



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*

Yideeskáadi Nitsáhákees | *Think for the Future*

May 7, 2026

Honorable Delegates of the 25th Navajo Nation Council
Navajo Nation Council
P.O. Box 3390
Window Rock, AZ 86515

RE: Resolution No. CAP-30-26: An Action Relating to the Law and Order and Naabik'iyáti' Committees and the Navajo Nation Council; Amending Title 11 of the Navajo Nation Code to Establish Forfeiture of Position by Elected and Appointed Official Who Fail to Subscribe to the Oath of Office.

Dear Honorable Members of the 25th Navajo Nation Council:

I am pleased to sign into law the Navajo Board of Election Supervisors' recommendation to amend section 6 (G) of Title 11 of the Navajo Nation Code.

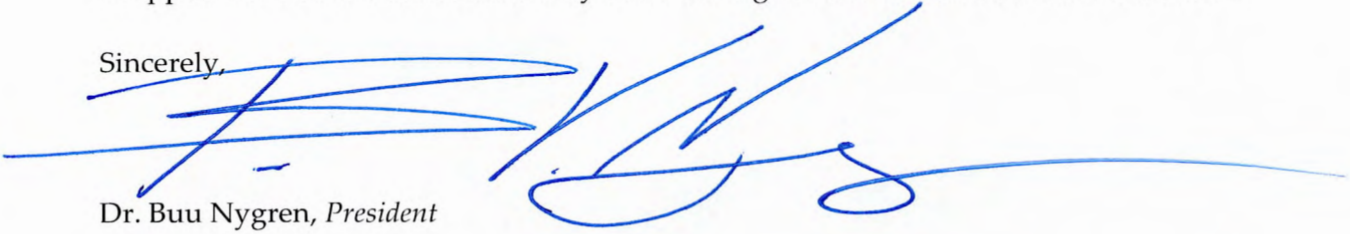
The Board of Election Supervisors determined that the Nation's election code needs to be clearer on the requirements for elected officials and individuals appointed to fill vacated elected positions. Specifically, the Board determined that there needs to be clarity that these individuals must take the required oath of office within a specified time period set by the Board. If these individuals do not comply, then they forfeit their positions.

The reason for this is that until a person takes their Oath, they cannot serve as the elected official. If this clarity is not provided, then people could never take their oath and the people who voted for them or who are to be served by them will have no representation.

Importantly, the Board also recommended a grievance process for anyone who feels their forfeiture was inappropriate.

I support the Board's desire for clarity and have signed Resolution CAP-30-26 into law.

Sincerely,


Dr. Buu Nygren, President
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL -- Fourth Year, 2026

AN ACTION

RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING TITLE 11 OF THE NAVAJO NATION CODE TO ESTABLISH FORFEITURE OF POSITION BY ELECTED AND APPOINTED OFFICIALS WHO FAIL TO SUBSCRIBE AND SWEAR TO THE OATH OF OFFICE

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 601(B)(14), reviews and makes recommendations to the Navajo Nation Council on proposed amendments to and enactments in the Navajo Nation Code.
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council. Pursuant to 2 N.N.C. § 164(A)(9), the committee reviews proposed legislation which requires final action by the Navajo Nation Council.
- C. The Navajo Nation Council enacts laws and sets policy for the Navajo Nation. 2 N.N.C. § 102.

SECTION TWO. FINDINGS

- A. Under the Navajo Nation Election Code, all elected and appointed officials are required to subscribe and swear to the Oath of Office and shall not serve or be permitted to act as an official until after the Oath is taken. 11 N.N.C. § 6(G).
- B. There is a need for amendments to the Navajo Nation Election Code to establish forfeiture of position by elected and appointed officials who fail to subscribe and swear to the Oath of Office.
- C. The Navajo Board of Election Supervisors supports and recommends amending the Election Code at 11 N.N.C. § 6, as provided in attached Exhibit A.

SECTION THREE. AMENDING TITLE 11

- A. The Navajo Nation Council hereby amends the Navajo Nation Code, 11 N.N.C. § 6 as follows:

THE NAVAJO NATION CODE
TITLE 11 ELECTIONS
Chapter 1. Navajo Election Code of 1990
Subchapter 1. General Provisions

* * * *

§ 6. Terms of Office: Oath

* * * *

G. All elected and appointed officials of the Navajo Nation shall subscribe and swear to the Oath of Office ~~(see Appendix to CAP-23-90)~~. No individual shall serve as an elected or as an appointed official or be permitted to act as an elected or an appointed official until after certification by the Election Board and an oath of office is taken or administered as prescribed by law or pursuant to rules and regulations of the Navajo Board of Election Supervisors. ~~By virtue of an appointment shall not constitute a full term of an appointed member.~~

1. A candidate who has received the highest vote for a position or has been appointed and does not take his or her Oath of Office by the prescribed time or within the time designated by the Navajo Election Administration shall be deemed to have forfeited his or her position.
2. Grievances concerning forfeiture of position under this section shall be filed no later than ten (10) days of written notice of such action as issued by the Navajo Election Administration. Standing for such grievances shall be limited to candidates determined to have forfeited their elected positions.
3. The Navajo Board of Election Supervisors shall implement the intent and purposes of this section through Rules and Regulations.

H. Serving an unexpired term, either by election or appointment, shall not constitute service of a full term for purposes of the Election Code.

* * * *

SECTION FOUR. CODIFICATION

The provisions of the Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

SECTION FIVE. SAVING CLAUSE

Should any provision of this Act be determined to be invalid by the Navajo Nation Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, the remainder of the Act shall remain the law of the Navajo Nation.

