiced in the past and the current elected officials serve for one more year to ensure our Diné people are safe.

C-E-R-T-I-F-I-C-A-T-I-O-N

I hereby certify that the foregoing resolution was duly considered by the New Mexico Navajo Central Agency School Board School Board at a duly called meeting at which a quorum was present and that the same was adopted by a vote of 4 in favor, 1 opposed and 5 abstained on this 2nd day of Oct 2020.


Mrs. Lucita Nolan, President of
New Mexico Navajo Central Agency School Board



Pinon Community School, Inc.
Post Office Box 159, Pinon, Arizona 86510-0159
Phone (928) 725-3234/3250 Fax (928) 725-3232



**PINON COMMUNITY SCHOOL BOARD RESOLUTION SUPPORTING
LEGISLATION 0234-20: AN ACTION RELATING TO AN EMERGENCY FOR THE
NAVAJO NATION; WAVING 11 N.N.C. §§ 3(B), (C) AND 6(A); POSTPONING THE
2020 NAVAJO NATION CHAPTER ELECTIONS FOR ONE YEAR AND EXTENDING
THE CURRENT TERMS OF OFFICE FOR SUCH TIME; AND RESCINDING CJN-49-
20 AND CJY-60-20**

WHEREAS, Pinon Community School Board, Inc. (hereinafter "PCS") is a Navajo Nation non-profit corporation and tribal organization of the Navajo Nation which operates a school and a homeliving program pursuant to a grant issued by the Bureau of Indian Education and public law 100-297; and

WHEREAS, the PCS Governing Board (hereinafter "Board") is the governing body of PCS, duly elected to serve in the best interest of the school and the homeliving program, community and people; and

WHEREAS, the Board members represent Pinon and outlying communities; and

WHEREAS the Board's responsibilities include ensuring that children are put first; and

WHEREAS the Board's responsibilities to ensure children are safe extends beyond the classroom walls; and

WHEREAS the Board is responsible for listening to and addressing community concerns; and

WHEREAS the Board, as representatives of the community, has an interest in promoting the safety and welfare of children, the community, and beyond; and

WHEREAS, the COVID-19 remains a continuing threat to PCS and surrounding communities. Health officials strongly advise against large gatherings, which will be unavoidable should Navajo voters gather at polling sites on November 3, 2020 for the Navajo Nation Chapter Elections; and

WHEREAS, Pinon and outlying communities are remote and far removed from major clinics serving the Navajo Nation, posing challenges for those affected by COVID-19;

WHEREAS, the Board has taken active efforts to combat the spread of COVID-19 by enacting safety measures in and around the school, including virtual learning; and

WHEREAS, the Board wants to ensure that measures to prevent the spread of COVID-19 remain in place in its community and the Navajo Nation; and

Governing School Board Members

Johansen LaPahe

Sharon Begay

Tommy McCabe III

Irene Begaye



Pinon Community School, Inc.
Post Office Box 159, Pinon, Arizona 86510-0159
Phone (928) 725-3234/3250 Fax (928) 725-3232



WHEREAS, because of the above concerns and others, there are active legal challenges to holding the 2020 Navajo Nation Chapter Elections, which have created great uncertainty just weeks before the election; and

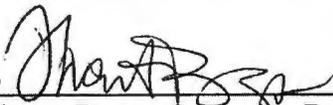
WHEREAS, a postponement of the 2020 Navajo Nation Chapter Elections will promote certainty and stability, while ensuring the safety of our community.

NOW THEREFORE BE IT RESOLVED that:

1. The Pinon Community School Board strongly supports the postponing of the 2020 Chapter Elections on the Navajo Nation to promote the safety and well-being of our students, their families, and those residing on the Navajo Nation.
2. The Pinon Community School Board calls on the Navajo Nation Council to approve of Legislation 0234-20 postponing the Navajo Nation Chapter Elections to create certainty and ensure that large groups do not gather to vote and thereby expose themselves to COVID-19.

CERTIFICATION

We hereby certify that the foregoing resolution was considered by the Pinon Community School Board at a duly called meeting at which a quorum was present and that the same was adopted by a vote of 3 in favor, 0 opposed and 1 abstained on this 1st day of October, 2020.



Sharon Begay, Governing Board President

Motioned By: Tommy McCabe III

Seconded By: Irene Begaye

Governing School Board Members

Johansen LaPahe

Sharon Begay

Tommy McCabe III

Irene Begaye

Legislation 234-20

Martha Tate <martha.tate1835@gmail.com>

Sun 10/4/2020 2:02 PM

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

Cc:Herman Daniels, Jr. <hdaniels@navajo-nsn.gov>; Paul Begay <paulbegay@navajo-nsn.gov>; Otto Tso <otso@navajo-nsn.gov>; Nathaniel Brown <nbrown@navajo-nsn.gov>; Edison J Wauneka <ejwauneka@yahoo.com>; Amber K. Crotty <acrotty@navajo-nsn.gov>;

Honorable Leaders of the 24th NAVAJO Nation Council;

I'm strong Support of Legislation 0234-20:

With all the pandemic situation, the Navajo Nation Election Committee had previously addressed this postponement of the Navajo nation Election to next year. Is is in the overall best interests of the Navajo elders, high health risk members and the rest of the people of the Navajo Nation.

