



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
SOUTHWEST REGION
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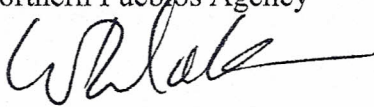


IN REPLY REFER TO:
360 – Tribal Government Services

SEP 27 2012

Memorandum

To: Superintendent, Northern Pueblos Agency

From: Regional Director 

Subject: Response for Request for a Waiver to Hold the Laguna Secretarial Election by Absentee Ballot

During the election, we received a request from an individual tribal member to let us know that we are not following the language found in 25 CFR § 81.19(b)(4). Within the regulations it states that the preaddressed outer envelope should have a certification that indicates members to check a box to identify: (a) I am a non resident voter; (b) I expect to be temporarily absent from the reservation; (c) because of illness; (d) physical disability; or (e) because no polling place has been established.

The Pueblo of Laguna's Tribal Council requested that the whole election be declared an Absentee Ballot election. The election was authorized under 25 CFR § 81.6(d) for a reorganized tribe to amend its constitution and bylaws. The only restrictions related to Absentee voting are identified under 81.6(b)(2) for those tribes that are composed of adult Indian residents of a reservation.

We do not believe that it is necessary to request a waiver of the regulations to hold this election by absentee ballot. This decision was made in concert with the Southwest Regional Solicitor's Office in Albuquerque, New Mexico.

cc: Governor, Pueblo of Laguna