SECTION SIX. EFFECTIVE DATE

The amendments enacted herein shall be effective upon its approval pursuant to 2 N.N.C. §221 and 2 N.N.C. § 1005(C) (10-12).

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th 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 17 in Favor, and 00 Opposed, on this 22nd day of April 2026.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

4/27/2026

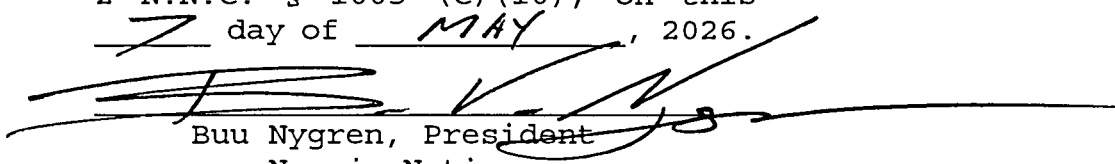
Date

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

Speaker Crystalyne Curley 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 7 day of MAY, 2026.

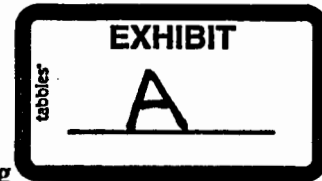

Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2026 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation

RESOLUTION OF THE
NAVAJO BOARD OF ELECTION SUPERVISORS

**Recommending Amendments to 11 N.N.C. § 6(G) for purposes of addressing
Non-Compliance with required Oaths of Office for Elective Positions**



WHEREAS:

1. The Navajo Board of Election Supervisors of the Navajo Nation is empowered by 11 N.N.C. §321 (A) (1) to administer, implement and enforce the Navajo Election Code. The Board is established as an "independent" body, overseeing the fair administration of all Navajo Nation elections, including protecting the rights of voters to vote for candidates of their choice and providing opportunity for qualified candidates to run for office and serve the public. 2 N.N.C. §871
2. The Navajo Election Code provides:

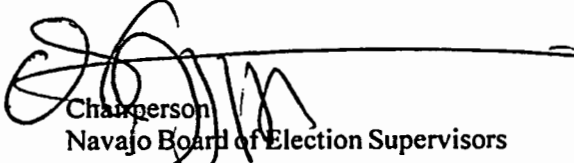
All elected and appointed officials of the Navajo Nation shall subscribe and swear to the Oath of Office (see Appendix to CAP-23-90). No individual shall serve as an elected official or be permitted to act as an elected official until after certification by the Election Board and an Oath of office is taken or administered as prescribed by law. By virtue of an appointment shall not constitute a full term of an appointed member.
3. It is mandatory that Oaths of Office be administered before any elected or appointed individual is allowed to exercise any responsibilities of office. Without duly-certified officials, the public remains unrepresented as to respective elective positions.
4. It is in the best interest of the Navajo Nation that 11 N.N.C. § 6(G) be amended to address non-compliance with required Oath of Office provisions of the Navajo Election Code.

NOW THEREFORE BE IT RESOLVED THAT:

The Navajo Board of Election Supervisors hereby recommends that the Navajo Nation Council consider and approve proposed amendments to 11 N.N.C. § 6(G) as provided in the attached **EXHIBIT A**. The purposes of the proposed amendments are to address non-compliance with required Oath of Office provisions of the Navajo Election Code.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Board of Election Supervisors at a duly called meeting within the Navajo Nation in Window Rock, Arizona, during which a quorum was present and the same was passed by a vote of (5) in favor, (0) opposed, and (0) abstained, this 4th of September 2025.


 Chairperson
 Navajo Board of Election Supervisors

Motion: Arlene Nakai-Brown
Second: Dr. Victoria Yazzie

EXHIBIT A

§6. Terms of office; ~~e~~Oath

E G. All elected and appointed officials of the Navajo Nation shall subscribe and swear to the Oath of Office (~~see Appendix to CAP-23-90~~). No individual shall serve as an elected or as an appointed official or be permitted to act as an elected or an appointed official until after certification by the Election Board and an oath of office is taken or administered as prescribed by law or pursuant to rules and regulations of the Navajo Board of Election Supervisors. ~~By virtue of an appointment shall not constitute a full term of an appointed member.~~

1. A candidate who has received the highest vote for a position or has been appointed and does not take his or her Oath of Office by the prescribed time or within the time designated by the Navajo Election Administration shall deemed to have forfeited his or her position.
2. Grievances concerning forfeiture of position under this section shall be filed no later than ten (10) days of written notice of such action as issued by the Navajo Election Administration. Standing for such grievances shall be limited to candidates determined to have forfeited their elected positions.
3. The Navajo Board of Election Supervisors shall implement the intent and purposes of this section through Rules and Regulations.

H. Serving an unexpired term, either by election or appointment, shall not constitute service of a full term for purposes of the Election Code.

NAVAJO NATION

824

4/22/2026

Navajo Nation Council 2026 Spring Session

10:51:59 AM

Amd# to Amd#	New Business: Item F.	PASSED
MOT Charles-Newton,	(CONSENT #2)	
SEC James, V	#0062-26; #0063-26 & #0070-26;	
	Written Reports...	

Yeas : 17

Nays : 0

Excused : 0

Not Voting : 6

Yea : 17

Begay, H	Daniels, H	Nez, R	Tolth, G
Begay, N	James, V	Nez, T	Tso, O
Charles-Newton, E	Mitchell, A	Notah, N	Yazzie, C
Claw, S	Nez, A	Simpson, D	Yazzie, L
Crotty, A			

Nay : 0

Excused : 0

Not Voting : 6

Jesus, B	Parrish, S	Slater, C	Yanito, C
Johnson, C	Simonson, G		

Presiding Speaker: Curley, C