The norm has drastically changed everywhere, the best option is the delaying of this election to next year. As of this date, there is no vaccine for the COVID19. The rush to get the candidates to file in 8 days has caused most positions to be vacant, then the opening of these vacant positions were advertised again.

Most Navajo voters do not feel safe to go out to vote in person. Even to get a mail in ballot, one has to go to the Election office to request this ballot by filling out the paperwork. Then one has to drive to the post office to get this ballot from their mail box.

Most likely, elders & many others will not want to touch this mail.

Overall, the only best decision by the Navajo Nation Council and the Navajo Nation President is to POSTPONE the Navajo Nation Election for one year.

Ahe'hee for your time in reading my comment regarding Legislation 0234-20. Postpone the NN Election.

Sincerely from the Navajo Voters;

Martha TATE, Ts'ah Bii Kin Community

Christianna TATE-Laughter

Daniel Chee, Forest Lake

Mae T. CHEE, 96 year old elder of Forest Lake

Mary Sombrero Begay, 90 year old elder Ts'ah Bii Kin

Sent from my iPhone

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

Legislation 0234-20

Martha Tate <martha.tate1835@gmail.com>

Wed 9/30/2020 7:52 PM

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

With all the pandemic situation, the Navajo Nation Election Committee had already addressed the postponement of the Navajo nation Election to next year. The norm has drastically changed everywhere, the best option is the delaying of this election to next year. As of this date, there is no vaccine for the COVID19. The rush to get the candidates to file in 8 days has caused most positions to be vacant, then the opening of these vacant positions were advertised again. Most Navajo voters do not feel safe to go out to vote in person. Even to get a mail in ballot, one has to go to the Election office to request this ballot by filling out the paperwork. Then one has to drive to the post office to get this ballot from their mail box. Most likely, elders & many others will not want to touch this mail. Overall, the only best decision by the Navajo Nation Council and the Navajo Nation President is to POSTPONE the Navajo Nation Election for one year.

Ahe'hee for your time in reading my comment regarding Legislation 0234-20. Postpone the NN Election.

Sent from my iPhone

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

Postponement of Election.

Willie Grayeyes <williegrayeyes@yahoo.com>

Fri 10/2/2020 7:38 PM

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

Certainly in agreement with the postponement of Navajo Chapter and School Board membership for another year. The current sitting chapter officials and school board members are dealing the situation and best approach to address imposing COVID 19 impact on local chapter communities and local school. If new individuals are installed in January 2020, beginning education of remedies for new officials and school board membership will take place, which will certainly take time, which COVID 19 will continue its pace within our communities and by in-large our Navajo Nation. Thank you

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

Legislation 0234-20

Perry Tso <selowtso@yahoo.com>

Fri 10/2/2020 7:38 PM

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

Yá'át'ééh to all,

I support Legislation 0234-20 for the following reasons:

1. I'm presently a B.I.E. school board member. The Department of Dine Education (DODE) and Navajo Election Administration have been providing presentation for Navajo Nation School Board re-apportionment plans. We, the reservation wide board members have been attending these presentations and we made recommendations according to guidelines. The parties were still in the process of choosing a plan when the deadline for filling candidates came upon us. According to the new adopted plan six I have to reach out to 4 new chapters plus my home chapter. It's very difficult to campaign in these new added chapters during the pandemic times.

2. Exposing our elders and the public to covid-19 during this pandemic should be at the top of everyone's priorities.

Perry Tso

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

Legislation 0234-20

Jerry Williams <jerry.williams380@icloud.com>

Fri 10/2/2020 7:38 PM

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

In support of this Legislation and will give the people more time to do the proper voting process

Thanks

Sent from my iPad

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



Black Mesa Community School

P.O. Box #97

Pinon, Arizona 86510

Phone # 928-674-3632

Developing Self-Confidence for Lifelong Success

Board President: Larry Biltah

Vice-President: Marvin Yellowhair

Secretary: Carolyn Ben

**AN ACTION RELATING TO AN EMERGENCY FOR THE NAVAJO NATION;
WAIVING 11 N.N.C. §§ 3(B), (C) AND 6(A); POSTPONING THE 2020 NAVAJO
NATION CHAPTER ELECTIONS FOR ONE YEAR AND EXTENDING THE
CURRENT TERMS OF OFFICE FOR SUCH TIME; AND RESCINDING CJN-49-20
AND CJY-60-20**

WHEREAS:

