

NM SECRETARY OF STATE'S OFFICE

NATIVE AMERICAN ELECTION INFORMATION PROGRAM (NAEIP)

2020 GENERAL ELECTION SCHOOL



NAEIP Liaison: Martin Aguilar, email: martin.aguilar@state.nm.us

Office: (505) 827 - 3619

NAEIP Liaison: Helene Crosby, helene.crosby@state.nm.us

Nenahnezad Navajo Chapter - NAEIP Office: (505) 629 - 9114

NAEIP OVERVIEW

- NAEIP works with twenty-three federally recognized Tribes/Pueblos/Nations in 12 Counties to provide outreach / voter education within tribal communities.

The Navajo Nation has 51 Chapters that are located in seven counties

1) Bernalillo, 2) Cibola, 3) McKinley, 4) San Juan, 5) Sandoval, 6) Socorro, 7) Rio Arriba

Three Apache Tribes

1) Jicarilla Apache Nation, 2) Mescalero Apache Tribe, 3) Ft. Sill Apache Tribe

19 Pueblos

1) Taos Pueblo, 2) Picuris Pueblo, 3) Ohkay Owingeh, 4) Santa Clara Pueblo, 4) San Ildefonso Pueblo, 6) Nambe Pueblo, 7) Pojoaque Pueblo, 8) Tesuque Pueblo, 9) Cochiti Pueblo, 10) Santo Domingo Pueblo, 11) San Felipe Pueblo, 12) Santa Ana Pueblo, 13) Sandia Pueblo, 14) Zia Pueblo, 15) Jemez Pueblo, 16) Isleta Pueblo, 17) Laguna Pueblo, 18) Acoma Pueblo and 19) Zuni Pueblo.

- NAEIP works with twelve NM counties with Native American populations on federally recognized tribal lands.
- NAEIP provides election related translations for eight Tribal languages.
- NAEIP assists Tribes with election laws, voter info, voter data and voter registration.
- NAEIP works with five counties having NAEIP programs and bilingual programs.

OVERVIEW OF FEDERAL MANDATES

- In 1978, the New Mexico Secretary of State's Office established NAEIP to assist NM Native Americans in the electoral process. Native American interpreters were hired to translate/interpret state election materials in various NM tribal language dialects. These Interpreters provided information to tribal members on voter registration, voting requirements, and election laws.
- In 1988, the United States Department of Justice took legal action (Federal Court Order Consent Decree) in NM to extend greater election information to Native American based on the Minority Language Assistance Amendments to the Federal Voting Rights Act of 1965 (Sec. 203).
- As a result of these actions, the Native American Election Information Program (NAEIP) was established by the NM Legislature and seated in the Office of the Secretary of State, Bureau of Elections to assist in developing voter education and outreach for all Native Americans.

#	Counties w/Consent Decrees Implemented	Federally Recognized Tribes within each County
1	Sandoval County Currently Under Letter of Agreement	Cochiti Pueblo, Santo Domingo Pueblo, San Felipe Pueblo, Santa Ana Pueblo, Sandia Pueblo, Zia Pueblo, Jemez Pueblo, Navajo
2	Bernalillo County Currently Under Letter of Agreement	Isleta Pueblo, Navajo
3	Socorro County Currently Under Letter of Agreement	Navajo
4	Cibola County Currently Under Letter of Agreement	Laguna Pueblo, Acoma Pueblo, Navajo
5	McKinley County CD Satisfied, CD Removed	Zuni Pueblo, Navajo
6	San Juan County CD Satisfied, CD Removed	Navajo

NM NATIVE AMERICAN INTERPRETERS

- NAEIP coordinates the interpretations of the General Election Proclamation, General Obligation Bonds (GOBs) and Constitutional Amendments (CA's) the Primary & General. Local NAEIP programs conduct the translation of local county resolutions and ballots.
- NAEIP works with eight NM Native American Languages and contracts with individuals from each community to interpret election related material:
Navajo, Tewa, Tiwa, Keres, Zuni, Towa, Jicarilla Apache, and Mescalero Apache.
- NAEIP works with seven radio stations in several counties to air election documents:
 - 1) KTRA / Farmington;
Jicarilla Apache / Jicarilla Apache Nation
 - 2) KTAO / Taos;
Northern Tiwa / Taos Pueblo, Picuris Pueblo
Tewa / OhkayOwingeh, Santa Clara Pueblo, San Ildefonso Pueblo,
Pueblo, Pojoaque Pueblo, Tesuque Pueblo.
Nambe
 - 3) KANW / Albuquerque;
Keres / Cochiti Pueblo, Santo Domingo Pueblo, San Felipe Pueblo,
Santa Ana Pueblo, Zia Pueblo
Towa / Jemez Pueblo
Southern Tiwa / Isleta Pueblo, Sandia Pueblo
 - 4) KSHI / Zuni Pueblo;
Zuni / Zuni Pueblo
 - 5) KZZX, KXXX, KXXX / Alamogordo
Mescalero Apache / Mescalero Apache Tribe
 - 6) KGAK/Gallup;
Navajo / Navajo Nation
 - 7) KNDN / Farmington;
Navajo / Navajo Nation

