



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
SOUTHWEST REGION
1001 Indian School Road, N.W.
Albuquerque, New Mexico 87104



IN REPLY REFER TO:
360 – Tribal Government Services

AUG 31 2012

Memorandum

To: Superintendent, Northern Pueblos Agency
From: Regional Director *[Signature]*
Subject: Authority to Call a Secretarial Election

This office received a request from the Tribal Council of the Pueblo of Laguna to request a Secretarial Election to adopt a proposed Governance Agreement, on or about August 23, 2012. It was accompanied by Tribal Council Resolution No. 35-12, enacted on May 18, 2012, to propose that the Pueblo be allowed to amend certain sections of the current constitution along with a request for authorization to hold Secretarial Election. This duty was originally assigned to the Superintendent, Laguna Agency. You have been requested to continue with the duties of the Chairman for the balance of this election and the new election date has been set for October 19, 2012.

The final language was submitted as part of the resolution. The following sections were presented with proposed changes:

Article XI – Amendments, Section 1 and Section 2 will remove the Secretarial Approval required to amend the tribal constitution in the future. This will not affect the status of their current standing as an Indian Reorganization Tribe (IRA). The Pueblo will continue to be an IRA tribe with a non-IRA constitution.

Article II - Membership, Section 4, Loss of Membership currently requires Secretarial Approval. As long as the tribe provides for a hearing prior to final determination on loss of membership removal of Secretarial Approval is acceptable. Ordinances should be enacted to establish the process.

Article II – Membership, Section 1(d), requires parent, parent(s), or other person to submit an application within two years of date of birth. Because certain benefits related to membership may be withheld if the membership does not take place within two years of birth, they are proposing to remove the timeframe.

In accordance with the 90-day timeframe required by law to hold a Secretarial Election, this begins day 0 and will begin the 60-day countdown agreed upon for the holding of the election. Dates of importance are as follows:

- Day 0 June 25, 2012 – Authorize Superintendent, Laguna Agency, to conduct Election**
- Day 0 July 20, 2012 – Governor requested an extension to hold the election on October 19, 2012**
- Day 43 August 31, 2012 – Governor requested that we re-establish the date for the election for October 19, 2012 to ensure all members and changed the Chairman, Secretarial Election Board to Superintendent, Northern Pueblos Agency and Reauthorize the Election**
- Day 82 October 19, 2012 – Election Day**

The Pueblo requested a voting date for October 19. We now have the listing of names of persons to sit on the Secretarial Election Board. Please work with the tribe. The request by the tribe included that we hold the election by Absentee Ballot. We agreed to extend to allow for unknown and numerous changes within the postal system. Additional days may be necessary to ensure that all ballots are received and can be counted.

You are hereby authorized to call and conduct the requested election on the proposed language as submitted by the Pueblo of Laguna. Voting on the proposed language shall be in accordance with Title 25 of the Code of Federal Regulations, Part 81 (25 CFR Part 81). Funds are in the process of reprogramming for this Secretarial Election in the amount of \$20,000 and have already been awarded. They will be authorized to draw down the entire amount and all costs will be charged to the tribe. We are waiting for a listing of names from the Governor identified to serve on the Election Board and a listing of persons eligible to vote in the Secretarial Election.

Your attention is directed to 25 CFR §§ 81.11, 81.12, 81.13, and 81.14 regarding the need to develop a list of persons duly registered and the deadlines entailed. The registration list must be posted at least 20 days prior to the election which does not include the date of posting and election day. Ensure that the Governor has provided a list of names to serve on the Election Board with you immediately.

The date of the election has been set and shall not be less than 30 nor more than 60 days from the date of the posting notice of the election. Please post immediately. Please schedule, with your election board and the tribal council, a minimum of two education sessions to give the members a chance to ask questions since this is a new constitution for a previously traditional tribe.

Section 81.8 provides for an election board composed of an officer in charge as chairperson and representatives of the Community. The election board shall furnish suitable ballots and supervise the conduct of the election. Funds will be available within the next day or so to assist in payment for costs related to the Secretarial Election.

Once an authorization has been granted by the Secretary, no modifications including correction, deletion or retyping of the authorized version of the proposed language from the Tribal Council Resolution shall be made by the Agency office or Tribe. Should modifications be necessary, please contact this office and preparations may be made for re-authorization, if necessary.

The election results shall be sent to the Southwest Regional Director, Branch of Tribal Government Services, as soon as they are known. If adopted, the original petition, the original completed certificate of results of election, the eligible voters list, the voter's packet, and a copy of the ballot should be returned by mail to this office for the appropriate action. The proposed amendments shall not become effective until approved by the Regional Director. You must act promptly to decide any protests and forward the results immediately to this office. The Regional Director has only 45 days from the date of the election to either approve or disapprove the document. All protests must be decided within that timeframe.

Should you have any questions concerning this matter, you may contact my office or Iris A. Drew, of my staff, at (505) 563-3530

Enclosures

cc: Governor, Pueblo of Laguna

Drew, Iris

From: Tammi M. Lambert [tlambert@lagunatribe.org]
Sent: Friday, July 20, 2012 9:55 AM
To: Drew, Iris
Cc: Rich Luarkie; Casey Douma
Subject: Pueblo of Laguna Secretarial Election- October 19

Hi Iris,

I just spoke with Governor Luarkie about the timing of the Secretarial Election, and he has set a date of October 19, 2012 for the election.

I look forward to meeting with you later today to discuss details.

Tammi Lambert, Esq.
Government Affairs Director
Pueblo of Laguna
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To: Superintendent, Laguna Agency
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This office authorized you to serve as the Chairman of the Secretarial Election Board on June 25, 2012. By copy of this letter, your duties are hereby relieved. These duties have now been transferred to Raymond Fry, Superintendent, Northern Pueblos Agency.

Should you have any questions concerning this matter, you may contact my office or Iris A. Drew, of my staff, at (505) 563-3530.

Enclosures

cc: Governor, Pueblo of Laguna