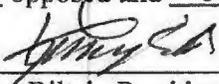
1. Pursuant to the Navajo Nation Code at 10 N.N.C. §§ 1(A), 3(S) and 200(A); and P.L. 93-638, Indian Self-Determination and Education Assistance Act of 1975, both as amended through P.L. 95-561; and P.L. 100-297 that provided funds directly to tribally operated schools that empowered Indian school boards, permitted local hiring of teachers and staff, and established a direct line of authority between the Education Director and the AS-IA; and the Black Mesa Community School, Inc. (BMCS) Policies and Procedures, the BMCS School Board (Board) has been delegated the duty and responsibility and has full legal authority to act for and on behalf of BMCS; and
2. Navajo and federal law both emphasize that BMCS and similarly situated community schools should be governed locally and establish that local School Boards have been delegated the responsibility and authority to govern community schools, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); and, P.L.93-638 and P.L. 100-297; and
3. The BMCS Board is charged with the responsibility to efficiently and effectively operate BMCS; and
4. As school leaders and educators of Bureau Funded Schools, we have a common interest to preserve in unity the educational services we provide to our students through our local community schools and that our united voices are expressed by utilizing the same language in our resolutions and we request the committee members not to disregard our voices because our resolution languages are similar; and
5. The BMCS Board fully supports and stands behind the Legislation No. 0234-20, Sponsored by Elmer P. Begay, to Waive 11 N.N.C. §§ 3(B), (C) and 6(A); postponing the 2020 Navajo Nation Chapter Elections for one year and extending the current terms of office for such time; and rescinding CJN-49-20 and CJY-60-20

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Black Mesa Community School Board supports and endorses the Resolution No. 0234-20- an action relating to the Navajo Nation Emergency; to waive 11 N.N.C. §§ 3(B), (C), 6(A), postponement of 2020 Navajo Nation Chapter Elections for one year and extend current terms of office for such time.
2. If the Resolution No. 0234-20 is approved then the Black Mesa Community School Board also supports and endorses the action to rescind CJN-49-20 (resolution cancelling the primary election in the 2020 Chapter Elections and setting only one election for November 2, 2020) and CJY-60-20 (overriding veto).

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the School Board of Black Mesa Community School at a duly called meeting at which a quorum was present and that the same was adopted by a vote of 3 in favor, 0 opposed and 0 abstained on this Thirtieth day of September, 2020.



Larry Biltah, President
Black Mesa Community School
Board of Directors

Email to: comments@navajo-nsn.gov

**NAVAJO NATION COUNCIL DELEGATES, PLEASE SUPPORT
LEGISLATION NO. 0234-20 to**

**Postpone the 2020 Navajo Nation Chapter Elections for One
Year and Extending the Current Terms of Office for Such Time**

- ❖ The Health and Safety of our Diné voters surrounding the Covid-19 virus is very sensitive. It has not diminished and as we begin the fall season, it is anticipated to spike. We cannot carelessly subject our Diné voters to the virus.
- ❖ We have already lost many of our loved ones to Covid-19 and we cannot afford to lose any more valuable lives.
- ❖ The Navajo Nation Election Office has neglected to institute an extensive mail-in/absentee system as the states have to protect the people and giving them the opportunity to exercise their right to vote.
- ❖ The outright cancellation of the primary election is a violation of our individual election civil rights, but an election postponement DOES NOT infringe on these rights.
- ❖ You are the voice of the Diné people and you must hear us as we have elected you to make decisions that are in the best interest of our people.
- ❖ It is also your duty to uphold the wishes of the Diné people as the elected Navajo Nation Council Delegates.

Name: Ward W. Hunter Jr.

Signature: Ward W. Hunter Jr.

Email address: wardhjr@gmail.com

Email to: comments@navajo-nsn.gov

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Name: John D. Hunter

Signature:

John D Hunter

Email address: adm_91_06@yahoo.com

Email to: comments@navajo-nsn.gov

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Name: Monica L. Yazzie

Signature: Monica Yazzie

Email address: monicayazzie@yahoo.com

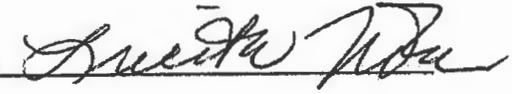
Email to: comments@navajo-nsn.gov

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- ❖ It is also your duty to uphold the wishes of the Diné people as the elected Navajo Nation Council Delegates.

Name: Lucita L. Nolan

Signature: 

Email address: lucita.nolan@yahoo.com

Comments to Legislation 0234-20

Faye BlueEyes <fayeblueeyes13@gmail.com>

Wed 9/30/2020 2:23 PM

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

The virus pandemic has caused so much loss to the livelihood of our Diné and the most painful is the loss of our loved ones. Yes, many of our people are considered recovered but that is not true because many of them are still suffering everyday by damages to their organs. Many lives have been lost, children are displaced, entire household members have parish and other negative impacts have affected our people. I highly commend the action by Honorable Elmer Begay who is sponsoring Legislation 0234-20, his action demonstrates that he truly cares for his people. I urge each and everyone of you to get behind Mr. Begay by approving this Legislation. Show us the Diné people, your interest is to protect the lives and health of your people. None of us really know what the future holds for us, the virus might get worse as predicted, do you want to take a chance and have our people go out in person to vote? How many more lives and hardship will be placed on our Diné people, just for political reasons. Make the right decision and support Legislation 0234-20.

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

Untitled

RL Lancer <rllancer401@gmail.com>

Wed 9/30/2020 9:20 AM

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

I support the extension of all local chapter officials election for a year.

I was at one time Chairman of the Navajo Board Of Election Supervisor and set up the Rules and Regulation of all Navajo government Election policy that is use to this date.

I believe in Navajo cultural and traditional where it states that human comes first and we are all face to face with deadly pardemic on the Navajo reservation.

We can not change local chapters officers during the time of needs. It's like changing wagon teams in the middle of a river.

As I see it, most local chapter officials are doing an excellent job and should continue as chapter officials during this pardemic period of times.