ELECTION LAWS ON NATIVE AMERICAN VOTERS

There are several current election laws that pertain to Native American NM registered voters which are incorporated in the NM Election Handbook.

- §1-12-42(C) Conduct of elections; employees time to vote.
Allows NA voters to take time off from work to vote in **tribal** elections.
- §1-2-3(C) Secretary of state; instructions, forms, certificates, proclamations.
Provides that voters are given **oral assistance** in their Native language if the language is not written.
- §1-2-19 Oral assistance for language minority voters
Requires **verbal assistance** to Native Americans on registration, ballot instructions GO Bonds and Constitutional Amendments, etc.
- §1-6-5.8 Early voting; Native American early voting locations
Requires the County Clerk to provide at least one early/mobile voting location for **each tribe/pueblo that submits a request.**
- §1-4-25(F) Cancellation of registration; determination of death
Allows tribes/pueblos to provide the county clerk **notification of a deceased tribal member deceased for removal** from list of registered voters.

REMOVAL OF DECEASED VOTERS

- Legislation enacted in 2009 amended the NM Election Code to allow Native American tribes/pueblos to send the county clerk names of registered tribal members that are deceased.

§1-4-25(F) states " Upon receipt of a notarized document from the president or governor of an Indian nation, tribe or pueblo or from a tribal enrollment clerk indicating that a tribal member is deceased, the county clerk shall cancel the certification of registration of that deceased tribal member."

- The process of removing voters that are deceased tribe/pueblo members is:
 1. The County Clerk provides a listing of all registered voters to the tribe/pueblo.
 2. The tribe/pueblo reviews the list and identifies members that are deceased.
 3. The tribe/pueblo provides list of deceased members to the county clerk with a notarized letter.
 4. The tribe/pueblo may follow up with the County Clerk to ensure that the deceased voters have been removed from the voter list.

REQUESTING EARLY VOTING SITES

§1-6-5.8 states “ A county clerk shall provide at least one alternate early voting or mobile voting location on Indian nation, tribal or pueblo land when requested by the Indian nation, tribe or pueblo in the county”. Provisions in this section require the following:

- The county clerk must receive the request for early/mobile voting location no later than the first Monday in November of odd numbered years.
- The deadline for requesting an early/mobile voting location is **Monday, November 4, 2019** in order for the county clerk to provide locations in the 2020 election cycle.
- The alternate early/mobile voting location may operate for less than the full early voting period. The days and hours of operation are to be **decided upon by the Indian nation, tribe or pueblo and the county clerk.**
- The county clerk may limit voting to precincts on and near the Indian nation, tribe or pueblo.
- The location of the alternate early/mobile voting sites must conform to the requirements for alternate early voting locations except as specified in §1-6-5.8.
- The county clerk is required to provide language translators at the alternate early/mobile voting location.
- **SB 4, Sec. C., Pg 6, takes effect immediately for Native American polling locations.**

ACCOMPLISHMENTS OF NAEIP

- ✓ Conducted training and provided materials to assist local NAEIP Liaisons during the 2020 Election Cycle.
- ✓ Completed presentations for several Native American Organizations to enhance Native American voter participation.
- ✓ Coordinated the translation of election related materials such as the Governor's Primary Proclamation, GOB Bonds, Constitutional Amendments and ballots for Native American voters in the Primary and General Elections, and now Regular Local Elections.
- ✓ Coordinated with various tribes/pueblos to establish Early Voting sites on Native American lands.
- ✓ Coordinated the translation of ballot instructions for new voting systems implemented for the General Election of 2014.
- ✓ Prepared Election results for all precincts containing Native Americans across the State of New Mexico.

2019-2020 GOALS OF NAEIP

Continue to:

- Provide Voter Outreach to Tribes and Pueblos
- Provide language translations and interpretations
- Work with all twenty-three Tribes and County Clerks
- Work with local county NAEIP and bilingual programs
- Comply with NM State Statute and Federal Voting Rights requirements

The SOS welcomes any suggestions for further outreach or training the NAEIP can provide. Please contact the NAEIP Program