The Navajo Nation administration did not follow the Navajo Election Laws in 2020, whereby it calls for primary election and no primary election was conducted by Navajo Tribal Administration.

Therefore extend the Navajo Chapter election for a year and if pardemic continue , hold the local chapter officials election until 2022 .

Raymond L Lancer

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Legislation 0234-20

J. Etcitty <jetcitty@gmail.com>

Wed 9/30/2020 9:20 AM

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

Good Morning My Leaders,

With the current situation that is happening within Dinetah regarding COVID-19, I am supporting legislation 0234-20, which extends the Election for an additional year.

My reasons are:

- The safety of our Navajo people is more important, especially the majority that votes, our precious elders.
- Navajo Election Administration has failed to provide detailed reports of the steps they are taking to keep Navajo safe
- The recent spikes of COVID-19 in communities across the Navajo Nation

Several comments from the Delegates mention that officials are wanting their terms to be up, so they are wanting an election. Quick solution is having them resign. Lastly, the option of commenting for this legislation is provided through email, phone, and papermail, so please don't listen to hearsay.

I hope that you are all well and safe during this time, and keeping Dinetah in my prayers.

Jordan Etcitty, Navajo Voter from To'Hajiilee Navajo

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

From: echvz11@q.com

To: comments@navajo-nsn.gov;

 Cc & Bcc

Legislation 234-20 Postponing the Navajo Nation Election to 2021 and Extending current terms for one year

I fully support this legislation by Council Delegate Elmer Begay and ask full support from the remaining 23 council delegates.

The health and Safety of our Dine voters, especially the elders, the population most vulnerable and now the young generation has joined them. Dr. Fauci was right on key when he predicted this fall would be the worse period and now the covid-19 numbers has started to climb upwards again. The selfish reason for the few tribal leaders trying to push this election forward is not in the best interest of the Navajo people. This should be second priority. We have already lost many Navajo people to this pandemic. Families with these losses have heavy hearts today but yet as politicians, we march on. The election office has failed to set alternative system in place which will address the SAFETY of our people during such election. The President of the Navajo Nation has even denied additional funds towards and election this fall. I am sure he did that with Safety of our people in mind. The cancellation of parts of the voting process and disregarding current laws to rush such an election just to satisfy special interest leaders is not right. History in our judicial system has addressed this already but yet that is being disregarded. Council Delegates, as well as the President of the Navajo Nation is the voice of the people and in turn therefore you as leaders need to hear the Navajo people directly affected by this pandemic and these unjust decisions. We humbly ask for his postponement of the 2020 Election for one year. Postponing election has happened in 1990 and 2014 Tribal elections. Again, please vote to pass Legislation 234-20.

Ervin Chavez, A Navajo Nation member and voter
Nageezl Chapter, Eastern Agency

Sent from Mail for Windows 10

LEGISLATION NO: _0234-20__

Rose Nofchissey <rose.nofchissey@gmail.com>

Mon 9/28/2020 11:46 PM

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

Yes, postpone 2020 chapter level elections for 1 year. Thank you.

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Fw: EMERGENCY NN Council Legislation 0234-20 NOT SUBJECT TO 5-DAY PUBLIC COMMENT PERIOD...09/28/20

kris benally <cyb8@hotmail.com>

Mon 9/28/2020 6:49 PM

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

Cc: El Brown <thebrownmachine@hotmail.com>; Amber K. Crotty <acrotty@navajo-nsn.gov>; Jonathan Nez <jonathannez@navajo-nsn.gov>;

📎 1 attachment

0234-20 Emergency resolution postponing 2020 NN Chapter Elections for 1 yr_Extend current terms of office.pdf;

We should vote. Move forward with the vote. candidates already paid and submitted their papers.

From: BECENTI <rezztone@yahoo.com>

Sent: Monday, September 28, 2020 6:27 PM

To: Ed Becenti <rezztone@yahoo.com>

Subject: EMERGENCY NN Council Legislation 0234-20 NOT SUBJECT TO 5-DAY PUBLIC COMMENT PERIOD...09/28/20

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: 0234-20 SPONSOR: Elmer P. Begay

TITLE: An Action Relating To An Emergency For The Navajo Nation; Waiving 11 N.N.C. §§ 3(B), (C) And 6(A); Postponing The 2020 Navajo Nation Chapter Elections For One Year And Extending The Current Terms Of Office For Such Time; And Rescinding CJN49-20 And CJY-60-20

Date posted: September 28, 2020 at 11:06 AM

Digital comments may be e-mailed to: **comments@navajo-nsn.gov**

Written comments may be mailed to:

Executive Director

October 3, 2020

Darlene Pino
NVO Secretary
Naatsis'aan Veteran's Organization

Reference: Why election should be held in November 2020

Dear Ms. Pino

Per our conversation earlier, here are a few of justifications as to why I think the election should be held in November.

Meetings are absent due to the quorum not being met. It has been a while since I have attended a Chapter meeting at Navajo Mountain where people from the community gathered, numbered more than 25 or more. Lately the number have dwindled to less than 10 – 15, or a quorum is never met despite waiting extra time in hopes of getting more to come to the meeting.

When the water and electrical lines came, it went to the chapter and school. Prior to it coming in, people were told to get their homes ready to receive the electricity and water. Some resident living in the Arizona counties were prepared but, were forgotten. They are still waiting to get these services. One has to have a relative who are chapter officials or live on the Utah side to get service.

Navajo mountain Chapter officials lack communication with the two Arizona county officials. I often wonder if the chapter is aware that our community is located with three counties; Coconino, Navajo and Utah. They need to let these two Arizona counties know we need services in the Navajo Mountain chapter service area.

Some of the committees that the chapter has are complaining of little or no help from the chapter. It is a shame that some community members are denied assistance or help from the chapter but, help is given to family members of chapter officials who do not attend meetings or live in the area. Two chapter officials also do not live in Navajo Mountain. Chapter house employees are told not to disseminate chapter official's phone numbers or residence location, therefore cannot be contacted. Chapter employees are unable to assist with the need at hand.

I feel that it is very crucial that these elected chapter officials serve this community far better than they are doing. We need change and it can only be done if the election is held and not put off. If election can be done nationally despite all that is going on, why not here on the Navajo Nation.

Gregg Whitehat Sr.
Vice Commander
Naatsis'aan Veteran's Organization



Navajo Nation Veteran Administration
C/O Naatsis'aaan Veteran's Organization
P.O Box 1259
Tuba City, Arizona 86045

Jefferson Begay
Commander
602-499-8878
rezblldr@gmail.com

Gregg Whitehat Sr.
Vice Commander
928-660-9939
gwhitehat48@gmail.com

Darlene Pino
Secretary / Treasurer
602-361-5812
zedi1836@gmail.com

October 3, 2020

Via Electronic Filing: comments@navajo-nsn.gov

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

Re: COMMENTS ON LEGISLATION NO: _0234-20__
SPONSOR: Elmer P. Begay

Public Comments about TITLE: An Action Relating to An Emergency For The Navajo Nation; Waiving 11N.N.C. § 3(B), (C) And 6(A); Postponing The 2020 Navajo Nation Chapter Elections For One Year And Extending The Current Terms Of Office for Such Time; And rescinding CJN-49-20 And CJY-60-20

Dear: THE NAVAJO NATION LEGISLATIVE BRANCH
THE NAVAJO NATION COUNCIL
THE NAVAJO NATION STANDING COMMITTEE(S)
THE NAVAJO NATION OP/OVP

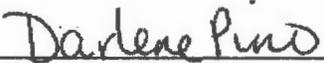
Please accept the following comments regarding the above-referenced matter on behalf of Naatsis'aaan Veteran's Organization (NVO). The Naatsis'aaan Veteran's Organization is located on the Navajo Nation in Navajo Mountain, within State of Arizona and Utah, and within the counties of San Juan County, Coconino County and Navajo County. Naatsis'aaan Veteran's Organization provides vital resources, advocacy and its function is to provide a healthy community and a positive environment for its Veterans, Family and Friends.

1. Democracy: People have a right to vote in National, State, Navajo Nation and local Navajo Nation Chapter level. We owe much to our Veterans and our elder folks who fought and lead for our rights. They fought for the right of all Navajo people to participate in the election, and to exercise the right to Vote.

2. “Opposed Candidate” and “Unopposed Candidate”: In 2020 Election, the Chapter President, Chapter Vice President and Chapter Secretary/Treasurer have opposing candidates at the Navajo Mountain Chapter. This presents the Navajo Mountain community members to exercise their right to Vote. Postponing the election denies their right to vote.
3. Devotion: The opposing candidates have devoted his/her time and established expenses with their campaign. Community members, family and friends made their decision to support their candidates. Unnecessary time and expense has been sacrificed by the opposing candidates with postponement of the election. These opposing candidate may not be available in 2021 after one year.
4. NO: 0234-20 : The incumbent Chapter officials have been uncooperative with the Chapter Veteran's Organization request for assistance although Supplemental Veteran's funds are available for this purpose. Veteran lives have been lost due to lack of assistance and Veterans are in dire need of assistance. A change in Chapter leadership is necessary.
5. Covid-19: The Navajo people agree the coronavirus is real and presents challenges for everyone. For the past months now, we as the Navajo people, have unfortunately experienced loss, contracted the virus and overcame the virus. The Navajo people has been educated and learned the new social norms. In every adversity and challenges we continued to live our daily lives. We have followed precautionary measures and to continue and move forward.
6. “Primary Election” and “General Election”: This election year, it was decided to not have the “Primary Election” and only have the “General Election”. This decision allowed ample time and created many options for the Navajo Election office, to develop a plan and prepare safety measurer at each polling place. The Navajo Election Office is a professional entity with the staff who are aware and will implement all CDC guidelines and protocols.
7. General Election – November 3rd, 2020: VOTE! VOTE! VOTE!

The Naatsis’aan Veteran’s Organization recognizes the many challenges we were made to face regarding the Covid-19. However, it is election year, and certainly we have a duty to exercise our “Right to Vote”. The Naatsis’aan Veteran’s Organization, its members, its family and its community, fully ‘SUPPORT’ with November 3rd, 2020 Navajo Nation Chapter Election voting to take place. NVO does “Not” support postponing the election to year 2021.

Sincerely,

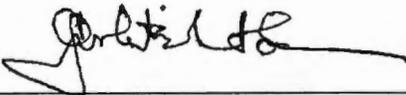


Darlene Pino
Naatsis'aan Veteran's Organization
Secretary/Treasurer

Concurrence:



Jefferson Lee Begay
Naatsis'aan Veteran's Organization
Commander



Gregg Whithat Sr.
Naatsis'aan Veteran's Organization
Vice Commander

VIA Email

Position statement:

To: Executive Director

Office of Legislative Services

PO Box 3390

Window Rock, AZ 86515

Re: Legislation 0234-20

I am a Candidate for the School Board position, paid my fees, and expended funds for campaign activities already.

I am in support of continue with this year's election for Navajo Nation, including School Board positions.

Its totally inappropriate to postpone at this last moment while a lot of Navajo Nation funds have been expended in process paperwork and Employees' time to get candidates on the ballots.

I believe the Election office are working on absent/mail in ballots now. There is really no reason to postpone election and everyone/everywhere, we are dealing with this COVID 19 virus issue and has hindered delays and affected operations, it is what it is.

IF you need people's Voice... then Let the election continue and have people vote.

Again, my Voice is to continue the election as scheduled for November 3, 2020.



Victoria Henio

Candidate for Ramah Navajo School Board

Pine Hill, New Mexico

V_henio82@yahoo. Com

LEGISLATION NO: _0234-20__ SPONSOR: Elmer P. Begay

Red George <hasbahg@gmail.com>

Thu 10/1/2020 9:29 PM

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

Hello

My name is Redawn George, I am enrolled Navajo tribe member and Navajo Nation registered voter for Shiprock Agency. Due to the current chaos with our current Farm Board member, Dineh Benally, we are in dire need of the election of our local chapter officials to resume as scheduled. Our community is currently suffering from extreme stress and are in dire need of a new Farm Board member to direct our farmers. Also according to our Navajo culture and tradition and Dine Fundamental law our innate is always complete tasks in four (4). We DO NOT complete tasks in odd numbers. This election is scheduled every four (4) years and should remain as that. There are so many traditions we had to alter due to Covid-19, this should not be one of them.

On behalf of Northern Agency communities we strongly oppose the extension of the election for Chapter Officials. We would greatly appreciate your support.

RedDawn George

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Legislation No. 0234-20

Aaron Edsitty <aedsitty@navajochapters.org>

Thu 10/1/2020 8:56 AM

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

Proceed with the Navajo Nation General Election, labor hours were spent in setting up the general election, and take into consideration the funds that will be wasted on the ballots and the planning of the November 3rd election!!!

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NN Election

Sharlinda Martin <sharlindamartin@gmail.com>

Thu 10/1/2020 8:45 AM

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

Post poning NN Election would be a waste of monies already spent on hours worked, printing of ballots and advertising materials and costs..

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Legislation 0234-20

Kymba tisi <ettatisiken@yahoo.com>

Thu 10/1/2020 8:45 AM

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

Hello,

My name is Kenbah Tisi and I'm a registered voter, a community member of Bodaway Gap Chapter, and a chapter vice president candidate.

Please do not entertain the legislation 0234-20!! We need to have the chapter official election to go forth in November 3, 2020. We DO NOT need to post pone this another year.

Our current chapter officials of Bodaway Gap needs new people as chapter officials, to work for the people. Thank for your time

Sincerely,

Kenbah Tisi
ettatisiken@yahoo.com

Sent from Mail for Windows 10

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Election

Rannita Henderson <desertbutterfly62@gmail.com>

Thu 10/1/2020 8:45 AM

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

Please do not postpone the election on November 3. We have chapter office that have shown no productivity, no progress on chapter projects and aid to voting members of their community. --

Smile!!!!

Rannita

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Legislation #0234-20

Samuel Pete <spete_368law@hotmail.com>

Thu 10/1/2020 8:45 AM

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

There is no reason that is exigent to justify a postponement of the NN Chapter Election. Navajo Voters have a right to exercise their right to vote. The National election is proceeding, so should the NN Chapter election.

Sent from my iPhone

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

Untitled

Roberta Gorman <rgorman@fUSD1.org>

Wed 9/30/2020 9:20 AM

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

Its our Dine Rights to vote according to Election Policy and Procedures of Navajo Nation despite the pandemic.CDC Guidelines in place at every voting area should be mandatory. I support to process with Navajo Election in November 02,2020, some of us already submitted our fees and application to be Candidates and election ballots are getting printed, Thank you.

Sent from my Verizon, Samsung Galaxy smartphone

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Questioning Legislation 0234-20

Theresa Hatathlie <Ms_Thatathlie@msn.com>

Wed 9/30/2020 8:30 AM

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

Good morning, Honorable Delegates:

Please do not entertain the above referenced legislation sponsored by Delegate Elmer P. Begaye.

For decades our forefathers have rode horses and driven their wagons great distances to exercise their right to VOTE. I am sure many times in freezing temps as back then it snowed more than a foot!

In this day and age, we have many opportunities to safely vote! Please do not delay the elections! This is voter suppression and by doing so will only create undue turmoil.

Thank you.

Theresa Hatathlie, Voter
Coalmine Canyon Chapter

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Comment re Legislation 0234-20

Elsa Johnson <asdza.ej@gmail.com>

Tue 9/29/2020 6:50 PM

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

To Speaker Damon and Navajo Nation Council,
Please do not postpone the Navajo Nation Chapter Election. If it's postponed the only way to reach voters would be through radio PSAs airing several times a day. This will create tremendous confusion. Voters will not show up for the federal election. It is critical for the Navajo voters to turn out for the upcoming U.S. Presidential election. Please do not postpone the chapter election.

As for COVID-19, the state and federal election offices should be ensuring social distancing and masks are required at the polls. All chapters need to inform their members that they cannot socialize or have food stands like they used to do previously.

A'hee'he.

Elsa Johnson

Forest Lake Chapter

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To: Executive Director
Office of Legislative Services
PO Box 3390
Window Rock, AZ 86515

From: Gjermundson C Jake
Running Candidate for Ramah Navajo School Board Member
PO Box
Pine Hill, NM 87357
GjermundsonJake3@gmail.com

Date: October 1, 2020

Re: LEGISLATION 0234-20

My name is Gjermundson C Jake, I am a running candidate for Ramah Navajo School Board member. I am expressing my concerns and comments on Legislation 0234-20. Understanding that we are facing a health crisis with the Coronavirus Pandemic. If the election is to be postponed to 2021 for the safety of our people. The term should remain 4 years and not changed to 3 years. Each elected official in the Chapter Level and School Board level should have the right to serve the full term.

I also believe that we should continue with the election in 2020, rather than having people line up, we should provide drive thru voting centers at each chapter parking lots or school parking lots. This year we have learned other ways to handle each event that is safer for our Navajo people. If voting personnel can be trained on safety precautions and how to direct each voter during voting day may help. At the end, we need to put the Navajo people's health and safety first.

We need to seek other options before we just postpone an election day. If all the options failed. We must postpone the election to 2021.

Thank you for your time,

Gjermundson C Jake
Running Candidate for Ramah Navajo School Board

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

LEGISLATION NO.: 0234-20

SPONSOR: Honorable Elmer P. Begay

TITLE: An Action Relating To An Emergency For The Navajo Nation; Waiving 11 N.N.C. §§ 3(B), (C) And 6(A); Postponing The 2020 Navajo Nation Chapter Elections For One Year And Extending The Current Terms Of Office For Such Time; And Rescinding CJN-49-20 And CJY-60-20

Posted: September 28, 2020 at 11:06 AM

5 DAY Comment Period Ended: Not Subject to Five Day Hold

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	1) Randy Spencer 2) John Begay
Inconclusive Comments	<i>None</i>



**Legislative Tracking Secretary
Office of Legislative Services**

10/14/20 11:57AM

Date/Time

Legislation 0234-20

Randy Spencer <rspencer_57@yahoo.com>

Mon 10/12/2020 5:41 PM

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

I strongly advise against this legislation because it undermines the integrity of our laws within our Navajo nation. Currently in the national spectrum the republican party is forcing the nomination and confirmation of a Supreme Court justice that clearly is unethical in the protocol of the United States judicial system voter system. There is no legal binding for this legislation except to suppress voters in practicing thier legal right to vote in a natural state voting cycle.[from Yahoo Mail on Android](#) WARNING: External email. Please verify sender before opening attachments or clicking on links.

OPPOSITION TO LEGISLATION 0234-20

John Begay <sasiparent@gmail.com>

Fri 10/9/2020 10:00 AM

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

Opposition to Legislation 0234-20

Dear Honorable Members of the Navajo Nation Council:

As a concerned Navajo citizen and voter, I am emailing you to OPPOSE Legislation 0234-20 to delay the elections for one year for all chapter officials, land board, farm boards, grazing officials, and school boards. The elections should happen without delay. The Council should not use the COVID-19 pandemic as an excuse to delay the election. Other states have adapted to the pandemic to ensure voting goes on. I am ready to exercise my right to vote. Postponing this election is only going to cause more confusion and disenfranchise Navajo voters.

As far as COVID-19 concerns, Navajo people have been dealing with this pandemic for some time now and generally have responded well in terms of social distancing, wearing face masks, complying with health orders, and ensuring proper precautions are in place. Based on what I've seen, the Navajo Nation government, including the Navajo Election Administration should be ensuring that COVID-19 precautions are in place during the voting process. Taking precautions also should be common sense and practice by now. Food stands and campaigning should not be allowed.

I'm also very concerned that postponing this election is going to have a negative impact by diluting and reducing the vote of our Navajo people in the upcoming federal, state, and county elections. Generally, tribal, state, and federal elections coincided with each other. Delaying this election will ensure that Donald Trump's reelection. Trump has hurt our Navajo people and needs to be removed. Martha McSally also needs to be removed.

Legislation 0234-20 also calls for refunds to be issued to all candidates who filed for office. How that can be accomplished because the filing fees were set by referendum and are non-refundable. (11 N.N.C. §26, CAP-22-06, April 20, 2006). Elmer Begay and the Council cannot overrule the vote of the Navajo people. It also seems as if Elmer Begay is making promises (filing fee refunds) that he can't keep or as an attempt to mislead other delegates and people to support his legislation.

Ervin Chavez and Elouise Brown also had plenty of time to file any lawsuits and it's sad that they are using it as a desperate attempt to stay in office at all costs. Their attorneys David Jordan and Justin Jones are also ma'iis (coyotes) who are likely getting paid lots of money to file lawsuits. Even Elouise Brown's Facebook friends and constituents are telling her to not delay the election. She's not listening.

Elmer Begay is also close buddies with Justin Jones and he has a major conflict of interest. Elmer Begay is abusing his council delegate position to do Justin Jones' and David Jordan's dirty work and sue the Navajo Nation.

David Jordan, who is behind this lawsuit, is also the attorney for Dineh Benally and his illegal hemp/marijuana operations up in the Shiprock area. This legislation means that Dineh Benally and his corrupt farm board get to stay in office and continue the chaos that has been going on. Our people are ready to vote him and the corrupt farm board out. Please do not delay this election and let our people VOTE.

Sincerely,

John Begay

Shiprock, NM 87420

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

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

LEGISLATION NO.: 0234-20

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Posted: September 28, 2020 at 11:06 AM

5 DAY Comment Period Ended: Not Subject to Five Day Hold

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	1) Crownpoint Chapter
Inconclusive Comments	<i>None</i>



**Legislative Tracking Secretary
Office of Legislative Services**

10/21/20 11:25 AM

Date/Time

JONATHAN NEZ
President

NAVAJO NATION
CROWNPOINT CHAPTER

MYRON LIZER
Vice President

Post Office Box 336
Crownpoint, New Mexico 87313
PHONE (505) 786-2130/2131
FAX (505) 786-2136
WEBSITE: www.crownpoint.ndes.org
Email: crownpoint@navajochapters.org



CHAPTER ADMINISTRATION
Aaron Edsitty, Community Services Coordinator
Email: aedsitty@navajochapters.org
Felicia John, Accounts Maintenance Specialist
Email: fjohn@navajochapters.org

RITA CAPITAN
PRESIDENT

LEONARD PERRY
VICE PRESIDENT

HELEN MURPHY
SECRETARY/TREASURER

MARK FREELAND
COUNCIL DELEGATE

HERBERT ENRICO
LAND BOARD MEMBER

RESOLUTION CPC: 21-10-007

SUPPORT AND APPROVE TO CONTINUE THE NAVAJO NATION ELECTIONS 2020 TO BE HELD AS PLANNED ON NOVEMBER 03, 2020.

WHEREAS:

1. The Crownpoint Chapter Certified as a local governmental unit of the Navajo Nation authorized by 2 N.T.C. Section 4001 and 4028 (a) to review and promote matters that affect the local community and to make appropriate recommendations to the Navajo Nation, Federal, State, County, and local agencies for consideration and /approval; and
2. The Crownpoint Chapter is a recognized and certified chapter authorized under Navajo Nation Code Title 26 Local Governance Act of 1998 and also authorized to address matters of local concern with Navajo Law custom and tradition; and
3. The Navajo Nation Election 2020 was set for November 3, 2020, without a Primary Election due to the Covid19 Pandemic for the safety of the Navajo voters; and
4. The Crownpoint Chapter feels like there are resources and funds which have been allocated to the present election date of November 03, 2020 and postponing it, would only add more confusion and animosity towards our Navajo Nation Government; and
5. The Crownpoint Chapter is also concerned that postponing the election would potentially negatively impact future election participation.

NOW THEREFORE BE IT RESOLVED THAT;

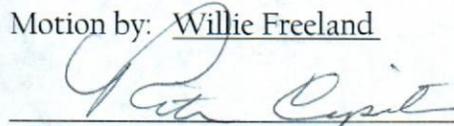
1. We support the Navajo Nation Elections to take place on November 03, 2020.

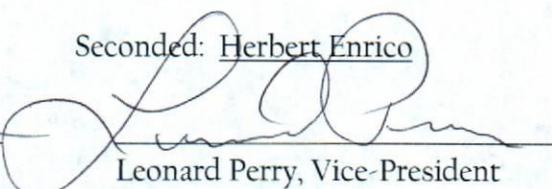
C-E-R-T-I-F-I-C-A-T-I-O-N

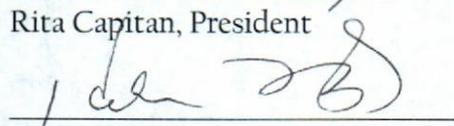
WE, HEREBY CERTIFY, THAT THE FOREGOING RESOLUTION was duly considered by Crownpoint (Navajo Chapter) New Mexico, State of New Mexico-McKinley County at duly called Regular Chapter Meeting at which a quorum was present and that the same was passed by a vote of 6 in favor, 0 Opposed, 1 abstained on the 13th day of October 2020.

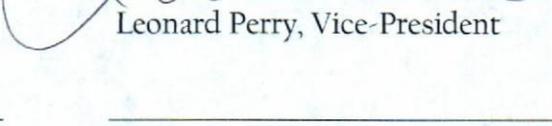
Motion by: Willie Freeland

Seconded: Herbert Enrico


Rita Capitan, President


Leonard Perry, Vice-President


Helen Murphy, Secretary/Treasurer


Mark Freeland, Council Delegate